

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 23rd Navajo Nation Council---Second Year 2016

AN ACT

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; AMENDING THE PLAN OF OPERATION FOR THE NAVAJO DIVISION OF COMMUNITY DEVELOPMENT IN 2 N.N.C. § 1453; APPROVING AMENDMENTS TO THE MASTER PLAN OF OPERATION OF THE DIVISION OF COMMUNITY DEVELOPMENT, THE PLAN OF OPERATION FOR THE COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT AND THE PLAN OF OPERATION FOR THE ADMINISTRATIVE SERVICE CENTERS AND APPROVING A NEW PLAN OF OPERATION FOR THE CAPITAL PROJECTS MANAGEMENT DEPARTMENT WHICH WILL MERGE THE CAPITAL IMPROVEMENT OFFICE, DESIGN & ENGINEERING SERVICES DEPARTMENT, AND THE SOLID WASTE MANAGEMENT PROGRAM

BE IT ENACTED:

SECTION 1. AUTHORITY

The Resources and Development Committee has the power to grant final approval for the Plan of Operations, including any amendments, for the Division of Community Development. 2 N.N.C. § 501(B)(2)(g).

SECTION 2. FINDINGS

A. The Division of Community Development has requested a change in its plan of operation as enacted by Resolution GSCJA-05-08/A, attached as Exhibit "I." Amendments are requested in the Master Plan of Operation for the Division of Community Development, attached as Exhibit "A"; the Plan of Operation for the Community Housing and Infrastructure Department, attached as Exhibit "B"; the Plan of Operation for a new department to be called the Capital Projects Management Department, attached as Exhibit "C," which is essentially a merging of the Capital Improvement Office, the Design and Engineering Services Department, and the Solid Waste Management Program; and amendments to the Administrative Services Centers Plan of Operation, attached as Exhibit "D." The Division of Community Development also requests that the Plan of Operation entitled "Navajo Department of Transportation Division (sic) of Community Development," attached as Exhibit "H," be deleted in its entirety.

B. The Navajo Nation hereby finds that it is in the best interest of the Navajo Nation to amend 2 N.N.C. § 1453 to add a new department to be called Capital Projects Management Department in the Plan of Operation for the Division of Community Development and to remove the Capital Improvement Office (Exhibit "E"), the Design and Engineering Services Department (Exhibit "F"), and the Solid Waste Management Program (Exhibit "G").

C. The Navajo Nation hereby finds that it is in the best interest of the Navajo Nation to amend the Master Plan of Operation for the Division of Community Development, the Plan of Operation for the Community Housing and Infrastructure Department, and the Plan of Operation for the Administrative Services Centers and to adopt a new Plan of Operation for the Capital Projects Management Department.

SECTION 3. APPROVING AMENDMENTS TO 2 N.N.C § 1453

The Navajo Nation hereby amends Title 2 of the Navajo Nation Code as follows:

NAVAJO NATION CODE ANNOTATED TITLE 2. NAVAJO NATION GOVERNMENT CHAPTER 5. EXECUTIVE BRANCH SUBCHAPTER 19. DIVISION OF COMMUNITY DEVELOPMENT

§ 1453. Personnel and organization

* * * *

B. The Division of Community Development shall consist of:

1. Division-Administration;
2. Community Housing and Infrastructure Department;
3. Administrative Service Centers;
4. Capital Projects Management Department.

SECTION 4. AMENDING THE MASTER PLAN OF OPERATION FOR THE DIVISION OF COMMUNITY DEVELOPMENT

The Navajo Nation hereby amends the Master Plan of Operation for the Division of Community Development as provided in Exhibit "A."

SECTION 5. AMENDING THE PLAN OF OPERATION FOR THE COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT

The Navajo Nation hereby adopts a Plan of Operation for the Community Housing and Infrastructure Department as provided in Exhibit "B."

SECTION 6. AMENDING THE PLAN OF OPERATION FOR THE ADMINISTRATIVE SERVICE CENTERS

The Navajo Nation hereby adopts a Plan of Operation for the Administrative Service Centers as provided in Exhibit "D."

SECTION 7. APPROVING PLAN OF OPERATION FOR NEW CAPITAL PROJECTS MANAGEMENT DEPARTMENT

The Navajo Nation hereby adopts a Plan of Operation for the new Capital Projects Management Department within the Division of Community Development as provided in Exhibit "C."

SECTION 8. RESCINDING THE PLANS OF OPERATION FOR THE CAPITAL IMPROVEMENT OFFICE, THE DESIGN AND ENGINEERING SERVICES DEPARTMENT, THE SOLID WASTE MANAGEMENT PROGRAM AND THE "NAVAJO DEPARTMENT OF TRANSPORTATION DMISION (SIC) OF COMMUNITY DEVELOPMENT"

The Navajo Nation hereby rescinds the Plans of Operation for the Capital Improvement Office (Exhibit "E"), the Design and Engineering Services Department (Exhibit "F"), the Solid Waste Management Program (Exhibit "G") and the Plan of Operation entitled "Navajo Department of Transportation Dmision (sic) of Community Development" (Exhibit "H").

SECTION 9. EFFECTIVE DATE

The amendments enacted herein shall be effective pursuant to 2 N.N.C. § 221(B).

SECTION 10. CODIFICATION

The provisions of this Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

SECTION 11. SAVING CLAUSE

Should any provision of these amendments be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those provisions of these amendments which are not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Department of Transportation, (Navajo Nation) Tse Bonito, New Mexico, at which quorum was present and that same was passed by a vote of 3 in favor, 2 opposed, 1 abstained this 25th day of October, 2016.



**Alton Joe Shepherd, Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council**

Motion: Honorable Jonathan Perry
Second: Honorable Leonard Pete



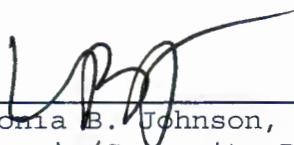
NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

RODGERICK T. BEGAY
ACTING DEPUTY ATTORNEY GENERAL

M E M O R A N D U M

TO: Carl Smith, Division Director
Division of Community Development

FROM: 
LaTonia B. Johnson, Acting Assistant Attorney General
Economic/Community Development Unit, Dept. Of Justice

DATE: August 11, 2016

SUBJECT: Document No. 6197: Amendments to the Division of Community
Development's Plan of Operation

The Department of Justice (DOJ) has reviewed the re-submitted above-mentioned document and finds that the Division of Community Development (DCD) has addressed the issues raised in the DOJ's memorandum dated July 19, 2016. Before the Plan of Operation (POO) is submitted to the Legislative Branch for the Resources and Development Committee's approval, the following minor issues should be addressed:

1. Please delete all the side comments so it only reflects the underline and strike-out version of the POO.
2. In reviewing the Capital Project Management Department's (CPMD) Organization chart, it is noted that it only has "project management," but when we met, DCD agreed to note that it would be "project/construction management." This new change is reflected in the CPMD's POO. It is recommended that the organizational chart is amended to be consistent with the POO.
3. In the Administrative Service Center's POO, there are numbering that needs to be reformatted.
4. Please see the face of the document for other minor edits.

If you have any questions regarding this memorandum, please contact me at 928-871-6933. Thank you.

LBJ/ah/140



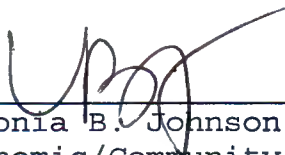
NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

RODGERICK T. BEGAY
ACTING DEPUTY ATTORNEY GENERAL

M E M O R A N D U M

TO: Carl Smith, Division Director
Division of Community Development

FROM: 
LaTonia B. Johnson, Acting Assistant Attorney General
Economic/Community Development Unit, Dept. Of Justice

DATE: July 19, 2016

SUBJECT: Document No. 6197: Amendments to the Division of
Community Development's Plan of Operation

The Department of Justice (DOJ) has reviewed the above-mentioned document and finds it insufficient for the following reasons:

Incorrect Form:

It appears that the Division of Community Development (DCD) processed this document using the 164 review form. This is not correct. Rather, DCD should have used the Executive Official review form and the document only required the review of the Division and Department of Justice. I have attached the proper Executive Official review form for your review (Attachment 1). In the future, I am available to provide training on the use of the 164 vs. Executive Official review form and process.

Amendments to 2 N.N.C. § 1454:

The Office of Management and Budget (OMB), in a memorandum dated July 6, 2016, noted that the sample resolution provides that it will be amending 2 N.N.C. § 1454. Section 1454 is the authority, duties and responsibilities of DCD Division Director. In reviewing the proposed amendments to DCD's Plan of

Memorandum to: Carl Smith

RE: Document No. 6197: Amendments to the Division of Community Development's Plan of Operation

July 19, 2016

Page 2

Operation (POO), it does not appear that the POO amendments requires an amendment to § 1454. If that was DCD's intention, it is recommended that the Division Director's authorities are amended in the POO. If it is DCD's intention to amend § 1454, it is also recommended that the amendments to § 1454 are processed first and thereafter the amendments to the POO. Please clarify.

Development of the Capital Improvement Plan:

It also appears that DCD is combining Design and Engineering Services (DES), Solid Waste Department and Capital Improvement Office (CIO) to form one department, Capital Projects Management Department (CPMD). The CPMD is taking over the role of CIO, which includes the development of the Capital Improvement Plan (CIP). As you know, the development and guideline of the CIP is outlined in the Appropriation Act (Act), 12 N.N.C. § 860. The Act requires that CIO is responsible for the administration, coordination and development of the CIP. See § 860(A)(1). In developing the CIP, CIO's responsibilities include, but not limited to conducting a detailed one-year capital improvement budget, inventory, report, financial analysis, and objective evaluation of all the proposed projects. See § 860(A)-(D).

In reviewing CPMD's POO, there are a number of provisions listed in Section II, Goals and Objectives, that appear to be referring to the development of the CIP. For example, Section II(F) requires CPMD to conduct a review of all authorized capital improvement projects to determine if additional funding is needed and to prepare progress reports. Section 860 (D)(2) and (5) requires CIO to conduct an inventory of all facilities and objectively evaluate all capital improvement request. Section II(H) also requires CPMD to convene a multidisciplinary team on an annual basis. Section 860(A)(2) requires that CIO evaluate request in compliance with the Transportation and Community Development Committee (TCDC) Objective Criteria, TCDCJY-77-99, and the TCDC Objective Criteria, Section 8, also requires a multidisciplinary team.

Memorandum to: Carl Smith

RE: Document No. 6197: Amendments to the Division of Community Development's Plan of Operation

July 19, 2016

Page 3

Additionally, Section II(G) provides that CPMD will coordinate with the Office of the Controller (OOC) and OMB to identify funds for the current CIP. This provision also appears to be related to the development of the CIP. However, §860(D)(4) provides that OOC and OMB conduct a financial analysis to determine how much the Navajo Nation could afford. Section II(G) is requiring that CPMD, OOC and OMB find the funds for the CIP project yet § 860(D)(4) requires OOC and OMB to conduct a financial analysis. The aforementioned provisions are substantially different from each other. It is unclear as to whether DCD misinterpreted § 860(D)(4) or if it is DCD's intention to also propose amendments to § 860. If it is DCD's intention to merely note that CPMD's duties include the development of the CIP, it is recommended that there is a reference such as "Conduct all duties related to the development of the CIP as provided in 12 N.N.C. § 860." The suggested provision would be to ensure consistency between the DCD's POO and § 860 of the Act and avoid misinterpretations.

Assistance to the Chapters:

Throughout CPMD's POO, it is noted that CPMD will only provide assistance to the Chapters. However, DES' POO specifically provided that DES will assist chapters, divisions and other entities of the Navajo Nation. It is clear that the proposed amendment to DCD's POO is deleting any reference to assist other divisions and other entities of the Navajo Nation. By implication, it appears that that other Divisions and other entities of the Navajo Nation would be responsible to conduct planning, design, project management and construction. This tremendously affects the Navajo Nation because it will force the other Divisions to conduct the aforementioned services. At the very least, the other Divisions will be required to hire their own project managers and have a mini-DES. This would require amendments to other Divisions' POO and ensure that there are employees who have the expertise of the DES' staff.

If DCD's POO is approved by the Resources and Development Committee (RDC), it leaves other Divisions with no assistance until those respective Divisions amend its POO and hire staff who have the knowledge in the aforementioned services. The proposed amendment may have unintended consequences such as, but not limited to wrong contracts that may be used, not sufficient bonds and insurance, unqualified

Memorandum to: Carl Smith

RE: Document No. 6197: Amendments to the Division of Community Development's Plan of Operation

July 19, 2016

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contractors and faulty buildings. While this is a policy decision, it is very important that the RDC consider the overall consequences to the Navajo Nation and keep in mind that the original intent of DES was to staff individuals who have the expertise in planning, design, construction and project management and to assist all Divisions and Chapters for all public facilities.

Other Areas:

In addition to the above-mentioned substantive comments, the following are other comments to consider:

- 1) I have attached a mark-up of some comments that I have made to the fact of the document. See Attachment 2 for review.
- 2) Whether the included POO of Administrative Service Center's is the correct version. In DOJ's past experience, Section IV(B)(16) was deleted in its entirety yet it is still included in this version. Please clarify.
- 3) Throughout the document, there are references to the organization chart in each respective Department's POO, but it either references Attachment or Exhibit. For consistency, please ensure that one term is used. Please use either Attachment or Exhibit.

If you have any questions regarding this memorandum, please contact me at 928-871-6933. Thank you.

LBJ/ah/126

Attachments

xc: Rodgerick T. Begay, Acting Deputy Attorney General
Office of the Attorney General

Lorenzo Curley, Attorney
Economic/Community Development Unit, Dept. of Justice

Document No. 006197Date Issued: 06/23/2016**SECTION 164 REVIEW FORM**Title of Document: Approving Mod to DCD Plan of Operation Contact Name: SANDOVAL, LESLIE D.Program/Division: DIV. OF COMMUNITY DEVELOPMENTEmail: lsandoval@nndcd.org Phone Number: 928/871-7172Division Director Approval for 164A: *Carl Smith*

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☐ **Statement of Policy or Positive Law:** Sufficient Insufficient1. OAG: _____ Date: _____ ☐ ☐☒ **IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**

1. OMB:	<u><i>DBryant - See Memo</i></u>	Date:	<u><i>7-7-16</i></u>	☐	☒
2. OOC:	<u><i>Smith</i></u>	Date:	<u><i>7-8-16</i></u>	☒	☐
3. OAG:	<u><i>LPJ LPJ</i></u>	Date:	<u><i>7/19/16</i></u>	☒	☒
			<u><i>8/11/16</i></u>	☒	☒

Section 164(B) Final approval rests with the President of the Navajo Nation☐ **Grant/Funding Agreement or amendment:**

1. Division:	_____	Date:	_____	☐	☐
2. OMB:	_____	Date:	_____	☐	☐
3. OOC:	_____	Date:	_____	☐	☐
4. OAG:	_____	Date:	_____	☐	☐

☐ **Subcontract/Contract expending or receiving funds or amendment:**

1. Division:	_____	Date:	_____	☐	☐
2. BRD:	_____	Date:	_____	☐	☐
3. OMB:	_____	Date:	_____	☐	☐
4. OOC:	_____	Date:	_____	☐	☐
5. OAG:	_____	Date:	_____	☐	☐

☐ **Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**

1. Division:	_____	Date:	_____	☐	☐
2. OAG:	_____	Date:	_____	☐	☐

☐ **M.O.A. or Letter of Assurance expending or receiving funds or amendment:**

1. Division:	_____	Date:	_____	☐	☐
2. OMB:	_____	Date:	_____	☐	☐
3. OOC:	_____	Date:	_____	☐	☐
4. OAG:	_____	Date:	_____	☐	☐



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
8/9/16 4:30pm
DATE / TIME
☒ 7 Day Deadline
DOC #: 006197#2
SAS #:
UNIT: ECDU

☒ 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: 6/23/2016 ENTITY/DIVISION: Community Development
 CONTACT NAME: Leslie Sandoval DEPARTMENT: Administration
 PHONE NUMBER: 928.671.7172 E-MAIL: LESLIE@NNDCD.ORG

TITLE OF DOCUMENT: Section 164 Review Document #6197-Approving Amendment to DCD
Plan of Operation

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 08-09-16 4:30pm REVIEWING ATTORNEY/ADVOCATE: Latoria Johnson
 DATE/TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

Sufficient. See memo

REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
<u>LB</u>	<u>8/11/16 857am</u>	<u>LB</u>	<u>8/11/16 857am</u>

DOJ Secretary Called: _____ for Document Pick Up on _____ at _____ By: _____

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

NNDOJ/DRRF-July 2013





NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
07/12/16 @ 1:58pm
DATE / TIME
☒ 7 Day Deadline
DOC #: 006197
SAS #:
UNIT: ECDW

☐ RESUBMITTAL

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CLIENT TO COMPLETE

DATE OF REQUEST: 6/23/2016 DIVISION: COMMUNITY DEVELOPMENT
CONTACT NAME: LESLIE SANDOVAL DEPARTMENT: ADMINISTRATION
PHONE NUMBER: 928.871.7172 E-MAIL: LESLIE@NNDJCD.ORG

TITLE OF DOCUMENT:

SECTION 164 REVIEW DOCUMENT #6197 - APPROVING AMENDMENT TO DCD PLAN OF OPERATION

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 7-12-16 3pm REVIEWING ATTORNEY/ADVOCATE: Latonia Johnson

DATE TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

emailed memo to Rod/LC 7/18/16. 1/1524/12/2016
All memo

REVIEWED BY: (Print) UBJ Date / Time 7/19/16 220 SURNAMED BY: (Print) UBJ Date / Time 7/19/16 220

DOJ Secretary Called: Leslie Sandoval for Document Pick Up on 7/19/16 at 222 By: AH

PICKED UP BY: (Print) DATE / TIME:

NNDJ/DRRF-July 2013





THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

CARL SMITH
Executive Director

**DIVISION OF
COMMUNITY
DEVELOPMENT**

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WEBSITES:
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NavajoChapters.org

MISSION:
*Provide
opportunities for
the Navajo
communities to be
self-governing and
self-sufficient.*

TO: 164 REVIEWERS

FROM:

Carl Smith, Executive Director
Division of Community Development

DATE: June 23, 2016

SUBJECT: §164 Administrative Review RE: Repealing Resolution GSCO-27-08 and GSCJA-05-08/A; Approving Modifications to DCD Plan of Operation; and Approving New Plan of Operation for Capital Projects Management Department

As part of DCD's restructuring plan, DCD is merging the Capital Improvement Office, Design & Engineering Services Department, and the Solid Waste Management Program into a new department, the Capital Projects Management Department.

Please expedite the administrative review of the following modifications to the plan of operation of DCD.

Thank you for your cooperation and understanding. If you have any questions regarding this administrative review packet, please contact our office at 7172.



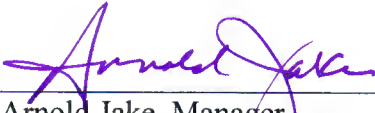
THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO : Carl Smith, Division Director
Division of Community Development

Reviewers/Approvers
2 NNC §164 Process

FROM : 
Arnold Jake, Manager
Management & Policy Section
Office of Management & Budget

DATE : July 7, 2016

SUBJECT : **Review of Proposal to Amend the Division of Community
Development's Master Plan of Operation and Enabling Legislation**
(164 Document Review #006197)

OMB received the above referenced document for review on June 24, 2016 and provides the following comments and recommendations:

1. OMB usually recommends the sponsors of any proposed department mergers to include a summary of information regarding the transitional plans of how the change will take place and how it will affect staffing and funding. I spoke with Mr. Carl Smith, DCD Division Director, on July 5, 2016 and he indicated that this information is available and has been presented to the OPVP and DCD's oversight committee and the planned date of implementation is October 1, 2016 to coincide with the NN fiscal year.

Additionally, OMB recommends a document be provided by DCD explaining how this restructuring will improve services/operations and the benefits.

2. In addition to the statements proposing the new program and merger, the title of the proposed resolution also states amending the NN Code at 2 N.N.C. §1453, which is usually referred to as the division's Enabling Legislation, but the proposed document

OMB '164 Review Memo



I reviewed only includes information pertaining to the DCD proposed Master Plan of Operation with no document showing amendments to the NN Code.

The proposed resolution also alludes to RDC approving the amendment to Title 2 §1453. Usually an amendment to the NN Code, including division enabling legislation, requires the approval of the NNC and President and is done under a separate proposed legislation along with the Master Plan of Operation amendments. Unless this has changed with the 2012 Amendments to Title 2, OMB recommends following the above mentioned process.

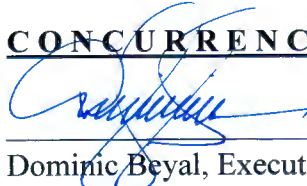
OMB supports the amendment of 2 NNC §1453 as it contains information that is not consistent with this proposal.

OMB recommends the NN Department of Justice provide further clarification and guidance.

3. OMB recommends more emphasis and specific language be included in the proposed plan of operation regarding responsibilities assigned to DCD/Capital Improvement Office with their involvement in the development of the NN's Capital Improvement Plan and Capital Budget. These responsibilities are listed at Section 860 of the NN Appropriations Act (12 NNC §800). In the past, these requirements had to be waived which resulted in no Capital Plan and/or Capital Budget.
4. Although referenced in the proposed plan of operation at section IV, B, as Exhibit A, the Organization Chart is not included with the version provided for my review. Please include.

If you have any questions regarding this review and/or recommendations, please contact me at (928)871-6090 or via email at ajake@omb.navajo-nsn.gov

CONCURRENCE



Dominic Beyal, Executive Director
Office of Management & Budget
Navajo Nation

xc: OMB File



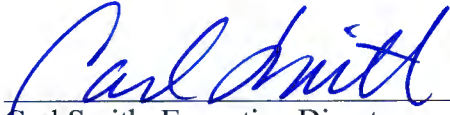
THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

DCDA-M16079

MEMORANDUM

TO: SECTION 164 REVIEWERS

FROM: 
Carl Smith, Executive Director
Division of Community Development

DATE: July 11, 2016

SUBJECT: **RESPONSE TO OMB MEMO DATED JULY 7, 2016**

In a memo dated July 7, 2016, Mr. Arnold Jake, Manager, Management and Policy Section, OMB, made some observations and recommendations for the amendments to the DCD Plan of Operations and new plan of operation for the Capital Projects Management Department (CPMD).

1. The attached chart explains how the restructuring/reorganizing will improve services/operations and the benefits.
2. For point 2, which refers to amending Title 2, DCD is simply taking the lead of the Office of Legislative Counsel and the Resources and Development Committee when it approved legislation 0139-14 on June 26, 2014, amending the plan of operation for the Division of Community Development at 2 N.N.C. §1453 and approving the plan of operation for the Administrative Services Center. The sample resolution was provided by DCD as a guide to the reviewers on what needs to be amended. DCD also provided overstricken and underlined plans of operations for the departments that will be changed by the amendments as a resource when the final language is drafted. DCD understands that the Office of Legislative Counsel will create the actual language that will go into the resolution. If there are any issues with the language at this point, DOJ's clarifications and guidance would be welcome.
3. OMB recommended additional language regarding the application of 12 N.N.C. §860 to the new CPMD department. Perhaps, the Office of Legislative Counsel when they are developing the resolution language for Resources and Development Committee could insert language that states that any reference to the Capital Improvement Office in existing legislation will now reference the Capital Projects Development Department.

CARL SMITH
Executive Director

DIVISION OF
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MISSION:
Provide
opportunities for
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self-sufficient.

MEMO – Section 164 Reviewers

July 11, 2016

Page 2 of 2

4. Organizational Chart. A proposed organizational chart showing how the new CPMD department fits into DCD is provided as Attachment C-1.

If you have any further questions, please call us directly at #871-7172.

Attachments

RESTRUCTURING/REORGANIZING

Restructuring, Reorganizing, Streamlining to use resources effectively, efficiently enhances the following:

- Program performance
- Eliminating duplications of service delivery
- Recommendations to change or amend legislation
- Enhancing Program Outreach
- Increase capacity building
- Staff involvement in program planning
- Maximize use of technology



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

CARL SMITH
Executive Director

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TO: 164 REVIEWERS

FROM: 
Carl Smith, Executive Director
Division of Community Development

DATE: August 11, 2016

SUBJECT: Administrative Review Document #6197

The Division of Community Development is respectfully requesting that the review of the attached DCD Plan of Operation revision and new Capital Projects Management Department (CPMD) Plan of Operation be expedited. DCD has put a tremendous amount of effort into restructuring the Division with the creation of the CPMD department. DCD is now up against time as it is currently going through budget review with the RDC. In order for RDC and Council to consider funding for the new CPMD department, a plan of operation needs to be in place.

We appreciate that the OPVP supports the restructuring efforts and humbly ask for an expedited review of the plan of operation in order to establish funding for the new department.

Thank you for your cooperation and understanding. If you have any further questions, please call me at 871.7172.



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

DCDA-M16037

MEMORANDUM

CARL SMITH
Division Director

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opportunities for
the Navajo
communities to be
self-governing and
self-sufficient.

TO : ALL CONCERNED

FROM : 
Carl Smith, Executive Director
Division of Community Development

DATE : February 22, 2016

SUBJECT : **FY 2016 Standing Delegation of Authority**

In the event of my absence from the office, Mr. Norbert Nez is delegated authority to act in my capacity as DCD Executive Director on routine administrative matters and have signatory approval, except those matters that he feels require my attention. This delegation will be effective through September 30, 2016.

Your assistance and cooperation will be appreciated.

Acknowledged by:


Norbert Nez, Computer Operations Manager
Division of Community Development

OFFICE OF THE PRESIDENT & VICE PRESIDENT
REQUEST FOR SERVICES

Date of request: Aug. 11, 2016

Name: CARL SMITH Dept: COMMUNITY DEVELOPMENT
Phone Number: 928.871.7172 EMAIL: LESLIE@NNDGD.org

Please Check: Support letter (X) REQUEST FOR IMMEDIATE REVIEW/ACTION
164 Review No. (X) 6197

Description of Service: REVIEW/APPROVAL DIVISION OF COMMUNITY DEVELOPMENT'S PLAN OF
OPERATION WITH AMENDMENTS.

Deadline: 08/12/16 Reason: DCD FY17 BUDGET REFLECTS AMENDMENTS:

RECOMMENDATIONS: (Authorized Personnel Only)*

Received

AUG 11 2016

OK

Called: For document pickup Date: Time: President
Called: For document pickup Date: Time: President

Picked up by: Date/Time :
PLEASE PRINT NAME



MASTER PLAN OF OPERATION FOR THE DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Navajo Division of Community Development (Division) within the Executive Branch of the Navajo Nation Government.

II. PURPOSE

The purpose of the ~~Navajo~~ Division ~~of Community Development~~ shall be to develop a dynamic and cohesive plan for community development activities, and provide relevant community education for orderly growth of the Navajo Nation that contributes to self-sufficiency of communities and families by constructing quality homes, community ~~public~~ facility buildings and ~~rural addressing infrastructure system to support enhanced 9-1-1~~ that is in harmony with nature and people's needs.

III. GOALS AND OBJECTIVES

- A 1. To provide technical assistance and administrative support at chapter governments in its development of becoming self-sustaining and self-governing entities through coordination with local, county, state and federal government offices.
- B 2. To improve the standard of living for Navajo families and individuals through the use of modern methods and techniques in the construction of new homes and rehabilitation of existing homes.
- C 3. To promote and foster land use planning and growth management policies and practices.
- D 4. To provide technical services in developing plans cooperatively with communities for proper solid waste management practices and disposal systems.
- E 5. To provide technical services and administrative support, in coordination with other appropriate entities, to plan, implement and maintain the rural addressing system in support of enhanced 9-1-1 Navajo Nation-wide.

IV. PERSONNEL AND ORGANIZATION

A. PERSONNEL

The ~~Navajo~~ Division shall be administered by a ~~Division-Executive~~ Director, who shall be appointed by the President of the Navajo Nation, confirmed by the Navajo Nation Council and shall serve at the pleasure of the President of the Navajo Nation. The Executive Director shall hire personnel as may be deemed necessary to carry out the purposes of the Division and as funds are available. All personnel shall be employed and compensated in accordance with the applicable Navajo Nation Personnel Policies Manual and other applicable Navajo Nation laws and policies.

B 2. ORGANIZATION

The Division ~~of Community Development~~ shall consist of ~~11 offices: Division Administration, five~~ four (4) Departments and ~~five agencies~~ to execute the Division's purpose, goals and objectives. The ~~four~~ (4) Departments may consist of sections, programs and agencies to accomplish the respective Departments' purposes. The ~~five~~ four (4) Departments and ~~five agencies~~ are as follows:

- 1) Division Administration;
- 2) ~~Capital Improvement Office;~~
- 3) ~~Design and Engineering Services Department;~~
- 4) 2) Community Housing and Infrastructure Department;
- 5) ~~Navajo Department of Transportation;~~
- 6) ~~Solid Waste Management Program;~~
- 7) ~~Local Governance Support Center Fort Defiance Agency;~~
- 8) ~~Local Governance Support Center Eastern Agency;~~
- 9) ~~Local Governance Support Center Chinle Agency;~~
- 10) ~~Local Governance Support Center Tuba City Agency;~~
- 11) ~~Local Governance Support Center Shiprock Agency.~~
- 12) 3) Administrative Service Center; and
- 13) 4) Capital Projects Management Department.

The organizational chart of the Division is displayed as Attachment A-1.

V. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The Division Executive Director ~~of the Division of Community Development~~ shall have the authority for the overall Division's operational planning and direction. The Executive Director shall have the following duties and responsibilities:

1. Execute directives of the President of the Navajo Nation, Navajo Nation Council and the ~~Transportation and Community~~ Resources and Development Committee.
2. Provide written monthly and/or quarterly reports to the Office of the President and Vice-President, ~~Transportation and Community~~ Resources and Development Committee of the Navajo Nation Council, annual reports to the Navajo Nation Council and any other necessary reports.
3. Issue Division's procedures to ensure the proper and timely implementation of Division projects.
4. Establish and maintain partnership with local, county, state, federal and other entities on matters related to the objectives of the Division.
5. Provide effective overall management and financial direction to Divisions' departments and programs.
6. Delegate authority pertaining to the operation of the Division and its program to subordinate directors of the Division, as appropriate and to the extent permitted by Navajo Nation laws and policies.
7. Negotiate written agreements on behalf of the Division relevant to community development ~~for oversight committee's recommendation.~~

8. Seek external funding for departments and projects to enhance community development.
9. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Division in accordance with applicable Navajo Nation laws and policies.
10. Recruit, select, supervise, conduct employee performance evaluation and recommend reclassification of positions for the Division Administration ~~Staff~~; and Department Managers and Program Directors in accordance with the Navajo Nation Personnel Policies Manual ~~of the Navajo Nation~~.

B. ADMINISTRATION OFFICE:

The purpose of the Administration Office is to provide for overall management of the Division. The Administration staff shall handle its duties and responsibilities in accordance with Navajo Nation laws and policies. The duties and responsibilities are as follows:

1. Recommend policies and legislation on community development issues to the ~~Transportation and Community Resources and Development~~ Committee and other appropriate committees of the Navajo Nation Council ~~for action~~.
2. Administer overall direction of the Division by monitoring short and long range plans, goals and objectives.
3. Maintain communication with Navajo Nation chapters on the overall Division's operation.
4. Ensure that departments and programs carryout their functions, authorities and responsibilities.
5. Assist in the coordination and development of strategies to implement Division functions.
6. ~~Develop and maintain Information Data Center for the Navajo Nation.~~

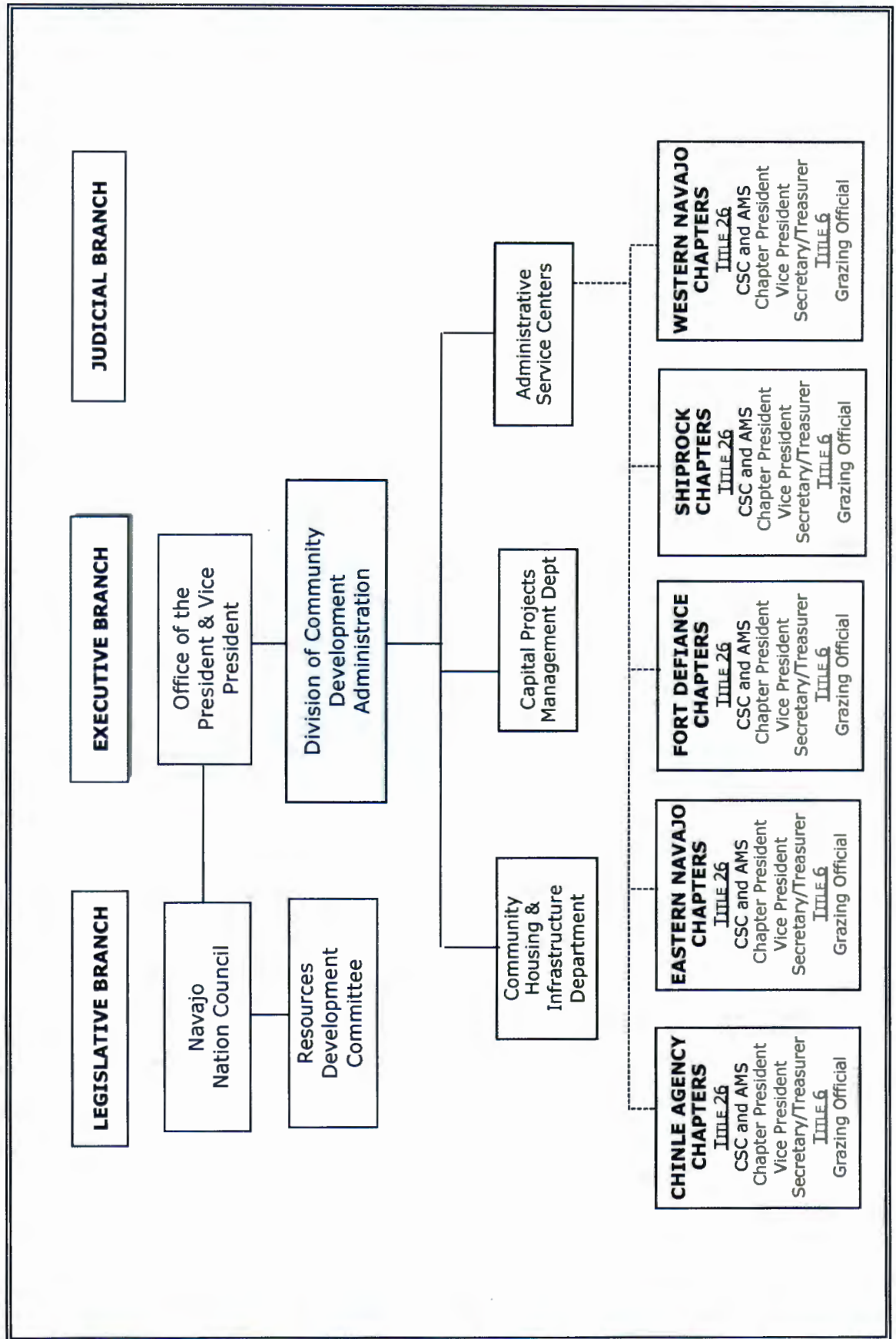
VI. LEGISLATIVE OVERSIGHT

Pursuant to 2 NNC §501(C) 421 and §423, et seq., the Division ~~of Community Development~~ shall operate under the legislative oversight of the ~~Transportation and Community Resources and Development~~ Committee of the Navajo Nation Council.

VII. AMENDMENTS

Section I through V may be amended from time-to-time by the ~~Government Services Resources and Development~~ Committee of the Navajo Nation Council ~~upon the recommendation of the Transportation and Community Development Committee of the Navajo Nation Council~~.

EXECUTIVE BRANCH/DIVISION OF COMMUNITY DEVELOPMENT



PLAN OF OPERATION

COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT

I. ESTABLISHMENT

~~The is hereby established the~~ Community Housing and Infrastructure Department (CHID) is hereby established (~~hereinafter "Department"~~) within the Division of Community Development of the Executive Branch of the Navajo Nation Government Executive Branch.

II. PURPOSE

~~The CHID Department is established to promote and shall strengthen communities and improve living conditions for Navajo families by developing comprehensive strategies for housing, utility services, public facilities, and improve energy efficiency for existing homes improved living conditions for Navajo families and strengthen communities through programs for community housing, utility service, public facility and economic development improvements.~~

III. OBJECTIVES

~~To carry out its purposes, the following Department objectives are established:~~

- ~~A. Provide the people and communities of the Navajo Nation with high quality and efficient housing and infrastructure improvements.~~
- ~~B. Seek and implement additional opportunities for home ownership and renovation for Navajo people and communities through community development partnerships and non-profits.~~
- ~~C. Promote and support private sector involvement in the financing and implementation of housing and infrastructure projects.~~
- ~~D. Encourage continued decentralization of housing development and renovation projects to chapters and communities in accordance with adopted Navajo Nation Executive policies and directives.~~
- ~~E. Seek and secure financing from the Navajo Nation, federal, state, and other agencies for planning, design and construction of new home, home renovation and infrastructure development projects.~~
- ~~F. Improve collaboration with other government departments, outside utility agencies, other government offices, private companies, non-profits, and chapters~~

~~to successfully plan and implement housing and infrastructure development projects.~~

- ~~G. Promote the use of improved building standards, appropriate technology, resource conservation, energy efficiency and sustainability in the design and construction of housing and infrastructure improvement programs.~~
- ~~H. Recommend and institute policies, procedures and standards that will improve performance of programs.~~
- ~~I. Raise awareness of home ownership and renovation issues and opportunities throughout the Navajo Nation.~~
- ~~J. Monitor the results of Navajo Housing Authority, NAHASDA and other housing improvement programs on behalf of the Navajo people to ensure compliance with approved Indian Housing Plan goals, regulations and standards.~~

IV. PERSONNEL AND ORGANIZATION

A. PERSONNEL

1. The position of Director of the Community Housing and Infrastructure Department is hereby established. The Director Department Manager shall be hired by the Executive Director in accordance with established the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual. policies and procedures, and will serve under the direct supervision of the Division Director of the Division of Community Development. In order to achieve the purposes and objectives of this Plan of Operation, the Director shall have the authority to:
2. The Department Manager shall determine the need for staff, additional professional, technical and administrative positions and establish field offices to carry out the purposes herein.
- ~~1. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Department, in accordance with Navajo Nation law, budgetary and personnel policies and procedures of the Navajo Nation; and~~
- ~~2. Hire, direct, supervise, and evaluate employees and reclassify positions within the Department in accordance with personnel policies and procedures of the Navajo Nation; and~~
- ~~3. Recommend additional professional, technical and administrative support staff as needed to carry out the activities of the department. Additional staff positions shall be hired and supervised in accordance with applicable Personnel Policies and Procedures and applicable budget rules established for conducting the annual Navajo Nation budget process; and~~

4. ~~Effectively manage all department programs and projects such that they are completed in accordance with applicable Navajo Nation, federal, and funding source rules and regulations; and~~
5. ~~Develop and implement overall administrative and operating policies and procedures necessary for effective management of the Department, and take such action as are deemed necessary and appropriate to accomplish the Department's stated mission, purpose and objectives; and~~
6. ~~Delegate authority as deemed necessary or desirable.~~
7. ~~Execute such directives and authorities as may be directed and/or authorized by the appropriate authority of the Navajo Nation.~~
8. ~~Provide opportunities for education and training to improve staff capability and performance.~~
9. ~~Represent the department at all executive level and other meetings.~~

B. ORGANIZATION

The CHID consist of the following sections and functions to accomplish the purpose: The CHID organizational chart is displayed as Attachment B-1. ~~Department shall consist of the following sections and programs as shown hereinafter (see Organization Chart attached hereto as Attachment B-1):~~

1. Administration and administrative support;
2. Planning;
~~Responsible for short and longer range program planning as well as overall departmental strategy relating to identifying and securing new funding, program and community development partnership opportunities. This will also include project pre-planning and planning, land acquisition, inter-agency coordination and scheduling, and preliminary cost estimating and budgeting.~~
3. Accounting and Ceontract Mmanagement;
~~Responsible for all project and program accounting within the department's federal and other programs, as well as contract negotiation, management and closeout requirements for all grant and other contract programs. This is consistent with the new departmental and program purchasing card system now being implemented (the P-Card). Department accountants and contract managers will often handle more than one program, allowing greater efficiency and cross training opportunities. Central government accounting will only be responsible for oversight of program accounts.~~
4. Compliance and Monitoring;
~~Responsible for all environmental and other clearances for department projects and programs, as well as monitoring performance of all departmental programs and Navajo Housing Authority, to assure compliance with applicable federal and Navajo Nation laws and~~

~~regulations. Monitoring of NHA will assure compliance with the approved Indian Housing Plan and future TDHE designation. This section's technical specialists will assure that all project requirements are met.~~

5. Funding/Grant Administration of external grants, which include, but not limited to the following: Federal grant program administration:
 - Community Development Block Grant (HUD);
 - NAHASDA (HUD);
 - Housing Improvement Program (BIA);
 - Weatherization Assistance Program DOE); and
 - New Mexico Capital Outlay.
6. Other housing and infrastructure programs as authorized.
7. ~~Agency offices and staff as authorized.~~

V. **AUTHORITIES, DUTIES AND RESPONSIBILITIES RESPONSIBILITY AND AUTHORITY**

- A. The Department Manager shall: general authorities and responsibilities of the Department are as follows:

1. Report to the Executive Director.
2. Develop policies and procedures for effective management of CHID and take appropriate actions to achieve CHID's purpose.
3. Perform periodic reviews and evaluations for staff and CHID.
4. Develop annual fiscal operating budgets for approval by the Executive Branch of the Navajo Nation, legislative oversight Committee and Navajo Nation Council.
5. Represent the CHID at the Navajo Nation, local, state and federal levels.

- B. CHID shall:

1. Administer internally and externally-funded programs for the benefit of Navajo chapters and communities, in full compliance with all applicable Navajo Nation and federal laws and policies.
2. Identify and recommend changes in the laws and regulations of the Navajo Nation to facilitate and enhance home ownership and housing quality throughout the Navajo Nation. Seek and secure funding from Navajo Nation, federal, state and other agencies;
3. Maintain e-Compliance with internal and external funding

~~sources; applicable governmental regulations by self-monitoring department performance and budgets.~~

~~4. Research and seek funding and other resource opportunities that could better facilitate the meeting of department objectives.~~

~~5. Initiate organizational changes to better respond to the needs of Navajo people and communities, while making effective use of available funding and organizational resources.~~

~~6. Provide periodic status and compliance reports to the Division, funding agencies and the Navajo Nation Council as required or requested.~~

~~7. Effectively manage and recommend improvements to the environmental review and compliance process~~

~~8. Manage all funds identified for housing and infrastructure development in a fiscally responsible manner.~~

~~9. 4. Provide technical support and training to Local Government Support Centers, the Navajo Nation Divisions, Chapters, community service staff and individuals on planning for, seeking, obtaining, and administering Navajo Nation and external funds for housing and infrastructure improvement projects.~~

~~10. Provide administrative support and training in contracting, procurement, construction management, risk management, and monitoring of projects.~~

~~5. Implement and maintain secure files of data and information relevant to Departmental of CHID programs and projects.~~

~~11. 6. Assist Navajo Nation chapters in the execution of housing development and renovation programs including community infrastructure development, which are properly delegated~~

~~12. 7. Provide training and public information, meetings and workshops to Navajo Nation Chapters, families and individuals on housing improvement opportunities and regulations.~~

~~13. 8. Develop policies and procedures to implement the purpose of CHID.~~

~~B. Agency Offices may be established and maintained to coordinate local housing and other community improvement activities to accomplish department objectives. The Director may delegate some or all authority over the following responsibilities to Agency staff:~~

~~1. Ensure that the adopted application processes are properly conducted to select qualified applicants for assistance programs.~~

- ~~2. Monitor building material inventories, construction staff, and technical assistance activities to ensure the accomplishing of departmental objectives.~~

VI. LEGISLATIVE OVERSIGHT

~~The Transportation and Community Committee of the Navajo Nation Council shall be the legislative oversight committee for the Department pursuant to 2 N.N.C. Sections 421 and 423, et. Seq.~~

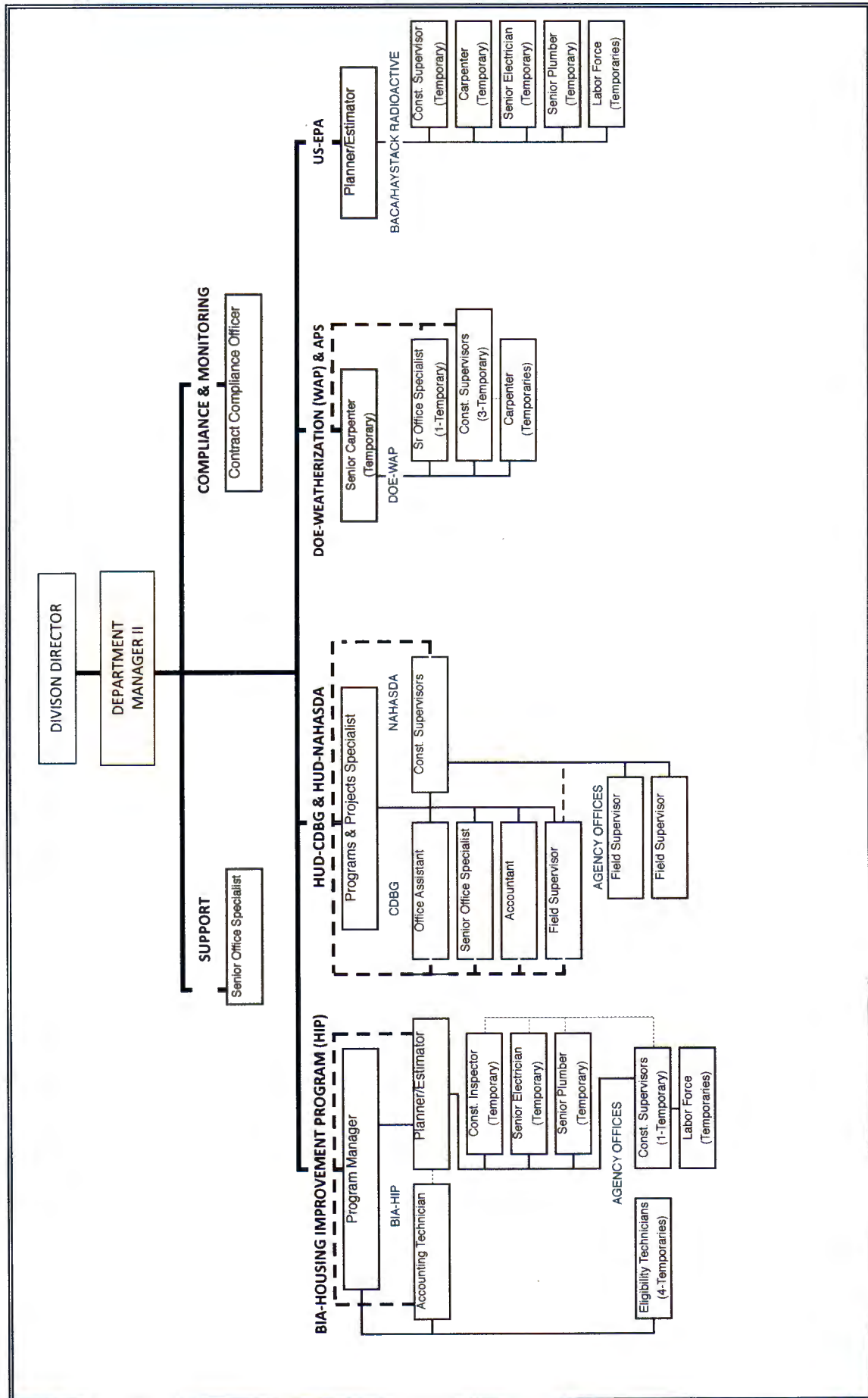
Pursuant to 2 N.N.C. § 501(C), the CHID shall operate under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council.

VII. AMENDMENTS

~~Sections I through V may be amended time-to-time by the Government Services Committee upon the recommendation of the Transportation and Community Resources and Development Committee of the Navajo Nation Council. or desirable.~~

COMMUNITY HOUSING and INFRASTRUCTURE DEPARTMENT ORGANIZATION CHART

ATTACHMENT B-1





PLAN OF OPERATION

CAPITAL PROJECTS MANAGEMENT DEPARTMENT DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

The Capital Projects Management Department (CPMD) is hereby established within the Division of the Executive Branch of the Navajo Nation Government.

II. PURPOSE AND MISSION: CPMD shall assist the Navajo Nation Divisions, Chapters and other entities for public facilities with the following:

- A. Provide programmatic planning, design and project/construction management;
- B. Seek and secure financing from the Navajo Nation, federal, state and other agencies;
- C. Comply with the Navajo Nation and external funding source requirements; and
- D. Maintain programmatic and financial policies for prioritizing and estimating capital improvement projects.

III. PERSONNEL AND ORGANIZATION

A. PERSONNEL

- 1. The Department Manager shall be hired and supervised by the Executive Director in accordance with the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies Manual.
- 2. The Department Manager shall determine the need for staff, additional professional, technical and administrative positions and establishing field offices to carry out the purposes provided herein.

B. ORGANIZATION

The CPMD consist of the following sections and functions to accomplish the purpose:

- 1. Planning;
- 2. Design;
- 3. Project/Construction Management;
- 4. Funding/Compliance.

The Organizational Chart for the CPMD is attached as Attachment C-1 and incorporated herein.

IV. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The Department Manager shall:

1. Report to the Executive Director.
2. Formulate the overall administrative and operating policies and procedures necessary for effective management of the CPMD and take appropriate actions to accomplish the purposes.
3. Conduct periodic reviews and evaluations of staff and CPMD.
4. Prepare annual fiscal operating budget for approval by the Executive Branch of the Navajo Nation, oversight Committee and Navajo Nation Council.
5. Represent the CPMD at the Navajo Nation, local, state and federal levels.

B. CPMD shall:

1. Provide comprehensive planning, design and project/construction management;
2. Seek and secure funding from the Navajo Nation, federal, state and other agencies;
3. Comply with internal and external funding sources;
4. Implement and maintain a central electronic filing and project tracking system;
5. Assist in the application for external funding to administer projects that are consistent with the purpose of CPMD;
6. Develop policies and procedures to implement the purpose of CPMD;
7. Use and abide by the International Building Code maintained by the International Code Council;
8. Purchase and inventory equipment and furnishing;
9. Ensure capital improvements projects are completed in a cost effective and efficient manner;
10. Conduct all duties related to the development of the Capital Improvement Plan as provided in 12 N.N.C. § 860;
11. Conduct periodic work sessions and/or project meetings to provide information on activities and project status; and
12. Carry out other duties and responsibilities as assigned by the Executive Director.

V. LEGISLATIVE OVERSIGHT

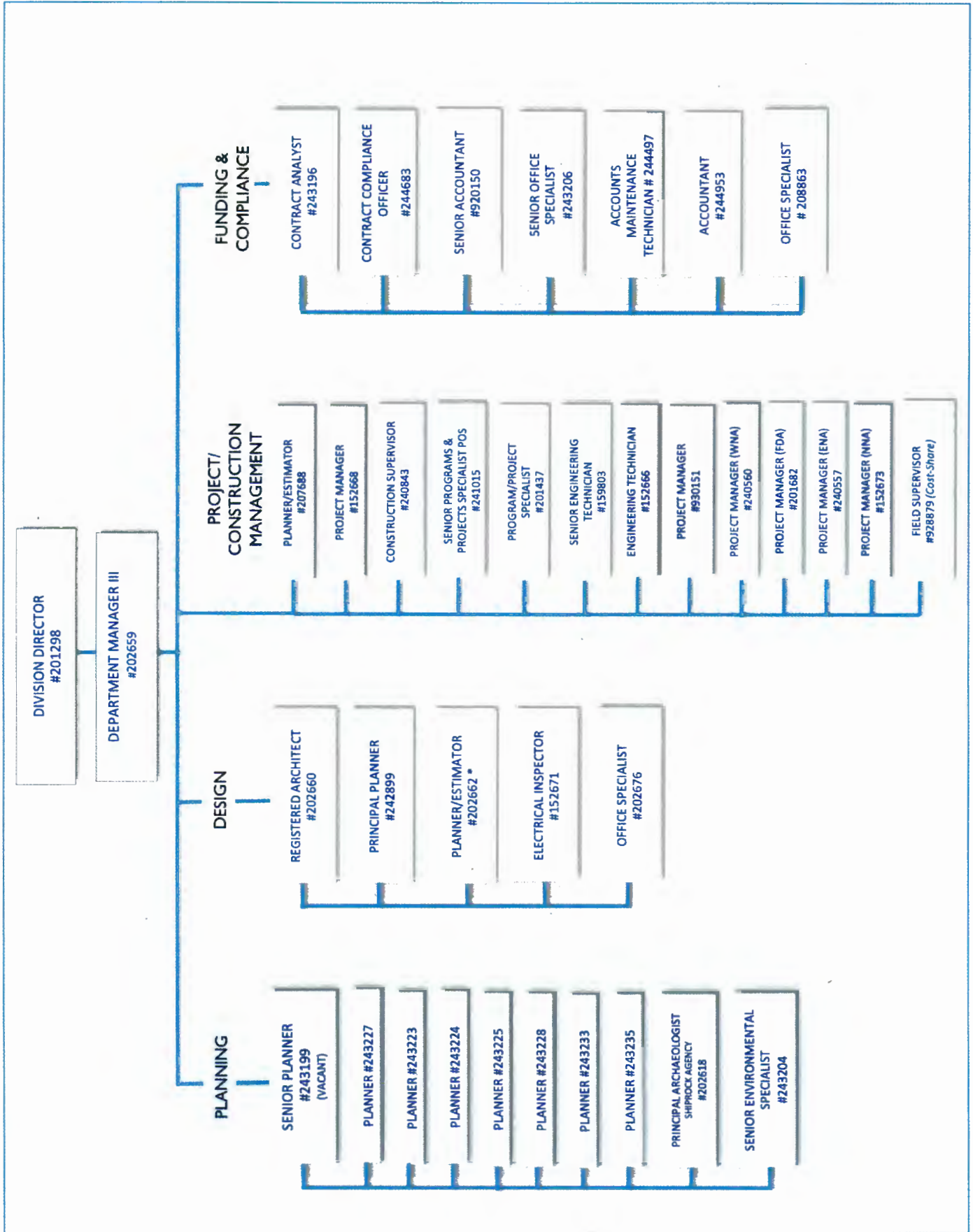
Pursuant to 2 N.N.C. § 501(C), the CPMD shall operate under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council.

VI. AMENDMENTS

Subsections I through VI of this Section may be amended from time-to-time by the Resources and Development Committee of the Navajo Nation Council.

THE NAVAJO NATION
DIVISION OF COMMUNITY DEVELOPMENT
CAPITAL PROJECTS MANAGEMENT DEPARTMENT

ATTACHMENT C-1





PLAN OF OPERATION

ADMINISTRATIVE SERVICE CENTERS DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Administrative Service Centers (ASC) within the Division of the Navajo Nation.

II. PURPOSE AND GOALS

A. The purpose of the ASC shall be to provide administrative support, ~~;~~ ~~planning services,~~ technical assistance and guidance to chapters. ~~specifically relating to project planning, infrastructure development, community land use planning, and to provide guidance in the implementation of Five Management System and its policies.~~

B. The goals of the ASC shall be to:

1. ~~Implement Project Management System~~
 - a. ~~Strategic and community planning~~
 - b. ~~Project planning and development~~
 - c. ~~Project implementation/completion~~
 - d. ~~Project operation and maintenance plan~~
1. Promote Local Governance Act certification
 - a. Provide technical assistance and guidance;
 - b. Implement Local Governance Act transition plan;
 - c. Implementation of the Five Management Systems ~~;~~ and
 - d. ~~Assist with Financial Management Information System (FMIS) 6B rollout.~~
2. Assist with Post-Local Governance Act Certification activities
 - a. Alternative Form of Government (AFOG);
 - b. Contract requirements;
 - c. Zoning, taxation, leasing, and other ordinances
 - d. ~~Update 5 year Community Land Use Plan~~
 - e. ~~Seek potential funding sources~~
3. Enhance Human Resource and Professional Development
 - a. Capacity building;
 - b. Accredited training and education;
 - c. Partnerships; and
 - d. Proposal/Grant writing skills.

III. PERSONNEL AND ORGANIZATION

A. PERSONNEL

1. The ~~DCD Division Executive~~ Director shall designate the ASC ~~Director~~ Department Manager to oversee the operation of the ASC and ~~the non-LGA Certified Chapter Administration Staff~~ in accordance with applicable Navajo Nation laws and policies.
2. The ASC ~~Director~~ Manager shall be authorized to recommend additional professional, technical, and administrative positions as needed to carry out the organizational purposes and objectives.
3. Additional positions shall be established in accordance with the Navajo Nation Personnel Policies Proceedures Manual and pursuant to applicable rules established for conducting the annual budget process.
4. The ASC shall be staffed to accomplish the purpose, goals and objectives as provided herein.

B. ORGANIZATION

1. The ASC shall consist of these functions necessary to accomplish the purpose cited.
 - a- Administration;
 - b- Chapter planning;
 - c- Compliance/monitoring; and
 - d- Chapter legal services through the Department of Justice

The Organizational Chart for the Administrative Services Centers is attached as Attachment A D-1, and incorporated herein.

IV. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The ASC ~~Director~~–Department Manager shall:

1. Develop and implement the overall administrative policies and procedures necessary for effective management of the ASC.
2. Conduct periodic reviews of staff and program effectiveness and present operating budgets for the appropriate committees of the Navajo Nation Council.
3. Represent the ASC at the Navajo Nation, county, state, and federal levels.

B. The ASC shall have the following duties and responsibilities:

1. Assist in monitoring pre-procurement activities.
2. Monitor and ensure implementation of the Five Management System and accounting services.

~~3. Provide planning, administrative support, and technical assistance to the chapter administration including, but not limited to:~~

~~Planning and community assessments/inventory
Comprehensive land use planning
Project portfolio and management~~

~~4. Facilitate governmental development by assisting chapters with implementation of capital projects.~~

~~5. Keep updated of new developments and laws within the Navajo Nation county, state, and federal governments and other entities, which may affect the chapter government.~~

3. Prepare written reports for presentations at chapter meetings and planning sessions.

4. Assist to secure additional revenue and in-kind contributions from the Navajo Nation and other funding agencies consistent with the Navajo Nation Ethics in Government Law, 2 N.N.C. § 3741 et. seq..

~~8. Provide information to the chapter regarding resources and socio-economic factors for effective local planning.~~

5. Ensure that the chapters' expenditures are in compliance with applicable Navajo Nation, federal, and state laws or grant agreements.

6. Assist chapters with developing corrective action plans for audit findings.

7. Assist chapters that have been sanctioned by the Budget and Finance Committee of the Navajo Nation Council with budget review and approval so funds can be disbursed.

~~9. Assist chapters with procurement.~~

8. Assist chapters in finalizing and processing of payroll and tax liabilities.

9. Assist chapters with data entry and uploading accounting and budget information into the governmental accounting software and online budget application.

10. Ensure chapter compliance with monthly/quarterly financial reporting requirements and the Five Management System Policies and Procedures.

11. Carry out other responsibilities as assigned by the ~~Director~~ Executive Director.

V. ~~DEPARTMENT PROCESS PROCEDURES~~

- A. ~~The Division Executive Director may delegate certain approvals to ASC, which but not limited to; approval of travel authorizations, leave requests, purchase requisitions, etc.~~
- B. ~~Disciplinary actions taken on Administrative Service Centers (excluding chapters) employees shall be executed by the Division Executive Director in accordance with the Navajo Nation Personnel Policies Manual~~

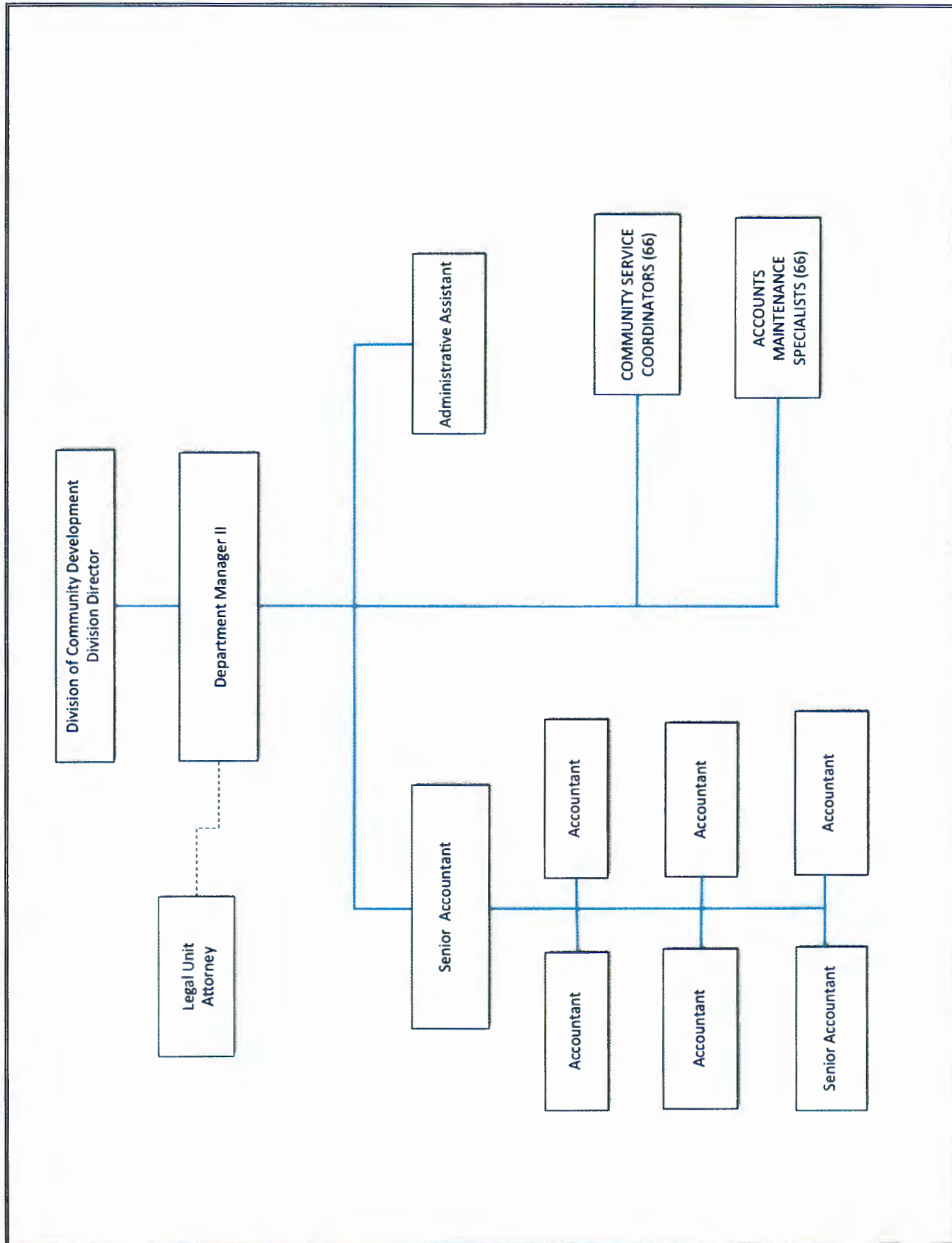
VI. LEGISLATIVE OVERSIGHT

Pursuant to 2 N.N.C. §501(C), the ASC are under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council

VII. AMENDMENTS:

The section herein may be amended from time-to-time by the Resource and Development Committee of the Navajo Nation Council.

DIVISION OF COMMUNITY DEVELOPMENT ADMINISTRATIVE SERVICE CENTERS ORGANIZATIONAL CHART



PLAN OF OPERATION

CAPITAL IMPROVEMENT OFFICE
DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Capital Improvement Office ("CIO") within the Division of Community Development ("DCD") and under the Executive Branch of the Navajo Nation government

II. PURPOSE AND MISSION

The purpose and mission of the Capital Improvement Office shall be to provide the Navajo Nation Government with a formal mechanism for decision-making related to infrastructure development and capital improvement programming; linking the Capital Improvement Plan with the Comprehensive Land Use Plan; developing and maintaining programmatic and financial policies for prioritizing and estimating capital projects; developing and maintaining a multi-year list of Capital Improvement Projects; and monitoring the capital budget.

III. GOALS

The goals of the Department shall be to:

1. Formulate written procedures for citizen input and build capacity at the Chapter and program levels to enable the communities to efficiently access capital and infrastructure project funding.
2. Develop and maintain policies and procedures for Capital Improvement Projects to ensure a timely and orderly process for planning and budgeting for capital assets.
3. Coordinate and link the long and short-range capital improvement programming with the Chapter land-use plans.
4. Conduct periodic capital needs assessments to determine the need for replacement, repair, renovation, expansion or retirement of the existing facilities and need for future development
5. Conduct annual reviews of the status of currently active capital improvement projects and determine whether additional funding will be requested to continue the project and to determine the amount of funds from completed and discontinued projects.

- ~~6. Perform financial capacity analysis to determine the level of capital expenditures the Nation can afford and to designate other funding considerations in conjunction with the Office of Management and Budget and the Office of Controller.~~
- ~~7. Compile all project proposals and provide for the evaluation and prioritization all Capital Improvement Project Proposals utilizing TCDC approved objective criteria.~~
- ~~8. Finalize and present annual six (6) year Capital Improvement Plans for consideration and approval by the Transportation and Community Development Committee (TCDC).~~
- ~~9. Monitor the capital budget and maintain up to date records on all projects within the Capital Improvement Plan.~~
- ~~10. Submit written quarterly progress reports on the capital budget to TCDC and the Budget and Finance Committee.~~
- ~~11. Provide Technical Assistance to Chapters and Programs on the Program processes and mechanisms and in accordance with the Local Governance Act~~

~~IV. OBJECTIVES~~

- ~~1. Provide quarterly training in the area of proposal development, project management and implementation to build capacity at the local level.~~
- ~~2. Compile, evaluate and develop a multiyear list of infrastructure and capital improvement projects in order of priority and with a detailed one-year capital improvement budget by April of each year.~~
- ~~3. Conduct a survey of Chapter and Program needs using a survey form and in coordination with Chapters and Programs by December of each year. Establish a process for gathering Chapter and Program needs to produce a needs-based capital budget.~~
- ~~4. In coordination with Risk Management Program and Property Management Department, conduct periodic facilities inventory to be finalized and completed by December of the respective year.~~
- ~~5. Prepare a CIP Status report that includes information on projects that will be continuing, the amount of funds required to continue or complete respective projects, determining the amount of remaining fund balance from projects that are completed or have been discontinued, and summary report of progress by January of each year.~~
- ~~6. In coordination with the Office of Management and Budget, conduct an Infrastructure and Capital Improvement Finance conference to determine the selection and scheduling of other funding sources in February of each year.~~

- ~~7. Convene a multidisciplinary team for the purpose of reviewing and rating Capital Improvement and Infrastructure Project Proposals in March of each year.~~
- ~~8. Draft and submit TCDC resolutions for the Section 164 review for comments and review of the Capital Improvement Plan by April of each year.~~
- ~~9. Conduct monthly monitoring of each project account and project site for the purpose of ensuring compliance with all applicable laws, regulations, rules and policies in the course of project implementation by the respective project sponsors.~~
- ~~10. Maintain records of all project accounts in accordance with generally accepted records management systems.~~
- ~~11. Compile up-to-date information from the monthly monitoring sits and prepare progress reports to be used in the quarterly reports.~~
- ~~12. Conduct Quarterly work sessions and/or project meetings to provide information on program requirements, activities and status of projects to Chapters and Programs.~~

~~V. PERSONNEL AND ORGANIZATION~~

~~A. PERSONNEL~~

- ~~1. The Director of the Office shall be hired and supervised by the Division Director in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Policies and Procedures.~~
- ~~2. The Office shall be staffed sufficiently to accomplish the purpose, goals and objectives of the Office which may include the establishment of agency offices.~~
- ~~3. The Director shall be authorized to recommend additional professional, technical and clerical positions as needed to carry out the organizational purposes, goals and objectives as stated herein. Additional positions shall be acquired in accordance with applicable budget rules established for conducting the annual Navajo Nation Budget process.~~

~~B. ORGANIZATION~~

~~The Office shall consist of the following:~~

- ~~1. Administrative Support Staff~~

- ~~2. Technical Support~~
- ~~3. Any additional Sections that may be deemed necessary to accomplish the purpose, goals and objectives of the Office.~~

~~Organizational Chart of the Capital Improvement Office is attached hereto as Attachment "B-1".~~

~~VI. RESPONSIBILITY AND AUTHORITY~~

~~A. The Office Director shall report and be responsible to the Division Director.~~

~~B. The Office Director shall:~~

- ~~1. Formulate the overall administrative and operating policies and procedures necessary for effective management of the Office and take actions to accomplish the program purpose and goals.~~
- ~~2. Exercise supervisory control and direction over all Office staff.~~
- ~~3. Delegate authority to members of the staff as necessary.~~
- ~~4. Conduct periodic reviews of Office effectiveness and the use of fiscal allocations to ensure that expenditures are within authorized budgets and guidelines.~~
- ~~5. Establish and maintain project status reports on all funded projects.~~
- ~~6. Provide training to improve staff performance.~~
- ~~7. Represent the Office at the executive level.~~
- ~~8. Establish and maintain communication with tribal government and elected officials as needed to accomplish the goals and objectives stated herein.~~
- ~~9. Carry out all other responsibilities as assigned by the Division Director.~~
- ~~10. Recommend proposed projects for funding to the oversight committee of the Navajo Nation Council.~~

~~VII. LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. Sections 421 and 423, et seq., the Capital Improvement Office shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VIII. AMENDMENTS~~

~~Sections I. through V. may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.~~



PLAN OF OPERATION

DESIGN AND ENGINEERING SERVICES DIVISION OF COMMUNITY DEVELOPMENT

~~I. ESTABLISHMENT~~

~~There is hereby established the Design and Engineering Services ("Department") under the Division of Community Development ("Division") of the Executive Branch of the Navajo Nation Government.~~

~~II. PURPOSE AND OBJECTIVES~~

~~A. Purpose~~

~~The purpose of the Design and Engineering Services shall be to cultivate public shelter facilities with sound architectural, engineering services and construction management for a healthy society and physical environment.~~

~~B. Objectives~~

~~The objectives of the Design and Engineering Services shall be to:~~

- ~~1. Provide comprehensive professional architectural and engineering services to chapters, divisions and other entities of the Navajo Nation.~~
- ~~2. Review, coordinate and approve the design and specifications for Navajo Nation capital improvement projects to ensure compliance with all applicable state, federal and Navajo Nation regulations, codes and standards.~~
- ~~3. Design to satisfy cultural and environmental conditions of the built environment, working with Navajo Nation communities to promote integrity and self-sufficiency.~~
- ~~4. Ensure that Navajo Nation projects are constructed with timely, efficient and cost effective methods by administering and monitoring construction activities.~~
- ~~5. Develop the professionalism to enhance coordination with private, state and federal agencies in the provision of professional services within the Navajo Nation.~~

III. ~~PERSONNEL AND ORGANIZATION~~

A. ~~Personnel~~

1. ~~The Director of the Design and Engineering Services shall be hired and supervised by the Executive Division Director of the Division of Community Development, in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies and Procedures.~~
2. ~~The Director shall be authorized to recommend additional professional, technical and administrative positions as needed to carry out the organizational purposes and objectives stated herein. Additional positions shall be established in accordance with applicable Personnel Policies and Procedures and pursuant to applicable rules established for conducting the annual Navajo Nation budget process.~~

B. ~~Organization~~

~~The Design and Engineering Services shall consist of such sections and functions as may be necessary to accomplish the purpose cited.~~

1. ~~Administrative Support~~
2. ~~Engineering~~
3. ~~Architecture~~
4. ~~Construction Management~~
5. ~~Special Projects~~

~~The Organizational Chart for the Design and Engineering Services Department is attached as Exhibit "C-1" and incorporated herein.~~

IV. ~~AUTHORITIES, DUTIES, AND RESPONSIBILITIES~~

A. ~~The Director of Design and Engineering Services shall:~~

1. ~~Report and be responsible to the Executive Division Director.~~
2. ~~Formulate the overall administrative and operating policies and procedures necessary for effective management of the Department and take actions to accomplish the program purposes and objectives.~~
3. ~~Conduct periodic reviews of staff and program effectiveness and prepare fiscal operating budgets for the appropriate standing committees of the~~

~~Navajo Nation Council.~~

- ~~4. Represent the Department at departmental, division and executive levels.~~

~~B. The Department shall:~~

- ~~1. Provide architectural and engineering services to chapters, divisions and other entities of the Navajo Nation.~~
- ~~2. Design Navajo Nation public facilities to meet specifications satisfying cultural and environmental conditions in accordance with established Navajo Nation, State and Federal regulations, codes and standards.~~
- ~~3. Develop, coordinate and implement project delivery systems for all Navajo Nation capital projects.~~
- ~~4. Serve as the Construction Management Authority for the Navajo Nation.~~
- ~~5. Assist in the application for and administer all or part of A/E programs available through federal, state and other funding sources, including programs under the Indian Self-Determination and Education Assistance Act (P.L. 93-638 as amended).~~
- ~~6. Establish and administer a revolving account system utilizing funds received for departmental services on projects not funded by the Capital Improvement Program.~~
- ~~7. Provide professional architectural, engineering and construction management services within an established invoice system.~~
- ~~8. Implement and automated network of Navajo Nation project information, monitoring and management that will ensure effective project development.~~
- ~~9. Develop a standard Navajo Nation project manual for accountability and project coordination.~~
- ~~10. Implement, administer and monitor construction management and other alternative delivery process to ensure Navajo Nation projects are completed on a timely, efficient and cost effective manner.~~
- ~~11. Carry out other responsibilities as assigned by the Division Director~~

~~V. LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C., Sections 421 and 423, et seq., the Design and Engineering~~

~~Services shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VI. AMENDMENTS~~

~~Sections I. through V. may be amended from time to time by the Government Services Committee upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council as deemed appropriate.~~



~~PLAN OF OPERATION~~

~~NAVAJO NATION SOLID WASTE MANAGEMENT PROGRAM~~ ~~Division of Community Development~~

~~I. ESTABLISHMENT~~

~~There is hereby established the Navajo Nation Solid Waste Management Program for a period of five (5) years within the Division of Community Development of the Executive Branch of the Navajo Nation Government~~

~~II. MISSION/PURPOSE~~

~~The Navajo Nation Solid Waste Management Program is hereby established for the purpose of assisting communities to develop proper solid waste management practices and to provide guidance in development of a viable, self-sustaining solid waste disposal system for the Navajo Nation and implement consolidation and closure of existing open dump sites.~~

~~III. GOALS~~

~~The goals of the Navajo Nation Solid Waste Management Program shall be to:~~

- ~~1. Promote the enhancement of the quality of the Navajo Nation's environmental resources by providing community education about waste management and recycling.~~
- ~~2. Promote solid waste management development, implementation and provide guidance for maintenance/operation of sanitation facilities throughout the Navajo Nation.~~
- ~~3. Promote proper solid waste management procedures through training and develop regionalized planning whereby solid waste management becomes a local responsibility.~~
- ~~4. To function as a recommending and coordination office on the issues of solid waste management with Navajo governmental entities, including counties, state and federal governments to effectively consolidate resources to resolve waste issues.~~
- ~~5. Develop major planning for future funding budgets and seek other outside funds to support the Navajo Nation's efforts to develop a certified landfill site or other means of solid waste management on the Navajo Nation.~~

IV. ~~PERSONNEL AND ORGANIZATION~~

~~Director's Duties:~~

- ~~1. The Department Director shall be hired and supervised by the Executive Director of the Division of Community Development pursuant to the Navajo Nation Personnel Policies Manual.~~
- ~~2. The Department Director shall administratively and legally implement the enhancement of the Navajo Nation Solid Waste Management Program to protect and preserve the Navajo Nation's environment and its resources.~~

~~The Director shall:~~

- ~~• Hire and supervise support staff and hire consultants in accordance with the Navajo Nation Personnel Policies Manual and applicable laws of the Navajo Nation. The Director shall employ those persons qualified by education and experience necessary to discharge the duties and responsibilities.~~
- ~~• Develop program budget and formulate administrative and operating policies of the department and take action for accomplishment thereof~~
- ~~• Exercise supervisory control and direction over the day-to-day operation of the office activities and represent the office for coordination at the executive level planning and/or may delegate authority to members of the staff~~
- ~~• Develop and submit quarterly written reports concerning program activities and issues of the department to Executive Director and the Oversight Committee.~~
- ~~• Exercise good public relations by coordinating program activities with the Navajo Nation Chapters, Indian Health Services, BIA and other entities to accomplish tasks.~~
- ~~• The Director shall report to the Executive Director of the Division of Community Development.~~

~~ORGANIZATIONAL CHART~~

~~Is incorporated as "Exhibit A" chart~~

V. ~~DUTIES AND RESPONSIBILITIES~~

~~The Solid Waste Management Program shall:~~

- ~~1. Represent the Navajo Nation on matters relating to solid waste management practices.~~
- ~~2. Coordinate with the local chapters in developing operation and maintenance planning and funding alternatives.~~
- ~~3. Develop closure strategies to close dump sites contained in the Navajo Nation Solid Waste Automated Tracking System (NNSWATS).~~
- ~~4. Research, analyze and develop needs for the purpose of projecting~~

~~community facilities and projects.~~

- ~~5. ———— Develop funding proposals and coordinate activities with county, state and federal governments to obtain other funding sources.~~

~~VI. — DUTIES AND RESPONSIBILITIES~~

~~The Solid Waste Management Program shall:~~

- ~~1. — Represent the Navajo Nation in strategic planning and discussion of issues relating to solid waste management practices.~~
- ~~2. — Coordinate with the local chapters in developing maintenance and operation plans of operation for planning and funding of alternative solid waste disposal system.~~
- ~~3. — Develop long range closure strategies for consolidation and closure of illegal dump sites contained in the Navajo Nation Solid Waste Automated Tracking System (NNSWATS).~~
- ~~4. — Research, analyze and develop needs for the purpose of projecting community and Navajo Nation certified facilities and projects.~~
- ~~5. — Develop grant proposals and coordinate activities with county, state and federal governments to obtain matching funds or other funding sources.~~

~~VII. — LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. §421 and 423, seq., the Transportation and Community Development Committee of the Navajo Nation Council shall be the legislative oversight for the Navajo Nation Solid Waste Management Program within the Division of Community Development.~~

~~VIII. — AMENDMENTS~~

~~Section I through VI of the Plan of Operation may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon the recommendations of the Transportation and Community Development Committee when appropriate.~~



PLAN OF OPERATION

NAVAJO DEPARTMENT OF TRANSPORTATION DIVISION OF COMMUNITY DEVELOPMENT

~~I. ESTABLISHMENT~~

~~There is hereby established the Navajo Department of Transportation ("Department") within the Division of Community Development (Division") of the Executive Branch of the Navajo Nation government~~

~~II. PURPOSE AND OBJECTIVES~~

~~A. Purpose~~

~~The purpose of the Department shall be to plan and develop an integrated transportation network of highways, roads, waterways, airports, railroads and pipelines for the delivery of people, commerce, and goods within the Navajo nation that is safe and in harmony with nature.~~

~~B. Objectives~~

~~The objectives of the Department of Transportation shall be:~~

- ~~1. To be the single point of contact for all transportation related activities.~~
- ~~2. To provide an administrative and technical department which will address transportation planning, project planning, construction, maintenance and safety of all modes of transportation within the Navajo Nation.~~
- ~~3. To address Navajo Nation transportation needs through a government to government relationship with federal, state, county and tribal governments and special interest groups.~~
- ~~4. To implement the Navajo Nation Transportation Code.~~
- ~~5. To contract and operate the functions of the Bureau of Indian Affairs Branch of Roads.~~

~~III. PERSONNEL AND ORGANIZATION~~

~~A. Personnel~~

1. ~~The Director of the Department of Transportation shall be hired and supervised by Division Director in accordance with Navajo Nation Personnel Policy Manual.~~
2. ~~The Department of Transportation shall be staffed to accomplish the purpose and objectives of the Department. All other personnel shall be employed and compensated in accordance with Personnel Policy Manual.~~
3. ~~The Director shall is authorized to hire additional professional, technical and clerical positions as needed to carry out the organizations purpose and objectives.~~

B. ~~Organization~~

~~The Department of Transportation shall consist of the following:~~

1. ~~Administration~~
2. ~~Direct Services~~
3. ~~Transportation Planning~~

~~The organizational chart for the Department of Transportation is attached hereto as Attachment "D-1".~~

IV. ~~RESPONSIBILITY AND AUTHORITY~~

A. ~~The Department Director shall have the following responsibilities:~~

1. ~~Report and be accountable to the Division Director for the accomplishment of the purpose and objectives of the Department.~~
2. ~~Exercise supervisory control and direction over program staff and delegate authority to other staff members.~~
3. ~~Administer Navajo Nation policies and procedures necessary for effective management of the Department and to accomplish the program purpose and goals.~~
4. ~~Prepare the Navajo Nation general funds operating budget in accordance with the Office of Management and Budget's Manual.~~
5. ~~Represent the Department at departmental, division, and executive branch levels.~~
6. ~~Seek additional revenues through a government to government coordination with federal, state, county and tribal governments and special interest groups.~~
7. ~~Provide technical assistance to the oversight committee through attendance at the regular meetings in accordance to Title II, Section~~

8. ~~Provide a quarterly written report to the Division Director, Division of Community Development~~

B. ~~The Department Shall:~~

1. ~~Maintain an Information Management System and Geographical Information System center for all transportation activities and disseminate information to appropriate agencies.~~
2. ~~Develop a systematic Navajo Nation Transportation Improvement Program (TIP) in coordination with federal, state and local governments and planning effective ways to address the transportation needs of the Navajo Nation.~~
3. ~~Develop a Short and Long Term Construction Priority Program for the Transportation and Community Development Committee and Agency Roads Committee.~~
4. ~~Report periodically on department activities, progress and recommendations to the Transportation Community Development Committee and other appropriate standing committees of the Navajo Nation Council and Agency Roads Committee.~~
5. ~~Assist the Transportation and Community Development Committee and Agency Roads Committee in the development of legislation, policies, rules and regulations relating to the Navajo Nation Transportation system based upon feasibility studies and analyses.~~
6. ~~Monitor implemented projects to ensure compliance with regulations and requirements of funding agencies and the Navajo Nation Government.~~
7. ~~Plan and prioritize all transportation activities with Navajo Nation entities, agencies and departments, and coordinate these activities with federal, state and entities, agencies and departments, coordinate these activities with federal, state and county agencies.~~
8. ~~Implement a Navajo Nation Transportation Code which may include vehicle licensing and registration, operator's licensing and user fee collection programs.~~
9. ~~Develop and implement short and long range transportation plans, which include a network of roads, railroads and airports and coordinate this planning with the States of Arizona, New Mexico and Utah and the Federal government~~
10. ~~Seek and secure funds from non-tribal sources for the~~

~~construction and maintenance of roads, access roads, streets, railroads, airports and safety projects.~~

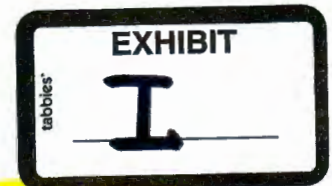
- ~~11. _____ Seek technical and financial assistance from government or private sources to provide management and technical training for Department staff.~~
- ~~12. _____ Plan, develop and implement labor intensive projects at the local level.~~
- ~~13. _____ Contract for professional construction services for the design and construction of roads, airports, railroads and pipelines when appropriate.~~

~~IV. _____ LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. Sections 421 and 423, et seq., the Navajo Department of Transportation shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VI. _____ AMENDMENTS~~

~~Sections I. Through V. may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.~~



GSCJA-05-08/A

**RESOLUTION OF THE
GOVERNMENT SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL**

21st NAVAJO NATION COUNCIL – Second Year, 2008

AN ACTION

**RELATING TO COMMUNITY DEVELOPMENT AND GOVERNMENT SERVICES;
ESTABLISHING THE COMMUNITY HOUSING AND INFRASTRUCTURE
DEPARTMENT BY AMENDING 2 N.N.C. § 1453 AND CONSOLIDATING THE
COMMUNITY BLOCK GRANT DEPARTMENT AND THE NAVAJO NATION
HOUSING SERVICES DEPARTMENT WITHIN THE DIVISION OF COMMUNITY
DEVELOPMENT; AND AMENDING THE PLAN OF OPERATION FOR THE
DIVISION OF COMMUNITY DEVELOPMENT**

BE IT ENACTED:

Section 1. Establishing the Community Housing and Infrastructure Department

The Navajo Nation Government Services Committee, pursuant to 2 N.N.C. §§ 343 (B) (2) and 1456, and upon recommendation of the Transportation and Community Development Committee hereby establishes the Navajo Nation Community Housing and Infrastructure Department by amending the Navajo Nation Code to provide for the consolidation of the Community Development Block Grant Department and the Navajo Housing Services Department within the Division of Community Development.

Section 2. Amendments to Title 2 of the Navajo Nation Code

The Navajo Nation hereby approves the following amendments to Title 2 of the Navajo Nation Code, Section 1453:

**Title 2. Navajo Nation Government
Chapter 5. Executive Branch
Subchapter 19. Division of Community Development**

§ 1453. Personnel and organization

A. The Navajo Division of Community Development shall be administered by a Division Director, who shall be appointed by the President of the Navajo Nation, Confirmed by the Navajo Nation Council, and who shall serve at the pleasure of the Navajo Nation. The Division Director shall hire personnel as may be deemed necessary; to carry out the purposes of the Division and as funds are available. All personnel shall be employed and compensated in accordance with the applicable Navajo Nation Personnel Policies Manual.

B. The Division of Community Development shall consist of ~~12~~ 11 offices: Division Administration, ~~Seven~~ five Departments and five agencies to execute the Division's purpose. The Departments may consist of sections, programs, and agencies to accomplish the Department purpose. The ~~seven-five~~ departments and five agencies are as follows:

1. Division-Administration;
2. Capital Improvement Office
3. Design and Engineering Services Department
4. ~~Navajo Housing Services Department~~
Community Housing and Infrastructure Department;
5. Navajo Department of Transportation
6. Solid Waste Management Program;
7. ~~Community Development Block Grant;~~
- 8-7. Local Governance Support Center – Fort Defiance Agency;
- 9-8. Local Governance Support Center – Eastern Agency;
- 10-9. Local Governance Support Center – Chinle Agency;
- 11-10. Local Governance Support Center – Tuba City Agency;
- 12-11. Local Governance Support Center – Shiprock Agency;

* * *

Section 3. Amendments to Resolution GSCMA-13-00 of the Government Services Committee Approving the Revision of Resolution GSCS-70-94, Master Plan of Operation for the Division of Community Development.

The Navajo Nation hereby amends Resolution GSCMA-13-00 of the Government Services Committee, "Approving the Revision of Resolution GSCS-70-94, Master Plan of Operation for the Division of Community Development" (as found in Exhibit "A" attached hereto) as follows:

- a. The Master Plan of Operation for the Division of Community Development, Exhibit "A", is hereby amended as found in Exhibit "New -A".
- b. The Plan of Operation for the Community Block Grant Department as found in Exhibit "E" of Resolution GSCMA-13-00 and attached hereto, is hereby deleted.
- c. The Plan of Operation for the Navajo Housing Services Department as found in Exhibit "F" of Resolution GSCMA-13-00 and attached hereto is hereby deleted.
- d. The Plan of Operation for the Community Housing and Infrastructure Department as found in Exhibit "G", attached hereto, is hereby approved, incorporated and made a part of Resolution GSCAM-13-00.

e. The list of Exhibits as found in GSCMA-13-00 is amended to read as follows:

- Exhibit "A" - Division of Community Development
- Exhibit "B" - Capital Improvement Office
- Exhibit "C" - Design & Engineering Services Department
- Exhibit "D" - Navajo Department of Transportation
- ~~Exhibit "E" - Community Development Block Grant~~
- ~~Exhibit "F" - Navajo Housing Services Department~~
- Exhibit "G" ~~"E"~~ - Solid Waste Management Program
- Exhibit ~~"H"~~ ~~"F"~~ - Local Governance Support Centers
- ~~Exhibit "G"~~ - Community Housing and infrastructure Department

Section 4. Effective Date

The amendment enacted herein shall be effective upon its approval pursuant to 2 N.N.C. §221.

Section 5. Codification

The provisions of this Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

Section 6. Saving Clause

Should any provisions of this Act be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions of this Act which are not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Government Services 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 the same was passed by a vote of 6 in favor and 0 opposed, this 15th day of January, 2008.



Leonard Teller, Vice-Chairperson
Government Services Committee

Motion: Charles S. Damon II
Second: Amos F. Johnson

EXHIBIT A

MASTER PLAN OF OPERATION FOR THE DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Navajo Division of Community Development (hereinafter "Division") within the Executive Branch of the Navajo Nation Government.

II. PURPOSE

The purpose of the Navajo Division of Community Development shall be to develop a dynamic and cohesive plan for community development activities, and provide relevant community education for orderly growth of the Navajo Nation that contributes to self-sufficiency of communities and families by constructing quality homes, community public facility buildings and infrastructure that is in harmony with nature and people's needs.

III. GOALS AND OBJECTIVES

1. To provide technical assistance and administrative support at chapter governments in its development of becoming self-sustaining and self-governing entities through coordination with local, county, state, and federal government offices.
2. To improve the standard of living for Navajo families and individuals through the use of modern methods and techniques in the construction of new homes and rehabilitation of existing homes.
3. To plan, provide infrastructure and transportation systems, public facilities buildings for future growth of communities.
4. To promote and foster land use planning and growth management policies and practices.
5. To provide technical services in developing plans cooperatively with communities for proper solid waste management practices and disposal systems.

IV. PERSONNEL AND ORGANIZATION

1. PERSONNEL

The Navajo Division of Community Development shall be administered by a Division Director, who shall be appointed by the President of the Navajo Nation, confirmed by the Navajo Nation Council, and shall serve at the pleasure of the President of the Navajo Nation. The Division Director shall hire personnel as may be deemed necessary to carry out the purposes of the Division and as funds are available. All personnel shall be employed and compensated in accordance with the applicable Navajo Nation Personnel Policies Manual.

2. ORGANIZATION

The Division of Community Development shall consist of 11 offices: Division Administration, five Departments and five agencies to execute the Division's

purpose. The Departments may consist of sections, programs, and agencies to accomplish the Department purpose. The five departments and five agencies are as follows:

- 1) Division Administration;
- 2) Capital Improvement Office;
- 3) Design and Engineering Services Department;
- 4) Community Housing and Infrastructure Department;
- 5) Navajo Department of Transportation;
- 6) Solid Waste Management Program;
- 7) Local Governance Support Center-Fort Defiance Agency;
- 8) Local Governance Support Center-Eastern Agency;
- 9) Local Governance Support Center-Chinle Agency;
- 10) Local Governance Support Center-Tuba City Agency;
- 11) Local Governance Support Center-Shiprock Agency.

The organizational chart of the Division of Community Development is displayed as Attachment "A-1".

V. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The Division Director of the Division of Community Development shall have the authority for the overall Division's operational planning and direction. The Division Director shall have the following duties and responsibilities:

1. Execute directives of the President of the Navajo Nation, Navajo Nation Council, and the Transportation and Community Development Committee.
2. Provide written monthly and/or quarterly reports to the Office of the President, Transportation and Community Development Committee of the Navajo Nation Council, annual reports to the Navajo Nation Council and any other reports deemed necessary.
3. Promulgate Division program policies, time frame and other guidelines to ensure the proper and timely implementation of Division projects.
4. Establish and maintain partnership with local, county, state, federal entities and other authorities on matters related to the objectives of the Division.
5. Provide effective overall management and financial direction to Divisions' departments and programs.
6. Delegate authority pertaining to the operation of the Division and its program to subordinate directors of the Division, to the extent permitted by the laws and policies of the Navajo Nation, as appropriate.
7. Negotiate written agreements on behalf of the Division relevant to community development for oversight committee's recommendation.
8. Seek external funding for programs and projects to enhance community development.
9. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Division in accordance with applicable Navajo Nation law.

10. Recruit, select, supervise, conduct employee performance evaluation, and recommend reclassification of positions for the Administration Staff, Department and Program Directors, in accordance with Personnel Policies Manual of the Navajo Nation.

B. Administration Office:

The purpose of the Administration Office is to provide for overall management of the Division. The Administration staff shall handle its duties and responsibilities in accordance with Navajo Nation laws and policies. The duties and responsibilities are as follows:

1. Recommend policies and legislation on community development issues to the Transportation and Community Development Committee and other appropriate committees of the Navajo Nation Council for action.
2. Administer overall direction of the Division by monitoring short and long range plans, goals, and objectives.
3. Maintain communication with Navajo Nation chapters on the overall Division's operation.
4. Ensure that programs carry-out their functions, authorities, and responsibilities.
5. Assist in the coordination and development of strategies to implement Division functions.
6. Develop and maintain Information Data Center for the Navajo Nation.

VI. LEGISLATIVE OVERSIGHT

Pursuant to 2 NNC §421 and §423, et seq., the Division of Community Development shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.

VII. AMENDMENTS

Section I through V may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon the recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.

THE NAVAJO NATION
ORGANIZATIONAL CHART
EXECUTIVE BRANCH/DIVISION OF COMMUNITY DEVELOPMENT

EXHIBIT A-1

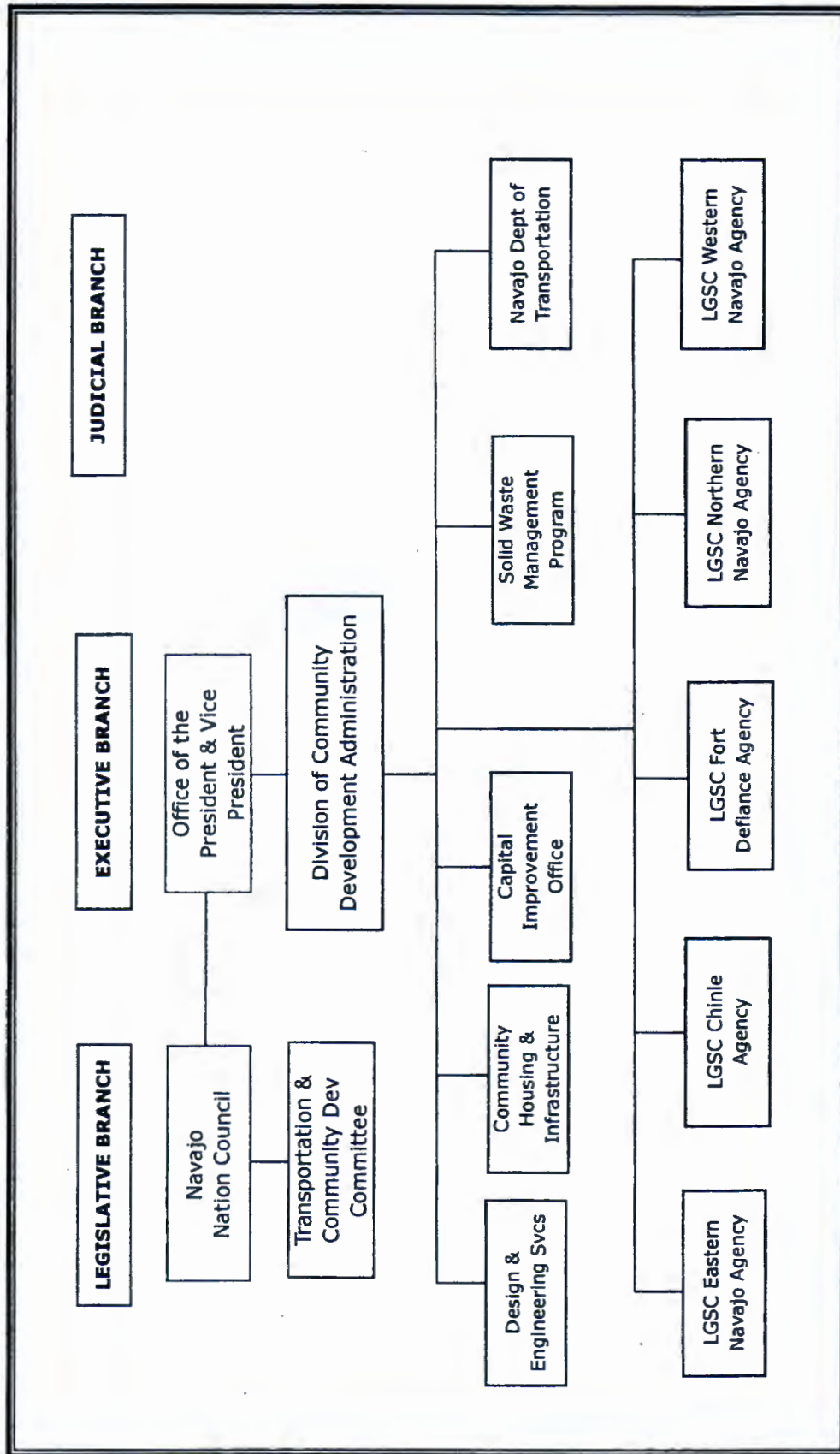


EXHIBIT B

PLAN OF OPERATION

CAPITAL IMPROVEMENT OFFICE DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Capital Improvement Office ("CIO") within the Division of Community Development ("DCD") and under the Executive Branch of the Navajo Nation government.

II. PURPOSE AND MISSION

The purpose and mission of the Capital Improvement Office shall be to provide the Navajo Nation Government with a formal mechanism for decision-making related to infrastructure development and capital improvement programming; linking the Capital Improvement Plan with the Comprehensive Land-Use Plan; developing and maintaining programmatic and financial policies for prioritizing and estimating capital projects; developing and maintaining a multiyear list of Capital Improvement Projects; and monitoring the capital budget.

III. GOALS

The goals of the Department shall be to:

1. Formulate written procedures for citizen input and build capacity at the Chapter and program levels to enable the communities to efficiently access capital and infrastructure project funding.
2. Develop and maintain policies and procedures for Capital Improvement Projects to ensure a timely and orderly process for planning and budgeting for capital assets.
3. Coordinate and link the long and short-range capital improvement programming with the Chapter land-use plans.
4. Conduct periodic capital needs assessments to determine the need for replacement, repair, renovation, expansion or retirement of the existing facilities and need for future development.
5. Conduct annual reviews of the status of currently active capital improvement projects and determine whether additional funding will be requested to continue

the project and to determine the amount of funds from completed and discontinued projects.

6. Perform financial capacity analysis to determine the level of capital expenditures the Nation can afford and to designate other funding considerations in conjunction with the Office of Management and Budget and the Office of Controller.
7. Compile all project proposals and provide for the evaluation and prioritization all Capital Improvement Project Proposals utilizing TCDC approved objective criteria.
8. Finalize and present annual six (6) year Capital Improvement Plans for consideration and approval by the Transportation and Community Development Committee (TCDC).
9. Monitor the capital budget and maintain up-to-date records on all projects within the Capital Improvement Plan.
10. Submit written quarterly progress reports on the capital budget to TCDC and the Budget and Finance Committee.
11. Provide Technical Assistance to Chapters and Programs on the Program processes and mechanisms and in accordance with the Local Governance Act.

IV. OBJECTIVES

1. Provide quarterly training in the area of proposal development, project management and implementation to build capacity at the local level.
2. Compile, evaluate and develop a multiyear list of infrastructure and capital improvement projects in order of priority and with a detailed one-year capital improvement budget by April of each year.
3. Conduct a survey of Chapter and Program needs using a survey form and in coordination with Chapters and Programs by December of each year. Establish a process for gathering Chapter and Program needs to produce a needs-based capital budget.
4. In coordination with Risk Management Program and Property Management Department, conduct periodic facilities inventory to be finalized and completed by December of the respective year.
5. Prepare a CIP Status report that includes information on projects that will be continuing, the amount of funds required to continue or complete respective projects, determining the amount of remaining fund balance from projects that are

completed or have been discontinued, and summary report of progress by January of each year.

6. In coordination with the Office of Management and Budget, conduct an Infrastructure and Capital Improvement Finance conference to determine the selection and scheduling of other funding sources in February of each year.
7. Convene a multidisciplinary team for the purpose of reviewing and rating Capital Improvement and Infrastructure Project Proposals in March of each year.
8. Draft and submit TCDC resolutions for the Section 164 review for comments and review of the Capital Improvement Plan by April of each year.
9. Conduct monthly monitoring of each project account and project site for the purpose of ensuring compliance with all applicable laws, regulations, rules and policies in the course of project implementation by the respective project sponsors.
10. Maintain records of all project accounts in accordance with generally accepted records management systems.
11. Compile up-to-date information from the monthly monitoring visits and prepare progress reports to be used in the quarterly reports.
12. Conduct Quarterly work sessions and/or project meetings to provide information on program requirements, activities and status of projects to Chapters and Programs.

V. PERSONNEL AND ORGANIZATION

A. PERSONNEL

1. The Director of the Office shall be hired and supervised by the Division Director in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Policies and Procedures.
2. The Office shall be staffed sufficiently to accomplish the purpose, goals and objectives of the Office which may include the establishment of agency offices.
3. The Director shall be authorized to recommend additional professional, technical and clerical positions as needed to carry out the organizational purposes, goals and objectives as stated herein. Additional positions shall be acquired in accordance with applicable budget rules established for conducting the annual Navajo Nation Budget process.

B. ORGANIZATION

The Office shall consist of the following:

1. Administrative Support Staff
2. Technical Support
3. Any additional Sections that may be deemed necessary to accomplish the purpose, goals and objectives of the Office.

Organizational Chart of the Capital Improvement Office is attached hereto as Attachment "B-1".

VI. RESPONSIBILITY AND AUTHORITY

A. The Office Director shall report and be responsible to the Division Director.

B. The Office Director shall:

1. Formulate the overall administrative and operating policies and procedures necessary for effective management of the Office and take actions to accomplish the program purpose and goals.
2. Exercise supervisory control and direction over all Office staff.
3. Delegate authority to members of the staff as necessary.
4. Conduct periodic reviews of Office effectiveness and the use of fiscal allocations to ensure that expenditures are within authorized budgets and guidelines.
5. Establish and maintain project status reports on all funded projects.
6. Provide training to improve staff performance.
7. Represent the Office at the executive level.
8. Establish and maintain communication with tribal government and elected officials as needed to accomplish the goals and objectives stated herein.
9. Carry out all other responsibilities as assigned by the Division Director.
10. Recommend proposed projects for funding to the oversight committee of the Navajo Nation Council.

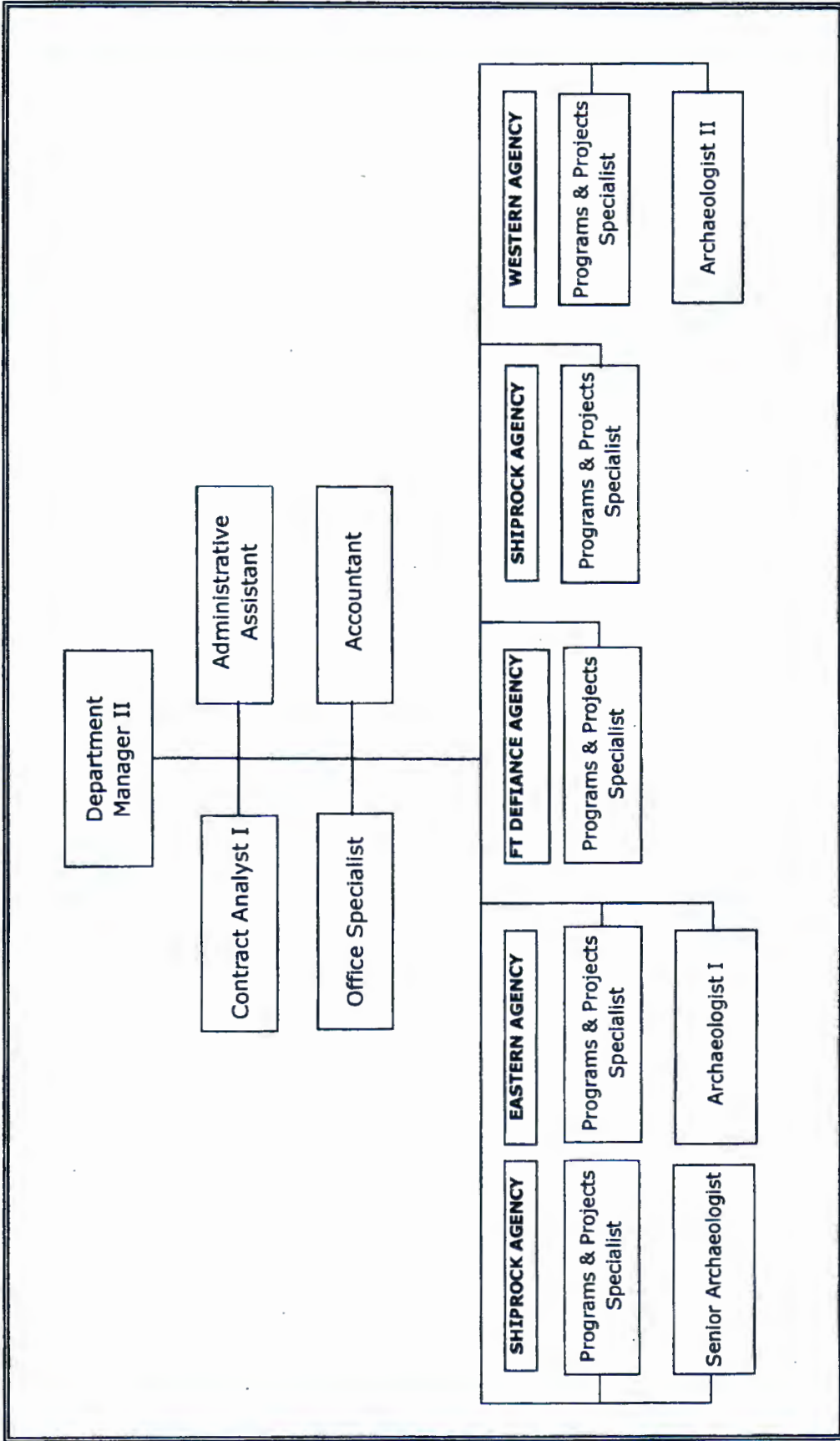
VII. LEGISLATIVE OVERSIGHT

Pursuant to 2 N.N.C. Sections 421 and 423, et. seq., the Capital Improvement Office shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.

VIII. AMENDMENTS

Sections I. through V. may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.

THE NAVAJO NATION
ORGANIZATIONAL CHART
CAPITAL IMPROVEMENT OFFICE



PLAN OF OPERATION

DESIGN AND ENGINEERING SERVICES
DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Design and Engineering Services ("Department") under the Division of Community Development ("Division") of the Executive Branch of the Navajo Nation Government.

II. PURPOSE AND OBJECTIVES

A. Purpose

The purpose of the Design and Engineering Services shall be to cultivate public shelter facilities with sound architectural, engineering services and construction management for a healthy society and physical environment.

B. Objectives

The objectives of the Design and Engineering Services shall be to:

1. Provide comprehensive professional architectural and engineering services to chapters, divisions and other entities of the Navajo Nation.
2. Review, coordinate and approve the design and specifications for Navajo Nation capital improvement projects to ensure compliance with all applicable state, federal and Navajo Nation regulations, codes and standards.
3. Design to satisfy cultural and environmental conditions of the built environment, working with Navajo Nation communities to promote integrity and self-sufficiency.
4. Ensure that Navajo Nation projects are constructed with timely, efficient and cost effective methods by administering and monitoring construction activities.
5. Develop the professionalism to enhance coordination with private, state and federal agencies in the provision of professional services within the Navajo Nation.

III. PERSONNEL AND ORGANIZATION

A. Personnel

1. The Director of the Design and Engineering Services shall be hired and supervised by the Executive Division Director of the Division of Community Development, in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies and Procedures.
2. The Director shall be authorized to recommend additional professional, technical and administrative positions as needed to carry out the organizational purposes and objectives stated herein. Additional positions shall be established in accordance with applicable Personnel Policies and Procedures and pursuant to applicable rules established for conducting the annual Navajo Nation budget process.

B. Organization

The Design and Engineering Services shall consist of such sections and functions as may be necessary to accomplish the purpose cited.

1. Administrative Support
2. Engineering
3. Architecture
4. Construction Management
5. Special Projects

The Organizational Chart for the Design and Engineering Services Department is attached as Exhibit "C-1" and incorporated herein.

IV. AUTHORITIES, DUTIES, AND RESPONSIBILITIES

A. The Director of Design and Engineering Services shall:

1. Report and be responsible to the Executive Division Director.
2. Formulate the overall administrative and operating policies and procedures necessary for effective management of the Department and take actions to accomplish the program purposes and objectives.

3. Conduct periodic reviews of staff and program effectiveness and prepare fiscal operating budgets for the appropriate standing committees of the Navajo Nation Council.
4. Represent the Department at departmental, division and executive levels.

B. The Department shall:

1. Provide architectural and engineering services to chapters, divisions and other entities of the Navajo Nation.
2. Design Navajo Nation public facilities to meet specifications satisfying cultural and environmental conditions in accordance with established Navajo Nation, State and Federal regulations, codes and standards.
3. Develop, coordinate and implement project delivery systems for all Navajo Nation capital projects.
4. Serve as the Construction Management Authority for the Navajo Nation.
5. Assist in the application for and administer all or part of A/E programs available through federal, state and other funding sources, including programs under the Indian Self-Determination and Education Assistance Act (P.L. 93-638 as amended).
6. Establish and administer a revolving account system utilizing funds received for departmental services on projects not funded by the Capital Improvement Program.
7. Provide professional architectural, engineering and construction management services within an established invoice system.
8. Implement and automated network of Navajo Nation project information, monitoring and management that will ensure effective project development.
9. Develop a standard Navajo Nation project manual for accountability and project coordination.
10. Implement, administer and monitor construction management and other alternative delivery process to ensure Navajo Nation projects are completed on a timely, efficient and cost effective manner.
11. Carry out other responsibilities as assigned by the Division Director

V. LEGISLATIVE OVERSIGHT

Pursuant to 2 N.N.C., Sections 421 and 423, et. seq., the Design and Engineering Services shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.

VI. AMENDMENTS

Sections I. through V. may be amended from time to time by the Government Services Committee upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council as deemed appropriate.

Design And Engineering Services

EXHIBIT C-1

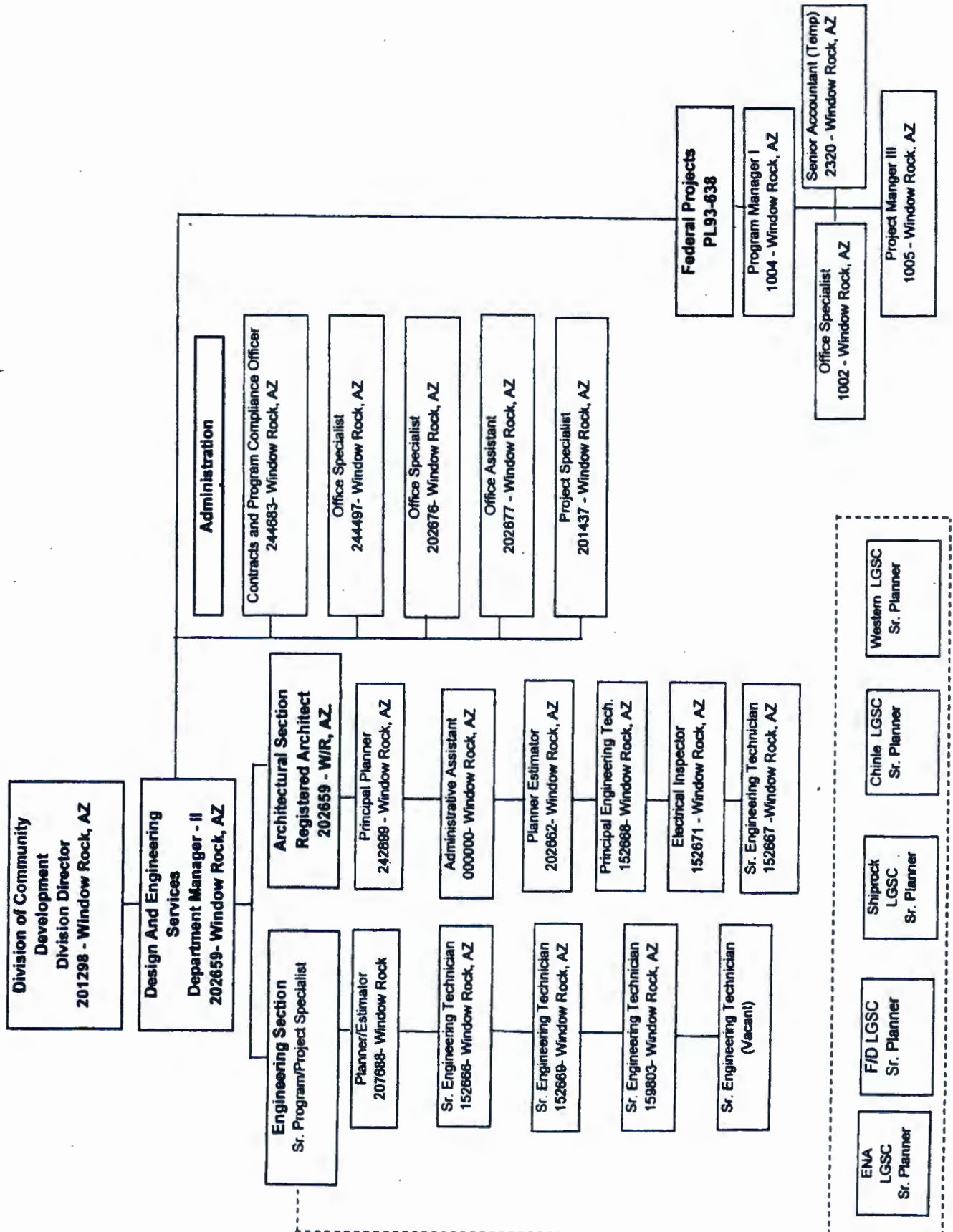


EXHIBIT D

PLAN OF OPERATION

NAVAJO DEPARTMENT OF TRANSPORTATION DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Navajo Department of Transportation ("Department") within the Division of Community Development ("Division") of the Executive Branch of the Navajo Nation government.

II. PURPOSE AND OBJECTIVES

A. Purpose

The purpose of the Department shall be to plan and develop an integrated transportation network of highways, roads, waterways, airports, railroads and pipelines for the delivery of people, commerce, and goods within the Navajo nation that is safe and in harmony with nature.

B. Objectives

The objectives of the Department of Transportation shall be:

1. To be the single point of contact for all transportation related activities.
2. To provide an administrative and technical department which will address transportation planning, project planning, construction, maintenance and safety of all modes of transportation within the Navajo Nation.
3. To address Navajo Nation transportation needs through a government-to-government relationship with federal, state, county and tribal governments and special interest groups.
4. To implement the Navajo Nation Transportation Code.
5. To contract and operate the functions of the Bureau of Indian Affairs Branch of Roads.

III. PERSONNEL AND ORGANIZATION

A. Personnel

1. The Director of the Department of Transportation shall be hired and supervised by Division Director in accordance with Navajo Nation Personnel Policy Manuel.
2. The Department of Transportation shall be staffed to accomplish the purpose and objectives of the Department. All other personnel shall be employed and compensated in accordance with Personnel Policy Manuel.
3. The Director shall is authorized to hire additional professional, technical and clerical positions as needed to carry out the organizations purpose and objectives.

B. Organization

The Department of Transportation shall consist of the following:

1. Administration
2. Direct Services
3. Transportation Planning

The organizational chart for the Department of Transportation is attached hereto as Attachment "D-1".

IV. RESPONSIBILITY AND AUTHORITY

A. The Department Director shall have the following responsibilities:

1. Report and be accountable to the Division Director for the accomplishment of the purpose and objectives of the Department.
2. Exercise supervisory control and direction over program staff and delegate authority to other staff members.
3. Administer Navajo Nation policies and procedures necessary for effective management of the Department and to accomplish the program purpose and goals.
4. Prepare the Navajo Nation general funds operating budget in accordance with the Office of Management and Budget's Manual.

5. Represent the Department at departmental, division, and executive branch levels.
6. Seek additional revenues through a government-to-government coordination with federal, state, county and tribal governments and special interest groups.
7. Provide technical assistance to the oversight committee through attendance at the regular meetings in accordance to Title II, Section 420.
8. Provide a quarterly written report to the Division Director, Division of Community Development.

B. The Department Shall:

1. Maintain an Information Management System and Geographical Information System center for all transportation activities and disseminate information to appropriate agencies.
2. Develop a systematic Navajo Nation Transportation Improvement Program (TIP) in coordination with federal, state and local governments and planning effective ways to address the transportation needs of the Navajo Nation.
3. Develop a Short and Long Term Construction Priority Program for the Transportation and Community Development Committee and Agency Roads Committee.
4. Report periodically on department activities, progress and recommendations to the Transportation Community Development Committee and other appropriate standing committees of the Navajo Nation Council and Agency Roads Committee.
5. Assist the Transportation and Community Development Committee and Agency Roads Committee in the development of legislation, policies, rules and regulations relating to the Navajo Nation Transportation system based upon feasibility studies and analyses.
6. Monitor implemented projects to ensure compliance with regulations and requirements of funding agencies and the Navajo Nation Government.

7. Plan and prioritize all transportation activities with Navajo Nation entities, agencies and departments, and coordinate these activities with federal, state and entities, agencies and departments, coordinate these activities with federal, state and county agencies.
8. Implement a Navajo Nation Transportation Code which may include vehicle licensing and registration, operator's licensing and user fee collection programs.
9. Develop and implement short and long range transportation plans, which include a network of roads, railroads and airports and coordinate this planning with the States of Arizona, New Mexico and Utah, and the Federal government.
10. Seek and secure funds from non-tribal sources for the construction and maintenance of roads, access roads, streets, railroads, airports and safety projects.
11. Seek technical and financial assistance from government or private sources to provide management and technical training for Department staff.
12. Plan, develop and implement labor intensive projects at the local level.
13. Contract for professional construction services for the design and construction of roads, airports, railroads and pipelines when appropriate.

V. LEGISLATIVE OVERSIGHT

Pursuant to 2 N.N.C. Sections 421 and 423, et seq., the Navajo Department of Transportation shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.

VI. AMENDMENTS

Sections I. Through V. may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.



DIVISION OF COMMUNITY DEVELOPMENT



EXHIBIT A

PLAN OF OPERATION

NAVAJO NATION SOLID WASTE MANAGEMENT PROGRAM

Division of Community Development

I. ESTABLISHMENT

There is hereby established the Navajo Nation Solid Waste Management Program for a period of five (5) years within the Division of Community Development of the Executive Branch of the Navajo Nation Government.

II. MISSION/PURPOSE

The Navajo Nation Solid Waste Management Program is hereby established for the purpose of assisting communities to develop proper solid waste management practices and to provide guidance in development of a viable, self-sustaining solid waste disposal system for the Navajo Nation and implement consolidation and closure of existing open dump sites.

III. GOALS

The goals of the Navajo Nation Solid Waste Management Program shall be to:

1. Promote the enhancement of the quality of the Navajo Nation's environmental resources by providing community education about waste management and recycling.
2. Promote solid waste management development, implementation and provide guidance for maintenance/operation of sanitation facilities throughout the Navajo Nation.
3. Promote proper solid waste management procedures through training and develop regionalized planning whereby solid waste management becomes a local responsibility.
4. To function as a recommending and coordination office on the issues of solid waste management with Navajo governmental entities, including counties, state and federal governments to effectively consolidate resources to resolve waste issues.
5. Develop major planning for future funding budgets and seek other outside funds to support the Navajo Nation's efforts to develop a certified landfill site or other means of solid waste management on the Navajo Nation.

IV PERSONNEL AND ORGANIZATION

Director's Duties:

1. The Department Director shall be hired and supervised by the Executive Director of the Division of Community Development pursuant to the Navajo Nation Personnel Policies Manual.
2. The Department Director shall administratively and legally implement the enhancement of the Navajo Nation Solid Waste Management Program to protect and preserve the Navajo Nation's environment and its resources.

The Director shall:

- Hire and supervise support staff and hire consultants in accordance with the Navajo Nation Personnel Policies Manual and applicable laws of the Navajo Nation. The Director shall employ those persons qualified by education and experience necessary to discharge the duties and responsibilities.
- Develop program budget and formulate administrative and operating policies of the department and take action for accomplishment thereof.
- Exercise supervisory control and direction over the day-to-day operation of the office activities and represent the office for coordination at the executive level planning and/or may delegate authority to members of the staff.
- Develop and submit quarterly written reports concerning program activities and issues of the department to Executive Director and the Oversight Committee.
- Exercise good public relations by coordinating program activities with the Navajo Nation Chapters, Indian Health Services, BIA and other entities to accomplish tasks.
- The Director shall report to the Executive Director of the Division of Community Development.

ORGANIZATIONAL CHART
Is incorporated as "Exhibit A" chart

V. DUTIES AND RESPONSIBILITIES

The Solid Waste Management Program shall:

1. Represent the Navajo Nation on matters relating to solid waste management practices.
2. Coordinate with the local chapters in developing operation and maintenance

- planning and funding alternatives.
3. Develop closure strategies to close dump sites contained in the Navajo Nation Solid Waste Automated Tracking System (NNSWATS).
 4. Research, analyze and develop needs for the purpose of projecting community facilities and projects.
 5. Develop funding proposals and coordinate activities with county, state and federal governments to obtain other funding sources.

VI. DUTIES AND RESPONSIBILITIES

The Solid Waste Management Program shall:

1. Represent the Navajo Nation in strategic planning and discussion of issues relating to solid waste management practices.
2. Coordinate with the local chapters in developing maintenance and operation plans of operation for planning and funding of alternative solid waste disposal system.
3. Develop long-range closure strategies for consolidation and closure of illegal dump sites contained in the Navajo Nation Solid Waste Automated Tracking System (NNSWATS).
4. Research, analyze and develop needs for the purpose of projecting community and Navajo Nation certified facilities and projects.
5. Develop grant proposals and coordinate activities with county, state and federal governments to obtain matching funds or other funding sources.

VII. LEGISLATIVE OVERSIGHT

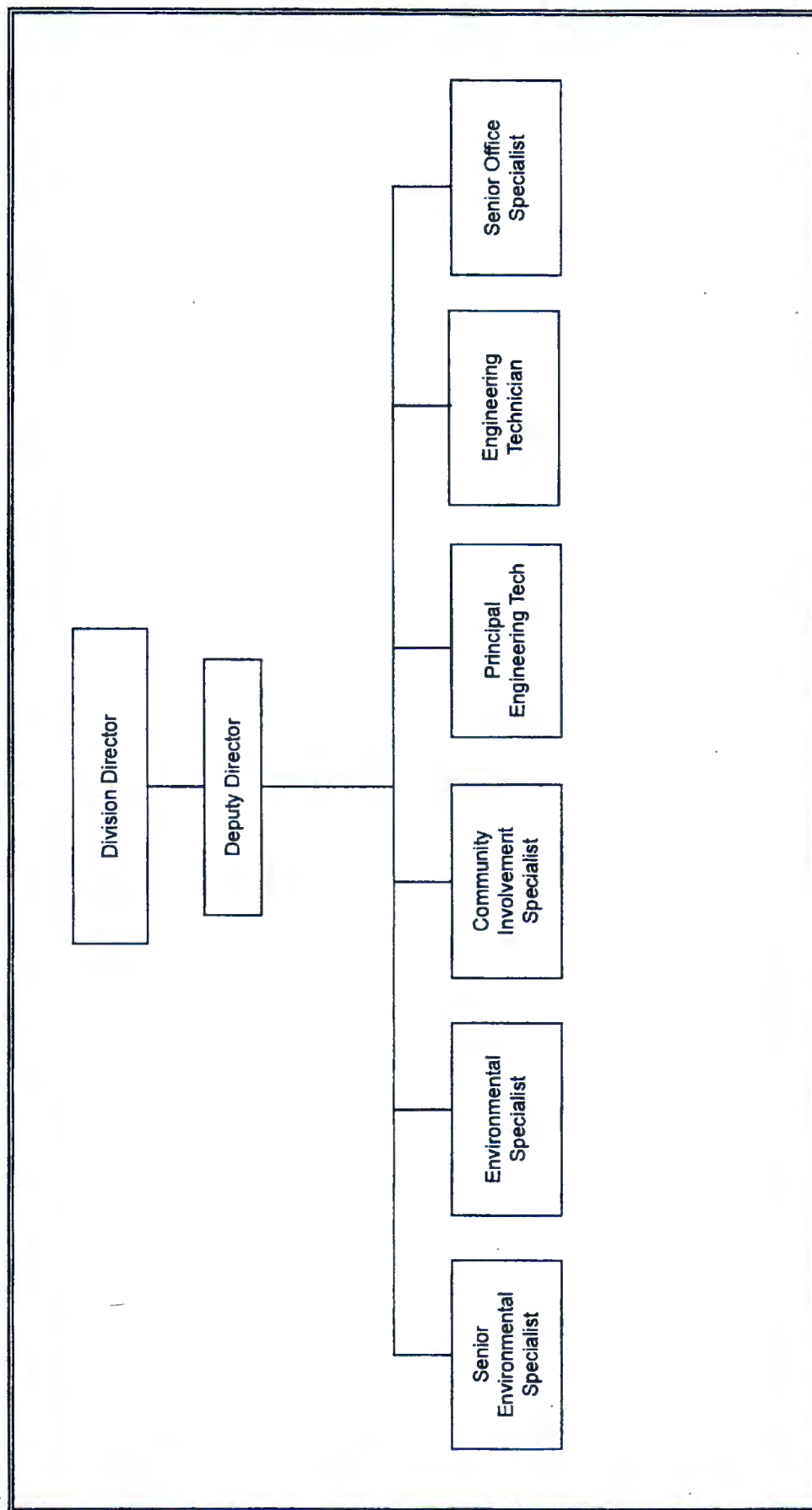
Pursuant to 2 N.N.C. §421 and 423, seq., the Transportation and Community Development Committee of the Navajo Nation Council shall be the legislative oversight for the Navajo Nation Solid Waste Management Program within the Division of Community Development.

VII. AMENDMENTS

Section I through VI of the Plan of Operation may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon the recommendations of the Transportation and Community Development Committee when appropriate.

**DIVISION OF COMMUNITY DEVELOPMENT
SOLID WASTE MANAGEMENT PROGRAM**

ORGANIZATIONAL CHART



PLAN OF OPERATION**LOCAL GOVERNANCE SUPPORT CENTER
DIVISION OF COMMUNITY DEVELOPMENT****I. ESTABLISHMENT**

- A. There is hereby established the Local Governance Support Center (Resolution GSCAU-75-99) within the Division of Community Development ("Division") from the merger of the Community Services Coordinator Program of the Legislative Branch and Chapter Government Development Department of the Executive Branch pursuant to the direction of the Navajo Nation Council.
- B. By the end of the fiscal year 2003, or sooner, the Local Governance Support Center shall be transferred as a program from the central government to the Chapters of the Navajo Nation. By fiscal year 2001, the Transportation and Community Development Committee of the Navajo Nation Council shall establish, upon approval by the affected Navajo Nation Chapters, a Regional Council of Local Governance to oversee the Local Governance Support Center. The establishment of the Regional Council of Local Governance shall include identifying various funding sources to sustain support for local governance.

II. PURPOSE AND OBJECTIVES

- A. The purpose of the Local Governance Support Center shall be to provide administrative support and technical assistance to the local Chapter governments. The Program's services include, but are not limited to, the following:
 - 1. Monitoring all Chapters funds, including the claim trust funds, Public Employment Funds, and all other Chapter allocations in accordance with applicable Navajo Nation, federal and state law.
 - 2. Providing administrative support and technical assistance to the Chapter governments specifically relating to management and administrative development and comprehensive land use planning.
 - 3. Facilitating governmental development by assisting Chapters with the implementation of the Five Management System Policies and Procedures for fiscal, property, personnel, procurement and

recordkeeping management, as required by the Navajo Nation Local Governance Act, 26 N.N.C. Section 102.

4. Providing financial and accounting services.
5. Providing Chapters with relevant data to obtain additional sources of funding.

B. The objectives of the Local Governance Support Center shall be to:

1. Assist the Chapter governments to ensure that Chapter funds, including the claims trust funds, Public Employment Funds, and all other Chapter allocations are expended in accordance with applicable Navajo Nation, federal, and state laws.
2. Assist the Chapter governments to ensure, in coordination with the Chapter officials, the implementation of the Five Management System Policies and Procedures for all Chapters consistent with the Navajo Nation Local Governance Act, 26 N.N.C. Section 102.
3. Provide technical, management, financial and accounting services.
4. Assist the Chapter governments, in coordination with the Chapter officials and membership, the implementation of the Navajo Nation Local Governance Act.
5. Assist Chapter Officials and Chapter staff on site with implementing community projects and local community directives.
6. Facilitate the community land use planning process pursuant to 26 N.N.C. Section 2004.
7. Assist the Chapter governments by facilitating the process for obtaining necessary land clearances consistent with the community land use plan.
8. Through the appropriations process shall ensure that sufficient funds are budgeted, including matching funds to provide training and orientation, as needed, on the objectives set forth above.

