

LEGISLATIVE SUMMARY SHEET

Tracking No. 0125-16

DATE: April 15, 2016

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL; OVERRIDING CMA-16-16 AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,000,000.00 FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT

PURPOSE: The purpose of the resolution is override the President's veto of Navajo Nation Council resolution number CMA-16-16. The President purports to "line-item veto" this legislation in its entirety. In essence, the resolution was "vetoed" under Navajo Nation law and is therefore subject to override by the Navajo Nation Council.

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: _____
Posting End Date: 4/20/2016
Eligible for Action: 4/21/2016

Naa'bik'íyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL -- Second Year, 2016

INTRODUCED BY


(Sponsor) (Walter Phelps)

TRACKING NO. 0125-14

AN ACTION

RELATING TO NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL;
OVERRIDING CMA-16-16 AN ACTION RELATING TO RESOURCES AND
DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE
NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM
THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF
\$1,000,000.00 FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council enacts laws of the Navajo Nation. 2 N.N.C. § 102.
- B. "A vetoed resolution shall first be submitted to Naabik'íyáti' Committee before consideration by the [Navajo Nation] Council" 2 N.N.C. § 164 (A)(17), see also CO-45-12.
- C. Laws passed by the Navajo Nation Council can be vetoed by the Navajo Nation President. Navajo Nation law provides:
"Veto legislation passed by the Navajo Nation Council subject to an override of the veto by two-thirds (2/3) vote of the membership of the Navajo Nation Council. The veto shall be exercised by the President by a letter to the Speaker specifying the reasons for the veto. The President's veto shall not be subject to an override by the Navajo Nation Council after the end of the next regular session of the Navajo Nation Council

1 following the session in which the legislation was first passed by the Council." 2
2 N.N.C. §1005(C)(11).
3

4 **Section Two. Findings**

5 A. Resolution CMA-16-16 AN ACTION RELATING TO RESOURCES AND
6 DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE
7 NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM
8 THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF
9 \$1,000,000.00 FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT
10 was passed by the Navajo Nation Council. The President purports to "line-item veto"
11 this legislation "in its entirety." In essence, the resolution was "vetoed" under Navajo
12 Nation law. President's memorandum on the veto and CMA-16-16 are attached
13 hereto as Exhibit "A."

14 B. A "line-item veto" is a veto of a portion of an appropriations bill. A "line-item veto"
15 does not affect the entirety of an act of the legislative body. A "line-item veto" is
16 defined as follows:

17 "The power which governors possess in most states to veto items in appropriation
18 bills without affecting any other provision of such bills." Blacks Law Dictionary, 6th
19 Ed. 1565.

20 C. A general "veto" affects an entire bill, not only a portion of it. A general veto is
21 defined as follows:

22 "The refusal by the executive officer whose assent is necessary to perfect a law which has
23 been passed by the legislative body, and the message which is usually sent to such body
24 by the executive, stating such refusal and the reasons therefor." Blacks Law Dictionary,
25 6th Ed. 1564.

26 D. In refusing to enact any portion of resolution CMA-16-16, the President has exercised his
27 veto powers under 2 N.N.C. § 1005(C)(11).
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1 **Section Three. Overriding veto**

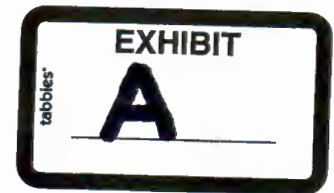
2 The Navajo Nation Council hereby overrides the Navajo Nation President's veto of
3 Resolution CMA-16-16: AN ACTION RELATING TO RESOURCES AND
4 DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO
5 NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE
6 UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF
7 \$1,000,000.00 FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT
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THE NAVAJO NATION

RUSSELL BEGAYE **PRESIDENT**
JONATHAN NEZ **VICE PRESIDENT**

MEMORANDUM



TO: Honorable LoRenzo Bates, Speaker
Navajo Nation Council

FROM: 
Russell Begaye, *President*
THE NAVAJO NATION

DATE: April 11, 2016

SUBJECT: RESOLUTION No. CMA-16-16: RELATING TO RESOURCE AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE AND NAABIK'İYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION DOLLARS (\$1,000,000) FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT

Pursuant to 2 N.N.C. 1005 (C)(10), action for Legislation CMA-16-16 is being submitted to the Navajo Nation Council, through the Office of the Speaker within the ten (10) day requirement. The Navajo Nation President is empowered with the authority to line-item veto legislations passed by the Navajo Nation Council and such authority is not subject to override by the Navajo Nation Council, pursuant to 2 N.N.C. 164 (A)(17).

After review of Resolution No. CMA-16-16, Relating to Resource and Development Committee, Budget and Finance Committee and Naabik'iyáti' Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated fund balance in the amount of one million (\$1,000,000) for Tolani Lake Senior Citizen Center Project, I hereby exercise my line-veto authority to:

1. SECTION 2. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION DOLLARS (\$1,000,000) FOR TOLANI LAKE SENIOR CITIZEN CENTER PROJECT, in its entirety.

The justification for use of the President's line-item veto authority is set forth below.

In review of the Resolution No. CMA-16-16, there was an amendment of increasing the amount from \$500,000 to \$1 million. However, the budget attached as Exhibit "C" is only for \$500,000. In reviewing the amendment, there are clear amendments to the legislation, but it doesn't appear to include amendments or justification for this increase in the budget forms. In fact, Exhibit "C" the Budget Form, Summary, Justification and Schedule continue to provide only for \$500,000, not for a budget of \$1 million. As such, the legislation and the Budget contradict itself.

Furthermore, the Project dates are not consistent, the Budget Form set the project for 2 years, while the Budget Summary is only for 1 year, plus the dates are wrong. Lastly, the Budget Summary is missing approval by the Branch Chief and there are no object codes in the Justification form. Without object codes, the budget cannot be inputted into the FMIS system. These discrepancies were brought to the attention of the Navajo Nation Council and outlined in a memorandum provided by the Office of Management and Budget. It is important these changes are made so these technicalities will not negatively impact the Legislation.

Aside from these, Exhibit "E" is not visible. All photos provided are essentially sheets of paper that are blackened. It offers no assistance to this Office in our review of this legislation.

Lastly, the Navajo Nation is facing the largest budget shortfall, due to the decline in oil and gas. We must be very careful in the use of our funds to cover the impending shortfall. There were several options discussed at the recent 3 branch chiefs meeting, including capping the Unreserved, Undesignated Fund Balance (UUFB).

With limitations in funds, the President and Vice President stated at the 3 branch chiefs meeting that it would only consider infrastructure and economic development for the UUFB. Therefore, the OPVP would ask the community to consider seeking these funds for infrastructure uses, such as electricity, power and water lines to the community. This is a necessity needed by many of our Navajo people. With infrastructure as a pillar of the Begaye-Nez administration, we would be willing to consider such an appropriation.

For all the above reasons, I have no other option but to exercise my line-item veto authority.

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL—Second Year, 2016

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,000,000.00 FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT

BE IT ENACTED:

SECTION 1. FINDINGS

- A. 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)."
- B. Pursuant to 2 N.N.C. § 164 (A)(9), a proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee before it is heard by the Navajo Nation Council.
- C. Pursuant to 2 N.N.C. § 300 (C)(1)(3) and (4) the Budget and Finance Committee is authorized to recommend adoption of resolutions related to the expenditure of the Nation's financial resources.
- D. Pursuant to 2 N.N.C. § 501 (C)(1), the Resources and Development Committee is the oversight committee for the Chapters and the Division of Community Development, Capital Improvement Office.
- E. The Title 12 Finance Act Supplemental Appropriation requirements include:

1. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget ("OMB") for budget impact analysis. On December 21, 2015, the Office of Management and Budget presented its memorandum with regard to this supplemental request for appropriation. The memorandum is attached as **Exhibit A**.
 2. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be allocated by the Navajo Nation Council. The attached memorandum, **Exhibit B**, dated December 28, 2015 from the Office of the Controller has identified the additional revenues.
- F. The purpose of this request is to fund planning and design of a Tolani Lake Chapter Senior Citizen Center. The Navajo Nation Budget Forms are attached as **Exhibit C**. Two Tolani Lake Chapter Resolutions passed in 2011 and 2013 acknowledge the need to renovate the Tolani Lake Senior Center; the resolutions are attached as **Exhibit D**. Photographs of areas within the Tolani Lake Senior Center demonstrating need of repair are attached as **Exhibit E**. The Architectural Scope of Services for the Tolani Lake Senior Center Building is attached as **Exhibit F**.
- G. The Navajo Nation finds it in the best interest to approve Supplemental Appropriation for the Tolani Lake Senior Citizen Center Project.

SECTION 2. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,000,000.00 FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT

- A. The Navajo Nation Council, having received certification by the Office of the Controller of the availability of certain funds from the Unreserved, Undesignated Fund Balance (UUFb) for supplemental appropriation hereby approves the supplemental appropriation of \$1,000,000.00 for the Tolani Lake Senior Citizen Center Project as further described in budget documents attached as **Exhibit C**.

- B. This supplemental appropriation of \$1,000,000.00 shall be to a new Business Unit Number and from that amount of funds that exceeds the minimum fund balance of the UUFB.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 15 in favor and 0 opposed, this 23rd day of March 2016.



Lorenzo Bates, Speaker
Navajo Nation Council

4-1-16

Date

Motion: Honorable Tuchoney Slim, Jr.
Second: Honorable Leonard Pete

ACTION BY THE NAVAJO NATION PRESIDENT:

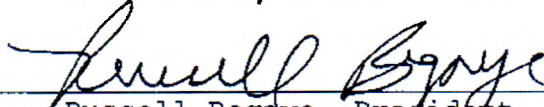
1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (10), on this _____ day of _____ 2016.

Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2016 for the reason(s) expressed in the attached letter to the Speaker.

Russell Begaye, President
Navajo Nation

3. I hereby exercise line item veto pursuant to the 2010 certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this 6th day of April, 2016.

A handwritten signature in cursive script, reading "Russell Begaye", is written over a horizontal line.

Russell Begaye, President
Navajo Nation

SUPPORTING DOCUMENTS

Legislation 0019-16

Amendment 1

1. On page 1, line 15-16; delete: ~~WAIVING
12 N.N.C. §§ 820(I) AND 860(C) RELATING
TO THE CAPITAL IMPROVEMENT PROCESS~~

Delete Section F: page 2, lines 20-29;
page 3, lines 1-30; and age 4, lines 1-
2

Delete Section G. Page 4, lines 3-5

Delete Section H: Page 4, lines 6-8

Delete Section J: Page 4, lines 16-18

Delete SECTION 2: Page 4, lines 22-26

Amendment 2

Insert corrected Capital Budget forms changing the dollar amount from \$500,000 to \$1,000,000; amend language in the body of the legislation to reflect the increased budget amount

~~\$500,000 and insert~~ \$1,000,000

Page 1, line 14 \$500,000 and insert \$1,000,000

Page 1, line 30 \$500,000 and insert \$1,000,000

Page 1, line 4 \$500,000 and insert \$1,000,000

Page 1, line 6 \$500,000 and insert \$1,000,000

LEGISLATIVE SUMMARY SHEET

Tracking No. 0019-16

DATE: January 13, 2016

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$500,000.00 FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

PURPOSE: This resolution, if approved, will approve supplemental funding from the unreserved, undesignated fund balance (UUFb) in the amount of \$500,000.00 for the Tolani Lake Senior Citizen Center Project, waiving 12 N.N.C. § 820(I) and § 860(C) relating to the Capital Improvement Process.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

OLC No. 16-167-1

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 5:47pm 1/18/16
Posting End Date: 1/18/2016
Eligible for Action: 1/19/2016

Resources & Development Committee
THENCE
Budget & Finance Committee
THENCE

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL—Second Year, 2016 Naa'bik'iyáti' Committee

INTRODUCED BY

Navajo Nation Council



Primary Sponsor

(Walter Phelan)

TRACKING NO. 0019-16

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND
FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO
NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE
UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF
*1,000,000
~~\$500,000.00~~ FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT;
~~WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL~~
~~IMPROVEMENT PROCESS~~ *Nabi Amendment*
AS

BE IT ENACTED:

SECTION 1. FINDINGS

- A. 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)."
- B. Pursuant to 2 N.N.C. § 164 (A)(9), a proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'iyáti' Committee before it is heard by the Navajo Nation Council.

1 C. Pursuant to 2 N.N.C. § 300 (C)(1)(3) and (4) the Budget and Finance Committee is
2 authorized to recommend adoption of resolutions related to the expenditure of the
3 Nation's financial resources.

4 D. Pursuant to 2 N.N.C. § 501 (C)(1), the Resources and Development Committee is
5 the oversight committee for the Chapters and the Division of Community
6 Development, Capital Improvement Office.

7 E. The Title 12 Finance Act Supplemental Appropriation requirements include:

8 1. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and
9 supplemental funds shall be submitted to the Office of Management and
10 Budget ("OMB") for budget impact analysis. On December 21, 2015, the
11 Office of Management and Budget presented its memorandum with regard
12 to this supplemental request for appropriation. The memorandum is
13 attached as **Exhibit A**.

14 2. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional
15 sources of revenues above and beyond the initial or current revenue
16 projections, supplemental appropriations may be allocated by the Navajo
17 Nation Council. The attached memorandum, **Exhibit B**, dated December
18 28, 2015 from the Office of the Controller has identified the additional
19 revenues.

20 ~~F.~~ The Title 12 Capital Improvement Process includes:

21 1. Pursuant to 12 N.N.C. § 810(F), "Capital Improvement" means a major
22 project undertaken by the Navajo Nation that is generally not recurring on
23 an annual basis and which fits within one or more of the following
24 categories:

25 (1) All projects requiring debt obligation or borrowing;

26 (2) Any acquisition or lease of land;

27 (3) Purchase of major equipment or vehicles, with a life expectancy of five
28 years or more, valued in excess of an amount to be established by the
29 Controller;
30

Delete
✓

(4) Major building improvements that are not routine maintenance expenses and that substantially enhance the value or extend the useful life of a structure;

(5) Construction of new buildings or facilities including engineering, design, and other pre-construction costs with an estimated cost in excess of an amount to be determined by the Controller; and/or

(6) Major equipment or furnishing required to furnish new buildings or other projects, the cost of which is above a certain amount to be established by the Controller.

2. Pursuant to 12 N.N.C. § 820 (I), the "[d]evelopment of the Capital Budget shall be coordinated with development of the Operating Budget. All budget requests for capital improvements shall be in compliance with an adopted Capital Improvement Plan and shall not be approved unless in compliance with the Plan."

3. Pursuant to 12 N.N.C. § 820 (M), the Office of Management and Budget shall coordinate the overall preparation, adoption and implementation of both the annual operating and capital budgets of the Navajo Nation. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis and other appropriate action.

4. Pursuant to 2 N.N.C. § 501 (B)(4)(c), the Resources and Development Committee is to review and recommend to the Navajo Nation Council through the appropriate process supplemental appropriations to the capital improvement projects annual budget to fund necessary additional capital improvement projects.

5. Pursuant to 12 N.N.C. § 860 (C)(2) "[t]he appropriation portion of the Capital Improvement Plan is subject to approval of the Navajo Nation Council upon recommendation of the Budget and Finance Committee. Any modification or amendment affecting the approved Capital Improvement Plan is subject to review and concurrence by the Resources and

1 ~~Delete~~ Development Committee prior to consideration by the Navajo Nation
2 ~~Delete~~ Council."

3 ~~G.~~ The Tolani Lake Senior Citizen Center Project is not included in the Title 12
4 Capital Improvement Plan as approved by Navajo Nation Council Resolution CAP-
5 18-14.

6 ~~H.~~ Any modification or amendment affecting the approved Capital Improvement Plan
7 is subject to review and concurrence by the Resources and Development Committee
8 prior to consideration by the Navajo Nation Council. 12 N.N.C. § 860.

9 ~~F.~~ The purpose of this request is to fund planning and design of a Tolani Lake Chapter
10 Senior Citizen Center. The Navajo Nation Budget Forms are attached as Exhibit
11 C. Two Tolani Lake Chapter Resolutions passed in 2011 and 2013 acknowledge
12 the need to renovate the Tolani Lake Senior Center; the resolutions are attached as
13 Exhibit D. Photographs of areas within the Tolani Lake Senior Center
14 demonstrating need of repair are attached as Exhibit E. The Architectural Scope of
15 Services for the Tolani Lake Senior Center Building is attached as Exhibit F.

16 ~~J.~~ The Navajo Nation finds it in the best interest to waive 12 N.N.C. §§ 820(I) and 860
17 (C) regarding the Capital Improvement for the Tolani Lake Senior Citizen Center
18 Project.

19 ~~K.~~ The Navajo Nation finds it in the best interest to approve Supplemental
20 Appropriation for the Tolani Lake Senior Citizen Center Project.

21
22 ~~SECTION 2.~~ WAIVING 12 N.N.C. §§ 820(I) 1 AND 860 (C) REGARDING
23 THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT

24
25 ~~The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(I) and 860(C) with~~
26 ~~regard to the Tolani Lake Senior Citizen Center Project.~~

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28 ~~SECTION 3.~~² APPROVING SUPPLEMENTAL FUNDING FROM THE
29 UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF
30 ~~\$1,000,000.00~~^{\$1,000,000.00} ~~\$500,000.00~~ FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT

- 1 A. The Navajo Nation Council, having received certification by the Office of the
2 Controller of the availability of certain funds from the Unreserved, Undesignated
3 Fund Balance (UUFb) for supplemental appropriation hereby approves the
4 supplemental appropriation of ^{\$1,000,000}~~\$500,000.00~~ for the Tolani Lake Senior Citizen
5 Center Project as further described in budget documents attached as Exhibit C.
6 B. This supplemental appropriation of ¹~~\$2~~,000,000.00 shall be to a new Business Unit
7 Number and from that amount of funds that exceeds the minimum fund balance of
8 the UUFb.
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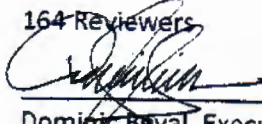
THE NAVAJO NATION

RUSSELL BEGAYE P
JONATHAN NEZ VIC



The Office of Management and Budget

Memorandum

To: 164 Reviewers
From: 
Dominic Bernal, Executive Director
Date: December 21, 2015
Subject: 164 Document #005118, Tolani Lake Chapter, \$500,000.00, Supplemental Funding Proposal

The Office of Management and Budget has reviewed the above referenced document. Upon review of the proposed supplemental funding proposal, OMB notes the following:

1. The attached copy of the Navajo Nation Capital Improvement Plan 2013-2017, which was approved by resolution CAP-18-14, does list Tolani Lake Chapter as an approved project for renovation in the amount of \$1,000,000.00. The Appropriations Act, Section 820 (I), addresses the Capital Budget requirements in the following language: "All budget requests for capital improvements shall be in compliance with an adopted Capital Improvement Plan and shall not be approved unless in compliance with the Plan."
2. The Tolani Lake Chapter is requesting \$500,000.00 from the UUFB for a Senior Center design and engineering Project.
3. The Office of the Controller says the UUFB has an amount of \$14,400,000 available. OMB recently compiled the Fiscal Year 2015 unmet needs list which was submitted by the oversight committees but Tolani Lake Chapter is not on the list. There are over a \$100,000,000 in unmet needs requests which need to be considered for funding from the UUFB or other sources. These unmet needs should be considered before other requests.
4. The Capital Project Budget Summary in Part II. Appropriation End Date shows 10/1/2015-9/30/15 which appears to be incorrect. And the Appropriate End Date in Part II does not agree with the end date in Part IV. Project Information. In addition to the same form, Part IV. Budget at LOD 4 and the Amount(s) as well as the Total are all blank. These spaces should be completed with the appropriate information.
5. On The Navajo Nation Detailed Line Item Budget and Justification page, the top left Fiscal Year needs to be filled in with FY16 as well as all the forms with blank Fiscal Year(s) spaces.
6. The appropriate budget forms for capital projects need to be used. This includes the Project Budget Summary, Capital Project Budget Schedule, and the Detailed Line Item Budget and Justification. The other budget forms are for operating budget requests, not capital projects budget requests.



OMB recommends that the above mentioned findings be addressed before final approval of the budget. If you have any questions, contact Raquel Tenille, Senior Budget Analyst at (928) 871-6575

NAVAJO NATION CAPITAL IMPROVEMENT PLAN 2013 - 2018

Chapter	House Number	House Name	Project Number	Project Name	STATUS										Funding Source				Total Project Cost	Total Project Value	Comments																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
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Judicial																															
Pinton	O/63	Construction of Pinton Public Safety Complex	190	X	X	X	X	X	X	X	100%	X	X	X	X			X	X	X	\$	2,500,000.00									
Shenita	W/64	Public Service Complex Phase III	170	X	X	X	X	X	X	X	100%	X	X	X	X	X	100%	X	X	X	X	\$	5,812,805.00								
Judicial Complex	65	Construct NN Supreme Court	180	X	X	N/A	X	X	X	X	100%	X	X	X	X	90%					\$	15,500,000.00	X			X					
Shiprock	66	Public Safety and Judicial Facilities																		\$	50,698,408.00										
																				\$74,612,213											

Senior Citizen																																
Comfield	F/67	New Senior Center	1	104	X	X	X	X	X	X	N/A	100%											\$1,464,064.00	X				X				
Genado	F/68	New Senior Center	2	80	X	X	0	0	X	0	0	35%												\$1,900,000.00	X				X			
Dillon	F/69	New Senior Center	1	122	X	X	X	X	X	X	X	100%												\$722,210.00	X				X			
Coyote Canyon	F/70	Senior Center Renovation	1	84	X	X	X	X	X	X	X	100%												\$300,000.00	X				X			
Redaway/Gap	W/72	Redaway/Gap New Senior Center	150	X	X	X	X	X	X	X	X	100%	X	X			X	X	X	X				\$3,500,000.00								
Tolani Lake	W/73	Renovate the Senior Citizen Center Building	152	X	X	X	X	X	X	X	X	100%	X						X	X				\$1,000,000.00								
Churchrock	E/74	Senior Center	1	194	X	X	X	X	X	X	X	100%	X	X			20%		X					\$1,518,000.00	X					X	X	

LEGEND

* = Project Sponsor Requesting Funds
None = Not on file NA = Not Available

L = Local Govt. Impvt. Project
C = Capital



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT



MEMORANDUM:

TO : 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government

FROM : Robert Willie
Robert Willie, Accounting Manager
Office of the Controller

DATE : December 28, 2015

SUBJECT : 164 Review-005118-UUFB-\$500,000 Tolani Lake Chapter Sr. Ctr

The Office of the Controller has reviewed the above referenced document.

1. The balance of the UUFB is \$14,407,443 as of November 30, 2015.
2. The requested supplemental request is for Tolani Lake Chapter Senior Center Project.
3. Budget forms attached have "new" for business unit and the responsible branch being Legislative. Also the end date for the said project appropriation end date is 09-15-15.

If you should have any questions you can contact me at tribal extension X6125.

BUDGET FORM 1

EXHIBIT

tabulace

C

PART I. Business Unit No.: New Project Title: Tolani Lake Chapter Senior Center Project
Division/Branch: Legislative Chapter: Tolani Lake Chapter Agency: Western
Prepared By: Walter Phelps, Council Delegate Phone No.: 505-906-1721

PART II. Check one: x Original Revision Reallocation Modification

Project Funds/Source(s)	Appropriation End Date	Amount	% of Total
Undesignated Unreserved Fund Balance	10/1/2015-09/30/15	500,000.00	\$0.00
TOTAL:		500,000.00	\$0.00

[illegible]

PART IV.		Project Information
Project Type: _____		
Planned Start Date:		10/1/15
Planned End Date:		9/30/17
Project Manager: _____		
FOR OMB USE ONLY		
Resolution No.:		_____
FMIS Set Up Date:		_____
Company No.:		_____
OMB Analyst: _____		

PART V. ACKNOWLEDGEMENT:

HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED ON THIS FORM IS COMPLETE AND ACCURATE.

SUBMITTED BY: Dept. Director Signature / Date

VERIFIED BY: Div. Director Signature / Date

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.: <u> New </u>		Program Title: <u> Tolani Lake Senior Center Project </u>	
Division/Branch: <u> Legislative </u>		Amount Requested: <u> \$500,000 </u>	Phone No.: <u> 828-505-906-1721 </u>
Prepared By: <u> Walter Phelps, Council Delegate </u>		Email Address: <u> nakaidinee@yahoo.com </u>	

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Tolani Lake Chapter Citizen Center is in dire need of replacement. Funding is needed for planning and design.


PART III. SCOPE OF WORK/METHODOLOGY

Planning and design of a new senior citizen center, which include meeting room, kitchen, dinning room, concession area, community arts and craft room, office space for usage of staff, storage area, utility area, public restrooms and activity room.

Planning and design

Architecture/Englineering

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



REVIEWED BY: Division Director's Signature / Date

7/10/15

RECOMMEND APPROVAL: Branch Chief's Signature / Date

FY _____

**THE NAV. J NATION
PROGRAM BUDGET SUMMARY**

Page ____ of ____

PART I. Business Unit No.: <u> New </u>		Program Title: <u>Tolani Lake Chapter Senior Center Project</u>		Division/Branch: <u>Legislative</u>	
Prepared By: <u>Walter Phelps</u>		Phone No.: <u>505-906-1721</u>		Email Address: <u>nakaidnee@yahoo.com</u>	


PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	(A)	(B)	(C)	
					Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference (Column B - A)
UUF	10/01/15-09/30/16	500,000.00	0%					
				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				0
				9000 Capital Outlay			500,000	500,000
				9500 Matching Funds				0
				9500 Indirect Cost				0
				TOTAL		\$0.00	500,000.00	500,000

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

TOTAL:	\$500,000.00	0%
---------------	--------------	----

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

SUBMITTED BY: P Walter Phelps, Council Delegate Date: _____

APPROVED BY:  2/10/15
Division Director/Branch Chief's Printed Name and Signature / Date

FY _____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

Page ____ of ____

PART I. PROGRAM INFORMATION:

Business Unit No.: _____ New _____

Program Name/Title: Tolani Lake Chapter Seni Tolani Lake Chapter Senior Center Project

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Program Performance Area:

Planning, designing, Architecture/engineering.

Goal Statement:

To ser all community senior citizens to have their enjoyment through exeridise, social, mental and well being.

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1

1

1

1

2. Program Performance Area:

Goal Statement:

3. Program Performance Area:

Goal Statement:

4. Program Performance Area:

Goal Statement:

5. Program Performance Area:

Goal Statement:

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

Walter Phelps, Council Delegate

9/10/15
Division Director/Branch Chief's Printed Name and Signature / Date

NNOMB-BF2

FY _____

THE NAV. J NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

Page ____ of ____

PART I. PROGRAM INFORMATION:			
Program Name/Title: Tolani Lake Senior Center Project		Business Unit No.: New	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
1	The Tolani Lake Center Citizen Center is in dire need of replacement. The center is very unsafe, undecent, unsafe, and unsanitary for usage for the elderly in the our community. The building is very old and diapiated. Funding will be for planning and design.	500,000	500,000
TOTAL		500,000	-

CP BUDGET FORM 2
PAGE ____ OF ____

Project Description: Replace the Tolani Lake Chapter House.

Expected Completion Date if exceeds 8 Qtrs

FY _____	FY _____	FY _____	FY _____	FY _____	FY _____	FY _____	FY _____	Expected Completion Date if exceeds 8 Qtrs
1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Date

- [illegible]

\$	\$	\$	\$	\$	\$	\$	\$	TOTAL
----	----	----	----	----	----	----	----	-------

	500,000.00						\$500,000.00
--	------------	--	--	--	--	--	--------------

Freddie Howard
President

Anna M. Begay
Vice President

Rena M. Edwards
Secretary - Treasurer

HC 61 • Box 3001
Winslow, AZ 86047
(928) 686-3285 / 3288
fax (928) 686-3287

Walter Phelps
Council Delegate

Leslie Williams
Grazing Official

Resolution of The Tolani Lake Chapter
TL-07-08-11

Requesting Navajo Nation and other entities to extend and renovate the Tolani Lake Senior Center located on the Tolani Lake Chapter's Administration Area.

Whereas:

1. Pursuant to N.N.C., Section 3(A) the The Tolani Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as Listed in 11 N.N.C., Section 1.
2. Pursuant to 2 N.N.C., Section 4041, 4042 and 4043 Tolani Lake Chapter is vested with all the authority mentioned in Paragraph A, B, C, D, E, F, and G.
3. The Tolani Lake Chapter is working with limited funding in addressing the needs of the Senior Citizen Center; and
4. The Tolani Lake Senior Citizen Center is in dire need of repairs to the kitchen cabinets and floor tiles, the bathroom doors need handicap accessibility, the bathroom sinks and showers will need to be replaced;
5. The ceiling tiles are worn from inclement weather and will need to be replaced; and
6. The roof will need to be replaced, which is causing the ceiling tiles to sag due to inclement weather over the years; and
7. An extension to the building north will create more space and avoid over-crowding. An extension to the west will create more storage space for their maintenance tools and gardening supplies.

NOW, THEREFORE BE IT RESOLVED:

The Tolani Lake Chapter hereby approves and supports the recommendation for the extension and renovation of the Senior Center.

CERTIFICATION

We hereby certify that the foregoing Resolution was considered and moved for approval by the Tolani Lake Chapter at a duly called meeting at Tolani Lake Chapter, Navajo Nation, (Arizona), at which a quorum was present and that the same was passed by a vote 26 in favor, 0 opposed, 1 abstained on this 12th day of June 2011.

MOTIONED BY: Alice M Patrick

SECONDED BY: Louie McCabe

MINUTES BY: Rena M Edwards


Freddie Howard, President


Anna M. Begay, Vice President


Rena M. Edwards, Secretary/Treasurer


Walter Phelps, Council Delegate

TOLANI LAKE CHAPTER

THE NAVAJO NATION

Velma Huskey
President

Alfred Thomas
Vice President

Rena Edwards
Secretary Treasurer



Phone: (928) 686-3285
Fax: (928) 686-3287

REX LEE JIM Vice President

Walter Phelps
Council Delegate

Leslie Williams
Grazing Official

**RESOLUTION OF THE TOLANI LAKE CHAPTER
WESTERN NAVAJO AGENCY
Resolution No: TL-05-1A-13**

**APPROVING AND REQUESTING THE NAVAJO NATION CAPITAL IMPROVEMENT PROJECT OFFICE
TO APPROVE CIP FUNDS FOR THE TOLANI LAKE SENIOR CENTER EXTENSION AND RENOVATION
PROJECT IN THE AMOUNT OF \$1,000,000.**

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3(A) the Tolani Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as Listed in 11 N. N. C., Section 1, and is delegated the authority and responsibility to promote projects that benefit the local community.
2. Pursuant to 2 N.N.C., Section 4041, 4042 and 4043, Tolani Lake Chapter is vested with all the authority mentioned in Paragraph A, B, C, D, E, F and G. As such the Tolani Lake Chapter is vested with the governmental authority to review all matters affecting the community and to make appropriate recommendations when necessary to the Navajo Nation, Federal, State and other agencies for appropriate actions that are most beneficial to the community; and
3. The Tolani Lake Chapter Senior Citizen Center was constructed in 1993 as a community building where senior citizens could be provided meals and a place for social gathering; and
4. The Senior Citizen Center has been in use for 21 years and is in need of major repairs such to the kitchen facilities, bathrooms, ceiling, floor tiles, and needs handicapped accessibility to the building; and
5. An extension is needed to create more space to avoid overcrowding and to provide additional storage space for kitchen utensils, maintenance tools and other necessities; and
6. The Tolani Lake Chapter Senior Citizen Center is "Construction Ready" as all the required clearances such as Environmental Assessments, Archaeological Clearances and Right-Of-Way clearances are completed.

NOW THEREFORE BE IT RESOLVED:

The Tolani Lake Chapter respectfully requests the Navajo Nation Capital Improvement Project Office to appropriate funds in the amount of \$1,000,000 from the Navajo Nation Capital Improvement Project fund account to extend and renovate the Tolani Lake Chapter Senior Citizen Center.

CERTIFICATION

We hereby certify that the Foregoing Resolution was considered and moved for approval By the Tolani Lake Chapter at a duly called meeting at Tolani Lake Chapter, Navajo Nation, (Arizona), at which a quorum was present and that the same was passed by a vote Of 19 in favor, 0 opposed, and 1 abstained on the 10 day of MARCH 2014.

MOTIONED BY: MARGARET TOM

SECONDED BY: SAM BEGAY

MINUTES BY: RENA M. EDWARDS


Velma Huskey, President


Alfred Thomas, Vice-President


Rena M. Edwards, Secretary/Treasury


Walter Phelps, Council Delegate

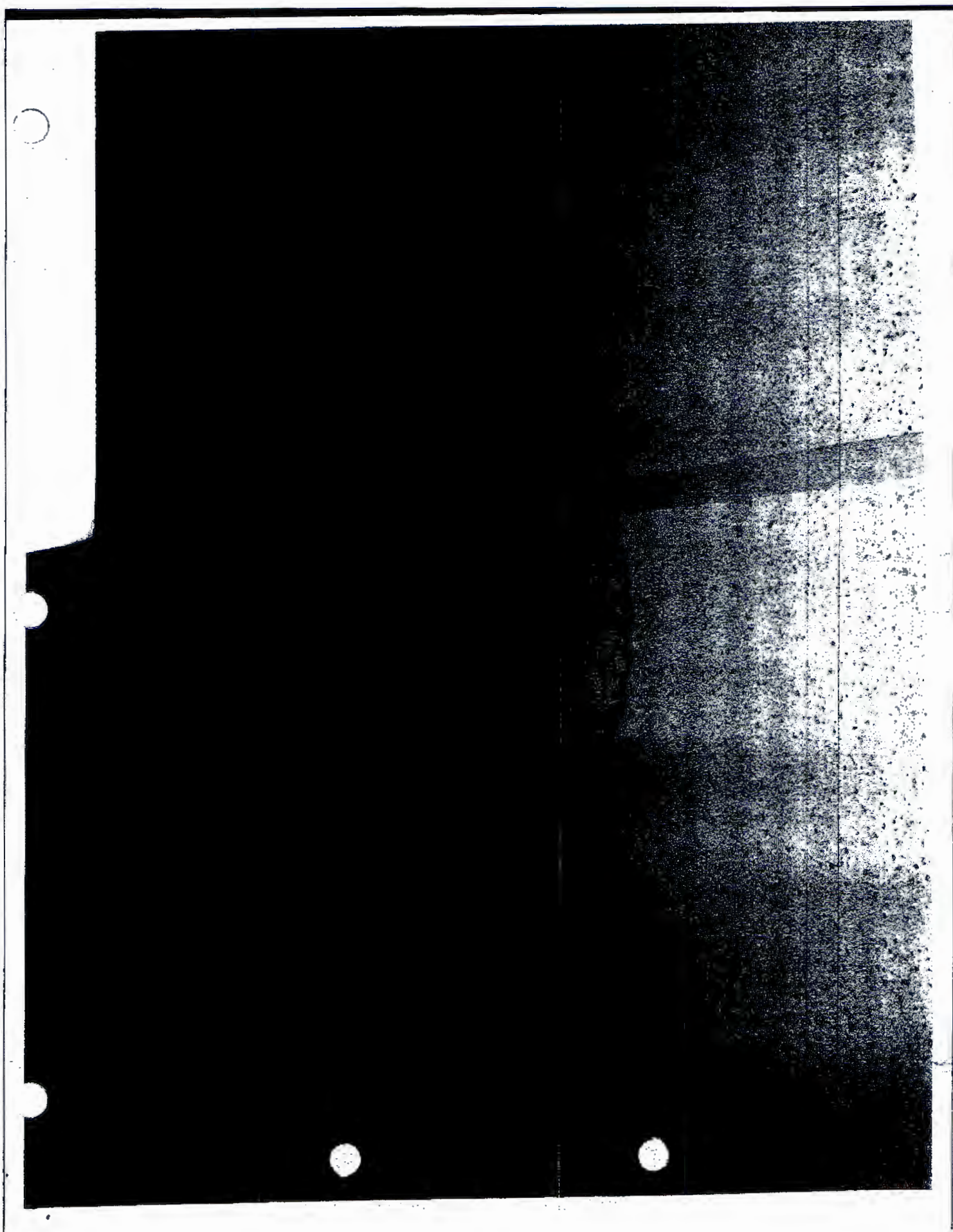
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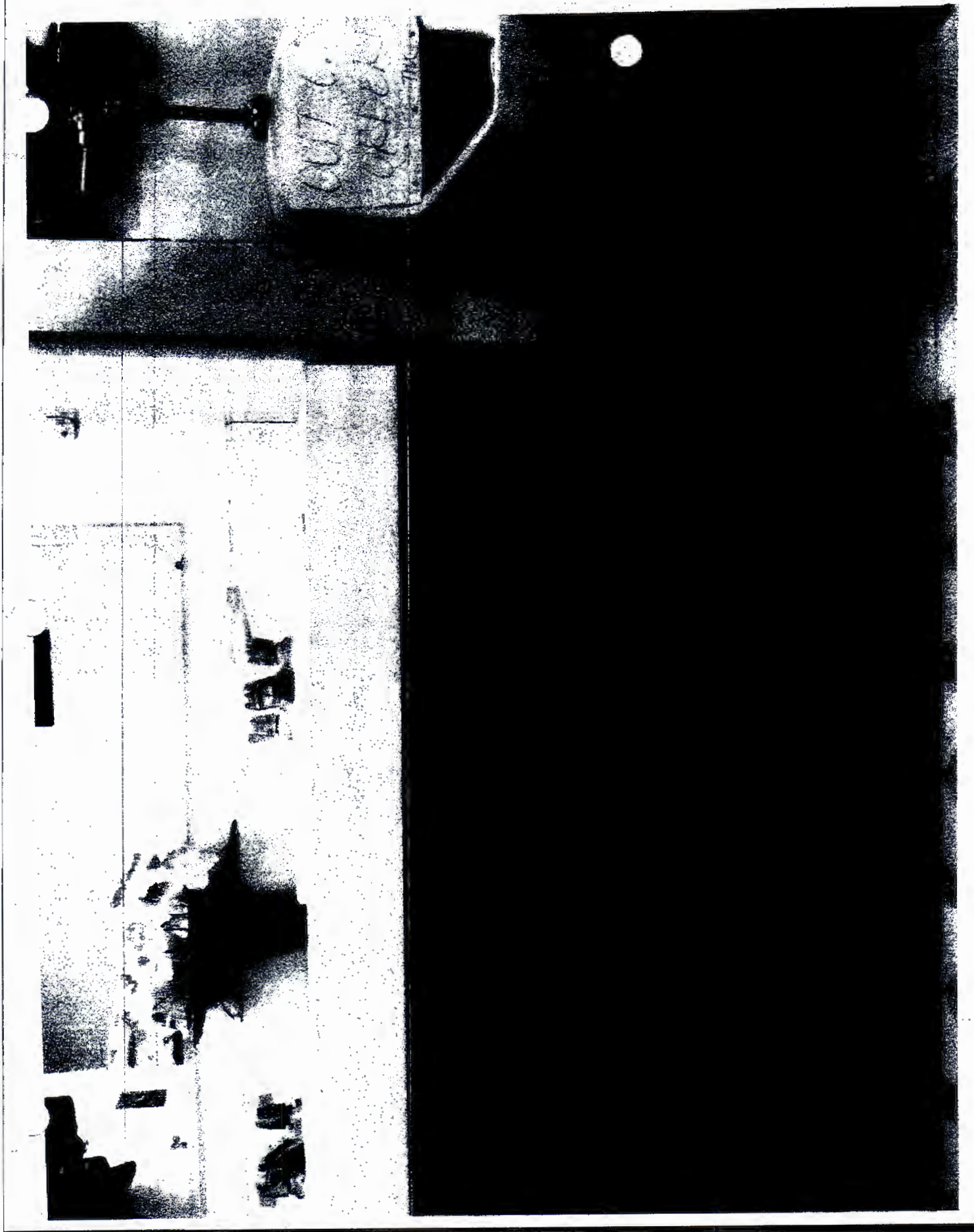


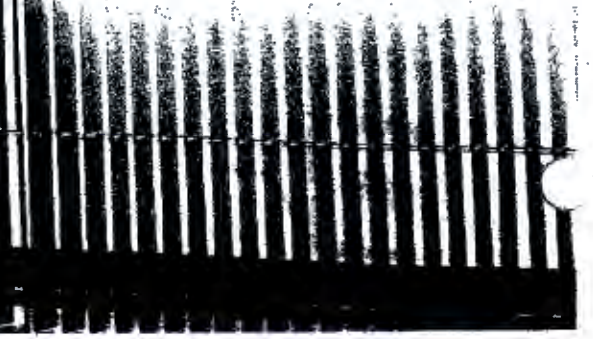
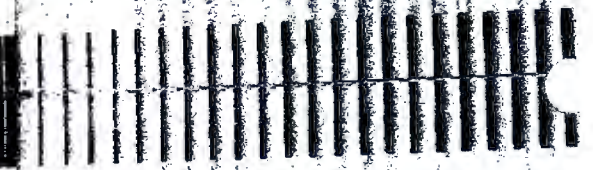


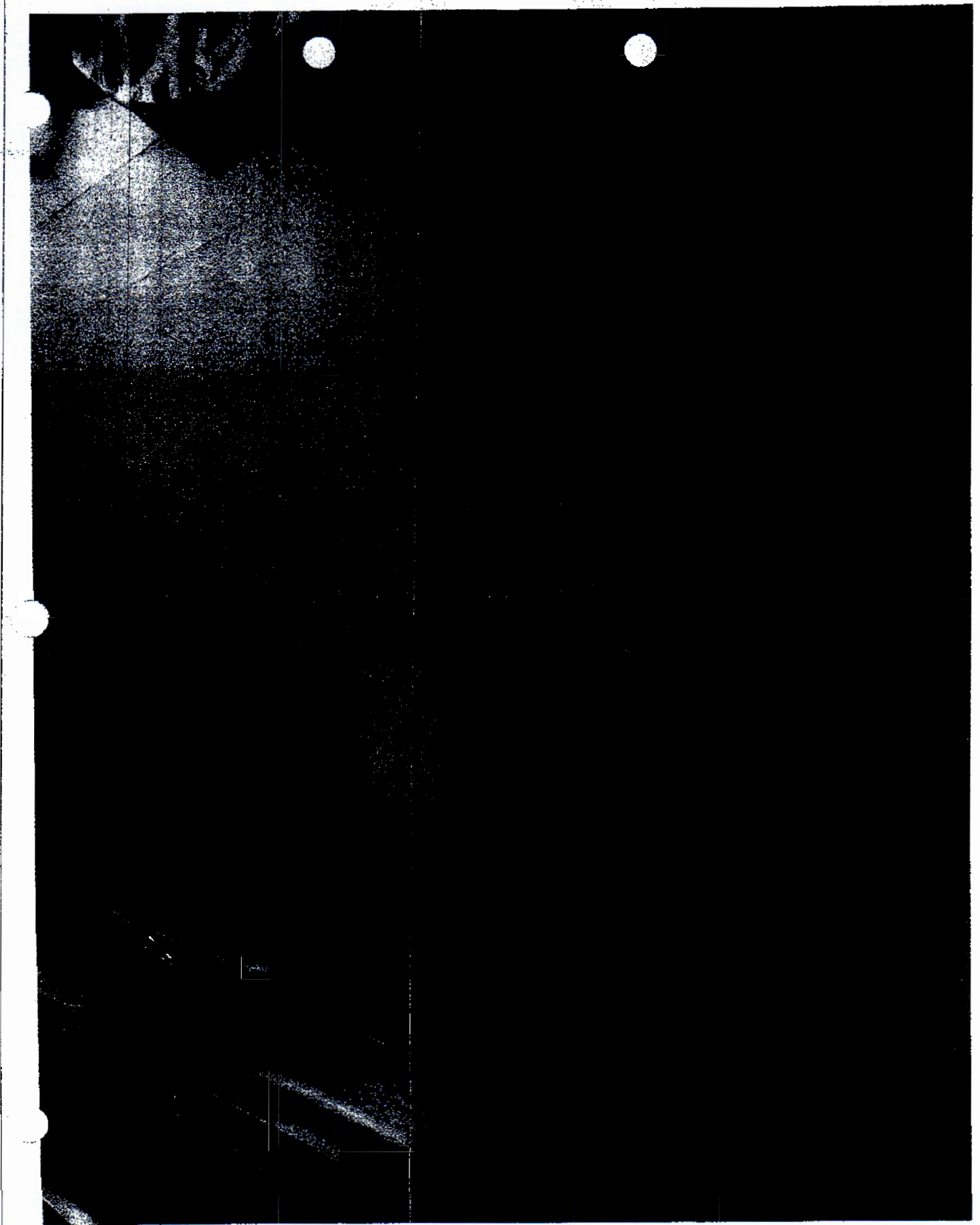


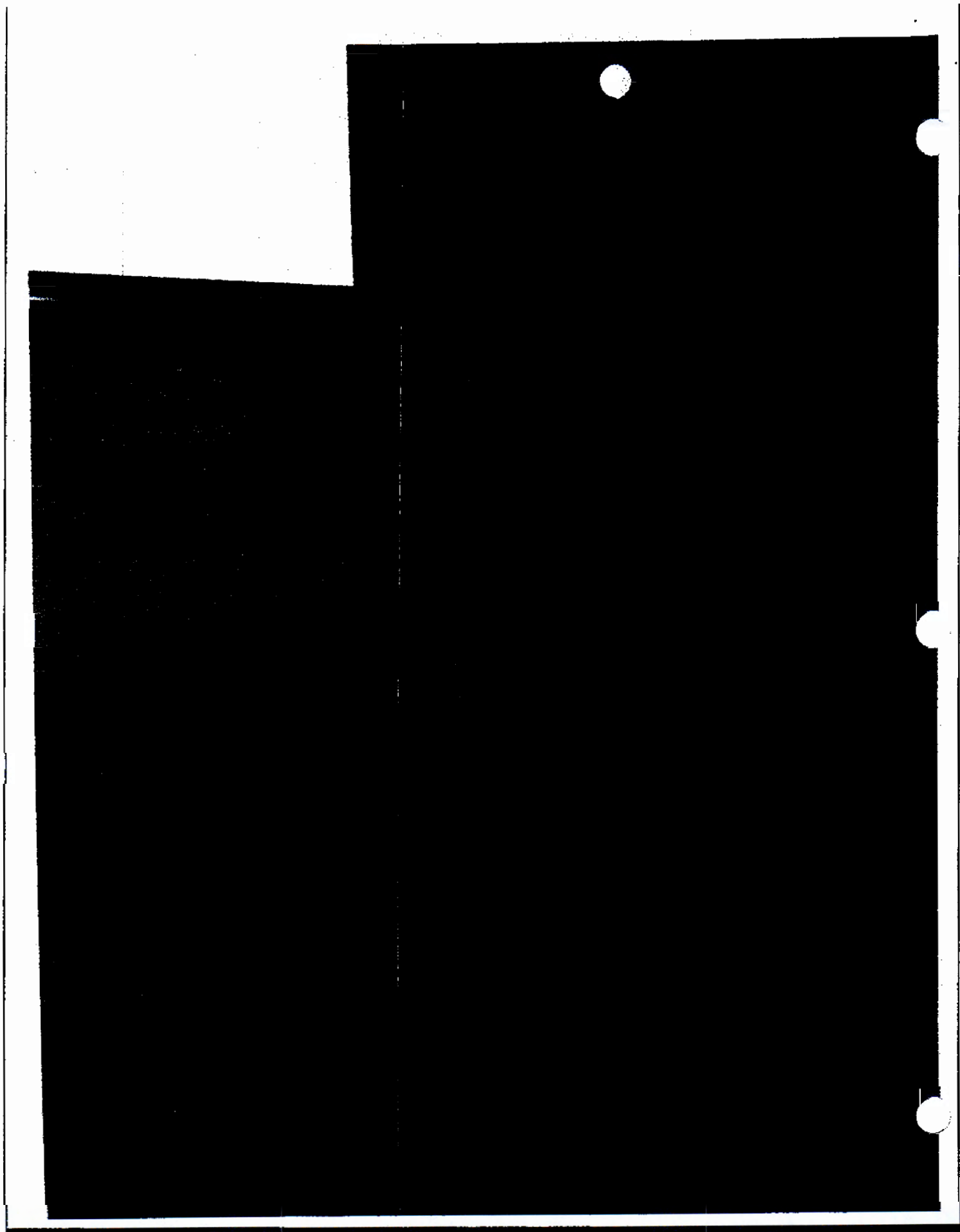
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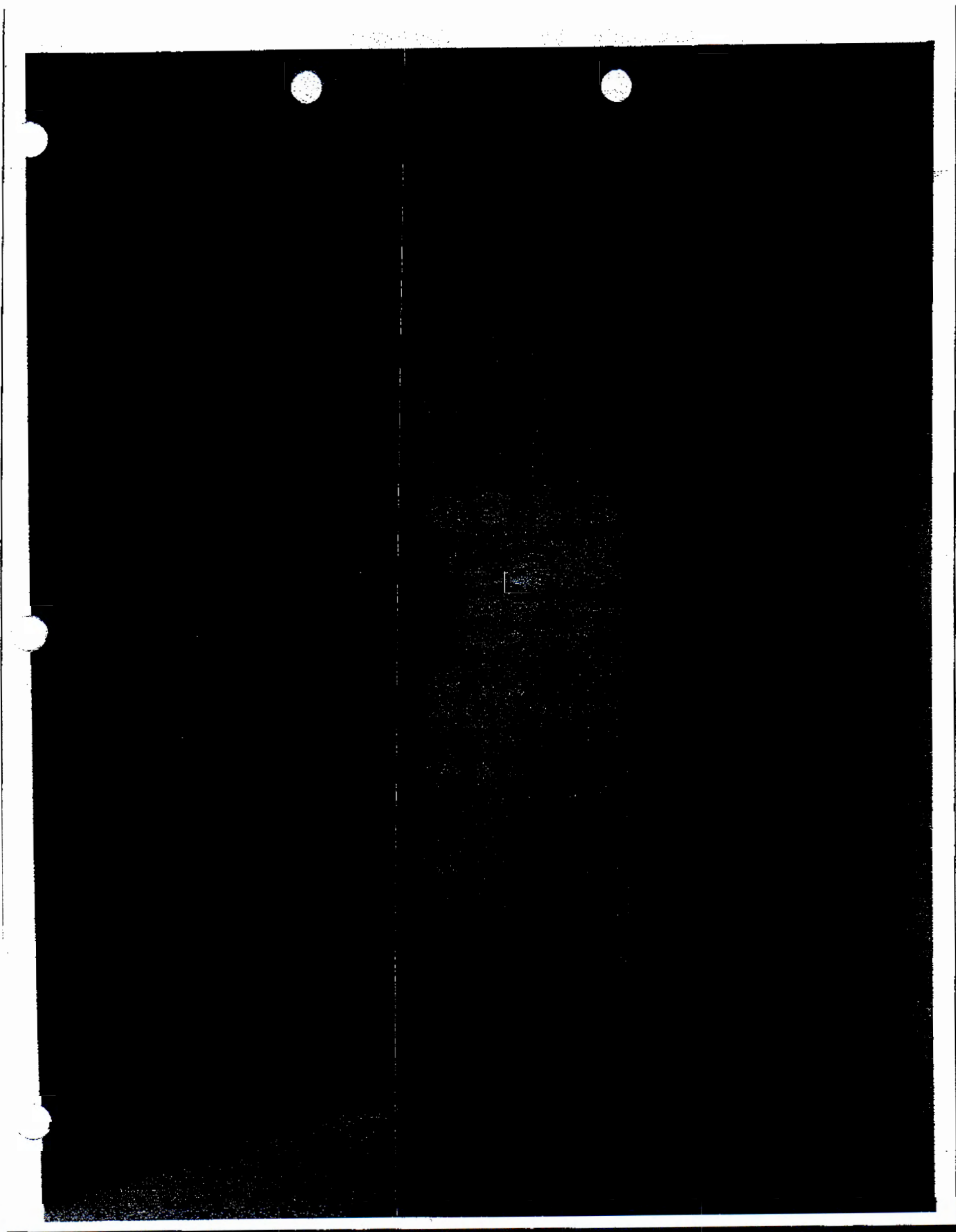






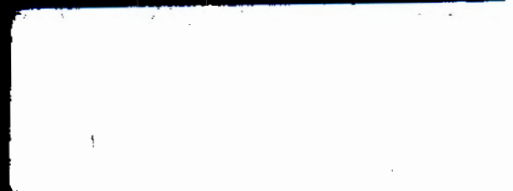




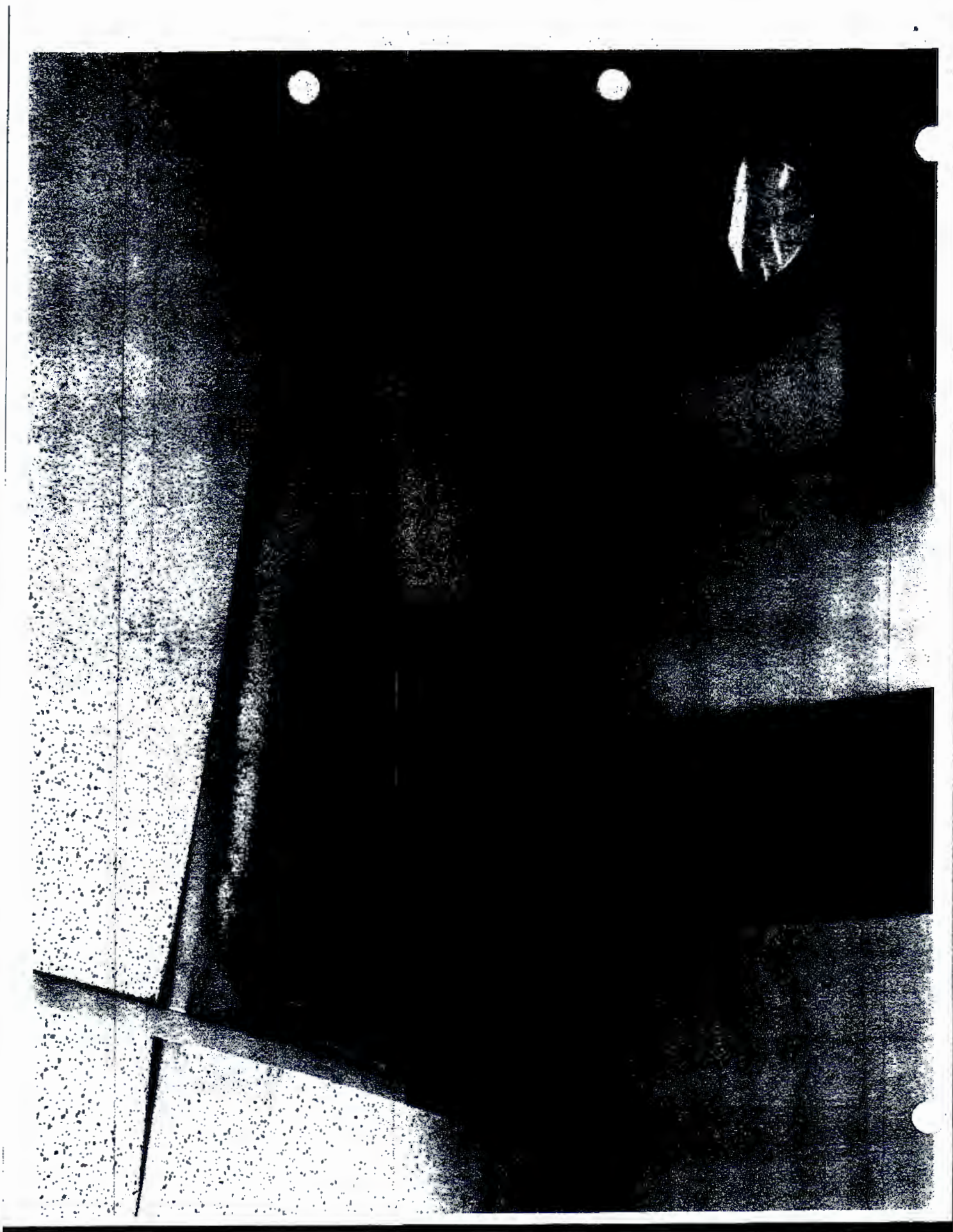




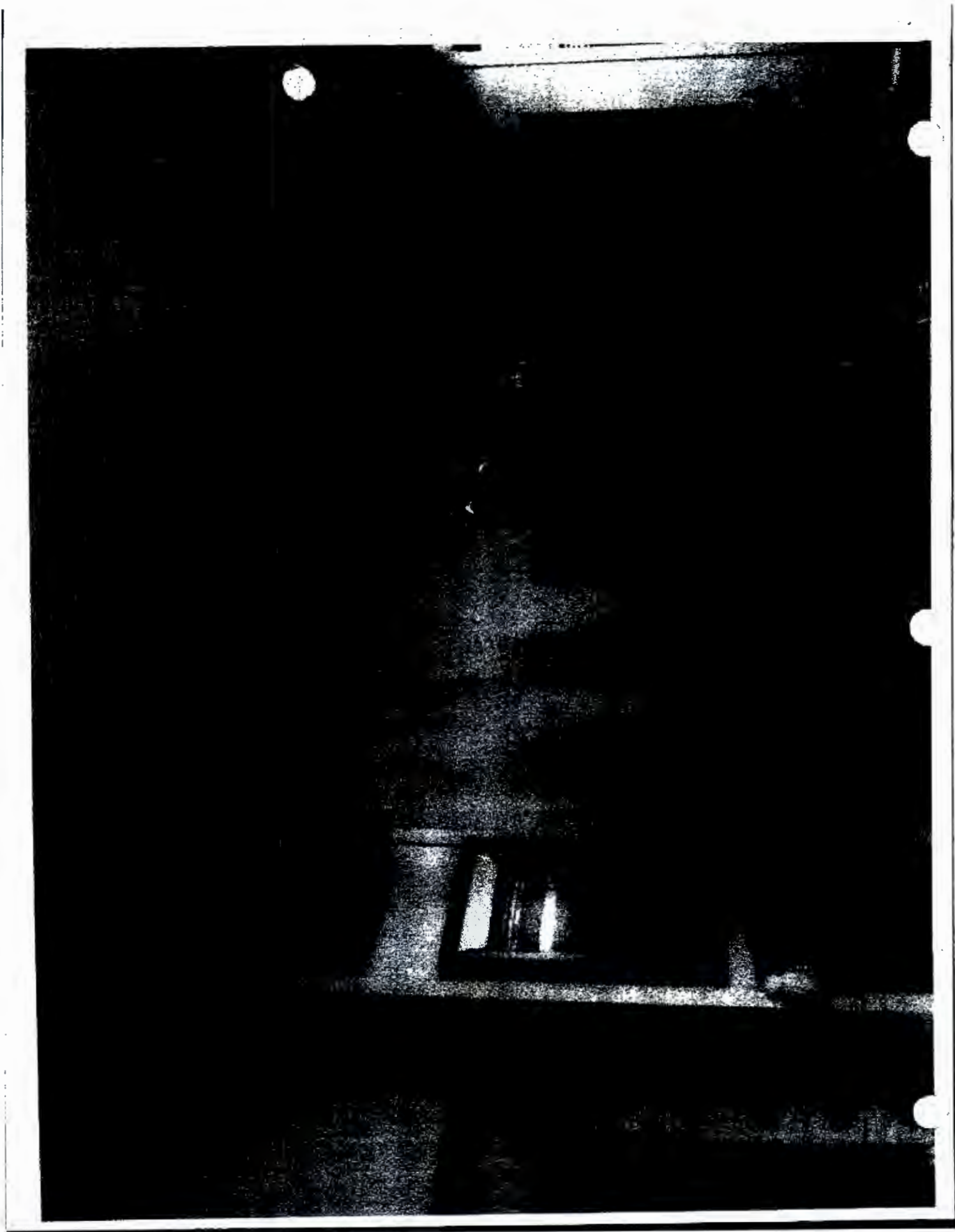






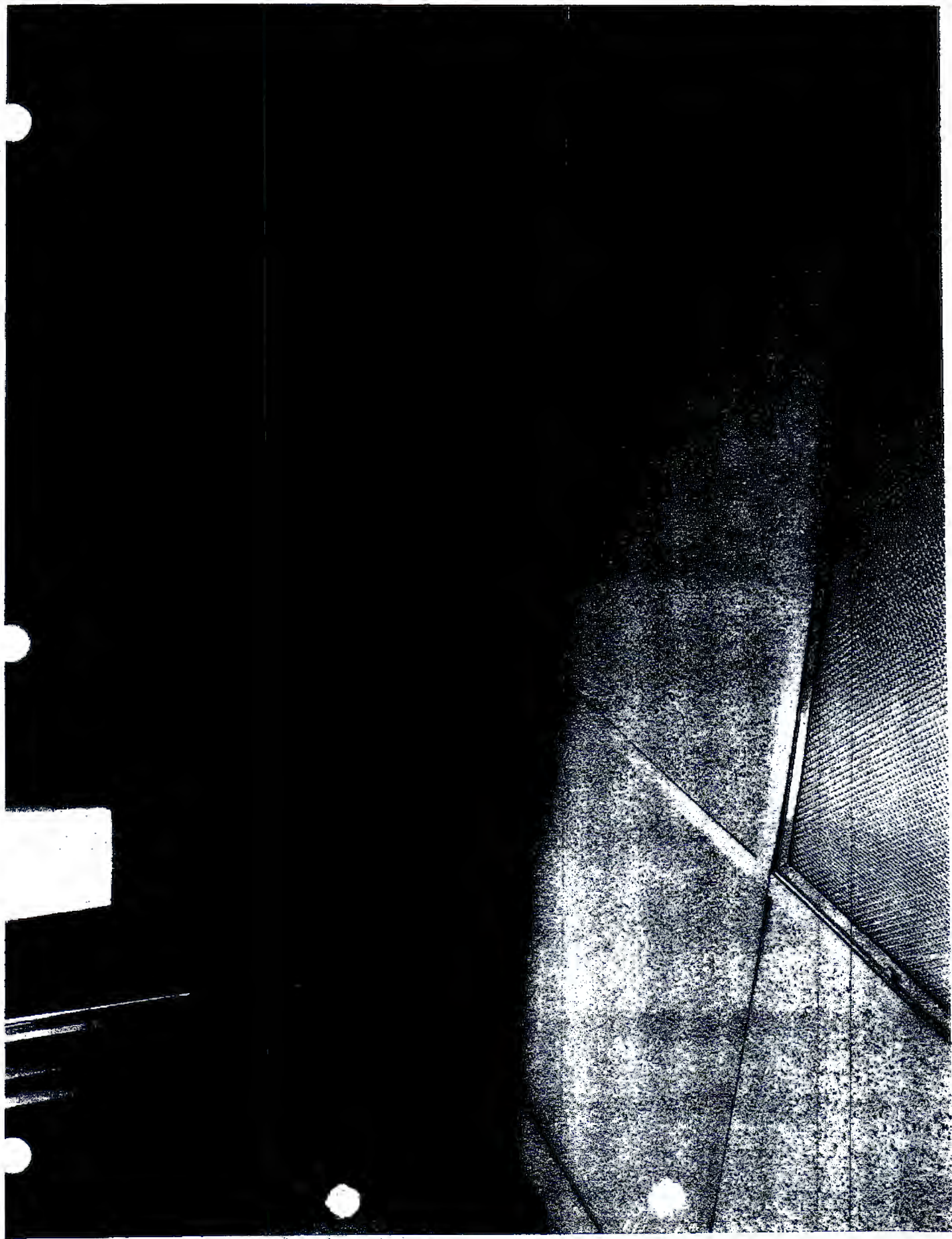




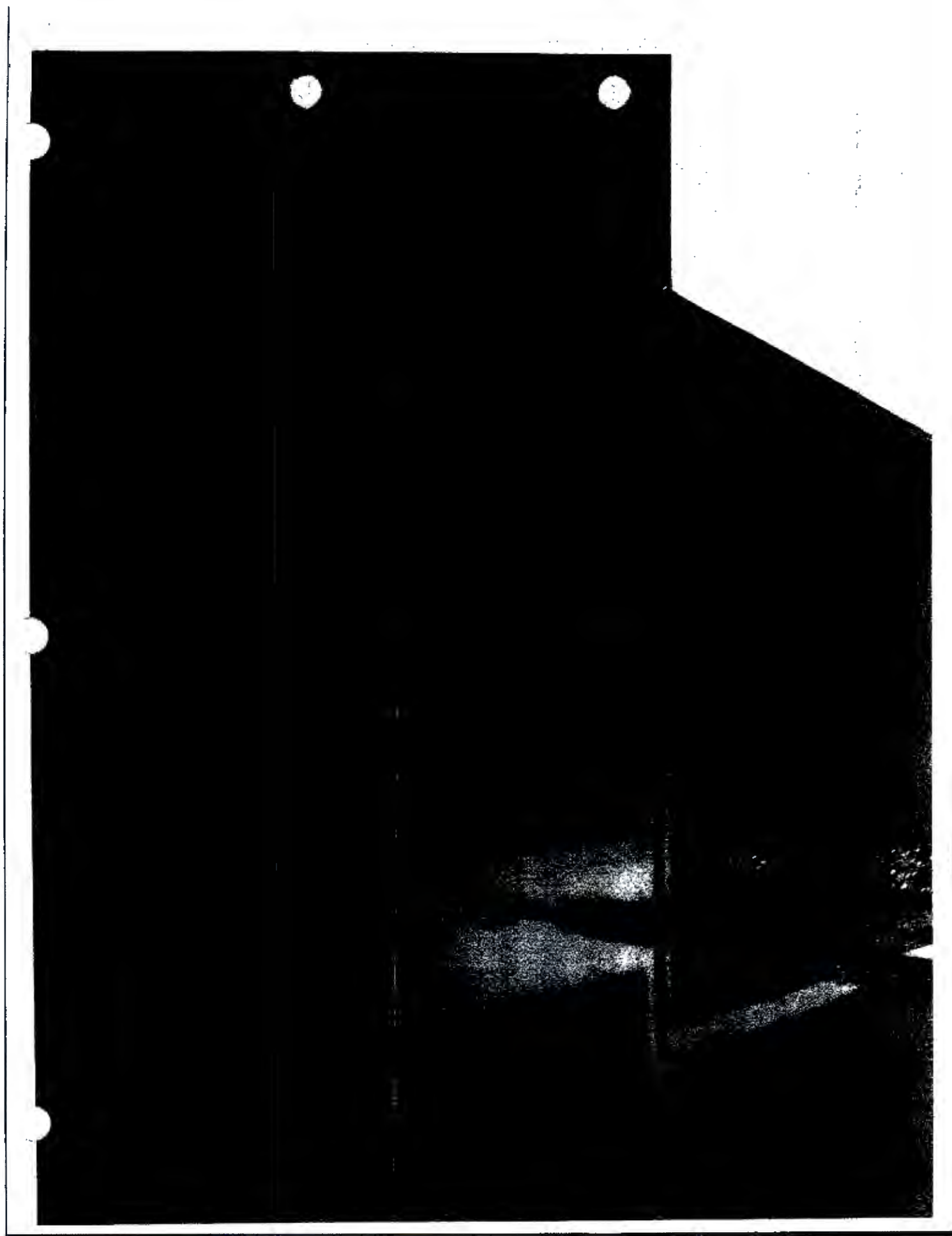




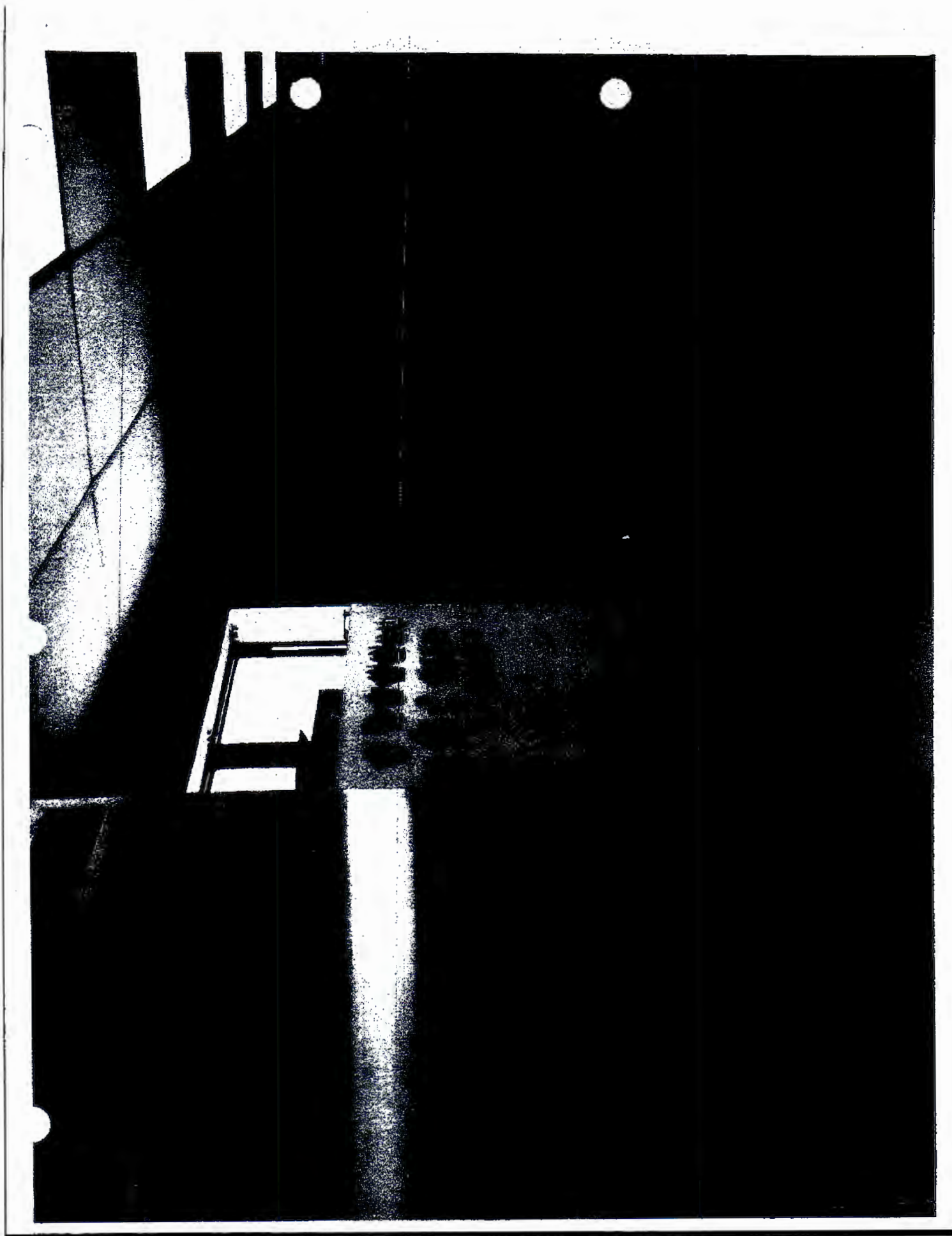




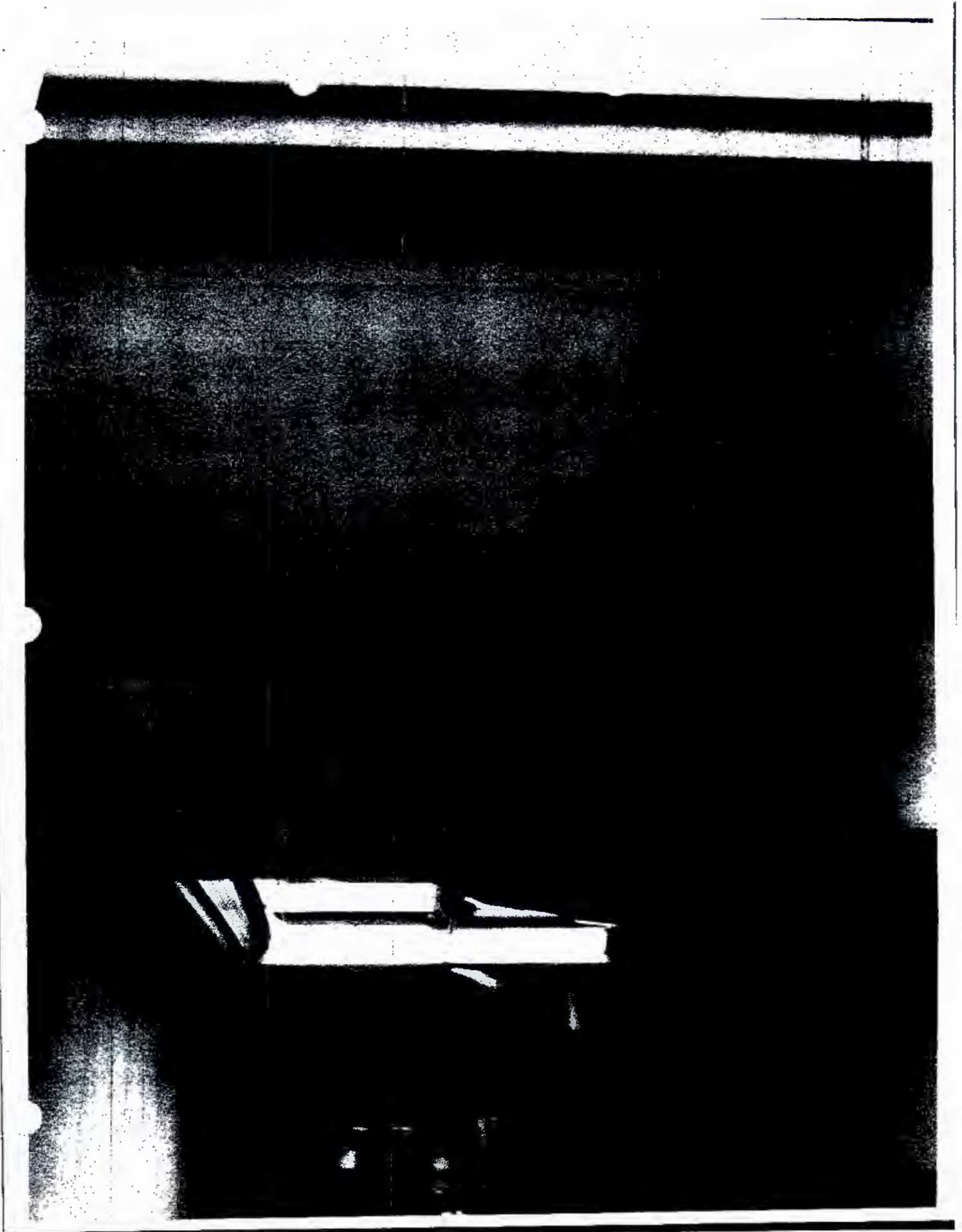


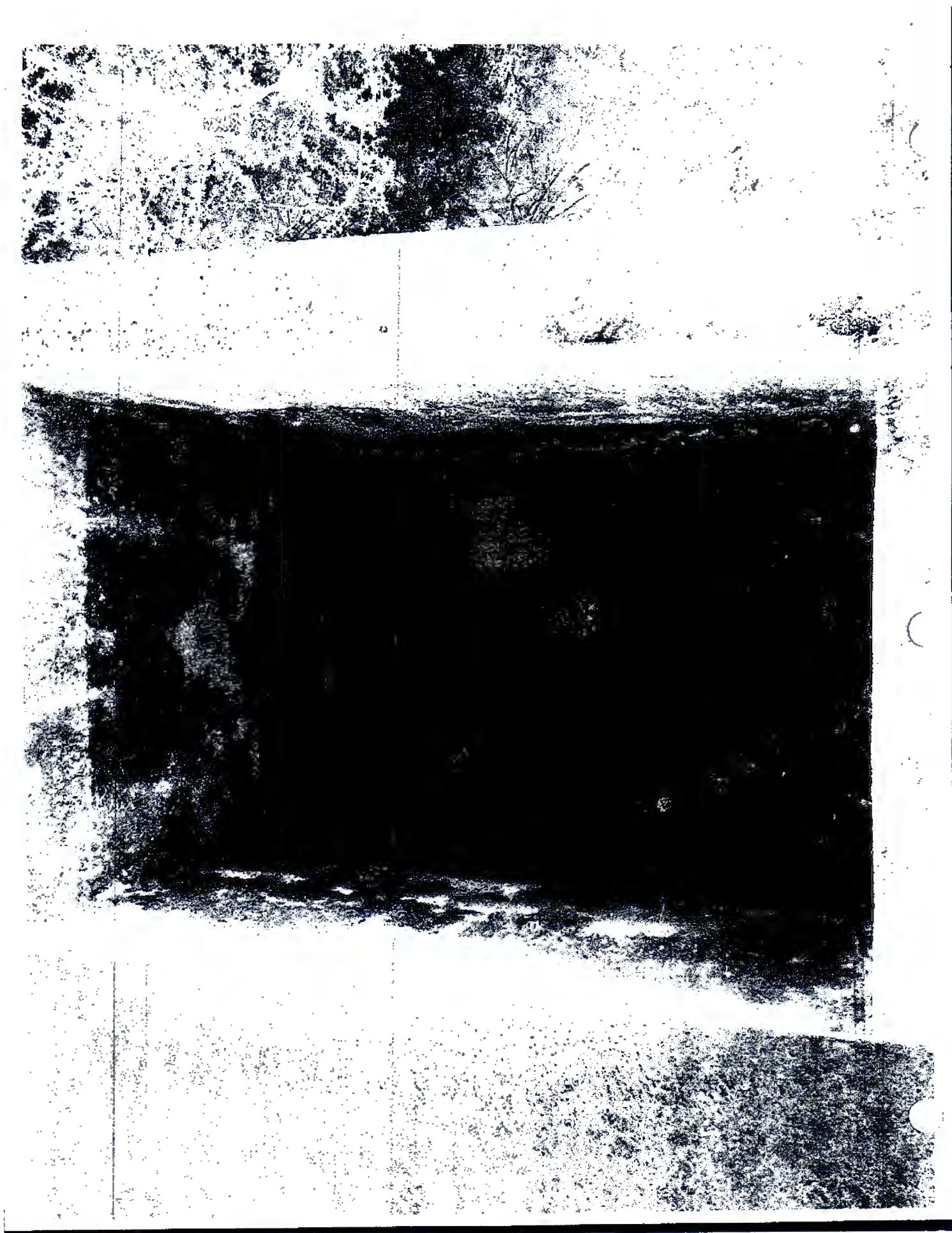














ARCHITECTURAL SCOPE OF SERVICES

FOR

**TOLANI LAKE SENIOR CENTER BUILDING – MAJOR
RENOVATION
TOLANI LAKE, NAVAJO COUNTY, ARIZONA THE NAVAJO
NATION**

Architectural Services: Standard Scope of Work

Project Description & Scope:

The Navajo Nation and Tolani Lake chapter officials are considering the renovation of the existing senior center building, located on the Tolani Lake chapter tract. The existing senior center is a single story 2,352 square feet modular structure surrounded by the existing chapter house, an existing head start building, and existing playground equipment. The scope will include additional spaces for approximately ten (10) to fifteen (15) elders, two (2) office assistant, one (1) cook and a bus driver, one (1) additional senior employee that provide services and support for the Navajo Nation area on aging agency program in order to serve the Navajo Nation elders. The new additional proposed area will be about 1,792 square feet. The existing facility has a dining area, kitchen, restrooms, small custodial/mechanical room area, and small office area. In the upcoming feasibility study/ Risk Management's report (building assessment), depending on their report, an appropriate utility and code upgrades to designated connection source points will need to be assessed and proposed in order to provide utility services such as electrical upgrades, Ethernet/wireless, upgrades of telecommunications, upgrades of water meters, etc. administrative parking, traffic flow and servicing operation (deliveries, maintenance/repair, storage, etc.) will need to be evaluated.

Renovation: Existing 2,352 S.F. Additional 1,792 S.F.

The renovation shall include all upgrades necessary to meet current applicable codes; 2009 IBC codes, NFPA codes, and Navajo Nation Area Aging Agency standards/ requirements. In addition, it should include an in-depth evaluation of the best solution for maintaining current public spaces/lounge space and administrative space, while adding a secure environment for the additional enrolled elders/ community and the public. The following items should be included as part of the Scope of work:

- Renovate both the west and east exterior facades.
- Expand the Electrical room/mechanical room and consolidate all IT requirements/ telecommunication areas.
- Upgrade of both Men and Women public restroom and shower room- ADA compliant
- Renovate offices into more department office areas.
- Develop new drop of points/ bus turn around/ fire department trucks.
- Provide additional storage spaces where possible
- Upgrade fire suppression system and fire alarm systems.
- Upgrade HVAC systems, replace evaporative cooler.
- Minor site preparation of ADA parking areas.
- Upgrade of grease trap
- Upgrade of Electrical meters.
- Upgrade of water meters.
- Install new office cubical area/ storage (Optional).
- Navajo Nation to select furniture outlet & partition manufacturer contract to coordinate for floor plan layout electrical outlets, at various locations.
- Renovate to/address all of OEH Comments, recommendations, and violations

Selective Demolition:

- Removal of exterior metal panels, building purlins, roofing system, windows, and insulation.

The selective demolition shall include the areas of upgrade necessary to meet infrastructure requirements from NTUA, OEH, HIS and Navajo Nation Area on Aging Agency Department/ Federal Aging standards.

Logistics and Financial:

There will be a number of challenges and issues involved in undertaking a construction project on a major building..... As part of the Scope of Work (SOW), certain logistics and financial aspects of the project must be evaluated. These considerations include:

- Anticipated disruptions (utility outages, etc.)
- Contractor access and lay down area
- Phasing of construction
- Construction Timeline
- Project Cost estimate
- Risk Management Plan and Plan of Action
- Cost of new Construction versus Major Renovation

The Nation/CIO/Chapter has limited financial resources. The SOW/Cost must include a thorough analysis of how to best achieve the maximum benefit for improving services to the Navajo Nation Head start department, while meeting the constraints of financial resources available in the fiscal year. Careful planning should be given to phasing the project in a way that meets budget targets.

Services provided would include complete architectural, structural, mechanical, electrical, plumbing, fire protection, and civil design services for new construction for a major renovation, existing assessments still need to be coordinated with various Navajo Nation departments for proper demolition and abatement if needed. In addition the following services will be included.

I. Programming Phase

1. Create a comprehensive Site Plan in accordance with the 2009 International Building Codes (IBC), site utilities, facilities, and partial drainage planning.
2. Create a Program of Spaces for Aging start building interior of various employee offices, Isolation rooms, and kitchen area: basic information such as sizes, space requirements, Department workflow, activities and special uses. Coordinate with CIO/ NAAA department, and various Navajo agencies' representative.
3. Facilitate meetings with Navajo Nation Area on Aging Agency Department and department staff as needed to develop basic components and programs planning of Navajo Aging program, including Navajo Nation's standard building systems, equipment and materials.

4. Attend coordination meetings with Navajo Nation's department/Chapter staff and any pertinent external agencies (Agencies, State and Federal) as required to determine and gain approvals from all pertinent entities.
5. Provide a schematic cost estimate and conceptual project schedule.
6. Prepare and submit five (5) sets of interior plan program of spaces and adjacencies layout for review and approval.

II. Schematic Design Phase

1. Facilitate meetings with the Navajo Nation's aging department/agency staff to review interior tenant square footage, required utilities and/or telecommunication data requirements, partial drainage, and traffic needs to develop Schematic Design Documents.
2. Obtain and review applicable Navajo Nation standards and guidelines for design (Design Criteria Manual, International Building Code) and provide design that meets State or federal codes.
3. Attend Pre-Development meeting and address points of clarification regarding the project.
4. Prepare and submit three (3) sets of Schematic Design Documents, Preliminary Specifications, Schematic cost estimate and schedule to the Navajo Nation Lead Agency Department staff for review and approval. (30% plan review). Components to include:
 - a. Partial site plans, ADA paving layouts, drop-off locations, and traffic circulation
 - b. floor plans, building circulation
 - c. exterior elevations, rendering and color palette
 - d. critical building sections and details
 - e. Relevant right of way information such as easements, building setbacks etc.
 - f. Location of utilities and sizes
5. After receiving schematic design comments, meet with:
 - a. Planning Department, CIO/Building Officials and Fire Marshall to review project requirements.
 - b. Navajo Nation Lead Agency department, Navajo Water Resource department and Navajo Nation Environmental Protection Agency (NNEPA) to review project drainage.
 - c. Navajo Tribal Utility Authority (NTUA) Public Works to review utilities.
6. Respond in writing to all Navajo Nation Departments, Indian Health Services, Office of Environmental Health, Building Permit Inspector, Navajo Nation Head Start Department, and Navajo Nation Fire marshal City comments on plans.
7. Coordinate with the Navajo Nations utilities and service providers.

III. Design Development Phase

1. Facilitate meetings with Navajo Nation staff to develop Design Development Documents.
2. Prepare and submit three (3) sets of Design Development Documents including Detailed Specifications, Cost Estimate and schedule to the Navajo Nation Lead Agency staff for review and approval. (60% plan review). Components to include:
 - a. site plans, paving layouts, traffic circulation, lighting, signage and utilities
 - b. floor plans, Structural, Civil, Architectural, Storm Water Pollution Prevention Plan (SWPPP), Mechanical Electrical Plumbing (MEP), Fire Protection and landscaping if applicable
 - c. exterior elevations, rendering and color palette
 - d. building sections and details
 - e. Interior elevations, casework and millwork elevations

~~f. drainage Study and calculations~~

g. report addressing all Navajo Nation's Design Criteria and Code requirements

3. Respond in writing to all Lead Agency's Building plans reviewers comments on plans.
4. Coordinate final utility plans.

IV. Construction Documents Phase

1. Prepare complete Construction Documents and Specifications and submit three (3) sets to the Navajo Nation Lead Agency and Building Plan review staff for Code and general review and approval (90% plan review).
2. Attend follow up meetings with Navajo Nation Fire Marshall, Navajo Nation Head Start Department and agencies, Indian Health Services, Office of Environmental Health, and the 3rd party Building Inspector Official (BIO).
 - a. Obtain 3rd party building Inspector's approval and NNEPA signature of plans.
- ~~3. Complete Platting and record Plat.~~
4. Complete final coordination with Nation's utilities and tele-communication service providers.
5. Prepare and submit four (4) complete sets of Construction Documents, including 90% written responses, Specifications and Architect's Cost Estimate and schedule to:
 - a. Projects Department for review and approval (100% plan review)
 - b. Community Development for formal Plan Review for Permit
6. Submit plans to 3rd party building Inspector or Indian Health Services (IHS) for accessibility review.
7. Correct plans to reflect issues noted by Review for Permit.
8. Acquire signature of 3rd party Building Inspector, IHS, OEH, CIO, State of New Mexico, and Navajo Nation Area Aging Agency Department.

V. Bid Phase

- a. Provide Notice to Bidders (NTB) to the Project Manager. The Lead Agency Department is responsible for advertising.
- b. Reproduce and disseminate bid sets to Dodge, and (2) two sets to the Navajo Nation Lead Agency [PM (1), HIS (1) and interested bidders]
- c. Distribute (including the sale of) plans to interested bidders
 - i. Keep record of plan holder's list
- d. Assigned Chair pre-bid meeting and attend the Bid Opening
- e. Respond in writing to questions from bidders and prepare addenda as necessary.
- f. Assist with design of Bid Proposal*
- g. Prepare Lead Agency's Recommendation of Award Letter to include the following required content:
 - i. Check for math errors and reconcile any mathematical discrepancies
 - ii. Review for unbalance bid items
 - iii. Certified Bid Tabulation including Engineer's estimate
 - iv. Review of contractor's financial standing and references provided
 - v. Explanation of discrepancies between the Engineer's estimate and bids
 - vi. Recommendation to award
2. Attend Navajo nation Council meeting and recommendation for award of Contract for New Construction.
3. Produce and transmit to selected contractor five (5) sets of project manuals ready for execution with Lead Agency's Notice of Intent to Award (NOI)

*This is the use of bid strategies to attain lowest possible prices for work, use of alternatives, etc.

VI. Construction Administration Phase

1. Facilitate Pre-Construction meeting and conduct regular construction progress meetings.
2. Provide Construction Administration.
 - a. Review, log and approve submittals, shop drawings, Request for Information etc.
 - b. Review Construction Materials Testing reports.
 - c. Review and approve applications for payment.
 - d. Coordinate with Construction Manager or Project Manager on all Requests for Change Proposals, Change Orders, etc. including maintaining a log of all such documents.
 - e. Provide direction for questions and concerns from the contractor and Construction/Project Manager in resolution of problems.
3. Provide Field Services for entire construction period
 - a. Architect's Construction Administrator to conduct a site visit a minimum of one (1) times per week, including observation of selective structural concrete placement, underground piping installation and inspections, mechanical/electrical/plumbing cover-up, drywall installation, ceiling cover-ups, etc.
 - b. Provide site visit report to Navajo Nation Lead Agency's Project Manager once a week.
4. Conduct Substantial Completion Inspection, coordinate with Construction Manager/Project Manager to create punch list, substantiate that items noted are completed, and issue Substantial Completion Certificate.

VII. Project Close Out

1. Provide Warranty Administration Services during the entire Warranty Period. Architect to issue Warranty Reports and review items after the Contractor has notified the Navajo Nation's Lead Agency department that these items are complete.
2. Provide support services as needed during the project close out process.
3. Obtain and review close out submittal from the contractor for completeness before transmitting to the Navajo Nation's Lead Agency department which include but are not limited to:
 - a. Contractor's red lines and as-built notes
 - b. Warranty information
 - c. Material Safety Data Sheet (MSDS)
 - d. Operating Manuals
 - e. Start up and testing reports
 - f. Building commissioner report
 - g. As-Built record drawings (in hard copy and digital format)
4. Issue Final Completion and Acceptance letter to the Nation's Lead Agency's recommending acceptance.

Additional Services

Interior Designs

Allowance for Abatement if necessary

Allowance for Geotech- soil testing

Testing and Balancing/Building Commissioning

**Tolani Lake Chapter Senior Center Renovation
Tolani Lake, Arizona**

PROJECT COST

Isolation Factor		10.00%			
Exist. Interior/ Exterior Building Renovation		SQUARE FEET			
A.	Building Cost	\$125.00	\$137.50	1,792	246,400.00
B.	Fixed Equipment (HVAC) Upgrade		17.00%		41,888.00
C.	Electrical Upgrade		8.00%		19,712.00
D.	Contingency (Inflation and Construction)		10.00%		11,880.00
E.	TOTAL CONSTRUCTION	178.50	X	1,792	319,880.00
F.	Transportation, Placement, & Connection		2.00%		6,397.60
G.	Abatement		2.00%		6,397.60
H.	Professional Fees		8.00%		25,590.40
I.	Owners Reserve		4.00%		12,795.20
J.	Administrative Cost		2.00%		6,397.60
K.	PROJECT COST	210.64	X	1,792	377,458.40

NOTE:

Does not include site acquisition, escalation of mid-point of construction, and design/construction cost for off-site infrastructure improvements.

Project Cost	377,458.40
Additional cost total	<u>20,000.00</u>
Grand Total	397,458.40

**Tolani Lake Chapter Senior Center Renovation
Tolani Lake, Arizona**

DESIGN AND ENGINEERING SERVICES

PROJECT COST / BUILDING RENOVATION**Architectural / Engineering Fee**

A.	TOTAL FEE (ACTUAL/ESTIMATED)			25,590.40
B.	(% OF A) CONTINGENCY	10%		2,559.04
C.	CONSULTANT'S FEES	5%		1,151.57
D.	OTHER DIRECT EXPENSES OF A	3.14%		803.54
E.	SUBTOTAL			21,076.25
F.	INDIRECT EXPENSE ALLOWANCE (A-(B+C+D)-G)			421.53
G.	ARCH. LABOR BUDGET (A-(B+C+D)/ %)	2.00%		20,654.73

ARCHITECTURAL LABOR BUDGET BREAKDOWN **AVG. \$/HR.** **26.00**

	PHASE OF WORK	% BUDGET	HR. BUDGET	\$ BUDGET
a	Programming/Pre-Design	0.00%	0.00	0.00
b	Schematic Design	0.00%	0.00	0.00
c	Design Development	0.00%	0.00	0.00
d	Construction Documents	40.00%	317.77	8,261.89
e	Bidding and Negotiating	10.00%	78.44	2,065.47
f	Construction Administration	50.00%	397.21	10,327.36
	TOTAL	100.00%	794.41	20,654.73

Additional Cost Not Included in Architectural Basic Services

a.)	Environmental Assessment	0.00 on file
b.)	Archaeological Report	0.00
c.)	Surveying - topography - utilities	0.00 update
d.)	Geo-technical - soils	0.00 not yet
e.)	Flood Plain Study	0.00
f.)	Demolition	15,000.00
g.)	Landscaping Design	0.00
h.)	Interior Design	0.00
i.)	Value Engineering	0.00 not yet
j.)	One model and one rendering	0.00 not yet
k.)	Reproduction (10 sets)	0.00 not yet
l.)	Material Testing	0.00 not yet
m.)	Clients Inspector	5,000.00 not yet
n	Additional cost total	20,000.00

Professional Fees	25,590.40
Additional Cost Not Included in Architectural Basic Services	20,000.00
Grand Total	45,590.40

Tolani Lake Chapter Senior Center Renovation
Tolani Lake, Arizona

DESIGN AND ENGINEERING SERVICES

9/26/2013 8:56 AM

Cost Breakdown

PROJECT COST / BUILDING RENOVATION**Architectural / Engineering Fee**

A.	TOTAL FEE (ACTUAL/ESTIMATED)			25,590.40
B.	(% OF A)	CONTINGENCY	10%	2,559.04
C.	CONSULTANT'S FEES		5%	1,151.57
D.	OTHER DIRECT EXPENSES OF A		3.14%	803.54
E.	SUBTOTAL			21,076.25
F.	INDIRECT EXPENSE ALLOWANCE (A-(B+C+D)-G)			421.53
G.	ARCH. LABOR BUDGET (A-(B+C+D)/ %)		2.00%	20,654.73

ARCHITECTURAL LABOR BUDGET BREAKDOWN AVG. \$/HR. 26.00

	PHASE OF WORK	% BUDGET	HR. BUDGET	\$ BUDGET
a	Programming/Pre-Design	0.00%	0.00	0.00
b	Schematic Design	0.00%	0.00	0.00
c	Design Development	0.00%	0.00	0.00
d	Construction Documents	40.00%	317.77	8,261.89
e	Bidding and Negotiating	10.00%	79.44	2,065.47
f	Construction Administration	50.00%	397.21	10,327.36
	TOTAL	100.00%	794.41	20,654.73

Additional Cost Not Included in Architectural Basic Services

a.)	Environmental Assessment	0.00 on file
b.)	Archaeological Report	0.00
c.)	Surveying - topography - utilities	0.00 update
d.)	Geo-technical - soils	0.00 not yet
e.)	Flood Plain Study	0.00
f.)	Demolition	15,000.00
g.)	Landscaping Design	0.00
h.)	Interior Design	0.00
i.)	Value Engineering	0.00 not yet
j.)	One model and one rendering	0.00 not yet
k.)	Reproduction (10 sets)	0.00 not yet
l.)	Material Testing	0.00 not yet
m.)	Clients Inspector	<u>5,000.00</u> not yet
n	Additional cost total	20,000.00

Professional Fees	25,590.40
Additional Cost Not Included in Architectural Basic Services	20,000.00
Grand Total	45,590.40

Tolani Lake Chapter Senior Center Renovation
Tolani Lake, Arizona

DESIGN AND ENGINEERING SERVICES

9/26/2013 8:56 AM

Cost Breakdown

Budget	Navajo Nation General Fund	\$0.00
	Chapter Funds	\$0.00
	AML	\$0.00
	USDA	\$0.00
	CDBG	\$0.00
	Federal Funds	\$0.00
	total	<u>\$0.00</u>

Planning

Environmental assessment On File

Clearances

Archaeological studies On File

Demographics

Programming

Legal

Surveys

Topographica Partial
Utilities Complete

Site analysis

Masterplanning

Site NNDES

Concepts

Elevation NNDES

Floorplan NNDES

Soils

Geotechnical

Percolation test

Water shed (100 to 500 year)

Flood plain studies

construction documents

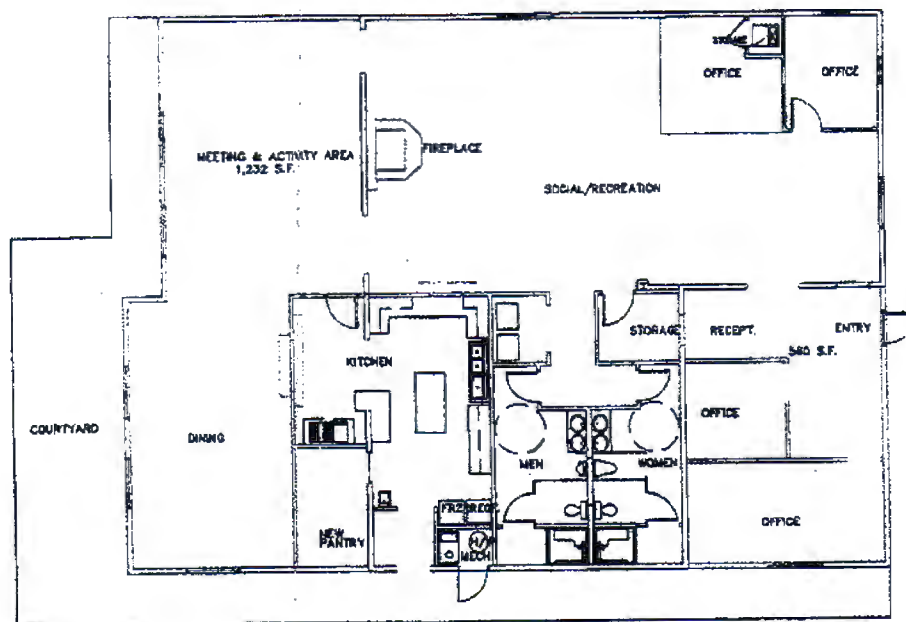
Architectural / Engineering

bidding and negotiation

construction administration

4 to 6 months

Construction



EXISTING FLOOR PLAN

BUILDING FOOTAGE

EXISTING MAIN BUILDING 2,382 SQUARE FEET
 ADDITION BUILDING 1,232 SQUARE FEET
 3,614 SQUARE FEET

DATE	REVISION

DESIGNED BY: [blank]
 CHECKED BY: [blank]
 APPROVED BY: [blank]
 DATE: [blank]

PURPOSE: CONCEPTUAL FLOOR PLAN
 FOR TOLAN LANE JUVENILE CENTER ADDITION
 TOLAN LANE

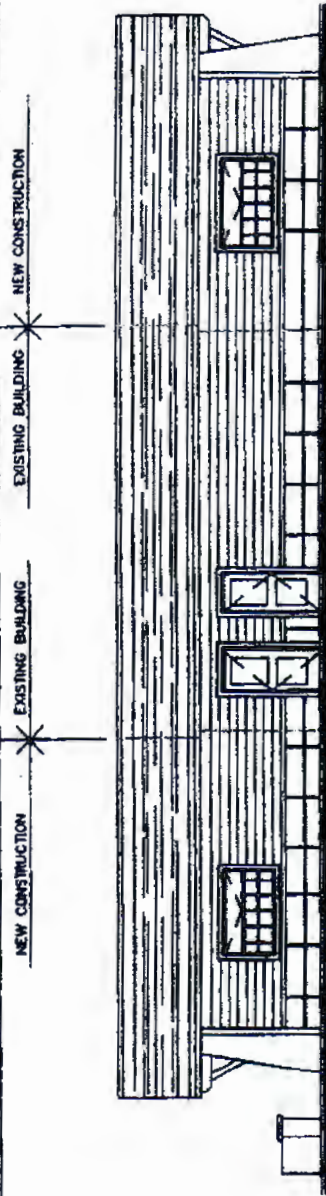
SHEET NO. A-1

REVISION	DATE

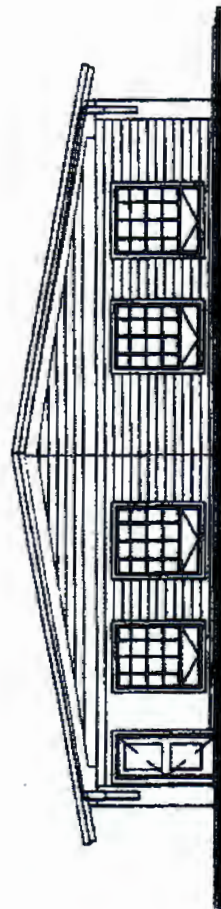
DRAWN BY: MTM
 CHECKED BY:
 APPROVED BY:
 DATE: SEPTEMBER 13, 2010

PURPOSED CONCEPTUAL FLOOR PLAN
 FOR TOLANI LAKE SENIOR CENTER ADDITION
 TOLANI LAKE, ARIZONA

SHEET No.
A-1

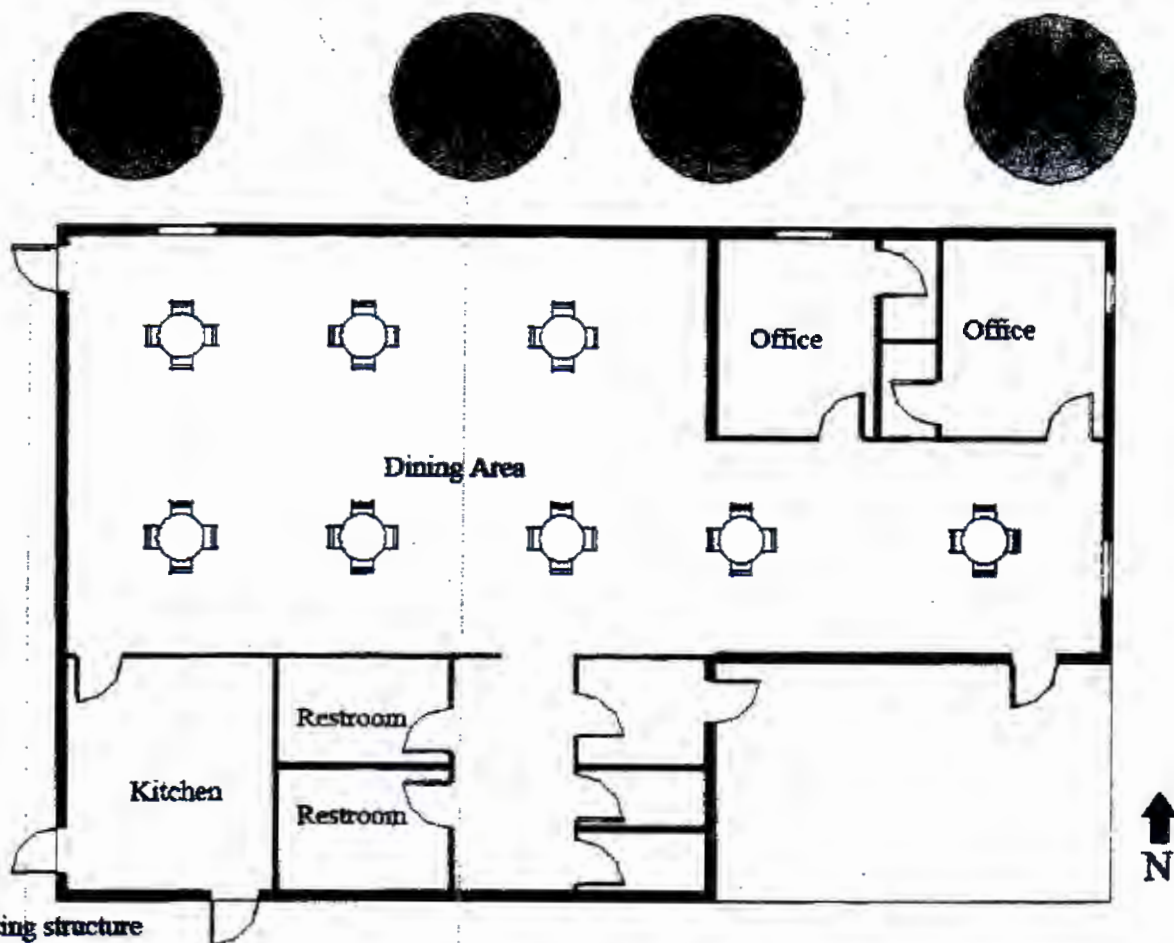


① EAST ELEVATION (FRONT)
Scale 1/8" = 1'-0"



② WEST ELEVATION (SIDE)
Scale 1/8" = 1'-0"

BUILDING EORIDGE
 EXISTING MAIN BUILDING 2,352 SQUARE FEET
 ADDITION BUILDING 1,232 SQUARE FEET
 3,584 SQUARE FEET



Existing structure



East Elevation



West Elevation



Proposal with a 20 foot extension on the north

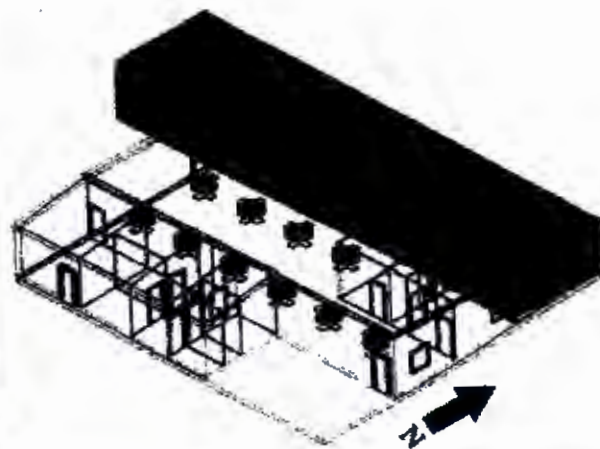


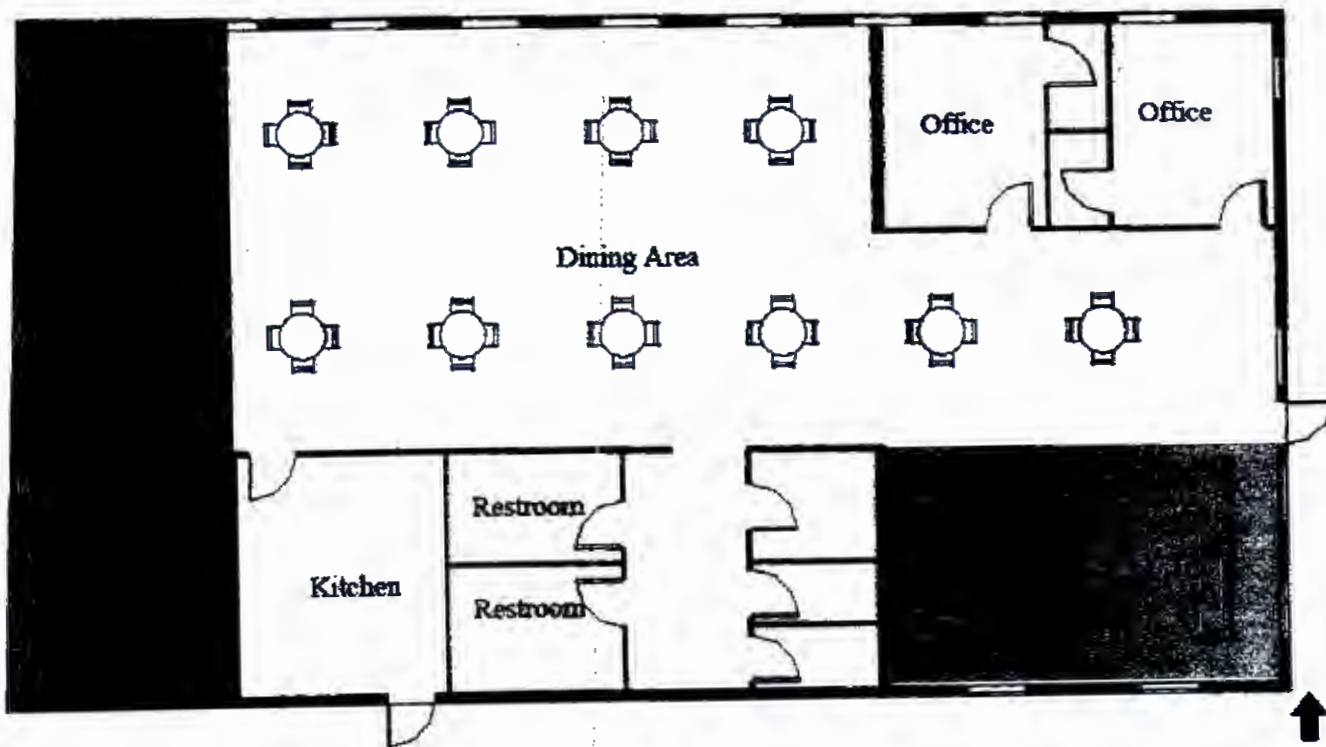
East Elevation



West Elevation

With a 20 ft. addition to the north, it provides additional dining and storage space, but eliminates the existing trees.





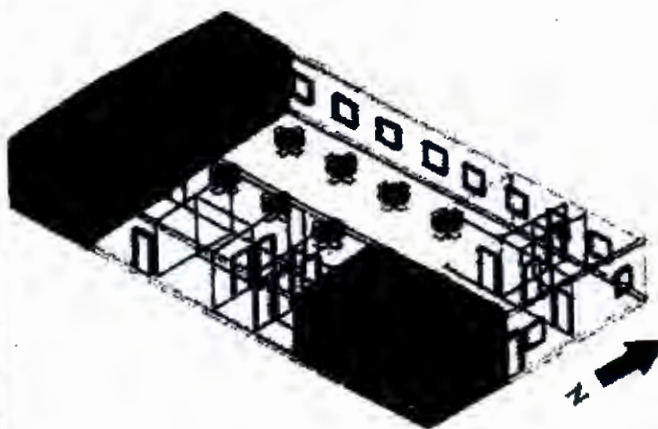
West Addition



East Addition

Proposal with additions to the east and west sides of the senior center, preserving the existing trees on the north side of the building.

More space is added to the west side of the building, providing more kitchen and storage space.



Using the existing concrete slab on the east side of the building, provides room for a social / lounge area that could potentially be used for additional dining space if necessary



THE NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT

PO Box 4950, Winslow Rock, Arizona 86515 Tel: (928) 871-7148 Fax: (928) 871-7886

CULTURAL RESOURCE INVENTORY DETERMINATION FORM

SPONSOR: Valerie Kelly, CSC		NNHPD NO: HPD-95-336
ADDRESS: Tolani Lake Chapter		PROJECT NO.: DCDI 95-014
HC 61-PMB 3001, Winslow, Arizona 86047		UNDERTAKING: Construction of Parking Lots
REPORT TITLE: A Cultural Resources Inventory of the Tolani Lake Chapter Tract and Senior Citizen Center		
Sewer Line, Coconino County, Arizona		
<p>NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT RECOMMENDATIONS:</p> <p>A Cultural Resources Compliance Form (CRCF) is not included in this "archaeological approval" due to the nature of sensitive cultural resources documented. This in no way affects any authority of the NNHPD-Cultural Resource Compliance Section to issue an "archaeological approval" for this undertaking. A cultural resource inventory survey <u>is not</u> required for the reason(s) indicated below:</p>		
<input checked="" type="radio"/>	<p>The proposed project is located within an area that has been previously inventoried for cultural resources and documented in the NNHPD report listed above. The previous archaeological inventory found that "No Historic Properties will be Affected" within the area of this undertaking. Archaeological approval is hereby granted for the undertaking within the area noted in attachment(s).</p> <p>Attachment A (Cultural Resources Compliance Form HPD-95-336)</p> <p>Attachment B (Location)</p> <p>Attachment C (Undertaking)</p> <p>A 15.01-acre area was inventoried for the Tolani Lake Chapter, which includes the Senior Citizen's Building and Headstart building. Tolani Lake is proposing to construct parking lots for the Chapter Building, The Senior Citizen Center and the Headstart. All of the ground disturbing activities are within the area surveyed.</p> <p>Note: Attach USGS map copy of project area & other supporting documents.</p>	
<input type="radio"/>	Previous ground disturbance within the last fifty (50) years has modified the surface so extensively that the likelihood of finding any cultural properties is negligible (e.g., within a flood plain).	
<input type="radio"/>	Undertaking will not require any surface disturbing activities (e.g. aerial spraying, hand application of chemicals, travel on existing roads, etc).	
<input type="radio"/>	Other:	
Reviewed by: Tamara Ball, Senior Archaeologist		DATE: March 21, 2011
NOTIFICATION TO PROCEED RECOMMENDED:		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<p><i>Tamara Ball</i></p> <p>Alan S. Downer, Navajo Nation Historic Preservation Department</p>		DATE: 03/21/2011
NAVAJO REGIONAL APPROVAL:		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<p><i>[Signature]</i></p> <p>Regional Director, Bureau of Indian Affairs</p>		DATE: APR 20 2011

DISCOVERY CLAUSE

In the event of a discovery (discovery means any previously unidentified or incorrectly identified cultural resources including, but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices), all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at 928.871.7148.

ATTACHMENT A

CULTURAL RESOURCES COMPLIANCE FORM
HISTORIC PRESERVATION DEPARTMENTPO BOX 4950
WINDOW ROCK, ARIZONA 86515*File
Postage
ed*

ROUTING: COPIES TO
AZ SHPO (Form Only)
ACHP
X REAL PROPERTY MGT/330
NNAD
X Capital Improvement Dept.

NNHPD NO. 95-336
OTHER PROJECT NO.
DCD1-95-014

PROJECT TITLE: A Cultural Resources Inventory of the Tolani Lake Chapter Tract and Senior Citizen Center Sewer Line, Coconino County, Arizona

LEAD AGENCY: BIA/NAO

SPONSOR: Capital Improvement Department, Navajo Nation Division of Community of Development, P.O. Box 1510, Window Rock, Arizona 86515

Tolani Lake Chapter, HC 61 P.O. Box 201, Winslow, Arizona 86047

PROJECT DESCRIPTION: Construction of a sewer line for a senior citizen center within the Tolani Chapter Tract - Tolani Lake, Coconino County, Arizona.

LAND STATUS: Tribal Trust

CHAPTER: Tolani Lake

LOCATION: TT24N, R14E, Unplatted Section, Coconino County, Arizona

PROJECT ARCHAEOLOGIST: Denise R. E. Copeland
NAVAJO ANTIQUITIES PERMIT NO.: NTC

DATE INSPECTED: 3/27/95

DATE OF REPORT: 5/17/95

TOTAL ACREAGE INSPECTED: 15.01 Acres

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 15 m apart.

LIST OF CULTURAL RESOURCES FOUND:
(9) In-Use Sites

HPD-95-336

Page 2

LIST OF ELIGIBLE PROPERTIES:

None

LIST OF NON-ELIGIBLE PROPERTIES:

(9) In-Use Sites

LIST OF ARCHAEOLOGICAL RESOURCES:

None

EFFECT/CONDITIONS OF COMPLIANCE:

No historic properties were located. Pursuant to 36 CFR 800.4(d), a copy of this form and the report have been provided to the SHPO notifying them that no historic properties were found.

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease and the Navajo Nation Historic Preservation Department must be notified at 520-871-7132.

FORM PREPARED BY: Iris Begaye
FINALIZED: 7/19/95

Notification to

Proceed Recommended:
Conditions:

Yes ☒ No ☐
Yes ☐ No ☒

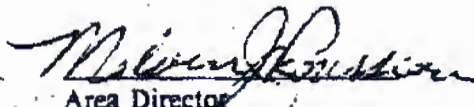

Alan Bowman
Navajo Nation Historic
Preservation Officer

Record Re-
quired

8/8/95
Date

Agency Approval:

Yes ☒ No ☐


Area Director

7/11/95
Date

ATTACHMENT B

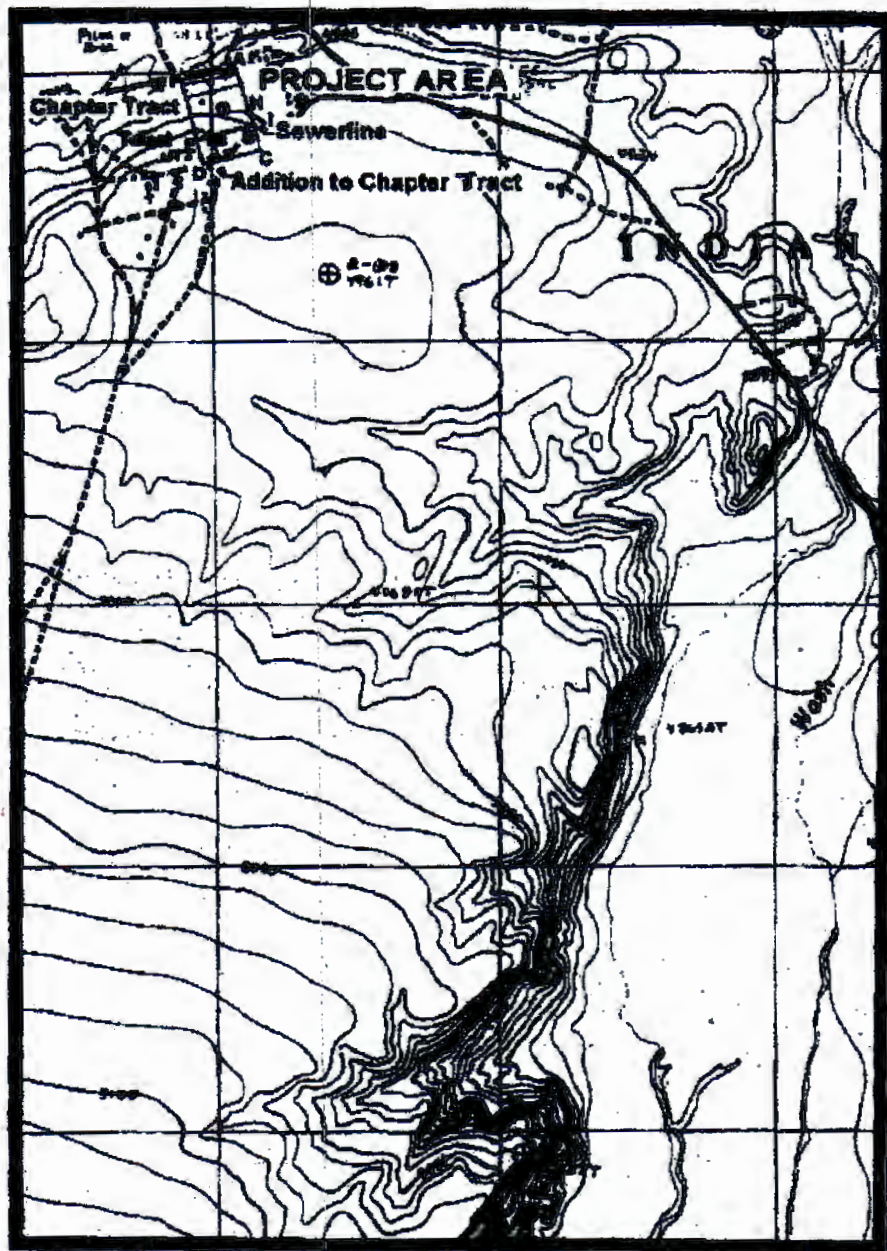


Figure 2: Specific Location of the Tolari Lake Chapter Tract and the Senior Citizen's Waterline. Map is Tolari Lake, Arizona 1986. Letters are UTM coordinate locations.

some kind of supernatural event power; and places that have a part in the life-cycle rituals of individuals (such as the spot where a newborn baby's umbilical cord is placed). Many of these sorts of places are features of the natural landscape, such as mountains, hills, rock outcrops, springs, and individual trees (NNHPD 1991a).

Site: The location of an event, belief, or activity, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historic, archaeological, or traditional cultural value regardless of the value of any existing structure. Note: does not include isolated historic trash dumps less than ten to twenty years old.

CULTURAL RESOURCE FINDINGS

Nine in-use areas (A-I) were identified during the cultural resource inventory. A brief description of the in-use areas are listed in Table 3. The cultural resource locations are shown in Figure 3.

IN-USE AREAS

Nine currently active areas were identified by this project. Notes were taken on the types of structures present and the known age of the areas. The dates of the areas were collected from Mr. Freddie Howard, April 20, 1995. This information is given in Table 3.

TABLE 3
In-Use Areas located in the Tolani Lake Chapter Tract

No./Building-Area	Date	Description
A/Chapter House	1957	A frame house (Blessed)
B/Hogan	1980	A log hogan and rock oven remains
C/Multi-purpose building	1988	A metal building
D/Preschool staff residence	1988	A frame building
E/Preschool	1984	A frame building (Blessed)
F/Senior Citizen building	1995	A modular building
G/Two warehouse buildings	mid 1980's	Two metal buildings
H/Wood & Coal Storage	mid 1980's	A enclosed fenced area
I/Picnic Area	mid 1980's	A shade and one long table

EVALUATION OF SIGNIFICANCE

None of the in-use resources (A-I) meet the 50 year guideline for inclusion into the National Register of Historic Places. No Historic Properties were located in project area.

DETERMINATION OF EFFECT

No historic properties are located within project area.

**TOLANI LAKE SENIOR CENTER
EXTENSION AND RENOVATION**

Amount of Funds Requested: \$1,000,000.00

FY-2014 CAPITAL IMPROVEMENT OFFICE

Submitted to:

**Capital Improvement Office
PO Box 1510
Window Rock, AZ 87416**

September 27, 2013

Submitted by:

**Valerie Kelly, Chapter Coordinator
Tolani Lake Chapter
HC-61 Box 3001
Winslow, AZ 86047**

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN FY 2015 - 2020

Tolani Lake

ICIP Capital Project Description

Project Title: Renovate the Senior Citizen Center Building
 Project Description: Plan, design, and renovate the Senior Citizen Center
 Statement of Need: Building is in dire need of replacement - the floor tiles are coming out. The roof is starting to sag, the kitchen cupboards are falling apart, and they need a storage to store their big pots and pans. OEH has cited the center.
 Location of Project: Chapter tract, Tolani Lake, Arizona
 Project Ranking: 2015 - 1 Subcode:
 Potential Future Funding Sources: AML, NN CIP General Funds

	Estimated Costs Not Yet Funded						TOTAL NOT YET FUNDED
	2015	2016	2017	2018	2019	2020	
Land	\$29,468	\$0	\$0	\$0	\$0	\$0	\$29,468
Planning / Pre-design	\$88,404	\$0	\$0	\$0	\$0	\$0	\$88,404
Architecture / Engineering	\$58,936	\$0	\$0	\$0	\$0	\$0	\$58,936
Construction	\$589,360	\$0	\$0	\$0	\$0	\$0	\$589,360
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL NOT FUNDED	\$766,168	\$0	\$0	\$0	\$0	\$0	\$766,168
Operating Revenues	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Oper/Maint	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Monday, March 03, 2014

Entity Code: 51109

NAVAJO CAPITAL IMPROVEMENT OFFICE

PROPOSAL COVER SHEET

Public Facility Projects

Applicant: Tolani Lake Chapter

Address: HC-61, Box 3001
Winslow AZ 86047

Contact Person: Valerie Kelly
Email Address: VKelly1966@gmail.com

Phone Number: 928-686-3265, 3285

Date: September 27, 2013

Project name and description: The Tolani Lake Senior Center Renovation will include a 20 feet extension to the north, an extension of 10 feet to the west; The bathroom doors will need to be widened for wheelchair accessibility; The bathroom sinks and tiles will need to be replaced; The roof and ceiling tiles need to be replaced; and the kitchen cabinets and tiles will need to be replaced.

Funding Source

Amount Requested

CIQ Fund Requested

\$1,000,000.00

Indian Health Services

☐ **Navajo Tribal Utility Authority**☐ **Other Federal Agency**

☐ **State**

☐ County

☐ **In-Kind match (Chapters)**

\$

***Navajo Nation AML**

\$

TOTAL

\$1,000,000.00

***List other Match Source individually; provide requested amount and status for each source:**

Funding Source
AML
Chapter

Amount

\$400,000.00

10,000.00

Status: Approved or Pending

Pending

Pending

INTRODUCTION

The Tolani Lake community is geographically situated in the southwestern part of Arizona, approximately 65 miles east of Flagstaff, Arizona. The Tolani Lake Senior Center is located along Indian Route 2, between Leupp and the Hopi Reservation. This highway is the main access road between Leupp and Kykotsmovi, AZ.

According to the 2000 census records, the Tolani Lake community's population is approximately two thousand (2000) residents. Approximately 20% of the population consists of elders. Due to lack of employment, many residents raise livestock and depend on the local townships, like Winslow and Flagstaff, to obtain temporary employment to purchase basic needs. There are limited employment opportunities available within the community. Employment programs include a federally funded pre-school, the Tolani Lake Sr. Center, the Tolani Lake Enterprises, and the Public Employment Programs with the chapter house. Due to lack of employment the people of Tolani Lake often seek employment in the neighboring towns, leaving the elders alone and vulnerable. This is where the Senior Center assists by accommodating the elders by serving a healthy breakfast and lunch. They encourage the elders to participate in arts and crafts projects to keep them occupied. They also encourage social interaction among the clients. However, often times they don't have the room to socialize.

ELIGIBILITY REQUIREMENT - IMPACTED BY PAST / PRESENT MINING

The impact reporting of past mining activities within the community as identified by AML is the open gravel pit located 1 ½ mile east of Tolani Lake chapter near the mesa - GPS location is Latitude: 35.25°10.40, Longitude: -11048°51.39" - (See Exhibit A). There has been no impact of significant nature by this open gravel pit other than the disturbance of the surface area and the loss of grazing area by the surface disturbance. The open gravel pit is not registered as a certified gravel pit because it did not meet the requirements for such certification. The local community has been using the gravel pit for gravel surfacing for local bus routes and for roads by private home owners. BIA and NDOT revert to the gravel pit in emergency situations when inclement weather sets in and roads are destroyed.

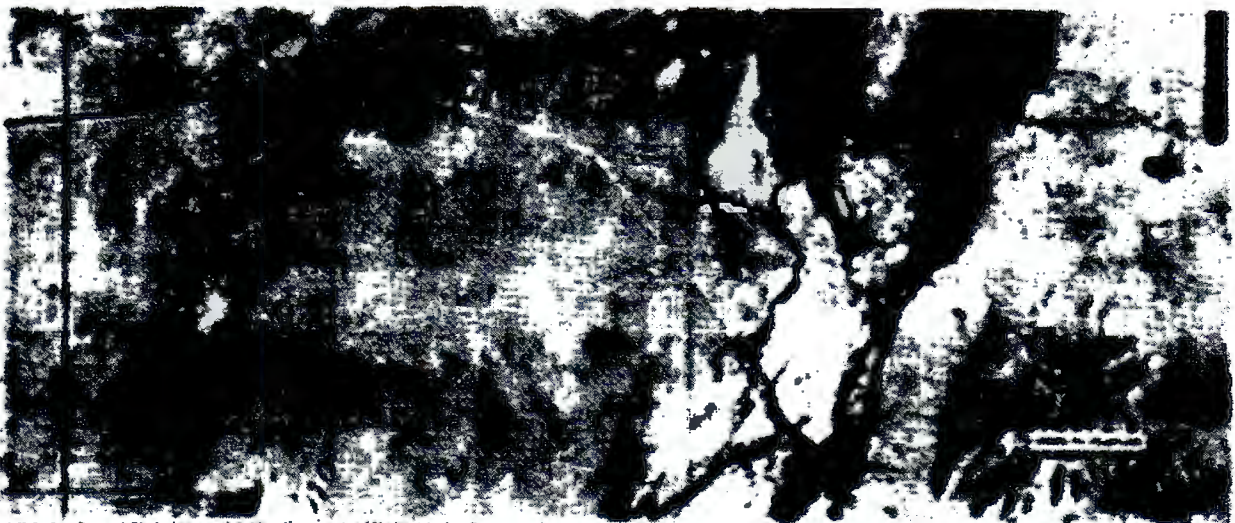


Exhibit A - Gravel Pit is located 1 ½ miles east of Tolani Lake Community

According to the Senator George J. Mitchell Center, University of Maine, "the effect of sand and gravel mining is the loss of the protection provided by soil as it filters out pollutants. Removing the highly concentrated organic layer of soil found on the surface of sand and gravel deposits decreases the soil's ability to bind up substances and thus clean water as it passes through its pores. This loss develops new avenues for contamination to enter groundwater."

GOVERNMENT OFFICES

The Tolani Lake community has various governmental offices serving the local residents - Navajo Nation Chapter House, Tolani Lake Senior Citizen Center, Tolani Lake Enterprises, and the Navajo Nation Pre-school. These facilities provide employment to local residents. Home Care Solutions, who cater to the elders and handicap, also provide employment to the community. The local chapter is operated by the chapter administration with the three officials serving as an oversight. The Senior Center is located on the chapter tract and within the boundaries of the Tolani Lake Chapter.

PROJECT PLAN

The Tolani Lake Chapter is collaborating with the Tolani Senior Center and the CLUPC members, to plan on extending the senior center 20 feet north to accommodate more elders and 5 feet west to provide a storage area for pots and pans, furniture, and maintenance tools. The center is in dire need of renovation. The kitchen will need new cup boards. The current ones are worn and torn from use over the years. The bathroom doors are too narrow and will need to be widened to accommodate wheel chair bound elders. The ceiling tiles will need to be replaced as they are "sagging" from wear and tear and from inclement weather over the years.

The overall assessment of the Senior Center is poor to fair. This is not good enough for the welfare of our senior citizens who enter the building. The current occupancy limit is to accommodate 60 elders but according to the elders and the employees, the center holds about half that amount. The current dimension of the facility is 52' x 52' x 32' x 28'.

According to the project plan, the 20 feet extension to the north will create additional dining and storage space and more room for the holiday celebrations and provide more space for tables for their arts and crafts. The extension to the west of the building will be for storage, as the center needs more space for their big pots and pans used for cooking, their gardening tools and supplies, their maintenance tools, and furniture. They will be out of compliance with the department of health should they try to store these in the current building - (See Exhibit B).

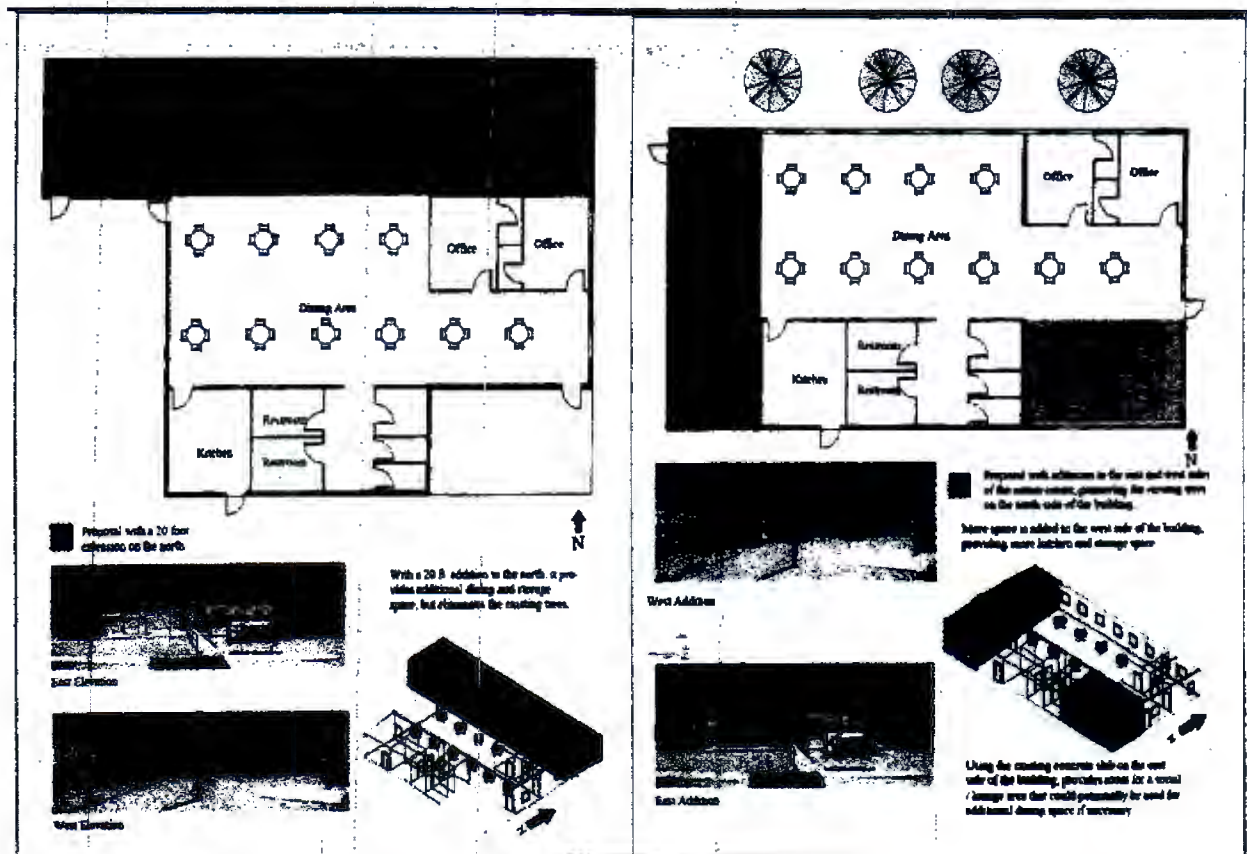


Exhibit B - Rendering of 20' addition to the north

Rendering of addition to the East and West

SCOPE OF WORK

The scope of work will entail a 20 feet extension of to the north of the Senior citizen center and a 44 feet extension to northeast corner of the current building. It will also entail and upgrade of the current plumbing, the HVAC system, windows, and will have handicap access doors to the front and bathroom entrances.

According to the drawings and specifications prepared by Navajo Design and Engineering Services, described in general as: Renovate both the west and east exterior facades, Expand the electrical room / mechanical room and consolidate all IT requirements/ telecommunication area, upgrade both Men and Women public restroom and shower room - ADA compliant, renovate offices into more department office areas, develop new drop points / bus turn around / fire department trucks, provide additional storage spaces where possible, upgrade fire suppression system and fire alarm systems, upgrade HVAC systems, replace evaporative cooler, minor site preparation of ADA parking areas, upgrade grease trap, upgrade electrical meters, upgrade water meters, install new office cubical area / storage, Navajo Nation to select furniture outlet & partition manufacturer contract to coordinate for floor plan layout electrical outlets, at various locations, renovate to address all of OEH comments and violations.

GOALS / OBJECTIVES

Upon completion of the proposed extension and renovation of the Senior Center, many elders will enjoy a higher standard of care and health improvement, and the space to socialize with other people.

PROJECT SCHEDULE / PLAN OF ACTION

The projected schedule to begin the extension of the Senior Center is August 2014 and completed by February 2015. While construction is underway, we can accommodate the seniors at the old school located behind the Center. The Tolani Lake Chapter Officials and Administration will oversee the project, making periodic reports to the AML Office. The work force development program, partnered with the public employment program (PEP) offered through the local chapter, will provide laborers to assist in completing the project. The Senior Center maintenance technician can assist in the clean-up.

PROBLEM STATEMENT

The Tolani Lake Chapter is respectfully requesting the funding in the amount of 400,000.00 from the Abandoned Mine Lands to extend the Senior Center north and west of the current building, and renovate the kitchen, the bathroom, and repair and replace the roof and ceiling tiles. Current clients depend on the Senior Center for their breakfast, lunch, and for social interaction. The extension and renovation of the center will not just provide more space but greatly increase the safety, the welfare, and instill higher morale of the elders.

Maintenance

The maintenance of the building will be the sole responsibility of the Tolani Lake Senior.

To: Tolani Lake Chapter staff and Officials

From: Alice Patrick, Secretary
Senior Council
WNA/ Tolani Lake

RE: Renovation of the Sr. Center

At a duly called Senior Advisory Council Meeting on June 7, 2011, the Council requested the Tolani Lake Senior Center undergo some needed renovations and extension, to accommodate more elders.

Due to the inclement weathers throughout the years, our building is deteriorating and we humbly request for a major renovation and extension of the building. The inside and outside of the building is damaged, the kitchen cupboards are damaged and will need to be replaced, and the fans and vents are not very effective anymore. Both bathrooms also need to be worked on, as it's difficult for a wheelchair to squeeze through. The current Sr. Center states it is to occupy 60 people, but we get more than the occupancy limit when we sponsor various events.

The council decided it would be best to renovate and extend the current Sr. Center instead of erecting a new building. We feel building a new center will take too long.

We appreciate your consideration and assistance in this matter.

Senior Advisory Council Members,

President – John T. Yazzie
Vice President – *Oliver Keyonnie*
Secretary – Alice Patrick
Member – Oscar Doctor

TOLANI LAKE CHAPTER * HC-61 PMB 3001 * WINSLOW, ARIZONA 86047
MINUTES

June 12, 2001

- H. Meeting call to order @ 12:25 pm (DST) by Anna Begay with a quorum of (26). While chapter president is on his way;
I. Invocation given by
Review and Accepting of Agenda by: Anna Begay, Agenda was reviewed step by step in order; explain the purpose of all resolutions and its process;
Resolution requests are:

- o Alice Patrick - was at the planning meeting and request for monies for senior center building; resolution was
- o [REDACTED] during the district meeting last week; request for supporting resolution for horse round up for June, 2011 and to request supporting resolution to grade the Nez family road; and both resolutions were added;
- o [REDACTED] - requesting to add supporting resolution for the Smoking band supported by the NN president Ben Shelly; we don't support it because it will affect the new Twin Arrows Casino to do non-smoking and smoking area within the Casino to avoid losing revenues; so the community wants to add the resolution;
- o [REDACTED] - still wants to change policy for chapter scholarship to assist the students to receive assist year round; not once a year; other chapters are already doing the year round assistant;

MOTION BY: Alice Patrick
MOTION CARRIES

2ND BY: Evelyn Begay VOTE: 37 OPPOSED: 0 ABSTENTION: 2

Review and Approval of minutes from last Chapter Meeting. DATE by [REDACTED]
Correction on the Agenda:

[REDACTED] said to correct the Resolution on Leslie being the Alternate road committee; [REDACTED] is now a permanent road committee for District V area;

MOTION BY: [REDACTED]
MOTION CARRIES

2ND BY: [REDACTED] VOTE: 33 OPPOSED: 0 ABSTENTION: 1

Financial Reports

[REDACTED] is that Veteran meeting is every 2nd Thursday of each month;

MOTION BY: [REDACTED]
MOTION CARRIES

2ND BY: [REDACTED] VOTE: 33 OPPOSED: 0 ABSTENTION: 1

- J. Introduction of Guests: [REDACTED] report the update on the Coconino projects;

K. [REDACTED]:

- o Welcome address speak Navajo language and interprets
- o Issues that affect us in Western Agency;
- o Chapter meeting and district meeting schedules are in order now;
- o After this meeting I will be going to Albuquerque for meeting tomorrow; and the rest of the week; agenda is workmen's compensation; Tuesday we have committee meeting with the councils;
- o BIA reauthorization coming up; several schools in the list we need to finish it this month;
- o Wednesday and Thursday June 15 & 16 NHA meeting to benefit housing needs and funds; our people need housing; I receive numerous calls requesting for renovations and new homes;
- o We don't have western agency representative to attend NHA meeting
- o Thursday, will meet with congressman Gozar; part of discussion is antelope point which started since 1970 with BIA and National Park Service; co-operative agreement between marina and power plant; national park service suppose to reimburse the NN;
- o June 17, 18, 19 - 638 association meeting in Scottsdale to discuss IHS issues;
- o Last Tuesday; met with Water rights settlement; chairmen and council delegates with other tribal members were in attendance; main discussion is Low little Colorado water rights which was supported by the former 88 council delegates; currently Senator Kyle rejected it due to cost being too high; and now direct another direction;
- o The Page through Hopi nation water development has been taken off the plans;
- o The only discussion now is the issue with the Little Colorado River; cost is now 399 million; Hopi Nation
- o Listening session covered the entire Arizona; "Water Rights Settlement" included various tribes;

TOLANI LAKE CHAPTER * HC-61 PMB 3001 * WINSLOW, ARIZONA 86047

Requested by
MOTION BY: [REDACTED] 2ND BY: [REDACTED] VOTE: 27 OPPOSED: 0 ABSTENTION: 1
MOTION CARRIES

5. [REDACTED]
Requested by
MOTION BY: [REDACTED] 2ND BY: [REDACTED] VOTE: 27 OPPOSED: 0 ABSTENTION: 1
MOTION CARRIES

6. [REDACTED]
Requested by
MOTION BY: [REDACTED] 2ND BY: [REDACTED] VOTE: 25 OPPOSED: 0 ABSTENTION: 1
MOTION CARRIES

7. [REDACTED]
Requested by
MOTION BY: [REDACTED] 2ND BY: [REDACTED] VOTE: 27 OPPOSED: 0 ABSTENTION: 1
MOTION CARRIES

8. RESOLUTION REQUESTING THE NAVAJO NATION TO ADD AND RENOVATE TOLANI LAKE SENIOR CENTER
MOTION BY: [REDACTED] 2ND BY: Louie McCabe VOTE: 26 OPPOSED: 0 ABSTENTION: 1
MOTION CARRIES

9. [REDACTED]
MOTION BY: [REDACTED] 2ND BY: [REDACTED] VOTE: 24 OPPOSED: 0 ABSTENTION: 1
MOTION CARRIES

10. [REDACTED]
MOTION BY: [REDACTED] 2ND BY: [REDACTED] VOTE: 26 OPPOSED: 0 ABSTENTION: 1
MOTION CARRIES

11. [REDACTED]
Requested by Chapter Officials
MOTION BY: [REDACTED] 2ND BY: [REDACTED] VOTE: 20 OPPOSED: 0 ABSTENTION: 3
MOTION CARRIES;

REPORTS:

- g) Chapter Officials:
 - o [REDACTED] reports: shared District V meeting agenda and information;
 - o NHA service mismanagement of funds; CF, local chapter officials formed resolution to support
- h) CSC/OS:
- i) Grazing Official:
 - o Branding starts June 21, 2011 encourages community to have their livestock ready;
 - o Tempe trip was for Soil and Water Conservation; entire tribal members gathered for 2016 farm bill funding; Department of Interior person attend and gave information to further farm bill discussion;
 - o Navajo tribe funds
 - o Branding schedule attached to minutes
 - o Newberry water project currently releasing water into the tanks
- j) Committee/Board Members:
 - o [REDACTED] LSI board member - school is out now; only the summer program is in operation
- k) ECC - Flagstaff
- l) [REDACTED] RBDO - absent

OTHERS

1. none at this time

Thursday, May 2, 2013

1. Meeting call to order
2. Invocation
3. Approval of Agenda
4. Approval of Minutes
5. Introduction of guest
6. Reports: (5 minutes)
 1. Financial reports
 2. Council Delegates
 3. Chapter Officials
 4. Community Service Coordinator
 5. Grazing Official
 6. Boards/Committee
 7. WIHCC Presentation
 8. Others
7. Old Businesses:
 - a. None at this time
8. New Businesses:
 1. Resolutions

TL-05-1a-13 Sponsored by:
Requesting AML to extend & Renovate the Tolani Lake Senior Citizen Center
For \$589,360 (Pending amount)

TL-05-1b-13 Sponsored by:
Supporting the MOU between NDOT and Tolani Lake Chapter to allow for
Chapter Road Maintenance.

TL-05-1c-13 Sponsored by:
Supporting to preserve the Winslow Indian Health care, Inc authority to
compact under NNC Resolution CJY-33-10; maintain oversight authority of the
NNC HEHS Committee over WHICC & Supporting local governance if WHICC.

TL-05-1d-13 Sponsored by: Margaret Thompson
Request for Financial Assistance for Logan Yazzie Educational Enrichment trip
To Hawaii for \$300.00

TL-05-1e-13 Sponsored by:
Supporting & Requesting the NNC RDC the BIA, NDOT, to add N-71 to the 5-
year TTIP plan.

TL-05-1f-13 Sponsored by:
Requesting to NN Dept of Public Safety to provide 2 Police Officers to be
Stationed in District 5.

TL-05-1g-13 Sponsored by:
Requesting the NN Budget & Finance committee and the NN Council for full

Velma Huskey
President

Alfred Thomas
Vice President

Rena Edwards
Secretary Treasurer

HC-61 Box 3001
Winslow, AZ 85047

Phone: (928) 686-3285
Fax: (928) 686-3287

Walter Phelps
Council Delegate

Leslie Williams
Grazing Official

RECEIVED
JUN 14 2013



LGSC / Western Navajo Agency

To: The Honorable Katherine Benally, Chairperson
Resources and Development Committee
The Navajo Nation Council

From: Velma Huskey, President
Tolani Lake Chapter

Date: June 11, 2013

Subject: Capital Improvement Project (CIP) Proposal

Attached please find Tolani Lake Chapter's Capital Improvement Project (CIP) proposal for the amount of \$1,000,001 for renovation of its Senior Citizen Center. The Tolani Lake Chapter Senior Citizen Center was built on or about 1991 and is approximately 22 years old. The Senior Citizen Center is in dire need of repairs to the kitchen fixtures, floors, bathrooms, showers, including the building needs to be handicapped assessable. The ceiling tiles are also in need of replacement as water has seeped into the tiles from worn roof shingles. An extension to the building is also needed to avoid overcrowding including a room for storage space for maintenance tools.

The Senior Citizen Senior is construction (shovel) ready as most required clearances don't have to be done again such as Archaeological Clearances, EA Clearances, Right of Way, etc.

Resolution TL-07-08-11 dated June 12, 2011 is also attached passed by the Tolani Lake Chapter. As you can see the Tolani Lake Chapter has been seeking funds since June 2011 to get the building renovated to meet all required building codes and standards.

Your positive consideration and approval of Tolani Lake Chapter's CIP proposal in the amount of \$1,000,001 will be greatly appreciated.

If there are any questions, please do not hesitate to call our Chapter Office at 928-686-3285.

Sincerely,


Velma Huskey, President
Tolani Lake Chapter

ACAP-48-74

Class "B" Resolution
Area Approval Required.

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Amending Resolution ACN-494-73 to Change the Use
of the Land Withdrawn for the Development of a
Navajo Senior Citizens Community to the
Development of the Same Land as Homesites
for Chapter Members of the
Tolani Lake Area

WHEREAS:

1. The resolution dated June 24, 1973 by Tolani Lake Chapter requested the withdrawal of twenty (20) acres of land to be used for the development of a Navajo Senior Citizens Community for Tolani Lake, and
2. The resolution dated 19 November 1973 by Tolani Lake Chapter requested that the use of the withdrawn land be changed and that said land be used as a development of homesites for chapter members of Tolani Lake, and
3. Field clearances have been conducted by the Office of Navajo Land Administration with favorable results and consents of the surface users have been obtained.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Advisory Committee resolution enacted on 19 November 1973 which provided for the withdrawal of the land on Exhibit "A" attached hereto, to be used for development of a Navajo Senior Citizens Community is hereby amended as follows:
2. The land description in Exhibit "A", attached hereto, is hereby withdrawn for the development of homesites for chapter members of Tolani Lake.
3. The Office of Navajo Land Administration is authorized to continue a land survey of described land, attached hereto.
4. The Office of Program Development of the Navajo Tribe is hereby instructed to work with the Tolani Lake Chapter to design a proposed development.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 10 in favor and 1 opposed, this 17th day of April, 1974.

Wilson C. Skett

Vice Chairman
Navajo Tribal Council

EXHIBIT "A"

PHYSICAL DESCRIPTION

"That parcel of land located at Tolani Lake, Arizona, bounded on the west by Pentecostal Church tract and bounded on the north by Tolani Lake Trading Post tract and the Chapter House tract and approximately 750 feet south and approximately 1200 feet due east and within Coconino County, State of Arizona, comprising of 20 acres more or less, subject to survey by a Registered Land Surveyor."



IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS
Navajo Area Office
Window Rock, Arizona 86515

MAR 28 1974

Mr. Peter MacDonald

Chairman, Navajo Tribal Council

Dear Mr. MacDonald:

We enclose a copy of Resolution No. ACN-494-73 of the Advisory Committee of the Navajo Tribal Council, entitled "Authorizing the Withdrawal of Navajo Tribal Lands for Development of a Navajo Senior Citizen Community at Tolani Lake, Navajo Nation (Arizona)."

This resolution authorizes withdrawal of twenty (20) acres, more or less, of Navajo Tribal land for a Senior Citizen Community at Tolani Lake, Arizona and provides that the Office of Land Administration will conduct a land survey for legal land description. The resolution further instructs the Office of Program Development to draft the proposed development plans for the site and submit such draft to the Advisory Committee for final approval of same.

With the understanding that the survey of the land is made by a licensed surveyor and copy of the legal description and survey map are furnished the Area Real Property Management Branch, the resolution is hereby approved under authority delegated to the Area Director by Commissioner's Redelegation Order 10 BIA M 3.1.

Sincerely yours,

Alfred B. Cunningham
Acting Area Director
RECEIVED
APR 9 1974
NAVAJO LAND ADMINISTRATION

DISTRIBUTION

xc:

xx Exec. Asst. to the Chairman
Affected DIV., DEPT., PROG., etc.
xx Controller's Ofc. (Eldon Hansen)
xx Land Administration (R. Scrivner)
xx Program Development (F. Hanagarne)
xx Wilbur Atcitty, Chrmn's Ofc.

Orig. Chrmn's Ofc. 4/8/apb

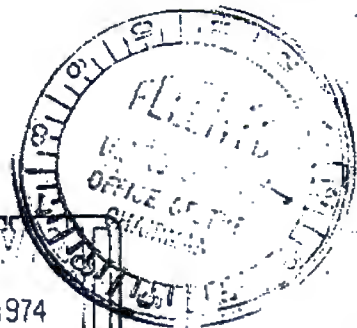
(Date)

apb

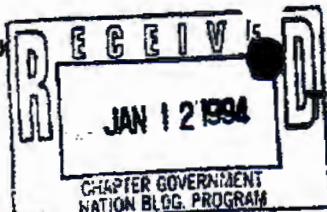
(Initials)

APR 12 1974

NAVAJO LAND ADMINISTRATION



Keith Begay
President



Freddie Howard
Council Delegate

TOLANI LAKE CHAPTER

HC-61 Star Route
Winslow, AZ 86047
(602) 886-6286

Joe H. Yazzie
Vice President



Anna M. Begay
Secretary-Treasurer

RESOLUTION OF THE TOLANI LAKE CHAPTER TL12-01-93

Authorizing the Senior Citizen Center Facility To Be Constructed on the Tolani Lake Chapter's Administration Area, and Rescinding All Previous Land Withdrawals for Such Purposes

WHEREAS:

1. The Tolani Lake Chapter is a certified chapter of the Navajo Nation, authorized and empowered to provide and improve services of general benefits to its community citizens; and
2. The Tolani Lake Senior Citizen Center Addition Project is now entering Construction Contract phase, whereby the project site needs to be made available immediately; and
3. Although numerous project sites have over the years been identified and lands withdrawn therefore, upon which to establish the Tolani Lake Senior Citizen Center, none of the sites have certified and legal documentations to this date; and
4. Currently, there is space available within the Tolani Lake Administration area where the Senior Citizen Center would be suitably located, as illustrated in the attached map.

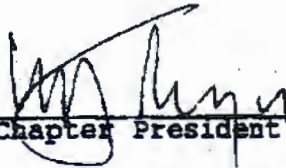
NOW THEREFORE BE IT RESOLVED:


1. The Tolani Lake Chapter is authorizing the Senior Center Facility to be constructed on the Tolani Lake Administration area and rescinds all previous land withdrawals.

C E R T I F I C A T I O N

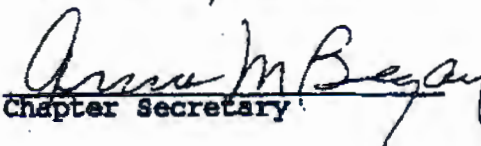
We hereby certify that the foregoing resolution was fully considered at a duly called meeting at the Tolani Lake Chapter at which a quorum was present, and that the same was passed by a vote of 49 in favor, 0 opposed,

0 abstaining, this 19 day of December 1993.


Chapter President


Chapter Vice-President


Council Delegate


Chapter Secretary

RESOURCES AND DEVELOPMENT COMMITTEE
OF THE 23rd NAVAJO NATION COUNCIL

SECOND YEAR 2016

COMMITTEE REPORT

Mr. Speaker,

The RESOURCES AND DEVELOPMENT COMMITTEE to whom has been assigned

Legislation # 0019-16: An Action Relating to Resources and Development, Budget and Finance and Naabik'Iyati Committees and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance In the Amount of \$500,000.00 for the Tolani Lake Senior Center Project; Waiving 12 N.N.C \$820(I) and 860(C) Relating to the Capital Improvement Process Sponsor: Honorable Walter Phelps

Has had it under consideration and respectfully referred to Budget and Finance Committee for their consideration.

Respectfully submitted,



Benjamin Bennett, Vice-Chairperson
Resources and Development Committee of
the 23rd Navajo Nation Council

Date: January 19, 2016
Motion: Leonard Pete
Second: Davis Filfred
Vote: 4-0-1 (CNV)

23rd NAVAJO NATION COUNCIL

Second Year 2016

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

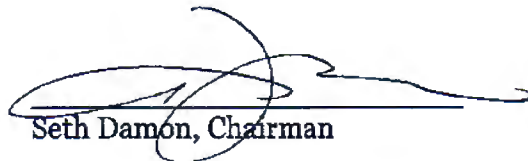
NAVAJO LEGISLATIVE BILL # 0019-16:

An Action Relating to Resources and Development, Budget and Finance and Naabikiyati Committees and Navajo Nation Council; Approving Supplemental Fund from the Unreserved, Undesignated Fund Balance in the Amount of \$500,000 for the Tolani Lake Senior Center Project; Waiving 12 N.N.C. §§820(I) and (C) relating to the Capital Improvement Process *Sponsored by Walter Phelps, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,


Seth Damon, Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

20 January 2016

The vote was **3** in favor **0** opposed
Excused: Tom T. Chee, Dwight Witherspoon

23rd NAVAJO NATION COUNCIL
Naabik'iyáti' Committee
Second Year 2016

Mr. Speaker:

The Naabik'iyáti' Committee to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0019-16

An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'iyáti' Committee and the Navajo Nation Council; Approving Supplemental Funding From the Unreserved, Undesignated Fund Balance in the Amount of \$500,000.00 for the Tolani Lake Senior Citizen Center Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process

Sponsored by: Honorable Walter Phelps

Has had it under consideration and reports the same with the recommendation that it was
PASSED WITH TWO AMENDMENTS

And therefore, referred to the **NAVAJO NATION COUNCIL**

Respectfully Submitted,



Honorable LoRenzo C. Bates, Chairman
Naabik'iyáti' Committee

11 FEBRUARY 2016

MAIN MOTION:

Motioned: Honorable Alton Shepherd
Seconded: Honorable Kee Allen Begay

VOTE: 10 In Favor and 3 Opposed (Chairman Bates not voting)

AMENDMENT #1:

Page 1; Line 15-16; Delete: ~~WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS~~

Delete Sections F: Page 2, Lines 20-29; Page 3, Lines 1-30; and Page 4, Lines 1-2.

Delete Section G: Page 4, Lines 3-5

Delete Section H: Page 4, Lines 6-8

Delete Section J: Page 4, Lines 16-18

Delete SECTION 2: Page 4, Lines 22-26

Motioned: Honorable Kee Allen Begay

Seconded: Honorable Davis Filfred

Vote: 13 in Favor and 0 Opposed (Chairman Bates not voting.)

AMENDMENT #2:

Insert corrected Capital Budget forms changing the dollar amount from \$500,000 to \$1,000,000; amend language in the body of the legislation to reflect the increased budget amount.

\$500,000 and insert \$1,000,000 as follows:

Page 1, Line 14 \$500,000 and insert \$1,000,000

Page 4, Line 30 \$500,000 and insert \$1,000,000

Page 5, Line 4 \$500,000 and insert \$1,000,000

Page 5, Line 6 \$2,000,000 and insert \$1,000,000

Motioned: Honorable Ben Bennett

Seconded: Honorable Davis Filfred

Vote: 10 in Favor and 3 Opposed (Chairman Bates not voting.)

**THE NAVAJO NATION
CAPITAL PROJECT BUDGET SUMMARY**

CP BUDGET FORM
Page of

PART I. Business Unit No.: New Project Title: Tolani Lake Senior Center - Renovation
Division/Branch: Community Development Chapter: Tolani Lake Agency: Western
Prepared By: Walter Phelps, Council Delegate Phone No.: 505/906-1721

PART II. Check one: X Original Revision Reallocation Modification

Project Funds	Appropriation End Date	Amount	% of Total
General Funds (UUF8)	FY 2016 -2017	1,000,000.00	100%
TOTAL:		1,000,000.00	

PART III. Capital Outlay	Amount
9010 Land & Improvements	
9020 Infrastructure	
9050 Building	500,000.00
9070 CAP-Pro. Tech. Services	500,000.00
9110 Furniture & Fixtures	
9140 Equipment	
9160 Vehicles	
9180 Intangible Assets	
9190 Other Assets	
9510 Cash Matching Funds	
TOTAL	1,000,000.00

PART IV. Project Information

Project Type: Renovation
Planned Start Date: 04/01/2016
Planned End Date: 09/30/2017
Budget Start Fiscal Year: FY 2016
Budget End Fiscal Year: FY 2017

FOR OMB USE ONLY

Resolution No.:
FMIS Set Up Date:
Company No.:
OMB Analyst:

PART V. ACKNOWLEDGEMENT:

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

 2/2/16
SUBMITTED BY: Sponsor's Signature / Date


VERIFIED BY: Lead Agent's Signature / Date

CP BUDGET FORM 2
PAGE ____ OF ____

PART I. Business Unit No.: <u>New</u>		Project Title: <u>Tolani Lake Senior Center Renovation</u>																													
Project Description: <u>Tolani Lake Sr. Center Renovation</u>																															
PART II.		PART III. Use Fiscal Year (FY) quarters. Fill in the FY below.																													
Task List (List tasks such as Plan, Design, Construct, Equip or Furnish)		FY _____			FY _____			FY 2016			FY 2016			FY 2017			FY 2017			FY 2017			FY 2017			Expected Completion Date if exceeds 8 Qtrs					
		1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date: Sept. 30, 2017					
		O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
1 Advertisement/secure A/E firm																															
2 Asbestos/Mold Remediation																															
3 Design (A/E)																															
4 Building Construction																															
5 Construction Close Out																															

CP BUDGET FORM
Page 1 of 1

PART I					
Business Unit No.: <u>New</u>					
Project Title: <u>Tolani Lake Sr. Center - Renovation</u>					
PART II					
(A)	(B)	(C)	(D)	(E)	
Fund Source Code	Agency Code	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL	
1	6	9050	Building 9054 Building Improvement	500,000	
1	6	9070	Technical Services 9074 Arch/Design Justification: Tolani Lake Chapter has an unmet mandate for design and engineering of a new senior center. Renovation will include: meeting rooms, kitchen, dining room, concession area, community room, craft area office space for staff, storage area, utility area, restrooms and activity room. The Sr. Center will be utilized for the Senior Citizens for a place to socialize, activities to remain in healthy fit, and to eat healthy food and educational purpose.	500,000	
PAGE TOTAL:				\$1,000,000	

NAVAJO NATION

RCS# 296

Naa'bik'iyati Committee

2/11/2016

02:39:38 PM

Amd#2 to Amd#

Insert new exhibit - budget

and language 1,000,000.00

PASSED

MOT Bennett

SEC Filfred

Yea : 10

Nay : 3

Not Voting : 11

Yea : 10

Begay, K
Begay, NM
Bennett

Chee
Daniels
Filfred

Phelps
Shepherd

Slim
Yazzie

Nay : 3

Witherspoon

Hale

BeGaye, N

Not Voting : 11

Bates
Begay, M
Brown

Crotty
Damon
Jack

Perry
Pete
Smith

Tso
Tsosie

NAVAJO NATION

RCS# 297

Naa'bik'iyati Committee

2/11/2016
02:41:00 PM

Amd# to Amd#

Legislation No. 0019-16

PASSED

MOT-Shepherd

Approving Supp Funding from

SEC Begay, K

UUFB \$500,000 Tolani Lake

Sr. Center

Yea : 10

Nay : 3

Not Voting : 11

Yea : 10

Begay, K

Chee

Phelps

Slim

Begay, NM

Daniels

Shepherd

Yazzie

Bennett

Filfred

Nay : 3

Witherspoon

Hale

BeGaye, N

Not Voting : 11

Bates

Crotty

Perry

Tso

Begay, M

Damon

Pete

Tsosie

Brown

Jack

Smith

NAVAJO NATION

RCS# 386

Special Session

3/23/2016

04:24:04 PM

Amd# to Amd#

Legislation No. 0015-16

PASSED

MOT: Sim

Approving Supp Funding from UUPB

SEC: Pete

\$500,000.00 for Tolani Lake St

Citizen Center Project

Yes : 15

May : 0

Not Voting : 7

Yes : 15

Begay NM

Damon

Perry

Smith

BeGaye N

Danena

Pete

Tsosa

Bennett

Filfred

Phelps

Yazzie

Crotty

Jack

Sim

May : 0

Not Voting : 7

Bates

Brown

Hale

Tao

Begay K

Chee

Shepherd

Witherspoon

Begay M



ENGROSSING INTERNAL REVIEW FORM
TRACKING #: 0019-16
CMA-16-16

The purpose of this form is to ensure that legislation adopted by the Naabik'iyáti' Committee and Navajo Nation Council resolutions requiring Speaker's certification is thoroughly reviewed internally by engrossing staff, OLS Policy Analyst, Office of Legislative Counsel, OLS Director and Speaker's Staff.

The signature below indicates the reviewing staff for the purpose of final signature by the Speaker of the Navajo Nation Council.

Maylene James
OLS Engrossing Staff

3/25/14
Date

Latanya Burbank, Policy Analyst

Angelita Benally
Angelita Benally, Advisor

Date

No Vote Tally Sheets or Council Amendment, if any, were attached to reference.
2 Formatting corrections

2-28-16
Date

Manual Rico, Jr.

Office of Legislative Counsel Staff

OLS Director

Speaker's Staff

2/21/2016
Date

3-31-14
Date

4/1/2016
Date

4/1/14
Date

Schedule for Spring Council Session April 18th to 14th

Monday April 18th	Tuesday April 19th	Wednesday April 20th	Thursday April 21st
10 a.m. – Posting of the Colors by Chinle Agency Veterans Group led by Thomas Gorman	9:30 a.m. – Federal EPA (Informal Report)	8 a.m. – Gold King Mine and Attorney General meeting in North Conference Room	2 p.m. – Executive Session on Peabody Company
Opening Prayer – Flagstaff Mission to the Navajos – Pastor Melvin Nez	10 a.m. – Recognition of the top 5 Navajo Nation Spelling Bee students. Nastasha Smith (Shonto Prep School), Kelly Haven & Danielle Tsosie (Tsehootsooi Middle School), Hannah Pengosro (Newcomb Middle School)		
Pledge of Allegiance – 2nd grade class from Wide Ruins Elementary School			
Announcements: Girl Scouts Recognition – Presentation of awards (Pinon, Crownpoint, Shiprock Troops)			
Announcements: Team Navajo DPS – Recognition and 10 minute presentation			
President Begaye Report: Report by Navajo Nation Youth Council			



MEMORANDUM

TO: Honorable Walter Phelps
Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters

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

DATE: April 15, 2016

SUBJECT: AN ACTION RELATING TO NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL; OVERRIDING CMA-16-16 AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,000,000.00 FOR THE TOLANI LAKE SENIOR CITIZEN CENTER PROJECT

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 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 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.