

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NAABIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$190,649.00 TO THE DEPARTMENT OF DINÉ EDUCATION, OFFICE OF NAVAJO NATION LIBRARY AND WAIVING 12 N.N.C. § 820 (E) AND (F)

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation established the Health, Education and Human Services Committee as a Navajo Nation Council standing committee and as such gave the Committee oversight over matters impacting the health of the Navajo Nation and its tribal organizations, entities, and enterprises. 2 N.N.C. § 401(B)(1).
- B. The Navajo Nation established the Budget and Finance Committee (BFC) as a Navajo Nation Council standing committee and as such empowered BFC to review and recommend to the Navajo Nation Council the management of all funds. 2 N.N.C. §§ 164 (A)(9), 300 (A), 301 (B)(2).
- C. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A).

Section Two. Findings

- A. The Title 12 Finance Act Supplemental Appropriation requirements include:
 - 1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be allocated by the Navajo Nation Council.
 - 2. Pursuant to 12 N.N.C. § 820 (L), "Supplemental appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes,

as set forth at § 820 (F). The Controller of the Navajo Nation shall be responsible for designating recurring and non-recurring revenues and purposes."

3. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget ("OMB") for budget impact analysis.
- B. This is a funding request for a supplemental appropriation from the Unreserved, Undesignated Fund Balance in the amount of \$190,649.00.
- C. The Office of Navajo Nation Library's funding request is for the ONEO Oral History Collection ("Collection") preservation that was gathered in 1968 and has been stored for 49 years. See **Exhibit A**.
- D. If the Office of the Navajo Nation Library secures funding from the State and Federal government the Collection will be open to the public for viewing. However, if the Navajo Nation funds the preservation of the Collection the culturally sensitive materials will remain closed to the public.
- E. The supplemental funding request forms are attached as **Exhibit A**.
- F. The Office of Management and Budget provides a Budget Impact Analysis as required by 12 N.N.C. § 820(M), attached as **Exhibit C**.
- G. The Office of the Controller has provided a memorandum dated April 13, 2018, indicating the balance in the Unreserved, Undesignated Fund Balance as of April 11, 2018 is \$10,073,560. This memorandum is provided to meet the requirements of 12 N.N.C, 820 (L); the Controller of the Navajo Nation has designated the funds as recurring. This memorandum is attached as **Exhibit B**.
- H. The Navajo Nation finds it in the best interest of the Navajo people to approve this supplemental appropriation request.

Section Three. Approving the Waiver of 12 N.N.C. §820 (E) and (F).

With the Controller's designation of this appropriation as a recurring cost, the Navajo Nation waives 12 N.N.C. §820 (E) and (F) regarding the restriction on recurring and non-recurring costs.

Section Four. Approving the Supplemental Appropriation from the Unreserved, Undesignated Fund Balance in the Amount of \$190,649.00 to the Office of the Navajo Nation Library to preserve the ONEO Oral History Collection

- A. This supplemental appropriation of \$190,649.00 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and to Business Unit Number 109006.
- B. The Navajo Nation hereby approves the supplemental appropriation from the Unreserved, Undesignated Fund Balance to the Navajo Nation Office of the Navajo Nation Library for Business Unit 109006 for \$190,649.00.

Section Five. Effective Date

The provisions of this Act shall become effective in accordance with 2 N.N.C. § 221(B).

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 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 18 in favor and 03 opposed, on this 17th day of April 2018.



LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

4-27-18


Date

Motion: Honorable Steven Begay
Second: Honorable Nelson BeGaye

Speaker Bates 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 7th day of May 2018.



Russell Begaye, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2018 for reason(s) _____ expressed in the attached letter to the Speaker

Russell Begaye, President
Navajo Nation

3. I, hereby, exercise line item veto pursuant to the 2010, certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this _____ day of _____ 2018.

Russell Begaye, President
Navajo Nation

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

EXHIBIT

A

tabbies

PART I. Business Unit No.: 109006 **Program Title:** Office of Navajo Nation Library 001 5 2017
Division/Branch: DODE/Executive **Amount Requested:** \$190,649 **Phone No.:** X7303 or 6376
Prepared By: Irving Nelson **Email Address:** irvingnelson@nndode.org

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The ONEO Oral History Collection was gathered in 1968 and have been stored for 49 years. They are in dire need of being preserved. The reel-to-reel tapes are fragile and will soon disintegrate if nothing is done to preserve them. This collection contains first person narratives on Navajo social life and customs in 1968 from across the entire Navajo Nation. The collection is culturally sensitive and time is of essence to preserve them for future generations.

PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

There are funds available from the state and national levels; however, if those funding sources are secured, then the funding agencies have a firm condition that the collection must be open to the general public. This means that the culturally sensitive collection will be made available to anyone wanting to use the collection. Navajo Nation funding will ensure that the culturally sensitive materials remain culturally sensitive.

PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:

None, due to Part III above.

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


REVIEWED BY: Division Director's Signature / Date

 10/10/17
RECOMMEND APPROVAL: Branch Chief's Signature / Date

NOV 30 2017

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 4
BUDGET FORM 1

FY 2018

Received

11/30/17

Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

PART I. Business Unit No.: 109006		Program Title: Office of Navajo Nation Library		Division/Branch: DODE/Executive Branch	
Prepared By: Irving Nelson		Phone No.: (928) 871-7303 or 6376		Email Address: irvingnelson@nndode.org	

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	(A) NNC Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
General Funds		10/01/17/09/30/18	190,649.00	100%					272,357		(272,357)
JUFB FUNDING SOURCE									13,730		(13,730)
					2001 Personnel Expenses						0
					3000 Travel Expenses						(18,908)
					3500 Meeting Expenses						(4,300)
					4000 Supplies				18,908		(2,004)
					5000 Lease and Rental				4,300		(2,300)
					5500 Communications and Utilities				2,004		190,649
					6000 Repairs and Maintenance				2,300		(4,624)
					6500 Contractual Services						0
					7000 Special Transactions						0
					8000 Public Assistance						0
					9000 Capital Outlay						0
					9500 Matching Funds						0
					9500 Indirect Cost						(127,574)
TOTAL					TOTAL				\$318,223.00	190,649.00	

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		7	0
Total # of Permanently Assigned Vehicles:		1	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>Irving Nelson</u> 11/29/17 SUBMITTED BY: Program Manager's Signature and Date	Dr. Tommy Lewis, Jr. APPROVED BY: Division Director/Branch Chief's Printed Name <u>Tommy Lewis</u> 11/30/17 APPROVED BY: Division Director/Branch Chief's Signature and Date
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THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2018

PART I. PROGRAM INFORMATION: Business Unit No.: 109006		Program Name/Title: Office of Navajo Nation Library									
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE: GSCMY-19-07 - The purpose of the Office of Navajo Nation Library is to provide educational, informational, cultural and recreational materials and services to all residents of the Navajo Nation.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Program Performance Area: Number of reel-to-reel tapes transported to the digitization company											
Goal Statement: To physically transport 432 reel-to-reel tapes to Boulder, Colorado from Window Rock											
2. Program Performance Area: Number of reel-to-reel tapes to be digitized by the digitization company											
Goal Statement: The digitization company will digitize 216 reel tapes in per quarter											
3. Program Performance Area: Number of reel-to-reel tapes transported back from the digitization company											
Goal Statement: To physically transport 432 reel-to-reel tapes to Window Rock, Arizona from Boulder, Colorado											
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.											
Irving Nelson Program Manager's Printed Name						Dr. Timothy Lewis Jr. Division Director/Branch Chief's Printed Name					
<i>Irving Nelson</i> 4/17/18 Program Manager's Signature and Date						<i>Timothy Lewis Jr.</i> Division Director/Branch Chief's Signature and Date					

DETAILED BUDGET AND JUSTIFICATION

FY 2018

BUDGET FORM 4

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title:		109006	
Office of Navajo Nation Library			
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
6910	<p>Contract with an external digitization company that specializes in digitization of oral history collections on reel to reel tapes.</p> <p>Offier Contractual Services 6921 Other Services</p> <p>Pricing for Navajo Nation Library Audio Archive Project updated January 2017</p> <p>Project setup update metadata fields, add BWF fields (Project mgr, Chief Engineer) and documentation</p> <p>Preservation Masters - flat transfers Reel-to-reel to Archive Hard Drive @24/96 Includes basic tech & BWF metadata at no addl charge 20% Contingency for addl ONEO masters</p> <p>SUBTOTAL Preservation Masters</p> <p>Optimized Access Masters & Access Copies Process, store to Archive Hard Drive @ 24/96 Convert to MP3 @ 320 kbps & store to Archive Hard Drive 20% Contingency for addl ONEO masters</p> <p>SUBTOTAL Optimized Access Masters & Access Copies</p> <p>Other Items 10 TB hard drive backup hard drive replacement reels as needed archive quality replacement boxes as needed Shipping back to Window Rock AZ</p> <p>Estimated Total for Navajo Nation Library Audio Archive Project</p>	<p>190,649</p>	<p>190,649</p>
		TOTAL	190,649



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

Memorandum:

To: Navajo Nation Delegates
Navajo Nation Government

From: *Robert Willie*
Robert Willie, Accounting Manager
Office of the Controller

Date: April 13, 2018

Subject: Legislation 0449-17-UUFB \$190,649 to Dept. of Dine Ed., Office of Navajo Nation Library

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 are a number of other supplemental requests that will be considered by the Navajo Nation Council in the near future. This supplemental request is for a total of \$190,649 to fund ONEO Oral History Collection. This is an unfunded request which was not approved during the NNC Budget Session. 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 request we determined are 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.

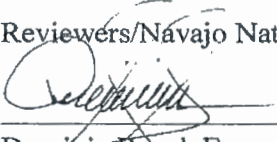


THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO : Reviewers/Navajo Nation Council

FROM : 
Dominic Beyer, Executive Director
Office of Management and Budget

DATE : December 14, 2017

SUBJECT : Legislation 0449-17: Supplemental Appropriation for Office of Navajo
Nation Library in the amount of \$190,649.

1. The balance in the available UUFB as of October 13, 2017 is \$31,258,217, according to the Office of the Controller.
2. During the NNC Budget Session this additional fund was requested, but it was vetoed. The amount was \$49,000 for consulting only. This amount has increased substantially.
3. In a memorandum dated October 2, 2017, OMB informed the Branch Chiefs and Navajo Nation Council that there are 30 UUFB proposals totaling more than \$46 million. Since then, there are more than 45 and the new total amount requested is about \$60 million. What are the priorities?
4. There are nine (9) other education-related proposals under consideration. The overall total is over \$7 million. This includes four (4) grants. Again what are the priorities?

Contact OMB, NFrancisco, SBA, at 871-6470 if there are any questions and/or concerns regarding this memorandum.



NAVAJO NATION

RCS# 1060

Spring Session

4/17/2018
09:27:34 PM

Amd# to Amd#

Legislation 0449-17:

PASSED

MOT Begay, S

Approving Supplemental Funding

SEC BeGaye, N

from the UUFB to DODE Office of
NN Library in Amount of \$190,649

Yea : 18

Nay : 3

Excused : 0

Not Voting : 3

Yea : 18

Begay, K

Brown

Hale

Slim

Begay, NM

Chee

Jack

Smith

Begay, S

Crotty

Perry

Tso

BeGaye, N

Daniels

Phelps

Yazzie

Bennett

Filfred

Nay : 3

Witherspoon

Pete

Damon

Excused : 0

Not Voting : 3

Tsosie

Bates

Shepherd