

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

24<sup>TH</sup> NAVAJO NATION COUNCIL - Third Year, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE  
COMMITTEES; APPROVING A CHANGE IN RESOLUTION NO. CAP-35-18 FOR  
LUPTON CHAPTER BY DELETING THE CEMETERY PRE-DESIGN PROJECT NO.  
D-143, AND ADDING A CEMETERY "PLAN, DESIGN, CONSTRUCT AND  
EQUIPMENT" PROJECT FOR LUPTON CHAPTER

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C) (1).
- B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301(B) (2).
- C. Council Resolution CAP-35-18 provides, "[a] chapter project, powerline, or waterline project may be changes, 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." CAP-35-18, Section Four, Paragraph C.

SECTION TWO. FINDINGS

- A. On April 17, 2018, the Navajo Nation Council adopted Council Resolution No. CAP-35-18, "Adopting the Síhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as Amended by CJA-03-18, and 12

- N.N.C. §§2501-2508, as Amended; Waiving 12 N.N.C. §§ 810(F), 820(I) and (M) and 860(C) Relating to the Capital Budget and Capital Improvement Process." Resolution No. CAP-35-18 is incorporated herein by reference.
- B. A "Cemetery Pre-Design" Project is listed in Resolution No. CAP-35-18 at Exhibit D, Project No. 143. The relevant page of Exhibit D of CAP-35-18 is attached as **Exhibit 1**.
- C. The Lupton Chapter has submitted a "Síhasin Project Amendment Certification" form attached as **Exhibit 2**, requesting a change to the description for Project No. 143 from "Cemetery Pre-Design" to "Plan, Design, Construct and Equipment" for the Cemetery Project. No change in Síhasin funding for the Project is requested, and the amount of allocated funding will remain at \$100,000.
- D. The Síhasin Project Amendment Certification form has been signed by the Navajo Nation Council Delegate representing the Lupton Chapter's council district, as required by CAP-35-18, Section 4, Paragraph C.
- E. The Capital Projects Management Department, through its signature in Section IV of **Exhibit 2**, has indicated the Project is construction ready, and the total Síhasin Funding for the Lupton Council District will not exceed \$4,166,666.67.
- F. The Lupton Chapter has passed Resolution No. TSA-2019-04-020, dated April 16, 2019, explaining the need for the change in language in Exhibit D to CAP-35-18, to include construction and land planning/pre-design work for the Cemetery Project. Resolution No. TSA-2019-04-020 is attached as **Exhibit 3**.

### SECTION THREE. APPROVAL

The Navajo Nation hereby approves the change in Project description, as requested by the Lupton Chapter in accordance with the attached **Exhibit 2**.

**SECTION FOUR. EFFECTIVE DATE**

The actions enacted herein shall be effective pursuant to 2 N.N.C. § 221(B) and 2 N.N.C. § 164(A)(17).

**SECTION FOUR. SAVINGS CLAUSE**

Should any provision(s) of this action be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those provision(s) that are not determined invalid shall remain the law of the 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 5 in favor and 0 opposed, this 6<sup>th</sup> day of April 2021.

A handwritten signature in black ink, appearing to read 'J. Henio', with a long horizontal line extending to the left.

Jamie Henio, Chairperson  
Budget and Finance Committee

Motion: Honorable Nathaniel Brown  
Second: Honorable Jimmy Yellowhair

# SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:  
D

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

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

I. PROJECT DETAILS

PROJECT NAME: Lupton Chapter Cemetery Project DATE SUBMITTED: December 16, 2019  
PROJECT TYPE: Pre-Design REFERENCE NUMBER: CPMD REF-15  
ORIGINAL DATE APPROVED: \_\_\_\_\_

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	
D-143	Cemetery Pre-Design			100,000	DELETED
D-143	Cemetery: Change Project type to Plan, Design, Construct and Equipment.			100,000	Added
TOTAL: [ ] INCREASED / [ ] DECREASED FUNDING:					\$ 100,000

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Raymond Smith, Jr.

