

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 9, 2023

Hon. Otto Tso
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CD-64-22, *An Action Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$150,000 from the Síhasin Fund for the Cornfields Chapter Veterans Organization Courtyard; Approving the Related Expenditure Plans Pursuant to 12 N.N.C. § 2501 - § 2508*

Dear Speaker Tso,

Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-64-22 into law. Thank you to the Navajo Nation Council and the Cornfields Chapter government for presenting this request on behalf of the Cornfields Veterans Organization. We appreciate the service and sacrifice our Navajo veterans have made to preserve our freedom, privileges and freedom.

This allocation to the Cornfields Chapter will provide funds for planning and design of a facility where the veterans, their families, and the community of Cornfields can gather. Thank you to the Chapter for advocating for additional funding from state and non-profit organizations to supplement the funding received from the Nation.

As the end of our term is approaching, we look forward to hearing of the completion of this project in the near future and the positive impact it will have on the Cornfields Veterans Organization and community.

Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$150,000.00 FROM THE SÍHASIN FUND FOR THE CORNFIELDS CHAPTER VETERANS ORGANIZATIONS COURTYARD; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. § 2501 - § 2508

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council empowered with oversight authority over all 110 Navajo Nation Chapters. 2 N.N.C. § 500(C); 26 N.N.C. § 102.
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to "review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds." 2 N.N.C. § 301(B)(2).
- C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A). As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.
- E. 12 N.N.C. § 2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin Fund ("Síhasin Fund") as follows:

§ 2502 Purpose

- A. The purposes of this Fund are to provide financial support and/or financing for:
 - 1. The planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing,

commercial and government buildings, waterline, solid waste management development, powerline projects, and transportation and communication systems, within the Navajo Nation; . . .

- B. For the Purpose in 12 N.N.C. § 2502(A)(1), Fund expenditures for infrastructure shall not be limited by 12 N.N.C. § 1310(F) or TCDCJY-77-99.
- C. Leveraging the Fund by way of guaranteeing loans, match funding, direct funding in part, and other weighted uses of the Fund, including loan financing from the Fund, for the purposes in 12 N.N.C. § 2502(A)(1), shall be favored over direct funding in whole.
- F. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made to the Síhasin Fund, that "Fund Income" shall consist of all earnings (interest, dividends, etc.) generated and realized by the Fund Principal, and that Síhasin Fund Income shall be deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is duly approved. 12 N.N.C. § 2504 and § 2505(C).
- G. The Síhasin Fund provides that "Fund Principal and Income shall not be expended except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in § 2502 of this Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council." 12 N.N.C. § 2505(A).

SECTION TWO. FINDINGS

- A. The Cornfields Chapter ("CFC") Resolution No. CF-APRIL2022-035 establishes a Fund Expenditure Plan designating the request for \$150,000.00 from the Síhasin Fund for the planning and development of a Veterans Organization Courtyard for the purpose of providing a space for veterans' gatherings and educational activities as described in **Exhibit A**.
- B. The Chapter requests the support of Navajo Nation Delegates and the President to approve the funding request of \$150,000.00. **Exhibit A**.
- C. Allocation of the Síhasin Funds as requested by the Chapter meets the criteria for Síhasin Fund expenditures because the proposed expenditure involves community development, as described in 12 N.N.C. § 2502(A)(1).

SECTION THREE. ALLOCATING \$150,000.00 IN SÍHASIN FUNDS FOR THE CORNFIELDS CHAPTER VETERANS ORGANIZATION COURTYARD; APPROVING THE RELATED EXPENDITURE PLAN PURSUANT TO 12 N.N.C. § 2501 - § 2508

