

LEGISLATIVE SUMMARY SHEET

Tracking No. 0308-19

DATE: October 1, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$12,000,000.00 FROM THE SÍHASIN FUND TO THE KAYENTA JUDICIAL COMPLEX AND APPROVING AND ADOPTING THE KAYENTA JUDICIAL COMPLEX FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501 – 2508

NOTE: The Navajo Nation Department of Justice provide a memorandum that Exhibit 2 of this legislation is confidential.

PURPOSE: The purpose of this legislation is to approve and adopt funding for the Kayenta Judicial Complex from the Sihasin Fund.

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

5-DAY BILL HOLD PERIOD: 2800
Website Posting Time/Date: 10/07/19 5:42 PM
Posting End Date: 10/12/19
Eligible for Action: 10/13/19

Law & Order Committee
Thence
Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyati Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 24th NAVAJO NATION COUNCIL – First Year, 2019

3 INTRODUCED BY

4 

5 (Prime Sponsor)

6 
7 Herman M. Daniels

8 TRACKING NO. 0308-19

9 AN ACTION

10 RELATING TO LAW AND ORDER COMMITTEE, RESOURCES AND
11 DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE,
12 NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING
13 \$12,000,000.00 FROM THE SÍHASIN FUND TO THE KAYENTA JUDICIAL
14 COMPLEX AND APPROVING AND ADOPTING THE KAYENTA JUDICIAL
15 COMPLEX FUND EXPENDITURE PLAN PURSUANT TO
16 12 N.N.C §§ 2501 – 2508

17 BE IT ENACTED:

18
19
20
21 **Section One. Authority**

- 22 A. The Law and Order Committee of the Navajo Nation Council is empowered to serve
23 as the oversight authority for the Division of Public Safety and the Judicial Branch
24 Navajo Nation. 2 N.N.C. § 600 (C)(6).
- 25 B. The Budget and Finance Committee of the Navajo Nation Council is empowered to
26 review and recommend to the Navajo Nation Council the budgeting, appropriation,
27 investment, and management of all funds. 2 N.N.C. § 301(B)(2).
- 28 C. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review
29 all proposed legislation which requires final action by the Navajo Nation Council. 2
30 N.N.C. §164(A)(9).

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

3 E. The Navajo Nation Code provides the purpose of the Navajo Nation Sihasin Fund
4 (“Sihasin Fund”) is as follows:

5 § 2502 Purpose

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

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

16 2. Education opportunities for members of the Navajo
17 Nation.

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

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

25 12 N.N.C. § 2502, as amended by CJA-03-18.

26 F. The Sihasin Fund provides that “Fund Principal” shall consist of all deposits made
27 to the Sihasin Fund and that “Fund Income” shall consist of all earnings (interest,
28 dividends, etc.) generated and realized by the Fund Principal, and that Fund
29 Income shall be deposited in and added to Fund Principal until such time as a
30 Fund Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).

1
2 **Section Two. Findings**

- 3 A. The Kayenta Township (“Township”) was permanently made a home rule
4 municipality of the Navajo Nation by Navajo Nation Council Resolution CAU-
5 47-03 (August 29, 2003).
- 6 B. The Kayenta Township Commission (“KTC”), the Township’s governing body,
7 was given broad authority to perform all functions necessary for local self-
8 government consistent with generally applicable laws of the Navajo Nation and the
9 federal government. 2 N.N.C. §§ 4081 and 4084.
- 10 C. The Kayenta Judicial District (the “District”) covers approximately 2,439,395
11 acres with a population of over 19,240 residents. Growth and economic
12 development initiatives within the Kayenta Judicial District, has created the need
13 to enhance and expand the availability and delivery of judicial service, including
14 the need for a new public safety and judicial facility in the District.
- 15 D. Since 2001, the KTC, Kayenta Chapter Administration, the Kayenta Judicial
16 District, and Kayenta Public Safety personnel have been working on a four phase
17 master plan for the construction of a new public safety and judicial complex (the
18 “Project”) for the District. These entities have obtained community support from
19 the seven chapters in the district for the Project and secured the necessary land use
20 clearances, including an archeological survey and an environmental assessment.
- 21 E. The first two phases of the Project were funded through the use of an
22 appropriation from the United States Congress (ARRA or “stimulus” funds”),
23 which were accepted by the Navajo Nation on September 23, 2009. The new
24 Department of Corrections and Public Safety facilities had their grand opening on
25 June 04, 2015. However, the last two phases of the Project for the Juvenile
26 Detention and Judicial Facilities remain to be completed.
- 27 F. The Kayenta District Court provides court services, peacemaking, probation and
28 parole services for the Kayenta, Chilchinbeto, Dennehotso, Oljato, Tsa’ah bii Kin,
29 Naatsis’aan, and Shonto Chapters of the Navajo Nation. The current 26-year-old
30 court facility is cramped, aged and inadequate to provide the necessary judicial

1 services, which are a critical component of public safety for the Township and
2 surrounding communities.

3 G. A new 17,000 square foot Kayenta Judicial Complex will provide a safe and
4 permanent building for courts services, judicial program personnel, the
5 prosecutor's office, probation and parole services, the public defender's office,
6 the peacekeeping program, offices, meeting rooms, and hearing rooms that are
7 culturally-based, and expand and improve the availability and delivery of judicial
8 services.

9 H. The Law and Order Committee of the Navajo Nation, on the recommendation of
10 the Judicial Branch and the Division of Public Safety, by Committee Resolution
11 LOCJN-04-17 (June 2, 2017), attached as **Exhibit 1**, identified construction of the
12 Kayenta Judicial Complex as the third priority for construction of judicial/public
13 safety facilities on the Navajo Nation.

14 I. KTC approved an appropriation to the Navajo Nation Judicial Branch by
15 Resolution No. KTCAU-38-18, for the Kayenta Judicial Complex in the amount
16 of \$650,000.00.

17 J. At the request of the various stakeholder agencies of the Navajo Nation, including
18 the Judicial Branch, the Kayenta District Court, the Department of Corrections,
19 and the Office of the Prosecutor, by Resolution No. KTCD-58-18 (Dec. 10,
20 2018), KTC authorized the Township to serve as Fiscal Agent for the Kayenta
21 Judicial Complex, whereby the Township would hold all of the funding for the
22 Complex from whatever source, assist in the procurement of the contractor for the
23 Complex, and directly disburse payments for the Complex, which would be
24 owned by the Navajo Nation under the primary custody of the Judicial Branch.

25 K. The land for the Kayenta Judicial Complex is located within the Township and
26 KTC has already approved a withdrawal of the land for the exclusive use of the
27 Kayenta Judicial Complex. The Township will not charge rent or other fees for
28 the use of the land. The land on which the Kayenta Judicial Complex will be
29 located is estimated to be valued at \$247,771.55, which is an additional in-kind
30

1 contribution by KTC for the Complex, for a total contribution by KTC of
2 \$897,771.55.

- 3 L. An additional \$12,000,000.00 in funding is needed to complete the design and
4 construction of the Kayenta Judicial and Public Safety Complex, as set forth in
5 the Kayenta District Conceptual Project Budget/Expenditure Plan, attached and
6 incorporated herein as **Exhibit 2**.

7
8 **Section Three. Approval and Adoption of the Kayenta Judicial Complex**
9 **Expenditure Plan**

- 10 A. The Navajo Nation hereby allocates to Kayenta Township the total amount of
11 \$12,000,000.00 to construct the Kayenta Judicial Complex as detailed in **Exhibit 2**.
12 B. The Navajo Nation hereby approves and adopts the Kayenta Judicial Complex
13 Expenditure Plan, attached and incorporated herein as **Exhibit 2**.
14 C. The Sihasin Funds allocated for the Kayenta Judicial Complex Expenditure Plan
15 may be further leveraged by bond or loan financing pursuant to the Navajo Nation
16 Bond Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended, using Sihasin Fund
17 earnings for repayment and financing costs upon the recommendation of the Budget
18 and Finance Committee and approval by a two-thirds (2/3) vote of all members of
19 the Navajo Nation Council.

20
21 **Section Four. Approval and Adoption of Expenditure Plan Administration**

22 The Navajo Nation hereby approves administration of the Sihasin Fund Kayenta
23 Judicial Complex Expenditure Plan as follows:

- 24 A. The Navajo Nation Controller shall determine whether the source of the annual
25 allocations from the total allocation of \$12,000,000.00 will be Sihasin Fund
26 Principal or Income or a combination of both;
27 B. The funding to the Kayenta Judicial Complex shall be distributed promptly to the
28 Kayenta Township after the approval of this legislation. The Township shall
29 serve as the fiscal agent and procuring party for the design and construction of
30 the Kayenta Judicial Complex, in coordination with the Navajo Nation

1 stakeholders. Upon completion of the Project, the Navajo Nation shall own the
2 Complex, which shall be under the primary custody of the Judicial Branch;

3 C. The funds allocated for the Kayenta Judicial Complex shall be used solely to
4 design, plan, and construct the Kayenta Judicial Complex as described in
5 **Exhibit 2**. Any and all cost-savings shall be returned to the to the Síhasin Fund
6 once the Kayenta Judicial Complex is completed; and

7 D. The funds allocated for the Kayenta Judicial Complex shall not lapse on an
8 annual basis pursuant to 12 N.N.C. §820 (N), however, any funds not spent or
9 encumbered within twenty-four (24) months of the date funds are made
10 available to the Kayenta Judicial Complex shall revert to the Síhasin Fund
11 principal, unless recommended otherwise by the Law and Order Committee and
12 approved by the Naabik'íyáti' Committee.

