#### RESOLUTION OF THE

### NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE 23RD NAVAJO NATION COUNCIL - Fourth Year, 2018

#### AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; APPROVING FOR THE NAVAJO NATION POLICE DEPARTMENT DONATION OF POLICE RADARS FROM THE NAVAJO AREA INDIAN HEALTH SERVICES; AND DIRECTING THE NAVAJO NATION POLICE DEPARTMENT TO RECORD THE DONATION OF PROPERTY WITH THE ETHICS AND RULES OFFICE

#### BE IT ENACTED:

#### SECTION ONE. AUTHORITY

- A. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 700(A).
- B. Navajo Nation law provides that the President of the Navajo Nation, on behalf of the Navajo Nation, can either accept or decline offers of gifts and donations of property to the Navajo Nation. 2 N.N.C. §1010. Gifts or donations, exceeding \$1,000, or estimated values thereof, must be approved by the Naabik'íyáti' Committee of the Navajo Nation Council. 2 N.N.C §§700(A) and 1011. All gifts and donations to the Navajo Nation remain property of the Navajo Nation. 2 N.N.C. § 1010.

#### SECTION TWO. FINDINGS

The Navajo Area of Indian Health Services has donated eight police radars to the Navajo Nation Police Department. See Exhibit "A". The total value of the donated radars is \$19,723.28. Navajo Nation President Russell Begaye accepted the donated radars. Id.

#### SECTION THREE. APPROVAL

- A. The Navajo Nation hereby concurs with the President of the Navajo Nation's acceptance of police radars donated by the Navajo Area Indian Health Services.
- B. The Navajo Nation Police Department shall record the receipt of the donation accepted here with the Ethics and Rules Office as required by 2 N.N.C. §1012.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 13 in Favor and 00 Opposed, on this 17<sup>th</sup> day of January, 2018.

LoRenzo C. Bates, Chairperson Naabik'íyáti' Committee

Motion: Honorable Leonard Tsosie Second: Honorable Raymond Smith, Jr.

Chairperson Bates not voting



## THE NAVAJO NATION

JONATHAN NEZ VICE PRESIDENCE

EXHIBIT

October 30, 2017

Twyla Z. Benally, DVM, MPH IHS – Area Injury Prevention Specialist NAIHS / OEHE PO Box 1782 Fort Defiance, AZ 86504

RE: ACCEPTANCE OF GIFT OF RADARS

Dear Ms. Benally:

The Navajo Nation, through the Navajo Police Department of the Navajo Division of Public Safety ("NDPS"), hereby accepts the radars listed in the attached August 31, 2017 "Request for Property Action Form" from Navajo Area Indian Health Services in Saint Michaels, AZ. These radars, valued in the total amount of \$19,723.28 (nineteen thousand seven hundred twenty-three dollars and twenty-eight cents), is a gift from Navajo Area Indian Health Services. The radars will be used to assist our personnel identifying those drivers that are speeding in excess of the posted speed limit using legally sufficient means. The Navajo Police Department accepts maintenance responsibility for the radars.

Pursuant to 2 N.N.C. §§ 1010-1011 and Navajo Nation Council Resolution No. CJA-06-11, the President accepts this gift on behalf of the Navajo Nation with the concurrence of the Nabik'iyati' Committee because the valuation of this gift exceeds \$1,000 (one thousand dollars). The Navajo Nation appreciates Navajo Area Indian Health Services' significant contribution of radars that will be assist our police officers.

Russell Begaye

Navajo Nation President

Date



## THE NAVAJO NATION

# RUSSELL BEGAYE PR JONATHAN NEZ V ( PR )

October 23, 2017

President Russell Begaye Post Office Box 9000 Window Rock, Arizona 86515

Dear Mr. President:

Pursuant to the 2 N.N.C. § 1010 I am requesting your consideration for accepting a donation of property from the Office of Environmental Health of the Navajo Area Indian Health Service in Saint Michaels, Arizona. The donation is for eight Directional Golden Eagle IIX radars. The unit price is \$2,465.41 for a grand total of \$19,723.28 for the eight radars.

Pollack, Frattaroli, Young, Dana-Sacco and Gielen (2012) stated American Indians have the highest motor vehicle death rates and that our ethnic population has four times the motor vehicle death rate than the national average. Speeding is a significant contributor to all manner of crashes—whether fatal, injury or property related. A component of the Navajo Police Department's strategy to address high speed driving is to deploy radars from established vendors into the hands of our commissioned officers. This proposed gift would assist our personnel in identifying those drivers that are speeding in excess of the posted speed limit using legally sufficient means.

Twyla Z. Benally, Area Injury Prevention Specialist, has been working with our office to create this opportunity. She initially reached out to our office on July 17, 2017 inquiring if our department could use equipment related to reducing injuries. She stated she had a budget of approximately \$20,000 to assist the department. She was informed of our need for additional radars. She did request for quote. Those quotes were submitted on the same date. On July 18, 2017 a letter was submitted to her office justifying her consideration for our request. On August 29, 2017 our office was informed that the radars had been approved and had been delivered. They were subsequently received by this office on September 11, 2017.

Our office looks forward to a favorable response from your office and we sincerely appreciate the continued support given from your office to the Division of Public Safety and the Navajo Police Department. Should there be any questions, please do not hesitate in contacting me at 928-871-6363.

Sincerely,

Phillip Francisco, Chief of Police

Navajo Police Department

Jesse Delmar, Executive Director

Ken Delt

Division of Public Safety

Attachments: Memo DUI Intervention Efforts 7/17/17

Invoice Kustom Signals 8/23/17

Request for Property Action 8/31/17

xc: file



## The Navajo Nation

## RUSSELL BEGAYE JONATHAN NEZ

NAVAJO DIVISION OF PUBLIC SAFETY
Navajo Police Department – Office of the Chief of Police

#### MEMORANDUM

TO

Twyla Z. Benally, DVM, MPH

Area Injury Prevention Specialist

NAIHS / OEHE

**FROM** 

Phttlip Francisco, Chief of Police Navajo Police Department

DATE

July 17, 2017

**SUBJECT** 

**DUI INTERVENTION EFFORTS** 

The Navajo Police Department is the active law enforcement entity on the Navajo Nation. It is well documented that instances of DUI related traffic crashes are impacting Native American populations disproportionally (Ragland, Bigham, Oum, Chen, & Felschundneff, 2014¹). Therefore, I am seeking partners to expand our infrastructure to reduce these instances of DUI related traffic crashes.

An intervention that I desire to deploy is a traffic enforcement program utilizing commissioned officers that are dedicated to traffic enforcement efforts and expanding the use of unallocated time of officers in the role for traffic enforcement. As a former traffic officer, I found that my contacts with DUI drivers was greatly increased while engaged in traffic speed enforcement. The probable cause to initiate a traffic stop is the verification of the speed infraction using a radar and, consistent with NHTSA guidelines, an officer can then initiate the phases of a DUI investigation if it is warranted.

It has come to my understanding that your office has identified \$20,000 for equipment purchases. I have attached the following three quotes for police traffic enforcement radars. I request your office to consider their purchase to allow the Navajo Police Department to engage in traffic enforcement efforts to impact rates of DUI. Should this purchase be made, the radars will be deployed in patrol vehicles of the Navajo Police Department with commissioned police officers to enforce Title 14 of the Navajo Nation Code for speed infractions which will lead to increased contacts with DUI offenders using the radar as a method of probable cause for the contact.

This purchases would be made consistent with Title 2 Navajo Nation Code §§ 1010 identifying the manner of accepting equipment to the Navajo Nation.

Your review of this request is appreciated. Should there be any questions, please do not hesitate in contacting Police Lieutenant Leonard Redhorse III at 928-871-6363 or this office.

<sup>&</sup>lt;sup>1</sup> Ragland, D., Bigham, J., Oum, S.H., Chen, K., Felschundneff, G. (2014). Traffic injury on tribal lands in California. UC Berkeley: Safe Transportation Research & Education Center. Retrieved from: http://escholarship.org/uc/item/6v97d95z



#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

## REQUEST FOR PROPERTY ACTION

					-				Date of Re	quest:
									Aug. 31	, 2017
Initiating Organiza	ation cilities Constru	ction Sup	port Cente	r	Custodial Cod	le				
Mailing Address					Admin Code					
P.O. Box 1782			HHS12452	017012	75P//IH	\$133319	98			
					CAN No.					
City			State	ZIP Code						
Fort Defiance			AZ	86504	Location of Pr		0.5			
Contact Name Victor Etsitty			Telephone 928-729		SFC Support Center					
Action Requested	(Check one)									
X Transfer		New Receip	t	Tum in	Dispo	sition Instr	ructions (E	kplain in D	etail - Use reve	erse side of form.)
Receiving Organi Navajo Nation	ization n Dept. of Publ	ic Safety/	Window l	Rock Dist.	Custodial Cod	е				
Location	•				CAN No.		· · · · · · · · · · · · · · · · · · ·			
	Bldg., Window	Rock, A	Z							
Barcode/Decal Number	Serial Number	(Nour		escription of Property Name, Model Number, Sto	ck Number)	QTY	Unit of	Cond. (see below.)	Unit Cost	Total Cost
N/A	see text	Radar, n	nake: Kust	tom Signals, model: l	Dir Golden	8	EA	1	\$2,465.41	\$19723.28
			Eag	lellX						
		Serial 1	Numbers:		·					
		1. XE35	5012	5. XE35013						
		2. XE35	5007	6. XE35014						
		3. XE35	5009	7. XE35008						
		4. XE35	5006	8. XE35010						
		vendor:	Kustom Si	ignals; 1010 West Ch	estnut					
		P.O.	Box 947;	Chanute, KS 66720	-0947					
Special Processing	g Requirements:		. ,							
Project Officer Ass	signed	Yes	No	PO Signature:					Date	;
*IRM Clearance		Yes	No	IRM Signature:					Date	;
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Signature of Rece	Juling Official			Date <b>K9/1117</b>	Property Custo	diai File U	poate/Fina	Property	Action	
Signature	erty Accountable Of	ficer (PAO)		Date	Initials of Prope	rty Techni	cal/Accour	ntable Offic	per	Date
Property Voucher	Control Number									
					I=					
Condition Codes: (	(see FPMR 101-43.	48 for definit	tions)		Distribution					
1 = New X = Salvage	4 = Usable S = Scrap	7 =	Repairable		Original - Propo 1 Copy - Retain 1 Copy - Retain 1 Copy - Trans	ned by Rened by PC	quester O	cer		



## **KUSTOM SIGNALS, INC.**

9652 Loiret Blvd Lenexa, KS 66219-2406 (913) 492-1400 fax (913) 492-1703 INVOICE

544329

IA	11/		IC	
IΙΝ	ľV	u		

Name **NAVAJO AREA OFFICE** 

Address PO BOX 9020

SOLD TO:

WINDOW ROCK AZ 86515-9020

Date

8/23/2017

Customer No.

334570

Order No.

340133 SO

**Customer PO** 

HHSI245201701275P

Terms

N30

SHIP TO:

Name

NAVAJO AREA INDIAN HEALTH SVC

Address: HWY 264- ST MICHAELS

WINDOW ROCK AZ 86515-9020

Remit To:

Kustom Signals, Inc

P. O. Box 776238

Chicago, IL 60677-6238

Attn: Accounts Receivable

Qty	Description	Unit Price	TOTAL
8	*** Dir Golden EaglelIX *** Serial Number(s) XE35006 XE35007 XE35008 XE35009 XE35010 XE35011 XE35011 XE35012 XE35013 XE35014  AZ-NASPO CONTRACT	2,465.41	19,723.28
	R	RECEIVED  AUG 29 17  Navajo Area IIIS Pinance  Navajo Area IIIS Pinance  Navajo Area IIIS Pinance  Navajo Area IIIS Pinance	17 mental
	d for Payment:	Subtotal	19,723.28
	Slape, Acting / Date 4 245201701275P	TOTAL	\$19,723.28

F.E.I.N. 43-1757730

## Contracts and Grants Section / OMB

## Document Review Check on Grant Application, Award or Modification

(Fill in Spaces Highlighted Green that Apply)

Do	cument Review No. / Date :	164#009041 10/	31/17		
	App	olication, A.	Hard or On-	line Submit?	Hard Copy
App	li. due date:	Date Appli. Subn	nitted to funding	agency:	N/A
	Awa	ard, B or C. B	Mod. No., D		
	Sigr	nature Block for Bran	ch Chief?		required
FY	2018 NN BIM Appendix L Se	c. IV. Submit Grant A	pplication/Acce	pt Grant Awar	d
A.	Application, Sec. 164(A) or Ex	ecutive Official Review	on EO 07-2013		
	Reference Application e.g., SF	-424, etc.	N/A		
1	Grant Agreement, Terms & Co	onditions	N/A		
	Budget	Funding Period	7.10 A 10 A	N/A	
2	Scope of Work (SOW) specific	to grant purpose.	N/A		
3	Required NNBF 1-5: budget of	omply w/ Sec. III. B. just	tify, calcu., etc.	N/A	
	- NNBF 3 supported by DPM	1 List of Employee Assig	nment	N/A	
	- Budget each Subcontract S	Separate		N/A	
	On lower right hand corner	of each page, initial &	indicate date of	review.	
4	IDC, use most current approv	ed IDC rate. Indicate FY	& IDC Rate	N/A	
	- Supported by IDC calculati	on check sheet, page 80	6 of BIM.	N/A	
5	Cost Sharing Contribution, Fo	rm Appendix L-2		N/A	*
6	CFDA No. on federal funds			N/A	
7	DUNS no. 009001702			N/A	
8	SAMS			N/A	
В.	Award, Sec. 164(B) Review; A	ddress Appli. requirem	ent above.		
	- Document review no. on Ap	pl./ Date		N/A	
	- Notice of Grant Award (NOG	GA) / Date (attach):		N/A	
	- Change to Appli. on Award,	explain in <b>Comment</b> sec	ction below	N/A	
C.	Award (automatic) for succes	ssor year on multi-year	contract; Address	Appli. requirem	ent above.
	- Term (Begin & End Date) of	multi-year contract	N/A		
	- NOGA / Date (attach):		N/A		
D.	Sec. III. C. Contract Modificat	ion, Form Summary of	Change to Ext Gra	nt Budget Appd	x L-1
	Additional allocation to an	nual award e.g., CR fui	nding on federal d	iward.	
	- Required NNBF 3 or 4 or bot	th.		N/A	
	- NOGA / Date (attached):			N/A	
Ε.		Comment on is	ssues, concerns, e	tc.	
	E.O.R. (Other) - Reviewed attach following requirements once item	·	_		
	§ 59. Inventories of property.				
F.	Document is Sufficient or Ins	ufficient:	Suj	ficient	
G.	Review By / Date:	E. White,	, SCA 11/06/17	12 MELL	
	Surname By / Date:	Charlet &	11/9/17		· ·

**Result of Review:** Explain by memorandam reason document is deemed Insufficient and issues/concerns noted in Section E above.



## RUSSELL BEGAYE PRESIDENT JONATHAN NEZ VICE-PRESIDENT

### **Memorandum:**

To:

2 NNC § 164 Reviewers

Delegates & 2 NNC '164 Reviewers

Navajo Nation Government

(Rober Wille

From:

Robert Willie, Accounting Manager

Office of the Controller

Date:

November 17, 2017

Subject:

164 Review-009041-Accepting Donated Radars for NPD

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

- 1. To accept donation of radars to Navajo Police Department (NPD).
- 2. Once approval of donation is completed please send copy to the Fixed Assets section so the asset can be recorded on the fixed asset module of the FMIS. Along with cost and appropriate responsible business unit where these assets will be recorded.

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



### NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH ATTORNEY GENERAL

RODGERICK T. BEGAY DEPUTY ATTORNEY GENERAL

#### . MEMORANDUM

TO: ALL

ALL CONCERNED

FROM:

Kandis Martine, Assistant Attornoy General Human Services & Government Unit Office of the Attorney General/ NNDOJ

DATE:

October 13, 2016

SUBJECT:

Standing Delegation of Authority

Please be advised that the personnel listed below, in order of succession, are delegated authority to act in the capacity of the Assistant Attorney General, Human Services and Government Unit, during my absence from time to time because of travel or leave, from the office. Also, the personnel listed below, in order of succession, will have surname authority for Unit matters during my absence.

This authorized delegation will include all routine duties of the Assistant Attorney General, Human Services & Government Unit. Any matters regarding personnel issues will be held for my review/decision upon my return to the office. This Standing Delegation of Authority supersedes all previous Unit delegations. Thank you for your cooperation.

ADMINISTRATIVE REVIEW:

Cherie Espinosa, Principal Attorney Human Services & Gov't Unit

Regina Holyan, Principal Attorney
Human Services & Gov't Unit

Michelle Begay, Senior Attorney

Human Services & Gov't Unit

SURNAME AUTHORITY:

Verenica Blackfat, Ass't Attorney General

Natural Resources Units

Paul Spruhan, Ass't Attorney General

Litigation & Employment Unit

Latoria B. Johnson, Ass't Attorney General Foonomic & Community Development Unit



NAVAJO NATION DEPARTMENT OF JUSTICE

REVIEW
REQUEST
FORM



11/27/17 433pm
DATE / TIME  7 Day Deadline
DOC#:00 9041
SAS #:

UNIT:

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

CLIENT TO COMPLETE				
DATE OF REQUEST: 11/27/17  CONTACT NAME: MICHOLO TO DEPARTMENT: POLLO CLOPT  PHONE NUMBER: 928-871-7584  E-MAIL: MTTO CONTOURD- TONGO				
TITLE OF DOCUMENT: accepting Donatoca Radovs by NPD				
#90 DOJ SECRETARY TO COMPLETE				
DATE/TIME IN UNIT: 11/27/17 4:40 REVIEWING ATTORNEY/ADVOCATE: Reginal				
DATE/TIME OUT OF UNIT: 11/28/17 @ 9: 55				
DOJ ATTORNEY / ADVOCATE COMMENTS				
Ready for surname.				
REVIEWED BY: (PRINT) DATE / TIME SURNAMED BY: (PRINT) DATE / TIME REVIEWED BY: (PRINT) DATE / TIME REVIEWED BY: (PRINT) DATE / TIME REVIEWED BY: (PRINT) DATE / TIME				
DOJ Secretary Called: Muhele for Document Pick Up on 1/28/19 at 955 By: 9m				
PICKED UP BY: (PRINT)  DATE / TIME:  NDOJ/DRRF-July 2013				

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				Insufficient
	1. Division:			
	2. Office of the Attorney General	al: Date: _		
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	1. NLD	Date:		
	2. F&W			H
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	5. DPVP	Date:		

Document No	009041	Date Issued	d:10/30/2	017
	EXECUTIVE O	FFICIAL REVIEW		
Title of Document	t: Accepting Donated Radars for NPD	Contact Name:	FRANCISCO, PHIL	LIP B
Program/Division	: DIVISION OF PUBLIC SAFETY			
	pbfrancisco@navajo-nsn.gov	Phone Number:	928-871-6	363
☐ Business S	ita Lagga		Sufficient	Insufficient
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(only if Proc	urement Clearance is not issued within 30		O. review)	
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1. Division:		Date:		
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#### **NAVAJO NATION**

RCS# 740

Naa'bik'iyati Committee

1/17/2018

02:36:49 PM

Amd# to Amd#

Legislation No. 0005-18

**PASSED** 

**MOT Tsosie** 

Approving for NNPD donation

SEC Smith

of Police Radars from the NAIHS

and directing the NNPD to record

Yea: 13

Nay:0

Excused: 1

Not Voting: 10

Yea: 13

Begay, K

Filfred

Pete

Tso

Brown

Hale

Slim

Tsosie

Damon

Perry

Smith

Witherspoon

Daniels

Nay: 0

Excused: 1

Chee

Not Voting: 10

Bates

BeGaye, N

Jack

Shepherd

Begay, NM

Bennett

Phelps

Yazzie

Begay, S

Crotty