- A. In accordance with 12 N.N.C. § 2505(A), the Navajo Nation hereby approves \$150,000.00 from the Síhasin Fund for the planning and development of a Veterans Organization Courtyard for the Cornfields Chapter as explained in Exhibit A.
- B. The total amount of the Síhasin funds approved herein may be further leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act (12 N.N.C. § 1300 *et seq.*, as amended), using Síhasin Fund earnings for repayment and financing costs, upon approval of the Budget and Finance Committee and upon further approval by a two-thirds (2/3) vote of the full membership of the Navajo Nation Council.
- C. The Controller shall determine whether the source of the Síhasin funds approved herein will be Síhasin Fund Principal or Síhasin Fund Income, or a combination of both.
- D. Within sixty (60) calendar days after the effective date of this Act, the approved Síhasin funds shall be made available to the Navajo Nation Division of Community Development ("DCD") pursuant to a drawdown schedule agreed to by the Controller.
- E. At the request of the Cornfields Chapter, DCD shall enter into a Memorandum of Agreement, or other legal agreement, with the Chapter to transfer the \$150,000.00 and responsibility for this Project to the Chapter.
- F. The approved Síhasin funds shall not lapse on an annual basis. However, any Síhasin funds not spent or encumbered within thirty-six (36) months of the effective date of this Act shall revert to the Síhasin Fund Principal, unless otherwise approved by both the Resources and Development Committee and the Naabik'íyáti' Committee of the Navajo Nation Council.
- G. The Síhasin funds approved herein shall only be used for the planning and design of the Veterans Organization Courtyard as described in Exhibit A. Any and all savings or unused amounts of the Síhasin funds approved herein shall be immediately returned to the Síhasin Fund Principal once planning and design activities are completed, or upon the reversion deadline in Section Four (F) above.
- H. The Síhasin Fund may be reimbursed all or part of the amount approved herein from eligible funds available to the Navajo Nation from any and all state and federal sources.

SECTION FOUR. EFFECTIVE DATE

This Action and the Expenditure Plan approved herein shall become effective pursuant to 12 N.N.C. § 2505.

SECTION FIVE. SAVING CLAUSE

If any portion of this Action is invalidated by the Supreme Court of the Navajo Nation, or by any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the remainder of this Act shall be the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 29th day of December 2022.



Honorable Otto Tso, Speaker
24th Navajo Nation Council

12.30.2022

DATE

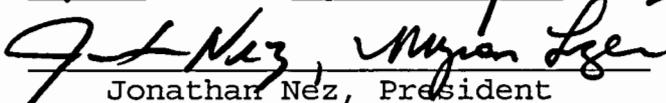
Motion: Honorable Jamie Henio

Second: Honorable Eugene Tso

Speaker Otto Tso not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 9th day of January, 2023.

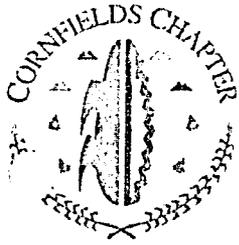

Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (11), on this _____ day of _____, 2022 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2022.

Jonathan Nez, President
Navajo Nation



CORNFIELDS CHAPTER



P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

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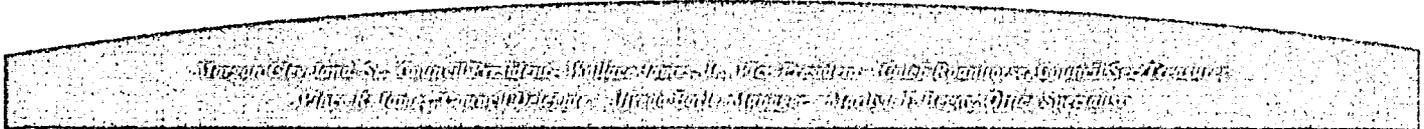
CF-APRIL2022-035

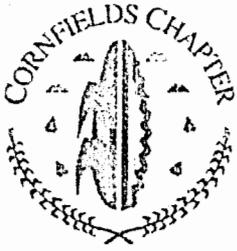
RESOLUTION OF THE CORNFIELDS CHAPTER

Approving and Requesting support from the Navajo Nation Council Naa'bik'iyati' Committee for the Arizona Community Foundation (ACF) in the amount of \$150,000.00 to fund Cornfields Chapter Veterans Organization Planning, Development, and Construction of a Veterans Courtyard with Associated Facilities for Veterans Gathering and Education Activities; Authorizing Cornfields Chapter as Fiscal Agent on behalf of the Cornfields Veterans Organization on the Project.

WHEREAS:

1. The Cornfields Chapter is a certified governing entity recognized by the Navajo Nation Council, pursuant to 26 N.N.C., Section 3(A), as listed at 11 N.N.C., Part 1, Section 10, and
2. Pursuant to 26 N.N.C., Section (B), Cornfields Chapter is vested with the authority to review all matters affecting the community, make appropriate decisions, corrections and to make recommendations to the Navajo Nation Council and other local agencies for appropriate actions, and
3. Cornfields Chapter is authorized to implement Resolution CAP-34-98, the Local Governance Act, which recognizes governance at the local community level to be more self-sufficient level and delegates to all LGA-certified chapters governmental authority with respect to local matters to advocate on behalf of the Cornfields community including veterans; and
4. Cornfields Chapter is aware the Navajo Nation has a distinct history of honorable service in the U.S. armed forces and has one of the highest population per capita of members who serve in the armed forces and The People treat veterans with outmost honor and respect; and
5. Cornfields Chapter supports the Cornfields Chapter Veterans Organization's desire plan, design, and construct a Veterans Courtyard with associated facilities for veterans gathering and to provide community educational activities to honor the distinct services of our veterans but Navajo Nation Council Naa'bik'iyati' Committee approval is needed to submit funding a request to ACF directly.





CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917
Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

June 07, 2022

The Honorable Vince R. James
Navajo Nation Council Delegate
Window Rock, Arizona 86515

Dear Honorable James:

On behalf of the Cornfields Chapter, I am respectfully requesting the Navajo Nation Council Naahbkiyat'i Committee's immediate attention and action on the attached resolution CF-APR2022-035.

Cornfields Chapter realizes that pursuant to CAP-34-98, the Local Governance Act allows all chapters to make decisions over local matter; this authority will improve community decision making, ; allow communities to excel and flourish, enabling Navajo Nation leaders to lead towards a prosperous future of its community; and improve the strength and sovereignty of the Navajo Nation. Pursuant to 26 N.N.C., Section 102(A) the former Navajo Nation Transportation & Community Development Committee has reviewed the Chapter's Five Management System Policies and Procedures. On July 14th 2010, the Navajo Nation Transportation & Community Development Committee certified the Cornfields Chapter as Governance Certified that shall exercise authorities pursuant to 26 N.N.C., Section 103.

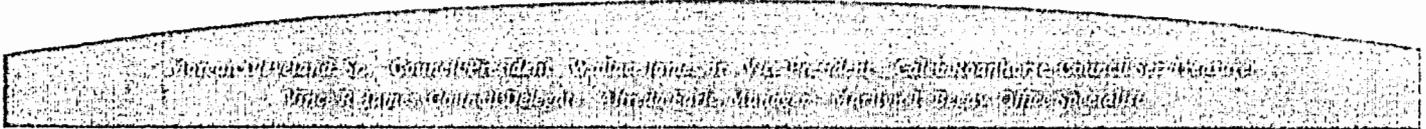
Cornfields Chapter is working on submitting an application for the Arizona Community Foundation (ACF) in the amount of \$150,00.00 to fund Cornfields Chapter Veterans Organization planning, development, and construction of a Veterans Courtyard with associated facilities for Veterans gathering and education activities.

On behalf of our community, I urge you to favorably consider Resolution CF-APR2022-035 for approval. If you have any questions or need additional information, please do not hesitate to contact me directly at (928) 755-5912 or via email at cornfields@navajochapters.org .

Sincerely,

Alfreda Earle, Chapter Manager

Attachments: Resolution CF/APR2022-035



NAVAJO NATION

1271

12/29/2022

Navajo Nation Council Special Session

05:09:11 PM

Amd# to Amd#

New Business: (Item L.)

PASSED

MOT Henio, J

CONSENT AGENDA-(12)Legislations:

SEC Tso, E

0221-22,0234-22,0239-22,0262-22,

0263-22,0265-22,0268-22,.. .

Yeas : 21

Nays : 0

Excused : 2

Not Voting : 0

Yea : 21

Begay, E

Damon

James, V

Tso, E

Begay, K

Daniels

Nez, R

Walker, T

Begay, P

Freeland, M

Smith

Wauneka, E

Brown

Halona, P

Stewart, W

Yazzie

Charles-Newton

Henio, J

Tso, D

Yellowhair

Crotty

Nay : 0

Excused : 2

Tso, C

Slater, C

Not Voting : 0

Presiding Speaker: Tso