

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SÍHASIN FUND CROWNPOINT STUDENT HOUSING EXPENDITURE PLAN PURSUANT TO CD-68-14 AND 12 N.N.C. §§ 2501 - 2508

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review all proposed legislation, which requires final action by the Navajo Nation Council. 2 N.N.C. §164(A) (9).
- C. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 301 (B) (2).
- D. The Resource and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over economic and community development and housing. See 2 N.N.C. § 500 (C).
- E. The Health, Education and Human Services Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving education, including Navajo Nation colleges, and to oversee the education initiatives of the Navajo Nation. 2 N.N.C. §§400 (C) and 401 (D).

Section Two. Findings

- A. On May 30, 2014, the 22nd Navajo Nation Council adopted Resolution No. CMY-28-14 accepting a settlement of the Navajo Nation's lawsuit, *Navajo Nation v. United States*, No. 06-945L (United States Court of Federal Claims) against the United States for its historical mismanagement of the tribe's trust assets and its failure to ensure that the Navajo Nation received all funds due and owed under the United States' trust obligations and fiduciary duties.

Resolution No. CMY-28-14 was signed into law by the President of the Navajo Nation on June 4, 2014.

- B. The 22nd Navajo Nation Council recognized that during the many decades that the United States was in breach of its trust obligations and fiduciary duties to the Nation, the tribal government was without funds to develop the comprehensive nation-wide infrastructures necessary to support and promote community growth and sustainability through the expansion of economic development as well as to provide the educational opportunities critical for the prosperity of current and future generations of Diné. See Resolution No. CMY-28-14.
- C. On December 13, 2014, the 22nd Navajo Nation Council adopted Resolution No. CD-68-14 enacting the Navajo Nation Breach of Trust Settlement Act of 2014 (hereinafter "2014 Act") and establishing the Navajo Nation Síhasin Fund at 12 N.N.C. § 2501 et seq. The President of the Navajo Nation signed Resolution No. CD-68-14 into law on December 31, 2014.
- D. The 2014 Act mandated that the net proceeds and earnings thereon received by the Navajo Nation from the settlement of *Navajo Nation v. United States*, No. 06-945L, be deposited into the Síhasin Fund and managed and invested to provide financial support and/or financing for (1) the planning and development of regional infrastructure supporting economic and community development, including housing, within the Navajo Nation; and/or (2) education opportunities for members of the Navajo Nation. See 12 N.N.C. § 2501 and § 2502 (A).
- E. The 2014 Act also established that "leveraging of the [Síhasin] Fund by way of guaranteeing loans, match funding, direct funding in part and other weighted uses of the Fund shall be favored over direct funding in whole". 12 N.N.C. § 2502 (B).
- F. The 2014 Act further established that, with the exception of outstanding and accrued litigation costs, Síhasin Fund Principal and Income shall only be expended pursuant to a Fund Expenditure Plan consistent with the purposes set forth in the 2014 Act at 12 N.N.C. §2502 and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council. See 12 N.N.C. § 2505 (A).
- G. The 2014 Act states that "Fund Principal" shall consist of all deposits made to the Síhasin Fund and that "Fund

Income" shall consist of all earnings (interest, dividends, etc.) generated and realized by the Fund Principal and that Fund Income shall be deposited in and added to Fund Principal until such time as a Fund Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (c).

- H. In April 2015, the Naabik'iyáti' Committee adopted NABIAP-20-15, as amended, establishing the Naabik'iyáti' Síhasin Fund Subcommittee (hereinafter "Subcommittee") to recommend to the Naabik'iyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund].
- I. Between April 2015 and December 2017, the Subcommittee, assisted by the Office of Legislative Services, Office of the Speaker, and Office of Legislative Counsel met on at least thirty (30) occasions in either work sessions or official meetings to review and evaluate comments and recommendations from the Navajo people; hear proposals from Navajo Nation entities, chapters, programs and officials; and develop an expenditure plan(s) for the Síhasin Fund Principal and Income consistent with the purposes set forth in the 2014 Act.
- J. The Subcommittee determined that for an expenditure plan to fully meet the leveraging criteria of the 2014 Act, the expenditure plan shall not rely on Síhasin Funds for full direct project funding, unless such funds are to be repaid under a loan agreement, and instead must utilize the Síhasin Funds for (1) match funding, joint funding, contribution funding, cost-share funding or similar weighted uses of the funds; (2) reimbursement funding; and/or (3) loan or bond financing or guarantee.
- K. After reviewing public comments and recommendations as well as the reports and comments made during Subcommittee work sessions and meetings, the Subcommittee determined that the lack of student housing at institutions of higher learning located on the Navajo Nation is detrimental to Navajo citizen's educational attainment(s), i.e., associate, baccalaureate and masters' degrees as well as certificates and vocational training.
- L. The Subcommittee was presented with information, see **Exhibit A**, that Navajo Technical University (NTU), for instance, is not able to accommodate additional students in on-campus housing, which has exceeded 100% capacity, and that the NTU Crownpoint campus alone needs up to 600

additional beds to properly meet the long-term needs of Navajo students.

- M. NTU reported to the Subcommittee, that they can, however, provide immediate interim relief to the Crownpoint campus student housing crisis and service an additional 5,160 students over the next ten years through the immediate construction of 80 housing units accommodating up to 270 additional beds. See **Exhibit A**.
- N. NTU further reported that the construction of the Crownpoint student housing project has been projected at \$27.6 million of which NTU will contribute \$4 million and Navajo Housing Authority (NHA) has committed to contribute \$9.3 million, leaving an unfunded balance of \$14.3 million. *Id.*
- O. At their November 22, 2017 meeting, the Subcommittee members present unanimously supported the NTU student housing project proposal and determined that the proposal meets both requirements of the 2014 Act, i.e., the "planning and development of regional infrastructure supporting economic and community development, including housing, within the Navajo Nation and/or education opportunities for members of the Navajo Nation. 12 N.N.C. §2502 (A).
- P. The Subcommittee also determined that NTU's contribution of \$4 million and NHA's contribution of \$9.3 million towards the Crownpoint student housing project satisfies the 2014 Act requirement that "leveraging of the [Síhasin] Fund by way of guaranteeing loans, match funding, direct funding in part and other weighted uses of the Fund shall be favored over direct funding in whole". 12 N.N.C. § 2502 (B).
- Q. The Subcommittee further agreed and determined that it was in the best long-term interest of the Navajo Nation and the Navajo people to provide the financial support necessary to construct the Crownpoint student housing project and recommends to the Navajo Nation Standing Committees and the Navajo Nation Council that fourteen million three hundred thousand dollars (\$14.3 million) of the construction costs for the Crownpoint student housing project be funded through the Síhasin Fund as the Crownpoint Student Housing Expenditure Plan under section 2505 of the 2014 Act.
- R. After considering the recommendations of the Síhasin Fund Subcommittee, the Navajo Nation Council hereby determines that NTU's Crownpoint student housing project fits within

the priorities established under the July 20, 2015 One Nation, One Voice Navajo Nation Three Branch Agreement and that it is in the best interests of Navajo families as well as in the best interests of economic and community development, including housing, and the expansion of educational opportunities within the Navajo Nation to fund the Síhasin Fund Crownpoint Student Housing Expenditure Plan, attached as **Exhibit A**.

Section Three. Approval and Adoption of Expenditure Plan

- A. The Navajo Nation hereby approves and adopts the Síhasin Fund Crownpoint Student Housing Expenditure Plan, attached and incorporated herein as **Exhibit A**.
- B. The Navajo Nation hereby approves and adopts total funding to Navajo Technical University (NTU) for the Síhasin Fund Crownpoint Student Housing Expenditure Plan in the amount of \$14,300,000 (fourteen million three hundred thousand dollars) during the Navajo Nation Fiscal Year 2018.
- C. The Síhasin Funds allocated for the Síhasin Fund Crownpoint Student Housing Expenditure Plan may be further leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 et seq., as amended, using Síhasin Fund Earnings for repayment and financing costs upon the recommendation of the Budget & Finance Committee and approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

Section Four. Approval and Adoption of Expenditure Plan Administration

- A. The Navajo Nation hereby approves administration of the Síhasin Fund Crownpoint Student Housing Expenditure Plan as follows:
 1. The Navajo Nation Controller shall determine whether the source of the \$14,300,000 will be the Síhasin Fund Principal or Income or a combination of both;
 2. The funds allocated to NTU shall be used to design, plan, construct and furnish the Crownpoint student housing project, as set forth in **Exhibit A**; and NTU shall return any and all cost-savings to the Síhasin Fund once the Crownpoint Student Housing project is fully constructed or with the approval of the Naabik'iyáti' Committee, use such cost-savings for additional student housing projects at NTU campuses.

3. The Navajo Nation Controller shall release the funds to NTU during the Navajo Nation Fiscal Year 2018 pursuant to a construction plan or other such schedule agreed to by the Office of the Controller and NTU within thirty (30) days of the formal adoption of this legislation;
 4. The funds allocated for the Crownpoint Student Housing project shall not lapse on an annual basis pursuant to 12 N.N.C. §820 (N) or otherwise be returned to or deposited in the Síhasin Fund Principal or Navajo Nation General Fund until the earlier of five (5) years from the date of adoption of this legislation or such time as the Crownpoint Student Housing project, as set forth in **Exhibit A**, is fully completed.
- B. The NTU President and Board of Regents shall have an ongoing responsibility to make all efforts to secure additional funding from external sources to reduce the use of Síhasin Funds to complete the Crownpoint Student Housing project.
- C. The NTU President and Board of Regents shall account for and be held accountable for the expenditure of Síhasin Fund funds and shall account for such funds pursuant to Generally Accepted Accounting Principles (GAAP) and an account or fund management plan approved by the NTU President and reported to the Board of Regents, which shall at least include provisions that:
1. The accounting and financial records for the Síhasin Fund funds shall be kept separate from other NTU funds and accounts; and
 2. The use of the Síhasin Fund funds shall be audited on an annual basis by an independent auditor with such audit report submitted to the Naabik'íyáti' Committee, Office of the Controller, and Office of the President and Vice-President.
- D. The NTU President shall report the status of the construction of the Crownpoint Student Housing project as well as NTU efforts to secure funding from external sources to the Naabik'íyáti' Committee and Office of the President and Vice-President on a quarterly basis.

Section Five. Effective Date

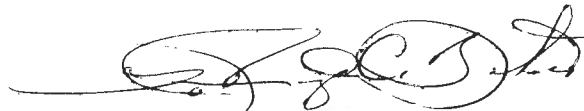
The Síhasin Fund Crownpoint Student Housing Expenditure Plan, as set forth above, shall become effective pursuant to 12 N.N.C. § 2505.

Section Six. Directives

- A. All Navajo Nation programs specifically including, but not limited to, the Office of the Controller and Office of Management & Budget, NTU staff and Board of Regents shall take all steps necessary to expeditiously implement the Síhasin Fund Crownpoint Student Housing Expenditure Plan consistent with the provisions set forth above.
- B. The NTU President and Board of Regents as well as Navajo Nation programs named in this legislation shall be held accountable for the progress of tasks under their responsibility and control and shall report on a semi-annual basis to the Naabik'íyáti' Committee and Office of the President & Vice-President on the progress of their respective tasks.

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 19 in favor and 00 opposed, on this 18th day of April 2018.



LoRenzo C. Bates, Speaker
Navajo Nation Council

4-27-18

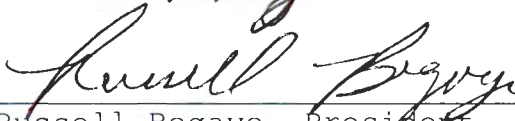
Date

Motion: Honorable Jonathan Perry
Second: Honorable Seth Damon

Speaker Bates not voting

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 11th day of May 2018.



Russell Begaye, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2018 for 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 _____ day of _____ 2018.

Russell Begaye, President
Navajo Nation



HOUSING AT NTU

A PRESENTATION BY DR. ELMER J. GUY



NTU IS AN EXPERIENCED HOUSING MANAGER

- The university currently operates 31 family housing units and two dorms: Efficiency 1 with 38 rooms and Efficiency 2 with 54 rooms.
- There are two students in each of the dorm rooms.
- The university also operates 33 housing units for faculty and staff on property both on and off campus.
- The university collects rent and provides maintenance services, while also managing and providing oversight for all activities that occur on these properties.



NTU IS DESIGNED TO IMPROVE THE LONG-TERM WELL-BEING FOR THE NAVAJO PEOPLE

- Only 8.3% of Navajos living on the Navajo Nation have earned a bachelor's degree or higher. In the United States as a whole 29.8% of the population has earned a degree of the same equivalency.
- Since the key to well-being of any population is tied up with educational attainment, the major goal of Navajo Technical University is to increase the percentage of Navajo citizens with degrees.
- To fill the total need on the Navajo Nation for economic development, a total of 15,000 students would need to be enrolled in baccalaureate degree or higher programs.

Over the past five years, NTU has graduated a total of 948 students, including two graduate students (pictured right is Perry R. James of Continental Divide, NM).



NTU IS ONE OF THE BEST INSTITUTIONS OF HIGHER LEARNING IN THE UNITED STATES

- The University is fully accredited by the Higher Learning Commission and has obtained other special accreditation through agencies like the American Culinary Federation.
- NTU offers certificates, associate degrees, baccalaureate degrees, and masters degrees. It also offers vocational training and dual credit opportunities.
- Dropout rates are lower than almost any other minority serving institution of higher learning in the United States.

Many of NTU's programs are also contributing to improving the Navajo Nation's economy, such as NTU's Advanced Manufacturing program, which utilizes robotics, 3D printing, and laser scanning.



NTU DEMAND FOR HOUSING IS INTENSE

- At this point, NTU is not able to accommodate additional students in on-campus housing, which has exceeded 100 percent capacity.
- Significant numbers of Navajo students have been turned away over the past five years because they could not find living accommodations in the Crownpoint area.
- NTU's data shows that the Crownpoint campus needs up to 600 additional beds to properly meet the long-term needs of the Navajo Nation; however, NTU could provide immediate relief beginning with 270 beds. The beds would serve both entering freshmen and returning students needing to stay on campus while they pursue their higher level courses.



THE BENEFITS OF ON CAMPUS HOUSING

- **Instills a strong sense of community**
 - Participate in community activities, programs, and organizations
 - Makes transition into college life easier
 - More likely to complete program of study
- **Earn a higher GPA**
 - Availability of campus resources such as tutoring, computer usage, library services, and counseling
- **Less expensive**
 - Including free services and amenities such as:
 - Cable
 - Access to high-speed Internet and Wi-Fi
 - Cuts down on transportation costs

NTU has devoted itself to providing students with the resources they need to succeed. To help support on campus housing, NTU has erected a student union building and a state-of-the-art library to help supplement student learning.



PROVIDING HOUSING AT NTU HELPS THE NAVAJO NATION PROVIDE HOUSING FOR ALL OF NAVAJO

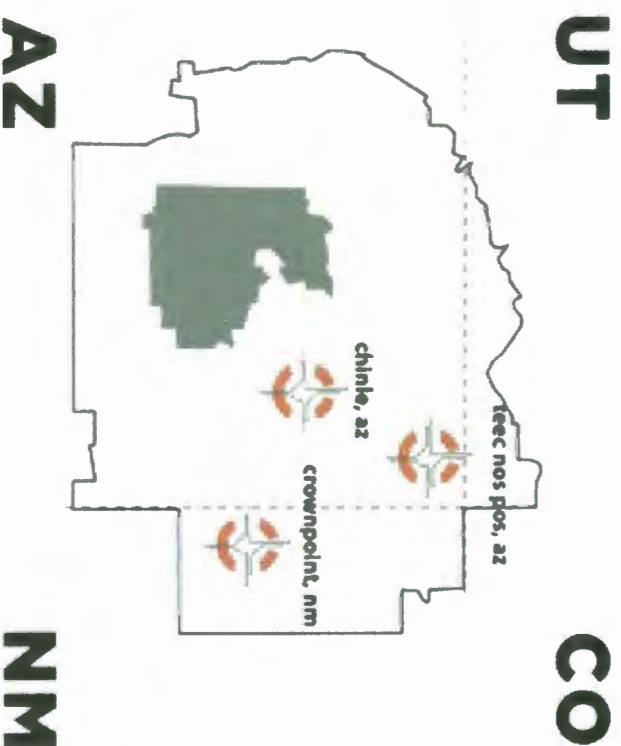
- By having housing for students at Navajo Technical University, students will not be seeking housing elsewhere on the Navajo Nation.
- Students come from all over Navajo: Arizona, New Mexico, and Utah. Thus the housing of students at NTU addresses shortages found throughout the Navajo Nation.
- Since students will be graduating with degrees, the students, after their time at NTU, will have more income and be better able to afford housing on their own.
- This will reduce the pressure on housing throughout the Navajo Nation.

Navajo Tech is an experienced housing manager that could provide up-to-date maintenance on all of its housing units.



WHERE ARE OUR STUDENTS COMING FROM?

- Eastern Agency
- 31%
- Fort Defiance Agency
- 13%
- Central Agency
- 26%
- Western Agency
- 2%
- Northern Agency
- 7%
- Off the Navajo Nation
- 21%



2014 Statistics:

Eastern Agency 11% Fort Defiance Agency 30%
Central Agency 24% Western Agency 13%
Northern Agency 13% Off the Navajo Nation 9%

ECONOMIC IMPACT ON THE CROWNPOINT AREA

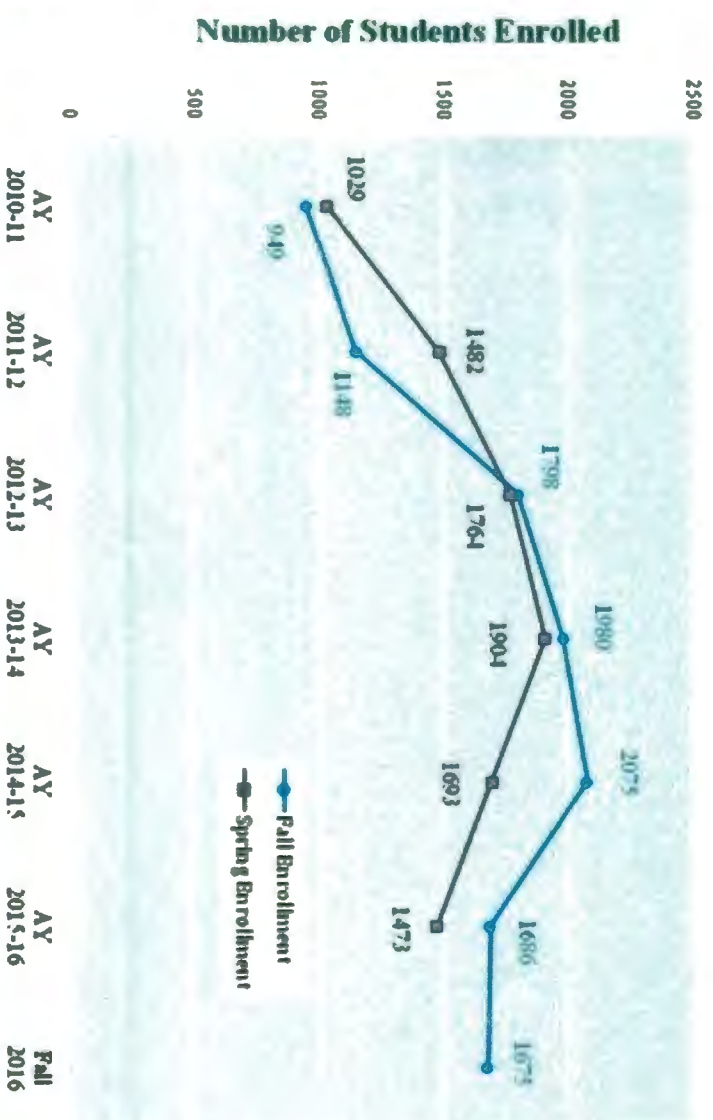
- The primary impact on the Crownpoint area will come from two major developments: 1) construction jobs created as the result of the building of the 80 housing units and 2) the expansion of the university due to a continuing increase in student numbers.
- Jobs created by this project will include professional jobs for faculty and staff like counselors and hourly wage jobs such as janitorial and maintenance.
- The university should increase its payroll by roughly \$250,000 per year as a result of this project. Using a multiplier of 7 turns of the new income to the community, the total permanent economic impact will be a minimum of \$1,750,000 per year.
- This is the minimum impact because continued growth at Navajo Tech has, in the past, created additional growth, which creates more jobs.

The university also estimates that the \$20 million spent on the project during the 18 months of architectural and construction work will employ over 100 people.



NAVAJO TECH IS ONE OF THE NATION'S LARGEST TRIBAL COLLEGES AND UNIVERSITIES

Navajo Technical University Enrollment Trend



Navajo Technical University reversed its declining enrollment trend from the past spring by enrolling 1545 students this spring semester.

SITE CONTEXT



buffalodesign
architects

SITE PLAN 1 & 2



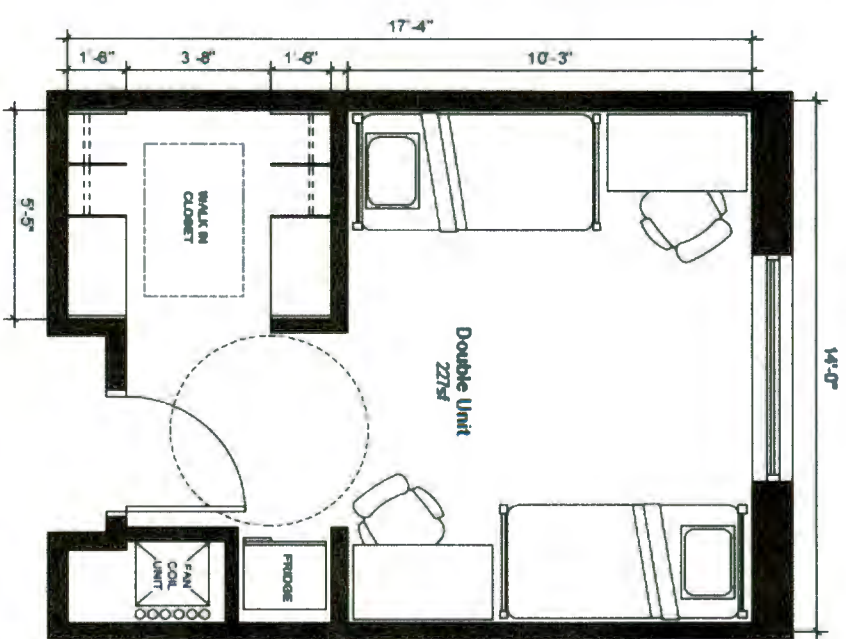
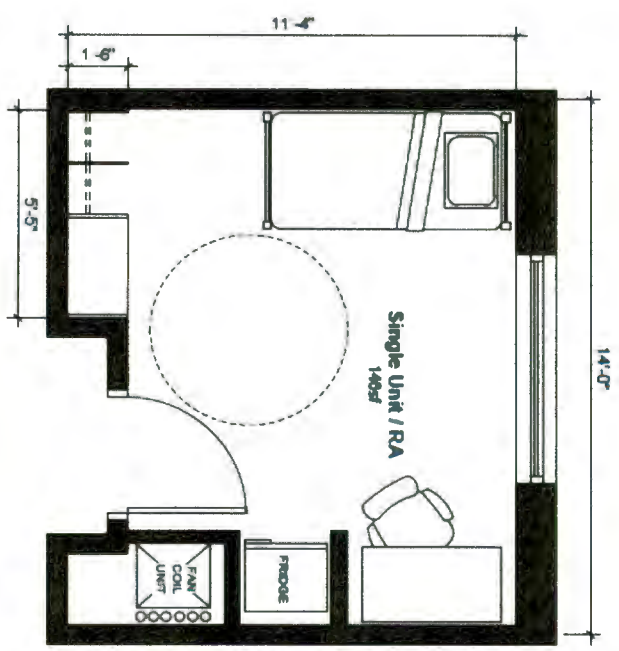
buffalodesign
architects

CAMPUS PLAN



buffalodesign
architects

UNIT TYPES



buffalodesign
architects

NTU HAS DEMONSTRATED ITS ABILITY TO FINISH CONSTRUCTION PROJECTS ON TIME, ON BUDGET

- The university's construction management skills have been strongly demonstrated over the years.
- The last six buildings built: The Culinary Arts and Hospitality Center, the Information Technology and Data Center facility, the Advanced Manufacturing and Engineering Lab, the Comprehensive Wellness Center, the NTU Library, and the Student Union Building were all opened on budget and on time.
- The State of New Mexico gave the university the 2009 Award of Excellence as a result of the university's performance in using capital outlay funding to build the Culinary Arts and Hospitality Center.
- NTU currently has two big construction jobs ready to take place in 2017: the Wet Labs addition to the Student Union Building and a new campus in Chinle, AZ.



SIHASIN FUNDING FOR A DORM BUILDING FOR NTU WILL SERVE THE NAVAJO PEOPLE WELL

- Over a ten year period, it's projected that Navajo Technical University will serve over 2,000 students with its current housing units.
 - $123 \text{ rooms} \times 2 \text{ students} = 246$
 - $246 \text{ students per year} \times 10 = \mathbf{2,460}$ students
- With the additional 270 beds, NTU projects to service an additional **5,160** students over the next ten years.
- NTU has always maintained full capacity with its current housing units.
 - The Navajo Nation could service six times more individuals at NTU than if funding were to be allocated to 800 additional NHA homes.



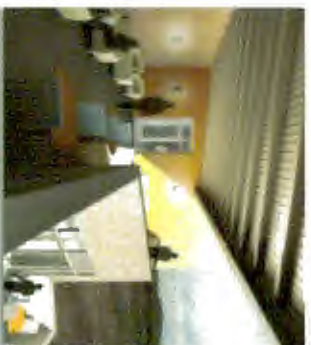
PROJECTED COST

\$27,600,000



NTU

\$4 MILLION



NHA

\$10 MILLION



SIHASIN

\$14 MILLION

Navajo Technical University has already committed \$1.1 million, which has been paid for architectural and design services. An additional \$400,000 would be needed for furniture.



AHE'HEE!

Dr. Elmer J. Guy
NTU President
eguy@navajotech.edu



**NAVAJO TECHNICAL UNIVERSITY
MODEL ACTIVITY QUESTIONNAIRE**

Recipient Name:

Total IHBG Amount Requested:

Grant Year:

Navajo Technical University

\$10,000.000

2017

1. What type of activity is it?

Model Activity:

Construction of Student Housing

2. If the activity will include other non-IHBG funds, identify the funding source(s) and amount(s):

Funding Source

Amount

Navajo Technical University General Fund

\$4,000,000.00

The university is estimating that the Navajo Nation, through the Council and President, will provide at least \$10,000,000. The other \$7,000,000 will come from a USDA loan, which NTU is working on putting into place.

3. How does the activity meet Section 202 of NAHASDA eligibility requirements?

Several years ago, NTU was a sub recipient of IHBG funds for the construction of two major dormitories and student family apartments at the Crownpoint campus. Since then NTU has experienced significant growth rate during the past seven years and has filled all housing units on the Crownpoint campus. A significant number of students from different parts of the Navajo Nation have enrolled at NTU creating a greater demand for student housing.

4. Describe the activity in detail.

- a) This proposal is for a three-story building located on the Crownpoint, New Mexico campus site. This building will have **145** rooms that will house 1 - 2 persons per unit. The project will take 18 months from the time of funding through occupancy. A total of \$30,879,350 is the cost necessary for architectural, construction, technology cost, and other costs. Navajotech has already secured the land site, completed and submitted the stamped architectural and design. Navajotech is requesting from NHA the amount of \$10,000,000 toward this construction, which is 33% of the total cost. It also should be noted, that the NTU Administration along with several NHA Board members presented to the Navajo Nation Council Si Has Sin sub-committee in June 2017 and requested

matching funds for the project. Consequently, the Si Has Sin sub-committee requested a follow up at their next scheduled meeting which has yet to occur.

Estimate Size:

95,388 sf

Estimate Cost:

\$31,000,000.00

Other Occupants:

The only other occupants than low-income students will be a small office/security space and rooms for monitors that live on-site to meet residential needs. One room will also be available for tutoring and other services.

Cost per Square Footage:

\$224.741

5. Demonstrate the need for the activity:

Navajo Technical University has had a growth rate during the past seven years, so it has not only filled all housing units on the Crownpoint campus where all the baccalaureate degree programs are offered, but it has been dealing with a number of students from different parts of the Nation that have either not attended a college or university because of a lack of living accommodations or have ended up on a waiting list. University studies on potential enrollment growth show that the university needs to add at least 320 units in one or two buildings in the near term. In order to catch up with the average percentage of population with baccalaureate degrees or better that is standard throughout the United States, the Nation would have to add 15,000 Navajo people with baccalaureate or graduate degrees. Achieving better percentages are key to economic growth in the Nation's efforts to reduce the overall rate of poverty.

This project will address some of the housing crisis on the Navajo Nation by providing living units for young people that would otherwise be seeking NHA housing in their home communities. In the process these tenants would be securing an education that would provide them a career to attain a job. Since those who earn associate or baccalaureate degrees will be better able to find jobs that will bring them above the poverty line, future housing needs will also be reduced since graduates will be able to pay for their own housing.

6. How will the activity serve affordable housing residents?

The dorm space will provide housing for NHA eligible students and families through NTU's operational year. It will allow students to attend a high quality university with certificate

through associate to graduate degree programs. A number of services to support students will also be made available in the dorms.

7. On what basis are the cost considered reasonable and necessary?

NTU issued a competitive RFP for Architecture & Engineering Services to design the new Residence Hall project. Buffalo Design was awarded the contract and completed programming and design through construction documents. Using their expertise Buffalo Design estimated the cost of construction. These costs reflect estimates of likely low bids in the Navajo Nation in the Crownpoint area.

8. If the activity is the acquisition or construction of a non-dwelling structure:

N/A

- **Are costs within Total Development (TDC) limits? (Note: TDC limits apply to all construction and acquisition activities, include model activity. See 24 CFR 1000.162 for additional information).**

The Project does not address constructing or acquiring a non-dwelling structure.

- **What types of services will be provided in the structure?**

This is primarily a project to provide housing. However, a wide range of services will be available to students in addition to the vocational and academic programs on campus. Tutoring, counseling, security, substance abuse programs, and childcare are all services that students can access either at the dorm or a walking distance away from the new dorm space.

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.: NEW

Program Title: NTU On-Campus Student Housing

Division/Branch: GRANT

Amount Requested: \$14,300,000 **Phone No.:** 505-786-4118

Prepared By: Geri Gamble

Email Address: ggamble@navajotech.edu

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Additional on-campus student housing is needed to meet the needs of students. Students perform better when living on campus.

PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

NTU has secured approximately 50% of the \$27.6 million total construction costs. Project will not proceed if not funded by Navajo Nation.

PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:

NTU has secured \$9.3 million from NHA and \$4 million from internal funding sources.

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

Geraldine Sanchez 3/20/18

REVIEWED BY: Division Director's Signature / Date

TR 3/20/18

RECOMMEND APPROVAL: Branch Chief's Signature / Date

**THE NAVAJO NATION
PROJECT BUDGET SUMMARY**

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PROJECT FORM 1

PART I. Business Unit No.: NEW Project Title: NTU On-Campus Housing
 Division/Branch: GRANT Chapter: _____ Agency: Navajo Technical University
 Prepared By: Geri Gamble Phone No.: _____ 505-786-4118

PART II. Check one: ☒ Original ☐ Revision ☐ Reallocation ☐ Modification

Project Funds/Source(s)	Appropriation End Date	Amount	% of Total
Sihasin Funds		14,300,000.00	52%
Navajo Housing Authority		9,273,289.00	34%
Navajo Technical University		4,000,000.00	15%
TOTAL:		27,573,289.00	100%

PART III. Budget at LOD 4	Amount
Sihasin Funds	
9000 Capital Outlay	14,300,000.00
9052 Buildings - \$14,300,000.00	
TOTAL	14,300,000.00

PART IV. Project Information

Project Type: Building Construction

Planned Start Date: June 1, 2018

Planned End Date: December 31, 2019

Project Manager: Anthony Major

FOR OMB USE ONLY

Resolution No.: _____

FMIS Set Up Date: _____

Company No.: _____

OMB Analyst: _____

PART V. ACKNOWLEDGEMENT:
 I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED ON THIS FORM IS COMPLETE AND ACCURATE.

 3/20/18
 SUBMITTED BY: Dept. Director Signature / Date

 3/20/18
 VERIFIED BY: Div. Director Signature / Date

PROJECT PROCESS SCHEDULE

[illegible]

THE NAVAJO NATION
PROJECT BUDGET AND JUSTIFICATION

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PROJECT FORM 3

PART I. Business Unit No.: NEW

Project Title: NTU On-Campus Student Housing

PART II.

