

LEGISLATION SUMMARY

Tracking No. 0003-22

Date: January 12, 2022

Title of

Legislation: **AN ACT RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAA'BIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING \$900,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUFB") TO THE DIVISION OF ECONOMIC DEVELOPMENT/ TOURISM DEPARTMENT FOR PERSONNEL AND OPERATING EXPENSES FOR THE REMAINDER OF FY2022; WAIVING 12 N.N.C. §820(E), §820(F), AND §820(J) TO ALLOW USE OF THE UUFB FOR RECURRING EXPENSES**

Purpose: to allocate \$900,000 from the UUFB to the DED/Tourism Department to fund the Department's personnel and operating expenses for the remainder of FY2022; waiving 12 N.N.C. §820(E), §820(F), and §820(J) to allow use of the UUFB for recurring expenses.

OLC No. 21-482-1

5-DAY BILL HOLD PERIOD: Appluse
Website Posting Time/Date: 5:42pm; 01-12-22
Posting End Date: 01-17-22
Eligible for Action: 01-18-22

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:


(Prime Sponsor)

Tracking No. 0003-22

AN ACT

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE,
AND NAA'BIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL;
ALLOCATING \$900,000 FROM THE UNRESERVED, UNDESIGNATED FUND
BALANCE ("UUF") TO THE DIVISION OF ECONOMIC DEVELOPMENT/
TOURISM DEPARTMENT FOR PERSONNEL AND OPERATING EXPENSES
FOR THE REMAINDER OF FY2022; WAIVING 12 N.N.C. §820(E), §820(F),
AND §820(J) TO ALLOW USE OF THE UUF FOR RECURRING EXPENSES

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with the authority to oversee the Division of Economic Development. 2 N.N.C. §501(C)(1). The Navajo Tourism Department is within the Division of Economic Development. ACAU-196-87, CO-50-87, GSCAP-12-07, and RDCO-055-19.
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council, empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. §301(B)(2).
- C. The Naa'bik'iyáti' Committee is a standing committee of the Navajo Nation Council that is responsible for reviewing proposed resolutions requiring final action by the Navajo

1 Nation Council. 2 N.N.C. §164(A)(9).

2 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C.
3 §102(A). As such, the Council has the authority to approve supplemental appropriations.
4 “The Navajo Nation Council may adopt and approve supplemental appropriations to the
5 Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of
6 General Funds within the current fiscal year are permitted, if and when additional sources
7 of revenues above and beyond the initial or current revenue projections are projected and
8 which are also in excess of the reserve amount set forth at §820(J).” 12 N.N.C. §820(L).

9 E. The restrictions on supplemental appropriations include:

10 1. Supplemental appropriations from non-recurring revenues shall be approved only for
11 non-recurring expenses. 12 N.N.C. §820(F). The Controller determines which revenues
12 are recurring and which are non-recurring. 12 N.N.C. §820(L).

13 2. The Navajo Nation shall budget all recurring operating expenses, including capital
14 maintenance costs, from recurring revenues only; and long-term debt shall not be used
15 to finance recurring operating expenses. 12 N.N.C. §820(E).

16 3. The Navajo Nation Code further provides, “. . . non-recurring revenues will be
17 budgeted only after an examination by the Controller to determine whether or not the
18 revenues are subsidizing an imbalance between recurring revenues and expenditures,
19 and expenditures may be authorized only if a long-term (three-five year) forecast shows
20 that the operating deficit will not continue. Otherwise, non-recurring revenues will be
21 added to the Unreserved, Undesignated Fund Balance. This provision may be amended
22 or waived by a two-thirds vote of the full Navajo Nation Council.” 12 N.N.C. §820(F).

23 4. All requests for supplemental funding shall be submitted to the Office of Management
24 and Budget (“OMB”) for budget impact analysis. 12 N.N.C. §820(M).

25 26 **SECTION TWO. FINDINGS**

27 A. The Division of Economic Development/Tourism Department is requesting \$900,000 in
28 supplemental funds out of the Undesignated, Unreserved Fund Balance (“UUFb”), to
29 mitigate the negative effects of the COVID-19 pandemic that resulted in the loss of an
30 estimated \$115,500,000 of tourism-related revenue since the Spring of 2020, which revenue

1 is normally used to fund the Department for the entire Fiscal Year. In the attached
2 “Appendix K - Supplemental Funding Proposal Summary” the Tourism Department
3 explains that it needs the \$900,000 to cover its personnel and operating expenses for the
4 remainder of FY2022. **EXHIBIT A.**

5 B. The Tourism Department has provided its required Budget Forms, including a “Program
6 Budget Summary” and a “Detailed Budget and Justification,” which pages are attached
7 hereto as **EXHIBIT B.**

8 C. The Tourism Department has also provided a detailed “Listing of Positions and
9 Assignments by Business Unit,” attached as **EXHIBIT C.**

10 D. In accordance with 12 N.N.C. §820(L), the Controller has provided a memorandum
11 regarding this UUFB funding request. **EXHIBIT D.** In addition, in the “Executive Official
12 Review” process, the Controller on October 27, 2021 deemed this funding request
13 “sufficient.” **EXHIBIT E.** The Controller may be requested to provide a revised
14 memorandum or a verbal statement regarding this matter, when this legislation is considered
15 by the Navajo Nation Council.

16 E. OMB has also reviewed this funding request and deemed it “sufficient.” **EXHIBIT E.** In
17 compliance with 12 N.N.C. §820(M), OMB may be requested to provide a budget impact
18 analysis by memorandum or a verbal statement, when this legislation is considered by the
19 Navajo Nation Council.

20 F. The Department of Justice has reviewed this UUFB funding request and deemed it “legally
21 sufficient.” **EXHIBIT E.**

22
23 **SECTION THREE. ALLOCATING \$900,000 FROM THE UUFB TO THE DIVISION**
24 **OF ECONOMIC DEVELOPMENT/TOURISM DEPARTMENT**

25 A. The Navajo Nation hereby allocates \$900,000 from the UUFB to the Division of Economic
26 Development/Tourism Department for the Department’s personnel and operating expenses
27 for the remainder of FY2022, as shown in **EXHIBIT A.**

28 B. This \$900,000 supplemental appropriation shall be from those funds that exceed the
29 minimum fund reserve balance in the UUFB required by 12 N.N.C. §820(J), as determined
30 by the Controller.

1 C. Pursuant to 12 N.N.C. §820(J) this supplemental appropriation shall expire, and any
2 remaining funds shall revert to the UUFB, on September 30, 2022, unless the Navajo Nation
3 Council determines otherwise by resolution.

4 D. The UUFB shall be reimbursed up to the \$3,600,000 amount allocated in this legislation, from
5 prospective funds available to the Navajo Nation from any and all state and federal sources,
6 including Congressional appropriations under the American Rescue Plan Act of 2021 or other
7 COVID-19 related relief.

8
9 **SECTION FOUR. WAIVING 12 N.N.C. §820(E), §820(F), AND §820(J) TO ALLOW**
10 **USE OF THE UUFB FOR RECURRING EXPENSES**

11 The Navajo Nation hereby waives 12 N.N.C. §820(E), §820(F), and §820(J) to allow use of
12 funds from the UUFB for the Tourism Department's personnel and operating expenses for the
13 remainder of FY2022, which are recurring program expenses, as shown in **EXHIBIT A**.

14
15 **SECTION FIVE. EFFECTIVE DATE**

16 This Act shall become effective as provided in 2 N.N.C. §221(B) and 2 N.N.C. §164(A)(17).

17
18 **SECTION SIX. SAVING CLAUSE**

19 If any portion of this Act is determined invalid by the Navajo Nation Supreme Court, or by a
20 District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the
21 remainder of this Act shall be the law of the Navajo Nation.

APPENDIX K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

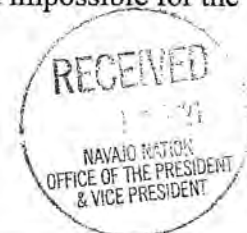
JAN 6 2022

OFFICE OF LEGISLATIVE COUNSEL

PART I. Business Unit No.: NEWProgram Title: TourismDivision/Branch: Economic DevelopmentAmount Requested: \$900,000Prepared By: Arval T McCabePhone No.: 928-810-8501Email Address: arvalmccabe@navajo-nsn.gov


PART II. REASON FOR REQUEST AND STATEMENT OF NEED: The Tourism Industry across the Navajo Nation was hit by the Covid 19 Pandemic and affected the funding source for the Hotel Occupancy Tax (HOT), which funds the NN Tourism Department. The overall impact of the pandemic has been severe and has caused the Navajo Nation to a loss and estimated total tourism revenue of \$115,500,000 due to closure of the industry for a total of more than one (1) year.

The NN Tourism Department submitted three (3) budgets during the budget season. They are as follows: #1 Allocated budget amount of \$128,576; #2 Unmet Needs Budget in the amount of \$791,548; #3 Carry Forward Budget in the amount of \$175,000. The Unmet Needs and Carry Forward Budget were not approved. Due to these two budgets not being approved put the Tourism Department in a situation where there would be no personnel and operating funds for the department for FY 2022, therefore making it impossible for the department to meet its goals and objectives.

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

The attached budget is to drawdown funds from account #510004, which is a combined funding source for the Hotel Occupancy Tax (HOT) fund for NN Tourism Department and NN Parks and Recreation Department. This fund holds the identified taxes that are collected throughout the year for hotel night stays by visitors. The total amount in this funding account is \$4,217,157.

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

 12/17/2021

REVIEWED BY: Division Director's Signature / Date



RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date

FY 2022

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

BUDGET FORM 1

PART I. Business Unit No.: <u>510003</u>		Program Title: <u>Tourism Department</u>		Division/Branch: <u>Economic Development</u>	
Prepared By: <u>Arval T McCabe</u>		Phone No.: <u>928-810-8501</u>		Email Address: <u>arvaltmccabe@discovernavajo.com</u>	

PART II. FUNDING SOURCE(S)		Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	Original Budget	Proposed Budget	Difference or Total
UUFB		10/01/2021-09/30/2022	900,000.00	100%	2001	Personnel Expenses	5	115,411	241,321	356,732	
					3000	Travel Expenses	5	0	26,999	26,999	
					3500	Meeting Expenses	5		0	0	
					4000	Supplies	5	0	27,692	27,692	
					5000	Lease and Rental	5	0	6,775	23,362	
					5500	Communications and Utilities	5	0	7,991	7,991	
					6000	Repairs and Maintenance	5	0	14,000	14,000	
					6500	Contractual Services	5	13,165	189,419	202,584	
					7000	Special Transactions	5	0	145,803	145,803	
					8000	Public Assistance		0		0	
					9000	Capital Outlay	5	0	240,000	240,000	
					9500	Matching Funds		0		0	
					9500	Indirect Cost		0		0	
TOTAL								128,576	\$900,000	1,028,576	

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		1.5	4
Total # of Vehicles Budgeted:		1	1

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

SUBMITTED BY: <u>Arval T. McCabe</u> <u>Arval T. McCabe</u> Program Manager's Printed Name <u>10/20/21</u> Program Manager's Signature and Date	APPROVED BY: <u>JT Willie</u> <u>JT Willie</u> Division Director / Branch Chief's Printed Name <u>10/20/21</u> Division Director / Branch Chief's Signature and Date
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EXHIBIT

B

FY 2022

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Tourism Department _____ Business Unit No.: 510003			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	2001 PERSONNEL EXPENSES Employees salary and fringe benefits. Adjustments/Salary increase not paid by the Personnel Lapse Fund. Merit Payment for eligible personnel.		241,321
2110	REGULAR .2120 Four (4) Regular Full-Time positions 168,309 .2120 .50 Regular Full-Time Cost Share -	168,309	
2900	2900 - Fringe Benefits 2900 Regular 168,309 43.38% 73,012	73,012	
TOTAL		241,321	241,321

FY 2022

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Tourism Department _____ Business Unit No.: 510003			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	3000 TRAVEL EXPENSES Monthly mileage and fleet rental. Meals, lodging and air fare directly related to program business and other miscellaneous travel expenses.		26,999
3110	FLEET .3111 - Monthly/Perm: (Group A, Class XIII Sedan) \$431/month x 12 months = \$5,172 .3113 - Mileage: (Group A) 2,000 miles x 0.23 mi. x 12 months = \$5,520	11,333	
	6% Sales Tax Total \$310 - \$5,482 \$331 \$5,851		
3210	VEHICLE RENTAL (OFF RESERVATION) 3220 - Vehicle Rental (off reservation) \$400	400	
3230	PERSONAL TRAVEL .3240 \$55/Daily Per Diem x 12 days for 3 staff \$1,980 .3240 \$76/Daily Per Diem x 3 days for 3 staff \$684 .3250 \$94/Night Per Diem x 8 nights for 3 staff \$2,256 .3250 \$166/Night Per Diem x 8 nights for 3 staff \$3,984 .3260 POV @ 250 mi. x .575 x 12 mo \$1,725 .3290 Other Incidental Travel Expense \$636	11,265	
3810	AIR .3320 - Commercial Air \$4,001	4,001	
TOTAL		26,999	26,999

FY 2022

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

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PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	4000 SUPPLIES Stationary, envelopes, binders, labels, folders, pens and pencils, staplers/staples. Computer/Xerox toner cartridges, photocopying, publication, subscription. Non-Capital items that have a value of less than \$5,000 and other supplies that are necessary for the day operation of the program.		27,892
4120	OFFICE SUPPLIES .4130 General Office Supplies \$5,000	5,000	
4200	NON CAPITAL ASSETS .4210 Non Cap Furniture and Equipment \$1,000 .4230 Non Cap Computer Equipment \$2,000	3,000	
4410	OPERATING SUPPLIES .4420 General Operating Supplies \$5,021 .4440 Non Cap Computer Software \$1,000 .4450 Postage, Courier, Shipping \$3,000 .4490 Custodial Supplies \$715 .4500 Medical Supplies \$3,429 .4520 Bulk Paper - Xerox paper \$1,500 .4530 Printing/Binding/Photocopying \$4,527 .4450 Media Supplies \$500	19,692	
TOTAL		27,892	27,892

FY 2022

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Tourism Department _____ Business Unit No.: 510003			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	5000 LEASE AND RENTAL		6,775
	Office space lease for 12 months. Rental of meeting room and media equipment for committee, work sessions and special meetings. Trade		
5110	BUILDING (Lease)		
	.5120 Office Space: Lease with Division of Economic Development at \$16587/Yearly Rate		
5360	EQUIPMENT		
	.5170 Office Equipment	447	
5160	BUILDING SPACE	6,328	
	.5320 Meeting Space: Staff and RDC meetings at \$150/8 mos		
	.5330 Storage Space: \$83.50 mo x 12 mo		
	.5340 Booth/Trade Show Rental		
	.5350 Other Space Rental		
	5500 COMMUNICATIONS AND UTILITIES		7,991
	Basic telephone services and line charges, install telephone hardware, installation and service changes for DSL line. Internet service/connectivity		
5520	TELEPHONE	1,996	
	.5530 Basic Services: \$35/mo x 12 mos		
	.5540 Long Distance Service: \$63/mo x 12 mos		
	.5550 Optional Charges: \$26.67 x 12 mo		
	.5560 Hardware Install		
5570	INTERNET		
	.5600 Internet Services: 6 staff X \$83.26 X 12 = \$5,995	5,995	
	TOTAL	14,766	14,766

FY 2022

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

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(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	6000 REPAIRS AND MAINTENANCE Furniture/Equipment repairs and maintenance for supplies and services; and computer services maintenance.		14,000
6300	TECHNOLOGY .6310 Computer Hardware R&M .6320 Software Support .6330 Communication R&M	14,000	
TOTAL		14,000	14,000

FY 2022

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

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PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	6500 CONTRACTUAL SERVICES Professional and consultant services of particular profession to determine project viability on commercial, industrial, tourism development projects; Non-capital archaeological and design services; Archaeological, assessments, legal surveys, appraisals, feasibility studies, testing, inspection, clearance of business sites or leases.		189,419
6520	CONSULTING .6530 Fees \$90,590 .6540 Expenses \$40,000	130,590	
6810	ARCHITECTURE/DESIGN (NON CAP) .6813 Fees \$8,000 .6814 Expenses \$3,329	11,329	
6820	GEO TECH SERVICES (NON CAP) .6823 Fees \$5,000 .6824 Expenses \$2,500	7,500	
6830	OTHER TECHNICAL SERVICES .6840 Feasibility Studies \$20,000 .6845 Environmental Assessment/Survey \$20,000	40,000	
TOTAL		189,419	189,419

FY 2022

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Tourism Department</u> Business Unit No.: <u>510003</u>			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
7110	7000 SPECIAL TRANSACTIONS Program initiatives; staff development career enhancements; insurance premiums. Promotional items, appreciation gifts, contribution, catering, PROGRAMS .7130 Promotional Items \$22,501 .7140 Gifts and Awards \$20,000 .7150 Charitable Contributions \$33,000 .7180 Catering \$4,000 .7190 Refreshments \$2,000	81,501	145,803
7410	MEDIA .7440 Print Advertising NTD partners with the Arizona Office of Tourism, Utah Tourism Department, & NM Tourism Department in .7450 Radio Advertising NTD utilizes radio stations to publish tourist related events with KYAT from Gallup, NM, KNDN from Farmington,	56,703	
7510	TRAINING & PROFESSIONAL DUES .7520 Training and Registration Fees .7550 Mandatory Professional Dues	5,784	
7710	INSURANCE PREMIUMS .7720 Property: Contents 50,000/1,000x0.71 = \$35.50 .7740 Vehicle - Auto Liability .7750 Vehicle - Auto Physical Damage (vehicle under 1 ton) .7765 Policy Payment (General Liability) \$241,321/100x0.25 = .7767 - Workers Comp (less fringe) \$168,309/100x0.72 =	1,815	
TOTAL		145,803	145,803

FY 2022

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Tourism Department _____ Business Unit No.: 510003			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
9000	CAPITAL OUTLAY Construction of infrastructure (water, sewer, power, gas, phone, data lines, roads) to serve commercial, industrial and other economic development projects to create employment and business opportunities, goods and services, generate revenue and create multiplier effects of Navajo spending dollars. Infrastructure development is a critical stage to overall development of business projects to leverage tourist spending on the Navajo Nation.		240,000
9020	INFRASTRUCTURE .9036 Communications \$ 10,000 .9038 Waterlines \$30,000 .9040 Power lines \$30,000 .9042 Water/Wastewater \$20,000	90,000 ✓	
9050	BUILDING .9060 Construction in Progress \$150,000	150,000 ✓	
TOTAL		240,000	240,000

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION: Business Unit No.: <u>510003</u> Program Name/Title: Tourism Department											
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: RDCO-055-19: The Department is established to promote and develop tourism related business thereby creating jobs and business opportunities.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement: Develop tourism related projects, prerequisite planning and development activities.											
Program Performance Measure/Objective: Complete development requirement per project i.e., feasibility studies, surveys, EA archeological clearances											
		1st QTR		2nd QTR		3rd QTR		4th QTR			
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
		3		3		3		3		3	
2. Goal Statement: Complete funding applications for tourism related development projects.											
Program Performance Measure/Objective: Prepare and submit two funding applications per quarter to secure project funds.											
		2		2		2		2			
3. Goal Statement: Conduct community based tourism development planning.											
Program Performance Measure/Objective: Complete 8 tourism development presentations and/or workshops (2) per quarter.											
		2		2		2		2			
4. Goal Statement: Develop partnership for sustainable tourism.											
Program Performance Measure/Objective: Complete four communication and educational tools that will help tourism industry improve performance.											
		1		1		1		1			
5. Goal Statement: Promote and market Navajo Nation in tourism industry, locally and worldwide.											
Program Performance Measure/Objective: Per quarter: (2) Trade Shows; (3) Magazine Advertisement; (4) Maintain Website; (20) Social Media Posts											
		29		29		29		29			
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
<div style="display: flex; justify-content: space-between;"> <div> Program Manager's Printed Name <u>Arval T MCCabe</u> </div> <div> Division Director/Branch Chief's Printed Name <u>JT Willie</u> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div> Program Manager's Signature and Date <u>[Signature] 10/20/21</u> </div> <div> Division Director/Branch Chief's Signature and Date <u>[Signature] 10/20/2021</u> </div> </div>											

FY 2022

THE NAVY 'J' NATION
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT

[Signature]
DPM Certified Date 1/14/2021

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WORK SITE	FY 2021 ACTUAL			FY 2022 PROPOSED		
						G/S	H/R	SALARY	HOURS	BUDGET PERIOD	BUDGET
510003 - PDD-TOURISM PROGRAM											
1104	244664	4200	Department Manager	15504	STM	BJ68A	29.52	61,637.76	2,088	10/01/2021 - 09/30/2022	61,638.00
1108	256453	3402	Senior Economic Development Specialist	12743	SRN	BJ66C	26.37	55,060.56	2,088	10/01/2021 09/30/2022	55,061.00
1109	244169	3407	Marketing Specialist K A B	299393	STM	BJ66A	24.84	51,865.92	2,088	10/01/2021 09/30/2022	51,866.00
1110	244170	3407	Marketing Specialist C B	181993	STM	BJ66A	24.84	51,865.92	2,088	10/01/2021 09/30/2022	51,866.00
1111	244167	3407	Marketing Specialist	163874	STM	BJ66A	24.84	51,865.92	2,088	10/01/2021 09/30/2022	51,866.00
1112	450760	4260	Administrative Assistant	241718	STM	BJ62A	18.06	37,700.28	1,044	10/01/2021 - 09/30/2022	18,855.00

2110 - SUBTOTAL: \$

~~291,152.00~~

BUSINESS UNIT TOTAL: \$

~~291,152.00~~

\$210,659




THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Memorandum:

To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government
Arvil McCabe, Department Manager
The Navajo Nation Tourism Department

From: 
Robert Willie, Accounting Manager
Office of the Controller

Date: October 27, 2021

Subject: Tourism request to increase budget in the amount of \$900,000

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

1. The Tourism fund is seeking \$900,000 additional dollars from the Tourism Fund Balance due to the department having no operating budget and funds are needed to complete FY 22 goals and objectives.
2. There is an unaudited balance of \$4,217,157 within the Fund Balance for Tourism(see Exhibit A) as of August 31, 2021. It is unknown how much is reserved for the Parks and Recreation department.
3. This would be access to fund balance to fund FY 22 unmet budget needs within the Tourism Fund. There is sufficient funding available. Program would need to get oversight approval to increase their budget. The Business Unit this would be utilized in would be 510003 which is PDD-Tourism Program.

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



Document No. 017505

Date Issued: 10-20-21

EXECUTIVE OFFICIAL REVIEW

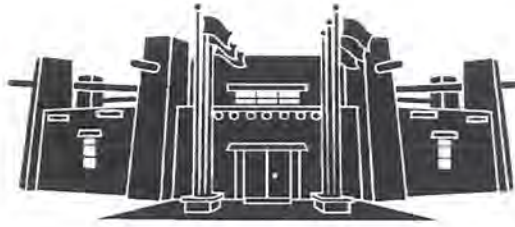
Title of Document: Undesignated Unreserved Fund Balance Contact Name: MCCABE, ARVAL T

Program/Division: DIV. OF ECONOMIC DEVELOPMENT

Email: arvaltmccabe@discovernavajo.com Phone Number: 928-810-8501

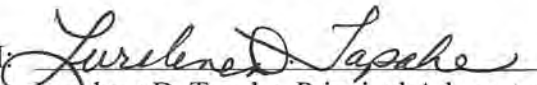
			Sufficient	Insufficient
<input type="checkbox"/>	Business Site Lease			
	1. Division:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)			
	3. Office of the Attorney General:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions			
	1. Division:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications			
	1. Office of Management and Budget:	Date: <u>11-1-21</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	Date: <u>10/27/21</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	Date: <u>11/10/21</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Navajo Housing Authority Request for Release of Funds			
	1. NNEPA:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Lease Purchase Agreements			
	1. Office of the Controller:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	(recommendation only)			
	2. Office of the Attorney General:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Grant Applications			
	1. Office of Management and Budget:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval			
	1. Division:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Relinquishment of Navajo Membership			
	1. Land Department:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. Elections:	Date:	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	Date:	<input type="checkbox"/>	<input type="checkbox"/>





MEMORANDUM

TO: Hon. Delegate Wilson Stewart, Jr.
Resources and Development Committee
24th Navajo Nation Council

FROM: 
Lurilene D. Tapahe, Principal Advocate
Office of Legislative Counsel

DATE: January 12, 2022

SUBJECT: AN ACT RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAA'BIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING \$900,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUF") TO THE DIVISION OF ECONOMIC DEVELOPMENT/ TOURISM DEPARTMENT FOR PERSONNEL AND OPERATING EXPENSES FOR THE REMAINDER OF FY2022; WAIVING 12 N.N.C. §820(E), §820(F), AND §820(J) TO ALLOW USE OF THE UUF FOR RECURRING EXPENSES

Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to review by the Navajo Nation courts in the event of proper legal challenge.

Please ensure that this legislation is precisely what you want. You are encouraged to review this proposed legislation to ensure that it is drafted to your satisfaction.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. Nevertheless, the Speaker of the Navajo Nation Council may assign this legislation to committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find this document unacceptable for any reason, please immediately contact me at the Office of Legislative Counsel (at extension 7166) and advise me of the changes you would like made to this proposed legislation. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0003-22_

SPONSOR: Wilson C. Stewart, Jr.

TITLE: An Act Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and Navajo Nation Council; Allocating \$900,000 from the Unreserved, Undesignated Fund Balance ("UUFb") to the Division of Economic Development/Tourism Department for Personnel and Operating Expenses for the Remainder of FY2022; Waiving 12 N.N.C. § 820(E), § 820(F), and § 820(J) to Allow Use of the UUFb for Recurring Expenses

Date posted: January 12, 2022 at 5:42PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0003-22

SPONSOR: Honorable Wilson C. Stewart, Jr.

TITLE: An Act Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and Navajo Nation Council; Allocating \$900,000 from the Unreserved, Undesignated Fund Balance ("UUFb") to the Division of Economic Development/Tourism Department for Personnel and Operating Expenses for the Remainder of FY2022; Waiving 12 N.N.C. § 820(E), § 820(F), and § 820(J) to Allow Use of the UUFb for Recurring Expenses

Posted: January 12, 2022 at 5:42 PM

5 DAY Comment Period Ended: January 17, 2022

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>


 Legislative Tracking Secretary
 Office of Legislative Services

Jan. 18, 2022; 7:25 AM

Date/Time

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION #0003-22: AN ACT RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; ALLOCATING \$900,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUF") TO THE DIVISION OF ECONOMIC DEVELOPMENT/TOURISM DEPARTMENT FOR PERSONNEL AND OPERATING EXPENSES FOR THE REMAINDER OF FY2022; WAIVING 12 N.N.C. § 820(E), § 820(F), AND § 820(J) TO ALLOW USE OF THE UUF FOR RECURRING EXPENSES.

Sponsor: Honorable Wilson C. Stewart, Jr.

Has had it under consideration and reports a **DO PASS** with no amendments.

And thereafter the legislation was referred to Budget & Finance Committee.

Respectfully submitted,



Rickie Nez, *Chairperson*
Resources and Development Committee of
the 24th Navajo Nation Council

Date: January 18, 2022 – Special Meeting (Teleconference)
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Mark A. Freeland **S:** Herman M. Daniels **V:** 5-0-1 (CNV)
In Favor: Thomas Walker, Jr.; Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.
Opposition: None
Excuse: None
Not Voting: Rickie Nez, *Chairperson*

(NOTE: VOTE TALLY attached hereto)

RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council

FOURTH YEAR 2022

ROLL CALL
VOTE TALLY SHEET

LEGISLATION #0003-22: AN ACT RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; ALLOCATING \$900,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUFb") TO THE DIVISION OF ECONOMIC DEVELOPMENT/TOURISM DEPARTMENT FOR PERSONNEL AND OPERATING EXPENSES FOR THE REMAINDER OF FY2022; WAIVING 12 N.N.C. § 820(E), § 820(F), AND § 820(J) TO ALLOW USE OF THE UUFb FOR RECURRING EXPENSES.

Sponsor: Honorable Wilson C. Stewart, Jr.

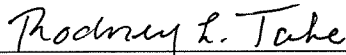
Date: January 18, 2022 – Special Meeting (Teleconference)
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Mark A. Freeland **S:** Herman M. Daniels **V:** 5-0-1 (CNV)
In Favor: Thomas Walker, Jr.; Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.
Opposition: None
Excuse: None
Not Voting: Rickie Nez, *Chairperson*



Honorable Rickie Nez, *Chairperson*
Resources and Development Committee



Rodney L. Tahe, *Legislative Advisor*
Office of Legislative Services

24th NAVAJO NATION COUNCIL

Fourth Year 2022

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL # 0003-22:

An Act Relating to Resources and Development, Budget and Finance, and Naabikiyati Committees and the Navajo Nation Council; Allocating \$900,000 from the Unreserved, Undesignated Fund Balance (UUBF) to the Division of Economic Development; Tourism Department for Personnel and Operating Expense for the Remainder of FY2022; Waiving 12 N.N. C. §820(E), §820(F) and §820(J) to Allow Use of the UUBF Recurring Expenses *Sponsored by Wilson C. Stewart, Jr., 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,


Jamie Henio, Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

19 January 2022

The vote was **3** in favor **1** opposed yeas: *Raymond Smith, Jr., Elmer P. Begay, Jimmy Yellowhair* nays: *Nathaniel Brown; Amber K. Crotty not voting*
Main Motion: *Raymond Smith, Jr.*
Second: *Jimmy Yellowhair*

BUDGET AND FINANCE COMMITTEE

19 January 2022

Special Meeting

VOTE TALLY SHEET:

Legislation No. 0003-22: An Act Relating to Resources and Development, Budget and Finance, and Naabikiyati Committees and the Navajo Nation Council; Allocating \$900,000 from the Unreserved, Undesignated Fund Balance (UUBF) to the Division of Economic Development; Tourism Department for Personnel and Operating Expense for the Remainder of FY2022; Waiving 12 N.N. C. §820(E), §820(F) and §820(J) to Allow Use of the UUBF Recurring Expenses *Sponsored by Wilson C. Stewart, Jr., Council Delegate*

Motion: Raymond Smith, Jr.

Second: Jimmy Yellowhair

Vote: 3-1, Chairman not voting

Final Vote Tally:

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

Absent: Amber K. Crotty



Jamie Henio, Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee

24th NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2022

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0003-22

An Act Relating to Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and Navajo Nation Council; Allocating \$900,000 from the Unreserved, Undesignated Fund Balance ("UUFB") to the Division of Economic Development/Tourism Department for Personnel and Operating Expenses for the Remainder of FY2022; Waiving 12 N.N.C. § 820(E), § 820(F), and § 820(J) to Allow Use of the UUFB for Recurring Expenses

Sponsored by: Honorable Wilson C. Stewart, Jr.

Has had it under consideration and reports the same that the legislation **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,


Honorable Seth Damon, Chairperson
NAABIK'ÍYÁTI' COMMITTEE

21 January 2022

MAIN MOTION

Motioned by: Honorable Herman M. Daniels, Jr.

Seconded by: Honorable Mark A. Freeland

Vote: 15 In Favor, 01 Opposed (Chairman Damon Not Voting)

NAVAJO NATION

1189

1/21/2022

Naa'bik'iyati' Committee Special Meeting

07:03:02 PM

Amd# to Amd#

New Business: Item H.

PASSED

MOT Daniels

Legislation 0003-22: Allocating

SEC Freeland, M

\$900,000 from the Unreserved,
Undesignated Fund Balance to...

Yeas : 15

Nays : 1

Excused : 3

Not Voting : 4

Yea : 15

Begay, E

Freeland, M

Smith

Tso, O

Begay, P

Halona, P

Stewart, W

Wauneka, E

Charles-Newton

James, V

Tso, C

Yellowhair

Daniels

Nez, R

Tso, D

Nay : 1

Brown

Excused : 3

Yazzie

Slater, C

Tso, E

Not Voting : 4

Begay, K

Henio, J

Crotty

Walker, T

Presiding Speaker: Damon

24th NAVAJO NATION COUNCIL ACTION REPORT Fourth Year 2022

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0003-22

An Act Relating to Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and Navajo Nation Council; Allocating \$900,000 from the Unreserved, Undesignated Fund Balance ("UUFB") to the Division of Economic Development/Tourism Department for Personnel and Operating Expenses for the Remainder of FY2022; Waiving 12 N.N.C. § 820(E), § 820(F), and § 820(J) to Allow Use of the UUFB for Recurring Expenses

Sponsored by: Honorable Wilson C. Stewart, Jr.

Has had it under consideration and reports the same that the legislation **WAS DELETED OFF THE AGENDA.**

Respectfully Submitted,



Honorable Seth Damon, Speaker
24th NAVAJO NATION COUNCIL

26 JANUARY 2022

MOTION TO AMEND THE AGENDA*

Motion to Delete Legislation 0003-22 off the agenda.

Motioned by: Honorable Wilson C. Stewart, Jr.

Seconded by: Honorable Daniel E. Tso

Vote: 22 In Favor, 00 Opposed (Speaker Damon Not Voting)

* 2 N.N.C. § 163 (C), Agenda: C. Once an agenda is adopted, it shall be amended only by two thirds (2/3) vote of the Council.

NAVAJO NATION

973

Navajo Nation Council 2022 Winter Session

1/26/2022

02:36:52 PM

Amd# to Amd#

Revise Agenda;

PASSED

MOT Stewart, W

Delete Legislation 0003-22

SEC Tso, D

Yeas : 22

Nays : 0

Excused : 1

Not Voting : 0

Yea : 22

Begay, E

Freeland, M

Smith

Tso, E

Begay, K

Halona, P

Stewart, W

Walker, T

Begay, P

Henio, J

Tso

Wauneka, E

Brown

James, V

Tso, C

Yazzie

Charles-Newton

Nez, R

Tso, D

Yellowhair

Daniels

Slater, C

Nay : 0

Excused : 1

Crotty

Not Voting : 0

Presiding Speaker: Damon