



23rd Navajo Nation Council

MEMORANDUM

To : Manuel Rico, Senior Programs and Projects Specialist
OFFICE OF LEGISLATIVE SERVICES

From : 1-711
Tom Platero, Executive Director
OFFICE OF LEGISLATIVE SERVICES

Date : January 9, 2019

Subject : ***23rd Navajo Nation Council Expired Legislation***

Pursuant to 2 N.N.C. § 164 (A) (1), "The last day for consideration of resolutions shall be December 31st of the year immediately preceding the swearing in of the new Council", the following legislation need to be closed out and labeled as "expired":

NAVAJO NATION COUNCIL:

0399-17	0424-17	0098-18	0136-18
0183-18	0224-18	0328-18	0344-18
0356-18	0358-18	0367-18	0373-18
0385-18	0393-18	0404-18	0416-18
0422-18			

NAABIK'YATI' COMMITTEE:

0224-15	0361-16	0341-18	0406-18
0418-18	0427-18		

BUDGET AND FINANCE COMMITTEE:

0021-17	0392-17	0099-18	0261-18
0287-18	0398-18	0435-18	0436-18

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE:

0414-18	0419-18	0451-18
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LAW AND ORDER COMMITTEE:

0114-17	0031-18	0217-18	0307-18
0353-18	0360-18	0364-18	0437-18

RESOURCES AND DEVELOPMENT COMMITTEE:

0402-15	0104-16	0121-16	0183-16
0282-16	0296-16	0370-16	0384-16
0135-17	0176-17	0386-17	0400-17
0076-18	0395-18	0415-18	0443-18

Legislation need to be closed out as soon as possible. If you have any questions, please let me know.

CONCURRENCE:



Honorable LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

COPIES: Pete K. Atcitty, Chief of Staff, Office of the Speaker
Ed McCool, Acting Chief Legislative Counsel, Office of Legislative Counsel
Files

LEGISLATIVE SUMMARY SHEET

Tracking No. 0183-18

DATE: May 23, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF TWO MILLION TWENTY-TWO THOUSAND, FOUR HUNDRED FIFTY-TWO DOLLARS (\$2,022,452) TO COALMINE CANYON CHAPTER FOR TELECOMMUNICATION SERVICES

PURPOSE: The purpose of this resolution is to approve a supplemental appropriation to Coalmine Canyon Chapter in the amount of \$2,022,452 for communication services.

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

5-DAY BILL HOLD PERIOD: N/A
Website Posting Time/Date: 10:45am 5/25/18
Posting End Date: 5/30/2018
Eligible for Action: 5/31/2018

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY


(Prime Sponsor) (Walter Phelps)



TRACKING NO. 0183-18

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND
NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL;
APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED,
UNDESIGNATED FUND BALANCE IN THE AMOUNT OF TWO MILLION
TWENTY-TWO THOUSAND, FOUR HUNDRED FIFTY-TWO DOLLARS (\$2,022,452)
TO COALMINE CANYON CHAPTER FOR TELECOMMUNICATION SERVICES

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 Resources and Development Committee has oversight of Chapters within the Navajo Nation. 2 N.N.C. § 501(C)(1).
- C. The Budget and Finance Committee (BFC) is empowered 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).
- D. A proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'iyáti' Committee. 2 N.N.C. § 164 (A)(9).

1 E. The Title 12 Appropriations Act Supplemental Appropriation requirements
2 include:

- 3 1. When the Controller identifies additional sources of revenues above
4 and beyond the initial or current revenue projections, supplemental
5 appropriations may be allocated by the Navajo Nation Council. 12
6 N.N.C. § 820(L).
- 7 2. Supplemental appropriations made from non-recurring revenues shall
8 only be made for non-recurring operations or purposes, as set forth at
9 § 820(F). The Controller of the Navajo Nation shall be responsible for
10 designating recurring and non-recurring revenues. 12 N.N.C. § 820(L).
- 11 3. All requests for annual operating funds and supplemental funds shall be
12 submitted to the Office of Management and Budget for budget impact
13 analysis and other appropriate actions. 12 N.N.C. § 820(M).
- 14

15 **Section Two. Findings**

- 16 A. This is a funding request to provide a supplementation appropriation from the
17 Unreserved, Undesignated Fund Balance (UUFB) to Coalmine Canyon Chapter
18 for telecommunication services.
- 19 B. Coalmine Canyon Chapter is experiencing challenges in seeking funding for
20 telecommunication services to serve the needs of the community.
- 21 C. The Budget Forms for this request are attached as **Exhibit A**.
- 22 D. The Office of the Controller provided a memorandum, which is attached as
23 **Exhibit B**, indicating that as of April 27, 2018, the unaudited balance in the
24 UUFB is \$ 10,073,560. The Controller has also determined this request to be
25 for non-recurring costs.
- 26 E. The Office of Management and Budget has provided a budget impact analysis,
27 which is attached as **Exhibit C**.
- 28

29 **Section Three. Approving the Supplemental Appropriation from the Unreserved,**
30

1 **Undesignated Fund Balance in the Amount of Two Million Twenty-Two Thousand,**
2 **Four Hundred Fifty-Two Dollars (\$2,022,452) to Coalmine Canyon Chapter for**
3 **Telecommunication Services.**

4 A. This supplemental appropriation of shall be from that amount of funds that
5 exceeds the Two Million Twenty-Two Thousand, Four Hundred Fifty-Two
6 Dollars (\$2,022,452) minimum fund balance of the Unreserved, Undesignated
7 Fund Balance as determined by the Office of the Controller.

8 B. The Navajo Nation hereby approves the supplemental appropriation from the
9 Unreserved, Undesignated Fund Balance Two Million Twenty-Two Thousand,
10 Four Hundred Fifty-Two Dollars (\$2,022,452) to Coalmine Canyon Chapter,
11 Business Unit, NEW.

12
13 **Section Four. Effective Date**

14 The provisions of this Act shall become effective in accordance with 2 N.N.C. § 221(B).
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THE NAVAJO NATION SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: New Program Title: Coalmine Canyon Communication (Telephone line) Project
Comm.
 Division/Branch: Development/Executive Amount Requested: \$2,022,452 Phone No.: 928/326-6919
 Prepared By: Walter Phelps/Brenda Holgate Email Address: walterphelps@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Coalmine Mesa Chapter is currently experiencing challenges in seeking funds for a major infrastructure for telecommunications services (Fixed-line, Internet Services, etc.) to serve the chapter to conduct business to its community. Cost estimate may increase.

Coalmine Canyon known to the locals as Tsé Kó Hásání is located in Western Navajo Agency. The Coalmine Canyon Chapter house is located on Highway 264 and Route 6720 approximately 18 miles east of Tuba City, AZ

Coalmine Canyon Chapter formerly known as Coalmine Mesa is a relocated chapter due to the Navajo Hopi Land Settlement Act of 1974 (PL93-531) and the Bennett Freeze Act of 1966. The chapter is one of the nine Former Bennett Freeze chapters in Western Navajo Agency.

PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

Continue to seek support from the Navajo Nation President & Vice President and Navajo Nation Council, and other governmental

1 Entity.

PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:

- 1 Chapter to seek Undesignated Unreserved Fund Balance (UUFB) for this Project in the amount of \$2,022,452
- 2 Chapter will seek for any funds within their allocations that may become available.

PART V. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.

 4/18/18

REVIEWED BY: Division Director's Signature / Date

 4/18/18

RECOMMEND APPROVAL: Branch Chief's Signature / Date



THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2018

PART I. Business Unit No.: _____		NEW		Program Title: _____		Coalmine Canyon Chapter		Division/Branch: Community Development/Executive	
Prepared By: Walter Phelps/Brenda Holgate		Phone No.: _____		928/326-6919		Email Address: _____		walterphelps@navajo-nsn.gov	

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 (Column B - A)
General Funds UUF		2018	2,022,452.00	100%							
					2001	Personnel Expenses					0
					3000	Travel Expenses					0
					3500	Meeting Expenses					0
					4000	Supplies					0
					5000	Lease and Rental					0
					5500	Communications and Utilities					0
					6000	Repairs and Maintenance					0
					6500	Contractual Services					0
					7000	Special Transactions					0
					8000	Public Assistance					
					9000	Capital Outlay	1		2,022,452.00		2,022,452.00
					9500	Matching Funds					0.00
					9500	Indirect Cost					0.00
					TOTAL				\$0.00	2,022,452.00	2,022,452.00

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			0
Total # of Permanently Assigned Vehicles:			0

