LEGISLATIVE SUMMARY SHEET
Tracking No. 0311-20

DATE: December 9, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF SEVENTEEN MILLION FOUR HUNDRED TWENTY THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS ($17,420,482) TO THE HEALTH COMMAND OPERATIONS CENTER

PURPOSE: The purpose of this resolution is to approve a supplemental appropriation to the Health Operations Command Center.

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: jjohnson
Website Posting Time/Date: 9:38pm 12-09-20
Posting End Date: 12-14-20
Eligible for Action: 12-15-20

Health Education & Human Services Committee
Thence
Budget & Finance Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0311-20

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF SEVENTEEN MILLION FOUR HUNDRED TWENTY THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS ($17,420,482) TO THE HEALTH COMMAND OPERATIONS CENTER

BE IT ENACTED:

SECTION 1. AUTHORITY

A. The Health, Education and Human Services Committee has oversight of the Navajo Nation Department of Health. 2 N.N.C. § 401(C)(1). The Health Operations Command Center is within the Department of Health.

B. The Budget and Finance Committee is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds. 2 N.N.C. §301 (B)(2).

C. A proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9).

D. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. § 102(A).

E. The Navajo Nation Council has the authority to approve supplemental appropriations. 12 N.N.C. § 820(L). Pursuant to 12 N.N.C. § 820 (L), "[t]he Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds within the current fiscal year are permitted, if and when additional sources of revenues above and beyond the initial or current revenue projections are projected and which are also in excess of the reserve amount set forth at § 820(J)."

F. The Title 12 Finance Act Supplemental Appropriation requirements include:

1. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis. 12 N.N.C. § 820(M).
2. When the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be approved by the Navajo Nation Council. 12 N.N.C. § 820(L).
3. Supplemental Appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes, as set forth at § 820(F). The Controller of the Navajo Nation shall be responsible for designation recurring and non-recurring revenues. 12 N.N.C. § 820(L).
4. The Nation shall budget all recurring operating expenses, including capital maintenance, from recurring revenues. Long term debt shall not be used to finance recurring operating expenses. 12 N.N.C. §820(E).
5. The Navajo Nation Code provides, "[t]he Nation shall restrict non-recurring revenues to budget non-recurring expenditures. In addition, non-recurring revenues will be budgeted only after an examination by the Controller to determine whether or not the revenues are subsidizing an imbalance between recurring revenues and expenditures, and expenditures may be authorized only if a long-term (three-five year) forecast shows that the operating deficit will not continue. Otherwise, non-recurring revenues will be added to the Unreserved, Undesignated Fund balance.

This provision may be amended or waived by a two-thirds vote of the full Navajo Nation Council." 12 N.N.C. § 820(F).

SECTION 2. FINDINGS

A. The Health Command Operations Center has requested a supplemental appropriation to address the effects of the novel coronavirus (COVID-19).

B. The Navajo Nation Commission on Emergency Management, with the concurrence of the President of the Navajo Nation, Jonathan Nez, declared a public health state of emergency on the Navajo Nation, on March 11, 2020 due to COVID-19. Emergency Management Commission Resolution No. CEM 20-03-11. Resolution CEM 20-03-11 is incorporated by reference into this resolution.

C. The Navajo Nation has issued numerous public health orders in recognition of the severity of COVID-19. These Public Health Emergency Orders (2020-001 through 2020-031) are incorporated by reference into this resolution. Most recently, the Navajo Nation Department of Health issued Public Health Emergency Order No. 2020-031, entitled, "Continuing the Stay at Home (Shelter in Place) Lockdown Order for an Additional Three (3) Weeks, Including Full 57-Hour Weekend Lockdowns," to continue to combat the spread of COVID-19.

D. COVID-19 infections and deaths continue to be a serious issue within the Navajo Nation and are straining an already overburdened healthcare system. As of December 8, 2020, the Navajo Nation reached a total of 18,324 positive cases and 688 COVID-19 related deaths.

E. The supplemental funding will allow the Health Operations Command Center to engage contractual personnel for alternate site care for patients throughout the Navajo Nation who are required to quarantine or isolate as a result of COVID-19 exposure.

F. The funding will also enable the Health Operations Command Center the ability to provide public outreach through oral and video materials to educate the Navajo public on how to prevent the spread of COVID-19. Additionally, this funding will allow for additional personnel to carry out these objectives.

G. This supplemental appropriation is requested in the total amount of Seventeen Million Four Hundred Twenty Thousand Four Hundred Eighty-Two Dollars ($17,420,482). The budget documents are attached as **Exhibit A**.

H. The Office of the Controller was requested to provide a memorandum to satisfy the requirements in 12 N.N.C. § 820 (L). The memorandum was not ready at the time of drafting this resolution, but will be included as an exhibit when it is available.

I. The Office of Budget and Management has provided a memorandum to serve as the budget impact analysis required by 12 N.N.C. 820 (M). The memorandum dated December 9, 2020, is attached as **Exhibit B**.

SECTION 3. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF SEVENTEEN MILLION FOUR HUNDRED TWENTY THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS ($17,420,482) TO THE HEALTH COMMAND OPERATIONS CENTER

A. This supplemental appropriation of $17,420,482 to the Health Command Operations Center shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and as indicated the documents in **Exhibit A**.

B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of $17,420,482 as indicated in the documents in **Exhibit A**.

EXHIBIT A

FY 2021

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: 113022 Program Title: FY2021 HEALTH COMMAND OPERATIONS CENTER Division/Branch: NDOH

Prepared By: Christine M. Chavez Phone No.: 928-871-6733 Email Address: cmchavez@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
Unmet Need	01/1/21-01/30/21	17,420,482.00	100%
	TOTAL:	$17,420,482.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	1	0	82,070.00	
3000 Travel Expenses	1	0	72,263.00	
3500 Meeting Expenses	1	0	0.00	
4000 Supplies	1	0	123,400.00	
5000 Lease and Rental	1	0	8,000.00	
5500 Communications and Utilities	1	0	5,100.00	
6000 Repairs and Maintenance	1	0	100,500.00	
6500 Contractual Services	1	0	16,990,841.00	
7000 Special Transactions	1	0	18,308.00	
8000 Public Assistance	1	0	0.00	
9000 Capital Outlay	1	0	20,000.00	
9500 Matching Funds	1	0	0.00	
9500 Indirect Cost	1	0	0.00	
TOTAL		$0.00	17,420,482.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	10
Total # of Vehicles Budgeted:		

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Dr. Jill Jim, Executive Diretor
Program Manager's Printed Name

12/7/2020
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:

Business Unit No.: 113022 **Program Name/Title:** FY2021 HEALTH COMMAND OPERATIONS CENTER

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

HEHSCJA-01-18 Resolution of the Health, Education and Human Services Committee, 23rd Navajo Nation Council -- 4th Year 2018. Relating to Health, Education and Human Services Committee; Amending and Approving the Navajo Department of Health Master Plan of Operation.

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Stop the person to person transmission of COVID-19								
Program Performance Measure: Provide preventive messaging using COVID-19 materials (oral/video) approved by CDC Guidance on the radio	30		30		30		30	
2. Goal Statement: Develop preventative materials to educate the public and communities on COVID-19 transmissior								
Program Performance Measure: Number of materials developed for billboards	2		2		2		2	
3. Goal Statement: Reduce in home transmission								
Program Performance Measure: Number of isolation/quarantine referrals	10		10		10		10	
4. Goal Statement: Increase access to families in need								
Program Performance Measure: Numbers of food boxes delivered to all agencies	5		5		5		5	
5. Goal Statement:								
Program Performance Measure:								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Dr. Jill Jim, Executive Director
Program Manager's Printed Name

12/7/2020
Program Manager's Signature and Date

Paulson Chaco, Chief of Staff
Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

FY 2021

THE NAVAJO NATION
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT

BUDGET FORM 3

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2020 ACTUAL G/S	FY 2020 ACTUAL SALARY	FY 2021 PROPOSED HOURS	FY 2021 PROPOSED BUDGET
2320	243891	1366	Office Specialist	Vacant	WRCO	BC58A	26,208.00	160	1,988.80
2320	243891	1366	Office Specialist	Vacant	WRCO	BC58A	26,208.00	160	1,988.80
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
2900			Fringe Benefits - Temporary Staff @ 10.06%						16,252.80
								$	1,635.03
								$	1,635.03

PART I. PROGRAM INFORMATION:

Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTER **Business Unit No.:** 113022

PART II. DETAILED BUDGET:

(A)	(B)		(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	2001 PERSONNEL EXPENSES			**$82,070.00**
	Salaries and fringe benefits for FY 2020. Budget amount to cover two temporary employees.			
2310	**Temporary** (1 temp hire @ $25,854.40)		$16,253.00	
	2320 Temporary FT: $72,768.80 (Temporary payroll to 01/01/2021-01/31/2021)	$16,252.80		
2510	**Overtime**		25,000.00	
	2520: Overtime Pay Rgular - HCOC Staff Hazard Pay	$25,000.00		
2710	**Regular - HCOC Staff Hazard Pay**		20,000.00	
	2720: Merit Bonus	$10,000.00		
	2740: Bnus Pay	$10,000.00		
		$20,000.00		
2900	**Fringe Benefits**		20,817.00	
	Temporary: $16,252.80 X 10.06% =	$1,635.03		
	Permanent Staff: $45,000 x 46.56%	$20,817.00		
		$20,817.00		
	3000 TRAVEL EXPENSES			
3230	**Personal Travel**			**$72,263.00**
	Meals and lodging expenses (P-Cards) directly related to the program business. Transportation to and from ACS Site for staff and other programs who are assisting with COVID-19 Pandemic			
	3240 Per Diem Meals:			
	Area A: $55 X 15 staff X 30 days =	$24,750.00		
	3250 Lodging			
	Area A: $96 x 15 staff x 30 days	$43,200.00		
	3250 **POV Mileage**: 0.575 NN Rate x 500 miles X 15 staff =	$4,312.50		
		TOTAL	82,070.00	154,333.00

PART I. PROGRAM INFORMATION:

Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTER **Business Unit No.:** 113022

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)
	4000 SUPPLIES			
4120	**Office Supplies**			**123,400.00**
	Desktop supplies, folders, envelopes, pens, pencils, xerox paper (brochures, binding, photocopying)			
	4130 General Office Supplies -To purchase standard consumable office supplies for daily office operations	$1,500.00	1,500.00	
4200	**Non Capital Assets**			
	4230 Non-Cap Computer Equipment to purchase two new printers and high quality scanners		$12,400.00	
	$5,000 each x 2 scanners =	$10,000.00		
	$1,200 each x 2 printers =	$2,400.00		
		$12,400.00		
4410	**Operating Supplies - General Operating Supplies**			
	All expendable supplies/materials expenditures to include food compartment trays, food expense for Senior Centers program operations			
	4420 General Operating Supplies: =	$25,000.00	105,000.00	
	4460: Food Supplies for Senior Centers	$50,000.00		
	4490: Custodial Supplies	$5,000.00		
	4530 Printing/Binding/Photocopying:			
	Copying at NN Record Management $200/month x 12 mos	$25,000.00		
		$105,000.00		
4610	**Supplies**			
	4620: Parts & Supplies for Forklifts	$2,500.00		
	4630: Tires & Lubes for Forklifts	$1,000.00	3,500.00	
		$3,500.00		
4700	**Fuel for Forklifts**		1,000.00	
	4710: Gasoline	$500.00		
	4720: Diesel	$500.00		
		$1,000.00		
		TOTAL	123,400.00	123,400.00

PART I. PROGRAM INFORMATION:

Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTER **Business Unit No.:** 113022

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)
	5000 LEASE & RENTAL			**8,000.00**
	Cover the rental cost for storing supplies and space rental for employee isolation/quarantine			
5310	**Building/Space**		5,000.00	
	5330 Storage Space:	$2,000.00		
	5350 Other Space Rental	$3,000.00		
		$5,000.00		
5360	**Equipment/Supplies**			
	5370 Equipment Rental		3,000.00	
	Equipment rental for additional forklifts	$3,000.00		
	5500 COMMUNICATIONS & UTILITIES			**5,100.00**
	To communicate with hospitals, CDC, and other governmental agencies (additional lines for logistics, planning and case management)			
5520	**Telephone**		1,600.00	
	5530: Basic Service	$500.00		
	5540 Long Distance: Office phones	$500.00		
	5550: Optional Charges	$200.00		
	5560: Hardware/Install	$400.00		
		$1,600.00		
5570	**Internet**		1,500.00	
	Internet/T-1 services:	$1,500.00		
		TOTAL	11,100.00	13,100.00

PART I. PROGRAM INFORMATION:

Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTER **Business Unit No.:** 113022

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)
	Energy		1,500.00	
	5720: Electric	$500.00		
	5730: Natural Gas	$500.00		
	5740: Propane	$500.00		
		$1,500.00		
	Services		500.00	
	5760: Water	$250.00		
	5770: Sewage	$250.00		
		$500.00		
	6000 REPAIRS & MAINTENANCE			**100,500.00**
6200	**External Contractors**		100,500.00	
	6250: Waste Disposal for ACS Site in Chinle	$500.00		
	6290: General Contractors remediation cleaning	$100,000.00		
		$100,500.00		
	6500 CONTRACTUAL SERVICES			**16,990,841.00**
6960	**SUBCONTRACTED SERVICES**		16,990,841.00	
	6990: Subcontracted Services			
	Subcontracting with PAE Technologies for Alternative Care Siote/Isolation for patients requiring isolation/quarantine in various parts of the NN - full wrap around services.	$16,990,841.00		
		TOTAL	17,093,341.00	17,091,341.00

PART I. PROGRAM INFORMATION:

Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTER **Business Unit No.:** 113022

PART II. DETAILED BUDGET:

(A)	(B)			(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)			Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	7000 SPECIAL TRANSACTIONS				**18,308.00**
	Pay for cost of HCOC staff for lunch and refreshments while on duty				
	Programs				
	7180 Catering:		$1,500.00	$2,500.00	
	7190 Refreshments:		$1,000.00		
			$2,500.00		
	Media			$15,000.00	
	7440: Print Advertising Newspaper		$5,000.00		
	7450: Radio Advertising		$10,000.00		
			$15,000.00		
7710	**Insurance Premiums**			808.00	
	7765 Policy Payment:	$82,070.00 /100*.41	$ 336.49		
	7767 Workers' Comp Prer	$61,252.80 /100*.77 =	$ 471.65		
			$ 808.13		
	9000 CAPITAL OUTLAY				
9140	**Equipment**				**20,000.00**
	9142 Equipment			20,000.00	
	Purchase a cargo trailer and gooseneck flatbed trailer for transporting food, supplies and PPE across the Navajo Nation				
			TOTAL	38,308.00	38,308.00

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

EXHIBIT B

MEMORANDUM

TO : Reviewers

FROM : Lisa Jymm

Lisa Jymm, Acting Budget Officer
Office of Management and Budget

DATE : December 9, 2020

SUBJECT : OMB review of Navajo Department of Health (NDOH) FY2021 Health Command Center Proposed Budget in the amount of $17,420,482, business unit #113022.

The Office of Management and Budget (OMB) reviewed the above budget documents according to 12 N.N.C. § 820 (M) and the following is noted:

1. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2021 Budget Instructions Manual (Section XII), and the Appropriations Act. This activity should be completed by the three branches to determine priorities.
2. OMB recommends compliance with the Navajo Nation Appropriations Act regarding Supplemental Appropriations (Section 820, L). This has not been done. Compliance includes:
    a. Branch Chief's concurrence of the supplemental request (NN President). Budget Forms 1 and 2 are currently not signed,
    b. Non-recurring expenses only. Personnel salary is a recurring expense and the budget includes permanent and temporary staff. Budget Form 3 and Budget Form 4 in the proposed budget given indicates 2 permanent staff, UUFB funds are non-recurring and the staff will work according to funds availability.
3. No fund source is indicated, but the current UUFB available amount is $36,746,624. The FY21 budget resolution to be acted on by the Navajo Nation President on 12/10 would set aside $20 million for the FY 2022 Budget. If enacted as is, the UUFB would not be enough to fund this proposal at the current amount.
4. Budget Form 2 should have five (5) significant goal statement or program performance measures developed.

If you have any further questions, you may contact me at OMB at extension 6230.

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 Carl Roessel Slater
24th Navajo Nation Council

FROM: KLowell
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: December 9, 2020

SUBJECT: AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF SEVENTEEN MILLION FOUR HUNDRED TWENTY THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS ($17,420,482) TO THE HEALTH COMMAND OPERATIONS CENTER

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.

Please ensure that this 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).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0311-20__ **SPONSOR: Carl R. Slater**

TITLE: An Action Relating To Health, Education and Human Services, Budget and Finance, and NAABIK'IYATI' Committees, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Total Amount of Seventeen Million Four Hundred Twenty Thousand Four Hundred Eighty-Two Dollars ($17,420,482) to the Health Command Operations Center

***Date posted*: December 9, 2020 at 9:38 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.: 0311-20

SPONSOR: Honorable Carl R. Slater

TITLE: An Action Relating to Health, Education and Human Services, Budget and Finance, and Naabik'íyáti' Committees, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Total Amount of Seventeen Million Four Hundred Twenty Thousand Four Hundred Eighty-Two Dollars ($17,420,482) to the Health Command Operations Center

Posted: December 9, 2020 at 9:38 PM

5 DAY Comment Period Ended: December 14, 2020

Digital Comments received:

Comments Supporting	***None***
Comments Opposing	***None***
Comments/Recommendations	***None***

Legislative Tracking Secretary
Office of Legislative Services

12/15/20 8:35 AM
Date/Time

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0311-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE AND NAABIK'IYATI' COMMITTEES AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF SEVENTEEN MILLION FOUR HUNDRED TWENTY THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS ($17,420,482) TO THE HEALTH COMMAND OPERATIONS CENTER

Sponsor: Honorable Carl R. Slater
Co-Sponsor: Honorable Seth Damon

(Eligible for Committee Action December 15, 2020)

Amendment One (1):

1. Page 1, line 18, insert new language as follows:
   ; APPROVING SUPPLEMENTAL FUNDING TO THE NAVJAO SCHOOL CLOTHING PROGRAM IN THE IN THE AMOUNT OF $1,024,500

2. Page 4, line 1, make the changes as follows:
   G. This ~~The~~ supplemental appropriation to the Department of Health, BU 113022 is requested in the amount of Seventeen Million Four Hundred Twenty Thousand Four Hundred Eighty Two Dollars ($17,420,482).

3. Page 4, line 4, Insert new paragraph:
   H. The supplemental appropriation to the Navajo School Clothing Program, BU 117008, within the Division of Social Services is requested in the amount of One Million, Twenty-Four Thousand, Five Hundred Dollars ($1,024,500).

4. Add the Budget for the Navajo School Clothing Program as new **EXHIBIT B**. All exhibits shall be re-lettered accordingly.

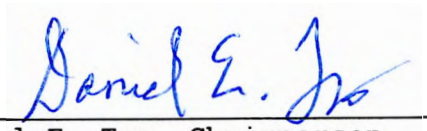
5. Page 4, line 24, Insert new paragraph:
   C. The Navajo Nation approves the supplemental appropriation to the Navajo School Clothing Program, BU 117008, within the Division of Social Services in the amount of $1,024,500, as indicated in the documents in **Exhibit B**.

6. Renumber or re-letter succeeding paragraphs, sections, and exhibits, accordingly, if necessary; and this amendment shall supersede inconsistent language contained in any other

committee amendment, which shall be conformed to the intent or language of this amendment. The Office of Legislative Services, with notice to the sponsor(s) of the Legislation, is hereby authorized to make necessary grammatical changes.

Has had under consideration and report the same with the recommendation that Legislation 0311-20 pass with One (1) amendment and no directive; and therefore referred the same to the **BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



Daniel E. Tso, Chairperson
Health, Education and Human Services Committee

December 16, 2020 - No action taken

December 21, 2020 - Amendment One (1)
Motion by: Honorable Paul Begay, Jr.
Seconded by: Honorable Edison J. Wauneka
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting
Yeas: Paul Begay, Jr.; Carl R. Slater; Charlaine Tso; Edison J. Wauneka; Pernell Halona
Nays: none
Not Voting: all present
Absent (excused): all present

December 21, 2020 - Main Motion
Motion by: Honorable Pernell Halona
Seconded by: Honorable Edison J. Wauneka
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting
Yeas: Paul Begay, Jr.; Carl R. Slater; Charlaine Tso; Edison J. Wauneka; Pernell Halona
Nays: none
Not Voting: all present
Absent (excused): all present

Document No. 015607 Date Issued: 12/10/2020

SECTION 164 REVIEW FORM

Title of Document: School Clothing Program SupplementalFund Contact Name: KEE, MADELENA

Program/Division: DIVISION OF SOCIAL SERVICES

Email: Madelena.Kee@nntanf.org Phone Number: 928-810-8592

Division Director Approval for 164A: Deannah Neswood-Gishey, Executive Director

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:		Date:	☐	☐
	2. OOC:		Date:	☐	☐
	3. OAG:		Date:	☐	☐

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

☐	**Grant/Funding Agreement or amendment:**				
	1. Division:		Date:	☐	☐
	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:	☐	☐

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: 117008 Program Title: Navajo School Clothing Program

Division/Branch: Division of Social Services Amount Requested: $1,024,500 Prepared By: Dawn Foster

Phone No.: 928-810-8592 Email Address: Madelena.Kee@nntanf.org

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Supplemental Funding request is to replenish the Navajo School Clothing Program's funding due to an error that occurred when the Navajo Nation General Accounting Section utilized FY2021 budget instead of FY2020 budget, for the education incentive payments. Consequently, the FY2020 funding was not spent at all resulting in the Navajo School Clothing Program facing a huge budget deficit.

The Supplemental Funding request is to resolve the huge budget deficit by increasing the Navajo School Clothing Program budget with $1,024,500 supplemental budget, which will restore the FY 2021 original budget amount of $1,172,470. The error of utilizing the wrong fiscal year funding will result in serving only 591 Navajo children with the current balance of $147,970 for the 2021/2022 academic year.

The Navajo School Clothing Program has been renamed to be called Navajo Education Incentive and is not exclusive to clothing, it includes school supplies. Navajo school children attending schools on and off the Navajo reservation receive $250.00 each to purchase clothing or school supplies of their choice that encourage school attendance and support academic performance, on an annual basis, until funds are expended.

The batch submitted to OOC on September 25, 2020 supported 4,098 Navajo children with education incentive in the amount of $1,024,500. Unfortunately, 591 deserving Navajo children did not receive education incentive due to the error.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The Navajo Family Assistance Services' contingency plan is for those Navajo children who are eligible for TANF benefits will receive Navajo Education Incentive support through the Department for Self Reliance; however, Navajo children who are ineligible for TANF will not be served. There are no other funding sources to pursue.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

12.10.2020

Deannah Neswood Gishey — Paulson Chaco

REVIEWED BY: Division Director's Signature / Date — RECOMMEND SUPLEMENTAL: Branch Chief's Signature / Date

FY 2021

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: 117008 Program Title: Navajo School Clothing Program Division/Branch: Division of Social Services

Prepared By: Dawn Foster Phone No.: 928/810-8592 Email Address: Madelena.Kee@nntanf.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
General Fund	FY 2021	1,024,500.00	100%
TOTAL:		$1,024,500.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
2001 Personnel Expenses				0
3000 Travel Expenses				0
3500 Meeting Expenses				0
4000 Supplies				0
5000 Lease and Rental				0
5500 Communications and Utilities				0
6000 Repairs and Maintenance				0
6500 Contractual Services				0
7000 Special Transactions				0
8000 Public Assistance			1,024,500	1,024,500
9000 Capital Outlay				0
9500 Matching Funds				0
9500 Indirect Cost				0
TOTAL		$0.00	1,024,500.00	1,024,500

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

Madelena Kee, Senior Programs and Projects Specialist
SUBMITTED BY: Program Manager's Printed Name

12/10/2020
SUBMITTED BY: Program Manager's Signature and Date

Deannah Neswood-Gishey, Executive Director
APPROVED BY: Division Director/Branch Chief's Printed Name

12.10.2020
APPROVED BY: Division Director/Branch Chief's Signature and Date

FY 2021

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: 117008 Program Name/Title: Navajo School Clothing Program

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:								
Serve Eligible Navajo children residing on the Navajo Nation with a incentive for clothing and supplies for school.			4098					
Program Performance Measure:								
Number of clothing stipends provided per quarter.								
2. Goal Statement:								
Serve Eligible Navajo children residing on the Navajo Nation with Emergency Clothing Assistance								
Program Performance Measure:								
Number of Emergency Clothing Assistance provided per quarter.								
3. Goal Statement:								
Program Performance Measure:								
Quarterly Reports will be submitted after each quarter.			1					
4. Goal Statement:								
Program Performance Measure:								
Annual Report will be submitted after fiscal year ends.								1
5. Goal Statement:								
Program Performance Measure:								
Training provided to Staff quarterly	1							

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Madelena Kee, Senior Programs and Projects Specialist
Program Manager's Printed Name

12/10/2020
Program Manager's Signature and Date

Deannah Neswood-Gishey, Executive Director
Division Director/Branch Chief's Printed Name

12.10.2020
Division Director/Branch Chief's Signature and Date

FY 2021

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: Navajo School Clothing Program Business Unit No.: 117006

PART II. DETAILED BUDGET:

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
8000	Participant Training - Participant support costs $ 1,024,500.00		1,024,500.00
8020	For assistance for eligible Navajo Children in areas of Clothing, School Supplies, and School Technology Equipment.	1,024 500 00	
	8045 - To cover the deficit in FY 2021 Budget= $ 1,024,500.00 (4098 children X 250.00)		
	TOTAL	1,024.500	1,024 500

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Special Meeting
December 21, 2020

Roll Call
Vote Tally Sheet

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0311-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE AND NAABIK'IYATI' COMMITTEES AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF SEVENTEEN MILLION FOUR HUNDRED TWENTY THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS ($17,420,482) TO THE HEALTH COMMAND OPERATIONS CENTER

Sponsor: Honorable Carl R. Slater
Co-Sponsor: Honorable Seth Damon
(Eligible for Committee Action December 15, 2020)

December 16, 2020 – No action taken

December 21, 2020 – Amendment One (1)
Motion by: Honorable Paul Begay, Jr.
Seconded by: Honorable Edison J. Wauneka
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting
Yeas: Paul Begay, Jr.; Carl R. Slater; Charlaine Tso; Edison J. Wauneka; Pernell Halona
Nays: none
Not Voting: all present
Absent (excused): all present

December 21, 2020 – Main Motion
Motion by: Honorable Pernell Halona
Seconded by: Honorable Edison J. Wauneka
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting
Yeas: Paul Begay, Jr.; Carl R. Slater; Charlaine Tso; Edison J. Wauneka; Pernell Halona
Nays: none
Not Voting: all present
Absent (excused): all present

Daniel E. Tso, Chairman
Health, Education and Human Services Committee

Beverly Martinez, Legislative Advisor
Health, Education and Human Services Committee