LEGISLATIVE SUMMARY SHEET

Tracking No. 0260-18

DATE: July 17, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; AMENDING AND APPROVING THE PLAN OF OPERATION FOR THE ADMINISTRATIVE SERVICE CENTERS

PURPOSE: The purpose of this legislation is to approve the amendments to the Plan of Operation for the Administrative Service Centers ("ASC") within the Division of Community Development.

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: None
Website Posting Time/Date: 11:15am 7/18/18
Posting End Date: 7/23/2018
Eligible for Action: 7/24/2018

PROPOSED STANDING COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0260-18

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; AMENDING AND APPROVING THE PLAN OF OPERATION FOR THE ADMINISTRATIVE SERVICE CENTERS

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Navajo Nation Council established the Resources and Development Committee as a standing committee of the Navajo Nation Council. The Resources and Development Committee is empowered to conduct legislative oversight functions for the Division of Community Development ("DCD"). 2 N.N.C §§ 500 (A) and 501 (C)(1).

B. The Resources and Development Committee has the authority to review, recommend or propose the adoption, amendment or rescission of Plans of Operation for divisions or departments under the Committee's oversight. 2 N.N.C. § 501 (B)(10).

SECTION TWO. FINDINGS

A. The last revision to the Plan of Operation for the Administrative Service Centers was in 2016 and approved by the Resources and Development Committee of the Navajo Nation Council as part of the Master Plan for the Division of Community Development in Resolution RDCO-77-16.

B. RDCO-77-16 approved various Plans of Operation for programs within the Division of Community Development including the approval of the Administrative Service Centers at Section 6. which incorporated an appended RDCO-77-16 "Exhibit D".

C. The Division of Community Development Administrative Service Centers has submitted a revised Plan of Operation with stricken and underscored language and is attached hereto as **Exhibit A**.

D. The final clean version of the plan of operation will be provided by the Administrative Service Centers.

E. An Executive Official Review by the Department of Justice of the revised Plan of Operation is currently pending.

SECTION THREE. APPROVING THE AMENDED ADMINISTRATIVE SERVICE CENTERS PLAN OF OPERATION

A. The Navajo Nation hereby amends the Plan of Operation for the Administrative Service Centers within the Division of Community Development, as set forth in attached **Exhibit A.**

B. The Amended Plan of Operation for the Administrative Service Centers approved herein shall supersede the previous Plan of Operation for the Administrative Service Centers approved through Resolution RDCO-77-16 Section 6.

PLAN OF OPERATION

ADMINISTRATIVE SERVICE CENTERS
DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Administrative Service Centers (ASC) within the Division of the Navajo Nation.

II. PURPOSE AND GOALS

A. The purpose of the ASC shall be to provide administrative support, technical assistance and guidance to chapters.

B. The goals of the ASC shall be to:

1. Promote Local Governance Act certification
   a. Provide technical assistance and guidance;
   b. Implement Local Governance Act transition plan;
   c. Implementation of the Five Management Systems

2. Assist with Post-Local Governance Act Certification activities
   a. Alternative Form of Government (AFOG);
   b. Contract requirements;
   c. Zoning, taxation, leasing, and other ordinances

3. Enhance Human Resource and Professional Development
   a. Capacity building;
   b. Accredited training and education;
   c. Partnerships; and
   d. Proposal/Grant writing skills.

III. PERSONNEL AND ORGANIZATION

A. PERSONNEL

1. The Executive Director shall designate the ASC Department Manager to oversee the operation of the ASC and the non-LGA Certified Chapter Administration Staff in accordance with applicable Navajo Nation laws and policies.

2. The ASC Manager shall be authorized to recommend additional professional, technical, and administrative positions as needed to carry out the organizational purposes and objectives.

3. Additional positions shall be established in accordance with the Navajo Nation Personnel Policies Manual and pursuant to applicable rules established for conducting the annual budget process.

4. The ASC shall be staffed to accomplish the purpose, goals and objectives as provided herein.

5. Based upon the availability of funds, each of the eight (8) ASC Area will consist of the following staff:
   a. Senior Programs and Projects Specialist
   b. Administrative Service Officer
   c. Office Specialist
   d. Community Services Coordinators and an Account Maintenance Specialist at each Chapter that is not Local Governance Act certified
   e. Other staff, as deemed necessary by the ASC Department Manager

6. The Senior Programs and Projects Specialist shall be hired, supervised, report and be responsible to the ASC Department Director. The Senior Programs and Projects Specialist shall exercise the following duties and responsibilities and be allowed to delegate the same to the appropriate area staff, when deemed necessary:
   a. Exercise supervisory control and direction of their respective agency staff. Such authority shall include the approval of various personnel and administrative actions, not limited to disciplinary and budgetary actions; documents directly pertaining to the Senior Programs and Project Specialist shall be subject to review and approval by the ASC Department Director.
   b. Recommend when necessary, additional professional and technical positions needed to carry out the organizational purpose and objectives.
   c. Formulate administrative and operating policies and procedures and take such action as deemed necessary for effective and accountable management to accomplish the overall Department and Division purpose and objectives.
   d. Ensure respective offices, Chapter funds, budgetary expenditures, allocations, requests, transfers, and reports are in compliance with applicable Navajo Nation, federal, and state laws; whereas all deficiencies shall be reported to appropriate agencies.
   e. Facilitate governmental development, technical management, accounting services, and project and land use development by assisting all Chapters, in coordination with Chapter Officials.
   f. Provide training and orientation for Area Staff and Chapter Officials, as needed, on the purpose and goals set forth herein.

7. Community Services Coordinator shall serve under the direction of the Senior Programs and Projects Specialist and carry out duties and responsibilities consistent with ASC and Division of Community

Development plan of operations, Personnel Policies and Procedures, and all applicable policy and laws of the Navajo Nation:

a. Cooperate with the Chapter Officials and carry out day-to-day duties, ensure completion of local projects consistent with duly approved Chapter resolutions, implement and exercise the Chapter's five management system, policies and procedures, and report as required to the Senior Program and Projects Specialist to protect the assets of the Navajo Nation

b. Supervise the Account Maintenance Specialist, Public Employment Program, Office Specialists, Summer Youth Employment, temporary and specialized personnel to ensure that Navajo Nation funds are safe guarded, appropriated and expended per policy.

c. Attend Chapter planning meetings and sessions; ensure development, preparation, and monitoring of proposals; secure Navajo Nation assets, property, finance, and additional resources; create emergency protocols; and strategically and tactically plan for beneficial community development with the Navajo Nation, state, federal, and all external entities.

8. All violations of Navajo Nation law, policies, practices, rules, and regulations will be documented and processed according to protocols to promote consistency and equity in the treatment of the general public, Chapter Officials, and employees.

B. ORGANIZATION

1. The ASC shall consist of these functions necessary to accomplish the purpose cited.

Administration;
Chapter planning and land use;
Compliance/monitoring; and
Chapter legal services through the Department of Justice

~~The Organizational Chart for the Administrative Services Centers is attached as Attachment D-1, and incorporated herein.~~

2. The Organizational Chart for the Administrative Services Centers is attached as Exhibit "A", and incorporated herein. There will be eight (8) service areas of the ASC.

IV. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The ASC Department Manager shall:

1. Develop and implement the overall administrative policies and procedures necessary for effective management of the ASC.

2. Conduct periodic reviews of staff and program effectiveness and present operating budgets for the appropriate committees of the Navajo Nation Council.

3. Represent the ASC at the Navajo Nation, county, state, and federal levels.

B. The ASC shall have the following duties and responsibilities:

1. Assist in monitoring pre-procurement activities.

2. Monitor and ensure implementation of the Five Management System and accounting services.

3. Prepare written reports for presentations at chapter meetings and planning sessions.

4. Assist to secure additional revenue and in-kind contributions from the Navajo Nation and other funding agencies consistent with the Navajo Nation Ethics in Government Law, 2 N.N.C. § 3741 et. seq..