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

SUBMITTED BY: Program Manager's Printed Name <u>Edward Cooper</u> 4/18/18 SUBMITTED BY: Program Manager's Signature and Date	Carl Smith, Executive Director APPROVED BY: Division Director/Branch Chief's Printed Name <u>4/18/18</u> APPROVED BY: Division Director/Branch Chief's Signature and Date
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PART I. PROGRAM INFORMATION: Business Unit No.: _____ NEW _____		Program Name/Title: _____ Coalmine Canyon Chapter									
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE: CAP-34-98: To direct the chapter administration and management control system, by promoting efficiency and accountability to the chapter membership, and to effectuate plans of action to improve the standard of living for the chapter membership.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
		1st QTR		2nd QTR		3rd QTR		4th QTR			
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Program Performance Area:											
To ensure funds are used for the intended purpose to install/construct telephone lines.											
Goal Statement:											
To complete the fund balance by the end of 4th quarter.											
2. Program Performance Area:											
Goal Statement:											
3. Program Performance Area:											
Goal Statement:											
4. Program Performance Area:											
Goal Statement:											
5. Program Performance Area:											
Goal Statement:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Sherylene Yazzie, Department Manager III Program Manager's Printed Name <u>Edward G. Yazzie</u> 4/18/18 Program Manager's Signature and Date						Carl Smith, Executive Director Division Director/Branch Chief's Printed Name <u>Carl Smith</u> 4/18/18 Division Director/Branch Chief's Signature and Date					

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Business Unit No.: _____ NEW			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
9020	9000 Capital Outlay Infrastructure 9036 Communications	2,022,452	2,022,452
TOTAL		2,022,452	2,022,452

**THE NAVAJO NATION
PROJECT BUDGET SUMMARY**

**Page 1 of 2
PROJECT FORM 1**

PART I. Business Unit No.: NEW Project Title: Coalmine Canyon Communication (Telephone Line) Project
 Division/Branch: Comm. Dev./Executive Chapter: Coalmine Canyon Agency: Western
 Prepared By: Walter Phelps/Brenda Holgate Phone No.: 928/ 362-6919

PART II. Check one: ☒ Original ☐ Revision ☐ Reallocation ☐ Modification

Project Funds/Source(s)	Appropriation End Date	Amount	% of Total
General Funds UUFB	FY 2020	2,022,452.00	100%
TOTAL:		2,022,452.00	100%

PART III. Budget at LOD 4	Amount
9000 - Capital Outlay	2,022,452.00
TOTAL	2,022,452.00

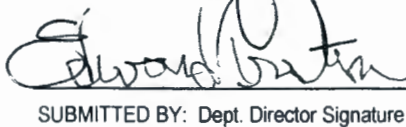
PART IV. Project Information
 Project Type: Infrastructure - Communication
 Planned Start Date: June 2018
 Planned End Date: Oct. 2020
 Project Manager: Capital Project Management Dept.

FOR OMB USE ONLY

Resolution No.: _____
 FMIS Set Up Date: _____
 Company No.: _____
 OMB Analyst: _____

PART V. ACKNOWLEDGEMENT:

I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED ON THIS FORM IS COMPLETE AND ACCURATE.

 4/18/18
 SUBMITTED BY: Dept. Director Signature / Date

 4/18/18
 VERIFIED BY: Div. Director Signature / Date

**THE NAVAJO NATION
PROJECT BUDGET AND JUSTIFICATION**

**Page 3 of 3
PROJECT FORM 3**

PART I. Business Unit No.: New

Project Title: Coalmine Canyon Communication (Telephone Line) Project

PART II.				
(A)	(B)	(C)	(D)	(E)
Fund Source Code	Object Code (LOD 4)	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
1	9000		Capital Outlay	2,022,452
1		9020	Infrastructure	
1			9036 Communication	
PAGE TOTAL:				\$2,022,452.00



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

DCDA-M18001

MEMORANDUM

CARL SMITH
Executive Director

DIVISION OF
COMMUNITY
DEVELOPMENT

PO Box 1904
Window Rock, AZ
86515

PH: 928.871.7182
Fax: 928.871.7189

WEBSITES:
NNDCCD.org
NavajoChapters.org

MISSION:
Provide
opportunities for
the Navajo
communities to be
self-governing and
self-sufficient.

TO : ALL CONCERNED

FROM : 
Carl Smith, Executive Director
Division of Community Development

DATE : October 2, 2017

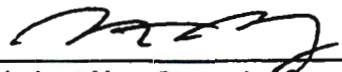
SUBJECT : FY 2018 Standing Delegation of Authority

In my absence from the office, two DCD personnel are designated to assume delegation of authority to act in my capacity as DCD Executive Director to assure proper operation, handle routine administrative matters, and have signatory approval, except those matters they feel require my attention. The order of delegation will be as follows:

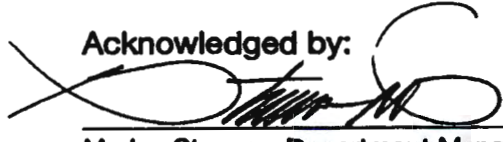
1. Norbert Nez, Computer Operations Manager
Division of Community Development
2. Marlon Stevens, Department Manager II
Community Housing & Infrastructure Department

Your assistance and cooperation will be appreciated.

Acknowledged by:


Norbert Nez, Computer Operations Manager
Division of Community Development

Acknowledged by:


Marlon Stevens, Department Manager II
Community Housing & Infrastructure Dept.
Division of Community Development



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

CPMD-12-18-04

TO : ALL CONCERNED

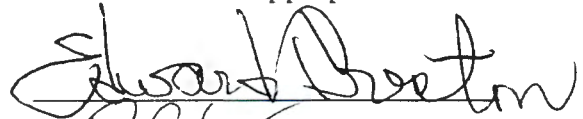
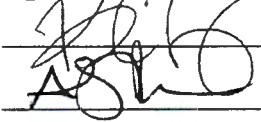
FROM : 
Sherylene Yazzie, Department Manager III
Capital Projects Management Department

DATE : December 8, 2017

SUBJECT : STANDING DELEGATION OF AUTHORITY
FISCAL YEAR 2018

If in my absence a situation occurs, and there is an urgent need for a decision to be made or an urgent need for document(s) to be signed, the following Capital Projects Management Department employees, in order of succession, will be authorized to take the appropriate action:

1. Edward Preston, Architect
2. Benjamin Cowboy, Construction Supervisor
3. Andy Thomas, Senior Program & Projects Specialist
4. Marie R. Begay, Contract Analyst



This delegation is effective only if there is no other approved Delegation of Authority already in effect. Any employee taking any action under this authority will be required to submit a copy of the document(s) signed or submit a brief report of a decision made.

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN 2019 - 2024

PROJECT SUMMARY

Agency	Chapter	Project Title	Rank	Category	Sub Category	Funding Sources	2019	2020	2021	2022	2023	2024	Total
06	Coppermine	Scattered Powerline Project w/ Housewiring - CDBG & FBFA	2019 - 1	Utilities--Power - Linear	Single Phase	Chapter CIP Funds, Sihaasin	\$1,700,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,700,000.00
06	Coppermine	Waterline Project- KOKO Waterline Project	2019 - 2	Water - Linear	Water System		\$14,625,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$19,625,000.00
06	Coppermine	Scattered Housing Development- FBFA	2019 - 3	Housing - Block	Housing		\$2,880,000.00	\$1,800,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,680,000.00
06	Coppermine	Environmental Surveys, Biological Assessments, Archeological Clearances for Roads	2019 - 4	Transportation - Linear	Roads/Streets		\$560,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$560,000.00
06	Coppermine	Develop Community and Economic Development Plan	2019 - 5	Comprehensive Studies	Economic Plan	NN CIP General Funds, Legislative Funds	\$200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$200,000.00
06	Coppermine	Multi-Purpose Building (Community Public Safety Facilities)	2019 - 6	Bldg-Community	Multi-Purpose Bldg	Sihaasin	\$2,700,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,700,000.00
06	Coppermine	Agricultural Water Development	2019 - 7	Water - Linear	Water System		\$70,001.49	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$70,001.49
06	Coppermine	Pin/Dsgn/Const Scattered Pwrln along with House wiring	2019 - 8	Utilities--Power - Linear	Single Phase	Chapter Other, NN CIP General Funds, NTUA, CDBG	\$557,957.00	\$521,114.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,079,071.00
06	Coppermine	Chapter Parking Lot	2020 - 1	Transportation - Block	Parking Lot	NN Fuel Excise Tax Funds, NN CIP General Funds	\$0.00	\$275,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$275,000.00
06	Coppermine	Coppermine Chapter Telecommunication	2020 - 2	Utilities--Telecomm - Linear	Telephone Lines	ARRA, Private Funds	\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00
						TOTAL	\$23,292,958.49	\$3,596,114.00	\$1,500,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$31,389,072.49



Product and Service Quote

Customer: Angela Cody
Navajo Nation
For Coalmine Chapter

Phone 928-871-6191

Date: 2/8/2018

Prepared By: Victoria Begay

Phone: 928-871-3787

Email: Victoria.Begay@ftr.com

P.O. Box 6000

Window Rock, AZ 86515

928-871-3779 - F

Description: Quotation for Telephone Service Capital Improvement and Construction from Tuba City to Coalmine, Arizona.

Quantity	Description	Contract Term (in months)	One-Time Charge	Monthly Charge	Total Charge
	Material		\$1,553,000.00		\$1,553,000.00
	Labor		\$11,952.00		\$11,952.00
	Easement Right-of-way from Navajo Nation		\$457,500.00		\$457,500.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
TOTAL					\$2,022,452.00

Comments:





THE NAVAJO NATION

RUSSELL BEGAYE PR
JONATHAN NEZ VICE-PRESIDENT



Memorandum:

To: Navajo Nation Delegates
Navajo Nation Government

From: 
Pearline Kirk, Controller
Office of the Controller

Date: April 27, 2018



Subject: Legislation -UUFB -Coalmine Canyon Chapter for Communication Services

The Office of the Controller has reviewed the above referenced document.

1. The un-audited balance of the UUFB is \$10,073,560 as of April 11, 2018; there were a number of other supplemental requests that were considered by the Navajo Nation Council at the spring Council Session that still need President signature for approval. This supplemental request is for \$2,022,452 for Coalmine Canyon Communication (Telephone Line) Project to construction major infrastructure for Communication Services to the chapter. Also please be reminded that the UUFB balance is unaudited and is subject to change pending the completion of the FY 2017 audit.
2. The costs for this project we determined are NON-RECURRING costs.
3. Important Note: Our office is currently monitoring the Nation's actual minerals revenue to-date versus the projected revenues for FY 2018. Additionally, our office has started the revenue projection task for the upcoming 2019 operating budgets. Being that minerals revenue levels are decreasing, we recommend the Nation spend the UUFB in a prudent and conservative manner for these reasons The Navajo Nation actual minerals revenue to date vs. the projection for FY 2018 is a real concern going forward as well as for the upcoming Fiscal 2019 therefore is this type of spending prudent as there may be possible shortfall in revenue in the near future which would affect the UUFB.

If you should have any questions you can contact me at tribal extension X6125.



THE NAVAJO NATION

RUSSELL BEGAYE PRES
JONATHAN NEZ VICE



MEMORANDUM:

TO : Walter Phelps, Delegate
23rd Navajo Nation Council

FROM : Lisa Jymm
Lisa Jymm, Principal Budget Analyst
OMB/Budget Section

DATE : March 21, 2018

SUBJECT : Budget proposal for \$2,022,452.00 from the UUFB to extend the phone line from Tuba City to Coalmine Canyon Chapter.

The Office of Management and Budget reviewed above documents according to 12 N.N.C. § 820 (M) and the following are noted:

1. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2018 Budget Resolution CS-53-17 (paragraph 'L'), the FY 2018 Budget Instructions Manual (Section XIV), and the Appropriations Act. This activity should be completed by the three branches to determine priorities.
2. OMB recommends compliance with the Navajo Nation Appropriations Act regarding Supplemental Appropriations (Section 820, L). Compliance includes:
 - a. Branch Chief's concurrence of the supplemental request (NN President). This should be included in the budget proposal.
 - b. The Supplemental Funding Proposal Summary (Appendix K, FY 18 BIM). This should be included in the budget proposal.
3. The FY 2018 Budget Instructions Manual states that Supplemental Funding request for Capital Projects shall be submitted to DCD-Capital Project Management Department (CPMD) for review, guidance and advice. There is no indication that this has been done.
4. The Appropriations Act, 12 NNC § 820 (I), requires that the capital outlay comply with an adopted Capital Plan. Currently, there is no approved Capital Plan.
5. The project seems to qualify for the Sihasin Fund, where there is over \$300 million available. This should be considered.

At this time OMB recommends these documents be addressed or corrected due to the above findings. If you have any questions, please contact our office at 928-871-6230.

CONCURRENCE:

Dominic Beyal
Dominic Beyal, Executive Director
Office of Management and Budget

xc: OMB File
DCD/CPMD





MEMORANDUM

TO: Honorable Walter Phelps
23rd Navajo Nation Council

FROM: 
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: May 23, 2018

SUBJECT: **AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF TWO MILLION TWENTY-TWO THOUSAND, FOUR HUNDRED FIFTY-TWO DOLLARS (\$2,022,452) TO COALMINE CANYON CHAPTER FOR TELECOMMUNICATION SERVICES**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, “the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration.” 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0183-18__

SPONSOR: Walter Phelps

TITLE: An Action Relating To Resources And Development, Budget And Finance, And NAABIK'IYATI' Committees, And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of Two Million Twenty-Two Thousand, Four Hundred Fifty-Two Dollars (\$2,022,452) To Coalmine Canyon Chapter For Telecommunication Services

Date posted: May 25, 2018 at 10:45 AM

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.: 0183-18

SPONSOR: Honorable Walter Phelps

TITLE: An Action Relating To Resources And Development, Budget And Finance, And NAABIK'IYATI' Committees, And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of Two Million Twenty-Two Thousand, Four Hundred Fifty-Two Dollars (\$2,022,452) To Coalmine Canyon Chapter For Telecommunication Services

Posted: May 25, 2018 at 10:45 AM

5 DAY Comment Period Ended: May 30, 2018

Digital Comments received:

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



 Legislative Secretary II
 Office of Legislative Services

5/31 / 2018 8:10am

 Date/Time

**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,

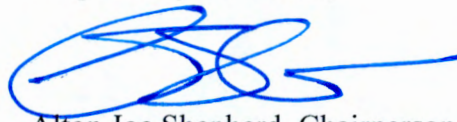
The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

Legislation # 0183-18: An Action Relating to Resources and Development, Budget and Finance, And Naabik'Iyati Committees, and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Two Million Twenty-Two Thousand, Four Hundred Fifty-Two Dollars (\$2,022,452) to Coalmine Canyon Chapter for Telecommunication Services. *Sponsor: Honorable Walter Phelps*

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

And thereafter referred the matter to Budget and Finance Committee.

Respectfully submitted,



Alton Joe Shepherd, Chairperson
Resource and Development Committee of
the 23rd Navajo Nation Council

Date: June 6, 2018
Meeting Location: Rock Springs Chapter, Rock Springs, New Mexico

MAIN MOTION: Benjamin Bennett S: Jonathan Perry V: 4-0-1 (CNV)

ROLL CALL VOTE TALLY:

YEAS: Benjamin Bennett, Walter Phelps, Leonard Pete, and Jonathan Perry

NAYS: NONE

EXCUSED: Davis Filfred

23rd NAVAJO NATION COUNCIL

Fourth Year 2018

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL # 0183-18:

An Action Relating to Resources and Development, Budget and Finance and Naabikiyati Committees, and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Two Million Twenty-Two Thousand, Four Hundred Fifty-Two Dollars (\$2,022,452) to Coalmine Canyon Chapter for Telecommunication Services *Sponsored by Walter Phelps and Lee Jack, Sr., Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,


Seth Damon, Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

19 June 2018

The vote was **3** in favor **1** opposed *Yea votes: Tuchoney Slim, Jr., Lee Jack, Sr., Tom T. Chee Nay vote: Leonard Tsosie Motion: Tuchoney Slim, Jr. Second: Lee Jack, Sr.*

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0183-18

An Action Relating to Resources and Development, Budget and Finance, and Naabik'íyáti' Committees and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Two Million Twenty-Two Thousand, Four Hundred Fifty-Two Dollars (\$2,022,452) to Coalmine Canyon Chapter for Telecommunication Services

Sponsored by: Honorable Walter Phelps

Co-Sponsored by: Honorable Lee Jack, Sr.

Has had it under consideration and reports the same **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE*

28 JUNE 2018

MAIN MOTION

Motioned by: Honorable Kee Allen Begay, Jr.

Seconded by: Honorable Tuchoney Slim, Jr.

Vote: 10 in Favor, 01 Opposed (Chairman Bates not voting)

Per N.N.C. § 700 (D), "A quorum of the committee shall be satisfied by the presence of two (2) members of each standing committee..."

NAVAJO NATION

RCS# 950

Naa'bik'iyati Committee

6/28/2018
09:02:01 PM

Amd# to Amd#
MOT Begay, K
SEC Slim

Legislation 0183-18: Approving
Supplemental Funding from the
UUFB

PASSED

Yea : 10

Nay : 1

Excused : 0

Not Voting : 13

Yea : 10

Begay, K
Begay, S
Filfred

Hale
Perry
Phelps

Slim
Smith

Tso
Witherspoon

Nay : 1

Tsosie

Excused : 0

Not Voting : 13

Bates
Begay, NM
BeGaye, N
Bennett

Brown
Chee
Crotty

Damon
Daniels
Jack

Pete
Shepherd
Yazzie