13
14 **Section Five. Effective Date**

15 The Síhasin Fund Kayenta Judicial Complex Expenditure Plan, as set forth above, shall
16 become effective pursuant to 12 N.N.C. § 2505.

17
18 **Section Six. Directives**

19 The Township and the Kayenta Judicial District shall jointly report the status of the
20 Kayenta Judicial Complex project to the Naabik'íyáti Committee on a quarterly basis,
21 after the initial disbursement of funds, until such time as the Complex is fully
22 functional and all funds are expended or otherwise reverted as provided herein.



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Acting Deputy Attorney General

MEMORANDUM

TO: Stephen B. Etsitty, Administrative Director
Administrative Office of the Courts
Navajo Judicial Branch

FROM:

Kandis Martine, Assistant Attorney General
Human Services & Government Unit
Office of the Attorney General, Navajo Nation Department of Justice

DATE: September 30, 2019

SUBJECT: **Sihasin Legislation for the Kayenta Judicial Complex**

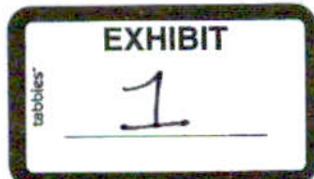
The Navajo Nation Department of Justice ("DOJ") has received a request to identify certain exhibits to the Sihasin Legislation for the Kayenta Judicial Complex as confidential. Pursuant to 2 N.N.C. § 164(A)(6), exhibits attached to any legislation can be deemed "confidential" by the DOJ. The Legislation "Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 – 2508" has an Exhibit 2 attached to it, that DOJ would consider confidential. The details in that Exhibit concern information pertaining to a potential contract, which is a protected record pursuant to 2 N.N.C. § 85(A)(7).

For the above stated reasons, DOJ requests Exhibit 2 of the proposed legislation not be placed on the Navajo Nation Council's website or be released to the public.

If you have any questions regarding the above, please contact me at ext. 6935 or by email at kmartine@nndoj.org.

KM/gj.444

xc: Kristen Lowell, Attorney
Office of Legislative Council
Navajo Nation Council



**RESOLUTION OF THE LAW AND ORDER COMMITTEE
23rd NAVAJO NATION COUNCIL - THIRD YEAR,
LAW AND ORDER COMMITTEE**

AN ACTION

**RELATING TO LAW AND ORDER; APPROVING JUDICIAL/PUBLIC SAFETY
FACILITIES FUND PRIORITY LIST FOR FISCAL YEARS 2017 AND 2018**

BE IT ENACTED:

Section One. Authority

The Navajo Nation established the Law and Order Committee (LOC) as a Navajo Nation standing committee and as such gave LOC approval authority to fund public safety facilities from the Navajo Sales Tax revenue. 2 N.N.C. §§ 600(A) see also CJA-03-13, 22nd Navajo Nation Council, sect. 5, 30 (2013) and BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sects. I and II (2011).

Section Two. Findings

- A. The Navajo Nation Council established the Judicial/Public Safety Facilities Fund and the fund shall be appropriated pursuant to the Judicial/Public Safety Facilities Fund Management Plan. 24 N.N.C. § 620(B).
- B. The Law and Order Committee approves a "Fund Priority List" which "shall identify and prioritize five Judicial Branch, Public Safety or combined Judicial/Public Safety facilities at specified locations that may receive funding from the Fund." BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sect. III.C. (2011).
- C. For Fiscal Years 2017 and 2018, the Judicial Branch and the Division of Public Safety recommend the Law and Order Committee approve the attached Fund Priority List. EXHIBIT A.

**Section Three. Approving the Judicial/Public Safety Facilities
Fund Priority List**

The Law and Order Committee approves the Judicial/Public

Safety Facilities Fund Priority List for Fiscal Years 2017 and 2018 as listed in EXHIBIT A. BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sect. III. C. (2011).

Section Four. Fund Administration

With the assistance of the Controller, the Judicial Branch and the Division of Public Safety shall ensure that funds are properly administered and fund expenditures shall be restricted to facilities approved by this resolution in EXHIBIT A. BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sect. III. A. and B. (2011).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23rd 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 4 in favor and 0 oppose, this 2nd day of June, 2017



Honorable Raymond Smith Jr,
Vice Chairperson
Law and Order Committee

Motion: Honorable Edmund Yazzie

Second: Honorable Otto Tso



AMENDED AGREEMENT

**RECOMMENDING APPROVAL OF THE JUDICIAL/PUBLIC SAFETY FACILITIES
FUND PRIORITY LIST FOR FISCAL YEARS 2017 AND 2018 AS PROVIDED BY THE
JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN**

WHEREAS,

The Judicial Branch ("Branch") and the Division of Public Safety ("Division") are joint administrators of the Judicial/Public Safety Facilities Fund Management Plan.

The Fund requires that a priority listing of facilities for funding be approved beginning with Fiscal Years 2008-2009 and every two years thereafter.

The Navajo Nation District Judicial/Public Safety Master Plan completed in March 2007 serves as a guide for the planning and design of judicial/public safety facilities.

The Chief Justice and the Division Director have reviewed the facility needs for judicial/public safety facilities and have identified projects that may receive funding from the Judicial/Public Safety Facilities Fund.

THEREFORE, The Chief Justice and the Division Director hereby recommend to the Law and Order Committee of the Navajo Nation Council ("Committee") that the priorities for the Judicial/Public Safety Facilities Fund Management Plan be approved as follows:

1. Window Rock, Navajo Nation, Arizona – Division of Public Safety, Window Rock Judicial District and NDPS Headquarters Facility
2. Shiprock, Navajo Nation, New Mexico – Judicial/Public Safety/Correctional Facilities
3. Kayenta, Navajo Nation, Arizona – Judicial Facility
4. Chinle, Navajo Nation, Arizona – Public Safety Training Facility
5. Dilkon, Navajo Nation, Arizona – Public Safety/Correctional Facilities
6. Pinon, Navajo Nation, Arizona – Judicial/Public Safety/Correctional Facilities
7. Window Rock, Navajo Nation, Arizona – Supreme Court Facility
8. Ramah, Navajo Nation, New Mexico – Judicial Facility
9. Aneth, Navajo Nation, Utah – Judicial/Public Safety/Correctional Facilities
10. Alamo, Navajo Nation, New Mexico – Judicial/Public Safety/Correctional Facilities
11. Pueblo Pintado, Navajo Nation, New Mexico – Public Safety/Correctional Facilities
12. To'hajiilee, Navajo Nation, New Mexico – Public Safety/Correctional Facilities
13. Kaibeto, Navajo Nation, Arizona – Public Safety Substation
14. Cameron, Navajo Nation, Arizona – Public Safety Substation
15. Leupp, Navajo Nation, Arizona – Public Safety Substation
16. Tuba City, Navajo Nation, Arizona – Fire Department and Emergency Medical Services Facility

17-10-170157
The Branch and Division further recommend to the Committee that the sequence of construction of facilities may be modified by the timing of approval of financing and upon the shovel- and construction-readiness of each project.

The Branch and Division further recommend to the Committee that from time to time, additional appropriation requests be made to the Navajo Nation Council for deposit into the Judicial/Public Safety Facilities Fund to address construction of judicial/public safety facilities.

The Branch and Division further recommend to the Committee that from time to time, additional appropriation requests be considered for other judicial/public safety facility projects outside of the priority list.

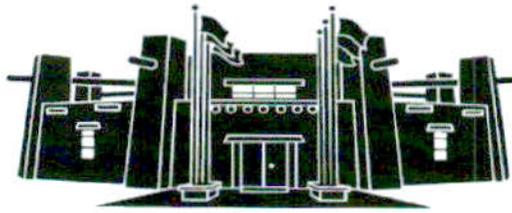
Signed this 2nd day of June 2017



Allen Sloan, *Acting Chief Justice*
Judicial Branch of the Navajo Nation

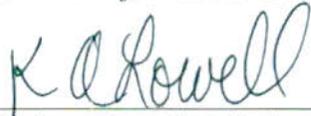


Jesse Delmar, *Division Director*
Division of Public Safety



MEMORANDUM

TO: Honorable Nathaniel Brown
24th Navajo Nation Council

FROM: 
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: October 1, 2019

SUBJECT: **AN ACTION RELATING TO LAW AND ORDER COMMITTEE,
RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND
FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO
NATION COUNCIL; ALLOCATING \$12,000,000.00 FROM THE SÍHASIN
FUND TO THE KAYENTA JUDICIAL COMPLEX AND APPROVING AND
ADOPTING THE KAYENTA JUDICIAL COMPLEX FUND EXPENDITURE
PLAN PURSUANT TO
12 N.N.C §§ 2501 – 2508**

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

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

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

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

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0308-19 _____ SPONSOR: Nathaniel Brown

TITLE: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati Committee and Navajo Nation Council; Allocating \$12,000,00.00 from the Sihasin Fund to the Kayenta Judicial Complex and approving and adopting the Kayenta Judicial Complex fund expenditure Plan pursuant to 12 N.N.C. §§ 2501-2508

Date posted: October 7, 2019 at 5:42pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

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.: 0308-19

SPONSOR: Honorable Nathaniel Brown

TITLE: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati Committee and Navajo Nation Council; Allocating \$12,000,00.00 from the Sihasin Fund to the Kayenta Judicial Complex and approving and adopting the Kayenta Judicial Complex fund expenditure Plan pursuant to 12 N.N.C. §§ 2501-2508

Posted: October 07, 2019 at 05:42 PM

5 DAY Comment Period Ended: October 12, 2019

Digital Comments received:

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



**Legislative Tracking Secretary
Office of Legislative Services**

10/14/19 8:32 AM
Date/Time

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0308-19

SPONSOR: Honorable Nathaniel Brown

TITLE: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati Committee and Navajo Nation Council; Allocating \$12,000,00.00 from the Sihasin Fund to the Kayenta Judicial Complex and approving and adopting the Kayenta Judicial Complex fund expenditure Plan pursuant to 12 N.N.C. §§ 2501-2508

Posted: October 07, 2019 at 05:42 PM

5 DAY Comment Period Ended: October 12, 2019

Digital Comments received:

Comments Supporting	1) Gabriel Yazzie, Kayenta Township Manager
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



 Legislative Tracking Secretary
 Office of Legislative Services

10/15/19 3:23 pm

 Date/Time



THE KAYENTA TOWNSHIP

P.O. Box 1490 KAYENTA, AZ 86033 - PHONE: (928) 697-8451 FAX: (928) 697-8461

Continuing the legacy of brilliant leadership through local empowerment since 1984.



Resolution No: KTCM-16-19

RESOLUTION OF THE KAYENTA TOWNSHIP COMMISSION

Supporting a Navajo Nation Council Resolution Approving and Adopting the S'hasin Fund Kayenta Judicial Complex Expenditure Plan Pursuant 12 N.N.C. §§ 2501 - 2508

WHEREAS:

1. The Kayenta Township Commission ("Commission") is a home-rule municipality of the Navajo Nation with the general authority and responsibility to govern for the welfare of the Kayenta Township ("Township"), the Township's employees, and its residents, including the enactment of such ordinances, rules and regulations as it deems in the best interest of the Township. *See* 2 N.N.C. §§ 4081-4086, as amended; and
2. The Kayenta Judicial District (the "District") covers approximately 2,439,395 acres with a population of over 19,240 residents. Because of growth and economic development initiatives within the District, there has been a need to enhance and expand the availability and delivery of judicial services and a need for a new public safety and judicial facility in the District; and
3. Since 2001, the Kayenta Township Commission, the Kayenta Chapter Administration, the Kayenta Judicial District, and Kayenta Public Safety personnel have been working on a four-phase master plan for the construction of a new public safety and judicial complex for the District (the "Project"), have obtained community support for the Project, and have completed all necessary land use clearances, including an archaeological survey and an environmental assessment; and
4. The first two phases of the Project were funded through the use of an appropriation from the United States Congress (ARRA or "stimulus" funds"), which were accepted by the Navajo Nation on September 23, 2009. The new Department of Corrections and Public Safety facilities had their grand opening on June 04, 2015. However, the last two phases of the Project for the Juvenile Detention and Judicial Facilities remain to be completed; and
5. The Kayenta District Court provides court, peacemaking and probation services for the Kayenta, Chilchinbeto, Dennehotso, Inscription House, Navajo Mountain, Oljato, and Shonto Chapters of the Navajo Nation. The current 25-year-old court facility is cramped, aged and inadequate to provide the necessary judicial services, which are a critical component of public safety for the Kayenta Township and surrounding communities; and
6. A new 15,000 square foot Kayenta Judicial Complex will provide a safe and permanent building for courts, judicial program personnel, the prosecutor's office, the peacekeeping program, offices, meeting rooms, and hearing rooms that are culturally based, and expand and improve the availability and delivery of judicial services; and

7. Pursuant to Resolution No. LOCJN-04-17 (June 2, 2017), the Law and Order Committee of the Navajo Nation, on the recommendation of the Judicial Branch and the Division of Public Safety, identified construction of a new Kayenta Judicial Complex as the number third priority for construction of judicial/public safety facilities on the Navajo Nation; and
8. Pursuant to Resolution No. KTCAU-38-18, at the request of the Kayenta Judicial District, the Commission approved an appropriation to the Navajo Nation Judicial Branch for completing the construction of a new public safety and judicial facility in the Kayenta Judicial District, in the amount of \$555,500.00; and
9. Pursuant to Resolution No. KTCD-58-18 (Dec. 10, 2018), at the request of the Navajo Nation, the Commission authorized the Township to serve as Fiscal Agent for the Project, whereby the Township would hold all of the funding for the Project from whatever source, assist in the procurement of the contractor for the Project, and directly disburse payments for the Project; and
10. The land where the Kayenta Judicial Complex is to be located is within the Township's boundaries and its withdrawal has already been approved by the Commission for the exclusive use of the Kayenta Judicial Complex, at an estimated value of \$247,771.55, which is an additional in-kind contribution by the Commission; and
11. An approximate additional \$12,000,000.00 in funding is needed to complete the design and construction of the Kayenta Judicial Complex, as set forth in draft Navajo Nation Council legislation attached hereto as Exhibit A; and
12. Pursuant to Navajo Nation Council Resolution No. CD-68-14, the Navajo Nation Council enacted the Navajo Nation Breach of Trust Settlement Act of 2014 and established the S'hasin Fund at 12 N.N.C. § 2501 *et seq.* The S'hasin Fund is funded with all moneys received from the United States government through the settlement of *Navajo Nation v. United States*, U.S. Court of Federal Claims, Case No. 06-945L, as well as proceeds of other settlement or judgment awards and any other sources of revenue as appropriated by the Navajo Nation Council. 12 N.N.C. § 2501(A), (B); and
13. Pursuant to Navajo Nation Council Resolution No. CJA-03-18, the Navajo Nation S'hasin Fund may be used for (1) "[t]he planning and development of economic development and regional infrastructure supporting economic and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterline, solid waste management development, powerline projects, and transportation and communication systems, within the Navajo Nation;" and (2) "educational opportunities for members of the Navajo Nation." 12 N.N.C. § 2502(A); and
14. The Commission determines that construction of a safe and permanent building for the Kayenta Judicial District, an essential component to public safety, is in the best interest of the Township; and

15. The Commission now wishes to support the use of the Sphasin Fund for the design and construction of the Kayenta Judicial Complex, as set forth in the draft legislation attached hereto as Exhibit A.

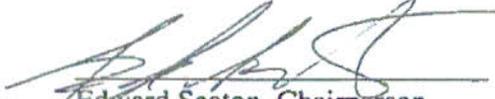
NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby renews its support of stakeholder efforts to construct the new Kayenta Judicial Complex, which will provide a safe and permanent home for the Kayenta Judicial District and expand and improve the delivery of judicial services.
2. The Commission hereby supports use of the Sphasin Fund for the design and construction of the Kayenta Judicial Complex, and hereby reaffirms its in-kind contribution of land for the Complex, at an estimated value of \$247,771.55.
3. The Commission hereby supports legislation by the Navajo Nation Council approving the use of Sphasin funds for the Kayenta Judicial Complex, a draft of such legislation which is attached hereto as Exhibit "A."
4. The Commission reaffirms that the Township will act as fiscal agent for all funds for the construction of the Kayenta Judicial Complex and hereby approves and authorizes the Township to do the procurement for the Complex, including without limitation design and construction of the Complex.
5. The Commission hereby authorizes the Town Manager and the Commission Chairperson to take all appropriate and necessary steps to accomplish the purposes of this Resolution, including locating one or more sponsors for Navajo Nation Council legislation to fund the Kayenta Judicial Complex from the Sphasin Fund.
6. This Resolution supersedes and replaces any prior resolutions passed for the same purpose and subject matter, which are in conflict with the provisions herein.

CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Kayenta Township Commission at a duly called meeting at Kayenta, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 4 in favor, 0 opposed, and 1 abstained, this 11TH day of March, 2019.

Motion: Commissioner J. Williams
Second: Commissioner C. Kescoli


Edward Seaton, Chairperson
Kayenta Township Commission



Navajo Nation Kayenta Chapter
Post Office Box 1088
Kayenta Chapter, Navajo Nation, AZ 86033
Chapter Resolution

Resolution No: KY19-396-01

SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED

WHEREAS,

1. The Kayenta Chapter of the Navajo Nation acts on his resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1, Section 1, B. Purpose which states "Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition: the inclusivity provided by the Dine Fundamental Law, in that "it is entirely appropriate for the government itself to openly observe these fundamental laws"; and
2. Kayenta Judicial district serves the following chapters; Ts'ah Bii kin, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
3. The Seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
4. It is in the best interest of Kayenta Chapter and the Dine served by the Kayenta Chapter to support the efforts of the Kayenta Judicial District; and
5. The Kayenta Chapter has heard a report and recommendation of the Kayenta Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation Sihasin funds, and from other Navajo Nation, Federal, and state sources of funds as needed.; and

NOW THEREFORE, BE IT RESOLVED,

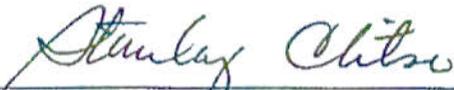
1. The Kayenta Chapter hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation Sihasin funds, and other Navajo Nation, Federal, and state sources of funds as needed.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the **KAYENTA** Chapter, **KAYENTA, ARIZONA**, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of **22** in favor, **00** opposed, and **01** abstaining, this 14th day of January, 2019.

Motion: Rosie Begay

Second: Sara Blackwater



Stanley Clitso, Kayenta Chapter President

President
FELIX R FULLER
Vice-President
ELIZABETH WHITETHORNE-
BENALLY
Secretary / Treasurer
WINNIFRED BRONSTON
Grazing Representative
ROLAND SMALLCANYON
Council Delegate
HERMAN DANIELS



East Representative
JONES GRASS
South Representative
STANLEY YAZZIE
West Representative
ROYD LEE
North Representative
VACANT

Governance Manager
ROBERT K BLACK, JR.

