LEGISLATIVE SUMMARY SHEET
Tracking No. 0193-20

DATE: August 18, 2020

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION CAP-35-18 EXHIBIT D NO. 177 THOREAU CHAPTER VETERANS BUILDING DESIGN/CONSTRUCTION PROJECT BY CHANGING BUDGET LINE ITEM NUMBER FROM 9070 TO BUDGET LINE ITEM NUMBER 9050

PURPOSE: Approving changes to CAP-35-18 Exhibit D, Project Number 177, the Thoreau Chapter Veterans Building Design/Construction Project, by changing the OMB Budget Line Item Number 9070 to Budget Line Item Number 9050

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: L Johnson
Website Posting Time/Date: 4:42pm 08-19-20
Posting End Date: 08-24-20
Eligible for Action: 08-25-20

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL—Second Year, 2020

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0193-20

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION CAP-35-18 EXHIBIT D NO. 177 THOREAU CHAPTER VETERANS BUILDING DESIGN/CONSTRUCTION PROJECT BY CHANGING BUDGET LINE ITEM NUMBER FROM 9070 TO BUDGET LINE ITEM NUMBER 9050

BE IT ENACTED:

Section One. Authority

1. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).
2. 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).
3. 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-ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed $4,166,666.67."

Section Two. Findings

A. The Navajo Nation Council adopted Council Resolution CAP-35-18, "Adopting the Síhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. §§ 810 (F), 820 (I) and (M) and 860 (C) Relating to the Capital Budget and Capital Improvement Process" on April 17, 2018.

B. Thoreau Chapter Veterans Building Design/Construction Project is listed in CAP-35-18 at Exhibit D, Project Number 177. Exhibit D of CAP-35-18 is attached as **Exhibit 2**.

C. Thoreau Chapter submitted a CAP-35-18 Síhasin Project Amendment Certification form, which is attached as **Exhibit 1**.

D. The CAP-35-18 Síhasin Project Amendment Certification form, **Exhibit 1**, indicates changes to be made to Exhibit D, Project Number 177 the Thoreau Chapter Veterans Building Design/Construction Project to change the OMB Budget transfer from Budget Line Item Number 9070 to Budget Line Item Number 9050.

Section Three. Approval

The Navajo Nation hereby approves changes to CAP-35-18 Exhibit D, Project Number 177, the Thoreau Chapter Veterans Building Design/Construction Project, by changing the OMB Budget Line Item Number 9070 to Budget Line Item Number 9050 as shown in **Exhibit 1**.

EXHIBIT 1

CAPITAL PROJECTS MANAGEMENT DEPARTMENT

SIHASIN PROJECT AMENDMENT CERTIFICATION

CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED: July 22, 2020

PROJECT NAME: Thoreau Chapter Veterans Project

REFERENCE NUMBER: CPMD #120

PROJECT TYPE: Construction Project

ORIGINAL DATE APPROVED: November 28, 2019

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING				FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	TOTAL FUNDING	
	Budget Revision Request:					
D-177	Object Code: 9070 (CAP-Pro Tech Services)		347,222.24			Deleted
D-177	Object Code: 9050 (Building Construction)		347,222.24		347,222.24	Added
				TOTAL: [ ] INCREASED / [ ] DECREASED FUNDING:	347,222.24	

Acknowledgement of Project Amendment:	PRINTED NAME	SIGNATURE	DATE
Navajo Nation Council Delegate	Edmund Yazzie		08/2/20

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.***

IV. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.

	PRINTED NAME	SIGNATURE	DATE
CPMD Project Manager	Leonard Hardy	Leonard Hardy	7/22/2020
CPMA Department Manager	James Adakai		7-22-20

Dev. CPMD 10.01.19

Job C01804 THOREAU VETERANS BLDG Thru Date 7/31/2020

Project

Cost Code	Cost Type	Description	L P M D E C UM	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
	1996	Allocation	7 N	694,444.44-	694,444.44-			694,444.44-		1.00
	1991	Overhead Allocation	6 T	694,444.44-	694,444.44-			694,444.44-		1.00
	1990	Other Revenues	5 T	694,444.44-	694,444.44-			694,444.44-		1.00
	1850	Other Revenue Sources	4 T	694,444.44-	694,444.44-			694,444.44-		1.00
	1000	Revenues	3 T	694,444.44-	694,444.44-			694,444.44-		1.00
	9050	Building	6 B N	347,222.20	347,222.20			347,222.20		1.00
	9050	Building	6 T	347,222.20	347,222.20			347,222.20		1.00
	9070	CAP-Pro.Tech Services	6 B N	347,222.24	347,222.24			347,222.24		1.00
	9070	CAP-Pro.Tech Services	6 T	347,222.24	347,222.24			347,222.24		1.00
	9001	Real Property	5 T	694,444.44	694,444.44			694,444.44		1.00
	9000	Capital Outlay	4 T	694,444.44	694,444.44			694,444.44		1.00
	2000	Expenses	3 T	694,444.44	694,444.44			694,444.44		1.00

EXHIBIT 2

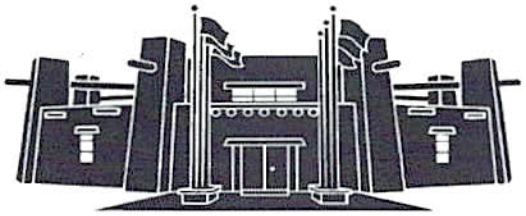
EXHIBIT 2

EXHIBIT: D

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN

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
176	Iyanbito	Veterans	Pre-Design	6-8 months	$0.00	$0.00	$10,000.00	$0.00	$10,000.00
177	Thoreau	Veterans Building	Design/Construction	12-18 months	$0.00	$694,444.00	$0.00	$700,000.00	$694,444.00
178	Mariano Lake	Multi-Purpose Building	Construction	8-12 months	$391,044.90	$0.00	$0.00	$291,255.66	$391,044.90
179	Mariano Lake	Lake House Wiring	Construction	6-8 months	$303,400.00	$0.00	$0.00	$0.00	$303,400.00
180	Pinedale	Veterans Building	Construction	8-12 months	$694,444.44	$0.00	$0.00	$96,609.00	$694,444.44
181	Smithlake	Bay/Shop Building	Construction	6-10 months	$694,444.44	$0.00	$0.00	$0.00	$694,444.44
182	Churchrock	Multi-Purpose Building	Design/Construction	18-24 months	$0.00	$694,444.44	$0.00	$0.00	$694,444.44
***	Window Rock	Administrative Funds	***	***	$200,000.00	$200,000.00	$200,000.00		$600,000.00
					$37,423,205.14	$31,124,968.21	$5,528,240.51	GRAND TOTAL	$74,076,413.86

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Edmund Yazzie
Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake and Thoreau Chapters

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

DATE: August 18, 2020

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION CAP-35-18 EXHIBIT D NO. 177 THOREAU CHAPTER VETERANS BUILDING DESIGN/CONSTRUCTION PROJECT BY CHANGING BUDGET LINE ITEM NUMBER FROM 9070 TO BUDGET LINE ITEM NUMBER 9050

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting.

Please ensure that his 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.

Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient as to formatting. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. 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).

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0193-20__ SPONSOR: Edmund Yazzie

TITLE: An Action Relating To Resources And Development And Budget And Finance Committees; Approving A Change In Resolution CAP-35-18 Exhibit D No. 177 Thoreau Chapter Veterans Building Design/Construction Project By Changing Budget Line Item Number From 9070 To Budget Line Item Number 9050

Date posted: August 19, 2020 at 4:42 PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0193-20

SPONSOR: Honorable Edmund Yazzie

TITLE: An Action Relating To Resources And Development And Budget And Finance Committees; Approving A Change In Resolution CAP-35-18 Exhibit D No. 177 Thoreau Chapter Veterans Building Design/Construction Project By Changing Budget Line Item Number From 9070 To Budget Line Item Number 9050

Posted: August 19, 2020 at 4:42 PM

5 DAY Comment Period Ended: August 24, 2020

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

08/25/20 8:24am
Date/Time

RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL

SECOND YEAR 2020

COMMITTEE REPORT

Mr. Speaker,

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

> **Legislation 0193-20**: An Action Relating to the Resources and Development and Budget and Finance Committees; Approving a Change in Resolution CAP-35-18 Exhibit D No. 177 Thoreau Chapter Veterans Building Design/Construction Project by Changing Budget Line Item Number From 9070 to Budget Line Item Number 9050. *Presenter: Honorable Edmund Yazzie*

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

and thereafter the legislation was referred to Budget and Finance Committee.

Respectfully submitted,

Rickie Nez, Presiding Chairperson
Resources and Development Committee of
the 24th Navajo Nation Council

Date: August 28, 2020 - Special Meeting (Teleconference)
Meeting Location: (RDC members called in via teleconference from their location within the boundary of the Navajo Nation.)

Main Motion:
Motion: Mark A. Freeland S: Herman M. Daniels Vote: 5-0-1 (CNV)
In Favor: Mark A. Freeland, Wilson C. Stewart, Jr., Kee Allen Begay, Jr., Herman M. Daniels, and Thomas Walker, Jr.
Oppose: NONE
Excuse: NONE
Not Voting: Presiding Chairperson Rickie Nez

(NOTE: Vote Tally attached.)

RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council

SECOND YEAR 2020

ROLL CALL
VOTE TALLY SHEET:

Legislation 0193-20: An Action Relating to the Resources and Development and Budget and Finance Committees; Approving a Change in Resolution CAP-35-18 Exhibit D No. 177 Thoreau Chapter Veterans Building Design/Construction Project by Changing Budget Line Item Number From 9070 to Budget Line Item Number 9050. *Presenter: Honorable Edmund Yazzie*

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In Favor: Mark A. Freeland, Wilson C. Stewart, Jr., Kee Allen Begay, Jr., Herman M. Daniels, and Thomas Walker, Jr.
Oppose: NONE
Excuse: NONE
Not Voting: Presiding Chairperson Rickie Nez

Honorable Rickie Nez, Presiding Chairperson
Resources and Development Committee

Shammie Begay, Legislative Advisor
Office of Legislative Services