

LEGISLATIVE SUMMARY SHEET

Tracking No. 0034-18

DATE: January 18, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE; NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,455,000.00 (ONE MILLION FOUR HUNDRED AND FIFTY-FIVE THOUSAND DOLLARS) FOR THE CHEE'S STORE BUSINESS SITE REDEVELOPMENT PROJECT; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

PURPOSE: If approved, this resolution will approve supplemental funding in the amount of \$1,455,000.00 from the Unreserved Undesignated Fund Balance for the Chee's Store Business Site Redevelopment Project and will waive the Capital Improvement Process.

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 to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 5:00pm 1/24/18
Posting End Date: 1/29/2018
Eligible for Action: 1/30/2018

Resources & Development Committee

THENCE

Budget & Finance Committee

THENCE

Naa'bik'íyáti' Committee

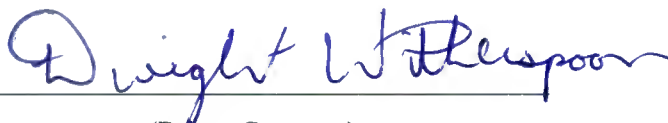
THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0034-18

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND
FINANCE COMMITTEE; NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION
COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED,
UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,455,000.00 (ONE
MILLION FOUR HUNDRED AND FIFTY-FIVE THOUSAND DOLLARS) FOR THE
CHEE'S STORE BUSINESS SITE REDEVELOPMENT PROJECT; WAIVING 12 N.N.C. §§
820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

BE IT ENACTED:

SECTION ONE. AUTHORITIES

- A. The Navajo Nation established the Resources and Development Committee as a Navajo Nation Council standing committee and as such gave the Committee the authority to review and make recommendations to the Navajo Nation Council regarding capital improvement projects. 2 N.N.C. §§ 501(B)(4)(c).
- B. The Navajo Nation established the Budget and Finance Committee (BFC) as a Navajo Nation Council standing committee and as such empowered BFC to review and recommend to the Navajo Nation Council the management of all funds. 2 N.N.C. §§ 164 (A)(9), 300 (A), 301 (B)(2).

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

5
6 **SECTION TWO. TITLE 12 FINANCE ACT SUPPLEMENTAL**
7 **APPROPRIATION PROCESS AND THE TITLE 12 CAPITAL**
8 **IMPROVEMENT PROCESS**

9 A. The Title 12 Finance Act Supplemental Appropriation requirements include:

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

20 B. The Title 12 Capital Improvement Process includes:

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

- (4) Major building improvements that are not routine maintenance expenses and that substantially enhance the value or extend the useful life of a structure;
- (5) Construction of new buildings or facilities including engineering, design, and other pre-construction costs with an estimated cost in excess of an amount to be determined by the Controller; and/or
- (6) Major equipment or furnishing required to furnish new buildings or other projects, the cost of which is above a certain amount to be established by the Controller.

2. Pursuant to 12 N.N.C. § 820 (I), the “[d]evelopment of the Capital Budget shall be coordinated with development of the Operating Budget. All budget requests for capital improvements shall be in compliance with an adopted Capital Improvement Plan and shall not be approved unless in compliance with the Plan.”
3. Pursuant to 12 N.N.C. § 820 (M), the Office of Management and Budget shall coordinate the overall preparation, adoption and implementation of both the annual operating and capital budgets of the Navajo Nation. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis and other appropriate action.
4. Pursuant to 2 N.N.C. § 501 (B)(4)(c), the Resources and Development Committee is to review and recommend to the Navajo Nation Council through the appropriate process supplemental appropriations to the capital improvement projects annual budget to fund necessary additional capital improvement projects.
5. Pursuant to 12 N.N.C. § 860 (C)(2) “[t]he appropriation portion of the Capital Improvement Plan is subject to approval of the Navajo Nation Council upon recommendation of the Budget and Finance Committee. Any modification or amendment affecting the approved Capital Improvement Plan is subject to

1 review and concurrence by the Resources and Development Committee prior to
2 consideration by the Navajo Nation Council.”
3

4 **SECTION THREE. FINDINGS**

- 5 A. This is a funding request for a supplemental appropriation from the Unreserved,
6 Undesignated Fund Balance in the amount of \$1,455,000.00. *See Exhibit A*
- 7 B. Pursuant to 12 N.N.C. § 810(F), the Chee’s Store Business Site Redevelopment
8 Project is considered a capital improvement project due to the long-term forecast
9 that the site will be developed.
- 10 C. The Chee’s Store Business Site Redevelopment Project is not included in the Title
11 12 Capital Improvement Plan because the Capital Improvement Plan was rescinded
12 by Navajo Nation Council by CAP-23-17.
- 13 D. Pursuant to the 2018 Budget Instructions Manual Section XIV. B., the supplemental
14 funding request budget forms are attached as **Exhibit B**.
- 15 E. The Office of Management and Budget has completed a Budget Impact Analysis of the
16 Chee’s Business Site Redevelopment Project pursuant to 12 N.N.C. § 820(M) and is
17 attached as **Exhibit C**.
- 18 F. The Office of the Controller has provided a memorandum dated October 18, 2017,
19 indicating the balance in the Unreserved, Undesignated Fund Balance as of
20 September 8, 2017 is \$31,258,217. This memorandum is provided to meet the
21 requirements of 12 N.N.C, 820 (L). The Controller of the Navajo Nation has
22 designated the funds as non-recurring. This memorandum is attached as **Exhibit D**.
- 23 G. Pursuant to Executive Order 07-2013, the Executive Review/164 Process must be
24 completed for requests originating in the Executive Branch. The Legislative 164
25 Review Process is attached as **Exhibit E**.
- 26 H. The Navajo Nation finds it in the best interest of the Navajo people to approve this
27 supplemental appropriation request and to waive the Capital Budget and Capital
28 Improvement Plan requirements as stated in 12 N.N.C. §§ 820(I) and 860 (C)
29 regarding Chee’s Store Business Site Redevelopment Project.
30

1 **SECTION FOUR. APPROVING SUPPLEMENTAL FUNDING FROM THE**
2 **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**
3 **\$1,455,000.00 FOR THE CHEE’S STORE BUSINESS SITE REDEVELOPMENT**
4 **PROJECT**

5 A. The Navajo Nation hereby approves the supplemental appropriation from the
6 Unreserved, Undesignated Fund Balance to Navajo Nation Project Development
7 Department for the Chee’s Store Business Site Redevelopment Project.

8 B. This supplemental appropriation of \$1,455,000.00 shall be from that amount of
9 funds that exceeds the minimum fund balance of the Unreserved, Undesignated
10 Fund Balance as determined by the Office of the Controller and to the new business
11 unit number assigned to the Chee’s Store Business Site Redevelopment Project.

12
13 **SECTION FIVE. WAIVING 12 N.N.C. §§ 820(I) AND 860 (C) REGARDING THE**
14 **CAPITAL IMPROVEMENT PROCESS**

15 The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(I) and 860(C) with regard to
16 the Capital Improvement process and the Chee’s Store Business Site Redevelopment
17 Project. The waiver of 12 N.N.C. §§ 820(I) and 860(C) includes submittal of the Capital
18 Project to the Capital Project Management Department for review, guidance and advice or
19 the requirements pursuant to TCDCJY-77-99 regarding the Capital Improvement Projects
20 Guidelines Policies and Procedures.

21
22 **SECTION SIX. EFFECTIVE DATE**

23 The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).
24
25
26
27
28
29
30



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT



TO: Council Delegate Dwight Witherspoon
FR: Crystal J. Deschinny, DED Director
DT: October 9, 2017
RE: Sponsorship for UUFB Legislation

I respectfully ask for your consideration to sponsor UUFB Legislation to support four (4) economic development projects. The 4 projects were chosen based on need and strategic planning within several Chapters.

The four projects are:

1. Bond & Bond Site: located in Shiprock and is in a prime location. New development is being proposed within a mile of this site and lends to the overall master plan of Shiprock. The site is in need of asbestos abatement, clean-up and redevelopment. The estimated project amount is: \$ 400,000
2. Former Jim's Business Site: This site is one of two (2) business sites that are ready for clean-up, demolition, and redevelopment. A c-store is proposed on the site. The estimated project cost of this particular opportunity is: \$2,215,000
3. Former Round Rock Trading Post: The other of two (2) business sites is in need of funding for clean-up and removal. Cleaning up the burnt remains of the former trading post compliments the Jim site project and ready the centrally located Chapter for growth. The estimated project cost is: \$ 400,000
4. Former Chee's Southwest Store: Located in Pinon, this is also one of two sites that is in need of demolition, clean-up, and redevelopment. The site is abandoned with debris strewn around the site. The project is a strategic selection given other clean-up work and long term plans for an office complex nearby. The project's estimated cost is: \$1,455,000

Attached you will find brief descriptions and Project Budget Summaries that have been prepared for all four. Please don't hesitate to contact me at: 928-551-7983 should you have further questions.

Your support and assistance is greatly appreciated.

Respectfully,

Crystal J. Deschinny, MBA/MA

PROJECT SUMMARY

Demolition/Site Cleanup Project FORMER CHEE'S SOUTHWEST STORE Pinon, Arizona

The project consists of asbestos assessment, demolition/site cleanup and redevelopment of a Business Site known as the Former Chee's Southwest Store located in Pinon, AZ. Currently, there is a 3,825 sq. ft. building, abandoned gasoline pumps and debris located on the 0.730 acres site. The building needs to be demolished and site cleaned up. Once the site is cleared, the site will be redeveloped.

The project scope includes conducting an asbestos assessment and abatement of the building as part of the demolition and cleanup. The objective of the project is to clear the building/debris and redevelop the site. The proposed cost of the project cost is estimated at \$1,455,000.

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>NEW</u> Program Title: <u>Chee's Business Site Redevelopment</u> Division/Branch: <u>Economic Development: Project Development Department</u>		Prepared By: <u>Jeannette Jones, Principle EDS</u> Phone No.: <u>928.871.7389</u> Email Address: <u>jeannette@navajobusiness.com</u>					
PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			
UUF8	Oct. 2017-Sept. 2018	1,455,000.00	100				
				2001	Personnel Expenses	0	0
				3000	Travel Expenses	0	0
				3500	Meeting Expenses	0	0
				4000	Supplies	0	0
				5000	Lease and Rental	0	0
				5500	Communications and Utilities	0	0
				6000	Repairs and Maintenance	0	0
				6500	Contractual Services	4	150,000
				7000	Special Transactions	0	0
				8000	Public Assistance	0	0
				9000	Capital Outlay	4	1,305,000
				9500	Matching Funds	0	0
				9500	Indirect Cost	0	0
				TOTAL		\$0.00	1,455,000.00
							1,455,000
				PART IV. POSITIONS AND VEHICLES			
				Total # of Positions Budgeted:		(E)	
				Total # of Permanently Assigned Vehicles:			
				TOTAL:			
				TOTAL:			
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.							
SUBMITTED BY: <u>Anthony Perry</u> Program Manager's Printed Name				SUBMITTED BY: <u>Crystal J. Deschinsky</u> Division Director/Branch Chief's Printed Name			
SUBMITTED BY: <u>Anthony Perry</u> Program Manager's Signature and Date				SUBMITTED BY: <u>Crystal J. Deschinsky 12-4-17</u> Division Director/Branch Chief's Signature and Date			