SHO01-23-19

APPROVING AND SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED

WHEREAS:

1. Pursuant to TCDOS-98-99, The Transportation and Community Development approved the Governance Certification of the Five Management System Policies and Procedures for Shonto Chapter, pursuant to the Local Governance Act, 26 N.N.C. Section 102(B); and
2. Shonto Community Governance is a local certified Chapter of the Navajo Nation Government with vested authority and responsibility to develop and implement local ordinances and to approve plans and take positions on matters of local concern that are in the best interest of the local chapter and Navajo Nation; and
3. Kayenta Judicial District serves the following chapters: Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
4. The Seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
5. It is in the best interest of Shonto Community Governance and the *Diné* served by the Shonto Community Governance to support the efforts of the Kayenta Judicial District; and
6. The Shonto Community Governance has heard a report and recommendation of the Kayenta Judicial District Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation *Sihasin* funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Shonto Community Governance hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation *Sihasin* funds, and other Navajo Nation, Federal, and state sources of funds as needed.

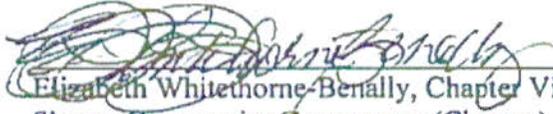
CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Shonto Community Governance at a duly called Council of Nat'aa meeting in Shonto, Arizona at which a quorum was present and that the same was passed by a vote of 7 in favor 0 opposed, and 0 abstained, this 24th day of January 2019.

Motion: Mr. Brian Kee

Second: Ms. Marsha Greyeyes

CONCURRENCE:



Elizabeth Whitethorne-Benally, Chapter Vice-President
Shonto Community Governance (Chapter)



Ts'ah Bii Kin Chapter

Martha Tate
President

Geraldine Chee
Vice-President

Chancy Nodestine
Secretary/Treasurer

Jerry Happy Begay
Grazing Official

Herman Daniels Jr.
Council Delegate

RESOLUTION # 2019-013-004

**SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO
OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING
FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED**

Whereas:

1. The Ts'ah Bii Kin Chapter of the Navajo Nation acts on this resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1, Section 1, B. Purpose which states "Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition" the inclusivity provided by the *Dine* Fundamental Law, in that "it is entirely appropriate for the government itself to openly observe these fundamental laws", and
2. Kayenta Judicial District serves the following chapters: Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
3. The seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
4. It is in the best interest of Ts'ah Bii Kin Chapter and the *Diné* served by the Ts'ah Bii Kin Chapter to support the efforts of the Kayenta Judicial District; and
5. The Ts'ah Bii Kin Chapter has heard a report and recommendation of the Kayenta Judicial District Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation *Sihasin* funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

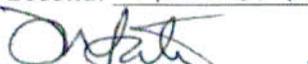
NOW THEREFORE BE IT RESOLVED THAT:

1. The Ts'ah Bii Kin Chapter hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation *Sihasin* funds, and other Navajo Nation, Federal, and state sources of funds as needed.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Ts'ah Bii Kin Chapter at a duly called meeting in Ts'ah Bii Kin, Arizona at which a quorum was present and that the same was passed by a vote of 27 in favor 0 opposed, and 5 abstained, this 13th day of January 2019.

Motion: Josiah White Second: Aurora Tate

CONCURRENCE: 
Martha Tate: Ts'ah Bii Kin Chapter President



OLJATO CHAPTER/ADMINISTRATION
 PO BOX 360455
 MONUMENT VALLEY, UTAH 84536
 Email: oljato@navajochapters.org
 Phone: 435-727-5850 Fax: 5852
 Shirlee Bedonie, Com. Serv. Coord.

Herman Daniels Jr. Council Delegate
 James Adakai, President
 Albert Holiday, Vice President
 LaNell Menard-Parrish, Sec./Treasurer
 Billy Charley, Grazing Official
 Peggy Abrigo, Account. Maint. Specialist

RESOLUTION OF THE OLJATO CHAPTER

Resolution No: OLJ02-07-2019

SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED

WHEREAS;

1. Pursuant to Navajo Nation Code, Section 4001 (D) and 4028 (a), (b), the Oljato Chapter is established and certified as a local government entity of the Navajo Nation vested with the authority to review all matters affecting the Chapter and submit appropriate recommendations to the Navajo Nation Government or other local agencies by resolution; and
2. Pursuant to 26 N.N.C., Chapter 1: Navajo Nation Chapter, Section 1., (B) (1) & (2), The Navajo Nation Councils delegated to Chapter governmental authority with respect to local matters consistent with Navajo law, including custom and tradition and allows chapter to make decisions to govern with responsibility
3. Kayenta Judicial District serves the following chapters: Ts'ah Bii Kin, Naatsis'áán, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
4. The seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
5. It is in the best interest of Oljato Chapter and the *Diné* served by the Oljato Chapter to support the efforts of the Kayenta Judicial District; and
6. The Oljato Chapter has heard a report and recommendation of the Kayenta Judicial District Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation *Sihasin* funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

NOW THEREFORE BE IT RESOLVED THAT:

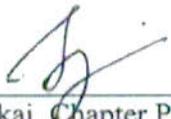
The Oljato Chapter hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation *Sihasin* funds, and other Navajo Nation, Federal, and state sources of funds as needed.

CERTIFICATION

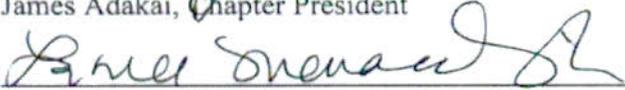
We hereby certify that the foregoing resolution was duly considered by the Oljato Chapter at a regular duly called meeting at Oljato, Navajo Nation, Utah at which a quorum was present and that same was passed by a vote of 51 in favor, 0 opposed and 3 abstained, this 10 day of **FEBRUARY 2019**.

1st Motion by: MARY GAZZIE 2nd Motion by: LINDA RODRIGUEZ

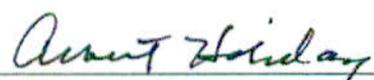
RESOLUTION NO: 01502-07-2019
DATE: February 10, 2019



James Adakai, Chapter President



LaNell Menard-Parrish, Secretary/Treasurer



Albert Holiday, Vice-President

**RESOLUTION OF THE
DENNEHOTSO CHAPTER
DCHJAN – 024 – 2019**

**SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL COURTS TO OBTAIN
FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING
FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED**

WHEREAS:

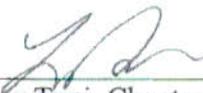
1. Dennehotso Chapter is a certified Chapter of the Navajo Nation, established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government, vested with the authority to plan and implement projects in the best interest of the community, 1AW N.N.C., Section 103 (D); and
2. Kayenta Judicial courts serves the following chapters: Inscription house, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
3. The Seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial courts serves; and
4. It is in the best interest of Dennehotso Chapter and the *Diné* served by the Dennehotso Chapter to support the efforts of the Kayenta Judicial Courts; and
5. The Dennehotso Chapter has heard a report and recommendation of the Kayenta Court administrator and has determined that it should adopt and support efforts of the Kayenta Judicial courts to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation Sihasin funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Dennehotso Chapter hereby supports the Kayenta Judicial Courts in obtaining funding for the construction of the Kayenta Judicial courts, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation Sihasin funds, and other Navajo Nation, Federal, and state sources of funds as needed.

CERTIFICATION

I certify that the foregoing resolution was duly considered by the Dennehotso Chapter, at a duly called meeting, in Dennehotso (Navajo Nation), Arizona at which a quorum was present and that same was passed by a vote of; **25** in favor **01** opposed, **01** abstained, this **13th** day of **January**, **2019**



Larry Tuni, Chapter President
Dennehotso Chapter – Western Navajo Agency

Motion by: **Irene Clah**
Seconded by: **Etta Mitchell**

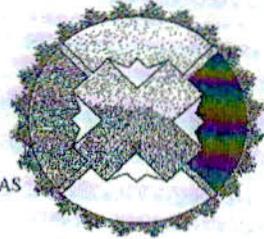


CHILCHINBETO CHAPTER

"HOME OF THE WORLD'S LARGEST NAVAJO RUG"

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

Thomas Bradley PRESIDENT · Eugene Badonie VICE PRESIDENT · Rita Zonnie SEC/TREAS
 VACANT, GRAZING OFFICIAL · Nathaniel Brown, COUNCIL DELEGATE



RESOLUTION OF THE CHILCHINBETO CHAPTER OF THE NAVAJO NATION RESOLUTION NO.: CCH #02-10-19D

SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED

WHEREAS:

1. Pursuant to Title 26 N.N.C., Chilchinbeto Chapter is a certified Chapter of the Navajo Nation and is delegated the authority and responsibility to promote projects which benefits the local community; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Chilchinbeto Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. The Chilchinbeto Chapter of the Navajo Nation acts on this resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1, Section 1, B. Purpose which states "Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition" the inclusivity provided by the *Dine* Fundamental Law, in that "it is entirely appropriate for the government itself to openly observe these fundamental laws", and
4. Kayenta Judicial District serves the following chapters: Ts'ah Bii Kin, Naatsis'áán, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
5. The seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
6. It is in the best interest of Chilchinbeto Chapter and the *Diné* served by the Chilchinbeto Chapter to support the efforts of the Kayenta Judicial District; and
7. The Chilchinbeto Chapter has heard a report and recommendation of the Kayenta Judicial District Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation *Sihasin* funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

NOW, THEREFORE BE IT RESOLVED THAT:

The Chilchinbeto Chapter hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation *Sihasin* funds, and other Navajo Nation, Federal, and state sources of funds as needed.

CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Chilchinbeto Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 26 in favor, 00 opposed, and 00 abstained, this 10th day of February 2019.

Motioned By: Ernest Burgoyne

Seconded By: Sam Charlie, Jr.

Thomas Bradley, President



WESTERN NAVAJO AGENCY COUNCIL

HANK STEVENS
President

JERRY WILLIAMS
Vice-President

SARAH SLIM
Secretary



RESOLUTION OF THE WESTERN NAVAJO AGENCY COUNCIL WNAC RESOLUTION N0: WNAC18-12-NB1

SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL COURTS TO OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED

Whereas:

1. Pursuant to 26 N.N.C., Section 3 (A) the Western Agency Council is a duly recognized certified agency of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B) Western Agency is vested with the authority to review all matters affecting the community and to make the appropriate correction when necessary and make the recommendation to the Navajo Nation and other local agencies for appropriate actions; and
3. Pursuant to "Indian Self Determination Act (PL 93-638)" as mentioned by the U.S. Congress, the Western Agency Council is entitled to support and initiate plans, make decisions and recommendations according to needs and desires of the community people; and
4. Kayenta Judicial courts serve the following chapters: Inscription house, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
5. Eight of these chapters extend into the Western region of the Navajo Nation Council; and
6. It is in the best interest of WNAC and the *Diné* served by the WNAC to support the efforts of the Kayenta Judicial Courts; and
7. The WNAC has heard a report and recommendation of the Kayenta Court administrator and has determined that it should adopt and support efforts of the Kayenta Judicial courts to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation Sihasin funds, and from other Navajo Nation, Federal, and state sources of funds as needed.



WESTERN NAVAJO AGENCY COUNCIL

HANK STEVENS
President

JERRY WILLIAMS
Vice-President

SARAH SLIM
Secretary



NOW THEREFORE BE IT RESOLVED THAT:

1. The Western Navajo Agency Council hereby supports the Kayenta Judicial Courts in obtaining funding for the construction of the Kayenta Judicial courts, which will serve chapters that extend into the western regions of the Navajo Nation, including without limitation Navajo Nation Síhasin funds, and other Navajo Nation, Federal, and state sources of funds as needed.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Western Navajo Agency Council at a duly called meeting in Flagstaff, Arizona at which a quorum was present and that the same was passed by a vote of 28 in favor 3 opposed, and 5 abstained, this 15th day of December 2018.

Motion: Eugene Bedonie

Second: Stanley Clitso

Hank Stevens, President
Western Agency Council



**RESOLUTION OF THE
NAVAJO UTAH COMMISSION
OF THE NAVAJO NATION COUNCIL**

NUCDEC-770-18

**SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL COURTS TO
OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND
OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE
SOURCES AS NEEDED.**

Whereas:

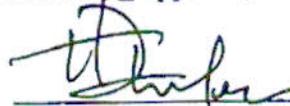
1. The Navajo Utah Commission (NUC) is a governmental subdivision of the Navajo Nation and is subject to oversight of the Navajo Nation Council - Naabik'iya'ti' Committee pursuant to resolution no. NABIAP-21-15; and
2. Kayenta Judicial courts serves the following chapters: Navajo Mountain, Dennehotso, Shonto, Oljato, Mexican Water, and Chilchinbeto areas; and
3. Several of these chapters extend into the southern region of the State of Utah, on the Navajo Nation; and
4. It is in the best interest of the Navajo Utah Commission and the *Dine'* served by the Navajo Utah Commission to support the efforts of the Kayenta Judicial Courts; and
5. The Navajo Utah Commission has heard a report and recommendation of the Kayenta Court administrator and has determined that it should adopt and support efforts of the Kayenta Judicial courts to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation Sihasin funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Navajo Utah Commission hereby supports the Kayenta Judicial Courts in obtaining funding for the construction of the Kayenta Judicial courts, which will serve chapters that extend into the southern region of the State of Utah, on the Navajo Nation, including without limitation on Navajo Nation Sihasin funds, and other Navajo Nation, federal, and state sources of fund as needed.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by Navajo Utah Commission at a duly called meeting in Dennehotso, Arizona at which a quorum was present and the same was passed by a vote of 4 in favor, 0 opposed, and 1 abstention, this 11th day of December, 2018.



Herman Farley, Chairperson
NAVAJO UTAH COMMISSION

MOTION: Larry Tuni
SECOND: Kenneth Maryboy

Chair not voting

**LAW AND ORDER COMMITTEE
24TH NAVAJO NATION COUNCIL**

FIRST YEAR 2019

COMMITTEE REPORT

Mr. Speaker,

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

Legislation No. 0308-19: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee and Navajo Nation Council; Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501- 2508 – Sponsors: Honorable Nathaniel Brown/Honorable Herman M. Daniels

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

And thereafter referred to Resources & Development Committee

Respectfully submitted,



Eugenia Charles-Newton, Chairwoman
Law and Order Committee
24th Navajo Nation Council

Date: December 02, 2019

Main Motion: Honorable Eugene Tso
Second : Honorable Vince James
Vote : 2-0-1 (Chairwoman not voting)

LAW AND ORDER COMMITTEE
Regular Meeting
December 02, 2019

VOTE TALLY SHEET:

Legislation No. 0308-19: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee and Navajo Nation Council; Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501- 2508 – Sponsors: Honorable Nathaniel Brown/Honorable Herman M. Daniels

Main Motion: Eugene Tso

Second: Vince James

Vote: 2-0-1

VOTE TALLY:

Yea: VJames/ETso

Nay:

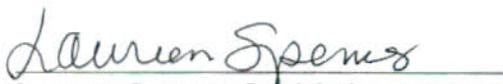
Not Voting: ECNewton

Excused: OTso

Absent: EYazzie



Eugenia Charles-Newton, Chairwoman



Lauren Spencer, Legislative Advisor
Law and Order Committee

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

FIRST YEAR 2019

COMMITTEE REPORT

Mr. Speaker,

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

LEGISLATION # 0308-19: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'Iyati Committee and Navajo nation Council; Allocating \$12,000,000.00 From the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-25098. *Sponsor: Honorable Nathaniel Brown Co-Sponsor: Honorable Herman M. Daniels*

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

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

Respectfully submitted,



Rickie Nez, Presiding Chairperson
Resource and Development Committee of
the 24th Navajo Nation Council

Date: December 4, 2019 – Regular Meeting
Meeting Location: LeChee Chapter
LeChee, Arizona

MAIN MOTION:

M: Herman M. Daniels S: Thomas Walker, Jr. Vote: 3-0-1(CNV)

YEAS: Mark A. Freeland, Herman M. Daniels, and Thomas Walker, Jr.

NAYS: NONE

EXCUSED: Wilson C. Stewart, Jr. and Kee Allen Begay, Jr.

RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council
FIRST YEAR

ROLL CALL
VOTE TALLY SHEET:

LEGISLATION # 0308-19: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'Iyati Committee and Navajo Nation Council; Allocating \$12,000,000.00 From the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-25098. *Sponsor: Honorable Nathaniel Brown Co-Sponsor: Honorable Herman M. Daniels*

December 4, 2019 – Regular Meeting
Meeting Location: LeChee Chapter
LeChee, Arizona

MAIN MOTION:

M: Herman M. Daniels S: Thomas Walker, Jr. Vote: 3-0-1(CNV)

YEAS: Mark A. Freeland, Herman M. Daniels, and Thomas Walker, Jr.

NAYS: NONE

EXCUSED: Wilson C. Stewart, Jr. and Kee Allen Begay, Jr.



Honorable Rickie Nez, Presiding Chairperson
Resources and Development Committee



Shammie Begay, Legislative Advisor
Office of Legislative Services

24th NAVAJO NATION COUNCIL

First Year 2019

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL # 0308-19:

An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee and Navajo Nation Council; Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Expenditure Plan Pursuant to 12 N.N.C. §§2501-2508 *Sponsored by Nathaniel Brown, and Herman M. Daniels, Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** with 1 amendment.

1. On page 5, line 7 insert a new clause: “M. The Controller has provided a memorandum dated December 16, 2019, which is attached as Exhibit 3, that reflects the balance in the Sihasin Fund. This memorandum also addresses the impact on interest income based on the current balance of the Sihasin Fund and with additional withdrawals.”

Motion: Amber K. Crotty; Second: Jimmy Yellowhair Vote: 5-0 Yeas: Raymond Smith, Jr., Jimmy Yellowhair, Amber K. Crotty, Nathaniel Brown, Elmer P. Begay

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

Respectfully submitted,



Jamie Henio, Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

17 December 2019

The vote was **5** in favor **0** opposed *yeas: Jimmy Yellowhair, Raymond Smith, Jr., Amber K. Crotty, Nathaniel Brown, Elmer P. Begay*
Main Motion: Elmer P. Begay
Second: Amber K. Crotty

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Memorandum:

TO: Budget and Finance Committee
24th Navajo Nation Council

FROM: 
Pearline Kirk, Controller

DATE: December 16, 2019

RE: Sihasin Funds

As requested per December 16, 2019 email from Ms. Peggy Nakai on behalf of Budget and Finance Committee for leadership meeting. The following questions posed

1. Looking at the current Sihasin balance, if additional appropriations are made from the principal, how will that impact the interest income?

- In today's current market environment and Sihasin Asset allocation profile we forecast for every \$5 million of additional contribution to the fund we gain \$160k. However this increases the growth of the fund for compounding interest income is achieved. See attached Exhibit 1.
- Currently, our unaudited unrestricted balance available from Sihasin is approximately \$383M, Exhibit A. If left alone we prolong the life of the fund and future projects. In order to get these figures we'll need time to gather data for this is an extensive and tedious task.
- It would be in the best interest of the Nation to keep Sihasin monies with the Nation. Currently, our Office is experiencing pressures to fund project in some cases prematurely and this is reason why our Office insists on draw down schedules in cases of construction projects. For example, NNGE has requested \$8M for Shiprock Hotel project before securing the land. Insisting on a draw down schedule once land is secured and project is shovel ready enabled the NN to earn additional income for another year.

