

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0386-18

**DATE:** December 3, 2018

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SÍHASIN FUND TBN POWERLINE EXTENSION PROJECT – PHASE I EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501 – 2508

**PURPOSE:** The legislation adopts the TBN Powerline Extension Project – Phase I expenditure plan for Síhasin funding of \$1,233,584.25.

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

5-DAY BILL HOLD PERIOD: SNOTAH  
Website Posting Time/Date: 3:28pm 12/3/2018  
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Eligible for Action: 12/9/2018

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
23<sup>rd</sup> NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY

  
(Prime Sponsor)

TRACKING NO. 0386-18

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE  
AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL;  
ADOPTING THE SÍHASIN FUND TBN POWERLINE EXTENSION PROJECT –  
PHASE I EXPENDITURE PLAN PURSUANT TO 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 Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over, among other things, economic and community development on the Navajo Nation, as well as the Division of Community Development. 2 N.N.C. §§ 500 (C) and 501 (C)(1).

1 E. The Naabik'iyáti' Committee established the Naabik'iyáti' Síhasin Fund  
2 Subcommittee to recommend to the Naabik'iyáti' Committee and Navajo Nation  
3 Council financial support and/or financing plan(s) for the purposes designated in  
4 the Síhasin Fund. NABIAP-20-15, April 09, 2015. However, approval by the  
5 Naabik'iyáti' Síhasin Fund Subcommittee is not a requirement for legislation or  
6 an expenditure plan.

7 F. The Navajo Nation Code provides the purpose of the Navajo Nation Síhasin Fund  
8 (Síhasin Fund) is as follows:

9 § 2502 Purpose

10 A. The purposes of this Fund are to provide financial support and/or  
11 financing for:

12 1. The planning and development of economic development  
13 and regional infrastructure supporting economic  
14 development, including such infrastructure as, but not  
15 limited to, housing, commercial and government buildings,  
16 waterline, solid waste management development, powerline  
17 projects, and transportation and communication systems,  
18 within the Navajo Nation.

19 2. Education opportunities for members of the Navajo  
20 Nation.

21 B. For the Purpose in § 2502(A)(1), Fund expenditures for  
22 infrastructure shall not be limited by 12 NNC § 1310(F) or  
23 TCDCJY-77-99.

24 C. Leveraging the Fund by way of guaranteeing loans, match  
25 funding, direct funding, in part, and other weighted uses of the  
26 Fund. Including loan financing from the Fund, for the purposes  
27 in § 2502(A)(1), shall be favored over direct funding in whole.

28 12 N.N.C. § 2502, as amended by CJA-03-18.

29 G. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits  
30 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. The Síhasin Fund principal and income shall not be expended except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in § 2502 and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council. 12 N.N.C. §§ 2505(A)

## **Section Two. Findings**

- A. The mission of the Tselani/Cottonwood Chapter is to enhance the quality of life by providing services with respect and dignity in maintaining accountability while sustaining self-governance with integrity.
- B. The Tselani/Cottonwood Chapter is requesting the assistance from the Navajo Nation Síhasin Fund in the amount of \$1,233,584.25 for a Phase I Power Line Extension to provide electrical power to eight (8) homes of community members in the Chapter. Proposal for the TBN Power Line Extension Project – Phase I is attached as **Exhibit A**.
- C. The Tselani/Cottonwood Chapter's primary intent is to provide electricity and eliminate any health risk to the community and lighting is necessary to ensure the quality of life to the community; the Chapter has selected the eight (8) homes for the Phase I of the Project. *See* Exhibit A, Resolution of the Tselani/Cottonwood Chapter, TSEL-18-450.
- D. The TBN Powerline Extension Project – Phase I is a 10.53 mile main electrical line with 1.88 miles of extensions from the main truck line, totaling 12.41 miles of electrical services to serve eight (8) homes near the Tsebanizini area.
- E. Navajo Nation Council Resolution CAP-35-18 dedicated \$265,000 of funding which partially funded the Project's right-of-way assessments that included archeological clearances, environmental assessments, biological assessments and legal survey for right-of-way acquisition.

1 F. Approving the Síhasin Fund Expenditure Plan for the TBN Powerline Extension  
2 Project – Phase I is in the best interest of the community because families will no  
3 longer be limited to using generators for power or using fuels that may potentially  
4 harm family members.

5  
6 **Section Three. Approval and Adoption of Expenditure Plan**

7 A. The Navajo Nation hereby approves and adopts the Síhasin Fund TBN Powerline  
8 Extension Project – Phase I, attached and incorporated herein as **Exhibit A**.

9 B. The Navajo Nation hereby approves and adopts funding to the Tselani/Cottonwood  
10 Chapter in the total amount of one million, two hundred thirty three, five hundred  
11 eighty four dollars and twenty-five cents (\$1,233,584.25) to implement the TBN  
12 Powerline Extension Project – Phase I described in **Exhibit A**.

13 C. The Síhasin Funds allocated for the Síhasin Fund TBN Powerline Extension Project  
14 – Phase I may be further leveraged by bond or loan financing pursuant to the  
15 Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended, using  
16 Síhasin Fund earnings for repayment and financing costs upon the recommendation  
17 of the Budget & Finance Committee and approval by a two-thirds (2/3) vote of all  
18 members of the Navajo Nation Council.

19  
20 **Section Four. Approval and Adoption of Expenditure Plan Administration**

21 The Navajo Nation hereby approves administration of the Síhasin Fund TBN Powerline  
22 Extension Project – Phase I as follows:

- 23 1. The Navajo Nation Controller shall determine whether the source of the  
24 allocation of the one million, two hundred thirty three, five hundred eighty four  
25 dollars and twenty-five cents (\$1,233,584.25) will be Síhasin Fund Principal or  
26 Income or a combination of both.
- 27 2. The allocation of funding to the Tselani/Cottonwood Chapter shall be  
28 distributed pursuant to a draw-down schedule reflecting the projected progress  
29 of the powerline project after detailed budgets are approved through the  
30 Executive Review process.

- 1           3. The funds allocated for the TBN Powerline Extension Project – Phase I shall be  
2           used solely for the TBN Powerline Extension Project – Phase I described in  
3           **Exhibit A.** Any and all cost-savings shall be returned to the Síhasin Fund once  
4           the project is completed.
- 5           4. The funds allocated for the TBN Powerline Extension Project – Phase I shall  
6           not lapse on an annual basis pursuant to 12 N.N.C. §820 (N); however, any  
7           funds not spent or encumbered within thirty-six (36) months of the date funds  
8           are made available to the Tselani/Cottonwood Chapter shall revert to the  
9           Síhasin Fund principal, unless recommended otherwise by the Resources and  
10          Development and Budget and Finance Committees and approved by the  
11          Naabik'íyáti' Committee.

12  
13       **Section Five. Effective Date**

14       The Síhasin Fund TBN Powerline Extension Project – Phase I, as set forth above, shall  
15       become effective pursuant to 12 N.N.C. § 2505.

16  
17       **Section Six. Directives**

- 18       A. The Navajo Division of Community Development shall consult regularly with the  
19       Tselani/Cottonwood Chapter on the development and construction of the TBN  
20       Powerline Extension Project – Phase I.
- 21       B. The Navajo Division of Community Development and Tselani/Cottonwood Chapter  
22       shall report the status of the TBN Powerline Extension Project – Phase I, including  
23       the expenditure of the Síhasin Funds, to the Office of the President & Vice-  
24       President, Resources and Development Committee, and the Budget and Finance  
25       Committee on a quarterly basis.
- 26       C. The Tselani/Cottonwood Chapter shall have an on-going responsibility to identify  
27       and apply for match or contribution funding from external sources and shall report  
28       such efforts on a quarterly basis to the Resources and Development Committee.





PROPOSAL TITLE

TBN Power Line Extension Project  
(Phase I)

PROJECT LOCATION

Power Line Extension Project is located  
10.5 miles east of the Tselani/Cottonwood  
Chapter House

AMOUNT OF FUNDS REQUESTED

\$1,233,584.25

SUBMITTED BY:

Jay M. Kee, Engineering Tech  
Tselani/Cottonwood Chapter #35  
P.O. Box 1139  
Chinle, Arizona 86503  
(928) 725-3765

DATE

Friday, September 21, 2018

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## **ABSTRACT OR SUMMARY**

### **PROJECT OVERVIEW**

The Tselani/Cottonwood Chapter is requesting the assistance from the Navajo Nation Sihasin (Fall Session 2018) for funding in the amount of **\$1,233,584.25** for Phase I Power Line Extension to provide electricity to (8) homes. The Tselani/Cottonwood Chapter is responsible in preparing these homes for electricity connections.

The entire project of TBN Power Line consist of (18) homes. The cost estimate of \$1,396,465.50 is to construct 10.53 miles of main trunk lines and 1.88 miles of line extensions to (8) homes on Phase I. The Navajo Nation Council approved \$100 Million Dollars from the Sihasin Funding "Exhibit-E", and to be directly used towards Infrastructure Projects; within the 110 Chapters that surrounds the Navajo Nation. Tselani/Cottonwood Chapter received **\$265,000 LEGISLATION NO: 0371-17**; but partial of the allocated amount will only satisfy the Project's Right-of-Way Assessments (EX: Archeological Clearances, Environmental Assessments, Biological Assessments and Legal Survey for Right-of-Way Acquisition @ \$162,881.25). The second phase consist of 3.54 miles of electric line extensions off the main trunk lines from Phase I Project to accommodate (10) homes at a cost of \$439,125.64. The project cost estimates are included as "Exhibit-D".

## **INTRODUCTION**

### **CHAPTER PROFILE**

Tselani/Cottonwood Chapter house is located in the Cottonwood community just off Indian route 4 between Blue Gap and Chinle, AZ. The Tselani/Cottonwood Chapter serves to its vast community members from the beautiful Black Mountains to the sloping valley foothills of the Balakai Mountains, east from the world renowned Chinle Valleys to the red sunsets of the

Blue Gap landscapes. In History, the Dine people and the Navajo Nation Tribal Government approved Tselani/Cottonwood Chapter #35 as a local government entity that caters to its registered members. The Chapter boundaries are outlined by natural landmarks like mesas, foothills, washes and ridges that our elders established within District 10 of the Range Management Plan under the Bureau of Indian Affairs. Today, Tselani/Cottonwood Chapter is in the process of becoming Local Governance certified pursuant to the Navajo Nation Code Title 26. The community of Tselani/Cottonwood has great potential for growth in government as well as economically thus; the Community Base Land Use Planning Committee is Local Governance Act (LGA) Certified and is in process of updating its infrastructure master plan to benefit the community people.

#### **HISTORY AND BACKGROUND OF THE PLANNED PROJECT**

This Infrastructure Project has been in Tselani/Cottonwood Chapter's master plan for over 25 years and deserves priority over other projects. The community has been patiently waiting for this proposed Power Line Extension to become a reality. The popularity and faith within the Chapter's ability to complete projects has decreased tremendously and reflects the attendance at Chapter Meetings. This project deserves priority since electricity relates directly to protecting the public health and safety. Electricity is used in operating medical equipment, refrigerating medications, safer home heating and cooking, and lighting provides home security.

This project became a priority project of the Tselani/Cottonwood Chapter and was approved by Chapter Resolution on July 19, 2015 "Exhibit-B". Documentation shows this project was in planning as far back as 1990. Since that time on, there were many discussions during planning meetings and at regular meetings.

#### **PRIMARY INTENT/OUTCOME**

The Tselani/Cottonwood Chapter's primary intent is to provide electricity and eliminate any health risk to the community.

Lighting is a necessity to ensure the quality of life to our community.

The Outcome of this project is to have all recipients of new electricity to have a better quality of life, increasing opportunities for our youth, adults, and our elderly, having proper refrigeration of foods and medications positively impacting health. Also, education opportunities will improve since computers are the main tool used today in completing homework and reports for school. Most importantly, the community will no longer live using generators and harmful fuels to light, heat, and cooking preparations.

### **ADMINISTRATIVE CAPACITY**

Tselani/Cottonwood Chapter Administration consist of a Chapter Community Service Coordinator (CSC) and an Accounts Maintenance Specialist (AMS). The primary duties of the Chapter Community Service Coordinator (CSC) is to overlook the entire Chapter's operation and adhere to Navajo Nation Policies as well as achieving the Chapter's overall purpose. The Accounts Maintenance Specialist (AMS) duties are responsible for the accounting and specialize in the Chapter's Five Management System.

The Tselani/Cottonwood Chapter has hired an Engineering Technician, his primary focus is to manage all Chapter Infrastructure Projects and also acts as a Project Manager for Active or Future Infrastructure Projects.

Within the last 4 years, Tselani/Cottonwood Chapter has completed (4) Power Line Projects, house wired over 55 homes and passed Service Entrance Inspections (SEI) from NTUA (Navajo Tribal Utility Authority). As for other projects that shows capacity, this Chapter has provided 124 homes with water service by completing 47 bathroom additions in the past 4 years, helping the Office of Environmental Health (O.E.H.) successfully completing 6 waterline projects totaling 124 homes. Tselani/Cottonwood has complete capacity in Power Line Projects, from house wiring to meter-loop setups; which is now serving 55 homes within the service areas.

The Tselani/Cottonwood Chapter has accomplished numerous projects by hiring an Engineering Technician, his primary focus is to manage all Chapter Infrastructure Projects by coordinating with various departments. This project will require close coordination with NTUA and Tselani/Cottonwood Chapter; which the Chapter is currently already doing with two other Power Line Projects.

#### **PROJECT MANAGEMENT EXPERIENCE**

Jay M. Kee, Tselani/Cottonwood Chapter's Engineering Technician, acts as the Project Manager for all Infrastructure Projects in Tselani/Cottonwood service areas. This person's sole purpose is to concentrate on current active/future projects.

Charlene Wallace, Tselani/Cottonwood Chapter's Community Service Coordinator, has the proper experience with Chapter Projects and guidelines that are implemented with Infrastructure Projects.

Caroline Dale, Tselani/Cottonwood Chapter's Vice President, Senior Homesite Agent/Supervisor, has been working with Navajo Nation Land Department, Division of Natural Resource, for over 29 years. Caroline supervises and oversees the Chinle Agency Chapters, including three other Agency Chapters to supervise the homesite lease application process in coordination with all entities to obtain signatures and general requirements to obtain a lease.

#### **LAND USE PLAN**

The Transportation & Community Development Committee (TCDC) of the 21st Navajo Nation Council certified the Tselani/Cottonwood Chapter's Community Based Land Use Plan on June 25<sup>th</sup>, 2009. The TCDC as part of the Local Governance Act (LGA); which stipulates that a Community Based Land Use Plan shall:

"Project future community land needs, shown by location and extent, of areas identified for residential, commercial,



industrial and public purposes, and based upon the guiding principles and vision as articulated by the community."

### **CHAPTER RESOLUTION**

A Chapter Resolution has been passed for NTUA to precede with the feasibility studies "Exhibit-B". Preliminary routes have been established with Preliminary Estimates. The Chapter has taken care of all preliminary house wiring requirements for participants.

### ***NEED FOR AND GOALS OF THIS PROJECT***

Tselani/Cottonwood Chapter's ultimate goal is to fulfill the needs of the community by achieving the overall master infrastructure plan, to provide electricity services to all primary homes within the Tselani/Cottonwood Chapter community.

The Tselani/Cottonwood Chapter in focused collaborations with NTUA has created a common goal for the community to seek funding and construct this Power Line. Tselani/Cottonwood Chapter identified families in most need of this electric service and NTUA produced geographic maps of homes to be served; homes have been plotted. Documentation of Feasibility Studies, Project Design, and Right of Way are attached along with Quad Maps, "Exhibit-C".

### **JUSTIFICATION**

The "TBN" Phase I & Phase II Power Line Project is to fulfill the needs of the Tselani/Cottonwood Far East, "Tsebanizini" residents with much needed electricity services. The need for electricity and how it would benefit our community is clear & evident. To improve safety, health, and the quality of life for both communities by:

- Electric will reduce the need/usage for kerosene, gasoline, wood, and propane thus, making the home safer from possible fire incidents.
- Community elders would be able to receive health care at their homes rather than at elderly care facilities by

having medical equipment that runs on electric installed at home.

- Lighting and electricity inside the home will make it possible to work beyond night fall increasing educational success and family productivity.
- Heating a home will not have to require the tremendous work of hauling wood for the winter.
- Home cooking by electric stove is more affordable than propane.
- Having refrigeration that runs off electric to keep food, dairy products, and medicine fresher three times longer.
- The community will be more informed of news and events since all television and radios run on electric power.
- Electric will provide our younger generation the ability to dramatically improve in education allowing them the opportunity the use of computers for school work.
- Security light during night hours will now provide sense of security and productivity outside.
- Electricity at homes will increase home based businesses, boosting the local economy, eliminating the need to travel outside the reservation.
- Electric power is an essential element in homes and will allow the opportunity for future proposed Power Line Extensions. Electricity heaters and pumps that operate on electric are required before electricity line projects becomes construction ready.
- This proposed Power Line Extension will also provide opportunity for landline phones to the community since phone lines run on the exact same poles as the electric.

The Urgency of this project is vastly important as this Power Line Extension has been in the planning for the last 25 years, to further delay this needed project is only to cheat our community members of a basic and essential need.

Just imagine if electric power was available even 50 years ago, our scholars would have had extensive achievements and be more successful in life. Why? By the use of electric technology devices. These devices excel the learning at an early age. Today, the young scholars in this area would have to use a generator to power a computer to do homework, print and internet to do research. If there isn't any generator for power, they would have to stay after school to do the homework

that is required to be completed by computer, then the student would have to find transportation back home.

This Power Line Extension was planned back in the 1990's and to further delay is to deny our community of modernization. If power was available when this project was first planned. Our scholars would be better off in life, increasing the chances of students going off to college after all they would have been exposed to this technology at an earlier stage in life. The Tselani/Cottonwood Chapter has inspected eight homes and has earmark funds for professional services to complete all house wiring as a pre-requisite to begin the extension of the power line. Urgency for project is also important when it comes to existing pre-wired homes becoming dilapidated.

