

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

24TH NAVAJO NATION COUNCIL - Third Year, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE
COMMITTEES; APPROVING A CHANGE IN RESOLUTION NO. CAP-35-18,
EXHIBIT D, PROJECT NO. D5; DELETING THE PROJECT DESCRIPTION
"MULTI-PURPOSE SITE IMPROVEMENT" AND ADDING "ROAD IMPROVEMENT
FOR N556 AND N361; PLAN/DESIGN & CONTRUCT" AND CHANGING THE
FUNDING YEAR TO YEAR 3

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 500(C) (1).
- B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriations, investment and management of all funds of the Navajo Nation. 2 N.N.C. § 301(B) (2).
- C. Navajo Nation 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 approval 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. On April 17, 2018, the Navajo Nation Council adopted Council Resolution No. CAP-35-18 titled, "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 Budget and Capital Improvement Process."

- B. In Exhibit D attached to Resolution No. CAP-35-18, the Navajo Nation Council approved \$683,333 in Síhasin funding for a "Multi-Purpose Site Improvement Project" for the San Juan Chapter, designed as Project No. D5. **Exhibit A.**
- C. Regarding Project No. D5, the Capital Projects Management Department ("CPMD") on behalf of the San Juan Chapter, has requested to delete the "Multi-Purpose Site Improvement Project" and change the project description to "Road Improvement for N556 and N361; Plan/Design & Construct" and change the funding year to Year 3. The CPMD has submitted a "Síhasin Project Amendment Certification" form, attached as **Exhibit B.**
- D. As required by CAP-35-18, Section Four (C), and as set forth in the attached **Exhibit B**, the San Juan Chapter N556/N361 Road Improvement Project has been certified by the CPMD as construction-ready; and, the total Síhasin Funding for the Project will not exceed \$4,166,666.67. In fact, the funding amount originally approved for the Project will remain at \$683,333.

SECTION THREE. APPROVAL

The Navajo Nation hereby approves the change to CAP-35-18 Exhibit D Project No. D5, the San Juan Chapter Project, by deleting the "Multi-Purpose Site Improvement Project" and changing the project description to "Road Improvement for N556 and N361; Plan/Design & Construct" and changing the funding year to Year 3, as shown in **Exhibit B.**

SECTION FOUR. EFFECTIVE DATE

The actions enacted herein shall be effective pursuant to 2 N.N.C. § 221(B) and 2 N.N.C. § 164(A)(17).

SECTION FIVE. SAVINGS CLAUSE

Should any provision(s) of this action be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those provision(s) that are not determined invalid shall remain the law of the Nation.

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 3 in favor and 0 opposed, this 13th day of April 2021.

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

Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Nathaniel Brown
Second: Honorable Raymond Smith, Jr.

CAP-35-18

EXHIBIT:
DSIHASIN 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
1	Newcomb	Helipad	Design/Construction	18-24 months	\$100,000.00	\$339,637.00	\$0.00	\$75,000.00	\$439,637.00
2	Newcomb	Sr. Center Renovation	Plan/Construction	6-8 months	\$228,189.00	\$0.00	\$0.00	\$0.00	\$228,189.00
3	Hogback	New Chapter House	Design/Construction	8-16 months	\$150,018.78	\$593,100.00	\$0.00	\$0.00	\$743,118.78
4	Burnham	Community Center	Design/Construction	18-24 months	\$300,000.00	\$383,500.00	\$0.00	\$0.00	\$683,500.00
5	San Juan	Multi-Purpose Site Improvement Project	Plan/Design/Construction	24 months	\$150,000.00	\$533,333.00	\$0.00	\$0.00	\$683,333.00
6	Upper Fruitland	Renovation Walter Collins Multi-Purpose Bldg	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
7	Nenahmezaad	Senior Center	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
8	Nazini	Senior Center	Design/Construction	24 months	\$0.00	\$1,980,000.00	\$0.00	\$60,000.00	\$1,980,000.00
9	Low Mountain	Head Start Facility	Design/Construction	24 months	\$0.00	\$596,666.66	\$0.00	\$0.00	\$596,666.66
10	Blue Gap/Tachee	New Chapter House	Construction	12-18 mths	\$0.00	\$530,000.00	\$0.00	\$150,000.00	\$530,000.00
11	Many Farms	Market Study	Planning	24-36 months	\$0.00	\$265,000.00	\$0.00	\$20,000.00	\$265,000.00
12	Ramah	Chapter Renovation	Design/Construction	24-36 months	\$0.00	\$1,388,888.89	\$0.00	\$20,000.00	\$1,388,888.89
13	Tohajillee	Road Improvement	Design/Construction	36 months	\$1,388,888.89	\$0.00	\$0.00	\$353,000.00	\$1,388,888.89
14	Coyote Canyon	New Chapter Tractor	New Equipment	2-4 mths	\$50,000.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00
15	Coyote Canyon	Senior Center Van	New Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00
16	Coyote Canyon	New Chapter Truck & Flatbed	New Equipment	2-4 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
17	Coyote Canyon	New Warehouse	Other Tribal Facilities	10-12 months	\$0.00	\$38,563.00	\$0.00	\$72,756.00	\$38,563.00
18	Coyote Canyon	Senior Citizen Center	Senior Center Building	10-12 months	\$109,000.00	\$0.00	\$0.00	\$520,000.00	\$109,000.00
19	Coyote Canyon	Parking Lot w/Landscape	Design/Construction	12 months	\$0.00	\$119,455.00	\$0.00	\$0.00	\$119,455.00
20	Coyote Canyon	Bathroom Addition	Design/Construction	12 months	\$126,315.33	\$0.00	\$0.00	\$11,311.00	\$126,315.33
21	Coyote Canyon	N96 Chip Seal	Design/Construction	10-12 months	\$250,000.00	\$0.00	\$0.00	\$75,864.00	\$250,000.00
22	Bahastlah (Twin Lakes)	Caterpillar 420 F2 4WD Backhoe Loader	Major Equipment	2-4 months	\$143,000.00	\$0.00	\$0.00	\$52,620.00	\$143,000.00
23	Bahastlah (Twin Lakes)	Massey Ferguson 2706E	Major Equipment	2-4 months	\$55,000.00	\$0.00	\$0.00	\$12,000.00	\$55,000.00

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
SIHASIN PROJECT AMENDMENT CERTIFICATION
CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED: September 17, 2020

PROJECT NAME: San Juan Multi-Purpose Site Improvement Project

REFERENCE NUMBER: CPMD-441

PROJECT TYPE: Plan/Design & 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	
D #5	Delete Project Description: Multi-Purpose Site Improvement	150,000	533,333		DELETED
D #5	Amend the Project Description to: Road Improvement for N566 & N361; Plan/Design & Construct, and to move year 3		683,333	683,333	ADDED
TOTAL: [] INCREASED / [] DECREASED FUNDING: \$ 683,333					

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Rickie Nez

2-08-21

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.

CPMD Project Manager

Rory Jaques

SIGNATURE

PRINTED NAME

DATE

CPMD Department Manager

James Adakai

09-17-20

10-1-20

Dev. CPMD

EXHIBIT

B

BUDGET AND FINANCE COMMITTEE

13 APRIL 2021

Special Meeting

VOTE TALLY SHEET:

Legislation No. 0062-21: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Resolution No. CAP-35-18, Exhibit D, Project No. D5; Deleting the Project Description "Multi-Purpose Site Improvement" and Adding "Road Improvement for N566 and N361; Plan/Design & Construct" and Changing the Funding Year to Year 3 *Sponsored by Rick Nez, Council Delegate*

CONSENT AGENDA ITEM:

Motion: Nathaniel Brown

Second: Raymond Smith, Jr.

Vote: 3-0, Chairman not voting

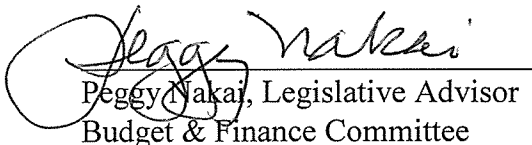
Final Vote Tally:

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

Absent: Elmer P. Begay, Jimmy Yellowhair



Jamie Henio, Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee