



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

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May 4, 2023

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

*RE: CAP-15-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill)*

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-15-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Simonson's Delegate Region in the amount of \$4,140,047.47.

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

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

Now let's get to work!

Sincerely,

Dr. Buu Nygren, *President*  
**THE NAVAJO NATION**

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

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION  
 PROJECT PLAN FOR HONORABLE GERMAINE SIMONSON'S DELEGATE REGION  
 (CHAPTERS: HARD ROCK, FOREST LAKE, PINON, BLACK MESA,  
 WHIPPOORWILL)

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation . . . . See CJN-29-22, Section Three (B).
  2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
  3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
  4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
  5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. All projects listed in the Hon. Germaine Simonson's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon.

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

- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Germaine Simonson's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill) as set forth in Exhibit A.

**SECTION THREE. APPROVAL OF HON. GERMAINE SIMONSON'S DELEGATE REGION PROJECT PLAN**

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill) set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

**SECTION FOUR. AMENDMENTS**

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

**SECTION FIVE. EFFECTIVE DATE**

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

**SECTION SIX. SAVING CLAUSE**

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions

of this legislation not determined invalid shall remain the law of the Navajo Nation.

**CERTIFICATION**

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



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

4/27/23

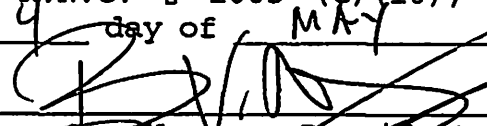
DATE

Motion: Honorable Rickie Nez  
Second: Honorable Vince R. James

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 9 day of MAY, 2023.

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

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

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

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

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

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

**COUNCIL DELEGATE: Delegate Germaine Simonson**

**Exhibit A**

**CHAPTERS: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill**

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	* Pinon Chapter	Pinon Chapter Housing for Community	Division of Community Development	2.15	HK0282-2	\$ 1,000,000.00
Division of Community Development	*Pinon Chapter	Pinon Chapter Septic & Leach Field Repair or Replacement Project	Division of Community Development	5.3	HK0283	\$ 260,468.00
Division of Community Development	None Identified	Forest Lake Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0391	\$ 679,120.00
Division of Community Development	*Pinon Chapter	Pinon Chapter Housing Renovation and Repair for Pinon Community	Division of Community Development	2.18	HK0284-2	\$ 500,000.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter Home Renovation Project	Division of Community Development	2.18	HK0427	\$ 160,439.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter Septic Services Project	Division of Community Development	5.5	HK0426	\$ 78,750.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter Elderly Bathroom Modification Project	Division of Community Development	1.14	HK0429	\$ 60,000.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter New Home Waterline Project	Division of Community Development	5.11	HK0430	\$ 48,000.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter New House Construction	Division of Community Development	2.15	HK0431	\$ 722,753.47
		CONTINUES on Page 2.....				

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

**TOTAL: \$ 3,509,530.47**

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

**COUNCIL DELEGATE:** Delegate Germaine Simonson

**Exhibit A**

**CHAPTERS:** Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 3,509,530.47
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter Hire of Personnel (Technical Staff/Skilled Construction Workers)	Division of Community Development	2.37	HK0447	\$ 630,517.00
		UN-ALLOCATED AMOUNT				\$ 4,662,292.53

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

**TOTAL:** \$ 8,802,340.00



# **Whippoorwill Chapter**

## **New Home Waterline**



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

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

RFS/HK Review #: HK 0430

Date & Time Received: 3/30/23 at 14:22

Date & Time of Response: 04/05/223 at 1135

Entity Requesting FRF: Whippoorwill Chapter

Title of Project: New Home Waterline Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$48,000

Eligibility Determination:

- FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category:
5.11, Drinking Water: Transmission and Distribution

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

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

Other Comments: \_\_\_\_\_  
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Name of DOJ Reviewer: Erika Pirotte

Signature of DOJ Reviewer: Erika Pirotte

Digitally signed by Erika Pirotte  
Date: 2023.04.05 11:27:42 -0500

**Disclaimers:**

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

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

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

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Whippoorwill Chapter Date prepared: Nov. 21, 2022

Chapter's mailing address: P.O. Box 279 Pinon, Az 86510 phone & email: (928) 725-3728  
website (if any): whippoorwill@navajochapters.org

This Form prepared by: Mareita Denny phone/email: (928) 725-3728  
Chapter Manager. whippoorwill@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: New Home Waterline Project

- Chapter President: Aaron Yazzie phone & email: (928) 383-2751
- Chapter Vice-President: Gerald Ahasteen phone & email: (928) 781-7251
- Chapter Secretary: Phillip Tom Jr. phone & email: (928) 675- 7343
- Chapter Treasurer: Phillip Tom Jr. phone & email: (928) 675- 7343
- Chapter Manager or CSC: Mareita Denny phone & email: (928) 725- 3756
- DCD/Chapter ASO: Ella Kay phone & email: (928) 725- 3728

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Chapter intends to contract this project out to local contractors using DCD Source List or Sole Source and Coordinate this project with NTUA or OEH.  document attached

Amount of FRF requested: \$48,000.00 FRF funding period: May 01, 2023 to December 31, 2026  
Indicate Project starting and ending deadline date

**Part 2. Expenditure Plan details.**

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

**This New Home Waterline Project will be planned immediately as project is nearing completion due to NTUA's set schedule. Application for water connection for new home must be submitted earlier with NTUA Office to make it part of their job list. New Home are provided to families whom are vulnerable to contracting virus particular COVID who are the elderlies, handicapped, disable person and younger kids.**  document attached

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

**New Home Project benefits the elderlies, handicaps, disabled Veterans and any families who lived in dilapidated shelters. Any Right of Ways for water lines to new home will first be studied if Right of Way can be waived. Discussion on Right of Way issue will be cleared by NTUA or BIA before completion of Home construction.**  document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

**APPENDIX A**

Waterline for New completed Home application must be submitted on January 2024 prior completion of New Home by December 2025. Local utility company NTUA or other local company may have full schedule for similar project.

document attached

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

Whippoorwill Chapter will implement this project and coordinate waterline construction with NTUA or OEH.

document attached

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

Home owners will be responsible for maintenance as required by NTUA from water meter to the house and NTUA is responsible from main waterline to home's water meter. This is a standard respective cost operation duties between the NTUA and homeowners.

document attached

(f) State which of the 65 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Fiscal Recovery Fund expenditure categories- 5.15 Drinking Water: Other water infrastructure

To complete New Home construction, basic utility connection budget is necessary.

document attached

**Part 3. Additional documents.**


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

Chapter Waterline Project Resolution will be attached.

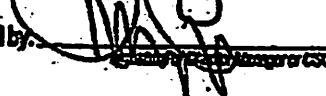
Chapter Resolution attached

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


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

Chapter's Preparer:   
Signature of Preparer/Conduct PERSON

Approved by:   
Signature of Chapter Preparer (or Vice Preparer)

Approved by:   
Signature of Chapter Manager or CSG



Approved by:   
Signature of OCO/Chapter ASO

Approved to submit for Review:   
Signature of BCO Director



FY 2023

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page 1 of 1  
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Whippoorwill Chapter - Waterline Infrastructure Project</u>		Division/Branch: <u>DCD/Executive</u>				
Prepared By: <u>Mareita Danny, Chapter Manager</u>		Phone No.: <u>928-725-3727</u>		Email Address: <u>whippoorwill@navajochapters.org</u>				
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN ARPA FUNDS	<u>5-01-2023</u> <u>12-31-2026</u>	48,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance	6	0	48,000.00	48,000.00
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	48,000.00	48,000.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
		<b>TOTAL:</b>	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>James Adakai, Deputy Director</u>				APPROVED BY: <u>Calvin Castillo</u>				
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name				
								
Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date				
				3/28/2023				

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

<b>PART I. PROGRAM INFORMATION:</b>									
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>WHIPPOORWILL CHAPTER - WATERLINE EXTENSION PROJECT</u>						
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>									
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
<b>1. Goal Statement:</b>									
<u>To assist community members with Waterline Infrastructure and Connections.</u>									
<b>Program Performance Measure/Objective:</b>									
<u>Assist 3 Clients with Waterline Extension Infrastructure and connection.</u>								3	
<b>2. Goal Statement:</b>									
<b>Program Performance Measure/Objective:</b>									
<b>3. Goal Statement:</b>									
<b>Program Performance Measure/Objective:</b>									
<b>4. Goal Statement:</b>									
<b>Program Performance Measure/Objective:</b>									
<b>5. Goal Statement:</b>									
<b>Program Performance Measure/Objective:</b>									
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>									
<u>James Adakai, Deputy Director</u>					<u>Calvin Castillo</u>				
Program Manager's Printed Name					Division Director/Branch Chief's Printed Name				
									
Program Manager's Signature and Date					Division Director/Branch Chief's Signature and Date				
					3/28/2023				

THE NAVAJO NATION  
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>WHIPPÓORWILL CHAPTER - WATERLINE INFRASTRUCTURE PROJECT</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
8000 <sup>Att</sup> 8500 <sup>Att</sup>	Public Assistance <sup>Att</sup> Infrastructure (non cap) <sup>Att</sup> 8545 Waterline Extension <sup>Att</sup> Assist 3-Community members with waterline Extension. <sup>Att</sup>	48,000.00	48,000.00
<b>TOTAL</b>		48,000.00	48,000.00



THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE

<b>PART I.</b> Business Unit No.: <u>NEW</u> Project Title: <u>Whippoorwill Chapter Waterline Extension Project</u> Project Description: <u>Waterline Extension for new unit houses.</u>					<b>PART II.</b> Project Information Project Type: <u>Waterline Extension Project</u> Planned Start Date: <u>May 01, 2023</u> Planned End Date: <u>December 31, 2026</u> Project Manager: <u>Mareta Denny</u>				
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification									
<b>PART III.</b> List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV.</b> Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.								Expected Completion Date if project exceeds 6 FY Qtrs. <u>Dec. 31, 2026</u>
	FY 2023				FY 2024				
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Date
1) Assessment/Eligibility - New Homes		X							
2) Utility/Clearances - ROW		X							
3) Draw Sole Source Contract - Submit Sole Source Contract to DOJ - Award Contract with Drawdown @ 50%			X	X					
5) Construction - Inspection					X	X	X	X	X
6) Completion - Final Inspection									X
7) Close Out - Complete Reports/Expenditures - Final Payout									X X X
<b>PART V.</b> Expected Quarterly Expenditures	\$	\$	\$	\$	\$	\$	\$	\$	PROJECT TOTAL
	0.00		0.00	24,000.00	0.00	0.00	0.00	24,000.00	348,000.00



# Whippoorwill Chapter



P.O. Box 279

Pinon, AZ 86510

Phone #: (928)725-3727/3728

Fax #: (928)725-3745

Marcita Denny, Chapter Manager

Ella M. Kay, Administrative Assistant

Germaine Simonson, Council Delegate Aaron Yazzie, President Gerald Ahasteen, Vice-President Phillip Tom Jr., Secretary/Treasurer

## RESOLUTION OF WHIPPOORWILL CHAPTER

Resolution No. WC-23-26

**REQUESTING THE DEPARTMENT OF JUSTICE AND DIVISION OF COMMUNITY DEVELOPMENT TO ACCEPT OUR COMPLETED FISCAL RECOVERY FUND REQUEST FORM AND EXPENDITURE PLAN FOR OUR CHAPTER'S NEW HOME WATERLINE PROJECT SUBJECT TO BE FUND IN THE AMOUNT OF \$48,000.00 BY AMERICAN RESCUE PLAN ACT**

### WHEREAS:

1. The Resources and Development Committee, pursuant to Legislation RDCD-83-14 certified Whippoorwill Chapter's Five Management System Policies and Procedures and pursuant to 2 N.N.C., §501 (B) (2) (d), 26 N.N.C. §102 and CO-45-12 Section 5(B), upon recommendation by Auditor General's office, further supported the certification, and
2. Pursuant to Local Governance Act, 26, N.N.C. §101, et seq. to properly administer, to provide accountability in the five personnel and property management, and consistent with Auditor General's Memorandum dated September 9, 2014, AUDIT REPORT No. 14-24, and
3. The funding from American Rescue Plan Act was received to combat and mitigate COVID-19, thereby; this project meets the criteria and eligible under Treasury Expenditure Categories final rule, Drinking Water: Other water infrastructure, AND
4. Whippoorwill Chapter has prepared project under American Rescue Plan Act to construct to new homes with waterline connection that would complement the newly constructed house, in addition septic system with leach field will be included in construction, AND
5. Most selected families house will be built near existing powerline and waterline to qualify for a waiver of Right of Way by NTUA that will avoid a lengthy process, these type of cooperation between the agencies have always been in the best interest of the people.

### NOW THEREFORE IT BE RESOLVE THAT:

1. The Whippoorwill Chapter hereby requests the Department of Justice and Division of Community Development to accept our completed Fiscal Recovery Fund Form and Expenditure Plan for New Home Waterline Project subject to be funded in amount of \$48,000.00 by American Rescue Plan Act.
2. Whippoorwill Chapter hereby affirms that the chapter will only use awarded Fiscal Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulation, and policies.

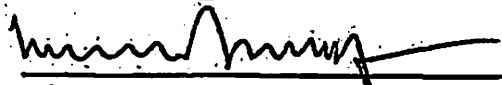
**CERTIFICATION**

We, the undersigned hereby certify that the foregoing resolution was considered by the Whippoorwill Chapter at a duly called meeting at Whippoorwill, Arizona, Navajo Nation, at which a quorum was present and the same was passed by a Vote 04 in FAVOR, 0 OPPOSED, and 02 ABSTAINED on the November 4<sup>th</sup>, 2022.

Motioned by Raymond Joe Second by Johnny Naize



Aaron Yazzie, Chapter President



Gerald Ahasteen, Chapter Vice President



Phillip Tom Jr., Chapter Secretary/Treasurer

Jimmy Yellowhair, NN Council Delegate

Albert Wartz, Grazing Official