

LEGISLATIVE SUMMARY SHEET

Tracking No. 0271-19

DATE: September 16, 2019

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT DESCRIPTION AND PROJECT TYPE IN RESOLUTION CAP-35-18; APPROVING CHANGES TO STEAMBOAT CHAPTER'S PROJECTS BY DELETING THREE PROJECT DESCRIPTIONS AND PROJECT TYPES, ADDING A NEW PROJECT DESCRIPTION AND PROJECT TYPE TO BE FUNDED IN YEAR TWO

PURPOSE: Approving a change to the Steamboat Chapter projects by deleting three Steamboat Chapter projects described as D-132, Old Chapter Renovation, D-133, Chapter Building Renovation, and D-134, Chapter Warehouse totaling \$833,333.33. A new Steamboat Chapter project description called "Chapter Building(s)-Plan, Design, Construction, Equip" is to be added and funded at \$833,333.33 for Year 2.

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: 2888
Website Posting Time/Date: 7:13pm 9-17-19
Posting End Date: 9/22/19
Eligible for Action: 9/23/19

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY


Primary Sponsor

TRACKING NO. 0271-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND
FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT
DESCRIPTION AND PROJECT TYPE IN RESOLUTION CAP-35-18;
APPROVING CHANGES TO STEAMBOAT CHAPTER'S PROJECTS BY
DELETING THREE PROJECT DESCRIPTIONS AND PROJECT TYPES,
ADDING A NEW PROJECT DESCRIPTION AND PROJECT TYPE TO BE
FUNDED IN YEAR TWO

BE IT ENACTED:

Section One. Authority

- A. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).
- B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301 (B)(2).
- C. Council Resolution CAP-35-18 provides, "[a] chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-

1 ready by CPMD or NTUA and the total Sihasin Funding for the District does not
2 exceed \$4,166,666.67.” See, CAP-35-18, Section Four, Paragraph C.

3 4 **Section Two. Findings**

- 5 A. The Navajo Nation Council adopted Council Resolution CAP-35-18, “Adopting the
6 Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-
7 14, as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving
8 12 N.N.C. §§ 810 (F), 820 (I) and (M) and 860 (C) Relating to the Capital Budget
9 and Capital Improvement Process” on April 17, 2018. See, CAP-35-18.
- 10 B. A Capital Projects Management Department, Sihasin Project Amendment
11 Certification, CAP-35-18, document is attached as **Exhibit 1**.
- 12 C. The Capital Projects Management Department, Sihasin Project Amendment
13 Certification, CAP-35-18, document, **Exhibit 1**, indicates three Steamboat Chapter
14 projects described as D-132, Old Chapter Renovation, D-133, Chapter Building
15 Renovation, and D-134, Chapter Warehouse totaling \$833,333.33 are to be deleted.
16 A new Steamboat Chapter project description called “Chapter Building(s)-Plan,
17 Design, Construction, Equip” is to be added and funded at \$833,333.33 for Year 2.
- 18 D. For reference, the three Steamboat Chapter projects described as D-132, Old
19 Chapter Renovation, D-133, Chapter Building Renovation, and D-134, Chapter
20 Warehouse are included in **Exhibit 2**, Exhibit D, Projects 132, 133, and 134.

21 22 **Section Three. Approval**

23 The Navajo Nation hereby approves a change to the Steamboat Chapter projects by
24 deleting three Steamboat Chapter projects described as D-132, Old Chapter
25 Renovation, D-133, Chapter Building Renovation, and D-134, Chapter Warehouse
26 totaling \$833,333.33. A new Steamboat Chapter project description called
27 “Chapter Building(s)-Plan, Design, Construction, Equip” is to be added and funded
28 at \$833,333.33 for Year 2 in accordance with **Exhibit 1**.

CAPITAL PROJECTS MANAGEMENT DEPARTMENT

SIHASIN PROJECT AMENDMENT CERTIFICATION

CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED: JULY 26, 2019

PROJECT NAME: STEAMBOAT CHAPTER RENOVATION/WAREHOUSEREFERENCE NUMBER: CPMD-19 #10PROJECT TYPE: DESIGN/ CONSTRUCTIONORIGINAL DATE APPROVED: NOVEMBER 30, 2018**II. NATURE OF CHANGE AND COST DETAILS**

| EXHIBIT & PROJECT NO. | PROJECT DESCRIPTION | FUNDING | | | TOTAL FUNDING | FUNDING AMOUNT ADDED OR DELETED |
|--|--|---------|------------|---------|---------------|---------------------------------|
| | | YEAR 1 | YEAR 2 | YEAR 3 | | |
| D-132 | OLD CHAPTER RENOVATION | 220,000 | | | 220,000 | DELETE |
| D-133 | CHAPTE BUILDING RENOVATION | | | 400,000 | 400,000 | DELETE |
| D-134 | CHAPTER WAREHOUSE | | 213,333.33 | | 213,333.33 | DELETE |
| NEW | CHAPTER BUILDING(S) - PLAN, DESIGN, CONSTRUCT, EQUIP | | 833,333.33 | | 833,333.33 | ADD |
| TOTAL (X) INCREASED / () DECREASED FUNDING: | | | | | | 833,333.33 |

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

VINCE JAMES



8/1/2019

III. REASON FOR AMENDMENT

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

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
 2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
 3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.
4. Add language to legislation "EXHIBIT D" Funding Use Year. STEAMBOAT CHAPTER BUILDING(S) TO PLAN, DESIGN, CONSTRUCT, AND EQUIP
- TO BE USED IN THE SECOND YEAR

IV. CERTIFICATION FOR PROJECT AMENDMENT
☐ INCOMPLETE
 ☐ PROJECT READY

☒ CONSTRUCTION READY

PRINTED NAME

SIGNATURE

DATE

CPMD Project Manager

LEONARD HARRY



7-25-2019

CPMD Department Manager

JAMES ADAM



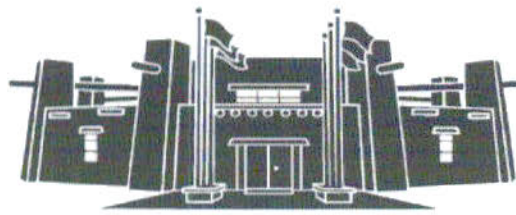
7-25-19

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:

D

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|------------|--|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 124 | Cornfields | Summit Low Water Crossing (Road) | Pre-Design | 26-36 months | \$0.00 | \$266,000.00 | \$0.00 | \$0.00 | \$266,000.00 |
| 125 | Cornfields | Rural Address LRAC E.911 | Design/Construction | 12 months | \$10,000.00 | \$0.00 | \$0.00 | \$0.00 | \$10,000.00 |
| 126 | Cornfields | Backhoe Purchase | Purchase | 6 months | \$40,000.00 | \$0.00 | \$0.00 | \$25,000.00 | \$40,000.00 |
| 127 | Cornfields | Green House | Design/Construction | 12 months | \$1,000.00 | \$0.00 | \$0.00 | \$1,000.00 | \$1,000.00 |
| 128 | Kindalachi | Chapter House Parking Lot | Design/Construction | 12-24 months | \$94,731.32 | \$0.00 | \$0.00 | \$0.00 | \$94,731.32 |
| 129 | Jeddito | Backhoe Purchase | Major Equipment | 6 months | \$107,064.66 | \$0.00 | \$0.00 | \$0.00 | \$107,064.66 |
| 130 | Jeddito | Barbroom Addition (Coldwater Loop) | Design/Construction | 18-24 months | \$0.00 | \$363,134.33 | \$0.00 | \$0.00 | \$363,134.33 |
| 131 | Jeddito | Barbroom Addition (Upper Highland Sitting RM) | Design/Construction | 18-24 months | \$0.00 | \$363,134.34 | \$0.00 | \$0.00 | \$363,134.34 |
| 132 | Steamboat | Old Chapter Renovation (Stone Bldg.) | Construction | 8-12 months | \$220,000.00 | \$0.00 | \$0.00 | \$0.00 | \$220,000.00 |
| 133 | Steamboat | Chapter Building Renovation | Design/Construction | 18-24 months | \$0.00 | \$0.00 | \$400,000.00 | \$50,000.00 | \$400,000.00 |
| 134 | Steamboat | Chapter Warehouse | Design/Construction | 18-24 months | \$0.00 | \$213,333.33 | \$0.00 | \$15,000.00 | \$213,333.33 |
| 135 | Canada | Senior Center Building | Design/Construction | 18-24 months | \$0.00 | \$833,333.34 | \$0.00 | \$0.00 | \$833,333.34 |
| 136 | Coppermine | Backhoe | Major Equipment | 4-6 months | \$50,000.00 | \$0.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 137 | Coppermine | Multipurpose Building | Pre-Design | 18-24 months | \$0.00 | \$0.00 | \$200,000.00 | \$0.00 | \$200,000.00 |
| 138 | Coppermine | Western Navajo Pipeline, Fireflow, Storage Tank | Design/Construction | 18-24 months | \$0.00 | \$400,000.00 | \$0.00 | \$0.00 | \$400,000.00 |
| 139 | Kalberto | Kalberto Design Infrastructure | Design/Construction | 18-24 months | \$0.00 | \$370,000.00 | \$0.00 | \$0.00 | \$370,000.00 |
| 140 | Tonahela | Government Building | Construction | 8-12 months | \$1,050,000.00 | \$0.00 | \$0.00 | \$0.00 | \$1,050,000.00 |
| 141 | Klagetoh | Head Start Project | Pre-Design | 8-12 months | \$0.00 | \$400,000.00 | \$0.00 | \$0.00 | \$400,000.00 |
| 142 | Lupton | Basketball Court Development | Pre-Design | 12 months | \$0.00 | \$53,795.00 | \$0.00 | \$0.00 | \$53,795.00 |
| 143 | Lupton | Cemetery | Pre-Design | 13 months | \$0.00 | \$0.00 | \$100,000.00 | \$0.00 | \$100,000.00 |
| 144 | Lupton | Waterhouse Renovation | Pre-Design | 14 months | \$68,795.00 | \$0.00 | \$0.00 | \$0.00 | \$68,795.00 |



MEMORANDUM

TO: Honorable Vince R. James
Jeddito, Cornfields, Ganado, Kinlichee, Steamboat Chapters

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

DATE: September 16, 2019

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT DESCRIPTION AND PROJECT TYPE IN RESOLUTION CAP-35-18; APPROVING CHANGES TO STEAMBOAT CHAPTER'S PROJECTS BY DELETING THREE PROJECT DESCRIPTIONS AND PROJECT TYPES, ADDING A NEW PROJECT DESCRIPTION AND PROJECT TYPE TO BE FUNDED IN YEAR TWO

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: 0271-19

SPONSOR: Vince R. James

TITLE: An Action Relating To Resources And Development And Budget And Finance Committees; Approving A Change In Project Description And Project Type In Resolution CAP-35-18; Approving Changes To Steamboat Chapter's Projects By Deleting Three Project Descriptions And Project Types, Adding A New Project Description And Project Type To Be Funded In Year Two

Date posted: September 17, 2019 at 7:13 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.*