[Signature]

12/18/19

III. REASON FOR AMENDMENT

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

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

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

PRINTED NAME

SIGNATURE

DATE

CPMD Project Manager

Kent Grantser

[Signature]

12-17-19

CPMD Department Manager

Jones Adalena

[Signature]

12-17-19

EXHIBIT

tabbles\*

2



**RESOLUTION OF THE TSE SI ANI CHAPTER**

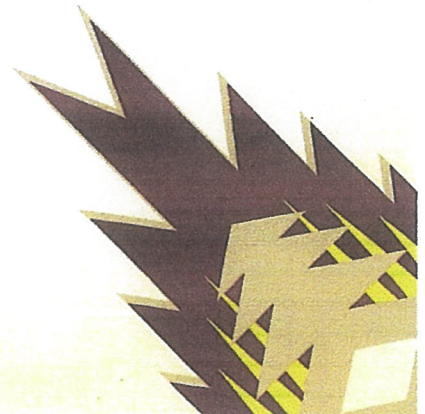
**Amending the Language of the Sihasin Capital Improvement Plan 2018 from Planning/Pre-Design and Land of Cemetery to Read Planning/Pre-Design, Land and Construction**

**WHEREAS:**

1. Tse Si Ani Chapter is a certified and local governmental entity of the Navajo Nation government which has the responsibility and authority to promote, protect and preserve the interest and general welfare including the safety of its community, programs and property; and
2. Tse Si Ani Chapter is a certified chapter that is recognized by the Navajo Nation Council pursuant to 26 N.N.C. Section 3, and pursuant to 11 N.N.C. Part 1, Section 10, the Navajo Nation Council adopted the Navajo Nation Local Governance Act, which directs local chapters to promote all matters that affect the local community members and to make appropriate decisions, recommendations and advocate on their behalf; and
3. Per the Sihasin Legislation Cap 35-18 the Tse Si Ani Chapter had pre-design and planning for the cemetery; however, the language needs to be changed to include construction, land and planning/pre-design; and
4. The Tse Si Ani Chapter is working diligently working to ensure all necessary aspects of these two projects are in compliance with the legislature; and
5. Tse Si Ani Chapter is striving to better serve it's community for all ages to provide economic and social strides in service and delivery.

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

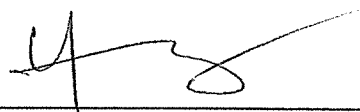
The Tse Si Ani Chapter is requesting to amend the language of the Sihasin Capital Improvement Plan 2018 from Planning/Pre-Design and Land of cemetery to read planning/pre-design, land and construction.




## CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Tse Si Ani Chapter at a duly called chapter meeting at the Tse Si Ani Chapter (Navajo Nation), at which a quorum was present and that same was passed by a vote of 19 in favor, 0 opposed and 1 abstained, on this 16<sup>th</sup> day of April 2019.

MOTIONED BY: Jeanet Desson

  
\_\_\_\_\_  
Yvonne Murphy, Chapter President

SECONDED BY: Irvin Benally

  
\_\_\_\_\_  
Alvin Blackgoat, Chapter Vice President

Marlene S. Apachee  
\_\_\_\_\_  
Marlene S. Apachee, Secretary/Treasurer

  
\_\_\_\_\_  
Raymond Smith Jr., Council Delegate

**TSA-2019-04-020 Amending the Language of the Sihasin Capital Improvement Plan 2018 from Planning/Pre-Design and Land of Cemetery to Read Planning/Pre-Design, Land and Construction**

## BUDGET AND FINANCE COMMITTEE

6 APRIL 2021

Regular Meeting

### VOTE TALLY SHEET:

**Legislation No. 0049-21:** An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Resolution No. CAP-35-18 for Lupton Chapter by Deleting the Cemetery Pre-design Project No. D-143, and Adding a Cemetery "Plan, Design, Construct and Equipment" Project for Lupton Chapter *Sponsored by Raymond Smith, Jr., Council Delegate*

*Motion: Nathaniel Brown*

*Second: Jimmy Yellowhair*

*Vote: 5-0, Chairman not voting*

### Final Vote Tally:

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



Jamie Henio, Chairman  
Budget & Finance Committee



Peggy Nakai, Legislative Advisor  
Budget & Finance Committee