

RESOLUTION OF THE
BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL

24TH NAVAJO NATION COUNCIL - First Year, 2019

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE
COMMITTEES; APPROVING A CHANGE IN PROJECT FUNDING IN
RESOLUTION CAP-35-18; APPROVING A REALLOCATION OF \$720,000.00
FOR THE NEW RED LAKE CHAPTER COMPLEX DESIGN, PLANNING AND
CONSTRUCTION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).
- B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301(B)(2).
- C. Council Resolution CAP-35-18 provides, "[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."

SECTION TWO. FINDINGS

- A. The Navajo Nation Council adopted Council Resolution CAP-35-18, "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" on April 17, 2018.

- B. Red Lake Chapter submitted a CAP-35-18 Project Change Form and Instructions, which is attached as **Exhibit A** and a supporting Chapter Resolution attached as **Exhibit B**.
- C. The Project Change Form indicates \$720,000.00 will be deleted from the funding for Year 1 of the Utility System Upgrade (CAP-35-18, Exhibit D, Project 54) and Years 1-3 of Street Improvement (CAP-35-18, Exhibit D, Project 55) and reallocated to Year 3 of the plan for the Chapter Complex Project (CAP-35-18, Exhibit D, Project 56), which will include designing, planning and construction.
- D. CPMD has provided a Letter of Certification providing the status of the Red Lake Chapter Complex Project and is attached as **Exhibit C**.

SECTION THREE. APPROVAL

The Navajo Nation hereby approves a change allowing \$720,000.00 to be deleted from the funding for Year 1 of the Utility System Upgrade (CAP-35-18, Exhibit D, Project 54) and Years 1-3 of Street Improvement (CAP-35-18, Exhibit D, Project 55) and reallocated to Year 3 of the plan for the Chapter Complex Project (CAP-35-18, Exhibit D, Project 56), which will include designing, planning and construction.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held at Window Rock, Navajo Nation (New Mexico), at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 2nd day of July 2019.



Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Jimmy Yellowhair
Second: Honorable Elmer P. Begay

PROJECTS TO BE DELETED

[illegible]

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.

Date May 13, 2019

CAP-35-18 PROJECT CHANGE FORM

COUNCIL DISTRICT: Wilson Stewart Jr.

DELEGATE SIGNATURE: Wilson Stewart Jr.

DATE: 5/13/2019

PROJECTS TO BE ADDED							Check-Off List?
Chapter	Project Description	CPMD Project Mgr	Year 1	Year 2	Year 3	Total Funding	
Red Lake	New Chapter Complex (Planning/design/construction)	n/a			X	\$720,000.00	Yes
Total Added Funding:							\$720,000.00

INSTRUCTIONS
FOR
CAP-35-18 PROJECT CHANGE FORM

The **CAP-35-18 PROJECT CHANGE FORM** ("FORM") is intended to be submitted to the Capital Projects Management Department ("CPMD") for review and signature, and then attached as an exhibit to the committee legislation requesting approval of the project change(s).

The following instructions apply to *all* project changes, including LGA Certified Chapter projects, *Non*-LGA Certified Chapter projects, CPMD projects, NTUA powerline, waterline projects, and non-NTUA powerline projects. The instructions are intended to ensure that all information is correctly included so that CPMD can provide an expeditious review and sign-off.

1. The "CPMD REF # _____" (*will be filled in by CPMD*).
2. The "COUNCIL DISTRICT" line should be filled in with the name of the Council Delegate representing the chapter(s) whose project(s) is to be changed.
3. The FORM should be signed and dated by the Council Delegate *before* the FORM is submitted to CPMD. This is necessary as CAP-35-18 requires project changes be concurred with by the Delegate representing the Council District where the project(s) at issue at located.
4. The "PROJECTS TO BE ADDED" section is where each *new* project is to be listed. In situations where the funding year for a project is to be changed, the project, along with its *new* funding year, should be listed in the "PROJECTS TO BE ADDED" section.
 - a. The "CHAPTER" block should be filled in with the name of the Chapter where the added project is located.
 - b. The "PROJECT DESCRIPTION" block should describe the added project, including whether it is planning, design, renovation, construction, adding funds to an ongoing project, etc.

INSTRUCTIONS
FOR
CAP-35-18 PROJECT CHANGE FORM

- c. The "CPMD Project Mgr" blocks should indicate the name or initials of the CPMD Project Manager assigned to each respective project. If a CPMD Project Manager has *not* been assigned, indicate that by "none" or "n/a".
- d. The "FUNDING" blocks should indicate which year(s) funding is requested, as well as the total amount of funding requested.

Note: CAP-35-18 only allows 24 months after distribution for the funds to be spent or encumbered. Also, please note that Year 1 funding will be available for distribution on July 1, 2018; Year 2 funding will be available on January 1, 2019; and Year 3 funding will be available on January 1, 2020.

- e. The "CHECK-OFF LIST?" block should indicate by either a "yes" or "no", whether a CPMD certified completed Project Proposals Check-Off List or NTUA equivalent is attached to the Form. CAP-35-18 requires that CPMD or NTUA certify that an added project, including earlier year funding, is construction-ready.
 - f. The "TOTAL ADDED FUNDING" block should indicate the total dollar amount for *all* added projects and should include funding being added for a different year.
5. The "PROJECTS TO BE DELETED" section is where each existing project to be deleted should be listed, this includes projects where the funding is to be reduced but not completely eliminated. In situations where the funding year for a project is to be changed, the existing project, along with its existing funding year, should be listed in the "PROJECTS TO BE DELETED" section.

INSTRUCTIONS
FOR
CAP-35-18 PROJECT CHANGE FORM

- a. The "EXHIBIT & PROJECT NO." block, please use the CAP-35-18 Exhibit and Project Number for the deleted project. For example, *if* the Alamo-Powerline/Waterline (Exhibit E, Project No. 1) was to be deleted it would be identified here as E-1.
 - b. The "PROJECT DESCRIPTION" block should state the Chapter wherein the deleted project is located plus the project description used in the CAP-35-18 exhibits.
 - c. The "CPMD Project Mgr" blocks should indicate the name or initials of the CPMD Project Manager assigned to each respective project. If a CPMD Project Manager has *not* been assigned, indicate that by "none" or "n/a".
 - d. The "FUNDING" blocks should indicate how much money is being deleted each year, as well as the total amount of funding deleted. If the funding for a project is only being reduced and not completely eliminated, only the dollar amount of the reduction should be listed.
 - e. The "ALL FUNDING DELETED?" block should indicate "yes" if all funding for a project is being deleted and "no" if the funding for a project is only being reduced and not completely eliminated.
 - f. The "TOTAL DELETED FUNDING" block should indicate the total dollar amount of funding being deleted and should include funding being moved to a different year.
6. The "TOTAL ADDED FUNDING" amount and the "TOTAL DELETED FUNDING" amount must match exactly.
 7. CPMD will sign the FORM after it has verified that the FORM is in strict compliance with CAP-35-18.

INSTRUCTIONS
FOR
CAP-35-18 PROJECT CHANGE FORM

8. The FORM should then be submitted to the Office of Legislative Counsel by the respective Delegate as an attachment to their request for committee legislation.



Red Lake Chapter

Pauline J. Garnenez
VICE PRESIDENT

Loberta Redhouse
SECRETARY/TREASURER

Florina Howard

GRAZING OFFICIAL



RESOLUTION OF RED LAKE CHAPTER

Res. No. RLC-12-18-43

REQUESTING THE RESOURCE & DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL TO MOVE THE PROJECT FUNDING IN THE AMOUNT OF \$1,041,666.67 FROM THE SIHASIN FUNDS FOR NEW CHAPTER COMPLEX PROJECT TO YEAR THREE FUNDING.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Red Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C. part 1, section 10, and
2. Pursuant to 26 N.N.C., Section 1 (B) Red Lake Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
3. The Honorable Council Delegate, Mr. Benjamin Bennett, for Red Lake Chapter has advocated and lobby to receive funds from the Sihasin Fund for the listed ICIP projects for Red Lake Chapter; and
4. The Red Lake Chapter desires to construct a New Chapter Complex to carry out the governmental service functions to meet the growing needs of our community for the youth, adults and elderly ; and
5. The funding will be used to plan, design and construct a New Chapter Complex within the former NFPI withdrawn land on a vacant lot, located in the northeast corner of Mill Road and Shepherd Springs Boulevard in Navajo, New Mexico,

NOW, THEREFORE, BE IT RESOLVED THAT:

The Red Lake Chapter hereby requests the Resource & Development Committee of the Navajo Nation Council to move the project funding in the amount of \$1,041,666.67 from the Sihasin funds for the New Chapter Complex to Year Three Funding.

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

I hereby certify that the foregoing resolution was duly considered by Red Lake Chapter at a duly called meeting at Red Lake, Navajo Nation, New Mexico, at which a quorum was present and that the same was passed by a Vote of 25 in Favor, 0 Opposed, and 4 Abstained on this 19th day of December, 2018..

MOTIONED: Jonas Mastach
SECONDED: Florina Howard


Arval T. McCabe, Chapter President

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

June 7, 2019

The 24th Navajo Nation Council
The Navajo Nation
P.O. Box 3390
Window Rock, AZ 86515

RE: Letter of Certification- Project Ready- Red Lake New Chapter Complex

Project No.: D-53-19-1

Dear Honorable Council Delegates,

The Red Lake Chapter has been working on securing design/planning/construction funds the past few years for a new Chapter Complex. The following documents were completed and obtained, Land users consent, geotechnical evaluation, legal survey, archeological/cultural studies, environmental studies, and clearances have been completed.

Since these are completed, it is deemed Project ready. The Chapter has secured funding for the design/planning of the new Chapter Complex through the 2nd year of the Sihasin Funds. Construction funds have yet to be secured through the Sihasin Funds, but are still pending approval in Legislation No.099-19.

Before the project is to begin, we will issue a Request for Proposal (RFP) to design/plan the new Chapter Complex with the current monies in our Sihasin funds. We are currently working to get the project change request form done as outlined in the CPMD Project Change Form so that we can add an additional \$720,000.00 to the Chapter Complex Project as outlined in the chapter resolution RLC-12-18-43 for construction purposes.

We look forward to working with CPMD and Navajo Nation to complete our Project Change Form and bring the project to being fully funded for the design/planning/construction of the new Chapter Complex.

Should you have any questions, please contact me at (928) 871-7232 or Red Lake Chapter at 505.777.2810. Thank you.

Respectfully,


Benjamin Cowboy, Project Manager, CPMD

Concurrence:


James Adakai, Delegate Department Manager


Pearl Yellowman, Division Director

BUDGET AND FINANCE COMMITTEE

2 July 2019
Regular Meeting

VOTE TALLY SHEET:

Legislation No. 099-19

An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Project Funding in Resolution CAP-35-18; Approving a Reallocation of \$720,000.00 for the New Red Lake Chapter Complex Design, Planning and Construction *Sponsored by Wilson C. Stewart Jr. and Jamie Henio, Council Delegates*

Motion: Jimmy Yellowhair


Second: Elmer P. Begay

Vote: 4-0, Chairman not voting

Vote Tally:

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

Absent: Amber K. Crotty



Jamie Henio, Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee