

LEGISLATIVE SUMMARY SHEET

Tracking No. 0043-20

DATE: February 27, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000) FOR FOREST LAKE CHAPTER OFFICIALS' STIPENDS FOR FISCAL YEAR 2017; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) REGARDING THE DESIGNATION OF RECURRING AND NON-RECURRING REVENUES

PURPOSE: The purpose of this resolution is to approve a supplemental appropriation to Forest Lake Chapter of \$3000.

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: High
Website Posting Time/Date: 02/27/2020 7:36pm
Posting End Date: 03-03-20
Eligible for Action: 03-04-20

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0043-20

AN ACTION

RELATING TO, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE,
NAA'BIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING
SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND
BALANCE IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000) FOR FOREST
LAKE CHAPTER OFFICIALS' STIPENDS FOR FISCAL YEAR 2017; WAIVING 12 N.N.C.
§§ 820 (E) AND 820 (F) REGARDING THE DESIGNATION OF RECURRING AND NON-
RECURRING REVENUES

BE IT ENACTED:

SECTION 1. AUTHORITY

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

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

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

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

19 20 **SECTION 2. FINDINGS**

21 A. This is a request for supplemental funding to pay Forest Lake Chapter Officials
22 stipends from Fiscal Year 2017.

23 B. In Fiscal Year 2017, Forest Lake suffered a budget shortfall and was unable to
24 pay stipend compensation in the amount of \$3,000 to its chapter officials.

25 C. A supplemental funding proposal summary, budget forms 1, 2, and 4 are attached
26 as **Exhibit A**.

27 D. A section 164 review is attached as **Exhibit B**. The 164 review includes a budget
28 impact analysis by the Office of Management and Budget, a memorandum from
29 the Controller. The Controller has indicated these costs are recurring.
30

- 1 E. As a result of the Controller's designation of the costs as recurring, waiver
2 language is included.
- 3 F. Forest Lake Chapter submitted Resolution FLC-19-04-002 in support of this
4 request for supplemental funding, which is attached as **Exhibit C**.
- 5

6 **SECTION 3. WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) REGARDING THE**
7 **DESIGNATION OF RECURRING AND NON-RECURRING REVENUES**

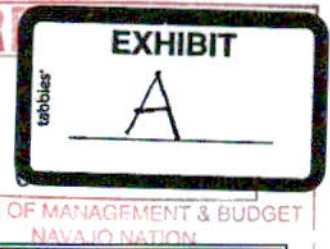
8 The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(E) and (F) with regard to
9 the restriction of the appropriating of non-recurring revenues to recurring costs.

10

11 **SECTION 4. APPROVING SUPPLEMENTAL FUNDING FROM THE**
12 **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**
13 **\$3,000 FOR FOREST LAKE CHAPTER OFFICIALS' STIPENDS FOR FISCAL**
14 **YEAR 2017, BUSINESS UNIT NUMBER 108016**

- 15 A. This supplemental appropriation of \$3,000 shall be from that amount of funds that
16 exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance
17 as determined by the Office of the Controller for the Forest Lake Chapter officials'
18 stipends for Fiscal Year 2017, Business Unit Number 108016.
- 19 B. The Navajo Nation hereby approves supplemental funding from the Unreserved,
20 Undesignated Fund Balance in the amount of \$3,000 for the Forest Lake Chapter
21 officials' stipends for Fiscal Year 2017, Business Unit Number 108016.
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THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY



PART I. Business Unit No.: 108016 Program Title: Forset Lake Chapter
Community
Division/Branch: Development/Executiv Amount Requested: \$3,000 Phone No.: 928/677-3252
Prepared By: Ella M. Benally, CSC Email Address: forestlake@navajochapters.org

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Stipends aren't performance-based or hours based, but given only when a Chapter conducts an official meeting for a purpose; stipends are usually given out in increments of \$500 per meeting whether for planning or regular meetings. In FY 2017 Forest Lake Chapter fell into a shortfall in the amount of \$3,000. Since, FY 2017 Forest Lake Chapter has yet to pay out compensation to their elected Chapter Officials due to this short fall incurred.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:


Seek requested funding from the Undesigned, Unreserved, Fund Balance.

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

Pearl Yellowman, Executive Director

Paulson Chaco, Chief of Staff, NNOPVP


REVIEWED BY: Division Director's Signature / Date


RECOMMEND APPROVAL: Branch Chief's Signature / Date

PART I. Business Unit No.: 108016		Program Title: Forest Lake Chapter		Division/Branch: Community Development/Executive	
Prepared By: Ella M. Benally, CSC		Phone No.: 928/677-3252		Email Address: forestlake@navajochapters.org	
PART II. FUNDING SOURCE(S) UJFB General Funds		Fiscal Year Term 2019	Amount 3,000	% of Total 100%	
PART III. BUDGET SUMMARY			Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget (Column B - A)
2001 Personnel Expenses					0
3000 Travel Expenses					0
3500 Meeting Expenses					0
4000 Supplies					0
5000 Lease and Rental					0
5500 Communications and Utilities					0
6000 Repairs and Maintenance					0
6500 Contractual Services					0
7000 Special Transactions					0
8000 Public Assistance			1	3,000	3,000
9000 Capital Outlay					0
9500 Matching Funds					0
9500 Indirect Cost					0
TOTAL				\$0.00	3,000
PART IV. POSITIONS AND VEHICLES			(D) (E)		
Total # of Positions Budgeted:			0		
Total # of Permanently Assigned Vehicles:			0		
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
SUBMITTED BY: Johnny Johnson, Department Manager II		APPROVED BY: Pearl Yellowman, Executive Director		Division Director/Branch Chief's Printed Name	
SUBMITTED BY: <i>Johnny Johnson</i> 7.29.19		APPROVED BY: <i>Pearl Yellowman</i>		Division Director/Branch Chief's Signature and Date	

AUG - 7 2019
OCT - 3 2018
OFFICE OF MANAGEMENT & BUDGET
NAVAJO NATION

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION: Business Unit No.: 108016		Program Name/Title: Forest Lake Chapter									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: CAP-34-98: To direct the Chapter Administration and management control system, by promoting efficiency and accountability to the Chapter membership, and to effectuate plans of action to improve the standard of living for the Chapter Membership.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement: To disburse all Chapter Officials Stipend by the end of 4th quarter.		1st QTR Goal Actual		2nd QTR Goal Actual		3rd QTR Goal Actual		4th QTR Goal Actual			
Program Performance Measure: To compensate Chapter Officials Stipend for attending Planning/Regular Meetings.											
2. Goal Statement:											
Program Performance Measure:											
3. Goal Statement:											
Program Performance Measure:											
4. Goal Statement:											
Program Performance Measure:											
5. Goal Statement:											
Program Performance Measure:											

RECEIVED

AUG - 7 2019

- 3 2018

OFFICE OF MANAGEMENT & BUDGET
NAVAJO NATION

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. Johnny Johnson, Dept. Manager II Program Manager's Printed Name		Pearl Yellowman, Executive Director Division Director/Branch Chief's Printed Name
Signature: <i>Johnny Johnson</i> 7.29.19 Program Manager's Signature and Date		Signature: <i>Pearl Yellowman</i> Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

FY 2020

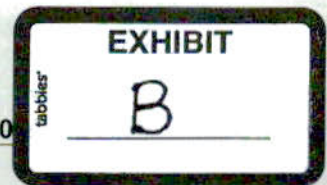
PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title:		108016	
Forest Lake Chapter			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(U)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
8705	8000 ASSISTANCE Chapter 8715 Grant Forest Lake Chapter requesting \$3,000 for Chapter Officials Stipend	3,000	3,000
		TOTAL	3,000

RECEIVED

AUG - 7 2019

OCT - 3 2018

OFFICE OF MANAGEMENT & BUDGET
NAVAJO NATION



Document No. 012551

Date Issued: 0

SECTION 164 REVIEW FORM

Title of Document: Forest Lake Chapter Chapter Offic. Stipe Contact Name: BENALLY, ELLA MAE

Program/Division: DIV. OF COMMUNITY DEVELOPMENT

Email: forestake@navajochapters.org Phone Number: 928/677-3252

Division Director Approval for 164A: *Deary Yellowman*

Check document category; only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input type="checkbox"/>	Statement of Policy or Positive Law:		Sufficient	Insufficient
	1. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
	1. OMB: <u><i>Deary Yellowman - See Memo</i></u>	Date: <u>10-14-19</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	2. OOC: <u><i>Robo Wm</i></u>	Date: <u>11-1-19</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	3. OAG: <u><i>UB</i></u>	Date: <u>11/13/19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM

☐ RESUBMITTAL



DOJ	
11-12-19 @ 235pm	DATE / TIME
<input checked="" type="checkbox"/> 7 Day Deadline	
DOC #: 012551	
SAS #:	
UNIT: ECDU	

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

CLIENT TO COMPLETE

DATE OF REQUEST:	11/11/2013	DIVISION:	Community Development
CONTACT NAME:	Brenda Holgate	DEPARTMENT:	Administration
PHONE NUMBER:	928/871-7173	E-MAIL:	bholgate@nndcd.org

TITLE OF DOCUMENT: Doc. No. 012551, Funding Proposal by DCD for Forest Lake Chapter Official Stipend.

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT:	NOV 12 2019 4pm	REVIEWING ATTORNEY/ADVOCATE:	Latonia Johnson
DATE TIME OUT OF UNIT:			

DOJ ATTORNEY / ADVOCATE COMMENTS

Sufficient. See checklist

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
UPG	957am 11/13/19	UPG	957am 11/13/19

DOJ Secretary Called: Sharm Blatchford for Document Pick Up on NOV 13 2019 at 1155am By: al

PICKED UP BY: (Print) _____ DATE / TIME: _____

NNDJ/DRRF-July 2013



URG 11/13/19

CHECKLIST
Supplemental Appropriation Request
Capital Improvements and Non-Capital Improvements

TYPE OF REQUEST:

Forest Lake chapter - stipends

PURPOSE:

All supplemental appropriation requests should be in compliance with the Appropriation Act, 12 N.N.C. § 800, *et. seq.*, the Fiscal Year 2020 Budget Instruction Manual (BIM), including Section XII and Appendix K, and the Budget Policies Manual (BPM).

CHECKLIST:

- ☒ Supplemental Request Form: See BIM, Section XII(B)(1)(b)-Appendix K.
 - ☒ Explain why funding is being requested outside the regular or annual fiscal year budget development process. See BIM, Section XIV(B)(1)(b)(i).
 - ☒ Identify any other sources of funding that have been considered and that may be pursued if the supplemental request is not funded. See BIM, Section XIV(B)(1)(b)(ii).
 - ☒ Signatures:
 - ☒ Signature of the appropriate Division Director.
 - ☒ Approval by the appropriate Branch Chief.
- ☐ Program Operating Budget Forms 1 thru 5: See BIM, Section XII(B)(1)(a).
 - ☒ 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.
 - ☐ Form 3, if the request involves personnel or positions to be funded. If not applicable, please write "not applicable" not applicable.
 - ☒ Form 4
 - ☐ Form 5, if the request involves personnel or positions to be funded. If not applicable, please write "not applicable" not applicable.
 - ☐ Form 6, if the request involves supplemental funding for an externally-funded entity. If not applicable, please write "not applicable" not applicable.

Other BIM requirements:

- ☐ *If applicable*, any supplemental request that is not initially funded must be updated every four months or as necessary to reflect any changes. See BIM, Section XII(B)(1)(c). If not applicable, please write "not applicable" not applicable

UAG 11/13/19

- ☐ *If applicable*, if a supplemental funding proposal is not funded in the previous fiscal year, the proposal must be revised and resubmitted for the current fiscal year. See BIM, Section XIV(B)(1)(d). If not applicable, please write "not applicable" n/a.
- ☐ *If applicable*, the budget for supplemental funding requests must be prorated to fund only the remaining portion of the fiscal year. See BIM, Section XII(B)(2). If not applicable, please write "not applicable" n/a.
- ☐ *If applicable*, if the supplemental is granting funds to an external entity, a grant application form should be filled out as provided by Appendix G. See BIM, Section XIV(B)(1). If not applicable, please write "not applicable" not applicable.

For Capital Improvement Projects:

- ☐ *If applicable*, submit all requests for supplemental appropriations to the Capital Projects Management Department (CPMD) of the Division of Community that it meets all requirements in the Transportation and Community Development Objective Criteria in Resolution No. TCDCJY-77-99. See BIM, Section XII(C)(1). If not applicable, please write "not applicable" n/a.


THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Memorandum:

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

From: 
Pearline Kirk, Controller
Office of the Controller

Date: November 1, 2019

Subject: 164-013551-Funding Proposal by Division of Community Development for
Forest Lake Chapter Official Stipend in the Amount of \$3,000

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

1. The balance of the unaudited UUFB is \$16,960,422 as of September 30, 2019. Unmet needs amounts for FY2020 Comprehensive Budgets have yet to be determined and if any are approved would also reduce this available balance. In addition, there are currently requests from the UUFB for water rights and UNM Lobo Rainforest that would further reduce the amount of the UUFB, if approved.
2. This request is for \$3,000 for Forest Lake Chapter Officials Stipends.
3. This request would be considered **RECURRING** for operational expenses.

If you should have any questions you can contact me at tribal extension X6308.

NAVAJO NATION OFFICE OF THE CONTROLLER

P.O.BOX 3150 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6398 · FAX: (928) 871-6026

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO: Navajo Nation 164 Reviewers

FROM: 
Dominic Beyer, Executive Director
Office of Management and Budget



DATE: October 9, 2019

SUBJECT: Review of Doc. No. 012551, Funding Proposal by Division of Community Development for Forest Lake Chapter Official Stipend in the Amount of \$3,000

Pursuant to 12 NNC 820 (M) requiring OMB reviewed the subject document and provides the following information

1. It is not clear about the how the stipends were not paid to Chapter Official and no supporting documents are attached. Normally, OMB understands that the Chapter Officials FY 2017 September stipend would be paid with the FY 2018 carryover. Is there a reason why this has not been done?
2. The Office of the Controller says the UUFB has an amount of \$16,960,422 available at this time. This project appears to be eligible for funding from this source.
3. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2020 Budget Resolution CS-30-19 (paragraph 'N'), the FY 2020 Budget Instructions Manual (Section XII), and the Appropriations Act. This activity should be completed by the three branches to determine priorities.
 - a) The Resources Development Committee by resolution RDCJY-033-19, recommended a total of \$11,310,074 for a number of DCD unmet needs. There are now 5 proposals (#'s 012551, 031448, 013449, 013542, 013544), totaling \$9,187,427 in the Executive Order review process.
 - b) Because of all these proposals totaling over \$90 million from all 3 Branches, including the group from DCD, the President/Vice-President said the 3 Branches will decide on prioritize as indicated in the September 3, 2019, budget message to the Navajo Nation Council.
 - c) Therefore, DCD should prioritize these proposals and the OPVP should prioritize all Executive Branch proposals.

Contact OMB, Selena Begay, Senior Budget Analyst, at (928) 871-6570 if there are any questions and/or concerns regarding this memorandum.

xc: OMB file

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



September 3, 2019

Hon. Seth Damon, Speaker
24th Navajo Nation Council
PO Box 3390
Window Rock, AZ 86515

Navajo Nation Fiscal Year 2020 Comprehensive Budget Session Message

Dear Honorable Members of the 24th Navajo Nation Council,

The Office of the President and Vice President is grateful for the dedicated work of the 24th Navajo Nation Council in developing a proposed Fiscal Year 2020 Comprehensive Budget.

As leaders of the Navajo government, we are responsible to account for public funds, to manage finances wisely, and to plan for the adequate funding of services desired by the Navajo People. Furthermore, we assert the 2018 Navajo Nation election expressed the will of the Navajo People to change how government manages its financial resources. We as leaders can no longer tolerate poor use of the financial resources of the people by the government. The Nez-Lizer Administration honors and supports this position of responsible, accountable, and effective use of all public funds as we carry out the mandate of change. We must protect the Navajo peoples' money.

Allocating Funds Based on Priorities


With the Executive Branch allocation, we have prioritized program expenditures for operational use to deliver needed services to the Navajo People through the *Hozhó Diné Bi Nahat'á Plan*. This plan is a carefully thought out strategy designed to guide us over the next four years. Executive Branch Division Directors deliberated the proper use of these public funds as authorized by the Branch Chiefs Agreement. However, by amending their proposed program budgets without consulting Division Directors, tribal programs may be adversely impacted and these changes could lead to setbacks for programs.

Budget and Finance Committee Amendments

One such example is the amendment approved by the Budget and Finance Committee to reduce the allocated amount for chapter stipends and compensation from \$2 million to \$1 million. In years past, chapters have called on us to fully fund this line item. With this in mind, the Division of Community Development recommended that it be funded at \$2 million in this

year's budget through the use of the Personnel Lapse Fund, but with this amendment, we will once again be kicking the can down the road and be faced with a budget shortfall. Recently, the Eastern Agency Council passed a resolution requesting full funding for chapter stipends as well. While this amendment had good intentions, it creates financial uncertainty and threatens the stability we seek to establish through the *Nahat'a Plan*. We respectfully ask the Council to fully fund the chapter stipends.

Another amendment approved by the Budget and Finance Committee is the reallocation of \$250,000 from the Retirement Plan Account for Radiation Exposure Compensation Act lobbying efforts. While our Administration strongly supports the reauthorization of the Radiation Exposure Compensation Act, we feel the best way to lobby is through the Navajo Nation Washington Office and through face-to-face meetings with House and Senate members. Our Administration is committed to continuing the advocacy efforts to ensure compensation for downwinders and others, but not at the expense of risking the retirement plan for our retired employees who earned this benefit through years of dedicated work to the Nation. We propose to restore the Retirement Plan Account to \$500,000 and work together to strengthen our advocacy efforts to ensure that the reauthorization of RECA with expanded benefits is passed through the House and Senate and signed into law.



Unmet Needs - UUFB

We are aware of unexpected and unmet needs. To this end, the Nez-Lizer Administration will consider proposals that use the Unreserved, Undesignated Fund Balance (UUFB) to address unmet program and project needs. Each offered UUFB request will be individually evaluated based on its own merits. We ask that you work directly with Division Directors to create meaningful legislation that resolves a particular need and keeps us within our budget.

In short, we must coordinate the use of public funds to optimize effectiveness. Our government must learn to strategically plan and create expected results with existing funds. We request that the Council hold a special session dedicated to addressing and considering unmet needs, in accordance with 12 N.N.C. § 820(L), which requires the three branches to prioritize unmet needs.

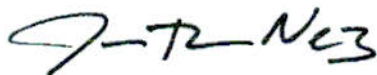
We appreciate your willingness to save a significant part of the \$40 million from the UUFB for anticipated decline in revenues for the Nation. That saved amount of \$21 million is part of the FY2020 budget. It is through this shared exercise that we can survive unknown economic trials that loom ahead of us. In addition, we greatly appreciate your support of the General Wage Adjustment for all Navajo Nation employees, including employees of the 110 chapters.

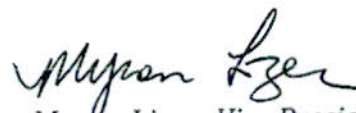
Closing Remarks/Request for Special Session

In closing, the financial times we live in are challenging. We can no longer continue the undisciplined spending practices of the past. As President of the Navajo Nation, I am held to

the highest standard to ensure fiscal responsibility and financial integrity. I will not violate my fiduciary responsibility to the Navajo People by overspending or any other means. We respectfully request for your support of the FY2020 Comprehensive Budget and to fully fund chapter stipends, and consideration for a special session to address unmet needs. Once again, we thank you for your leadership and advocacy on behalf of our people and our communities. We look forward to a productive and positive budget session. Ahe'hee'

Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION



FOREST LAKE CHAPTER
 P.O. BOX 441
 HIGHWAY NAVAJO ROUTE 41
 PINON ARIZONA 86510-0441
 PHONE: 928-677-3252 if busy 928-677-3347
 FAX: 928-677-3320

EXHIBIT

C

Council Delegate

Pr

Vice-P

Secretary/Treasurer, Brenda White

Grazing Representative, Irene Begaye

Community Services Coordinator, Ella Mae Benally

Jonathan Nez
PRESIDENT

Myron Lizer
VICE PRESIDENT

RESOLUTION OF THE FOREST LAKE CHAPTER

RESOLUTION # FLC-19-04-002

Requesting the Budget & Finance Committee, Navajo Nation Council and the Navajo Nation President to Reallocate and Dispense Omitted Meeting Stipend Funds for the Forest Lake Chapter Officials for September 2017

WHEREAS:

1. Pursuant to the Local Governance Act, 26 N.N.C., Chapter 1, Sub-Chapter, Section 3 (a) the Forest lake Chapter is continued as a certified Chapter of the Navajo Nation by the Navajo Nation Council Resolution number CAP-34-98; and
2. Pursuant to Chapter 1, Section 131 (1) (2), of the same Act, the Chapter has the responsibility and authority to promote, protect and preserve the interest and general welfare including the safety of it community, people, programs, property, etc.; and
3. The three Forest Lake Chapter officials (President, Vice, President and Secretary-Treasurer) were not compensated for any monthly meeting stipends in fiscal year 2017, in the month of September.
1. Pursuant to 2 N.N.C. Title 26, 1002 (Resolution number CN-50-10 passed in Dec. 8, 2010) states Each chapter president, vice president, secretary/treasurer shall be paid \$500 each for one regular chapter meet and one chapter planning meeting per month in accordance with the approved fiscal year budget; and
2. The Forest Lake Chapter officials have actively pursued the reallocation starting in November 2017 by discussing budget shortfall with the Chapter CSC and consulting their council Delegate, B&F committee members and President's Chief of Staff and lastly Legislative Legal Counsel; and
3. No solution has been offered, and recently in March 2019, the lacking and omitted fund was brought to the Navajo Nation Speaker's attention; he is the former Chair of Budget and Finance Committee and a chapter resolution was call for.

RECEIVED

AUG - 7 2019
 OCT - 3 2018

OFFICE OF MANAGEMENT & BUDGET
 NAVAJO NATION

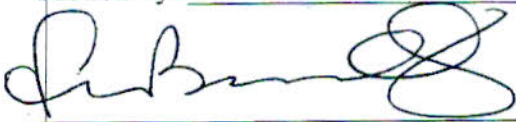
FLC-19-04-002

NOW THEREFORE BE IT RESOLVED:

The Forest Lake Chapter respectfully requests the Budget & Finance Committee, Navajo Nation Council and the Navajo Nation President to reallocate and dispense omitted meeting stipend funds (planning and regular) for the Forest Lake Chapter officials (President, Vice, President and Secretary-treasurer) for September 2017.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the **Forest Lake Chapter** at a duly called meeting in Forest Lake (Navajo Nation), Arizona at which a quorum of the Chapter members were present and that the same was passed by a vote of 19 In Favor, 0 Opposed, and 09 Abstained this 18th Day of April 2019.

Motion by: Gloria JohnsSecond by: Beverly Matt

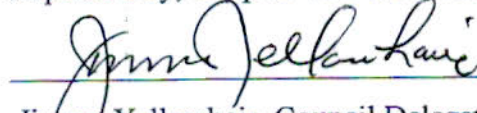
Fern Benally, Chapter President



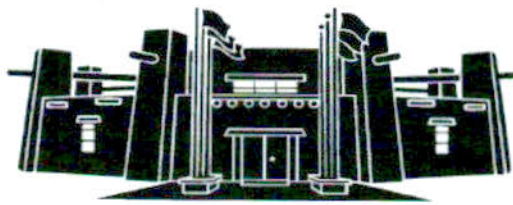
Brenda White, Chapter Secretary/Treasurer



Rapheal Boy, Chapter Vice-President



Jimmy Yellowhair, Council Delegate



MEMORANDUM

TO: Honorable Jimmy Yellowhair
24th Navajo Nation Council

FROM: Kristen Lowell
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: February 27, 2020

SUBJECT: **AN ACTION RELATING TO, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000) FOR FOREST LAKE CHAPTER OFFICIALS' STIPENDS FOR FISCAL YEAR 2017; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) REGARDING THE DESIGNATION OF RECURRING AND NON-RECURRING REVENUES**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§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).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0043-20

SPONSOR: Jimmy Yellowhair

TITLE: An Action Relating to, Resources and Development, Budget and Finance, Naa'bik'iyati' Committees, and Navajo Nation Council; Approving supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of three thousand dollars (\$3,000) for Forest Lake Chapter Officials' stipends for fiscal year 2017; waiving 12 N.N.C. §§ 820 (E) and 820 (F) regarding the designation of recurring and non-recurring revenues

Date posted: February 27, 2020 at 7:36pm

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) 871-7590

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.: 0043-20

SPONSOR: Honorable Jimmy Yellowhair


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Posted: February 27, 2020 at 7:36 PM

5 DAY Comment Period Ended: March 04, 2020

Digital Comments received:

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



Legislative Tracking Secretary
Office of Legislative Services

3/04/2020 8:32 AM

Date/Time