

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

24TH NAVAJO NATION COUNCIL - Third Year, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE
COMMITTEES; APPROVING A CHANGE IN EXHIBIT D TO RESOLUTION NO.
CAP-35-18 FOR THE SAWMILL CHAPTER BY ALLOCATING \$32,133.67 IN
FUNDS REMAINING FROM THE N-7 ROAD PROJECT TO THE CHAPTER HOUSE
RENOVATION PROJECT

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over chapter activities. 2 N.N.C. § 500(C).
- B. 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 § 301 (B)(5).

SECTION TWO. FINDINGS

- A. The Navajo Nation Council approved Resolution No. CAP-35-18, entitled, "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 Improvement Budget and the Capital Improvement Process." CAP-35-18 is incorporated herein by reference.
- B. Section 4(C) of CAP-35-18: "A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibit 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."

- C. The amount of \$271,666.67 for the Sawmill Chapter N-7 Road Rehabilitation Project in the Year 1 Funding Period was approved in Exhibit D of CAP-35-18. The CAP-35-18 Exhibit D showing the N-7 Road Project No. 59 is attached hereto as **Exhibit 1**.
- D. The amount of \$500,000 for the Sawmill Chapter House Renovation Project was also approved in Exhibit D of CAP-35-18. The CAP-35-18 Exhibit D showing the Chapter House Renovation Project No. 58 is attached hereto as **Exhibit 1**.
- E. The Sawmill Chapter has expended \$185,533 out of the \$271,666.67 in approved Síhasin funds allocated for the N-7 Road Project, leaving a remaining balance of \$32,133.67 that the Chapter desires to use for its Chapter House Renovation Project. **EXHIBIT 2**.
- F. Regarding the Sawmill Chapter's change request, the Division of Community Development - Capital Projects Management Department ("CPMD") has submitted, on behalf of the Chapter, a Síhasin Project Amendment Certification Form, attached as **EXHIBIT 3**. The CMPD Amendment Certification Form shows the signature of the Navajo Nation Council Delegate for the Sawmill Chapter, as required by CAP-35-18 Section 4(C).
- G. As required by CAP-35-18 Section 4(C), the Sawmill Chapter House Renovation Project to be added has been certified by CPMD as construction-ready and the total Síhasin Funding for the Council District will not exceed \$4,166,666.67. In fact, the total Síhasin funding amounts approved for the Sawmill Chapter in CAP-35-18 will remain unchanged.
- H. The Síhasin Fund shall be reimbursed, in the amount of the allocation authorized in this Legislation, from prospective funds available to the Navajo Nation from any and all appropriate state and federal sources.

SECTION THREE. APPROVAL

The Navajo Nation Council hereby approves a change to Resolution No. CAP-35-18, Exhibit D, Project Nos. 58-59 by transferring the balance of \$32,133.67 remaining from the N-7 Road Rehabilitation Project (Project No. D-59) to the Sawmill Chapter House Renovation Project (Project No. D-58) in the Year 2 Funding Period, as shown in **EXHIBIT 3**.

SECTION FOUR. EFFECTIVE DATE

This Legislation shall become effective pursuant to 12 N.N.C. § 2505.

SECTION FIVE. SAVING CLAUSE

If any provision of this Legislation is determined invalid by the Supreme Court of the Navajo Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the provision(s) not determined invalid shall remain as Navajo Nation law.

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 by teleconference at which a quorum was present and that the same was passed by a vote of 5 in favor and 0 opposed, this 21st day of December 2021.



Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Jimmy Yellowhair
Second: Honorable Raymond Smith, Jr.

EXHIBIT:
D

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

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	\$285,000.00	\$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	\$232,000.00
62	Dennehotso	Warehouse	Construction	12 months	\$0.00	\$162,025.82	\$0.00	\$20,000.00	\$182,025.82
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	Chilchinbet	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

Chapter
House
Project

N-7 Road
Project



RESOLUTION OF THE SAWMILL CHAPTER SAW-10-11-21-01 NAVAJO NATION

RESPECTFULLY REQUESTING RESOURCES & DEVELOPMENT COMMITTEE (RDC) AND THE BUDGET & FINANCE COMMITTEE (BFC) TO APPROVE A CHANGE IN FUNDING IN RESOLUTION CAP-35-18 TO TRANSFER THE REMAINING BALANCE OF \$32,133.67 FROM THE N- 7 ROAD IMPROVEMENT PROJECT TO CHAPTER RENOVATION PROJECT.

WHEREAS:

1. Sawmill Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and
2. Pursuant to 2 N.N.C. #500(A) and (C)(7) and #501(C)(1), the Resources and Development Committee (RDC) was established as a Standing Committee of the Navajo Nation Council with the responsibility to establish rules, regulations and policies to streamline procedures for approval, management, and enforcement to enhance the development of the economy and increase development on the Navajo Nation and is the Oversight Committee of the Division of Community Development, Administrative Services Centers, and the 110 chapter; and
3. On May 07, 2018, the 23rd Navajo Nation Council passed resolution CAP-35-18, the Sihasin Fund Powerline and Chapter Projects Expenditure Plan, which combined the Undesignated Unreserved Fund Balance and Sihasin Fund totaling \$100,000,000.00 that was divided equally amongst the twenty-four (24) Council Delegate District equaling \$4,166,666.67 per district; and
4. The resolution CAP-35-18, the Sihasin funding and Chapter Project expenditure plan of \$271,666.67 was approved and allocated for N-7 Road Improvement Project and a balance of \$32,133.67 is remaining; and
5. All required documents to request a "change in the funding and transfer" are hereby attached to the following resolution.


NOW THEREFORE BE IT RESOLVED THAT:


1. The Sawmill Chapter respectfully requests Resources & Development Committee (RDC) and the Budget & Finance Committee (BFC) to approve a change in funding year in Resolution CAP-35-18 to transfer the remaining balance of \$32,133.67 from the N-7 Road Improvement Project to Chapter renovation project.

CERTIFICATION

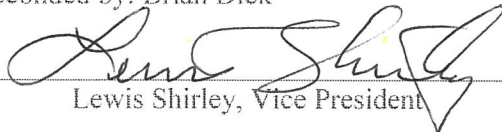
I hereby certify that the foregoing resolution was considered at a duly called chapter meeting at Sawmill, (Navajo Nation), Arizona, at which a quorum was present and that same was passed by a vote of 17 in favor, 0 opposed, and 1 abstained on this 11th day of October 2021.

Motioned by: Angela Brown


Woodie Bennett, President


Shawn Livingston, Secretary/Treasurer

Seconded by: Brian Dick


Lewis Shirley, Vice President




THE NAVAJO NATION

JONATHAN NEZ | **PRESIDENT** MYRON LIZER | **VICE PRESIDENT**

MEMORANDUM

TO: Navajo Nation Chapters
Navajo Nation Lead Agents/Entities

FROM: 
James Adakai, Department Manager II
Capital Projects Management Department/DCD

DATE: October 3, 2019

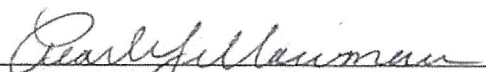
SUBJECT: Change Form - Sihasin Project Amendment Certification

Pursuant to NNC Resolution No. CAP-35-18 and Division of Community Development ("DCD") Master Plan of Operation - Part V; Section A.3, Capital Projects Management Department/DCD hereby issues a revised Change Form for the planning and implementation of Sihasin projects.

The purpose of the revised form is to ensure the proper and timely implementation of Sihasin projects. This one-page form is simplified and is more efficient. The certification letter is no longer necessary and the certification for the project to be deemed construction-ready is included in the form.

If there are questions, please inquire at (928) 871-6211.

CONCURRENCE:


Dr. Pearl Yellowman, Executive Director
Division of Community Development

XC: CPMD files

CAPITAL PROJECTS MANAGEMENT DEPARTMENT

SIHASIN PROJECT AMENDMENT CERTIFICATION CAP-35-18

I. PROJECT DETAILS

PROJECT NAME: Sawmill Chapter - N7 Road Rehab.

DATE SUBMITTED: 10/15/21

REFERENCE NUMBER: CPMD-#

PROJECT TYPE: Design

ORIGINAL DATE APPROVED: November 28, 2019

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	
D-59	Sawmill N7 Road Rehab - \$217,666.67 - \$185,533.00 = \$32,133.67 (The remaining balance amount to be transfer to chapter renovation project.)	\$32,133.67			Deleted
D-58	Sawmill Chapter Renovation Project (Construction) Move to second year		\$32,133.67		Added

TOTAL: \$32,133.67

I | INCREASED / | DECREASED FUNDING:

Acknowledgement of Project Amendment:

PRINTED NAME

Wilson Stewart, Jr.

SIGNATURE



DATE

10/28/2021

Navajo Nation Council Delegate

III. REASON FOR AMENDMENT

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:

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.
4. Add language to legislation "EXHIBIT D" Funding Use/Year.

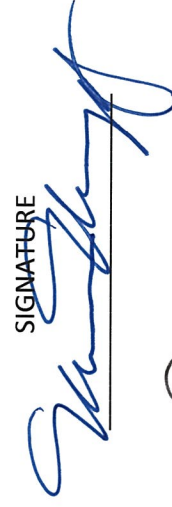
IV. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.

PRINTED NAME

CPMD Project Manager

Marcus Murphy

SIGNATURE



DATE

10/15/2021

CPMD Department Manager

James Adakai, Delegated Dept. Manager



10/27/21

BUDGET AND FINANCE COMMITTEE

21 December 2021

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0253-21: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Exhibit D to Resolution No. CAP-35-18 for the Sawmill Chapter by Allocating \$32,133.67 in Funds Remaining From the N-7 Road Project to the Chapter House Renovation Project *Sponsored by Wilson C. Stewart, Council Delegate*

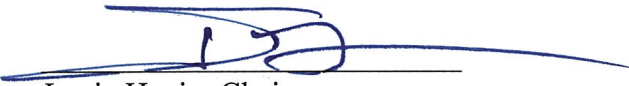
Motion: Jimmy Yellowhair

Second: Raymond Smith, Jr.

Vote: 5-0, Chairman not voting

Final Vote Tally:

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



Jamie Henio, Chairman
Budget & Finance Committee

Peggy Nakai, Legislative Advisor
Budget & Finance Committee