

LEGISLATIVE SUMMARY SHEET

Tracking No. 0317-20

DATE: December 23, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF TEN MILLION FOUR HUNDRED SIX THOUSAND TWO HUNDRED TWENTY-TWO DOLLARS (\$10,406,222) TO THE HEALTH COMMAND OPERATIONS CENTER; APPROVING SUPPLEMENTAL FUNDING TO THE NAVAJO SCHOOL CLOTHING PROGRAM IN THE IN THE AMOUNT OF ONE MILLION TWENTY-FOUR THOUSAND FIVE HUNDRED DOLLARS (\$1,024,500); WAIVING 12 N.N.C. §§ 820 (E), (F), AND (J) OF THE APPROPRIATIONS ACT

PURPOSE: The purpose of this resolution is to approve a supplemental appropriation from the UUFB to provide assistance to address COVID-19.

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.

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

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0317-20

AN ACTION

RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL; APPROVING
SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND
BALANCE IN THE TOTAL AMOUNT OF TEN MILLION FOUR HUNDRED SIX
THOUSAND TWO HUNDRED TWENTY-TWO DOLLARS (\$10,406,222) TO THE
HEALTH COMMAND OPERATIONS CENTER; APPROVING SUPPLEMENTAL
FUNDING TO THE NAVAJO SCHOOL CLOTHING PROGRAM IN THE IN THE
AMOUNT OF ONE MILLION TWENTY-FOUR THOUSAND FIVE HUNDRED
DOLLARS (\$1,024,500); WAIVING 12 N.N.C. §§ 820 (E), (F), AND (J) OF THE
APPROPRIATIONS ACT

BE IT ENACTED:

SECTION 1. AUTHORITY

- A. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Navajo Nation Code provides, “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an

1 emergency matter must arise due to the pressing public need for such resolution(s) and
2 must be a matter requiring final action by the Council. 2 N.N.C. § 164(16).

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

10 D. The Title 12 Finance Act Supplemental Appropriation requirements include:

- 11 1. All requests for annual operating funds and supplemental funds shall be submitted
12 to the Office of Management and Budget for budget impact analysis. 12 N.N.C.
13 § 820(M).
- 14 2. When the Controller identifies additional sources of revenues above and beyond
15 the initial or current revenue projections, supplemental appropriations may be
16 approved by the Navajo Nation Council. 12 N.N.C. § 820(L).
- 17 3. Supplemental Appropriations made from non-recurring revenues shall only be
18 made for non-recurring operations or purposes, as set forth at § 820(F). The
19 Controller of the Navajo Nation shall be responsible for designation recurring and
20 non-recurring revenues. 12 N.N.C. § 820(L).
- 21 4. The Nation shall budget all recurring operating expenses, including capital
22 maintenance, from recurring revenues. Long term debt shall not be used to finance
23 recurring operating expenses. 12 N.N.C. § 820(E).
- 24 5. The Navajo Nation Code provides, “[t]he Nation shall restrict non-recurring
25 revenues to budget non-recurring expenditures. In addition, non-recurring revenues
26 will be budgeted only after an examination by the Controller to determine whether
27 or not the revenues are subsidizing an imbalance between recurring revenues and
28 expenditures, and expenditures may be authorized only if a long-term (three-five
29 year) forecast shows that the operating deficit will not continue. Otherwise, non-
30 recurring revenues will be added to the Unreserved, Undesignated Fund balance.

1 This provision may be amended or waived by a two-thirds vote of the full Navajo
2 Nation Council.” 12 N.N.C. § 820(F).
3

4 **SECTION 2. FINDINGS**

- 5 A. The Health Command Operations Center has requested a supplemental appropriation
6 to address the effects of the novel coronavirus (COVID-19).
7 B. This Resolution is offered as an emergency due to the damaging effects COVID-19
8 has had upon the Navajo Nation. The Navajo Nation’s ability to provide care and
9 prevent the spread of COVID-19 upon the Navajo Nation directly relates to the Navajo
10 Nation’s exercise of sovereignty.
11 C. The Navajo School Clothing Program has also requested a supplemental appropriation
12 due to the programs ability to provide supplies and clothing for Navajo children in
13 need of support. This appropriation will offer supplemental assistance to school age
14 children of families struggling to meet additional needs during this time of distance
15 learning.
16 D. The Navajo Nation Commission on Emergency Management, with the concurrence of
17 the President of the Navajo Nation, Jonathan Nez, declared a public health state of
18 emergency on the Navajo Nation, on March 11, 2020 due to COVID-19. Emergency
19 Management Commission Resolution No. CEM 20-03-11. Resolution CEM 20-03-11
20 is incorporated by reference into this resolution.
21 E. The Navajo Nation has issued numerous public health orders in recognition of the
22 severity of COVID-19. These Public Health Emergency Orders (2020-001 through
23 2020-031) are incorporated by reference into this resolution. Most recently, the Navajo
24 Nation Department of Health issued Public Health Emergency Order No. 2020-031,
25 entitled, “Continuing the Stay at Home (Shelter in Place) Lockdown Order for an
26 Additional Three (3) Weeks, Including Full 57-Hour Weekend Lockdowns,” to
27 continue to combat the spread of COVID-19.
28 F. COVID-19 infections and deaths continue to be a serious issue within the Navajo
29 Nation and are straining an already overburdened healthcare system. As of December
30

1 8, 2020, the Navajo Nation reached a total of 18,324 positive cases and 688 COVID-
2 19 related deaths.

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

6 H. The funding will also enable the Health Operations Command Center the ability to
7 provide public outreach through oral and video materials to educate the Navajo public
8 on how to prevent the spread of COVID-19.

9 I. The supplemental appropriation is requested in the total amount of Ten Million Four
10 Hundred Six Thousand Two Hundred Twenty-Two Dollars (\$10,406,222). The
11 budget documents are attached as **Exhibit A**. Due to the emergency nature of this
12 Resolution, the Office of the Controller and the Office of Management and Budget
13 reviews for this budget were not available at the time of drafting. These documents
14 can be included as exhibits to this Resolution when provided.

15 J. The supplemental appropriation to the Navajo School Clothing Program within the
16 Division of Social Services is requested in the amount of One Million, Twenty-Four
17 Thousand, Five Hundred Dollars (\$1,024,500). The budget documents for this request
18 are attached as **Exhibit B**. The Office of Management and Budget (“OMB”) has
19 reviewed the budget for this request in accordance with 12 N.N.C. 820 (M). OMB’s
20 budget impact analysis is attached as **Exhibit C**. Due to the emergency nature of the
21 legislation, the review by the Office of the Controller, required by 12 NNC § 820(L),
22 was not available at the time of drafting. The document can be included in as an exhibit
23 to this Resolution when provided.

24 K. In its approval of the Navajo Nation Budget Instruction Manual (“BIM”) for Fiscal Year
25 2021, the Budget and Finance Committee recognized the difficulties involved in
26 obtaining signatures on budget forms related to requests for appropriation. The Fiscal
27 Year 2021 BIM, therefore, reflects that divisions and departments are encouraged, rather
28 than required, to have written concurrence from the appropriate Branch Chief or
29 Division Director. Navajo Nation BIM, Fiscal Year 2021, Section XII.B.1.a.i.
30

1 **SECTION 3. APPROVING SUPPLEMENTAL FUNDING FROM THE**
2 **UNRESERVED, UNDESIGNATED FUND BALANCE**

- 3 A. The supplemental appropriation of \$10,406,222 to the Health Command Operations
4 Center shall be from that amount of funds that exceeds the minimum fund balance of
5 the Unreserved, Undesignated Fund Balance as determined by the Office of the
6 Controller and as indicated the documents in **Exhibit A**.
- 7 B. The supplemental appropriation of \$1,024,500 to the School Clothing Program shall be
8 from that amount of funds that exceeds the minimum fund balance of the Unreserved,
9 Undesignated Fund Balance as determined by the Office of the Controller and as
10 indicated the documents in **Exhibit B**.
- 11 C. The Navajo Nation hereby approves supplemental funding from the Unreserved,
12 Undesignated Fund Balance in the amounts as indicated in the documents in **Exhibits**
13 **A and B**.

14
15 **SECTION 4. WAIVING 12 N.N.C. §§ 820 (E), (F), AND (J) TO THE EXTENT**
16 **THESE PROVISIONS PREVENT THE UNRESERVED, UNDESIGNATED FUND**
17 **BALANCE TO BE USED TO FUND RECURRING EXPENDITURES OR**
18 **GOVERNMENT OPERATIONS**

19 The Navajo Nation Council hereby waives 12 N.N.C. §§ 820 (E), (F) and (J) in order to
20 allow UUFB funds to be used for recurring expenditures and government operations.

THE NAVAJO NATION SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

EXHIBIT

A

tabbles

PART I. Business Unit No.: 113022 Program Title: FY 2021 HEALTH COMMAND OPERA

Division/Branch: NDOH Amount Requested: \$10,406,222.00 Prepared By: Christine Chavez

Phone No.: 928-871-6733 Email Address: cmchavez@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

To continue to respond to the COVID-19 pandemic such as mitigation through isolation, quarantine, patient care, home support, and public health messaging. There are no identified funds in 2021 to respond to the public health emergency. In order to continue to reduce transmission of COVID-19 and vaccines are not available for the entire population, we will continue to see new cases and resources are needed on a daily basis. We also need to ensure there are no gap in services after December 30, 2020 as CARES act dollars are set to expire on that day. There are around 70 patients still in isolation, quarantine and in the alternate care site who are still in recovery. Families impacted are still seeking assistance through case management to receive food and hygiene kits for them to safely recover. The congressional actions are not guaranteed; therefore, this request is an emergency to ensure there are no gap in services to help the Navajo people that have or at risk for COVID-19.

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

1. Continue to advocate to Congress to support stimulus or funds to support responding to COVID-19.

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.

 12/23/21
REVIEWED BY: Division Director's Signature / Date

RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date

FY 2021

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 8
BUDGET FORM 1

PART I. Business Unit No.: 113022		Program Title: FY2021 HEALTH COMMAND OPERATIONS CENTER		Division/Branch: NDOH	
Prepared By: Christine M. Chavez		Phone No.: 928-871-6733		Email Address: cmchavez@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
UFB	12/31/20-3/31/21	10,406,222.00	100%	2001 Personnel Expenses	1	0	62,888.00	
				3000 Travel Expenses	1	0	72,263.00	
				3500 Meeting Expenses	1	0	0.00	
				4000 Supplies	1	0	123,400.00	
				5000 Lease and Rental	1	0	8,000.00	
				5500 Communications and Utilities	1	0	5,100.00	
				6000 Repairs and Maintenance	1	0	100,500.00	
				6500 Contractual Services	1	0	9,990,841.00	
				7000 Special Transactions	1	0	18,230.00	
				8000 Public Assistance	1	0	0.00	
				9000 Capital Outlay	1	0	25,000.00	
				9500 Matching Funds	1	0	0.00	
				9500 Indirect Cost	1	0	0.00	
				TOTAL		\$0.00	10,406,222.00	

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

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

SUBMITTED BY: Dr. Jill Jim, Executive Director Program Manager's Printed Name Program Manager's Signature and Date	APPROVED BY: Paulson Chaco, Chief of Staff Division Director / Branch Chief's Printed Name Division Director / Branch Chief's Signature and Date
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THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: 113022

Program Name/Title:

FY2021 HEALTH COMMAND OPERATIONS CENTER

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

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

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

Stop the person to person transmission of COVID-19

Program Performance Measure:

Provide preventive messaging using COVID-19 materials (oral/video) approved by CDC Guidance on the radio

			30					
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2. Goal Statement:

Develop preventative materials to educate the public and communities on COVID-19 transmission

Program Performance Measure:

Number of materials developed for billboards

			2					
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3. Goal Statement:

Reduce in home transmission

Program Performance Measure:

Number of isolation/quarantine referrals

			10					
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4. Goal Statement:

Increase access to families in need

Program Performance Measure:

Numbers of food boxes delivered to all agencies

			5					
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5. Goal Statement:

Provide isolation and quarantine for individuals to reduce transmission of COVID-19

Program Performance Measure:

Number of patients admitted

			40					
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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Dr. Jill Jim, Executive Director


Program Manager's Printed Name

Paulson Chaco, Chief of Staff

Division Director/Branch Chief's Printed Name



Program Manager's Signature and Date



Division Director/Branch Chief's Signature and Date

FY 2021

THE NAVAJO NATION
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT

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BUDGET FORM 3

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2020 ACTUAL		FY 2021 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
2320	243891	1366	Office Specialist	Vacant	WRCO	BC58A	26,208.00	160	1,988.80
2320	243891	1366	Office Specialist	Vacant	WRCO	BC58A	26,208.00	160	1,988.80
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
4143			Laborer	Vacant	WRCO	BC55A	19,947.20	160	1,534.40
2900									

Fringe Benefits - Temporary Staff @ 10.06%

16,252.80

\$ 1,635.03

\$ 1,635.03

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTER

Business Unit No.: 113022

PART II. DETAILED BUDGET:

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	2001 PERSONNEL EXPENSES		
2310	Salaries and fringe benefits for FY 2020. Budget amount to cover two temporary employees. Temporary (1 temp hire @ \$25,854.40) 2320 Temporary FT: \$72,768.80 (Temporary payroll to 01/01/2021-03/31/2021)	\$16,253.00	
2510	Overtime 2520: Overtime Pay Regular - HCOC Staff Hazard Pay	25,000.00	
2710	Regular - HCOC Staff Hazard Pay 2720: Merit Bonus 2740: Bonus Pay	20,000.00	
2900	Fringe Benefits Temporary: \$16,252.80 X 10.06% =	\$1,635.00	
3230	3000 TRAVEL EXPENSES Personal Travel Meals and lodging expenses (P-Cards) directly related to the program business. Transportation to and from ACS Site for staff and other programs who are assisting with COVID-19 Pandemic 3240 Per Diem Meals: Area A: \$55 X 15 staff X 30 days = 3250 Lodging Area A: \$96 X 15 staff X 30 days = 3250 POV Mileage : 0.575 NN Rate x 500 miles X 15 staff =		\$72,263.00
	TOTAL	62,888.00	135,151.00

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**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

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BUDGET FORM 4

PART I. PROGRAM INFORMATION:Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTERBusiness Unit No.: 113022**PART II. DETAILED BUDGET:**

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	4000 SUPPLIES		
4120	Office Supplies Desktop supplies, folders, envelopes, pens, pencils, xerox paper (brochures, binding, photocopying) 4130 General Office Supplies -To purchase standard consumable office supplies for daily office operations	1,500.00	123,400.00
4200	Non Capital Assets 4230 Non-Cap Computer Equipment to purchase two new printers and high quality scanners \$5,000 each x 2 scanners = \$1,200 each x 2 printers =	\$10,000.00 \$2,400.00 \$12,400.00	\$12,400.00
4410	Operating Supplies - General Operating Supplies All expendable supplies/materials expenditures to include food compartment trays, food expense for Senior Centers program operations 4420 General Operating Supplies: = 4460: Food Supplies for Senior Centers 4490: Custodial Supplies 4530 Printing/Binding/Photocopying: Copying at NIN Record Management \$200/month x 3 mos	105,000.00 \$25,000.00 \$50,000.00 \$5,000.00 \$25,000.00 \$105,000.00	
4610	Supplies 4620: Parts & Supplies for Forklifts 4630: Tires & Lubes for Forklifts	3,500.00 \$3,500.00	
4700	Fuel for Forklifts 4710: Gasoline 4720: Diesel	1,000.00 \$500.00 \$500.00 \$1,000.00	
TOTAL		123,400.00	123,400.00

FY 2021

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

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BUDGET FORM 4

PART I. PROGRAM INFORMATION:Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTERBusiness Unit No.: 113022**PART II. DETAILED BUDGET:**

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	5000 LEASE & RENTAL		
5310	Cover the rental cost for storing supplies and space rental for employee isolation/quarantine Building/Space		
	5330 Storage Space:	\$2,000.00	
	5350 Other Space Rental	\$3,000.00	
		\$5,000.00	
5360	Equipment/Supplies		
	5370 Equipment Rental		
	Equipment rental for additional forklifts	\$3,000.00	
		<u>\$3,000.00</u>	
		3,000.00	
	5500 COMMUNICATIONS & UTILITIES		
	To communicate with hospitals, CDC, and other governmental agencies (additional lines for logistics, planning and case management)		
5520	Telephone		
	5530: Basic Service	\$500.00	
	5540 Long Distance: Office phones	\$500.00	
	5550: Optional Charges	\$200.00	
	5560: Hardware/Install	\$400.00	
		\$1,600.00	
		<u>\$1,600.00</u>	
5570	Internet		
	Internet/T-1 services:	\$1,500.00	
		<u>\$1,500.00</u>	
		1,500.00	
TOTAL		11,100.00	13,100.00

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**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

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BUDGET FORM 4

PART I. PROGRAM INFORMATION:Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTERBusiness Unit No.: 113022**PART II. DETAILED BUDGET:**

(A)		(B)	(C)		(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)	
Energy			1,500.00		
5720: Electric		\$500.00			
5730: Natural Gas		\$500.00			
5740: Propane		\$500.00			
		<u>\$1,500.00</u>			
Services			500.00		
5760: Water		\$250.00			
5770: Sewage		\$250.00			
		<u>\$500.00</u>			
6200 REPAIRS & MAINTENANCE					100,500.00
External Contractors			100,500.00		
6250: Waste Disposal for ACS Site in Chinle		\$500.00			
6290: General Contractors remediation cleaning		\$100,000.00			
		<u>\$100,500.00</u>			
6500 CONTRACTUAL SERVICES					9,990,841.00
SUBCONTRACTED SERVICES			9,990,841.00		
6990: Subcontracted Services					
Subcontracting with PAE Technologies for Alternative Care Site/isolation for patients requiring isolation/quarantine in various parts of the NN - full wrap around services.		<u>\$9,990,841.00</u>			
TOTAL			10,093,341.00		10,091,341.00

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**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

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BUDGET FORM 4

PART I. PROGRAM INFORMATION:Program Name/Title: FY2021 HEALTH COMMAND OPERATIONS CENTERBusiness Unit No.: 113022**PART II. DETAILED BUDGET:**

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	7000 SPECIAL TRANSACTIONS		18,230.00
	Pay for cost of HCOC staff for lunch and refreshments while on duty		
	Programs		
	7180 Catering:	\$1,500.00	
	7190 Refreshments:	\$1,000.00	
		<u>\$2,500.00</u>	
	Media		
	7440: Print Advertising Newspaper	\$5,000.00	
	7450: Radio Advertising	\$10,000.00	
		<u>\$15,000.00</u>	
		\$15,000.00	
7710	Insurance Premiums		730.00
	7765 Policy Payment:	\$ 257.84	
	7767 Workers' Comp Pren	\$ 471.65	
		<u>\$ 729.49</u>	
		\$ 729.49	
	9000 CAPITAL OUTLAY		
	Equipment		
9140	9142 Equipment	25,000.00	25,000.00
	Purchase a cargo trailer and gooseneck flatbed trailer for transporting food, supplies and PPE across the Navajo Nation		
TOTAL		43,230.00	43,230.00

EXHIBIT

B

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.: <u>117008</u>	Program Title: <u>Navajo School Clothing Program</u>
Division/Branch: <u>Division of Social Services</u>	Amount Requested: <u>\$1,024,500</u> Prepared By: <u>Dawn Foster</u>
Phone No.: <u>928-810-8592</u>	Email Address: <u>Madelena.Kee@nntanf.org</u>

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

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

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


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

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

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

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

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

 <u>Deannah Neswood-Gishey</u>	<u>12.10.2020</u> <u>Paulson Chaco</u>
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REVIEWED BY: Division Director's Signature / Date RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date

FY 2021

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

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BUDGET FORM 1

PART I. Business Unit No.: <u>117008</u>		Program Title: <u>Navajo School Clothing Program</u>		Division/Branch: <u>Division of Social Services</u>	
Prepared By: <u>Dawn Foster</u>		Phone No.: <u>928/810-8592</u>		Email Address: <u>Madelena.Kee@nntantf.org</u>	
PART II. FUNDING SOURCE(S)					
General Fund	Fiscal Year / Term FY 2021	Amount 1,024,500.00	% of Total 100%		
				PART III. BUDGET SUMMARY	
				Fund Type Code	(A) NNC Approved Original Budget
					(B) Proposed Budget
					(C) Difference (Column B - A)
				2001 Personnel Expenses	0
				3000 Travel Expenses	0
				3500 Meeting Expenses	0
				4000 Supplies	0
				5000 Lease and Rental	0
				5500 Communications and Utilities	0
				6000 Repairs and Maintenance	0
				6500 Contractual Services	0
				7000 Special Transactions	0
				8000 Public Assistance	1,024,500
				9000 Capital Outlay	0
				9500 Matching Funds	0
				9500 Indirect Cost	0
TOTAL:				\$1,024,500.00	100%
PART IV. POSITIONS AND VEHICLES					
				(D)	(E)
Total # of Positions Budgeted:					
Total # of Vehicles Budgeted:					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
Madelena Kee, Senior Programs and Projects Specialist SUBMITTED BY: Program Manager's Printed Name <u>Madelena Kee</u> SUBMITTED BY: Program Manager's Signature and Date <u>12/10/2020</u>			Deannah Neswood-Gishey, Executive Director APPROVED BY: Division Director/Branch Chief's Printed Name <u>Deannah Neswood-Gishey</u> APPROVED BY: Division Director/Branch Chief's Signature and Date <u>12-10-2020</u>		

FY 2021

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 1 of 1
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: 117008

Program Name/Title: Navajo School Clothing Program

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

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

Serve Eligible Navajo children residing on the Navajo Nation with a incentive for clothing and supplies for school.

4098

Program Performance Measure:

Number of clothing stipends provided per quarter.

2. Goal Statement:

Serve Eligible Navajo children residing on the Navajo Nation with Emergency Clothing Assistance

Program Performance Measure:

Number of Emergency Clothing Assistance provided per quarter.

3. Goal Statement:

Program Performance Measure:

Quarterly Reports will be submitted after each quarter.

4. Goal Statement:

Program Performance Measure:

Annual Report will be submitted after fiscal year ends.

5. Goal Statement:

Program Performance Measure:

Training provided to Staff quarterly

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

Madelena Kee, Senior Programs and Projects Specialist

Program Manager's Printed Name

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

Deannah Neswood-Gishey, Executive Director

Division Director/Branch Chief's Printed Name

Deannah Neswood-Gishey 12.10.2020
Division Director/Branch Chief's Signature and Date

FY 2021

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 1 of 1
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

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

PART II. DETAILED BUDGET:

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


THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : 24th Navajo Nation Council

FROM : 
Lisa Jymm, Acting Budget Officer
Office of Management and Budget

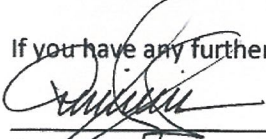
DATE : December 23, 2020

SUBJECT : Legislation 0311-20: FY21 Health Command Center Proposed Budget in the amount of \$17,420,482, Business Unit #113022, and Navajo School Clothing Program, Business Unit #117008 in the amount of \$1,024,500.

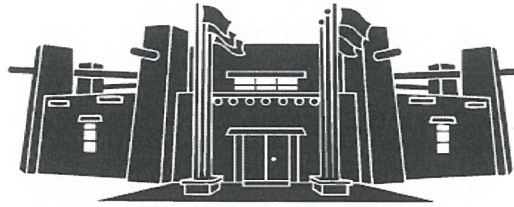
The Office of Management and Budget (OMB) reviewed the above budget documents according to 12 N.N.C. § 820 (M) and the following is noted:

1. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2021 Budget Instructions Manual (Section XII), and the Appropriations Act. This activity should be completed by the three branches to determine priorities.
2. OMB recommends compliance with the Navajo Nation Appropriations Act regarding Supplemental Appropriations (Section 820, L). This has not been done. Compliance includes:
 - a. Branch Chief's concurrence of the supplemental request (NN President).
 - b. The Supplemental Funding Proposal Summary, Appendix K in the FY21 BIM, is not attached in the Health budget documents.
 - c. The proper reviews have not been done.
3. The grand total of both allocations would be either \$18,444,982 or \$18,449,982 (+\$5,000) with \$16,746,624 from the available UUFB and the difference of \$1,698,358 from the 10% Minimum UUFB.
4. In the past, leadership was cautioned about appropriations from the Minimum Fund Balance because it could negatively affect the Nation's credit and bond ratings because the balance is not consistently maintained.
5. The balance available in the UUFB is \$16,746,624. The DOH/FY21 Health Command Center budget is for \$17,425,482 which exceeds the available balance. Also, the revised budget dated 12/22/20 based on the BFC amendment includes an increase of \$5,000 in object code 9140 – Capital Outlay line item. The BFC amendments do not speak to this.
6. The budget for FY21 Health Command Center is from 1/1/21 to 1/31/21. Is this correct? Is there a reason why the program indicates 1/31/21? OMB questions this.
7. The Navajo School Clothing Program states the error is with the Office of the Controller, did the program meet with OOC to get this corrected? Was there consultation to use the FY2020 funds when the entire FY20 balance was available to cover their request?

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

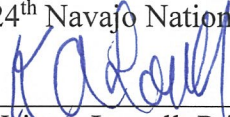

Dominic Beyer, Executive Director
Office of Management and Budget





MEMORANDUM

TO: Honorable Carl Slater
24th Navajo Nation Council

FROM: 
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: December 23, 2020

SUBJECT: AN ACTION RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF TEN MILLION FOUR HUNDRED SIX THOUSAND TWO HUNDRED TWENTY-TWO DOLLARS (\$10,406,222) TO THE HEALTH COMMAND OPERATIONS CENTER; APPROVING SUPPLEMENTAL FUNDING TO THE NAVAJO SCHOOL CLOTHING PROGRAM IN THE IN THE AMOUNT OF ONE MILLION TWENTY-FOUR THOUSAND FIVE HUNDRED DOLLARS (\$1,024,500); WAIVING 12 N.N.C. §§ 820 (E), (F), AND (J) OF THE APPROPRIATIONS ACT

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

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

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

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

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

LEGISLATION NO.: 0317-20

SPONSOR: Honorable Carl R. Slater

TITLE: An Action Relating To An Emergency for the Unreserved, Undesignated Fund Balance in the Total Amount of Ten Million Four Hundred Six Thousand Two Hundred Twenty-Two Dollars (\$10,406,222) to the Health Command Operations Center; Approving Supplemental Funding to the Navajo School Clothing Program in the in the Amount of One Million Twenty-Four Thousand Five Hundred Dollars (\$1,024,500); Waiving 12 N.N.C. §§ 820 (E), (F), and (J) of the Appropriations Act

Posted: December 23, 2020 at 8:58 PM

5 DAY Comment Period Ended: Not Subject to Five Day Hold

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**

12:00 PM 12/28/20

Date/Time