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2018

PART I. PROGRAM INFORMATION:		<div style="display: flex; justify-content: space-between;"> <div>Business Unit No.: <u>NEW</u></div> <div>Program Name/Title: _____</div> <div>Chee's Business Site Redevelopment</div> </div>											
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:													
GSCAP-12-07 Division of Economic Development is established for the purpose of creating an environment that is conducive to promote and develop business in the commercial, tourism, industrial and other sections of the Navajo Nation economy, to enhance the creation of jobs and business opportunities													
PART III. PROGRAM PERFORMANCE CRITERIA:													
		1st QTR		2nd QTR		3rd QTR		4th QTR					
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual				
1. Program Performance Area:													
Retain contractual services and Contract Administration													
Goal Statement:													
Initially, develop scope of work, retain Prof./Tech services. Contract Administration on monthly basis.		3			3			3			3		
2. Program Performance Area:													
Project Management													
Goal Statement:													
Management the Project with inspections, monthly meetings, process work progress payments		3			3			3			3		
3. Program Performance Area:													
Goal Statement:													
4. Program Performance Area:													
Goal Statement:													
5. Program Performance Area:													
Goal Statement:													
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.													
Program Manager's Printed Name		<div style="display: flex; justify-content: space-between;"> <div> <u>Donna</u> Program Manager's Signature and Date 11-30-17 </div> <div> <u>Cynthia McKinley</u> Division Director/Branch Chief's Signature and Date 12-4-17 </div> </div>											

<div> <div>PART I. PROGRAM INFORMATION:</div> <div> <div>Program Name/Title:</div> <div>Chee's Business Site Redevelopment</div> </div> <div> <div>Business Unit No.:</div> <div>NEW</div> </div> </div>			
<div> <div>PART II. DETAILED BUDGET:</div> <div>(A)</div> <div>(B)</div> <div>(C)</div> <div>(D)</div> </div>			
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	Inspection of Business site, develop scope of work, retain technical services for demolition and clean-up of the site. Redevelop the site for commercial purposes and leasing by the Navajo Nation.		
6810	<div>6500 Contractual Services</div> <div>Architectura/Design (non-cap)</div> <div>6813 Archi/Design (NC) Fees</div> <div>6814 Archi/Design (NC) Expenses</div>	150,000	150,000
9050	<div>9000 Capital Outlay</div> <div>Building</div> <div>9060 Construction in Progress</div>	1,305,000	1,305,000
TOTAL		1,455,000	1,455,000



THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ



MEMORANDUM

TO : Dwight Witherspoon, Delegate
23rd Navajo Nation Council

FROM : Lisa Jymm
Lisa Jymm, Principal Budget Analyst
Office of Management & Budget

DATE : October 27, 2017

SUBJECT : OMB Review of Legislation #5763: Four (4) budgets totaling \$4,470,000 from the UUFB to Division of Economic Development for capital projects, as listed below:

- a. Bond & Bond Business Site Redevelopment.....\$400,000
- b. Jim Business Site Redevelopment.....\$2,215,000
- c. Round Rock Trading Post Business Site Redevelopment.....\$400,000
- d. Chee's Store Business Site Redevelopment.....\$1,455,000

The Office of Management and Budget (OMB) has reviewed the above packet and provides the following:

1. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2018 Budget Resolution CS-53-17 (paragraph 'L'), the FY 2018 Budget Instructions Manual (Section XIV), and the Appropriations Act. This activity should be completed by the three branches to determine priorities.
2. OMB recommends compliance with the Navajo Nation Appropriations Act regarding Supplemental Appropriations (Section 820, L). This has not been done. Compliance includes:
 - a. Branch Chief's concurrence of the supplemental request (NN President).
 - b. Non-recurring expenses only.
 - c. The supplemental Funding Proposal Summary (Appendix K, FY 18 BIM)
3. The Budget Instructions Manual states that Supplemental Funding request for Capital Projects shall be submitted to DCD-Capital Project Management Department (CPMD) for review, guidance, and advice. There is no indication that this was done.
4. The Appropriations Act, at 12 NNC 820 (I), requires that the capital outlay comply with an adopted Capital Plan. Currently, there is no approved Capital Plan.
5. Corrections need to be made to the proposed budgets. The proposed budget for Jim Business Site Redevelopment, Project Form 3, indicated \$320,000 but does not calculate into the budget amount. This needs to be reviewed and amounts recalculated.

The document as submitted is deemed "insufficient" for the reasons listed above. If there are any further questions contact me at extension 6230.

Concurrence,

Dominic Beyer
Dominic Beyer, Executive Director
Office of Management & Budget

xc: Carl Smith, Division Director, DCD
Crystal Deschinny, Division Director, DED
OMB file





THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO: Lisa Jymm, Principal Budget Analyst
Office of Management and Budget

FROM: Dwight Witherspoon
Dwight Witherspoon, Delegate
23rd Navajo Nation Council

DATE: October 30, 2017

SUBJECT: Legislation #5763, Projects Proposed for UUFB, \$4,470,000.

The Memorandum addresses the OMB memorandum of October 27, 2017 and responds to the inquiries that were presented:

1. The Division of Economic Development (DED) has prioritized projects that were submitted to the Office of the President and Vice President and approved as the DED Five Year Plan. See Item 3.
2. The FY2018 Supplemental Forms are attached for:

a. Bond & Bond	\$400,000.00
b. Jim Business Site Redevelopment	\$2,215,000.00
c. Round Rock Trading Post Redevelopment	\$400,000.00
d. Chee's Store Business Site Redevelopment	\$1,455,000.00
3. The Division of Economic Development projects are not typically included in the Division of Community Development Capital Plan as its priority is community/chapter projects. DED has an Economic Development Plan (Five Year Plan) that was approved by the Resources and Development Committee of the Navajo Nation Council, pursuant to Resolution No. RDCJY-79-17. The DED Five Year Plan supports the Division's efforts to seek funds for projects in the commercial, industrial and industrial sectors to develop the economy of the Navajo Nation. (RDC Resolution is attached).
4. The Budget for the Jim Business Site Redevelopment, Form 3 was corrected, deleting \$320,000 and inserting the correct number. The corrected form is attached.

Attachment:



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT



Memorandum:

To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government

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

Date: October 18, 2017

Subject: 164 Review-005763-UUFB-\$4,470,000 request for four (4) Economic
Development Projects

The Office of the Controller has reviewed the above referenced document.

1. The balance of the UUFB is \$31,258,217 as of October 8, 2017, this supplemental request is for \$4,470,000 for four (4) business sites.
2. These are projects and should be deemed non recurring costs.

If you should have any questions you can contact me at tribal extension X6125.

LEGISLATIVE BRANCH
THE NAVAJO NATION
POST OFFICE BOX 3390
WINDOW ROCK, ARIZONA 86515



No. _____

SECTION 164 REVIEW PROCESS

NAME: Hon. Dwight Witherspoon DEPT.: CEO-Legislative PHONE: (928) 871-6380

DOCUMENT: UFB Request for four (4) Economic Development Projects: DATE: October 10, 2017

1. Bond & Bond Site
2. Former Jim's Business Site
3. Former Round Rock Trading Post
4. Former Chee's Southwest Store

SURNAME

1. Sponsor: Hon. Dwight Witherspoon Dwight Witherspoon Date: 10/10/17
2. OMB Note: Need Budget Impact Statement ** DeB... Date: -See 10/27/17 memo.
3. CCC Date: _____
4. DOJ Date: _____
5. Speaker/NC Date: _____
6. _____ Date: _____
7. _____ Date: _____

Date Signed: _____ No. of Signatures: _____

Disposition: _____ Initial: _____

WHITE • Original

CANARY • Department

LEGISLATIVE BRANCH
THE NAVAJO NATION
POST OFFICE BOX 3390
WINDOW ROCK, ARIZONA 86515

No. 5763

SECTION 164 REVIEW PROCESS

NAME: Hon. Dwight Witherspoon DEPT.: OO-Legislative PHONE: (928) 871-6380

DOCUMENT: UFB Request for four (4) Economic Development Projects: DATE: October 10, 2017

1. Bond & Bond Site
2. Former Jim's Business Site
3. Former Round Rock Trading Post
4. Former Chee's Southwest Store

SURNAME

- | | | |
|-------------------------------------|---------------------------|-----------------------|
| 1. Sponsor: Hon. Dwight Witherspoon | <u>Dwight Witherspoon</u> | Date: <u>10/10/17</u> |
| 2. <u>OMB</u> | | Date: _____ |
| 3. <u>OC</u> | <u>Parton</u> | Date: <u>10/18/17</u> |
| 4. <u>DOJ</u> | | Date: _____ |
| 5. <u>Speaker/NC</u> | | Date: _____ |
| 6. _____ | | Date: _____ |
| 7. _____ | | Date: _____ |

Date Signed: _____ No. of Signatures: _____

Disposition: _____ Initial: _____

LEGISLATIVE BRANCH
THE NAVAJO NATION
POST OFFICE BOX 3390
WINDOW ROCK, ARIZONA 86515

No. 5763

SECTION 164 REVIEW PROCESS

NAME: Hon. Dwight Witherspoon DEPT.: COO-Legislative PHONE: (928) 871-6380

DOCUMENT: UFB Request for four (4) Economic Development Projects: DATE: October 10, 2017

1. Bond & Bond Site
2. Former Jim's Business Site
3. Former Round Rock Trading Post
4. Former Chee's Southwest Store

SURNAME

1. Sponsor: Hon. Dwight Witherspoon Date: 10/10/17

2. OMB Date: _____

3. COO Date: _____

4. DOJ Insufficient. See memo. UGJ Date: 1/23/18

5. Speaker/NNC Date: _____

6. _____ Date: _____

7. _____ Date: _____

Date Signed: _____ No. of Signatures: _____

Disposition: _____ Initial: _____



NAVAJO NATION DEPARTMENT OF JUSTICE

REQUEST FOR SERVICES



DOJ
10/10/17 @ 4:58 PM
DATE / TIME
RFS # 17-2412
UNIT: ECDW

☐ RESUBMITTAL

*** FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST: 10/10/17 ENTITY/DIVISION: Council Delegate
CONTACT NAME: Dwight Witherspoon DEPARTMENT: Legislative
PHONE NUMBER: 505.206.1520 E-MAIL: Dwight.Witherspoon@gmail.com

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (attach documents):
UUF3 Request for (4) Economic Development
Projects: Bonda-Bond Site (Shoek), Former Jim's Buo. Site
(R.R.), Former Round Rock Trading Post (RRK), and
Former Chee's Store (Pinon)

DEADLINE: Oct. 16, 2017 REASON: Fall NNCS.

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: OCT 11 2017 10:15am REVIEWING ATTORNEY/ADVOCATE: Latonia

DATE/TIME OUT OF UNIT: PREPARED BY (initial):

DOJ ATTORNEY/ADVOCATE COMMENTS

Insufficient. See memo

REVIEWED BY: (PRINT) [Signature]

DATE / TIME 10/23/17

DOJ Secretary Called:

for Document Pick Up on

at

By:

PICKED UP BY: (PRINT)

DATE / TIME:

Revised NNDJ/RS Form - July 2013

OCT 11 2017



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

CHERIE ESPINOSA
ACTING DEPUTY ATTORNEY GENERAL

M E M O R A N D U M

TO: Dwight Witherspoon, Council Delegate
23rd Navajo Nation Council

FROM:


LaTonia B. Johnson, Assistant Attorney General
Economic/Community Development Unit, Dept. Of Justice

DATE: January 23, 2018

SUBJECT: Doc. No. 5763: Four (04) UUFB Economic Development
Projects

First, I would like to apologize for the delay in responding to this issue. In reviewing the document, the Navajo Nation Department of Justice (DOJ) has reviewed the above-mentioned document and deems the document to be "insufficient." As you know, all supplement requests must be made consistent with the Budget Instruction Manual (BIM) Section XI(E), and Appropriation Act (Act), 12 N.N.C. § 800 et. seq. I have attached a checklist that I have created for all supplemental appropriation requests. Second, please review the attached checklists for each of the four (04) projects as there are requirements that are lacking and those requirements need to be submitted. The checklist reflects the requirements of the BIM and Act. In its current form, the documents are not in compliance with the BIM and Act.

If you have any questions regarding this memorandum, please contact me at 928-871-6933. Thank you.

LBJ/gj/13

Attachments

CHECKLIST¹
Supplemental Appropriation Request
Non-Capital Improvement request

TYPE OF REQUEST: Former Chee's SW Stance
\$1.4 million.

PURPOSE:

All supplemental appropriation requests should be in compliance with the Appropriation Act, 12 N.N.C. § 300, *et. seq.*, the Budget Instruction Manual (BIM), Section XIV and Appendix J and K and, if the supplemental is grant funding request for organizations external to the Navajo Nation government, Appendix G.

CHECKLIST:

- ☐ Supplemental Request Form: See BIM, Section XIV(B)(1)- Appendix K.
 - ☒ Outline why funding is being requested outside the regular or annual fiscal year budget development process. See BIM, Section XIV(B)(2)(b)(i).
 - ☒ Outline what other sources of funding have been considered and pursued if the supplemental request is not funded. See BIM, Section XIV(B)(2)(b)(ii).
 - ☐ Signatures:
 - ☐ Signature of the appropriate Division Director.
 - ☐ Concurrence by the appropriate Branch Chief.
- ☐ Program Operating Budget Forms 1 thru 5: See BIM, Section XIV(B)(1).
 - ☐ Form 1
 - ☐ Signature of the appropriate Division/Department.
 - ☐ Concurrence by the Branch Chief/Division Director.
 - ☐ Form 2
 - ☐ Signature of the appropriate Division/Department.
 - ☐ Concurrence by the Branch Chief/Division Director.
 - ☐ *If applicable*, Form 3² (see footnote 2 below).
 - ☐ Form 4
 - ☐ *If applicable*, Form 5³ (see footnote 3 below).

¹ This checklist reflects the requirements of the 2018 BIM.

² Forms 3 is only required if the supplemental request involves personnel or positions to be funded. See BIM, XV(B).

³ Form 5 is only required if the supplemental request involves personnel or positions to be funded. See BIM, XV(B).

Project Budget Forms (for Capital Projects): See BIM, Section VII and Appendix J.

☒ Form 1 that has the signature of the appropriate Department Director and Division Director.

☒ Form 2.

☒ Form 3.

Other BIM requirements:

- ☐ *If applicable*, any supplemental request that is four (4) months or older must be updated in the event the budget information or the proposal changes during the four (4) month period. See BIM, Section XIV(B)(2)(c).
- ☐ Funding requests must be prorated based on the remaining time left within the fiscal year. See BIM, Section XIV(B)(2)(d).
- ☐ Written assessment of the supplemental request by the Office of Management and Budget which should include a review of the budget, performance, expenditures and other pertinent program information. See BIM, Section XIV(B)(3) and to meet requirements of the 164 review process.
- ☐ Include a program performance assessment of on-going program, which should include a review of the performance data, expenditures and other pertinent program information.



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

TO: Council Delegate Dwight Witherspoon

FR: Crystal J. Deschinny, DED Director

DT: October 9, 2017

RE: Sponsorship for UUFB Legislation

I respectfully ask for your consideration to sponsor UUFB Legislation to support four (4) economic development projects. The 4 projects were chosen based on need and strategic planning within several Chapters.

The four projects are:

1. Bond & Bond Site: located in Shiprock and is in a prime location. New development is being proposed within a mile of this site and lends to the overall master plan of Shiprock. The site is in need of asbestos abatement, clean-up and redevelopment. The estimated project amount is: \$ 400,000
2. Former Jim's Business Site: This site is one of two (2) business sites that are ready for clean-up, demolition, and redevelopment. A c-store is proposed on the site. The estimated project cost of this particular opportunity is: \$2,215,000
3. Former Round Rock Trading Post: The other of two (2) business sites is in need of funding for clean-up and removal. Cleaning up the burnt remains of the former trading post compliments the Jim site project and ready the centrally located Chapter for growth. The estimated project cost is: \$ 400,000
4. Former Chee's Southwest Store: Located in Pinon, this is also one of two sites that is in need of demolition, clean-up, and redevelopment. The site is abandoned with debris strewn around the site. The project is a strategic selection given other clean-up work and long term plans for an office complex nearby. The project's estimated cost is: \$1,455,000

Attached you will find brief descriptions and Project Budget Summaries that have been prepared for all four. Please don't hesitate to contact me at: 928-551-7983 should you have further questions.

Your support and assistance is greatly appreciated.

Respectfully,

A handwritten signature in black ink, reading "Crystal J. Deschinny".

Crystal J. Deschinny, MBA/MA

PROJECT SUMMARY

Demolition/Site Cleanup Project FORMER CHEE'S SOUTHWEST STORE Pinon, Arizona

The project consists of asbestos assessment, demolition/site cleanup and redevelopment of a Business Site known as the Former Chee's Southwest Store located in Pinon, AZ. Currently, there is a 3,825 sq. ft. building, abandoned gasoline pumps and debris located on the 0.730 acres site. The building needs to be demolished and site cleaned up. Once the site is cleared, the site will be redeveloped.

The project scope includes conducting an asbestos assessment and abatement of the building as part of the demolition and cleanup. The objective of the project is to clear the building/debris and redevelop the site. The proposed cost of the project cost is estimated at \$1,455,000.

**THE NAVAJO NATION
PROJECT BUDGET SUMMARY**

Page 1 of 3
PROJECT FORM 1

PART I. Business Unit No.: NEW Project Title: Chee's Store Business Site Redevelopment
 Div of Econ. Devmt -
 Division/Branch: Project Development Dept. Chapter: Pinon Agency: Chinle
 Prepared By: Jeannette Jones, Principal Econ. Dev. Spec. Phone No.: (928) 871-7389

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

Project Funds/Source(s)	Appropriation End Date	Amount	% of Total
UUFB	9/30/2018	\$ 1,455,000.00	100%
TOTAL:		\$ 1,455,000.00	100%

PART III. Budget at LOD 4	Amount
6500 Contractual Services	\$ 150,000.00
9000 Capital Outlay	1,305,000.00
TOTAL	\$ 1,455,000.00

PART IV. Project Information
Project Type: <u>Capital</u>
Planned Start Date: <u>10/2/2017</u>
Planned End Date: <u>9/30/2018</u>
Project Manager: <u>DED Project Development Dept.</u>
FOR OMB USE ONLY
Resolution No.: _____
FMIS Set Up Date: _____
Company No.: _____
OMB Analyst: _____

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

Anthony Perry  10-04-17
 SUBMITTED BY: Dept. Director Signature / Date

Crystal J. Deschinny  10-4-17
 VERIFIED BY: Div. Director Signature / Date

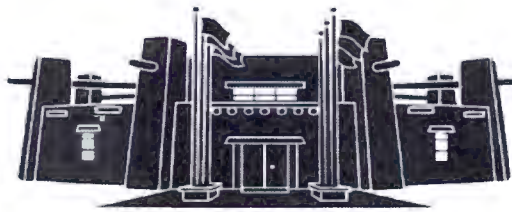
THE NAVAJO NATION
PROJECT PROCESS SCHEDULE

PART I. Business Unit No.: NEW		Project Title: <u>Chee's Store Business Site Redevelopment</u>																
Project Description <u>Demolition, Site Clean up and redevelop the business site to prepare for leasing.</u>																		
PART III. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																		
Project Task List: such as Plan, Design, Construct, Equip or Furnish.	FY 2018								FY 2019								Expected Completion Date if exceeds 8 FY Qtrs.	
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	Date					
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
Develop Scope of Work																		
RFP-Technical Service	x																	
Proposal Review	x																	
Select Tech. Service		x																
Procurement Clearances		x																
Package/Process Contract		x																
Administrative Review			x															
Execute Contract		x																
Plans/Spec Development		x																
Project Plans Complete																		
RFP-Contractor																		
Select Contractor																		
Procurement Clearance																		
Sec 164 Review: Agreement																		
Execute Agreement																		
Work in Progress																		
Work Completed																		
PART IV.																		
Expected Quarterly Expenditures																		
150,000.00																		
435,000.00																		
435,000.00																		
435,000.00																		
435,000.00																		
PROJECT TOTAL																		
\$1,455,000.00																		

**THE NAVAJO NATION
PROJECT BUDGET AND JUSTIFICATION**


Page 3 of 3
PROJECT FORM 3

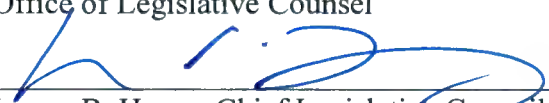
PART I. Business Unit No.: <u>NEW</u>				
Project Title: <u>Chee's Store Business Site Redevelopment</u>				
PART II.				
(A)	(B)	(C)	(D)	(E)
Fund Source Code	Object Code (LOD 4)	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
			Inspect Business Site, retain technical services to develop plans/specifications for the demolition work, retain contractor for the site demolition and site clean-up. Redevelop the business site for leasing by the Navajo Nation.	
4	6500	6810	Contractual Services 150,000 Architecture/Design (non cap) 6813 Arch/Design (NC) Fees 6814 Arch/Design (NC) Expenses	150,000
4	9000	9010	Capital Outlay Land & Improvements 250,000 9014 Land Improvements	1,305,000
		9050	Building 1,055,000 9060 Construction in Progress 9062 Contingencies	
PAGE TOTAL:				\$ 1,455,000.00



MEMORANDUM

TO: Honorable Dwight Witherspoon
23rd Navajo Nation Council Delegate

FROM: 
Candace French, Attorney Candidate
Office of Legislative Counsel

THRU: 
Levon B. Henry, Chief Legislative Council
Office of Legislative Counsel

DATE: January 18, 2018

RE: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE; NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,455,000.00 (ONE MILLION FOUR HUNDRED AND FIFTY-FIVE THOUSAND DOLLARS) FOR THE CHEE'S STORE BUSINESS SITE REDEVELOPMENT PROJECT; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted will be legally sufficient once an executive review is completed and the budget forms are signed by the appropriate Branch Chief. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601, and 701. 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 you approve, please sign as “Primary Sponsor” and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0034-18__

SPONSOR: Dwight Witherspoon

TITLE: An Action Relating To Resources And Development Committee, Budget And Finance Committee; NAABIK'IYATI' Committee And The Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of \$1,455,000.00 (One Million Four Hundred And Fifty-Five Thousand Dollars) For The Chee's Store Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) And 860(C) Relating To The Capital Improvement Process

Date posted: January 24, 2018 at 5:00 PM

Digital comments may be e-mailed to 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.: 0034-18

SPONSOR: Honorable Dwight Witherspoon

TITLE: An Action Relating To Resources And Development Committee, Budget And Finance Committee; NAABIK'IYATI' Committee And The Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of \$1,455,000.00 (One Million Four Hundred And Fifty-Five Thousand Dollars) For The Chee's Store Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) And 860(C) Relating To The Capital Improvement Process

Posted: January 24, 2018 at 5:00 PM

5 DAY Comment Period Ended: January 29, 2018

Digital Comments received:

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



 Legislative Secretary II
 Office of Legislative Services

1/30/2018 8:19am

 Date/Time

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

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,

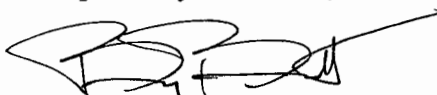
The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

Legislation # 0034-18: An Action Relating to Resources and Development, Budget and Finance Committee, Naabik'Iyati Committee and the Navajo Nation Council; Approving Supplemental Funding From the Unreserved, Undesignated Fund Balance in the Amount of \$1,455,000.00 (One Million, Four Hundred and Fifty-Five Thousand Dollars) for the Chee's Store Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process. *Sponsor: Honorable Dwight Witherspoon*

Has had it under consideration and reports a DO PASS with no amendments:

And the matter was referred to Budget and Finance Committee.

Respectfully submitted,



Benjamin Bennett, Presiding Vice-Chairperson
Resource and Development Committee of
the 23rd Navajo Nation Council

Date: February 7, 2018

Meeting Location: NN Museum Conference Room, Window Rock, AZ

MAIN MOTION: Alton Joe Shepherd

S: Leonard Pete

V: 5-0-1

VOTE TALLY:

YEAS: (X) AJS () BB (X) DF (X) LP (X) JP (X) WP

NAYS: () AJS () BB () DF () LP () JP () WP

NOT VOTING: () AJS (X) BB () DF () LP () JP () WP

RESOURCES AND DEVELOPMENT COMMITTEE
Regular Meeting – February 7, 2018

ROLL CALL
VOTE TALLY SHEET:

Legislation # 0034-18: An Action Relating to Resources and Development, Budget and Finance Committee, Naabik'Iyati Committee and the Navajo Nation Council; Approving Supplemental Funding From the Unreserved, undesignated Fund Balance in the Amount of \$1,455,000.00 (One Million, Four Hundred and Fifty-Five Thousand Dollars) for the Chee's Store Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process. *Sponsor: Honorable Dwight Witherspoon*

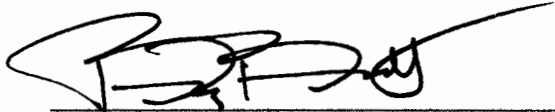
MAIN MOTION: Alton Joe Shepherd **S:** Leonard Pete **V:** 5-0-1 (VCNV)

VOTE TALLY:

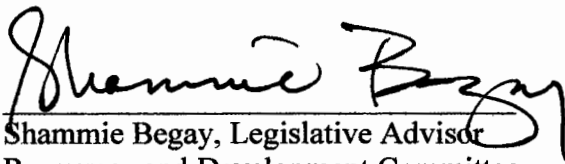
YEAS: (X) AJS () BB (X) DF (X) LP (X) JP (X) WP

NAYS: () AJS () BB () DF () LP () JP () WP

NOT VOTING: () AJS (X) BB () DF () LP () JP () WP



Benjamin Bennett, Presiding Vice-Chairman
Resources and Development Committee



Shammie Begay, Legislative Advisor
Resources and Development Committee

23rd NAVAJO NATION COUNCIL

Fourth Year 2018

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL # 0034-18:

An Action Relating to Resources and Development Committee, Budget and Finance Committee; Naabikiyati Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$1,455,000.00 (One Million Four Hundred and Fifty-Five Thousand Dollars) for the Chee's Store Business Site ReDevelopment Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process *Sponsored by Dwight Witherspoon, 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,



Lee Jack Sr., *Pro Tem* Chairman

Adopted: _____


Legislative Advisor

Not Adopted: _____

Legislative Advisor

7 February 2018

The vote was **3** in favor **0** opposed

Motion: Tom T. Chee

Second: Tuchoney Slim Jr.

**23rd NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
Fourth Year 2018**

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

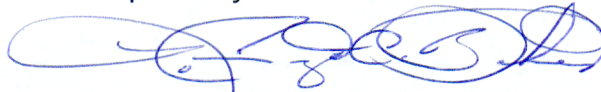
NAVAJO LEGISLATIVE BILL #0034-18

An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'íyáti' Committee, and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$1,455,000.00 (One Million Four Hundred and Fifty-Five Thousand Dollars) for the Chee's Store Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820 (I) and 860 (C) Relating to the Capital Improvement Process

Sponsored by: Honorable Dwight Witherspoon

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

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE*

12 FEBRUARY 2018

MAIN MOTION:

Motioned by: Honorable Alton Joe Shepherd

Seconded by: Honorable Seth Damon

Vote: 09 In Favor, 04 Opposed (Chairman Bates Not Voting)

NAVAJO NATION

RCS# 776

Naa'bik'iyati Committee

2/12/2018

05:03:40 PM

Amd# to Amd#

Legislation No. 0034-18:

PASSED

MOT Shepherd

Approving Supplemental Funding

SEC Damon

from UUFB in the Amount of

\$1,455,000.00 for the Chee's...

Yea : 9

Nay : 4

Excused : 1

Not Voting : 10

Yea : 9

Begay, NM
BeGaye, N
Chee

Damon
Filfred

Hale
Tso

Witherspoon
Yazzie

Nay : 4

Tsosie

Phelps

Shepherd

Slim

Excused : 1

Begay, S

Not Voting : 10

Bates
Begay, K
Bennett

Brown
Crotty
Daniels

Jack
Perry

Pete
Smith

23rd NAVAJO NATION COUNCIL ACTION REPORT Fourth Year 2018

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

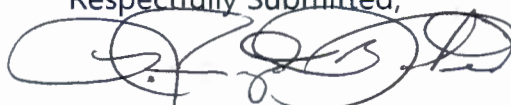
NAVAJO LEGISLATIVE BILL #0034-18

An Action Relating to Resources and Development Committee, Budget and Finance Committee; Naabik'íyáti' Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$1,455,000.00 (One Million Four Hundred and Fifty-Five Thousand Dollars) for the Chee's Store Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process

Sponsored by: Honorable Dwight Witherspoon

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

Respectfully Submitted,



Honorable LoRenzo Bates, Speaker
NAVAJO NATION COUNCIL

16 FEBRUARY 2018

AMENDMENT #1:

Replace Budget Form 2

Motioned by: Honorable Tuchoney Slim, Jr.

Seconded by: Honorable Nelson S. BeGaye

VOTE: *16 In Favor, 00 Opposed (Speaker Bates Not Voting)*

MAIN MOTION:

Motioned by: Honorable Edmund Yazzie

Seconded by: Honorable Seth Damon

VOTE: 14 In Favor, 00 Opposed (Speaker Bates Not Voting) – FAILED – NEEDED 16 IN FAVOR VOTE TO PASS

NAVAJO NATION

RCS# 982

Special Session

2/16/2018

03:24:20 PM

Amd#1 to Amd#

Replace budget form 2

PASSED

MOT Slim

SEC BeGaye, N

Yea : 16

Nay : 0

Excused : 3

Not Voting : 5

Yea : 16

Begay, K
Begay, NM
Begay, S
BeGaye, N

Bennett
Chee
Damon
Daniels

Hale
Perry
Pete
Slim

Smith
Tso
Witherspoon
Yazzie

Nay : 0

Excused : 3

Brown

Shepherd

Tsosie

Not Voting : 5

Bates
Crotty

Filfred

Jack

Phelps

NAVAJO NATION

RCS# 983

2/16/2018

Special Session

03:46:34 PM

Amd# to Amd#

Legislation No. 0034-18

FAILED

MOT Yazzie

\$1,455,000.00 for the Chee's

SEC Damon

Store Business Site Redev.

Project; utilizing UUFB funds

Yea : 14

Nay : 0

Excused : 3

Not Voting : 7

Yea : 14

Begay, K

Chee

Perry

Smith

Begay, S

Damon

Pete

Witherspoon

BeGaye, N

Daniels

Slim

Yazzie

Bennett

Hale

Nay : 0

Excused : 3

Brown

Shepherd

Tsosie

Not Voting : 7

Bates

Crotty

Jack

Tso

Begay, NM

Filfred

Phelps

PART I. PROGRAM INFORMATION: Business Unit No.: <u>NEW</u>		Program Name/Title: <u>Chee's Business Site ReDevelopment</u>									
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE: GSCAP-12-07 Division of Economic Development is established for the purpose of creating an environment that is conducive to promote and develop business in the commercial, tourism, industrial and other sections of the Navajo Nation economy, to enhance the creation of jobs and business opportunities.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Program Performance Area: Retain contractual services and contract administration.											
Goal Statement: Initially, develop scope of work, retain Prof/Tech services. Contract Administration on monthly basis.											
2. Program Performance Area: Project Management											
Goal Statement: Management the project with inspections, monthly meetings, process work progress payments.											
3. Program Performance Area: 											
Goal Statement: 											
4. Program Performance Area: 											
Goal Statement: 											
5. Program Performance Area: 											
Goal Statement: 											

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
				6			
						6	

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.	
Program Manager's Printed Name <u>ANTHONY CERRY</u>	Division Director/Branch Chief's Printed Name <u>Clara Prater</u>
Signature <u>[Signature]</u>	Signature <u>[Signature]</u>
Date <u>2-16-18</u>	Date <u>2/16/18</u>