Infrastructure improvements were prohibited by the lack of funds in the past. It is only recent that some form of funding sources has become available that has enabled Tselani/Cottonwood to apply. Tselani/Cottonwood Chapter will fulfill this project and use it as measurement towards the overall master plan for the community. Tselani/Cottonwood Chapter considers the Chapter a servant to its community who constantly work to improve and upgrade their community environment.

### **SELECTION PROCESS**

Tselani/Cottonwood Chapter has complied the list names during an update of the Chapter Electric Infrastructure profile and by onsite feasibility studies, along with request of the community. The Chapter have selected these homes for Phase I and Phase II of this project. Total Homes: (18)

### **RECIPIENTS**

Homes in PHASE I Project are as follows:

- |                     |                               |
|---------------------|-------------------------------|
| 1. Danielle Totsoni | 109°46'16.43"W, 35°57'50.50"N |
| 2. Angelita Totsoni | 109°46'16.08"W, 35°57'51.27"N |
| 3. Ruth Yazzie      | 109°44'52.54"W, 35°58'08.07"N |
| 4. Edgar James      | 109°44'39.21"W, 35°58'06.49"N |
| 5. Harold James     | 109°47'06.37"W, 35°58'07.68"N |
| 6. Dorothy Chee     | 109°42'30.98"W, 36° 0'23.56"N |
| 7. Lucy Begay       | 109°42'32.88"W, 36° 1'53.02"N |
| 8. Larry Gorman     | 109°41'41.35"W, 36° 3'27.93"N |



Homes in PHASE II Project are as follows:

9. Majel Brown	109°46'04.37"W, 35°56'40.48"N
10. Barbara Benally	109°44'46.13"W, 35°58'30.94"N
11. Nelson Gorman	109°43'34.06"W, 36° 1'16.45"N
12. Shirley Marie Chee	109°42'02.34"W, 36° 0'15.62"N
13. Elroy Chee	109°43'07.92"W, 36° 0'24.19"N
14. Edward Chee Lee	109°42'03.12"W, 36° 0'15.13"N
15. Jerome James	109°44'38.52"W, 35°58'05.88"N
16. Sylvia Wanenka	109°42'01.10"W, 36° 0'16.69"N
17. Elouise James	109°44'38.02"W, 35°58'06.78"N
18. Elousie Talcu	109°47'09.27"W, 35°58'09.32"N

### **IMPACT AND BENEFITS**

The Tselani/Cottonwood Community will be affected the most if this project is not funded. The community will continue to live using generators and harmful fuels to light, heat, and cooking preparations. Education opportunities would not improve since computers are the main tool used today in completing homework and reports for school. Families will still live without proper refrigeration of foods and medications impacting health. The most impacting element to the public is lighting. Lighting is a necessity to ensure the quality of life to our community and increases opportunities for our youth, adults, and our elderly.

The direct benefits for households with electricity have better levels of income, expenditures, and education than those without electricity. In rural areas, it helps with household lighting, it allows for consumption by different electric appliances such television, radio, electric fans, refrigerator, computer, and heaters. The major use of electricity improves children's education, information access, and improves the home and family time.

### **PROJECT COMMUNITY OBJECTIVE**

The Tselani/Cottonwood Chapter has a mission statement:

"The mission of the Tselani/Cottonwood Chapter is to enhance the quality of life by providing services with respect and dignity in maintaining accountability while sustaining self-governance with integrity".

By accomplishing this project, the community will be served by this mission statement that the Chapter holds dearly.

## **SCOPE OF WORK**

### **PROJECT DESCRIPTION AND CONSTRUCTION**

The proposed project of Tselani/Cottonwood Chapter is identified as Power Line Extension named "TBN" Power Line Project (Phase I). Phase I Power Line is 10.53 miles of main electricity line with 1.88 miles extensions off that main trunk line; totaling 12.41 miles of electric service that will serve (8) homes near the Tsebanizini area.

Once the project starts, NTUA will manage and control the work, including:

- Identifying, tracking managing and resolving project issues
- Proactively disseminating project information to all stakeholders
- Identifying, managing and mitigating project risk
- Ensuring that the solution is of acceptable quality
- Proactively managing scope to ensure that only what was agreed to be delivered, unless changes are approved through scope management
- Defining and collecting metrics to give a sense for how the project is progressing and whether the deliverables produced are acceptable
- Managing the overall schedule to ensure work is assigned and completed on time and within budget

NTUA staking sheets approach will be used for this project. Pole staking design of main line taps using staking sheets has proven to be more efficient than that of traditional methods. Technological innovations like GPS, GIS and TMS make this project time and cost efficient. GPS (Global Positioning System) is a powerful, cost effective, data gathering tool which captures various site data directly in the field and is easily intergraded into GIS (Geographic information System) for use in map abstractions and detailed analyzes and significantly improves the quality of information. These technological advances minimize labor cost while increasing construction productivity. Whereas before,

there would be at least seven workers surveying for weeks now only require two workers to surveying for a couple of weeks making it very productive than traditional surveying methods.

TSELANI-COTTONWOOD CHAPTER - POWER LINE "TBN" PHASE I																									
PROJECTED MILESTONES																									
#	Task Name	2018												2019											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
1	ROW funding Source																								
2	ROW Acquisition																								
3	Preliminary route flagged																								
4	Archaeological Survey																								
5	Final Route Survey																								
6	ROW Maps prepared																								
7	Pole staking and taps design																								
8	Chapter additional funds if required																								
9	Work order approved for construction																								
10	NTUA Construction																								
11	Affidavit of completion																								

### **PROJECTED MILESTONES**

The milestone schedule provides an estimated timeline for the life of the project. The milestones include all project activities and interim steps needed to implement the project. The schedule includes milestones for the planning, development, construction, evaluation and reporting of the project's implementation. The milestone dates are only projected dates based on an anticipated grant award. These dates may change depending on the timing of the grant award.

### **PROJECT TEAM**

Mr. Jay M. Kee, Tselani/Cottonwood Chapter Engineering Technician

Mr. Charlene Wallace, Tselani/Cottonwood Chapter Community Service Coordinator

Ms. Caroline Dale, Tselani/Cottonwood Chapter Vice President; Senior Homesite Agent/Supervisor at Navajo Nation Land Department.

Mr. Lemanuel James, NTUA Customer Service Representative, Chinle District Office.

Ms. Ethelind A. Johns, Projects Administrator Supervisor, NTUA Headquarters Fort Defiance.

Mr. Casey Begay, Department Manager II, Navajo Nation Capital Improvement Office.

Irma Julian, Program/Projects Specialist, Navajo Nation Capital Improvement Office.

## **QUALITY ASSURANCE**

When the community Power Line is completed, and all homes have house wiring Service Entrance Inspections (SEI), it will be inspected by the appropriate personnel from NTUA with representatives of the Navajo Nation Capital Improvement Office and the Tselani/Cottonwood chapter to detect possible construction deficiencies. A list of deficiencies, if any, will be compiled and agree upon. Deficiencies identified will be corrected by the responsible construction agency.

## **OPERATION AND MAINTENANCE**

Upon completion of this project, operation and maintenance of Electric Power Line procured and/or constructed will be NTUA responsibility. The ownership of individual on-site facilities will be transferred to the individual homeowners. After proper training, the Operation and maintenance will be the responsibility of the homeowners.

The families whom receive Electrical Power will be responsible for their monthly usage fees and maintenance of house wiring; while NTUA will cover the insurance coverage to conduct business as a Navajo Nation Enterprise.

## **PROJECT MAP**

The project map for this project is displayed as "Exhibit-C".

## **BUDGET INFORMATION**

Tselani/Cottonwood Chapter has been actively budgeting for funds from annual supplemental allocations and is fortunate to allocate funds this year for the preliminary house wiring activities for this Power Line Project. Our Chapter has also contributed funds for the professional services to have these homes ready for NTUA, this is on-going and once this is completed, the construction of the Power Line will begin immediately.



<u>Leverage Funding Sources</u>	<u>Amount</u>	<u>Percentage</u>
1. NTUA's Contribution & Discounts	\$ 12,000.00	.9%
2. Navajo Nation Sihasin (Spring Session 2018) Contribution	\$ 162,881.25	11.0%
3. Navajo Nation Sihasin (Fall Session 2018) Contribution	<b>\$ 1,233,584.25</b>	88.1%
4. Tselani/Cottonwood Contribution	\$ 0	0%

Detailed budget for the Tselani/Cottonwood TBN Powerline Extension Phase I is provided under "Exhibit-D".

### **ATTACHMENTS AND EXHIBITS**

#### **REQUIRED DOCUMENTS:**

CHAPTER COMMUNITY INVOLVEMENT	EXHIBIT A
PROJECT SUPPORT CHAPTER RESOLUTION	EXHIBIT B
PROJECT MAP - RECIPIENTS LOCATIONS	EXHIBIT C
DETAIL PROJECT COST	EXHIBIT D
SIHASIN FUNDING - RESOLUTION NO. CAP-35-18	EXHIBIT E
NAVAJO NATION UUFb - LEGISLATION NO: 0371-17	EXHIBIT F



TSEL-15-283

**RESOLUTION OF THE TSELANI/COTTONWOOD CHAPTER**  
**REQUESTING THE CHAPTER COUNCIL DELEGATE AND THE DIVISION OF COMMUNITY DEVELOPMENT TO SEEK**  
**AND PURSUE CAPITAL IMPROVEMENT FUNDING ON BEHALF OF THE TSELANI/COTTONWOOD CHAPTER.**

**WHEREAS:**

1. The Tselani/Cottonwood Chapter is governed by the Navajo Nation Code Title 26 Local Governance Act as a unit of government with delegated authority to make decision over local matters that are consistent with existing Navajo Laws and Tradition; and
2. The Tselani/Cottonwood Chapter and the community realizes that the annual allocation to the chapter is not adequately funded for Capital Improvement Project Preconstruction Activity and Construction phase; and
3. The Tselani/Cottonwood Chapter and the community further finds that the proposed community projects which are listed on the Navajo Nation WIND System and those that are on the Navajo Nation CIP 5-year plan needs are not adequately funded for Pre-Construction and Construction Activities;

**NOW, THEREFORE BE IT RESOLVED THAT:**

1. The Tselani/Cottonwood Chapter hereby requests that the Tselani/Cottonwood Chapter Council Delegate seek and pursue additional Capital Improvement Project Funds from all available sources on behalf of the Tselani/Cottonwood Chapter.
2. Further, the Tselani/Cottonwood Chapter requests that the Capital Improvement Office, the Design and Engineering Section develop a need based CIP budget to be submitted to the Navajo Nation Council to be used for allocating additional funds for proposed community capital projects;

**CERTIFICATION**

We, hereby certify that the foregoing resolution was considered by the Tselani/Cottonwood Chapter at a duly called meeting at Cottonwood, Navajo Nation ( Arizona) at which a quorum was present and that the same was passed by a vote of 26 in favor, 0 opposed and 14 abstained this 16<sup>th</sup> day of August, 2015.

Motion: Harry Gorman

Second: Bessie Tso

  
Thomas Gorman, Chapter President

  
Caroline Dale, Chapter Vice President

  
Marlene Burbank, Chapter Secretary/Treasurer



# TSELANI-COTTONWOOD CHAPTER COMMUNITY LAND USE PLANNING COMMITTEE

POST OFFICE BOX 1139  
CHINLE, AZ 86503  
928-725-3765

BENSON MITCHELL,  
PRESIDENT

STEVEN TSOSIE,  
VICE-PRESIDENT

CARLTON E. TSOSIE,  
SECRETARY

STEPHEN BURBANK

## RESOLUTION OF TSELANI-COTTONWOOD COMMUNITY BASED LAND USE PLANNING COMMITTEE

CBLUPC -08-1315

SUPPORTING THE TSELANI/COTTONWOOD CHAPTER REQUEST TO THE NAVAJO NATION COUNCIL DELEGATE, KEE ALLEN BEGAY JR., TO SOLICIT AND PURSUE FOR CAPITAL IMPROVEMENT FUNDING ON BEHALF OF THE TSELANI/COTTONWOOD CHAPTER COMMUNITY.

1. The Tselani/Cottonwood Community Base Land Use Planning Committee was certified on June 25, 2009 by Transportation & Community Development Community (TCDC) pursuant to legislation No. 0246-09, the Navajo Nation Council adopted the Navajo Nation Governance Act (LGA) Title 26 of the Navajo code; And
2. To accommodate the short and long term basic needs of the chapter relating to community economic and infrastructure development. In the process, preserving grazing and culturally significant areas. The Tselani/Cottonwood chapter governs in the best interest of the community, therefore, establishing a Community Land Use Planning Community (CLUPC) to begin the planning process towards community development; And
3. The CBLUPC has inadequate budget to have the capacity to effectively plan for the community and the committee is requesting for assistance from our Council Delegate, Kee Allen Begay, to collect funding for the chapter and the committee; And
4. The CBLUPC also request of the Council Delegate to seek additional project funding from sources like County, State, and the Federal Government to fund chapter projects and land use planning initiatives.

NOW, THEREFOR, BE IT RESOLVED THAT:

THE TSELANI/COTTONWOOD CHAPTER COMMUNITY BASED LAND USE PLANNING COMMITTEE SUPPORTS THE TSELANI/COTTONWOOD CHAPTER REQUEST TO THE NAVAJO NATION COUNCIL DELEGATE, KEE ALLEN BEGAY JR., TO SOLICIT AND PURSUE FOR CAPITAL IMPROVEMENT FUNDING ON BEHALF OF THE TSELANI/COTTONWOOD CHAPTER COMMUNITY..

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

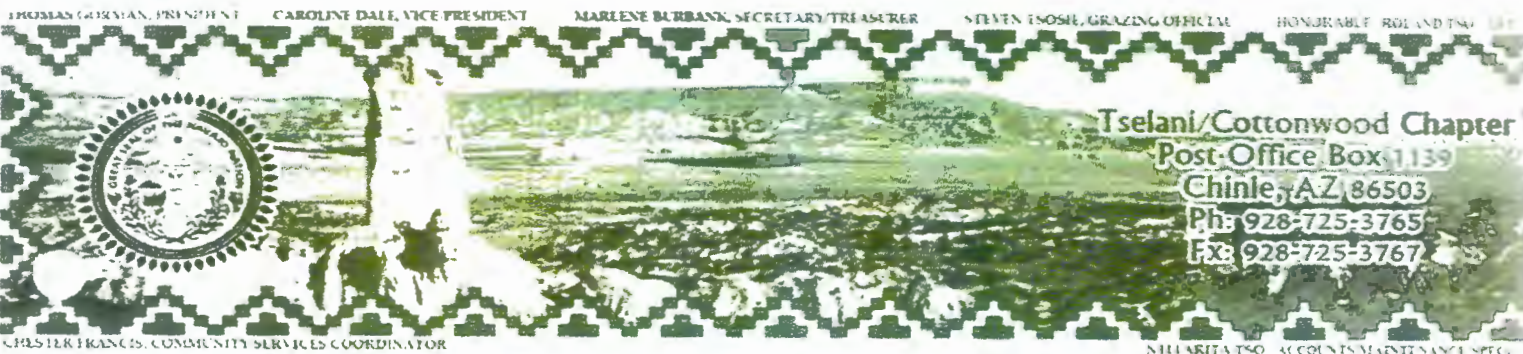
We hereby certify that the foregoing resolution was considered by Tselani-Cottonwood Chapter CBLUPC Committee at a duly called meeting at Cottonwood, Navajo Nation, Apache County, Arizona, at which a quorum was present and that same was passed with a vote of 2 in favor, 0 opposed, and 1 abstained, on this 13th day of August 2015.

Motioned: Stephen Burbank

Seconded: Steven Tsosie

Benson Mitchell, CBLUPC President:





## RESOLUTION OF THE TSELANI-COTTONWOOD CHAPTER

TSEL- 269

### APPROVING THE TSELANI/COTTONWOOD PRIORITY INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2015.

#### WHEREAS:

1. The Tselani-Cottonwood Chapter is governed by the Navajo Nation Code title 4 Local Governance Act as a unit of government with delegated authority to make decision over the local matters that are consistent with existing Navajo laws including tradition; and
2. The Tselani-Cottonwood Chapter prioritized its major projects as following:
  - a. Cottonwood Far-East Power line Project - TBN
  - b. Cottonwood Pre-School Building
  - c. Cottonwood Chapter Government Facility
  - d. Cottonwood Fire Station and Emergency Response Facility
3. This chapter priority projects is sub ect to change due to funds availability and chapter amendment within its strategic planning.
4. This following priority list is required for funding considerations from various departments within the Navajo Nation and outside entities.

#### NOW, THEREFORE, BE IT RESOLVED THAT:

### THE TSELANI/COTTONWOOD APPROVES THE FISCAL YEAR 2015 PRIORITY INFRASTRUCTURE PROJECTS.

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

I, hereby, certify that the foregoing resolution was duly considered by the Tselani-Cottonwood Chapter at a duly called meeting at Cottonwood, Navajo Nation (Arizona) at which quorum was present and that the same was passed by a vote of 37 in favor, 00 opposed and 03 abstained on this 19th day of July 2 15

Motioned: Benson Mitchell

Seconded: Billy Nagy

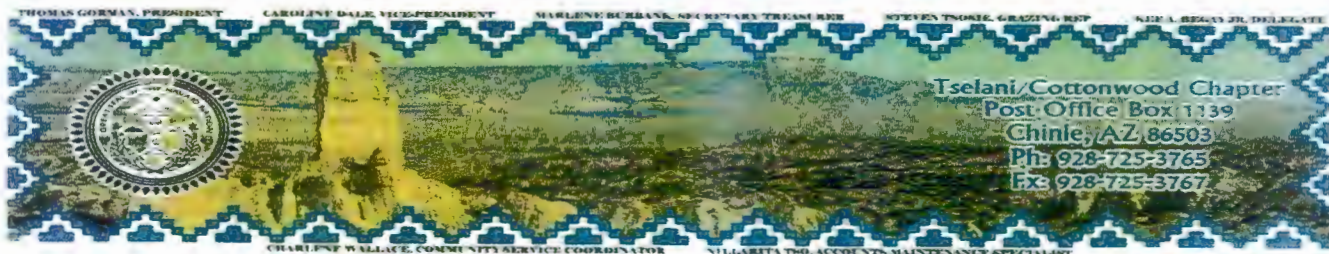
Thomas Gorman, Chapter President

Caroline Dale, Chapter Vice President

Marlene Burbank, Chapter Secretary-Treasurer

Caroline Dale

Marlene Burbank



## RESOLUTION OF THE TSELANI-COTTONWOOD CHAPTER

TSEL-18-450

### REQUESTING THE NAVAJO TRIBAL UTILITY AUTHORITY (NTUA) FOR AN UPDATED CONSTRUCTION COST ESTIMATE FOR THE TSELANI CHAPTER (EAST PHASE I), TSELANI CHAPTER (EAST PHASE II) AND TSELANI/COTTONWOOD CHAPTER (SCATTERED EXTENSIONS) POWER LINE PROJECTS COVERING 21 HOMES

#### WHEREAS:

1. The Tselani-Cottonwood Chapter is governed the Navajo Nation Code Title 26 Local Governance Act as a unit of government with delegated authority to make decision over the local matters that are consistent with existing Navajo Laws including tradition; and
2. Tselani-Cottonwood Chapter pursuant to 26 N.N.C., Section 1(B) is vested with the authority to review all matters affecting the community, make appropriate decisions when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. The last construction cost estimates to provide service to residents in the Tselani Chapter East Phase I and Tselani Chapter East Phase II were dated January 8, 2016; and Tselani/Cottonwood Chapter Scattered Extension was dated December 1, 2016, the Chapter received; AND
4. It is known construction costs increase annually so the Tselani/Cottonwood Chapter community would like to request an updated cost estimates for the Tselani Chapter East Phase I, II and Scattered Extension Power Line Project; AND
5. Tselani Chapter East Phase I project is proposed to serve eight homes: Ruth Yazzie, Edgar James, Harold James, Angelita Totsoni, Danielle Totsoni, Lucy Begay, Larry Gorman and Dorothy Chee; Tselani Chapter East Phase II project is proposed to serve nine homes: Majel Brown, Barbara Benally, Elousie Talcua, Elouise James, Jerome James, Nelson Gorman, Sylvia Wanenka, Shirley Marie Chee, Edward Chee Lee and Elroy Chee; and Tselani/Cottonwood Scattered Extension project is proposed to serve three homes: Anderson Reid, Clarence Reid & Gene Curley and Andrew & Dorothy Poola currently are without power; AND
6. The Cost Estimate provided to the chapter in 2016 is outdated and the increase rate of construction cost it would be wise to update the cost estimate and proceed with the project.



NOW, THEREFORE, BE IT RESOLVED THAT:


Requesting the Navajo Tribal Utility Authority (NTUA) for an updated Construction Cost Estimate for the Tselani Chapter East Phase I, Tselani Chapter East Phase II and Tselani/Cottonwood Scattered Extension Power Line projects covering 21 homes.

CERTIFICATION

I, hereby, certify that the foregoing resolution was considered by Tselani-Cottonwood Chapter at a duly called meeting at Cottonwood, Navajo Nation (Apache, County, Arizona) at which a quorum was present and that same was passed by a vote of 32 in favor, 00 opposed and 06 abstained on this 14th day of May, 2018.

Motioned by Bessie Tso

  
Thomas Gorman, Chapter President

  
Marlene Burbank, Sec/Treasurer

Seconded by Lorraine Williams

  
Caroline Dale, Vice-President

Kee Allen Begay, Jr., Council Delegate



## RESOLUTION OF THE TSELANI-COTTONWOOD CHAPTER

TSEL-15-275

REQUESTING THE NAVAJO TRIBAL UTILITY AUTHORITY TO UPDATE THE  
FEASIBILITY STUDY FOR THE ELECTRICAL POWERLINE EXTENSION PROJECT FOR  
TSELANI EAST "TEN".

### WHEREAS:

1. The Tselani-Cottonwood Chapter is governed by the Navajo Nation Code title 26 Local governance Act as a unit of government. It delegated authority to make decision over the local matters that are consistent with existing Navajo laws including tradition; and
2. The Tselani/Cottonwood Chapter has identified this area to be lacking the most important infrastructure, Electric Service, that is needed to improve the safety, health, and the quality of life of our residents living in these areas; and
3. The Tselani/Cottonwood Chapter community in these areas have been requesting for electric services for over 30 years and now have resulted in some homes vacant. People have started renting in nearby towns to raise their families using the benefits of electric; and
4. The need for this proposed power lines are clear; to improve safety health, and the quality of life for both communities by these benefits:
  - Refrigerator that runs off electric will now keep food, dairy and medicine fresher three times longer.
  - Security light during night hours will now provide sense of security.
  - Heating a home will not have to require the tremendous work of hauling wood for the winter.
  - Home cooking by electric stove is more affordable than propane.
  - Electric will reduce the need for kerosene, gasoline, wood and propane thus, making the home safer from fire.
  - The community will be more informed of news and events since all television and radios run on electric power.



- Electric will provide our younger generation the ability to dramatically improve in education by the use of computers and printing homework documents for school work.
- Lighting the home site areas and in homes will make it possible to work beyond night fall increasing education success and family productivity.
- Electricity at homes will increase home based businesses, boosting the local economy eliminating the need to travel outside the reservation.
- Electric power is an essential element in homes with waterline proposed areas. Water heaters and pumps that operate on electric are required before water line project becomes construction ready.
- This proposed power line extension will also provide opportunity for landline phones to the community since phone lines run on the exact same poles as the electric.

The urgency of this project is important. This power line extension was planned back in the 1900's and to further delay is to cheat our community of modernization. Imagine if power was available when this project was first planned. Our scholars would be better off in life, increasing the chances of students going off to college after all they would have been exposed to this technology at an earlier stage in life. Urgency for project is also important when it comes to existing pre-wired homes becoming dilapidated; and

5. This chapter is continuously coordinating with the Navajo Nation Capital Improvement Office, and Navajo Tribal Utility Authority to ensure that the chapter infrastructure development is a priority. The chapter is responsible for organizational flow of this project and has this TBN project current in the priority project list for 2015; and
6. This infrastructure project is been in Tselani-Cottonwood Chapter master plan for over 30 years and deserves priority over other projects. The community has been patiently waiting for this power line extension to become a reality. The popularity and faith within the chapter's ability to complete projects has decreased tremendously and reflects on the low attendance from these communities at the monthly chapter meetings. This project deserves priority since electricity relates directly to protecting the public health and safety. Electricity is used in operating medical





equipment, refrigerating medications, safer home heating and cooking, and lighting provides home security.

7. Tselani Cottonwood Chapter has completed the first names by on-site feasibility studies and have selected home for phase one and phase two of this project.

Homes in the PHASE ONE project are as follows:

1. Danielle Totsoni	109°46'16.43"W, 35°57'50.50"N
2. Angelita Totsoni	109°46'16.08"W, 35°57'51.27"N
3. Ruth Yazzie	109°44'52.54"W, 35°58'8.07"N
4. Edgar James	109°44'39.21"W, 35°58'6.49"N
5. Harold James	109°47'6.37"W, 35°58'7.68"N
6. Dorothy Chee	109°42'30.98"W, 36°0'23.56"N
7. Lucy Begay	109°42'32.88"W, 36°0'53.02"N
8. Larry Gorman	109°41'41.35"W, 36°3'27.95"N

Homes in PHASE TWO are as follows:

9. Majel Brown	109°46'4.37"W, 35°56'40.48"N
10. Barbara Benally	109°44'46.13"W, 35°58'30.94"N
11. Nelson Gorman	109°43'34.06"W, 36°1'16.45"N
12. Shirley Marie Chee	109°42'2.34"W, 36°0'15.62"N
13. Elroy Chee	109°43'7.92"W, 36°0'24.19"N
14. Edward Chee Lee	109°42'3.12"W, 36°0'15.13"N
15. Jerome James	109°44'38.52"W, 35°58'5.88"N
16. Sylvia Wanenka	109°42'1.10"W, 36°0'16.69"N
17. Elouise James	109°44'38.02"W, 35°58'6.78"N
18. Elousie Talcula	109°47'9.27"W, 35°58'9.32"N

9. This resolution supersedes ANY previous resolutions pertaining to "TBN Powerline Project" and will function as an updated resolution for NTUA cost estimates.



NOW, THEREFORE, BE IT RESOLVED THAT:

THE TSELANI/COTTONWOOD CHAPTER IS REQUESTING THE NAVAJO TRIBAL UTILITY AUTHORITY TO UPDATE THE FEASIBILITY STUDY FOR THE ELECTRICAL POWERLINE EXTENSION PROJECT FOR TSELANI EAST "TEN".

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

I, hereby, certify that the foregoing resolution was considered at a duly called meeting at Tselani-Cottonwood Chapter, Navajo Nation, Apache County at which a quorum was present and the same passed with a vote of 31 in favor, 00 opposed and 03 abstained on this 19 day of Jul 2015.

Motioned by Phyllis John

Seconded by Terry C. Ke

Thomas Gorman, Chapter President

Caroline Dale, Chapter Vice President

Marlene Burbank, Secretary / Treasure



pd. 2013 scattered powerline

phase I 8 1.3 million  
phase II 10 439K

TBN

REED 301K

STANBROOK

☐ Chapter Points    ☐ State    ☐ Chapters    ☐ Reservation  
☐ BIA    ☐ County    ☐ County    ☐ Congress/District  
☐ Tribe    ☐ US Highways    ☐ Agency    ☐ State







## NAVAJO TRIBAL UTILITY AUTHORITY

AN ENTERPRISE OF THE NAVAJO NATION

January 8, 2016

Mr. Chester Francis, Community Service Coordinator  
Tselani-Cottonwood Chapter  
P.O. Box 1139  
Chinle, Arizona 86503

**RE: Tselani Chapter (East Phase I) Power Line Project**

Dear Mr. Francis:

Provided herewith are **PRELIMINARY** construction costs estimates to provide service to residents within the East Phase I area of Tselani-Cottonwood Chapter. These costs will supersede all previous costs. The following items are provided for your information:

1. The ownership of the power lines will belong to the Navajo Tribal Utility Authority. The Navajo Tribal Utility Authority will handle the operation and maintenance responsibilities.
2. The cost estimates that are submitted are **PRELIMINARY**. Final construction cost estimates will be based upon the results of archaeological and legal surveys and final engineering design.
3. Notice of funding for right-of-way acquisition must be received before NTUA can commence with the archaeological clearance, environmental assessment, and legal surveys; and final engineering and design. This amount is shown on the attached estimate and contributes to the total project cost.
4. The Navajo Tribal Utility Authority will budget \$1,500.00 per customer provided their house is wired and ready for hook up prior to construction.

**NOTE:** If all homes are not wired, the NTUA Contribution will be adjusted downward to reflect the actual number of homes wired at the time of construction. This will result in an increase in contribution required by the Tselani-Cottonwood Chapter.

Home Office: P.O. BOX 170 FT. DEFANCE, AZ 86504	KAYENTA P.O. BOX 37 KAYENTA, AZ 86033	TUBA CITY P.O. BOX 398 TUBA CITY, AZ 86045	SHIPROCK P.O. BOX 1749 SHIPROCK, NM 87420	CHINLE P.O. BOX 549 CHINLE, AZ 86503	FORT DEFANCE P.O. BOX 587 FT. DEFANCE, AZ 86504	DILCON MC 63 BOX D WINSLOW, AZ 86047	CROWNPOINT P.O. BOX 1825 CROWNPOINT NM 873
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CALL 800-528-5011 OR 928-729-5721 FOR ALL OFFICES.

Letter to Mr. Chester Francis, Community Service Coordinator  
RE: Tselani Chapter (East Phase I) Power Line Project  
January 8, 2016  
Page Two

If you have any questions concerning these cost estimates, you may contact Mr. Alfred Guy, Acting Customer Service Supervisor, Chinle District at (928) 729-5721, extension 4735 or the Electric System Planning Department at (928) 729-4685.

Sincerely yours,

NAVAJO TRIBAL UTILITY AUTHORITY



Louella Chee, Project Administrator  
Electric System Planning Section

- Thomas Gorman, Tselani-Cottonwood Chapter
- Niecy Tsosie, Electric System Planning Section, NTUA
- Ethelind Johns, Electric System Planning Section, NTUA
- Shannon Burnette, Electric System Planning Section, NTUA
- Sherrell White, Electric System Planning Section, NTUA
- Rubianne Dugi, Chinle District, NTUA
- Alfred Guy, Chinle District, NTUA
- Lemanuel James, Chinle District, NTUA



Letter to Mr. Chester Francis, Community Service Coordinator  
RE: Tselani Chapter (East Phase I) Power Line Project  
January 8, 2016  
Page Three

**Tselani Chapter (East Phase I) Power Line Project**

Main Trunk Line	4.20 Miles	\$ 416,680.49
Member Extensions	1.22 Miles	\$ <u>137,614.69</u>
Main Trunk Line	6.33 Miles	\$ 620,890.50
Member Extensions	.66 Miles	\$ <u>70,398.57</u>
Subtotal		\$ 1,245,584.25
Archaeological Clearance, Environmental Assessment, and Legal Survey for Right-of-Way Acquisition (12.41 Miles)		\$ <u>162,881.25</u>
Subtotal		\$ 1,408,465.50
NTUA Contribution (8 Homes @ \$1,500.00)		( <u>12,000.00</u> )
Contribution Required Prior to Construction		\$ 1,396,465.50

CHAPTER: TSELANI-COTTONWOOD

Page 1 of 1

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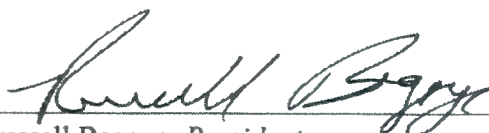
# THE NAVAJO NATION

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

## MEMORANDUM

**TO:** Honorable LoRenzo Bates, Speaker  
Navajo Nation Council

**FROM:**

  
Russell Begaye, *President*  
THE NAVAJO NATION

**DATE:** May 7, 2018

**SUBJECT:** Resolution No. CAP-35-18: RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SISHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18 AND 12 N.N.C. 2501-2508, AS AMENDED; WAIVING 12 N.N.C. 810 (F), 820(I) AND (M) AND 860(C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

Pursuant to 2 N.N.C. 1005 (C)(10), action for Resolution No. CAP-35-18 is being submitted to the Navajo Nation Council, through the Office of the Speaker within the ten (10) days requirement. Furthermore, the Navajo Nation President has line item veto authority for budget items within the Supplemental Appropriations, which are not subject to override by the Navajo Nation Council. 2 N.N.C. 164 (A)(17).

After review of Resolution No. CAP-35-18, I hereby exercise my line-veto to:

1. Section Three. Approval and Adoption of Expenditure Plan.
2. Section Four. Approval and Adoption of Expenditure Plan Administration.
3. EXHIBIT D. SISHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN



- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

After consultation with the impacted Divisions, I have decided to exercise my line-item veto authority. The justification and details for use of the President's line-item veto is set forth below.

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

First, the 110 Chapters have millions in unexpended dollars and should expend these fund for the many uses and projects on this Sihasin project listing. There are still many people that need water and electricity and these dollars should be priority for these funds. Second, the two projects vetoed are Bureau of Indian Affairs (BIA) projects and should remain under the BIA funding. Third, I support these appropriations as they also fulfill our four (4) pillars for Veterans, Youth and Elders, Jobs and Infrastructure.

I am pleased to sign this legislation into law as it will stimulate our economy by creating much needed jobs and bringing in infrastructure for our People.

Therefore, I will exercise my line-item veto authority to only two (2) items.

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

23<sup>rd</sup> 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 POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18, AND 12 N.N.C §§ 2501 - 2508, AS AMENDED; WAIVING 12 N.N.C. §§ 810 (F), 820 (I) AND (M) AND 860 (C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

BE IT ENACTED:

Section One. Authority

- A. The Health Education and Human Services Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving health, social services, education, general governmental services and human services. 2 N.N.C. §400 (C) (1).
- B. The Resource Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communications and utilities, information technology, chapter activities, economic and community development, rights-of-way, public utilities and housing. 2 N.N.C. § 500 (C).
- 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 and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. §§ 301 (B) (2) and (5).
- D. The Naabik'íyáti' 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).
- E. The Naabik'íyáti' Committee additionally has the authority to delegate its authority as appropriate for efficiency and streamlining of government process to appropriate entities

and to establish a subcommittee that consists of committee members which the committee selects. 2 N.N.C. §§ 186 and 701 (B). The Naabik'iyáti' Committee adopted NABIAP-20-15 establishing the Naabik'iyáti' Síhasin Fund 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]".

- F. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

## Section Two. Findings

- A. On November 1, 2006, the 20<sup>th</sup> Navajo Nation Council unanimously passed Resolution No. CN-57-06 authorizing the Navajo Nation Attorney General to file a lawsuit against the United States for the alleged breach of its fiduciary duties to the Nation arising under treaties, executive orders, public laws, statutes, regulations and contracts due to its mismanagement of the Nation's tribal trust assets, including tribal trust funds and select tribal resources, specifically excluding water and assets held in trust for individual Navajo members. Resolution No. CN-57-06 was signed into law by the President of the Navajo Nation on November 13, 2006.
- B. On September 26, 2013, the Naabik'iyáti' Committee of the Navajo Nation Council passed NABIS-42-13 creating a Trust Mismanagement Litigation Task Force ("Task Force"), composed of Council Delegates, from each agency and each standing committee, as well as Presidential appointees, to assist and consult with the Navajo Nation Office of the Attorney General, Department of Justice, outside legal counsel and the Office of the Navajo Nation President & Vice-President in evaluating whether any proposals put forth by the United States to settle the lawsuit, *Navajo Nation v. United States*, No. 06-945L, (United States Court of Federal Claims) were in the best interests of the Nation.
- C. On May 16, 2014, the United States made a settlement offer that was acceptable to the Nation's Attorney General, outside legal counsel, the Task Force and the Office of the President & Vice-President as being in the best interests of the Navajo Nation and on May 30, 2014, the 22<sup>nd</sup> 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, 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.

- D. 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 and engaged in the mismanagement of the Nation's tribal trust assets and resources, the tribal government was without sufficient funds to provide basic services and amenities to the Diné of past generations. The tribal government was also without funds to develop an infrastructure within the four sacred mountains that would support the growth and development of opportunities crucial for the prosperity of future generations of Diné. See Resolution No. CMY-28-14.
- E. Between October 6, 2014 and November 8, 2014, the Office of the Speaker held seven (7) Public Hearings, as directed by the Navajo Nation Council's Naabik'iyati' Committee, to receive input from Navajo Nation members on how the net proceeds from *Navajo Nation v. United States* should be used. During that same time period, the Office of the President & Vice-President also held five (5) town hall meetings for a similar purpose.
- F. On December 13, 2014, in the best interests of the Nation and consistent with the collective wishes expressed by its members, 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.
- G. On January 31, 2018, the 23rd Navajo Nation Council adopted Resolution No. CJA-03-18 enacting amendments to CD-68-14 clarifying the intent of the 22nd Navajo Nation Council, including that Síhasin Fund infrastructure projects were not to be limited by 12 N.N.C. § 1310(F) (Navajo Nation Bond Financing Act) or by TDCJY-77-99 (Capital Improvement Projects Guidelines Policies and Procedures).



Resolution No. CJA-03-18 was signed into law by the President of the Navajo Nation on February 8, 2018.

- H. The 2014 Act, as amended by CJA-03-18, mandates 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 economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation; and/or (2) education opportunities for members of the Navajo Nation. See 12 N.N.C § 2501 and § 2502 (A), as amended.
- I. The 2014 Act, as amended, 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, including loan financing from the Fund for the purposes in § 2502 (A)(1), shall be favored over direct funding in whole". 12 N.N.C § 2502 (C), as amended.
- J. 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, as amended, 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).
- K. On April 9, 2015, the Naabik'iyáti' Committee adopted NABIAP-20-15 establishing the Naabik'iyáti' Síhasin Fund 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]".
- L. Between April 2015 and March 2018, the Subcommittee, assisted by the Office of Legislative Services, Office of the Speaker, Office of Legislative Counsel and outside legal counsel, met on more than 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 expenditure plan(s) for the Sihasin Fund Principal and Income consistent with the purposes set forth in the 2014 Act, as amended.

- M. After reviewing the comments and recommendations submitted during the Public Hearings and town hall meetings, as well as the reports and comments made during Sihasin Fund Subcommittee meetings, the Subcommittee determined that powerline projects and Chapter capital and economic development projects were a high priority for Navajo communities and that the funding of such projects would afford Navajo communities the opportunity to start and complete local projects currently stalled by the lack of sufficient funds, apply for additional state and federal funds requiring an identified match, as well as support CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, spur economic development at the local level and provide amenities to Navajo communities.
- N. In November of 2017, the Subcommittee issued a directive to the Speaker of the Navajo Nation Council to develop a nationwide powerline projects expenditure plan combining Undesignated Unreserved Fund Balance ("UUFB") and Sihasin Funds to total one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts equaling \$4,166,666.67 per District. On February 15, 2018, the Navajo Nation Council issued a further directive to the Speaker to have his staff meet with Navajo Nation Council Delegates and the Chapters they represent to develop a nationwide powerline and chapter projects expenditure plan for one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts with the Sihasin Fund as the intended funding source.
- O. Between March 5, 2018 and March 16, 2018, Office of the Speaker staff, contract legal counsel, Capital Projects Management Department ("CPMD") staff, and Navajo Tribal Utilities Authority ("NTUA") staff, met twice with each Council Delegate and their Chapter representatives, including but not limited to Chapter Officials, Chapter Managers and Community Service Coordinators, to review each District's proposed projects for (1) compliance with the 2014 Act's, as amended, purpose of "the planning and development of economic development and regional

infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; and (2) readiness status, e.g., project ready, construction ready or shovel ready, as applied by CPMD.

- P. Powerline, economic development and infrastructure projects were proposed at the March meetings including, but not limited to, Head Start facilities, senior and veteran centers, and road improvements. A listing of the proposed projects, including match and contribution funding, is included on attached **Exhibits A through E**.
- Q. To ensure that Síhasin Funds are not prematurely withdrawn and continue to earn investment earnings for as long as possible, CPMD, with the assistance of the Office of the Speaker and NTUA, compiled the proposed projects into nationwide three-year funding plans, i.e., Chapter Projects, NTUA Powerlines, Non-NTUA Powerlines, and Waterlines, attached as **Exhibits A through E**, based on individual project readiness status.
- R. On March 23, 2018, contract legal counsel and CPMD updated the Síhasin Subcommittee on the Office of the Speaker's efforts to develop the powerline and Chapter projects expenditure plan, including the identification of almost twenty million dollars (\$20,000,000.00) in already secured project matching funds.
- S. During the update to the Síhasin Subcommittee, the following accountability and implementation measures were discussed:
  - 1. Due to their experience and expertise, as well as economies of scale, the funding and responsibility for implementing Chapter projects and Non-NTUA Powerline projects should be allocated to CPMD with a template in place, e.g., Memorandum of Agreement or other form of grant agreement, for CPMD to transfer the project funds and responsibilities to Local Governance Act Certified Chapters at their request;
  - 2. Due to their experience and expertise, as well as community need to lock-in project pricing, the funding

and responsibility for NTUA Powerline and waterline projects should be allocated directly to NTUA;

3. If the funding for NTUA Powerline and Waterline projects is disbursed directly to NTUA and the funding for Chapter and non-NTUA Powerline projects is disbursed directly to CPMD, the funding for projects at Chapters sanctioned pursuant to 12 N.N.C. § 9 should not be subject to § 9 (B)'s ten percent (10%) withholding;
  4. All of the proposed projects were vetted by CPMD and NTUA, respectively, for project readiness before being apportioned into the three-year plans based on project readiness status; therefore, if the funding for a project is not spent or encumbered within twenty-four (24) months of distribution, the project funds should revert to the Sihasin Fund; and
  5. To support expeditious administration and implementation of the more than two hundred (200) Chapter projects, CPMD operations should be supplemented with administrative costs.
- T. In addition, during the District meetings with Delegates and their Chapter officials and community representatives to select and vet powerline and Chapter projects, concerns were raised that the President's line-item veto of even a single project would disrupt the equal distribution of funds among the Districts, as well as, negate local choice in project selection and impair Chapter and community efforts to procure additional matching funds from federal and state sources.
- U. The Navajo Nation Council finds that the Powerline and Chapter Projects Expenditure Plan proposal, attached as Exhibits A through E, meets the purposes of the 2014 Act, as amended, i.e., "the planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; as well as the leveraging preference criteria of the 2014 Act, as Sihasin Funds will only fund a portion of the overall total cost of the projects with at least \$19,440,279.45, as



set forth on **Exhibits A through E**, of projects' costs covered by other Navajo Nation funds or federal, state or private entities through match funding, joint funding, contribution funding, cost-share funding or similar arrangements and agreements.

- V. The Navajo Nation Council also finds that the proposed Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, supports community choice and addresses CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, provide economic development at the local level and provide amenities to Navajo communities.
- W. The Navajo Nation Council hereby determines that allocating Sihasin Funds to implement the Powerline and Chapter Projects Expenditure Plan, as set forth in **Exhibits A through E**, 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 the Navajo Nation, as well as in the best interests of community development, the expansion of infrastructure(s) on the Navajo Nation, economic development at the local level and the provision of amenities to Navajo communities, to adopt the Sihasin Fund Powerline and Chapter Projects Expenditure Plan, attached as **Exhibits A through E**.

### Section Three. Approval and Adoption of Expenditure Plan

- A. The Navajo Nation hereby approves and adopts the Sihasin Fund Powerline and Chapter Projects Expenditure Plan, attached and incorporated herein as **Exhibits A through E**.
- B. The Navajo Nation hereby approves and adopts total funding from the Sihasin Fund in the amount of one hundred million six hundred thousand dollars (\$100,600,000.00) with \$18,696,787.92 allocated to Navajo Tribal Utility Authority ("NTUA") for powerline projects; \$4,242,192.99 allocated to NTUA for waterline projects; \$74,076,413.86 allocated to Captial Projects Management Depart ("CPMD") for Chapter projects; \$3,584,605.24 allocated to CPMD for Non-NTUA powerline projects; as summarized in **Exhibit A**, to implement the Sihasin Fund Powerline and Chapter Projects Expenditure Plan as follows:
  - 1. Year 1: The distribution of \$42,294,332.87 of Sihasin Funds in Navajo Nation Fiscal Year 2018 allocated as

follows: \$2,866,370.94 to NTUA for the first year of NTUA Powerline projects, as set forth in **Exhibit B**; \$560,557.00 to NTUA for the first year of Waterline projects, as set forth in **Exhibit E**; \$37,423,205.14 to CPMD for the first year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,444,199.79 to CPMD for the first year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

2. Year 2: The distribution of \$46,203,956.06 of Síhasin Funds in Navajo Nation Fiscal Year 2019 allocated as follows: \$12,154,756.58 to NTUA for the second year of NTUA Powerline projects, as set forth in **Exhibit B**; \$1,068,666.66 to NTUA for the second year of Waterline projects, as set forth in **Exhibit E**; \$31,124,968.21 to CPMD for the second year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,855,564.61 to CPMD for the second year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.
3. Year 3: The distribution of \$12,101,711.08 of Síhasin Funds in Navajo Nation Fiscal Year 2020 allocated as follows: \$3,675,660.40 to NTUA for the third year of NTUA Powerline projects, as set forth in **Exhibit B**; \$2,612,969.33 to NTUA for the third year of Waterline projects, as set forth in **Exhibit E**; \$5,528,240.51 to CPMD for the third year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$284,840.84 to CPMD for the third year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

- C. The Síhasin Funds allocated for the Síhasin Fund Powerline and Chapter Projects Expenditure Plan may be further leveraged by the Navajo Nation through 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 Sihasin Fund Powerline and Chapter Projects Expenditure Plan as follows:

1. The Navajo Nation Controller shall determine whether the source(s) of the annual distributions of the \$100,600,000.00 will be Sihasin Fund Principal or Income or a combination of both;
2. NTUA Powerline and Waterline Projects. The annual distributions for NTUA Powerline and Waterline Projects, as set forth in **Exhibits B and E**, shall be released to NTUA through Grant Agreement(s), executed pursuant to 2 N.N.C. §164 (B), as amended, as follows:
  - a. The First Year (Fiscal Year 2018) distributions shall be released to NTUA by no later than the end of Navajo Nation Fiscal Year 2018;
  - b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions shall be released to NTUA by no later than the end of the first quarter of the respective Navajo Nation Fiscal Year;
  - c. NTUA shall not require the Navajo Nation, including its Chapters, nor Navajo individuals, to contribute more funding to complete any project listed in **Exhibits B and E**, regardless of year funded;
  - d. Any individual Powerline or Waterline project funds that are not spent or encumbered within twenty-four (24) months of distribution to NTUA shall be returned to the Sihasin Fund; and
  - e. NTUA shall account for the Sihasin Funds spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
3. Chapter and Non-NTUA Powerline Projects. The annual distributions for Chapter and Non-NTUA Powerline Projects, as set forth in **Exhibits C and D**, shall be released to CPMD as follows:

- a. The First Year (Fiscal Year 2018) distributions, including administration costs, shall be released to CPMD by no later than the end of the third quarter of Navajo Nation Fiscal Year 2018;
- b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions, including administration costs, shall be released to CPMD by the end of the first quarter of the respective Navajo Nation Fiscal Year;
- c. Annual distributions to CPMD for administration costs 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 such time as all Chapter Projects listed on Exhibit C are fully completed;
- d. 12 N.N.C. § 9 (B) is hereby waived and individual Chapter and non-NTUA Powerline Projects implemented and administered by CPMD shall not be subject to 12 N.N.C. § 9 (B)'s ten percent (10%) withholding;
- e. Individual Chapter and non-NTUA Powerline Projects shall be implemented and administered by CPMD consistent with the Navajo Nation Budget Instruction Manual, as amended, unless inconsistent with other provisions of this resolution;
- f. If requested, CPMD may transfer individual Chapter Project funds, accountability, and responsibility to a Local Governance Act ("LGA") Certified Chapter pursuant to a Memorandum of Agreement or other form of grant agreement executed pursuant to 2 N.N.C. § 164 (B), as amended;
- g. Any individual Chapter or non-NTUA Powerline Project funds that are not spent or encumbered within twenty-four (24) months of distribution to CPMD or transfer to a LGA Certified Chapter shall be returned to the Síhasin Fund;

- h. With the exception of project funds and responsibilities transferred to LGA Certified Chapters, CPMD shall account for the Sihasin Funds spent and such accounting or expenditure report shall be included as part of the Executive Branch's quarterly program report submitted to the Resources and Development Committee; and
  - i. LGA Certified Chapters that have been granted Sihasin Fund project funds and responsibilities, shall account for the money spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
- B. NTUA, CPMD and LGA Certified Chapters shall have the authority to enter into match, funding, partnership, cooperative and other cost saving or cost sharing arrangements or leveraging agreements with Navajo Nation entities and enterprises, Navajo Nation Chapters and other political subdivisions, other Navajo Nation programs and federal and state agencies and such agreements shall not be deemed procurement contracts subject to the Navajo Nation Procurement Act, 12 N.N.C. §§ 301 - 371 or Navajo Business Opportunity Act 5 N.N.C. §§ 201 - 215.
  - 1. Notwithstanding the above, all Chapters, working in conjunction with NTUA and/or CPMD, shall have the continuing responsibility to identify ways to further leverage the allocated Sihasin Funds;
  - 2. NTUA and CPMD shall each present an annual leveraging report to the Resource & Development Committee and Budget & Finance Committee during the first quarter of each Navajo Nation Fiscal Year identifying the efforts and success of Chapter(s) in securing additional matching or contribution funding; and
  - 3. With the approval of the Resources & Development Committee, any project costs saved or reduced through leveraging or otherwise shall be available for expenditure on any other project within the respective Chapter deemed construction-ready by CPMD; if there are no construction-ready projects within the respective Chapter, then, with the approval of the

Resources & Development Committee, the saved or reduced costs shall be available for expenditure on any other project within the respective District.

- C. A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed \$4,166,666.67.
- D. NTUA, CPMD and LGA Certified Chapters shall report the status of the Síhasin Funds allocated or transferred to them to implement the Powerline and Chapter Projects Expenditure Plan, specifically including the use and status of the Síhasin Funds and the status of projects for which they are responsible, to the Resources & Development, Budget & Finance and Naabik'íyáti' Committees and Office of the President & Vice-President on a quarterly basis.

**Section Five. Waiving Navajo Nation Code Provisions Regarding the Capital Budget and Capital Improvement Process Effective Date**

Notwithstanding that Síhasin Fund projects are specifically not subject to the Capital Improvement Projects Guidelines Policies and Procedures set forth by TDCJY-77-99, the Navajo Nation hereby waives the application of 12 N.N.C. § 810 (F), §§ 820 (I) and (M) and § 860 (C) regarding the Capital Budget and Improvement processes to the Powerline and Chapter Projects Expenditure Plan.

**Section Six. Effective Date**

The Síhasin Fund Powerline and Chapter Projects Expenditure Plan, as set forth above, shall become effective pursuant to 12 N.N.C. § 2505.

**Section Seven. Directives**

- A. All Navajo Nation programs, specifically including, but not limited to, the Office of Controller, Office of Management & Budget, CPMD, and Chapters, as well as NTUA, shall take all steps necessary to expeditiously implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan.



- B. All Navajo Nation programs, as well as NTUA, named in this legislation shall be held accountable for the progress of tasks under their responsibility and control and shall participate in work group meetings, if any, necessary to expeditiously implement the Sihasin Fund Powerline and Chapter Projects Expenditure Plan.
- C. Office of Legislative Services will adjust all figures throughout the legislation and exhibits to reflect amendment totals, with the concurrence of the sponsor. The Navajo Nation directs the Office of Legislative Services to recalculate the final monetary totals such that the figures conform to the amendments passed by the Navajo Nation.

## 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 21 in favor and 00 opposed, on this 17<sup>th</sup> day of April 2018.



LoRenzo C. Bates, Speaker  
Navajo Nation Council

4-27-18

\_\_\_\_\_  
Date

Motion: Honorable Seth Damon  
Second: Honorable Steven Begay

Speaker Bates not voting

## ACTION BY THE NAVAJO NATION PRESIDENT:

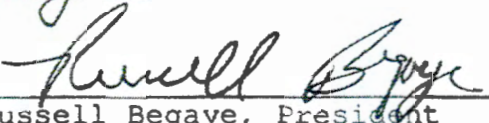
1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(10), on this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
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 7<sup>th</sup> day of May 2018.

  
\_\_\_\_\_  
Russell Begaye, President  
Navajo Nation

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN  
(COVER SHEET)**

<b>EXHIBIT:</b>
<b>A</b>

**NUMBER OF PROJECT FOLDERS**

<b>CAPITAL PROJECTS</b>	<b>\$ 74,076,413.86</b>	<b>182</b>
<b>NTUA POWERLINE PROJECTS</b>	<b>\$ 18,696,787.92</b>	<b>29</b>
<b>NON-NTUA PROJECTS</b>	<b>\$ 3,584,605.24</b>	<b>9</b>
<b>NTUA WATERLINE PROJECTS</b>	<b>\$ 4,242,192.99</b>	<b>9</b>
<b>SUBTOTAL</b>	<b>\$ 100,600,000.01</b>	
<b>SIHAASIN APPROPRIATION</b>	<b>\$ 100,600,000.00</b>	<b>229</b>
	<b>\$ (0.01) (Rounding Error)</b>	

	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>MATCHING FUNDS</b>
<b>CAPITAL PROJECTS</b>	\$37,423,205.14	\$31,124,968.21	\$5,528,240.51	\$17,842,593.31
<b>NTUA POWERLINE PROJECTS</b>	\$2,866,370.94	\$12,154,756.58	\$3,675,660.40	\$540,156.79
<b>NON-NTUA PROJECTS</b>	\$1,444,199.79	\$1,855,564.61	\$284,840.84	\$3,913,859.66
<b>NTUA WATERLINE PROJECTS</b>	\$560,557.00	\$1,068,666.66	\$2,612,969.33	\$15,110,777.71
	<b>\$42,294,332.87</b>	<b>\$46,203,956.06</b>	<b>\$12,101,711.08</b>	<b>\$37,407,387.47</b>

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN  
(NTUA POWERLINES)**

**EXHIBIT:  
B**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Many Farms	Powerline Phase II	Design/Construction	18-24 months	\$37,432.20	\$227,567.80	\$0.00	\$0.00	\$265,000.00
2	Tsaile/ Contonwood	Powerline Ext. Ph I, II, III Scattered	ROW/Pre-Design	18-24 months	\$0.00	\$265,000.00	\$0.00	\$0.00	\$265,000.00
3	Tsaile/ Wheatfields	Rural Electrification Project Horseshoe Canyon Powerline Ext.	ROW/Pre-Design	18-24 months	\$0.00	\$191,493.75	\$0.00	\$0.00	\$191,493.75
4	Sawmill	Powerline ext.	Pre-Design	12 months	\$120,000.00	\$0.00	\$0.00	\$0.00	\$120,000.00
5	Dennehotso	Scattered Powerline Project	Design/Construction	18-24 months	\$40,031.25	\$418,220.75	\$0.00	\$0.00	\$458,252.00
6	Chilchinbeto	Powerline-Assayl-2nd phase	Design/Construction	18-24 months	\$115,000.00	\$1,071,765.53	\$0.00	\$20,000.00	\$1,186,765.53
7	Ojato	Powerline Project	Design/Construction	24-36 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
8	Navajo Mountain	Powerline Project	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
9	Shonto	Powerline	Design/Construction	24-36 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
10	Inscription House	Powerline Extension	Design/Construction	24-36 months	\$0.00	\$0.00	\$661,666.68	\$0.00	\$661,666.68
11	Teecnospos	Powerline -North Phase 3	Design/Construction	18-24 months	\$0.00	\$2,233,813.51	\$0.00	\$0.00	\$2,233,813.51
12	Mexican Water	3-Phase Powerline	Construction	18-24 months	\$0.00	\$1,634,047.00	\$0.00	\$0.00	\$1,634,047.00
13	Indian Wells	Salt Seep Powerline -	Design/Construction	18-24 months	\$40,000.00	\$0.00	\$0.00	\$0.00	\$40,000.00
14	Whitecone	Powerline Scattered	Design/Construction	18-24 months	\$70,000.00	\$0.00	\$164,333.49	\$0.00	\$234,333.49
15	Teesto	Teesto Scattered Powerline	Design/Construction	18-24 months	\$0.00	\$332,273.00	\$0.00	\$45,927.86	\$332,273.00
16	Dilkon	John Draw Powerline Project	Pre-Design	18-24 months	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00
17	Leupp	Powerline Project-Grandfalls	Design/Construction	12-18 months	\$0.00	\$733,333.00	\$0.00	\$352,237.50	\$733,333.00



**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN  
(NTUA POWERLINES)**

**EXHIBIT:  
B**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
18	Birdsprings	Powerline Ext. Phase III	Design/Construction	18-24 months	\$84,105.00	\$649,228.00	\$0.00	\$0.00	\$733,333.00
19	Kindahlichii	Single-Phase Powerline Ext.	Design/Construction	18-24 months	\$0.00	\$371,729.00	\$0.00	\$0.00	\$371,729.00
20	Kindahlichii	Powerline (Upper WS Ext.)	Design/Construction	18 months	\$0.00	\$366,873.00	\$0.00	\$0.00	\$366,873.00
21	Coppermine	IV P/L Project	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
22	Kalbeto	Poweline Project	Design/Construction	18-24 months	\$219,187.50	\$460,812.50	\$0.00	\$0.00	\$680,000.00
23	LeChee	Powerline Project	Construction	16 months	\$92,006.25	\$0.00	\$924,660.25	\$0.00	\$1,016,666.50
24	Klagetoh	Salt Springs Powerline	Design/Construction	36 months	\$39,643.15	\$421,709.06	\$0.00	\$0.00	\$461,352.21
25	Lupton	Powerline	Pre-Design	37 months	\$6,036.07	\$89,074.42	\$0.00	\$49,110.49	\$95,110.49
26	Houck	Powerline	Design/Construction	12-18 months	\$80,000.00	\$273,278.00	\$0.00	\$69,056.25	\$353,278.00
27	Wide Ruins	Boggy Lake/Tanner Springs	Design/Construction	24-36 months	\$200,000.00	\$634,538.26	\$0.00	\$0.00	\$834,538.26
28	Pifion	Scattered Powerline Project	Design Construction	12-18 months	\$0.00	\$180,000.00	\$0.00	\$0.00	\$180,000.00
29	Black Mesa	Powerline	Pre-Design/ Design/Construction	24 months	\$1,472,929.52	\$0.00	\$0.00	\$227,606.25	\$1,472,929.52
					\$2,866,370.94	\$12,154,756.58	\$3,675,660.40	<b>GRAND TOTAL</b>	<b>\$18,696,787.92</b>

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN  
(NON-NTUA POWERLINES)**

**EXHIBIT:**

**C**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Alamo	Powerline/Waterline	Construction	6 months	\$694,444.44	\$694,444.45	\$0.00	\$0.00	\$1,388,888.89
2	TseUchil	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 305,393.00	\$0.00	\$50,000.00	\$305,393.00
3	Manuelito	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 397,580.00	\$0.00	\$50,000.00	\$397,580.00
4	Chichiltah	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 337,520.00	\$0.00	\$250,000.00	\$337,520.00
5	Ojo Encino	Eagle Spring Powerline Extension Project	Design/Construction	6 months	\$0.00	\$120,627.16	\$0.00	\$30,156.79	\$120,627.16
6	Pueblo Pintado	Badger Springs Powerline Ext.	Construction	24 months	\$0.00	\$0.00	\$ 284,840.84	\$0.00	\$284,840.84
7	Baca-Prewitt	Powerline Extension	Construction	6 months	\$160,000.00	\$0.00	\$0.00	\$0.00	\$160,000.00
8	Whitehorse	Powerline Extension	Construction	12 months	\$133,884.48	\$0.00	\$0.00	\$0.00	\$133,884.48
9	Counselor	Powerline Extension	Construction	13 months	\$455,870.87	\$0.00	\$0.00	\$0.00	\$455,870.87
					<b>\$1,444,199.79</b>	<b>\$1,855,564.61</b>	<b>\$284,840.84</b>	<b>GRAND TOTAL</b>	<b>\$3,584,605.24</b>

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:  
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Newcomb	Helipad	Design/Construction	18-24 months	\$100,000.00	\$339,637.00	\$0.00	\$75,000.00	\$439,637.00
2	Newcomb	Sr. Center Renovation	Plan/Construction	6-8 months	\$228,189.00	\$0.00	\$0.00	\$0.00	\$228,189.00
3	Hogback	New Chapter House	Design/Construction	8-16 months	\$150,018.78	\$593,100.00	\$0.00	\$0.00	\$743,118.78
4	Burnham	Community Center	Design/Construction	18-24 months	\$300,000.00	\$383,500.00	\$0.00	\$0.00	\$683,500.00
5	San Juan	Multi-Purpose Site Improvement Project	Plan/Design/Construction	24 months	\$150,000.00	\$533,333.00	\$0.00	\$0.00	\$683,333.00
6	Upper Fruitland	Renovation Walter Collins Multi-Purpose Bldg	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
7	Nenahmezaad	Multi-Purpose Renovation	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
8	Nazlini	Senior Center	Design/Construction	24 months	\$0.00	\$1,980,000.00	\$0.00	\$60,000.00	\$1,980,000.00
9	Low Mountain	Head Start Facility	Design/Construction	24 months	\$0.00	\$596,666.66	\$0.00	\$0.00	\$596,666.66
10	Blue Gap/Tachee	New Chapter House	Construction	12-18 mths	\$0.00	\$530,000.00	\$0.00	\$150,000.00	\$530,000.00
11	Many Farms	Market Study	Planning	24-36 months	\$0.00	\$265,000.00	\$0.00	\$20,000.00	\$265,000.00
12	Ramah	Chapter Renovation	Design/Construction	24-36 months	\$0.00	\$1,388,888.89	\$0.00	\$20,000.00	\$1,388,888.89
13	Tohajiilee	Road Improvement	Design/Construction	36 months	\$1,388,888.89	\$0.00	\$0.00	\$353,000.00	\$1,388,888.89
14	Coyote Canyon	New Chapter Tractor	New Equipment	2-4 mths	\$50,000.00	\$0.00	\$0.00	\$9,000.00	\$50,000.00
15	Coyote Canyon	Senior Center Van	New Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00
16	Coyote Canyon	New Chapter Truck & Flatbed	New Equipment	2-4 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
17	Coyote Canyon	New Warehouse	Other Tribal Facilities	10-12 months	\$0.00	\$38,563.00	\$0.00	\$72,756.00	\$38,563.00
18	Coyote Canyon	Senior Citizen Center	Senior Center Building	10-12 months	\$109,000.00	\$0.00	\$0.00	\$520,000.00	\$109,000.00
19	Coyote Canyon	Parking Lot w/Landscape	Design/Construction	12 months	\$0.00	\$119,455.00	\$0.00	\$0.00	\$119,455.00
20	Coyote Canyon	Bathroom Addition	Design/Construction	12 months	\$126,315.33	\$0.00	\$0.00	\$11,311.00	\$126,315.33
21	Coyote Canyon	N96 Chip Seal	Design/Construction	10-12 months	\$250,000.00	\$0.00	\$0.00	\$75,864.00	\$250,000.00
22	Bahastlah (Twin Lakes)	Caterpillar 420 F2 4WD Backhoe Loader	Major Equipment	2-4 months	\$143,000.00	\$0.00	\$0.00	\$52,620.00	\$143,000.00
23	Bahastlah (Twin Lakes)	Massey Ferguson 2706E	Major Equipment	2-4 months	\$55,000.00	\$0.00	\$0.00	\$12,000.00	\$55,000.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:  
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
24	Bahastlah (Twin Lakes)	Caterpillar 140M3 AWD Motor Grader	Major Equipment	2-4 months	\$238,091.16	\$0.00	\$0.00	\$20,000.00	\$238,091.16
25	Bahastlah (Twin Lakes)	New Warehouse	Design/Construction	8-12 months	\$0.00	\$328,142.33	\$0.00	\$0.00	\$328,142.33
26	Bahastlah (Twin Lakes)	Road Maintenance	Design/Construction	8-12 months	\$0.00	\$69,000.00	\$0.00	\$35,000.00	\$69,000.00
27	Naschitti	New Chapter Truck	Major Equipment	2-4 months	\$73,333.33	\$0.00	\$0.00	\$0.00	\$73,333.33
28	Naschitti	New Warehouse	Design/Construction	12 months	\$0.00	\$376,000.00	\$0.00	\$36,000.00	\$376,000.00
29	Naschitti	966M XE Wheel Loader	Major Equipment	2-4 months	\$231,000.00	\$0.00	\$0.00	\$0.00	\$231,000.00
30	Naschitti	Backhoe	Major Equipment	2-4 months	\$103,000.00	\$0.00	\$0.00	\$0.00	\$103,000.00
31	Naschitti	Cemetery Expansion Project	Design/Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
32	Mexican Springs	Deer Springs Road	Design/Construction	12-18 months	\$667,000.00	\$0.00	\$0.00	\$0.00	\$667,000.00
33	Mexican Springs	Road Maintenance, Culverts & Bridges	Design/Construction	12-18 months	\$121,333.34	\$0.00	\$0.00	\$0.00	\$121,333.34
34	Mexican Springs	Massey Ferguson 2706E	Major Equipment	2-4 months	\$45,000.00	\$0.00	\$0.00	\$0.00	\$45,000.00
35	Round Rock	Road Improvement-Apache Cty. 590	Pre-Design/Design	18-24 months	\$50,000.00	\$60,000.00	\$228,533.94	\$0.00	\$338,533.94
36	Round Rock	Road Improvement Apache Co. 492	Design/Construction	18-24 months	\$50,000.00	\$60,000.00	\$351,153.69	\$0.00	\$461,153.69
37	Round Rock	Signage Proposal	Design/Construction	6-8 months	\$33,198.50	\$0.00	\$0.00	\$0.00	\$33,198.50
38	Tsaile/Wheatfields	Fencing of Tract	Design/Construction	6-8 months	\$220,000.00	\$0.00	\$0.00	\$0.00	\$220,000.00
39	Tsaile/Wheatfields	Senior Center Rehabilitation of Facility	Design/Construction	6-8 months	\$0.00	\$48,255.00	\$319,000.00	\$0.00	\$367,255.00
40	Tsaile/Wheatfields	Cemetery	Design/Construction	6-8 months	\$20,032.12	\$0.00	\$0.00	\$0.00	\$20,032.12
41	Tsaile/Wheatfields	Chapter Tract Master Plan	Design/Construction	18-24 months	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00
42	Rock Point	BIA Road Route 8070	Design/Construction	12-16 months	\$46,100.00	\$143,250.00	\$643,983.00	\$0.00	\$833,333.00
43	Rough Rock	Senior Center	Construction	12 months	\$245,333.33	\$0.00	\$0.00	\$0.00	\$245,333.33
44	Lukachukai	Chapter Fencing	Design/Construction	12-18 months	\$482,903.33	\$0.00	\$0.00	\$20,000.00	\$482,903.33
45	Lukachukai	Chapter Agriculture Building	Construction	6-8 months	\$0.00	\$70,000.00	\$0.00	\$0.00	\$70,000.00
46	Lukachukai	Chapter Equipment	Major Equipment	4-6 months	\$144,000.00	\$0.00	\$0.00	\$0.00	\$144,000.00
47	Lukachukai	Chapter Equipment Manlift	Major Equipment	6-8 months	\$39,500.00	\$0.00	\$0.00	\$0.00	\$39,500.00



**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:  
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
48	Lukachukai	Chapter Senior Center	Construction	12 months	\$86,427.00	\$0.00	\$0.00	\$0.00	\$86,427.00
49	Lukachukai	Chapter Welding Machinery	Major Equipment	6-8 months	\$7,000.00	\$0.00	\$0.00	\$0.00	\$7,000.00
50	Lukachukai	Chapter Roping Box	Major Equipment	6-8 months	\$3,503.00	\$0.00	\$0.00	\$0.00	\$3,503.00
51	Crystal	Fire Suppression System	Construction	6-12 months	\$876,000.00	\$0.00	\$0.00	\$185,000.00	\$876,000.00
52	Fort Defiance	Solar Street Lights	Construction	12 months	\$0.00	\$972,025.00	\$0.00	\$283,503.00	\$972,025.00
53	Fort Defiance	Street Rehabilitation	Design/Construction	24 months	\$69,641.67	\$0.00	\$0.00	\$0.00	\$69,641.67
54	Red Lake	Utility System Upgrade	Design/Construction	1-6 months	\$70,000.00	\$0.00	\$0.00	\$0.00	\$70,000.00
55	Red Lake	Street Improvement	Design/Construction		\$100,000.00	\$250,000.00	\$300,000.00	\$0.00	\$650,000.00
56	Red Lake	Chapter Complex	Plan/Design/Construction		\$0.00	\$0.00	\$321,666.67	\$0.00	\$321,666.67
57	Sawmill	Bathroom Additions	Construction	12 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
58	Sawmill	Renovate Chapter House	Construction	6 months	\$250,000.00	\$250,000.00	\$0.00	\$0.00	\$500,000.00
59	Sawmill	N7 Road Rehab	Design		\$271,666.67	\$0.00	\$0.00	\$0.00	\$271,666.67
60	Dennehotso	Transfer Station	Design/Construction	24 months	\$40,000.00	\$100,000.00	\$0.00	\$0.00	\$140,000.00
61	Dennehotso	Veterans Park	Construction	36 months	\$0.00	\$225,000.00	\$0.00	\$7,000.00	\$225,000.00
62	Dennehotso	Warehouse	Construction	12 months	\$0.00	\$162,025.82	\$0.00	\$20,000.00	\$162,025.82
63	Kayenta	Diversion Dam Rehabilitation Project	Design/Construction	24-36 months	\$0.00	\$1,344,623.31	\$0.00	\$455,000.00	\$1,344,623.31
64	Kayenta	Multi-Purpose Building	Plan/Design/Construction	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
65	Chilchinbeto	Multi-Purpose Building	Plan/Design/Construction		\$300,000.00	\$0.00	\$0.00	\$0.00	\$300,000.00
66	Shiprock	Chapter Renovation	Design/Construction	12 months	\$50,000.00	\$400,000.00	\$0.00	\$0.00	\$450,000.00
67	Shiprock	Senior Center	Construction	12 months	\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00
68	Shiprock	Elderly Care Site	Planning	8 months	\$17,000.00	\$0.00	\$0.00	\$0.00	\$17,000.00
69	Shiprock	Wellness Center	Design/Construction	12 months	\$0.00	\$200,000.00	\$0.00	\$0.00	\$200,000.00
70	Shiprock	Former BIA Compound	Testing/Planning	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
71	Shiprock	Utility Hook-Up/Restroom Renovations	Construction	8 months	\$60,000.00	\$0.00	\$0.00	\$0.00	\$60,000.00
72	Shiprock	River Trail & Community Park	Construction	9 months	\$56,000.00	\$0.00	\$0.00	\$0.00	\$56,000.00
73	Shiprock	15 Secure Land Designation	Planning	24 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
74	Shiprock	Rural Addressing	Construction	12 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
75	Shiprock	Roads-Indian Village	Major Equipment	12 months	\$318,000.00	\$0.00	\$0.00	\$0.00	\$318,000.00
76	Shiprock	South Side Incident Command Center	Construction	24 months	\$1,000,000.00	\$0.00	\$0.00	\$0.00	\$1,000,000.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:**

