24th NAVAJO NATION COUNCIL
LEGISLATION SPONSORSHIP WITHDRAWAL

I, JAMIE HENIO, Primary Sponsor of proposed legislation hereby withdraw my sponsorship of the proposed legislation. The legislation tracking number is 0310-20.

If there are any co-sponsors, they may re-sponsor the same bill by beginning a new legislation.

SPONSOR SIGNATURE: _____

DATE: 12/15/20

Office of Legislative Services • Post Office Box 3390 • Window Rock, AZ 86515
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LEGISLATIVE SUMMARY SHEET

Tracking No. 0310-20

DATE: December 8, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT'S VETO OF NAVAJO NATION COUNCIL RESOLUTION CN-87-20

PURPOSE: To Override the Navajo Nation President's Veto of Navajo Nation Council Resolution CN-87-20..

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: N/A
Website Posting Time/Date: 7:48pm 12-08-20
Posting End Date: 12.13.2020
Eligible for Action: 12.14.2020

Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – SECOND YEAR, 2020

INTRODUCED BY

(Sponsor)

TRACKING NO. 0310-20

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT'S VETO OF NAVAJO NATION COUNCIL RESOLUTION CN-87-20

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Navajo Nation Council enacts laws of the Navajo Nation. 2 N.N.C. § 102.

B. All resolutions enacting new law or amending existing laws are subject to veto by the President of the Navajo Nation pursuant to 2 N.N.C. § 1005(C)(10) and (11) and override by the Navajo Nation Council. 2 N.N.C. § 164(A)(17).

C. Resolutions vetoed by the President of the Navajo Nation are subject to override "by two-thirds (2/3) vote of the membership of the Navajo Nation Council." 2 N.N.C. § 1005 (C) (11).

D. A vetoed resolution shall first be submitted to Naabik'íyáti' Committee before consideration by the Council. 2 N.N.C. § 164 (A)(17).

SECTION TWO. FINDINGS

A. The Navajo Nation President vetoed Resolution CN-87-20 on November 13, 2020 and provided a memorandum explaining his veto decision. **Exhibit A.**

B. Council Resolution CN-87-20 was passed by the Navajo Nation Council and certified on November 5, 2020. The Resolution is entitled, "An Action Relating to Budget and Finance, Health, Education and Human Services, Resources and Development, Naabik'iyati' Committees, and the Navajo Nation Council; Supporting and Approving The Navajo Nation Gaming Enterprise Reopening Plan; Supporting and Approving Reopening Full Operations of Gaming Enterprise Facilities At a Minimum 50% Capacity; Permitting Navajo Blue Travel Plaza To Operate At Full Capacity." **Exhibit B.**

C. The Navajo Nation Council does not agree with the President's veto of Resolution CN-87-20 and continues to believe in the need for Resolution CN-87-20.

SECTION THREE. OVERRIDING VETO

The Navajo Nation Council hereby overrides the Navajo Nation President's veto of Resolution CN-87-20 effective upon certification of the Speaker of the Navajo Nation Council.

SECTION FOUR. EFFECTIVE DATE

The effective date of this override shall be as provided for in 2 N.N.C. § 221 (A) and (C).

EXHIBIT
A

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

November 13, 2020

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CN-87-20, *An Action Relating to Budget and Finance, Health, Education and Human Services, Resourced and Development, Naabik'iyati' Committees, and the Navajo Nation Council; Supporting and Approving the Navajo Nation Gaming Enterprise Reopening Plan; supporting and approving reopening full operations of Gaming Enterprise facilities at a minimum of 50% capacity; permitting Navajo Blue Travel Plaza to operate at full capacity*

Dear Speaker Damon,

In the past month the Navajo Nation's positive coronavirus confirmed case rate has gone up significantly, now approaching the Navajo Nation's highest case rate from earlier this year in May. This increase in confirmed cases creates a situation in which our health care experts are urging an immediate response by the Navajo Nation. We need to act quickly to keep our People safe.

The reported 143 positive cases on November 11 is alarming and the Navajo Nation may reach or surpass the peak of COVID cases from April and May. Health care experts recommend a move to close the Navajo Nation, restrict movement of citizens, closing schools to protect our young people, and limit government business. This is the only way we can slow the spread of this deadly virus and not overwhelm our health care system. The Office of the President and Vice President recently imposed tighter restrictions on office visits to protect the public and employees; similar to the Legislative Branch closure recently for the protection of its employees.

We fully understand the predicament of our Gaming Enterprise if the doors cannot open to the public, but we are not fully convinced the Enterprise's safety measures will keep people safe. We learned the Enterprise did experience a positive case in their gaming facility; so how safe will our elders and visitors be when we cannot predict the spread of the coronavirus? We propose an immediate meeting with the Office of the Speaker to find funding alternatives to help the employees of the Gaming Enterprise. At this time, we believe the lives of our elders, our relatives, and visitors are more valuable, and we cannot put a price tag on their life. We cannot support CN-87-20 but we pledge to work to find alternative funds to support NNGE.

Sincerely,

Jonathan Nez, President
THE NAVAJO NATION

Myron Lizer, Vice President
THE NAVAJO NATION

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CN-87-20

RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION
RELATING TO BUDGET AND FINANCE, HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; SUPPORTING AND APPROVING THE NAVAJO NATION GAMING ENTERPRISE REOPENING PLAN; SUPPORTING AND APPROVING REOPENING FULL OPERATIONS OF GAMING ENTERPRISE FACILITIES AT A MINIMUM 50% CAPACITY; PERMITTING NAVAJO BLUE TRAVEL PLAZA TO OPERATE AT FULL CAPACITY

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 300(A). The committee, among other statutory powers, "coordinate[s] and review[s] all fiscal, financial and investment activities of the Navajo Nation and its enterprises, as well as other agencies, federal, state, regional and private, expending or seeking to expend funds within the Navajo Nation or for the benefit of the Navajo People." 2 N.N.C. § 301 (B)(5).

B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400 (A). The committee provides "legislative oversight on matters involving health," and oversees "Navajo Nation efforts in implementing and ensuring compliance with employment and labor laws and policies of the Navajo Nation." 2 N.N.C. § 400 (C)(1) and § 400 (C)(3). Also, the committee has authority to review and recommend "[r]esolutions relating to...health, environmental health, ... employment and labor." 2 N.N.C. § 401 (B)(6)(a).

C. The Resources and Development Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 500 (A). The committee has oversight authority over matters such as water, land, grazing, environmental protection, cultural resources, agriculture, economic and community development, commerce and trade, and gaming. *See*, 2 N.N.C. § 500 (C). Its statutory authority includes "review[ing] and mak[ing] recommendations to the Council for final approval [of] ... creation, reorganization, termination or 'privatization' of any enterprise." 2 N.N.C. § 501 (B)(4)(e).

D. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 700 (A). The committee, among other responsibilities, has authority over proposed resolutions requiring "final action by the Navajo Nation Council." 2 N.N.C. § 164 (A)(9).

E. Pursuant to 2 N.N.C. §102(A), the Navajo Nation Council is the "governing body of the Navajo Nation." As a policy-making body, the Navajo Nation Council exercises oversight authority over the Navajo Nation Gaming Enterprise. See, 5 N.N.C. § 1748.

SECTION TWO. FINDINGS

A. Navajo Nation Gaming Enterprise ("NNGE") was established as a tribal gaming enterprise and a legal entity wholly owned by the Navajo Nation. 5 N.N.C. §§ 1701-1702. The enterprise was established to "generate gaming revenues and provide a fair return to the Navajo Nation in accordance with the Indian Gaming Regulatory Act, Navajo Gaming ordinance, and other applicable laws of the Navajo Nation." 5 N.N.C. § 1703 (B). The Navajo Nation Council determined that the enterprise would be "overseen exclusively" by a Board of Directors. 5 N.N.C. § 1707 (A).

B. The World Health Organization (WHO) declared a Public Health Emergency of International Concern related to the outbreak of coronavirus (COVID-19), a highly contagious and sometimes fatal respiratory virus on January 30, 2020; the U.S. Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11, 2020.

C. The Navajo Nation Commission on Emergency Management, with the concurrence of Navajo Nation President Jonathan Nez, declared a Public Health State of Emergency on the Navajo Nation on March 11, 2020 due to COVID-19. Resolution No. CEM 20-03-11. The Navajo Nation Department of Health subsequently issued numerous Public Health Emergency Orders. Public Health Emergency Orders 2020-001 through 2020-024 ("Public Health Emergency Orders") are incorporated by Reference into this resolution.

D. On March 17, 2020, NNGE temporarily shut down operations of its four casinos for an initial three-week closure period in an effort to help flatten the curve of COVID-19 as part of the Navajo Nation's overall health protection program.

E. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, 134 Stat. 281 (2020) (the "CARES Act"), which, at Title V, §5001, entitled "Coronavirus Relief Fund" (codified at 42 U.S.C. § 801) sets aside $8 billion in emergency aid for Tribal governments for the COVID-19 pandemic. 42 U.S.C. § 801 (a)(2)(B).

F. The Navajo Nation received seven hundred fourteen million one hundred eighty-nine thousand six hundred thirty-one dollars and forty-seven cents ($714,189,631.47) as the Nation's share of CARES Act assistance from the U.S. Treasury.

G. As the COVID-19 pandemic surged inside the Navajo Nation, threatening the health of the Diné, Elders, NNGE team members, and NNGE patrons, NNGE's Board of Directors, in a series of actions consistent with the Public Health Emergency Orders, extended the shutdown of casino operations through July 27, 2020.

H. NNGE Board of Directors' decision to shut down operations was consistent with the Office of the President, but has had a severe toll on the economic health and viability of the organization.

I. NNGE's mission is to enhance the quality of Diné lives by growing a successful gaming economy. Prior to the pandemic, NNGE was in a strong financial position, on track for early payoff of debt and able to fund new economic development projects that were projected to create approximately 640 new permanent jobs plus several thousand construction jobs and business development opportunities for Priority One and Priority Two vendors under the Navajo Nation Business Opportunity Act, 5 N.N.C. §§ 201 *et seq.*

J. NNGE does not receive federal or state funding for operations. It can generate revenues only if its gaming facilities are operational.

K. Throughout the approximately 17-week initial closure period, NNGE continued to pay and provide full benefits to its employees while they are on administrative leave; however, on July 28, 2020 NNGE was forced to implement temporary layoffs while it sought CARES Act funding relief. After receiving $26.6M, the NNGE was able to place its employees back on administrative leave with benefits. However, NNGE's expenses during the closure period have been extensive and continue to increase.

L. During the 29-week closure (through October 5, 2020), NNGE has generated $0 in revenues but has continued to pay:

1. Payroll costs ($26.6M);

2. Fixed operating costs ($11.9M); and

3. Debt service ($11.7M).

As a result, NNGE had a shortfall of $50.2M.

M. The federal Paycheck Protection Program (PPP) funds of $11.2M and the CARES Act funds of $24.6M have helped to cover 71% of the total shortfall, leaving NNGE with a $14.4M shortfall balance remaining.

N. Further, the extended closure will continue to have a negative impact on reserves with the cash burn rate of $6.8M per month. Even if additional monetary relief becomes available, NNGE must generate revenues and cash to survive as a cash-based industry. If NNGE does not reopen by November 17, 2020, NNGE must prepare for permanent closure. Without the ability to reopen, NNGE will not be able to generate revenue, recover, and will be forced to make financial decisions that will have a lasting impact on the health of the Enterprise, its employees and ultimately the Navajo Nation's investment.

O. NNGE employs 1,180 people, and 82% of its employees are enrolled members of the Navajo Nation, representing 105 of the 110 Chapters. NNGE provides healthcare benefits to its employees and more than 2,880 family members of its employees. Operation of NNGE also provides employment opportunities for Navajo Nation Gaming Regulatory Office personnel, and business opportunities for the numerous Navajo-owned entities and contractors that service, supply, and support the work of NNGE.

P. The first and most severe impact of closure will be the permanent loss of jobs, employees' healthcare, and their means to support not only their immediate families, but their extended families and communities as well. Employees cannot wait until 2021 or 2022 to see what happens with their jobs. Out of necessity, many and or most, will move on. This leaves some of them vulnerable to the virus as they lose their housing, relocate for new jobs, or move in with parents and grandparents.

Q. Permanent closure will also cause a long-term financial setback for the Navajo Nation and will adversely impact economic development if the gaming industry fails. Continued business

closures due to the impact of the COVID-19 pandemic disaster poses an immediate threat to NNGE's business operations, assets, including but not limited to, the continued employment of NNGE's employees, which directly impacts Navajo families' livelihoods and healthcare insurance provided by NNGE.

R. By resolution NNGEOCT-001-20, the NNGE Board of Directors on October 7, 2020 requested the reopening of Navajo casino facilities at a minimum of 50%. *See*, **Exhibit B**. Without permission by the Navajo Nation to safely reopen by November 17, 2020, the NNGE will be unable and denied the opportunity to implement its Reopening Plan, which provides best-in-class medical and safety precautions to protect all employees, guests and patrons during the COVID-19 pandemic. If NNGE is not allowed to reopen, the NNGE will be forced to permanently close and layoff all employees by November 30, 2020. And, without approval of a Reopening Plan to resume operations at all four casinos, NNGE will not be able to recover from the impacts of the COVID-19 pandemic.

S. The Navajo Nation Gaming Enterprise Reopening Plan is attached as **Exhibit A** ("NNGE Reopening Plan"). The purpose of the NNGE Reopening Plan is to permit NNGE to reopen safely in order to continue its purpose to generate revenue, and to restore and protect its market interests, business operations, assets, employees, and the Navajo Nation's interest and investments in its enterprise. The NNGE Reopening Plan complies with more stringent sanitary guidelines than those set by the CDC, OSHA, the White House, the Arizona Department of Health Services, and the Navajo Department of Health (NDOH). *See*, **Exhibit A**.

T. The NNGE Board of Directors is further requesting that Navajo Blue Travel Plaza, a new facility constructed along Interstate 40 on the Navajo Nation, be allowed to operate at full capacity with "uninterrupted business operations." See NNGEOCT-001-20, 3rd resolved section. The travel plaza, next to Twin Arrows Casino (Arizona), will service all vehicles, particularly semi-trailer trucks, and is expected to employ 47 full-time employees. *See also*, Reopening Plan attached hereto as **Exhibit A.**

SECTION THREE. APPROVAL OF THE NNGE REOPENING PLAN

A. The Navajo Nation Council hereby supports and approves the NNGE Reopening Plan **(Exhibit A)** as adequately providing for the safety and protection of NNGE employees, patrons and public health.

B. The Navajo Nation Council hereby supports and approves the reopening of NNGE facilities to resume full operations (twenty-four hours a day, seven days a week) at a minimum 50% capacity until such time as the Department of Health recommends and the NNGE Board of Directors deems it safe and reasonable to increase capacity.

C. The Navajo Nation Council further supports and approves Navajo Blue Travel Plaza to operate at full capacity (twenty-four hours a day, seven days a week) and with uninterrupted business operations.

D. Notwithstanding applicable Public Health and Executive Orders, a person who is an employee or patron of the NNGE shall be authorized to travel to and from an NNGE business without incurring penalties or fines. An employee or patron of the NNGE shall carry on their person documentation evidencing their status as an employee or a patron and shall present such documentation upon request by Navajo Nation law enforcement.

E. The Navajo Nation Council's support and approval is contingent on NNGE's continuing compliance with the NNGE Reopening Plan.

SECTION FOUR. ADMINISTRATION OF THE NNGE REOPENING PLAN

A. NNGE shall ensure that all safety measures implemented in the NNGE Reopening Plan approved herein are adhered to.

B. The Resources and Development Committee and the Health, Education and Human Services Committee of the Navajo Nation Council shall serve as oversight committees for the NNGE Reopening Plan.

C. The NNGE Reopening Plan shall be effective notwithstanding any other laws and regulations of the Navajo Nation concerning the COVID-19 pandemic.

SECTION FIVE. EFFECTIVE DATE

This action of the Navajo Nation Council herein shall be effective pursuant to 2 N.N.C. § 221(B) and 2 N.N.C. § 1005 (C)(12).

SECTION SIX. SAVINGS CLAUSE

Should any provision of this action be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those provisions not determined invalid shall remain the law of the 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 15 in Favor, and 08 Opposed, on this 2nd day of November 2020.

Honorable Seth Damon, Speaker
24th Navajo Nation Council

Nov 5, 2020
DATE

Motion: Honorable Pernell Halona
Second: Honorable Jimmy Yellowhair

Speaker Seth Damon 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 _____ day of _____, 2020.

_____
Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this 13th day of November, 2020 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez
Jonathan Nez, President
Navajo Nation

NNGE REOPENING PLAN

I. Overview

NNGE is ready to reopen and entertain our returning guests in a safe and sanitized environment that values their safety and that of our team members. This plan reflects "best in class" efforts to prioritize safety in a dynamic operating environment.

II. Background

Due to the COVID-19 pandemic, NNGE closed operations on March 17, 2020. Navajo Nation was hit particularly hard. Navajo Nation leadership and the NNGE have been highly engaged in doing everything possible to prevent the spread of COVID-19, and has stayed closed for over 29 weeks. As gaming is a cash-based industry, if NNGE remains closed it will run out of cash very soon and will be forced to close permanently.

NNGE believes it is safe to reopen as trends in cases on the Navajo Nation currently have flattened down to low daily contraction rates and single digit fatalities per day since September 2020. Additionally 93% of North American casinos have reopened during the COVID-19 pandemic, and most returned to operations in May and June of this year.

Careful and diligent planning has resulted in NNGE's ability to reopen safely and successfully.

III. Overview of Operating Plan

A. Aligns perfectly with Center for Disease Control (CDC), National Indian Gaming Commission (NIGC), Occupational Safety and Health Agency (OSHA), as well as state and gaming agency directives on reopening casinos.

B. This Reopening Plan is further informed by analysis of reopening plans and execution of such plans at 70 casinos.

C. The plan continues to evolve; property-level plans are far more detailed.
See Attached:

Ex. 1a. Fire Rock Safety and Sanitization Plan

Ex. 1b. Northern Edge Navajo Casino –Flowing Water Navajo Casino Safety and Sanitization Plan

Ex. 1c. Twin Arrows – Safety and Sanitization Plan

D. Safety of NNGE team members and guests is NNGE's top priority
   1) Greatly enhanced sanitization protocols
   2) Physical distancing measures
   3) Adjustments to guest and employee experience

4) Additional considerations

IV. Enhanced Sanitization Protocol

A. Full facility sanitization prior to reopening
B. Nightly surface contact sanitization when casino closed
C. Ongoing 60-Second sanitization standard wherever guests served
D. Greatly expanded number of touchless hand sanitizers
E. Placed wall-mounted sanitizers at restroom exits, disabled air-blower hand dryers in restrooms and take every-other stall out of service
F. Sanitizing floor mats at point of entry
G. Air filtration system enhanced with M13 filters, max air exchange with outside air, much more frequent filter replacement
H. Departmental logs for verification and accountability

V. Physical Distancing Program

A. Reduce admissions capacity by a minimum of 50% in casino, hotel, and outlets
B. Remove from service/remove chairs from every other slot, or install plexiglass dividers
C. Install plexiglass dividers at table games; limit occupancy
D. Remove couches from public areas, replace with non-upholstered individual chairs; add social distancing signage in lobby
E. Adhesive floor messages at 6' intervals for typical queues
F. Plexiglass barriers erected at "transaction" locations such as cashier, restaurant host, hotel front desk, player's club, admin work spaces
G. Increase number of eye-level signs, especially promoting the 6' rule
H. Suspend entertainment, special events and must-attend drawings
I. Prohibit congregating -- Guests not complying with requests for physical distancing or mask-wearing twice will be asked to leave for the day

VI. Adjustments to the Guest Experience

A. Upon arrival:
   1) Create a single point of entry
   2) Add CDC-developed Covid "questions" signage outside at point of entry and reinforce with PA announcements
   3) Non-invasive temperature taken; no admittance if over 100.4 degrees for 3 successive readings
   4) Masks required; gloves recommended and offered
   5) Team member applies hand sanitizer, opens door for guests
   6) Designated entry line for Eagle Players, hotel guests and First Responders/Health care workers
B. Create a screening checkpoint inside pavilion areas, expand number of touchless temperature devices
C. Highly visible, frequent sanitizing observable – "60 second rule"

D. Navajo Cares Cleaning Crew wearing unique shirts
E. Hand sanitizing stations and individual wipes offered
F. No self-serve beverage stations unless employee serves guests
G. Table players to have sanitizer applied by dealer when arriving, buying in
H. Prevalent signage with CDC guidelines, social distancing directions, etc.
I. Public Address announcements scheduled to remind guests of CDC guidelines
J. Information card given reassuring guest of precautions taken
K. Special access and program for Diné elders to reduce crowds/elevate safety

VII. Adjustments to the Employee Experience

A. All employees will be tested for Covid19 prior to returning to work
B. Comprehensive Covid19 training for all team members; additional specialized training for property leaders, food and beverage teams, housekeepers and cleaners
C. Multi-step screening process upon arrival to property
   1) Temperature taken; if over 100.4 degrees, taken again up to 3 times
   2) Outside healthcare provider asks CDC screening questions
   3) Covid19 test administered if high temp or based on responses; mandatory quarantine period for 14 days
D. Employees must wear gloves (depending on position) and masks
E. Maintain full schedules for first two weeks to gauge business volumes and to perform enhanced sanitization protocols during shortened operating hours
F. Monitor staffing levels and align staff to business needs after next regularly scheduled schedule is posted; observe NPEA-compliant seniority scheduling
G. Physical distancing in employee dining room; no self-serve food; provide multiple touchless hand sanitizers, cleaning agents for microwave ovens
H. Allow employees to telecommute, where practical or implement flex scheduling

VIII. Contingency Plan - should recent Guest or Team Member contract virus:

A. Response plan driven on case-by-case basis
B. At minimum, the following actions will be taken:
   1) Notification to relevant authorities, Navajo Nation Health Command Operations Center, Navajo Gaming Regulatory Office, and NNGE Board of Directors.
   2) Notification to team members who may have come in contact
   3) Tracing of employee or guest "journey" to elevate sanitization efforts further
C. Executive team to consider options for additional measures in concert with NNGE Board of Directors, NNGRO and TNN leadership

Fire Rock Navajo Casino
Safety and Sanitization Plan

Property Wide

The New Guest Experience

- Guests will be required to go through a thermal screening process (touchless temperature devices) upon entry, if found to have a temperature of 100.4 degrees three readings will be conducted, thereafter should reading remain the same guests will not be permitted to enter
- Application of hand sanitizer will be placed on hand for all guests entering casino
- NGRO will be notified on COVID cases
- A designated area exiting to an outside patio will be identified as a smoking area only. Smoking will not be permitted inside the casino, occupancy signs will be visible in outdoor smoking area
- All guests are required to wear masks in the building, if guests are requesting for mask/gloves then the casino will provide upon entry
- All guest wishing to gamble will be requested to briefly lower their masks for age and identification purposes in compliance with gaming requirements
- Utilize markers to queue guests 6 feet apart in all potential places that form lines and strategically erect stanchions to observe social distancing guidelines and place signage in prominent locations to remind guests to continue standing 6 feet apart from other guests
- Scheduled PA announcements outside and inside every hour with CDC reminders
- Signage will be placed throughout the property reminding guests to follow CDC guidelines for property hygiene (to wash hands, use sanitizer, stay at home if sick, etc.)
- An isolation room/area is identified for anyone who has COVID-19 symptoms
- Areas used by a possible COVID-19 individuals will be closed off and not utilized for 24 hours thereafter a thorough cleaning and disinfecting will be conducted
- Should a guest/staff have COVID-19, the casino will notify local, state, territorial, federal or Tribal Health officials, staff and customers while maintaining confidentiality of the individual in accordance with ADA
- Sanitizer stations will be placed throughout the property in highly visible areas to include near all self-serve kiosk (ticket redemption, ATM's)
- Guests found not complying with social distancing guidelines will be warned and then asked to leave. However, couples from same household will not be required to remain six feet apart
- All seating is removed within the lobby area to promote social distancing
- The first day of opening is designated as VIP day ONLY which consist of invited Eagle players with (2) guests, First Responders and Health Care workers 10:00 am-2:00am
- The first, second and third day, 8:00 am – 10:00 am Elders 60+ ONLY with (2) guests. Thereafter, front entrance will have two lines. One line will be for Eagle members with (2) guests, Health Care workers, First Responders to show recognition and for quicker access into the casino. The other line will be for all other customers
- Tobacco chewing/spitting is prohibited in the building, guests will also be reminded with additional signage

    - Valet notified that they will close until further notice
        - Signage announcing discontinuation of valet parking and informing casino guests to self-park
    - Continue deep cleaning at all times, the Fire Rock Navajo Cares Cleaning Crew will continue to monitor and sanitize all areas of the casino
- Continue 2-hour disinfection of casino floor work areas daily (Log)
- Enhanced cleaning protocols throughout the property
    - Sanitizer stations will be placed throughout the casino complex
        - Sanitizers to be located throughout the casino and on stands that are no greater than 25 feet apart
        - Provide signage that states sanitizers will be available to requesting customers who choose to wipe down machines prior to use
        - Casino staff will regularly wipe down all slot machines with disinfecting solution
- Promote Social Distancing:
    - Table Games - remove every other chair
    - Slots – Slots identified within the casino to remain operable and plexi-shields installed between machines to protect guests and removal of chairs from machines put out of service games
    - No entertainment for an unspecified period of time
    - Signage to be placed throughout casino areas reminding customers/employees to follow Center for Disease Control (CDC) guidelines to include washing hands, using hand sanitizers, stay at home if sick, etc.

Cheii's Restaurant and Bar

- Customers will be asked to place cash or card payments on a receipt tray or on the counter
- Seating will be limited to 1 party to every other table. (max number per party is 4) with recommended one hour long seating
- If wait listing is necessary, each party will be required to maintain proper social distancing when waiting "in line". This will be monitored by a host/hostess
- Guest will be asked to provide a cell phone number and will be texted when table is available
- Patio will also be utilized for seating while social distancing is practiced
- No buffet services will be offered. Discounted special plates will be offered for Saturday breakfast, Sunday brunch
- Stations will be maintained and social distancing markers will be maintained for guests waiting for food station items for Saturday breakfast and Sunday brunch. If guests are waiting for omelets, waffles, etc. a card will be issued to each guest waiting, and the item will be brought to the table when it is ready
- To go orders will be permitted
- Entrees will be plated on disposable plate-ware or to-go boxes, disposable cups for beverages, flatware, and condiments will be provided to each guest in the Food Court

- There will be a Busser available at all times, during hours of service, to ensure that tables and surfaces are wiped continuously; and that dining area cleanliness and seating guidelines are maintained
- Bar service will resume operation, except social distance spacing will be monitored by the bartender(s) and supervisors. There will be no chairs located at the bar counter for seating. Additionally, all beverages will be served in a single use cup
- All tables, counter surfaces, bar etc. will be disinfected after each use, or at least every hour

Food Court:

- Customers will be asked to place cash or card payments on a receipt tray or on the counter
- Installed counter shields
- Seating will be limited to 1 party to every other table, with recommended one hour long seating.
- If wait listing is necessary, each party will be required to maintain proper social distancing when waiting "in line". This will be monitored by a host/hostess
- To go orders will be permitted
- Entrees will be plated on disposable plate-ware or to-go boxes, disposable cups for beverages, flatware, condiments and accoutrements will be provided to each guest
- There will be a dining room attendant at all times, during hours of service, to ensure that tables and surfaces are wiped continuously; and that dining room cleanliness and seating guidelines are maintained to include beverage station surfaces, buttons, knobs etc.
- All FOH service and production staff will wear facemasks and gloves. These will be changed frequently, between uses (gloves), and as necessary
- All tables, counter surfaces, etc. will be disinfected after each use, or at least every hour
- Self-serve beverage station will be closed for public usage and food court staff will provide beverages to guest

Slots

- Slot machines will be turned off and/or reconfigured with the chairs removed to allow for separation between guests
- Hand sanitizing stations will be located throughout the Casino floor
- Slots to be sanitized at least once every two hours or Navajo Cares Cleaning crew will sanitize machine once guest leaves the machine.
- Guests to maintain six feet of separation while waiting in line at kiosks
- Signage will be placed throughout the slot floor to remind guests to turn on the service button once they leave the machine. This will allow staff to sanitize machine immediately
- PA announcements will remind guests to social distance and wearing of mask while on the casino floor

Table Games

- Absolutely **NO** eating at Tables
- Supervisors to sanitize each chair area after each guest leaves a game
- Dealer to sanitize the exterior of the card shoe when entering a game and the interior of the card shoe when the game goes dead

- Supervisors to sanitize the outside of shufflers every four hours; inside to be sanitized once per week or based on business volume
- Pit Podiums to be sanitized by Pit Boss every hour including phones, computers, all hard surfaces and cabinetry
- Visual limits signs to be sanitized every time a new supervisor enters the pit
- BJ discard holders to be sanitized by supervisor once every four hours
- Dealer to sanitize toke boxes when entering a game
- Identify distancing requirements
    - Limiting tables to 3-4 players per game
    - Dealers are required to sanitize their players hands upon arrival to the table and after each buy-in
    - Dealers must remove their mask under camera view when being relieved
- Sanitizers to be available at each table
- Cards will be disposed of more frequently to minimize contact

1. Chip Cleaning on Live Games

    a. Table Games Management will adjust table inventories to suit the practice of dealers using only chips to the right of center
        i. Chips to the left of center will only be moved in full stacks from left to right when needed
        ii. Chips on the right will not be moved to the left under any circumstances until they are cleaned and/or disinfected every 4 hours or at management's discretion.
        iii. The center will be defined as the largest denomination chips in the inventory, and will not necessarily be positioned at the true center of the tray
    b. Table games will, at intervals dictated by management or as deemed necessary, notify surveillance and pause gaming activity on a specified table to clean and/or disinfect live value chips
    c. Chips in the tray will be organized to make it possible to properly identify the value of chips in the tray while respecting that no chips that have been used will be mixed with chips unused since the last sanitation
    d. Surveillance will be expected to capture an image of the inventory
    e. A towel, rag, or other protective barrier will be placed on the layout
    f. The dealer will remove existing gloves, if any, disinfect their hands, and new gloves will be applied
    g. All chips to the right of center, including the center if they have been used, will be cleaned as follows
        i. Chips will be removed from the tray in quantities specified by the supervisor.
            1. Always in full stacks unless a full stack is not remaining
        ii. Only one denomination of chips will be removed from the tray at any time, but not necessarily all of a specific denomination, depending on quantity
        iii. Chips will be spread by the dealer on the protective barrier so that one side of every chip is completely exposed
        iv. Chips will be sprayed with a disinfectant by a supervisor
        v. Chips will be dried with a towel by the dealer

vi. Chips will be turned over by the dealer and spread so that the alternate side of every chip is completely exposed
vii. Chips will be sprayed with a disinfectant by the supervisor
viii. Chips will be dried with a towel by the dealer
ix. Chips will be returned to the tray, filling left of center first

h. Surveillance will be expected to capture an image of the inventory
i. Play will resume

2. Protective gear
   a. Table Games personnel will be permitted or required, at the discretion of management, to wear protective gloves
   b. Table Games personnel will be permitted or required, at the discretion of management, to wear protective masks of any design or material approved by management
   c. Table Games personnel will be permitted or required, at the discretion of management, to wear protective face shields of any design or material approved by management
   d. Clear protective shields, with or without framework, and with necessary mounting hardware, will be permitted to be installed on table games. A limit of 4 players with protective shields limited per table and 3 players without protective shields per table
   e. Table games personnel will be permitted to use hand sanitizer between hands at the table
3. Subject to change due to purchase of a chip cleaning machine

Bingo

- Bingo will open two weeks after opening date
- Protective shield will be provided to ensure social distancing
- Limited amount of guest will be allowed to participate in Bingo 50% (100 participants)
- The floor in front of the cashier will display 6' social distancing

Cage

- Clear barriers installed at every cage window
- Every other cage window will be open to help ensure social distancing between employees
- The floor in front of the cages will be clearly marked to create social distancing
- Cage employees and Drop and Count Team members must remove mask under camera view when entering and exiting Count Room.
- Cage employees to wear masks and use hand sanitizer at their work stations. Gloves will be available to all cashiers to use
- Kiosk machines, front of the cage, and common areas in the vault/cage will be wiped down every two hours while utilizing masks and gloves
- Social distancing signage visible to patrons in line at the cage and kiosk
- No hand to hand exchanges of cash or cheques; guests and cashier should place exchanges on the counter

Security

- No shuttle service
- Security Officers will check temperatures from all guest entering casino

- Security will provide a mask if the guest does not have one
- All contact surfaces to be sanitized at the completion of an incident
- Shift Supervisors will assign specific sanitation responsibilities and ensure proper protocols are followed
- All completed task will be logged
- Handcuffs, holding rooms and all related equipment and contact surfaces to be sanitized before and after each use, including testing equipment, Keywatcher, radios, shared PC keyboards and shared workspaces
- Security Officers to assist with enforcing social distancing protocols in guest queuing areas as required (restaurant, casino floor, etc.)

Maintenance/Housekeeping

- The Navajo Cares Cleaning Crew will wipe down slots and table chairs after guest exit their chair within 60 seconds
- Utilize M13 filters throughout the property to allow less particles to enter through the system. Outside air will flow through the property at 100% where dampers will be on a set control timer

Increased cleaning with the following focus:

- Empty and disinfect trash cans, ash trays, and replace can liner
- Clean and disinfect all hard surfaces including high-touch surfaces
- Clean glass, counters, podiums, stanchions, doors/hardware, machines, chairs, windows, displays, view Sonics, walls where applicable
- Refill air freshener and hand sanitizer dispensers as needed; disinfect dispensers regularly
- Vacuum soft-surfaced floors (Carpet/rug/walk-off mat); sweep then mop hard-surfaced floors (Tile/wood/LVT)
- Water application & extraction cleaning of carpet & mats more frequently throughout casino floor

Restrooms

- Evaluate restroom and remove debris from floors and counters every hour or as needed
- Spray (and do not wipe) all bathroom hard surfaces with disinfectant/cleaner—toilet, urinals, sinks, shower/tub, countertops and fixtures every hour or as needed
- Restock supplies and empty trash
- Clean mirrors, glass, lavatories, toilet/urinal partitions, sanitary & paper dispensers and windows
- Scrub toilet and urinals
- Wipe bathroom hard surfaces and high touch points after required disinfectant contact time. Refer to product label
- Clean and disinfectant floors and apply odor control product (as needed)
- Increase frequency of deep cleaning and high touch point disinfection
- Increase frequency of hard surface disinfection using an EPA-registered disinfectant with an emerging viral pathogen or coronavirus claim. Carefully read and follow label directions
- All housekeepers need to be wearing N95 respirators all time while on floor

- Casino floor staff from Slots, TG, SOC, Marketing staff should all be assisting with wiping machines, trash pickup, ash trays, etc.
- Disabled hand drying blowers and replaced with touchless paper dispensers

FLOWING WATER CASINO. NORTHERN EDGE CASINO.

NAVAJO GAMING

Northern Edge & Flowing Water Navajo Casinos
Safety and Sanitization Plan

Submitted by: General Manager, Cliff Ehrlich

PURPOSE:

The purpose of this document is to maximize the safety of all team members, guests, and vendors during the COVID-19 pandemic. In doing so, the properties have identified the specific actions that will need to be taken prior to, during, and after the opening of the casinos.

RESPONSIBLE PARTIES:

The Compliance Manager or Coordinator will be the "COVID CZAR" for both Northern Edge Navajo Casino (NENC) and Flowing Water Navajo Casino (FWNC). A COVID CZAR is defined as the leader that will be responsible for developing, implementing and evaluating the policies and processes for COVID-19 safety measures. In the absence of the Compliance Manager/Coordinator, the Casino Shift Manager (CSM) on duty will be the acting "COVID CZAR". All Directors and Managers are responsible for communicating all information shared by the COVID CZAR to their staff, ensuring safety practices are implemented within a timely manner, and respond appropriately to any issues brought to their attention related to COVID-19 safety.

PROPERTY WIDE – PLAN OF ACTION:

The New Guest Experience

- Greet each guest with a "welcome back", offer mask and gloves, offer to squirt hand sanitizer on guest's hands and wish them "good luck".
- Any observation of guests that appear ill must be reported to the Security Department immediately.
- Guests must show face upon entry for surveillance. We can do this when they lower their masks for temperature screening. Please coordinate camera coverages with NNGRO for temp screening location.
- The front entrance will have two lines for entry. One line will be for Eagle Members, healthcare workers and first responders to show recognition and for quicker access into the casino. The other line will be for all other customers. The two lines will be marked off for social distancing of six feet apart.
    - On opening day we will open for VIP's, Healthcare Workers and First Responders only.
    - On Monday, Tuesday, and Wednesday's we will open for Elders (60 plus) 8:00AM at NENC and 9:00AM at FWNC. Advertisements to public will indicate we are opening at 10am for NENC and 11am for FWNC to reduce crowds and allow elders to have exclusivity. Elders will be given a bag containing a hand sanitizer, a spare mask, and gloves (if requested).

- Guests are required to have a thermometer reading by an electronic body scanner upon entrance into the casino. If a guest has a temperature of 100.4 degrees or above, guest will not be permitted to enter. The casino will allow 3 attempts of a temperature check. If guest temperature is greater than or equal to 100.4 Fahrenheit degrees after a second temperature check, the guest will be moved to a cool area prior to the third test. If the guest temperature is 100.4 degrees or above on the third temperature check, the guest will be denied entry into the casino along with their arriving party.
    - Screening area will take place at pavilion or lobby.
    - Masks required; gloves recommended and offered
    - Team member will apply hand sanitizer and open door for guests upon entry
- Markers will be used to queue guests 6 feet apart in necessary areas. Stanchions will be set up strategically to observe social distancing guidelines. Signage will be placed in prominent locations to remind guests to remain 6 feet apart from other guests.
- Signage will be placed throughout the property reminding guests to follow Navajo Nation Department of Health (NNDOH) and Center for Disease Control (CDC) guidelines for proper hygiene (to wash hands, use sanitizer, stay at home if sick, etc.).
    - Increased the number of eye-level signs promoting 6' social distancing rule.
    - Enhanced visibility of ground-level floor signage.
    - Adhesive floor messages at 6'intervals for typical queues.
- All guests will be required to wear masks/cloth face coverings and no exceptions will be made.
- Individual chairs or benches with plexi-glass dividers will be in lobby and other identified locations
- Plexiglass barriers erected at "transaction" locations such as cashier, restaurant host, player's club, and administrative work spaces.
- Add wall-mounted hand sanitizers at restroom exits, disable hand-drying blowers in restrooms, limit available restroom stalls to every other stall.
- Reduce fire code occupancy by a minimum of 50% in casino, outlets or align with current Navajo Nation public health orders/directives.
- No congregating of guests. Guests not complying with physical distancing requirements and who have been requested/warned twice will be asked to leave for the day.
- Information card provided to guest upon arrival reassuring them of the precautions taken
- Smoking will not be permitted inside the casino.
- There will be "no smoking" allowed inside the casinos. A new outdoor smoking area has been constructed.
    - Marketing will schedule Public Address (PA) announcements every hour with NNDOH and CDC reminders.

<u>The New Team Member Experience</u>

- COVID-19 testing will take place for all employees prior to returning to work.
    - Additional testing may be required
    - Any determination of the working status for NNGRO employees will be left up to NNGRO management.
- AB Health will be screening team members upon entry to Back of House (BOH) with a thermal

screening. Team members will have a thermometer reading by a healthcare professional. If team member has a temperature of 100.4 degrees or above, team member will not be permitted to enter. A health questionnaire will also be completed with every employee prior to clocking-in. If an employee is not recommended for entry, the AB Health representative will contact the Director of Human Resources. Direction will be provided to the employee by the Director of Human Resources about the next steps.

- If temperature is over 100.4 degrees, it may be taken again up to 3 times
- COVID-19 test administered if temperature remains over 100.4 degrees or based on response
  - Employee may return to work if the test is negative
- Mandatory quarantine period for 14 days if test result is positive.

- Employees will review and complete the Health and Safety Screening Process Acknowledgement Form
- Employees are required to complete the Return to Work training prior to working within their respective departments.
- Signage will be placed throughout the property reminding employees to follow Navajo Nation Department of Health (NNDOH) and Center for Disease Control (CDC) guidelines for proper hygiene (to wash hands, use sanitizer, stay at home if sick, etc.).
  - Expanded CDC COVID "questions" on signage prior to entry will be added as well as PA messages outside.
- Any employee that is currently working and appears to be ill must be reported to the Security and Human Resources Department immediately.
- Team members are required to wear masks and gloves (depending on position).
- Signage and rolling announcements will be placed in all team member/BOH areas, SharePoint, Fast Command, and/or Bulletin Boards reminding employees to follow Navajo Nation Department of Health (NNDOH) and Center for Disease Control (CDC) guidelines for proper hygiene (to wash hands, use sanitizer, stay at home if sick, etc.).
- Operational schedules to developed and implement. Developed schedules to include truncated work week to help minimize social contact BOH.
- Directors will coordinate operational break schedules within their departments to help minimize social contact for team members in the Employee Dining Room (EDR)/BOH.
- Meetings will be conducted with social distancing practices and/or by video conferencing.
- Personal cell phone policy will be emphasized and applied to all employees
- New designated employee exit has been identified by the Shipping/Receiving area to reduce clustering of the employee at the entrance.
- Monitor staffing levels and align schedule/staff to business needs; observe NPEA-compliant seniority scheduling and other scheduling methods to be approved by the General Manager.
- Allow employees to telecommute, where practical or implement flex scheduling.

FOOD & BEVERAGE DEPARTMENT - Plan of Action:

- Single use menus must be discarded after each use in Cedar Bow (CB).
- Credit/Debit cards will be recommended for payment.
- All counter shields have been installed.
- Social distance marked lines are established in each F&B area

- Capacities will be monitored at all times
- All FOH and BOH service and production staff will wear facemasks and gloves.
- All tables, counter surfaces, bar, prep tables, and etc., will be disinfected after each use.
- Entrees will be plated on disposable plate-ware or to-go boxes, disposable cups with beverages, flatware, condiments and accoutrements will be provided to each guest.
- There will be a dining room attendant or bus person at all times during hours of service to ensure that tables and surfaces are wiped continuously; and that the outlets' cleanliness and seating guidelines are maintained to include beverage station surfaces, buttons, knobs etc.
- Two separate lines will be maintained for Food Court (FC) and Cedar Bow (CB). One line for Eagle Players and First Responders and a second line for all other patrons. Social distancing will be a top priority.
- Self-service areas will be eliminated from Food & Beverage operation until further notice.
- Food outlets reduce seating density
- No self-serve beverage stations unless employee serves guests.

Employee Dining Room (EDR):

- To support social distancing, expanded hours of EDR operation will be 7:00AM-10:00PM.
- Service will be limited to a meal plated by a Food Service Attendant, within "seconds" if requested (cafeteria style). This will include pre-made/pre-packaged salads. No part of the EDR buffet lines will be self-service. To-go boxes may be discussed for employees that wish to dine in their offices or at our new outside socially distanced seating under a tent.
- Overnight, we will continue to offer bag lunches as we have during the shutdown.
- Touchless hand sanitizer stations have been added.
- Sanitizing/cleaning agent to be available and used to clean microwave.
- Plexi-glass has been placed between tables to support social distancing
- If possible, employees will be permitted to eat in their office area/desk.
    - If meal is eaten at the office area/desk, employee is expected to clean and disinfect their area.
- Outdoor EDR seating under a tent is set up with banquet tables outside as recommended by GM to provide additional seating, weather permitting. Cocktail rounds with one (1) chair each, will be setup outside of the employee entrance and to the North. Limit will be one (1) employee at each table.

Food Court:

- Plexi glass barrier are installed between cashier windows with six (6) foot between credit/debit card keypads, and pick-up windows
- Sink/washing station will be available near EDR and break rooms.
- Self-serve beverage stations will be closed with exception on the south end of the casino where two attendants will be available to give out beverages to guests.
- Counter Shields in the EDR and Food Court has been installed.
- Kitchen cleaning and returning equipment back in service will be done two weeks prior to opening.
- Ensure all refrigerators are cleaned out and sanitized before opening.

Cedar Bow and Cedar Bow Bar:

- Cedar Bow will remain closed upon opening of casino. Our plan is to monitor guest reactions, employee perceptions, business volumes and the COVID environment to make changes quickly after we reopen.
- If wait listing is necessary, each party will be required to maintain proper social distancing when waiting "in line". This will be monitored by a host/hostess.
- No buffet services will be offered.
- Stations will be maintained and social distancing markers will be maintained for guests waiting for food station items for Saturday breakfast and Sunday brunch. If guests are waiting for omelets, waffles, etc., a card will be issued to each guest waiting, and the item will be brought to the table when it is ready.
- To-go orders will be permitted.
- All beverages at bar will be served in a single-use cup.
- All Happy Hours will be suspended to reduce any crowding or gathering.
- Name tags and system cards (Agilysis) will be sanitized hourly.
- Bar stools for guests will be placed 6 feet apart.
- Tables in the bar will be placed 6 feet apart from other tables with no more than 4 chairs.
- There will be a plexi-glass barrier between bartenders and guests; Bartenders will wear masks and gloves at all times.
- All ordering of drinks from a bartender will be done from a queuing line with floor markers and stanchions for social distancing

SLOT DEPARTMENT - Plan of Action:

- Identified machine have plexiglass barriers and maintenance of the barriers will take place between the Slot and Maintenance Department
- Slot Attendants will assist in the regular cleaning of plexiglass in partnership with the Maintenance Department
- Slot Attendants will assist in the sanitization of machines and chairs after guest use.
    - Signs have been placed on the casino floor stating that guests can initiate cleaning of machine by pressing the service light button.
- Every other slot machine will be turned off for the first two weeks of opening even if they are plexi-enclosed.
- Research stylus pens for slots and touch-screens.
- Remove from service/remove chairs from every other slot, or install plexiglass dividers.

TABLE GAMES DEPARTMENT – Plan of Action:

- No promotions for the time being.
- Table Games personnel will wear gloves (clear)
- Sanitizers to be available at each table.
- Table Games personnel will "push" sanitizer on each shuffle in addition to the process where personnel squirts them upon arrival and every buy in.
- Table Games will implement chip cleaning measures based on NIGC guidelines.

- Dealers will apply sanitizer at entry and after each buy in. WPT, Pai Gow, and Double-Deck Blackjack will need to be dealt with the cards face up. The players will not be touching cards.
- Promote social distancing:
  - Limit tables to 3-4 players per game.
  - Remove every other chair.
  - Guests will not be allowed to congregate around tables. If necessary, Table Games staff will start a waiting list for guests.
- Plexiglass will be used between players in our Tables Games area to limit occupancy.
  - Installation of plexiglass dividers to occur.
- Table players to have sanitizer applied by dealer when arriving, buying in.
- Table games dealers must remove their mask under camera view when being relieved. The same logic as showing "clean hands".

MARKETING DEPARTMENT - Plan of Action:

- No entertainment to include concerts, shows, or live acts for an unspecified period of time.
- No concerts, shows or live acts will be held until further notice.
- No large-scale drawings will be executed until further notice.
- All Players Club Supervisor and Representatives to wear masks and will have hand sanitizers in their work station for constant use.
- Set up Players Club work stations at least six (6) feet apart.
- Counters and equipment will be sanitized at least every half hour.
- Guests to maintain six (6) feet of separation while waiting in line with the spacing to be clearly marked on the floor. Measure out and place the floor decals for guests to maintain six feet of separation while waiting in line.
- Advertising Coordinators
  - Create and provide signage for hand sanitizer stations. Remind customers/employees to follow NNDOH and CDC guidelines to include washing hands, using hand sanitizers, stay at home if sick, etc.
  - Create and provide signage at entrance setting forth a checklist of symptoms and asking customers to not come in the casino complex if their answer is "Yes" to any of the questions listed.
  - Create and provide signage announcing discontinuation of valet parking and informing casino guests to self-park.
- Shuttle bus between casinos is cancelled

ACCOUNTING DEPARTMENT - Plan of Action:

- If team members are telecommuting they are required to submit a work log that describes what work was done during telecommute hours. The Accounting Manager will stagger shifts, as much as possible, of team members to reduce the number of employees in one area at one time. The Accounting Manager will also consider assigning a 4-10 schedule for salaried team members.
- All persons entering and exiting sensitive areas (cage, count room, IT rooms, surveillance) must remove mask and show camera.

CAGE DEPARTMENT - Plan of Action:

- Cashier will use every other window even though plexi-glass has been installed.
- Cage Staff will wear masks and use hand sanitizer at their work stations.
- The Cage and Vault areas will be cleaned every hour through each shift.
- Kiosk machines and ATMs including the one in EDR to be wiped down every hour.
- A clear plastic sheeting/plexiglass has been installed to divide the guest and cashier for safety
- No more than 2 team members will be allowed in the mantrap to retrieve or return their banks at one time.
- Employees to use separate work stations to eliminate shared equipment while on shift.
- Cage employees must remove mask and show camera when entering and leaving the Cage.
    - Work station must be cleaned and sanitized prior to breaks and lunches.
- All work stations will be cleaned and sanitized at shift change.
- Only open every cashier window, even with plexiglass.

AUDIT DEPARTMENT - Plan of Action:

- Manager and supervisor will stagger shifts of team members, as much as possible, to lessen the number of employees in one area at one time.
- Plexiglass has been placed in between work stations and Revenue Audit Clerks are responsible for cleaning and sanitization of the dividers.
- Audit department to wear masks and clear gloves while on the casino floor. Some of the games require the screens to be touched when taking progressive readings.
- Employees to use separate work stations to eliminate shared equipment while on shift.
    - Work station must be cleaned and sanitized prior to breaks and lunches.
- All work stations will be cleaned and sanitized at the end of shift.
- Count team members must remove mask and show the camera when entering and exiting the Count Room.

SECURITY DEPARTMENT - Plan of Action:

- Staff will complete COVID-19 training on Casino Essentials currently assigned.
- Additional training on social distancing, cleaning, hygiene will occur by EMT's
- Prepare staff on how to check temperatures from guest and employees accurately and what symptoms to look for.
- Maximum capacity for each casino will be 50% of the indicated capacity.
    - Gaming Floor - 2,731
    - Food Court - 120
    - Restaurant/Bar – 281
    - FWC Floor - 373
- Security will maintain guest counts/attendance with a manual clicker limiting occupancy to 50% in all areas including entrance of the casinos.
- Security will intervene when guests do not follow social distancing guidelines and will be warned. If non-compliance continues, guest will then be asked to leave. Couples from same household will not be required to remain six feet apart.
- Valet was notified that they will close until further notice.

MAINTENANCE DEPARTMENT - Plan of Action:

- Install Counter Guards at both NENC, EDR and Food Court, and FWNC Food Court
- Restart All Public (FOH) Restroom Exhaust Systems
- Pressure Test/Disinfect/Activate New Domestic Waterlines to CB Back Kitchen
- Re-Activate/Manually Backwash/Calibrate Domestic Water Softening Systems & Brine Tank
- Re-Activate/Manually Backwash/Calibrate Domestic Water Filtration Systems
- Restart/Flush/Calibrate Hot Water Heaters & Circulating Pump
- Test water in all areas
- Sanitize/Restart All Food & Beverage Station Ice Makers
- Sanitize/Restart CB & FC Kitchen Ice Machines
- Restart/Adjust Cedar Bow Kitchen Produce/Diary/Meat Walk – In Coolers
- Procure, fabricate and install clear plexiglass sneeze/cough guards on counters in areas such as cook lines, Players Club, Cage, Gift Shop,
- Hand sanitizing stations are set up throughout casino floor.
- Air exchangers will be run at maximum capacity.
- Facilities will test water due to the long shut down
- Bathroom attendants will be utilized in FOH and BOH.
- Facilities will ensure sanitizers at each self-serve kiosk (ticket redemption, ATM, etc.
- Facilities will create a list of disinfecting products you're using and verify EPA-approved, that will be stored in "COVID CZARS" log book.
- Facilities will have a focused cleaning of all customer transaction points at least every two hours and must maintain a log. Our "COVID CZAR" will check logs on daily basis for all operating areas and filed in a book.
- Before COVID 19 Northern Edge used MERV 8 filters and now Northern Edge will be using MERV 13 filters. Flowing Water was using MERV 8's and now Flowing Water will be using MERV 13's. At both casinos we were changing them out every 4 months before the pandemic and now we'll be changing the filters out every two months.

One week prior to opening

- Perform Sanitizing/Light Cleaning/Dusting of Casino Floor/Slots/Displays/Glass/Doors
- Perform Paper Refilling, Light & Soft Cleaning on All Public & BOH Restrooms
- Exchange/Delivery of Clean & Empty Garbage Dumpster by NN Sanitation
- Finishing Preparation & Repainting of Hallway Walls @ EDR to CB Kitchen
- Dedicated restroom attendant will be identified for each shift.
- Generate cleaning/sanitizing log for locations throughout the casino.

Casino - Increased cleaning with the following focus:

- Empty and disinfect trash cans, ash trays, and replace can liners with frequency contingent on customer usage and/or on as needed basis where disinfectant will be sprayed inside trash container if not being emptied or relined.
- Clean and disinfect all hard surfaces including high-touch surfaces. We will give our best effort to clean and disinfect by applying the 60-second rule as our patrons leave the Slot machines or Table Games tables.

- Clean glass, counters, podiums, stanchions, doors/hardware, machines, chairs, windows, displays, view sonics, walls where applicable.
- Refill air freshener and hand sanitizer dispensers as needed; disinfect dispensers regularly.
- Vacuum soft-surfaced floors (carpet/rug/walk-off mat); sweep then mop hard- surfaced floors (tile/wood/LVT). (Neil – hire "Bravo" to do deep cleaning before opening date). We will be purchasing foggers and sanitizers so we can do our own deep cleaning after opening the casino.
- Water application & extraction cleaning of carpet & mats more frequently throughout casino floor
- Continue 2-hour disinfection of casino floor work areas daily
    - Provide departments with disinfectant cleaners
    - BOH staff to disinfect work areas every two hours
    - Refill hand sanitizer as needed
- Enhanced cleaning protocols throughout the property
    - Sanitizer stations will be placed throughout the casino complex
        - Sanitizers to be located throughout the casino, both front and back of house, on stands that are no greater than 25 feet apart.

Restroom - Normal Duties:

- Place wet floor sign at entrance.
- Evaluate restroom and remove debris from floors and counters.
- Spray (and do not wipe) all bathroom hard surfaces with disinfectant cleaner—toilet, urinals, sinks, shower/tub, countertops and fixtures.
- Restock supplies and empty trash.
- Clean mirrors, glass, lavatories, toilet/urinal partitions, sanitary & paper dispensers and windows.
- Scrub toilet and urinals.
- Wipe bathroom hard surfaces and high touch points after required disinfectant contact time. Refer to product label.
- Clean and disinfectant floors and apply odor control product (as needed).
- Inspect for quality and remove floor sign when floor is dry.
- Bathroom attendants will be designated to focus just on bathrooms and will fill out sheets showing the bathrooms were cleaned and what time.

Further Mitigation - Safety of Team Members and Guests is Top Priority

- Increase frequency of deep cleaning and high touch point disinfection.
- Increase frequency of hard surface disinfectant using an EPA-registered disinfectant with an emerging viral pathogen or coronavirus claim. Carefully read and follow label directions.
- Create list of disinfecting products you're using and verify EPA-approved, store in Czar book.
- Must have focused cleaning of all customer transaction points at least every two hours and must maintain a log.
- Full facility sanitization prior to reopening.
- Ongoing 60-Second sanitization standard wherever guests are served
- Expand number of touchless hand sanitizers
    - To be placed every 25 feet
    - To be placed by all kiosks and ATMs

- Sanitizing floor mats at point of entry.
- Remove individual alcohol wipes from slot machines
- Air filtration system enhanced with M13 filters, max air exchange with outside air, much more frequent filter replacement than in the past.
- Departmental cleaning/sanitizing checklist to be developed and available for verification and accountability.
- COVID CZAR must check logs on daily basis for all operating areas and file in book.
- Facilities will make sure there are occupancy signs located in the smoking areas

HUMAN RESOURCES - Plan of Action:

- Provide specific direction in instances where employees are impacted by COVID-19 situation while on duty.
  - Positive COVID-19 test – Employee must complete a 14-day quarantine and any further instruction provided by physician; obtain a doctor's note to submit to HR stating they can return to work; leave instructions to be shared with employee.
- Provide guidance to employees regarding leave options related to COVID-19 situations.
- Director of Human Resources to be the go-to person for AB Health
- Track COVID-19 related incidents involving an employee.
- NNGRO will be notified on COVID infections.
- Track Health and Safety Screening Acknowledgement Forms returned by employees
- Conduct and track mandatory Return-to- Work (RTW) Training for all employees
- HR's training will include "de-escalation techniques to manage disgruntled guests who do not wish to comply with our new policies.
  - All employees are required to attend the RTW Training
- All employees are required to complete the COVID-19 training in Casino Essentials
  - Management will also complete the NAU online COVID-19 Training
- Assist in enforcing uniform/work attire guidelines
- Employees to use separate work stations to eliminate shared equipment while on shift.
  - Work station must be cleaned and sanitized prior to breaks and lunches.
- All work stations will be cleaned and sanitized at the end of shift.
- Human Resources will be available for extended hours and through the weekend
  - HR will also implement a semi-staggered shift approach and a 4-10 schedule

Additional Actions

- Blessing Ceremony conducted for reopening
- Coordinate activities with NGRO, NIGC
- Shuttle bus operations suspended

Contingency plan should recent Guest or Team Member who contract virus:

- At minimum, the following actions will be taken:
  - Notification to authorities and BOD
  - Notification to team members who may have come in contact

- Tracing of employee or guest "journey" to elevate sanitization efforts further
- Executive team to consider options for additional measures

NOTE: This plan will continuously be reviewed and additional actions/practices may be implemented based on research, recommendations provided by NNDOH or CDC, etc.

Summary:
NNGE is ready to delight and entertain our returning guests in a safe and sanitized environment that value their safety and that of our team members. This plan reflects "best in class" efforts to prioritize safety in a dynamic operating environment.

TWIN ARROWS
NAVAJO CASINO RESORT™

Twin Arrows Navajo Casino Resort
Safety and Sanitation Plan
10/16/2020
Updated By General Manager Bryce Warren

Property Wide

Plan of Action:

- Items purchased:
  - Temperature monitors (Contactless Thermometer)
  - Masks
  - Gloves
  - Hand Sanitizers
  - Social distancing signage
  - Protective Shields
  - Sanitizing wipes
  - Medical Grade Chemical will be used for housekeeping, rooms, and all public areas.
- Documents Attached:
  1. Safety and Sanitization Plan
  2. Protocols
     A. NNGE Protocol in Response to Confirmed/Probable COVID-19
     B. NNGE Summary COVID-19 Protocols Employee Guest
     C. Facemask and Social Distancing Protocol
  3. Navajo Nation Reopening Status
  4. Navajo Nation Public Health Order
  5. NIGC checklist
  6. NGRO checklist
  7. Doing Our Part Sanitation Checklist
  8. Returning to Work Frequently Asked Questions
- Blessing Ceremonies for all properties prior to opening
- The hours of operations for the casino floor will be 8:00 am till 2:00 am.
  - Deep cleaning hours will be 2:00 am – 6:00 am.
- The property was sanitized by Premier Carpet Cleaning & Restoration before opening.
- Carpets have been deep cleaned and sanitized throughout the property before opening by Horizon Carpets.
- Protective shields are in place in all person to person contact area such as POS stations, high producing Slots banks, Bingo, Players Club, Hotel Front Desk, Reservations, Cage, Human Resources, Accounting, Employee dining room, Security Dispatch, Security podiums in the

public areas, and other areas as needed. Sanitizer stations will be highly visible throughout the property.

- Markers and signage will queue guests to stay six feet apart in all potential places that form lines and strategically erect stanchions to observe social distancing guidelines recommended by the CDC.
- Signage will be placed throughout the property, reminding guests to follow CDC guidelines for proper hygiene and social distancing (properly wash hands, use sanitizer, stay at home if sick, etc.).
- Per the **American Society of Heating, Refrigeration, and Air-Conditioning Engineers** (ASHREA), the new air filter minimum efficiency reporting value (MERV) rating should be MERV 13. We changed all filters from MERV 8 to MERV 13 at the end of July 2020. Filters are changed every thirty day? Air exchangers will be ran at maximum capacity based on weather. Exchange rate is ten times per hour.
- At the opening, the property will be maintained at 50% occupancy based on fire code occupancy levels for each area of the building. Navajo Blue Travel Plaza opened at 25% occupancy.
- Compromised areas:
    - Management shall notify the Director of Facilities of the areas that were compromised.
    - Section off or close all areas reported by the infected person as having worked in or occupied.
    - Perform CDC, and Navajo OSHA approved coronavirus cleaning and disinfecting for all compromised and potentially compromised areas.
    - The CDC provides the following recommendations for most non-healthcare businesses that have suspected or confirmed Covid-19 cases:
        - Close off areas used by Covid-19 infected person(s) and wait as long as practical before beginning cleaning and disinfection to minimize the potential for exposure to respiratory droplets. Open outside doors and windows to increase air circulation in the area. If possible, wait up to twenty four hours before beginning cleaning and disinfection.
        - The cleaning team should clean and disinfect all areas (e.g., offices, bathrooms, and common areas) used by the Covid-19 infected person(s), focusing especially on frequently touched surfaces.

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Current Occupancy Signs

Gaming Floor	3288	EDR	127
Event Center	1222	Fitness Center	26
VIP Boardroom	57	Arcade	50% Occ.
Truckers Lounge	154	Pool	244
Twin Arrows A & B	239	Oasis	38
Bingo	234	Buffet	182
Gift shop	45	Four Elements	240
Arrows	113	Zenith	199
Hotel	50% occupancy Opening 100% after 2 weeks	Zenith Private Dining	18
Sales	50% occupancy	Zenith Bar	71
Navajo Blue Travel Plaza 25% occupancy	Main retail/back hallway 28	Slots TBD	

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The New Guest Experience

- The main entrance is the only entrance available to guests. The guest will enter in one door and out another door at the main entrance. All other entries will be blocked off, and signage will be posted to inform guests to use the main entrance.
- Two lines will be formed at the main entrance and queued in the Porte Cochere area. A VIP Eagle line/elders, first responder, and a line for all other guests. Fifty percent occupancy of all areas combined within the building will be adhered to.
- Social distancing signage will be posted to remind guests to stay 6 feet apart.
- Water stations will be available outside for guests waiting to enter.
- Porta-Potties will be stationed at the Valet area for the guest that are waiting to enter.
- Welcome hosts will be stationed at the only entrance located at the main door and will open the door for each guest. The host will sanitize the doors after each hand touched entry. The host will be available to answer questions about safety and precautionary measures throughout the property.
- All guests and team members will be greeted with "welcome back."
- First Responders and Healthcare Workers will receive recognition.
    - Free meal with to go concept or provided fifty percent off any entrée. Must show proof of ID.
- Upon entry, guests will be required to go through a contactless, thermal screening process. The guest will remove their mask before screening. If found to have a temperature of 100.4 degrees, guests will not be permitted to enter. Three attempts will be made on temperature checks for the guests. Before the third attempt, the guests will be allowed to cool down, cooler area and water. If the guest is staying two or more nights, they must come to the lobby and be required to do another contactless, thermal screening and logged in the hotel system.
- Guests will be required to wear masks while in the building within public areas. Gloves will not be mandatory for the guests. Guests will have the option to wear their own mask and gloves. New masks and gloves will be provided by Twin Arrows upon entry if needed. If a guest refuses to wear a mask, they will not be permitted to enter.
- Hand sanitizer and wipes will be available to guests at the main entrance.
- The host will apply hand sanitizer to the guest as they enter the building.
- Tissue compartments and extra trash cans are in place.
- All public drinking fountains are closed.
- All Twin Arrows team members will enforce social distancing and the wearing of the mask.
    - If the guest does not follow the guidelines after a team member has spoken to them, a manager or security would be contacted.
- Smoking will not be allowed inside the building and will only be permitted outdoors in designated areas. The smoking area will have the occupancy level listed.
- Promote Social Distancing, fifty percent occupancy levels in all areas of the property.

- Signage is placed throughout the casino (FOH, BOH, front entrance, elevators, hotel, pool, gym, arcade and trucker lounge) to include the following:
    - Remind customers/employees to follow CDC guidelines to include proper hand washing, using hand sanitizers, stay at home if sick, etc.
    - Signs will be placed at each entrance setting forth a checklist of symptoms and asking customers not to come in the casino complex if their answer is "Yes" to any of the questions listed.
    - High traffic flow areas will have directional arrows to remind guests to go in one direction and proper eye-level signage.
    - Social distancing signage has been placed throughout the property.
    - Guests not following social distancing guidelines will be warned and then asked to leave. However, people from the same household will not be required to remain six feet apart.
    - Scheduled public announcements will be made every hour, reminding everyone of social distancing, wearing masks, handwashing, and sanitation.
    - Script and guidelines for all employees to reference social distancing.
- Table Games – Protective shields on each table, allowing four chairs.
- Slots - Put every other game out of service, and remove the chairs from out of service games. Certain high-performance banks will have protective shields in place at each machine and will be utilized in the future when determined safe to do so. Out of service, machines will have a message on the device, showing it is out of service. Social distancing and please turn on the attendant light for sanitized will be placed in the machine.
    - Circular and tripod banks are excluded.
- Bingo will be closed unit further notice.
- Pool, gym, truckers lounge, and arcade – Closed until further notice. When opened, we will follow CDC guidelines and adhere to fifty percent occupancy.
- Shuttle and valet services closed until further notice.
    - Signage announcing the discontinuation of valet parking and informing casino guests to self-park.
- Food and Beverage outlets will follow CDC guidelines and adhere to fifty percent occupancy in all food outlets.
    - The buffet is closed until further notice.
- No promotions, events or entertainment until further notice.
- We will be running the Twenty Five Million Point Giveaway NNGE promotion TBD to promote online engagement with our customers.

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Senior Safety Days will be for elders sixty and older.

- The first day of opening will be only Eagle players, and first responders.
- Eagle players, and first responders can bring two guests each.
- Elders will have exclusive entry to the casino from Monday-Wednesday from 8:00 am to 10:00 am.
- Elders can bring two guests each.
- Elders will receive a mask (If needed), disposable gloves, a two-ounce bottle of hand sanitizer, and a Covid-19 information card.
- The general public will have entry starting at 10:00 am.
- Twin Arrows will reserve the right to allow a limited number of non-elders, non-Eagle players, and non-first responders inside the casino until capacity reaches twenty-five percent. Based on the Navajo Nation Health orders.

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The New Team Member Experience

- All team member will be tested for Covid-19 before returning to work.
- Upon entry to the back of the house (BOH), all team members will go through a contactless, thermal temperature screening by an outside vendor. Protocols will be in place if a team member has a temperature of 100.4 degrees or higher. Three attempts will be made on temperature checks for the team members. Before the third attempt, the team member will be allowed to cool down, cooler area and water.
    - A temperature log of all team members entering the property will be recorded.
- Signage is placed in all team member/BOH areas reminding team members to follow CDC guidelines and practice social distancing (properly wash hands, use sanitizer, stay at home if sick, etc.).
- Uniform policy will remain except for mandatory masks for all departments and gloves in cash handling and food and beverage positions.
- Team members are required to wear Twin Arrows approved masks and gloves:
- All Team Members will be required to attend mandatory Covid-19 mitigation training, refresher Dine' Service Training, pre-shift meetings with their department managers and assist in preparing their departments for resuming operations.
    - Training on how to properly use and dispose of all PPE and sanitation will be mandatory.
- Sanitizer stations will be placed throughout the back of the house.
- Rolling announcements will be made on company SharePoint and HR bulletin board reminding employees of CDC guidelines and when not to come to work (e.g., wash hands, use sanitizer, stay at home if sick, if you have a temperature 100.4 or more, etc.).
- Tables/seating in the EDR and break rooms will be 6 feet apart and limited to a maximum of 1 person per table. Installation of protective shields will expand seating to fifty percent occupancy.
- Food in EDR will be individually wrapped, boxed, or served rather than self-serve.
- Meetings will be conducted with social distancing or by conference calls, and employees will be reminded to practice social distancing in offices and conference areas.
- Restrooms are available near the EDR.
- Team members will not be allowed to talk to on their phones while on duty, except on break.
    - Team members that have a property issued phone may utilize their phone while on duty.
- Coordinate break schedules to help minimize social contact in the team member dining room (EDR and BOH).

- The smoking building will be close until further notice. Smoking will be relocated beyond the smoking building. No smoking will be allowed near other team members or the Twin Arrows building.
- Operational scheduling plans to include staggered work hours to help minimize social contact.
- Two hour disinfection of work areas (FOH/BOH) daily. All departments will utilize the "Doing our part sanitation checklist"
    - All departments have disinfectant cleaners.
    - All department have extra PPE.
- Enhanced cleaning protocols throughout the property.
    - Sanitizer stations will be placed throughout the facility.
        - Sanitizer stands to be located throughout the casino, both front and back of the house.
        - Hand sanitizer will be check every two hours and will be refilled as needed.

Food & Beverage – Social distancing will be every other table and six feet apart.

Medical grade cleaning products to be utilized at all outlets.

Plan of Action:

Employee Dining Room (EDR):

- All tables will be spaced six feet apart.
- One way in and one way out of the EDR
- Sanitizer stations are in place.
- Sanitation spray bottles are located on each table.
- Protective shields are in place on every table.
- Sneeze guards are in place in the EDR.
- All tables, counter surfaces, etc. will be disinfected after each use.
- Service will be limited to a meal plated by a foodservice attendant. This will include the salad bar. No part of the EDR buffet lines will be self-service. To-go boxes for BOH employees will be available to dine in their offices.
- Disposable plates, cups, flatware, condiments will be provided to each employee dining in the EDR.
- Overnight, we will offer bag lunches for team members.
- Seating will be one person at every other table. Installation of protective shields can expand seating to fifty percent occupancy. Additional tables will be set up in the Dine Event Center if needed.
    - BOH employees will be permitted to eat in their office area/desk.
    - If a meal is eaten at the office area/desk, the employee is expected to clean and disinfect their area.
- There will be a dining room attendant at all times, during hours of service, to ensure that tables and surfaces are wiped continuously; and that the EDR cleanliness and seating guidelines are maintained to include beverage station surfaces, buttons, knobs, etc.
- All EDR attendants will wear facemasks and gloves. These will be changed frequently, between uses (gloves), and as necessary.
- Sanitize high touch points frequently.
- Sanitize every two hours and log.

Coffee Bar, Four Elements, Oasis, Zenith, Arrows Sports Bar, Grand Falls Buffet, Casino Floor

- Touch less systems Table Ready (text waiting) is installed. IGuest Buy on Demand from Agilysys is a barcoded phone application to order food, and mobile payments will be installed before opening.
- To avoid direct hand-to-hand contact transactions, all cash will be laid on the counter or tray, and the change will be retrieved by the guest.
- Seating will be limited to one party to every other table. The max number per party is six.
- All tables will be spaced six feet apart.
- If a wait listing is necessary, each party will be required to maintain proper social distancing when waiting in line. This will be monitored by a host/hostess. Eagle players and first responders will have a preference when seating. A separate line will be formed to allow access for them.
- Stations will be maintained, and social distancing markers will be maintained for guests waiting for food service.
- To go orders will be permitted.
- Hours of service may be reduced or limited, TBD.
- Entrees will be plated as usual, and silverware can be used if wrapped.
- All FOH and BOH service and production staff will wear facemasks and gloves. These will be changed frequently, between uses (gloves), and as necessary.
- There will be a busser available at all times, during hours of service, to ensure that tables and surfaces are wiped continuously; and that dining area cleanliness and seating guidelines are maintained.
- Bar service will resume operation, except social distance spacing will be monitored by the bartender(s) and supervisors. Servers can set drinks at bars and casino areas six feet apart. Self-service beverage stations will be open with a team member serving the guest.
- Food will not be allowed on the gaming floor.
- All tables, counter surfaces, bars, etc. will be disinfected after each use.
- Sanitize high touch points frequently.
- Sanitize every two hours and log.

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Grand Falls Buffet will be closed until further notice. The buffet will be converted into a full-service food court if needed based on business volumes.

Room Service

- The hours of operations are 6:00 am to 11:00 pm.
- Forty five minute promised delivery time from call to room. Historical times have been thirty minutes.
- Room service carts will be sanitized after every use.
- Sanitizer and extra face mask will be on the cart.
- Carts will not be left in the rooms.
- Servers will wear gloves and a mask at all times.
- Orders will be fashioned as to-go orders using high-end bags and boxes for delivery.
- Disposable cutlery and disposable plates will be utilized. Both will be high-end products.
- After the delivery, the server will return to the room service set up area and will sanitizer the cart, and prepare it for the next delivery.

Room Service charges

- If requested by the guest, room charges will be settled at the time of the transaction.
- If requested by the guest, credit card transactions will be settled at the time of the purchase.
- If requested by the guest, a cash transaction will be settled by the server. The server will have a fifty dollar bank pouch to settled cash transactions.
- To avoid direct hand-to-hand contact transactions, all cash will be laid on the counter or tray, and the change will be retrieved by the guest.

Slots/Bingo/Arcade

Plan of Action:

- Casino staff will regularly wipe down all slot machines with a disinfecting solution after each use within sixty seconds.
- Social distancing and please turn on the attendant light for sanitized will be placed in every machine.
- Bingo will be closed for the first two weeks of opening. After two weeks, we will evaluate to see if an opening is feasible. After opening, the following will be the guidelines. Bingo will follow the CDC guidelines and stay under fifty percent occupancy.
    - Protective shields are in place.
    - Seats will be six feet apart.
    - Guests will wear masks.
- Arcade will be closed for the first two weeks of opening. After two weeks we will evaluate to see if an opening is feasible. After opening, the following will be the guidelines. Arcade will follow the CDC guidelines and stay under fifty percent occupancy.
- Food will not be allowed on the gaming floor.
- Sanitize high touch points frequently.
- Sanitize every two hours and log.

Table Games

Plan of Action:

- Plans related to reopening of the table games.
  - Hours for operations – Table games will be open daily from 10:00 am – 2:00 am daily.
  - Limiting tables to four players per game and removing extra seating. Protective shields on each table.
  - Ongoing cleaning and sterilization.
- Social distancing floor tape lines will be placed six feet back from the tables.
- Table games dealers must remove their mask under camera view when being relieved.
- Player's cards will be dealt face-up on all games, eliminating player handling of cards.
- Sanitizers are available at each table.
- Dealers or supervisor will apply hand sanitizer to the guest on arrival and after every buy in.
- Chip cleaning machine will be utilized along with sanitizing chips at the table. See table games policies and procedures.
- During the closing of games, after chips have been inventoried, chips will be tipped forward and sprayed with a sanitizer, and the lid immediately placed over the tray and locked.
- During the opening of games, chips will be sprayed with sanitizer prior to being handled.
- Food will not be allowed in Table Games.
- Sanitize high touch points frequently.
- Sanitize every two hours and log.

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Hotel Operations/Sales/Gift Shop/Valet/Shuttle

Plan of Action:

- The hotel will run at fifty percent occupancy until further notice.
    - The hotel will open with a total of one hundred and ten rooms. All additional rooms will be released for full occupancy after two weeks if safe to do so.
    - Two rooms on the first floor are designated as Isolation rooms and will be controlled by security.
- To avoid direct hand-to-hand contact transactions, all cash will be laid on the counter or tray, and the change will be retrieved by the guest.
- All rooms and hotel public areas will be cleaned and sanitized daily with Medical Grade Chemicals.
    - A guest letter will be placed in the room to notify guests of our hotel sanitation plan on page thirteen of this document and messaging stating, "Your room has been cleaned and sanitized by "Team member's name." Enjoy your safe stay, and Thank You for choosing Twin Arrows! If you need further assistance, please contact the front desk/housekeeping.
- Laundry will follow the CDC guideline on washing and drying.
- All hotel housekeepers and supervisors will wear PPE gear at all times.
- Dine event center will take small groups and keep social distancing in place.
- Valet will remain closed until further notice.
- Shuttle services will be non-operational.
- Room service will be operational, utilizing upscale box and bag items.
- Pool operations will be closed until further notice. When opening, the following guidelines will be in place.
    - Social distancing will be in place.
    - Signage will be visible with CDC guidelines.
    - A team member will be stationed in the pool area while opened.
- Hotel Housekeeping to clean rooms, replace linen, towels, and other amenities.
- During the closing, carpets in all rooms and hallways were deep cleaned and sanitized by Horizon Carpets.
- Gift shop – Maintain and clean cashier area following CDC guidelines. The gift shop will be fifty percent occupancy.
- Sanitize high touch points frequently.
- Sanitize every two hours and log.

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Hotel Sanitation Plan:

Chemicals used:

- Peroxide, Purell surface disinfectant, and heavy-duty sixty-six bathroom cleaner for the toilet bowl and urinals.
- Purell surface disinfectant (kills thirty seconds on contact)
- Peroxide (kills forty-five seconds on contact)
- Clorox wipes to be used on shared devices and work stations.

Guest Rooms Specific Touch Points:

- Wipe door & handles
- Wipe door frame & threshold
- Wipe handrails & locks
- Wipe down dresser, desk, chairs, tables, nightstands, telephone, lamps, thermostat, light switches, TV, remote, ihome docking station, safety latch, evacuation plan, RO sign, iron, ironing board, safe, headboard, shutter, curtains, closet shutter, and rods, peephole
- Wipe sink & fittings
- Wipe ice bucket
- Wipe shower bench
- Wipe shower head & coil
- Wipe shower wall/glass/door
- Wipe Keurig coffee machine
- Replace in-room glass cups to paper product*individually wrap cups
- Replace in-room coffee condiments with packaged condiments
- K cups will be placed in a covered container
- Welcome amenity will be provided at check-in (mask, sanitizing wipes, gloves)
- Wipe mirrors
- Clean and Wipe down toilets and toilet paper handles
- Wipe amenity tray
- Sanitized all equipped used
- Removed all pens from all rooms
- In-room linens will be bag separately to avoid contamination
- Daily maid service for a stay over guests will not be available (items needed will be based on requests)

Laundry:
Sanitize all carts, bins, equipment, door, and door handles every use. Retrieve all linens process accordingly. All clean linen will be placed in clean bins. All bins will be covered and sorted by size for distribution. Laundry personnel will deliver linens placed in the bed when the room has been cleaned and sanitized. Sanitize every two hours and log, sanitize high touch points frequently.

Fitness Center: Closed to further notice
After opening, the following will be the guidelines. Disinfect and wipe down all equipment after each use by the guest with the disinfectant wipes provided. Wipe down all equipment with peroxide cleaner on all surfaces every hour or after each use. Keep bottled water stocked and disinfectant wipes. (Limit hours operation to 7 am – 9 pm) with occupancy limitations. Deep clean process overnight. Increase signage of COVID-19 guidelines. Sanitize every two hours and log, sanitize high touch points frequently.

Trucker's Lounge: Closed to further notice
After opening, the following will be the guidelines. Wipe down the entrance door and disinfect it with cleaner. Disinfect all tables, chairs, computer area, soda machine, coffee area, and countertops. The area will be checked every thirty minutes or every hour upon each use. Restrooms will be cleaned every use. Occupancy limitation. Sanitize every two hours and log, sanitize high touch points frequently.

Pool Area: Closed to further notice
After opening, the following will be the guidelines. Staff stationed from 7a – 10p. Disinfect door and handles, all lounge chairs, chairs, tables, trash, and towel bins with purell/peroxide. The pool must be kept clean and disinfect with the proper chemical for this area. The stock area with clean towels and removal of dirty ones. Clean both bathrooms every use. Sanitize every two hours and log, sanitize high touch points frequently.

Vending, Guest Landing, Hallway Areas:
Clean and wipe down the entrance door, soda, and ice machine. Wipe down the walls. Sweep/ VAC and mop the floors. Take out and wipe down trash bins. Disinfect the seating area and wipe down wooden fixtures and molding. Check lighting/vents. Recheck every 30 minutes. Sanitize every two hours and log, sanitize high touch points frequently.

Rotunda Area:
Staff stationed to disinfect the front entrance and wipe down glass doors, disinfectant stands, digital screen stands, trash bins, and seating areas constantly. Sweep and clean floor twice during each shift using disinfectant cleaners and wipes. Sanitize every two hours and log, sanitize high touch points frequently.

Coffee Bar Area:
Disinfect all seating areas and tables along with the windows and wipe them after each use. Clean and inspect seating in front of the Coffee Bar and trash bin. Floors to be kept clean and clear from debris. Recheck every 30 minutes. Sanitize every two hours and log, sanitize high touch points frequently.

Front Desk Area:
Each credit card touchpads, computers, keyboards, counter surfaces, pens, key card encoders, and keys must be sanitized every use. Social distancing enforced, guest waiting area. Designated staff to keep up with sanitation in this area. Guest welcome amenity will be provided at check-in (masks, gloves, sanitizing wipes). Sanitize every two hours and log, sanitize high touch points frequently.

Guest Elevator:
Elevator occupancy will be limited to a max of four people at a time. Sanitizer stands to be placed in each guest's elevator landing area. Sanitize every two hours and log, sanitize high touch points frequently.

Gift Shop:
Each credit card touchpads, computers, keyboards, counter surfaces, pens, merchandise must be sanitized every touch use. Social distancing enforced, guest waiting area. Designated staff to keep up with sanitation in this area. Sanitize every two hours and log, sanitize high touch points frequently.

Hotel Service Landing:
All amenities placed in the service landing areas will be covered.
All hotel employees must wear PPE as set forth by Navajo Nation Gaming Enterprise. Sanitize every two hours and log, sanitize high touch points frequently

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Players Club

Plan of Action:

- All Players Club attendants and Supervisors to wear masks and gloves and will have hand sanitizer in their work station for constant use.
- Distancing will be every other terminal.
- Counters and equipment will be sanitized at least once per hour.
- Shields are installed at ever terminal.
- Employees to use separate work stations to eliminate shared equipment while on shift.
- Guests to maintain six feet of separation while waiting in line. Six foot spacing to be clearly marked on the floor.
- Hand sanitizer stations will be in close proximity to the Players Club for guests use.
- Sanitize high touch points frequently.
- Sanitize area every two hours and log.

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Accounting

Plan of Action:
Accounting office

- Protective shields are placed at workstations.
- The accounting team will clock in at their workstations to help with social distancing.
- Sanitize high touch points frequently.
- Sanitize office every two hours and log.

Shipping and Receiving

- The Shipping and Receiving will be periodically cleaning thru-out their shift.
- Protective shields will be placed at workstations.
- Any deliveries received will be properly wiped down before delivery to the departments, except for produce.
- Sanitize high touch points frequently.
- Sanitize area every two hours and log.

Drop and Count Team

- The count team must remove their mask under camera view when entering and exiting the count room.
- The count team will periodically clean workstations.
- Team members will be required to wear masks and gloves during their shift. Use hand sanitizers as needed.
- Sanitize high touch points frequently.
- Sanitize area every two hours and log.

Cage

Plan of Action:

- The cage team must remove their mask under camera view when entering and exiting the cage.
- Protective shields are in place.
- Ever other windows will be opened for social distancing.
- To avoid direct hand-to-hand contact transactions, all cash will be laid on the counter or tray, and the change will be retrieved by the guest.
- The ATMs and Kiosk are to be wiped down every two hours.
- Team members will wear masks and gloves during their shift. Use hand sanitizer as needed.
- The cage and vault areas will be cleaned periodically through each shift.
- Sanitize high touch points frequently.
- Sanitize cage area every two hours and log.

IT offices

Plan if Action:

- Protective shields are placed at workstations.
- Sanitize high touch points frequently.
- Sanitize office every two hours and log.

Marketing office

Plan of Action:

- Protective shields are placed at workstations.
- Sanitize high touch points frequently.
- Sanitize office every two hours and log.

TWIN ARROWS
NAVAJO CASINO RESORT™

Security

Plan of Action:

- Security will enforce social distancing and the wearing of mask.
- Staff is trained on Covid-19 policies and procedures.
- Security or designee will check contactless temperatures from guests accurately and what symptoms to look for.
- Supervisors and officers are trained on social distancing, hygiene, and how to handle incidents.
- Security or designee will maintain guest counts with manual counters and only let a limited number of guests into the building at a total of fifty percent occupancy for all areas of operations.
- Protective shields are placed at security podiums and security dispatch office window.
- Security will have two isolation hotel rooms on the first floor. In case of an emergency where a guest or team member becomes ill and shows symptoms of Covid-19, they would be immediately separated. If the guest or team member has transportation, they would be asked to leave. If they do not have transportation, they would be isolated in one of the rooms while waiting for transport. If the carrier is an ambulance, we will alert them that the person may have Covid-19 symptoms. In response to a reported person on the property with confirmed/probable Covid-19, the NNGE Protocols will be followed (section two of the Safety and Sanitation Plan)
- The security team must remove their mask under camera view when entering and exiting sensitive areas, including but not limited to the cage, count rooms, IT rooms, and surveillance.
- Sanitize high touch points frequently.
- Sanitize security office and podiums every two hours and log.

Maintenance

Plan of Action:

- Water sanitation has been tested every month on the first Tuesday by NTUA during shutdown.
- The maintenance team must remove their mask under camera view when entering and exiting sensitive areas, including but not limited to the cage, count rooms, IT rooms, and surveillance.

Chemicals used:

- Sani-T-10, for restrooms and hard surfaces.
- ReJun-Nal for cleaning and disinfecting toilets and urinals.
- Simple Green disinfectant for hard surfaces in offices and other areas in the casino.
- Purell surface disinfectant for hard surfaces and slot machines.
- Quat sanitizer for shoe sole sanitizing floor mat.
- Peroxide, Purell Surface Disinfectant, and heavy-duty sixty-six bathroom cleaner for the toilet bowl and urinals.
- Purell Surface Disinfectant (kills thirty seconds on contact) Peroxide (kills forty-five seconds on contact)
- Clorox wipes to be used on shared devices and work stations.

EVS

Increased cleaning with the following focus:

- Empty and disinfect trash cans, ashtrays, and replace can liner.
- Clean and disinfect all hard surfaces, including high-touch surfaces.
- Clean glass, counters, podiums, stanchions, doors/hardware, machines, chairs, windows, displays, View Sonics, walls where applicable.
- Sanitation stations will be located at all kiosk, ATMs, POS areas, and throughout the property.
- Refill air freshener and hand sanitizer dispensers as needed; disinfect dispensers regularly.
- Vacuum soft-surfaced floors (carpet/rug/walk-off mat); sweep, then mop hard-surfaced floors (tile/wood/LVT).
- Water application & extraction cleaning of carpet & mats more frequently throughout the casino floor.
- Sanitize high touch points frequently
- Sanitize all area every two hours and log.

Restrooms

- Every other stall and urinal is placed out of service. Signage is present.
- Each bathroom has hand sanitizer units located in the bathroom and as you enter and exit.
- EVS, cleaning crew, or ambassadors will be stationed at all restrooms and will clean and sanitize after every use.
- Evaluate the restroom and remove debris from floors and counters.
- Spray (and do not wipe, sinks, shower/tub, countertops, and fixtures.
- Restock supplies and empty trash.
- Clean mirrors, glass, lavatories, toilet/urinal partitions, sanitary & paper dispensers, and windows.
- Scrub toilet and urinals.
- Wipe bathroom hard surfaces and high touch points after required disinfectant contact time. Refer to the product label.
- Clean and disinfectant floors and apply odor control product (as needed).
- Inspect for quality and remove floor sign when the floor is dry.
- Increase the frequency of deep cleaning and high touch point disinfection.
- Increase the frequency of hard surface disinfection using an EPA-registered disinfectant with an emerging viral pathogen or coronavirus claim. Carefully read and follow label directions.
- Sanitize high touch points frequently.
- Sanitize office every two hours and log.

TWIN ARROWS
NAVAJO CASINO RESORT™

Human Resources

Plan of Action:

- Human Resources protocols are in place in response to a report of a person on the property with confirmed/probable Covid-19.
- Human Resources has protocols identifying high risk team members.
- Human Resources will be responsible for notifying required tribal, federal, state, or local agencies as needed.
- Human Resources or the CSM will notify NGRO if a confirmed/probable Covid-19 case is identified.
- Human Resources conducts mandatory reopening, reorientation, and personal protective equipment training for all team members, before they return to work full time.
- Human Resources has a leave and time off policy in place for Covid-19 related concerns.
- Human Resource has an Employee Assistance Program (EAP) in place to help team members cope with day-to day-concerns.
- Protective shields are in placed at work stations.
- Sanitize high touch points frequently.
- Sanitize office every two hours and log.

Administration

Plan of Action:

- General Manager, Compliance, Directors, Managers, Supervisor's will monitor the strict enforcement of this policy.
- Casino Shift Managers are the designated team members on each shift to respond to Covid-19 concerns.
- Casino Shift Managers are assigned as Covid-19 leaders on each shift. Their duties will be to ensure this policy and the documents attached are followed as written.
- The CSM or Human Resources will notify NGRO if a confirmed/probable Covid-19 case is identified.
- Sanitize high touch points frequently.
- Sanitize offices every two hours and log.

TWIN ARROWS
NAVAJO CASINO RESORT™

Navajo Blue Travel Plaza

Plan of Action:

- All team member were tested for Covid-19 before returning to work.
- Upon entry to the back of the house (BOH), all team members will go through a contactless, thermal temperature screening by an outside vendor. Protocols will be in place if a team member has a temperature of 100.4 degrees or higher. Three attempts will be made on temperature checks for the team members. Before the third attempt, the team member will be allowed to cool down, cooler area and water.
    - A temperature log of all team members entering the property will be recorded.
- Mask and gloves are required for all team members as designated by the General Manager of Twin Arrows.
- Social distancing signage is in place.
- Upon entry, guests will be required to go through a contactless, thermal screening process. If found to have a temperature of 100.4 degrees, guests will not be permitted to enter.
- Protective shields at POS stations.
- Signage is in place for CDC guidelines.
- Hand sanitizer will be available to guests at the main entrance.
- Hand sanitizer are in highly visible areas.
- Self-service beverage station will be open with a team member serving the guest.
- Slots will be sanitized within sixty seconds after a guest leaves the machine.
- Guests will be required to wear masks while in the building within public areas. Gloves will not be mandatory for the guests. Guests will have the option to wear their own mask and gloves. New masks and gloves will be provided by the travel plaza upon entry if needed. If a guest refuses to wear a mask, they will not be permitted to enter.
- All Navajo Blue Travel Plaza team members will enforce social distancing and the wearing of the mask.
    - If the guest does not follow the guidelines after a team member has spoken to them, a manager or security would be contacted.
- To avoid direct hand-to-hand contact transactions, all cash will be laid on the counter or tray, and the change will be retrieved by the guest.
- Sanitize high touch points frequently.
- Sanitize plaza every two hours and log.

TWIN ARROWS
NAVAJO CASINO RESORT™

SIX-Point Safety Plan is as follows:

1. **Screening, Temperature Checks, and Employee Training:** Twin Arrows and Navajo Blue Travel Plaza has implemented employee-screening measures to assess signs and symptoms of infection and whether the employee resides or cares for someone who has recently been diagnosed with the virus. Employees are currently and will continue to go through temperature checks before entering properties. Guests will be asked to abide by a similar self-screening protocol prior to arriving and during their stay. Guests who have reason to believe they may have been exposed to the virus are strongly urged to follow CDC guidelines for self-quarantine and not travel.
2. **Mandatory Masks and Personal Protective Equipment (PPE):** All Twin Arrows and Navajo Blue Travel Plaza employees will be provided and required to wear an approved mask when on our properties. Twin Arrows mandates guests to wear masks in public areas and will offer masks to any guests who need one, free of charge. Gloves will continue to be worn by all Food & Beverage and all cash handling employees or designated by the General Manager of Twin Arrows.
    - **Drink service**: We will ask guests to minimize the number of time masks are removed when drinking on the casino floor.
    - **Eating**: We will ask guests to refrain from eating on the casino floor to minimize the number of time masks are removed.
3. **Physical Distancing:** Six-foot physical distancing policy will be in place, wherever feasible, with floor guides serving as reminders throughout Twin Arrows and Navajo Blue Travel Plaza properties. From time-to-time, six-foot distancing will be challenging – and in those cases, reasonable mitigating protocols will be implemented, such as protective shields or eye protection for employees. Protective shields will be installed in areas throughout casinos and lobbies, where appropriate, for the safety of guests and employees. Signage will be installed throughout properties to guide employees and guests on how to safely practice physical distancing.
4. **Handwashing and Enhanced Sanitization**: Before the property closures in March, Twin Arrows and Navajo Blue Travel Plaza implemented increased and enhanced routine cleaning, based on CDC guidelines, with a focus on high-touch surfaces in common areas. We will continue using proven cleaning products in accordance with EPA guidelines for coronaviruses, bacteria, and other infectious pathogens. Hand-sanitizing stations will be readily available in high-traffic areas and with a visible presence. Signage was installed to guide and remind employees and guests of the importance of proper handwashing protocols.

5. **Heating Ventilation and Air Conditioning (HVAC) Controls and Air Quality**: Twin Arrows and Navajo Blue Travel Plaza has always placed a high priority on air quality for our guests and has reviewed the operation of HVAC systems to identify additional opportunities to enhance their effectiveness. Rigorous measures in, accordance with established guidelines to help mitigate the risk of virus transmission have been taken throughout our properties. As scientific information becomes available about the virus, and as additional guidance from state and local authorities and our medical experts evolve, we will continue to review and adjust the operation of our HVAC systems, fully recognizing the important role they have in keeping employees and guests healthy and safe.

6. **Incident Response Protocols**: Twin Arrows and Navajo Blue Travel Plaza have protocols in place aimed at reducing the chance infection will spread. In the unfortunate event, a guest or employee tests positive for the virus, we will activate incident response protocols to ensure the infected individual has access to medical treatment, exposed areas are thoroughly sanitized and, when possible, notify those who may have come in close, prolonged contact with the infected individual. Twin Arrows has EMT and security personnel on staff to respond quickly in the event of an incident. Our Human Resource team has taken measure to identify high-risk team members to ensure their safety.

EXHIBIT B

NNGEOCT-001-20

RESOLUTION OF THE NAVAJO NATION GAMING ENTERPRISE
BOARD OF DIRECTORS

REQUESTING THE REOPENING OF THE NAVAJO CASINO FACILITIES (FIRE ROCK NAVAJO CASINO, FLOWING WATER NAVAJO CASINO, NORTHERN EDGE NAVAJO CASINO AND TWIN ARROWS NAVAJO CASINO RESORT) TO THE GENERAL PUBLIC ON OR BEFORE NOVEMBER 17, 2020 AT A MINIMUM OF 50% CAPACITY

WHEREAS, the Navajo Nation Gaming Enterprise (the "Enterprise") is a wholly-owned enterprise of the Navajo Nation established pursuant to 5 N.N.C. § 1701 *et seq.*; and

WHEREAS, pursuant to 5 N.N.C. § 1707(A), the Board of Directors (the "Board") of the Enterprise is the governing body of the Enterprise responsible for establishing the overall policies and objectives for the management of the Enterprise, and for overseeing the business and affairs of the Enterprise; and

WHEREAS, pursuant to 5 N.N.C. § 1708, the Enterprise Chief Executive Officer ("CEO") shall exercise his best judgment to determine the manner by which general policies set forth by the Board are to be implemented, effectuated, and to organize the operation of the Enterprise into business units (casino facilities, etc.) each with its own specific duties and responsibilities; and

WHEREAS, pursuant to 2 N.N.C. §§ 881 and 883, the Commission on Emergency Management was established within the Navajo Nation Legislative Branch for the purposes of coordinating, in conjunction with the Navajo Department of Emergency Management, emergency and disaster relief services by the Navajo Nation and non-tribal entities; serving as the tribal emergency response commission analogous to a state emergency response commission; and recommending to the Navajo Nation Council legislation or other appropriate activity regarding natural and man-made emergencies; and

WHEREAS, pursuant to 2 N.N.C. § 884, the Commission on Emergency Management has the power, with the concurrence of the Navajo Nation President, to declare states of emergency affecting the Navajo Nation or any section thereof; and

WHEREAS, on March 11, 2020, the Commission on Emergency Management passed Resolution CEM-20-03-11, *Declaring a Public Health State of Emergency for the Navajo Nation Due to the Confirmation of the Coronavirus Disease ("COVID-19") in Regional Areas Surrounding the Navajo Nation*, and received the concurrence of the Navajo Nation President; and

WHEREAS, Resolution CEM-20-03-11 delegated emergency response authority to the Navajo Department of Health directing that "[i]n declaring the Public Health State of Emergency, all Navajo Nation Branches, programs, [and] departments will comply with and adhere to

directives, instructions, and/or policies forthcoming from the Navajo Department of Health as related to addressing COVID-19"; and

WHEREAS, pursuant to Resolution CO-50-14, the Navajo Department of Health was established as a Department of the Executive Branch of the Navajo Nation Government and was delegated authority from the Navajo Nation Council to protect the health and public health of the Navajo Nation; and

WHEREAS, pursuant to 2 N.N.C. § 1005(A), the Navajo Nation President serves as the Chief Executive Officer of the Executive Branch of the Navajo Nation Government with full authority to conduct, supervise, and coordinate personnel and programs of the Navajo Nation, and the Navajo Nation President has the fiduciary responsibility for the proper and efficient operations of all Executive Branch offices; and

WHEREAS, pursuant to 2 N.N.C. § 1005(C)(14), the Navajo Nation President has the power to issue executive orders for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes, and executive orders shall have the force of law upon the recipient; and

WHEREAS, pursuant to Commission on Emergency Management Resolution CEM-20-03-11 and other authorities, the Navajo Nation President has issued Executive Orders and the Navajo Department of Health has issued Public Health Emergency Orders governing the closure and reopening of all branches, divisions, departments, programs, offices, non-certified chapters, enterprises, and Navajo casinos; and

WHEREAS, on March 13, 2020, the Navajo Nation President Jonathan Nez and Vice President Myron Lizer wrote to the Enterprise advising it to close casino facilities in New Mexico and Arizona and to keep essential employees on regular duty to ensure the continued necessary operations and security of casino facilities; and

WHEREAS, on March 16, 2020, the Navajo Nation President Jonathan Nez attended the March 16, 2020 Enterprise Special Board meeting and requested a three-week casino closure as soon as possible to coincide with the Navajo Nation Executive Order and the Navajo Nation timeline for closure and, in exchange, Navajo Nation President Nez agreed to support and send a letter to applicable Navajo Nation officials and entities supporting the relief of debt service of the Navajo Nation Second Amended, Restated and Consolidated Loan Agreement, ("Senior Loan Agreement") and amendments to the Navajo Tribal Utility Authority loans ("NTUA"); and

WHEREAS, on June 15, 2020, Navajo Nation President Jonathan Nez agreed to support the Enterprise on relief of debt service obligations to the Navajo Nation; and

WHEREAS, in accordance with the Navajo Nation President's request, the Enterprise extended the closures of its Navajo casinos for a total of seven (7) months, Exhibit A; and

WHEREAS, in order to continue maintaining employee income with administrative leave with pay, the Enterprise applied for the federal Paycheck Protection Program (PPP) on April 9, 2020 and the funds were received on May 6, 2020; and

WHEREAS, on June 15, 2020, Navajo Nation President Nez and Vice President Lizer wrote to the Members of the Navajo Nation Council's Budget and Finance Committee requesting their support of Legislation No. 127-20 authorizing certain waivers and suspension of debt service payments by the Enterprise to the Navajo Nation pursuant to the Senior Loan Agreement; and

WHEREAS, on July 8, 2020, the Enterprise submitted to the Navajo Nation a CARES Act funding request of $24.6 million for the reimbursement of payroll and healthcare benefits costs for its employees, loan interest obligations and fixed expenses incurred during the then-19-week closure period. As a result of maintaining the employees on administrative leave with pay and health care benefits, the Enterprise depleted all available cash reserves in the amount of $42.3 million (which included funding for early repayment of NTUA loan, Paycheck Protection Program funds, 2020 capital expenditures funds, the Fire Rock Navajo Casino permanent structure fund and the Gaming Distribution Fund) forcing an indefinite delay of economic development and capital improvement projects; and

WHEREAS, on July 8, 2020, the Enterprise also submitted a proposed action plan for amendments to the Senior Loan Agreement between the Navajo Nation and the Enterprise which temporarily postponed debt service payments based on CARES Act funding received by the Enterprise and the rate of recovery to sufficient business levels after reopening to allow for recommencement of payment obligations; and

WHEREAS, the Navajo Nation Council by Resolution No. CJY-67-20 approved the Navajo Nation Gaming Enterprise CARES Act Funding Expenditure Plan in the amount of $24.6 million in reimbursable expenses, and Navajo Nation President Nez, on August 16, 2020, approved the CARES funding to the Enterprise; and

WHEREAS, consistent with Navajo Nation administrative requirements, the Board by Resolution NNGESEP-001-20 approved the CARES Act Grant Agreement between the Navajo Nation and the Enterprise covering employee administrative leave with pay until November 17, 2020, which increases the Enterprise's weekly cash utilization rate by 35%; and

WHEREAS, for clarity, the Enterprise is in the financial position in which it must reopen by November 17, 2020 because during the 29-week closure (through October 5, 2020), the Enterprise has generated $0 in revenues but has continued to pay payroll costs ($26.6M), fixed operating costs ($11.9M), and debt service ($11.7M). This has impacted the Enterprise with a significant shortfall of $50.2M ($26.6M + $11.9M + $11.7M = $50.2M shortage). The PPP funds of $11.2M and the CARES Act funds of $24.6M have helped to cover 71% of the total shortfall, leaving the Enterprise with a $14.4M shortfall balance ($50.2M - $11.2M - $24.6M = $14.4M). Further, the extended closure will continue to have a negative impact on cash reserves with the cash burn rate of $6.8M per month. This calculation does not include future debt service, impacts to the Enterprise's capital expenditures, development, and the lost earnings (EBITDA) during the closure and ramp up expenses after reopening; and

WHEREAS, the Board remains fully committed to continue to satisfy all of the Enterprise's debt obligations to the Navajo Nation; the terms and conditions for relief of debt service payments for the Senior Loan Agreement during the closure period have not yet been finalized and per the Limited Forbearance Agreement, the outstanding debt service payments of approximately $15.0 million ($4.8 million plus accrued interest for three quarters) are due on March 31, 2021; and

WHEREAS, pursuant to the Navajo Nation Reopening Plan, the Navajo casinos on the Navajo Nation must remain closed until the Navajo Department of Health Command Operations Center determines reopening; and

WHEREAS, due to the extended closure and lack of available cash reserves, the Enterprise was forced to give temporary layoff notices to 1,040 of its employees, 82% of whom are enrolled members of the Navajo Nation, commencing on July 28, 2020; and.

WHEREAS, in an effort to demonstrate to the Navajo Nation the Enterprise's commitment to the safe operations of the Navajo casinos, the Enterprise developed enhanced safety measures and a reopening plan for all its casinos and provided copies to the Office of the President and Vice President and Dr. Jill Jim, Executive Director of the Navajo Department of Health, asking to meet with her to discuss the plans; and

WHEREAS on October 2, 2020, the Enterprise met with Dr. Jill Jim and the Navajo Department of Health at the Twin Arrows Navajo Casino Resort to review ourCOVID-19 protective measures that will be implemented in each of the casinos upon approval to reopen; and

WHEREAS, on October 2, 2020, the Enterprise met with the Resources and Development Committee of the Navajo Nation Council to review with the present financial state of the Enterprise, which included discussion of the fact that if the casinos are not open on or before November 17, 2020, the Enterprise will terminate all its employees and cease operations for lack of sufficient funds to meet all its obligations; and

WHEREAS, the Enterprise is a "for profit" enterprise that relies on revenues generated from the casinos for its continued viability and operation; and

WHEREAS, as of November 17, 2020, there will be insufficient funds to continue operations without the opening of the Navajo casinos, and the Enterprise will be forced to cease operations and to permanently terminate the employment of all employees and

WHEREAS, the Navajo Preference in Employment Act requires the Enterprise to provide written notice of the termination to such employees by November 9, 2020; and

WHEREAS, it is in the best interest of the Navajo people, the Navajo Nation, the approximately 1,100 gaming employees and their families that the Enterprise be allowed to open the casinos with their COVID-19 safe best practice policies to allow for continued economic development, jobs, Gaming Distribution Fund payments and Navajo Rehabilitation Fund payments; and

WHEREAS, pursuant to 2 N.N.C. § 102(A) and (B), the 24th Navajo Nation Council has the authority to enact policy and conduct oversight in furtherance of the Nation's COVID-19 response and reopening efforts, as all powers not delegated are reserved for the Navajo Nation Council, and the Navajo Nation Council has the responsibility to supervise all powers delegated.

NOW THEREFORE BE IT RESOLVED, that the Enterprise must open the Navajo casinos (Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino and Twin Arrows Navajo Casino Resort) on or before November 17, 2020 at a minimum of 50% capacity to avoid having to cease all operations and terminate the employment of all employees; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Enterprise does not have the authority to reopen the Navajo casinos and respectfully requests the Navajo Nation to allow us to do so and has submitted best in class safety plans to the Navajo Nation; and

NOW THEREFORE BE IT FURTHER RESOLVED, the Enterprise Board of Directors hereby requests approval of the reopening of the Navajo casinos on or before November 17, 2020 at a minimum of 50% capacity, and requests a waiver of the curfew to facilitate the Navajo Blue Travel Plaza at full capacity and with uninterrupted business operations; and.

NOW THEREFORE BE IT FINALLY RESOLVED, the Enterprise Board of Directors hereby directs the Interim Chief Executive Officer and Enterprise management to comply with and implement the intent of this resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Gaming Enterprise Board of Directors at a duly called meeting, at which a quorum was present, and the same was passed by a vote of 7 in favor, 0 opposed and 0 abstained, this 7th day of October, 2020.

Quincy Nataly

Quincy Nataly, Chairman
Navajo Nation Gaming Enterprise
Board of Directors

Motion: Robert Winter
Second: Herbert Clah, Jr.

Navajo Nation Gaming Enterprise
Board of Directors
October 8, 2020

List of Board Resolutions Related to the Closure of the Gaming Facilities and Approval of Administrative Leave with Pay

1. NNGEMAR-001-20 Approving the Temporary Closure to the General Public of the Navajo Casino Facilities (Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino and Twin Arrows Navajo Casino Resort) for a Three-Week Period Beginning March 17, 2020 Noon and Ending April 6, 2020 for the Health Safety and Welfare of Employees and Guests, and Directing the Interim Chief Executive Officer to Provide and Implement a Closure and Reopening Plan and to Provide Periodic Updates to the Board of Directors
Approved: March 16, 2020

2. NNGEMAR-002-20 Approving an Extension of the Temporary Closure to the General Public of the Navajo Casino Facilities (Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino and Twin Arrows Navajo Casino Resort) for Another Three-Week Period Beginning April 7, 2020 and Ending April 30, 2020 for the Health Safety and Welfare of Employees and Guests
Approved: March 31, 2020

3. NNGEAPR-001-20 Approving Another Extension of the Temporary Closure to the General Public of the Navajo Casino Facilities (Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino and Twin Arrows Navajo Casino Resort) for Another Seventeen (17) Day Period Beginning May 1, 2020 and Ending May 17, 2020 for the Health, Safety and Welfare of Employees and Guests
Approved: April 23, 2020

4. NNGEAPR-002-20 Approving Another Extension of Administrative Leave With Pay for All Active Employees of the Navajo Nation Gaming Enterprise for the Health, Safety and Welfare of the Employees Beginning May 1, 2020 and Ending May 17, 2020
Approved: April 30, 2020

5. NNGEAPR-003-20 Approving the Navajo Nation Gaming Enterprise to Temporarily Divert $3.125M

of Cash Set-Aside in 2020 for Capital Expenditures for the Continued Operating and Payroll Expenses During the Second Extended Closure Due to COVID19
Approved: April 30, 2020

6. NNGEMAY-002-20 Approving a Fourth Extension of the Temporary Closure to the General Public of the Navajo Casino Facilities (Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino and Twin Arrows Navajo Casino Resort) for Another Twenty-one (21) Day Period Beginning May 18, 2020 and Ending June 7, 2020 for the Health, Safety and Welfare of Employees and Guests
Approved: May 14, 2020

7. NNGEMAY-003-20 Approving a Fourth Extension of Administrative Leave with Pay for All Active Employees of the Navajo Nation Gaming Enterprise for the Health Safety and Welfare of the Employees Beginning May 18, 2020 and Ending June 7, 2020
Approved: May 14, 2020

8. NNGEJUN-001-20 Approving a Fifth Extension of the Temporary Closure to the General Public Of the Navajo Casino Facilities (Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino and Twin Arrows Navajo Casino Resort) Beginning June 8, 2020 and Ending July 5, 2020 for the Health, Safety and Welfare of Employees and Guests
Approved: June 4, 2020

9. NNGEJUN-002-20 Approving a Fifth Extension of Administrative Leave with Pay for All Active Employees of Navajo Nation Gaming Enterprise Beginning June 8, 2020 and Ending June 29, 2020 to Coincide with the Fifth Temporary Closure to the General Public of the Navajo Casino Facilities
Approved: June 4, 2020

10. NNGEJUN-003-20 Approving the Reopening of the Navajo Casino Facilities (Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino and Twin Arrows Navajo Casino Resort) to the General Public of July 6, 2020
Approved: June 4, 2020

11. NNGEJUN-008-20 Approving a Sixth Extension of the Temporary Closure to the General Public of The Navajo Casino Facilities (Fire Rock Navajo Casino, Flowing Water Navajo Casino, Northern Edge Navajo Casino and Twin Arrows Navajo Casino Resort) Beginning July 6, 2020 and Ending July 27, 2020 for the Health, Safety and Welfare of Employees and Guests
Approved: June 29, 2020

NAVAJO NATION

11/2/2020
03:04:19 PM

Navajo Nation Council Special Session

Amd# to Amd#	Legislation 0262-20: Supporting and Approving the Navajo Nation Gaming Enterprise Reopening Plan Supporting and Approving....	PASSED
MOT Halona, P		
SEC Yellowhair		

Yeas : 15 **Nays : 8** **Excused : 0** **Not Voting : 0**

Yea : 15

Begay, E	Charles-Newton	Henio, J	Tso
Begay, K	Daniels	James, V	Walker, T
Begay, P	Freeland, M	Nez, R	Yellowhair
Brown	Halona, P	Stewart, W	

Nay : 8

Crotty	Smith	Tso, D	Wauneka, E
Slater, C	Tso, C	Tso, E	Yazzie

Excused : 0

Not Voting : 0

Presiding Speaker: Damon

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO : Hon. Jamie Henio, Delegate
Navajo Nation Council

FROM : _____
Troy D. Cook, Senior Tribal Court Advocate
Office of Legislative Counsel

DATE : December 8, 2020

RE : **AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT'S VETO OF NAVAJO NATION COUNCIL RESOLUTION CN-87-20**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

20-504-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0310-20__ SPONSOR: Jamie Henio

TITLE: An Action Relating to Naabik'íyáti' Committee and Navajo Nation Council; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution CN-87-20

Date posted: December 8, 2020 at 7:48PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0310-20

SPONSOR: Honorable Jamie Henio

TITLE: An Action Relating to Naabik'íyáti' Committee and Navajo Nation Council; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution CN-87-20

Posted: December 8, 2020 at 7:48 PM

5 DAY Comment Period Ended: December 13, 2020

Digital Comments received:

Comments Supporting	***None***
Comments Opposing	**1) Lawrence A. Ruzow**
Comments/Recommendations	***None***

Legislative Tracking Secretary
Office of Legislative Services

12/14/20 8:17 AM
Date/Time

LEGISLATION NO: _0310-20__ SPONSOR: Jamie Henio TITLE: An Action Relating to Naabik'íyáti' Committee and Navajo Nation Council; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution CN-87-20

Lawrence Ruzow <laruzow@gmail.com>
Fri 12/11, 7:24 AM

Good morning:

This e-mail represents my personal views and not those of any past or present employer or client.

The proposal from Delegate Jamie Henio to override President Nez' veto of the legislaton to let Navajo casinos reopen with a MINIMUM of 50% capacity is incredibly foolish given the Covid-19 realities that the Navajo Nation faces at this time.

President Nez has repeatedly stated that a significant number of Covid-19 cases arise from Navajo Nation residents going off-Reservation and interacting with people outside their family.

Navajo casinos have always been a "mixing ground" for Navajos from the Navajo Nation, border town residents, tourists and long distance truck drivers. Reopening the Navajo casinos will only put Navajo patrons of the casinos and their families when they return home at great risk of illness and death.

While I appreciate the need of the Navajo Nation Gaming Enterprise for money, this effort at "blood money" is highly inappropriate. The financial well-being of NNGE should not be paid for with the lives of Navajos and others.

Gambling is not an "essential service," It is at best a harmless addiction (like smoking and alcohol consumption), and at worst a destroyer of lives.

To authorize casinos to reopen at a MINIMUM of 50% capacity--rather than a MAXIMUM of 50% is stupid. (Sorry, but that is the right word.)

When we gamble, all our attention is on the gambling activity--that is how gambling (slot machines et al.) is designed to function. Gambling takes us away from reality and "social distancing" and "mask wearing" become secondary considerations--if they remain considerations at all.

I urge the Council delegates to vote for life, not death of Navajo People.

Once Covid 19 is defeated, there will be time for NNGE to once again profit from our gambling addiction.

Lawrence A. Ruzow