

RESOLUTION OF THE  
 NAABIK'ÍYÁTI' STANDING COMMITTEE  
 25<sup>th</sup> NAVAJO NATION COUNCIL -- First Year, 2023

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-30-23 AND CJY-55-23 AND CAP-19-23 AND CD-68-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Naabik'íyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. § 700(A).
- B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23, mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.
- C. Navajo Nation Council Resolution No. CD-68-22, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- D. Navajo Nation Council Resolution No. CAP-19-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- E. Navajo Nation Council Resolution No. CJY-55-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) be approved by a Navajo Nation Council resolution and signed into law by the

President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

- F. Navajo Nation Council Resolution No. CAU-74-23, which amended CJN-29-22 and CJY-41-21, included and incorporated herein by reference, delegated the Naabik'íyáti' Committee as the final approval authority for Delegate Region Project Plans funded through Navajo Nation's Fiscal Recovery Funds.
- G. Naabik'íyáti' Committee Resolution No. NABIO-30-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) be adopted and approved by resolution of the Naabik'íyáti' Committee pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

**SECTION TWO. FINDINGS**

- A. The Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among other things, that
  - 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by two-thirds (2/3) vote of the

Naabik'íyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).

2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
  3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
  4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
  5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CD-68-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE WILSON C. STEWART, JR.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), was signed into law by the President of the Navajo Nation on January 6, 2023.
- D. CD-68-22, Section Four, states that:

1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- E. The Navajo Nation Council Resolution No. CAP-19-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-68-22 AND THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), was signed into law by the President of the Navajo Nation on May 5, 2023.
- F. CAP-19-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- G. The Navajo Nation Council Resolution No. CJY-55-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CAP-19-23 AND CD-68-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the President of the Navajo Nation on August 4, 2023.
- H. CJY-55-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- I. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22; DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the President of the Navajo Nation on September 6, 2023.

- J. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among other things, that
1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).
- K. The Naabik'íyáti' Committee Resolution No. NABIO-30-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-55-23 AND CAP-19-23 AND CD-68-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION, was signed into law by the Chairperson of the Naabik'íyáti' Committee on October 17, 2023.
- L. NABIO-30-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.
- M. All additional projects listed in the Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- N. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Andy Nez, Ph.D.'s Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) as set forth in Exhibit A.

**SECTION THREE. AMENDING NABIO-30-23 AND CJY-55-23 AND CAP-19-23 AND CD-68-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION**

**PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION**

The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) set forth in **Exhibit A**.

- A. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- B. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

**SECTION FOUR. AMENDMENTS**

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.

**SECTION FIVE. EFFECTIVE DATE**

This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

**SECTION SIX. SAVING CLAUSE**

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Tse Bonito, New Mexico, at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 00 Opposed, on this 28<sup>th</sup> day of December 2023.



Honorable Crystalyne Curley, Chairwoman  
Naabik'íyáti' Committee

1/5/24

Date

Motion: Honorable Vince R. James

Second: Honorable Andy Nez

Chairwoman Crystalyne Curley not voting

**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

COUNCIL DELEGATE: Hon. Andy Nez, Ph.D.

**Exhibit A**

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CD-68-22 on January 6, 2023				\$ 2,280,047.00
		TOTAL AMOUNT REVERTED in CAP-19-23 on May 5, 2023				-\$ 500,000.00
		TOTAL AMOUNT APPROPRIATED in CAP-19-23 on May 5, 2023				\$ 1,033,662.00
		TOTAL AMOUNT APPROPRIATED in CJY-55-23 on August 4, 2023				\$ 3,453,000.00
		TOTAL AMOUNT APPROPRIATED in NABIO-30-23 on October 17, 2023				\$ 490,000.00
Division of Community Development	None Identified	Crystal Chapter Fire Suppression/Water Tank Installation Project	Division of Community Development	6.1	HK0677	\$ 800,000.00
Division of Community Development	None Identified	Crystal Chapter Purchase of 3/4 Ton 4x4 Truck Project	Division of Community Development	6.1	HK0679	\$ 76,000.00
Division of Community Development	None Identified	Crystal Chapter Purchase of John Deere 6WD 672G Grader Project	Division of Community Development	6.1	HK0680	\$ 375,000.00
Division of Community Development	None Identified	Crystal Chapter Multi-Purpose Building Maintenance Project	Division of Community Development	2.22	HK0683	\$ 216,000.00
Division of Community Development	*Fort Defiance Chapter	Fort Defiance Chapter Bathroom Addition Project	Division of Community Development	1.14	HK0682	\$ 500,000.00
<b>TOTAL:</b>						<b>\$ 8,723,709.00</b>

\*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."



**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

COUNCIL DELEGATE: Hon. Andy Nez, Ph.D.

**Exhibit A**

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		<b>TOTAL AMOUNT from PAGE 01.....</b>				<b>\$ 8,723,709.00</b>
Department of Dine Education	None Identified	Elevate Navajo's Elevating Navajo Youth Project	Department of Dine Education	2.25	HK0690	<b>\$ 63,631.00</b>
		<b>UN-ALLOCATED AMOUNT</b>				<b>\$ 15,000.00</b>
					<b>TOTAL:</b>	<b>\$ 8,802,340.00</b>

\*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 0680

Date & Time Received: 10/12/23 at 10:39

Date & Time of Response: 11/6/23 at 17:00

Entity Requesting FRF: Crystal Chapter

Title of Project: John Deer 6WD 672G Grader

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$375,000.00

Eligibility Determination:

- FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
(2) Premium Pay
(3) Government Services/Lost Revenue
(4) Water, Sewer, Broadband Infrastructure

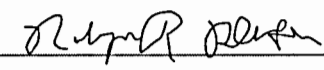
U.S. Department of Treasury Reporting Expenditure Category:
6.1, Provision of Government Services

**Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):**

- |  |  |
|--|--|
| <input type="checkbox"/> Missing Form  | <input type="checkbox"/> Expenditure Plan incomplete                     |
| <input type="checkbox"/> Supporting documentation missing  | <input type="checkbox"/> Funds will not be obligated by 12/31/2024       |
| <input type="checkbox"/> Project will not be completed by 12/31/2026                                     | <input type="checkbox"/> Incorrect Signatory                             |
| <input type="checkbox"/> Ineligible purpose  | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports                                 |  |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination |  |

Other Comments: Please note we have modified the requested expenditure code from 1.14 (Other Public Health Services) to 6.1 (Provision of Government Services) in order to be consistent with similar projects previously determined to be an eligible use of the Nation's Fiscal Recovery Funds.

Name of DOJ Reviewer: Navalyn R. Platero

Signature of DOJ Reviewer: 

**Disclaimers:**

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to [arpa@nndo.org](mailto:arpa@nndo.org).** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

**THE NAVAJO NATION  
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN  
FOR NON-GOVERNANCE CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Crystal Chapter Date prepared: 04/14/23  
Chapter's mailing address: PO Box 775 Navajo, NM 87328 phone/email: 505.777.2800, crystal@  
Navajo, NM 87328 website (if any): https://crystal.navajoch:  
This Form prepared by: Kristin Damon phone/email: 505.777.2800  
Community Services Coordinator kdamon@nnchapters  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: John Deer 6WD 672G Grader

Chapter President: Patricia Slim phone & email: 928.206.8562, pslim@naat:  
Chapter Vice-President: LaVerne Johnson phone & email: 505.906.1205, ljohnson@na  
Chapter Secretary: Marchelle Hardy phone & email: 505.979.2850, mhardy@na  
Chapter Treasurer: Marchelle Hardy phone & email: 505.979.2850, mhardy@na  
Chapter Manager or CSC: Kristin Damon phone & email: 505.777.2800, kdamon@nr  
DCD/Chapter ASO: Derek Echohawk phone & email: 928-266-3153, ddechohawk@

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): \_\_\_\_\_  
 document attached

Amount of FRF requested: \$375,000 FRF funding period: 10/1/23 - 12/31/26  
Indicate Project starting and ending/deadline date

**Part 2. Expenditure Plan details.**

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Funding will be used to purchase a new John Deer 6WD 672G series Grader. It will be used to clear and open up roads to Chapter Members in all seasons. Cleared roads in all seasons allows for members to utilize transportation to provide for themselves, whether it be food, heat, PEP, or sanitation. Roads have to be open for members to travel out as well as emergency and Chapter vehicles to be able to travel in providing any of the above assistance. Remote members live at the base of the Chuska Narbono Pass with heavier snowfall and members residing in the flats of Milk

document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

The Heavy Equip Operator Crystal Chapter is already familiar with driving and providing maintenance for John Deer heavy duty equipment. Current grader is very old and run-down. Crystal Chapter provides the initial grading services for Chapter Members allowing for Emergency vehicle access, opening up roads to individuals with 1) medical needs, 2) elderly, and 3) rest of the community. Assistance from NDOT does not arrive until 4-5 days later in grading

document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

APPENDIX A

Program(s) or Project(s) by December 31, 2026:

Oct 1, 2023 - December 31, 2026

document attached

(d) Identify who will be responsible for implementing the Program or Project:

DCD, NNFRF and NON-LGA Chapter.

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The Crystal Chapter Heavy Equipment Operator will be responsible for the operations and ongoing maintenance of the John Deer Grader.

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why.

1.12 - Other Public Health Services - Crystal Chapter is located at the base of the Chusca Mountains at about 7,000 - 7,500 feet elevation. The Chapter experiences a higher amount of precipitation (snow and rain) affecting the safety of transportation on roads; almost all are dirt. A new Grader is the means to open up ALL Chapter roads for emergency vehicles, allow medical needs members to get out for appointments or emergency vehicles access into homes. Cleared roads also allow other vehicles to deliver PPE, sanitation, water, food and heating supplies including wood, coal and wood pellets to community members. The grader is also utilized to help retrieve vehicles that are stuck in snow or mud.

document attached

**Part 3. Additional documents.**

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

- Crystal Chapter John Deer 6WD 672G Grader Quotes - 4Rivers Equipment, Farmington, NM, ~~Stetz Equipment, Farmington, NM, and RDO Equipment, Flagstaff, AZ~~  
- CRY-04-2023-016

Chapter Resolution attached

**Part 4. Affirmation by Funding Recipient.**

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: Kristin Damon  
signature of Preparer/CONTACT PERSON

Approved by: Peter Slinn  
signature of Chapter President (or Vice-President)

Approved by: Kristin Damon  
signature of CSC

Approved by: [Signature] 10/02/2023  
signature of Chapter ASO

Approved to submit for Review: [Signature]  
signature of DCD Director





FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>John Deere 672G Series 6WD Grader</u>		Business Unit No.: <u>New</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
9142	Equipment: Purchase new John Deere 6WD grader (quotes attached). Purchase to be complete by 12/31/23.	375,000	375,000
<b>TOTAL</b>		<b>\$375,000</b>	<b>\$375,000</b>



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.: New</b> Project Title: <u>John Deer Grader - Crystal Chapter</u> Project Description: <u>Acquisition of John Deere 672G series 6WD Grader</u>										<b>PART II. Project Information</b> Project Type: <u>John Deer Grader</u> Planned Start Date: <u>12/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Kristin Damon</u>																							
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification																																	
<b>PART III.</b> List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b>																Expected Completion Date if project exceeds 8 FY Qtrs. Date: <u>12/31/26</u>																
	FY23								FY 24																								
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.											
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M			
9140 - John Deer Grader Purchase	X	X	X							X	X	X	X	X	X																		
	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								
PART V. Expected Quarterly Expenditures																									375,000.:								

FOR OMB USE ONLY:    Resolution No: \_\_\_\_\_    FMIS Set Up Date: \_\_\_\_\_    Company No: \_\_\_\_\_    OMB Analyst: \_\_\_\_\_

**Crystal Chapter John Deere 6WD 672G Grader – ADDITIONAL DOCUMENTS**

- **Subrecipients Information**
- **Appendix A, Part 2, Sections 'a' and 'b'. Additional notes explaining the extension of the quote expiration.**
- **4Rivers Equipment, LLC Quote**
- **RDO Equipment Co. Quote**
- **Crystal Chapter Resolution CRY-04-2023-016**

**Crystal Chapter**

**John Deer 6WD 672G Grader**

**Subrecipients**

**4Rivers Equipment**

**1100 Troy King Road**

**Farmington, NM 87401**

**505.326.1101**

**505.326.2516 (fax)**

**RDO Equipment Co.**

**5500 East Penstock Avenue**

**Flagstaff, AZ 86004**

**928.526.0639**

**928.526.2498 (fax)**

**John Deer 6WD 672G Grader Proposal, Crystal Chapter**

- a. Funding will be used to purchase a new John Deer 6WD 672G series Grader. It will be used to clear and open up roads to Chapter Members in all seasons. Cleared roads in all seasons allows for members to utilize transportation to provide for themselves, whether it be food, heat, PEP, or sanitation. Roads have to be open for members to travel out as well as emergency and Chapter vehicles to be able to travel in providing any of the above assistance. Remote members live at the base of the Chuska Narbono Pass with heavier snowfall and members residing in the flats of Milk Water are challenged with snow drifts. Grading services are critical to the survival of Chapter Members during severe weather events.
- b. The Heavy Equip Operator for Crystal Chapter is already familiar with driving and providing maintenance for John Deer heavy duty equipment. Current grader is very old, high mileage and run-down. Crystal Chapter provides the initial grading services for Chapter Members allowing for Emergency vehicle access, opening up roads to individuals with 1) medical needs, 2) elderly, and 3) rest of the community. Assistance from NDOT does not arrive until 4-5 days later in grading process, sometimes not at all. The Chapter is the primary provider of these critical grading services, especially in times of emergency.

**NOTE:**

The preferred business to fill the grader quote is 4Rivers Equipment, Inc., Farmington, NM. I inquired about the increase in price due to inflation between the quote date of 5.4.2023 and the actual purchase date price. Last year John Deere equipment increased by seven (7) percent effective November 1, 2022.

With the 'Quotation Void after 60-Days', I pressed for an extension. David Valdez, Salesman, offered to extend the quote if a Purchase Order is in place by September 30, 2023. Thereafter, the price is likely to increase by five (5) percent reflected in the Amount of FRF requested (\$375,585)



EQUIPMENT

1100 Troy King Road  
Farmington NM 87401  
505-326-1101

Albuquerque NM \* Cheyenne WY \* Colorado Springs CO \* El Paso TX \* Farmington NM \* Fort Collins CO  
Frederick CO \* Greeley CO \* Hobbs NM \* Holly CO \* Lamar CO \* Pueblo CO \* Rocky Ford CO \* Strasburg CO  
www.4RiversEquipment.com

Quotation

To: Navajo Nation Crystal Chapter  
Po Box 775  
Navajo, NM 87328  
Attention: Miss Kristin Damon

Date 5.4.2023  
FOB: 4Rivers Farmington  
Delivery Date: 30-180 Days ARO  
(Quotation Void after 60- Days)

1 Each New 2023 John Deere 672G All Wheel (6wd) Motor Grader Equipped with:  
9.0L John Deere Wet Sleeve Engine (548 Cu. In.) Displacement (255 VHP) Final Tier 4 Emissions. Dual 100 amp Alternator (200 amp total), HD Air Cleaner- 9.0L 14in, Adjusting Rotary Ejector Pre-Cleaner, Severe Duty Fuel Filter & Water Filtration, Decelerator, Auto Shift Plus Transmission 81wd 8rev Gears, Transmission Solenoid Valve Guard, Antler Rack Controls (Traditional), Steering Wheel, Hydraulic Pump Disconnect, 14"x 24"X 7/8" MB (6"Ceh 5/8"), Single Input w/Slip Clutch Gearbox, Reversible Overlay End Bits, 17.5-25 16pr G2/L2 Bias Tires with 3pc Rims, Low Cab with Lower Front and Side Opening Windows, Lower Front Intermittent Wiper/Washer, Powered Cab Air Cleaner, Front Fenders, Premium Heated leaver/frabric High Back Air Suspension Seat with Arm Rests, Front Mounted Dozer Blade 105" X 37.6", Rear Ripper/Scarifier Combo with Rear Hitch and Pin, 9extra Scfr Shanks and 2 extra Rippers Shanks w/Teeth, Deluxe Grading Lights 18 Halogen with Led Brake and Tail, Converter 10/15amp 24v To 12v, Heated Exterior Mounted Rearview Mirrors, Premium Am/Fm/WB/Bluetooth and Aux, Rear Camera, Rear Retractable Sunshade, LH Beacon with Flip Down Bracket, Fire Extinguisher, SMV Sign, Engine Block Heater, Ether Aid Less Canister, Cold Weather Control Valve Covers (cold start packages), Right Side Engine Compartment Light, Tire Chains (6) and Extra Cutting Edges, JD Link Ultimate Life Time Service. Plus all Other Standard Equipment.

NN Crystal Chapter Price using NN Governmental Discounts: \$357,700.00

Machine Warranty:

12-Months Full Machine Factory Warranty, plus an additional 72-Months/4000 hours whichever occurs first of Powertrain plus Hydraulics extended warranty. FOB a 4Rivers Equipment Facility. Total coverage is 84-months/4000 hours.

Operator Training:

Free of charge for training on operations and maintenance of the machine at time of delivery.

By: David Valdez 505-947-4796 cell

Accepted By: Kristin Damon

Order Accepted By: 4 Rivers Equipment, LLC.



**JOHN DEERE**

## Investment Proposal (Quote)

RDO Equipment Co.  
5500 East Penstock Avenue  
Flagstaff AZ, 86004

Phone: (928) 526-0639 - Fax: (928) 526-2498

Proposal for:  
CRYSTAL CHAPTER  
P.O. BOX 775  
NAVAJO, NM, 87328  
MCKINLEY

Investment Proposal Date: 4/28/2023  
Pricing Valid Until: 5/12/2023  
Deal Number: 1653041  
Customer Account#: 2800983  
Sales Professional: Buzz Ivicak  
Phone: (928) 526-0639  
Fax: (928) 526-2498  
Email: Blivicak@rdoequipment.com

### Comments

Price includes 6 ea. tire chains and 1 set of cutting edges w/hardware.

### Equipment Information

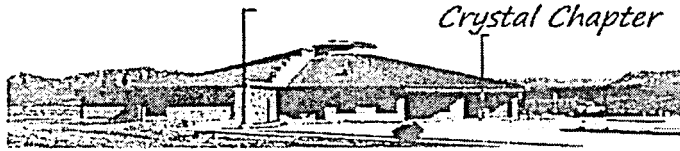
Quantity	Serial Number Stock Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD TBD	0	New 2023 JOHN DEERE 672G	\$346,566.08
			Freight in FACTORY FREIGHT	\$5,500.00
			Freight Out DELIVERY	\$2,500.00
			Other 6 EA TIRE CHAINS AND ONE EXTRA SET OF CUTTING EDGES W/HARDWARE	\$6,540.00
			Item Subtotal:	\$361,106.08
			Equipment Subtotal:	\$361,106.08

### Purchase Order Totals

Balance:	\$361,106.08
NM STATE TAX:	\$18,055.31
NM COUNTY TAX:	\$5,867.97
Sales Tax Total:	\$23,923.28
Sub Total:	\$385,029.36
Cash with Order:	\$0.00
Balance Due:	\$385,029.36

**Equipment Options**

Qty	Serial Number	Year / Make / Model	Description
1	TBD	2023 JOHN DEERE 672G	8450T 672G MOTOR GRADER with 6WD 1140 John Deere PowerTech PSS 9.0L meets EPA FT4 Emissions 1830 Engine Exhaust W/ Flat Black Stack (FT4 or Stage V only) 1420 Severe Duty Fuel & Water Filtration System 1310 Quick Service Group 9380 Engine Block Heater 9370 Ether Starting Aid 1010 Standard Antler Rack Hydraulic Controls 5030 Low Cab w/ Lower Front and Side Opening Windows 8830 Rear Camera (R4) 8210 Exterior Mounted Rearview Mirrors 8410 AM/FM Radio with Aux and Weather Band (WB) 8310 Lower Front Intermittent Wiper & Washer 6030 No Powered Cab Air Precooler 6120 Standard Fabric Air Suspension Seat with Armrests and Headrest 8720 No Sound Absorption Package 6620 Base Hydraulics w/ 1 Auxiliary Function Control 8510 Air Conditioner Refrigerant Charged 9210 Decelerator 2575 No Grade Control Base Kit Installed 2775 No Topcon 3D GPS Grade Control System Installed 5815 Hydrau 1610 Hydraulic Pump Disconnect 170K JDLink™ 1910 Blade Impact Absorption System 2060 14 FL x 24 In. x 7/8 In. (4.27M x 610mm x 22mm) w/ 8 In. x 3/4 In. (203 x 19mm) Cutting Edge & 5/8 In. (16mm) Hardware 2820 Single Input Gearbox with Slip Clutch 9450 Reversible Overlay End Bits 1240 Dual 100 Amp Alternators (200 Amp total) 7160 Deluxe Grading Lights (18 Halogen Lights) 8110 24-to-12 Volt Converter (15 amps peak / 10 amps continuous) 6810 Rear Mounted Ripper/Scarifier Combination with Rear Hitch and Pin 9430 (9) Extra Scarifier Shanks w/Teeth For Rear Ripper/Scarifier 5510 Autoshift Transmission 5710 Transmission Solenoid Valve Guard 4824 No Brand Preference 7810 Front Fenders 9724 17.5R25 L2 1 STAR NO BRAND PREFERRED WITH 3PC RIM 2605 English Manual W/ English Labels & Decals 6520 RH Base Hydraulic plus one Auxiliary 6780 DOZER BLADE 105" X 37.6"



*Crystal Chapter*

*P.O. Box 775, Navajo, New Mexico 87328 (505)777-2800/2801*

CRY-04-2023-016

**RESOLUTION OF THE CRYSTAL CHAPTER  
SUPPORTING THE CHAPTER PROPOSAL OF THE NAVAJO NATION  
GOVERNMENT FOR THE AMERICAN RESCUE PLAN ACT OF 2021 BY  
AND THROUGH THE NAVAJO FISCAL RECOVERY FUND FOR  
ENUMERATED CHAPTER PROJECTS**

**WHEREAS:**

1. Pursuant to 26 N.N.C. section 3 (A), the Crystal Chapter is a duly recognized chapter of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10; and
2. On March 6, 2021, the U.S. Congress approved the American Rescue Plan Act of 2021; and on March 11, 2021, the U.S. President Joe Biden signed it into law; and
3. The Navajo Nation received 1.9 billion of funding through the American Rescue Plan Act of 2021; and established the Navajo Fiscal Recovery Fund ("FRF") Office to oversee the application of proposals for the ARPA projects for Navajo chapters; and
4. The Navajo Division of Community Development is identified in the Navajo Nation Council Resolution C is managing the Navajo chapter governance of the ARPA proposals submission for the 110 Navajo governance chapters. Crystal Chapter initially submitted four infrastructure proposals for its respective chapter; and
5. The Crystal Chapter subsequently conducted its assessments, data collection and the projects are ready for funding; and submit a letter from Crystal Chapter Officials listing propriety projects; and
6. The Crystal Chapter is submitting two additional projects (one infrastructure) for the American Rescue Plan Act ("ARPA") proposal to the Navajo Nation Division of Community Development according to the project checklist and the ARPA guidelines. Projects serving individual community members and their families rather than the community are on "needs based." The following are the identified APRA projects for the funds of proposed capital items:
  - A. Crystal Chapter Fire Suppression / Water Tank Installation
  - B. New Grader to service the Crystal Community

**NOW, THEREFORE BE IT RESOLVED THAT:**

- A. The Chapter hereby amends the original proposal submitted to the Navajo Nation government for the American Rescue Plan Act/Fiscal Recovery Funds as intended to support



governmental efforts to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by residents and businesses. In accordance with Section 9901 or ARPA, Fiscal Recovery Funds shall only be use for following:

1. To respond to the COVID-19 public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits; or aid to impacted industries such as tourism, travel, and hospitality.
  2. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers.
  3. To provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the emergency; and
  4. To make necessary investment in water, sewer, or broadband infrastructure.
- B. Under the direction of the FRF Expenditure Plan Budget Crystal Chapter is supporting the Project and affirming that the Chapter will only use awarded Funds in compliance with the ARPA, the ARPA Regulations, and all other applicable Navajo Nation and federal laws and regulations. This provision does not apply to formula-based distributions of Fiscal Recovery Funds to Non-Governance Certified Chapters.
- C. The Crystal Chapter leadership and its community member support the proposal of the above-mentioned capital items for ARPA/FRF funding according to the American Rescue Plan Act appropriations regulations and guidelines.

#### **CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Crystal Chapter at a duly called chapter meeting at Crystal (Navajo Nation), New Mexico at which a quorum was present and that same was motioned by Theresa Kedelty and seconded by Randell Kelly; and was considered and approved with votes of 12 in favor, 02 opposed and 04 abstained on this 18th day of April 2023.

  
\_\_\_\_\_  
Patricia Slim, Chapter President