

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0289-20

**DATE:** November 18, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER, HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING CAP-35-18, SÍHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN, TO EXTEND PROJECT COMPLETION DEADLINES TO FORTY-EIGHT MONTHS**

**PURPOSE:** This resolution, if approved, will amend CAP-35-18 to extend the deadline and time-frame for the expenditure or encumbrance of project funds from twenty-four to forty-eight months and will authorize projects changes to be administratively approved through duly adopted Rules and Regulations.

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

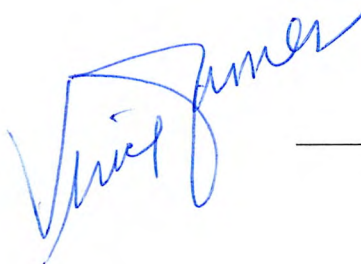
5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: 4:50pm 11-23-20  
Posting End Date: 11-28-20  
Eligible for Action: 11-29-20

Law & Order Committee  
Thence  
Health Education & Human Services Committee  
Thence  
Resources & Development Committee  
Thence  
Budget & Finance Committee  
Thence  
Naabik'íyáti' Committee  
Thence  
Navajo Nation Council

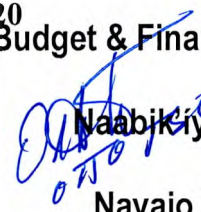
**PROPOSED NAVAJO NATION COUNCIL RESOLUTION**

**24<sup>th</sup> NAVAJO NATION COUNCIL – Second Year, 2020**

INTRODUCED BY



  
(Prime Sponsor)



TRACKING NO. 0289-20

**AN ACTION**

**RELATING TO LAW AND ORDER, HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING CAP-35-18, SÍHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN, TO EXTEND PROJECT COMPLETION DEADLINES TO FORTY-EIGHT MONTHS**

**BE IT ENACTED:**

**SECTION ONE. AUTHORITY**

- A. The Law and Order Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving public safety programs and to enable the Navajo Nation to more effectively provide efficient public safety services on the Navajo Nation. 2 N.N.C. § 600 (C) (6).
- B. The Health Education and Human Services Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving health, social services, education, general governmental services and human services. 2 N.N.C. §400 (C) (1).
- C. The Resource Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communications and utilities, information technology, chapter activities, economic

1 and community development, rights-of-way, public utilities and housing. 2 N.N.C. §  
2 500 (C).

3 D. The Budget and Finance Committee of the Navajo Nation Council is empowered to  
4 review and recommend to the Navajo Nation Council the budgeting, appropriation,  
5 investment, and management of all funds and to coordinate and review all fiscal,  
6 financial and investment activities of the Navajo Nation. 2 N.N.C. §§ 301 (B) (2) and  
7 (5).

8 E. The Naabik'iyáti' Committee of the Navajo Nation Council is empowered to review  
9 all proposed legislation which requires final action by the Navajo Nation Council. 2  
10 N.N.C. §164 (A) (9).

11 F. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §  
12 102 (A).

## 13 14 **SECTION TWO. FINDINGS**

15 A. In May of 2018, the 23<sup>rd</sup> Navajo Nation Council enacted Resolution No. CAP-35-  
16 18, attached as **Exhibit 1**, establishing the Síhasin Fund Powerline and Chapter  
17 Projects Expenditure Plan to fund 229 powerline, waterline and capital projects  
18 throughout the Navajo Nation.

19 B. The total cost of the 229 projects funded by the 23<sup>rd</sup> Navajo Nation Council through  
20 CAP-35-18 was one hundred million dollars (\$100,000,000); however, the  
21 President of the Navajo Nation line-item vetoed four (4) projects totaling eight  
22 hundred eighty-nine thousand three hundred fifty dollars (\$889,350). *See Exhibit*  
23 **2.**

24 C. The CAP-35-18 projects, depending on their readiness, were grouped into three (3)  
25 funding cycles: (1) Year One projects were to receive funding by the end of Fiscal  
26 Year 2018 (NTUA powerline projects) or the end of the third quarter of Fiscal Year  
27 2018 (Non-NTUA powerline projects); (2) Year Two projects were to receive  
28 funding by the end of the first quarter of Fiscal Year 2019; and (3) Year Three  
29 projects were to receive funding by the end of the first quarter of Fiscal Year 2020.  
30 **Exhibit 1.**

- 1 D. All CAP-25-18 project funds, regardless of the year funded, were required to be  
2 spent or encumbered within twenty-four months of distribution by the Office of the  
3 Controller to the Capital Projects Management Department (CPMD), LGA-  
4 certified Chapter, or Navajo Tribal Utility Authority (NTUA); any project funds  
5 not spent or encumbered within twenty-four months of distribution are to be  
6 reverted or reallocated to the Sihasin Fund.
- 7 E. The World Health Organization (WHO) declared a Public Health Emergency of  
8 International Concern related to the outbreak of coronavirus (COVID-19) on  
9 January 30, 2020, the U.S. Department of Health and Human Services declared a  
10 Public Health Emergency related to COVID-19 on January 31, 2020 and the WHO  
11 declared a global pandemic on March 11, 2020.
- 12 F. The Navajo Nation Commission on Emergency Management, with the concurrence  
13 of Navajo Nation President Jonathan Nez, declared a Public Health State of  
14 Emergency on the Navajo Nation on March 11, 2020 due to COVID-19. Resolution  
15 No. CEM 20-03-11. The Navajo Nation Department of Health subsequently issued  
16 numerous Public Health Emergency Orders. Public Health Orders 2020-001  
17 through 2020-029 are incorporated by reference into this resolution.
- 18 G. As of November 15, 2020, the Navajo Nation Health Command Operations Center  
19 has confirmed 13,373 COVID-19 cases and 602 COVID-19-related deaths on the  
20 Navajo Nation; confirmed COVID-19 cases and COVID-19-related deaths on the  
21 Navajo Nation have not subsided and continue to rise at an alarming rate.
- 22 H. The Public Health Emergency Orders and related Executive Orders closed Navajo  
23 Nation government programs and Chapters and non-essential businesses on the  
24 Navajo Nation for prolonged periods of time on different occasions; the shutdown  
25 of government programs, like CPMD and Chapters, combined with the closure of  
26 non-essential businesses created unavoidable, but still substantial, obstacles to the  
27 timely implementation and completion of CAP-35-18 projects within the required  
28 twenty-four month timeframe.
- 29  
30

1 I. The COVID-19 pandemic is not expected to subside in the near future and the  
2 Public Health Emergency Orders are predicted to remain in place for the  
3 foreseeable future.

4 J. CPMD has informed Navajo Nation leadership that it cannot overcome the COVID-  
5 19 obstacles in time to meet CAP-35-18's requirement that project funds be spent  
6 or encumbered within twenty-four (24) months of distribution; CPMD has  
7 requested that the time-frame for project funds to be spent or encumbered be  
8 extended. **Exhibit 3.**

9 K. The Navajo Nation finds it to be in the best interests of its Chapters, as well as the  
10 Navajo people, to amend CAP-35-18 to extend the time-frame to spend or  
11 encumber project funds to forty-eight months.

12  
13 **SECTION THREE. AMENDENDING CAP-35-18**

14 A. The Navajo Nation hereby extends the project completion deadline and time frames  
15 set forth in CAP-35-18, **Exhibit A**, from twenty-four (24) months to forty-eight (48)  
16 months.

17 B. The Navajo Nation also hereby amends CAP-35-18, Section Two, Paragraph S (4),  
18 as follows:

19 4. All of the proposed projects were vetted by CPMD and NTUA,  
20 respectively, for project readiness before being apportioned into the  
21 three-year plans base on project readiness status; therefore, if the  
22 funding for a project is not spent or encumbered within ~~twenty-four (24)~~  
23 forty-eight (48) months of distribution, the project funds should revert  
24 to the Síhasin Fund; and

25 C. The Navajo Nation also hereby amends CAP-35-18, Section Four, Paragraph A  
26 (2)(d), as follows:

27 d. Any individual Powerline or Waterline project funds that are not spent  
28 or encumbered within ~~twenty-four (24)~~ forty-eight (48) months of  
29 distribution to NTUA shall be returned to the Síhasin Funds; and  
30

1 D. The Navajo Nation hereby also amends CAP-35-18, Section Four, Paragraph A  
2 (3)(g), as follows:

3 g. Any individual Chapter or non-NTUA Powerline Project funds that are  
4 not spent or encumbered within ~~twenty-four (24)~~ forty-eight (48)  
5 months of distribution to CPMD or transfer to a LGA Certified Chapter  
6 shall be returned to the Síhasin Fund;

7 E. The Navajo Nation hereby also amends CAP-35-18, Section Four, Paragraph C, as  
8 follows:

9 C. A chapter project, powerline, or waterline project may be changed,  
10 including the year funded, or added to Exhibits A through E with  
11 concurrence of the Delegate representing the Chapter's Council District  
12 and the approvals of the Resources and Development Committee and  
13 Budget and Finance Committee, or through Rules and Regulations duly  
14 delegated and adopted thereby, as long as such project has been certified  
15 as construction-ready by CPMD or NTUA and the total Síhasin Funding  
16 for the District does not exceed \$4,166.666.67.

17  
18 **SECTION FOUR. EFFECTIVE DATE**

19 This Action shall become effective pursuant to 2 N.N.C. § 221 (B) and apply  
20 retroactively to CAP-35-18 Year One projects, as well as prospectively to Year Two and  
21 Year Three projects.

22  
23 **SECTION FIVE. DIRECTIVES**

24 A. CPMD, Office of the Controller (OOC), Office of Management & Budget (OMB),  
25 and LGA Certified Chapters, as well as NTUA, shall take all steps necessary to  
26 expeditiously revise, if necessary, applicable Memorandum of Agreements to reflect  
27 these amendments to CAP-35-18.

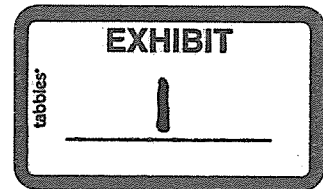
28 B. All Navajo Nation programs named in this legislation, as well as NTUA and LGA-  
29 certified Chapters, shall be held accountable for the implementation of these  
30 amendments to CAP-35-18 and the continued progress of tasks under their

responsibility and control and shall participate in work group meetings, if any, necessary to expeditiously implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan.

- C. CPMD, OOC and OMB shall work with the Department of Justice to develop Rules and Regulations that conform with CAP-35-18 to administratively approve project changes that are currently approved through Committee legislation. Such Rules and Regulations shall be presented to the Resources and Development Committee and Budget and Finance Committee within sixty (60) days after enactment of this legislation.

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

23<sup>rd</sup> NAVAJO NATION COUNCIL -- Fourth Year, 2018



AN ACTION

RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SÍHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18, AND 12 N.N.C §§ 2501 - 2508, AS AMENDED; WAIVING 12 N.N.C. §§ 810 (F), 820 (I) AND (M) AND 860 (C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

BE IT ENACTED:

Section One. Authority

- A. The Health Education and Human Services Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving health, social services, education, general governmental services and human services. 2 N.N.C. §400 (C) (1).
- B. The Resource Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communications and utilities, information technology, chapter activities, economic and community development, rights-of-way, public utilities and housing. 2 N.N.C. § 500 (C).
- C. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. §§ 301 (B) (2) and (5).
- D. The Naabik'íyáti' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164 (A) (9).
- E. The Naabik'íyáti' Committee additionally has the authority to delegate its authority as appropriate for efficiency and streamlining of government process to appropriate entities



and to establish a subcommittee that consists of committee members which the committee selects. 2 N.N.C. §§ 186 and 701 (B). The Naabik'iyáti' Committee adopted NABIAP-20-15 establishing the Naabik'iyáti' Síhasin Fund Subcommittee to "recommend to the Naabik'iyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund]".

- F. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

## **Section Two. Findings**

- A. On November 1, 2006, the 20<sup>th</sup> Navajo Nation Council unanimously passed Resolution No. CN-57-06 authorizing the Navajo Nation Attorney General to file a lawsuit against the United States for the alleged breach of its fiduciary duties to the Nation arising under treaties, executive orders, public laws, statutes, regulations and contracts due to its mismanagement of the Nation's tribal trust assets, including tribal trust funds and select tribal resources, specifically excluding water and assets held in trust for individual Navajo members. Resolution No. CN-57-06 was signed into law by the President of the Navajo Nation on November 13, 2006.
- B. On September 26, 2013, the Naabik'iyáti' Committee of the Navajo Nation Council passed NABIS-42-13 creating a Trust Mismanagement Litigation Task Force ("Task Force"), composed of Council Delegates, from each agency and each standing committee, as well as Presidential appointees, to assist and consult with the Navajo Nation Office of the Attorney General, Department of Justice, outside legal counsel and the Office of the Navajo Nation President & Vice-President in evaluating whether any proposals put forth by the United States to settle the lawsuit, *Navajo Nation v. United States*, No. 06-945L, (United States Court of Federal Claims) were in the best interests of the Nation.
- C. On May 16, 2014, the United States made a settlement offer that was acceptable to the Nation's Attorney General, outside legal counsel, the Task Force and the Office of the President & Vice-President as being in the best interests of the Navajo Nation and on May 30, 2014, the 22<sup>nd</sup> Navajo

Nation Council adopted Resolution No. CMY-28-14 accepting a settlement of the Navajo Nation's lawsuit, *Navajo Nation v. United States*, No. 06-945L, against the United States for its historical mismanagement of the tribe's trust assets and its failure to ensure that the Navajo Nation received all funds due and owed under the United States' trust obligations and fiduciary duties. Resolution No. CMY-28-14 was signed into law by the President of the Navajo Nation on June 4, 2014.

- D. The 22nd Navajo Nation Council recognized that during the many decades that the United States was in breach of its trust obligations and fiduciary duties to the Nation and engaged in the mismanagement of the Nation's tribal trust assets and resources, the tribal government was without sufficient funds to provide basic services and amenities to the Diné of past generations. The tribal government was also without funds to develop an infrastructure within the four sacred mountains that would support the growth and development of opportunities crucial for the prosperity of future generations of Diné. See Resolution No. CMY-28-14.
- E. Between October 6, 2014 and November 8, 2014, the Office of the Speaker held seven (7) Public Hearings, as directed by the Navajo Nation Council's Naabik'iyati' Committee, to receive input from Navajo Nation members on how the net proceeds from *Navajo Nation v. United States* should be used. During that same time period, the Office of the President & Vice-President also held five (5) town hall meetings for a similar purpose.
- F. On December 13, 2014, in the best interests of the Nation and consistent with the collective wishes expressed by its members, the 22<sup>nd</sup> Navajo Nation Council adopted Resolution No. CD-68-14 enacting the Navajo Nation Breach of Trust Settlement Act of 2014 (hereinafter "2014 Act") and establishing the Navajo Nation Síhasin Fund at 12 N.N.C. § 2501 et seq. The President of the Navajo Nation signed Resolution No. CD-68-14 into law on December 31, 2014.
- G. On January 31, 2018, the 23<sup>rd</sup> Navajo Nation Council adopted Resolution No. CJA-03-18 enacting amendments to CD-68-14 clarifying the intent of the 22<sup>nd</sup> Navajo Nation Council, including that Síhasin Fund infrastructure projects were not to be limited by 12 N.N.C. § 1310(F) (Navajo Nation Bond Financing Act) or by TCDCJY-77-99 (Capital Improvement Projects Guidelines Policies and Procedures).

Resolution No. CJA-03-18 was signed into law by the President of the Navajo Nation on February 8, 2018.

- H. The 2014 Act, as amended by CJA-03-18, mandates that the net proceeds and earnings thereon received by the Navajo Nation from the settlement of *Navajo Nation v. United States*, No. 06-945L, be deposited into the Síhasin Fund and managed and invested to provide financial support and/or financing for (1) the planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation; and/or (2) education opportunities for members of the Navajo Nation. See 12 N.N.C § 2501 and § 2502 (A), as amended.
- I. The 2014 Act, as amended, also established that "leveraging of the [Síhasin] Fund by way of guaranteeing loans, match funding, direct funding in part and other weighted uses of the Fund, including loan financing from the Fund for the purposes in § 2502 (A)(1), shall be favored over direct funding in whole". 12 N.N.C § 2502 (C), as amended.
- J. The 2014 Act further established that with the exception of outstanding and accrued litigation costs, Síhasin Fund Principal and Income shall only be expended pursuant to a Fund Expenditure Plan consistent with the purposes set forth in the 2014 Act, as amended, at 12 N.N.C. §2502 and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council. See 12 N.N.C. § 2505 (A).
- K. On April 9, 2015, the Naabik'íyáti' Committee adopted NABIAP-20-15 establishing the Naabik'íyáti' Síhasin Fund Subcommittee to "recommend to the Naabik'íyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund]".
- L. Between April 2015 and March 2018, the Subcommittee, assisted by the Office of Legislative Services, Office of the Speaker, Office of Legislative Counsel and outside legal counsel, met on more than thirty (30) occasions in either work sessions or official meetings to review and evaluate comments and recommendations from the Navajo

People; hear proposals from Navajo Nation entities, Chapters, programs and officials; and develop expenditure plan(s) for the Síhasin Fund Principal and Income consistent with the purposes set forth in the 2014 Act, as amended.

- M. After reviewing the comments and recommendations submitted during the Public Hearings and town hall meetings, as well as the reports and comments made during Síhasin Fund Subcommittee meetings, the Subcommittee determined that powerline projects and Chapter capital and economic development projects were a high priority for Navajo communities and that the funding of such projects would afford Navajo communities the opportunity to start and complete local projects currently stalled by the lack of sufficient funds, apply for additional state and federal funds requiring an identified match, as well as support CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, spur economic development at the local level and provide amenities to Navajo communities.
- N. In November of 2017, the Subcommittee issued a directive to the Speaker of the Navajo Nation Council to develop a nationwide powerline projects expenditure plan combining Undesignated Unreserved Fund Balance ("UUFB") and Síhasin Funds to total one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts equaling \$4,166,666.67 per District. On February 15, 2018, the Navajo Nation Council issued a further directive to the Speaker to have his staff meet with Navajo Nation Council Delegates and the Chapters they represent to develop a nationwide powerline and chapter projects expenditure plan for one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts with the Síhasin Fund as the intended funding source.
- O. Between March 5, 2018 and March 16, 2018, Office of the Speaker staff, contract legal counsel, Capital Projects Management Department ("CPMD") staff, and Navajo Tribal Utilities Authority ("NTUA") staff, met twice with each Council Delegate and their Chapter representatives, including but not limited to Chapter Officials, Chapter Managers and Community Service Coordinators, to review each District's proposed projects for (1) compliance with the 2014 Act's, as amended, purpose of "the planning and development of economic development and regional

infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; and (2) readiness status, e.g., project ready, construction ready or shovel ready, as applied by CPMD.

- P. Powerline, economic development and infrastructure projects were proposed at the March meetings including, but not limited to, Head Start facilities, senior and veteran centers, and road improvements. A listing of the proposed projects, including match and contribution funding, is included on attached **Exhibits A through E**.
- Q. To ensure that Síhasin Funds are not prematurely withdrawn and continue to earn investment earnings for as long as possible, CPMD, with the assistance of the Office of the Speaker and NTUA, compiled the proposed projects into nationwide three-year funding plans, i.e., Chapter Projects, NTUA Powerlines, Non-NTUA Powerlines, and Waterlines, attached as **Exhibits A through E**, based on individual project readiness status.
- R. On March 23, 2018, contract legal counsel and CPMD updated the Síhasin Subcommittee on the Office of the Speaker's efforts to develop the powerline and Chapter projects expenditure plan, including the identification of almost twenty million dollars (\$20,000,000.00) in already secured project matching funds.
- S. During the update to the Síhasin Subcommittee, the following accountability and implementation measures were discussed:
  - 1. Due to their experience and expertise, as well as economies of scale, the funding and responsibility for implementing Chapter projects and Non-NTUA Powerline projects should be allocated to CPMD with a template in place, e.g., Memorandum of Agreement or other form of grant agreement, for CPMD to transfer the project funds and responsibilities to Local Governance Act Certified Chapters at their request;
  - 2. Due to their experience and expertise, as well as community need to lock-in project pricing, the funding

and responsibility for NTUA Powerline and waterline projects should be allocated directly to NTUA;

3. If the funding for NTUA Powerline and Waterline projects is disbursed directly to NTUA and the funding for Chapter and non-NTUA Powerline projects is disbursed directly to CPMD, the funding for projects at Chapters sanctioned pursuant to 12 N.N.C. § 9 should not be subject to § 9 (B)'s ten percent (10%) withholding;
  4. All of the proposed projects were vetted by CPMD and NTUA, respectively, for project readiness before being apportioned into the three-year plans based on project readiness status; therefore, if the funding for a project is not spent or encumbered within twenty-four (24) months of distribution, the project funds should revert to the Síhasin Fund; and
  5. To support expeditious administration and implementation of the more than two hundred (200) Chapter projects, CPMD operations should be supplemented with administrative costs.
- T. In addition, during the District meetings with Delegates and their Chapter officials and community representatives to select and vet powerline and Chapter projects, concerns were raised that the President's line-item veto of even a single project would disrupt the equal distribution of funds among the Districts, as well as, negate local choice in project selection and impair Chapter and community efforts to procure additional matching funds from federal and state sources.
- U. The Navajo Nation Council finds that the Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, meets the purposes of the 2014 Act, as amended, i.e., "the planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; as well as the leveraging preference criteria of the 2014 Act, as Síhasin Funds will only fund a portion of the overall total cost of the projects with at least \$19,440,279.45, as

set forth on **Exhibits A through E**, of projects' costs covered by other Navajo Nation funds or federal, state or private entities through match funding, joint funding, contribution funding, cost-share funding or similar arrangements and agreements.

- V. The Navajo Nation Council also finds that the proposed Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, supports community choice and addresses CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, provide economic development at the local level and provide amenities to Navajo communities.
- W. The Navajo Nation Council hereby determines that allocating Síhasin Funds to implement the Powerline and Chapter Projects Expenditure Plan, as set forth in **Exhibits A through E**, fits within the priorities established under the July 20, 2015 One Nation, One Voice Navajo Nation Three Branch Agreement and that it is in the best interests of the Navajo Nation, as well as in the best interests of community development, the expansion of infrastructure(s) on the Navajo Nation, economic development at the local level and the provision of amenities to Navajo communities, to adopt the Síhasin Fund Powerline and Chapter Projects Expenditure Plan, attached as **Exhibits A through E**.

### **Section Three. Approval and Adoption of Expenditure Plan**

- A. The Navajo Nation hereby approves and adopts the Síhasin Fund Powerline and Chapter Projects Expenditure Plan, attached and incorporated herein as **Exhibits A through E**.
- B. The Navajo Nation hereby approves and adopts total funding from the Síhasin Fund in the amount of one hundred million six hundred thousand dollars (\$100,600,000.00) with \$18,696,787.92 allocated to Navajo Tribal Utility Authority ("NTUA") for powerline projects; \$4,242,192.99 allocated to NTUA for waterline projects; \$74,076,413.86 allocated to Captial Projects Management Depart ("CPMD") for Chapter projects; \$3,584,605.24 allocated to CPMD for Non-NTUA powerline projects; as summarized in **Exhibit A**, to implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan as follows:
  - 1. Year 1: The distribution of \$42,294,332.87 of Síhasin Funds in Navajo Nation Fiscal Year 2018 allocated as

follows: \$2,866,370.94 to NTUA for the first year of NTUA Powerline projects, as set forth in **Exhibit B**; \$560,557.00 to NTUA for the first year of Waterline projects, as set forth in **Exhibit E**; \$37,423,205.14 to CPMD for the first year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,444,199.79 to CPMD for the first year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

2. Year 2: The distribution of \$46,203,956.06 of Síhasin Funds in Navajo Nation Fiscal Year 2019 allocated as follows: \$12,154,756.58 to NTUA for the second year of NTUA Powerline projects, as set forth in **Exhibit B**; \$1,068,666.66 to NTUA for the second year of Waterline projects, as set forth in **Exhibit E**; \$31,124,968.21 to CPMD for the second year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,855,564.61 to CPMD for the second year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

3. Year 3: The distribution of \$12,101,711.08 of Síhasin Funds in Navajo Nation Fiscal Year 2020 allocated as follows: \$3,675,660.40 to NTUA for the third year of NTUA Powerline projects, as set forth in **Exhibit B**; \$2,612,969.33 to NTUA for the third year of Waterline projects, as set forth in **Exhibit E**; \$5,528,240.51 to CPMD for the third year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$284,840.84 to CPMD for the third year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

C. The Síhasin Funds allocated for the Síhasin Fund Powerline and Chapter Projects Expenditure Plan may be further leveraged by the Navajo Nation through bond or loan financing pursuant to the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 et seq., as amended, using Síhasin Fund Earnings for repayment and financing costs upon the recommendation of the Budget & Finance Committee and approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

#### **Section Four. Approval and Adoption of Expenditure Plan Administration**



A. The Navajo Nation hereby approves administration of the Síhasin Fund Powerline and Chapter Projects Expenditure Plan as follows:

1. The Navajo Nation Controller shall determine whether the source(s) of the annual distributions of the \$100,600,000.00 will be Síhasin Fund Principal or Income or a combination of both;
2. **NTUA Powerline and Waterline Projects.** The annual distributions for NTUA Powerline and Waterline Projects, as set forth in **Exhibits B and E**, shall be released to NTUA through Grant Agreement(s), executed pursuant to 2 N.N.C. §164 (B), as amended, as follows:
  - a. The First Year (Fiscal Year 2018) distributions shall be released to NTUA by no later than the end of Navajo Nation Fiscal Year 2018;
  - b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions shall be released to NTUA by no later than the end of the first quarter of the respective Navajo Nation Fiscal Year;
  - c. NTUA shall not require the Navajo Nation, including its Chapters, nor Navajo individuals, to contribute more funding to complete any project listed in **Exhibits B and E**, regardless of year funded;
  - d. Any individual Powerline or Waterline project funds that are not spent or encumbered within twenty-four (24) months of distribution to NTUA shall be returned to the Síhasin Fund; and
  - e. NTUA shall account for the Síhasin Funds spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
3. **Chapter and Non-NTUA Powerline Projects.** The annual distributions for Chapter and Non-NTUA Powerline Projects, as set forth in **Exhibits C and D**, shall be released to CPMD as follows:

- a. The First Year (Fiscal Year 2018) distributions, including administration costs, shall be released to CPMD by no later than the end of the third quarter of Navajo Nation Fiscal Year 2018;
- b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions, including administration costs, shall be released to CPMD by the end of the first quarter of the respective Navajo Nation Fiscal Year;
- c. Annual distributions to CPMD for administration costs shall not lapse on an annual basis pursuant to 12 N.N.C. §820 (N) or otherwise be returned to or deposited in the Síhasin Fund principal or Navajo Nation General Fund until such time as all Chapter Projects listed on Exhibit C are fully completed;
- d. 12 N.N.C. § 9 (B) is hereby waived and individual Chapter and non-NTUA Powerline Projects implemented and administered by CPMD shall not be subject to 12 N.N.C. § 9 (B)'s ten percent (10%) withholding;
- e. Individual Chapter and non-NTUA Powerline Projects shall be implemented and administered by CPMD consistent with the Navajo Nation Budget Instruction Manual, as amended, unless inconsistent with other provisions of this resolution;
- f. If requested, CPMD may transfer individual Chapter Project funds, accountability, and responsibility to a Local Governance Act ("LGA") Certified Chapter pursuant to a Memorandum of Agreement or other form of grant agreement executed pursuant to 2 N.N.C. § 164 (B), as amended;
- g. Any individual Chapter or non-NTUA Powerline Project funds that are not spent or encumbered within twenty-four (24) months of distribution to CPMD or transfer to a LGA Certified Chapter shall be returned to the Síhasin Fund;

- h. With the exception of project funds and responsibilities transferred to LGA Certified Chapters, CPMD shall account for the Sihasin Funds spent and such accounting or expenditure report shall be included as part of the Executive Branch's quarterly program report submitted to the Resources and Development Committee; and
  - i. LGA Certified Chapters that have been granted Sihasin Fund project funds and responsibilities, shall account for the money spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
- B. NTUA, CPMD and LGA Certified Chapters shall have the authority to enter into match, funding, partnership, cooperative and other cost saving or cost sharing arrangements or leveraging agreements with Navajo Nation entities and enterprises, Navajo Nation Chapters and other political subdivisions, other Navajo Nation programs and federal and state agencies and such agreements shall not be deemed procurement contracts subject to the Navajo Nation Procurement Act, 12 N.N.C. §§ 301 - 371 or Navajo Business Opportunity Act 5 N.N.C. §§ 201 - 215.
  - 1. Notwithstanding the above, all Chapters, working in conjunction with NTUA and/or CPMD, shall have the continuing responsibility to identify ways to further leverage the allocated Sihasin Funds;
  - 2. NTUA and CPMD shall each present an annual leveraging report to the Resource & Development Committee and Budget & Finance Committee during the first quarter of each Navajo Nation Fiscal Year identifying the efforts and success of Chapter(s) in securing additional matching or contribution funding; and
  - 3. With the approval of the Resources & Development Committee, any project costs saved or reduced through leveraging or otherwise shall be available for expenditure on any other project within the respective Chapter deemed construction-ready by CPMD; if there are no construction-ready projects within the respective Chapter, then, with the approval of the

Resources & Development Committee, the saved or reduced costs shall be available for expenditure on any other project within the respective District.

- C. A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed \$4,166,666.67.
- D. NTUA, CPMD and LGA Certified Chapters shall report the status of the Síhasin Funds allocated or transferred to them to implement the Powerline and Chapter Projects Expenditure Plan, specifically including the use and status of the Síhasin Funds and the status of projects for which they are responsible, to the Resources & Development, Budget & Finance and Naabik'iyáti' Committees and Office of the President & Vice-President on a quarterly basis.

**Section Five. Waiving Navajo Nation Code Provisions Regarding the Capital Budget and Capital Improvement Process Effective Date**

Notwithstanding that Síhasin Fund projects are specifically not subject to the Capital Improvement Projects Guidelines Policies and Procedures set forth by TCDCJY-77-99, the Navajo Nation hereby waives the application of 12 N.N.C. § 810 (F), §§ 820 (I) and (M) and § 860 (C) regarding the Capital Budget and Improvement processes to the Powerline and Chapter Projects Expenditure Plan.

**Section Six. Effective Date**

The Síhasin Fund Powerline and Chapter Projects Expenditure Plan, as set forth above, shall become effective pursuant to 12 N.N.C. § 2505.

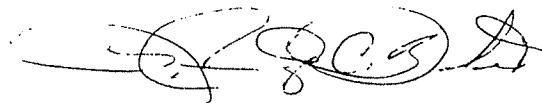
**Section Seven. Directives**

- A. All Navajo Nation programs, specifically including, but not limited to, the Office of Controller, Office of Management & Budget, CPMD, and Chapters, as well as NTUA, shall take all steps necessary to expeditiously implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan.

- B. All Navajo Nation programs, as well as NTUA, named in this legislation shall be held accountable for the progress of tasks under their responsibility and control and shall participate in work group meetings, if any, necessary to expeditiously implement the Sihasin Fund Powerline and Chapter Projects Expenditure Plan.
- C. Office of Legislative Services will adjust all figures throughout the legislation and exhibits to reflect amendment totals, with the concurrence of the sponsor. The Navajo Nation directs the Office of Legislative Services to recalculate the final monetary totals such that the figures conform to the amendments passed by the Navajo Nation.

#### 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 21 in favor and 00 opposed, on this 17<sup>th</sup> day of April 2018.



LoRenzo C. Bates, Speaker  
Navajo Nation Council

4-27-18

Date

Motion: Honorable Seth Damon  
Second: Honorable Steven Begay

Speaker Bates not voting

## ACTION BY THE NAVAJO NATION PRESIDENT:

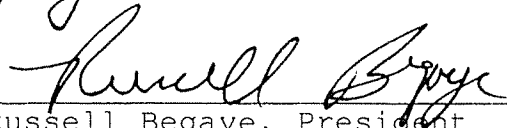
1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(10), on this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
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 7<sup>th</sup> day of May 2018.

  
\_\_\_\_\_  
Russell Begaye, President  
Navajo Nation

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN  
(COVER SHEET)**

**EXHIBIT:**

**A**

**NUMBER OF PROJECT FOLDERS**

|                                |                          |
|--------------------------------|--------------------------|
| <b>CAPITAL PROJECTS</b>        | <b>\$ 74,076,413.86</b>  |
| <b>NTUA POWERLINE PROJECTS</b> | <b>\$ 18,696,787.92</b>  |
| <b>NON-NTUA PROJECTS</b>       | <b>\$ 3,584,605.24</b>   |
| <b>NTUA WATERLINE PROJECTS</b> | <b>\$ 4,242,192.99</b>   |
| <b>SUBTOTAL</b>                | <b>\$ 100,600,000.01</b> |

**182**

**29**

**9**

**9**

**229**

|                               |                          |
|-------------------------------|--------------------------|
| <b>SIHAASIN APPROPRIATION</b> | <b>\$ 100,600,000.00</b> |
|-------------------------------|--------------------------|

**\$ (0.01) (Rounding Error)**

|                                | <b>YEAR 1</b>          | <b>YEAR 2</b>          | <b>YEAR 3</b>          | <b>MATCHING FUNDS</b>  |
|--------------------------------|------------------------|------------------------|------------------------|------------------------|
| <b>CAPITAL PROJECTS</b>        | <b>\$37,423,205.14</b> | <b>\$31,124,968.21</b> | <b>\$5,528,240.51</b>  | <b>\$17,842,593.31</b> |
| <b>NTUA POWERLINE PROJECTS</b> | <b>\$2,866,370.94</b>  | <b>\$12,154,756.58</b> | <b>\$3,675,660.40</b>  | <b>\$540,156.79</b>    |
| <b>NON-NTUA PROJECTS</b>       | <b>\$1,444,199.79</b>  | <b>\$1,855,564.61</b>  | <b>\$284,840.84</b>    | <b>\$3,913,859.66</b>  |
| <b>NTUA WATERLINE PROJECTS</b> | <b>\$560,557.00</b>    | <b>\$1,068,666.66</b>  | <b>\$2,612,969.33</b>  | <b>\$15,110,777.71</b> |
|                                | <b>\$42,294,332.87</b> | <b>\$46,203,956.06</b> | <b>\$12,101,711.08</b> | <b>\$37,407,387.47</b> |

# EXHIBIT: B

## SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN (NTUA POWERLINES)

| NO. | CHAPTER                | PROJECT DESCRIPTION   | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1<br>FUNDING | YEAR 2<br>FUNDING | YEAR 3<br>FUNDING | MATCHING<br>FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|------------------------|---|--|---------------------|-------------------|-------------------|-------------------|---------------------------------|----------------------------|
| 1   | Many Farms             | Powerline Phase II  | Design/Construction  | 18-24 months        | \$37,432.20       | \$227,567.80      | \$0.00            | \$0.00                          | \$265,000.00               |
| 2   | Tselani/<br>Cottonwood | Powerline Ext. Ph I, II, &<br>Scattered                             | ROW/Pre-Design   | 18-24 months        | \$0.00            | \$265,000.00      | \$0.00            | \$0.00                          | \$265,000.00               |
| 3   | Tsaile/ Wheatfields    | Rural Electrification Project<br>Horseshoe Canyon<br>Powerline Ext. | ROW/Pre-Design   | 18-24 months        | \$0.00            | \$191,493.75      | \$0.00            | \$0.00                          | \$191,493.75               |
| 4   | Sawmill                | Powerline ext.  | Pre-Design   | 12 months           | \$120,000.00      | \$0.00            | \$0.00            | \$0.00                          | \$120,000.00               |
| 5   | Dennehotsot            | Scattered Powerline Project   | Design/Construction  | 18-24 months        | \$40,031.25       | \$418,220.75      | \$0.00            | \$0.00                          | \$458,252.00               |
| 6   | Chilchinbeto           | Powerline-Assay: 2nd phase  | Design/Construction  | 18-24 months        | \$115,000.00      | \$1,071,765.53    | \$0.00            | \$20,000.00                     | \$1,186,765.53             |
| 7   | Ojato                  | Powerline Project   | Design/Construction  | 24-36 months        | \$0.00            | \$400,000.00      | \$641,666.66      | \$0.00                          | \$1,041,666.66             |
| 8   | Navajo Mountain        | Powerline Project   | Design/Construction  | 18-24 months        | \$0.00            | \$400,000.00      | \$641,666.66      | \$0.00                          | \$1,041,666.66             |
| 9   | Shonto                 | Powerline   | Design/Construction  | 24-36 months        | \$0.00            | \$400,000.00      | \$641,666.66      | \$0.00                          | \$1,041,666.66             |
| 10  | Inscription House      | Powerline Extension   | Design/Construction  | 24-36 months        | \$0.00            | \$0.00            | \$661,666.68      | \$0.00                          | \$661,666.68               |
| 11  | Teecnospos             | Powerline -North Phase 3  | Design/Construction  | 18-24 months        | \$0.00            | \$2,233,813.51    | \$0.00            | \$0.00                          | \$2,233,813.51             |
| 12  | Mexican Water          | 3-Phase Powerline   | Construction   | 18-24 months        | \$0.00            | \$1,634,047.00    | \$0.00            | \$0.00                          | \$1,634,047.00             |
| 13  | Indian Wells           | Salt Seep Powerline -   | Design/Construction  | 18-24 months        | \$40,000.00       | \$0.00            | \$0.00            | \$0.00                          | \$40,000.00                |
| 14  | Whitecone              | Powerline Scattered   | Design/Construction  | 18-24 months        | \$70,000.00       | \$0.00            | \$164,333.49      | \$0.00                          | \$234,333.49               |
| 15  | Teesto                 | Teesto Scattered Powerline  | Design/Construction  | 18-24 months        | \$0.00            | \$332,273.00      | \$0.00            | \$45,927.86                     | \$332,273.00               |
| 16  | Dilkon                 | John Draw Powerline Project   | Pre-Design   | 18-24 months        | \$250,000.00      | \$0.00            | \$0.00            | \$0.00                          | \$250,000.00               |
| 17  | Leupp                  | Powerline Project-Grandfalls  | Design/Construction  | 12-18 months        | \$0.00            | \$733,333.00      | \$0.00            | \$352,237.50                    | \$733,333.00               |



**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN  
(NTUA POWERLINES)**

**EXHIBIT:  
B**

| NO. | CHAPTER     | PROJECT DESCRIPTION         | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1<br>FUNDING | YEAR 2<br>FUNDING | YEAR 3<br>FUNDING | MATCHING<br>FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|-------------|-----------------------------|--|---------------------|-------------------|-------------------|-------------------|---------------------------------|----------------------------|
| 18  | Birdsprings | Powerline Ext. Phase III    | Design/Construction  | 18-24 months        | \$84,105.00       | \$649,228.00      | \$0.00            | \$0.00                          | \$733,333.00               |
| 19  | Kindahlchii | Single-Phase Powerline Ext. | Design/Construction  | 18-24 months        | \$0.00            | \$371,729.00      | \$0.00            | \$0.00                          | \$371,729.00               |
| 20  | Kindahlchii | Powerline (Upper WS Ext.)   | Design/Construction  | 18 months           | \$0.00            | \$366,873.00      | \$0.00            | \$0.00                          | \$366,873.00               |
| 21  | Coppermine  | IV P/L Project              | Design/Construction  | 18-24 months        | \$0.00            | \$400,000.00      | \$0.00            | \$0.00                          | \$400,000.00               |
| 22  | Kalbeto     | Poweline Project            | Design/Construction  | 18-24 months        | \$219,187.50      | \$460,812.50      | \$0.00            | \$0.00                          | \$680,000.00               |
| 23  | LeChee      | Powerline Project           | Construction   | 16 months           | \$92,006.25       | \$0.00            | \$924,660.25      | \$0.00                          | \$1,016,666.50             |
| 24  | Klagnetoh   | Salt Springs Powerline      | Design/Construction  | 36 months           | \$39,643.15       | \$421,709.06      | \$0.00            | \$0.00                          | \$461,352.21               |
| 25  | Lupton      | Powerline                   | Pre-Design   | 37 months           | \$6,036.07        | \$89,074.42       | \$0.00            | \$49,110.49                     | \$95,110.49                |
| 26  | Houck       | Powerline                   | Design/Construction  | 12-18 months        | \$80,000.00       | \$273,278.00      | \$0.00            | \$69,056.25                     | \$353,278.00               |
| 27  | Wide Ruins  | Boggy Lake/Tanner Springs   | Design/Construction  | 24-36 months        | \$200,000.00      | \$634,538.26      | \$0.00            | \$0.00                          | \$834,538.26               |
| 28  | Pifon       | Scattered Powerline Project | Design Construction  | 12-18 months        | \$0.00            | \$180,000.00      | \$0.00            | \$0.00                          | \$180,000.00               |
| 29  | Black Mesa  | Powerline                   | Pre-Design/<br>Design/Construction                           | 24 months           | \$1472,929.52     | \$0.00            | \$0.00            | \$227,606.25                    | \$1,472,929.52             |
|     |             |                             |  |                     | \$2,866,370.94    | \$12,154,756.58   | \$3,675,660.40    | <b>GRAND TOTAL</b>              | <b>\$18,696,787.92</b>     |

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN  
(NON-NTUA POWERLINES)**

**EXHIBIT:  
C**

| NO. | CHAPTER        | PROJECT DESCRIPTION                         | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING        | YEAR 2 FUNDING        | YEAR 3<br>FUNDING   | MATCHING<br>FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|----------------|---|--|---------------------|-----------------------|-----------------------|---------------------|---------------------------------|----------------------------|
| 1   | Alamo          | Powerline/Waterline                         | Construction   | 6 months            | \$694,444.44          | \$694,444.45          | \$0.00              | \$0.00                          | \$1,388,888.89             |
| 2   | Tselichii      | Powerline Project                           | Design/Construction  | 18-24 months        | \$0.00                | \$ 305,393.00         | \$0.00              | \$50,000.00                     | \$305,393.00               |
| 3   | Manuelito      | Powerline Project                           | Design/Construction  | 18-24 months        | \$0.00                | \$ 397,580.00         | \$0.00              | \$50,000.00                     | \$397,580.00               |
| 4   | Chichiltah     | Powerline Project                           | Design/Construction  | 18-24 months        | \$0.00                | \$ 337,520.00         | \$0.00              | \$250,000.00                    | \$337,520.00               |
| 5   | Ojo Encino     | Eagle Spring Powerline<br>Extension Project | Design/Construction  | 6 months            | \$0.00                | \$120,627.16          | \$0.00              | \$30,156.79                     | \$120,627.16               |
| 6   | Pueblo Pintado | Badger Springs Powerline<br>Ext.            | Construction   | 24 months           | \$0.00                | \$0.00                | \$ 284,840.84       | \$0.00                          | \$284,840.84               |
| 7   | Baca-Prewitt   | Powerline Extension                         | Construction   | 6 months            | \$160,000.00          | \$0.00                | \$0.00              | \$0.00                          | \$160,000.00               |
| 8   | Whitehorse     | Powerline Extension                         | Construction   | 12 months           | \$133,884.48          | \$0.00                | \$0.00              | \$0.00                          | \$133,884.48               |
| 9   | Counselor      | Powerline Extension                         | Construction   | 13 months           | \$455,870.87          | \$0.00                | \$0.00              | \$0.00                          | \$455,870.87               |
|     |                |   |  |                     | <b>\$1,444,199.79</b> | <b>\$1,855,564.61</b> | <b>\$284,840.84</b> | <b>GRAND TOTAL</b>              | <b>\$3,584,605.24</b>      |

# SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:  
D

| NO. | CHAPTER                   | PROJECT DESCRIPTION                             | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|---------------------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 1   | Newcomb                   | Helipad   | Design/Construction  | 18-24 months        | \$100,000.00   | \$339,637.00   | \$0.00         | \$75,000.00                  | \$439,637.00               |
| 2   | Newcomb                   | Sr. Center Renovation                           | Plan/Construction  | 6-8 months          | \$228,189.00   | \$0.00         | \$0.00         | \$0.00                       | \$228,189.00               |
| 3   | Hogback                   | New Chapter House                               | Design/Construction  | 8-16 months         | \$150,018.78   | \$593,100.00   | \$0.00         | \$0.00                       | \$743,118.78               |
| 4   | Burnham                   | Community Center                                | Design/Construction  | 18-24 months        | \$300,000.00   | \$383,500.00   | \$0.00         | \$0.00                       | \$683,500.00               |
| 5   | San Juan                  | Multi-Purpose Site<br>Improvement Project       | Plan/Design/Construction                                     | 24 months           | \$150,000.00   | \$533,333.00   | \$0.00         | \$0.00                       | \$683,333.00               |
| 6   | Upper Fruitland           | Renovation Walter Collins<br>Multi-Purpose Bldg | Design/Construction  | 18-24 months        | \$0.00         | \$694,444.44   | \$0.00         | \$0.00                       | \$694,444.44               |
| 7   | Nenahnezaad               | Multi-Purpose Renovation                        | Design/Construction  | 18-24 months        | \$0.00         | \$694,444.44   | \$0.00         | \$0.00                       | \$694,444.44               |
| 8   | Nazini                    | Senior Center                                   | Design/Construction  | 24 months           | \$0.00         | \$1,980,000.00 | \$0.00         | \$60,000.00                  | \$1,980,000.00             |
| 9   | Low Mountain              | Head Start Facility                             | Design/Construction  | 24 months           | \$0.00         | \$596,666.66   | \$0.00         | \$0.00                       | \$596,666.66               |
| 10  | Blue Cap/Tachee           | New Chapter House                               | Construction   | 12-18 mths          | \$0.00         | \$530,000.00   | \$0.00         | \$150,000.00                 | \$530,000.00               |
| 11  | Many Farms                | Market Study                                    | Planning   | 24-36 months        | \$0.00         | \$265,000.00   | \$0.00         | \$20,000.00                  | \$265,000.00               |
| 12  | Ramah                     | Chapter Renovation                              | Design/Construction  | 24-36 months        | \$0.00         | \$1,388,888.89 | \$0.00         | \$20,000.00                  | \$1,388,888.89             |
| 13  | Tohajilee                 | Road Improvement                                | Design/Construction  | 36 months           | \$1,388,888.89 | \$0.00         | \$0.00         | \$353,000.00                 | \$1,388,888.89             |
| 14  | Coyote Canyon             | New Chapter Tractor                             | New Equipment  | 2-4 mths            | \$50,000.00    | \$0.00         | \$0.00         | \$9,000.00                   | \$50,000.00                |
| 15  | Coyote Canyon             | Senior Center Van                               | New Equipment  | 2-4 months          | \$50,000.00    | \$0.00         | \$0.00         | \$50,000.00                  | \$50,000.00                |
| 16  | Coyote Canyon             | New Chapter Truck &<br>Flatbed                  | New Equipment  | 2-4 months          | \$90,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$90,000.00                |
| 17  | Coyote Canyon             | New Warehouse                                   | Other Tribal Facilities                                      | 10-12 months        | \$0.00         | \$38,563.00    | \$0.00         | \$72,756.00                  | \$38,563.00                |
| 18  | Coyote Canyon             | Senior Citizen Center                           | Senior Center Building                                       | 10-12 months        | \$109,000.00   | \$0.00         | \$0.00         | \$520,000.00                 | \$109,000.00               |
| 19  | Coyote Canyon             | Parking Lot w/Landscape                         | Design/Construction  | 12 months           | \$0.00         | \$119,455.00   | \$0.00         | \$0.00                       | \$119,455.00               |
| 20  | Coyote Canyon             | Bathroom Addition                               | Design/Construction  | 12 months           | \$126,315.33   | \$0.00         | \$0.00         | \$11,311.00                  | \$126,315.33               |
| 21  | Coyote Canyon             | N96 Chip Seal                                   | Design/Construction  | 10-12 months        | \$250,000.00   | \$0.00         | \$0.00         | \$75,864.00                  | \$250,000.00               |
| 22  | Bahastlah<br>(Twin Lakes) | Caterpillar 420 F2 4WD<br>Backhoe Loader        | Major Equipment  | 2-4 months          | \$143,000.00   | \$0.00         | \$0.00         | \$52,620.00                  | \$143,000.00               |
| 23  | Bahastlah<br>(Twin Lakes) | Massey Ferguson 2706E                           | Major Equipment  | 2-4 months          | \$55,000.00    | \$0.00         | \$0.00         | \$12,000.00                  | \$55,000.00                |

