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

24 ${ }^{\text {TH }}$ NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18 FOR NASCHITTI CHAPTER BY MOVING THE CHAPTER'S "CEMETERY EXPANSION PROJECT" FROM FUNDING YEAR 1 TO FUNDINIG YEAR 3, WITH NO CHANGE

IN THE ORIGINAL FUNDING AMOUNT OF $\$ 50,000$

## BE IT ENACTED:

## 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. § $500(\mathrm{C})$.
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 $\S 301(B)(5)$.
C. The Navajo Nation Council approved Resolution No. CAP-35-18, titled: "Adopting the Síhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. SS 810(F), 820(I), And (M) And $860(C)$ Relating to the Capital Improvement Budget and the Capital Improvement Process." CAP-35-18 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 $\$ 50,000$ for the Naschitti Chapter "Cemetery Expansion Project" was approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Naschitti Chapter Project No. D-31 is attached hereto as EXHIBIT 1.
B. The Naschitti Chapter wishes to move its Cemetery Expansion Project No. D-33 from Funding Year 1 to Funding Year 3. On behalf of the Chapter, the Division of Community DevelopmentCapital Projects Management Department ("CPMD") has submitted a Síhasin Project Amendment Certification Form that explains the Chapter's requested change. EXHIBIT 2. The Síhasin Project Amendment Certification Form shows the signature of the Navajo Nation Council Delegate for the Naschitti Chapter, in accordance with CAP-35-18 Section $4(C)$.
C. 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 $\$ 50,000$ for Naschitti Chapter, as approved in CAP-35-18, will remain unchanged.

## SECTION THREE. APPROVAL

A. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit $D$, Project No. $D-31$, by moving the Naschitti Chapter's Cemetery Expansion Project from Funding Year 1 to Year 3, with no change in the original funding amount of $\$ 50,000$ as shown in the attached EXHIBIT 2.
B. The Síhasin Fund may be reimbursed the $\$ 50,000$ 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 3 in favor and 0 opposed, this $15^{\text {th }}$ day of November 2022.


Motion: Honorable Raymond Smith, Jr.
Second: Honorable Jimmy Yellowhair

## EXHIBIT 1

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR I FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERACE) | SIHASIN FUNDS REQUESTED |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 24 | Bahastiah (Twin Lakes) | Caterpillar 140M3 AWD Motor Grader | Major Equipment | 2-4 months | \$238,091.16 | \$0.00 | \$0.00 | \$20,000.00 | \$238,092.16 |
| 25 | Bahastah (Twin Lakes) | New Warehouse | Design/Construction | 8-12 months | \$0.00 | \$328,242.33 | \$0.00 | \$0.00 | \$328,242,33 |
| 26 | Bahastlah (Twin Lakes) | Road Maintenance | Desgin/Construction | 8.12 months | \$0.00 | \$69,000.00 | \$0.00 | \$35,000.00 | \$69,000.00 |
| 27 | Naschitti | New Chapter Truck | Major Equipment | 2.4 months | \$73,333.33 | \$0.00 | \$0.00 | \$0.00 | \$73,333.33 |
| 28 | Naschitid | New Warehouse | Design/Construction | 12 months | \$0.00 | \$376,000.00 | \$0.00 | \$36,000.00 | \$376,000.00 |
| 29 | Naschitti | 966M XE Wheel Loader | Major Equipment | 2-4 months | \$231,000.00 | \$0.00 | \$0.00 | \$0.00 | \$231,000.00 |
| 30 | Naschitti | Backhoe | Major Equipment | 2-4 months | \$103,000.00 | \$0.00 | \$0.00 | \$0.00 | \$103,000.00 |
| 31 | Naschitti | Cemetery Expansion Project | Design/Construction | 12 months | \$50,000.00 | \$0.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 32 | Mexican Springs | Deer Springs Road | Design/Constuction | 12-18 months | \$667,000.00 | \$0.00 | \$0.00 | \$0.00 | \$667,000.00 |
| 33 | Mexican Springs | Road Maintenance, Culverts \& Bridges | Desgin/Construction | 12-18 months | \$121,333.34 | \$0.00 | \$0.00 | \$0.00 | \$121,333-34 |
| 34 | Mexican Springs | Massey Ferguson 2706E | Major Equipment | 2-4 months | \$45,000.00 | \$0.00 | \$0.00 | \$0.00 | \$45,000.00 |
| 35 | Round Rock | Road Improvement-Apache Cty. 590 | Pre-Design/Design | 18-24 months | \$50,000.00 | \$60,000.00 | \$228,533.94 | \$0.00 | \$338,533.94 |
| 36 | Round Rock | Road Improvement Apache Co. 492 | Design/Construction | 18-24 months | \$50,000.00 | \$60,000.00 | \$351,153.69 | \$0.00 | \$461,153.69 |
| 37 | Round Rock | Signage Proposal | Design/Construction | 6-8 months | \$33,198.50 | \$0.00 | \$0.00 | \$0.00 | \$33,198.50 |
| 38 | IsaileMheatfields | Fencing of Tract | Design/Construction | 6-8 months | \$220,000.00 | \$0.00 | \$0.00 | \$0.00 | \$220,000.00 |
| 39 | Tsaile/Wheatfields | Senior Center <br> Rehabilitation of Facility | Design/Construction | 6-8 months | \$0.00 | \$48,255.00 | \$319,000.00 | \$0.00 | \$367,255.00 |
| 40 | Tsaile/Wheatfields | Cemetery | Design/Construction | 6-8 months | \$20,032.12 | \$0.00 | \$0.00 | \$0.00 | \$20,032.12 |
| 41 | Tsaile/Wheatfields | Chapter Tract Master Plan | Design/Construction | 18-24 months | \$35,000.00 | \$0.00 | \$0.00 | \$0.00 | \$35,000.00 |
| 42 | Rock Point | BIA Road Route 8070 | Design/Construction | 12-16 months | \$46,100.00 | \$143,250.00 | \$643,983.00 | \$0.00 | \$833,333.00 |
| 43 | Rough Rock | Senior Center | Construction | 12 months | \$245,333.33 | \$0.00 | \$0.00 | \$0.00 | \$245,333.33 |
| 44 | Lukachukal | Chapter Fencing | Design/Construction | 12-18 months | \$482,903.33 | \$0.00 | \$0.00 | \$20,000.00 | \$482,903.33 |
| 45 | Lukachukal | Chapter Agriculture Building | Construction | 6-8 months | \$0.00 | \$70,000.00 | \$0.00 | \$0.00 | \$70,000.00 |
| 46 | Lukachuka! | Chapter Equipment | Major Equipment | 4.6 months | \$144,000.00 | \$0.00 | \$0.00 | \$0.00 | \$144,000.00 |
| 47 | Lukachukal | Chapter Equipment Manlift | Major Equipment | 6.8 months | \$39,500.00 | \$0.00 | \$0.00 | \$0.00 | \$39,500.00 |

CAP－35－18
SIHASIN PROJECT AMENDMENT CERTIFICATION
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| I．PROJECT DETAILS |  |  | DA＇TE SUBMITTED July 20， 2022 |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| PROJECT NAME：Naschitti Chapter－Cemetery Expansion Project |  |  | REFERENCE NUMBER： CPMD REF \＃$\qquad$ ORIGINAL DATE APPROVED：November 01， 2018 |  |  |  |
| PROJECT TYPE：Design and Construction |  |  |  |  |  |  |
| II．NATURE OF CHANGE AND COST DETAILS |  |  | FUNDING |  |  |  |
| EXHIBIT \＆PROJECT | PROJECT DESCRIPTION | FUNDING |  |  |  | FUNDING AMOUNT ADDED OR DELETED |
|  |  | YEAR1 | YEAR2 | YEAR3 | TOTAL FUNDING |  |
| D-31 | Naschitti Chapter Cemetery Expansion Project | 50，000．00 |  |  |  | DELETED |
|  | Moving the project and the allocation to $3^{\text {rd }}$ year |  | \％ | 50，000．00 | 50，000．00 | ADDED |
|  |  |  | － |  |  |  |
|  |  |  | $\because$ |  |  |  |
|  |  |  |  |  | \＄50，000．00 |  |

## TOTAL：［ ］INCREASED／［ ］DECREASED FÚNDING：

Acknowledgement of Project Amendment：PRINTED NAME
III．REASON FOR AMENDMENT
Navajo Nation Council Delegate
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－35－1 8 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．

# BUDGET AND FINANCE COMMITTEE 

November 15, 2022
Regular Meeting

## VOTE TALLY SHEET:

Legislation No. 0181-22: An Act Relating to the Resources and Development, and Budget and Finance Committees; Approving a Change to CAP-35-18 for Naschitti Chapter by Moving the Chapter's "Cemetery Expansion Project: from Funding Year 1 to Funding Year 3, with No Change in the Original Funding Amount of $\$ 50,000$ Sponsored by Pernell Halona, Council Delegate
Motion: Raymond Smith, Jr.
Second: Jimmy Yellowhair
Vote: 3-0, Chairman not voting

## Final Vote Tally:

| Jamie Henio |  |  |
| :--- | :--- | :--- |
| Raymond Smith <br> Jr. | yea |  |
| Elmer P. Begay |  |  |
| Nathaniel Brown | yea |  |
| Amber K. Crotty |  |  |
| Jimmy Yellowhair | yea |  |

Absent: Elmer P. Begay, Amber K. Grotty


Jamie Henio, Chairman
Budget \& Finance Committee