2. If the Fund were to be depleted, what happens and how would that impact the NN investment portfolio?

- For every \$5 million spent we forgo \$160k in interest income and we don't benefit from compounding interest. Yes, the fund will continue to grow but at a much slower rate.
- The money is out and spent. The only money coming back will be any loans. Currently that would be NTUA (\$63.0M) and NNGE (\$4M). NTUA has very low interest rate and a term of 40 years.

NAVAJO NATION OFFICE OF THE CONTROLLER

P.O. BOX 3150 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6398 · FAX: (928) 871-6026

- The question then becomes what other funds become the new fund out of which projects will be spent.
- A lot of projects have been funded and will be funded through Sihasin. To the extent those funds require Operating & Maintenance (O&M), the question become who pays for those future O&M. For example, if NJUA is recipient of infrastructure, then will they come to the Nation for O&M as they have done so for tax dollars. Other example is Chapters and whether they have recurring dollars to afford O&M on any of these projects.
- The Sihasin legislation contemplated "leveraging" the funds when possible; however, to date that hasn't been done. The NN simply sent monies out to fund project but does not participate in equity structure or revenue participation. If NN did so, then can be used to obtain cheap debt while preserving the Sihasin funds and earning income. This is truly how the rich stay rich. At best when the NN currently spent, the NN may get some tax revenue generation but there is no real pay-back analysis. If Sihasin allowed for leveraging then this is the NN's opportunity to truly leverage in that manner.

Sihasin Fund
Balance Sheet (un-audited)
November 30, 2019

Cash	\$ (27,448,230)
Investments	588,675,134
Accrued Receivable	1,599,815
Accounts Receivable	-
Note Receivable	55,895,972
Total Assets	<u>\$ 618,722,691</u>
Liabilities:	
Accounts payable	\$ -
Accrued Liabilities	1,528,886
Total Liabilities	<u>\$ 1,528,886</u>
Fund balance:	
Committed:	
NTUA Water Projects (1)	\$ 79,477,267
✕ USDA Insurance Premiums (2)	19,835,612
Crownpoint Student Housing (3)	14,300,000
Powerline & Cap Projects (4)	39,033,320
Project Encumb & Budget (5)	51,368,319
Crownpoint Youth Center (6)	2,500,000
✕ Agriculture Infrastructure Fund (7)	7,602,994
Church Rock Industrial Park (8)	14,281,600
Tonalea Chapter (9)	3,000,000
FY 20 Budget (8)	2,096,644
Unallocated (9)	383,698,049
Total Fund Balance	<u>\$ 617,193,805</u>
Total Liabilities & Fund Balance	<u>\$ 618,722,691</u>

- (1) CJA-12-16 Water/Wastewater projects
(2) CO-57-16 \$19,835,612 USDA's Pasture, Rangeland, Forage Pilot
Insurance Program premiums for 2017 & 2018 crop years
(3) CAP-39-18 Crownpoint Student Housing
(4) CAP-35-18 Powerline and Chapter Capital Projects Expenditure Plan
(5) Projects budgets and encumbrances
(6) CMY-18-19 Crownpoint Youth Center
(7) RDCAU-74-18 - Agriculture Infrasture fund
(8) CO-31-19 Church Rock Industrial Park
(9) CO-34-19 Tonalea Chapter
(8) Current year budget
(9) Unallocated balance

Sihasin Interest Analysis
12/16/19

11/30/2019	588,675,134	Market Value				
FY 19 Interest Income	18,880,978	(Unaudited)				
	Withdrawal Amt.	Cumulative	588,675,134	18,880,978	3.21% Cumulative Interest	
	(5,000,000)	(5,000,000)	583,675,134	18,720,609	(160,368)	(160,368)
	(5,000,000)	(10,000,000)	578,675,134	18,560,241	(160,368)	(320,737)
	(5,000,000)	(15,000,000)	573,675,134	18,399,873	(160,368)	(481,105)
	(5,000,000)	(20,000,000)	568,675,134	18,239,504	(160,368)	(641,474)
	(5,000,000)	(25,000,000)	563,675,134	18,079,136	(160,368)	(801,842)
	(5,000,000)	(30,000,000)	558,675,134	17,918,767	(160,368)	(962,210)
	(5,000,000)	(35,000,000)	553,675,134	17,758,399	(160,368)	(1,122,579)
	(5,000,000)	(40,000,000)	548,675,134	17,598,031	(160,368)	(1,282,947)
	(5,000,000)	(45,000,000)	543,675,134	17,437,662	(160,368)	(1,443,316)
	(5,000,000)	(50,000,000)	538,675,134	17,277,294	(160,368)	(1,603,684)
	(5,000,000)	(55,000,000)	533,675,134	17,116,925	(160,368)	(1,764,052)
	(5,000,000)	(60,000,000)	528,675,134	16,956,557	(160,368)	(1,924,421)
	(5,000,000)	(65,000,000)	523,675,134	16,796,189	(160,368)	(2,084,789)
	(5,000,000)	(70,000,000)	518,675,134	16,635,820	(160,368)	(2,245,158)
	(5,000,000)	(75,000,000)	513,675,134	16,475,452	(160,368)	(2,405,526)
	(5,000,000)	(80,000,000)	508,675,134	16,315,083	(160,368)	(2,565,894)
	(5,000,000)	(85,000,000)	503,675,134	16,154,715	(160,368)	(2,726,263)
	(5,000,000)	(90,000,000)	498,675,134	15,994,347	(160,368)	(2,886,631)
	(5,000,000)	(95,000,000)	493,675,134	15,833,978	(160,368)	(3,047,000)
	(5,000,000)	(100,000,000)	488,675,134	15,673,610	(160,368)	(3,207,368)

CJA-12-16 Water, Wastewater Projects

Project	Description	Original	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance
N01429	SIHASIN EX C 2018 SDS PROJECTS	15,000,000.00	15,000,000.00	545,000.00		14,455,000.00
N01338	SW NAVAJO PLINE/SWTWTR EXT 5&7	2,700,000.00	11,200,000.00	6,991,500.00		4,208,500.00
N01339	WESTERN NAVAJO PIPELINE PH 1	1,000,000.00	2,000,000.00	1,755,731.44	244,268.56	
N01340	LAKE POWELL INTAKE	500,000.00	1,000,000.00	175.00	999,825.00	
N01357	SIHASIN EX C 2017 SDS PROJECTS	20,000,000.00	20,000,000.00	20,000,000.00		
N01358	WMB WATER PROJECTS MANAGEMEN	300,000.00	1,200,000.00	310,328.81	62,004.78	827,666.41
S40 NTUA LOAN RECEIVABLE			63,945,972.00	51,895,922.00		12,050,050.00
* NTUA O&M and Project Management			2,300,000.00			2,300,000.00
* WMB Project Management			300,000.00			300,000.00
* 407004 Wastewater			19,200,000.00	19,200,000.00		
* SDS Remaining set Budgets			44,029,952.00			44,029,952.00
		<u>39,500,000.00</u>	<u>180,175,924.00</u>	<u>100,698,657.25</u>	<u>1,306,098.34</u>	<u>78,171,168.41</u>

CAP-20-16 Gaming Enterprise -Fire and Rescue -Twin Arrows

C01586	TWN ARWS PBL SFTY BLDG-NNGE/SF	4,500,000.00	4,500,000.00	4,500,000.00		
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CJY-39-16-Travel Center Twin Arrows

407005 SF-TWIN ARROWS TRAVEL

CN-57-16- CDFI

407003	COMM DEV FIN INST-CDF	10,000,000.00	20,000,000.00	20,000,000.00		
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CO-57-16- USDA Pasture Rangeland

N01364	USDA PRF INSURANCE PROGRAM	19,835,612.00	19,835,612.00	12,232,618.00		7,602,994.00
						<u>19,835,612.00</u>

27,438,606.00

Note that the legislation indicates that there should be a reserve of \$19,835,612 per year until 2023.

CAP-35-18- Community Development Projects

C01683	BAHASTL'AH/TLC MF TRACTOR	55,000.00	55,000.00	37,628.84		17,371.16
C01684	BAHASTL'AH/TLC MOTOR GRADER	238,091.16	238,091.16			48,354.85
C01685	CORNFIELDS CHAPTER BACKHOE	40,000.00	40,000.00		189,736.31	40,000.00
C01686	COYOTE CANYON CHAPTER TRACTOR	50,000.00	50,000.00	38,482.24		11,517.76
C01687	COYOTE CANYON SR CENTER VAN	50,000.00	50,000.00			50,000.00
C01688	COYOTE CANYON TRUCK & FLATBED	90,000.00	90,000.00		63,884.00	26,116.00
C01689	COYOTE CANYON SR CNTR RENOVATN	109,000.00	109,000.00	39,387.83		69,612.17
C01690	COYOTE CANYON N96 CHIP SEAL	250,000.00	250,000.00	(8,640.00)		258,640.00
C01691	CRYSTAL FIRE SUPPRESSION SYSTEM	876,000.00	876,000.00			876,000.00
C01692	HOUCK CHAPTER ROAD 9402 IMPVMT	85,000.00	85,000.00			85,000.00
C01693	INDIAN WELLS CHAPTER HVAC UNIT	25,000.00	25,000.00			25,000.00
C01694	INDIAN WELLS SR CNTR RENOVATN	265,000.00	265,000.00			265,000.00
C01695	INDIAN WELLS COMMERCL SITE DEV	200,000.00	200,000.00			200,000.00
C01696	JEDDITO CHAPTER BACKHOE EQUIP	107,064.66	107,064.66	92,720.92		14,343.74
C01697	KINDAHLICHII CHPTR PARKING LOT	94,731.32	94,731.32			94,731.32
C01698	LUPTON CHAPTER WAREHOUSE	68,795.00	68,795.00			68,795.00
C01699	MEXICAN SPRINGS DEER SPRGS RD	667,000.00	667,000.00	667,000.00		
C01700	MEX SPRGS RD MAINT, C & BRIDGES	121,333.34	121,333.34			121,333.34
C01701	MEXICAN SPRINGS MF TRACTOR	45,000.00	45,000.00		38,482.24	6,517.76
C01702	NASCHITTI CHAPTER VEHICLE	73,333.33	73,333.33	36,115.00		37,218.33
C01703	NASCHITTI CHAPTER EQUIP/LOADER	231,000.00	231,000.00	230,974.00		26.00
C01704	NASCHITTI CHAPTER BACKHOE	103,000.00	103,000.00	95,294.00		7,706.00
C01705	OAKSPRINGS CHAPTER RENOVATION	1,000,000.00	1,000,000.00			1,000,000.00
C01706	RED LAKE STREET IMPROVEMENT	100,000.00	100,000.00			100,000.00
C01707	SAWMILL CHAPTER RENOVATION	250,000.00	250,000.00			250,000.00
C01708	ST MICHAELS NEW CHAPTER HOUSE	2,083,333.33	2,083,333.33			2,083,333.33

Sihasin Projects Listing
November 30, 2019

	Description	Original	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance
			220,000.00			220,000.00
C01709	STEAMBOAT CHAPTER RENOVATION	220,000.00	220,000.00			500,000.00
C01710	TEESTO COMMUNITY CENTER	500,000.00	500,000.00			66,000.00
C01711	WHITECONE JW2 MASTER TRACTPLAN	66,000.00	66,000.00			12,096.00
C01712	WHITECONE CHAPTER MOTOR GRADE	339,000.00	339,000.00	326,904.00		250,000.00
C01713	CAMERON CHPTR CULTURAL CTR BLD	250,000.00	250,000.00			300,000.00
C01714	CHILCHINBETO MULTI-PURPOSE BLD	300,000.00	300,000.00			50,000.00
C01715	COPPERMINE CHAPTER BACKHOE	50,000.00	50,000.00			350,000.00
C01716	KAYENTA MULTI-PURPOSE BLDG	350,000.00	350,000.00			4,050,000.00
C01717	TONALEA CHPTR HS REPLACEMT BLD	1,050,000.00	4,050,000.00		374,982.26	1,025,017.74
C01718	TUBA CITY SENIOR CITIZEN BLDG	1,400,000.00	1,400,000.00			50,035.12
C01719	BAHASTL'AH/TLC BACKHOE	143,000.00	143,000.00	92,964.88		360,666.66
C01720	SHIPROCK CHP VISITOR CENTER	360,666.66	360,666.66			200,000.00
C01721	RED VALLEY TRANSFER STATION	200,000.00	200,000.00			80,000.00
C01722	SHIPROCK SR CENTER RENOVATION	80,000.00	80,000.00			228,189.00
C01723	NEWCOMB SR CENTER RENOVATION	228,189.00	228,189.00			150,018.78
C01724	HOGBACK - NEW CHAPTER HOUSE	150,018.78	150,018.78			300,000.00
C01725	BURNHAM CHPT COMMUNITY CENTE	300,000.00	300,000.00			150,000.00
C01726	SAN JUAN MULTI-PURPOSE BLDG	150,000.00	150,000.00			17,000.00
C01727	SHIPROCK - ELDERLY CARE SITE	17,000.00	17,000.00			56,000.00
C01728	SHIPROCK RIVER TRAILS & PARK	56,000.00	56,000.00			682,629.66
C01729	SHEEP SPRGS MULTI-PURPOSE BLDG	682,629.66	682,629.66			50,000.00
C01730	SHIPROCK CHAPTER RENOVATION	50,000.00	50,000.00			1,000,000.00
C01731	SHIPROCK INCIDENT COMMAND CTR	1,000,000.00	1,000,000.00			255,704.00
C01732	COVE SENIOR CENTER RENOVATION	255,704.00	255,704.00			150,000.00
C01733	BACA/PREWITT CHAPTER WAREHOUSI	150,000.00	150,000.00		68,087.10	322,957.80
C01734	MARIANO LAKE MULTIPURPOSE BLDG	391,044.90	391,044.90			694,444.44
C01735	PINEDALE CH VETERANS BUILDING	694,444.44	694,444.44			694,444.44
C01736	SMITH LAKE BAY/SHOP BUILDING	694,444.44	694,444.44			3,269,616.66
C01737	STANDING ROCK HEADSTART BLDG	3,269,616.66	3,269,616.66			500,000.00
C01738	WHITE ROCK CHAPTER RENOVATION	500,000.00	500,000.00			200,000.00
C01739	SHP 15 SECURE LAND DESIGNATION	200,000.00	200,000.00			85,000.00
C01740	SHP PLAN/DESIGN 36 ACRE TRACT	85,000.00	85,000.00			238,249.15
C01741	RED MESA CHPTER HSE RENOVATION	238,249.15	238,249.15			50,000.00
C01742	BACA/PREWITT BACKHOE PURCHASE	50,000.00	50,000.00			200,000.00
C01743	SHIPROCK NEW TRAFFIC LIGHTS	200,000.00	200,000.00			500,000.00
C01744	WIDENING SAN FRANCISCO PEAK RD	500,000.00	500,000.00			
C01745	CASAMEROLAKE MCKINLY RD.19 PRJ	2,811,443.31	2,811,443.31	2,811,443.31		1,388,888.89
C01746	TOHAJILLEE ROAD IMPROVEMNT PRJ	1,388,888.89	1,388,888.89		270,500.00	229,500.00
C01747	FOREST LAKE SR CTR RENOVATIONS	500,000.00	500,000.00			50,000.00
C01748	HARDROCK CHAPTER HVAC UNIT	50,000.00	50,000.00			74,886.00
C01749	HARDROCK CHAPTER VEHICLE	74,886.00	74,886.00			44,940.00
C01750	HARDROCK WELLNESS CTR EQUIP	44,940.00	44,940.00			250,000.00
C01751	HARDROCK SR CTR RENOVATIONS	250,000.00	250,000.00			48,706.00
C01752	LUKACHUKAI CHP EQUIP-BACKHOE	144,000.00	144,000.00	95,294.00		3,503.00
C01753	LUKACHUKAI CHP EQUIP-ROPING BOX	3,503.00	3,503.00			39,500.00
C01754	LUKACHUKAI CHP EQUIP-MANLIFT	39,500.00	39,500.00			7,000.00
C01755	LUKACHUKAI CHP-WELDING MACH	7,000.00	7,000.00			86,427.00
C01756	LUKACHUKAI SR CTR RENOV.	86,427.00	86,427.00			50,000.00
C01757	PINON CHAPTER VEHICLE	50,000.00	50,000.00			150,000.00
C01758	PINON CHP VHCL W/ WATER TANK	150,000.00	150,000.00			25,000.00
C01759	PINON HSWRG/BTHRM ADD	25,000.00	25,000.00			23,648.14
C01760	PINON HSEWRNG/BATHROOM ADD	23,648.14	23,648.14			482,903.33
C01761	LUKACHUKAI CHP TRACT FENCING	482,903.33	482,903.33			50,000.00
C01762	ROUND ROCK RD #492 IMPR PROJ	50,000.00	50,000.00			50,000.00
C01763	ROUND ROCK RD #590 IMPR PROJ	50,000.00	50,000.00			220,000.00
C01764	TSAILE/WHEATFIELDS TRC FENCING	220,000.00	220,000.00			35,000.00
C01765	TSAILE/WHEATFIELDS MASTER PLAN	35,000.00	35,000.00			450,000.00
C01766	WHIPPOORWILL CHP BLDG RENOV TIN	450,000.00	450,000.00			150,000.00
C01767	BAAHAALII SR CENTER RENOVATION	150,000.00	150,000.00			647,044.48
C01768	NAHATADZIL SHOPPING CENTER	1,265,035.70	1,265,035.70	604,409.61	13,581.61	333,333.33
C01769	DILKON CH MULTIPURPOSE COMPLEX	333,333.33	333,333.33			400,000.00
C01770	GREASEWOOD SPRGS MSTR TRACTPLN	400,000.00	400,000.00			150,000.00
C01771	PINON CHP COMMUNICATION SYS	150,000.00	150,000.00			40,000.00
C01772	DENNEHOTSO TRANSFER STATION	40,000.00	40,000.00			