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

**EXHIBIT:  
D**

| NO. | CHAPTER                   | PROJECT DESCRIPTION                         | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|---------------------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 24  | Bahastlah<br>(Twin Lakes) | Caterpillar 140M3 AWD<br>Motor Grader       | Major Equipment  | 2-4 months          | \$238,091.16   | \$0.00         | \$0.00         | \$20,000.00                  | \$238,091.16               |
| 25  | Bahastlah<br>(Twin Lakes) | New Warehouse                               | Design/Construction  | 8-12 months         | \$0.00         | \$328,242.33   | \$0.00         | \$0.00                       | \$328,242.33               |
| 26  | Bahastlah<br>(Twin Lakes) | Road Maintenance                            | Design/Construction  | 8-12 months         | \$0.00         | \$69,000.00    | \$0.00         | \$35,000.00                  | \$69,000.00                |
| 27  | Naschitti                 | New Chapter Truck                           | Major Equipment  | 2-4 months          | \$73,333.33    | \$0.00         | \$0.00         | \$0.00                       | \$73,333.33                |
| 28  | Naschitti                 | New Warehouse                               | Design/Construction  | 12 months           | \$0.00         | \$376,000.00   | \$0.00         | \$36,000.00                  | \$376,000.00               |
| 29  | Naschitti                 | 966M XE Wheel Loader                        | Major Equipment  | 2-4 months          | \$231,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$231,000.00               |
| 30  | Naschitti                 | Backhoe                                     | Major Equipment  | 2-4 months          | \$103,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$103,000.00               |
| 31  | Naschitti                 | Cemetery Expansion<br>Project               | Design/Construction  | 12 months           | \$50,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$50,000.00                |
| 32  | Mexican Springs           | Deer Springs Road                           | Design/Construction  | 12-18 months        | \$667,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$667,000.00               |
| 33  | Mexican Springs           | Road Maintenance,<br>Culverts & Bridges     | Design/Construction  | 12-18 months        | \$121,333.34   | \$0.00         | \$0.00         | \$0.00                       | \$121,333.34               |
| 34  | Mexican Springs           | Massey Ferguson 2706E                       | Major Equipment  | 2-4 months          | \$45,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$45,000.00                |
| 35  | Round Rock                | Road Improvement-Apache<br>Cty. 590         | Pre-Design/Design  | 18-24 months        | \$50,000.00    | \$60,000.00    | \$228,533.94   | \$0.00                       | \$338,533.94               |
| 36  | Round Rock                | Road Improvement Apache<br>Co. 492          | Design/Construction  | 18-24 months        | \$50,000.00    | \$60,000.00    | \$351,153.69   | \$0.00                       | \$461,153.69               |
| 37  | Round Rock                | Signage Proposal                            | Design/Construction  | 6-8 months          | \$33,198.50    | \$0.00         | \$0.00         | \$0.00                       | \$33,198.50                |
| 38  | Tsaile/Wheatfields        | Fencing of Tract                            | Design/Construction  | 6-8 months          | \$220,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$220,000.00               |
| 39  | Tsaile/Wheatfields        | Senior Center<br>Rehabilitation of Facility | Design/Construction  | 6-8 months          | \$0.00         | \$48,255.00    | \$319,000.00   | \$0.00                       | \$367,255.00               |
| 40  | Tsaile/Wheatfields        | Cemetery                                    | Design/Construction  | 6-8 months          | \$20,032.12    | \$0.00         | \$0.00         | \$0.00                       | \$20,032.12                |
| 41  | Tsaile/Wheatfields        | Chapter Tract Master Plan                   | Design/Construction  | 18-24 months        | \$35,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$35,000.00                |
| 42  | Rock Point                | BIA Road Route 8070                         | Design/Construction  | 12-16 months        | \$46,100.00    | \$143,250.00   | \$643,983.00   | \$0.00                       | \$833,333.00               |
| 43  | Rough Rock                | Senior Center                               | Construction   | 12 months           | \$245,333.33   | \$0.00         | \$0.00         | \$0.00                       | \$245,333.33               |
| 44  | Lukachukai                | Chapter Fencing                             | Design/Construction  | 12-18 months        | \$482,903.33   | \$0.00         | \$0.00         | \$20,000.00                  | \$482,903.33               |
| 45  | Lukachukai                | Chapter Agriculture<br>Building             | Construction   | 6-8 months          | \$0.00         | \$70,000.00    | \$0.00         | \$0.00                       | \$70,000.00                |
| 46  | Lukachukai                | Chapter Equipment                           | Major Equipment  | 4-6 months          | \$144,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$144,000.00               |
| 47  | Lukachukai                | Chapter Equipment Manlift                   | Major Equipment  | 6-8 months          | \$39,500.00    | \$0.00         | \$0.00         | \$0.00                       | \$39,500.00                |

# SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:  
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| NO. | CHAPTER       | PROJECT DESCRIPTION                     | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>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  | 12 months           | \$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<br>Rehabilitation Project | Design/Construction  | 24-36 months        | \$0.00         | \$1,344,623.31 | \$0.00         | \$455,000.00                 | \$1,344,623.31             |
| 64  | Kayenta       | Multi-Purpose Building                  | Plan/Design/Construction                                     | 24 months           | \$350,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$350,000.00               |
| 65  | Chilchinbeto  | Multi-Purpose Building                  | Plan/Design/Construction                                     |                     | \$300,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$300,000.00               |
| 66  | Shiprock      | Chapter Renovation                      | Design/Construction  | 12 months           | \$50,000.00    | \$400,000.00   | \$0.00         | \$0.00                       | \$450,000.00               |
| 67  | Shiprock      | Senior Center                           | Construction   | 12 months           | \$80,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$80,000.00                |
| 68  | Shiprock      | Elderly Care Site                       | Planning   | 8 months            | \$17,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$17,000.00                |
| 69  | Shiprock      | Wellness Center                         | Design/Construction  | 12 months           | \$0.00         | \$200,000.00   | \$0.00         | \$0.00                       | \$200,000.00               |
| 70  | Shiprock      | Former BIA Compound                     | Testing/Planning   | 24 months           | \$350,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$350,000.00               |
| 71  | Shiprock      | Utility Hook-Up/Restroom<br>Renovations | Construction   | 8 months            | \$60,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$60,000.00                |
| 72  | Shiprock      | River Trail & Community<br>Park         | Construction   | 9 months            | \$56,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$56,000.00                |
| 73  | Shiprock      | 15 Secure Land Designation              | Planning   | 24 months           | \$200,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$200,000.00               |
| 74  | Shiprock      | Rural Addressing                        | Construction   | 12 months           | \$100,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$100,000.00               |
| 75  | Shiprock      | Roads-Indian Village                    | Major Equipment  | 12 months           | \$318,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$318,000.00               |
| 76  | Shiprock      | South Side Incident<br>Command Center   | Construction   | 24 months           | \$1,000,000.00 | \$0.00         | \$0.00         | \$0.00                       | \$1,000,000.00             |

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

| NO. | CHAPTER                 | PROJECT DESCRIPTION                                     | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|-------------------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 77  | Shiprock                | New Traffic Lights                                      | Construction   | 12 months           | \$200,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$200,000.00               |
| 78  | Shiprock                | Shiprock Cemetery                                       | Plan/Design/Construction                                     | 12 months           | \$90,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$90,000.00                |
| 79  | Shiprock                | Plan/Design 36 acre Tract                               | Plan/Design/Construction                                     | 24 months           | \$85,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$85,000.00                |
| 80  | Shiprock                | Visitor Center  | Plan/Design  | 12 months           | \$360,666.66   | \$0.00         | \$0.00         | \$0.00                       | \$360,666.66               |
| 81  | Shiprock                | Widening San Francisco<br>Peak Blvd.                    | Plan/Design  | 12 months           | \$500,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$500,000.00               |
| 82  | Beclabito               | Beclabito Road Project<br>N5113                         | Design/Construction  | 24-36 months        | \$0.00         | \$0.00         | \$615,000.00   | \$0.00                       | \$615,000.00               |
| 83  | Cove                    | Cove Senior Center                                      | Construction   | 8-12 months         | \$255,704.00   | \$0.00         | \$0.00         | \$0.00                       | \$255,704.00               |
| 84  | Cove                    | Cove Veterans Pavilion                                  | Planning/Design  | 10-12 months        | \$0.00         | \$130,000.00   | \$0.00         | \$8,000.00                   | \$130,000.00               |
| 85  | Gadialihii              | Gaddii ahii/ Tokoi<br>Infrastructure New<br>Development | Design/Construction  | 10-12 months        | \$0.00         | \$300,000.00   | \$0.00         | \$0.00                       | \$300,000.00               |
| 86  | Red Valley              | Transfer Station  | Design/Construction  | 24-36 months        | \$200,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$200,000.00               |
| 87  | Sheep Springs           | Multi-Purpose Building                                  | Construction   | 8-12 months         | \$682,629.66   | \$0.00         | \$0.00         | \$240,000.00                 | \$682,629.66               |
| 88  | Two Grey Hills/Toadlena | ROW N19   | Pre-Design   | 8-12 months         | \$600,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$600,000.00               |
| 89  | Tse Alnaozt'ii          | 5010 Road Design  | Design   | 24-36 months        | \$75,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$75,000.00                |
| 90  | Beclabito               | Fiber Optic - Broadband                                 | Planning/Design  | 12-18 months        | \$708,333.00   | \$0.00         | \$0.00         | \$0.00                       | \$708,333.00               |
| 91  | Cove                    | Agriculture - Watershed<br>Study                        | Planning/Design  | 12-18 months        | \$600,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$600,000.00               |
| 92  | Tse'lichii              | New Senior Center                                       | Design/Construction  | 12-24 months        | \$0.00         | \$1,600,000.00 | \$0.00         | \$400,000.00                 | \$1,600,000.00             |
| 93  | Isayatooh               | Chapter Renovation                                      | Design/Construction  | 12-16 months        | \$0.00         | \$500,000.00   | \$0.00         | \$100,000.00                 | \$500,000.00               |
| 94  | Baahaali                | Pine Haven Road   | Design/Construction  | 18-24 months        | \$0.00         | \$600,000.00   | \$0.00         | \$655,000.00                 | \$600,000.00               |
| 95  | Baahaali                | Senior Center<br>(Renov./Addition)                      | Design/Construction  | 8-12 months         | \$150,000.00   | \$0.00         | \$0.00         | \$450,000.00                 | \$150,000.00               |
| 96  | Rock Springs            | Multi-Purpose Building                                  | Pre-Design   | 20-24 months        | \$0.00         | \$276,173.66   | \$0.00         | \$450,000.00                 | \$276,173.66               |
| 97  | Inscription House       | Solid Waste Transfer<br>Station                         | Design/Construction  | 24-36 months        | \$0.00         | \$0.00         | \$330,000.00   | \$0.00                       | \$330,000.00               |
| 98  | Inscription House       | House Wiring  | Design/Construction  | 24-36 months        | \$0.00         | \$50,000.00    | \$0.00         | \$0.00                       | \$50,000.00                |
| 99  | Red Mesa                | Chapter House Renovation                                | Design/Construction  | 12 months           | \$238,249.15   | \$0.00         | \$0.00         | \$0.00                       | \$238,249.15               |
| 100 | St. Michael's           | New Chapter House                                       | Construction   | 10-14 mths          | \$2,083,333.33 | \$0.00         | \$0.00         | \$53,409.00                  | \$2,083,333.33             |
| 101 | Oaksprings              | Chapter Major Renovation                                | Design/Construction  | 24 months           | \$1,000,000.00 | \$1,083,333.33 | \$0.00         | \$10,000.00                  | \$2,083,333.33             |

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

**EXHIBIT:  
D**

| NO. | CHAPTER            | PROJECT DESCRIPTION  | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|--------------------|--|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 102 | Greasewood Springs | Master Tract Plan  | Planning, Pre-Design,<br>Design/Construction                 | 12-24 months        | \$400,000.00   | \$433,333.33   | \$0.00         | \$0.00                       | \$833,333.33               |
| 103 | Diklon             | Multi Purpose Complex<br>Chapter Tract Infrastructure<br>Upgrade | Planning   | 12 months           | \$333,333.33   | \$0.00         | \$0.00         | \$120,000.00                 | \$333,333.33               |
| 104 | Diklon             |  | Plan/Design  | 12 months           | \$0.00         | \$275,000.00   | \$0.00         | \$0.00                       | \$275,000.00               |
| 105 | Indian Wells       | HVAC Unit  | Major Equipment  | 4-6 months          | \$25,000.00    | \$0.00         | \$0.00         | \$66,000.00                  | \$25,000.00                |
| 106 | Indian Wells       | Senior Center Facility<br>Repairs                                | Planning   | 12 months           | \$265,000.00   | \$279,393.67   | \$0.00         | \$0.00                       | \$544,393.67               |
| 107 | Indian Wells       | 10 Commercial Site<br>Development                                | Planning   | 18-24 months        | \$200,000.00   | \$0.00         | \$0.00         | \$678,000.00                 | \$200,000.00               |
| 108 | Whitecone          | Road Improvement   | Design/Construction  | 18-24 months        | \$194,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$194,000.00               |
| 109 | Whitecone          | JW2 - Master Tract Plan  | Planning, Pre-Design,<br>Design/Construction                 | 12-24 months        | \$66,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$66,000.00                |
| 110 | Whitecone          | Motor Grader   | Major Equipment  | 6-8 months          | \$339,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$339,000.00               |
| 111 | Teesto             | Community Center   | Design/Construction  | 18-24 months        | \$500,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$500,000.00               |
| 112 | Standing Rock      | Tseilahi Head Start  | Construction   | 8-12 months         | \$3,269,616.66 | \$0.00         | \$0.00         | \$125,000.00                 | \$3,269,616.66             |
| 113 | Whiterock          | Chapter Renovation   | Design/Construction  | 6-8 months          | \$500,000.00   | \$0.00         | \$0.00         | \$359,476.65                 | \$500,000.00               |
| 114 | Huerfano           | Senior Center  | Design/Construction  | 8-12 months         | \$0.00         | \$397,050.00   | \$0.00         | \$53,261.00                  | \$397,050.00               |
| 115 | Chinle             | N7 Solar Stree Light   | Pre-Design,<br>Design/Construction                           | 24 months           | \$50,000.00    | \$1,735,534.45 | \$0.00         | \$0.00                       | \$1,785,534.45             |
| 116 | Chinle             | Del Muerto Headstart<br>Improvement                              | Construction   | 12 months           | \$0.00         | \$0.00         | \$301,496.21   | \$0.00                       | \$301,496.21               |
| 117 | Cameron            | Cultural Center  | Pre-Design   | 24 months           | \$250,000.00   | \$250,000.00   | \$133,333.00   | \$0.00                       | \$633,333.00               |
| 118 | Cameron            | Demonstration Farm   | Planning   | 18-24 months        | \$100,001.66   | \$0.00         | \$0.00         | \$0.00                       | \$100,001.66               |
| 119 | Coalmine           | Chapter House Building<br>Repair                                 | Renovation   | 12-18 months        | \$200,000.00   | \$533,333.00   | \$0.00         | \$20,000.00                  | \$733,333.00               |
| 120 | Birdsprings/Leupp  | Commercial Farm Project<br>New Senior Center                     | Planning   | 24 months           | \$250,000.00   | \$200,000.00   | \$50,000.00    | \$0.00                       | \$500,000.00               |
| 121 | Tolani Lake        | Replacement  | Design/Construction  | 18-24 months        | \$0.00         | \$733,333.00   | \$0.00         | \$0.00                       | \$733,333.00               |
| 122 | Cornfields         | Community/Veterans<br>Cemetery                                   | Design/Construction  | 12 months           | \$66,333.33    | \$0.00         | \$0.00         | \$0.00                       | \$66,333.33                |
| 123 | Cornfields         | Deer Point Development   | Pre-Design   | 24-36 months        | \$0.00         | \$0.00         | \$300,000.00   | \$0.00                       | \$300,000.00               |

# SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:  
D

| NO. | CHAPTER     | PROJECT DESCRIPTION                                | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|-------------|--|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 124 | Cornfields  | Sunrise Low Water Crossing<br>(Road)               | Pre-Design   | 26-36 months        | \$0.00         | \$266,000.00   | \$0.00         | \$0.00                       | \$266,000.00               |
| 125 | Cornfields  | Rural Address LRAC E-911                           | Design/Construction  | 12 months           | \$10,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$10,000.00                |
| 126 | Cornfields  | Backhoe Purchase                                   | Purchase   | 6 months            | \$40,000.00    | \$0.00         | \$0.00         | \$25,000.00                  | \$40,000.00                |
| 127 | Cornfields  | Green House  | Design/Construction  | 12 months           | \$1,000.00     | \$0.00         | \$0.00         | \$1,000.00                   | \$1,000.00                 |
| 128 | Kindalichii | Chapter House Parking Lot                          | Design/Construction  | 12-24 months        | \$94,731.32    | \$0.00         | \$0.00         | \$0.00                       | \$94,731.32                |
| 129 | Jeddito     | Backhoe Purchase                                   | Major Equipment  | 6 months            | \$107,064.66   | \$0.00         | \$0.00         | \$0.00                       | \$107,064.66               |
| 130 | Jeddito     | Bathroom Addition<br>(Goldwater Loop)              | Design/Construction  | 18-24 months        | \$0.00         | \$363,134.33   | \$0.00         | \$0.00                       | \$363,134.33               |
| 131 | Jeddito     | Bathroom Addition (Upper<br>Highland/ Sitting Rk)  | Design/Construction  | 18-24 months        | \$0.00         | \$363,134.34   | \$0.00         | \$0.00                       | \$363,134.34               |
| 132 | Steamboat   | Old Chapter Renovation<br>(Stone Bldg.)            | Construction   | 8-12 months         | \$220,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$220,000.00               |
| 133 | Steamboat   | Chapter Building<br>Renovation                     | Design/Construction  | 18-24 months        | \$0.00         | \$0.00         | \$400,000.00   | \$50,000.00                  | \$400,000.00               |
| 134 | Steamboat   | Chapter Warehouse                                  | Design/Construction  | 18-24 months        | \$0.00         | \$213,333.33   | \$0.00         | \$25,000.00                  | \$213,333.33               |
| 135 | Ganado      | Senior Center Building                             | Design/Construction  | 18-24 months        | \$0.00         | \$833,333.34   | \$0.00         | \$0.00                       | \$833,333.34               |
| 136 | Coppermine  | Backhoe  | Major Equipment  | 4-6 months          | \$50,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$50,000.00                |
| 137 | Coppermine  | Multipurpose Building                              | Pre-Design   | 18-24 months        | \$0.00         | \$0.00         | \$200,000.00   | \$0.00                       | \$200,000.00               |
| 138 | Coppermine  | Western Navajo Pipeline,<br>Fireflow, Storage Tank | Design/Construction  | 18-24 months        | \$0.00         | \$400,000.00   | \$0.00         | \$0.00                       | \$400,000.00               |
| 139 | Kaibeto     | Kaibeto Design<br>Infrastructure                   | Design/Construction  | 18-24 months        | \$0.00         | \$370,000.00   | \$0.00         | \$0.00                       | \$370,000.00               |
| 140 | Tonalea     | Government Building                                | Construction   | 8-12 months         | \$1,050,000.00 | \$0.00         | \$0.00         | \$0.00                       | \$1,050,000.00             |
| 141 | Klagetoh    | Head Start Project                                 | Pre-Design   | 8-12 months         | \$0.00         | \$400,000.00   | \$0.00         | \$0.00                       | \$400,000.00               |
| 142 | Lupton      | Basketball Court<br>Development                    | Pre-Design   | 12 months           | \$0.00         | \$53,795.00    | \$0.00         | \$0.00                       | \$53,795.00                |
| 143 | Lupton      | Cemetery   | Pre-Design   | 13 months           | \$0.00         | \$0.00         | \$100,000.00   | \$0.00                       | \$100,000.00               |
| 144 | Lupton      | Warehouse Renovation                               | Pre-Design   | 14 months           | \$68,795.00    | \$0.00         | \$0.00         | \$0.00                       | \$68,795.00                |



# SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:  
D

| NO. | CHAPTER       | PROJECT DESCRIPTION                           | PROJECT TYPE<br>(Pre-Design, Design,<br>Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|---------------|---|---|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 145 | Lupton        | Housewiring                                   | Construction  | 15 months           | \$0.00         | \$13,000.00    | \$0.00         | \$0.00                       | \$13,000.00                |
| 146 | Lupton        | Road Improvement                              | Pre-Design  | 16 months           | \$0.00         | \$0.00         | \$75,040.00    | \$0.00                       | \$75,040.00                |
| 147 | Nahataadzil   | Shopping Center                               | Construction  | 12-18 months        | \$1,265,035.70 | \$0.00         | \$0.00         | \$7,200,000.00               | \$1,265,035.70             |
| 148 | Houck         | Bathroom Additions                            | Design/Construction                                   | 18-24 months        | \$60,000.00    | \$255,000.00   | \$0.00         | \$0.00                       | \$315,000.00               |
| 149 | Houck         | Cemetery                                      | Plan/Design/Construction                              | 18-24 months        | \$46,722.00    | \$0.00         | \$0.00         | \$0.00                       | \$46,722.00                |
| 150 | Houck         | 9402 Road Improvement                         | Plan/Design   | 18-24 months        | \$85,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$85,000.00                |
| 151 | Tuba City     | Senior Center                                 | Design/Construction                                   | 18-24 months        | \$1,400,000.00 | \$2,766,666.66 | \$0.00         | \$370,000.00                 | \$4,166,666.66             |
| 152 | Casamero Lake | McKinley County Rd.19<br>Construction Project | Construction  | 24 months           | \$2,811,443.31 | \$0.00         | \$0.00         | \$0.00                       | \$2,811,443.31             |
| 153 | Baca-Prewitt  | Backhoe                                       | Major Equipment                                       | 4-6 months          | \$50,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$50,000.00                |
| 154 | Baca-Prewitt  | New Warehouse                                 | Pre-Design  | 12-18 months        | \$150,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$150,000.00               |
| 155 | Hardrock      | Senior Center Facility<br>Repairs             | Design/Construction                                   | 24 months           | \$250,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$250,000.00               |
| 156 | Hardrock      | ADA   | Design/Construction                                   | 24 months           | \$0.00         | \$60,000.00    | \$0.00         | \$0.00                       | \$60,000.00                |
| 157 | Hardrock      | Walk-in Shower                                | Design/Construction                                   | 24 months           | \$52,269.00    | \$0.00         | \$0.00         | \$0.00                       | \$52,269.00                |
| 158 | Hardrock      | HVAC Unit                                     | Design/Construction                                   | 24 months           | \$50,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$50,000.00                |
| 159 | Hardrock      | Vehicle                                       | Major Equipment                                       | 24 months           | \$74,886.00    | \$0.00         | \$0.00         | \$0.00                       | \$74,886.00                |

# SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:  
D

| NO. | CHAPTER              | PROJECT DESCRIPTION                                     | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|----------------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 160 | Hardrock             | Wellness Equipment                                      | Major Equipment  | 24 months           | \$44,940.00    | \$0.00         | \$0.00         | \$0.00                       | \$44,940.00                |
| 161 | Pifion               | Chapter Communication<br>Systems Upgrade                | Major Equipment  | 10 months           | \$150,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$150,000.00               |
| 162 | Pifion               | Chapter House Perimeter<br>Fencing                      | Construction   | 6 months            | \$21,660.00    | \$0.00         | \$0.00         | \$0.00                       | \$21,660.00                |
| 163 | Pifion               | Clearances for Withdrawal<br>of Land for Community      | Pre-Design   | 12-18 months        | \$10,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$10,000.00                |
| 164 | Pifion               | Chapter Vehicle w/ Metal<br>1000 gal. Water Tank        | Major Equipment  | 2-4 months          | \$150,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$150,000.00               |
| 165 | Pifion               | Chapter Vehicle   | Major Equipment  | 2-4 months          | \$50,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$50,000.00                |
| 166 | Pifion               | Rural Addressing  | Construction   | 12 months           | \$50,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$50,000.00                |
| 167 | Pifion               | Housewining/Bathroom<br>Additions                       | Construction   | 12 months           | \$25,000.00    | \$0.00         | \$0.00         | \$0.00                       | \$25,000.00                |
| 168 | Pifion               | Housewining/Bathroom<br>Additions                       | Construction   | 12 months           | \$23,648.14    | \$0.00         | \$0.00         | \$0.00                       | \$23,648.14                |
| 169 | Pifion               | N80go Road Project                                      | Design/Construction  | 24 months           | \$0.00         | \$0.00         | \$68,334.00    | \$0.00                       | \$68,334.00                |
| 170 | Pifion               | Dzilyjiin Public Safety Utility                         | Planning   | 18 months           | \$0.00         | \$0.00         | \$400,000.00   | \$0.00                       | \$400,000.00               |
| 171 | Pifion               | Dzilyjiin College Land<br>Withdrawal                    | Planning   | 24 months           | \$0.00         | \$0.00         | \$83,000.00    | \$0.00                       | \$83,000.00                |
| 172 | Forest Lake          | Senior Center<br>(Renov./Addition)                      | Design/Construction  | 24 months           | \$500,000.00   | \$0.00         | \$0.00         | \$50,000.00                  | \$500,000.00               |
| 173 | Whippoorwill Springs | Renovation-Sr. Center,<br>Warehouse, Admin.<br>Building | Design/Construction  | 24 months           | \$450,000.00   | \$0.00         | \$0.00         | \$0.00                       | \$450,000.00               |
| 174 | Iyanbito             | Garden & Community<br>Project                           | Pre-Design   | 4-6 months          | \$0.00         | \$10,000.00    | \$97,700.00    | \$0.00                       | \$107,700.00               |
| 175 | Iyanbito             | Head Start Project                                      | Pre-Design   | 8-10 months         | \$0.00         | \$576,744.44   | \$0.00         | \$238,528.00                 | \$576,744.44               |

# SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

**EXHIBIT:**  
**D**

| NO. | CHAPTER      | PROJECT DESCRIPTION    | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1 FUNDING         | YEAR 2 FUNDING         | YEAR 3 FUNDING        | MATCHING FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|--------------|------------------------|--|---------------------|------------------------|------------------------|-----------------------|------------------------------|----------------------------|
| 176 | Iyanbito     | Veterans               | Pre-Design   | 6-8 months          | \$0.00                 | \$0.00                 | \$10,000.00           | \$0.00                       | \$10,000.00                |
| 177 | Thorreau     | Veterans Building      | Design/Construction  | 12-18 months        | \$0.00                 | \$694,444.00           | \$0.00                | \$700,000.00                 | \$694,444.00               |
| 178 | Mariano Lake | Multi-Purpose Building | Construction   | 8-12 months         | \$391,044.90           | \$0.00                 | \$0.00                | \$291,255.66                 | \$391,044.90               |
| 179 | Mariano Lake | Lake House Wiring      | Construction   | 6-8 months          | \$303,400.00           | \$0.00                 | \$0.00                | \$0.00                       | \$303,400.00               |
| 180 | Pinedale     | Veterans Building      | Construction   | 8-12 months         | \$694,444.44           | \$0.00                 | \$0.00                | \$96,609.00                  | \$694,444.44               |
| 181 | Smithlake    | Bay/Shop Building      | Construction   | 6-10 months         | \$694,444.44           | \$0.00                 | \$0.00                | \$0.00                       | \$694,444.44               |
| 182 | Churchrock   | Multi-Purpose Building | Design/Construction  | 18-24 months        | \$0.00                 | \$694,444.44           | \$0.00                | \$0.00                       | \$694,444.44               |
| *** | Window Rock  | Administrative Funds   | ***  | ***                 | \$200,000.00           | \$200,000.00           | \$200,000.00          |                              | \$600,000.00               |
|     |              |                        |  |                     | <b>\$37,423,205.14</b> | <b>\$31,124,968.21</b> | <b>\$5,528,240.51</b> | <b>GRAND TOTAL</b>           | <b>\$74,076,413.86</b>     |

# EXHIBIT: E

## SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN (WATERLINES)

| NO. | CHAPTER                | PROJECT DESCRIPTION                                      | PROJECT TYPE<br>(Pre-Design, Design,<br>Design/Construction) | PROJECT<br>DURATION | YEAR 1<br>FUNDING | YEAR 2<br>FUNDING | YEAR 3<br>FUNDING | MATCHING<br>FUNDS<br>(LEVERAGE) | SIHASIN FUNDS<br>REQUESTED |
|-----|------------------------|--|--|---------------------|-------------------|-------------------|-------------------|---------------------------------|----------------------------|
| 1   | Tselani/<br>Cottonwood | Waterline  | Construction   | 18-24 months        | \$0.00            | \$265,000.00      | \$0.00            | \$0.00                          | \$265,000.00               |
| 2   | Rough Rock             | Low Water project  | Design/ Construction   | 16-24 months        | \$0.00            | \$588,000.00      | \$0.00            | \$0.00                          | \$588,000.00               |
| 3   | Tohatchi               | Waterline  | Plan/ Design/ Construction                                   | 36 months           | \$200,000.00      | \$0.00            | \$633,333.33      | \$25,000.00                     | \$833,333.33               |
| 4   | Crystal                | Green Knoll/Split Mesa<br>Waterline and Water<br>Storage | Plan/ Design/Construction                                    | 36 months           | \$100,000.00      | \$65,666.66       | \$0.00            | \$0.00                          | \$165,666.66               |
| 5   | Shiprock               | Waterline<br>Extension/Updates                           | Pre-Design (ROW, Survey,<br>Assessment)                      | 36 months           | \$100,000.00      | \$0.00            | \$0.00            | \$0.00                          | \$100,000.00               |
| 6   | Tolikan                | Water line extension                                     | Plan/ Design/ Construction                                   | 24 months           | \$60,557.00       | \$0.00            | \$0.00            | \$5,000.00                      | \$60,557.00                |
| 7   | Chinle                 | Waterline-SpiderRock<br>Phase 2.5                        | Plan/ Design/ Construction                                   | 24 months           | \$50,000.00       | \$0.00            | \$1,379,636.00    | \$0.00                          | \$1,429,636.00             |
| 8   | Chinle                 | Water Well-Construction                                  | Design/ Construction   | 36 months           | \$50,000.00       | \$0.00            | \$600,000.00      | \$0.00                          | \$650,000.00               |
| 9   | Cornfields             | Waterline  | Pre-Design (ROW)   | 24 months           | \$0.00            | \$150,000.00      | \$0.00            | \$0.00                          | \$150,000.00               |
|     |                        |  |  |                     | \$560,557.00      | \$1,068,666.66    | \$2,612,969.33    | GRAND TOTAL                     | \$4,242,192.99             |

NAVAJO NATION

RCS# 1069

4/17/2018

Spring Session

11:53:07 PM

Amd# to Amd#

Legislation 0116-18:

PASSED

MOT Damon

Adopting the Sihasin Fund

SEC Begay, S

Powerline and Chapter Projects

Expenditure Plan Pursuant...

Yea : 21

Nay : 0

Excused : 0

Not Voting : 3

Yea : 21

Begay, K  
Begay, NM  
Begay, S  
BeGaye, N  
Bennett  
Brown

Chee  
Crotty  
Damon  
Daniels  
Filfred

Hale  
Jack  
Perry  
Pete  
Phelps

Slim  
Smith  
Tso  
Witherspoon  
Yazzie

Nay : 0

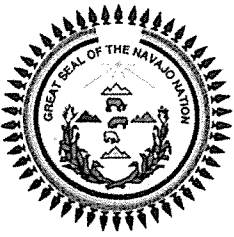
Excused : 0

Not Voting : 3

Bates

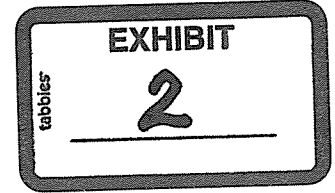
Tsosie

Shepherd



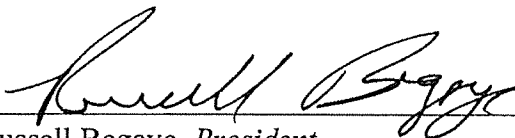
# THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT



## MEMORANDUM

**TO:** Honorable LoRenzo Bates, Speaker  
Navajo Nation Council

**FROM:**   
Russell Begaye, *President*  
THE NAVAJO NATION

**DATE:** May 7, 2018

**SUBJECT:** Resolution No. CAP-35-18: RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SISHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18 AND 12 N.N.C. 2501-2508, AS AMENDED; WAIVING 12 N.N.C. 810 (F), 820(I) AND (M) AND 860(C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

Pursuant to 2 N.N.C. 1005 (C)(10), action for Resolution No. CAP-35-18 is being submitted to the Navajo Nation Council, through the Office of the Speaker within the ten (10) days requirement. Furthermore, the Navajo Nation President has line item veto authority for budget items within the Supplemental Appropriations, which are not subject to override by the Navajo Nation Council. 2 N.N.C. 164 (A)(17).

After review of Resolution No. CAP-35-18, I hereby exercise my line-veto to:

1. Section Three. Approval and Adoption of Expenditure Plan.
2. Section Four. Approval and Adoption of Expenditure Plan Administration.
3. EXHIBIT D. SISHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

After consultation with the impacted Divisions, I have decided to exercise my line-item veto authority. The justification and details for use of the President's line-item veto is set forth below.

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

First, the 110 Chapters have millions in unexpended dollars and should expend these fund for the many uses and projects on this Sihasin project listing. There are still many people that need water and electricity and these dollars should be priority for these funds. Second, the two projects vetoed are Bureau of Indian Affairs (BIA) projects and should remain under the BIA funding. Third, I support these appropriations as they also fulfill our four (4) pillars for Veterans, Youth and Elders, Jobs and Infrastructure.

I am pleased to sign this legislation into law as it will stimulate our economy by creating much needed jobs and bringing in infrastructure for our People.

Therefore, I will exercise my line-item veto authority to only two (2) items.


# THE NAVAJO NATION

JONATHAN NEZ | **PRESIDENT** MYRON LIZER | **VICE PRESIDENT**



## MEMORANDUM

TO : Rickie Nez, Chairperson & Committee Members  
Resources and Development Committee  
24<sup>th</sup> Navajo Nation Council

FROM :   
Pearl Yellowman, Executive Director  
Division of Community Development

DATE : May 27, 2020

SUBJECT : **RECOMMENDING AMENDMENT TO SIHASIN  
LEGISLATION #CAP-35-18**

The Division of Community Development - Capital Projects Management Department (CPMD) is requesting for amendment to the Sihasin Legislation #CAP-35-18 for a two-year extension for Sihasin Funding Years 1, 2, and 3 from the Navajo Nation Council. The request for the extension of the Sihasin Funding are for the following reasons:

1. The Navajo Nation Office of the President and Vice President issued an Executive Order (#001-20) closing government offices and schools on March 13, 2020. A majority of CPMD staff stayed home to protect their health and safety. Only a few essential staff were available for limited operation at the office. However, they were redirected to concentrate on COVID-19 related assignments and projects. The closure has been extended by Executive Orders 002-20, 003-20 and 004-20. Similar action were executed by surrounding states, affecting commercial activity. In addition, the Public Health Orders issued for COVID-19 Pandemic Emergency impacted all aspects of project progress - planning, assessment, coordination, execution, construction and closing out projects. The emergency declarations and public health orders caused all projects to lag behind, projects funded from the Navajo Nation, States of Arizona, New Mexico, and Utah.
2. The Navajo Nation government offices closures adversely impacted all capital



MEMORANDUM TO HONORABLE RICKIE NEZ

May 27, 2020

Page 2 of 2

projects schedule. Offices such as OMB, OOC, RBDO, and chapters had only essential workers providing minimal services, or work related to COVID-19. As a result, CPMD was not able to hold bid openings, contract development, and project coordination meetings to move Year 1 and Year 2 projects forward. Payments for services rendered are also at a standstill, affecting the drawdown and extending project timelines forward.

3. The Sihasin legislation timeframes have been adversely impacted by the pandemic emergency especially Year One projects which expires November 2020 and Year Two projects which are still pending issuance of Business Unit numbers. Some Year Three projects are connected with Year Two projects, and some do not have business units assigned by OMB.
4. As the number of COVID-19 positive cases continues to rise, there is an uncertainty of when DCD/CPMD will resume normal operations and capacity.

Therefore, the Division of Community Development is respectfully requesting the Department of Justice and the Office of Legislative Counsel to start drafting a legislation for the extension of Sihasin Funds timeline for two years as described above.

I appreciate your support to amend the Sihasin Legislation. If you have any questions, please contact my office, or Mr. James Adakai at 871-6211 or [james\\_adakai@nndcd.org](mailto:james_adakai@nndcd.org).

Ahéhee'

c. James Adakai, Department Manager II, Capital Projects Management Department



# NAVAJO DIVISION OF TRANSPORTATION

POST OFFICE BOX 4620, WINDOW ROCK, AZ 86515

TEL: 505-371-8300/8301 FAX: 505-371-8399

## MEMORANDUM

DATE : May 15, 2020

TO : Seth Damon, Speaker,  
Presiding Chair of NAABIK'I'YATI' COMMITTEE  
24<sup>TH</sup> NAVAJO NATION COUNCIL

FROM : \_\_\_\_\_  
Dr. Pearl Yellowman, Division Director  
NAVAJO DIVISION OF COMMUNITY DEVELOPMENT

FROM : \_\_\_\_\_  
Garret Silversmith, Division Director  
NAVAJO DIVISION OF TRANSPORTATION

SUBJECT : Request for Sihasin Project Timeline/Business Unit Extension

The Navajo Division of Transportation (Navajo DOT) requests for *Project Timeline and Business Unit* extension for 20 Sihasin (Transportation) projects. Specifically, to extend each project by two years, for each funding year:

|                 |                              |                 |
|-----------------|------------------------------|-----------------|
| Year 1 Projects | Extend to September 30, 2022 | \$ 7,630,332.21 |
| Year 2 Projects | Extend to September 30, 2023 | \$ 1,203,677.00 |
| Year 3 Projects | Extend to September 30, 2024 | \$ 1,194,687.63 |
|                 | TOTAL                        | \$10,028,696.84 |

There are four project managers with Navajo DOT, and they are working with Chapters, Division of Community Development (DCD) and Capital Projects Management Department (CPMD) staff in the development of the projects. The Project Managers are also preparing and submitting budgets to CPMD and the Office of Management and Budget (OMB) staff in getting the business unit issued.

