LEGISLATIVE SUMMARY SHEET
Tracking No. 0006-20

DATE: January 9, 2020

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO LAW AND ORDER; AMENDING LOCJN-04-17, WHICH APPROVED JUDICIAL/PUBLIC SAFETY FACILITIES FUND PRIORITY LIST, TO INCLUDE THE BLUE GAP/TACHEE POLICE SUBSTATION; AND, RESCINDING LOCO-15-16

PURPOSE: The purpose of the resolution is to approve an amendment to LOCJN-04-17, the Judicial/Public Safety Facilities Fund Priority List to include Blue Gap/Tachee, Navajo Nation, Arizona—Blue Gap/Tachee Substation.

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: 23850
Website Posting Time/Date: 1/10/20 5:51PM
Posting End Date: 1/15/20
Eligible for Action: 1/16/20

Law & Order Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL—Second Year, 2020

INTRODUCED BY

Primary Sponsor Kee Allen Begay Jr.

TRACKING NO. 0010-20

AN ACTION

RELATING TO LAW AND ORDER; AMENDING LOCJN-04-17, WHICH APPROVED JUDICIAL/PUBLIC SAFETY FACILITIES FUND PRIORITY LIST, TO INCLUDE THE BLUE GAP/TACHEE POLICE SUBSTATION; AND, RESCINDING LOCO-15-16

BE IT ENACTED:

Section One. Authority

The Navajo Nation established the Law and Order Committee as a Navajo Nation standing committee and as such gave the Law and Order Committee approval authority to fund public safety facilities from the Navajo Sales Tax revenue. 2 N.N.C. §§ 600(A), *see also* CJA-03-13, 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); BFD-66-11 attached as **Exhibit 4**.

C. The Judicial/Public Safety Facilities Fund Management Plan, sect. III. (C) states that "Expenditures from the Fund shall be in accord with this Fund Management Plan and restricted to those facilities set forth in the duly approved Fund Priority List. Expenditures from the Fund shall be made in compliance with Navajo Nation law and applicable policies."

D. Pursuant to LOCJN-04-17, the Law and Order Committee approved the Fund Priority List for Fiscal Years 2016 and 2017. LOCJN-04-17 is attached as **Exhibit 1**.

E. In 2016, "[t]he Department of Corrections request[ed] for $301,436.27 for the construction and connection of utilities to the Blue Gap/Tachee Police Substation and bunk house which will be located at the Intersection of BIA Route N4 and N29 in Blue Gap, Arizona." Pursuant to this request, the Law and Order Committee passed LOCO-15-16, attached as **Exhibit 2,** which approved the allocation from the Judicial/Public Safety Facilities Fund. The Blue Gap/Tachee project was not on the Priority List approved through Law and Order Committee Resolution LOCJN-04-17.

F. In 2019, the Department Manager and the Division Director of the Navajo Nation Division of Public Safety concurred with the Blue Gap/Tachee Chapter to allocate the $301,436.27 to a "change [in] the Scope of Work from the construction and utility connection to purchase of a modular building for the police substation in Blue Gap/Tachee." The September 11, 2019 memorandum is attached as **Exhibit 3**.

G. The Law and Order Committee recognizes the need to abide by the Judicial/Public Safety Facilities Fund Management Plan requirement that the "*Expenditures from the Fund shall be in accord with this Fund Management Plan and restricted to those facilities set forth in the duly approved Fund Priority List*"; therefore, the Law and Order Committee will amend LOCJN-04-17, to include the purchase of a modular building for the Blue Gap/Tachee police substation.

Section Three. Approving an amendment to LOCJN-04-17, the Judicial/Public Safety Facilities Fund Priority List to include the Blue Gap/Tachee Substation

The Law and Order Committee approves an amendment to LOCJN-04-17, the Judicial/Public Safety Facilities Fund Priority List to include Blue Gap/Tachee, Navajo Nation, Arizona—Blue Gap/Tachee Substation.

Section Four. Approving allocation from the Judicial/Public Safety Facilities Fund to the Blue Gap/Tachee Substation

The Law and Order Committee hereby approves the Judicial/Public Safety Facilities Fund, Business Unit Number 1310, three hundred one thousand, four hundred thirty-six ($301,436.00) dollar allocation to the Blue Gap/Tachee Substation project, for purchase and set up of modular building for a police substation and to include ground work, delivery and set up, hook up of telephone/fiber optic, water line, sewer and upgrade sewer pond. See **Exhibit 5**.

Section Five. Rescinding Law and Order Committee Resolution LOCO-15-16

The Law and Order Committee hereby rescinds LOCO-15-16 An Action Relating to Law and Order; Approving an Allocation of $301,436.17 from the Judicial/Public Safety Facilities Fund, Business Unit Number 1310, for the Construction and Connection of Utility at the Blue Gap/Tachee Police Substation, Business Unit *New*.



LOCJN-04-17

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

RECOMMEDING 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

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

THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

DIVISION OF PUBLIC SAFETY
Office of the Division Director

MEMORANDUM

TO : TO WHOM IT MAY CONCERN

FROM : _____
Jesse Delmar, Division Director
Division of Public Safety

DATE : January 9, 2017

SUBJECT: Standing Delegation of Authority

This is notification that the following personnel have signature authority for Navajo Division of Public Safety, in my absence. They shall have the authority to administer, oversee, and monitor routine tasks in carrying all the duties and responsibilities associated with this office. This delegation is not transferable and shall not be sub-delegated.

ACKNOWLEDGED:

1) _____ Date: 1/11/17
Phillip B. Francisco, Chief of Police
Navajo Police Department

2) _____ Date: 1-11-17
Douglas Joe, (D)CI Director
Department of Criminal Investigations

3) _____ Date: 4-17-17
Delores Greyeyes, Department Manager III
Department of Corrections

Your utmost consideration and adherence is greatly appreciated. Should you have any questions or concerns, please contact this office at (928) 871-6581.

DISTRIBUTION
xc: file

THE NAVAJO NATION

RUSSELL BEGAYE PRE
JONATHAN NEZ VICE-

EXHIBIT B

MEMORANDUM

TO : 164b Reviewers

FROM : Delores Greyeyes

Delores Greyeyes, Dept. Manager III
Department of Corrections

DATE : July 13, 2016

SUBJECT : Request for Funds –$301,436.27
RE: For Construction and connection of Utility
Blue-Gap Police Substation

The Department of Corrections requests for $301,436.27 for the construction and connection of utilities to the Blue Gap/Tachee Police Substation and bunk house which will be located at the Intersection of BIA Route N4 and N29 in Blue Gap, Arizona. This project is a chapter development project to address the need for a Police Sub-Station to be located at this location to respond to request for services to the local communities in this area. Currently, the nearest police district is located in Chinle, Arizona, approximately 40 miles northeast of the Blue Gap/Tachee communities.

For a long time these two communities through the chapter's resolutions to have police presence within their community. This police substation and bunk house will be used by the Navajo Police, Apache County Police and Arizona Department of Public Safety when they are working in the area. This substation will also be available for officers when they need a place to complete reports and to make contact with others resources as they conduct police business in the area. In 2011, the Blue Gap/Tachee obtained a 2 bedroom modular home from the Department of Corrections to utilize for a Police substation. The chapter lacks funds to cover the construction of utility lines from the main line to the modular and hook up costs. The Blue Gap/Tachee is requesting for $301,436.27 from the Judicial Public Safety Judicial funds to complete this project. The Department of Corrections is assisting with the paper work and to be in line with the Judicial Public Safety Fund Management Plans.

This funding request to complete the construction of utility lines and hook up to a module sat up to serve as a Police Substation which will serve the Blue Gap/Tachee communities.

If you should have any questions, please feel free to direct them to my attention at (928) 871-7555.

CONCURRENCE:

Jesse Delmar, Executive Director
Division of Public Safety

cc: Juanita Begay, Principal Accountant, NDOC
file



LOCO-15-16

RESOLUTION OF THE
LAW AND ORDER COMMITTEE OF
THE NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL—SECOND YEAR, 2016

AN ACTION

RELATING TO LAW AND ORDER; APPROVING AN ALLOCATION OF $301,436.27 FROM THE JUDICIAL/PUBLIC SAFETY FACILITIES FUND, BUSINESS UNIT NUMBER 1310, FOR THE CONSTRUCTION AND CONNECTION OF UTILITY AT THE BLUE GAP/TACHEE POLICE SUBSTATION, BUSINESS UNIT NUMBER *NEW*

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. A budget reallocation "means the redesignation of appropriated or budgeted funds from one account to another account or to a newly-created account for a different use or purpose." 12 N.N.C. § 810 (D).

B. Reallocating funds between business units, here between Business Unit Number 1310 and *NEW*, requires LOC's oversight approval. NAVAJO NATION FISCAL YEAR 2017 BUDGET INSTRUCTIONS MANUAL § VI (2017).

C. The revenue from the Navajo Sales Tax is deposited into the Judicial/Public Safety Fund that is managed by a Fund Management Plan. BFD-66-11.

D. The Judicial/Public Safety Facilities Fund Management Plan requires the Law and Order Committee to approve a Fund Priority

List. Id.; *See also* **Exhibit A** (Memorandum from Lisa Jymm, Principal Budget Analyst, to Delores Greyeyes, Department Manager III, July 25, 2016).

E. The Department of Corrections is requesting $301,436.27 on behalf of the Blue Gap/Tachee Chapter for the construction and connections of utilities to the Police Substation and bunk house which will be located at the intersection of BIA Route N4 and N29. See **Exhibit B** (Memorandum from Delores Greyeyes, Department Manager III, to 164B Reviewers, July 13, 2016); *See also* **Exhibit C** (Estimate from Navajo Tribal Utility Authority, July 8, 2016).

F. The Police Substation is a chapter development project to address the need for police presence to respond to request for services within the community. *Id.*

G. Chinle Police Department is the nearest police district in the area located approximately forty (40) miles northeast of the Blue Gap/Tachee community. *Id.*

H. The Police Substation and bunk house will be utilized by Navajo Nation, Apache County, and Arizona Department of Public Safety Police Officers. *Id.*

I. The Office of the Controller confirmed the available unreserved balance for the Judicial Public Safety Fund as of August 19, 2016 is $1, 286,951 available for appropriation. *See* **EXHIBIT D.**

J. The LOC accomplishes their purpose of improving the quality and effectiveness of the justice system within the Navajo Nation by providing the Blue Gap/Tachee Police Substation with funding for the construction and connection of utilities. 2 N.N.C. § 600 (C)(2).

K. In order to establish and develop the substation in Blue Gap/Tachee community the funding to construct and connect utilities to the Police Substation is in the best interest of the Navajo Nation.

Section Three. Approving the Budget Reallocation

The Navajo Nation approves the Judicial/Public Safety Facilities Fund, business unit number 1310, $301,436.27 reallocation to the

Blue Gap/Tachee Substation, business unit number *NEW*, to construct and connect utilities to the substation. *See* **EXHIBIT C**.

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 04 in favor and 0 opposed, this 24th day of October, 2016.

Honorable Edmund Yazzie, Chairperson
Law and Order Committee

Motioned: Honorable Herman M. Daniels
Seconded: Honorable Kee Allen Begay Jr

THE NAVAJO NATION

RUSSELL BEGAYE PR
JONATHAN NEZ VIC

EXHIBIT
A

MEMORANDUM

RECEIVED
JUL 26 2016
BY:

TO : Delores Greyeyes, Dept. Mgr. III
DPS / Dept. of Corrections

FROM : Lisa Jymm
Lisa Jymm, Principal Budget Analyst
Office of Management & Budget

DATE : July 25, 2016

SUBJECT : OMB's Review of 164 Document #006304: Request for funds $301,436.27, for construction and Connection of Utilities at Blue Gap Police Substation.

The Office of Management & Budget (OMB) has reviewed the above document and has the following comments:

1. The memo indicates the funds are coming from the Public Safety/Judicial fund. Budget allocations from this fund requires oversight approval, in this case, the Law and Order Committee of the 23rd Navajo Nation Council.

2. The proposed request requires a memo from Office of the Controller indicating the balance in the Public Safety/Judicial funds and if this amount can be covered by that fund.

The document as submitted is deemed "insufficient" for these reasons. If there are any further questions, contact theme at extension 6230.

Concurred by:

Dominic Beyal, Executive Director
Office of Management and Budget

xc: OMB File

THE NAVAJO NATION

RUSSELL BEGAYE PRE
JONATHAN NEZ VICE-

EXHIBIT
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B

MEMORANDUM

TO : 164b Reviewers

FROM : Delores Greyeyes

Delores Greyeyes, Dept. Manager III
Department of Corrections

DATE : July 13, 2016

SUBJECT : Request for Funds –$301,436.27
RE: For Construction and connection of Utility
Blue-Gap Police Substation

The Department of Corrections requests for $301,436.27 for the construction and connection of utilities to the Blue Gap/Tachee Police Substation and bunk house which will be located at the Intersection of BIA Route N4 and N29 in Blue Gap, Arizona. This project is a chapter development project to address the need for a Police Sub-Station to be located at this location to respond to request for services to the local communities in this area. Currently, the nearest police district is located in Chinle, Arizona, approximately 40 miles northeast of the Blue Gap/Tachee communities.

For a long time these two communities through the chapter's resolutions to have police presence within their community. This police substation and bunk house will be used by the Navajo Police, Apache County Police and Arizona Department of Public Safety when they are working in the area. This substation will also be available for officers when they need a place to complete reports and to make contact with others resources as they conduct police business in the area. In 2011, the Blue Gap/Tachee obtained a 2 bedroom modular home from the Department of Corrections to utilize for a Police substation. The chapter lacks funds to cover the construction of utility lines from the main line to the modular and hook up costs. The Blue Gap/Tachee is requesting for $301,436.27 from the Judicial Public Safety Judicial funds to complete this project. The Department of Corrections is assisting with the paper work and to be in line with the Judicial Public Safety Fund Management Plans.

This funding request to complete the construction of utility lines and hook up to a module sat up to serve as a Police Substation which will serve the Blue Gap/Tachee communities.

If you should have any questions, please feel free to direct them to my attention at (928) 871-7555.

CONCURRENCE:

Jesse Delmar, Executive Director
Division of Public Safety

cc: Juanita Begay, Principal Accountant, NDOC
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EXHIBIT
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NAVAJO TRIBAL UTILITY AUTHORITY

AN ENTERPRISE OF THE NAVAJO NATION

July 8, 2016

Ms. Anita Draper, CSC
Blue Gap/Tachee Chapter
P.O. Box 4427
Blue Gap, AZ 86520

RE: Cost Estimate for Proposed Water Main Extension, Public Safety Building Project, Blue Gap, Apache County, AZ

Dear Ms. Draper,

The Navajo Tribal Utility Authority (NTUA) is providing a cost estimate to install a water main extension to serve a new Public Safety Building at the intersection of BIA Route N4 and N29 in Blue Gap, Arizona. This cost is for the utility right of way acquisition and construction services to install a water main extension commencing from the NTUA waterline to the project site. This estimate may be used for budgeting purposes only. Water service line to the building is not included in the cost as the site layout and design are not completed.

The following table shows a breakdown cost for the water main extension:

Item No.	Description	Quantity	Unit	Cost
1.	Mobilization/ Demobilization	1	LS	$ 15,000.00
2.	Surveying	1	LS	$ 1,700.00
3.	6" Waterline, PVC	1,100	LF	$ 66,000.00
4.	12" Steel Casing under BIA Rt N4	150	LF	$ 25,500.00
5.	6" Gate Valves	3	EA	$ 10,800.00
6.	Erosion Control, SWPP Plan	1	LS	$ 5,000.00
7.	ROW Acquisition	1	LS	$ 8,800.00
8.	Contingency	1	LS	$ 26,560.00
			Sub-Total:	$ 159,360.00
			Navajo Nation Tax (5%):	$ 7,968.00
			Total Estimated Cost:	**$ 167,328.00**

The Blue Gap Chapter Government will be responsible for the total cost to complete the work estimated at **$167,328.00**. The estimate includes all materials, labor, equipment and permitting to install the water main. NTUA does not operate a wastewater system in this area. Therefore, you may hire an engineer to design a septic tank and drainfield system for the building.

Letter to Ms. Anita Draper, Blue Gao/Tachee Chapter
RE: Cost Estimate for Proposed Water Main Extension, Public Safety Building Project, Blue Gap, Apache County, AZ
Date: July 8, 2016

The NTUA will operate and maintain the water main extension upon successful project completion and an executed utility transfer agreement.

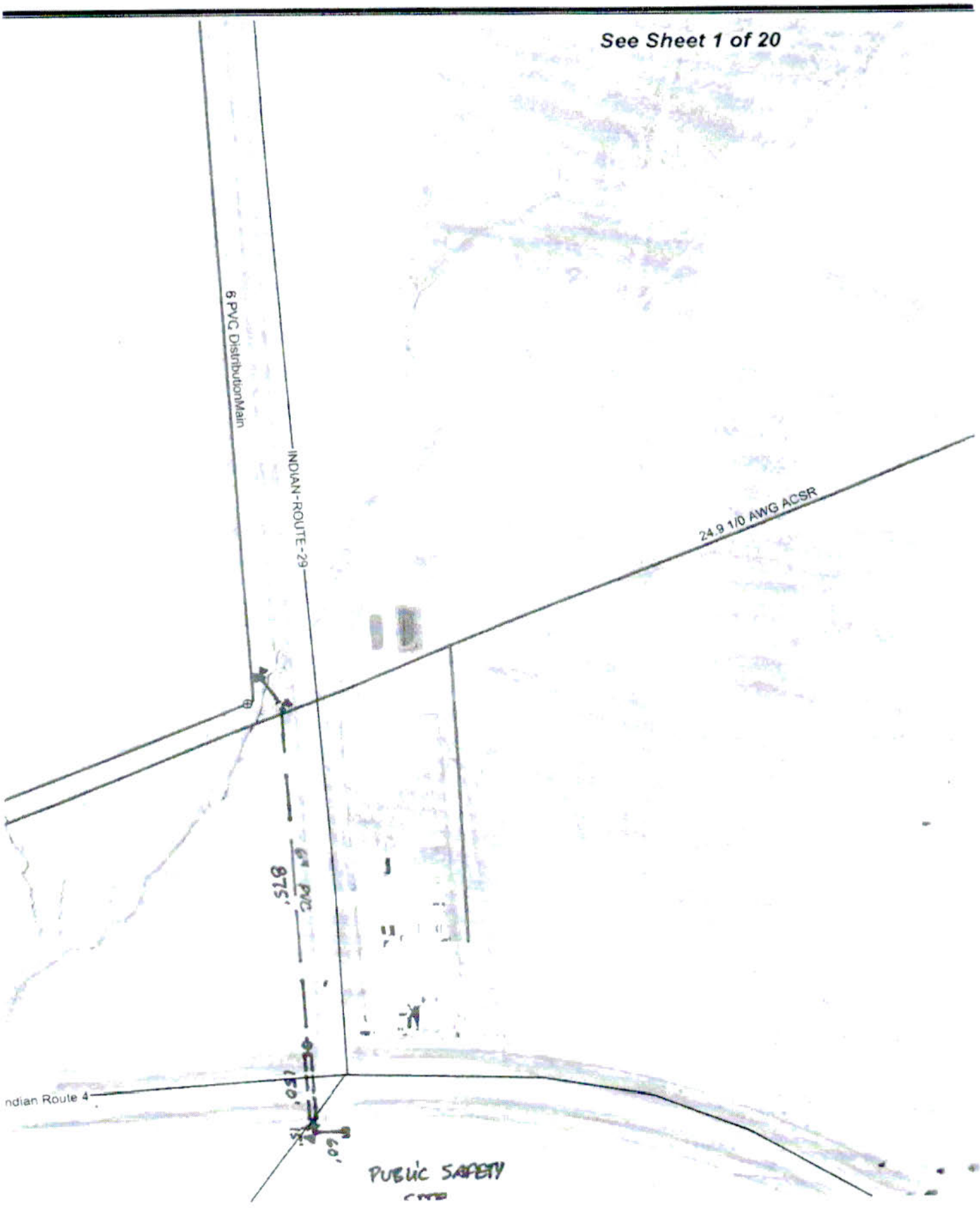
Please inform us how you want to proceed with this project. We look forward to working with you. Contact me via telephone at (928) 729 6233 for any questions.

Sincerely,

Gary Yellowhair, P.E.
Civil Engineering Department

CC: Rex P. Kontz, Deputy General Manager
Thomas Bayles, Manager, NTUA W&WW E.C.O. Division
Project File

See Sheet 1 of 20



JUN 2016

NAVAJO TRIBAL UTILITY AUTHORITY
AN ENTERPRISE OF THE NAVAJO NATION

May 31, 2016

Ms. Anita Draper, Community Service Coordinator
Blue Gap/Tachee Chapter
PO Box 4427
Blue Gap, Arizona 86520

RE: Blue Gap/Tachee (Public Safety Building) Power Line Project

Dear Ms. Draper:

Provided herewith are **PRELIMINARY** construction costs estimate to provide service to the proposed Public Safety Building to be located near the intersection of Navajo Route 4 and Navajo Route 29 within the community of Blue Gap/Tahcee Chapter. These costs will supersede all previous costs. The following items are provided for your information:

1. The ownership of the power lines will belong to the Navajo Tribal Utility Authority. The Navajo Tribal Utility Authority will handle the operation and maintenance responsibilities.

2. The cost estimates that are submitted are **PRELIMINARY**. Final construction cost estimates will be based upon the results of archaeological and legal surveys; and final engineering design. Final engineering design is contingent on receipt of the construction plans, final site plan and electric power requirements, including load schedules and voltage needs for the facility.

3. Notice of funding for right-of-way acquisition must be received before NTUA can commence with the archaeological clearance, environmental assessment, and legal surveys; and final engineering and design. This amount is shown on the attached estimate and contributes to the total project cost.

If you have any questions concerning these cost estimates, you may contact Ms. Janice Harvey, Customer Service Supervisor, Chinle District at (928) 729-4729 or myself at (928) 729-6248.

Sincerely yours,

NAVAJO TRIBAL UTILITY AUTHORITY

Shannon Burnette, Project Administrator
Electric System Planning Section

CC: Cheyenne Hollow Horn, Electric System Engineering, NTUA
Bernice Tsosie, Electric System Planning Section, NTUA
Ethelind Johns, Electric System Planning Section, NTUA
Sherrell White, Electric System Planning Section, NTUA
Louella Chee, Electric System Planning Section, NTUA
Rubianne Dugi, Chinle District, NTUA
Janice Harvey, Chinle District, NTUA

BLUE GAP/TACHEE (Public Safety Building) POWER LINE PROJECT

Member Extensions	.65 Miles	$ 126,942.02
Archaeological Clearance, Environmental Assessment, and Legal Survey for Right-of-Way Acquisition (.65 Miles)		7,166.25
Contribution Required Prior to Construction		**$ 134,108.27**

EXHIBIT
D

THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

M emorandu:

TO: 2 NNC § 164 Reviewers

Delegates & 2 NNC '164 Reviewers
Navajo Nation Government

FROM: Robert Willie
Robert Willie, Accounting Manager
Office of the Controller

DATE: August 19, 2016

SUBJECT: 164 Review-006304-Request for Funds-Blue Gap/Tachee Police

The Office of the Controller has reviewed the above referenced document.

1. The Unreserved balance of the Judicial Public Safety fund as of June 30, 2016 is $1,286,951 that is available for appropriation.
2. The requested funding request for construction and connection of utilities to the Blue Gap/Tachee Police Substation.
3. The Judicial Public Facilities Maintenance fund was established to provide funding for Judicial Public Safety facilities based on the "Priority List".

If you should have any questions you can contact me at tribal extension X6125.

THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

M emorandum

TO Honorable Kee Allen Begay, Jr., Council Delegate
Law and Order Committee Navajo Nation Council

FROM Robert Willie, Accounting Manager
Office of the Controller

DATE July 28, 2016

SUBJECT Judicial Public Safety Fund

The Office of the Controller has compiled the available unreserved balance for the Judicial Public Safety Fund(see Exhibit A):

1. The unaudited unreserved balance of the Judicial Public Safety Fund is $1,286,951 as of June 30, 2016.
2. A portion of the the Judicial Public Safety Fund is being utilized to pay back the bond that was issued in November of 2015.

If you should have any questions you can contact me at 928-871-6125.

Judicial Public Safety Facilities
Balance Sheet(Unaudited)
June 30, 2016

Assets:	
Cash	(35,711,860)
Investments	61,369,923
Accrued Interest Receivable	-
Accounts Receivable	89,433
Note Receivable	-
	-
Total assests	25,747,496
Liabilities and Fund Balance:	
Liabilites	
Accounts payable	4,171,859
Accrued Liabilities	-
Total liabilites	4,171,859
Fund balance	
Committed For	
Encumbrance	13,199,483
Projects-debt Service	7,089,203
Unassigned	
Unreserved	1,286,951
Fund Balance 06-30-16	21,575,637
Total Liabilites and Fund Balance	25,747,496

Judicial Public Safety Facilities
Income Statement (Unaudited)
June 30, 2016

Revenues:	
Investment income	119,452
Other financial	-
Allocation/Contributions	9,374,549
Other Revenue	-
	-
Total revenues	9,494,001
Expenditures:	
Land & Improvements	801,385
Contractual Services	879,232
Amortization Expense	1,356,247
IDC	-
Capital Outlay	8,195,036
Furniture & Equipment	
Total expenditures	11,231,899
Excess/deficit of revenues over expenditures	(1,737,898)

THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

MEMORANDUM:

DATE : May 27, 2016

TO : Honorable Russell Begaye, President
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker
Navajo Nation Council

Honorable Allen Sloan, Acting Chief Justice
Judicial Branch

FROM : Jim R. Parris, Controller
Office of the Controller

SUBJECT : Financial Update-(General Fund Revenue, Expenditures, UUFB)

The gross General Fund Revenues, see Exhibit "A", as of April 30, 2016 is $158,359,160 which includes a $13,000,000 transfer from the Sales Tax Trust Fund. The total set asides is $43,704,649. The Net Revenue for the General Fund is $114,654,511 which is 70.17% of the projection. The total expenditures by branch are shown on Exhibit "B". The Legislative Branch has expenditures of $8,960,780, encumbrances of $797,446, with a remaining budget of $9,292,435. The Executive Branch expenditures are $106,407,719; encumbrances are $12,435,453 with a remaining budget of $70,733,053. The Judicial Branch expenditures are $7,504,398, with encumbrances of $2,014 and remaining budget of $6,623,039. Total General Fund expenditures are $122,872,897; total encumbrances are $13,234,913 with an overall remaining budget of $86,648,528. The updated UUFB as of May 27, 2016 is $9,569,087, attached Exhibit "C."

Thank you, if you should have any question please feel free to call me at tribal extension X6125.

THE NAVAJO NATION
Revenue Schedule (Unaudited)
April 30, 2016

FY 2016

Account Range	Original Budget	Revised Budget	Actuals		Budget Available	% Revenue of Total
107001 TNN: ROYAL; GAS; OIL	(32,346,000)	(32,346,000)	(11,028,837)		(21,317,163)	34.10
107002 TNN: COAL REVENUES	(55,102,000)	(55,102,000)	(28,411,296)		(26,690,704)	51.56
107003 TNN:OTR MINERALS REV			(21,070)		21,070	
107004 TNN: LAND REVENUES	(62,354,000)	(62,354,000)	(59,038,242)		(3,315,758)	94.68
107005 TNN: BUSINESS FEES			(31,496)		31,496	
107006 TNN: INTEREST INCOME	(400,000)	(400,000)	(1,416,583)		1,016,583	354.15
107007 TNN: TAX REVENUES	(66,983,000)	(66,983,000)	(44,832,654)		(22,150,346)	66.93
107008 COURT FINES + FEES	(400,000)	(400,000)	(235,084)		(164,916)	58.77
107009 TNN: OTHER REVENUES	(200,000)	(200,000)	(13,064,785)	*	12,864,785	6532.39
107010 BIA: ROYAL; GAS; OIL			(20,230)		20,230	
107011 BIA: COAL REVENUES			(95)		95	
107012 BIA:OTR MINERALS REV			(149,784)		149,784	
107013 BIA: LAND REVENUES			(109,005)		109,005	
TOTAL REVENUE	**(217,785,000)**	**(217,785,000)**	**(158,359,160)**	**(1)**	**(59,425,840)**	**72.71**
107017 CAPITAL OUTLAY MATCH	2,000,000	2,000,000	2,000,000		-	100.00
107018 LAND FUND TRANSFER	4,356,000	4,356,000	3,167,183		1,188,817	72.71
107019 PERMANENT FUND TRNSF	26,134,000	26,134,000	19,003,099		7,130,901	72.71
107028 WATER RIGHTS CLAIM FU	2,000,000	2,000,000	2,000,000		-	100.00
107029 DINE' HIGHER EDUCATIO	11,200,000	11,200,000	11,200,000		-	100.00
107031 VETERANS TRUST FUND S	8,711,000	8,711,000	6,334,366		2,376,634	72.72
TOTAL SET ASIDE	**54,401,000**	**54,401,000**	**43,704,649**		**10,696,351**	**80.34**
SUBTOTAL	**(163,384,000)**	**(163,384,000)**	**(114,654,511)**	**(2)**	**(48,729,489)**	**70.17**

***- Includes $13,000,000 transfer from Sales Tax Suspense Fund per TAX-15-228**

(1) Gross General Fund Revenues

(2) Net Revenue

EXHIBIT "A"

Prepared by:
General Accounting
5/27/2016

FY 2016
EXHIBIT "B"

The Navajo Nation
Budget Status_Income Statement
As of April 30, 2016

Branch / Object Account	Original Budget	Revised Budget	Actuals	Encumbrances	Budget Remaining	% Remaining
LEGISLATIVE BRANCH						
2001 - Personnel Expenses	11,883,456	12,019,394	6,428,213		5,591,181	46.52
3000 - Travel Expenses	1,797,862	1,880,625	1,031,883	51,242	797,500	42.41
3500 - Meeting Expenses	254,024	324,521	53,959	-	270,563	83.37
4000 - Supplies	417,626	628,662	287,561	19,123	321,978	51.22
5000 - Lease & Rental	223,657	239,740	109,588	38,062	92,090	38.41
5500 - Communications & Utilities	224,836	207,535	65,623	-	141,912	68.38
6000 - Repairs & Maintenance	76,208	100,796	34,052	8,392	58,353	57.89
6500 - Contractual Services	794,594	2,190,381	574,105	664,181	952,095	43.47
7000 - Special Transactions	457,835	612,468	228,948	16,447	367,073	59.93
8000 - Assistance	-	-	-	-	-	
9000 - Capital Outlay	303,991	846,539	146,849	-	699,690	82.65
9500 - Matching & Indirect Cost	-	-	-	-	-	
Total LEGISLATIVE BRANCH	16,434,089	19,050,662	8,960,780	797,446	9,292,435	48.78
EXECUTIVE BRANCH						
2001 - Personnel Expenses	82,871,713	82,688,229	43,040,130	-	39,648,099	47.95
3000 - Travel Expenses	9,208,430	9,554,678	5,557,376	1,073	3,996,229	41.82
3500 - Meeting Expenses	973,204	1,882,526	772,857	-	1,109,669	58.95
4000 - Supplies	4,824,930	5,706,125	2,319,443	580,012	2,806,669	49.19
5000 - Lease & Rental	2,139,920	2,079,272	1,109,984	127,278	842,011	40.50
5500 - Communications & Utilities	7,894,361	8,567,987	4,024,972	911,316	3,631,699	42.39
6000 - Repairs & Maintenance	4,376,789	5,963,472	1,964,101	1,231,658	2,767,714	46.41
6500 - Contractual Services	4,434,194	8,887,212	3,040,304	4,289,009	1,557,899	17.53
7000 - Special Transactions	12,726,493	13,826,492	11,023,971	124,019	2,678,503	19.37
8000 - Assistance	36,994,442	38,710,741	28,918,355	4,910,682	4,881,704	12.61
9000 - Capital Outlay	850,013	1,701,674	565,621	260,407	875,646	51.46
9300 - Other Income and Expense	-	-	-		-	
9500 - Matching & Indirect Cost	3,970,344	10,007,816	4,070,605	-	5,937,210	59.33
Total EXECUTIVE BRANCH	171,264,833	189,576,224	106,407,719	12,435,453	70,733,053	37.31
JUDICIAL BRANCH						
2001 - Personnel Expenses	12,286,116	12,286,116	6,787,110		5,499,006	44.76
3000 - Travel Expenses	717,894	755,694	301,868	-	453,826	60.05
3500 - Meeting Expenses	8,300	49,239	6,221	-	43,018	87.37
4000 - Supplies	346,252	368,264	141,983	77	226,204	61.42
5000 - Lease & Rental	51,995	67,594	30,024	-	37,570	55.58
5500 - Communications & Utilities	107,394	106,829	44,692	-	62,137	58.16
6000 - Repairs & Maintenance	90,126	94,810	22,104	706	71,999	75.94
6500 - Contractual Services	81,347	86,834	18,376	630	67,828	78.11
7000 - Special Transactions	266,166	266,490	106,568	601	159,321	59.79
8000 - Assistance			-		-	
9000 - Capital Outlay	-	47,581	45,451	-	2,130	4.48
9300 - Other Income and Expense			-		-	
Total JUDICIAL BRANCH	13,955,590	14,129,451	7,504,398	2,014	6,623,039	46.87
GRAND TOTAL	201,654,512	222,756,337	122,872,897	13,234,913	86,648,528	38.90

Prepared By General Accounting
5/27/2016

EXHIBIT "C"

Undesignated, Unreserved, Fund Balance (UUFB)
May 27, 2016
(Unaudited)

09-30-15 Balance	35,724,740
Min Fund Balance-CJA-07-06	17,265,400
UUFB 10-01-15	18,459,340
Supplementals	
CO-45-15 - Teesto Chapter	2,922,425
CO-47-15 - St. Michael's Special Educ	629,472
CO-43-15 TEECNOSPOS	500,000
CJA-2-16 Eastern Navajo Land Board	931,500
CJA-6-16 Supreme Court Modular Contruction	300,000
CAP-25-16-Headstart-Matching/Caps and Gowns	3,606,856
	8,890,253
UUFB 05-27-16	9,569,087

Prepared by: General Accounting
5/27/2016
10:16 AM

Document No. 006304 Date Issued: 07/13/2016

SECTION 164 REVIEW FORM

Title of Document: Request for Funds-Blue Gap/Tachee Police Contact Name: JUMBO, MELISSA JOY

Program/Division: DIVISION OF PUBLIC SAFETY

Email: mjumbo@navajo-nsn.gov Phone Number: (928) 871-7555

Division Director Approval for 164A: Delores Dayey 8-17-16

Check document category; only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

☐ **Statement of Policy or Positive Law:**

			Sufficient	Insufficient
1. OAG:		Date:	☐	☐

☑ **IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**

1. OMB:	DBegay	Date: 8/17/16	☑	☐
2. OOC:		Date: 8/19/16	☑	☐
3. OAG:		Date: 8/29/16	☒	☐

Section 164(B) Final approval rests with the President of the Navajo Nation

☒ **Grant/Funding Agreement or amendment:**

1. Division:		Date: 071416	☒	☐
2. OMB:	DBegay See Memo	Date: 9-25-16	☐	☑
3. OOC:		Date:	☐	☐
4. OAG:		Date:	☐	☐

☐ **Subcontract/Contract expending or receiving funds or amendment:**

1. Division:		Date:	☐	☐
2. BRD:		Date:	☐	☐
3. OMB:		Date:	☐	☐
4. OOC:		Date:	☐	☐
5. OAG:		Date:	☐	☐

☐ **Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**

1. Division:		Date:	☐	☐
2. OAG:		Date:	☐	☐

☐ **M.O.A. or Letter of Assurance expending or receiving funds or amendment:**

1. Division:		Date:	☐	☐
2. OMB:		Date:	☐	☐
3. OOC:		Date:	☐	☐
4. OAG:		Date:	☐	☐

Pursuant to 2 N.N.C. § 164 and Executive Order Number 07-2013

Document No. 006304 Date Issued: 07/13/2016

SECTION 164 REVIEW FORM

Title of Document: Request for Funds-Blue Gap/Tachee Police Contact Name: JUMBO, MELISSA JOY

Program/Division: DIVISION OF PUBLIC SAFETY

Email: mjumbo@navajo-nsn.gov Phone Number: (928) 871-7555

Division Director Approval for 164A: Delores Daisy 8-17-16

Check document category; only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

				Sufficient	Insufficient
☐	**Statement of Policy or Positive Law:**				
	1. OAG:		Date:	☐	☐
☑	**IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**				
	1. OMB:	[signature]	Date: 8/17/16	☑	☐
	2. OOC:	[signature]	Date: 8/19/16	☑	☐
	3. OAG:	[signature]	Date: 8/29/16	☒	☐

Section 164(B) Final approval rests with the President of the Navajo Nation

☒	**Grant/Funding Agreement or amendment:**				
	1. Division:	[signature]	Date: 071416	☒	☐
	2. OMB:	[signature] – See Memo	Date: 9-25-16	☐	☑
	3. OOC:		Date:	☐	☐
	4. OAG:		Date:	☐	☐
☐	**Subcontract/Contract expending or receiving funds or amendment:**				
	1. Division:		Date:	☐	☐
	2. BRD:		Date:	☐	☐
	3. OMB:		Date:	☐	☐
	4. OOC:		Date:	☐	☐
	5. OAG:		Date:	☐	☐
☐	**Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**				
	1. Division:		Date:	☐	☐
	2. OAG:		Date:	☐	☐
☐	**M.O.A. or Letter of Assurance expending or receiving funds or amendment:**				
	1. Division:		Date:	☐	☐
	2. OMB:		Date:	☐	☐
	3. OOC:		Date:	☐	☐
	4. OAG:		Date:	☐	☐

THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

DIVISION OF PUBLIC SAFETY
Office of the Division Director

MEMORANDUM

Received
AUG 17 2016
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

TO : TO WHOM IT MAY CONCERN

FROM : Jesse Delmar, Division Director
Division of Public Safety

DATE : April 11, 2016

SUBJECT: Standing Delegation of Authority

This is notification that the following personnel have signature authority for Navajo Division of Public Safety, in my absence. They shall have the authority to administer, oversee, and monitor routine tasks in carrying all the duties and responsibilities associated with this office. This delegation is not transferable and shall not be sub-delegated.

ACKNOWLEDGED:

1) Bobby Etsitty, (D) Chief of Police
Navajo Police Department
Date: 04-12-16

2) Douglas Joe, (D) CI Director
Department of Criminal Investigations
Date: 04-19-16

3) Delores Greyeyes, Department Manager III
Department of Corrections
Date: 5-23-16

Your utmost consideration and adherence is greatly appreciated. Should you have any questions or concerns, please contact this office at (928) 871-6581.

DISTRIBUTION
xc: file

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

EXHIBIT 3

MEMORANDUM

TO : 164 Reviewers

FROM : Juanita Begay, Principal Accountant
Department of Corrections
Navajo Nation Division of Public Safety

Received
SEP 18 2019
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

DATE : September 11, 2019

SUBJECT : Blue Gap/Tachee Police Substation
Business Unit C01588
Revise Scope of Work

Blue Gap/Tachee Chapter requests to change the Scope of Work from the construction and utility connection to purchase of a modular building for the police substation in Blue Gap/Tachee. The allocated amount is to remain the same in the amount of $301,436.27

This revised Scope of Work is to include the purchase of a modular building, connection cost for electric and water lines, footing, foundation, septic tank and leech field, fence, site preparation, delivery/Set up, equipment rental, and a culvert installation.

Your assistance in review and approval would be appreciated. If there should be any questions, feel free to contact our office at 928-871-7555.

CONCURRED:

Delores Greyeyes, PhD., MSW, Director

Jesse Delmar, Division Director



BFD-66-11

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

22ND NAVAJO NATION COUNCIL - First Year, 2011

AN ACTION

RELATING TO LAW AND ORDER AND BUDGET AND FINANCE; AMENDING THE JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN

BE IT ENACTED:

The Navajo Nation hereby amends the Judicial/Public Safety Facilities Fund Management Plan as reflected in Exhibit "A", attached hereto.

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 at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 4 in favor, 0 opposed, this 20th day of December, 2011.

LoRenzo C. Bates, Chairperson
Budget and Finance Committee

Motion: Jonathan Nez
Second: Mel R. Begay

Exhibit A

JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN

I. Establishment

The Judicial/Public Safety Facilities Fund ("Fund") was established by Navajo Nation Council Resolution CJA-03-07. Twenty-five percent (25%) of the revenue from the Navajo Sales Tax shall be deposited into the Fund in accord with 24 N.N.C. §620. Additional appropriations may be made from time to time by the Navajo Nation Council. All funds deposited into the Fund shall be used only as provided herein.

II. Purpose

The fund is established as a special revenue fund to provide funding for judicial and public safety facilities as approved by the ~~Judiciary Committee and Public Safety~~ Law and Order Committee in the Judicial/Public Safety Facilities Fund Priority List ("Fund Priority List"). Projects or activities which may be funded by the Fund include, but are not limited to:

A. Planning, site clearance, and development;

B. Site improvement and landscape development;

C. Utility access;

D. Street access and parking area;

E. Construction, maintenance, renovation and repair; and

F. Debt service for the financing of the above activities.

III. Administration

A. Administration

The Judicial Branch ("Branch") and the Division of Public Safety ("Division") shall jointly administer the Fund or, either the Branch or the Division may independently administer the fund pursuant to a written agreement between the Branch and the Division. The Controller shall establish a Fund account and provide assistance with Fund administration.

B. Expenditures

Expenditures from the Fund shall be in accord with this Fund Management Plan and restricted to those facilities set forth in the duly approved Fund Priority List. Expenditures from the Fund shall be made in compliance with Navajo Nation law and applicable policies.

C. Judicial/Public Safety Facilities Fund Priority List

Every two years the ~~Judiciary Committee and Public Safety~~ Law and Order Committee shall approve ~~an identical~~ a Fund Priority List to cover a two fiscal year period beginning with Fiscal Year 2008 and Fiscal Year 2009. The Fund Priority List 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.

D. Quarterly Reports

The Branch and Division shall submit quarterly written reports to the ~~Judicial Committee, Public Safety~~ Law and Order Committee and the Budget and Finance Committee on the status of the Fund, including all projected and realized Fund revenue and expenditures.

E. Annual Audit

The Fund shall be audited annually by independent auditors as part of the overall audit of the Navajo Nation government.

IV. Amendments

The Fund Management Plan may be amended by the Budget and Finance Committee, upon recommendation by the ~~Judiciary Committee and the Public Safety~~ Law and Order Committee.

~~V. Sunset Clause~~

~~The Fund Management Plan shall expire September 30, 2012 unless date is extended by amendment.~~

V. Fund Management Plan duration

The Judicial/Public Safety Facilities Fund Management Plan shall continue to exist until terminated by the Navajo Nation Council through amendment to 24 N.N.C. § 620 or the rescission of applicable provisions therein.

FY 2019

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

EXHIBIT 5 (tabbies)

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: BLUE GAP/TACHEE CHAPTER/PUBLIC SAFETY CONSTRUCTION Business Unit No.: C01588

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)			(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	To purchase and set up a modular building for a Police Substation and to include ground work, delivery and set up, hook of telephone/fiber optic, water line, sewer and upgrade sewer pond.				
9050	Building - Construction Phase			301,436	301,436
	9052 - Building				
	Modular Building Purchase, Delivery/Set up,				
	Ground Work	$	244,861.00		
	Utility hook-up, fence, security	$	12,077.00		
	Sewer	$	35,000.00		
	Culvert Installation	$	9,498.00		
		$	**301,436.00**		
			TOTAL	301,436	301,436

SCOPE OF WORK
FOR
BLUE GAP/TACHEE PUBLIC SAFETY BUILDING

The Blue Gap/Tachee Chapter (Chapter) was funded by Navajo Nation Council, Law and Order Committee Resolution LOCO-15-16 title "Approving an Allocation of $301,436.27 from the Judicial/Safety Facilities Fund, Business Unit Number 1310, for the Construction and Connection of Utility at the Blue Gap/Tachee Police Substation, Business NEW". This Law and Order legislation was to fund the Construction and Connection of Utility to the Blue Gap/Tachee Police Substation (Substation) with the intention of connecting utility to existing Substation. Previous months earlier, Chapter accepted an offer from Nation's Correction Office of their excess modular buildings after the completion of their new Judicial Building in Crownpoint, NM. The Chapter quickly accepted and had it delivered. The modular building came in two sections, an octagon Hogan type structure. Since the delivery of the modular building, the building has remained in place on Chapter ground. Chapter's plan for the modular building was to move the two sections(modular Building) to a site south of Blue Gap C-Store and across N-4 Road, a location for Substation. After re-evaluation and re-assessment of the location, as determined by the Chapter Officials the site will require addition funds to fully develop the Substation and Chapter does not have the fund to fully construct the Substation.

After much discussion by Chapter Officials considering all cost and location, the Chapter Officials decided to request the Law and Order Committee to amend the funding legislation LOCO-15-16 from original purpose for construction and utility connection at Blue Gap/Tachee Police Substation to purchase a new Blue Gap/Tachee Police modular building to be the Police Substation. We have changed the Substation location site also. We approached the Navajo Nation Oil and Gas Company(NNOGC) if possible to relinquish/re-assign an acre of their unused north business tract to Blue Gap/Tachee Chapter. Their north business tract had water, electric and sewer line within the tract. If NNOGC is agreeable to our proposal their cooperation will relieve vast electric, water and sewer connection cost. There after we began talks with NNOGC, the discussions resulted in development of Limited Landuse Agreement and Memorandum of Agreement. We also received full support from NNOGC Board of Director to relinquish/transfer an acre of the business site lease to our chapter. To improve the business, NNOGC recently received 2.4 million to build new C-Store next to existing old store. Their fund includes new water and sewer line, relocate fueling station and turn old store into laundromat.

The Chapter intents to provide this building to house Public Safety Officers who may have responded to a late hour call to our area or Pinon. Most always officers who have gone beyond

their duty hours that this building will provide the much needed rest and recuperation place for officers before continue on to their next assignment. The Chapter will furnish bedding, shower, relaxing area, internet and other amenities. Chapter may consider establishing Memorandum of Agreement with other law enforcement agencies or internally with the Nation force. Our objective is to provide comfort and convenience for our Police Officers. The Chapter will secure the site, if needed repair chain link fence, a gate with a lock and security cameras. The entrance to the site will be separate from the NNOGC and the Chapter will install a culvert pipe at turn-off.

The Chapter will design a simple building plan and announce in local newspaper for Request for Proposal for Modular building to comply with Navajo Nation Procurement Act when the cost exceeds $50,000. After we have found creditable contractor, contract will be develop and route through SAS process. We expect the process to be completed within three(3) months. Since Chapter has NNOGC's agreement, we have the site surveyed and identified the one acre site. Also through our MOA, NNOGC requested thirty feet of Row of Way be reserved for sewer line upgrade construction. Our Council Delegate Kee A. Begay has dropped legislation for Relinquishment or Re-assignment of NNOGC's one acre of land to Blue Gap/Tachee Chapter.

Document No. 013370 Date Issued: 09/11/2019

SECTION 164 REVIEW FORM

Title of Document: Blue Gap/Tachee PD SubstationReviseScope Contact Name: GREYEYES, DELORES

Program/Division: DIVISION OF PUBLIC SAFETY

Email: dgreyeyes@navajo-nsn.gov Phone Number: 928.871.7555

Division Director Approval for 164A: _____

Check document category; only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

				Sufficient	Insufficient
☐	**Statement of Policy or Positive Law:**				
	1. OAG:		Date:	☐	☐
☐	**IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**				
	1. OMB:	V Bayal - See Memo	Date: 9-23-19	☐	☑
	2. OOC:		Date:	☐	☐
	3. OAG:		Date: 10/9/19	☐	☑
	OPVP		10-14-19 See DOJ/OPVP memos		

Section 164(B) Final approval rests with the President of the Navajo Nation

☑	**Grant/Funding Agreement or amendment:**				
	1. Division:		Date: 09/17/19	☑	☐
	2. OMB:		Date:	☐	☐
	3. OOC:		Date:	☐	☐
	4. OAG:		Date:	☐	☐
☐	**Subcontract/Contract expending or receiving funds or amendment:**				
	1. Division:		Date:	☐	☐
	2. BRD:		Date:	☐	☐
	3. OMB:		Date:	☐	☐
	4. OOC:		Date:	☐	☐
	5. OAG:		Date:	☐	☐
☐	**Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**				
	1. Division:		Date:	☐	☐
	2. OAG:		Date:	☐	☐
☐	**M.O.A. or Letter of Assurance expending or receiving funds or amendment:**				
	1. Division:		Date:	☐	☐
	2. OMB:		Date:	☐	☐
	3. OOC:		Date:	☐	☐
	4. OAG:		Date:	☐	☐

NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM

☐ RESUBMITTAL

RECEIVED
OCT - 3 2019
DEPARTMENT OF JUSTICE
RECEPTIONIST DESK

DOJ
10/3/19 @ 1134
DATE / TIME
☑ 7 Day Deadline
DOC #: 013390
SAS #:
UNIT: HSGU

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST: 10/3/19
ENTITY/DIVISION: DPS
CONTACT NAME: Dolores Greyeyes
DEPARTMENT: Corrections
PHONE NUMBER: 928-871-7555
E-MAIL: dgreyeyes@navajo-nsn.gov

TITLE OF DOCUMENT: Blue Gap/Tachee PD Substation Revise Scope

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 10/3/19 @ 1:45
REVIEWING ATTORNEY/ADVOCATE: Daniel

DATE/TIME OUT OF UNIT: 10/9/19

DOJ ATTORNEY / ADVOCATE COMMENTS

Insufficient, See Memo

REVIEWED BY: (*PRINT*)	DATE / TIME	SURNAMED BY: (*PRINT*)	DATE / TIME
Daniel Watts	8 Oct. 19 9am	Kandis Martine	10/9/19 1:17pm

DOJ Secretary Called: Regena for Document Pick Up on 10/9/19 at 2:41 By:

PICKED UP BY: (*PRINT*) DATE / TIME:

NNDOJ/DRRF-July 2013

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : 164 Reviewers

FROM :

Juanita Begay, Principal Accountant
Department of Corrections
Navajo Nation Division of Public Safety

Received
SEP 18 2019
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

DATE : September 11, 2019

SUBJECT : Blue Gap/Tachee Police Substation
Business Unit C01588
Revise Scope of Work

Blue Gap/Tachee Chapter requests to change the Scope of Work from the construction and utility connection to purchase of a modular building for the police substation in Blue Gap/Tachee. The allocated amount is to remain the same in the amount of $301,436.27

This revised Scope of Work is to include the purchase of a modular building, connection cost for electric and water lines, footing, foundation, septic tank and leech field, fence, site preparation, delivery/Set up, equipment rental, and a culvert installation.

Your assistance in review and approval would be appreciated. If there should be any questions, feel free to contact our office at 928-871-7555.

CONCURRED:

Delores Greyeyes, PhD., MSW, Director

Jesse Delmar, Division Director

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Acting Deputy Attorney General

MEMORANDUM

TO: Delores Greyeyes, Director,
Navajo Department of Corrections
Navajo Nation Division of Public Safety

FROM: Daniel B. Watts, Attorney
Human Services/Government Unit
Navajo Nation Department of Justice

DATE: October 9, 2019

SUBJECT: 164 DOC#013370 - Proposal to Revise the Scope of Blue Gap Police Substation Project

The Navajo Nation Department of Justice, Human Services and Government Unit, is in receipt of your proposal to revise the scope of the Blue Gap police substation project. Because the proposed revision changes the object of the allocation from providing utilities to providing a modular, the original legislation (LOCO-15-16) approved by the Law and Order Committee must be amended. Since LOCO-15-16 has not yet been amended, this proposal is currently legally insufficient.

Please contact me at x6275 if you have any questions.

DBW/lk.11

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : 2 NNC 164 Reviewers

FROM : Lisa Jymm

Lisa Jymm, Principal Budget Analyst
OMB/Budget Section

DATE : September 23, 2019

SUBJECT : 164 Review Document #013370 requesting a Revised Scope of Work from a construction and utility connection or Blue Gap/Tachee Police Substation to purchasing a modular building.

The Office of Management and Budget (OMB) reviewed above documents and the following are noted:

1. OMB finds that since the purpose and scope of the original intent has changed, that an amendment to LOCO-15-16 is needed. The original intent was for connections costs for water and electric to be done by NTUA and now it would be used to purchase a new modular building.
2. The July 21, 2019 letter from the Blue Gap/Tachee Chapter also states this.
3. Therefore, the correct signature block would be under Section 164 (A), budget reallocation or amendment, for approval by the appropriate oversight committee.

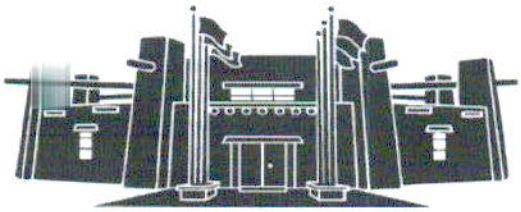
If you have any questions, contact Lisa Jymm at (928) 871-6230 or email at ljymm@omb.navajo-nsn.gov.

CONCURRENCE:

Dominic Beyal, Executive Director
Office of Management and Budget

xc: OMB File

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Kee Allen Begay
Tachee, Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain Chapters

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

DATE: January 9, 2020

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO LAW AND ORDER; AMENDING LOCJN-04-17, WHICH APPROVED JUDICIAL/PUBLIC SAFETY FACILITIES FUND PRIORITY LIST, TO INCLUDE THE BLUE GAP/TACHEE POLICE SUBSTATION; AND, RESCINDING LOCO-15-16

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 with the above-mentioned documents will be 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 his 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).

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0006-20__ **SPONSOR:** Kee Allen Begay Jr

TITLE: An Action Relating To Law and Order; amending LOCJN-04-17, Which Approved Judicial/Public Safety Facilities Fund Priority List, To Include The Blue Gap/Tachee Police Substation; And, Rescinding LOCO-15-6

***Date posted*:** January 10, 2020 at 5:51 PM

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) 871-7586

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.: 0006-20

SPONSOR: Honorable Kee Allen Begay Jr.

TITLE: An Action Relating to Law and Order; amending LOCJN-04-17, which approved Judicial/Public Safety Facilities Fund Priority List, to include the Blue Gap/Tachee Police Substation; and, rescinding LOCO-15-6

Posted: January 10, 2020 at 5:56 PM

5 DAY Comment Period Ended: January 15, 2020

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

1/16/20 8:19AM

Date/Time