



**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

**The Navajo Nation | Yideeskáądi Nitsáhákees**

May 25, 2023

**TRANSMITTAL**

TO : Calvin Castillo, Executive Director  
 Division of Community Development (DCD)

FROM :   
 Cordell Shortey, Contracting Officer  
 Contracts & Grants Section (CGS) / OMB

SUBJECT : BU on Projects / Activities for Cameron Chapter, Birdsprings Chapter, Tolani Lake Chapter, Coalmine Chapter, Leupp Chapter- ARPA Funds Allocated to Delegate Johnson Region

**I. Information on Contract (per Original Award):**

Cameron Chapter, Coalmine Canyon Chapter, Birdsprings Chapter, Leupp Chapter and Tolani Lake Chapter	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract	Funding Agency	CFDA No. - Federal
CAP-08-23	\$ 8,802,340.00	2022
Grant No.	Amount	Fiscal Year
		03/11/2021 to 12/31/2026
		Term - Begin and End Date

**II. Data Entered in FMIS Regarding:**

New Contract or Grant Company No. 8059 Business Unit (K#) K2115155 to K2115168

Contract Mod No. \_\_\_\_\_

Amt of Budget Increase \$8,252,337.00 \$0.00 to \$8,252,337.00

AMOUNT FROM TO

Budget Period - Extend End Date: From \_\_\_\_\_ To \_\_\_\_\_

Other, specify: \_\_\_\_\_

**Authorizing Document - Attached:**

Contract / Agreement - Date executed \_\_\_\_\_

NNC / Committee Resolution - No. & Date \_\_\_\_\_

Other, specify: NN Council Resolution CAP-08-23

**III. Comments by CGS:**

This transmittal documents 1st budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Casey Johnson Region. Budget first received on May 12, 2023 electronically and received again on May 17, 2023 as hardcopy is authorized for implementation pursuant to FY 2023 NN BIM Appendix L Section II. B. and concurred by Navajo Nation Fiscal Recovery Fund (NN FRF) Office by memorandum of May 12, 2023. Y-T-D budget in FMIS for CD Johnson Region totals \$8,252,337. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters the respective Council Delegate service aka Region.

*477 5/25/23*  
 Attachment  
 Copy: Contract files  
 Contract Accounting / OOC / DPM  
 Tom Platero, Executive Director - NN FRF Office

Revised February 2023



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Grant No.	Amount	Term - Begin and End Date
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Other, specify: \_\_\_\_\_

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 Tom Platero, Executive Director - NN FRF Office

*Handwritten signature/initials*

Revised February 2023



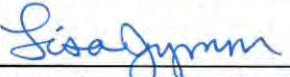


**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

**MEMORANDUM**

**TO :** Dominic Beyal, Director  
 Navajo Nation Office of Management & Budget  
 Cordell Shortey, Contracting Officer  
 Navajo Nation Office of Management & Budget

**FROM :**   
 Lisa Jymm, Deputy Executive Director  
 Navajo Nation Fiscal Recovery Fund Office

**DATE :** May 12, 2023

**SUBJECT :** CAP-08-23 – Allocation of \$8,802,340 in Navajo Nation Fiscal Recovery Funds per Delegate Casey Allen Johnson’s Delegate Region. NNFRFO is requesting new business units in the amount of \$8,252,337.



The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting new business units equaling \$8,252,337 per CAP-08-23. The current NNFRFO request is listed in the table below:

No.	Description	Category	\$
1	Cameron Chp South Tappan Powerline Extension Project	2.18	\$1,760,468.00
2	Birdsprings Chp Warehouse Upgrade	6.1	\$190,000.00
3	Birdsprings Chp Dome Repair and Modification	1.4	\$291,961.00
4	Birdsprings Chp Home Renovation for Community Members	2.18	\$1,278,504.00
5	Tolani Lake Chp House Wiring Project	2.18	\$70,000.00
6	Tolani Lake Chp 1.5 PPE (Storage) Warehouse	6.1	\$1,055,000.00
7	Tolani Lake Chp Dump Truck and Trailer Purchase	6.1	\$135,468.00
8	Coalmine Chp Warehouse Project	6.1	\$450,000.00
9	Coalmine Chp Septic Sewage Tank Clean-Outs	5.5	\$50,000.00
10	Coalmine Chp Bathroom Additions	1.14	\$1,260,468.00
11	Leupp Chp Heavy Equipment and Fleet Vehicle Purchase	6.1	\$1,156,600.00
12	Leupp Chp Warehouse	1.14	\$185,000.00
13	Leupp Chp Senior Center Renovation	2.22	\$81,000.00
14	Leupp Chp House Renovation Project	2.22	\$287,868.00
	<b>TOTAL:</b>		<b>\$8,252,337.00</b>

If you have any questions, please feel free to contact me by phone at (928) 309-5535 or by email at [ljymm@navajo-nsn.gov](mailto:ljymm@navajo-nsn.gov). Thank you.

CC: Germaine Jones, Deputy Contracting Officer, OMB  
 Christine Chavez, Director, Contract Acctg/OOC





**The Navajo Nation** **DR. BUU NYGREN** **PRESIDENT**  
**Yideeskáądi Nitsáhákees** **RICHELLE MONTOYA** **VICE PRESIDENT**

May 4, 2023

Honorable Crystalyne Curley, Speaker  
Navajo Nation Council  
Post Office Box 3390  
Window Rock, AZ 86515

RE: CAP-08-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake)

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-08-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Johnson's Delegate Region in the amount of \$8,252,337.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,



Dr. Buu Nygren, President  
THE NAVAJO NATION

RESOLUTION OF THE  
 NAVAJO NATION COUNCIL  
 25<sup>th</sup> NAVAJO NATION COUNCIL - FIRST YEAR, 2023

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 CASEY ALLEN JOHNSON'S DELEGATE REGION  
 (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI  
 LAKE)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. 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, Section Three, 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 Navajo Nation Council resolution and signed into law by the President of the Navajo Nation . . . . See CJN-29-22, 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. All projects listed in the Hon. Casey Allen Johnson's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Casey

Allen Johnson's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Casey Allen Johnson's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit A.

### SECTION THREE. APPROVAL OF HON. CASEY ALLEN JOHNSON'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. 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 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).

### SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).


### 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 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 18<sup>th</sup> day of April 2023.



Honorable Crystalyne Curley, Speaker  
25<sup>th</sup> Navajo Nation Council

4/27/23

DATE

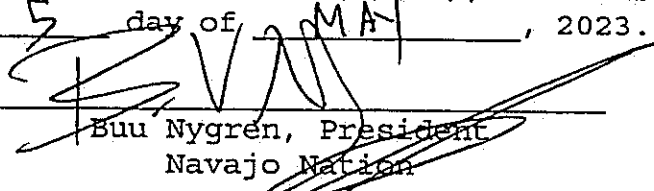
Motion: Honorable Helena Nez Begay  
Second: Honorable Shaandiin Parrish

Speaker Crystalyne Curley not voting



ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 5 day of MAY, 2023.

  
\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

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



**COUNCIL DELEGATE:** Delegate Casey Allen Johnson

**CHAPTERS:** Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Cameron Chapter South Tappan Powerline Extension Project	Division of Community Development	2.18	HK0337	\$ 1,760,468.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Warehouse Upgrade	Division of Community Development	6.1	HK0364	\$ 190,000.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Dome Repair and Modification	Division of Community Development	1.4	HK0365	\$ 291,961.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Home Renovation for Community Members	Division of Community Development	2.18	HK0366-2	\$ 1,278,504.00
Division of Community Development	None Identified	Tolani Lake Chapter House Wiring Project	Division of Community Development	2.18	HK0367	\$ 70,000.00
Division of Community Development	None Identified	Tolani Lake Chapter 1.5 PPE (Storage) Warehouse	Division of Community Development	6.1	HK0368	\$ 1,055,000.00
Division of Community Development	None Identified	Tolani Lake Chapter Dump Truck and Trailer Purchase	Division of Community Development	6.1	HK0369	\$ 135,468.00
Division of Community Development	None Identified	Coalmine Chapter Warehouse Project	Division of Community Development	6.1	HK0387	\$ 450,000.00
Division of Community Development	None Identified	Coalmine Chapter Septic Sewage Tank Clean-Outs	Division of Community Development	5.5	HK0388	\$ 50,000.00
Division of Community Development	None Identified	Coalmine Chapter Bathroom Additions	Division of Community Development	1.14	HK0389	\$ 1,260,468.00
<b>TOTAL:</b>						<b>\$ 6,541,869.00</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:** Delegate Casey Allen Johnson

**CHAPTERS:** Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 6,541,869.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase	Division of Community Development	6.1	HK0398	\$ 1,156,600.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Warehouse	Division of Community Development	1.14	HK0399	\$ 185,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Senior Center Renovation	Division of Community Development	2.22	HK0400	\$ 81,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter House Renovation Project	Division of Community Development	2.22	HK0401	\$ 287,868.00
		UN-ALLOCATED AMOUNT				\$ 550,003.00
<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

69

4/18/2023

Navajo Nation Council Spring Session

10:30:58 AM

Amd# to Amd#

Consent Agenda: Legislation's

PASSED

MOT Begay, H

0014-23, 0017-23, 0022-23,

SEC Parrish, S

0036-23, 0037-23, 0064-23,  
and 0050-23

Yeas : 21

Nays : 0

Excused : 2

Not Voting : 0

Yea : 21

Arviso, S

Damon, S

Nez, R

Slater, C

Aseret, L

Daniels, H

Notah, N

Tolth, G

Begay, H

James, V

Parrish, S

Tso, O

Begay, N

Johnson, C

Simonson, G

Yanito, C

Charles-Newton, E

Nez, A

Simpson, D

Yazzie, C

Claw, S

Nay : 0

Excused : 2

Jesus, B

Crotty, A

Not Voting : 0

Presiding Speaker: Curley, C

\*\*\* NEW BUDGET \*\*\*

Job K2115155 US TREASURY-CAMERON CHPS TAPP  
Project

Cost Code	Cost Type	Description	L P M DE C U M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1710	Program Revenue	6 B N		1,760,468.00-	1,760,468.00-			1,760,468.00-		1.00
1710	Program Revenue	6 T		1,760,468.00-	1,760,468.00-			1,760,468.00-		1.00
1705	CG Revenue	5 T		1,760,468.00-	1,760,468.00-			1,760,468.00-		1.00
1700	External C/G Revenue Sourc	4 T		1,760,468.00-	1,760,468.00-			1,760,468.00-		1.00
1000	Revenues	3 T		1,760,468.00-	1,760,468.00-			1,760,468.00-		1.00
8500	Infrastrure (non cap)	6 B N		1,760,468.00	1,760,468.00			1,760,468.00		1.00
8500	Infrastrure (non cap)	6 T		1,760,468.00	1,760,468.00			1,760,468.00		1.00
8010	Public	5 T		1,760,468.00	1,760,468.00			1,760,468.00		1.00
8000	Assistance	4 T		1,760,468.00	1,760,468.00			1,760,468.00		1.00
2000	Expenses	3 T		1,760,468.00	1,760,468.00			1,760,468.00		1.00

# **Birdsprings Chapter Dome Repair and Modification**





\*\*\* NEW BUDGET \*\*\*

Job K2115157 US TREASURY-BSPRINGS CHP DOME  
Project

Cost Code	Cost Type	Description	L P M D E C U M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1710	Program Revenue	6 B N		291,961.00-	291,961.00-			291,961.00-		1.00
1710	Program Revenue	6 T		291,961.00-	291,961.00-			291,961.00-		1.00
1705	CG Revenue	5 T		291,961.00-	291,961.00-			291,961.00-		1.00
1700	External C/G Revenue Sourc	4 T		291,961.00-	291,961.00-			291,961.00-		1.00
1000	Revenues	3 T		291,961.00-	291,961.00-			291,961.00-		1.00
2310	Temporary	6 B N		8,960.00	8,960.00			8,960.00		1.00
2310	Temporary	6 T		8,960.00	8,960.00			8,960.00		1.00
2300	Temporary	5 T		8,960.00	8,960.00			8,960.00		1.00
2900	Fringe Benefits	5 B N		921.00	921.00			921.00		1.00
2900	Fringe Benefits	5 T		921.00	921.00			921.00		1.00
2001	Personnel Expenses	4 T		9,881.00	9,881.00			9,881.00		1.00
4200	Non Capital Assets	6 B N		57,080.00	57,080.00			57,080.00		1.00
4200	Non Capital Assets	6 T		57,080.00	57,080.00			57,080.00		1.00
4100	Office Supplies & Equipme	5 T		57,080.00	57,080.00			57,080.00		1.00
4000	Supplies	4 T		57,080.00	57,080.00			57,080.00		1.00
6020	Supplies	6 B N		75,000.00	75,000.00			75,000.00		1.00
6020	Supplies	6 T		75,000.00	75,000.00			75,000.00		1.00
6010	Building	5 T		75,000.00	75,000.00			75,000.00		1.00
6000	Repairs & Maintenance	4 T		75,000.00	75,000.00			75,000.00		1.00
6520	Consulting	6 B N		150,000.00	150,000.00			150,000.00		1.00
6520	Consulting	6 T		150,000.00	150,000.00			150,000.00		1.00
6510	Professional Services	5 T		150,000.00	150,000.00			150,000.00		1.00
6500	Contractual Services	4 T		150,000.00	150,000.00			150,000.00		1.00
2000	Expenses	3 T		291,961.00	291,961.00			291,961.00		1.00



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPAUL  
Attorney General

KIMBERLY A. DUTCHER  
Deputy Attorney General

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

RFS/HK Review #: HK0365

Date & Time Received: 12/20/22 17:03

Date & Time of Response: 11 January 2023; 8:46 am

Entity Requesting FRF: Tsidi To'ii (Birdsprings) Chapter

Title of Project: Dome Repair and Modification

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$291,961.00



**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:** 1.4 Prevention in Congregate

Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)

**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 |  |

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: \_\_\_\_\_



Disclaimers: An NNDOJ Initial Eligibility Determination will be 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 GOVERNANCE-CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Tsidi To'il (Birdsprings) Chapter Date prepared: 9/23/22

Chapter's mailing address: HC-61, Box K Winslow, AZ. 86047 phone & email: 928-686-3233  
website (if any): birdsprings@navajochapters.org

This Form prepared by: Dolly Wagoner phone/email: 928-686-3233  
Chapter Manager dwagoner@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S Info

Title and type of Project: Dome Repair and Modification

Chapter President: Vernice R. Wagner phone & email: 928.266.7618/wagnervernice68@gmail.com

Chapter Vice-President: Geneva Sangster phone & email: 928.587.4732/geneva.sang58@gmail.com

Chapter Secretary: Mitzi Begay phone & email: 602.339.8867/mitzi.begay@nnchapters.org

Chapter Treasurer: Mitzi Begay phone & email: same as above

Chapter Manager or CSC: Dolly Wagoner phone & email: 928.686.3233/dwagoner@nncdc.org

DCD/Chapter ASO: Eunice Begay phone & email: 928.654.3433/ebegay@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Dome Tech., Certified, licensed & bonded contractors to do restroom renovations & kitchen appliances installations.  document attached

Amount of FRF requested: \$291,961.00 FRF funding period: Jan. 03, 2023 to Dec. 30, 2026  
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:

**Dome Repair - Modifications to existing closets, installing showers for personal hygiene, proper and consistent good personal hygiene to mitigate transmission of viruses. Purchase of kitchen appliances to be utilized for cooking meals. Modification and installation of kitchen appliances will be utilized for emergency sheltered victims. Work will be done at Tsidi To'il Chapter Dome. Repair to the dome exterior cover will add to the life of the dome, and utilized for years to come.**

document attached

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

**Project will benefit the community of Birdsprings by providing showers, and or hot meals when dome is utilized as a shelter. Repair of the chapter dome exterior cover will add to the life of the dome, and community members a place to get information pertaining to state of emergencies; Covid 19 or any other viruses.**

document attached

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

**APPENDIX A**

See attached timeline document. Only challenge that our chapter foresees as with any other funds is that funding source and or providers will be delay appropriation of funds. Not allowing certified chapters to do their own procurement and payment processes as it relates to price quotes, requisitions contracts, and purchases for projects.

document attached

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

Tsidi Toli (Birdsprings) Administration; Dolly Wagoner, Chapter Manager & Jeannie James, Administrative Assist. Oversight: Vernice Wagner, Chapter President and Mitzi Begay, Sec/Treas.

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:

Tsidi Toli (Birdsprings) Chapter will assume responsibility of all operation and maintenance cost of the warehouse once it is completed.

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. Public Health: 1.7 Capital Investments or Physical Plant Changes to Public Facility that response to the Covid-19 public health emergency. Purchases of kitchen appliances will allow the storing and preparing of food. Modification of closet areas into showers will address personal hygiene, which was a short fall in mitigating the spread of Covid 19 virus. The chapter dome building utilized as a shelter during emergencies needs to be structurally sound as the chapter is a community outreach center.

document attached

**Part 3. Additional documents.**

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

See attached time line, comprehensive, and approve chapter resolution.

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: *Dolly Wagoner*  
signature of Preparer/CONTACT PERSON

Approved by: *Geneva Sengates*  
signature of Chapter President for Viceroy Recipient

Approved by: *Dolly Wagoner*  
signature of Chapter Manager or CSC

Approved by: *Arnold Or* 12/20/2022  
signature of Director/Chapter ASO

Approved to submit for Review: *Jisa Jymmm, NMFRCFO*  
signature of DCO Director

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page     of      
BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Tsidi To'ii (Birdsprings) Chapter Dome Repair & Modification Division/Branch: Div. Comm. Development  
 Prepared By: Dolly Wagoner, CM Phone No.: 928.686.3233 Email Address: birdsprings@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
ARPA Dome Repair & Modification	01/03/23-12/30/28	291,981.00	100%					
			0%	2001 Personnel Expenses	kw	kw	9881.09 kw	9881.09 kw
			0%	3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies	kw	kw	57,080 kw	57,080 kw
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance	kw	kw	75,000 kw	75,000 kw
				6500 Contractual Services	kw	kw	150,000 kw	150,000 kw
				7000 Special Transactions				
				8000 Public Assistance	kw	kw	-291,981 kw	-291,981 kw
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL	kw	kw	291,961.00	0
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:	kw	kw	4 kw	
				Total # of Vehicles Budgeted:	kw	kw	0	
				TOTAL:			\$291,961.00	100%

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Sonlatsa Jim-Martin, Department Manager II APPROVED BY: Dr. Pearl Yellowman, Division Director  
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name  
Sonlatsa Jim-Martin 11-23-22 Pearl Yellowman 11.28.22  
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date



FY 2023

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA


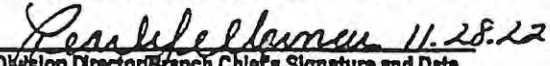
Page \_\_\_ of \_\_\_  
BUDGET FORM 2

**PART I. PROGRAM INFORMATION:**  
 Business Unit No.: NEW Program Name/Title: Tsidi To'li (Birdsprings) Chapter Dome Repair and Modification.

**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
<b>1. Goal Statement:</b> <u>Repair dome from roof to renovation of bathrooms to showers.</u> <b>Program Performance Measure/Objective:</b> <u>Conduct an assessment on identifying repairs on the dome.</u>	2		2		2		2	
<b>2. Goal Statement:</b> <u>Contact vendors for quotations of roofing, materials for renovation.</u> <b>Program Performance Measure/Objective:</b> <u>Get quote and start purchasing items or materials for renovations.</u>	4		1		1			
<b>3. Goal Statement:</b> <u>Improve exterior chapter and install/upgrade equipment and shower additions.</u> <b>Program Performance Measure/Objective:</b> <u>Complete Exterior chapter cover, purchase &amp; install equipment &amp; renovate bathrooms to showers</u>	1		1		1			
<b>4. Goal Statement:</b> <u>Hire temporary labors to complete &amp; assist with the renovation of dome.</u> <b>Program Performance Measure/Objective:</b> <u>Provided employment-4 community member labors to assist in completing projects</u>	4							
<b>5. Goal Statement:</b>  <b>Program Performance Measure/Objective:</b>								

**PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**

<p><u>Sonlatsa Jim-Martin, Department Manager II</u>                  Program Manager's Printed Name                    Program Manager's Signature and Date 11-23-22</p>	<p><u>Dr. Pearl Yellowman, Division Director</u>                  Division Director/Branch Chief's Printed Name                    Division Director/Branch Chief's Signature and Date 11-28-22</p>
--	--

*Dome Repair and Modification.  
EW*



FY \_\_\_\_\_

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

Page \_\_\_ of \_\_\_  
BUDGET FORM 4

PART I. PROGRAM INFORMATION:  
 Program Name/Title: Tsidi To'ii (Birdsprings) Chapter Dome *Repair and Modification* Business Unit No.: NEW

PART II. DETAILED BUDGET:		(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
2001	Personnel Expense			9,881.09
2310	Temporary	8,960	8,960	
	2120 - Person - Regular FT			
	Four (4) Temporary Public Employment Project Employees x 160 hours = \$2,240 x 4 = 8,960			
2910	FICA			
	2912 - FICA	555.52	685.47	
	2914 - Medicare	129.92		
2950	Unemployment Benefits			
	2951 - State Unemployment Tax	163.97	163.97	
2960	Worker's Comp			
	2961 - Worker's Comp - Self	71.08	71.08	
4000	Supplies			57,080
4200	Non Cap Assets		57,080	
	4210 - Non Cap Furniture & Equip	57,080		
6000	Repair & Maintenance			75,000
6020	Supplies		75,000	
	6030 - Building R & M Supplies	75,000		
TOTAL			141,961.09	141,961.09

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tsidi To'ii (Birdsprings) Chapter Dome Repair &amp; Modification</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
kw kw 6500	Contractual Services kw		150,000 kw
6520	Consulting kw	150,000 kw	
	6530 - consulting-Fees kw 75,000 kw		
	6540 - consulting-Expenses kw +75,000 kw		
	<u>150,000 kw</u>		
TOTAL		150,000 kw	150,000 kw

FY 2023

**THE NAVAJO NATION**  
**LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT**

Page \_\_\_ of \_\_\_  
**BUDGET FORM 3**

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2022 ACTUAL		FY 2023 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
1001	NEW	Labor		VACANT	Birdsprings			180	2,240.00
1002	NEW	Labor		VACANT	Birdsprings			180	2,240.00
1003	NEW	Labor		VACANT	Birdsprings			180	2,240.00
1004	NEW	Labor		VACANT	Birdsprings			160	2,240.00

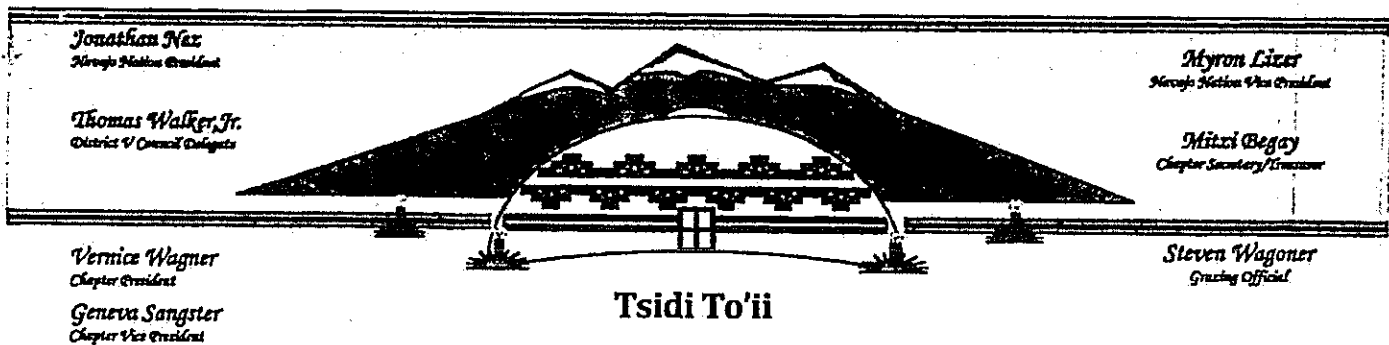
**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>New</u>															<b>PART II.</b> Project Information																													
Project Title: <u>Birdsprings Chapter - Dome Repair and Modification</u>															Project Type: <u>Birdsprings Chp - Dome Repair and Modification</u>																													
Project Description: <u>Delegate Regional Projects Plan</u>															Planned Start Date: <u>5/1/2023</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															Planned End Date: <u>9/30/2026</u>																													
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.															<b>PART IV.</b> Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.										Expected Completion Date if project exceeds 8 FY Qtrs.																			
															FY <u>2023</u>										FY <u>2024</u>										Date <u>2026</u>									
															1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date					
															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
Setting Up Business Units - OMB																																												
Procurement (Bidding, Contracts)																																												
Labor and Construction Phase																																												
Project Close Outs																																												
<b>PART V.</b>															\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								
Expected Quarterly Expenditures																					10%									90%			100%											

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







**RESOLUTION OF TSIDI TO'II CHAPTER  
WESTERN NAVAJO AGENCY**

Resolution No: TT-008-2022

**APPROVING AND ADOPTING THE ARPA CHAPTER ALLOCATION  
OF \$1,760,468.00 TO MITIGATE COVID – 19 HEALTH CONCERNS  
OF THE TSIDI TO'II CHAPTER COMMUNITY.**

**WHEREAS:**

1. Pursuant to 26 N.N.C., Section 3 (A), the Tsidi To'ii (Birdsprings) Chapter is a duly recognized chapter of the Navajo Nation Government, as listed at 11 N.N.C., Part 1, Section 10, and
2. The Tsidi To'ii (Birdsprings) Chapter is a certified chapter government of the Navajo Nation in accordance with the Navajo Nation Local Governance Act, 26 N.N.C., Section 1 (B); thereby, vested with the authority to protect and promote the general health, safety, and welfare of the Chapter membership; and
3. As a Certified Chapter, Title 26, Chapter 1, Subchapter 1, Section 1 B.2, was established for Purposes of chapters, such as Tsidi To'ii Chapter to make decisions over local matters. This authority, improves community decision making, allows communities to excel and flourish, and enables local leadership to implement the goals and objectives of the community; and
4. The Tsidi To'ii (Birdsprings) Chapter has as prioritized and outlined ARPA Chapter Projects in which the ARPA Chapter Allocation will be used to assist the community of Tsidi To'ii (Birdsprings) Chapter; and
5. Tsidi To'ii (Birdsprings) Chapter approves and adopts the ARPA Chapter Allocation of \$1,760,468.00 for the ARPA Chapter Projects to mitigate COVID 19 health and safety issues and concerns of the Tsidi To'ii Chapter Community

**CERTIFICATION**

We, hereby, certify that the foregoing resolution was considered at a dully call chapter meeting at Tsidi To'ii Chapter, Navajo Nation, where a quorum was presented and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstained, this 20th day of September, 2022.

Motion by: Mitzi Begay

Second by: Jeannie James

Vernice Wagner  
Vernice Wagner, Chapter President

Mitzi Begay  
Mitzi Begay, Chapter Secretary/Treasurer

Geneva Sangster  
Geneva Sangster, Vice-President

Steven Wagoner  
Steven Wagoner, Grazing Officer

Thomas Walker Jr.  
Thomas Walker Jr., Council Delegate