

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

24<sup>TH</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET AND  
FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18 FOR THE  
INDIAN WELLS CHAPTER BY MOVING FUNDS FOR THE "SENIOR CENTER  
FACILITY REPAIRS" IN THE AMOUNT OF \$265,000.00, FROM FUNDING  
YEAR 1 TO YEAR 3

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over chapter activities. 2 N.N.C. § 500(C).
- B. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds, and to coordinate and review all fiscal, financial, and investment activities of the Navajo Nation. 2 N.N.C. § 301(B)(2) and § 301(B)(5).

SECTION TWO. FINDINGS

- A. The Navajo Nation Council approved Resolution No. CAP-35-18, entitled, "Adopting the Síhasin 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 Improvement Budget and the Capital Improvement Process." CAP-35-18 is incorporated herein by this reference.
- B. Section 4(C) of CAP-35-18 allows an approved Chapter project to be changed, by changing the year funded, by adding to the project, or by changing the project entirely, with the

concurrence of the Council Delegate representing the 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 and the total Síhasin Funding for the District does not exceed \$4,166,666.67.

- C. The amount of \$265,000.00 for the Indian Wells Chapter's "Senior Center Facility Repairs" Project was approved in CAP-35-18 as Project number 106, Funding year 1, in Exhibit D. **Exhibit 1.**
- D. The Indian Wells Chapter now wishes to carryover the approved Síhasin "Senior Center Facility Repairs" Project in the amount of \$265,000.00 from Funding Year 1 to Funding Year 3. The Indian Wells Chapter has passed Resolution No. IWC-22-18 dated March 20, 2022, to request this project change. **EXHIBIT 2.**
- E. The Division of Community Development - Capital Projects Management Department ("CPMD") has submitted, on behalf of the Chapter, a Síhasin Project Amendment Certification Form **Exhibit 3.** The CPMD Amendment Certification Form shows the signature of the Navajo Nation Council Delegate for the Indian Wells Chapter, as required by CAP-35-18 Section 4(C).
- F. As required by CAP-35-18 Section 4(C), the new project has been certified by CPMD as construction-ready and the total Síhasin funding for the Council District will not exceed \$4,166,666.67. In fact, the original Síhasin funding amount of \$265,000.00 for the Indian Wells Chapter, as approved in CAP-35-18, will remain unchanged.

### **SECTION THREE. APPROVAL**

The Navajo Nation Council hereby approves a change to Resolution No. CAP-35-18, Exhibit D, Project No. 106, Indian Wells Chapter "Senior Center Facility Repairs" Project, moving \$265,000.00 from Funding Year 1 to Funding Year 3, as shown in the attached **EXHIBIT 3.**

### **SECTION FOUR. EFFECTIVE DATE**

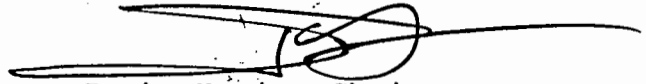
This Legislation shall become effective pursuant to 12 N.N.C. § 2505.

**SECTION FIVE. SAVINGS CLAUSE**

If any provision of this Legislation is determined invalid by the Supreme Court of the Navajo Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the provision(s) not determined invalid shall remain as Navajo Nation law.

**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 by teleconference at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 23<sup>rd</sup> day of August 2022.

A handwritten signature in black ink, appearing to read 'J. Henio', is written over a horizontal line.

Jamie Henio, Chairperson  
Budget and Finance Committee

Motion: Honorable Elmer P. Begay  
Second: Honorable Jimmy Yellowhair

EXHIBIT:

D

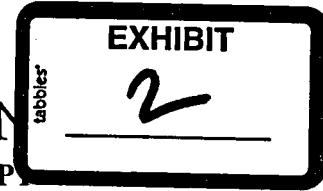
# SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

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	Dikou	Multi Purpose Complex	Planning	12 months	\$333,333.33	\$0.00	\$0.00	\$120,000.00	\$333,333.33
104	Dikou	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	\$275,393.67	\$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	Tselahi 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	Chihle	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	Chihle	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	\$333,333.00	\$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 Cemetery	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



INDIAN WELLS CHAPTER  
OF  
THE NAVAJO NATION  
RESOLUTION OF INDIAN WELLS CHAPTER

Resolution No.:IWC-22-18



Ricky Nelson  
President  
Loren Silver  
Vice President  
Linda Nelson  
Secretary/Treasurer  
Keaton Clark  
Grazing Official

**REQUESTING AND SUPPORTING THE INDIAN WELLS CHAPTER REQUEST TO 24<sup>TH</sup> NAVAJO NATION COUNCIL, NAABIK'YATI', BUDGET AND FINANCE COMMITTEE, TO MOVE CAP-35-18 SIHASIN CAPITAL PROJECTS: BUSINESS ACCOUNT: C01694 Indian Wells Senior Center Renovation FROM YEAR ONE (1) TO YEAR THREE (3) WHICH IS EXPIRING ON NOVEMBER 30, 2022**

**WHEREAS:**

1. The Indian wells Chapter is a recognized Chapter of the Navajo Nation Government, vested certain authority and responsibilities to consider and take action on matters of local concern that are in the best interest of health, safety and welfare of the members and residents; and
2. Pursuant to 26 N.N.C, Navajo Nation Local Governance Act of the Navajo Nation Council delegates to Chapters government authority with respect to local matters consistent with Navajo Law, including customs and traditions, to make decisions over local matters and to govern with responsibilities and accountability to the local citizen; and
3. The Indian Wells Chapter is hereby requesting to move the CAP-35-18 SIHASIN CAPITAL PROJECTS – YEAR1, Business Unit No. C01694, Indian Wells Senior Center Renovation fund of \$265,000.00 to YEAR 3; and
4. The Indian Wells Chapter is in the planning and design stage of the Senior Center renovation project, due to the employee turnover/retirement of the Capital Projects Management Department –DCD, with former project managers leaving minimal information or documents to continue; and
5. The senior center employees and congregation are looking forward to the addition and major renovation of the current facility that is in extreme need of an upgrade to meet the health and safety requirements, the project will require additional funds to fulfill the needs and requirements.

**NOW, THEREFORE BE IT RESOLVED THAT:**

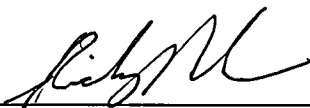
Supporting the Indian wells chapter request to 24<sup>th</sup> Navajo Nation Council, Naabik'iyati', Budget and Finance Committee, to move CAP-35-18 Sihasin Capital Projects: Business Account: C01694 - Indian Wells Senior Center Renovation from year one (1) to year three (3) which is expiring on November 30, 2022.

## CERTIFICATION

I, hereby certify that the foregoing resolution was considered at a duly called chapter meeting at Indian Wells, Navajo Nation, Arizona where a quorum was present and the same passed by a vote of 9 in favor, 0 opposed and 1 abstained on this 20<sup>th</sup> day of March 2022.

Motion: Francis Lester

Second: Mary Ann Begay

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Ricky Nelson, President

**CAP-35-18**

## DATE SUBMITTED May 17, 2022

REFERENCE NUMBER: CPMD REF #41

ORIGINAL DATE APPROVED: November 01, 2018

EXHIBIT & PROJECT	PROJECT DESCRIPTION	FUNDING			FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	
D-106	Indian Wells Senior Center Renovation	265,000.00			DELETED
	CHANGING THE YEAR: Move first year to third year			265,000.00	ADDED
TOTAL: [ ] INCREASED / [ ] DECREASED FUNDING:					\$ 265,000.00

**SIGNATURE**

DATE 6/17/22

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.**

## PRINT NAME

Leonard Hardy

James Adakai

**SIGNATURE**

DATE \_\_\_\_\_

Leonard Hawley

May 17 2022

May 17, 2022

Dev. CPMD 10.01.19



## BUDGET AND FINANCE COMMITTEE

August 23, 2022

Special Meeting

### VOTE TALLY SHEET:

**Legislation No. 0115-22:** An Act Relating to the Resources and Development and Budget and Finance Committees; Approving a Change to CAP-35-18 for the Indian Wells Chapter by Moving Funds for the "Senior Center Facility Repairs" in the Amount of \$265,000.00, from Funding Year 1 to Year 3 *Sponsored by Elmer P. Begay, Council Delegate*

*Motion: Elmer P. Begay*

*Second: Jimmy Yellowhair*

*Vote: 4-0, Chairman not voting*

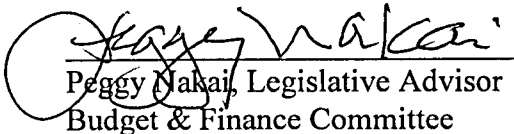
### Final Vote Tally:

Jamie Henio		
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Nathaniel Brown	yea	
Amber K. Crotty		
Jimmy Yellowhair	yea	

*Absent: Amber K. Crotty*



Jamie Henio, Chairman  
Budget & Finance Committee



Peggy Nakai, Legislative Advisor  
Budget & Finance Committee