

# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 6, 2023

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

RE: CD-70-22, *An Action Relating to the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Eugene Tso's Delegate Region (Chapter: Chinle)*

Dear Speaker Tso,

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

The process to secure funding also involves collaborative efforts between the Chapters, the Division of Community Development, Navajo Nation Fiscal Recovery Fund (NNFRF) Office and the Navajo Nation Department of Justice (NNDJ). Per BFS-31-21, each proposed expenditure must obtain NNDJ verification that each proposed project is an eligible expense within ARPA/NNFRF regulations. Each of the projects within CD-70-22 has met all the requirements.

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

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

Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-70-22 into law.

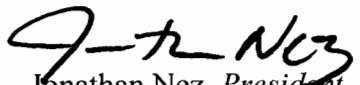
# THE NAVAJO NATION

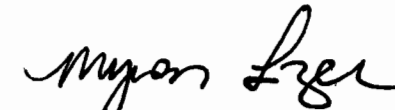
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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Sincerely,

  
Jonathan Nez, *President*  
THE NAVAJO NATION

  
Myron Lizer, *Vice President*  
THE NAVAJO NATION

RESOLUTION OF THE  
 NAVAJO NATION COUNCIL  
 24<sup>th</sup> NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION  
 PROJECT PLAN FOR HONORABLE EUGENE TSO'S DELEGATE REGION (CHAPTER:  
 CHINLE)

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

SECTION TWO. FINDINGS

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

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

- C. All projects listed in the Hon. Eugene Tso's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Eugene Tso'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. Eugene Tso's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Eugene Tso's Delegate Region (Chapter: Chinle) as set forth in Exhibit A.

### **SECTION THREE. APPROVAL OF HON. EUGENE TSO'S DELEGATE REGION PROJECT PLAN**

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Eugene Tso's Delegate Region (Chapter: Chinle) 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 24<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 29<sup>th</sup> day of December 2022.



Honorable Otto Tso, Speaker  
24<sup>th</sup> Navajo Nation Council

12.30.2022

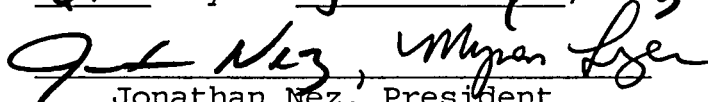
DATE

Motion: Honorable Jamie Henio  
Second: Honorable Eugene Tso

Speaker Otto Tso not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

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

  
Jonathan Nez, President  
Navajo Nation

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

\_\_\_\_\_  
Jonathan Nez, President  
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jonathan Nez, President  
Navajo Nation

## NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Eugene Tso

CHAPTERS: Chinle

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	*Chinle Chapter	Chinle Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0207	\$ 1,725,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Earth and Dam Project	Division of Community Development	2.22	HK0208	\$ 1,997,153.38
Division of Community Development	*Chinle Chapter	Chinle Chapter House Renovation Project	Division of Community Development	2.22	HK0209	\$ 800,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter South Manuelito Well Traffic Study	Division of Community Development	2.22	HK0210	\$ 15,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Vendor Village Project	Rosanna Jumbo-Fitch, Chapter President	2.22	HK0211	\$ 37,743.62
Division of Community Development	*Chinle Chapter	Chinle Chapter and Office of Dine Youth	Rosanna Jumbo-Fitch, Chapter President	2.14	HK0212	\$ 50,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter CYEP and PEP Funding	Division of Community Development	1.14	HK0213	\$ 1,150,953.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Watering Point Pavement Project	Division of Community Development	5.15	HK0214	\$ 70,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Warehouse	Division of Community Development	6.1	HK0270	\$ 1,200,000.00
Division of Community Development	*Chinle Chapter	Chinle/Ft. Defiance Alcohol and Substance Abuse Recovery Centers - Day At A Time Club, Inc.	NN Department of Health	1.13	HK0203	\$ 250,000.00
<b>TOTAL:</b>						<b>\$ 7,295,850.00</b>

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



NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Eugene Tso

CHAPTERS: Chinle

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 7,295,850.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Equipment Project	Chinle Chapter Government	6.1	HK0268	\$ 288,500.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Wellness Center	Division of Community Development	2.22	HK0269	\$ 750,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Emergency Funding	Division of Community Development	6.1	HK0276	\$ 250,500.00
Division of Community Development	*Chinle Chapter	Chinle Chapter N8095 Road Crossing Project	NN Division of Transportation	2.22	HK0274	\$ 217,490.00
		UN-ALLOCATED AMOUNT				
<b>TOTAL:</b>						\$ 8,802,340.00

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



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0208

Date & Time Received: 11/15/22 14:28

Date & Time of Response: 11/22/22 5:00 p.m.

Entity Requesting FRF: Chinle Chapter Government

Title of Project: Chinle Chapter Earth and Dam Project

Administrative Oversight: DCD

Amount of Funding Requested: \$1,997,153.38

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: 2.22 Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

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

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

Other Comments: \_\_\_\_\_

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: 

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

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

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Chinle Chapter Government Date prepared: 10-19-2022

Chapter's mailing address: PO BOX 1809 phone & email: (928) 674-2052  
Chinle, AZ 86503 website (if any): chinle@navajochapters.org

This Form prepared by: Dr. Rosanna Jumbo-Fitch phone/email: (928) 225-1658  
Chinle Chapter President rosanna.jumbo@naataanii.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Chinle Chapter Earth and Dam Project

Chapter President: Dr. Rosanna Jumbo-Fitch phone & email: (928) 225-1658/rosanna.jumbo@naataanii.org

Chapter Vice-President: Shawna Claw phone & email: (928) 674-2052/sclaw@navajochapters.org

Chapter Secretary: Roann Burbank phone & email: (928) 674-2052/rburbank@navajochapters.org

Chapter Treasurer: Roann Burbank phone & email: (928) 674-2052/rburbank@navajochapters.org

Chapter Manager or CSC: Walton Yazzie, Manager phone & email: (505)910-9473/wyazzie@navajochapters.org

DCD/Chapter ASC: \_\_\_\_\_ phone & email: \_\_\_\_\_

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Not known

document attached

Amount of FRF requested: 1,997,153.<sup>00</sup>~~38~~ FRF funding period: 2023-2025  
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:

Chinle Chapter Government Earth and Dam Project includes design and construction of necessary earth berms, dikes, levees, and sediment removals in order to prevent future flooding and erosion across the Chinle community. The funds will be used to prepare the engineering design and complete construction. The earth and dam project will be located North of the Chinle Chapter, map is provided. The COVID-19 related needs of eliminating additional imminent threats to life and safety will be reduced and/or eliminated once project is completed.

document attached

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

The Chinle Chapter Government Earth and Dam Project would benefit the Navajo Nation, Chinle community, and our Navajo people by providing solutions for life and safety for the Chinle Chapter members that reside along the Chinle Wash. The construction of flood mitigation methods would help to provide safe living conditions for the people.

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:

Chinle Chapter Government Earth and Dam Project timeline: Chinle Chapter resolution 10/17/2022, Navajo Nation and DOJ review submissions Winter 2022, Proposals Spring 2023, Contract Award Summer 2023, Construction Fall 2023-Spring 2024. Challenges would include Navajo Nation review timeline.

document attached

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

Chinle Chapter Government will be responsible for implementing the project.

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:

Chinle Chapter Government will be responsible for operations and maintenance costs for the project once completed.

document attached

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

Strong Healthy Communities: Neighborhood Features that Promote Health and Safety^ 2.22

Chinle Chapter is seeking funding for earth and dam for the safety of our community residents. The infrastructure would prevent community members from being flooded; loss of homes, loss of household goods, loss of life, and overall provide safe living conditions for each community member living along the Chinle wash.

document attached

**Part 3. Additional documents.**

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

Chapter Resolution is attached, 2021 application, emergency management document, Army Corps of Engineer report, and letters to Navajo Nation and monsoon season assistance.

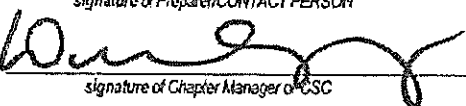
Chapter Resolution attached

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

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

Chapter's Preparer:   
signature of Preparer/CONTACT PERSON

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


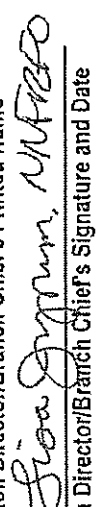
Approved by:   
signature of Chapter Manager of CSC

Approved by: \_\_\_\_\_  
signature of DCD/Chapter ASD

Approved to submit for Review:   
signature of BCD Director



THE NAVAJO NATION  
 PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:		Chinle Earth and Dam Project											
Business Unit No.:	New	Program Name/Title:											
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:													
PART III. PROGRAM PERFORMANCE CRITERIA:													
1. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR					
Planning, Pre-design, & Engineering		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Measure/Objective:													
Hire a Subcontracted						1							
2. Goal Statement:													
Program Performance Measure/Objective:													
3. Goal Statement:													
Program Performance Measure/Objective:													
4. Goal Statement:													
Program Performance Measure/Objective:													
5. Goal Statement:													
Program Performance Measure/Objective:													
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.													
										Program Manager's Printed Name Wallon Yazzie			
										Program Manager's Signature and Date  10.24.22			
										Division Director/Branch Chief's Printed Name Lisa Jynn			
										Division Director/Branch Chief's Signature and Date 			

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No. _____	
Program Name/Title: _____		Chimle Earth and Dam Project	
		New	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6500	Contractual Services (LOD 4)	1,997,153	1,997,153
6960	Subcontracted Services		
6990	Subcontracted Services		
	<i>Chimle Chapter will hire a contractor for this project.</i>		
TOTAL		1,997,153	1,997,153





THE NAVAJO NATION

Dr. Rosanna Jumbo-Fitch  
PRESIDENT

Shawna Claw  
VICE PRESIDENT

RoAnn Burbank  
SECRETARY/TREASURER

Eugene Tso  
COUNCIL DELEGATE

Oscar Bia  
GRAZING COMMITTEE MEMBER

RESOLUTION OF THE CHINLE CHAPTER  
NAVAJO NATION  
CHIN-OCT-22-077

APPROVING THE SELECTION OF THE EARTH AND DAM PROJECT FOR THE INCLUSION ON THE  
CHINLE CHAPTER DELEGATE REGION IN THE AMOUNT OF \$1,997,153.38.

WHEREAS:

1. Pursuant to Navajo Nation Code, Section 4001 (d) and 4028 (2), (b) the Chinle Chapter is established and certified as a local government entity of the Navajo Nation, vested with the authority to review all matters affecting the chapter and submit appropriate recommendations to the Navajo Nation government of other local agencies by resolutions; and
2. To support the efforts of the Navajo Nation to mitigate the effects of the COVID-19 Pandemic, the American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to develop the basic infrastructure to improve lives of people who have lived without water, electricity and basic services to support their daily activities, health, and welfare"; and
3. The Navajo Nation Council approved CJN-29-22, in response to the COVID-19 Pandemic in the best interest of the people: "An Action Relating to the Naabik'iyati 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 Assistance; Public Safety, Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electric Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduce Administrative Funding"; and
4. The Chinle Chapter Government has attended several meetings with Navajo Nation Division of Community Development, Navajo Tribal Utility Authority, and the Fiscal Recovery Fund Office; and
5. The eligible attached Exhibit: Chinle Chapter Earth and Dam was selected as a Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$1,997,153.38 for the Chinle Chapter; and
6. The total amount for Chinle Chapter Delegate Region is \$8,302,340.00.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter Government hereby approves the selection of Chinle Chapter Earth and Dam was a selected Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$1,997,153.38.

CERTIFICATION

We hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting at which time a quorum was present. A motion was made by Oscar Bia Sr. and seconded by Walter Yazzie and the same was passed by a vote of 6 in favor, 2 opposed, and 1 abstained, this 7th day of October, 2022.

  
\_\_\_\_\_  
Dr. Rosanna Jumbo-Fitch, President

  
\_\_\_\_\_  
Shawna Claw, Vice President

\_\_\_\_\_  
RoAnn Burbank, Secretary/Treasurer

PO Box 1809 Chinle, Arizona  
86503

• P: (928) 674-2052 • F: (928) 674-2079 • chinle@navajochapters.org

**Project Estimate for Earth and Dam**

General Requirements	\$	436,926.93
Levee, Earth Berm	\$	560,000.00
Site work	\$	280,000.00
Culvert budget	\$	3,500.00
Sediment removal	\$	105,000.00
Equipment Costs	\$	133,000.00
Survey budget	\$	52,500.00
Concrete budget	\$	49,000.00
<u>Subtotal</u>		<u>1,619,926.93</u>
Insurance and GC's	\$	251,764.04
Tax	\$	125,462.41
		<u>\$1,997,153.38</u>