Sihasin Projects Listing
November 30, 2019

	Description	Original	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance
C01773	NEWCOMB HELIPAD	100,000.00	100,000.00		13,205.00	86,795.00
C01774	SAWMILL CH N7 ROAD REHAB	271,666.67	271,666.67		239,533.00	32,133.67
C01775	WHITECONE CH ROAD IMPROVEMENT	194,000.00	194,000.00			194,000.00
C01776	TWO GREY HILLS ROW N19	600,000.00	600,000.00			600,000.00
C01777	COALMINE MESA CHAPTER HS RENOV	200,000.00	200,000.00			200,000.00
C01778	ROUGH ROCK SR CTR	245,333.33	245,333.33			245,333.33
C01779	INDIAN VILLAGE ROAD SHIPROCK	318,000.00	318,000.00			318,000.00
C01780	NS010 TSE ALNAOZTI'I' RD DESIG	75,000.00	75,000.00			75,000.00
C01781	BECLABITO FIBER OPTIC BROADBAN	708,333.00	708,333.00			708,333.00
C01782	COVE AGRICULTURE WATERSHED STU	600,000.00	600,000.00			600,000.00
C01786	CAMERON CHPTR CULTURAL CTR BLD	250,000.00	250,000.00			250,000.00
C01787	COALMINE MESA CHAPTER RENOVATI	533,333.00	533,333.00			533,333.00
C01788	TOLANI LAKE NEW SENIOR CITIZEN	733,333.00	733,333.00			733,333.00
N01378	BIRDSPRINGS CHP FARM PROJECT	250,000.00	250,000.00			250,000.00
N01379	CHILCHINBETO ASSAYI PH.II PL	115,000.00	1,186,765.53	115,000.00		1,071,765.53
N01380	DENNEHOTSO POWERLINE EXT	40,031.25	458,252.00	40,031.25		418,220.75
N01381	KAIBETO PWRLINE EXTENSION	219,187.50	680,000.00	219,187.50		460,812.50
N01382	LECHEE PWRLINE EXTENSION	92,006.25	92,006.25	92,006.25		
N01383	UTILITY HOOK-UP/RESTROOM RENOV	60,000.00	60,000.00			60,000.00
N01384	SHIPROCK CHP RURAL ADDRESSING	100,000.00	100,000.00			100,000.00
N01385	SHIPROCK COMMUNITY CEMETERY	90,000.00	90,000.00			90,000.00
N01386	BLACK MESA PWRLINE EXTEN	1,472,929.52	1,472,929.52	1,472,929.52		
N01387	CHINLE/SPIDER ROCK WATERLINE	50,000.00	50,000.00			50,000.00
N01388	ROUND ROCK CHP SIGNAGE	33,198.50	33,198.50			33,198.50
N01389	MANY FARMS PWRLINE EXTEN	37,432.20	265,000.00	37,432.20		227,567.80
N01390	MARIANO LAKE HOUSEWIRING PROJ	303,400.00	303,400.00			303,400.00
N01391	COUNSELOR POWERLINE EXTENSION	455,870.87	455,870.87			455,870.87
N01392	ALAMO POWERLINE/WATERLINE	694,444.44	694,444.44			694,444.44
N01393	BACA-PREWITT POWERLINE EXTENSN	160,000.00	160,000.00			160,000.00
N01394	WHITEHORSE LAKE POWERLINE EXTN	133,884.48	133,884.48			133,884.48
N01395	TSAIL/ WHEATFIELDS CEMETERY	20,032.12	20,032.12			20,032.12
N01396	DILKON (JOHN DRAW) POWERLINE	250,000.00	250,000.00	250,000.00		
N01397	HOUCK POWERLINE EXTENSION	80,000.00	353,278.00	80,000.00		273,278.00
N01398	IND WELLS (SALT SEEP)POWERLINE	40,000.00	40,000.00	40,000.00		
N01399	KLGETOH (SALT SPRGS)POWERLINE	39,643.15	461,352.21	39,643.15		421,709.06
N01400	LUPTON POWERLINE EXTENSION	6,036.07	95,110.49	6,036.07		89,074.42
N01401	SAWMILL POWERLINE EXTENSION	120,000.00	120,000.00	120,000.00		
N01402	WHITECONE SCATTERED PWRLINE EX	70,000.00	70,000.00	70,000.00		
N01403	WIDE RUINS (TANNERSPRGS) PWRLN	200,000.00	834,538.26	200,000.00		634,538.26
N01404	CORNFIELDS COMM/VETS CEMETARY	66,333.33	66,333.33			66,333.33
N01405	CORNFIELDS RURAL ADDRESSING	10,000.00	10,000.00			10,000.00
N01406	CORNFIELDS GREEN HOUSE PROJECT	1,000.00	1,000.00			1,000.00
N01407	COYOTE CANYON BATHRM ADDITION	126,315.33	126,315.33			126,315.33
N01408	CRYSTAL GKNOLL/SMESA WATERLINE	100,000.00	100,000.00			100,000.00
N01409	FT DEFIANCE STREET REHBILITATN	69,641.67	69,641.67			69,641.67
N01410	HOUCK BATHROOM ADDITION	60,000.00	60,000.00		2,951.88	57,048.12
N01411	HOUCK CHPTR COMMUNITY CEMETAR	46,722.00	46,722.00			46,722.00
N01412	NASCHITTI CHAPTER CEMETARY	50,000.00	50,000.00			50,000.00
N01413	REDLAKE UTILITY SYSTEM UPGRADE	70,000.00	70,000.00			70,000.00
N01414	SAWMILL CH BATHROOM ADDITIONS	150,000.00	150,000.00			150,000.00
N01415	TOHATCHI CHAPTER WATERLINE	200,000.00	200,000.00			200,000.00
N01416	TOLIKAN WATERLINE EXTENSION	60,557.00	60,557.00			60,557.00
N01417	SHIPROCK WATERLINE EXTENSION	100,000.00	100,000.00			100,000.00
N01418	CHINLE WATER WELL CONSTRUCTION	50,000.00	50,000.00			50,000.00
N01419	PINON CHP PERIMETER FENCING	21,660.00	21,660.00			21,660.00
N01420	PINON CH LAND WITHDRAWAL PROJ	10,000.00	10,000.00			10,000.00
N01421	PINON CHP RURAL ADDRESSING PRJ	50,000.00	50,000.00			50,000.00
N01422	CAMERON DEMO FARM	100,001.66	100,001.66			100,001.66
N01423	BIRDSPRINGS PHASE III PWRLINE	84,105.00	733,333.00	84,105.00		649,228.00
N01424	HARDROCK CHP WALK-IN SHOWER	52,269.00	52,269.00		4,175.15	48,093.85
N01425	DCD-ADMINISTRATION FUNDS	200,000.00	400,000.00	16,653.17		383,346.83
N01426	CHINLE N7 SOLAR ST LIGHT	50,000.00	50,000.00			50,000.00
N01453	PINON SCATTERED POWERLINE PROJ	180,000.00	180,000.00			180,000.00
N01454	TSAIL/ WHEATFIELDS POWERLINE	191,493.75	191,493.75			191,493.75

Sihasin Projects Listing
November 30, 2019

Description	Original	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance
N01455 TSELANI/COTTONWOOD PHASE I, II	265,000.00	265,000.00			265,000.00
N01456 KINDAHLICHII POWERLINE EXTENSN	371,729.00	371,729.00			371,729.00
N01457 KINDAHLICHII PL EXT(WOODSPRGS)	366,873.00	366,873.00			366,873.00
N01458 TEESTO SCATTERED POWERLINE	332,273.00	332,273.00			332,273.00
N01459 MEXICAN WATER PHASE 3 PWRLINE	1,634,047.00	1,634,047.00			1,634,047.00
N01460 TEEC NOS POS PHASE 3 PWRLINE	2,233,813.51	2,233,813.51			2,233,813.51
N01461 COPPERMINE SCATERED PWRLINE	400,000.00	400,000.00			400,000.00
N01462 LEUPP POWER LINE PROJ	733,333.00	733,333.00			733,333.00
N01463 NAVAJO MOUNTAIN PWRLINE	400,000.00	1,041,666.66			1,041,666.66
N01464 OJATO PWRLINE PROJ	400,000.00	400,000.00			400,000.00
N01465 SHONTO PHASE II PWRLINE	400,000.00	400,000.00			400,000.00
	51,323,461.13	59,411,322.11	8,043,002.74	1,279,118.55	50,089,200.82
408118 FT DEFIANCE SOLAR ST	972,025.00	972,025.00	972,025.00		
TOTAL FMIS PROJECTS	52,295,486.13	60,383,347.11	9,015,027.74	1,279,118.55	50,089,200.82
PENDING CAP-35-18 PROJECTS		39,033,319.89	-	-	39,033,319.89
	<u>52,295,486.13</u>	<u>99,416,667.00</u>	<u>9,015,027.74</u>	<u>1,279,118.55</u>	<u>89,122,520.71</u>
Total:	126,131,098.13	323,928,203.00	146,446,302.99	2,585,216.89	194,732,295.12
* CAP-39-18 NTU STUDENT HOUSING	14,300,000.00	14,300,000.00			14,300,000.00
* CMY-18-19- CROWNPOINT YOUTH CENTER	2,500,000.00	2,500,000.00			2,500,000.00
* CO-31-19 CHURCHROCK INDUSTRIAL PARK	14,281,600.00	14,281,600.00			14,281,600.00
* CO-34-19 - TONALEA CHAPTER	3,000,000.00	3,000,000.00			3,000,000.00
					<u>228,813,895.12</u>

* Pending set up

BUDGET AND FINANCE COMMITTEE

17 December 2019

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0308-19:

An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee and Navajo Nation Council; Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Expenditure Plan Pursuant to 12 N.N.C. §§2501-2508 *Sponsored by Nathaniel Brown, and Herman M. Daniels, Council Delegates*

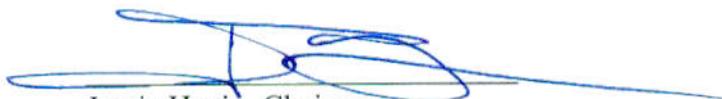
Motion: Elmer P. Begay

Second: Amber K. Crotty

Vote: 5-0, Chairman not voting

Vote Tally:

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



Jamie Henio, Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee