LEGISLATIVE SUMMARY SHEET
Tracking No. 0070-20

DATE: March 4, 2020

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT TYPE IN RESOLUTION CAP-35-18; AMENDING THE PROJECT TYPE TO ADD "PLAN, ASSESSMENT/INVESTIGATE AND DESIGN" FOR THE COALMINE CANYON CHAPTER BUILDING REPAIR

PURPOSE: Approving changes to CAP-35-18 Exhibit D, Project No. 119, Coalmine Chapter Project, by changing the Project Type from "Renovation" to include "Plan, Assessment/Investigate and Design"

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: _____
Website Posting Time/Date: 4:25pm 03-20-20
Posting End Date: 03-25-20
Eligible for Action: 03-26-20

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL—Second Year, 2020

INTRODUCED BY

Thomas Walker, Jr.

Primary Sponsor

TRACKING NO. 0070-20

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT TYPE IN RESOLUTION CAP-35-18; AMENDING THE PROJECT TYPE TO ADD "PLAN, ASSESSMENT/INVESTIGATE AND DESIGN" FOR THE COALMINE CANYON CHAPTER BUILDING REPAIR

BE IT ENACTED:

Section One. Authority

1. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).
2. 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).
3. Council Resolution CAP-35-18 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." *See* CAP-35-18 Section Four, Paragraph C.

Section Two. Findings

A. The Navajo Nation Council adopted Council Resolution CAP-35-18, "Adopting the Sihasin 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" on April 17, 2018.

B. Coalmine Canyon Chapter submitted a CAP-35-18 Project Change Form, which is attached as **Exhibit 1**.

C. The CAP-35-18 Project Change Form indicates the following changes to be made to the project:

The Project Type is to change from "Renovation" to include "Plan, Assessment/Investigate and Design"

D. For reference, the Coalmine Chapter Project is included in **Exhibit 2**, Exhibit D, Project 119.

Section Three. Approval

The Navajo Nation hereby approves the change to CAP-35-18 Exhibit D Project No. 119, the Coalmine Chapter Project, by changing the Project Type from "Renovation" to include "Plan, Assessment/Investigate and Design" as indicated in **Exhibit 1**.

EXHIBIT 1

CAPITAL PROJECTS MANAGEMENT DEPARTMENT

SIHASIN PROJECT AMENDMENT CERTIFICATION

CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED: November 13, 2019

PROJECT NAME: Coalmine Canyon Chapter House Building Rep

REFERENCE NUMBER:

PROJECT TYPE: Renovation/Construction

ORIGINAL DATE APPROVED: November 28, 2019

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING				FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	TOTAL FUNDING	
E-127	Amend Scope to Include Plan, Assessment/	$200,000			$200,000	N/A
	Investigate, and Design Chapter House Building					
E-127	Chapter House Building Repair	$200,000.			$200,000	N/A
				TOTAL: ☐ INCREASED / ☐ DECREASED FUNDING:		

Acknowledgement of Project Amendment:

	PRINTED NAME	SIGNATURE	DATE
Navajo Nation Council Delegate	Thomas Walker Jr.	Thomas Walker Jr.	1-28-2020

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	
CMPD Project Manager	Andy Thomas		11/13/19
CPMD Department Manager	James Adakai		11/13/19

Dev. CPMD 10.03.19

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CPMD Department Manager	James Adakai		11/13/19

Dev. CPMD 10.03.19

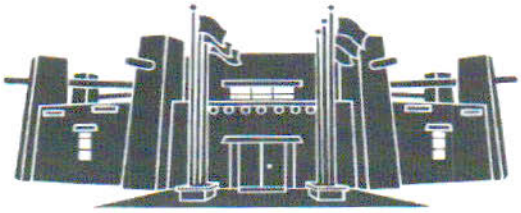
EXHIBIT 2

EXHIBIT: D

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN

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
102	Greasewood Springs	Master Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	$400,000.00	$433,333.33	$0.00	$0.00	$833,333.33
103	Dilkon	Multi Purpose Complex	Planning	12 months	$333,333.33	$0.00	$0.00	$120,000.00	$333,333.33
104	Dilkon	Chapter Tract Infrastructure Upgrade	Plan/Design	12 months	$0.00	$275,000.00	$0.00	$0.00	$275,000.00
105	Indian Wells	HVAC Unit	Major Equipment	4-6 months	$25,000.00	$0.00	$0.00	$66,000.00	$25,000.00
106	Indian Wells	Senior Center Facility Repairs	Planning	12 months	$265,000.00	$279,393.67	$0.00	$0.00	$544,393.67
107	Indian Wells	10 Commercial Site Development	Planning	18-24 months	$200,000.00	$0.00	$0.00	$678,000.00	$200,000.00
108	Whitecone	Road Improvement	Design/Construction	18-24 months	$194,000.00	$0.00	$0.00	$0.00	$194,000.00
109	Whitecone	JW2 - Master Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	$66,000.00	$0.00	$0.00	$0.00	$66,000.00
110	Whitecone	Motor Grader	Major Equipment	6-8 months	$339,000.00	$0.00	$0.00	$0.00	$339,000.00
111	Teesto	Community Center	Design/Construction	18-24 months	$500,000.00	$0.00	$0.00	$0.00	$500,000.00
112	Standing Rock	Tseiliahi Head Start	Construction	8-12 months	$3,269,616.66	$0.00	$0.00	$125,000.00	$3,269,616.66
113	Whiterock	Chapter Renovation	Design/Construction	6-8 months	$500,000.00	$0.00	$0.00	$359,476.65	$500,000.00
114	Huerfano	Senior Center	Design/Construction	8-12 months	$0.00	$397,050.00	$0.00	$53,261.00	$397,050.00
115	Chinle	N7 Solar Stree Light	Pre-Design, Design/Construction	24 months	$50,000.00	$1,735,534.45	$0.00	$0.00	$1,785,534.45
116	Chinle	Del Muerto Headstart Improvement	Construction	12 months	$0.00	$0.00	$301,496.21	$0.00	$301,496.21
117	Cameron	Cultural Center	Pre-Design	24 months	$250,000.00	$250,000.00	$133,333.00	$0.00	$633,333.00
118	Cameron	Demonstration Farm	Planning	18-24 months	$100,001.66	$0.00	$0.00	$0.00	$100,001.66
119	Coalmine	Chapter House Building Repair	Renovation	12-18 months	$200,000.00	$533,333.00	$0.00	$20,000.00	$733,333.00
120	Birdsprings/Leupp	Commercial Farm Project	Planning	24 months	$250,000.00	$200,000.00	$50,000.00	$0.00	$500,000.00
121	Tolani Lake	New Senior Center Replacement	Design/Construction	18-24 months	$0.00	$733,333.00	$0.00	$0.00	$733,333.00
122	Cornfields	Community/ Veterans Cemetry	Design/Construction	12 months	$66,333.33	$0.00	$0.00	$0.00	$66,333.33
123	Cornfields	Deer Point Development	Pre-Design	24-36 months	$0.00	$0.00	$300,000.00	$0.00	$300,000.00

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



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Thomas Walker, Jr.
Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters

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

DATE: March 4, 2020

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT TYPE IN RESOLUTION CAP-35-18; AMENDING THE PROJECT TYPE TO ADD "PLAN, ASSESSMENT/INVESTIGATE AND DESIGN" FOR THE COALMINE CANYON CHAPTER BUILDING REPAIR

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting.

Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

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).

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 NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0070-20_____ **SPONSOR:** Thomas Walker, Jr.

TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a change in Project Type in Resolution CAP-35-18; Amending the Project Type to add "Plan, Assessment/Investigate and Design" for the Coalmine Canyon Chapter building repair

Date posted: March 20, 2020 at 4:25pm

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

Written comments may be mailed to:

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

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0070-20

SPONSOR: Honorable Thomas Walker, Jr.

TITLE: An Action Relating to an Emergency; Approving supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of Four Million dollars ($4,000,000) for Emergency Funds to the Navajo Department of Health, COVID-19 Emergency Funds, Business Unit New

Posted: March 20, 2020 at 4:25 PM

5 DAY Comment Period Ended: March 25, 2020

Digital Comments received:

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

Legislative Tracking Secretary
Office of Legislative Services

03/26/20 6:00PM

Date/Time