



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáadi 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-19-23 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 Andy Nez, PH.D's Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill)*

Dear Speaker Curley,

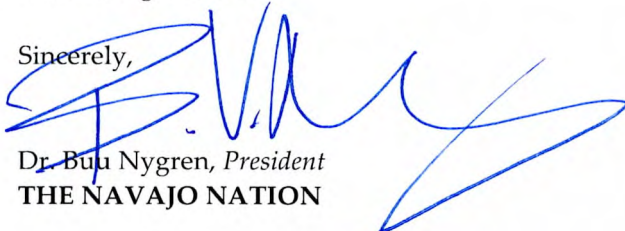
I am pleased to sign into law this resolution CAP-19-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Nez's Delegate Region in the amount of \$2,280,047.

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
25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

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)

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).
- D. Navajo Nation Council Resolution No. CD-68-22, attached as Exhibit 1 (without project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Andy Nez, Ph.D.'s Delegate Region (Chapter: 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).

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, 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. 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. **Exhibit 1.**
 - 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 Hon. Andy Nez, Ph.D. has requested to amend CD-68-22 to delete the *Sawmill Chapter Renovation Phase II* project, (NNDOJ Review No. HK0257) from the Delegate Region Projects Plan covering the Crystal, Fort Defiance, Red Lake, Sawmill Chapters. The removal of this project will revert \$500,000.00 back to Hon. Andy Nez's Delegate Region's Project Plan's Un-Allocated Amount.
 - F. In addition to the removal of the *Sawmill Chapter Renovation Phase II* project, Hon. Andy Nez has requested that additional projects be added to the Delegate Region Projects Plan covering the Crystal, Fort Defiance, Red Lake, Sawmill Chapters originally approved by CD-68-22. The additional projects, which have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted project, are set forth in **Exhibit 2**. After the addition and deletion of the project(s), the 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).
 - G. 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 removal of one project and add 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 2**.

SECTION THREE. AMENDING CD-61-22, 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)

- A. The Navajo Nation hereby approves the removal of one project (the *Sawmill Chapter Renovation Phase II*, under NNDOJ Review No. HK0257) listed in CD-68-22 for Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan as stricken in **Exhibit 2**. The removal of this project from Hon. Andy Nez, Ph.D.'s Delegate Projects Plan will revert \$500,000.00 back to his Delegate Region's Project Plan's Un-Allocated Amount.
- B. 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 2**.
- C. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- D. 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).

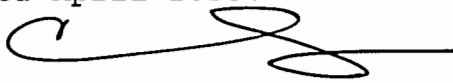
SECTION SIX. SAVING CLAUSE

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 25th 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 22 in Favor, and 00 Opposed, on this 18th day of April 2023.


Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/27/23

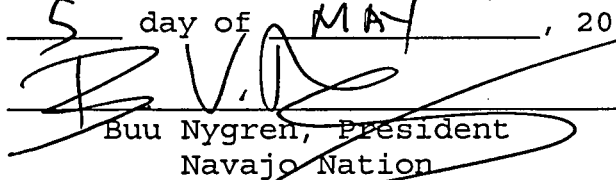
DATE

Motion: Honorable Shaandiin Parrish
Second: Honorable Germaine Simonson

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 Andy Nez, Ph.D.

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-38-22 on January 6, 2023				\$ 2,280,047.00
Division of Community Development	NONE IDENTIFIED	Sawmill Chapter Renovation Phase III	Division of Community Development	2.22	HK0257	-\$ 500,000.00
Division of Community Development	None Identified	Sawmill Chapter Equipment Purchase of Motor Grader	Division of Community Development	6.1	HK0258	\$ 300,000.00
Division of Community Development	None Identified	Sawmill Chapter Cistern Systems	Division of Community Development	5.15	HK0259	\$ 500,000.00
Division of Community Development	None Identified	Sawmill Chapter Rural Addressing System	Division of Community Development	1.14	HK0383	\$ 233,662.00
		UNALLOCATED AMOUNT				\$ 5,988,631.00
					TOTAL:	\$ 8,802,340.00

*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."

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 6, 2023



Hon. Otto Tso
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CD-68-22, *An Action Relating to the Naabik'iyáti' 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)*

Dear Speaker Tso,

The Nez/Lizer Administration appreciates the Chapters' endeavors to work collaboratively with their respective Council Delegate in completing the process to access funding made available with the \$211,256,148 allocated for regional expenditure plans under CJN-29-22.

