

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

23<sup>RD</sup> NAVAJO NATION COUNCIL - Third Year, 2017

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET AND  
FINANCE COMMITTEES, APPROVING THE NAVAJO NATION ANIMAL CONTROL  
PROGRAM REVENUE EXPENDITURE PLAN

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is the oversight committee for the Navajo Nation Animal Control Program which is under the Navajo Nation Department of Fish and Wildlife within the Division of Natural Resources. 2 N.N.C. § 501(C) (I).
- B. The Budget and Finance Committee has the power "[t]o approve Fund Management Plans pursuant to the recommendations of the appropriate oversight committee and affected Division or Branch." 2 N.N.C. § 301(B) (14).
- C. The Budget and Finance Committee has the power to "appropriate, allocate, cancel, reappropriate, and review the use of the Navajo Nation funds received including but not limited to all grants, contracts, gifts and other funds from all sources." 2 N.N.C. § 301(B) (3).
- D. The Budget and Finance Committee has approved the "Eligibility Criteria for the Expenditure of Revenues Generated by Programs and Departments," Budget and Finance Committee Resolution, BFN-187-03.

SECTION TWO. FINDINGS

- A. A Revenue Expenditure Plan is required for programs when the criteria for a Fund Management Plan are not met. A Revenue Expenditure Plan is needed when a program has fewer than \$250,000 in annual revenues. See "Eligibility Criteria for the Expenditure of Revenues Generated by

Programs and Departments", Budget and Finance Committee Resolution, BFN-187-03.

- B. The Revenue Expenditure Plan for the Navajo Nation Animal Control Program is attached as **Exhibit 1**.
- C. The Revenue Expenditure plan has completed the Executive Official Review process and meets the criteria outlined in "Eligibility Criteria for the Expenditure of Revenue Generated by Programs and Departments," BFN-187-03. Corrections to the Fund Expenditure Plan were made in accordance with the comments from the Office of the Controller. The Executive Official Review documents are attached as **Exhibit 2**.

### SECTION THREE. APPROVAL

The Navajo Nation hereby approves the Navajo Nation Animal Control Program Revenue Expenditure Plan in **Exhibit 1**.

### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor and 0 opposed, this 4<sup>th</sup> day of April, 2017.



Dwight Witherspoon, Vice Chairperson  
Budget and Finance Committee

Motion: Honorable Lee Jack, Sr.  
Second: Honorable Tuchoney Slim, Jr.



**NAVAJO NATION ANIMAL CONTROL PROGRAM**  
**DEPARTMENT OF FISH & WILDLIFE**

**FUND EXPENDITURE PLAN**

The Navajo Nation Animal Control Program Fund Management Plan is to assist with the implementation of animal control enforcement services for the agency animal shelters and field services within the boundaries of the Navajo Nation.

**I. ESTABLISHMENT**

There is hereby established the “Animal Control Fee Account”, (XXXXXX) for use by the Navajo Nation Animal Control Program as a branch of the Department of Fish & Wildlife, Division of Natural Resources with the Resources & Development Committee of the Navajo Nation Council as the legislative oversight.

**II. PURPOSE**

The purpose of this enterprise proprietary account is to enable the Navajo Nation Animal Control Program to carry out, pursuant to its plan of operation, GSCD-87-02, the required functions to enforce the Navajo Nation Dog and Cat Ordinance, 13 N.N.C. §§ 1701-1712, to protect the health, safety and property of people and animals, address responsible pet ownership, over population, disease and neglect of animals through education, and in the spirit of cooperation, promote and foster spay and neuter clinics and animal adoption programs through the public, other agencies and organizations for the benefit of present and future generations; including the mechanism for fees to be collected under the Navajo Nation Dog and Cat Ordinance.

**III. ADMINISTRATION**

**A. FUNDING SOURCE**

Revenues are generated by the fees charged for animal control services from the general public including but not limited to:

1. The collection of impoundment fees, permits and animal license sales to the general public.
2. The fees will be at cost plus a small percentage mark-up on animal wellness services for disease prevention vaccinations, parasite reduction, microchips and other animal control supplies.
3. Retail sale of collars, harnesses, leashes, run lines to assist owners with the containment of their pets.

4. Donations designated for Agency Animal Shelters, including monetary or negotiable gifts, contributions and bequests received.
5. The revenues generated cannot be expended on or allocated for uses other than those specified within the fund expenditure plan.

#### B. RATE-SETTING MECHANISM

The animal control fees will be set by the Program Manager and Field Supervisors responsible for inventory and purchasing. All fees and sales for animal control services are analyzed and established at cost plus a small percentage mark-up for animal wellness vaccinations, parasite reduction, supplies, equipment and services.

<u>Impoundment Fees.....</u>	<u>\$25.00</u>
<u>Board Fee/day.....</u>	<u>\$5.00</u>
<u>NN Animal License &amp; Rabies Vaccination.....</u>	<u>\$10.00</u>
<u>Micro-chip Identification.....</u>	<u>\$10.00</u>
<u>Distemper Vaccination &amp; Deworming.....</u>	<u>\$15.00</u>
<u>Animal collars, leashes, run-lines.....</u>	<u>Small percent markup</u>

#### C. EXPENDITURE OF FUNDS

1. Expenditures from this revenue fund account shall be made in accordance with established Navajo Nation budget policies and procedures and shall be budgeted each fiscal year through the Navajo Nation annual budgeting process. Expenditure and utilization of all revenues generated and/or fees collected will comply with Navajo Nation law, including the Navajo Business Opportunity Act. Such expenditures shall include, but are not limited to:

- a. Personnel and Benefits – 2001

The revenue fund account will be used for part-time or full-time staff during emergency and during times of extreme case load by the Program Manager. The staffing cost will be reflected in an increase in program fees during their employment.

- b. Travel Expenses – 3000

Necessary travel for full time personnel for animal investigations, surrender and impoundment activities; for continuing education units for staff for technical training and to maintain mandatory licensure.

- c. Animal Control Supply Expenses – 4000



To purchase animal control supplies, equipment and inventory not covered by the General Fund.

d. Repair & Maintenance – 6000

Maintenance of shelter & field equipment within normal and reasonable maintenance limits.

e. Contractual Services – 6500

To utilize federal and state support for animal investigations, emergencies and general services for the agency animal shelters.

f. Special Transactions – 7000

To maintain mandatory professional dues, certifications and training specific for animal control functions including personal safety, firearm safety and compliance initiatives for an Animal Control Program. To provide for public messaging if required for the safety of the general public regarding animals running-at-large, disease outbreak or parasite infestation alerts.

g. Capital Outlay – 9000

Purchase and maintenance of animal control equipment within normal limits that are not covered by the General Fund appropriations.

2. Authorization for expenditure shall be entrusted to the Program Manager of the Navajo Nation Animal Control Program, Department of Fish & Wildlife as delegated by the Executive Director, Division of Natural Resources.
3. Any unexpended revenue generated shall revert back into the Navajo Nation General Fund at the end of the fiscal year.

D. PERIODIC REVIEW

All fees charged and revenue projections will be subject to annual review and audit with the Office of the Controller.

IV. AMENDMENTS

The Fund Expenditure Plan, Animal Control Fee Account, XXXXXX, Section I through IV may be amended from time to time by the Budget and Finance Committee upon recommendation of the Resources & Development Committee of the Navajo Nation Council.



Document No. 006842

10/04/2016

**EXECUTIVE OFFICIAL REVIEW**

*Glenda Davis*

Title of Document: Revenue Expenditure Plan

Contact Name: DAVIS, GLENDA

Program/Division: DIVISION OF NATURAL RESOURCES

Email: gdavis@nndfw.org

Phone Number: 928.871.7066

☐ **Business Site Lease** Sufficient    Insufficient

- |   |       |             |                          |                          |
|---|-------|-------------|--------------------------|--------------------------|
| 1. Division:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Controller:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| (only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review) |       |             |                          |                          |
| 3. Office of the Attorney General:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**

- |                                    |       |             |                          |                          |
|------------------------------------|-------|-------------|--------------------------|--------------------------|
| 1. Division:                       | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Attorney General: | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

☒ **Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**

- |                                     |                     |                       |                                     |                                     |
|-------------------------------------|---------------------|-----------------------|-------------------------------------|-------------------------------------|
| 1. Office of Management and Budget: | <i>D. Boyle</i>     | Date: <u>10-31-16</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2. Office of the Controller:        | <i>Glenda Davis</i> | Date: <u>11/14/16</u> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Office of the Attorney General:  | <i>Glenda Davis</i> | Date: <u>11/22/16</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

☐ **Navajo Housing Authority Request for Release of Funds**

- |                                    |       |             |                          |                          |
|------------------------------------|-------|-------------|--------------------------|--------------------------|
| 1. NNEPA:                          | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Attorney General: | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Lease Purchase Agreements**

- |                                    |       |             |                          |                          |
|------------------------------------|-------|-------------|--------------------------|--------------------------|
| 1. Office of the Controller:       | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| (recommendation only)              |       |             |                          |                          |
| 2. Office of the Attorney General: | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Grant Applications**

- |                                     |       |             |                          |                          |
|-------------------------------------|-------|-------------|--------------------------|--------------------------|
| 1. Office of Management and Budget: | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Controller:        | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Office of the Attorney General:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**

- |                                    |       |             |                          |                          |
|------------------------------------|-------|-------------|--------------------------|--------------------------|
| 1. Division:                       | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Attorney General: | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Relinquishment of Navajo Membership**

- |                                    |       |             |                          |                          |
|------------------------------------|-------|-------------|--------------------------|--------------------------|
| 1. Land Department:                | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Elections:                      | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Office of the Attorney General: | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Land Withdrawal or Relinquishment for Commercial Purposes**

Sufficient    Insufficient

1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Rights of Way**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease**

1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Assignment of Mineral Lease**

1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
8. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **OTHER:**

1. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

DRAFT

**NAVAJO NATION ANIMAL CONTROL PROGRAM**  
**DEPARTMENT OF FISH & WILDLIFE**

**FUND MANAGEMENT PLAN**

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**III. ADMINISTRATION**

**A. FUNDING SOURCE**

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1. The collection of impoundment fees, permits and animal license sales to the general public.
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3. Retail sale of collars, harnesses, leashes, run lines to assist owners with the containment of their pets.



4. Donations designated for Agency Animal Shelters, including monetary or negotiable gifts, contributions and bequests received.

5. The revenues generated cannot be expended on or allocated for uses other than those specified within the enterprise propriety, fund management plan.

## B. RATE-SETTING MECHANISM

The animal control fees will be set by the Program Manager and Field Supervisors responsible for inventory and purchasing. All fees and sales for animal control services are analyzed and established at cost plus a small percentage mark-up for animal wellness vaccinations, parasite reduction, supplies, equipment and services.

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<u>Animal collars, leashes, run-lines.....</u>	<u>Small percent markup</u>

## C. EXPENDITURE OF FUNDS

1. Expenditures from this revenue fund account shall be made in accordance with established Navajo Nation budget policies and procedures and shall be budgeted each fiscal year through the Navajo Nation annual budgeting process. Expenditure and utilization of all revenues generated and/or fees collected will comply with Navajo Nation law, including the Navajo Business Opportunity Act. Such expenditures shall include, but are not limited to:

### a. Personnel and Benefits – 2001

The revenue fund account will be used for part-time or full-time staff during emergency and during times of extreme case load by the Program Manager. The staffing cost will be reflected in an increase in program fees during their employment.

### b. Travel Expenses – 3000

Necessary travel for full time personnel for animal investigations, surrender and impoundment activities; for continuing education units for staff for technical training and to maintain mandatory licensure.

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To purchase animal control supplies, equipment and inventory not covered by the General Fund.

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Maintenance of shelter & field equipment within normal and reasonable maintenance limits.

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To maintain mandatory professional dues, certifications and training specific for animal control functions including personal safety, firearm safety and compliance initiatives for an Animal Control Program. To provide for public messaging if required for the safety of the general public regarding animals running-at-large, disease outbreak or parasite infestation alerts.

g. Capital Outlay – 9000

Purchase and maintenance of animal control equipment within normal limits that are not covered by the General Fund appropriations.

2. Authorization for expenditure shall be entrusted to the Program Manager of the Navajo Nation Animal Control Program, Department of Fish & Wildlife as delegated by the Executive Director, Division of Natural Resources.
3. This enterprise propriety fund is separate from the general fund and all carryovers will revert back into the enterprise propriety fund on an annual basis. ✓

D. PERIODIC REVIEW

All fees charged and revenue projections will be subject to annual review and audit with the Office of the Controller. ✓

IV. AMENDMENTS

The Fund Management Plan, Animal Control Fee Account, XXXXXX, Section I through IV may be amended from time to time by the Budget and Finance Committee upon recommendation of the Resource & Development Committee of the Navajo Nation Council.



**M E M O R A N D U M**

**TO : 2 NNC § 164 Reviewers**

**Delegates & 2 NNC § 164 Reviewers  
Navajo Nation Government**

A blue ink signature, likely of Glenda Davis, is written over a horizontal line.

**FROM : Glenda Davis, Program Manager  
Navajo Animal Control Program**

**DATE : November 15, 2016**

**SUBJECT : 164 Review – 006842 – Revenue Expenditure Plan**

Upon speaking with Mr. Robert Willie, Accounting Manager, Office of the Controller, it was realized that this expenditure plan will be far less than the >\$250,000 criteria for an enterprise fund and expenditure plan, BFMY-38-02.

It was our intention while working with the Office of Management Budget, that this fund management plan would uphold the BFN-187-03 resolution for the "expenditure of revenues generated by programs and departments." A correction was made at III.A.5. as noted in the memo from Mr. Robert Willie, Accounting Manager, Office of the Controller, removing "enterprise propriety." A second amendment is in III.C.3, to read "Any unexpended revenue generated shall revert back into the Navajo Nation General Fund at the end of the fiscal year." See amendments attached.

Possibly, as the Animal Control Program grows, it can move toward an enterprise account and utilizes BFMY-38-02 but our Program is not ready for this transition. Should you have any questions I can be reached at (928) 871-7066.

**CONCURRENCE:**

A blue ink signature, likely of Gloria Tom, is written over a horizontal line.

Gloria Tom, Department Manager  
Department of Fish & Wildlife

XC: Chrono  
Fish and Wildlife Department

**NAVAJO NATION ANIMAL CONTROL PROGRAM**  
**DEPARTMENT OF FISH & WILDLIFE**

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3. Any unexpended revenue generated shall revert back into the Navajo Nation General Fund at the end of the fiscal year.

D. PERIODIC REVIEW

All fees charged and revenue projections will be subject to annual review and audit with the Office of the Controller.

IV. AMENDMENTS

The Fund Management Plan, Animal Control Fee Account, XXXXXX, Section I through IV may be amended from time to time by the Budget and Finance Committee upon recommendation of the Resource & Development Committee of the Navajo Nation Council.

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

**Approving the Eligibility Criteria for the Expenditure of  
Revenues Generated by Programs and Departments**

**WHEREAS:**

1. Pursuant to 2 N.N.C. § 374 (B) (2), the Budget and Finance Committee of the Navajo Nation Council is authorized to the extent permitted by federal or Navajo Nation laws and regulations, to appropriate, allocate, cancel, reappropriate and review the use of Navajo Nation funds received including but not limited to all grants, contracts, gifts and other funds from all sources; and

2. Pursuant to 2 N.N.C. § 374 (B) (4), the Budget and Finance Committee of the Navajo Nation Council is authorized to coordinate and review all fiscal, financial and investment activities of the Navajo Nation and its enterprises, as well as other agencies, federal, state, regional and private; and

3. The Budget and Finance Committee has received requests from programs and departments to establish a Fund Management Plan to utilize revenues generated to support the program operations; and

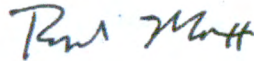
4. Pursuant to directive from the Budget and Finance Committee of the Navajo Nation Council, the committee requested the development of criteria to determine what plan should be adopted. Through a couple of drafts and a work session between the Office of the Controller, Office of the Auditor General, Office of Management and Budget and the Department of Justice the plan has been finalized. The Eligibility Criteria for the Expenditure of Revenues Generated by Programs and Departments has been prepared and is attached hereto and incorporated herein as Exhibit "A".

**NOW THEREFORE BE IT RESOLVED THAT:**

The Budget and Finance Committee of the Navajo Nation Council hereby adopts the Eligibility Criteria for the Expenditure of Revenues Generated by Programs and Departments, attached hereto as Exhibit "A", to provide as a guide review criteria.

**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 in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that same was passed by a vote of 7 in favor, 0 opposed and 0 abstained, this 18th day of November, 2003.



Raymond Maxx  
Chairperson

Motion : Ernest Hubbell  
Second : Jerry Bodie



## ELIGIBILITY CRITERIA FOR THE EXPENDITURE OF REVENUES GENERATED BY PROGRAMS AND DEPARTMENTS

### I. PURPOSE

To establish criteria for Navajo Nation Programs and Departments, who do not meet the criteria of BFMY-38-02 (Eligibility Criteria for the Establishment of a Fund and Related Fund Management Plan), to generate revenue, including the collection of fees, for goods and/or services provided and to expend such revenue generated. This criteria is not intended to apply to chapters or fund raising activities conducted by employees.

### II. CRITERIA

1. Programs and departments shall have a current and approved Plan of Operation on file with the Office of the Controller.
2. A program's and/or department's generation of revenue for goods and/or services provided and expenditure of such revenues shall have Navajo Nation oversight committee and Budget and Finance Committee approval legislation. Such legislation can be part of or separate from the program or department's Plan of Operation. The program or department shall provide the Office of the Controller with copies of the legislation. At a minimum, such legislation shall include:
  - A. A detailed explanation of the specific sources from which such revenue is to be generated; and
  - B. A detailed explanation of the rate or fee setting method and process used; and
  - C. A statement defining the purposes for which the revenue generated can be expended and/or utilized. The expenditure and/or utilization of revenue shall have a correlation with the reason for the generation of revenue. For example, if a program collects fees for the use of its equipment, such revenue should only be expended for the repair, maintenance, and/or replacement of such equipment.

- D. A statement that the revenues generated cannot be expended on or allocated to uses other than those specified in the legislation.
  - E. A statement that the expenditure and utilization of all revenue generated and/or fees collected will comply with Navajo Nation law, including the Navajo Business Opportunity Act.
  - F. A statement that any unexpended revenue generated shall revert to the Navajo Nation General Fund at the end of the fiscal year.
- III  
#5

### III. EXPENDITURE REQUIREMENT

The expenditure and generation of revenues and/or collection of fees shall comply with sound financial administration, including accountability principles. Programs and departments shall utilize the Office of the Controller's established internal process for recording and depositing all revenues generated and/or fees collected. The program or department shall provide the Office of the Controller with written in-house procedures governing the expenditure and generation of revenue. Such procedures shall ensure the safeguarding of revenues and/or fees and depositing of such revenues and or fees intact into the Navajo Nation's depository account or to the Navajo Nation's Cashier's Section.

### IV. BUDGET REQUIREMENT

The revenues generated will be credited to the program's or department's general fund budget upon receipt by the Office of the Controller Cashier's Section. Programs and/or departments shall develop a general fund budget using Navajo Nation Budget Form #\_\_\_ at the beginning of the fiscal year that includes a conservative projection of the revenues that will be generated. The estimated expenditures shall be consistent with Section II above. This conservative yearly projection shall meet the intent of this policy.

### V. AMENDMENTS

The Budget and Finance Committee may amend these Eligibility Criteria for the Expenditure of Revenues Generated by Programs and Departments upon recommendation by the Office of the Controller.

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**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, Accounting Manager  
Office of the Controller

DATE : November 14, 2016

SUBJECT : 164 Review-006842-Revenue Expenditure Plan

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

1. Paragraph 5 indicates that the revenues generated cannot be expended on or allocated for uses other than those specified within the enterprise proprietary, fund management plan. The program seems to want to set this up as an enterprise fund.
2. There is no revenue schedule of projected revenue to determine if this fund can sustain itself with its revenues. An enterprise fund must be able to sustain its operations from all the revenues it generates.
3. Attached is BFMY-38-02 which has the criteria for an enterprise fund and a related fund management plan.

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

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

Approving the Eligibility Criteria for the Establishment of a  
Fund and Related Fund Management Plan

WHEREAS:

1. Pursuant to 2 N.N.C. §374 (B) (2), the Budget and Finance Committee of the Navajo Nation Council is authorized to the extent permitted by federal or Navajo Nation laws and regulations, to appropriate, allocate, cancel, reappropriate and review the use of Navajo Nation funds received including but not limited to all grants, contracts, gifts and other funds from all sources; and

2. Pursuant to 2 N.N.C. §374 (B) (4), the Budget and Finance Committee of the Navajo Nation Council is authorized to coordinate and review all fiscal, financial and investment activities of the Navajo Nation and its enterprises, as well as other agencies, federal, state, regional and private; and

3. The Budget and Finance Committee has received requests from programs and departments to establish a Fund Management Plan to utilize revenues generated to support the programs operations; and

4. Pursuant to directive from the Budget and Finance Committee of the Navajo Nation Council, the committee requested the development of criteria to determine what plan should be adopted. Through several drafts and work sessions between Office of the Controller, Office of the Auditor General, Office of Management and Budget and the Department of Justice, the plan has been finalized. The Eligibility Criteria for the Establishment of a Fund and Related Fund Management Plan has been prepared and is attached hereto and incorporated herein as Exhibit "A".

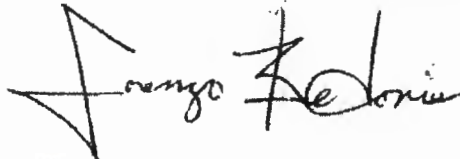
NOW THEREFORE BE IT RESOLVED THAT:

The Budget and Finance Committee of the Navajo Nation Council hereby adopts the Eligibility Criteria for the Establishment of a Fund Management Plan, attached hereto as Exhibit "A", to provide as a guide review criteria.



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 at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 5 in favor, 0 opposed and 0 abstained this 7th day of May, 2002.

A handwritten signature in black ink, appearing to read "Lorenzo Bedonie". The signature is stylized with a large, sweeping initial "L" and a cursive "B".

Lorenzo Bedonie  
Chairperson

Motion: Bennie Shelly  
Second: Raymond Jones

**THE NAVAJO NATION  
ELIGIBILITY CRITERIA FOR THE ESTABLISHMENT OF A FUND AND RELATED  
FUND MANAGEMENT PLAN**

**I. PURPOSE**

To establish criteria for Navajo Nation Programs and Departments that propose to establish a fund and related fund management plan. The program or department shall meet all the criteria outlined below to establish a fund and related fund management plan.

**II. CRITERIA**

1. Programs and department shall have an approved Plan of Operation to establish a fund. The program or department shall provide a copy of the current approved Plan of Operation to the Office of the Controller.
2. Programs and/or departments proposing a fund management plan shall satisfy the definition of Governmental Fund, Proprietary Fund, or Fiduciary Fund under the Navajo Nation Appropriations Act and Generally Accepted Accounting Principles. The proposed fund management plan shall identify the type of fund designation being sought and the reason why that type of fund is appropriate.
3. The collections of revenues and/or fees for goods and/or services shall have oversight committee and Budget and Finance Committee approval. The program or department shall provide to the Office of the Controller copies of the appropriate legislation.
4. The collections of revenues and/or fees for goods and/or services shall comply with sound financial administration. The program or department shall provide the Office of the Controller with written policies and procedures governing the revenue and fee collections.
5. Programs and departments will explain that the revenues generated and/or fees collected cannot be allocated to other programs or uses. This will ensure the budget process maintains its primary purpose which is the rational allocation of scarce financial resources based upon identified goals and objectives.
6. The amount of revenues that the programs/departments generate must not negatively impact the amount of annual recurring revenue to the general fund such that future financial flexibility is restricted.
7. The programs and departments must demonstrate that it will recover the full cost of operations from the revenues and/or fees collected and will not require any annual appropriations from the Navajo Nation General Funds or other sources. The proposed fund management plan shall provide reasonable assurance that the program's or department's activity is financed solely through the collections of

revenues and/or fees for goods and services provided. In order to provide this assurance:

- a. The program or department will provide to the Office of the Controller a budget for the most recent completed fiscal year detailing the amount of revenue received from goods and/or services and from the Navajo Nation General Fund.
  - b. The program or department will provide to the Office of the Controller a schedule of fees and charges that will recover the program's or department's personnel and operating costs, including depreciation and loans.
8. Programs and departments must generate a minimum of \$250,000 in annual revenues and/or fees to qualify for establishment of a fund. Annual revenues and/or fees collected for goods and services provided must be at least a minimum of \$250,000 to avoid the risk of establishing unnecessary funds, which can result in the Navajo Nation financial system becoming inflexible, complex and inefficient. With the recommendation of the Navajo Nation Controller, the Budget and Finance Committee of the Navajo Nation may increase or decrease this amount to maintain the efficiency and flexibility of the financial system. For example, if the number of funds becomes substantial and causes the financial system to become too complex and inefficient, the Controller will recommend a higher minimum amount.
9. Program and departments shall establish and utilize a process that provides for recording of all revenues and/or fees received; appropriately safeguarding and depositing of all revenues and/or fees intact into an approved depository bank account, the Navajo Nation's depository account, or to the Navajo Nation Cashier's office.

OCG Use

Date: 03-27-02

Page:

# OFFICE OF THE PRESIDENT

The Navajo Nation  
Window Rock, Arizona 86515

AS NO. No 09284

## SIGNATURE APPROVAL SHEET (164 REVIEW PROCESS)

Approved 5/1/02  
BFMY-38-02

DEPT: OFFICE OF THE CONTROLLER

(NAME) Martin E. Ashley

(Phone No.) x6308

DOCUMENT: PROPOSED RESOLUTION OF THE BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL: Approving the Eligibility Criteria for the Establishment of a Fund and Related Fund Management Plan.

1. Program	<i>Mart E. Ashley</i>	DATE: 3-22-02
2. Division	<i>Billy J. White</i>	DATE: 3-25-02
3. Contracts & Grants/OMB		DATE:
4. Division of Finance /Controller:	<i>Billy J. White</i>	DATE: 3-25-02
5. Department of Justice	<i>E. S. O.</i>	DATE: 3-27-02
6. Office of the President <i>LA</i>	<i>Charles S. Lillo</i>	DATE: 4/10/02
7. Legislative Counsel	<i>Jue</i>	DATE: 4/15/02

RETURN ENTIRE DOCUMENTS TO OFFICE OF CONTRACTS AND GRANTS WHEN SIGNED BY PRESIDENT/VICE PRESIDENT.

8. BUDGET AND FINANCE COMMITTEE CHAIRPERSON: *Samuel Bechene* DATE: 4/23/02  
Business Regulatory: Committee Review:

Sign/Date: OCG Final Receipt:

WHITE—President's Office

BLUE—OCG

YELLOW—Financial Services

PINK—Division





# NAVAJO NATION DEPARTMENT OF JUSTICE

## DOCUMENT REVIEW REQUEST FORM



DOJ
11/15/16 1147 AM
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 006842
SAS #:
UNIT: NRU

☐ RESUBMITTAL

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

### CLIENT TO COMPLETE

DATE OF REQUEST: 11/15/2016	ENTITY/DIVISION: DNR
CONTACT NAME: Glende Davis	DEPARTMENT: Fish & Wildlife
PHONE NUMBER: (908) 871-7066	E-MAIL: gdavis@nndoj.org
TITLE OF DOCUMENT: Revenue Expenditure Plan	

### DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 11.15.16 1:54	REVIEWING ATTORNEY/ADVOCATE: Julie Gustino 11.28.16
DATE/TIME OUT OF UNIT: 11.22.16 @ 3:33 PM B	

### DOJ ATTORNEY / ADVOCATE COMMENTS

Legally sufficient

REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
		Kandis Martine	11/22/16 2:42pm
DOJ Secretary Called: Glende Davis (vaive message) for Document Pick Up on 11.22.16 at 3:25 By: B			
PICKED UP BY: (PRINT)	DATE / TIME:		

NNDOJ/DRRF-July 2013

# COMPLETED




**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

ETHEL B. BRANCH  
ATTORNEY GENERAL

RODGERICK T. BEGAY  
ACTING DEPUTY ATTORNEY GENERAL

MEMORANDUM

TO: ALL CONCERNED

FROM:   
Veronica Blackhat, Assistant Attorney General  
Natural Resources Unit, Department of Justice

DATE: October 4, 2016

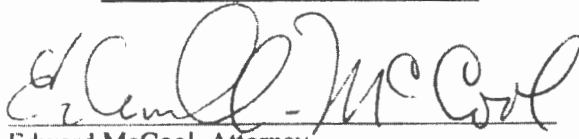
SUBJECT: STANDING DELEGATION OF AUTHORITY

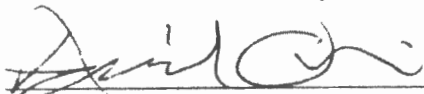
Please be advised the personnel listed below, in order of succession, will be delegated, authority to act in the capacity of the Acting Assistant Attorney General, Natural Resources Unit during my absence from the office. Also, please be advised the personnel listed below, in order of succession, will have surname authority, unless indicated otherwise. This delegation will be effective immediately.

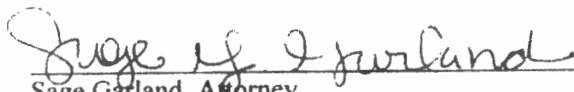
The authorized delegation will include all routine duties of the Assistant Attorney General, Natural Resources Unit. Any matters regarding personnel issues will be held for my review/decision upon my return. This Standing Delegation of Authority supersedes all delegations.

Thank you for your cooperation.

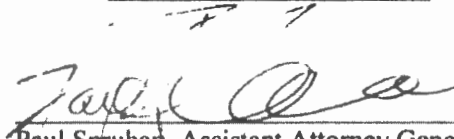
ADMINISTRATIVE REVIEW

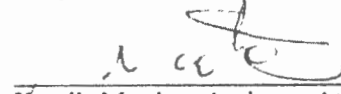
  
Edward McCool, Attorney  
Natural Resources Unit, Department of Justice

  
April Quinn, Attorney  
Natural Resources Unit, Department of Justice

  
Sage Garland, Attorney  
Natural Resources Unit, Department of Justice

SURNAME AUTHORITY

  
Paul Spruhan, Assistant Attorney General  
Litigation & Employment Unit, DOJ

  
Kandis Martine, Assistant Attorney General  
Human Services/Government Unit, DOJ

  
LaTonia B. Johnson, Acting Asst. Attorney General  
Economic/Community Development Unit, DOJ

Y:\NRU SHARE FOLDER\FORMS\DELEGATION OF AUTHORITY\2016-10-04