**D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
77	Shiprock	New Traffic Lights	Construction	12 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
78	Shiprock	Shiprock Cemetery	Plan/Design/Construction	12 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
79	Shiprock	Plan/Design 36 acre Tract	Plan/Design/Construction	24 months	\$85,000.00	\$0.00	\$0.00	\$0.00	\$85,000.00
80	Shiprock	Visitor Center	Plan/Design	12 months	\$360,666.66	\$0.00	\$0.00	\$0.00	\$360,666.66
81	Shiprock	Widening San Francisco Peak Blvd.	Plan/Design	12 months	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00
82	Beclabito	Beclabito Road Project N5113	Design/Construction	24-36 months	\$0.00	\$0.00	\$615,000.00	\$0.00	\$615,000.00
83	Cove	Cove Senior Center	Construction	8-12 months	\$255,704.00	\$0.00	\$0.00	\$0.00	\$255,704.00
84	Cove	Cove Veterans Pavilion	Planning/Design	10-12 months	\$0.00	\$130,000.00	\$0.00	\$8,000.00	\$130,000.00
85	Cadiahil	Gaddii ahil/ Tokoi Infrastructure New Development	Design/Construction	10-12 months	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00
86	Red Valley	Transfer Station	Design/Construction	24-36 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
87	Sheep Springs	Multi-Purpose Building	Construction	8-12 months	\$682,629.66	\$0.00	\$0.00	\$240,000.00	\$682,629.66
88	Two Grey Hills/Toadlena	ROW N19	Pre-Design	8-12 months	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00
89	Tse Alnaozi/I'i	5010 Road Design	Design	24-36 months	\$75,000.00	\$0.00	\$0.00	\$0.00	\$75,000.00
90	Beclabito	Fiber Optic - Broadband	Planning/Design	12-18 months	\$708,333.00	\$0.00	\$0.00	\$0.00	\$708,333.00
91	Cove	Agriculture - Watershed Study	Planning/Design	12-18 months	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00
92	Tse'Lichii	New Senior Center	Design/Construction	12-24 months	\$0.00	\$1,600,000.00	\$0.00	\$400,000.00	\$1,600,000.00
93	Tsayatoh	Chapter Renovation	Design/Construction	12-16 months	\$0.00	\$500,000.00	\$0.00	\$100,000.00	\$500,000.00
94	Baahaali	Pine Haven Road	Design/Construction	18-24 months	\$0.00	\$600,000.00	\$0.00	\$655,000.00	\$600,000.00
95	Baahaali	Senior Center (Renov./Addition)	Design/Construction	8-12 months	\$150,000.00	\$0.00	\$0.00	\$450,000.00	\$150,000.00
96	Rock Springs	Multi-Purpose Building	Pre-Design	20-24 months	\$0.00	\$276,173.66	\$0.00	\$450,000.00	\$276,173.66
97	Inscription House	Solid Waste Transfer Station	Design/Construction	24-36 months	\$0.00	\$0.00	\$330,000.00	\$0.00	\$330,000.00
98	Inscription House	House Wiring	Design/Construction	24-36 months	\$0.00	\$50,000.00	\$0.00	\$0.00	\$50,000.00
99	Red Mesa	Chapter House Renovation	Design/Construction	12 months	\$238,249.15	\$0.00	\$0.00	\$0.00	\$238,249.15
100	St. Michael's	New Chapter House	Construction	10-14 mths	\$2,083,333.33	\$0.00	\$0.00	\$53,409.00	\$2,083,333.33
101	Oaksprings	Chapter Major Renovation	Design/Construction	24 months	\$1,000,000.00	\$1,083,333.33	\$0.00	\$10,000.00	\$2,083,333.33

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:  
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
102	Greasewood Springs	Master Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	\$400,000.00	\$433,333.33	\$0.00	\$0.00	\$833,333.33
103	Dikron	Multi Purpose Complex	Planning	12 months	\$333,333.33	\$0.00	\$0.00	\$120,000.00	\$333,333.33
104	Dikron	Chapter Tract Infrastructure Upgrade	Plan/Design	12 months	\$0.00	\$275,000.00	\$0.00	\$0.00	\$275,000.00
105	Indian Wells	HVAC Unit	Major Equipment	4-6 months	\$25,000.00	\$0.00	\$0.00	\$66,000.00	\$25,000.00
106	Indian Wells	Senior Center Facility Repairs	Planning	12 months	\$265,000.00	\$279,393.67	\$0.00	\$0.00	\$544,393.67
107	Indian Wells	10 Commercial Site Development	Planning	18-24 months	\$200,000.00	\$0.00	\$0.00	\$678,000.00	\$200,000.00
108	Whitecone	Road Improvement	Design/Construction	18-24 months	\$194,000.00	\$0.00	\$0.00	\$0.00	\$194,000.00
109	Whitecone	JW2 - Master Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	\$66,000.00	\$0.00	\$0.00	\$0.00	\$66,000.00
110	Whitecone	Motor Grader	Major Equipment	6-8 months	\$339,000.00	\$0.00	\$0.00	\$0.00	\$339,000.00
111	Teesto	Community Center	Design/Construction	18-24 months	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00
112	Standing Rock	Tsellahi Head Start	Construction	8-12 months	\$3,269,616.66	\$0.00	\$0.00	\$125,000.00	\$3,269,616.66
113	Whiterock	Chapter Renovation	Design/Construction	6-8 months	\$500,000.00	\$0.00	\$0.00	\$359,476.65	\$500,000.00
114	Huerfano	Senior Center	Design/Construction	8-12 months	\$0.00	\$397,050.00	\$0.00	\$53,261.00	\$397,050.00
115	Chinle	N7 Solar Street Light	Pre-Design, Design/Construction	24 months	\$50,000.00	\$1,735,534.45	\$0.00	\$0.00	\$1,785,534.45
116	Chinle	Del Muerto Headstart Improvement	Construction	12 months	\$0.00	\$0.00	\$301,496.21	\$0.00	\$301,496.21
117	Cameron	Cultural Center	Pre-Design	24 months	\$250,000.00	\$250,000.00	\$733,333.00	\$0.00	\$1,633,333.00
118	Cameron	Demonstration Farm	Planning	18-24 months	\$100,001.66	\$0.00	\$0.00	\$0.00	\$100,001.66
119	Coalmine	Chapter House Building Repair	Renovation	12-18 months	\$200,000.00	\$533,333.00	\$0.00	\$30,000.00	\$733,333.00
120	Birdsprings/Leupp	Commercial Farm Project	Planning	24 months	\$250,000.00	\$200,000.00	\$50,000.00	\$0.00	\$500,000.00
121	Tolani Lake	New Senior Center Replacement	Design/Construction	18-24 months	\$0.00	\$733,333.00	\$0.00	\$0.00	\$733,333.00
122	Cornfields	Community/ Veterans Cemetery	Design/Construction	12 months	\$66,333.33	\$0.00	\$0.00	\$0.00	\$66,333.33
123	Cornfields	Deer Point Development	Pre-Design	24-36 months	\$0.00	\$0.00	\$300,000.00	\$0.00	\$300,000.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:  
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
124	Cornfields	Sunrise Low Water Crossing (Road)	Pre-Design	26-36 months	\$0.00	\$266,000.00	\$0.00	\$0.00	\$266,000.00
125	Cornfields	Rural Address LRAC E-911	Design/Construction	12 months	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
126	Cornfields	Backhoe Purchase	Purchase	6 months	\$40,000.00	\$0.00	\$0.00	\$25,000.00	\$40,000.00
127	Cornfields	Green House	Design/Construction	12 months	\$1,000.00	\$0.00	\$0.00	\$1,000.00	\$1,000.00
128	Kindallchil	Chapter House Parking Lot	Design/Construction	12-24 months	\$94,731.32	\$0.00	\$0.00	\$0.00	\$94,731.32
129	Jeddito	Backhoe Purchase	Major Equipment	6 months	\$107,064.66	\$0.00	\$0.00	\$0.00	\$107,064.66
130	Jeddito	Bathroom Addition (Coldwater Loop)	Design/Construction	18-24 months	\$0.00	\$363,134.33	\$0.00	\$0.00	\$363,134.33
131	Jeddito	Bathroom Addition (Upper Highland/ Sitting Rk)	Design/Construction	18-24 months	\$0.00	\$363,134.34	\$0.00	\$0.00	\$363,134.34
132	Steamboat	Old Chapter Renovation (Stone Bldg.)	Construction	8-12 months	\$220,000.00	\$0.00	\$0.00	\$0.00	\$220,000.00
133	Steamboat	Chapter Building Renovation	Design/Construction	18-24 months	\$0.00	\$0.00	\$400,000.00	\$50,000.00	\$400,000.00
134	Steamboat	Chapter Warehouse	Design/Construction	18-24 months	\$0.00	\$213,333.33	\$0.00	\$25,000.00	\$213,333.33
135	Canado	Senior Center Building	Design/Construction	18-24 months	\$0.00	\$833,333.34	\$0.00	\$0.00	\$833,333.34
136	Coppermine	Backhoe	Major Equipment	4-6 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
137	Coppermine	Multipurpose Building	Pre-Design	18-24 months	\$0.00	\$0.00	\$200,000.00	\$0.00	\$200,000.00
138	Coppermine	Western Navajo Pipeline, Fireflow, Storage Tank	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
139	Kalbeto	Kalbeto Design Infrastructure	Design/Construction	18-24 months	\$0.00	\$370,000.00	\$0.00	\$0.00	\$370,000.00
140	Tonalea	Government Building	Construction	8-12 months	\$1,050,000.00	\$0.00	\$0.00	\$0.00	\$1,050,000.00
141	Klagetoh	Head Start Project	Pre-Design	8-12 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
142	Lupton	Basketball Court Development	Pre-Design	12 months	\$0.00	\$53,795.00	\$0.00	\$0.00	\$53,795.00
143	Lupton	Cemetery	Pre-Design	13 months	\$0.00	\$0.00	\$100,000.00	\$0.00	\$100,000.00
144	Lupton	Warehouse Renovation	Pre-Design	14 months	\$68,795.00	\$0.00	\$0.00	\$0.00	\$68,795.00



**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:  
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
145	Lupton	Housewiring	Construction	15 months	\$0.00	\$13,000.00	\$0.00	\$0.00	\$13,000.00
146	Lupton	Road Improvement	Pre-Design	16 months	\$0.00	\$0.00	\$75,040.00	\$0.00	\$75,040.00
147	Nahatadzi	Shopping Center	Construction	12-18 months	\$1,265,035.70	\$0.00	\$0.00	\$7,200,000.00	\$1,265,035.70
148	Houck	Bathroom Additions	Design/Construction	18-24 months	\$60,000.00	\$255,000.00	\$0.00	\$0.00	\$315,000.00
149	Houck	Cemetery	Plan/Design/Construction	18-24 months	\$46,722.00	\$0.00	\$0.00	\$0.00	\$46,722.00
150	Houck	9401 Road Improvement	Plan/Design	18-24 months	\$85,000.00	\$0.00	\$0.00	\$0.00	\$85,000.00
151	Tuba City	Senior Center	Design/Construction	18-24 months	\$1,400,000.00	\$2,766,666.66	\$0.00	\$370,000.00	\$4,166,666.66
152	Casamero Lake	McKinley County Rd.19 Construction Project	Construction	24 months	\$2,811,443.31	\$0.00	\$0.00	\$0.00	\$2,811,443.31
153	Baca-Prewitt	Backhoe	Major Equipment	4-6 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
154	Baca-Prewitt	New Warehouse	Pre-Design	12-18 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
155	Hardrock	Senior Center Facility Repairs	Design/Construction	24 months	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00
156	Hardrock	ADA	Design/Construction	24 months	\$0.00	\$60,000.00	\$0.00	\$0.00	\$60,000.00
157	Hardrock	Walk-In Shower	Design/Construction	24 months	\$52,269.00	\$0.00	\$0.00	\$0.00	\$52,269.00
158	Hardrock	HVAC Unit	Design/Construction	24 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
159	Hardrock	Vehicle	Major Equipment	24 months	\$74,886.00	\$0.00	\$0.00	\$0.00	\$74,886.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:  
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
160	Hardrock	Wellness Equipment	Major Equipment	24 months	\$44,940.00	\$0.00	\$0.00	\$0.00	\$44,940.00
161	Pifion	Chapter Communication Systems Upgrade	Major Equipment	10 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
162	Pifion	Chapter House Perimeter Fencing	Construction	6 months	\$21,660.00	\$0.00	\$0.00	\$0.00	\$21,660.00
163	Pifion	Clearances for Withdrawal of Land for Community	Pre-Design	12-18 months	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
164	Pifion	Chapter Vehicle w/ Metal 1000 gal. Water Tank	Major Equipment	2-4 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
165	Pifion	Chapter Vehicle	Major Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
166	Pifion	Rural Addressing	Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
167	Pifion	Housewiring/Bathroom Additions	Construction	12 months	\$25,000.00	\$0.00	\$0.00	\$0.00	\$25,000.00
168	Pifion	Housewiring/Bathroom Additions	Construction	12 months	\$23,648.14	\$0.00	\$0.00	\$0.00	\$23,648.14
169	Pifion	N8030 Road Project	Design/Construction	24 months	\$0.00	\$0.00	\$68,334.00	\$0.00	\$68,334.00
170	Pifion	Dzilyijin Public Safety Utility	Planning	18 months	\$0.00	\$0.00	\$400,000.00	\$0.00	\$400,000.00
171	Pifion	Dzilyijin College Land Withdrawal	Planning	24 months	\$0.00	\$0.00	\$83,000.00	\$0.00	\$83,000.00
172	Forest Lake	Senior Center (Renov./Addition)	Design/Construction	24 months	\$500,000.00	\$0.00	\$0.00	\$50,000.00	\$500,000.00
173	Whippoorwill Springs	Renovation-Sr. Center, Warehouse, Admin. Building	Design/Construction	24 months	\$450,000.00	\$0.00	\$0.00	\$0.00	\$450,000.00
174	Iyanbito	Garden & Community Project	Pre-Design	4-6 months	\$0.00	\$10,000.00	\$97,700.00	\$0.00	\$107,700.00
175	Iyanbito	Head Start Project	Pre-Design	8-10 months	\$0.00	\$576,744.44	\$0.00	\$238,528.00	\$576,744.44

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS  
EXPENDITURE PLAN**

**EXHIBIT:  
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
176	Iyanbito	Veterans	Pre-Design	6-8 months	\$0.00	\$0.00	\$10,000.00	\$0.00	\$10,000.00
177	Thoreau	Veterans Building	Design/Construction	12-18 months	\$0.00	\$694,444.00	\$0.00	\$700,000.00	\$694,444.00
178	Mariano Lake	Multi-Purpose Building	Construction	8-12 months	\$391,044.90	\$0.00	\$0.00	\$291,255.66	\$391,044.90
179	Mariano Lake	Lake House Wiring	Construction	6-8 months	\$303,400.00	\$0.00	\$0.00	\$0.00	\$303,400.00
180	Pinedale	Veterans Building	Construction	8-12 months	\$694,444.44	\$0.00	\$0.00	\$96,609.00	\$694,444.44
181	Smithlake	Bay/Shop Building	Construction	6-10 months	\$694,444.44	\$0.00	\$0.00	\$0.00	\$694,444.44
182	Churchrock	Multi-Purpose Building	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
***	Window Rock	Administrative Funds	***	***	\$200,000.00	\$200,000.00	\$200,000.00		\$600,000.00
					<b>\$37,423,205.14</b>	<b>\$31,124,968.21</b>	<b>\$5,528,240.51</b>	<b>GRAND TOTAL</b>	<b>\$74,076,413.86</b>

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN  
(WATERLINES)**

**EXHIBIT:  
E**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Tselani/ Cottonwood	Waterline	Construction	18-24 months	\$0.00	\$265,000.00	\$0.00	\$0.00	\$265,000.00
2	Rough Rock	Low Water project	Design/ Construction	16-24 months	\$0.00	\$588,000.00	\$0.00	\$0.00	\$588,000.00
3	Tohatchi	Waterline	Plan/ Design/ Construction	36 months	\$200,000.00	\$0.00	\$633,333.33	\$25,000.00	\$833,333.33
4	Crystal	Green Knoll/Split Mesa Waterline and Water Storage	Plan/ Design/Construction	36 months	\$100,000.00	\$65,666.66	\$0.00	\$0.00	\$165,666.66
5	Shiprock	Waterline Extension/Updates	Pre-Design (ROW, Survey, Assessment)	36 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
6	Tollkan	Water line extension	Plan/ Design/ Construction	24 months	\$60,557.00	\$0.00	\$0.00	\$5,000.00	\$60,557.00
7	Chinle	Waterline-SpiderRock Phase 2.5	Plan/ Design/ Construction	24 months	\$50,000.00	\$0.00	\$1,379,636.00	\$0.00	\$1,429,636.00
8	Chinle	Water Well-Construction	Design/ Construction	36 months	\$50,000.00	\$0.00	\$600,000.00	\$0.00	\$650,000.00
9	Cornfields	Waterline	Pre-Design (ROW)	24 months	\$0.00	\$150,000.00	\$0.00	\$0.00	\$150,000.00
					\$560,557.00	\$1,068,666.66	\$2,612,969.33	<b>GRAND TOTAL</b>	<b>\$4,242,192.99</b>





MEMORANDUM

TO: Honorable Kee Allen Begay, Jr.  
Navajo Nation Council

FROM:

  
Edward A. McCool, Principal Attorney  
Office of Legislative Counsel

DATE: September 14, 2017

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF TWO MILLION ONE HUNDRED THIRTY SEVEN THOUSAND AND ONE HUNDRED AND THIRTY EIGHT DOLLARS (\$2,137,138.00) FOR THE TSELANI-COTTONWOOD PHASE I AND PHASE II AND SCATTERED POWERLINE EXTENSION PROJECT WITHIN TSELANI-COTTONWOOD CHAPTER; WAIVING 12 N.N.C. § 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

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. §§500, 501. 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 PUBLICATION



LEGISLATION NO: \_0371-17\_

SPONSOR: Kee Allen Begay Jr

TITLE: An Action Relating To Resources And Development, Budget And Finance, NAABIK'IYATI', And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of Two Million One Hundred Thirty Seven Thousand And One Hundred And Thirty Eight Dollars (\$2,137,138.00) For The Tselani-Cottonwood Phase I And Phase II And Scattered Powerline Extension Project Within Tselani-Cottonwood Chapter; Waiving 12 N.N.C. §§ 820 (I) And 860 (C) Relating To The Capital Improvement Process

*Date posted:* September 14, 2017 at 7:20 PM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

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

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

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

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0371-17

SPONSOR: Honorable Kee Allen Begay, Jr.