Each 20 Sihasin/Transportation Projects are at different phases of project development and they are outlined in attached Exhibit "A" Matrix. The phases include one or more of the following: preliminary studies (archaeological, biological, etc.), plan and design, 401 permitting process, procurement, contracting, and construction. All the projects have activities, but we need additional time to complete the projects.

Below are additional reasons for our request:

- 1) A few projects have multiple funding from Sihasin, Capital Outlay, and/or Road Fund (a.k.a. Fuel Excise Tax). Multiple funding requirements has posed a challenge in issuing contracts in accordance to each of the funding requirements and it takes additional time to complete the process.

- 2) Most project still require drainage studies and design development.
- 3) Two Chapters selected routes going through Allotment Land, but after Navajo DOT met with Chapter representatives, Chapter decided to change the location of road improvement to Tribal Trust Land only. This process took some time to address.
- 4) **Mostly importantly**, the progress of the projects has been significantly delayed due to the COVID-19 pandemic. Although the Navajo DOT Project Managers have been diligently working with CPMD and OMB Staff, the partial Navajo Nation government shut down has slowed the process even more.
- 5) There are sixteen (16) projects in Year 1 and the funding will end on September 30, 2020. This is not enough time to complete the projects because Year 1 funding have not been obligated yet. Most contracts are still pending approval. This will become a domino effect in trying to spend the funds for Year 2 and year 3.
- 6) It takes time to complete the preliminary studies including the 401 and 404 permitting process. Again, these processes have been delayed due to the COVID-19 pandemic and the National Government-shut down. There are limited services from regulatory offices such as Bureau of Indian Affairs, Historic Preservation Department, Environmental Protection Agency, United States Army Corps of Engineering, etc. Once the regulatory offices are back in full operation, Navajo DOT will complete the processes; however, additional time is still needed to complete the actual "construction" or the road/transportation improvements.

Navajo DOT staff are committed in completing the projects, and we do not want the funds to be reverted to the fund balance. Project Managers have already invested time and effort in moving the projects along. Navajo DOT needs additional time to complete the projects and therefore, requesting to extend the project timeline and business unit numbers by two years, respectively by each funding year.

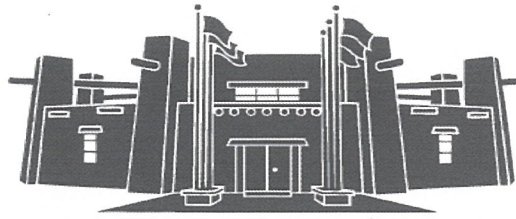
If you have any questions, please contact me at (505) 371-8300, or you may contact the following Navajo DOT staff members:

|                    |  |
|--------------------|--|
| Ardaniel Begay     | <a href="mailto:abegay@navajodot.org">abegay@navajodot.org</a>         |
| Joseph Peterman    | <a href="mailto:jpeterman@navajodot.org">jpeterman@navajodot.org</a>   |
| Marlinda Littleman | <a href="mailto:mlittleman@navajodot.org">mlittleman@navajodot.org</a> |
| Priscilla Lee      | <a href="mailto:plee@navajodot.org">plee@navajodot.org</a>             |

|                |  |
|----------------|--|
| Max Bighorse   | <a href="mailto:mbighorse@navajodot.org">mbighorse@navajodot.org</a> |
| Donald Jackson | <a href="mailto:djackson@navajodot.org">djackson@navajodot.org</a>   |
| Wayne Williams | <a href="mailto:wwilliams@navajodot.org">wwilliams@navajodot.org</a> |

Thank you.

xc:      File  
          DCD and CPMD Staff  
          OMB Staff  
          Navajo DOT Managers  
          Navajo Nation Council Members



**MEMORANDUM**

TO: Honorable Raymond Smith  
24<sup>th</sup> Navajo Nation Council

FROM:

A handwritten signature in black ink, reading "Dana Bobroff". The signature is written in a cursive, flowing style.

Dana L. Bobroff, Chief Legislative Counsel  
Office of Legislative Counsel

DATE: November 19, 2020

SUBJECT: **AN ACTION RELATING TO LAW AND ORDER, HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING CAP-35-18, SÍHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN, TO EXTEND PROJECT COMPLETION DEADLINES TO FORTY-EIGHT MONTHS**

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.

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).

Please ensure that his 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 NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0289-20\_\_

SPONSOR: Raymond Smith, Jr.

**TITLE: An Action Relating to Law and Order, Health Education and Human Services, Resources and Development, Budget and Finance and Naabik'iyáti' Committees and Navajo Nation Council; Amending CAP-35-18, Síhasin Find Powerline and Chapter Projects Expenditure Plan, to Extend Project Completion Deadlines to Forty-Eight Months**

***Date posted: November 23, 2020 at 4:50PM***

**Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.: 0289-20**

**SPONSOR: Honorable Raymond Smith, Jr.**

**TITLE: An Action Relating to Law and Order, Health Education and Human Services, Resources and Development, Budget and Finance and Naabik'iyáti' Committees and Navajo Nation Council; Amending CAP-35-18, Síhasin Fund Powerline and Chapter Projects Expenditure Plan, to Extend Project Completion Deadlines to Forty-Eight Months**

**Posted: November 23, 2020 at 4:50 PM**

**5 DAY Comment Period Ended: November 28, 2020**

**Digital Comments received:**

|                                 |                     |
|---------------------------------|---------------------|
| <b>Comments Supporting</b>      | <i>None</i>         |
| <b>Comments Opposing</b>        | <i>None</i>         |
| <b>Comments/Recommendations</b> | <b>1) Toni Mina</b> |

  
 Legislative Tracking Secretary  
 Office of Legislative Services

11/30/20 7:30 AM

**Date/Time**

## Legislation 0289-20

Toni Mina <tonimina@yahoo.com>

Tue 11/24/2020 12:56 PM

To: comments <comments@navajo-nsn.gov>;

Having read the legislation; I wanted to express some concerns regarding section J. I understand that with the pandemic it's becoming increasingly difficult to complete the infrastructure projects that are needed in our communities. When the Chapters ask for updates from the project managers they're given very little to no update in most cases. For instance, some project managers are in contact with their perspective Chapters and are working diligently to get these projects to completion. My case and point: we've been lead to believe that the materials for building bathroom additions were being purchased in September but the factual reality is that as of today it's not purchased. Get any substantial update from our project manager has been a chore in itself, he is consistently dodging our calls, and insinuating that NECA is taking up the project while we all know good and well that NECA is spread thin with other projects related to the CARES ACT. When will CPMD be held accountable for upholding their end of the deal? We do need the extra time to complete these projects, however, is 48 months really the accurate portrayal of when the funding will be encumbered?

*Toni Mina,*

*"The world as we have created it is a process of our thinking. It can not be changed without changing our thinking".- E.S*

WARNING: External email. Please verify sender before opening attachments or clicking on links.



**LAW AND ORDER COMMITTEE  
24<sup>TH</sup> NAVAJO NATION COUNCIL**

**SECOND YEAR 2020**

**COMMITTEE REPORT**

Mr. Speaker,

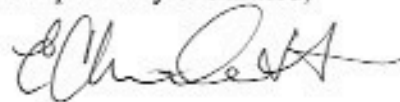
The **LAW AND ORDER COMMITTEE** to whom has been assigned:

**Legislation No. 0289-20:** An Action Relating to Law and Order, Health, Education and Human Services, Resources and Development, Budget and Finance and Naabik'iyati' Committees and Navajo Nation Council; Amending CAP-35-18, Sihasin Fund Powerline and Chapter Projects Expenditure Plan to Extend Project Completion Deadlines to Forty-Eight Months – *Sponsors: Honorable Raymond Smith, Jr./Honorable Vince James/Honorable Otto Tso*

Has had it under consideration and reports the same with the recommendation that it DO PASS with no amendments

And thereafter referred to Health, Education & Human Services Committee

Respectfully submitted,



Eugenia Charles-Newton, Chairwoman  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council

Date: December 07, 2020

Main Motion: Honorable Eugene Tso

Second : Honorable Vince James

Vote : 2-0-3 (Chairwoman not voting)



**LAW AND ORDER COMMITTEE**  
**Special Meeting**  
**December 07, 2020**

**Legislation No. 0289-20:** An Action Relating to Law and Order, Health, Education and Human Services, Resources and Development, Budget and Finance and Naabik'iyati' Committees and Navajo Nation Council; Amending CAP-35-18, Sihasin Fund Powerline and Chapter Projects Expenditure Plan to Extend Project Completion Deadlines to Forty-Eight Months – *Sponsors: Honorable Raymond Smith, Jr./Honorable Vince James/Honorable Otto Tso*

**VOTE TALLY SHEET:**

Motion: Eugene Tso                      Second: Vince James                      Vote: 2-0-3

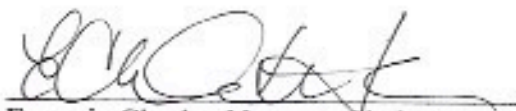
Yea: Eugene Tso/Vince James

Nay: None

Not Voting: Eugenia Charles-Newton

Excused: Otto Tso

Absent: Edmund Yazzie



Eugenia Charles-Newton, Chairwoman  
Law and Order Committee

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Laureen Spencer, Legislative Advisor  
Office of Legislative Services

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0289-20

AN ACTION RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'IYATI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING CAP-35-18, SIHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN, TO EXTEND PROJECT COMPLETION DEADLINES TO FORTY-EIGHT MONTHS

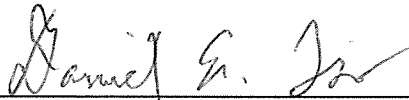
*Sponsor: Honorable Raymond Smith, Jr.*

*Co-Sponsor: Honorable Otto Tso; Honorable Vince James*

*(Eligible for Committee Action November 29, 2020)*

Has had under consideration and report the same with the recommendation that Legislation 0289-20 pass with no amendment and no directive; and therefore referred the same to the RESOURCES AND DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,



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Daniel E. Tso, Chairperson  
Health, Education and Human Services Committee

**December 09, 2020 - Main Motion**

Motion by: Honorable Pernell Halona

Seconded by: Honorable Charlaine Tso

Vote: 4 in favor; 1 Opposed; Chairperson Not Voting

Yeas: Paul Begay, Jr.; Charlaine Tso; Edison J. Wauneka; Pernell Halona

Nays: Carl R. Slater

Not Voting: all present

Absent (excused): all present

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE

Regular Meeting  
December 09, 2020

Roll Call  
Vote Tally Sheet

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO  
NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0289-20

AN ACTION RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN  
SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND  
NAABIK'IYATI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING CAP-35-18,  
SIHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN, TO EXTEND  
PROJECT COMPLETION DEADLINES TO FORTY-EIGHT MONTHS

*Sponsor: Honorable Raymond Smith, Jr.*

*Co-Sponsor: Honorable Otto Tso; Honorable Vince James*

*(Eligible for Committee Action November 29, 2020)*

**December 09, 2020 - Main Motion**

Motion by: Honorable Pernell Halona

Seconded by: Honorable Charlaine Tso

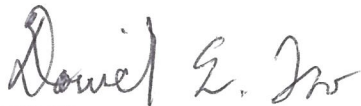
Vote: 4 in favor; 1 Opposed; Chairperson Not Voting

Yeas: Paul Begay, Jr.; Charlaine Tso; Edison J. Wauneka; Pernell Halona

Nays: Carl R. Slater

Not Voting: all present

Absent (excused): all present



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Daniel E. Tso, Chairman

Health, Education and Human Services Committee



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Beverly Martinez, Legislative Advisor

Health, Education and Human Services Committee