(A)	(B)	(C)	(D)	(E)
Fund Source Code	Object Code (LOD 4)	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
5	9000	9050	9052 - Buildings	14,300,000
PAGE TOTAL:				\$14,300,000.00



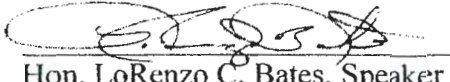
23RD NAVAJO NATION COUNCIL

OFFICE OF THE SPEAKER

HONORABLE LORENZO C. BATES
SPEAKER, 23RD NAVAJO NATION COUNCIL

MEMORANDUM

TO: ALL CONCERNED

FROM: 
Hon. Lorenzo C. Bates, Speaker
Navajo Nation Council

DATE: February 13, 2018

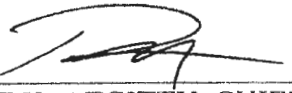
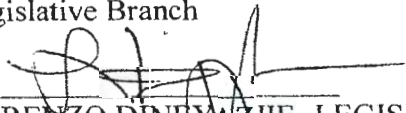
SUBJECT: STANDING DELEGATION OF AUTHORITY

Please be advised the Personnel listed below, in the order of succession will be delegated to oversee the operations of the Office of the Speaker during my absence from the office. ***This delegation will be effective Tuesday, February 13, 2018.***

This Delegation of Authority is for administrative purposes only and is not intended, nor does it, re-delegate any policy authority delegated to the Speaker of the Navajo Nation Council.

Your cooperation is expected and greatly appreciated. Thank you.

ACKNOWLEDGEMENT:

1. 
PETE K. ATCITTY, CHIEF OF STAFF
Office of the Speaker
Legislative Branch
2. 
LORENZO DINEYAZHE, LEGISLATIVE FINANCIAL ADVISOR
Office of the Speaker
Legislative Branch

Building A Navajo University Project

Navajo Technical University's Growth in Service to the Navajo People

Navajo Technical University had made great progress during the last ten years. From the days when it was Crownpoint Institute of Technology to today it has increased its enrollment from 333 students in Fall 2005 to 2,075 students in Fall 2014. The significance of this accomplishment is slowly being reflected in the rising percentage of Navajo students earning degrees. An example of this achievement is that for the first time in 2014 the same percentage of American Indian students in New Mexico earned associate degrees as the general population. Most of those students are Navajo. Navajo is in on the road to ending its long history as one of the least educated populaces in the United States. The goal is to make Navajo one of the most educated, economically strong areas in Arizona, New Mexico, and Utah.

Navajo Technical University (NTU) has also expanded degree levels it is authorized by the Higher Learning Commission accreditation authority to offer. Ten years ago, in 2005, Crownpoint Institute of Technology offered 13 one-year certificate programs in trades like construction, culinary arts, and automotive technology and 9 associates of applied science degrees. Today NTU offers certificates, associate of science and applied science, baccalaureate of science, applied science, arts, and fine arts, and a master's degree. Students can choose from 18 certificate, 3 associate of science, 12 associate of applied science, 4 baccalaureate of science, 3 baccalaureate of applied science, 1 bachelor of arts, 1 baccalaureate of fine arts, and 1 master of arts degree. The university has also developed and applied for accreditation for a new baccalaureate degree for pre-medical students.

The curriculum is designed to not only build Navajo student futures by providing strong, academically rigorous programs, but also to directly address major Navajo Nation needs for engineering, economic development, a better health system, entrepreneurs, strong leadership, environmental and natural resources management, and stronger pre-K through 12th grade education systems.

Needs

Considerable work needs to be done on especially the baccalaureate and graduate degree levels if the Navajo Nation is going to become as successful economically as non-Indian communities in Arizona, New Mexico, and Utah. The Navajo Nation still has fewer percentages of its population with baccalaureate or graduate degrees than any of its surrounding non-Indian communities. New degree programs need to be launched and current degree programs need to be strengthened. NTU intends, with the help of this funding, to become a doctoral-granting university in the future.

There is also considerable work that needs to be done at the pre-college levels of education. Only a handful of schools serving Navajo students have made AYP status during any one year since that measurement was implemented as part of the No Child Left Behind Act. Student performance at most of these schools is sub-standard. Over time Navajo students reading and math scores have consistently not only been behind peers nationally in grades 3-8, but they have

not markedly improved based upon a study of AYP reports since the law passed. High school dropout rates have continued at unacceptably high levels.

NTU has introduced two plus two programs with high schools and launched a baccalaureate degree program in early childhood education. It is planning additional education degree programs in the future, tailoring the training given to strengthen teacher performance with Navajo students.

NTU has also developed both a baccalaureate and a master degree program in Diné Culture, Language, and Leadership. A recent study by the Navajo Tribe showed that Navajo culture and language could die out within less than two generations. NTU's efforts in language and culture are designed to help develop a nation revival of language and culture, training teachers as well as providing leadership grounded in language and culture and the skills needed to help bring about revival.

The university has also expanded its geographical service to the Navajo people, establishing two instructional sites, one in Chinle and the other in Teec Nos Pos. The Chinle site will become a full-fledged campus once classrooms and other buildings are put into place. Navajo Technical University is designed to serve all Navajo in all parts of the nation.

Funding Request

In order to continue strengthening NTU, providing a strong fiscal foundation, and continuing its long-term development, the university is requesting that the Navajo Nation provide \$40,000,000 out of the \$554,000,000 settlement with the United States Government for the purpose of strengthen its endowment and constructing new higher educational facilities in Crownpoint, New Mexico and Chinle, Arizona.

The funding requested will be used to accomplish the following:

1. Construct a classroom/student union/cafeteria at the Chinle instructional site, allowing it to become a fully accredited campus.
2. Construct faculty housing in Chinle.
3. Construct a general classroom/faculty office building in Crownpoint, replacing mobile classrooms that are old and increasingly too expensive to operate and maintain.
4. Construct faculty housing in Crownpoint.
5. Renovate a building in Crownpoint for counseling, admissions, registration, student recruitment, and Dean's offices.
6. Build endowment for supporting the university's long-term survival and development.
7. Establish a research fund for the purpose of encouraging research projects that help the Navajo Nation meet its long-term goals.
8. Construct new dorm facility in Crownpoint.

The biggest unmet need will be for dorm buildings in Chinle.

Classroom/student union/cafeteria at Chinle

One classroom building is in the planning/construction process at Chinle. However, to change the Chinle Instructional Site into a full-service campus another building will have to be built. Enrollment growth at Chinle has been spectacular. This proves the need and desire for higher education in the area. However, baccalaureate degrees and services like food, full-service counseling, economic development, the launching of health-related and trade degrees such as automotive technology and welding, and career advisement cannot be undertaken without further developments on the campus. NTU will be able to expand enrollments in Chinle as well as better serve Arizona chapterhouses with this funding. Plans exist for a 7.5 million dollar facility.

Faculty Housing in Chinle

A crises need in Chinle is for faculty housing. There are simply no housing units available for faculty in the Chinle area. To further develop the Chinle Campus housing for faculty will be necessary. The development of baccalaureate and additional associate degrees will be impossible without faculty housing. A total of 2 million dollars will be spent on this project.

General Classroom/faculty Office Building in Crownpoint

One of the biggest challenges at Crownpoint currently are the old mobile classroom units that have been in place for decades. These units are all deteriorating and are becoming increasingly expensive to maintain and operate, especially during the winter. They absolutely need to be replaced with a new classroom/faculty office building in the near future before they become completely unusable. There are 14 mobile classroom units that will need to be replaced with classrooms more conducive to student learning. The campus would also like to launch a welding program. Plans exist for a 10 million dollar facility.

Crownpoint Faculty Housing

The need for faculty housing in Crownpoint continues. There is simply no housing available in the area for new faculty. The need has been a long-standing challenge to continuing strengthening the academic and trades curriculum. A total of 1.5 million dollars will be spent on this project.

Renovation of Old Dorm into Campus Administrative and Counseling Center in Crownpoint

The Old Dorm building in Crownpoint has experienced such water damage and deterioration over the years that it has become an eyesore on campus in addition to being unusable. This facility needs to be gutted and rebuilt, replacing the offices in mobile classrooms for administrators and counselors with a new facility. A total of 2.25 million dollars will be spent on this project.