5. Ensure that the chapters' expenditures are in compliance with applicable Navajo Nation, federal, and state laws or grant agreements. As guidelines attached is Exhibit "B", General Guiding ASC Pillars of Principles.

6. Assist chapters with developing corrective action plans for audit findings.

7. Assist chapters that have been sanctioned by the Budget and Finance Committee of the Navajo Nation Council with budget review and approval so funds can be disbursed.

8. Assist chapters in finalizing and processing of payroll and tax liabilities.

9. Assist chapters with data entry and uploading accounting and budget information into the governmental accounting software and online budget application.

10. Ensure chapter compliance with monthly/quarterly financial reporting requirements and the Five Management System Policies and Procedures.

11. Carry out other responsibilities as assigned by the Executive Director.

V. LEGISLATIVE OVERSIGHT

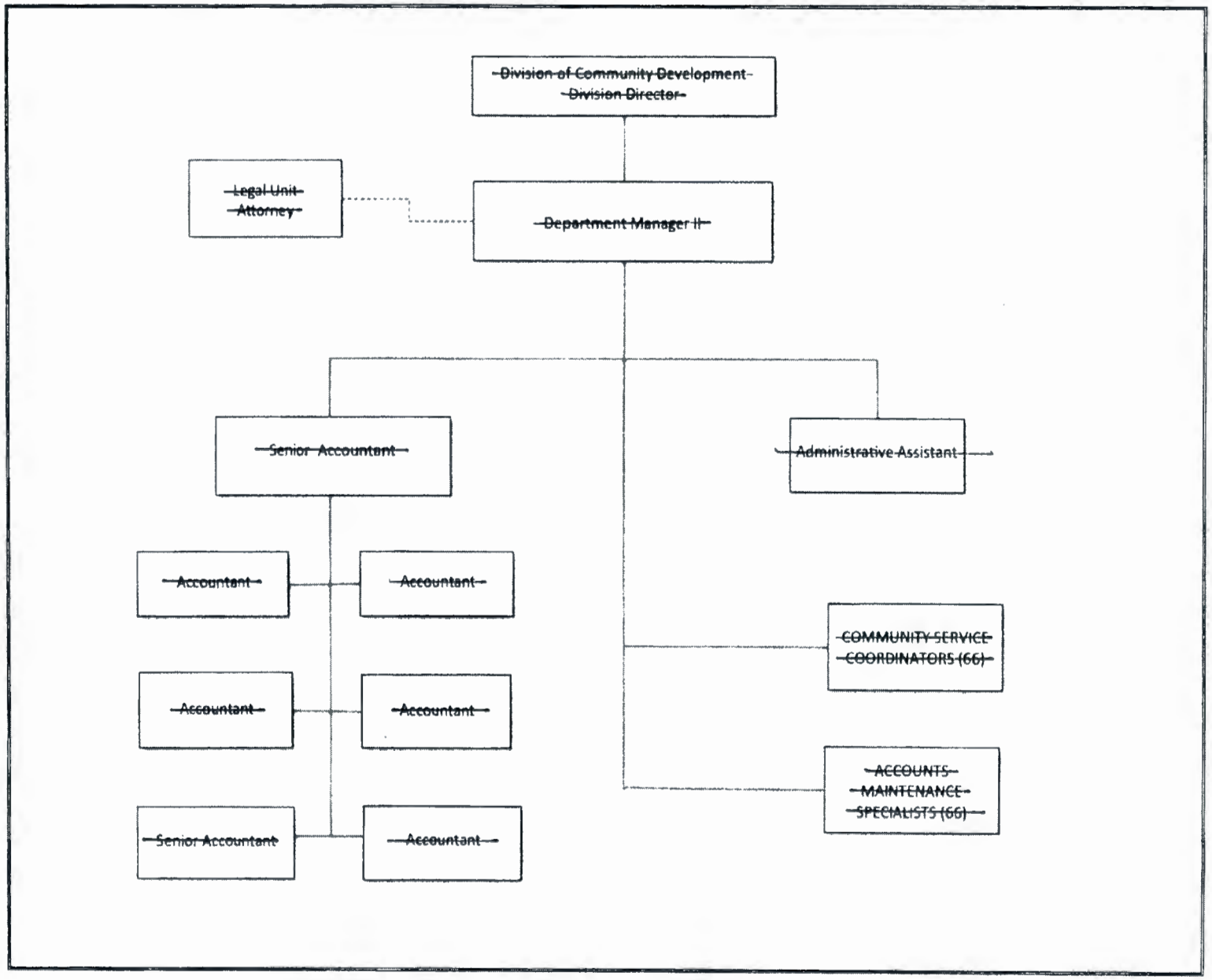
Pursuant to 2 N.N.C. §501(C), the ASC are under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council

VI. AMENDMENTS:

The section herein may be amended from time-to-time by the Resource Development Committee of the Navajo Nation Council.

~~DIVISION OF COMMUNITY DEVELOPMENT~~

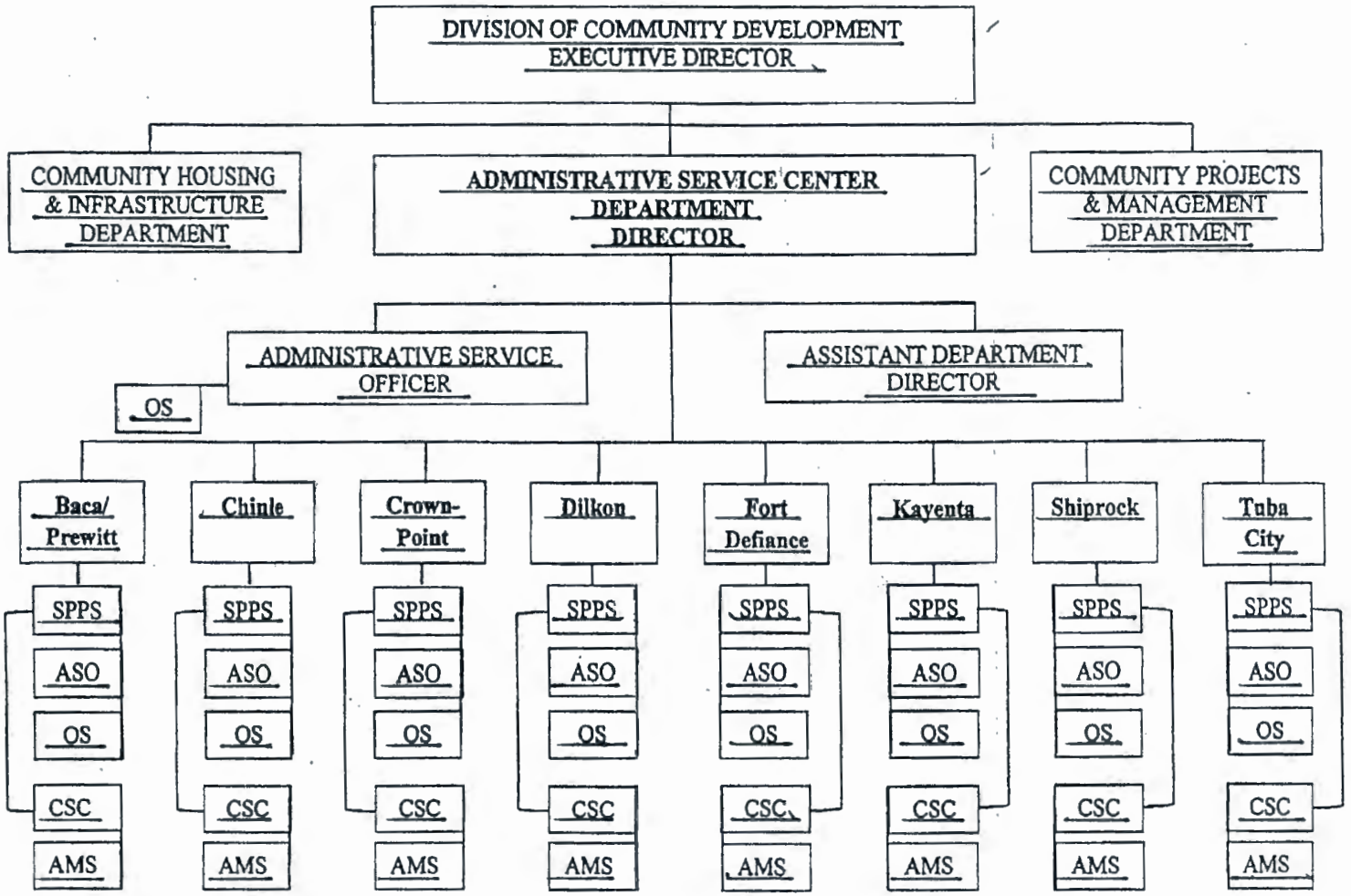
~~ADMINSTRATIVE SERVICE CENTERS~~
~~ORGANIZATIONAL CHART~~



ATTACHMENT D-1

EXHIBIT "A"

DIVISION OF COMMUNITY DEVELOPMENT
ADMINISTRATIVE SERVICE CENTER
ORGANIZATION CHART



SPPS = Senior Program/Project Specialist; ASO = Administrative Service Officer; OS = Office Specialist; CSC = Community Service Coordinator; and AMS = Account Maintenance Specialist

Exhibit B

General Guiding ASC Pillars of Principles

Navajo Chapters are to become self-sufficient local governmental units based on the value of K'e and T'aa hwo aji t"eego for the survival and sustainability of current and future generations; accountability and integrity is to be the common thread of Chapter operations in serving the People.

GUIDE CHAPTERS TO USE BEST PRACTICIES

1. Provide administrative support, professional development, and financial management support to the Chapters
2. Teach Chapters: how to continually improve and implement excellent customer service and leadership; create a records management system and protect confidential information; and to report immediate misuse of chapter funds and property.
3. Instruct Chapters to implement valid chapter resolutions, plans of operations, and fiscal and records policies and procedures in compliance with all Navajo Nation laws and policies.
4. Train and ensure Chapters appropriate and use funds in accordance with all Navajo Nation, federal, and state laws.
5. Assist Chapter Officials and Chapter Administration staff implement and develop community projects in collaborative means.
6. Assist Chapter officials, Administration and membership implement the Local Governance Act (LGA) Navajo Nation Code (NNC) 26, Five Management System (FMS), and other Navajo Nation laws and policies.

ENHANCE PROFESSIONAL DEVELOPMENT AND TEAM BUILDING

1. Conduct and coordinate training to improve work performance and human relations through team building and leadership training.
2. Have Chapter Officials and Chapter Administration acknowledge the values of K'e to empower its employees to provide friendly and professional customer service to its community members.
3. Conduct and/or coordinate training related to ethical conduct and behavior.
4. Coordinate training on the topics of NNC 26, NNC 12, NNC 24, BIM, FMS and other applicable laws and policies.
5. Teach Chapter Officials: to fill out their monthly compliance review forms, Chapter meeting claim forms, and submit timely Chapter meeting reports; proper attendance of each chapter meeting for payment; to assist Chapter Secretary/Treasurer develop a records system to allow the Chapter Secretary/Treasurer maintain complete and accurate records of all chapter activities.
6. Teach Chapter Managers and Community Service Coordinator to provide timely quarterly financial reports and reconciled accounting reports to ASC and provide a fund accounting back-up to the Office of the Auditor General.

PROMOTE FINANCIAL ACCOUNTABILTY

1. Teach Chapters how to run an efficient financial system by monitoring and ensuring all funds appropriated to the Chapters are accounted for and expended in compliance with the Chapter's approved budget and are disbursed, recorded, reconciled and monitored in accordance with the Budget Instruction Manual (BIM), Appropriations Act (NNC 12), the

LGA, and all other applicable Navajo Nation, state and federal laws.

2. Provide hands-on training to Chapters so they learn and comply with the WIND system and how to reconcile and manage their budgets and expenditures through consistent and reliable record keeping, and continually track and review the Chapter's incoming and outgoing funds and property.
3. Assist Chapters establish collaborative working relationships among Chapter officials and Chapter Administration to meet the Chapter's monthly and quarterly budget reporting, and preparation of timely proposed budgets.
4. Teach Chapters to build, maintain and safeguard all chapter funds, official budget documents, revisions, and Chapter resolutions by creating an organized and reliable records management system, and teach chapters to back up files using safe and reliable electronic or non-electronic databases.
5. Assist in fiscal monitoring and regular reporting by writing up Chapters that are found in noncompliance of their fiscal management duties and responsibilities and take actions as deemed necessary to report it to the appropriate departments.
6. Explain and teach Chapters to conduct business and comply with Navajo Nation Personal Policies, and all other Navajo Nation policies and procedures.

ENHANCE ADMINISTRATIVE SUPPORT

1. Explain and teach chapters the importance of pre-procurement activities, to contact the Business Regulatory Department (BDR) to meet procurement requirements, and how to conduct and record physical inventory of all chapter assets.
2. Teach non-LGA certified chapters how to research, locate, use and fill out travel, personnel, payroll, tax, insurance, worker's compensation, fringe, and salary forms, create templates, and prepare reports as prescribed Navajo Nation policies.
3. Assist and teach LGA certified Chapters with an approved FMS how to locate and use forms as prescribed by the Chapter's FMS to prepare Chapters to become LGA certified.
4. Show and teach Chapters how to enter data into the WIND system no later than 24 hours after receipt of an approved budget.
5. Assist and guide Chapters how to correct their audit findings as shown in the Chapter's corrective action plan (CAP), and help Chapters implement corrective measures for a successful audit.

ASSIST CHAPTERS WITH DEVELOPMENT OF THE COMMUNITY LAND USE PLAN

1. Coordinate and facilitate Chapter relations with Community Projects Management Department.
2. Assist Chapters understand zoning and requirements, and procedures for ordinances.
3. Provide Chapters training on the purpose and objectives of land use variations.
4. Assist Chapters in understanding the process and requirements of comprehensive community land use planning.

PILLARS

1) Provide proper guidance; 2) Facilitate working relationships; 3) Strengthening communications; and 4) Capitalizing on long term solutions

Office of Legislative Counsel
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Honorable LoRenzo Bates
Speaker
23rd Navajo Nation Council

MEMORANDUM

TO: Honorable Walter Phelps
23rd Navajo Nation Council Delegate

FROM: _____
Candace French, Attorney
Office of Legislative Counsel

DATE: July 17, 2018

RE: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; AMENDING AND APPROVING THE PLAN OF OPERATION FOR THE ADMINISTRATIVE SERVICE CENTERS

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law and the documents submitted, the resolution as drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews 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 review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0260-18__ **SPONSOR: Walter Phelps**

TITLE: An Action Relating To Resources And Development Committee; Amending And Approving The Plan Of Operation For The Administrative Service Center

***Date posted*: July 18, 2018 at 11:15 AM**

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.: 0260-18

SPONSOR: Honorable Walter Phelps

TITLE: An Action Relating to Resources And Development Committee; Amending And Approving The Plan Of Operation For The Administrative Service Center

Posted: July 18, 2018 at 11:15 AM

5 DAY Comment Period Ended: July 23, 2018

Digital Comments received:

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

Legislative Secretary II
Office of Legislative Services

7/24/2018 8:05am
Date/Time