

RESOLUTION OF THE  
LAW AND ORDER COMMITTEE  
23<sup>RD</sup> NAVAJO NATION COUNCIL - Fourth Year, 2018

AN ACTION

RELATING TO LAW AND ORDER; APPROVING AN ALLOCATION OF \$425,000.00 FROM THE JUDICIAL/PUBLIC SAFETY FACILITIES FUND FOR COMPUTER EQUIPMENT FOR NAVAJO NATION JUDICIAL BRANCH

BE IT ENACTED:

**Section One. Authority**

- A. The Navajo Nation established the Law and Order Committee (LOC) as a Navajo Nation standing committee. See 2 N.N.C. § 600(A).
- B. Among other duties and responsibilities, LOC has the authority to fund public safety facilities from the Judicial/Public Safety Facilities Fund. See BFD-66-11, approving the Judicial/Public Safety Facilities Fund Management Plan.

**Section Two. Findings**

- A. The revenue from the Navajo Sales Tax is deposited into the Judicial/Public Safety Fund. The Fund was established through CJA-03-07, with the purpose of providing funding for judicial and public safety facilities. The Fund is managed by a Fund Management Plan, which permits funding for projects and activities. BFD-66-11.
- B. Resolution LOCJN-04-17, approved a project priority list for Judicial/Public Safety Facilities Fund. Under the Fund Management Plan, the LOC must approve funding for projects and activities under the plan and priority listing. Section II, Fund Management Plan.
- C. The Judicial Branch of the Navajo Nation, through the Acting Chief Justice, is requesting \$425,000.00 for computer equipment. See attached **Exhibit A**. The funding will improve internet connectivity with programs of the Navajo Nation, such as the courts, prosecutors and the Police Department.

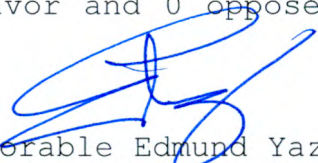
- D. Expenditures pursuant to the Judicial/Public Safety Facilities Fund Management Plan require oversight approval by the Law and Order Committee.
- E. The Office of the Controller determined the available unappropriated balance for the Judicial Public Safety Fund at \$6,298,830.00 as of January 31, 2018. Office of the Controller memorandum dated March 7, 2018 is attached as **Exhibit B**.
- F. The request for funding from the Judicial Public Safety Fund for computer equipment for the Judicial Branch is in the best interest of the Navajo Nation.

### **Section Three. Approving Funding**

The Law and Order Committee hereby approves funding from the Judicial/Public Safety Facilities Fund in the amount of \$425,000.00 for purposes of purchasing computer equipment for the Navajo Nation Judicial Branch. Budget Forms attached as **Exhibit C**.

### **CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23rd 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 3 in favor and 0 oppose on this 19<sup>th</sup> day of March, 2018.

  
Honorable Edmund Yazzie, Chairperson  
Law and Order Committee  
of the 23<sup>RD</sup> Navajo Nation Council

Motion: Honorable Otto Tso  
Second: Honorable Herman M. Daniels

# JUDICIAL BRANCH OF THE NAVAJO NATION

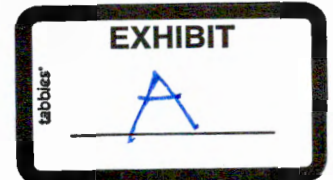
Thomas J. Holgate  
Acting Chief Justice of the Navajo Nation  
Navajo Nation

ELEANOR SHIRLEY  
Associate Justice of the



## OFFICE OF THE CHIEF JUSTICE

P.O. Box 520 ♦ Window Rock, Arizona 86515  
Telephone 928-871-7669 ♦ Fax 928-871-6866



TO: Kee Allen Begay Jr. Member  
LAW AND ORDER COMMITTEE  
23<sup>RD</sup> NAVAJO NATION COUNCIL

FROM:   
Thomas J. Holgate, Acting Chief Justice  
JUDICIAL BRANCH OF THE NAVAJO NATION

