

SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0066-22

Date: March 29, 2022

Re: **AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; APPROVING \$7,650,000 FROM THE SÍHASIN FUND FOR THE CONSTRUCTION OF THE CHIŁCHINBETO MULTI-PURPOSE BUILDING; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C §2501 – §2508**

Purpose of this Legislation:

to allocate \$7,650,000 from the Síhasin Fund for the Chiłchinbeto to construct the Chiłchinbeto Chapter multipurpose building.

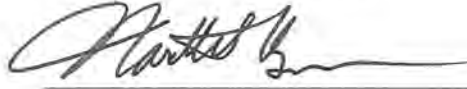
OLC No. 22-037-1

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 6:42pm 03-30-22
Posting End Date: 04-04-22
Eligible for Action: 04-05-22

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:



(Prime Sponsor)

Tracking No. 0066-22

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT,
BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES,
AND TO THE NAVAJO NATION COUNCIL; APPROVING \$7,650,000
FROM THE SÍHASIN FUND FOR THE CONSTRUCTION OF THE
CHILCHINBETO MULTI-PURPOSE BUILDING; APPROVING THE
RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C §2501 – §2508

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with oversight authority over all 110 Navajo Nation Chapters. 2 N.N.C. §500(C) and 26 N.N.C. §102.
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to “review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds.” 2 N.N.C. §301(B)(2).
- C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). As such, the Council may approve appropriations from the Navajo Nation's Sihasin Fund,

1 E. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin
2 Fund (“Síhasin Fund”) as follows:

3 §2502 Purpose

4 A. The purposes of this Fund are to provide financial support and/or financing for:

5 1. The planning and development of economic development and regional
6 infrastructure supporting economic development and community
7 development, including such infrastructure as, but not limited to, housing,
8 commercial and government buildings, waterline, solid waste management
9 development, powerline projects, and transportation and communication
10 systems, within the Navajo Nation; . . .

11 B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure shall
12 not be limited by 12 N.N.C. §1310(F) or TCDCJY-77-99.

13 C. Leveraging the Fund by way of guaranteeing loans, match funding, direct
14 funding in part, and other weighted uses of the Fund, including loan financing
15 from the Fund, for the purposes in §2502(A)(1), shall be favored over direct
16 funding in whole.

17 F. The Síhasin Fund provides that “Fund Principal” shall consist of all deposits made to the
18 Síhasin Fund and that “Fund Income” shall consist of all earnings (interest, dividends, etc.)
19 generated and realized by the Fund Principal, and that Síhasin Fund Income shall be
20 deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is
21 duly approved. 12 N.N.C. §2504 and §2505(C).

22 G. The Síhasin Fund provides that “Fund Principal and Income shall not be expended except
23 pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502 of this
24 Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation
25 Council.” 12 N.N.C. §2505(A).

26
27 **SECTION TWO. FINDINGS**

28 A. The Chilchinbeto Chapter is a Local-Governance Certified Chapter of the Navajo Nation,
29 and as such it has the authority to enter into contracts for goods and services, and agreements
30 for the receipt of Navajo Nation funds. 26 N.N.C. §102, §103(D)(3), and §103(D)(6)-(7).

1 B. The Chilchinbeto Chapter is requesting \$7,650,000 from the Síhasin Fund for the
2 construction of a new multipurpose building in the Chilchinbeto community. The Chapter
3 explains its need and request for Síhasin funds in Chapter Resolutions No. CCH-11-24-
4 2021I, No. CCH-05-18-2021I, and No. CCH-08-21-19D. **EXHIBIT A.**

5 C. The Chilchinbeto Chapter Manager has provided a letter discussing the Chapter's funding
6 request for the Project, explaining that the original amount projected for construction costs
7 has increased from \$5,250,000 to an estimated \$7,650,000 because of rapidly increasing
8 construction costs. **EXHIBIT B.**

9 D. The Chapter Manager also explains that the Chapter has withdrawn a total of 81.52 acres for
10 a new chapter house and other economic development ventures in the community, and he
11 further notes that in November 2005, SHP Engineering and Architecture completed a market
12 and feasibility study for the withdrawn land. EXHIBIT B. Maps of the withdrawn area and
13 the proposed location of the new multipurpose building are attached hereto as **EXHIBIT C.**

14 E. In January 2015, an environmental assessment for the multipurpose building project was
15 completed by J.R. Analla EA Services. **EXHIBIT D** (full report available from Sponsor).

16 F. The Chilchinbeto multipurpose building Project was previously included in Navajo Nation
17 Council Resolution No. CAP-35-18, wherein the Council approved \$300,000 for the Project.
18 **EXHIBIT E.** The Chapter has expended these funds on planning and design for the Project.

19 G. Allocation of the \$7,650,000 as requested by the Chilchinbeto Chapter meets the criteria for
20 Síhasin expenditures because the proposed expenditure involves the construction of a
21 multipurpose building for the Chilchinbeto community and supports economic and
22 community development in the area, as described in 12 N.N.C. §2502(A)(1).
23

24 **SECTION THREE. APPROVING \$7,650,000 FROM THE SÍHASIN FUND FOR THE**
25 **CONSTRUCTION OF THE CHILCHINBETO MULTI-PURPOSE**
26 **BUILDING; APPROVING THE RELATED EXPENDITURE**
27 **PLAN FOR THE PROJECT**

28 A. In accordance with 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$7,650,000 out
29 of the Síhasin Fund for the Chilchinbeto Chapter to pay for the construction of a new
30 multipurpose building for the Chapter, as explained in the EXHIBITS A- D attached hereto.

1 B. The Navajo Nation hereby approves the Expenditure Plan for the construction of the
2 multipurpose building, as set forth in EXHIBITS A-D.

3 C. The \$7,650,000 in Síhasin funds approved in this Act may be further leveraged by bond or
4 loan financing pursuant to the Navajo Nation Bond Financing Act (12 N.N.C. §1300 *et seq.*,
5 as amended), using Síhasin Fund earnings for repayment and financing costs, upon approval
6 of the Budget and Finance Committee and upon further approval by a two-thirds (2/3) vote
7 of the full membership of the Navajo Nation Council.

8 D. The Office of the Controller shall determine whether the source of the \$7,650,000 approved
9 herein will be Síhasin Fund Principal or Síhasin Fund Income, or a combination of both.

10 E. The \$7,650,000 in Síhasin funds shall be disbursed to the Navajo Nation Division of
11 Community Development (“DCD”) within fourteen (14) business days after the effective
12 date of this Act. DCD shall then arrange for the Chł́chınbeto Chapter’s use of the \$7,650,000
13 for the construction of the Chapter’s multipurpose building, in accordance with DCD’s usual
14 procedures for releasing Síhasin Funds to Chapters that are governance-certified under the
15 Local Governance Act (26 N.N.C. §102).

16 F. Pursuant to 12 N.N.C. §820(N) the \$7,650,000 allocation for the Chł́chınbeto Chapter
17 approved herein shall not lapse at the end of the fiscal year, so long as the Chapter accounts
18 for all Síhasin funds sitting in the Project account as of September 30, 2022, and budgets
19 such funds in the next fiscal year for the same multipurpose building Project.

20 G. Any and all savings or unused amounts of the Síhasin funds approved herein shall be
21 immediately returned to the Síhasin Fund Principal once the Chł́chınbeto Chapter
22 multipurpose building project is completed.

23 H. The Síhasin Fund shall be reimbursed the \$7,650,000 amount approved herein, from funds
24 available to the Navajo Nation from any and all state and federal sources, including
25 Congressional appropriations under the American Rescue Plan Act of 2021 or other COVID-
26 19-related relief, so long as the Chapter expenditures described herein are deemed eligible
27 under such COVID-19-related or other funding sources.

28
29 **SECTION FOUR. EFFECTIVE DATE**

30 This Act and the approved Expenditure Plan shall be effective pursuant to 12 N.N.C. §2505.

1 **SECTION FIVE. SAVING CLAUSE**

2 If any portion of this Act is invalidated by the Supreme Court of the Navajo Nation, or by any
3 Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
4 remainder of this Act shall be the law of the Navajo Nation.



Chilchinbeto chapter

"Home of the World's Largest Navajo Rug"

P. O. Box 1681, Kayenta, AZ 86033. East Highway 160 Navajo Rte. 59
phone: (928) 697-5680/5681 • Fax (928) 697-5691 chilchinbeto@navajochapters.org

Paul Madson- PRESIDENT • Thomas Bradley- VICE PRESIDENT • Virginia White- SEC/TREAS
Delbert Big- GRAZING OFFICIAL • Nathaniel Brown- COUNCIL DELEGATE

Eugene Badonie -MANAGER • Rose Gillis-ADMIN ASST • Elveda White-OFFICE ASSISTANT

EXHIBIT A

RESOLUTION OF CHILCHINBETO CHAPTER OF THE NAVAJO NATION

REQUESTING THE DPMD, NNDCCD, AND ARPA REVIEWING COMMITTEE TO RECONSIDER FUNDING THE MULTIPURPOSE/MUSEUM ALONG ROUTE 59 IN PLACE OF PREVIOUSLY REJECTED C-STORE PROPOSAL.

Resolution # CCH-11-24-2021I

WHEREAS:

1. Pursuant to Title 26 N.N.C., Chilchinbeto Chapter is a Certified Chapter of the Navajo Nation and is delegated the authority and responsibility to promote projects which benefits the local community; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Chilchinbeto Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. The Chilchinbeto Chapter does not have any sort of economic sustainability within the chapter boundaries where our recent application for C-Store did not meet the ARPA requirement, but a museum is also another shovel-ready project that was suggested to be one of our priority projects, and
4. Chilchinbeto Chapter has a large land withdrawn for development. A Multipurpose building project which will house a museum for the two (2) World's Largest Handwoven Navajo Rug was also a priority, but for some reason it was not pushed through ARPA priority projects for funding. This is a tourism capturing venture that must be funded, and
5. The multipurpose project has a complete design and engineering, complete architectural drawing, while water, 3 phase powerline, and the sewage are in the vicinity. Sewage development contract is underway and NTUA is in the process of building a 3rd cell lagoon. We have been waiting for the funding since 1989.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chilchinbeto Chapter hereby approve and requesting to the CPMD, NNDCCD, and the ARPA Reviewing Committee to reconsider funding the Multipurpose project in place of the C-Store that was denied, and

2. The Chilchinbeto Chapter further request that the Reviewing Committee, CPMD, and the NNDCD to do any and all things to grant the Multipurpose project in the amount of \$7,500,000.00 to complete the project.

CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Chilchinbeto Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 09 in favor, 00 opposed, and 00 abstained, this 24th day of November, 2021.

Motioned By: Eugene Badonie

Paul Madson
Paul Madson President

Virginia White
Virginia White, Secretary / Treasurer

Seconded By: Delbert Big

Thomas Bradley
Thomas Bradley, Vice President

Delbert Big, Grazing Committee



CHILCHINBETO CHAPTER

"HOME OF THE WORLD'S LARGEST NAVAJO RUG"

P. O. BOX 1681, KAYENTA, AZ 86033. EAST HIGHWAY 160 NAVAJO RTE. 59
PHONE: (928) 697-5680/5681 • FAX (928) 697-5691 chilchinbeto@navajochapters.org

Vacant - PRESIDENT · Thomas Bradley - VICE PRESIDENT · Virginia White - SEC/TREAS
Delbert Big - GRAZING OFFICIAL · Nathaniel Brown. COUNCIL DELEGATE
Eugene Badonie-CHAPTER MANAGER · Rose Gillis-ADMIN ASST- Vacant-OFC ASST



Resolution No: CCH 05-18-2021I

RESOLUTION OF THE CHILCHINBETO CHAPTER OF THE NAVAJO NATION

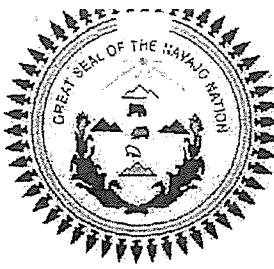
APPROVING AND REQUESTING THE NAVAJO NATION AND THE ECONOMIC DEVELOPMENT TO ALLOCATE \$7 PLUS MILLION DOLLARS TOWARD CHILCHINBETO CHAPTER FOR THE **MULI-PURPOSE** AND THE C-STORE PROJECTS.

WHEREAS:

1. Pursuant to Title 26 N.N.C., Chilchinbeto Chapter is a certified Chapter of the Navajo Nation and is delegated the authority and responsibility to promote projects which benefits the local community; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Chilchinbeto Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. Chilchinbeto Chapter and its CLUPC has undertaken numerous times, effort, planning, designing, and completed overwhelming feasibility study in preparation to seek funding for the chapter projects. Chilchinbeto believe funds deriving from the American Rescue Program Act could appropriate to fund projects comparatively as Convenient Store and Multi-Purpose buildings which the Chilchinbeto have at construction ready status; and
4. Chilchinbeto Chapter and its CLUPC recommends the Navajo Nation allocate \$7 million plus toward the cost of construction so the facilities could immediately sustain and support the community to stay home, avoid unnecessary contact, and avoid unnecessary shopping away from the domain and risk compromising epidemic disease or pandemics; and
5. Chilchinbeto Chapter is the epic center of Covid-19 in March of 2020 and many community members suffered the consequences. Chilchinbeto is committed to minimize their dependency on other nearby community frequencies for dry goods and produce to perpetuate health and safety for its people.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chilchinbeto Chapter hereby respectively request the Navajo Nation Economic Development and the Navajo Nation Government to allocate \$7 million plus toward the cost of construction for the (2) two Chilchinbeto Chapter projects. These projects are the Convenient Store and Multi-Purpose building both of which stands shove-ready status awaiting its funding; and
2. Chilchinbeto Chapter further reminds the Navajo Nation and the Economic Development that the Chapter could've easily averted so many pandemic fatalities only if they had local Convenient Store and used the Multi-Purpose building for its storage of food, medicine, sanitizing material, and other supplies in addition to converting the building into a temporary hospital.



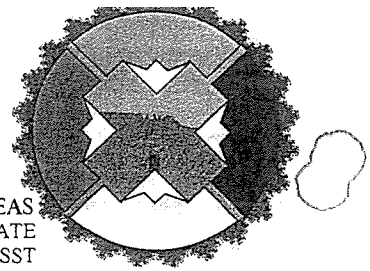
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Delbert Big - GRAZING OFFICIAL Nathaniel Brown. COUNCIL DELEGATE
Eugene Badonie-CHAPTER MANAGER Rose Gillis-ADMIN ASST- Vacant-OFC ASST



CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Chilchinbeto Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 23 in favor, 00 opposed, and 00 abstained, this 18th day of May 2021.

Motioned By: Delbert Big

Seconded By: Virginia White

Vacant, President

Virginia White
Virginia White, Secretary/Treasurer

Thomas Bradley, Vice President



CHILCHINBETO CHAPTER

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Thomas Bradley PRESIDENT • Eugene Badonie VICE PRESIDENT • Rita Zonnie SEC/TREAS
Roland Tso GRAZING OFFICIAL • Nathaniel Brown, COUNCIL DELEGATE



RESOLUTION OF THE CHILCHINBETO CHAPTER OF THE NAVAJO NATION RESOLUTION NO.: CCH #08-21-19D

REAFFIRMING TO THE NAVAJO NATION DIVISION OF COMMUNITY DEVELOPMENT AND
THE NAVAJO NATION COUNCIL THE CHILCHINBETO CHAPTER **MULTI-PURPOSE**
BUILDING REMAIN ON THE C.I.P. PRIORITY LIST.

WHEREAS:

1. Pursuant to Title 26 N.C.C., Chilchinbeto Chapter is a LGA Certified Chapter of the Navajo Nation and is further recognized as a local tribal government entity to make recommendations to the Navajo Nation and tribal agencies concerning matters that are in the best interest of the community, and
2. Pursuant to 26 N.N.C. 1 et seq., the Chilchinbeto Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. The Chilchinbeto Chapter is empowered by the Navajo Nation Council to review all matters affecting the local community to make favorable decisions in the best interest for the general health, safety and welfare of the Chapter membership and all Navajo and;
4. The Chilchinbeto Chapter has several projects which the community wishes to continue to pursue and the chapter needs to have our Council Delegate work on our projects with due diligence on our behalf, and
5. The Chilchinbeto community is encouraging to promote the economic development with the Museum/Gallery for the Big & Lil Sister Rugs; and
6. The Chilchinbeto Multi-Purpose Building is a necessity to promote Navajo Tourism in the community.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Navajo Nation Division of Community Development and the Navajo Nations Council to do and all things necessary to assist the Chilchinbeto Chapter to keep the Multi-Purpose Building project on the CIP listing.

CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Chilchinbeto Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote 26 in favor, 00 opposed, and 00 abstained, this 21st day of August 2019.

Motioned By: Paul Madson

Seconded By: Leonard Bailey

Thomas Bradley
Thomas Bradley, Chapter President

Eugene Badonie
Eugene Badonie, Chapter Vice President

Rita Zonnie, Sec/Treas.
Rita Zonnie, Chapter Secretary/Treasurer

Eugene Badonie, Chapter Manager
PO Box 1681
Kayenta, Arizona 86033
ebadonie@navajochapters.org

December 1st, 2021

Mr. Tom Platero
Navajo Nation Division of General Services
ARPA FRF Office
Window Rock, AZ 86515

RE: Request to reconsider the project denial for another project.

Dear Mr. Platero;

Writing in request to your office, the CPMD, Navajo Nation Budget and Finance Committee, Navajo Nation Office of the President and Vice President, Office of the Navajo Nation Speaker of the Council, and especially the ARPA FRF Reviewing Committee.

I am requesting that since our C-Store project was denied for an ARPA FRF funding, we as the community and chapter of Chilchinbeto believe it was atrocious and unspeakable that our hope of bringing in an economic sustainable venture was preempted. When horses and wagon was the only transportation on the reservation, Trading Post were essential. In the midst of the rising cost of living, it is necessary to bring back the traditional Trading Post style of marketing and profiteering to return to the local community. The C-Store was a way to manage the cost of fuel, it was the key to real savings on food prices, and the only way to stretching the family. Especially for those that live on fixed income.

Since all this is no longer useful to discuss, we do believe we have a project, a shovel ready project with all assessments, easements, surveys, designs, engineering, right of ways, and land withdrawal are complete with a construction architectural design. This project is a Multipurpose/museum building that will house the community's two (2) renowned World Largest Handwoven Navajo Rugs in the museum which will be internally built.

So, the proposed size of this building is 11,496 sq. feet. of which the gathering room measures 4,232 sq. feet will be the convertible proposed museum. This is where the two (2) rugs will be displayed for tourist to come visit. This paramount important accomplishment in our community must be made available for the world to come and see. Currently, these two (2) rugs are folded

away in the Navajo Nation Museum hidden away and not returning any revenues to the Chilchinbeto Chapter or the community. It is actually just wasting away 24/7 and should the leaders of diverse color of authority continue to allow this sadness to persist? This is an irresponsible reality at this time.

Next, we have additional 1,781 sq. feet of proposed Gallery and another 580 sq. feet of Gift Shop that will complement the textile displayed in the museum.

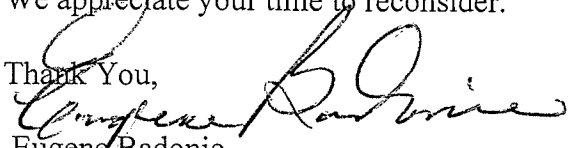
Finally, there is 2,020 sq. feet of proposed restaurant area inside the building where the tourist can refresh and dine as they visit the museum. The distance between Canyon de Chelly Tribal Park and Monument Valley Tribal Park is approximately 2-3 hours with very little place to patronize. This place will provide that little resting place to contain the tourism to spend more time on the reservation. Our community sits on the main corridor to these wonders of the world. Yet, we continue to reach out for hand-outs and government assisted living.

It is imperative to reach out for self-sufficiency by building this complex and create jobs, infuse revenues from tourist that use our roads, and create for ourselves the kind of future we want. It is highly important that this project be the main choice of priority project to come out of this ARPA FRF funding. Surely, we have not all forgotten that Chilchinbeto was the epic center of covid 19 only a year and to this day covid remains to high in our community.

Please, reconsider the reasons you took away the C-Store. But at this time choose to bring in the other important project to our community. It is shovel ready project and take the time to look at it. It meets the requirement for the ARPA Funding guideline.

We appreciate your time to reconsider.

Thank You,


Eugene Badonie
Chapter Manager

Concurrence:

Mr. Paul Madson, Chapter President

Multipurpose/Museum Project: \$7,650.000.00

Requesting and proposing to reconsider the Multipurpose building as the replacement project funding request instead of the C-Store.

1. A shovel-ready project that was proposed since 1998 when 69.64 acres of land was withdrawn to build a new chapter house. Resolution #
2. Project was proposed since 1998 when 69.64 acres of land was withdrawn to build a new chapter house.
3. 69.64 was withdrawn on October 1, 2001 when an Environmental Assessment was done by J.R. Analla, EA Services
4. May 1997, additional land was secured for the economic development to a total of 81.52 acres.
5. November 2005, SHP Engineering and Architecture completed a Market and feasibility study for this land.
6. CCH Multipurpose Building Final Specification Manual by Stroh Architecture, Inc.
7. Last update (September 20, 2019) of cost estimate reported in the ICIP Application request for \$5,250,000. ✓
 - A. 20% increase in material cost attached in packet
 - B. 25% increase in Construction cost attached in packet.
 - C. Total - \$7,650.000.00

↑
\$7,650,000
requested



ICIP Application - Chichinbeto

DASHBOARD ENTITY INFORMATION CAPITAL PROJECTS CHAPTER RESOLUTION REPORTS

P/D/C Multi Purpose Bldg

Title: Multi Purpose Building Chapter: Chichinbeto Year Built/Acquired: 0/0
Capital ID: Tenant/Owner: Capital Category: Bldg-Community

Last Updated: 9/20/2019 10:41 AM

General Information	Funding Proposal	Project Plan	Funding Sources	Comments	Photos	Files	PPA Checklist
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Project Estimator

This cost estimation tool only provides a quick estimate. Please work with the CPMD Department to get a more thorough estimate that takes all costs into consideration to avoid low cost projections.

*LENGTH OF BUILDING (IN FEET)

*WIDTH OF BUILDING (IN FEET)

*COST:

See Estimation

Funding Proposal:

TYPE	NOTES	ADD FILE	DOCUMENTS	AMOUNT
Land		<u>Relate Files</u>	No Documents	\$125,000
Planning / Pre design		<u>Relate Files</u>	No Documents	\$375,000
Architecture / Engineering		<u>Relate Files</u>	No Documents	\$250,000
Construction		<u>Relate Files</u>	No Documents	\$4,500,000
Other		<u>Relate Files</u>	No Documents	\$0

Total: \$5,250,000.00

PROJECT COST / CONVENTIONAL BUILDING**Architectural / Engineering Fee**

A.	TOTAL FEE (ACTUAL/ESTIMATED)			278,784.00
B.	(% OF A)	CONTINGENCY	10%	27,878.40
C.	CONSULTANT'S FEES		40%	100,362.24
D.	OTHER DIRECT EXPENSES OF A		3.14%	8,753.82
E.	SUBTOTAL			141,789.54
F.	INDIRECT EXPENSE ALLOWANCE (A-(B+C+D)-G)			9,925.27
G.	ARCH. LABOR BUDGET (A-(B+C+D)/ %)		7.00%	131,864.27

ARCHITECTURAL LABOR BUDGET BREAKDOWN

AVG. \$/HR.

26.00

	PHASE OF WORK	% BUDGET	HR. BUDGET	\$ BUDGET
a	Programming/Pre-Design	15.00%	760.76	19,779.64
b	Schematic Design	15.00%	760.76	19,779.64
c	Design Development	20.00%	1014.34	26,372.85
d	Construction Documents	40.00%	2028.68	52,745.71
e	Bidding and Negotiating	5.00%	253.59	6,593.21
f	Construction Administration	20.00%	1014.34	26,372.85
	TOTAL	100.00%	5071.70	151,643.92

Additional Cost Not Included in Architectural Basic Services

a.)	Environmental Assessment	0.00
b.)	Archaeological Report	0.00
c.)	Surveying - topography - utilities	0.00 not yet
d.)	Geo-technical - soils	6,000.00
e.)	Flood Plain Study	0.00 not yet
f.)	Programming/Pre-Design	0.00
g.)	Landscaping Design	0.00
h.)	Interior Design	0.00
i.)	Value Engineering	0.00 not yet
j.)	One model and one rendering	0.00 not yet
k.)	Reproduction (20 sets)	2,000.00 not yet
l.)	Material Testing	0.00 not yet
m.)	Clients Inspector	10,000.00 not yet
	<u>Additional cost total</u>	<u>18,000.00</u>

Professional Fees

278,784.00

Additional Cost Not Included in Architectural Basic Services

18,000.00**Grand Total****296,784.00**

Chilchinbeto Mult-purpose Center
Chinchinbeto, Arizona

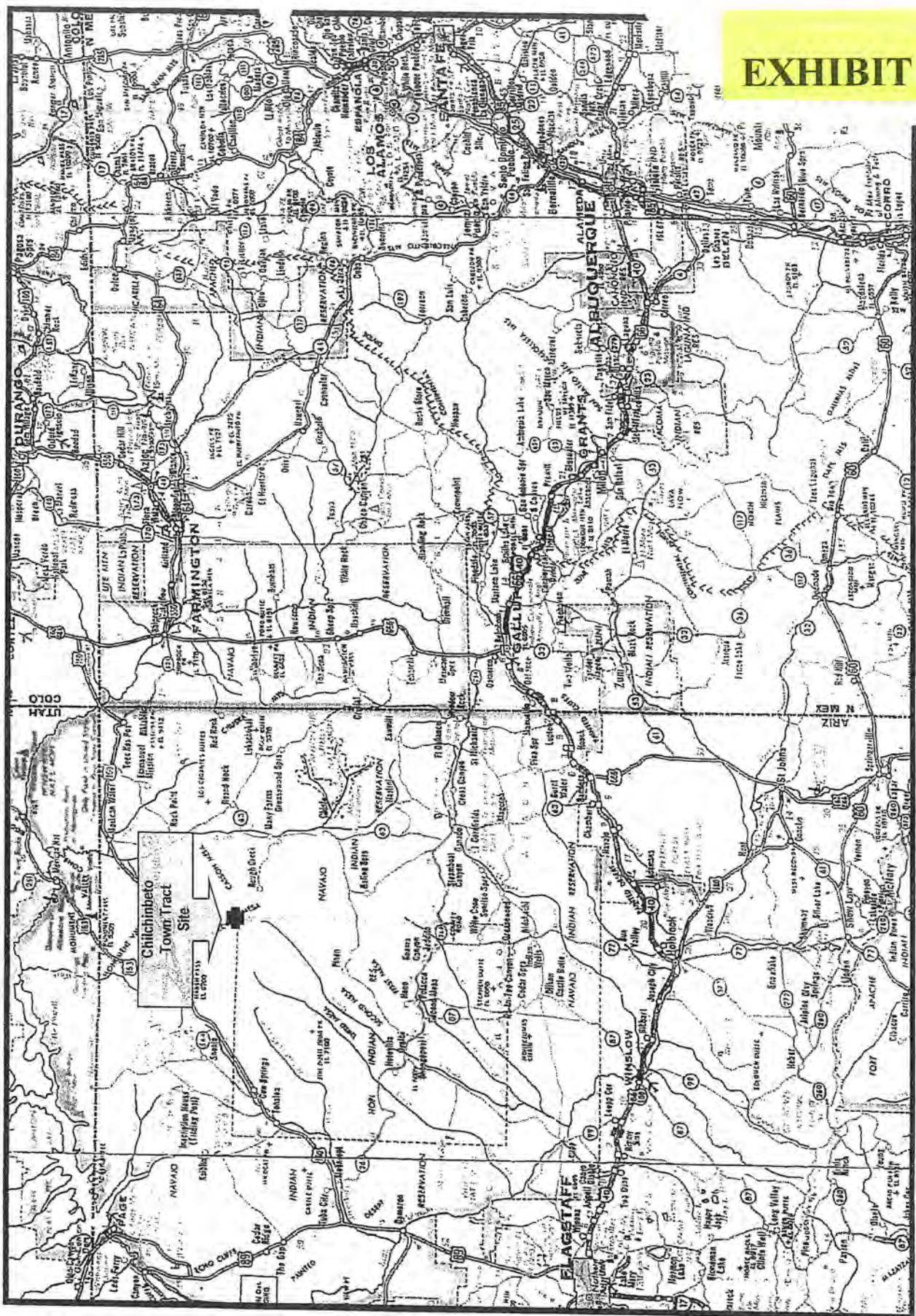


Figure Sheet 1
Chilchinbeto Town Tract
Chilchinbeto Chapter



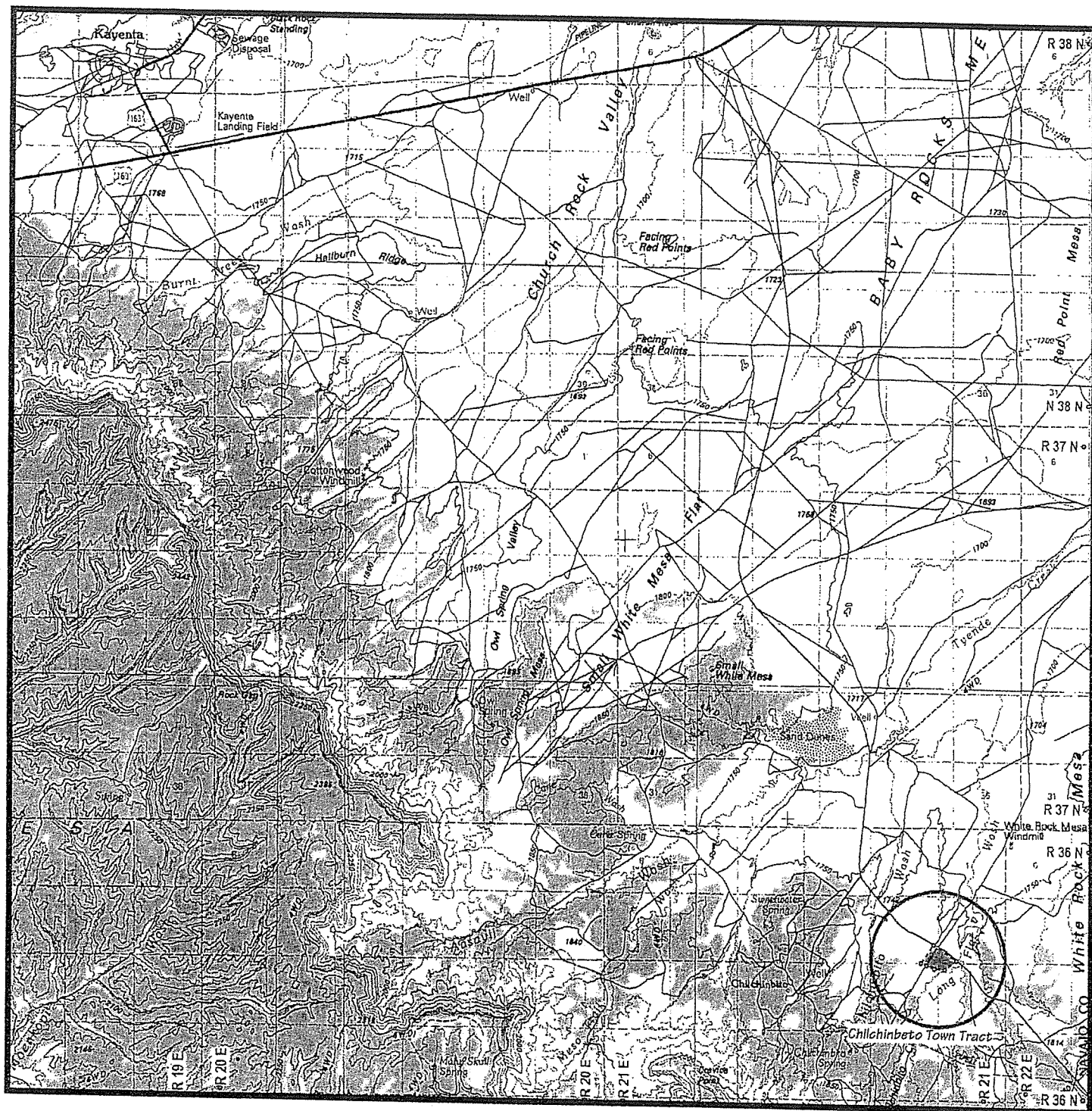
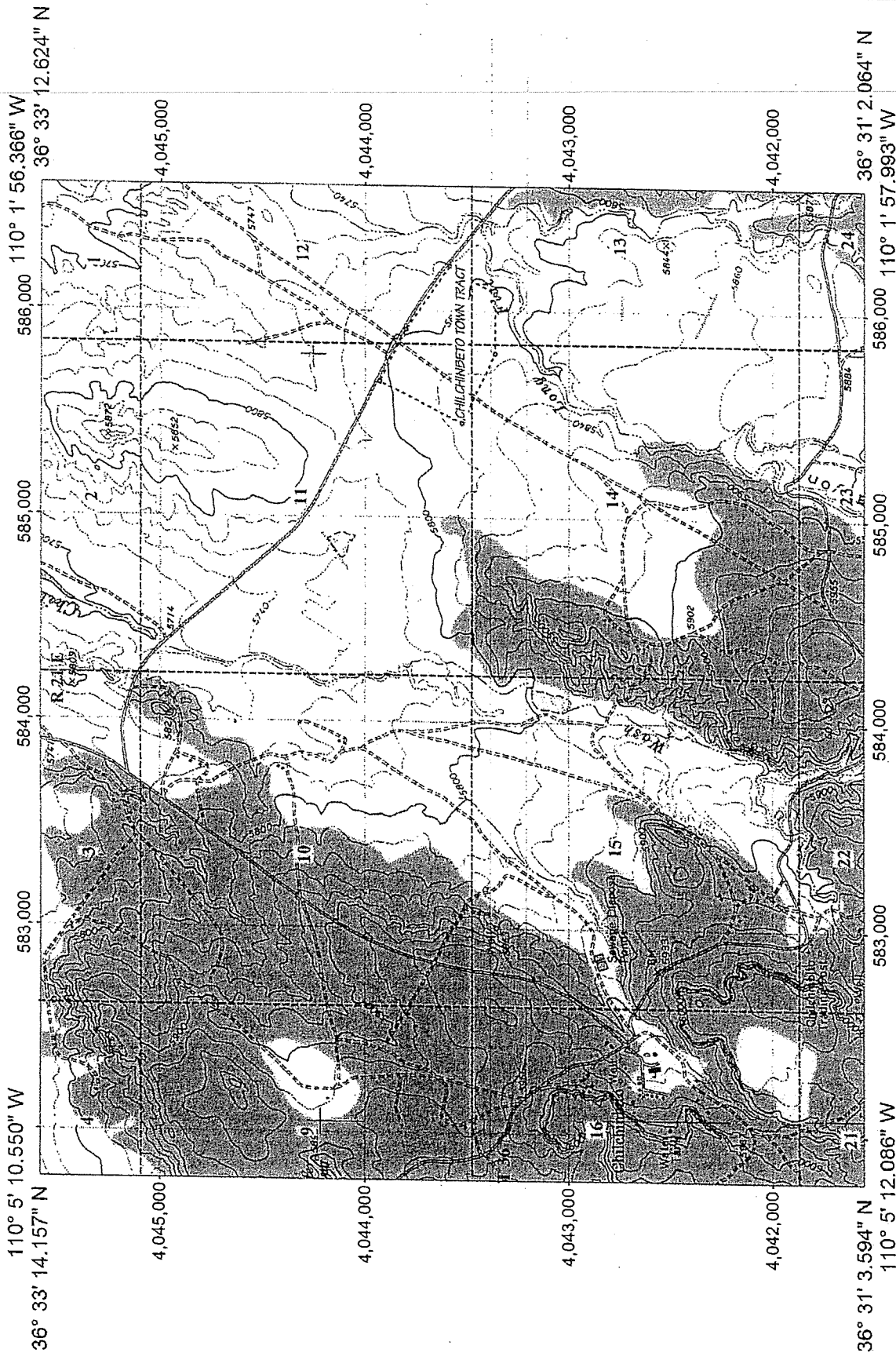


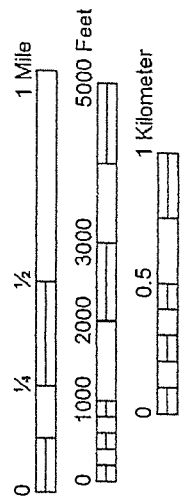
Figure Sheet 2
Chilchinbeto Town Tract
Chilchinbeto Chapter



Chilchinbeto Town Tract



CHILCHINBITO QUADRANGLE
ARIZONA - NAVAJO CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

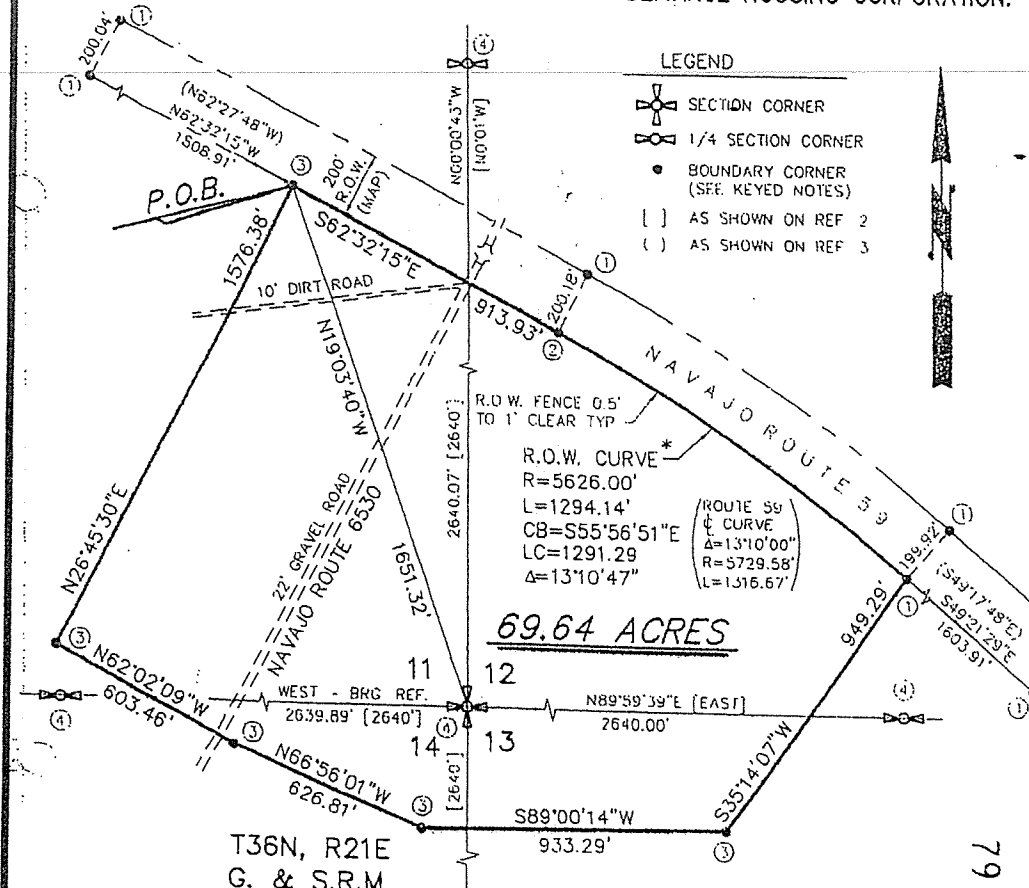


1927 North American Datum; UTM grid zone 12
Generated by digfoot2 (www.gspg.com)
Any examples from USGS Quads: Chilchinbeto, AZ

Figure Sheet 3
Chilchinbeto Town Tract
Chilchinbeto Chapter



BOUNDARY SURVEY IN SECTIONS 11, 12, 13 & 14, T36N, R21E, G.&S.R.M., NAVAJO INDIAN RESERVATION, NAVAJO COUNTY, ARIZONA FOR FT. DEFIANCE HOUSING CORPORATION.



NOTES:

SURVEY PERFORMED OCT 11TH, 2001.

THERE ARE NO IMPROVEMENTS ON THIS TRACT.

SEE SHEET 2 OF 2 FOR PLAT REFERENCES AND DESCRIPTIONS.

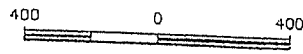
* THIS CURVE ESTABLISHED FROM MONUMENTS FOUND ON THE GROUND

THE ERROR OF CLOSURE OF THE FIGURES SHOWN ON THIS PLAT IS LESS THAN 1:15,000

- KEYED NOTES**
- (1) B.I.A. R.O.W. MARKER FOUND 7/8" METAL CAP IN CONCRETE
 - (2) B.I.A. R.O.W. MARKER FOUND BROKEN CONCRETE MONUMENT
 - (3) FOUND 5/8" REBAR, SET 1/2" ROD W/ YELLOW PLASTIC CAP
 - (4) FOUND B.L.M. BRASS CAP 98 CADASTRAL SURVEY

790-187-02

RECEIVED
2002 FEB 25 PM 2:04
HND FILES & RECORDS
NAVAJO INDIAN RESERVATION
ALBUQUERQUE, N.M.



HEREBY CERTIFY THAT THE PLAT AS SHOWN HEREON WAS PREPARED BY ME FROM ACTUAL FIELD SURVEYS; THAT THE SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE SURVEY MEETS THE MINIMUM STANDARDS FOR ARIZONA AND BOUNDARY SURVEYS. THE LEGAL DESCRIPTION IS TRUE AND CORRECT AND HAS AN ERROR MARGIN OF LESS THAN 1:15,000



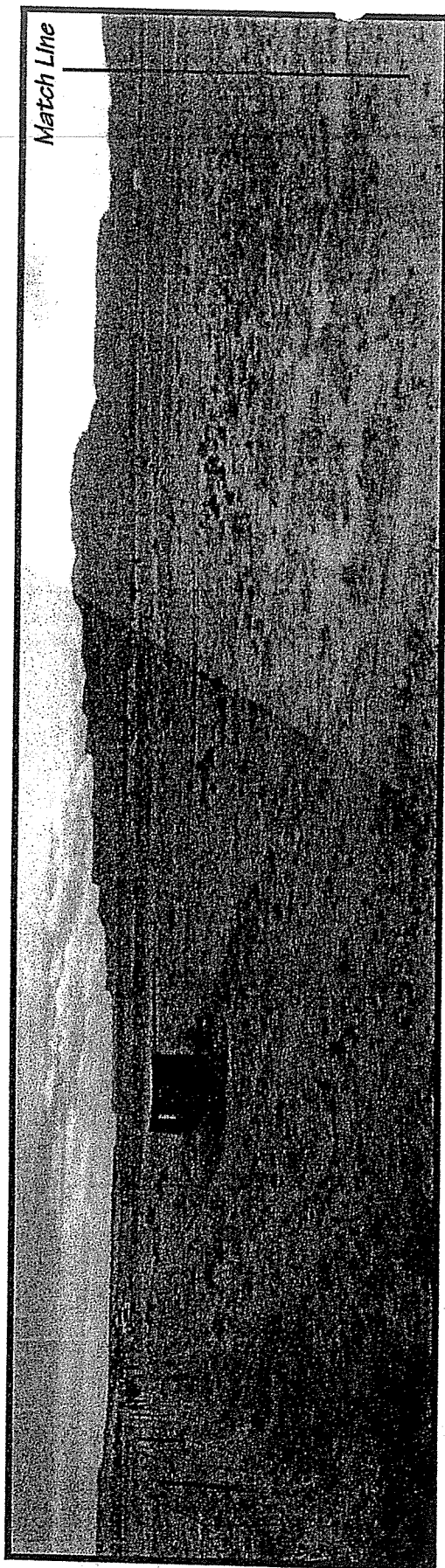
DePAULI ENGINEERING & SURVEYING CO.
GALLUP, NEW MEXICO
601 W. AZTEC AVE. 505 863-5440

Date: 10-23-01 Scale: 1"=400'
Drawn by: AH Sheet 1 of 2
Checked by: MDP Dwg. No. NHA001

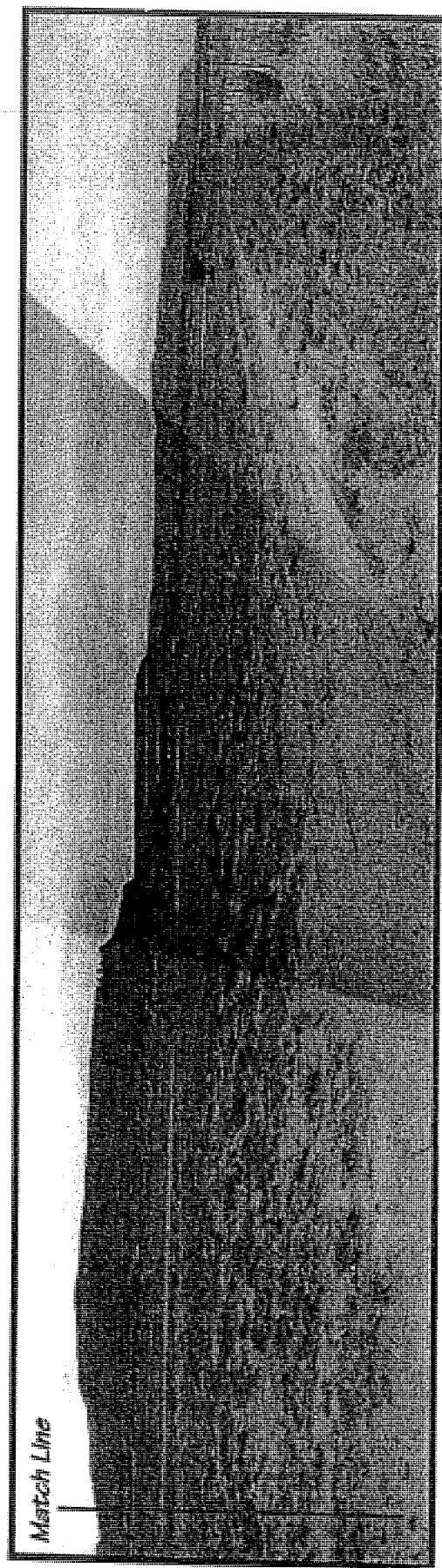


Figure Sheet 4
Chilchinbeto Town Tract
Chilchinbeto Chapter





East side of Chilchimbeto Town Tract



West side of Chilchimbeto Town Tract



Figure Sheet 5
Chilchimbeto Town Tract
Chilchimbeto Chapter



Phone (505) 905-3943
Fax (505) 905-3943

P. O. Box 1034
Gallup, New Mexico 87305

January 30, 2015

Harrilene Yazzie
NEPA Coordinator
Bureau of Indian Affairs
Navajo Region
P. O. Box 1060
Gallup, New Mexico 87305

Re: Environmental Assessment for Chilchinbeto Town Tract, Navajo Chapter, Navajo County, Arizona
EAS-1312

Dear Ms. Yazzie:

Enclosed for your review is an Environmental Assessment (EA) (prepared for the Chilchinbeto Town Tract at Chilchinbeto, Arizona.

If this document meets with your approval, please return a Finding of No Significant Impact (FONSI) so I may finalize the document for use by the Chilchinbeto Chapter otherwise provide me with your comments so the document may be revised to meet with your approval.

An expeditious review of this EA will be greatly appreciated.

Thank you for your cooperation in this effort.


J. R. Analla

cc. Revaline Yazzie Tate
Chilchinbeto Chapter Manager

**An
ENVIRONMENTAL ASSESSMENT
for
Chilchinbeto Chapter Town Tract**

**Chilchinbeto Chapter
P. O. Box 1681
Kayenta, Arizona 86033**

**Prepared by
Environmental Assessment Services
P. O. Box 1034**

**Gallup, New Mexico 87305
Department of the Interior
Bureau of Indian Affairs
Navajo Region
Western Navajo Agency**

January 2015

**in accordance with
National Environmental Policy Act of 1969,
As Amended
DOI DM Part 516
and
59 IAM 3**

**J. R. Analla
EA Services
EAS-1312
January 2015**

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Appendix C	Arizona Department of Environmental Quality, Air Quality Division Non-attainment Areas in Arizona
Appendix D	Correspondence, Chilchinbeto Town Tract, Chilchinbeto, Navajo County, Arizona 16 April 2014 NN Natural Heritage Program, Department of Fish and Wildlife NN Biological Resource Land Clearance Policies and Procedures Biological Resources Compliance Form, NNDF&WL Review No. 14JREA-03
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Executive Summary

This environmental assessment has been prepared in accordance with *Sections 101 and 102 of the National Environmental Policy Act of 1969, As amended, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 40 CFR Parts 1500-1508 and Bureau of Indian Affairs NEPA Handbook, 516 DM. 59 IAM 3*. The environmental assessment is an instrument required by federal law and regulations to determine if potential impacts of a federal action are of such significance as to require the preparation of an environmental impact statement.

The federal action for this undertaking is the approval, by the BIA, of the withdrawal of a site encompassing 69.64± acres or a community development site by the Chilchinbeto Chapter (CC). The proposed site is being proposed by the CC to provide social and community services for the residents of the CC. The CC is having this document prepared as an integral element of their Chapter Land Use Planning procedures to expedite development of chapter and social facilities in an orderly manner. This EA addresses potential environmental impacts which may result from the BIA approval of the proposed land withdrawal for Chapter use. The CCTT is located in Chilchinbeto, Chilchinbeto Chapter, Navajo County, State of Arizona.

Consultation has been conducted with the Navajo Nation Natural Heritage Program, Fish and Wildlife Department to identify federally listed threatened or endangered species, critical habitat or other species of concern that may exist in the project area.

Archaeological survey and report *A Cultural Resources Inventory of the Proposed Town Tract and Sewage Lagoon for the Chilchinbeto Chapter, Navajo County, Arizona DCD 97-071* was completed for the CCTT site. Consultation with the Navajo Nation Historic Preservation Department was initiated and *Cultural Resource Compliance Form NNHPD No. HPD-98-716* was issued on October 26, 1998.

This EA analyzes and evaluates the impacts of the proposed project and decision on a minority and low-income population and surrounding communities as mandated by *Executive Order 12898 (EO) of February 11, 1994, Federal Actions to address Environmental Justice in Minority Populations and Low-Income Populations*. The EO requires federal agencies to incorporate environmental justice into their missions by identifying and addressing disproportionately high and adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities. The EO applies equally to all Federal agencies responsible for Native American programs.

The assessments and determinations of final impacts contained in this EA were developed in accordance with the *CEQ Guidelines 40 CFR 1500*. *40 CFR 1500* provides that the EA shall include reasonable alternatives to the proposed action, identify a preferred alternative, give consideration to general and broad measures to minimize or eliminate adverse impacts and allow a final federal decision as to the need for an environmental impact statement (EIS) for the approval of the CCTT site withdrawal renewal.

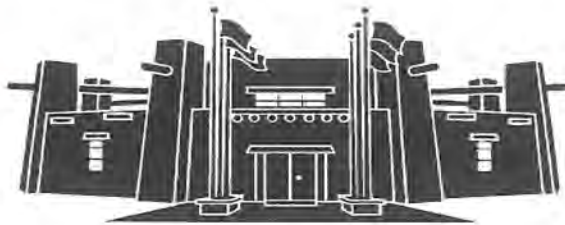
Approval of the 69.64± acre CCTT site withdrawal addressed in this document will not result in an irreversible commitment of other resources or prejudice the selection of other alternatives for future project related activities.

Based on this EA, it is determined that approval of the proposed action will not have a significant impact on the quality of the human environment so as to require the preparation of an EIS.

EXHIBIT:
D

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
48	Lukachukai	Chapter Senior Center	Construction	12 months	\$86,427.00	\$0.00	\$0.00	\$0.00	\$86,427.00
49	Lukachukai	Chapter Welding Machinery	Major Equipment	6-8 months	\$7,000.00	\$0.00	\$0.00	\$0.00	\$7,000.00
50	Lukachukai	Chapter Roping Box	Major Equipment	6-8 months	\$3,503.00	\$0.00	\$0.00	\$0.00	\$3,503.00
51	Crystal	Fire Suppression System	Construction	6-12 months	\$876,000.00	\$0.00	\$0.00	\$285,000.00	\$876,000.00
52	Fort Defiance	Solar Street Lights	Construction	12 months	\$0.00	\$972,025.00	\$0.00	\$283,503.00	\$972,025.00
53	Fort Defiance	Street Rehabilitation	Design/Construction	24 months	\$69,641.67	\$0.00	\$0.00	\$0.00	\$69,641.67
54	Red Lake	Utility System Upgrade	Design/Construction	1-6 months	\$70,000.00	\$0.00	\$0.00	\$0.00	\$70,000.00
55	Red Lake	Street Improvement	Design/Construction		\$100,000.00	\$250,000.00	\$300,000.00	\$0.00	\$650,000.00
56	Red Lake	Chapter Complex	Plan/Design/Construction		\$0.00	\$0.00	\$321,666.67	\$0.00	\$321,666.67
57	Sawmill	Bathroom Additions	Construction	12 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
58	Sawmill	Renovate Chapter House	Construction	6 months	\$250,000.00	\$250,000.00	\$0.00	\$0.00	\$500,000.00
59	Sawmill	N7 Road Rehab	Design		\$271,666.67	\$0.00	\$0.00	\$0.00	\$271,666.67
60	Dennehotso	Transfer Station	Design/Construction	24 months	\$40,000.00	\$100,000.00	\$0.00	\$0.00	\$140,000.00
61	Dennehotso	Veterans Park	Construction	36 months	\$0.00	\$225,000.00	\$0.00	\$7,000.00	\$225,000.00
62	Dennehotso	Warehouse	Construction	12 months	\$0.00	\$162,025.82	\$0.00	\$20,000.00	\$162,025.82
63	Kayenta	Diversion Dam	Design/Construction	24-36 months	\$0.00	\$1,344,623.31	\$0.00	\$455,000.00	\$1,344,623.31
64	Kayenta	Rehabilitation Project							
65	Kayenta	Multi-Purpose Building	Plan/Design/Construction	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
66	Chickinbeto	Multi-Purpose Building	Plan/Design/Construction		\$300,000.00	\$0.00	\$0.00	\$0.00	\$300,000.00
67	Shiprock	Chapter Renovation	Design/Construction	12 months	\$50,000.00	\$400,000.00	\$0.00	\$0.00	\$450,000.00
68	Shiprock	Senior Center	Construction	12 months	\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00
69	Shiprock	Elderly Care Site	Planning	8 months	\$17,000.00	\$0.00	\$0.00	\$0.00	\$17,000.00
70	Shiprock	Wellness Center	Design/Construction	12 months	\$0.00	\$200,000.00	\$0.00	\$0.00	\$200,000.00
71	Shiprock	Former BIA Compound	Testing/Planning	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
72	Shiprock	Utility Hook-Up/Restroom Renovations	Construction	8 months	\$60,000.00	\$0.00	\$0.00	\$0.00	\$60,000.00
73	Shiprock	River Trail & Community Park	Construction	9 months	\$56,000.00	\$0.00	\$0.00	\$0.00	\$56,000.00
74	Shiprock	15 Secure Land Designation	Planning	24 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
75	Shiprock	Rural Addressing	Construction	12 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
76	Shiprock	Roads-Indian Village	Major Equipment	12 months	\$318,000.00	\$0.00	\$0.00	\$0.00	\$318,000.00
77	Shiprock	South Side Incident Command Center	Construction	24 months	\$1,000,000.00	\$0.00	\$0.00	\$0.00	\$1,000,000.00



MEMORANDUM

To: Hon. Nathaniel Brown, Member
Budget and Finance Committee
24th Navajo Nation Council

From: 
Luralene D. Tapahe, Principal Advocate
Office of Legislative Counsel

Date: March 29, 2022

Subject: **AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; APPROVING \$7,650,000 FROM THE SÍHASIN FUND FOR THE CONSTRUCTION OF THE CHILCHINBETO MULTI-PURPOSE BUILDING; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C §2501 – §2508**

Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents regarding your request that were submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to judicial review in the event of a legal challenge.

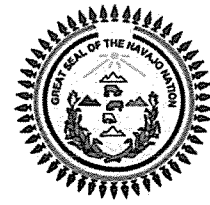
Please review this legislation to make sure it is drafted to your satisfaction, and that all necessary and appropriate supporting documents have been provided and all attached Exhibits are correct.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. However, the Speaker may assign this legislation to any committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find anything unacceptable, please let me know immediately and advise me of your desired changes. I can be reached at phone no. (928)871-7166 or by email at: LuraleneTapahe@navajo-nsn.gov

Thank you for your cooperation.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0066-22_

SPONSOR: Nathaniel Brown

TITLE: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving \$7,650,000 from the Síhasin Fund for the Construction of the Chilchimbeto Multi-purpose Building; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. § 2501 - § 2508

Date posted: March 30, 2022 at 6:42PM

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.: 0066-22

SPONSOR: Honorable Nathaniel Brown

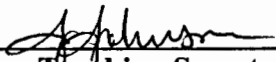
TITLE: An Act Relating to the Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and to the Navajo Nation Council; Approving \$7,650,000 from the Síhasin Fund for the Construction of the Chilchinbeto Multi-purpose Building; Approving the Related Expenditure Plan Pursuant to 12 N.N.C. § 2501 - § 2508

Posted: March 30, 2022 at 6:42 PM

5 DAY Comment Period Ended: April 04, 2022

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>



**Legislative Tracking Secretary
Office of Legislative Services**

April 05, 2022; 8:41 AM
Date/Time

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION #0066-22: AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; APPROVING \$7,650,000 FROM THE SÍHASIN FUND FOR THE CONSTRUCTION OF THE CHILCHINBETO MULTI-PURPOSE BUILDING; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. § 2501 - § 2508.

Sponsor: Honorable Nathaniel Brown

Has had it under consideration and reports a **DO PASS** with no amendments.

And thereafter the legislation was referred to the Budget and Finance Committee.

Respectfully submitted,



Rickie Nez, *Chairperson*
Resources and Development Committee of
the 24th Navajo Nation Council

Date: April 13, 2022 – Regular Meeting (Teleconference)
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Mark A. Freeland **S:** Wilson C. Stewart, Jr. **V:** 5-0-1 (CNV)
In Favor: Thomas Walker, Jr.; Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.
Opposition: None
Excuse: None
Not Voting: Rickie Nez, *Chairperson*

(NOTE: VOTE TALLY attached hereto)

