

RESOLUTION OF THE  
BUDGET AND FINANCE COMMITTEE  
OF THE NAVAJO NATION COUNCIL

24<sup>TH</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND  
FINANCE COMMITTEES; APPROVING A CHANGE IN CAP-35-18 FOR HOUCK  
CHAPTER BY APPROVING THE CHAPTER'S USE OF LEFTOVER FUNDS FOR  
MORE BATHROOM ADDITIONS AND NEW HOUSE WIRING PROJECTS, AND  
MOVING THE LEFTOVER FUNDING TO FUNDING YEAR 3

BE IT APPROVED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over Chapter activities. 2 N.N.C. § 500(C).
- B. 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 § 301(B)(5).
- C. The Navajo Nation Council approved Resolution No. CAP-35-18, titled: "Adopting the Sihasin 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 Improvement Budget and the Capital Improvement Process." CAP-35-15 is incorporated herein by reference.
- D. Section 4(C) of CAP-35-18 specifically provides: "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."

## SECTION TWO. FINDINGS

- A. The amount of \$315,000 for the Houck Chapter's "Bathroom Additions" Project was approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Houck Chapter Project No. D-148 is attached hereto as **EXHIBIT 1**.
- B. The amount of \$353,278 for the Houck Chapter's "Powerline" Project was approved in Exhibit B to CAP-35-18. The CAP-35-18 Exhibit B showing the Houck Chapter Project No. B-26 is attached hereto as **EXHIBIT 2**.
- C. The Houck Chapter has leftover funds from both Projects, and wishes to use these funds (\$258,367.42) for more bathroom additions, and also for several new house wiring projects (\$21,544.88). The Chapter wishes to move all of its leftover funds from Funding Years 1 and 2, to Funding Year 3, for a total amount of \$279,912.30 that would be moved to Funding Year 3. The Houck Chapter resolutions explaining these change request are attached as **EXHIBIT 3**.
- D. On behalf of the Chapter, the Division of Community Development - Capital Projects Management Department ("CPMD") has submitted a Síhasin Project Amendment Certification Form describing the Chapter's requested changes. **EXHIBIT 4**. The Síhasin Project Amendment Certification Form shows the signature of the Navajo Nation Council Delegate for the Houck Chapter, in accordance with CAP-35-18 Section 4(C).
- E. As required by CAP-35-18 Section 4(C), the project has been certified by CPMD as construction-ready and the total Síhasin funding for the Council District will not exceed \$4,166,666.67. In fact, the original Síhasin funding amount of \$315,000 for the Chapter's Bathroom Additions Project, and the original amount of \$353,278 for the Chapter's Powerline Project, both of which were approved in CAP-35-18, will remain unchanged.

## SECTION THREE. APPROVAL OF CHANGE TO CAP-35-18

- A. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D, Project No. D-148, by approving the

Houck Chapter's use of \$258,367.42 in leftover funds from Funding Years 1 and 2 for more bathroom additions, as shown in **EXHIBIT 4**.

- B. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit B, Project No. B-26, by approving the Houck Chapter's use of \$21,544.88 in leftover funds from Funding Years 1 and 2 for several new house wiring projects, as shown in **EXHIBIT 4**.
- C. The Navajo Nation also approves moving the Houck Chapter's leftover funds from Projects Nos. D-148 and B-26, from Funding Years 1 and 2 to Funding Year 3, with no change in the original funding amounts approved in CAP-35-18, as shown in the attached **EXHIBIT 4**.
- D. The Síhasin Fund may be reimbursed the funds reallocated herein, from funds available to the Navajo Nation from any and all state, federal, or other sources.

#### **SECTION FOUR. EFFECTIVE DATE**

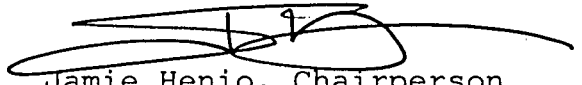
This Act shall become effective pursuant to 12 N.N.C. § 2505(A) and CAP-35-18, Section 4(C).

#### **SECTION FIVE. SAVING CLAUSE**

If any provision of this Act is determined invalid by the Supreme Court of the Navajo Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the provision(s) not determined invalid shall remain the law of the Navajo Nation.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held by teleconference at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 6<sup>th</sup> day of December 2022.



Jamie Henio, Chairperson  
Budget and Finance Committee

Motion: Honorable Jimmy Yellowhair

Second: Honorable Nathaniel Brown

**EXHIBIT:**  
**D**

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

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS 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	Nahatadzi	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 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 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

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

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
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	Kindahlchil	Single-Phase Powerline Ext.	Design/Construction	18-24 months	\$0.00	\$371,729.00	\$0.00	\$0.00	\$371,729.00
20	Kindahlchil	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	Kaibeto	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	Klagetoh	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	\$773,278.00	\$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/ Design/Construction	24 months	\$1,472,929.52	\$0.00	\$0.00	\$227,606.25	\$1,472,929.52
					\$2,866,370.94	\$12,154,756.58	\$3,675,660.40	GRAND TOTAL	\$18,696,787.92



## EXHIBIT 3

### HOUCK CHAPTER GOVERNANCE

P.O Box 127 Houck, AZ 86506 PH#: (928) 688-2734 Fax #: (928) 688-3068

Fred Footracer, Chapter President

Laura Lee Yazzie, Chapter Manager

Ernest Hubbell, Vice President

Raymond Smith, Jr., Council Delegate

Virginia Barker, Chapter Secretary/Treasurer

Celicia Yazzie-Denny, Grazing Official

HCR-081822-01

#### RESOLUTION OF THE HOUCK COMMUNITY CHAPTER

**REQUESTING THE CAPITAL PROJECTS IMPROVEMENT DEPARTMENT/DIVISION OF COMMUNITY DEVELOPMENT (CPMD/DCD) FOR HOUCK CHAPTER TO UTILIZE THE LEFT-OVER SIHASIN CHAPTER FUNDS IN THE AMOUNT OF \$258,367.42 FOR THE CONSTRUCTION OF ADDITIONAL BATHROOM ADDITIONS FOR NINE (9) HOUSEHOLDS WITHIN THE HOUCK COMMUNITY AND TO BE ADDED TO THE CPMD/DCD "MASTER CONTRACT" LIST**

#### WHEREAS:

1. The Houck Community Chapter is a duly certified sub-governmental entity pursuant to 26 N.N.C., Section 3(A) and listed at 11 N.N.C, Part 1, Section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B), the Houck Community Chapter is vested with the authority to review matters affecting the community and take appropriate corrective measures necessary and make recommendation to the Navajo Nation and other local governmental agencies for appropriate action; and
3. The purpose of the CPMD is to ensure fair and equitable distribution of Navajo Nation General funds and other funds obtained to finance infrastructure and capital projects management and to ensure uniform and consistent application of policies, regulations, and laws applicable to the CPMD; and
4. Houck Chapter has conducted its own housing assessments by visiting the elderly, including veterans, who are in dire need of a bathroom facility, who are in wheelchairs and use a walker, therefore, it is mandatory the bathroom facility be constructed in compliance and according to ADA standards; and
5. The housing assessments concluded that a viable water and wastewater service project do not exist to service the nine (9) individuals. The families residing within the sub-standard homes still have pit privies, haul water from untested community shallow wells, and from untreated community wells; and
6. Houck Chapter has left-over Sihasin funds available to complete the bathroom addition project for nine (9) individuals as listed, and to be added to the CPMD/DCD "Master Contract:

- a. Dan O'Kee
- b. Paul Begay
- c. Charlene Cambridge
- d. Isaac Yazzie
- e. William James

- f. Lorena James
- g. Jean Milford
- h. Janice Footracer
- i. Shannon Golden

7. The Bathroom Addition Project is already funded and it will have a life-long positive effect on the individuals who currently have no access to a bathroom, and not only will the personal hygiene of the people be enhanced, but also a more healthier environment will be created for the individuals.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

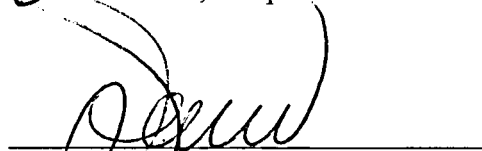
1. The Houck Community hereby requests the Capital Projects Management Office (CPMD) and Division of Community Development for Houck Chapter to utilize its left-over Sihasin Chapter funds in the amount of \$258,367.42, to start the construction of additional bathroom additions project for nine (9) homes within the Houck Community, and to be added to CPMD/DCD "Master Contract" list.
2. The Houck Community Chapter hereby directs the Chapter Officials and Administration to assist the CPMD to fulfill the intent of this resolution in compliance with all applicable tribal, state or federal laws.

**CERTIFICATION**

We, hereby, certify that the foregoing resolution was duly considered and moved for approval by Yergee Barker, and seconded by Lorena James, at a duly called chapter meeting at the Houck Chapter (Navajo Nation), at which a quorum was present and that same was passed by a vote of 12 in favor, 0 opposed, and 1 abstained, on this 18<sup>th</sup> day of August 2022.

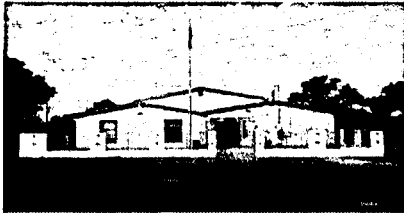
  
Fred Footracer, Chapter President

  
Ernest Hubbell, Vice President

  
Virginia Barker, Secretary/Treasurer

**HCR-081822-01: REQUESTING THE CAPITAL PROJECTS IMPROVEMENT DEPARTMENT/DIVISION OF COMMUNITY DEVELOPMENT (CPMD/DCD) FOR HOUCK CHAPTER TO UTILIZE THE LEFT-OVER SIHASIN CHAPTER FUNDS IN THE AMOUNT OF \$258,367.42 FOR THE CONSTRUCTION OF ADDITIONAL BATHROOM ADDITIONS FOR NINE (9) HOUSEHOLDS WITHIN THE HOUCK COMMUNITY AND TO BE ADDED TO THE CPMD/DCD "MASTER CONTRACT" LIST**





## **HOUCK CHAPTER GOVERNANCE**

P.O Box 127 Houck, AZ 86506 PH#: (928) 688-2734 Fax #: (928) 688-3068

Fred Footracer, Chapter President

Laura Lee Yazzie, Chapter Manager

Ernest Hubbell, Vice President

Raymond Smith, Jr., Council Delegate

Virginia Barker, Chapter Secretary/Treasurer

Celicia Yazzie-Denny, Grazing Official

**HCR-081822-02**

### **RESOLUTION OF THE HOUCK COMMUNITY CHAPTER**

**REQUESTING THE NAVAJO NATION BUDGET & FINANCE COMMITTEE, RESOURCES & DEVELOPMENT COMMITTEE AND THE DIVISION OF COMMUNITY DEVELOPMENT TO CARRY OVER SIHASIN CHAPTER FUNDS FROM YEAR TWO (2) TO YEAR THREE (3) FOR HOUCK CHAPTER TO UTILIZE THE BATHROOM ADDITION PROJECT IN THE AMOUNT OF \$258,367.42, AND THE POWERLINE EXTENSION PROJECT WITH LEFT OVER FUNDS IN THE AMOUNT OF \$21,544.88, AND TO BE ADDED TO THE CPMD/DCD "MASTER CONTRACT" LIST**

#### **WHEREAS:**

1. The Houck Community Chapter is a duly certified sub-governmental entity pursuant to 26 N.N.C., Section 3(A) and listed at 11 N.N.C, Part 1, Section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B), the Houck Community Chapter is vested with the authority to review matters affecting the community and take appropriate corrective measures necessary and make recommendation to the Navajo Nation and other local governmental agencies for appropriate action; and
3. The purpose of the Sihasin Chapter Funds is to ensure fair and equitable distribution of Navajo Nation General funds and other funds obtained to finance infrastructure and capital projects management, and to ensure uniform and consistent application of policies, regulations, and laws applicable to the Navajo Nation laws; and
4. Houck Chapter has left-over Sihasin Chapter Funds available to complete the bathroom addition project for nine (9) individuals and has conducted its own housing assessments with the community members who are in dire need of a bathroom facility (in compliance with the ADA standards); and
5. The housing assessments concluded that a viable water and wastewater service project do not exist to service the nine (9) individuals. The families residing within the sub-standard homes still have pit privies, haul water from untested community shallow wells, and from untreated community wells; and
6. There are also left-over funds from the Powerline Extension Project in the amount of \$21,544.88, to be utilized for house-wiring for aging homes. Some of the existing homes were built in the year 1950, 1960's, causing unsafe wiring, is considered dangerous and old wiring is not equipped to withstand modern household power usage, which means it poses a greater risk of starting a fire. and;
7. The Bathroom Addition and Powerline Project are already funded and it will have a life-long positive effect on the individuals who currently have no access to a bathroom and faulty house-wiring can be dangerous, sometimes causing the wiring to overheat. This project will assist the personal hygiene of the people be enhanced, but also a more safer and healthier environment will be created for the individuals.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Houck Community hereby requests the Capital Projects Management Office (CPMD) and Division of Community Development for Houck Chapter to utilize its left-over Sihasin Chapter funds in the amount of \$258,367.42, to start the construction of additional bathroom additions project for nine (9) homes within the Houck Community, and left-over funds from the Powerline Extension Project in the amount of \$21,544.88, and the projects be added to the CPMD/DCD "Master Contract" list.
2. The Houck Community Chapter hereby directs the CPMD/Division of Community Development to assist the Houck Chapter to fulfill the intent of this resolution in compliance with all applicable tribal, state or federal laws.

**CERTIFICATION**

We, hereby, certify that the foregoing resolution was duly considered and moved for approval by Margie Murphy and seconded by Alex Binkley, at a duly called chapter meeting at the Houck Chapter (Navajo Nation), at which a quorum was present and that same was passed by a vote of 13 in favor, 02 opposed, and 01 abstained, on this 18<sup>th</sup> day of August 2022.

Ered Footracer  
Ered Footracer, Chapter President

Ernest Hubbell  
Ernest Hubbell, Vice President

Virginia Barker  
Virginia Barker, Secretary/Treasurer

**HCR-081822-01: REQUESTING THE NAVAJO NATION BUDGET & FINANCE COMMITTEE, RESOURCES & DEVELOPMENT COMMITTEE AND THE DIVISION OF COMMUNITY DEVELOPMENT TO CARRY OVER SIHASIN CHAPTER FUNDS FROM YEAR TWO (2) TO YEAR THREE (3) FOR HOUCK CHAPTER TO UTILIZE THE BATHROOM ADDITION PROJECT IN THE AMOUNT OF \$258,367.42, AND THE POWERLINE EXTENSION PROJECT WITH LEFT OVER FUNDS IN THE AMOUNT OF \$21,544.88, AND TO BE ADDED TO THE CPMD/DCD "MASTER CONTRACT" LIST**

CAPITAL PROJECTS MANAGEMENT DEPARTMENT  
SIHASIN PROJECT AMENDMENT CERTIFICATION  
CAP-35-18

**I. PROJECT DETAILS** HOCK CHARTER

Bathroom Additions

PROJECT NAME: Powerline Extension

PROJECT TYPE: Design & Construction

DATE SUBMITTED: \_\_\_\_\_

REFERENCE NUMBER: NOI410/NOI397

ORIGINAL DATE APPROVED: \_\_\_\_\_

**II. NATURE OF CHANGE AND COST DETAILS**

EXHIBIT / PROJECT #	PROJECT DESCRIPTION / (NOTE PROJECT CHANGE, IF ANY)	YEAR 1	YEAR 2	AMOUNT EXPENDED	LEFTOVER FUNDS	YEAR 3	TOTAL FUNDING PER PROJECT:	AMOUNT ADDED OR DELETED:
D-148	bathroom additions / design, construction	\$60,000	\$255,000	\$56,632.58	\$258,367.42	\$258,367.42	no change in original funding amount of \$315,000 as approved in Exhibit D-148 of CAP-35-18	
	NO PROJECT CHANGE: leftover funds will be used for bathroom additions for 9 additional homes							
B-26	powerline / design, construction	\$80,000	\$273,278	\$331,733.12	\$21,544.88	\$21,544.88	no change in original funding amount of \$353,278 as approved in Exhibit B-26 of CAP-35-18	
	PROJECT CHANGE: leftover funds will be used for house wiring							
TOTAL FUNDING TO BE REAUTHORIZED IN THIS FORM:							\$279,912.30	

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Raymond Smith

[Signature]

8/24/2022

**III. REASON FOR AMENDMENT**

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.
4. Add language to legislation "EXHIBIT D" Funding Use/Year.

**IV. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.**

PRINTED NAME

SIGNATURE

DATE

CPMD Project Manager CPMD

JAY YAZZIE

[Signature]

10/19/22

Department Manager

JAMES ADKAI

[Signature]

10/19/22

## BUDGET AND FINANCE COMMITTEE

December 6, 2022

Regular Meeting

### VOTE TALLY SHEET:

**Legislation No. 0206-22:** An Action Relating to Resources and Development, and Budget and Finance Committees; Approving a Change to CAP-35-18 for Houck Chapter by Approving the Chapter's Use of Leftover Funds for more Bathroom Additions and New House Wiring Projects, and Moving the Leftover Funding to Funding Year 3 *Sponsored by Raymond Smith, Jr., Council Delegate*

*Motion: Jimmy Yellowhair*

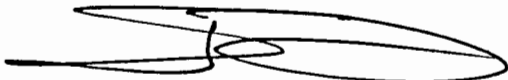
*Second: Nathaniel Brown*

*Vote: 4-0, Chairman not voting*

### Final Vote Tally:

Jamie Henio		
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Nathaniel Brown	yea	
Amber K. Crotty		
Jimmy Yellowhair	yea	

*Excused: Amber K. Crotty*



Jamie Henio, Chairman  
Budget & Finance Committee



Peggy Nakai, Legislative Advisor  
Budget & Finance Committee