TITLE: An Action Relating To Resources And Development, Budget And Finance, NAABIK'ITYATI', And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of Two Million One Hundred Thirty Seven Thousand And One Hundred And Thirty Eight Dollars (\$2,137,138.00) For The Tselani-Cottonwood Phase I And Phase II And Scattered Powerline Extension Project Within Tselani-Cottonwood Chapter; Waiving 12 N.N.C. §§ 820 (I) And 860 (C) Relating To The Capital Improvement Process.

Posted: September 14, 2017 at 7:20 PM

5 DAY Comment Period Ended: September 19, 2017

Digital Comments received:

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



Policy Analyst  
Office of Legislative Services

09.20.17 @ 8:27 AM

Date/Time

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0371-17

**DATE:** September 14, 2017

**SUBJECT** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF TWO MILLION ONE HUNDRED THIRTY SEVEN THOUSAND AND ONE HUNDRED AND THIRTY EIGHT DOLLARS (\$2,137,138.00) FOR THE TSELANI-COTTONWOOD PHASE I AND PHASE II AND SCATTERED POWERLINE EXTENSION PROJECT WITHIN TSELANI-COTTONWOOD CHAPTER; WAIVING 12 N.N.C. § 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

**PURPOSE:** The purpose of this legislation is to approve a supplemental appropriation for \$2,137,138.00 for construction of Phase I and Phase II and Scattered Power Line Project in Tselani-Cottonwood Chapter.

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 review the proposed resolution in detail.



-DAY BILL HOLD PERIOD: NAVAJO  
Website Posting Time/Date: 7:00am 9/19/17  
Posting End Date: 9/19/2017  
Eligible for Action: 9/20/2017

Resources & Development Committee

THENCE

Budget & Finance Committee

THENCE

Naa'bi'k'iyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23<sup>rd</sup> NAVAJO NATION COUNCIL – Third Year, 2017

INTRODUCED BY

  
(Prime Sponsor)

TRACKING NO. 0371-17

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE,  
NAA'BIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL  
FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE  
AMOUNT OF TWO MILLION ONE HUNDRED THIRTY SEVEN THOUSAND AND  
ONE HUNDRED AND THIRTY EIGHT DOLLARS (\$2,137,138.00) FOR THE  
TSELANI-COTTONWOOD PHASE I AND PHASE II AND SCATTERED POWERLINE  
EXTENSION PROJECT WITHIN TSELANI-COTTONWOOD CHAPTER; WAIVING 12  
N.N.C. § 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT  
PROCESS

BE IT ENACTED:

**Section One. Authority**

- A. The Navajo Nation established the Resources and Development Committee as a Navajo Nation Council standing committee and as such gave the Committee oversight over Navajo Nation Chapters. 2 N.N.C. §§ 164 (A)(9), 500 (A), 501 (C)(1).
- B. The Navajo Nation established the Budget and Finance Committee (BFC) as a Navajo Nation Council standing committee and as such empowered BFC

1 to review and recommend to the Navajo Nation Council the management of  
2 all funds. 2 N.N.C. §§ 164 (A)(9), 300 (A), 301 (B)(2).

3 C. The Navajo Nation Council established the Naabik'iyáti' Committee as a  
4 Navajo Nation standing committee and as such proposed legislation that  
5 requires final action by the Navajo Nation Council shall be assigned to the  
6 Naabik'iyáti' Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A).

7 D. The Title 12 Appropriations Act Supplemental Appropriation requirements  
8 include:

- 9 1. When the Controller identifies additional sources of revenues above  
10 and beyond the initial or current revenue projections, supplemental  
11 appropriations may be allocated by the Navajo Nation Council. 12  
12 N.N.C. § 820(L).
- 13 2. Supplemental appropriations made from non-recurring revenues shall  
14 only be made for non-recurring operations or purposes, as set forth at  
15 § 820(F). The Controller of the Navajo Nation shall be responsible for  
16 designating recurring and non-recurring revenues. 12 N.N.C. § 820(L).
- 17 3. All requests for annual operating funds and supplemental funds shall be  
18 submitted to the Office of Management and Budget ("OMB") for budget  
19 impact analysis. 12 N.N.C. § 820(M).

20 E. The Title 12 Capital Improvement Process includes:

- 21 1. Pursuant to 12 N.N.C. § 810(F), "Capital Improvement" means a major  
22 project undertaken by the Navajo Nation that is generally not recurring on  
23 an annual basis and which fits within one or more of the following  
24 categories:
  - 25 i. All projects requiring debt obligation or borrowing;
  - 26 ii. Any acquisition or lease of land;
  - 27 iii. Purchase of major equipment or vehicles, with a life expectancy of  
28 five years or more, valued in excess of an amount to be established  
29 by the Controller;

- 1                   iv. Major building improvements that are not routine maintenance  
2                   expenses and that substantially enhance the value or extend the  
3                   useful life of a structure;  
4                   v. Construction of new buildings or facilities including engineering,  
5                   design, and other pre-construction costs with an estimated cost in  
6                   excess of an amount to be determined by the Controller; and/or  
7                   vi. Major equipment or furnishing required to furnish new buildings  
8                   or other projects, the cost of which is above a certain amount to be  
9                   established by the Controller.
- 10           2. Pursuant to 12 N.N.C. § 820 (I), the “[d]evelopment of the Capital Budget  
11           shall be coordinated with development of the Operating Budget. All  
12           budget requests for capital improvements shall be in compliance with an  
13           adopted Capital Improvement Plan and shall not be approved unless in  
14           compliance with the Plan.”
- 15           3. Pursuant to 12 N.N.C. § 860 (C)(2) “[t]he appropriation portion of the  
16           Capital Improvement Plan is subject to approval of the Navajo Nation  
17           Council upon recommendation of the Budget and Finance Committee.  
18           Any modification or amendment affecting the approved Capital  
19           Improvement Plan is subject to review and concurrence by the Resources  
20           and Development Committee prior to consideration by the Navajo Nation  
21           Council.”

22

23 **Section Two. Findings**

- 24           A. This is a funding request for the construction of the Tselani-Cottonwood  
25           Phase I and Phase II and Scattered Power Line Project within the Tselani-  
26           Cottonwood Chapter. See Exhibit D
- 27           B. The supplemental funding request forms are attached as Exhibit A.
- 28           C. The Office of Management and Budget has provided a memorandum satisfying  
29           the requirements of 12 N.N.C. § 820(M) and is attached as Exhibit B.  
30

- 1 D. The Office of the Controller has provided a memorandum dated September 8,  
2 2017 indicating the balance in the Unreserved, Undesignated Fund Balance as  
3 of September 8, 2017 is \$31,258,307. This memorandum is provided to meet  
4 the requirements of 12 N.N.C, 820 (L), however the Controller of the Navajo  
5 Nation has not designated the funds as recurring or non-recurring. This  
6 memorandum is attached as Exhibit C.
- 7 E. The request for funds for construction of the Tselani-Cottonwood Phase I and  
8 Phase II and Scattered Power Line Project within Tselani-Cottonwood  
9 Chapter is not included in the Title 12 Capital Improvement Plan because the  
10 Plan was rescinded by Navajo Nation Council. CAP-23-17
- 11 F. Any modification or amendment affecting the approved Capital Improvement  
12 Plan is subject to review and concurrence by the Resources and Development  
13 Committee prior to consideration by the Navajo Nation Council. 12 N.N.C.  
14 § 860.
- 15 G. The Navajo Nation finds it in the best interest to waive 12 N.N.C. §§ 820(I)  
16 and 860 (C) regarding the Capital Improvement for the Tselani-Cottonwood  
17 Chapter proposed Phase I and Phase II and Scattered Power Line Project.
- 18 H. The Navajo Nation finds it in the best interest of the Navajo people to approve  
19 this supplemental appropriation request.  
20

21 **Section Three. Waiving 12 N.N.C. §§ 820(I) 1 And 860 (C) Regarding Funding for**  
22 **the Phase I and Phase II and Scattered Power Line Project for Tselani-**  
23 **Cottonwood Chapter.**

24 The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(I) and 860(C)  
25 with regard to the Tselani-Cottonwood Phase I and Phase II and Scattered Power  
26 Line Project.  
27

28 **Section Four. Approving the Supplemental Appropriation from the Unreserved,**  
29  
30



1 **Undesignated Fund Balance in the Amount of \$2,137,138.00 for the**  
2 **construction of the Phase I and Phase II and Scattered Power Line Project for**  
3 **Tselani-Cottonwood Chapter.**

- 4 A. This supplemental appropriation of \$2,137,138.00 shall be from that amount  
5 of funds that exceeds the minimum fund balance of the Unreserved,  
6 Undesignated Fund Balance as determined by the Office of the Controller  
7 and to Business Unit Number 108026.
- 8 B. The Navajo Nation hereby approves the supplemental appropriation from the  
9 Unreserved, Undesignated Fund Balance to the Tselani-Cottonwood Chapter  
10 for the Phase I and Phase II and Scattered Power Line Project', Business  
11 Unit Number 108026 for \$2,137,138.00.
- 12

13 **Section Five. Effective Date**

14 The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).  
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**THE NAVAJO NATION  
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

EXHIBIT

tabbles

A

PART I. Business Unit No.: 108026 Program Title Tselani/Cottonwood Chapter  
Division/Branch: Executive Amount Requested \$2,137,138.00 Phone No.: 928.871.6380  
Prepared By: Hon. Kee Allen Begay, Jr. Email Address: keeallenbegayjr@navajo

**PART II. REASON FOR REQUEST AND STATEMENT OF NEED:**

Supplement funding from the Undesignated, Unreserved Fund Balance for Tselani/Cottonwood Chapter's construction cost to provide services to residents within the Phase I, Phase II and Scattered Extension area of the community. Cost to cover powerline extension for families in need of power.

**PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:**

Contribution from NTUA in the amount of \$31,500.00 only. If not funded, the projects will be on the CIP waiting list within the Division of Community Development until such time, funds are allocated.

**PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:**

Contribution from NTUA in the amount of \$31,500.00 only. If not funded, the projects will be on the CIP waiting list within the Division of Community Development until such time, funds are allocated, therefore looking to Navajo Nation only for funding.

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

  
Lorenzo Dineyazhe, Finance Advisor/DOS

REVIEWED BY: Division Director's Signature / Date

  
Hon. Lorenzo C. Bates, Speaker/NNC

RECOMMEND APPROVAL: Branch Chief's Signature / Date

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: 108026		Program Title: Tseani/Cottonwood Chapter		Division/Branch: _____		Executive: _____	
Prepared By: Hon. Kee Allen Begay, Jr.		Phone No.: (928) 871-6380		Email Address: keeallenbegayjr@navajo-nsn.gov			

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	(A)	(B)	(C)
Undesignated Unreserved Fund (UUF-B)	10-1-16 to 9-30-17	\$	100%		NMC Approved Original Budget	Proposed Budget	(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	\$ 2,137,138.00	\$ 2,137,138.00
				9000 Capital Outlay			0
				9500 Matching Funds			0
				9500 Indirect Cost			0
<b>TOTAL:</b>						\$ 2,137,138.00	\$ 2,137,138.00


  

PART IV. POSTIONS AND VEHICLES	
Total # of Positions Budgeted:	(D) 0 (E) 0
Total # of Permanently Assigned Vehicles:	0 0


  

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

SUBMITTED BY: Program Manager's Printed Name and Signature / Date



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



NNOMB-BF2



THE NAVAJO NATION  
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Tsalani/Cottonwood Chapter	
Business Unit No.:		108026	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
8500	8000 ASSISTANCE		
	INFRASTRUCTURE		
	Tsalani/Cottonwood Chapter Phase III and Scattered Powerline Projects		
	8540 Powerline Extension		
	East Phase I		
	Main Trunk Line 4.20 miles	\$ 416,680.49	
	Member Extension 1.22 miles	\$ 137,614.69	
	Main Trunk Line 6.33 miles	\$ 620,890.50	
	Member Extension 0.66 miles	\$ 70,398.57	
	Sub-total:	\$ 1,245,584.25	
	Archaeological Clearance, Environmental Assessment, and Legal Survey for ROW Acquisition (2.95 miles)	\$ 162,881.25	
	Sub-total:	\$ 1,408,465.50	
	NTUA Contribution (8 homes @ \$1,500 per home)	\$ (12,000.00)	
	Contribution Required Prior to Construction:	\$ 1,396,465.50	\$ 1,396,465.50
	East Phase II		
	Electric Member Extension 3.54 miles	\$ 407,663.14	
	Archaeological Clearance, Environmental Assessment, and Legal Survey for ROW Acquisition (3.54 miles)	\$ 46,482.50	
	Sub-total:	\$ 454,125.64	
	NTUA Contribution (10 homes @ \$1,500 per home)	\$ (15,000.00)	
	Contribution Required Prior to Construction:	\$ 439,125.64	\$ 439,125.64
	Scattered Extension		
	Main Trunk Line 2.58 miles	\$ 248,903.66	
	Secondary Service Off of Main Line	\$ 20,430.13	
	Sub-total:	\$ 269,333.79	
	Archaeological Clearance, Environmental Assessment, and Legal Survey for ROW Acquisition (2.58 miles)	\$ 36,713.25	
	Sub-total:	\$ 306,047.04	
	NTUA Contribution (3 homes @ \$1,500 per home)	\$ (4,500.00)	
	Contribution Required Prior to Construction:	\$ 301,547.04	\$ 301,547.04
	TOTAL:	\$ 2,137,138.00	\$ 2,137,138.00
	TOTAL	\$ 2,137,138.00	\$ 2,137,138.00



## THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE-PRESIDENT



### Memorandum

Date: September 8, 2017

To: Honorable Russell Begaye, President  
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker  
Navajo Nation Council

Honorable Thomas J Holgate, Acting Chief Justice  
Judicial Branch

From: *Pearline Kirk*  
Pearline Kirk, Controller  
Office of the Controller

Subject: Financial Update-(General Fund Revenue, Expenditures, UUFB)

The gross General Fund Revenues, (see Exhibit "A"), as of August 31, 2017 is \$203,053,235, (see Footnote 1). The total General Fund set asides is \$ \$51,749,599 (Footnote 2). The Net Revenue for the General Fund is \$151,303,727 (see Footnote 3). The permanent fund income transfer is \$24,411,000 (Footnote 4). The reserve taken for the permanent fund income transfer is \$2,885,000 (Footnote 5). The grand total revenue for the General Fund is \$172,829,727 (see Footnote 6) which is 98.78% of the projection.

Next, are the total expenditures by Branch, (see Exhibit "B"), as of August 31, 2017, the Legislative Branch has expenditures of \$14,836,331 (see Footnote 1a); encumbrances of \$822,493 (see Footnote 1b) with a remaining budget of \$3,307,669 (see Footnote 1c). The Executive Branch expenditures are \$162,500,722 (see Footnote 2a); encumbrances are \$7,206,122 (see Footnote 2b) with a remaining budget of \$37,797,219 (see Footnote 2c). The Judicial Branch expenditures are \$11,718,156 (see Footnote 3a); with encumbrances of \$73,692 (see Footnote 3b) and remaining budget of \$2,356,349 (see Footnote 3c). Total General Fund expenditures are \$189,055,209 (see Footnote 4a); total encumbrances are \$8,102,307 (see Footnote 4b) with an overall remaining budget of \$43,461,236 (see Footnote 4c).

The updated Undesignated Unreserved Fund Balance (UUFB), (see Exhibit "C") as of September 8, 2017 is \$31,258,217. The Fiscal Year 2016 audited numbers were approved via CJY-51-17 and an amount of \$11, 728,198 that was previously reserved for debt service for capital projects was returned back to the UUFB with the approval of CJY-50-17. These two amounts have been incorporated into this new schedule.

Thank you, if you should have any question please feel free to call me at tribal extension X6308.



THE NAVAJO NATION  
General Fund Revenue Schedule  
(Unaudited)

FY 2017

August 31, 2017

GENERAL FUND REVENUE		Original Budget	Revised Budget	Actual Revenue Received	Revenue to be collected	% Revenue of Total			
TNN: ROYAL: GAS: OIL	\$	24,700,000	\$	24,700,000	22,503,079	\$	2,196,921	91.11	
TNN: COAL REVENUES		55,850,000		55,850,000	51,709,402		4,140,598	92.59	
TNN: OTR MINERALS REV				79,149			(79,149)		
TNN: LAND REVENUES		58,450,000		58,450,000	59,393,523		(943,523)	101.61	
TNN: BUSINESS FEES				80,415			(80,415)		
TNN: INTEREST INCOME		1,600,000		1,600,000	4,249,477		(2,649,477)	265.59	
TNN: TAX REVENUES		64,150,000		64,150,000	63,125,774		1,024,226	98.40	
COURT FINES + FEES		400,000		400,000	379,897		20,103	94.97	
TNN: OTHER REVENUES		500,000		500,000	1,270,889		(770,889)	254.18	
BIA: ROYAL: GAS: OIL				111,327			(111,327)		
BIA: COAL REVENUES				114			(114)		
BIA: OTR MINERALS REV									
BIA: LAND REVENUES									
TOTAL REVENUE	\$	205,650,000	\$	205,650,000	150,280	(1)	\$	(150,280)	98.74
LESS: SET ASIDES				203,053,325			2,596,675		
CAPITAL OUTLAY MATCH	\$	(2,000,000)	\$	(2,000,000)	(2,000,000)	\$	-	100.00	
LAND FUND TRANSFER		(4,113,000)		(4,113,000)	(4,061,067)		(51,933)	98.74	
PERMANENT FUND TRANSF		(24,678,000)		(24,678,000)	(24,366,399)		(311,601)	98.74	
WATER RIGHTS CLAIM FU		(2,000,000)		(2,000,000)	(2,000,000)		-	100.00	
DINE: HIGHER EDUCATIO		(11,200,000)		(11,200,000)	(11,200,000)		-	100.00	
VETERANS TRUST FUNDS		(8,226,000)		(8,226,000)	(8,122,133)		(103,867)	98.74	
TOTAL SET ASIDE	\$	(52,217,000)	\$	(52,217,000)	(51,749,599)	(2)	\$	(467,401)	99.10
SUB TOTAL	\$	153,433,000	\$	153,433,000	151,303,727	(3)	\$	2,129,273	98.61
PERMANENT FUND INCOME TRANSFER									
OTHER REVENUE TRANSFER	\$	24,411,000	\$	24,411,000	(2,885,000)	(4)	\$	-	100.00
LESS: PF FIVE-YEAR CONTINGENCY		(2,885,000)		(2,885,000)	(2,885,000)	(5)		-	100.00
TOTAL PFI TRANSFER	\$	21,526,000	\$	21,526,000	21,526,000		\$	-	100.00
NET PFI TRANSFER	\$	21,526,000	\$	21,526,000	21,526,000		\$	-	100.00
GRAND TOTAL	\$	174,959,000	\$	174,959,000	172,829,727	(6)	\$	2,129,273	98.78
(1) Gross General Fund Revenues									
(2) Total Set Asides for General Fund Revenue									
(3) Net General Fund Revenue									
(4) Permanent Fund Income Allocation to General Fund									
(5) Permanent Fund Income Allocation Reserve (CO-54-16)									
(6) Grand Total General Fund Revenues									

- (1) Gross General Fund Revenues
- (2) Total Set Asides for General Fund Revenue
- (3) Net General Fund Revenue
- (4) Permanent Fund Income Allocation to General Fund
- (5) Permanent Fund Income Allocation Reserve (CD-54-16)
- (6) Grand Total General Fund Revenues

EXHIBIT "A"

Prepared by:  
General Accounting  
9/8/2017



# FY 2017 EXHIBIT "B"

## The Navajo Nation Budget Status Income Statement As of August 31, 2017

Branch / Object Account	Original Budget	Revised Budget	Actual Expenses	Encumbrances	Budget Available	% Available
<b>LEGISLATIVE BRANCH</b>						
2001 - Personnel Expenses	\$ 10,851,778	\$ 12,278,822	\$ 10,019,466		\$ 2,259,357	18.40
3000 - Travel Expenses	1,321,831	1,786,310	1,872,327	46,213	545,274	30.88
3500 - Meeting Expenses	159,832	399,826	210,861	-	204,416	51.13
4000 - Supplies	198,566	744,678	456,884	31,130	248,147	33.32
5000 - Lease & Rental	212,423	226,684	179,129	10,417	50,024	22.07
5500 - Communications & Utilities	119,335	156,833	134,035	-	60,813	38.83
6000 - Repairs & Maintenance	44,547	152,091	74,100	7,523	57,978	38.12
6500 - Contractual Services	541,691	1,653,798	963,771	462,824	197,091	12.68
7000 - Special Transactions	294,373	819,408	411,887	42,878	239,284	38.63
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	20,000	1,069,274	615,172	221,509	586,817	54.88
9500 - Matching & Indirect Cost	-	-	-	-	-	-
<b>Total LEGISLATIVE BRANCH</b>	<b>\$ 13,562,275</b>	<b>\$ 18,988,493</b>	<b>\$ 14,838,331</b>	<b>(1a) \$ 822,483</b>	<b>(1b) \$ 3,307,680</b>	<b>(1c) 17.44</b>
<b>EXECUTIVE BRANCH</b>						
2001 - Personnel Expenses	82,554,098	85,757,946	67,342,879	-	18,415,068	21.47
3000 - Travel Expenses	9,498,593	9,498,299	8,499,897	8,235	980,367	10.43
3500 - Meeting Expenses	981,047	1,713,064	1,321,407	-	391,657	22.86
4000 - Supplies	5,400,663	7,983,841	4,549,358	897,024	2,517,459	31.61
5000 - Lease & Rental	1,751,398	1,889,091	1,196,102	28,114	444,875	28.65
5500 - Communications & Utilities	7,305,586	8,123,429	6,513,700	589,673	1,020,057	12.56
6000 - Repairs & Maintenance	3,914,876	8,788,252	5,571,378	1,030,316	2,186,557	24.88
6500 - Contractual Services	4,653,568	12,886,818	8,849,248	2,804,782	3,212,809	24.97
7000 - Special Transactions	10,316,377	11,988,749	10,083,562	322,518	1,580,681	13.19
8000 - Assistance	41,728,897	48,837,782	45,579,345	1,174,985	2,083,432	4.27
9000 - Capital Outlay	784,670	2,746,354	1,563,730	350,497	332,127	30.30
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	7,552,467	7,562,467	3,430,328	-	4,122,131	54.58
<b>Total EXECUTIVE BRANCH</b>	<b>\$ 178,423,011</b>	<b>\$ 207,904,063</b>	<b>\$ 162,500,722</b>	<b>(2a) \$ 7,208,122</b>	<b>(2b) \$ 37,797,219</b>	<b>(2c) 18.22</b>
<b>JUDICIAL BRANCH</b>						
2001 - Personnel Expenses	\$ 12,523,143	\$ 12,586,722	\$ 10,812,000		\$ 1,764,722	13.96
3000 - Travel Expenses	433,764	419,940	243,969	-	175,971	41.90
3500 - Meeting Expenses	-	28,807	10,956	-	15,852	58.13
4000 - Supplies	68,291	378,953	241,164	27,583	110,236	29.09
5000 - Lease & Rental	9,000	45,670	18,012	-	26,658	68.37
5500 - Communications & Utilities	69,206	90,472	68,386	-	22,087	24.41
6000 - Repairs & Maintenance	-	210,010	99,988	46,094	63,927	30.44
6500 - Contractual Services	-	89,627	50,671	-	36,956	43.46
7000 - Special Transactions	103,339	274,160	172,011	44	102,105	37.24
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	45,834	-	-	45,834	100.00
9300 - Other Income and Expense	-	-	-	-	-	-
<b>Total JUDICIAL BRANCH</b>	<b>\$ 13,208,743</b>	<b>\$ 14,148,196</b>	<b>\$ 11,718,166</b>	<b>(3a) \$ 73,682</b>	<b>(3b) \$ 2,598,349</b>	<b>(3c) 18.85</b>
<b>GRAND TOTAL</b>	<b>\$ 203,192,029</b>	<b>\$ 240,618,752</b>	<b>\$ 188,085,209</b>	<b>(4a) \$ 8,102,307</b>	<b>(4b) \$ 43,481,236</b>	<b>(4c) 18.08</b>

### Footnotes:

#### Legislative Branch

- (1a) Legislative Expenses
- (1b) Legislative Encumbrances
- (1c) Legislative Budget Available

#### Executive Branch

- (2a) Executive Expenses
- (2b) Executive Encumbrances
- (2c) Executive Budget Available

#### Judicial Branch

- (3a) Judicial Expenses
- (3b) Judicial Encumbrances
- (3c) Judicial Budget Available

#### Total General Fund

- (4a) General Fund Expenses
- (4b) General Fund Encumbrances
- (4c) General Fund Budget Available



**EXHIBIT "C"**

Memo Dated Sept. 8, 2017

Financial Update

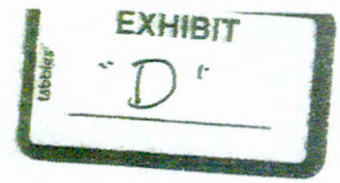
**Undesignated, Unreserved, Fund Balance (UUFB)  
September 8, 2017**

09-30-16 UUFB balance <u>(Audited)</u> CJY-15-17		26,763,946
<b>Less Supplementals:</b>		
CO-55-16 Election	510,616	
CN-58-16-Budget	3,848,764	
CJA-05-17 Bennett Freeze	254,656	
CAP-22-17-Dine Bii Association	239,200	
CJN-34-17 Summer Youth Employment	2,161,748	
CJY-37-17- Transportation Stimulus Election	218,943	7,233,927
Total UUFB less Supplementals		19,530,019
<b>Add:</b>		
CJY-50-17 Deposit into UUFB.		11,728,198
UUFB 09-08-17		31,258,217

Prepared by: General Accounting

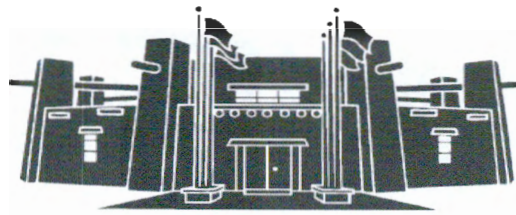
9/8/2017

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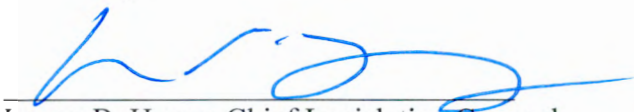
Tselani/Cottonwood Chapter  
SUPPLEMENTAL REQUEST

Scattered Phase I	-	\$1,396,465.50
Scattered Phase II	-	\$ 439,125.64
Scattered Extension-		<u>\$ 301,547.04</u>
TOTAL Requested:	-	<u><u>\$2,137,138.18</u></u>



## MEMORANDUM

**TO:** Hon. Kee Allen Begay, Jr.  
23<sup>rd</sup> Navajo Nation Council

**FROM:**   
Levon B. Henry, Chief Legislative Counsel  
Office of Legislative Counsel

**DATE:** December 3, 2018

**SUBJECT:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SÍHASIN FUND TBN POWERLINE EXTENSION PROJECT – PHASE I EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501 – 2508

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge. **Please Note: Navajo Nation Council approval requires a 2/3rds vote.**

The Office of Legislative Counsel confirms the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 102, 164, 300, and 500. 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).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates “Prime Sponsor”, and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0386-18\_\_

SPONSOR: Kee Allen Begay, Jr.

**TITLE: An Action Relating To Resources And Development, Budget And Finance And NAABIK'IYATI' Committees And Navajo Nation Council; Adopting The Sihasin Fund TBN Powerline Extension Project – Phase I Expenditure Plan Pursuant To 12 N.N.C. §§ 2501 – 2508**

**Date posted: December 3, 2018 at 3:28 PM**

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

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

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

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



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

**LEGISLATION NO.: 0386-18**

**SPONSOR: Honorable Kee Allen Begay Jr.**

**TITLE: An Action Relating To Resources And Development, Budget And Finance And NAABIK'IYATI' Committees And Navajo Nation Council; Adopting The Sihasin Fund TBN Powerline Extension Project – Phase I Expenditure Plan Pursuant To 12 N.N.C. §§ 2501 – 2508**

**Posted: December 3, 2018 at 3:28 PM**

**5 DAY Comment Period Ended: December 8, 2018**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Inconclusive Comment</b>	<i>None</i>

  
\_\_\_\_\_  
**Legislative Secretary II  
Office of Legislative Services**

12/10/2018 8:15am  
\_\_\_\_\_  
**Date/Time**

**RESOURCES AND DEVELOPMENT COMMITTEE  
23rd NAVAJO NATION COUNCIL**

**FOURTH YEAR 2018**

**COMMITTEE REPORT**

Mr. Speaker,

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

**LEGISLATION # 0386-18:** An Action Relating to Resources and Development, Budget and Finance and Naabik'iyáti' Committees and Navajo Nation Council; Adopting the Sihasin Fund TBN Powerline Extension Project- Phase I Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 – 2508   *Sponsor: Honorable Kee Allen Begay, Jr.*

Has had it under consideration and reports a **DO PASS** with no amendment;

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

Respectfully submitted,



Alton Joe Shepherd, Presiding Chairperson  
Resource and Development Committee of  
the 23<sup>rd</sup> Navajo Nation Council

Date: December 17, 2018 - Special Meeting  
Meeting Location: TANCR, Twin Arrows, Arizona

MAIN MOTION : Benjamin Bennett                      S: Leonard Pete

Vote: 3-0-1 (CNV)

YEAS: Benjamin Bennett; Davis Filfred and Leonard Pete

NAYS: None

EXCUSED: Jonathan Perry and Walter Phelps

**RESOURCES AND DEVELOPMENT COMMITTEE**  
**Special Meeting**


**ROLL CALL**  
**VOTE TALLY SHEET:**

**Legislation # 0386-18:** An Action Relating to Resources and Development, Budget and Finance and Naabik'iyáti' Committees and Navajo Nation Council; Adopting the Síhasin Fund TBN Powerline Extension Project- Phase I Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 – 2508 *Sponsor: Honorable Kee Allen Begay, Jr.*

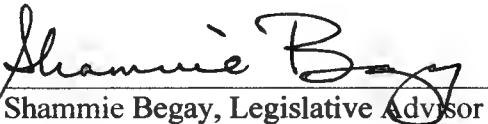
**MAIN MOTION:**

M: Benjamin Bennett                      S: Leonard Pete                      Vote: 3-0-1 (CNV)  
YEAS: Benjamin Bennett; Davis Filfred and Leonard Pete  
NAYS: None  
EXCUSED: Jonathan Perry and Walter Phelps

DATE: December 17, 2018  
Meeting Location: TANCR, Twin Arrows, Arizona



Honorable Alton Joe Shepherd, Presiding Chairman  
Resources and Development Committee



Shammie Begay, Legislative Advisor  
Office of Legislative Services

**23<sup>rd</sup> NAVAJO NATION COUNCIL**

Fourth Year 2018

Mr. Speaker:

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

**NAVAJO LEGISLATIVE BILL # 0386-18:**

An Action Relating to Resources and Development, Budget and Finance and Naabikiyati Committees and Navajo Nation Council; Adopting the Sihasin Fund TBN Powerline Extension Project – Phase 1 Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-2508 *Sponsored by Kee Allen Begaye Jr., Council Delegate*

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

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

Respectfully submitted,

  
Seth Damon, Chairman

Adopted:   
Legislative Advisor

Not Adopted: \_\_\_\_\_  
Legislative Advisor

**18 December 2018**

The vote was **4** in favor **0** opposed yeas: *Tuchoney Slim, Jr., Lee Jack, Sr., Tom T. Chee, Jimmy Yellowhair*

*Motion: Lee Jack, Sr.*

*Second: Jimmy Yellowhair*



## BUDGET AND FINANCE COMMITTEE

18 December 2018

Regular Meeting

### VOTE TALLY SHEET:

#### Legislation No. 0386-18:

An Action Relating to Resources and Development, Budget and Finance and Naabikiyati Committees and Navajo Nation Council; Adopting the Sihasin Fund TBN Powerline Extension Project – Phase 1 Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-2508 *Sponsored by Kee Allen Begaye Jr., Council Delegate*

*Motion: Lee Jack, Sr.*

*Second: Jimmy Yellowhair*

*Vote: 4-0, Chairman not voting*

#### Vote Tally:

Seth A. Damon		
Jimmy Yellowhair	yay	
Tom T. Chee	yay	
Lee Jack, Sr.	yay	
Leonard Tsosie		
Tuchoney Slim, Jr.	yay	

*Absent: Leonard Tsosie*



Seth A. Damon, Chairman  
Budget & Finance Committee



Peggy Nakai, Legislative Advisor  
Budget & Finance Committee

# **23<sup>rd</sup> NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018**

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

## **NAVAJO LEGISLATIVE BILL #0386-18**

An Action Relating to Resources and Development, Budget and Finance and Naabik'íyáti' Committees and Navajo Nation Council; Adopting the Síhasin Fund TBN Powerline Extension Project- Phase I Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 – 2508

*Sponsored by: Honorable Kee Allen Begay, Jr.*

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

Respectfully Submitted,



*Honorable Seth Damon, Chairman Pro Tem  
NAABIK'ÍYÁTI' COMMITTEE*

**18 DECEMBER 2018**

### **MAIN MOTION**

*Motioned by: Honorable Lee Jack, Sr.*

*Seconded by: Honorable Olin Kieyoomia*

*Vote: 13 in Favor, 02 Opposed (Chairman ProTem Damon Not Voting)*

**NAVAJO NATION**

RCS# 1155

12/18/2018

Naa'bik'iyati Committee

11:51:41 PM

Amd# to Amd#

Legislation No. 0386-18

PASSED

MOT Jack

Adopting the Sihasin Fund

SEC Kieyoomia

TBN Powerline Extension

Project-Phase I Expenditure

**Yea : 13**

**Nay : 2**

**Excused : 0**

**Not Voting : 9**

**Yea : 13**

Begay, K  
BeGaye, N  
Bennett  
Brown

Filfred  
Jack  
Kieyoomia

Perry  
Phelps  
Shepherd

Slim  
Smith  
Yellowhair

**Nay : 2**

Bates

Hale

**Excused : 0**

**Not Voting : 9**

Begay, NM  
Chee  
Crotty

Damon  
Daniels

Pete  
Tso

Tsosie  
Yazzie

# 23<sup>rd</sup> NAVAJO NATION COUNCIL ACTION REPORT Fourth Year 2018

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

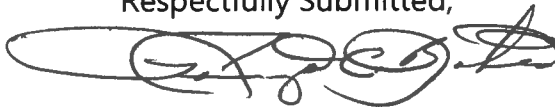
## **NAVAJO LEGISLATIVE BILL #0386-18**

An Action Relating to Resources and Development, Budget and Finance and Naabik'íyáti' Committees and Navajo Nation Council; Adopting the Síhasin Fund TBN Powerline Extension Project – Phase I Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 - 1208

*Sponsored by: Honorable Kee Allen Begay, Jr.*

Has had it under consideration and reports the same **FAILED (NEEDED 16 IN FAVOR VOTES)**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Speaker  
23<sup>rd</sup> NAVAJO NATION COUNCIL*

**31 DECEMBER 2018**

*Motioned by: Honorable Lee Jack, Sr.*

*Seconded by: Honorable Olin Kieyoomia*

*Vote: 12 in Favor, 03 Opposed (Speaker Bates Not Voting) – needed 16 in Favor votes for passage*



RCS# 1395

**NAVAJO NATION**

12/31/2018

Special Session

01:18:10 PM

<b>Amd# to Amd#</b>	<b>Legislation 0386-18: Adopting</b>	<b>FAILED</b>
MOT Jack	Sihasin Fund TBN Powerline	
SEC Kieyoomia	Extension Project-Phase I	
	Expenditure Plan Pursuant to...	

**Yea : 12**

**Nay : 3**

**Excused : 0**

**Not Voting : 9**

**Yea : 12**

Begay, K	Bennett	Filfred	Pete
Begay, NM	Brown	Jack	Smith
BeGaye, N	Daniels	Kieyoomia	Yellowhair

**Nay : 3**

Tsosie	Phelps	Shepherd
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**Excused : 0**

**Not Voting : 9**

Bates	Damon	Perry	Tso
Chee	Hale	Slim	Yazzie
Crotty			