The process to secure funding also involves collaborative efforts between the Chapters, the Division of Community Development, Navajo Nation Fiscal Recovery Fund (NNFRF) Office and the Navajo Nation Department of Justice (NNDJOJ). Per BFS-31-21, each proposed expenditure must obtain NNDJOJ verification that each proposed project is an eligible expense within ARPA/NNFRF regulations. Each of the projects within CD-68-22 has met all the requirements.

The ARPA/NNFRF process is still evolving since the inception of this funding. Within the United States Treasury and the Navajo Nation, processes have been updated at various times. An example is the Treasury guidelines referenced within Navajo Nation Council resolutions CJY-41-21 and CJN-29-22; the Treasury guidelines exhibit was updated by the United States Treasury on September 20, 2022. Accordingly, the legal guidance provided by NNDJOJ and Office of Legislative Counsel is modified to comply with the Treasury guidelines.

One such modification of legal guidance involved the processing of regional expenditure plans. Originally, the guidance was that all projects had to equal \$8,802,340 to be considered as completed and ready for legislative action. This guidance was modified in December 2022 to allow partial funding of the \$8,802,340 allocations so that proposed ARPA/NNFRF projects ready for legislative action could be processed by Office of Legislative Counsel. Because of the time constraints for the 24th Navajo Nation Council to act on proposed legislation, programs did not have sufficient time to provide written verification to Chapters regarding the change in legal guidance.

Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-68-22 into law.

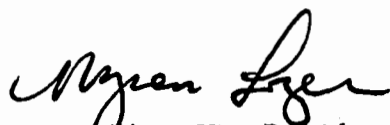
THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

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, REDLAKE, SAWMILL)

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. Wilson C. Stewart, Jr.'s Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Wilson C. Stewart, Jr.'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. Wilson C. Stewart, Jr.'s Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Wilson C. Stewart, Jr.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) as set forth in Exhibit A.

SECTION THREE. APPROVAL OF HON. WILSON C. STEWART, JR.'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Wilson C. Stewart, Jr.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) 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 FIVE. 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 24th 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 29th day of December 2022.



Honorable Otto Tso, Speaker
24th Navajo Nation Council

12.30.2022

DATE

Motion: Honorable Jamie Henio
Second: Honorable Eugene Tso

Speaker Otto Tso 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 6th day of January, 2023.

Jonathan Nez, Myran Lger
Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2022 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, 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 _____, 2022.

Jonathan Nez, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

EXHIBIT

A

COUNCIL DELEGATE: Delegate Wilson Stewart, Jr.

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	NONE IDENTIFIED	Sawmill Chapter Renovation Phase III	Division of Community Development	2.22	HK0257	\$ 500,000.00
Division of Community Development	NONE IDENTIFIED	Sawmill Chapter Bathroom Additions	Division of Community Development	1.14	HK0260	\$ 500,000.00
Division of Community Development	NONE IDENTIFIED	Sawmill Chapter Sandstone Housing Corporation	Division of Community Development	2.15	HKD0001	\$ 750,311.00
Division of Community Development	*Chinle Chapter	Chinle/Ft. Defiance Alcohol and Substance Abuse Recovery Centers - Day At A Time Club, Inc.	NN Department of Health	1.13	HK0203	\$ 529,736.00
		UN-ALLOCATED AMOUNT				\$ 6,522,293.00
TOTAL:						\$ 8,802,340.00

*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

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 #: HK0258

Date & Time Received: 12/5/2022

Date & Time of Response: 12 December, 2022; 1:40 pm

Entity Requesting FRF: Sawmill Chapter

Title of Project: Equipment Purchase - Motor Grader

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$300,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- ☐ (1) Public Health and Economic Impact
☒ (3) Government Services/Lost Revenue
☐ (2) Premium Pay
☐ (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: _____

Name of DOJ Reviewer: Adjua Adjei-Danso



Signature of DOJ Reviewer: _____

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This 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: Sawmill Chapter Date prepared: 9/20/2022

Chapter's P.O Box 1786 phone/email: 928-729-4433
mailing address: Fort Defiance, AZ 86504 website (if any): sawmill@navajochapters.org

This Form prepared by: Jammie Billiman phone/email: 928-729-4432
Community Service Coordinator sawmill@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Equipment Purchase - Motor Grader

Chapter President: Woodie Bennett phone & email: 928-729-4433/wbennett@navajochapters.org

Chapter Vice-President: Lewis Shirley phone & email: 9287294433/lshirley@navajochapters.org

Chapter Secretary: Shawn Livingston phone & email: 928-729-4433/slivingston@navajochapters.org

Chapter Treasurer: Shawn Livingston phone & email: 928-729-4433/slivingston@

Chapter Manager or CSC: Jammie Billiman phone & email: 928-729-4432/jbilliman@nnchapters.org

DCD/Chapter ASO: Derek Echohawk, ASC Fort Defiance phone & email: 928-871-7515/ ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Contractors/Sub-Contractors

☐ document attached

Amount of FRF requested: \$300,000.00 FRF funding period: 11/23 - 12/30/24
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:

To purchase heavy equipment motor grader to maintain public access roads within the Sawmill Community. The Grader will be used for clearing of snow, mud, and other debris for community access of emergency and medical needs, handicap, school buses, head start, senior center transport, and others to have clear and safe access to community roads. Sawmill Chapter will own and operate the equipment and the grader will be stored in the chapter warehouse. The Chapter will work with the Navajo Nation procurement regulations and the Navajo Nation will be the fiscal agent.

☐ document attached

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

The grader will be used to benefit the Sawmill Chapter community to clear and maintain dirt road, snow removal, have safe access for the community.

☐ 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

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

The Sawmill Chapter will work with Fiscal Recovery office and Community development to ensure project is completed by the deadline of December 31, 2026.

☐ document attached

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

The Sawmill Chapter and Division of Community Development.

☐ 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 Sawmill Chapter will be responsible for the operations and maintenance cost of the motor 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:

6.1 Provision of Government Services.

☐ document attached

Part 3. Additional documents.

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

Supporting Resolution
Cost Estimate

☐ 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: Jammi Bell
signature of Preparer/CONTACT PERSON

Approved by: [Signature]
signature of Chapter President (or Vice-President)

Approved by: Jammi Bell
signature of CSC

Approved by: [Signature]
signature of Chapter ASO

Approved to submit
for Review: Lisa Johnson
signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Equipment Purchase</u>		Sawmill Chapter Motor Grade		Division/Branch: <u>Community Development</u>	
Prepared By: <u>Jammie Billman</u>		Phone No.: <u>928-729-4433</u>		Email Address: <u>sawmill@navajochapters.org</u>			

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
ADA		10/1/22-12/31/22	300,000.00	100%	2001	Personnel Expenses					
					3000	Travel Expenses					
					3500	Meeting Expenses					
					4000	Supplies					
					5000	Lease and Rental					
					5500	Communications and Utilities					
					6000	Repairs and Maintenance					
					6500	Contractual Services	6	300,000-	300,000-	300,000-	
					7000	Special Transactions					
					8000	Public Assistance					
					9000	Capital Outlay					
					9500	Matching Funds					
					9500	Indirect Cost			300,000-	300,000-	300,000-
					TOTAL			\$0.00	0.00	0	

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			
Total # of Vehicles Budgeted:			

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

SUBMITTED BY: <u>Sonlatsa Jim-Martin, Department Manager</u>	APPROVED BY: <u>Dr. Pearl Yellowman, Division Director</u>
Program Manager's Printed Name	Division Director / Branch Chief's Printed Name
<u>10/25/2022</u>	<u>10/31/22</u>
Program Manager's Signature and Date	Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:		Sawmill Chapter		Motor Grader	
Business Unit No.: New		Program Name/Title:			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:					
PART III. PROGRAM PERFORMANCE CRITERIA:					
1. Goal Statement:		2nd QTR		4th QTR	
Equipment Purchase - Motor Grader		Goal		Goal	
Program Performance Measure/Objective:		Actual		Actual	
To ensure the safety of sawmill community members to clear and maintain access roads					
2. Goal Statement:		3rd QTR		4th QTR	
Program Performance Measure/Objective:		Goal		Goal	
		Actual		Actual	
3. Goal Statement:		3rd QTR		4th QTR	
Program Performance Measure/Objective:		Goal		Goal	
		Actual		Actual	
4. Goal Statement:		3rd QTR		4th QTR	
Program Performance Measure/Objective:		Goal		Goal	
		Actual		Actual	
5. Goal Statement:		3rd QTR		4th QTR	
Program Performance Measure/Objective:		Goal		Goal	
		Actual		Actual	
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.					
Sonlatia Jim-Martin, Department Manager		Dr. Pearl Yellowman, Division Director			
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name			
10/25/2022		10.31.22			
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date			

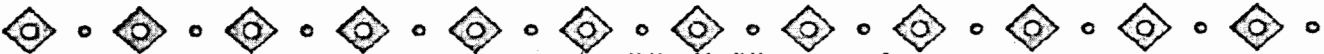
THE NAVAJO NATION

DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Sawmill Chapter ARPA Motor Grader	
		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6960	Purchase motor grader to maintain public access roads within the Sawmill Community. Motor grader will be used for clearing of snow, mud and other debris for community access of emergency and medical needs, handicap, school buses, headstart, senior center transport, and others to have clear and safe access to community roads.	300,000	
6800	Contractual Services (LOD 4)		300,000
TOTAL		300,000	300,000

Page ____ of ____
PROJECT FORM

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



Wendy Bennett, President
Lewis Snaley, Vice President
Shawn Livingston, Sec. Treasurer
Patrick Martinez, Grazing Representative
Wilson Stewart Jr., Council Delegate

Sawmill Chapter

P.O. Box 1786, Ft. Defiance, AZ, 86504
Ph: (928)729-4433; Fax: (928)729-4435

James Billman, Comm. Sec. Coordinator
Donald Deschamps, Account Mgmt. Specialist
Larissa Benally, CHR
Lanise Mook, Senior Center Spc.

RESOLUTION OF THE SAWMILL CHAPTER NAVAJO NATION

SAW-09-19-22-01

APPROVING THE REQUEST FOR FUNDING FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR ADDITIONAL PROJECTS IN THE AMOUNT OF \$3,800,000.00

WHEREAS:

1. The Sawmill Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and
2. The Navajo Nation Fiscal Recovery Funding Office, Division of Community Development and the Navajo Department of Justice are responsible for reviewing and determining the eligibility for chapter projects for ARPA funding; and
3. The Sawmill Chapter has identified seven additional projects for the American Rescue Plan Act funding in the amount of \$3,800,000.00; and
4. The additional seven projects are as follows:
 - A. Chapter Renovation - \$500,000.00
 - B. Motor Grader - \$300,000.00
 - C. Cistern System - \$500,000.00
 - D. Bathroom Additions - \$500,000.00
 - E. Head Start Building - \$500,000.00
 - F. Senior Citizen Center - \$500,000.00
 - G. Street Light Project - \$1,000,000.00
5. The Sawmill Chapter requests the Navajo Nation Fiscal Recovery Fund Office, Division of Community Development, and the Navajo Department of Justice to consider the seven additional projects for the Sawmill Community.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Sawmill Chapter hereby approves and requests funding through the American Rescue Plan Act (ARPA) funding for additional seven projects in the total amount of \$3,800,000.00
2. The Sawmill Chapter has determined that the seven additional projects are construction ready and meet the requirements pursuant to BFS-31-21.

Sawmill Chapter

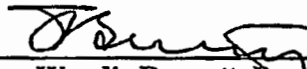
P.O. Box 1786, Ft. Defiance, AZ, 86504
Ph: (928)729-4433/4432 (fax: (928)729-4435)

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Sawmill Chapter at a duly called meeting in (Navajo Nation), Arizona at which a quorum was present and that same was passed by a vote of 9 in favor, 0 opposed and 1 abstained on this 19th day of September, 2022.

Motioned by: Larry Foster

Seconded by: Patrick Martinez



Woodie Bennett, President



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 Sawmill Chapter

Date: 8.30.2021

FOB: Chapter

**Delivery Date: 60-90-days ARO
(Quotation Void after 30-Days)**

Attention: Miss Jammie Billiman

1 each New 2022 John Deere 672G All Wheel (6WD) Motor Grader Equipped With:
9.0L Engine (548 cu. in.) displacement (240 VHP) Final Tier 4 Emissions, 200 Amp Alternator,
Antler Rack Controls (traditional), Steering Wheel, Hydraulic Pump Disconnect, *JD Link Ultimate 5Yr. Service*, Blade Impact Absorption System, 14'x 24"x 7/8" MB (6"CEX 5/8"),
Single Input w/Slip Clutch Gearbox, 14.0-24 16PR Bias Tires with 3pc Rims, EH Low Cab
with Open Front and Side Windows, Auto Shift Plus Transmission 8FWD 8REV Gears,
Transmission solenoid valve guard, Low Cab with Open Windows, Premium Heated Air
Suspension Seat with Arm Rests, Front Push Block, Rear Ripper/Scarifier Combo w/9Extra
SCFR Shanks and 5-rippers shanks w/teeth, Deluxe Lighting Package 18 Halogen with LED
Brake and Tail, Converter 10/15Amp 24v To 12v, Heated Mirrors External, Lower Front
Intermittent Wiper/Washer, Radio AM/FM/WB Blue Tooth, Rear Camera, Rear Retractable
Sunshade, Pedal Decelerator, LH-Beacon Strobe for safety, Fire Extinguisher, SMV Sign,
Engine Coolant Heater, 9L 14" Air Cleaner, Adjusting Rotary Ejector Pre-cleaner, Severe Duty
Fuel filter/lines, ether Aid less canister, Right Side engine Compartment light, Plus All Other
Standard Equipment.

Sawmill Chapter House Price using NN Governmental Discounts:	\$358,700.00
Navajo Nation Tax 6%	\$ 21,522.00
Grand Total with discounts and added NN Taxes:	\$380,222.00

Optional:

Machine Care Plan: 5Yr./ 2000 Hours Machine Care Plan with NN Tax: \$13,890.46
(This covers all maintenance intervals up to 2000 hours for 5-years. Filters, oils, parts
Environmental fees, labor, travel time, mileage and NN Taxes. Locked in price. (inflation proof)
Grand total with Machine Care Option add: \$394,112.46



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

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.

Operator Training:

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


By: David Valdez

Accepted By:

Order Accepted By: 4 Rivers Equipment, LLC.



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 #: HK0259

Date & Time Received: 12/05/22 10:22

Date & Time of Response: 12/12/2022 5:00 PM

Entity Requesting FRF: Sawmill Chapter

Title of Project: Cistern Systems

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$500,000.00

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: 5.15 Drinking Water: Other Water Infrastructure

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: _____

Name of DOJ Reviewer: MacArthur Stant

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 NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Sawmill Chapter Date prepared: 9/20/2022
 Chapter's P.O Box 1786 phone/email: 928-729-4433
 mailing address: Fort Defiance, AZ 86504 website (if any): sawmill@navajochapters.org
 This Form prepared by: Jammie Billiman phone/email: 928-729-4432
Community Service Coordinator sawmill@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Bathroom Additions

Chapter President: Woodie Bennett phone & email: 928-729-4433/wbennett@navajochapters.org
 Chapter Vice-President: Lewis Shirley phone & email: 928-729-4433/lshirley@navajochapters.org
 Chapter Secretary: Shawn Livingston phone & email: 928-729-4433/slivingston@navajochapters.org
 Chapter Treasurer: Shawn Livingston phone & email: 928-729-4433/slivingston@navajochapters.org
 Chapter Manager or CSC: Jammie Billiman phone & email: 928-729-4432/jbilliman@nnchapters.org
 DCD/Chapter ASO: Derek Echohawk, ASC Fort Defiance Agency phone & email: 928-871-7515/ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Contractors/Sub-Contractors
☐ document attached

Amount of FRF requested: \$500,000.00 FRF funding period: 11/1/23 - 12/30/26
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:

To construct 10 scattered bathroom additions in the white clay and sawmill area. Also including appropriate fixtures, in existing residential homes located in the White Clay and Sawmill area. Structure range from hogans to conventional homes to mobile homes. Assessment of white clay area homes completed. The chapter will follow Navajo Natio Procurement Laws.

☐ document attached

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

The bathroom additions are needed to meet basic safety and health standards for the local residents. Pre- existing social vulnerabilities magnified by the pandemic where homes with no bathroom facilities and no water amplified the risk for infection.

☐ 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

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

The Sawmill Chapter will work with Fiscal Recovery Office and Division of Community Development to ensure project is completed by the deadline of December 31, 2026.

☐ document attached

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

The Sawmill Chapter and Division of Community Development

☐ 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:

Homeowners will be responsible for the operations and maintenance cost of the Bathroom additions

☐ 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:

5.15 Drinking Water: Other Water Infrastructure

☐ document attached

Part 3. Additional documents.

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

Supporting Resolution
Cost Estimate

☐ 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:

Jimmie Bill
signature of Preparer/CONTACT PERSON

Approved by:

JB
signature of Chapter President (or Vice-President)

Approved by:

Jimmie Bill
signature of CSC

Approved by:

Forlath Jr
signature of Chapter ASO

Approved to submit
for Review:

Sisa Jynn . NMFRFO
signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Bathroom Additions</u>		Sawmill Chapter		Division/Branch: <u>Community Development</u>	
Prepared By: <u>Jammie Billman</u>		Phone No.: <u>928-729-4433</u>		Email Address: <u>sawmill@navajochapters.org</u>			

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
(10) Bathroom Additions	<u>ALFA</u>	<u>12/1/22 - 12/31/24</u>	<u>500,000.00</u>	<u>100%</u>	2001	Personnel Expenses					
					3000	Travel Expenses					
					3500	Meeting Expenses					
					4000	Supplies					
					5000	Lease and Rental					
					5500	Communications and Utilities					
					6000	Repairs and Maintenance					
					6500	Contractual Services	<u>6</u>	<u>0</u>	<u>500,000</u>	<u>500,000</u>	<u>-</u>
					7000	Special Transactions					
					8000	Public Assistance					
					9000	Capital Outlay					
					9500	Matching Funds					
					9500	Indirect Cost					
TOTAL:					TOTAL			<u>\$0.00</u>	<u>500,000</u>	<u>-0.00</u>	<u>500,000</u>

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			
Total # of Vehicles Budgeted:			

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

SUBMITTED BY: <u>Sonlatsa Jim-Martin, Department Manager</u>	APPROVED BY: <u>Dr. Pearl Yellowman, Division Director</u>
Program Manager's Printed Name	Division Director / Branch Chief's Printed Name
<u>10/25/2022</u>	<u>10-31-22</u>
Program Manager's Signature and Date	Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:		Sawmill Chapter Bathroom Additions																																									
Business Unit No.: NCU	Program Name/Title:																																										
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:																																											
PART III. PROGRAM PERFORMANCE CRITERIA:																																											
1. Goal Statement:	<table border="1"> <thead> <tr> <th colspan="2">1st QTR</th> <th colspan="2">2nd QTR</th> <th colspan="2">3rd QTR</th> <th colspan="2">4th QTR</th> </tr> <tr> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> </tr> </thead> <tbody> <tr> <td colspan="8">Bathroom Additions</td> </tr> <tr> <td colspan="8">Program Performance Measure/Objective:</td> </tr> <tr> <td colspan="8">to construct (10) scattered bathroom additions for sawmill community members</td> </tr> </tbody> </table>			1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Bathroom Additions								Program Performance Measure/Objective:								to construct (10) scattered bathroom additions for sawmill community members							
1st QTR		2nd QTR		3rd QTR		4th QTR																																					
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual																																				
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5. Goal Statement:																																											
Program Performance Measure/Objective:																																											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.																																											
Sonlatasa Jim-Martin, Department Manager Program Manager's Printed Name		Dr. Pearl Yellowman, Division Director Division Director/Branch Chief's Printed Name																																									
10/25/2022 Program Manager's Signature and Date		10-31-22 Division Director/Branch Chief's Signature and Date																																									

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Sawmill Chapter ARPA Bathroom Additions	
		Business Unit No.: New	
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)
6960	To construct ten (10) scattered bathroom additions in the White Clay and Sawmill area. Also including appropriate fixtures in existing residential homes located in the White Clay and Sawmill area. Structure range from hogans to conventional homes to mobile homes. Assessment of White Clay area homes completed.	500,000	
6500	Contractual Services (LOD 4)		500,000
TOTAL		500,000	500,000

Page ____ of ____
PROJECT FORM

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



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

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

RFS/HK Review #: HK0383 [REISSUED]

Date & Time Received: 1/3/2023

Date & Time of Response: 1/7/2023; 4:20 p.m.; Reissued 4/18/2023

Entity Requesting FRF: Sawmill Chapter

Title of Project: Sawmill Rural Addressing System

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$233,662

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: 1.14 - Other Public 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: The expenditure code has been updated to reflect the new codes released by the U.S. Department of Treasury.

DOJ is reissuing this initial eligibility determination in order to correct an error with the administrative oversight entity. We recommend that the Division of Community Development serve as the administrative oversight entity. The original IED incorrectly listed the administrative oversight as the Chapter President.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: *MRodis*

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@nndoj.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: Sawmill Chapter Date prepared: 10/22/2021
 Chapter's P.O. Box 1786 phone/email: 928-729-4433
 mailing address: Fort Defiance, AZ 86504 website (if any): sawmill@navajochapters.org
 This Form prepared by: Ronald Deschinny phone/email: 928-729-4433
Account Maintenance Specialist sawmill@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Sawmill Rural Addressing System

Chapter President: Woodie Bennett phone & email: 928-729-4433/wbennett@navajochapters.org
 Chapter Vice-President: Lewis Shirley phone & email: 928-729-4433/lshirley@navajochapters.org
 Chapter Secretary: Shawn Livingston phone & email: 928-729-4433/slivingston@navajochapters.org
 Chapter Treasurer: Shawn Livingston phone & email: 928-729-4433/slivingston@navajochapters.org
 Chapter Manager or CSC: _____ phone & email: _____
 DCD/Chapter ASO: Patricia Begay, Senior Projects/Program Specialist phone & email: 928-729-7515/pdbegay@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Contractors/Sub-contractors.
☐ document attached

Amount of FRF requested: \$233,662.00 FRF funding period: January 2022-December 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:

The Sawmill Chapter has not called 911 emergency system for emergency situations for fire, ambulance services.

☐ document attached

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

With all calling systems we would be able to call and get ambulatory services for fast healthcare and fire services.

☐ 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

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

The Sawmill Chapter will carry out the project by or before December 31, 2026.

☐ document attached

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

Sawmill Chapter official, staff and Capitol Project Management Department. (CPMD)

☐ 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 Sawmill Chapter will be responsible for the operation and material cost of the funding once 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:

1.12 Other Public Health Services.

☐ document attached

Part 3. Additional documents.

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

Supporting Resolution
Supporting Letter
Cost Estimate

☐ 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:

Signature of Preparer/CONTACT PERSON

Approved by:

Signature of Chapter President (or Vice-President)

Approved by:

Signature of CSC

Approved by:

Signature of Chapter ASO

Approved to submit
for Review:

Signature of DCD Director

Woodie Bennett, President
Lewis Shirley, Vice President
Shawn Livingston, Sec/Treasurer
Wilson Stewart, Council Delegate
Patrick Martinez, Grazing Representative

Sawmill Chapter

P.O Box 1786 Fort Defiance, AZ 86504
Ph# 928-729-4433/ Fax# 928-729-4435
Email: sawmill@navajochapters.org

Jammie Billiman, Community Service Coordinator
Ronald Deschinny, Accounts Maintenance Specialist
Patreva Benally, CHR
Louise Mark, Acting Senior Center Supervisor

MEMORANDUM:

TO : ARPA Project Department
FROM : Jammie Billiman
Jammie Billiman, CSC
Sawmill Chapter
DATE : December 19, 2022
SUBJECT : " Priority Project Listing"

The Sawmill Chapter recognizes these projects as a priority and it recognizes that planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development to meet the need of community members. Here is the priority listing for Sawmill Chapter:

1. Motor grader \$300,000.00 - \$500,000.00
2. Bathroom Additions \$500,000.00
3. Cistern Systems \$500,000.00
4. Rural Addressing \$ 233,662.00

Please contact me if you have any questions @928-729-4433.

Thank you!

Sincerely,
Jammie Billiman
Jammie Billiman, Community Service Coordinator



Woodie Bennett, President
Lewis Shirley, Vice President
Vacant, Sec Treasurer
Patrick Martinez, Grazing Representative
Andy Nez, Council Delegate

Sawmill Chapter

P.O. Box 1786, Ft. Defiance, AZ, 86504
ph: (928)729-4433/4432 | fax: (928)729-4435

Jammie Billiman, Comm. Ser. Coordinator
Ronald Deschinny, Account Maint. Specialist
Vacant, CHR
Louise Mark, Acting Senior Center Spv.

RESOLUTION OF THE SAWMILL CHAPTER SAWMILL CHAPTER

SAW-01-26-23-01

APPROVING THE SAWMILL CHAPTER ARPA PRIORITY LISTING IN THE AMOUNT OF \$1,733,662.00 FOR THE CHAPTER MOTOR GRADER AS TOP PRIORITY AND OTHER ESSENTIAL PROJECTS ATTACHED AS EXHIBIT "A"

WHEREAS:

1. Pursuant to the "Local Governance Act" 26 N.N.C., chapter 1, subchapter 1, section 3(a). The Sawmill Chapter is continued as a certified chapter of the Navajo Nation Government, by the Navajo Nation Council Resolution; and
2. Pursuant to the chapter 1, subchapter 1, section 131 (1); (2), of the same "Act", the Sawmill Chapter has the responsibility and authority to promote, protect and preserve the interest and general welfare including the safety of its community people; and
3. The Sawmill Chapter is invested to review all matters affecting the community to make favorable decisions in the best interest over local matter; such as cultural preservation, economic development safety and welcome of chapter membership; and
4. The Sawmill Chapter has developed an ARPA funding priority list for various community program/programs and now has the chapter motor grader as its top priority; and
5. The Sawmill Chapter has participated in numerous Legislative District Meetings with its other three (3) sister chapters (Red Lake, Crystal and Fort Defiance), and with the 24th Navajo Nation Council Delegate Wilson Stewart Jr., in the development of ARPA Grant Funding Application/Projects; and
6. Under the Navajo Nation ARPA, each council legislative district was allocated \$8.8 Million for use in their Districts/Chapters and other entities and the Council Delegate is to present projects with recommendations from the chapters; and
7. Sawmill Chapter has submitted a letter from its Chapter President stating its revised ARPA Priority Listing in the amount of \$1,733,662.00 attached as Exhibit "A"; and
8. It would be in the best interest of Sawmill Chapter that 25th Navajo Nation Council Delegate, Honorable Dr. Andy Nez advocate and submit the Sawmill Chapter ARPA Priority Listing for funding as soon as possible.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Sawmill Chapter hereby approve and submit its ARPA Grant Funding Priority List as Exhibit "A"
2. The Sawmill Chapter hereby respectfully request of its Honorable Dr. Andy Nez, 25th Navajo Nation Council Delegate to accept, advocate and submit for ARPA Grant Funding as soon as possible:

Sawmill Chapter

P.O. Box 1786, Ft. Defiance, AZ, 86504
ph: (928)729-4433/4432 | fax: (928)729-4435

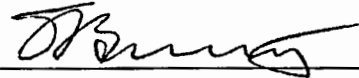
3. The Sawmill Chapter hereby submits that the Chapter Motor grader be a top priority for funding at the earliest to assist its Chapter and Community Members with Vital and essential chapter road projects

CERTIFICATION

We, hereby, certify that the forgoing resolution was duly considered by the Sawmill Chapter at a duly called meeting in Sawmill, Navajo Nation, Arizona at which a quorum of Chapter members was present and that the same was passed by a vote of **20 in favor, 0 opposed and 1 abstained this 26th day of January 2023.**

Motion By: Larry Foster

Seconded by: Pauline O. Begay



Woodie Bennett, Chapter President

NAVAJO NATION

76

4/18/2023

Navajo Nation Council Spring Session

12:54:23 PM

Amd# to Amd# Legislation 0065-23: Amending
MOT Parrish, S CD-68-22 and the Navajo Nation
SEC Simonson, G Fiscal Recovery Fund Delegate
Region Project Plan for.....

PASSED

Yeas : 22

Nays : 0

Excused : 1

Not Voting : 0

Yea : 22

Arviso, S
Aseret, L
Begay, H
Begay, N
Charles-Newton, E
Claw, S

Damon, S
Daniels, H
James, V
Jesus, B
Johnson, C
Nez, A

Nez, R
Notah, N
Parrish, S
Simonson, G
Simpson, D

Slater, C
Tolth, G
Tso, O
Yanito, C
Yazzie, C

Nay : 0

Excused : 1

Crotty, A

Not Voting : 0

Presiding Speaker: Curley, C