SUBJECT: *Judicial/Public Safety Facilities Fund Request for Computer Equipment*

DATE: December 5, 2017

We are asking for your sponsorship of Judicial/Public Safety Fund request, in the amount of \$425,000 to fund Internet Connectivity across Judicial Districts. Judicial Branch Courts are responsible for providing connectivity to Police Department, Prosecutors, Public Defenders, Division of Social Services, Division of General Services, and to all Judicial Branch Offices. The breakdown for this amount includes: \$200,000 to procure four (4) physical and eight (8) virtual servers used to store software applications, maintain and access data; Communications equipment, such as network Switches (hardware) to increased transmission speed of receiving and sending data, increased transmission speed will improve internet connectivity operability, security, reliability, and stability. \$200,000 is needed to procure software applications for user and device licenses, Window Server 2016 licenses, MS Office Automation (Word, Excel, Outlook), Adobe Acrobat Reader, and Anti-Virus Software, warranty and support costs for the servers, network and computer equipment. Finally, \$25,000 is needed to purchase new laptops to replace obsolete laptops used for training of Financial Information Management System (FMIS), JustWare, and Court Case Management System, that is used by various Navajo Nation Departments along with Judicial Branch staff. The budget for operation and maintenance costs is attached.

If you have any questions, you may contact Yvonne Gorman, Financial Services Manager at 928-871-7026 or by email: [yagorman@navajo-nsn.gov](mailto:yagorman@navajo-nsn.gov). Thank you for your assistance.

CC: FILE



**THE NAVAJO NATION**

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



**Memorandum**

Date: March 7, 2018

To: Honorable Edmund E. Yazzie, Chairperson  
Law and Order Committee, Navajo Nation Council

From: *Robert Willie*  
Robert Willie, Accounting Manager  
Office of the Controller

Subject: Judicial Public Safety Fund Balance

Attached you will find the unaudited Income Statement and Balance sheet (Exhibit A) for the Judicial Public Safety Fund as of January 31, 2018.

The un-appropriated balance of the Judicial Public Safety Fund as of January 31, 2018, is \$6,298,830 (see Exhibit A, footnote 1). Exhibit A shows the composition of the Judicial Public Safety Fund Balance.

In FY 2018 the Judicial Public Safety Fund (Exhibit A) has collected \$3,700,011, footnote 2, in revenue and expensed \$3,353,412, footnote 3. The excess of revenues over expenditures is \$346,598, footnote 4. Please note that the payment for the bond issuance from 2015 comes from this fund with an average of \$5 million per year until the year 2030. It would be recommended that this amount be reserved each year to ensure that the bond payments will be made. Any approved legislations currently going through the process will not be reflected in this balance until resolutions have been approved.

Another item worth mentioning is that the Navajo Nation Council has passed CJA-07-18 Amending 24 N.N.C. § 620 of the Navajo Nation Sales Tax; Allocating a percentage of the sales tax to Navajo Nation Fire and Rescue Service. This new percentage will affect the amount deposited into this fund.

Thank you, if you should have any question please feel free to call me at tribal extension X6125.

**EXHIBIT**

**Judicial Public Safety  
Facilities  
Balance Sheet-Unaudited  
January 31, 2018**

Cash	\$ (34,576,558)
Investments	51,899,305
Accrued Interest Receivable	-
Accounts Receivable	232,562
Note Receivable	-
	-
<b>Total Assets</b>	<u><u>17,555,309</u></u>
 <b>Liabilities:</b>	
Accounts payable	-
Accrued Liabilities	30,091
	<u>30,091</u>
 <b>Fund balance</b>	
Restricted to Capital Projects	2,839,410
Committed for Capital Projects	8,386,978
Unreserved	6,298,830 (1)
<b>Total Fund Balance</b>	<u><u>17,525,218</u></u>
 <b>Liabilities &amp; Fund Balance</b>	<u><u>\$ 17,555,309</u></u>

**Judicial Public Safety Facilities  
Income Statement-Unaudited  
4 months ended January 31, 2018**

<b>Revenues:</b>	
Investment income	\$ 233,672
Other financial	-
Allocation/Contributions	3,466,338
Other Revenue	-
	-
<b>Total Revenues</b>	<u><u>3,700,011 (2)</u></u>
 <b>Expenditures:</b>	
Land & Improvements	-
Contractual Services	160,739
Amortization Expense	3,160,590
IDC	-
Capital Outlay	32,083
Furniture & Equipment	<u>3,353,412 (3)</u>
<b>Total expenditures</b>	<u><u>3,353,412 (3)</u></u>
 <b>Excess/deficit of revenues over expenditures</b>	<u><u>346,598 (4)</u></u>

- (1) Unreserved balance as of 01/31/18  
(2) Total Revenues  
(3) Total Expenditures  
(4) Excess Revenues

FY 2018

Prepared By General Accounting  
03/05/18





THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

FY 2018

PART I. PROGRAM INFORMATION:		Administrative Office of the Courts					
Business Unit No.:	Program Name/Title:	Goal	Actual	Goal	Actual	Goal	Actual
102001							
<p>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE: 1) CO-89-58 2) CD-94-85, 7 N.N.C. §101-404 3) CO-72-03 §371 &amp; 401 7 N.N.C. §371 authorizes the Chief Justice to supervise the work of all justices and judges of the Navajo Nation and to administer the Judicial Branch. The Administrative Office of the Courts assists the Chief Justice with this duty by providing administrative, financial, technical and legal support services to the eleven judicial districts, one supreme court, one peacemaker program and the Administrative Office of the Courts. Administrative services are provided for non-judge personnel through the Judicial Branch Personnel Rules as authorized by 7 N.N.C. §401.</p>							
1. Program Performance Area:							
To improve internet/Connectivity across Judicial Districts. Procure updated licenses for existing software. Address barriers/challenges presented by e-filing, e.g. data security, digital signatures.							
Goal Statement:							
Improve Internet/Connectivity for all Judicial Districts.		N/A		N/A		N/A	1
2. Program Performance Area:							
To purchase laptops for training purposes for Judicial Branch Staff.							
Goal Statement:							
Purchase 10 Laptops		N/A		N/A		N/A	
3. Program Performance Area:							
Goal Statement:							
		N/A		N/A		N/A	
4. Program Performance Area:							
Goal Statement:							
		N/A		N/A		N/A	
5. Program Performance Area:							
Goal Statement:							
		N/A		N/A		N/A	
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.							
Stephen B. Elisity, Administrative Director of the Courts		Thomas J. Holgate, Acting Chief Justice					
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name					
<i>Stephen B. Elisity</i>		<i>Thomas J. Holgate</i>					
12/5/17		12/5/17					
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date					

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: _____ Business Unit No.: 102001			
<b>PART II. DETAILED BUDGET:</b>			
(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
4000	<b>4000 SUPPLIES</b> Funding is needed to pay for additional laptops to utilize in branch-wide training implementation, such as periodic JustWare trainings, FMIS/Expense Management System/68 Roll Out Certification training; and to participate in webinars and other internet based trainings. JB currently uses 10 Dell Precision P13 laptops for training; these laptops have been maintained and in constant use for the last 5 years and are now outdated.		25,000
4200	<b>NON CAPITAL ASSETS</b> 4230 Non Cap Computer Equipment - 10 laptops @ \$2,500 each \$25,000	25,000	
6000	<b>6000 REPAIRS AND MAINTENANCE</b> To improve Internet/Connectivity across Judicial Districts; to procure increased number of licenses for v6.0 software; to address the barriers/challenges presented by e-filing, e.g. data security, digital signatures, etc. Annual repair and maintenance fees for equipment and computer upgrade hardware include. Costs of 4 physical servers with technical support costs. Costs of 8 virtual servers, 2016 with licensing and software support costs, 2 each type for backup purposes, currently operating at version 2008. Upgrade will be to version 2016 for all servers: 2 SQL Servers; 2 Web Servers; 2 Database Servers; and 2 Report Servers. Regarding the use of existing MS Server (software): Increase number of physical servers (hardware; virtual servers; licenses for virtual servers; annual support costs (for additional physical servers) and migrate to the latest version of MS Server (2008 to 2016) Regarding the use of Switches (hardware): As the number of Fiber Optic connections increase across the NN internet infrastructure, there will be a need to update the Switches that facilitate data transmission from the internet in to the NN IT systems and that facilitate data transmission among NN IT hubs. Switches need to be upgraded to facilitate increased data transmission rates, as increased data transmission rates improve internet operability, security, and stability. The JB is an IT hub for JustWare/JusticeWeb, case management software, which serves as the platform used by the JB and all its partners, such as Police Department, Prosecutors, Public Defenders, Division of Social Services, Division of General Services, etc. Switches include: 3 for Tuba City; 2 for Dilkon; 1 for DziłYíjini; 2 for Kayenta; 3 for Chinle; 3 for Shiprock; 3 for Window Rock; 3 for Crownpoint; 1 for Ramah; 1 for Tohajiilee; 1 for Alamo and 1 for Pueblo Pintado.	400,000	400,000
6300	<b>TECHNOLOGY</b> 6310 Computer Hardware R&M 200,000 6320 Software Support - Migrate from v5.10 to v6.0. 200,000 <u>\$400,000</u>	400,000	
<b>TOTAL</b>		425,000	425,000