Endowment

One of the important elements for developing a university and ensuring it meets the goals set for it by the Navajo Legislature and President is an endowment. An endowment is designed to keep the principal amount intact while using the investment income from dividends to provide for the university's long-term financial stability and development. Almost all universities in the United States have a strong endowment. NTU currently has a small endowment. This funding will help strengthen the NTU endowment, helping to secure its long-term future for the Navajo people. 5 million dollars will be invested in the endowment.

Research Fund for Helping the Navajo Nation Meet Long-term Goals

One of the most important reasons that states and governments establish and support universities is to encourage research into areas that promise to further economic development, employment, better health, better education, better land and resource use, better law enforcement, or some other goal important to citizens. NTU has been working to build partnerships with tribal departments and organizations. This funding will provide grants to students and faculty to help with research projects that help these departments and organizations, including the council and President, achieve long-term goals that will better the lives of Navajo people. A total of 1.75 million will be put into a fund designed to encourage such partnership and research efforts.

Crownpoint Campus Dorm

NTU has certified architectural drawings for a three-story student housing for the Crownpoint Campus. Since students attend NTU from every region of Navajo, it is a residential campus. Without a place to live while going to school, Navajo students cannot attend NTU. Unfortunately, NTU cannot accommodate all the Navajos who want to attend the university currently. The dorms end up turning students away every semester. This project is shovel-ready. 10 million dollars will be spent building a new Crownpoint dorm.

Summary of Project Budgets

Chinle Classroom Building	\$ 7,500,000
Chinle Faculty Housing	\$ 2,000,000
Crownpoint Classroom Building	\$10,000,000
Crownpoint Faculty Housing	\$ 1,500,000
Renovation of Old Dorm - Crownpoint	\$ 2,250,000
Endowment Fund	\$ 5,000,000
Research Fund	\$ 1,750,000
Crownpoint Dorm	<u>\$10,000,000</u>
Total	\$40,000,000

**JOINT RESOLUTION OF THE
BOARD OF REGENTS OF DINÉ COLLEGE AND
BOARD OF REGENTS OF NAVAJO TECHNICAL UNIVERSITY**

**Requesting the Navajo Nation Council Approve the Appropriation of \$60,000,000
(Sixty Million Dollars) from the Navajo Trust Litigation Settlement Funds to Diné College
and to Navajo Technical University that Shall be Shared Equally by the Two Higher
Education Institutions of the Navajo Nation to Provide the Opportunity for the Two
Institutions to Meet their Respective Strategic Goals.**

WHEREAS:

1. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University are each responsible for the administration, operations and the development of policy for their respective institutions; and
2. Pursuant to each of their enabling legislation, Diné College and Navajo Technical University are organized as institutions of higher learning for the purpose of providing post-secondary education programs that serve both the academic and vocational/technical needs of the Navajo Nation and its citizens; and
3. On August 16, 2014, the Board of Regents of Diné College and the Board of Regents of Navajo Technical University met jointly to confer and develop a request to submit to the Navajo Nation Council for an appropriation from the Navajo Trust Litigation Settlement Funds that will best meet the priorities of their respective institutions; and
4. Diné College and Navajo Technical University were created by the Navajo Nation Council with the mission to educate Navajo Nation members as a means to promote the education, economic development, as well as cultural and environmental preservation and enhancement within the Navajo Nation; and
5. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University have considered and determined the strategic goals and priorities for their respective institutions that will best meet their educational mission from the Navajo Trust Litigation Settlement Funds; and
6. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University determined that a joint request to the Navajo Nation Council for an appropriation of \$60,000,000 (Sixty Million Dollars) from the Navajo Trust Litigation Settlement Funds to Diné College and to Navajo Technical University that shall be shared equally by the two higher education institutions of the Navajo Nation to provide the opportunity for the two institutions to meet their respective strategic goals and priorities.

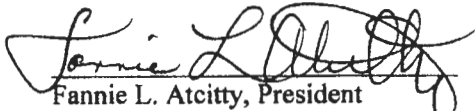
NOW THEREFORE BE IT RESOLVED THAT:

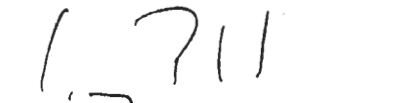
1. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University hereby jointly request that the Navajo Nation Council approve the appropriation of \$60,000,000 (Sixty Million Dollars) from the Navajo Trust Litigation Settlement Funds to Diné College and to Navajo Technical University that shall be shared equally by the two higher education institutions of the Navajo Nation to provide the opportunity for the two institutions to meet their respective strategic goals.

2. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University hereby jointly direct their respective President to do all things necessary to effectuate the purpose of this resolution as jointly approved by the Board of Regents of Diné College and the Board of Regents of Navajo Technical University.

CERTIFICATION

We hereby confirm that this resolution was discussed and considered jointly by the Board of Regents of Diné College and the Board of Regents of the Navajo Technical University at a duly called meeting held in Flagstaff, Arizona at which a quorum of each Board was present and that this resolution was passed by a vote of 12 in favor, 0 opposed and 0 abstained on the 16th day of August, 2014.


Fannie L. Atcitty, President
Diné College Board of Regents


Tom Platero, Chairperson
Navajo Technical University
Board of Regents



**EASTERN NAVAJO AGENCY COUNCIL
THE NAVAJO NATION**

P.O. Box 668
Crownpoint, New Mexico 87313
Phone: (505) 786-2090
Fax: (505) 786-2097

Russell Begay, President

Ervin Chavez
President

Johnny Johnson
Vice-President

Jonathan Nez, Vice-President

Fannie Yazde
Secretary/Treasurer

ENAC 12-2015-07

RESOLUTION OF THE EASTERN NAVAJO AGENCY COUNCIL

SUPPORTING THE STUDENT HOUSING PROJECT APPLICATION SUBMITTED TO THE NAVAJO HOUSING AUTHORITY AND THE "BUILDING A NAVAJO UNIVERSITY PROJECT" FUNDING REQUEST SUBMITTED TO THE SIHASIN SUB-COMMITTEE OF THE NAVAJO NATION BY THE NAVAJO TECHNICAL UNIVERSITY CODIFIED AT 15 N.N.C. §§1201-12069.

WHEREAS:

1. The Eastern Navajo Agency Council is recognized as the local government entity of the Navajo Nation government vested with decision making authority to plan, implement, and make decision in the best interest of the people; and
2. Per the 2 N.N.C. SECTION: 4028; the Eastern Navajo Agency Council is vested with government authority to review all matters affecting the community to make most appropriate recommendations when necessary to the Navajo Nation, County, State, Federal and other local agencies to beneficial to the organizations; and
3. Many people reside in, and many young people graduate from high schools located within the Eastern Navajo Agency. For economic growth and community improvement, it is imperative that high school graduates within the Eastern Navajo Agency have the opportunity to acquire a college education close to home and their families; and
4. Navajo Technical University is an accredited institution of higher learning, located in Crownpoint, New Mexico, and was chartered by the Navajo Nation to provide post-secondary programs that serve the vocational/technical and academic needs of the Navajo Nation and its citizens, 15 N.N.C. §§1201-1209; and
5. Navajo Technical University has a progressive history. In 1979, the Navajo Skill Center opened in Crownpoint, New Mexico offering workforce trade programs. In 1985, the name of the institution was changed from Navajo Skill Center to the Crownpoint Institute of Technology to coincide with the institution's expanded mission. In 2006, the name was changed to Navajo Technical College upon the institution's development of several new associate degree programs. In 2013, after bachelor's degrees and a master's degree were added, the name was changed to Navajo Technical University; and

6. Within the Eastern Navajo Agency, the Crownpoint Chapter has a special relationship with Navajo Technical University. The Crownpoint Chapter supported Navajo Technical College's development and growth by approving the withdrawal of land within the Crownpoint Chapter community for the college's main campus facilities; and
7. For two consecutive years, Navajo Technical College was recognized by the Aspen Institute College Excellence Program as one of the top 120 community colleges in the United States; and
8. Navajo Technical University has experienced several past consecutive years of growth in student enrollment and this continued growth is impeded by lack of students housing; and
9. Navajo Technical University currently operates 31 family housing units and two dorms, one with 38 double-occupancy rooms and another with 54 double-occupancy rooms and these units and dorms all have waiting lists that cannot be served; and
10. Navajo Technical University applied for funding from the Navajo Housing Authority in 2014 to construct a student housing facility that will house approximately 260 students in 144 double-occupancy rooms, and NHA deemed it project ready with completed architect plans and drawings; and
11. Navajo Technical University submitted a resolution and funding request entitled, "Building a Navajo University Project" to the SiHasin Sub-Committee on September 2, 2015; the funding would support the University's strategic goals and support the Crownpoint campus and its instructional sites in Chinle and Teec Nos Pos, Az; and
12. The Eastern Navajo Agency fully supports the funding requests, and respectfully requests the Navajo Housing Authority Board of Commissioners to fund the student housing application submitted by the Navajo Technical University, and also respectfully requests the SiHasin Sub-Committee to fund the "Building a Navajo University Project" funding request. Empowering Navajo Technical University to achieve its strategic goals, including building additional student housing, will enable NTU to meet the needs of its present and future students and the Navajo Nation community as an institution of higher learning.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Eastern Navajo Agency hereby fully supports the funding application and request submitted to the Navajo Housing Authority and to the SiHasin Committee of the Navajo Nation by Navajo Technical University, 15 N.N.C. §§1201-1209, to construct a new student housing facility and to achieve its strategic goals.
2. The Eastern Navajo Agency hereby strongly recommends the Navajo Housing Authority Board of Commissioners approve the project-ready student housing funding

application which was submitted to the Navajo Housing Authority in 2014 by Navajo Technical University, 15 N.N.C. §§1201-1209.

3. The Eastern Navajo Agency hereby strongly recommends the SiHasin Sub-Committee approve the "Building a Navajo University Project" funding request which was submitted to the SiHasin Sub Committee Chair on September 2, 2015 by Navajo Technical University, 15 N.N.C. §§1201-1209.

CERTIFICATION

We, hereby certify the foregoing resolution was duly considered by the Eastern Navajo Agency Council at a duly called meeting in Tseyahloh Chapter, Montmore, New Mexico, at which a quorum was present and that the same was passed by a vote of 86 in favour, and 3 opposed, and 1 abstaining, this 5th day of December 2015.

Motion by: Young Jeff Tom, Mariano Lake Chapter

Seconded by: Stanley Herrera, Alamo Navajo Chapter


Ervin Chavez, President
EASTERN NAVAJO AGENCY COUNCIL

ATTEST:


Fernie Yazzie, Secretary/Treasurer
EASTERN NAVAJO AGENCY COUNCIL



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

February 4, 2016

Aneva Yazzie, Director NHA
Ervin Chavez, Chairperson, NHA Board of Commission
Morgan Blvd
Window Rock, Arizona 86515

RE: Navajo Technical University's application for a Housing Grant

Ms. Yazzie and Mr. Chavez:

The Navajo Nation fully supports the University's application for a grant from Navajo Housing Authority that will provide more housing for the Crownpoint campus. Housing is absolutely critical for any University, in growth and expansion of its programs, including new curriculum. This Administration is looking to our diné colleges, such as NTU to assist in developing training programs and professional degrees for our Government such as a police academy and accounting, where we are lacking Navajo professionals.


If approved, this grant will provide 144 housing units. This will not only increase the enrollment but open more educational opportunities for NTU and in turn the students. We understand the housing project for the Crownpoint campus is shovel-ready and the project will be put out for bid immediately. As such, will provide immediate growth to NTU.

Education is the foundation for any Government's sustainable development in economic development, social and environmental dimensions. It is education that provides the knowledge and develops the skill for our future Diné professionals and entrepreneurs. Therefore, we respectfully request your favorable consideration to this application.

Respectfully,

THE NAVAJO NATION


Russell Begaye, President


Jonathan Nez, Vice President



April 11, 2017

Aneva J. Yazzie, CEO
Navajo Housing Authority
P.O. Box 4980
Window Rock, Arizona 86515

Dear Ms. Yazzie,

Mr. Ervin Chavez, Chairperson, Navajo Housing Authority Commissioner would like me to provide an update on our Navajo Technical University (NTU) initiated student housing project in 2013. To date, NTU has paid \$1,306,729 for architect and engineer services (A&E).

As a tribal university, we serve Navajo students from across the Navajo Nation. NTU has experienced over a decade of increasing enrollment and currently serves 1,545 students.

NTU Student Project Housing Initiatives to date:

2013: Submitted a proposal to NHA to construct additional student housing in Crownpoint, NM.

2013: To expedite the project, NTU bided out architectural services and interviewed applicants.

2014: Hired John Tansley, Architect P.A. NTU kept the NHA Board of Commissioners informed of progress, and NHA Commissioners requested for Stamped designs to ensure that the project is completed timely.

2015: Stamped design plans presented to NHA in October.

2015: New NHA Commission members were appointed.

2015: Submitted a proposal to SiHaSin Subcommittee.

2017: Presented the NTU Student Housing Project to Sihasin Subcommittee and requested that they match \$14 million to construct a new student housing facility.

2017: NTU updated NHA proposal and following is a breakdown of partners to help fund the project:

Navajo Housing Authority	\$10,000,000
Navajo Technical University	\$ 4,000,000
Navajo Nation	<u>\$14,000,000</u>
Total:	\$28,000,000

NTU has made an upfront investment in this project and is hopeful that NHA will provide funding needed to complete this critical initiative. Our architects estimates that the construction will take about 18 months. We look forward to work with you in constructing a student housing facility that is desired greatly.

Sincerely,

Dr. Elmer J. Guy,
President

NHA Hooghan—Center of Family Growth, Strength and Beauty **NAVAJO HOUSING AUTHORITY**

RESOLUTION NHA- 4725-2017

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE NAVAJO HOUSING AUTHORITY

Approving a Conditional Funding Commitment of \$5,576,293 From Program Income Funds for the Construction Of a New Navajo Technical University College Housing Facility

WHEREAS:

1. Public Law 104-330, the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), was enacted to provide housing assistance that recognizes the rights of Indian Self-determination and Self-governance through a program known as Indian Housing Block Grant (IHBG); and

2. The Navajo Housing Authority (NHA) (a) was created and established as a public body of the Navajo Nation under the laws of the Navajo Nation at 6 N.N.C. § 601 and its Plan of Operation is codified thereunder; (b) pursuant to 24 CFR 1000.206 of the NAHASDA regulations, is the Tribally Designated Housing Entity (TDHE) for the Navajo Nation and is an eligible recipient of IHBG pursuant to Navajo Nation Council (NNC) Resolution CD-82-03; and (c) is otherwise regulated by HUD NAHASDA program requirements set forth in the Code of Federal Regulations, Title 24 Housing and Urban Development, Parts 85 and 1000; and

3. Pursuant to 6 N.N.C., Sections 605 and 616(b)(3), the Board of Commissioners of the NHA is empowered with the authority to manage the affairs of the NHA with the power to do all things necessary or desirable to secure the financial aid or cooperation of the federal government in the undertaking of providing safe, decent and sanitary housing; and

4. Starting first as Navajo Skill Center in 1979 and now known as Navajo Technical University (NTU), NTU developed over time into a respected technical-vocational tribal university that addresses the continually changing requirements of its students. NTU provides university readiness programs, certificates, associate, baccalaureate, and graduate degrees that are designed to prepare students for entry into careers and further education; and

5. NTU was created through a charter from the Navajo Nation and is now a tribal university with the main campus in Crownpoint, New Mexico and instructional sites located in Chinle and Teec Nos Pos, Arizona. It serves roughly 1,500 students per year who are over 96% Navajo; and

6. Several years ago, NTU was a sub recipient of IHBG funds for the construction of two major dormitories and student family apartments at the Crownpoint campus. Since then NTU has experienced significant growth rate during the past seven years and has filled all housing units on the Crownpoint campus. A significant number of students from different parts of the Navajo Nation have enrolled at NTU creating a greater demand for student housing; and

NHA RESOLUTION NHA-4725-2017

April 13, 2017

Page | 2

7. Student enrollment at NTU continues to increase year over year with the number projected to grow in the next few years; and

8. Because of the continuing growth of the student population at NTU, there is a need for more student housing at the Crownpoint campus. NTU management has met with the Siihasin Subcommittee and informed the subcommittee of the need for additional funding for its proposed new student housing; and

9. The preliminary estimate to construct a new three story 145 rooms student housing facility would cost about \$27,600,000. The design for the new facility has already been completed and stamped designs are now available. NTU is willing to contribute \$4,000,000 for the construction of the new facility; and

10. The NHA Board of Commissioners previously approved \$4,423,707 of 2017 IHBG funds that is subject to the final 2017 Congressional appropriations and therefore, in an ongoing effort and support of the need for college housing, the NHA Board of Commissioners believes that it is appropriate to approve a conditional supplemental program income funding commitment of \$5,576,293 for a total of \$10,000,000 toward development of the student housing contingent upon NTU obtaining additional funding to complete development of the student housing facility. If additional funding is obtained to complete the development, NHA's funding would be provided over a two-year time period. If NTU is not able to obtain the remaining balance of \$13.6 million for construction, then the NHA funding commitment will not be available.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Commissioners of the Navajo Housing Authority hereby approves and authorizes a conditional supplemental funding commitment of five million five hundred and seventy-six thousand two hundred and ninety-three dollars (\$5,576,293) using Program Income funds to construct a new Navajo Technical University student housing facility in Crownpoint, New Mexico, to be provided over a two-year period to assist in the construction of the new student housing facility.

2. The supplemental funding commitment of \$5,576,293 of NHA Program Income funding commitment to construct a new student housing facility in Crownpoint, New Mexico, is contingent upon (1) NTU securing funding from any other source for the remaining construction costs to complete the new facility; (2) NTU providing at least four million dollars of its own funding for the construction of its new facility; and (3) the U.S. Department of Housing and Urban Development's approval of the Navajo Nation 2018 Indian Housing Plan for the year in which the development project is included in that Indian Housing Plan.

3. The Board of Commissioners of the Navajo Housing Authority hereby authorizes and directs the Chief Executive Officer to take all other necessary action to effectuate this resolution.

CERTIFICATION

Commissioner Kenneth Chester, moved that the foregoing Resolution NHA-4725-2017 be adopted and this was seconded by Commissioner Kenneth Peterson.

Same was passed by the following vote:

AYES: 6 NAYS: 0 ABSTAINED: 1

The Secretary, thereupon, declared said motion carried and said Resolution NHA-4725 2017 was adopted this 13th day of April 2017.



Ervin Chavez, Chairperson
NHA BOARD OF COMMISSIONERS

ATTEST:



Christina Lewis, Secretary/Treasurer
NHA BOARD OF COMMISSIONERS

RESPECTIVE CHIEF: 

LEGAL REVIEW: 

CHIEF EXECUTIVE OFFICER: 

NHA Hooghan—Center of Family Growth, Strength and Beauty **NAVAJO HOUSING AUTHORITY**

VIA ELECTRONIC & U.S. MAIL

May 11, 2017

Dr. Elmer Guy, NTU President
Navajo Technical University
P.O. Box 849
Crownpoint, NM 87313

Subject: Conditional Funding Commitment Approval Letter

Dear Dr. Guy,

It is with great pleasure to inform you that the NHA Board of Commissioners approved supplemental funding of \$5,576,293 from program income funds for the new NTU college housing facility conditioned on the premise that the remaining funds for the construction is secured from any other source to complete the new facility pursuant to the NHA Resolution NHA-4725-2017 (copy enclosed).

Please also recall, the FY 2017 Indian Housing Plan (IHP) had approved \$4,423,707 in IHBG funds which Congress recently approved final appropriations and NHA should be receiving its official funding allocation notice soon. Hence, NHA would have contributed a total of \$10,000,000 toward the total construction cost of \$28 million to accommodate the vital college housing needed for our Navajo college students.

We hope this conditional approval letter will be useful in your efforts to secure the additional funds needed to fund the total estimated cost of \$28 million in order to pursue meeting the leadership pillars of our Navajo Nation government.

If you have any questions, please call me at 928-871-2602/03.

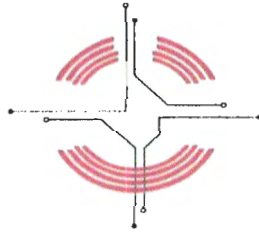
Sincerely,

NAVAJO HOUSING AUTHORITY


Aneva J. Yazzie
Chief Executive Officer

Enclosure

CC: NHA Board of Commissioners
Marlene Lynch, NHA CFO



NITSÁHÁKEES

NAHAT'A

'IINA

SIIH HASIN

NAVAJO TECHNICAL UNIVERSITY

ESTABLISHED 1979

June 14, 2017

Aneva J. Yazzie, CEO
Navajo Housing Authority
P.O. Box 4980
Window Rock, Arizona 86515

Dear Ms. Yazzie:

I am writing to express Navajo Technical University's (NTU) sincere thank you for the funding Navajo Housing Authority (NHA) and its NHA Commissioners have granted toward building dorms on the main campus in Crownpoint, NM. NHA has long been an excellent partner with NTU as it strives to improve the economic and social conditions of all the Navajo people by providing high quality higher education. Because of this latest action by NHA the Housing Authority is certainly a participant in forwarding these goals. We especially appreciate the aid of the NHA staff in this latest endeavor to build new dorms.

The inclusion of supplemental funding of \$5,576,293 and 2018 Indian Housing Plan funding of \$4,423,707 will be matched by funding of \$4,000,000 from NTU. NTU will also be securing funding from other NTU acquired sources to make the Crownpoint dorm project happen.

If the Navajo Nation is to ever achieve a self determination that truly puts its affairs in the hands of the Navajo people, our people are going to have to achieve an ever increasing number of associate, baccalaureate, and graduate degrees. The fact that NHA not only understands this, but is willing to support the efforts to achieve an increasingly educated Navajo citizenry speaks volumes about the long-term vision of the organization.

Again, I, as well as the rest of NTU, including its Board of Regents, students, faculty, and staff, want to thank you. We believe you are truly helping to fashion a brighter and stronger future for the Navajo people.

Sincerely yours,

Dr. Elmer Guy, President
Navajo Technical University

NHA Hooghan—Center of Family Growth, Strength and Beauty **NAVAJO HOUSING AUTHORITY**

August 31, 2017

Dr. Elmer Guy, President
Navajo Technical University
Post Office Box 849
Crownpoint, NM 87313

Re: Conditional Funding Commitment for College Housing

Dear Dr. Guy:

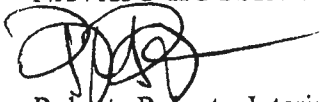
On April 13, 2017, the Navajo Housing Authority (NHA) Board of Commissioners by resolution NHA-4725-2017, approved a conditional funding commitment of \$5,576,293 from Program Income for the construction of a new Navajo Technical University College housing. The commitment was contingent upon NTU obtaining additional funding of \$13.6 million to complete development of the housing facility. It's been over four (4) months since NHA's approval of this commitment and we have yet to receive any communication from NTU on the status of securing other funding sources.

While the commitment also included \$4,423,707 of 2017 NAHASDA funds, the final 2017 Indian Housing Block Grant (IHBG) allocated to the Navajo Nation by the U.S. Department of Housing and Urban Development (HUD) was substantially less than what NHA had estimated to receive. With this reduction, all projects proposed to be funded in the 2017 Indian Housing Plan have been reduced on a prorated basis. As a result, the proposed NAHASDA funding for your project has been reduced to \$3,696,996. Please be reminded that these funds are subject to a two-year obligation period beginning October 1, 2016 and any funds not spent within this two-year period will be subject to recapture. Due to continued concerns being expressed by the Navajo Nation leadership of NHA not spending IHBG timely, we are advising NTU to secure additional funding by September 30, 2017 so that the College Housing Project can be initiated to start spending IHBG funds.

Your response to the status of NTU's obligation to secure \$13.6 million from other sources is appreciated. If you should have any questions, please contact our office at 928-871-2697.

Sincerely,

NAVAJO HOUSING AUTHORITY



Roberta Roberts, Interim Chief Executive Officer

cc: Marlene Lynch, NHA Chief Financial Officer
Nellie Gilmore, Grants Manager, NHA/GMD

NAVAJO NATION

RCS# 1084

Spring Session

4/18/2018

04:58:53 PM

Amd# to Amd#

Legislation 0082-18

PASSED

MOT Perry

Adopting the Sihasin Fund

SEC Damon

Crownpoint Student Housing

Expenditure Plan Pursuant...

Yea : 19

Nay : 0

Excused : 0

Not Voting : 5

Yea : 19

Begay, K

Chee

Jack

Tso

Begay, NM

Crotty

Perry

Tsosie

Begay, S

Damon

Pete

Witherspoon

BeGaye, N

Daniels

Phelps

Yazzie

Brown

Hale

Smith

Nay : 0

Excused : 0

Not Voting : 5

Bates

Filfred

Shepherd

Slim

Bennett