III. ORGANIZATION AND LOCATIONS OF OFFICES

A. Based upon the availability of funds, each of the Local Governance Support Centers will consist of the following staff:

1. Program Director III

2. Administrative Assistant
 3. Accountant II
 4. Community Involvement Specialists
 5. Planner II
 6. Chapter Accounting Clerk
 7. Community Services Coordinator and a Clerk Typist at each of the 110 certified Navajo Nation Chapters, unless a Chapter receives governance certification, and is operating pursuant to Section VI of the Plan of Operation, and
 8. Other staff, as deemed necessary by the Program Director, as provided for in Section IV (A) (2) (b).
- B. There shall be a program office located within the five Navajo Nation agencies: Fort Defiance, Navajo Nation (Arizona), Chinle, Navajo Nation, (Arizona), Tuba City, Navajo Nation (Arizona), Shiprock, Navajo Nation (New Mexico), and Crownpoint, Navajo Nation (New Mexico).

IV. PERSONNEL

A. Program Directors

1. The Program Directors shall be hired and supervised by the Division Director for the Division of Community Development, in accordance with Navajo Nation Executive Branch Personnel Policies Manual. The Program Directors shall report and be responsible to the Division Director.
2. The Program Director shall exercise the following duties and responsibilities and may delegate the same to the appropriate Agency staff, when deemed necessary:
 - a. Exercise supervisory control and direction of their respective agency staff. Such authority shall include the approval of various administrative procurement documents and travel authorizations for submittal directly to the appropriate processing offices, except documents directly pertaining to the Program Director shall be subject to review and approval by the Division Director.
 - b. When necessary recommend additional professional, technical and clerical positions as needed to carry out the organizational purposes and objectives, which may be required in accordance with applicable Executive Branch Personnel Policies Manual and within the applicable budget guidelines established for conducting the annual Navajo Nation budget process.

- c. Formulate administrative and operating policies and procedures and take such action as deemed necessary for effective and accountable management to accomplish the overall program purposes and objectives.
- d. Ensure that their respective offices' budgetary expenditures are within the scope of the approved budget and ensure that the office operations are in compliance with applicable Navajo Nation, federal and state laws.
- e. Monitor all chapter funds, including the claim trust funds, Public Employment Funds and all other Chapter allocations in accordance with applicable Navajo Nation, Federal, and state law, and shall report deficiencies to appropriate agencies.
- f. Provide administrative support and technical assistance to the Chapter Administrations including, but not limited to:
 - i. Chapter management and administrative development;
 - ii. Comprehensive land use planning; and
 - iii. Establish and maintain a financial database for Chapter funds, including the claims trust funds, Public Employment Funds, and all other Chapter allocations.
- g. Facilitate governmental development by assisting Chapters with implementation of the Five Management System Policies and Procedures.
- h. Assist Chapter governments to ensure, in coordination with the Chapter governments, that Chapter funds, including the claims trust funds, Public Employment Funds, and all other Chapter allocations are expended in accordance with applicable Navajo Nation, federal and state laws.
- i. Assist Chapter governments to ensure, in coordination with the Chapter governments, the implementation of the Five Management System Policies and Procedures for all Chapters, within their respective agencies.
- j. Provide technical, management, and accounting services.

- k. In coordination with the Chapter governments, assist in the implementation of the Navajo Nation Local Governance Act.
- l. Assist Chapter Officials and Chapter staff with implementing community projects and local community directives.
- m. Through the appropriations process shall ensure that sufficient funds are budgeted, including matching funds to provide training and orientation, as needed, on the objectives set forth above.
- n. Carry out all other responsibilities as may be assigned by the Division Director.

B. Community Services Coordinator (CSC)

- 1. The Community Services Coordinator shall be hired pursuant to the Navajo Nation Personnel Policies Manual by the Program Director, upon active participation in the firing process by the designated supervising Chapter official(s).
- 2. The Community Services Coordinator shall serve under the general administrative direction of the Program Director. The CSC shall be directly supervised by the designated supervising Chapter official(s). The Chapter President, Vice President and Secretary/Treasurer will decide among themselves who shall provide direct local supervision over the CSC. In the event that the Chapter official(s) fail to designate a direct local supervisor, the Program Director shall assume full direct local supervisory responsibility until such time the Chapter takes appropriate measures to designate a local supervisor.
 - a. The "general administrative direction" provided by the Program Directors shall mean providing administrative support and guidance to the supervising Chapter official(s) to ensure that the CSC carries out the duties and responsibilities consistent with this plan of operation and the Navajo Nation Executive Personnel Policies and Procedures.
 - b. "Direct local supervision" shall mean ensuring that the CSC is carrying out the day-to-day duties and responsibilities of this plan of operation, approval of leave requests, travel authorizations, conducting annual

performance evaluations, carrying out disciplinary actions, ensuring that the coordinator is adequately meeting the directive of the Chapter membership regarding projects, proposals, and planning activities, developing and implementing Chapter's Five Management System Policies and Procedures, and other local projects consistent with the membership directive pursuant to duly approved Chapter resolution.

3. Disciplinary actions taken against the CSC shall be done by the direct local supervisor in accordance with the Navajo Nation Personnel Policies Manual and in coordination with the respective Program Director.
4. The Community Services Coordinator shall have the following duties and responsibilities:
 - a. Develop and present to the respective Chapter governments the Chapter's Five Management Systems Policies and Procedures:
 - i. Fiscal. To establish an effective written Chapter accounting system to ensure accountability of Chapter funds, in coordination with the Chapter Secretary/Treasurer.
 - ii. Property. To establish control of Chapter real and personal property.
 - iii. Personnel. To standardize personnel administrative guidelines at the Chapters, i.e., Recruitment, hiring, evaluation, etc.
 - iv. Procurement. To administer an effective acquisition of good/services through Chapter funds and other appropriated funds consistent with Navajo law.
 - v. Record-keeping. To centralize all official records at the Chapter to ensure proper control and continuity of Chapter records and documents.
 - b. Carrying out assigned administrative tasks assisting the Chapter government in planning, preparation, implementation and administering Chapter projects, including but not limited to land withdrawals, proposals and resolutions in coordination with the Chapter Secretary/Treasurer.

- c. Work with Chapter officials and, if necessary, with Navajo Nation agency representatives in coordinating and monitoring Chapter projects.
 - d. Assist, in coordination with the Secretary/Treasurer, with the administration and management of all Chapter funds.
 - e. Develop, prepare and write all Chapter proposals and resolutions, in coordination with the Chapter Secretary/Treasurer, for approval by the Chapter and appropriate Navajo Nation officials.
 - f. Prepare written activity reports for presentation at every Chapter meeting and attend scheduled Chapter meetings and planning sessions. Any hours of work accrued outside of the normal tour of duty shall be compensated in the form of compensatory time at the discretion of the designated supervisor.
 - g. In coordination with the Chapter officials, the CSC shall secure additional sources of revenue and in-kind contributions from Navajo Nation and other funding agencies, consistent with the Navajo Nation Ethics in Government law.
 - h. Keep apprised of new developments within the Navajo Nation, county, state and federal Governments and other entities, which may affect the Chapter government.
 - i. Provide information to the Chapter regarding resources and socio-economic factors for effective local planning.
 - j. Perform the duties of the Chapter Manager prescribed in 26 N.N.C. Section 1004(B) and (C) and 2003 (B), until such time as the Chapter hires a Chapter Manager.
 - k. Exercise supervisory duties and responsibilities over the clerk typist and temporary personnel hired at the Chapter for the Program.
5. Special Requirements of the Community Services Coordinator:
- a. Must possess a valid state driver's license.
 - b. Must have transportation available at all times and be willing to travel.

- c. Reside in and be registered within the Chapter where employed, unless the community does not have a qualified applicant.
 - d. Must be available to work and travel irregular hours and weekends, when deemed necessary.
- C. The remaining Local Governance Support Center personnel shall carry out the duties and responsibilities as described in their respective job descriptions.

V. DEPARTMENT PROCESSING PROCEDURES

All applicable documents shall be submitted and processed, to the extent possible, at the Agency offices, including but not limited to approval of travel authorizations, leave requests, purchase requisitions, etc. The intent and purpose of this Section is to streamline the processing of various administrative documents through the central government offices at Window Rock, Navajo Nation (Arizona). This section is not intended to reduce or eliminate accountability and/or waive Navajo Nation law.

VI. FIVE MANAGEMENT SYSTEM CERTIFICATION

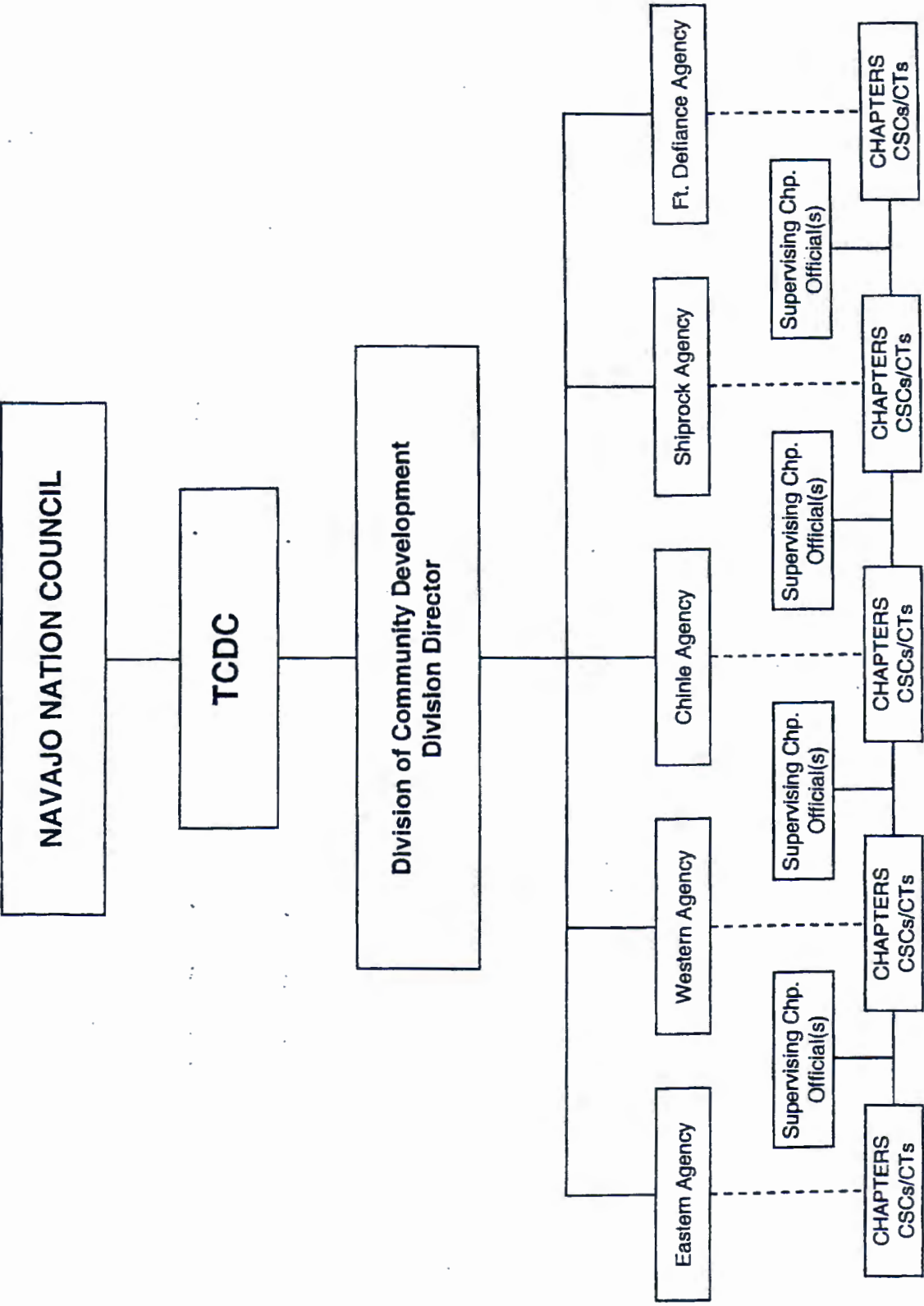
Upon certification of a Chapter's Five Management System Policies and Procedures by the Transportation and Community Development Committee of the Navajo Nation, pursuant to 26 N.N.C. Section 102 of the "Navajo Nation Local Governance Act" the estimated budget for the Community Services Coordinator and Clerk Typist shall transfer directly to the Chapter. The transfer shall include the salary, benefits and estimated travel for both positions. The administration of the funds shall be carried out pursuant to local accounting policies and any other applicable policies, procedures and plans of operation duly approved by the Chapter membership.

VII. LEGISLATIVE OVERSIGHT

The Local Governance Support Center shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.

VIII. AMENDMENTS

The Sections herein, may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.



PLAN OF OPERATION**COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT****I. ESTABLISHMENT**

There is hereby established the Community Housing and Infrastructure Department (hereinafter "Department") within the Division of Community Development of the Navajo Nation Executive Branch.

II. PURPOSE

The Department is established to promote and develop improved living conditions for Navajo families and strengthen communities through programs for community housing, utility service, public facility and economic development improvements.

III. OBJECTIVES

To carry out its purposes, the following Department objectives are established:

- A. Provide the people and communities of the Navajo Nation with high quality and efficient housing and infrastructure improvements.
- B. Seek and implement additional opportunities for home ownership and renovation for Navajo people and communities through community development partnerships and non-profits.
- C. Promote and support private sector involvement in the financing and implementation of housing and infrastructure projects.
- D. Encourage continued decentralization of housing development and renovation projects to chapters and communities in accordance with adopted Navajo Nation Executive policies and directives.
- E. Seek and secure financing from the Navajo Nation, federal, state, and other agencies for planning, design and construction of new home, home renovation and infrastructure development projects.
- F. Improve collaboration with other government departments, outside utility agencies, other government offices, private companies, non-profits, and chapters

to successfully plan and implement housing and infrastructure development projects.

- G. Promote the use of improved building standards, appropriate technology, resource conservation, energy-efficiency and sustainability in the design and construction of housing and infrastructure improvement programs.
- H. Recommend and institute policies, procedures and standards that will improve performance of programs.
- I. Raise awareness of home ownership and renovation issues and opportunities throughout the Navajo Nation.
- J. Monitor the results of Navajo Housing Authority, NAHASDA and other housing improvement programs on behalf of the Navajo people to ensure compliance with approved Indian Housing Plan goals, regulations and standards.

IV. PERSONNEL AND ORGANIZATION

A. PERSONNEL

The position of Director of the Community Housing and Infrastructure Department is hereby established. The Director shall be hired in accordance with established Navajo Nation Personnel Manual policies and procedures, and will serve under the direct supervision of the Division Director of the Division of Community Development. In order to achieve the purposes and objectives of this Plan of Operation, the Director shall have the authority to:

- 1. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Department, in accordance with Navajo Nation law, budgetary and personnel policies and procedures of the Navajo Nation; and
- 2. Hire, direct, supervise, and evaluate employees and reclassify positions within the Department in accordance with personnel policies and procedures of the Navajo Nation; and
- 3. Recommend additional professional, technical and administrative support staff as needed to carry out the activities of the department. Additional staff positions shall be hired and supervised in accordance with applicable Personnel Policies and Procedures and applicable budget rules established for conducting the annual Navajo Nation budget process; and

4. Effectively manage all department programs and projects such that they are completed in accordance with applicable Navajo Nation, federal, and funding source rules and regulations; and
5. Develop and implement overall administrative and operating policies and procedures necessary for effective management of the Department, and take such action as are deemed necessary and appropriate to accomplish the Department's stated mission, purpose and objectives; and
6. Delegate authority as deemed necessary or desirable.
7. Execute such directives and authorities as may be directed and/or authorized by the appropriate authority of the Navajo Nation.
8. Provide opportunities for education and training to improve staff capability and performance.
9. Represent the department at all executive level and other meetings.

B. ORGANIZATION

The Department shall consist of the following sections and programs as shown hereinafter (see Organization Chart attached hereto as Exhibit A):

1. Administration and administrative support.
2. Planning
Responsible for short and longer range program planning as well as overall departmental strategy relating to identifying and securing new funding, program and community development partnership opportunities. This will also include project pre-planning and planning, land acquisition, inter-agency coordination and scheduling, and preliminary cost estimating and budgeting.
3. Accounting and contract management.
Responsible for all project and program accounting within the department's federal and other programs, as well as contract negotiation, management and closeout requirements for all grant and other contract programs. This is consistent with the new departmental and program purchasing card system now being implemented (the P-Card). Department accountants and contract managers will often handle more than one program, allowing greater efficiency and cross-training opportunities. Central government accounting will only be responsible for oversight of program accounts.
4. Compliance and Monitoring
Responsible for all environmental and other clearances for department projects and programs, as well as monitoring performance of all

departmental programs and Navajo Housing Authority, to assure compliance with applicable federal and Navajo Nation laws and regulations. Monitoring of NHA will assure compliance with the approved Indian Housing Plan and future TDHE designation. This section's technical specialists will assure that all project requirements are met.

5. Federal grant program administration.
Community Development Block Grant (HUD)
NAHASDA (HUD)
Housing Improvement Program (BIA)
Weatherization Assistance Program (DOE)
6. Other housing and infrastructure programs as authorized.
7. Agency offices and staff as authorized.

V. RESPONSIBILITY AND AUTHORITY

A. The general authorities and responsibilities of the Department are as follows:

1. Administer internally and externally-funded programs for the benefit of Navajo chapters and communities, in full compliance with all applicable Navajo Nation and federal laws, rules and regulations.
2. Identify and recommend changes in the laws and regulations of the Navajo Nation to facilitate and enhance home ownership and housing quality throughout the Navajo Nation.
3. Maintain compliance with applicable governmental regulations by self-monitoring department performance and budgets.
4. Research and seek funding and other resource opportunities that could better facilitate the meeting of department objectives.
5. Initiate organizational changes to better respond to the needs of Navajo people and communities, while making effective use of available funding and organizational resources.
6. Provide periodic status and compliance reports to the Division, funding agencies and the Navajo Nation Council as required or requested.
7. Effectively manage and recommend improvements to the environmental review and compliance process
8. Manage all funds identified for housing and infrastructure development in a fiscally responsible manner.

9. Provide technical support and training to Local Government Support Centers, Chapters, community service staff, and individuals on planning for, seeking, obtaining, and administering Navajo Nation and external funds for housing and infrastructure improvement projects.
 10. Provide administrative support and training in contracting, procurement, construction management, risk management, and monitoring of projects. Maintain secure files of data and information relevant to Departmental programs and projects.
 11. Assist Navajo Nation chapters in the execution of housing development and renovation programs which are properly delegated.
 12. Provide public information, meetings and workshops on housing improvement opportunities and regulations.
- B. Agency Offices may be established and maintained to coordinate local housing and other community improvement activities to accomplish department objectives. The Director may delegate some or all authority over the following responsibilities to Agency staff:
1. Ensure that the adopted application processes are properly conducted to select qualified applicants for assistance programs.
 2. Monitor building material inventories, construction staff, and technical assistance activities to ensure the accomplishing of departmental objectives.

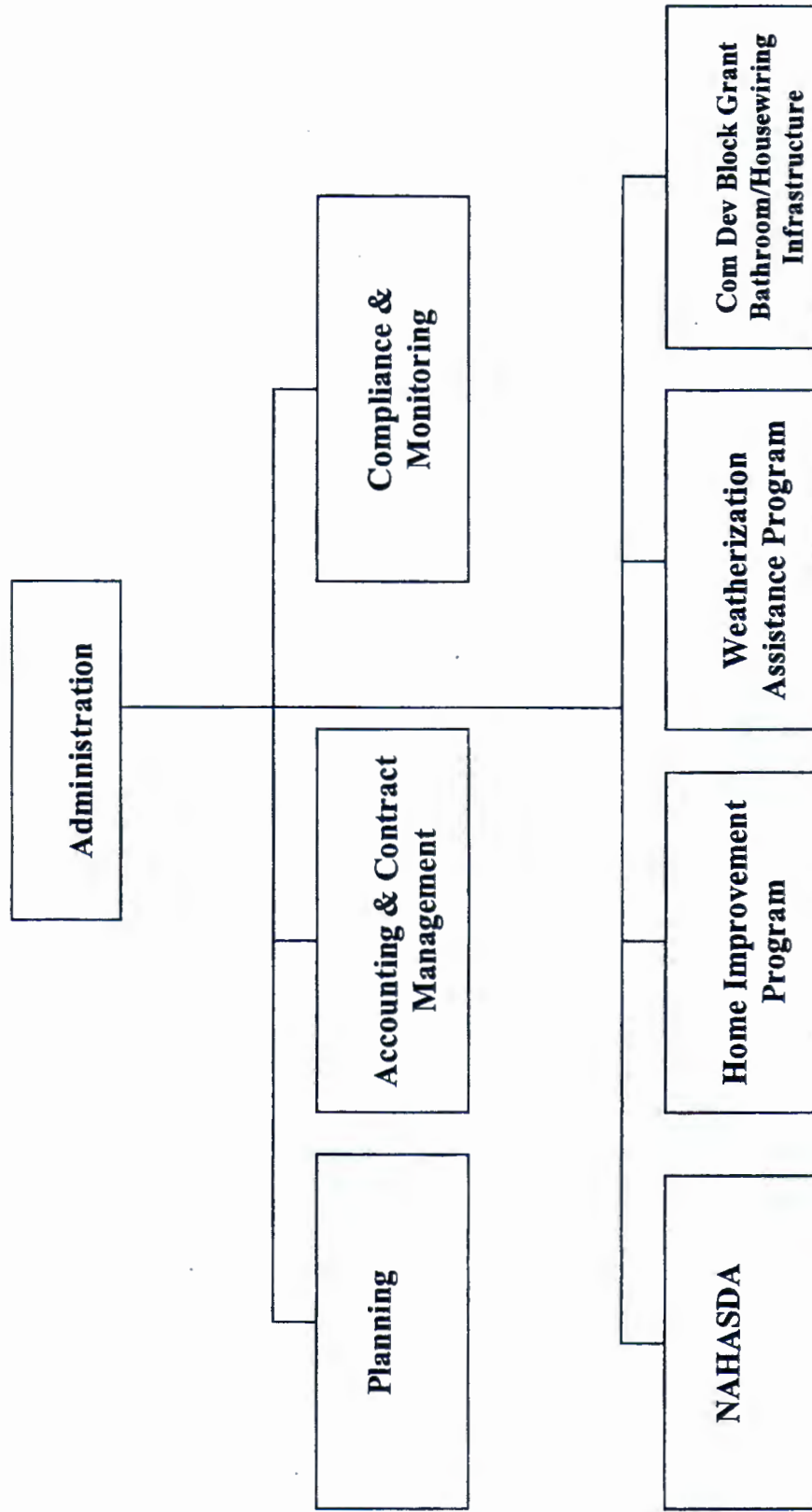
VI. LEGISLATIVE OVERSIGHT

The Transportation and Community Development Committee of the Navajo Nation Council shall be the legislative oversight committee for the Department pursuant to 2 N.N.C. Sec. 900 (a)(1).

VII. AMENDMENTS

Sections I through V may be amended by the Government Services Committee upon the recommendation of the Transportation and Community Development Committee of the Navajo Nation Council, as deemed necessary or desirable.

**COMMUNITY HOUSING & INFRASTRUCTURE DEPARTMENT
ORGANIZATIONAL CHART**





DR. JOE SHIRLEY, JR.
PRESIDENT

BEN SHELLY
VICE PRESIDENT

THE NAVAJO NATION

DIVISION OF COMMUNITY DEVELOPMENT

POST OFFICE BOX 1904 WINDOW ROCK, AZ 86515
TEL: (928) 871-6810/6442 FAX: (928) 871-7090 WEBSITE: WWW.NNDCD.ORG

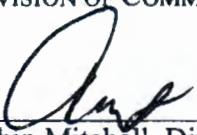
ARBIN MITCHELL
DIVISION DIRECTOR

STANLEY YAZZIE
DEPUTY DIRECTOR

DCDA-M08086

MEMORANDUM

TO : Department Managers, Program Supervisors, LGSC Senior Programs & Projects Specialists, and Staff
DIVISION OF COMMUNITY DEVELOPMENT

FROM : 
Arbin Mitchell, Division Director
DIVISION OF COMMUNITY DEVELOPMENT

DATE : May 15, 2008

SUBJECT : **Community Housing and Infrastructure Department Plan of Operation and Amendment to the Master Plan of Operation – GSC Resolution #GSCJA-05-08/A**

Transmitted herewith is the Government Services Committee Resolution No. GSCJA-05-08/A establishing the new Community Housing and Infrastructure Department; and amending the Master Plan of Operation for the Division of Community Development. The Government Services Committee approved the legislation on January 15, 2008. Henceforth, use this document as reference for program operation respectively.

Further, it is incumbent upon all personnel within this Division to become familiar with the entire revised Plan of Operation. Make the document available to your staff.

ATTACHMENT

c.



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

RODGERICK T. BEGAY
ACTING DEPUTY ATTORNEY GENERAL

MEMORANDUM

TO: Carl Smith, Division Director
Division of Community Development

FROM:


LaTonia B. Johnson, Acting Assistant Attorney General
Economic/Community Development Unit, Dept. Of Justice

DATE: July 19, 2016

SUBJECT: Document No. 6197: Amendments to the Division of
Community Development's Plan of Operation

The Department of Justice (DOJ) has reviewed the above-mentioned document and finds it insufficient for the following reasons:

Incorrect Form:

It appears that the Division of Community Development (DCD) processed this document using the 164 review form. This is not correct. Rather, DCD should have used the Executive Official review form and the document only required the review of the Division and Department of Justice. I have attached the proper Executive Official review form for your review (Attachment 1). In the future, I am available to provide training on the use of the 164 vs. Executive Official review form and process.

Amendments to 2 N.N.C. § 1454:

The Office of Management and Budget (OMB), in a memorandum dated July 6, 2016, noted that the sample resolution provides that it will be amending 2 N.N.C. § 1454. Section 1454 is the authority, duties and responsibilities of DCD Division Director. In reviewing the proposed amendments to DCD's Plan of

Memorandum to: Carl Smith

RE: Document No. 6197: Amendments to the Division of Community Development's Plan of Operation

July 19, 2016

Page 2

Operation (POO), it does not appear that the POO amendments requires an amendment to § 1454. If that was DCD's intention, it is recommended that the Division Director's authorities are amended in the POO. If it is DCD's intention to amend § 1454, it is also recommended that the amendments to § 1454 are processed first and thereafter the amendments to the POO. Please clarify.

Development of the Capital Improvement Plan:

It also appears that DCD is combining Design and Engineering Services (DES), Solid Waste Department and Capital Improvement Office (CIO) to form one department, Capital Projects Management Department (CPMD). The CPMD is taking over the role of CIO, which includes the development of the Capital Improvement Plan (CIP). As you know, the development and guideline of the CIP is outlined in the Appropriation Act (Act), 12 N.N.C. § 860. The Act requires that CIO is responsible for the administration, coordination and development of the CIP. See § 860(A)(1). In developing the CIP, CIO's responsibilities include, but not limited to conducting a detailed one-year capital improvement budget, inventory, report, financial analysis, and objective evaluation of all the proposed projects. See § 860(A)-(D).

In reviewing CPMD's POO, there are a number of provisions listed in Section II, Goals and Objectives, that appear to be referring to the development of the CIP. For example, Section II(F) requires CPMD to conduct a review of all authorized capital improvement projects to determine if additional funding is needed and to prepare progress reports. Section 860 (D)(2) and (5) requires CIO to conduct an inventory of all facilities and objectively evaluate all capital improvement request. Section II(H) also requires CPMD to convene a multidisciplinary team on an annual basis. Section 860(A)(2) requires that CIO evaluate request in compliance with the Transportation and Community Development Committee (TCDC) Objective Criteria, TCDCJY-77-99, and the TCDC Objective Criteria, Section 8, also requires a multidisciplinary team.

Memorandum to: Carl Smith

RE: Document No. 6197: Amendments to the Division of Community Development's Plan of Operation

July 19, 2016

Page 3

Additionally, Section II(G) provides that CPMD will coordinate with the Office of the Controller (OOC) and OMB to identify funds for the current CIP. This provision also appears to be related to the development of the CIP. However, §860(D)(4) provides that OOC and OMB conduct a financial analysis to determine how much the Navajo Nation could afford. Section II(G) is requiring that CPMD, OOC and OMB find the funds for the CIP project yet § 860(D)(4) requires OOC and OMB to conduct a financial analysis. The aforementioned provisions are substantially different from each other. It is unclear as to whether DCD misinterpreted § 860(D)(4) or if it is DCD's intention to also propose amendments to § 860. If it is DCD's intention to merely note that CPMD's duties include the development of the CIP, it is recommended that there is a reference such as "Conduct all duties related to the development of the CIP as provided in 12 N.N.C. § 860." The suggested provision would be to ensure consistency between the DCD's POO and § 860 of the Act and avoid misinterpretations.

Assistance to the Chapters:

Throughout CPMD's POO, it is noted that CPMD will only provide assistance to the Chapters. However, DES' POO specifically provided that DES will assist chapters, divisions and other entities of the Navajo Nation. It is clear that the proposed amendment to DCD's POO is deleting any reference to assist other divisions and other entities of the Navajo Nation. By implication, it appears that that other Divisions and other entities of the Navajo Nation would be responsible to conduct planning, design, project management and construction. This tremendously affects the Navajo Nation because it will force the other Divisions to conduct the aforementioned services. At the very least, the other Divisions will be required to hire their own project managers and have a mini-DES. This would require amendments to other Divisions' POO and ensure that there are employees who have the expertise of the DES' staff.

If DCD's POO is approved by the Resources and Development Committee (RDC), it leaves other Divisions with no assistance until those respective Divisions amend its POO and hire staff who have the knowledge in the aforementioned services. The proposed amendment may have unintended consequences such as, but not limited to wrong contracts that may be used, not sufficient bonds and insurance, unqualified

Memorandum to: Carl Smith

RE: Document No. 6197: Amendments to the Division of Community Development's Plan of Operation

July 19, 2016

Page 4

contractors and faulty buildings. While this is a policy decision, it is very important that the RDC consider the overall consequences to the Navajo Nation and keep in mind that the original intent of DES was to staff individuals who have the expertise in planning, design, construction and project management and to assist all Divisions and Chapters for all public facilities.

Other Areas:

In addition to the above-mentioned substantive comments, the following are other comments to consider:

- 1) I have attached a mark-up of some comments that I have made to the fact of the document. See Attachment 2 for review.
- 2) Whether the included POO of Administrative Service Center's is the correct version. In DOJ's past experience, Section IV(B)(16) was deleted in its entirety yet it is still included in this version. Please clarify.
- 3) Throughout the document, there are references to the organization chart in each respective Department's POO, but it either references Attachment or Exhibit. For consistency, please ensure that one term is used. Please use either Attachment or Exhibit.

If you have any questions regarding this memorandum, please contact me at 928-871-6933. Thank you.

LBJ/ah/126

Attachments

xc: Rodgerick T. Begay, Acting Deputy Attorney General
Office of the Attorney General

Lorenzo Curley, Attorney
Economic/Community Development Unit, Dept. of Justice

Attachment “1”

EXECUTIVE OFFICIAL REVIEW

Title of Document: _____

Contact Name: [Click here to enter text.](#)Program/Division: [Click here to enter text.](#)Email/Phone Number: [Click here to enter text.](#)**Business Site Lease**

Sufficient Insufficient

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Division: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Office of the Controller: | _____ | Date: _____ | ☐ | ☐ |
| (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: _____ | ☐ | ☐ |

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

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Division: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |

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

- | | | | | |
|--|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Office of Management and Budget: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 1. Office of the Controller: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |

Navajo Housing Authority Request for Release of Funds

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. NNEPA: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |

Lease Purchase Agreements

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Office of the Controller: | _____ | Date: _____ | ☐ | ☐ |
| (recommendation only) | | | | |
| ☐ 2. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |

Grant Applications

- | | | | | |
|--|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Office of Management and Budget: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Office of the Controller: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 3. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |

Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Legislation Initiated by Executive Branch Entity, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Division: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |

Relinquishment of Navajo Membership

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Land Department: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Elections: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 3. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |

Land Withdrawal or Relinquishment for Commercial Purposes:

Sufficient Insufficient

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Division: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |

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

- | | | | | |
|--------------------------------------|-------|-------------|--------------------------|--------------------------|
| ☐ 1. NLD | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. F&W | _____ | Date: _____ | ☐ | ☐ |
| ☐ 3. HPD | _____ | Date: _____ | ☐ | ☐ |
| ☐ 4. Minerals | _____ | Date: _____ | ☐ | ☐ |
| ☐ 5. NNEPA | _____ | Date: _____ | ☐ | ☐ |
| ☐ 6. DNR | _____ | Date: _____ | ☐ | ☐ |
| ☐ 7. DOJ | _____ | Date: _____ | ☐ | ☐ |

Rights of Way

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. NLD | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. F&W | _____ | Date: _____ | ☐ | ☐ |
| ☐ 3. HPD | _____ | Date: _____ | ☐ | ☐ |
| ☐ 4. Minerals | _____ | Date: _____ | ☐ | ☐ |
| ☐ 5. NNEPA | _____ | Date: _____ | ☐ | ☐ |
| ☐ 6. Office of the Attorney General: | _____ | Date: _____ | ☐ | ☐ |
| ☐ 7. OPVP | _____ | Date: _____ | ☐ | ☐ |

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

- | | | | | |
|--------------------------------------|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Minerals | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. OPVP | _____ | Date: _____ | ☐ | ☐ |
| ☐ 3. NLD | _____ | Date: _____ | ☐ | ☐ |

Assignment of Mineral Lease

- | | | | | |
|--------------------------------------|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Minerals | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. DNR | _____ | Date: _____ | ☐ | ☐ |
| ☐ 3. DOJ | _____ | Date: _____ | ☐ | ☐ |

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: _____ | ☐ | ☐ |
| ☐ 2. F&W | _____ | Date: _____ | ☐ | ☐ |
| ☐ 3. HPD | _____ | Date: _____ | ☐ | ☐ |
| ☐ 4. Minerals | _____ | Date: _____ | ☐ | ☐ |
| ☐ 5. NNEPA | _____ | Date: _____ | ☐ | ☐ |
| ☐ 6. DNR | _____ | Date: _____ | ☐ | ☐ |
| ☐ 7. DOJ | _____ | Date: _____ | ☐ | ☐ |
| ☐ 8. OPVP | _____ | Date: _____ | ☐ | ☐ |

OTHER Click here to enter text.

- | | | | | |
|---|-------|-------------|--------------------------|--------------------------|
| ☐ 1. Click here to enter text. | _____ | Date: _____ | ☐ | ☐ |
| ☐ 2. Click here to enter text. | _____ | Date: _____ | ☐ | ☐ |
| ☐ 3. Click here to enter text. | _____ | Date: _____ | ☐ | ☐ |
| ☐ 4. Click here to enter text. | _____ | Date: _____ | ☐ | ☐ |
| ☐ 5. Click here to enter text. | _____ | Date: _____ | ☐ | ☐ |

Attachment “2”

PLAN OF OPERATION

**CAPITAL IMPROVEMENT OFFICE
DIVISION OF COMMUNITY DEVELOPMENT**

I. — ESTABLISHMENT

~~There is hereby established the Capital Improvement Office ("CIO") within the Division of Community Development ("DCD") and under the Executive Branch of the Navajo Nation government~~

II. — PURPOSE AND MISSION

~~The purpose and mission of the Capital Improvement Office shall be to provide the Navajo Nation Government with a formal mechanism for decision-making related to infrastructure development and capital improvement programming; linking the Capital Improvement Plan with the Comprehensive Land Use Plan; developing and maintaining programmatic and financial policies for prioritizing and estimating capital projects; developing and maintaining a multi-year list of Capital Improvement Projects; and monitoring the capital budget.~~

III. — GOALS

~~The goals of the Department shall be to:~~

- ~~1. — Formulate written procedures for citizen input and build capacity at the Chapter and program levels to enable the communities to efficiently access capital and infrastructure project funding.~~
- ~~2. — Develop and maintain policies and procedures for Capital Improvement Projects to ensure a timely and orderly process for planning and budgeting for capital assets.~~
- ~~3. — Coordinate and link the long and short-range capital improvement programming with the Chapter land-use plans.~~
- ~~4. — Conduct periodic capital needs assessments to determine the need for replacement, repair, renovation, expansion or retirement of the existing facilities and need for future development~~
- ~~5. — Conduct annual reviews of the status of currently active capital improvement projects and determine whether additional funding will be requested to continue the project and to determine the amount of funds from completed and discontinued projects.~~

- ~~6. Perform financial capacity analysis to determine the level of capital expenditures the Nation can afford and to designate other funding considerations in conjunction with the Office of Management and Budget and the Office of Controller.~~
- ~~7. Compile all project proposals and provide for the evaluation and prioritization all Capital Improvement Project Proposals utilizing TCDC approved objective criteria.~~
- ~~8. Finalize and present annual six (6) year Capital Improvement Plans for consideration and approval by the Transportation and Community Development Committee (TCDC).~~
- ~~9. Monitor the capital budget and maintain up-to-date records on all projects within the Capital Improvement Plan.~~
- ~~10. Submit written quarterly progress reports on the capital budget to TCDC and the Budget and Finance Committee.~~
- ~~11. Provide Technical Assistance to Chapters and Programs on the Program processes and mechanisms and in accordance with the Local Governance Act~~

~~IV. OBJECTIVES~~

- ~~1. Provide quarterly training in the area of proposal development, project management and implementation to build capacity at the local level.~~
- ~~2. Compile, evaluate and develop a multiyear list of infrastructure and capital improvement projects in order of priority and with a detailed one year capital improvement budget by April of each year.~~
- ~~3. Conduct a survey of Chapter and Program needs using a survey form and in coordination with Chapters and Programs by December of each year. Establish a process for gathering Chapter and Program needs to produce a needs-based capital budget.~~
- ~~4. In coordination with Risk Management Program and Property Management Department, conduct periodic facilities inventory to be finalized and completed by December of the respective year.~~
- ~~5. Prepare a CIP Status report that includes information on projects that will be continuing, the amount of funds required to continue or complete respective projects, determining the amount of remaining fund balance from projects that are completed or have been discontinued, and summary report of progress by January of each year.~~
- ~~6. In coordination with the Office of Management and Budget, conduct an Infrastructure and Capital Improvement Finance conference to determine the selection and scheduling of other funding sources in February of each year.~~

- ~~7. Convene a multidisciplinary team for the purpose of reviewing and rating Capital Improvement and Infrastructure Project Proposals in March of each year.~~
- ~~8. Draft and submit TCDC resolutions for the Section 164 review for comments and review of the Capital Improvement Plan by April of each year.~~
- ~~9. Conduct monthly monitoring of each project account and project site for the purpose of ensuring compliance with all applicable laws, regulations, rules and policies in the course of project implementation by the respective project sponsors.~~
- ~~10. Maintain records of all project accounts in accordance with generally accepted records management systems.~~
- ~~11. Compile up to date information from the monthly monitoring sits and prepare progress reports to be used in the quarterly reports.~~
- ~~12. Conduct Quarterly work sessions and/or project meetings to provide information on program requirements, activities and status of projects to Chapters and Programs.~~

~~V. PERSONNEL AND ORGANIZATION~~

~~A. PERSONNEL~~

- ~~1. The Director of the Office shall be hired and supervised by the Division Director in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Policies and Procedures.~~
- ~~2. The Office shall be staffed sufficiently to accomplish the purpose, goals and objectives of the Office which may include the establishment of agency offices.~~
- ~~3. The Director shall be authorized to recommend additional professional, technical and clerical positions as needed to carry out the organizational purposes, goals and objectives as stated herein. Additional positions shall be acquired in accordance with applicable budget rules established for conducting the annual Navajo Nation Budget process.~~

~~B. ORGANIZATION~~

~~The Office shall consist of the following:~~

- ~~1. Administrative Support Staff~~
- ~~2. Technical Support~~
- ~~3. Any additional Sections that may be deemed necessary to accomplish the~~

~~purpose, goals and objectives of the Office.~~

~~Organizational Chart of the Capital Improvement Office is attached hereto as Attachment "B-1".~~

~~VI. RESPONSIBILITY AND AUTHORITY~~

~~A. The Office Director shall report and be responsible to the Division Director.~~

~~B. The Office Director shall:~~

- ~~1. Formulate the overall administrative and operating policies and procedures necessary for effective management of the Office and take actions to accomplish the program purpose and goals.~~
- ~~2. Exercise supervisory control and direction over all Office staff.~~
- ~~3. Delegate authority to members of the staff as necessary.~~
- ~~4. Conduct periodic reviews of Office effectiveness and the use of fiscal allocations to ensure that expenditures are within authorized budgets and guidelines.~~
- ~~5. Establish and maintain project status reports on all funded projects.~~
- ~~6. Provide training to improve staff performance.~~
- ~~7. Represent the Office at the executive level.~~
- ~~8. Establish and maintain communication with tribal government and elected officials as needed to accomplish the goals and objectives stated herein.~~
- ~~9. Carry out all other responsibilities as assigned by the Division Director.~~
- ~~10. Recommend proposed projects for funding to the oversight committee of the Navajo Nation Council.~~

~~VII. LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. Sections 421 and 423, et seq., the Capital Improvement Office shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VIII. AMENDMENTS~~

~~Sections I. through V. may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.~~

PLAN OF OPERATION

**DESIGN AND ENGINEERING SERVICES
DIVISION OF COMMUNITY DEVELOPMENT**

I. — ESTABLISHMENT

~~There is hereby established the Design and Engineering Services ("Department") under the Division of Community Development ("Division") of the Executive Branch of the Navajo Nation Government.~~

II. — PURPOSE AND OBJECTIVES

A. — Purpose

~~The purpose of the Design and Engineering Services shall be to cultivate public shelter facilities with sound architectural, engineering services and construction management for a healthy society and physical environment.~~

B. — Objectives

~~The objectives of the Design and Engineering Services shall be to:~~

- ~~1. — Provide comprehensive professional architectural and engineering services to chapters, divisions and other entities of the Navajo Nation.~~
- ~~2. — Review, coordinate and approve the design and specifications for Navajo Nation capital improvement projects to ensure compliance with all applicable state, federal and Navajo Nation regulations, codes and standards.~~
- ~~3. — Design to satisfy cultural and environmental conditions of the built environment, working with Navajo Nation communities to promote integrity and self-sufficiency.~~
- ~~4. — Ensure that Navajo Nation projects are constructed with timely, efficient and cost effective methods by administering and monitoring construction activities.~~
- ~~5. — Develop the professionalism to enhance coordination with private, state and federal agencies in the provision of professional services within the Navajo Nation.~~

~~III. PERSONNEL AND ORGANIZATION~~

~~A. Personnel~~

- ~~1. The Director of the Design and Engineering Services shall be hired and supervised by the Executive Division Director of the Division of Community Development, in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies and Procedures.~~
- ~~2. The Director shall be authorized to recommend additional professional, technical and administrative positions as needed to carry out the organizational purposes and objectives stated herein. Additional positions shall be established in accordance with applicable Personnel Policies and Procedures and pursuant to applicable rules established for conducting the annual Navajo Nation budget process.~~

~~B. Organization~~

~~The Design and Engineering Services shall consist of such sections and functions as may be necessary to accomplish the purpose cited.~~

- ~~1. Administrative Support~~
- ~~2. Engineering~~
- ~~3. Architecture~~
- ~~4. Construction Management~~
- ~~5. Special Projects~~

~~The Organizational Chart for the Design and Engineering Services Department is attached as Exhibit "C-1" and incorporated herein.~~

~~IV. AUTHORITIES, DUTIES, AND RESPONSIBILITIES~~

~~A. The Director of Design and Engineering Services shall:~~

- ~~1. Report and be responsible to the Executive Division Director.~~
- ~~2. Formulate the overall administrative and operating policies and procedures necessary for effective management of the Department and take actions to accomplish the program purposes and objectives.~~
- ~~3. Conduct periodic reviews of staff and program effectiveness and prepare fiscal operating budgets for the appropriate standing committees of the Navajo Nation Council.~~

4. ~~Represent the Department at departmental, division and executive levels.~~

B. ~~The Department shall:~~

1. ~~Provide architectural and engineering services to chapters, divisions and other entities of the Navajo Nation.~~
2. ~~Design Navajo Nation public facilities to meet specifications satisfying cultural and environmental conditions in accordance with established Navajo Nation, State and Federal regulations, codes and standards.~~
3. ~~Develop, coordinate and implement project delivery systems for all Navajo Nation capital projects.~~
4. ~~Serve as the Construction Management Authority for the Navajo Nation.~~
5. ~~Assist in the application for and administer all or part of A/E programs available through federal, state and other funding sources, including programs under the Indian Self Determination and Education Assistance Act (P.L. 93-638 as amended).~~
6. ~~Establish and administer a revolving account system utilizing funds received for departmental services on projects not funded by the Capital Improvement Program.~~
7. ~~Provide professional architectural, engineering and construction management services within an established invoice system.~~
8. ~~Implement and automated network of Navajo Nation project information, monitoring and management that will ensure effective project development.~~
9. ~~Develop a standard Navajo Nation project manual for accountability and project coordination.~~
10. ~~Implement, administer and monitor construction management and other alternative delivery process to ensure Navajo Nation projects are completed on a timely, efficient and cost effective manner.~~
11. ~~Carry out other responsibilities as assigned by the Division Director~~

V. ~~LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C., Sections 421 and 423, et seq., the Design and Engineering Services shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VI. —~~ AMENDMENTS

~~Sections I. through V. may be amended from time to time by the Government Services Committee upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council as deemed appropriate.~~

PLAN OF OPERATION

**NAVAJO DEPARTMENT OF TRANSPORTATION
DIVISION OF COMMUNITY DEVELOPMENT**

I. — ESTABLISHMENT

~~There is hereby established the Navajo Department of Transportation ("Department") within the Division of Community Development (Division") of the Executive Branch of the Navajo Nation government~~

II. — PURPOSE AND OBJECTIVES

A. — Purpose

~~The purpose of the Department shall be to plan and develop an integrated transportation network of highways, roads, waterways, airports, railroads and pipelines for the delivery of people, commerce, and goods within the Navajo nation that is safe and in harmony with nature.~~

B. — Objectives

~~The objectives of the Department of Transportation shall be:~~

- ~~1. — To be the single point of contact for all transportation-related activities.~~
- ~~2. — To provide an administrative and technical department which will address transportation planning, project planning, construction, maintenance and safety of all modes of transportation within the Navajo Nation.~~
- ~~3. — To address Navajo Nation transportation needs through a government-to-government relationship with federal, state, county and tribal governments and special interest groups.~~
- ~~4. — To implement the Navajo Nation Transportation Code.~~
- ~~5. — To contract and operate the functions of the Bureau of Indian Affairs Branch of Roads.~~

III. — PERSONNEL AND ORGANIZATION

~~A. Personnel~~

- ~~1. The Director of the Department of Transportation shall be hired and supervised by Division Director in accordance with Navajo Nation Personnel Policy Manual.~~
- ~~2. The Department of Transportation shall be staffed to accomplish the purpose and objectives of the Department. All other personnel shall be employed and compensated in accordance with Personnel Policy Manual.~~
- ~~3. The Director shall is authorized to hire additional professional, technical and clerical positions as needed to carry out the organizations purpose and objectives.~~

~~B. Organization~~

~~The Department of Transportation shall consist of the following:~~

- ~~1. Administration~~
- ~~2. Direct Services~~
- ~~3. Transportation Planning~~

~~The organizational chart for the Department of Transportation is attached hereto as Attachment "D-1".~~

~~IV. RESPONSIBILITY AND AUTHORITY~~

~~A. The Department Director shall have the following responsibilities:~~

- ~~1. Report and be accountable to the Division Director for the accomplishment of the purpose and objectives of the Department.~~
- ~~2. Exercise supervisory control and direction over program staff and delegate authority to other staff members.~~
- ~~3. Administer Navajo Nation policies and procedures necessary for effective management of the Department and to accomplish the program purpose and goals.~~
- ~~4. Prepare the Navajo Nation general funds operating budget in accordance with the Office of Management and Budget's Manual.~~
- ~~5. Represent the Department at departmental, division, and executive branch levels.~~
- ~~6. Seek additional revenues through a government-to-government coordination with federal, state, county and tribal governments and special interest groups.~~

- ~~7. Provide technical assistance to the oversight committee through attendance at the regular meetings in accordance to Title II, Section 420.~~
- ~~8. Provide a quarterly written report to the Division Director, Division of Community Development~~

~~B. The Department Shall:~~

- ~~1. Maintain an Information Management System and Geographical Information System center for all transportation activities and disseminate information to appropriate agencies.~~
- ~~2. Develop a systematic Navajo Nation Transportation Improvement Program (TIP) in coordination with federal, state and local governments and planning effective ways to address the transportation needs of the Navajo Nation.~~
- ~~3. Develop a Short and Long Term Construction Priority Program for the Transportation and Community Development Committee and Agency Roads Committee.~~
- ~~4. Report periodically on department activities, progress and recommendations to the Transportation Community Development Committee and other appropriate standing committees of the Navajo Nation Council and Agency Roads Committee.~~
- ~~5. Assist the Transportation and Community Development Committee and Agency Roads Committee in the development of legislation, policies, rules and regulations relating to the Navajo Nation Transportation system based upon feasibility studies and analyses.~~
- ~~6. Monitor implemented projects to ensure compliance with regulations and requirements of funding agencies and the Navajo Nation Government.~~
- ~~7. Plan and prioritize all transportation activities with Navajo Nation entities, agencies and departments, and coordinate these activities with federal, state and entities, agencies and departments, coordinate these activities with federal, state and county agencies.~~
- ~~8. Implement a Navajo Nation Transportation Code which may include vehicle licensing and registration, operator's licensing and user fee collection programs.~~
- ~~9. Develop and implement short and long range transportation plans, which include a network of roads, railroads and airports and coordinate this planning with the States of Arizona, New Mexico and Utah and the Federal government~~

- ~~10. — Seek and secure funds from non-tribal sources for the construction and maintenance of roads, access roads, streets, railroads, airports and safety projects.~~
- ~~11. — Seek technical and financial assistance from government or private sources to provide management and technical training for Department staff.~~
- ~~12. — Plan, develop and implement labor intensive projects at the local level.~~
- ~~13. — Contract for professional construction services for the design and construction of roads, airports, railroads and pipelines when appropriate.~~

~~IV. — LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. Sections 421 and 423, et seq., the Navajo Department of Transportation shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VI. — AMENDMENTS~~

~~Sections I. Through V. may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.~~

PLAN OF OPERATION

NAVAJO NATION SOLID WASTE MANAGEMENT PROGRAM Division of Community Development

I. — ESTABLISHMENT

~~There is hereby established the Navajo Nation Solid Waste Management Program for a period of five (5) years within the Division of Community Development of the Executive Branch of the Navajo Nation Government~~

II. — MISSION/PURPOSE

~~The Navajo Nation Solid Waste Management Program is hereby established for the purpose of assisting communities to develop proper solid waste management practices and to provide guidance in development of a viable, self-sustaining solid waste disposal system for the Navajo Nation and implement consolidation and closure of existing open dump sites.~~

III. — GOALS

~~The goals of the Navajo Nation Solid Waste Management Program shall be to:~~

- ~~1. — Promote the enhancement of the quality of the Navajo Nation's environmental resources by providing community education about waste management and recycling.~~
- ~~2. — Promote solid waste management development, implementation and provide guidance for maintenance/operation of sanitation facilities throughout the Navajo Nation.~~
- ~~3. — Promote proper solid waste management procedures through training and develop regionalized planning whereby solid waste management becomes a local responsibility.~~
- ~~4. — To function as a recommending and coordination office on the issues of solid waste management with Navajo governmental entities, including counties, state and federal governments to effectively consolidate resources to resolve waste issues.~~
- ~~5. — Develop major planning for future funding budgets and seek other outside funds to support the Navajo Nation's efforts to develop a certified landfill site or other means of solid waste management on the Navajo Nation.~~

IV. ~~PERSONNEL AND ORGANIZATION~~

~~Director's Duties:~~

- ~~1. The Department Director shall be hired and supervised by the Executive Director of the Division of Community Development pursuant to the Navajo Nation Personnel Policies Manual.~~
- ~~2. The Department Director shall administratively and legally implement the enhancement of the Navajo Nation Solid Waste Management Program to protect and preserve the Navajo Nation's environment and its resources.~~

~~The Director shall:~~

- ~~• Hire and supervise support staff and hire consultants in accordance with the Navajo Nation Personnel Policies Manual and applicable laws of the Navajo Nation. The Director shall employ those persons qualified by education and experience necessary to discharge the duties and responsibilities.~~
- ~~• Develop program budget and formulate administrative and operating policies of the department and take action for accomplishment thereof~~
- ~~• Exercise supervisory control and direction over the day to day operation of the office activities and represent the office for coordination at the executive level planning and/or may delegate authority to members of the staff~~
- ~~• Develop and submit quarterly written reports concerning program activities and issues of the department to Executive Director and the Oversight Committee.~~
- ~~• Exercise good public relations by coordinating program activities with the Navajo Nation Chapters, Indian Health Services, BIA and other entities to accomplish tasks.~~
- ~~• The Director shall report to the Executive Director of the Division of Community Development.~~

ORGANIZATIONAL CHART

Is incorporated as "Exhibit A" chart

V. ~~DUTIES AND RESPONSIBILITIES~~

~~The Solid Waste Management Program shall:~~

- ~~1. Represent the Navajo Nation on matters relating to solid waste management practices.~~
- ~~2. Coordinate with the local chapters in developing operation and maintenance planning and funding alternatives.~~

- ~~3. Develop closure strategies to close dump sites contained in the Navajo Nation Solid Waste Automated Tracking System (NNSWATS).~~
- ~~4. Research, analyze and develop needs for the purpose of projecting community facilities and projects.~~
- ~~5. Develop funding proposals and coordinate activities with county, state and federal governments to obtain other funding sources.~~

~~VI. DUTIES AND RESPONSIBILITIES~~

~~The Solid Waste Management Program shall:~~

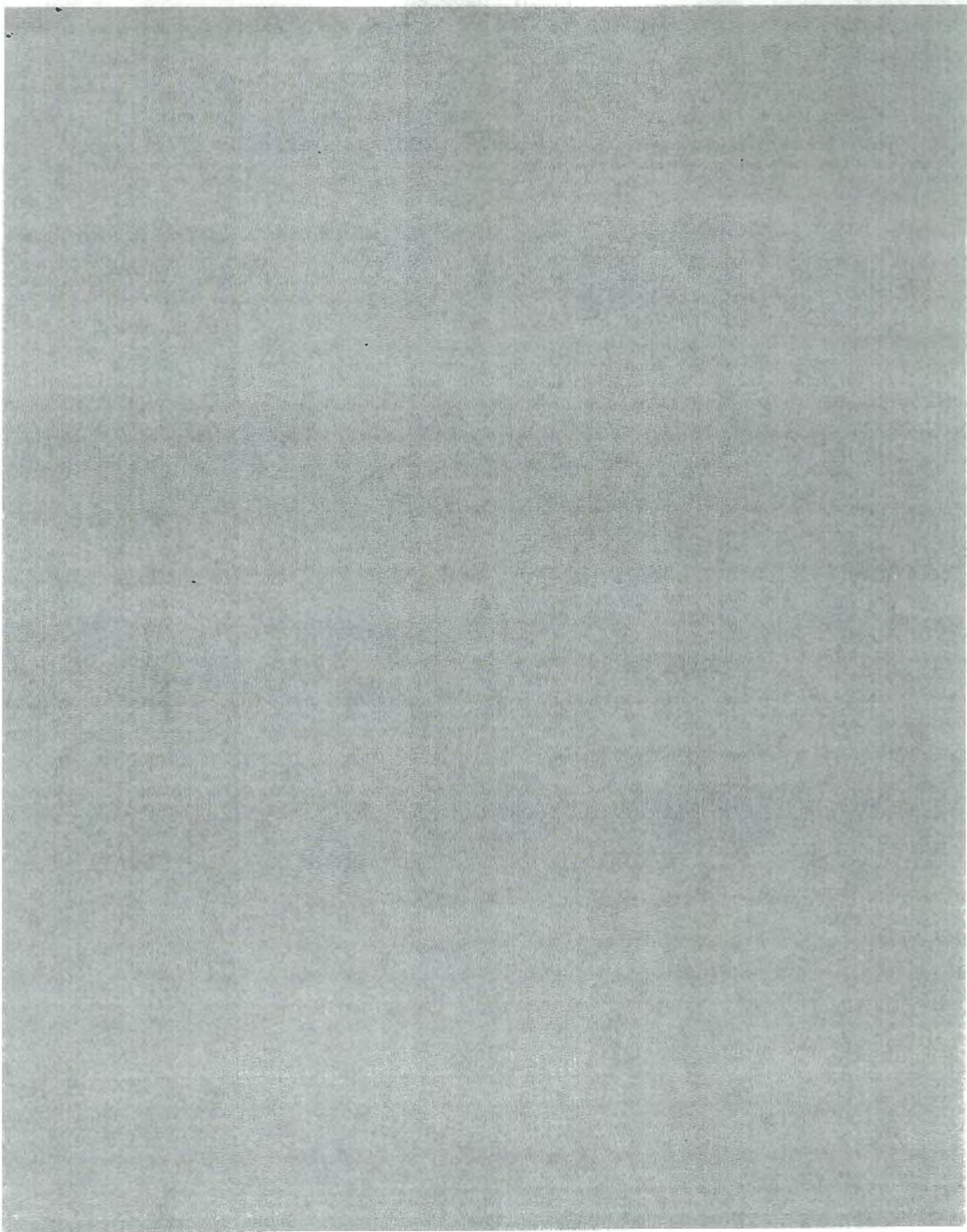
- ~~1. Represent the Navajo Nation in strategic planning and discussion of issues relating to solid waste management practices.~~
- ~~2. Coordinate with the local chapters in developing maintenance and operation plans of operation for planning and funding of alternative solid waste disposal system.~~
- ~~3. Develop long range closure strategies for consolidation and closure of illegal dump sites contained in the Navajo Nation Solid Waste Automated Tracking System (NNSWATS).~~
- ~~4. Research, analyze and develop needs for the purpose of projecting community and Navajo Nation certified facilities and projects.~~
- ~~5. Develop grant proposals and coordinate activities with county, state and federal governments to obtain matching funds or other funding sources.~~

~~VII. LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. §421 and 423, seq., the Transportation and Community Development Committee of the Navajo Nation Council shall be the legislative oversight for the Navajo Nation Solid Waste Management Program within the Division of Community Development.~~

~~VIII. AMENDMENTS~~

~~Section I through VI of the Plan of Operation may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon the recommendations of the Transportation and Community Development Committee when appropriate.~~



**MASTER PLAN OF OPERATION
FOR THE DIVISION OF COMMUNITY DEVELOPMENT**

I. ESTABLISHMENT

There is hereby established the Navajo Division of Community Development (hereinafter "Division") within the Executive Branch of the Navajo Nation Government

II. PURPOSE

The purpose of the ~~Navajo Division of Community Development~~ shall be to develop a dynamic and cohesive plan for community development activities, and provide relevant community education for orderly growth of the Navajo Nation that contributes to self-sufficiency of communities and families by constructing quality homes, community ~~public chapter~~ facility buildings and ~~rural addressing infrastructure system to support enhanced 9-1-1~~ that is in harmony with nature and people's needs.

III. GOALS AND OBJECTIVES

- modern?*
1. To provide technical assistance and administrative support at chapter governments in its development of becoming self-sustaining and self-governing entities through coordination with local, county, state, and federal government offices.
 2. To improve the standard of living for Navajo families and individuals through the use of ~~modern~~ methods and techniques in the construction of new homes and rehabilitation of existing homes.
 3. To plan, provide infrastructure and transportation systems, public facilities buildings for future growth of communities.
 4. To promote and foster land use planning and growth management policies and practices.
 5. To provide technical services in developing plans cooperatively with communities for proper solid waste management practices and disposal systems.
 6. To provide technical services and administrative support, in coordination with other appropriate entities, to plan, implement and maintain the rural addressing system in support of enhanced 9-1-1 Navajo Nation-wide.

IV. PERSONNEL AND ORGANIZATION

A. PERSONNEL

The ~~Navajo Division of Community Development~~ shall be administered by a Division Director, who shall be appointed by the President of the Navajo Nation, confirmed by the Navajo Nation Council, and shall serve at the pleasure of the President of the Navajo Nation. The Division Director shall hire personnel as may be deemed necessary to carry out the purposes of the Division and as funds are

goals and objectives

available. All personnel shall be employed and compensated in accordance with the applicable Navajo Nation Personnel Policies Manual. and other

applicable ~~to~~ Navajo Nation laws and policies

2. ORGANIZATION

The Division of ~~Community Development~~ shall consist of ~~11 offices: Division Administration, five~~ four Departments ~~and five agencies~~ to execute the Division's purpose. The Departments may consist of sections, programs, and agencies to accomplish the Department purpose. The ~~five~~ four departments ~~and five agencies~~ are as follows:

- 1) Division Administration
- 2) ~~Capital Improvement Office;~~
- 3) ~~Design and Engineering Services Department;~~
- 4) 2) Community Housing and Infrastructure Department;
- 5) ~~Navajo Department of Transportation;~~
- 6) ~~Solid Waste Management Program;~~
- 7) ~~Local Governance Support Center Fort Defiance Agency;~~
- 8) ~~Local Governance Support Center Eastern Agency;~~
- 9) ~~Local Governance Support Center Chinle Agency;~~
- 10) ~~Local Governance Support Center Tuba City Agency;~~
- 11) ~~Local Governance Support Center Shiprock Agency.~~
- 12) 3) Administrative Service Center
- 13) 4) Capital Projects Management Department

The organizational chart of the Division of Community Development is displayed as Attachment "A-1".

The remaining does are labeled exhibits. which do you prefer to be consistent?

V. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The Division Director of the ~~Division of Community Development~~ shall have the authority for the overall Division's operational planning and direction. The Division Director shall have the following duties and responsibilities:

1. Execute directives of the President of the Navajo Nation, Navajo Nation Council, and the ~~Transportation and Community Resources and Development Committee.~~
2. Provide written monthly and/or quarterly reports to the Office of the President, ~~Transportation and Community Resources and Development Committee~~ of the Navajo Nation Council, annual reports to the Navajo Nation Council and any other reports deemed necessary.
3. Promulgate Division program policies, time frame and other guidelines to ensure the proper and timely implementation of Division projects.
4. Establish and maintain partnership with local, county, state, federal entities and other authorities on matters related to the objectives of the Division.
5. Provide effective overall management and financial direction to Divisions' departments and programs.
6. Delegate authority pertaining to the operation of the Division and its program to subordinate directors of the Division, to the extent permitted by the laws and policies of the Navajo Nation, as appropriate.

7. Negotiate written agreements on behalf of the Division relevant to community development ~~for oversight committee's recommendation.~~
8. Seek external funding for programs and projects to enhance community development.
9. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Division in accordance with applicable Navajo Nation laws *and policies.*
10. Recruit, select, supervise, conduct employee performance evaluation, and recommend reclassification of positions for the ~~Administration Staff, Department managers and Program Directors,~~ *and the* in accordance with Personnel Policies Manual of the Navajo Nation.

Navajo Nation

B. Administration Office:

The purpose of the Administration Office is to provide for overall management of the Division. The Administration staff shall handle its duties and responsibilities in accordance with Navajo Nation laws and policies. The duties and responsibilities are as follows:

1. Recommend policies and legislation on community development issues to the ~~Transportation and Community Resources and Development Committee~~ and other appropriate committees of the Navajo Nation Council ~~for action.~~
2. Administer overall direction of the Division by monitoring short and long range plans, goals, and objectives.
3. Maintain communication with Navajo Nation chapters on the overall Division's operation.
4. Ensure that departments and programs carry-out their functions, authorities, and responsibilities.
5. Assist in the coordination and development of strategies to implement Division functions.
6. ~~Develop and maintain Information Data Center for the Navajo Nation.~~

VI. LEGISLATIVE OVERSIGHT

500 (C)

Pursuant to 2 NNC §421 ~~and §423, et seq.,~~ the Division ~~of Community Development~~ shall operate under the legislative oversight of the ~~Transportation and Community Resources and Development Committee~~ of the Navajo Nation Council.

VII. AMENDMENTS

Section I through V may be amended from time to time by the ~~Government Services Resources and Development Committee~~ of the Navajo Nation Council ~~upon the recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.~~

EXHIBIT B

PLAN OF OPERATION

COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT

I. ESTABLISHMENT

There is hereby established the Community Housing and Infrastructure Department (hereinafter "Department ") within the Division of Community Development of the Navajo Nation Executive Branch.

II. PURPOSE

The Department is established to promote and develop improved living conditions for Navajo families and strengthen communities through programs for community housing, utility service, public facility and economic development improvements.

III. OBJECTIVES

To carry out its purposes, the following Department objectives are established:

- A. Provide the people and communities of the Navajo Nation with high quality and efficient housing and infrastructure improvements.
- B. Seek and implement additional opportunities for home ownership and renovation for Navajo people and communities through community development partnerships and non-profits.
- C. Promote and support private sector involvement in the financing and implementation of housing and infrastructure projects.
- D. Encourage continued decentralization of housing development and renovation projects to chapters and communities in accordance with adopted Navajo Nation Executive policies and directives.
- E. Seek and secure financing from the Navajo Nation, federal, state, and other agencies for planning, design and construction of new home, home renovation and infrastructure development projects.
- F. Improve collaboration with other government departments, outside utility agencies, other government offices, private companies, non-profits, and chapters to successfully plan and implement housing and infrastructure development projects.
- G. Promote the use of improved building standards, appropriate technology, resource

conservation, energy-efficiency and sustainability in the design and construction of housing and infrastructure improvement programs.

- H. Recommend and institute policies, procedures and standards that will improve performance of programs.
- I. Raise awareness of home ownership and renovation issues and opportunities throughout the Navajo Nation.
- J. Monitor the results of Navajo Housing Authority, NAHASDA and other housing improvement programs on behalf of the Navajo people to ensure compliance with approved Indian Housing Plan goals, regulations and standards.

IV. PERSONNEL AND ORGANIZATION

A. PERSONNEL

The position of Director of the Community Housing and Infrastructure Department is hereby established. The Director shall be hired in accordance with established Navajo Nation Personnel Manual policies and procedures, and will serve under the direct supervision of the Division Director of the Division of Community Development. In order to achieve the purposes and objectives of this Plan of Operation, the Director shall have the authority to:

1. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Department, in accordance with Navajo Nation law, budgetary and personnel policies and procedures of the Navajo Nation; and
2. Hire, direct, supervise, and evaluate employees and reclassify positions within the Department in accordance with personnel policies and procedures of the Navajo Nation; and
3. Recommend additional professional, technical and administrative support staff as needed to carry out the activities of the department. Additional staff positions shall be hired and supervised in accordance with applicable Personnel Policies and Procedures and applicable budget rules established for conducting the annual Navajo Nation budget process; and
4. Effectively manage all department programs and projects such that they are completed in accordance with applicable Navajo Nation, federal, and funding source rules and regulations; and
5. Develop and implement overall administrative and operating policies and procedures necessary for effective management of the Department, and take such action as are deemed necessary and appropriate to accomplish the Department's stated mission, purpose and objectives; and
6. Delegate authority as deemed necessary or desirable.

7. Execute such directives and authorities as may be directed and/or authorized by the appropriate authority of the Navajo Nation.
8. Provide opportunities for education and training to improve staff capability and performance.
9. Represent the department at all executive level and other meetings.

B. ORGANIZATION

The Department shall consist of the following sections and programs as shown hereinafter (see Organization Chart attached hereto as Exhibit A):

1. Administration and administrative support.
2. Planning
Responsible for short and longer range program planning as well as overall departmental strategy relating to identifying and securing new funding, program and community development partnership opportunities. This will also include project pre-planning and planning, land acquisition, inter-agency coordination and scheduling, and preliminary cost estimating and budgeting.
3. Accounting and contract management
Responsible for all project and program accounting within the department's federal and other programs, as well as contract negotiation, management and closeout requirements for all grant and other contract programs. This is consistent with the new departmental and program purchasing card system now being implemented (the P-Card). Department accountants and contract managers will often handle more than one program, allowing greater efficiency and cross-training opportunities. Central government accounting will only be responsible for oversight of program accounts.
4. Compliance and Monitoring
Responsible for all environmental and other clearances for department projects and programs, as well as monitoring performance of all departmental programs and Navajo Housing Authority, to assure compliance with applicable federal and Navajo Nation laws and regulations. Monitoring of NHA will assure compliance with the approved Indian Housing Plan and future TDHE designation. This section's technical specialists will assure that all project requirements are met.
5. Federal grant program administration.
Community Development Block Grant (HUD)
NAHASDA (HUD)
Housing Improvement Program (BIA)
Weatherization Assistance Program
(DOE)
6. Other housing and infrastructure programs as authorized.
7. Agency offices and staff as authorized.

Attachmen A-1 ?

V. RESPONSIBILITY AND AUTHORITY

A. The general authorities and responsibilities of the Department are as follows:

1. Administer internally and externally-funded programs for the benefit of Navajo chapters and communities, in full compliance with all applicable Navajo Nation and federal laws, rules and regulations.
2. Identify and recommend changes in the laws and regulations of the Navajo Nation to facilitate and enhance home ownership and housing quality throughout the Navajo Nation.
3. Maintain compliance with applicable governmental regulations by self-monitoring department performance and budgets.
4. Research and seek funding and other resource opportunities that could better facilitate the meeting of department objectives.
5. Initiate organizational changes to better respond to the needs of Navajo people and communities, while making effective use of available funding and organizational resources.
6. Provide periodic status and compliance reports to the Division, funding agencies and the Navajo Nation Council as required or requested.
7. Effectively manage and recommend improvements to the environmental review and compliance process
8. Manage all funds identified for housing and infrastructure development in a fiscally responsible manner.
9. Provide technical support and training to ~~Local Government Support~~ Centers, Chapters, community service staff, and individuals on planning for, seeking, obtaining, and administering Navajo Nation and external funds for housing and infrastructure improvement projects.
10. Provide administrative support and training in contracting, procurement, construction management, risk management, and monitoring of projects. Maintain secure files of data and information relevant to Departmental programs and projects.
11. Assist Navajo Nation chapters in the execution of housing development and renovation programs which are properly delegated.
12. Provide public information, meetings and workshops on housing improvement opportunities and regulations.

B. Agency Offices may be established and maintained to coordinate local housing and other community improvement activities to accomplish department objectives. The Director may delegate some or all authority over the following responsibilities to Agency staff:

1. Ensure that the adopted application processes are properly conducted to select qualified applicants for assistance programs.
2. Monitor building material inventories, construction staff, and technical assistance activities to ensure the accomplishing of departmental objectives.

VI. LEGISLATIVE OVERSIGHT

The ~~Transportation and Community~~ Resources and Development Committee of the Navajo Nation Council shall be the legislative oversight committee for the Department pursuant to 2 N.N.C. Sections ~~421 and 423, et. Seq.~~

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VII. AMENDMENTS

Sections I through V may be amended by ~~the Government Services Committee upon the recommendation of the Transportation and Community~~ Resources and Development Committee of the Navajo Nation Council, as deemed necessary ~~or desirable~~.

EXHIBIT C

PLAN OF OPERATION

CAPITAL PROJECTS MANAGEMENT DEPARTMENT

DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

~~There is hereby established~~ The Capital Projects Management Department (CPMD) *is hereby established within*
~~under the Division of Community Development of the Executive Branch of the Navajo~~
Nation Government.

II. PURPOSE AND MISSION

~~The purpose and mission of the Capital Projects Management Department (CPMD) is to~~ *industry standards of*
collaboratively develop an annual capital improvement plan with the Navajo Nation
chapters for infrastructure development; to ensure that all construction of the Nation's
chapter facilities are in accordance with sound architectural design and engineering
principles; to maintain programmatic and financial policies for prioritizing and
estimating capital projects; to maintain a multi-year list of planned capital improvement
projects; and to provide project management services to Navajo Nation chapters. *just constr*

III. GOALS AND OBJECTIVES

The goals and objectives of the Department shall be to: *what's the difference between*

- A. Provide comprehensive planning, architectural, engineering, and project management services for all Navajo Nation chapters. Collaborate with private, state and federal agencies (in provision of professional services) ?
- B. Develop policies and standards for the Department's capital project function according to relevant building and construction codes and regulations.
- C. Conduct periodic monitoring/evaluation of projects to ensure compliance with regulations, laws, and building and construction standards.
- D. Design public facilities to incorporate cultural and environmental conditions within Navajo Nation communities. Integrate chapter land use plans, where available, into capital improvement development. *official*
- E. Conduct annual assessments of Navajo Nation chapter facilities to determine (remedial activities and costs.) *applicable*

- clarify?

Would recommend only noting CIP.
are you referring to the approved CIP?
what abt local govt?

F. Every January, conduct a review of all authorized capital improvement projects to determine if additional funding is needed and to prepare progress reports.

G. Coordinate with the Navajo Nation Office of Controller and Office of Management and Budget to identify funding, including external funds, for (current year's CIP.)

This appears to be a legislative duty.

H. Convene on an annual basis a multidisciplinary team to review and rate the Capital Improvement and Infrastructure projects and develop the Department's annual proposed Capital Improvement and Infrastructure projects.

I. Prepare a 164 review packet and present the Department's annual Capital Improvement and Infrastructure budget proposal before the Resources and Development Committee (RDC) for action.

J. Develop and maintain a computer database and records file of all projects in accordance with accepted records management practices.

K. Conduct periodic work sessions and/or project meetings with chapters to provide information on activities and project status.

IV. PERSONNEL AND ORGANIZATION

A. PERSONNEL

1. The Department Manager of the Capital Projects Management Department (CPMD) shall be hired and supervised by the Executive Director of the Division of Community Development in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Policies and Procedures.

2. The Department Manager will determine the need for additional professional, technical and administrative positions to carry out the organizational purposes and objectives stated herein. Additional positions shall be established and hired in accordance with applicable Navajo Nation Personnel Policies and Procedures and subject to availability of funds.

3. The Department shall be staffed to accomplish the purposes, goals and objectives of the Department and Division, including the establishment of field offices.

B. ORGANIZATION

The ~~Capital Projects Management Department (CPMD)~~ shall consist of the following sections and functions to accomplish the purpose of the Department.

1. Planning;
2. Design;
3. Project Management;
4. Compliance ; and
5. Funding ,

and objective

CPMD

The Organizational Chart for the ~~Capital Projects Management Department (CPMD)~~ is attached as Exhibit A, and incorporated herein.

V. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The Department Manager of the ~~Capital Projects Management Department (CPMD)~~ shall:

Dmsun

1. Report to the Executive Director of the Division of Community Development.
2. Formulate the overall administrative and operating policies and procedures necessary for effective management of the Department and take appropriate actions to accomplish the program purposes and objectives.
3. Conduct periodic reviews and evaluations of staff and program.
4. Prepare annual fiscal operating budget for approval by the Executive Branch of the Navajo Nation.
5. Represent the Department at Navajo Nation, local, state and federal levels.

CPMD

CPMD

B. The Department Shall:

who does this entail?

1. Provide comprehensive planning, design, project management, compliance and project funding services to Navajo Nation chapters.
2. Ensure that owners of capital projects complete all planning criteria prior to department acceptance of projects. (The department manager shall only accept fully funded projects that are project-ready.)
3. Implement a central electronic filing and project tracking system with a secure data backup facility.

only chapters?

This is part

this should be noted in policies

4. Review and assist Navajo Nation chapters with Requests for Proposals (RFPs) for planning, design and construction of chapter facilities to ensure that all bids for architectural, engineering and/or construction of chapter facilities are in accordance with generally accepted uniform building codes.
5. Review and assist with the 2 NNC Section 164 processes for contracts.
6. Develop, coordinate, and implement project delivery systems for Navajo Nation chapter projects.
7. Assist in the application for external funding and administer architectural/engineering programs available through federal, state, and other funding sources. *What abt design, planning, 3 const, reqmt.*
8. Develop and implement a standard Navajo Nation project manual for accountability and project coordination.
9. The department shall use and abide by the International Building Code maintained by the International Code Council.
10. Ensure Navajo Nation chapter projects are completed in a cost effective and efficient manner.
11. Carry out other responsibilities as assigned by the Executive Director.

Previously mentioned that assistance will be on all public facilities. Also,

This is a statutory reqmt.

Dinsien

VI. LEGISLATIVE OVERSIGHT

501(c)

CPMD

Pursuant to 2 N.N.C., Sections 421 and 423, et seq., the Capital Projects Management Department (CPMD) shall operate under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council.

VII. AMENDMENTS

Sections I. through VI. may be amended from time to time by the Resources and Development Committee of the Navajo Nation Council as deemed necessary.

PLAN OF OPERATION

ADMINISTRATIVE SERVICE CENTERS
DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Administrative Service Centers (Resolution RDCJN-40-14) within the Division of Community Development (DCD) of the Navajo Nation.

II. PURPOSE AND GOALS

- A. The purpose of the Administrative Service Centers shall be to provide; ~~planning services,~~ technical assistance, and guidance to chapters specifically relating to ~~project planning, infrastructure development, community land use planning,~~ and to provide guidance in the implementation of Five Management System and its policies.
- B. The goals of the Administrative Service Centers shall be to:
1. ~~Implement Project Management System~~
 - a. ~~Strategic and community planning~~
 - b. ~~Project planning and development~~
 - c. ~~Project implementation/completion~~
 - d. ~~Project operation and maintenance plan~~
 1. Promote Local Governance Act certification
 - a. Provide technical assistance and guidance
 - b. Implement Local Governance Act transition plan
 - c. Monitor and review Five Management Systems
 - d. Assist with Financial Management Information System (FMIS) 6B rollout
 2. Assist with Post-Local Governance Act Certification activities
 - a. Alternative Form of Government (AFOG)
 - b. ~~Contract requirements~~
 - c. ~~Zoning, taxation, leasing, and other ordinances~~
 - d. ~~Update 5 year Community Land Use Plan~~
 - e. ~~Seek potential funding sources~~
 3. Enhance Human Resource and Professional Development
 - a. Capacity building
 - b. Accredited training and education
 - c. Partnerships
 - d. Proposal/Grant writing skills

Why are ~~all~~ these services being deleted?

III. PERSONNEL AND ORGANIZATION

A. PERSONNEL

1. The ~~DCD~~ Division Director shall designate the Administrative Service Center Director of ~~DCD~~ to oversee the operation of the Administrative Service Centers and the non-LGA Certified Chapter Administration Staff in accordance with applicable Navajo Nation laws and policies.
2. The Administrative Service Center Director shall be authorized to recommend additional professional, technical, and administrative positions as needed to carry out the organizational purposes and objectives.
3. Additional positions shall be established in accordance with applicable Personnel Policies and Procedures and pursuant to applicable rules established for conducting the annual budget process.
4. The Program shall be staffed to accomplish the purpose, goals and objectives of the Department.

B. ORGANIZATION

1. The Administrative Service Center shall consist of these functions necessary to accomplish the purpose cited.
 - a. Administration
 - b. Chapter planning
 - c. Compliance/monitoring
 - d. Chapter legal services through Department of Justice (~~Local Governance Unit~~)

The Organizational Chart for the Administrative Services Centers is attached as Attachment A, and incorporated herein.

exh or Attach ?

IV. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The Administrative Service Center Director shall:

1. Develop and implement the overall administrative policies and procedures necessary for effective management of the program.
2. Conduct periodic reviews of staff and program effectiveness and present operating budgets for the appropriate committees of the Navajo Nation Council.
3. Represent the Administrative Service Centers at Navajo Nation, county, state, and federal levels.

B. The Administrative Service Centers shall have the following duties and responsibilities:

1. Assist in monitoring pre-procurement activities.

2. Monitor and ensure implementation of the Five Management System and accounting services.

~~Provide planning, administrative support, and technical assistance to the chapter administration including, but not limited to:~~

- ~~a. Planning and community assessments/inventory~~
- ~~b. Comprehensive land use planning~~
- ~~c. Project portfolio and management~~

3. ~~Facilitate governmental development by assisting chapters with implementation of capital projects.~~
4. ~~Keep updated of new developments and laws within the Navajo Nation county, state, and federal governments and other entities, which may affect the chapter government.~~
5. Prepare written reports for presentations at chapter meetings and planning sessions.
6. Assist to secure additional revenue and in-kind contributions from the Navajo Nation and other funding agencies consistent with the Navajo Nation Ethics in government law.
7. ~~Provide information to the chapter regarding resources and socio-economic factors for effective local planning.~~
8. Carry out other responsibilities as assigned by the Division Director.
9. Ensure that the chapters' expenditures are in compliance with applicable Navajo Nation, federal, and state laws.
10. Assist chapters with developing corrective action plans.
11. Assist chapters sanctioned by the Budget and Finance Committee of the Navajo Nation Council with budget review and approval so funds can be disbursed.
12. Assist chapters with procurement and drafting of contracts, including contract negotiation.
13. Assist chapters in finalizing and processing of payroll and tax liabilities.
14. Assist chapters with data entry and uploading accounting and budget information into the governmental accounting software and online budget application.
15. Ensure chapter compliance with monthly/quarterly financial reporting requirements and the Five Management System Policies and Procedures.

16. Legal opinion, and render necessary legal assistance and advisement Chapter Professional Services Agreements.

a. Alternative Form of Government Legislation

~~b. Zoning, Permitting, and Ordinances~~

c. Draft new agreements, proposed legislations, ordinances or other legal documents

d. Policy interpretation and provide written clarification

e. Review and recommend Personnel Disciplinary Actions for legal sufficiency and assist chapters with ONLR written responses

f. Represent Chapters at Labor Commission Hearing and Navajo Nation courts

g. Post-LGA certification activities

V. DEPARTMENT PROCESS PROCEDURES

A. The Division Director may delegate certain approvals to Administrative Service Centers, (excluding chapters) but not limited to; approval of travel authorizations, leave requests, purchase requisitions, etc.

B. Disciplinary actions taken on Administrative Service Centers (excluding chapters) employees shall be executed by the Division Director in accordance with the Navajo Nation Personnel Policies.

VI. LEGISLATIVE OVERSIGHT

The Administrative Services Centers under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council.

VII. AMENDMENTS

The section herein may be amended by the Resource and Development Committee of the Navajo Nation Council.



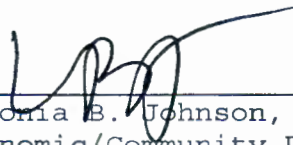
NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

RODGERICK T. BEGAY
ACTING DEPUTY ATTORNEY GENERAL

M E M O R A N D U M

TO: Carl Smith, Division Director
Division of Community Development

FROM: 
LaTonia B. Johnson, Acting Assistant Attorney General
Economic/Community Development Unit, Dept. Of Justice

DATE: August 11, 2016

SUBJECT: Document No. 6197: Amendments to the Division of Community Development's Plan of Operation

The Department of Justice (DOJ) has reviewed the re-submitted above-mentioned document and finds that the Division of Community Development (DCD) has addressed the issues raised in the DOJ's memorandum dated July 19, 2016. Before the Plan of Operation (POO) is submitted to the Legislative Branch for the Resources and Development Committee's approval, the following minor issues should be addressed:

1. Please delete all the side comments so it only reflects the underline and strike-out version of the POO.
2. In reviewing the Capital Project Management Department's (CPMD) Organization chart, it is noted that it only has "project management," but when we met, DCD agreed to note that it would be "project/construction management." This new change is reflected in the CPMD's POO. It is recommended that the organizational chart is amended to be consistent with the POO.
3. In the Administrative Service Center's POO, there are numbering that needs to be reformatted.
4. Please see the face of the document for other minor edits.

If you have any questions regarding this memorandum, please contact me at 928-871-6933. Thank you.

LBJ/ah/140

PLAN OF OPERATION

CAPITAL IMPROVEMENT OFFICE
DIVISION OF COMMUNITY DEVELOPMENT

~~I. ESTABLISHMENT~~

~~There is hereby established the Capital Improvement Office ("CIO") within the Division of Community Development ("DCD") and under the Executive Branch of the Navajo Nation government~~

~~II. PURPOSE AND MISSION~~

~~The purpose and mission of the Capital Improvement Office shall be to provide the Navajo Nation Government with a formal mechanism for decision-making related to infrastructure development and capital improvement programming; linking the Capital Improvement Plan with the Comprehensive Land Use Plan; developing and maintaining programmatic and financial policies for prioritizing and estimating capital projects; developing and maintaining a multi-year list of Capital Improvement Projects; and monitoring the capital budget.~~

~~III. GOALS~~

~~The goals of the Department shall be to:~~

- ~~1. Formulate written procedures for citizen input and build capacity at the Chapter and program levels to enable the communities to efficiently access capital and infrastructure project funding.~~
- ~~2. Develop and maintain policies and procedures for Capital Improvement Projects to ensure a timely and orderly process for planning and budgeting for capital assets.~~
- ~~3. Coordinate and link the long and short-range capital improvement programming with the Chapter land use plans.~~
- ~~4. Conduct periodic capital needs assessments to determine the need for replacement, repair, renovation, expansion or retirement of the existing facilities and need for future development~~
- ~~5. Conduct annual reviews of the status of currently active capital improvement projects and determine whether additional funding will be requested to continue the project and to determine the amount of funds from completed and discontinued projects.~~

- ~~6. Perform financial capacity analysis to determine the level of capital expenditures the Nation can afford and to designate other funding considerations in conjunction with the Office of Management and Budget and the Office of Controller.~~
- ~~7. Compile all project proposals and provide for the evaluation and prioritization all Capital Improvement Project Proposals utilizing TCDC approved objective criteria.~~
- ~~8. Finalize and present annual six (6) year Capital Improvement Plans for consideration and approval by the Transportation and Community Development Committee (TCDC).~~
- ~~9. Monitor the capital budget and maintain up-to-date records on all projects within the Capital Improvement Plan.~~
- ~~10. Submit written quarterly progress reports on the capital budget to TCDC and the Budget and Finance Committee.~~
- ~~11. Provide Technical Assistance to Chapters and Programs on the Program processes and mechanisms and in accordance with the Local Governance Act~~

~~IV. OBJECTIVES~~

- ~~1. Provide quarterly training in the area of proposal development, project management and implementation to build capacity at the local level.~~
- ~~2. Compile, evaluate and develop a multiyear list of infrastructure and capital improvement projects in order of priority and with a detailed one-year capital improvement budget by April of each year.~~
- ~~3. Conduct a survey of Chapter and Program needs using a survey form and in coordination with Chapters and Programs by December of each year. Establish a process for gathering Chapter and Program needs to produce a needs-based capital budget.~~
- ~~4. In coordination with Risk Management Program and Property Management Department, conduct periodic facilities inventory to be finalized and completed by December of the respective year.~~
- ~~5. Prepare a CIP Status report that includes information on projects that will be continuing, the amount of funds required to continue or complete respective projects, determining the amount of remaining fund balance from projects that are completed or have been discontinued, and summary report of progress by January of each year.~~
- ~~6. In coordination with the Office of Management and Budget, conduct an Infrastructure and Capital Improvement Finance conference to determine the selection and scheduling of other funding sources in February of each year.~~

- ~~7. Convene a multidisciplinary team for the purpose of reviewing and rating Capital Improvement and Infrastructure Project Proposals in March of each year.~~
- ~~8. Draft and submit TCDC resolutions for the Section 164 review for comments and review of the Capital Improvement Plan by April of each year.~~
- ~~9. Conduct monthly monitoring of each project account and project site for the purpose of ensuring compliance with all applicable laws, regulations, rules and policies in the course of project implementation by the respective project sponsors.~~
- ~~10. Maintain records of all project accounts in accordance with generally accepted records management systems.~~
- ~~11. Compile up to date information from the monthly monitoring sits and prepare progress reports to be used in the quarterly reports.~~
- ~~12. Conduct Quarterly work sessions and/or project meetings to provide information on program requirements, activities and status of projects to Chapters and Programs.~~

~~V. PERSONNEL AND ORGANIZATION~~

~~A. PERSONNEL~~

- ~~1. The Director of the Office shall be hired and supervised by the Division Director in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Policies and Procedures.~~
- ~~2. The Office shall be staffed sufficiently to accomplish the purpose, goals and objectives of the Office which may include the establishment of agency offices.~~
- ~~3. The Director shall be authorized to recommend additional professional, technical and clerical positions as needed to carry out the organizational purposes, goals and objectives as stated herein. Additional positions shall be acquired in accordance with applicable budget rules established for conducting the annual Navajo Nation Budget process.~~

~~B. ORGANIZATION~~

~~The Office shall consist of the following:~~

- ~~1. Administrative Support Staff~~
- ~~2. Technical Support~~
- ~~3. Any additional Sections that may be deemed necessary to accomplish the~~

~~purpose, goals and objectives of the Office.~~

~~Organizational Chart of the Capital Improvement Office is attached hereto as Attachment "B-1".~~

~~VI. RESPONSIBILITY AND AUTHORITY~~

~~A. The Office Director shall report and be responsible to the Division Director.~~

~~B. The Office Director shall:~~

- ~~1. Formulate the overall administrative and operating policies and procedures necessary for effective management of the Office and take actions to accomplish the program purpose and goals.~~
- ~~2. Exercise supervisory control and direction over all Office staff.~~
- ~~3. Delegate authority to members of the staff as necessary.~~
- ~~4. Conduct periodic reviews of Office effectiveness and the use of fiscal allocations to ensure that expenditures are within authorized budgets and guidelines.~~
- ~~5. Establish and maintain project status reports on all funded projects.~~
- ~~6. Provide training to improve staff performance.~~
- ~~7. Represent the Office at the executive level.~~
- ~~8. Establish and maintain communication with tribal government and elected officials as needed to accomplish the goals and objectives stated herein.~~
- ~~9. Carry out all other responsibilities as assigned by the Division Director.~~
- ~~10. Recommend proposed projects for funding to the oversight committee of the Navajo Nation Council.~~

~~VII. LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. Sections 421 and 423, et seq., the Capital Improvement Office shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VIII. AMENDMENTS~~

~~Sections I. through V. may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.~~

PLAN OF OPERATION

**DESIGN AND ENGINEERING SERVICES
DIVISION OF COMMUNITY DEVELOPMENT**

I. — ESTABLISHMENT

There is hereby established the Design and Engineering Services ("Department") under the Division of Community Development ("Division") of the Executive Branch of the Navajo Nation Government.

II. — PURPOSE AND OBJECTIVES

A. — Purpose

The purpose of the Design and Engineering Services shall be to cultivate public shelter facilities with sound architectural, engineering services and construction management for a healthy society and physical environment.

B. — Objectives

The objectives of the Design and Engineering Services shall be to:

1. — Provide comprehensive professional architectural and engineering services to chapters, divisions and other entities of the Navajo Nation.
2. — Review, coordinate and approve the design and specifications for Navajo Nation capital improvement projects to ensure compliance with all applicable state, federal and Navajo Nation regulations, codes and standards.
3. — Design to satisfy cultural and environmental conditions of the built environment, working with Navajo Nation communities to promote integrity and self-sufficiency.
4. — Ensure that Navajo Nation projects are constructed with timely, efficient and cost effective methods by administering and monitoring construction activities.
5. — Develop the professionalism to enhance coordination with private, state and federal agencies in the provision of professional services within the Navajo Nation.

~~III. PERSONNEL AND ORGANIZATION~~

~~A. Personnel~~

- ~~1. The Director of the Design and Engineering Services shall be hired and supervised by the Executive Division Director of the Division of Community Development, in accordance with applicable Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies and Procedures.~~
- ~~2. The Director shall be authorized to recommend additional professional, technical and administrative positions as needed to carry out the organizational purposes and objectives stated herein. Additional positions shall be established in accordance with applicable Personnel Policies and Procedures and pursuant to applicable rules established for conducting the annual Navajo Nation budget process.~~

~~B. Organization~~

~~The Design and Engineering Services shall consist of such sections and functions as may be necessary to accomplish the purpose cited.~~

- ~~1. Administrative Support~~
- ~~2. Engineering~~
- ~~3. Architecture~~
- ~~4. Construction Management~~
- ~~5. Special Projects~~

~~The Organizational Chart for the Design and Engineering Services Department is attached as Exhibit "C-1" and incorporated herein.~~

~~IV. AUTHORITIES, DUTIES, AND RESPONSIBILITIES~~

~~A. The Director of Design and Engineering Services shall:~~

- ~~1. Report and be responsible to the Executive Division Director.~~
- ~~2. Formulate the overall administrative and operating policies and procedures necessary for effective management of the Department and take actions to accomplish the program purposes and objectives.~~
- ~~3. Conduct periodic reviews of staff and program effectiveness and prepare fiscal operating budgets for the appropriate standing committees of the Navajo Nation Council.~~

~~4. Represent the Department at departmental, division and executive levels.~~

~~B. The Department shall:~~

- ~~1. Provide architectural and engineering services to chapters, divisions and other entities of the Navajo Nation.~~
- ~~2. Design Navajo Nation public facilities to meet specifications satisfying cultural and environmental conditions in accordance with established Navajo Nation, State and Federal regulations, codes and standards.~~
- ~~3. Develop, coordinate and implement project delivery systems for all Navajo Nation capital projects.~~
- ~~4. Serve as the Construction Management Authority for the Navajo Nation.~~
- ~~5. Assist in the application for and administer all or part of A/E programs available through federal, state and other funding sources, including programs under the Indian Self-Determination and Education Assistance Act (P.L. 93-638 as amended).~~
- ~~6. Establish and administer a revolving account system utilizing funds received for departmental services on projects not funded by the Capital Improvement Program.~~
- ~~7. Provide professional architectural, engineering and construction management services within an established invoice system.~~
- ~~8. Implement and automated network of Navajo Nation project information, monitoring and management that will ensure effective project development.~~
- ~~9. Develop a standard Navajo Nation project manual for accountability and project coordination.~~
- ~~10. Implement, administer and monitor construction management and other alternative delivery process to ensure Navajo Nation projects are completed on a timely, efficient and cost effective manner.~~
- ~~11. Carry out other responsibilities as assigned by the Division Director~~

~~V. LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C., Sections 421 and 423, et seq., the Design and Engineering Services shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VI. AMENDMENTS~~

~~Sections I. through V. may be amended from time to time by the Government Services Committee upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council as deemed appropriate.~~

~~PLAN OF OPERATION~~

~~NAVAJO DEPARTMENT OF TRANSPORTATION
DIVISION OF COMMUNITY DEVELOPMENT~~

~~I. ESTABLISHMENT~~

~~There is hereby established the Navajo Department of Transportation ("Department") within the Division of Community Development (Division") of the Executive Branch of the Navajo Nation government~~

~~II. PURPOSE AND OBJECTIVES~~

~~A. Purpose~~

~~The purpose of the Department shall be to plan and develop an integrated transportation network of highways, roads, waterways, airports, railroads and pipelines for the delivery of people, commerce, and goods within the Navajo nation that is safe and in harmony with nature.~~

~~B. Objectives~~

~~The objectives of the Department of Transportation shall be:~~

- ~~1. To be the single point of contact for all transportation related activities.~~
- ~~2. To provide an administrative and technical department which will address transportation planning, project planning, construction, maintenance and safety of all modes of transportation within the Navajo Nation.~~
- ~~3. To address Navajo Nation transportation needs through a government to government relationship with federal, state, county and tribal governments and special interest groups.~~
- ~~4. To implement the Navajo Nation Transportation Code.~~
- ~~5. To contract and operate the functions of the Bureau of Indian Affairs Branch of Roads.~~

~~III. PERSONNEL AND ORGANIZATION~~

~~A. Personnel~~

- ~~1. The Director of the Department of Transportation shall be hired and supervised by Division Director in accordance with Navajo Nation Personnel Policy Manual.~~
- ~~2. The Department of Transportation shall be staffed to accomplish the purpose and objectives of the Department. All other personnel shall be employed and compensated in accordance with Personnel Policy Manual.~~
- ~~3. The Director shall is authorized to hire additional professional, technical and clerical positions as needed to carry out the organizations purpose and objectives.~~

~~B. Organization~~

~~The Department of Transportation shall consist of the following:~~

- ~~1. Administration~~
- ~~2. Direct Services~~
- ~~3. Transportation Planning~~

~~The organizational chart for the Department of Transportation is attached hereto as Attachment "D-1".~~

~~IV. RESPONSIBILITY AND AUTHORITY~~

~~A. The Department Director shall have the following responsibilities:~~

- ~~1. Report and be accountable to the Division Director for the accomplishment of the purpose and objectives of the Department.~~
- ~~2. Exercise supervisory control and direction over program staff and delegate authority to other staff members.~~
- ~~3. Administer Navajo Nation policies and procedures necessary for effective management of the Department and to accomplish the program purpose and goals.~~
- ~~4. Prepare the Navajo Nation general funds operating budget in accordance with the Office of Management and Budget's Manual.~~
- ~~5. Represent the Department at departmental, division, and executive branch levels.~~
- ~~6. Seek additional revenues through a government-to-government coordination with federal, state, county and tribal governments and special interest groups.~~

- ~~7. Provide technical assistance to the oversight committee through attendance at the regular meetings in accordance to Title II, Section 420.~~
- ~~8. Provide a quarterly written report to the Division Director, Division of Community Development~~

~~B. The Department Shall:~~

- ~~1. Maintain an Information Management System and Geographical Information System center for all transportation activities and disseminate information to appropriate agencies.~~
- ~~2. Develop a systematic Navajo Nation Transportation Improvement Program (TIP) in coordination with federal, state and local governments and planning effective ways to address the transportation needs of the Navajo Nation.~~
- ~~3. Develop a Short and Long Term Construction Priority Program for the Transportation and Community Development Committee and Agency Roads Committee.~~
- ~~4. Report periodically on department activities, progress and recommendations to the Transportation Community Development Committee and other appropriate standing committees of the Navajo Nation Council and Agency Roads Committee.~~
- ~~5. Assist the Transportation and Community Development Committee and Agency Roads Committee in the development of legislation, policies, rules and regulations relating to the Navajo Nation Transportation system based upon feasibility studies and analyses.~~
- ~~6. Monitor implemented projects to ensure compliance with regulations and requirements of funding agencies and the Navajo Nation Government.~~
- ~~7. Plan and prioritize all transportation activities with Navajo Nation entities, agencies and departments, and coordinate these activities with federal, state and entities, agencies and departments, coordinate these activities with federal, state and county agencies.~~
- ~~8. Implement a Navajo Nation Transportation Code which may include vehicle licensing and registration, operator's licensing and user fee collection programs.~~
- ~~9. Develop and implement short and long range transportation plans, which include a network of roads, railroads and airports and coordinate this planning with the States of Arizona, New Mexico and Utah and the Federal government~~

- ~~10. Seek and secure funds from non-tribal sources for the construction and maintenance of roads, access roads, streets, railroads, airports and safety projects.~~
- ~~11. Seek technical and financial assistance from government or private sources to provide management and technical training for Department staff.~~
- ~~12. Plan, develop and implement labor intensive projects at the local level.~~
- ~~13. Contract for professional construction services for the design and construction of roads, airports, railroads and pipelines when appropriate.~~

~~IV. LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. Sections 421 and 423, et seq., the Navajo Department of Transportation shall operate under the legislative oversight of the Transportation and Community Development Committee of the Navajo Nation Council.~~

~~VI. AMENDMENTS~~

~~Sections I. Through V. may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.~~

PLAN OF OPERATION

NAVAJO NATION SOLID WASTE MANAGEMENT PROGRAM
Division of Community Development

I. ~~ESTABLISHMENT~~

~~There is hereby established the Navajo Nation Solid Waste Management Program for a period of five (5) years within the Division of Community Development of the Executive Branch of the Navajo Nation Government~~

II. ~~MISSION/PURPOSE~~

~~The Navajo Nation Solid Waste Management Program is hereby established for the purpose of assisting communities to develop proper solid waste management practices and to provide guidance in development of a viable, self-sustaining solid waste disposal system for the Navajo Nation and implement consolidation and closure of existing open dump sites.~~

III. ~~GOALS~~

~~The goals of the Navajo Nation Solid Waste Management Program shall be to:~~

- ~~1. Promote the enhancement of the quality of the Navajo Nation's environmental resources by providing community education about waste management and recycling.~~
- ~~2. Promote solid waste management development, implementation and provide guidance for maintenance/operation of sanitation facilities throughout the Navajo Nation.~~
- ~~3. Promote proper solid waste management procedures through training and develop regionalized planning whereby solid waste management becomes a local responsibility.~~
- ~~4. To function as a recommending and coordination office on the issues of solid waste management with Navajo governmental entities, including counties, state and federal governments to effectively consolidate resources to resolve waste issues.~~
- ~~5. Develop major planning for future funding budgets and seek other outside funds to support the Navajo Nation's efforts to develop a certified landfill site or other means of solid waste management on the Navajo Nation.~~

~~IV. PERSONNEL AND ORGANIZATION~~

~~Director's Duties:~~

- ~~1. The Department Director shall be hired and supervised by the Executive Director of the Division of Community Development pursuant to the Navajo Nation Personnel Policies Manual.~~
- ~~2. The Department Director shall administratively and legally implement the enhancement of the Navajo Nation Solid Waste Management Program to protect and preserve the Navajo Nation's environment and its resources.~~

~~The Director shall:~~

- ~~• Hire and supervise support staff and hire consultants in accordance with the Navajo Nation Personnel Policies Manual and applicable laws of the Navajo Nation. The Director shall employ those persons qualified by education and experience necessary to discharge the duties and responsibilities.~~
- ~~• Develop program budget and formulate administrative and operating policies of the department and take action for accomplishment thereof~~
- ~~• Exercise supervisory control and direction over the day-to-day operation of the office activities and represent the office for coordination at the executive level planning and/or may delegate authority to members of the staff~~
- ~~• Develop and submit quarterly written reports concerning program activities and issues of the department to Executive Director and the Oversight Committee.~~
- ~~• Exercise good public relations by coordinating program activities with the Navajo Nation Chapters, Indian Health Services, BIA and other entities to accomplish tasks.~~
- ~~• The Director shall report to the Executive Director of the Division of Community Development.~~

ORGANIZATIONAL CHART Is incorporated as "Exhibit A" chart

~~V. DUTIES AND RESPONSIBILITIES~~

~~The Solid Waste Management Program shall:~~

- ~~1. Represent the Navajo Nation on matters relating to solid waste management practices.~~
- ~~2. Coordinate with the local chapters in developing operation and maintenance planning and funding alternatives.~~

- ~~3. — Develop closure strategies to close dump sites contained in the Navajo Nation Solid Waste Automated Tracking System (NNSWATS).~~
- ~~4. — Research, analyze and develop needs for the purpose of projecting community facilities and projects.~~
- ~~5. — Develop funding proposals and coordinate activities with county, state and federal governments to obtain other funding sources.~~

~~VI. — DUTIES AND RESPONSIBILITIES~~

~~The Solid Waste Management Program shall:~~

- ~~1. — Represent the Navajo Nation in strategic planning and discussion of issues relating to solid waste management practices.~~
- ~~2. — Coordinate with the local chapters in developing maintenance and operation plans of operation for planning and funding of alternative solid waste disposal system.~~
- ~~3. — Develop long range closure strategies for consolidation and closure of illegal dump sites contained in the Navajo Nation Solid Waste Automated Tracking System (NNSWATS).~~
- ~~4. — Research, analyze and develop needs for the purpose of projecting community and Navajo Nation certified facilities and projects.~~
- ~~5. — Develop grant proposals and coordinate activities with county, state and federal governments to obtain matching funds or other funding sources.~~

~~VII. — LEGISLATIVE OVERSIGHT~~

~~Pursuant to 2 N.N.C. §421 and 423, seq., the Transportation and Community Development Committee of the Navajo Nation Council shall be the legislative oversight for the Navajo Nation Solid Waste Management Program within the Division of Community Development.~~

~~VIII. — AMENDMENTS~~

~~Section I through VI of the Plan of Operation may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon the recommendations of the Transportation and Community Development Committee when appropriate.~~

EXHIBIT A

MASTER PLAN OF OPERATION FOR THE DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Navajo Division of Community Development (Division) within the Executive Branch of the Navajo Nation Government.

II. PURPOSE

The purpose of the ~~Navajo Division of Community Development~~ shall be to develop a dynamic and cohesive plan for community development activities, and provide relevant community education for orderly growth of the Navajo Nation that contributes to self-sufficiency of communities and families by constructing quality homes, community public facility buildings and ~~rural addressing infrastructure system to support enhanced 9-1-1~~ that is in harmony with nature and people's needs.

III. GOALS AND OBJECTIVES

- A 4. To provide technical assistance and administrative support at chapter governments in its development of becoming self-sustaining and self-governing entities through coordination with local, county, state, and federal government offices.
- B 2. To improve the standard of living for Navajo families and individuals through the use of modern methods and techniques in the construction of new homes and rehabilitation of existing homes.
- C 3. To promote and foster land use planning and growth management policies and practices.
- D 4. To provide technical services in developing plans cooperatively with communities for proper solid waste management practices and disposal systems.
- E 5. To provide technical services and administrative support, in coordination with other appropriate entities, to plan, implement and maintain the rural addressing system in support of enhanced 9-1-1 Navajo Nation-wide.

IV. PERSONNEL AND ORGANIZATION

A. PERSONNEL

The ~~Navajo~~ Division shall be administered by a ~~Division Executive~~ Director, who shall be appointed by the President of the Navajo Nation, confirmed by the Navajo Nation Council, and shall serve at the pleasure of the President of the Navajo Nation. The ~~Executive~~ Director shall hire personnel as may be deemed necessary to carry out the purposes of the Division and as funds are available. All personnel shall be employed and compensated in accordance with the ~~applicable~~ Navajo Nation Personnel Policies Manual and other applicable Navajo Nation laws and policies.

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B 2. ORGANIZATION

The Division ~~of Community Development~~ shall consist of ~~11 offices: Division Administration, five four (4) Departments and five agencies~~ to execute the Division's purpose, goals and objectives. The four (4) Departments may consist of sections, programs and agencies to accomplish the respective Departments' purposes. The ~~five four (4) Departments and five agencies~~ are as follows:

- 1) Division Administration;
- 2) ~~Capital Improvement Office;~~
- 3) ~~Design and Engineering Services Department;~~
- 4) 2) Community Housing and Infrastructure Department;
- 5) ~~Navajo Department of Transportation;~~
- 6) ~~Solid Waste Management Program;~~
- 7) ~~Local Governance Support Center Fort Defiance Agency;~~
- 8) ~~Local Governance Support Center Eastern Agency;~~
- 9) ~~Local Governance Support Center Chinle Agency;~~
- 10) ~~Local Governance Support Center Tuba City Agency;~~
- 11) ~~Local Governance Support Center Shiprock Agency;~~
- 12) 3) Administrative Service Center; and
- 13) 4) Capital Projects Management Department.

The organizational chart of the Division is displayed as Attachment A-1.

V. AUTHORITIES, DUTIES AND RESPONSIBILITIES

- A. The ~~Division~~ Executive Director ~~of the Division of Community Development~~ shall have the authority for the overall Division's operational planning and direction. The Executive Director shall have the following duties and responsibilities:

1. Execute directives of the President of the Navajo Nation, Navajo Nation Council, and the Transportation and Community Resources and Development Committee.
2. Provide written monthly and/or quarterly reports to the Office of the President and Vice-President, Transportation and Community Resources and Development Committee of the Navajo Nation Council, annual reports to the Navajo Nation Council and any other necessary reports.
3. Issue ~~Division's procedures~~ to ensure the proper and timely implementation of Division projects.
4. Establish and maintain partnership with local, county, state, federal and other entities, on matters related to the objectives of the Division.
5. Provide effective overall management and financial direction to Divisions' departments and programs.
6. Delegate authority pertaining to the operation of the Division and its program to subordinate directors of the Division, as appropriate and to the extent permitted by Navajo Nation laws and policies.
7. Negotiate written agreements on behalf of the Division relevant to community development ~~for oversight committee's recommendation.~~

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8. Seek external funding for departments and projects to enhance community development.
9. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Division in accordance with applicable Navajo Nation laws and policies.
10. Recruit, select, supervise, conduct employee performance evaluation, and recommend reclassification of positions for the Division Administration Staff; and Department Managers and Program Directors, in accordance with the Navajo Nation Personnel Policies Manual of the Navajo Nation.

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B. ADMINISTRATION OFFICE:

The purpose of the Administration Office is to provide for overall management of the Division. The Administration staff shall handle its duties and responsibilities in accordance with Navajo Nation laws and policies. The duties and responsibilities are as follows:

1. Recommend policies and legislation on community development issues to the ~~Transportation and Community~~ Resources and Development Committee and other appropriate committees of the Navajo Nation Council ~~for action~~.
2. Administer overall direction of the Division by monitoring short and long range plans, goals, and objectives.
3. Maintain communication with Navajo Nation chapters on the overall Division's operation.
4. Ensure that departments and programs carryout their functions, authorities, and responsibilities.
5. Assist in the coordination and development of strategies to implement Division functions.
6. ~~Develop and maintain Information Data Center for the Navajo Nation.~~

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VI. LEGISLATIVE OVERSIGHT

Pursuant to 2 NNC §501(C) ~~421 and §423, et seq.~~, the Division ~~of Community Development~~ shall operate under the legislative oversight of the ~~Transportation and Community Resources and~~ Development Committee of the Navajo Nation Council.

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VII. AMENDMENTS

Section I through V may be amended from time-to-time by the ~~Government Services Resources and Development~~ Committee of the Navajo Nation Council ~~upon the recommendation of the Transportation and Community Development Committee of the Navajo Nation Council.~~

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THE NAVAJO NATION

EXECUTIVE BRANCH/DIVISION OF COMMUNITY DEVELOPMENT

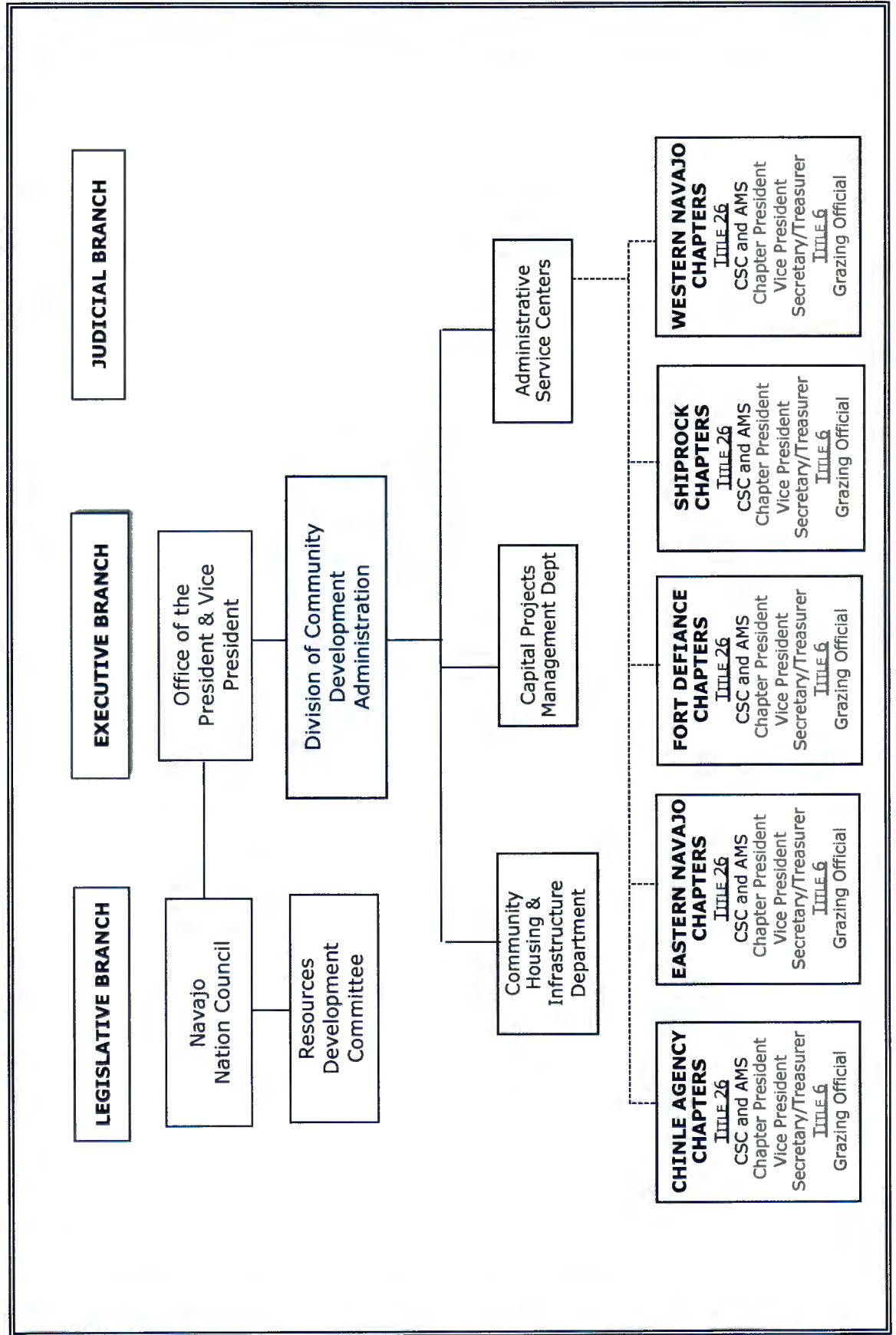


EXHIBIT B

PLAN OF OPERATION

COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT

I. ESTABLISHMENT

~~The is hereby established the~~ Community Housing and Infrastructure Department (CHID) is hereby established (hereinafter "~~Department~~") within the ~~Division of Community Development~~ of the Executive Branch of the Navajo Nation Government Executive Branch.

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II. PURPOSE

The CHID ~~Department is established to promote and~~ shall strengthen communities and improve living conditions for Navajo families by developing comprehensive strategies for housing, utility services, public facilities, and improve energy efficiency for existing homes improved living conditions for Navajo families and strengthen communities through programs for community housing, utility service, public facility and economic development improvements.

III. OBJECTIVES

To carry out its purposes, the following Department objectives are established:

- A. ~~Provide the people and communities of the Navajo Nation with high quality and efficient housing and infrastructure improvements.~~
- B. ~~Seek and implement additional opportunities for home ownership and renovation for Navajo people and communities through community development partnerships and non-profits.~~
- C. ~~Promote and support private sector involvement in the financing and implementation of housing and infrastructure projects.~~
- D. ~~Encourage continued decentralization of housing development and renovation projects to chapters and communities in accordance with adopted Navajo Nation Executive policies and directives.~~
- E. ~~Seek and secure financing from the Navajo Nation, federal, state, and other agencies for planning, design and construction of new home, home renovation and infrastructure development projects.~~
- F. ~~Improve collaboration with other government departments, outside utility agencies, other government offices, private companies, non-profits, and chapters~~

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~~to successfully plan and implement housing and infrastructure development projects.~~

- ~~G. Promote the use of improved building standards, appropriate technology, resource conservation, energy efficiency and sustainability in the design and construction of housing and infrastructure improvement programs.~~
- ~~H. Recommend and institute policies, procedures and standards that will improve performance of programs.~~
- ~~I. Raise awareness of home ownership and renovation issues and opportunities throughout the Navajo Nation.~~
- ~~J. Monitor the results of Navajo Housing Authority, NAHASDA and other housing improvement programs on behalf of the Navajo people to ensure compliance with approved Indian Housing Plan goals, regulations and standards.~~

IV. PERSONNEL AND ORGANIZATION

A. PERSONNEL

- ~~1. The position of Director of the Community Housing and Infrastructure Department is hereby established. The Director Department Manager shall be hired by the Executive Director in accordance with established the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual, policies and procedures, and will serve under the direct supervision of the Division Director of the Division of Community Development. In order to achieve the purposes and objectives of this Plan of Operation, the Director shall have the authority to:~~
- ~~2. The Department Manager shall determine the need for staff, additional professional, technical and administrative positions and establish field offices to carry out the purposes herein.~~
- ~~1. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Department, in accordance with Navajo Nation law, budgetary and personnel policies and procedures of the Navajo Nation; and~~
- ~~2. Hire, direct, supervise, and evaluate employees and reclassify positions within the Department in accordance with personnel policies and procedures of the Navajo Nation; and~~
- ~~3. Recommend additional professional, technical and administrative support staff as needed to carry out the activities of the department. Additional staff positions shall be hired and supervised in accordance with applicable Personnel Policies and Procedures and applicable budget rules established for conducting the annual Navajo Nation budget process; and~~

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4. ~~Effectively manage all department programs and projects such that they are completed in accordance with applicable Navajo Nation, federal, and funding source rules and regulations; and~~
5. ~~Develop and implement overall administrative and operating policies and procedures necessary for effective management of the Department, and take such action as are deemed necessary and appropriate to accomplish the Department's stated mission, purpose and objectives; and~~
6. ~~Delegate authority as deemed necessary or desirable.~~
7. ~~Execute such directives and authorities as may be directed and/or authorized by the appropriate authority of the Navajo Nation.~~
8. ~~Provide opportunities for education and training to improve staff capability and performance.~~
9. ~~Represent the department at all executive level and other meetings.~~

B. ORGANIZATION

The CHID consist of the following sections and functions to accomplish the purpose: The CHID organizational chart is displayed as Attachment B-1. Department shall consist of the following sections and programs as shown hereinafter (see Organization Chart attached hereto as Attachment B-1):

1. Administration and administrative support;
2. Planning;
~~Responsible for short and longer range program planning as well as overall departmental strategy relating to identifying and securing new funding, program and community development partnership opportunities. This will also include project pre-planning and planning, land acquisition, inter-agency coordination and scheduling, and preliminary cost estimating and budgeting.~~
3. Accounting and Ccontract Mmanagement;
~~Responsible for all project and program accounting within the department's federal and other programs, as well as contract negotiation, management and closeout requirements for all grant and other contract programs. This is consistent with the new departmental and program purchasing card system now being implemented (the P-Card). Department accountants and contract managers will often handle more than one program, allowing greater efficiency and cross-training opportunities. Central government accounting will only be responsible for oversight of program accounts.~~
4. Compliance and Monitoring;
~~Responsible for all environmental and other clearances for department projects and programs, as well as monitoring performance of all departmental programs and Navajo Housing Authority, to assure compliance with applicable federal and Navajo Nation laws and~~

~~regulations. Monitoring of NHA will assure compliance with the approved Indian Housing Plan and future TDHE designation. This section's technical specialists will assure that all project requirements are met.~~

5. Funding/Grant Administration of external grants, which include, but not limited to the following: Federal grant program administration.
 - Community Development Block Grant (HUD);
 - NAHASDA (HUD);
 - Housing Improvement Program (BIA);
 - Weatherization Assistance Program (DOE); and
 - New Mexico Capital Outlay.
6. Other housing and infrastructure programs as authorized.
7. ~~Agency offices and staff as authorized.~~

V. AUTHORITIES, DUTIES AND RESPONSIBILITIES ~~RESPONSIBILITY AND AUTHORITY~~

- A. The Department Manager shall: ~~general authorities and responsibilities of the Department are as follows:~~

1. Report to the Executive Director.
2. Develop policies and procedures for effective management of CHID and take appropriate actions to achieve CHID's purpose.
3. Perform periodic reviews and evaluations for staff and CHID.
4. Develop annual fiscal operating budgets for approval by the Executive Branch of the Navajo Nation, legislative oversight Committee and Navajo Nation Council.
5. Represent the CHID at the Navajo Nation, local, state and federal levels.

- B. CHID shall:

1. Administer internally and externally-funded programs for the benefit of Navajo chapters and communities, in full compliance with all applicable Navajo Nation and federal laws and policies.
2. ~~Identify and recommend changes in the laws and regulations of the Navajo Nation to facilitate and enhance home ownership and housing quality throughout the Navajo Nation. Seek and secure funding from Navajo Nation, federal, state and other agencies;~~
3. ~~Maintain e~~-Compliance with internal and external funding

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~~sources; applicable governmental regulations by self monitoring department performance and budgets.~~

4. ~~Research and seek funding and other resource opportunities that could better facilitate the meeting of department objectives.~~

5. ~~Initiate organizational changes to better respond to the needs of Navajo people and communities, while making effective use of available funding and organizational resources.~~

6. ~~Provide periodic status and compliance reports to the Division, funding agencies and the Navajo Nation Council as required or requested.~~

7. ~~Effectively manage and recommend improvements to the environmental review and compliance process~~

8. ~~Manage all funds identified for housing and infrastructure development in a fiscally responsible manner.~~

9. 4. Provide technical support and training to Local Government Support Centers, the Navajo Nation Divisions, Chapters, community service staff and individuals on planning for, seeking, obtaining, and administering Navajo Nation and external funds for housing and infrastructure improvement projects.

10. ~~Provide administrative support and training in contracting, procurement, construction management, risk management, and monitoring of projects.~~
5. Implement and maintain secure files of data and information relevant to Departmental of CHID programs and projects.

11. 6. Assist Navajo Nation chapters in the execution of housing development and renovation programs including community infrastructure development, which are properly delegated.

12. 7. Provide training and public information, meetings and workshops to Navajo Nation Chapters, families and individuals on housing improvement opportunities and regulations.

13. 8. Develop policies and procedures to implement the purpose of CHID.

B. ~~Agency Offices may be established and maintained to coordinate local housing and other community improvement activities to accomplish department objectives. The Director may delegate some or all authority over the following responsibilities to Agency staff:~~

1. ~~Ensure that the adopted application processes are properly conducted to select qualified applicants for assistance programs.~~

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- ~~2. Monitor building material inventories, construction staff, and technical assistance activities to ensure the accomplishing of departmental objectives.~~

VI. LEGISLATIVE OVERSIGHT

~~The Transportation and Community Committee of the Navajo Nation Council shall be the legislative oversight committee for the Department pursuant to 2 N.N.C. Sections 421 and 423, et. Seq.~~

Pursuant to 2 N.N.C. § 501(C), the CHID shall operate under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council.

VII. AMENDMENTS

Sections I through V may be amended time-to-time by the ~~Government Services Committee upon the recommendation of the Transportation and Community Resources and Development Committee of the Navajo Nation Council as deemed necessary, or~~ desirable.

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COMMUNITY HOUSING and INFRASTRUCTURE DEPARTMENT ORGANIZATION CHART

ATTACHMENT B-1

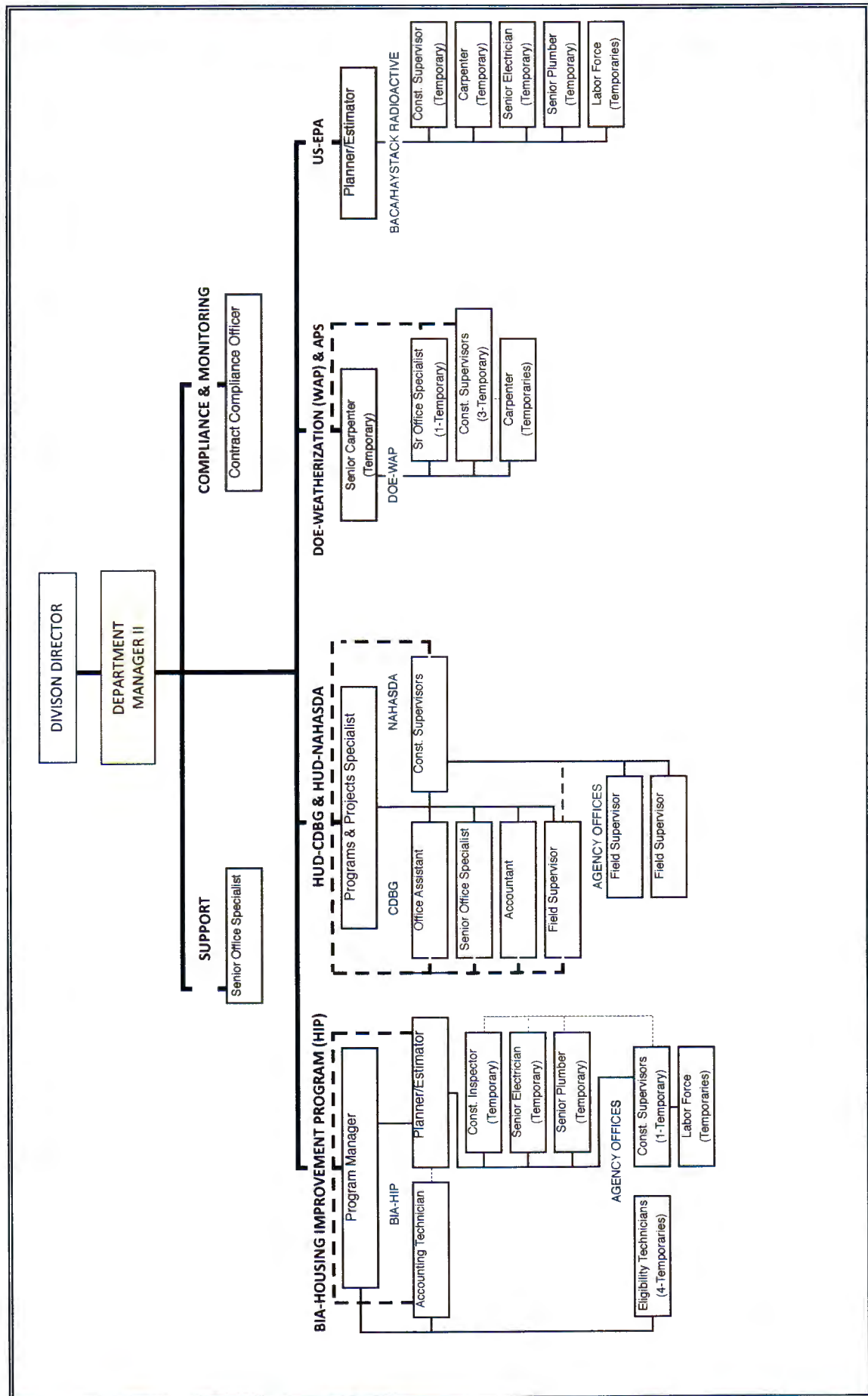


EXHIBIT C

PLAN OF OPERATION

CAPITAL PROJECTS MANAGEMENT DEPARTMENT DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

The Capital Projects Management Department (CPMD) is hereby established within the Division of the Executive Branch of the Navajo Nation Government.

II. PURPOSE AND MISSION: CPMD shall assist the Navajo Nation Divisions, Chapters and other entities for public facilities with the following:

- A. Provide programmatic planning, design and project/construction management;
- B. Seek and secure financing from the Navajo Nation, federal, state and other agencies;
- C. Comply with the Navajo Nation and external funding source requirements; and
- D. Maintain programmatic and financial policies for prioritizing and estimating capital improvement projects.

III. PERSONNEL AND ORGANIZATION

A. PERSONNEL

1. The Department Manager shall be hired and supervised by the Executive Director in accordance with the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies Manual.
2. The Department Manager shall determine the need for staff, additional professional, technical and administrative positions and establishing field offices to carry out the purposes provided herein.

B. ORGANIZATION

The CPMD consist of the following sections and functions to accomplish the purpose:

1. Planning;
2. Design;
3. Project/Construction Management;
4. Funding/Compliance.

The Organizational Chart for the CPMD is attached as Attachment C-1 and incorporated herein.

IV. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The Department Manager shall:

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1. Report to the Executive Director.
2. Formulate the overall administrative and operating policies and procedures necessary for effective management of the CPMD and take appropriate actions to accomplish the purposes.
3. Conduct periodic reviews and evaluations of staff and CPMD.
4. Prepare annual fiscal operating budget for approval by the Executive Branch of the Navajo Nation, oversight Committee and Navajo Nation Council.
5. Represent the CPMD at the Navajo Nation, local, state and federal levels.

B. CPMD shall:

1. Provide comprehensive planning, design and project/construction management;
2. Seek and secure funding from the Navajo Nation, federal, state and other agencies;
3. Comply with internal and external funding sources;
4. Implement and maintain a central electronic filing and project tracking system;
5. Assist in the application for external funding to administer projects that are consistent with the purpose of CPMD;
6. Develop policies and procedures to implement the purpose of CPMD;
7. Use and abide by the International Building Code maintained by the International Code Council;
8. Purchase and inventory equipment and furnishing;
9. Ensure capital improvements projects are completed in a cost effective and efficient manner;
10. Conduct all duties related to the development of the Capital Improvement Plan as provided in 12 N.N.C. § 860;
11. Conduct periodic work sessions and/or project meetings to provide information on activities and project status; and
12. Carry out other duties and responsibilities as assigned by the Executive Director.

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V. LEGISLATIVE OVERSIGHT

Pursuant to 2 N.N.C. § 501(C), the CPMD shall operate under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council.

VI. AMENDMENTS

Subsections I through VI of this Section may be amended from time-to-time by the Resources and Development Committee of the Navajo Nation Council as deemed necessary.

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THE NAVAJO NATION
DIVISION OF COMMUNITY DEVELOPMENT
CAPITAL PROJECTS MANAGEMENT DEPARTMENT

ATTACHMENT C-1

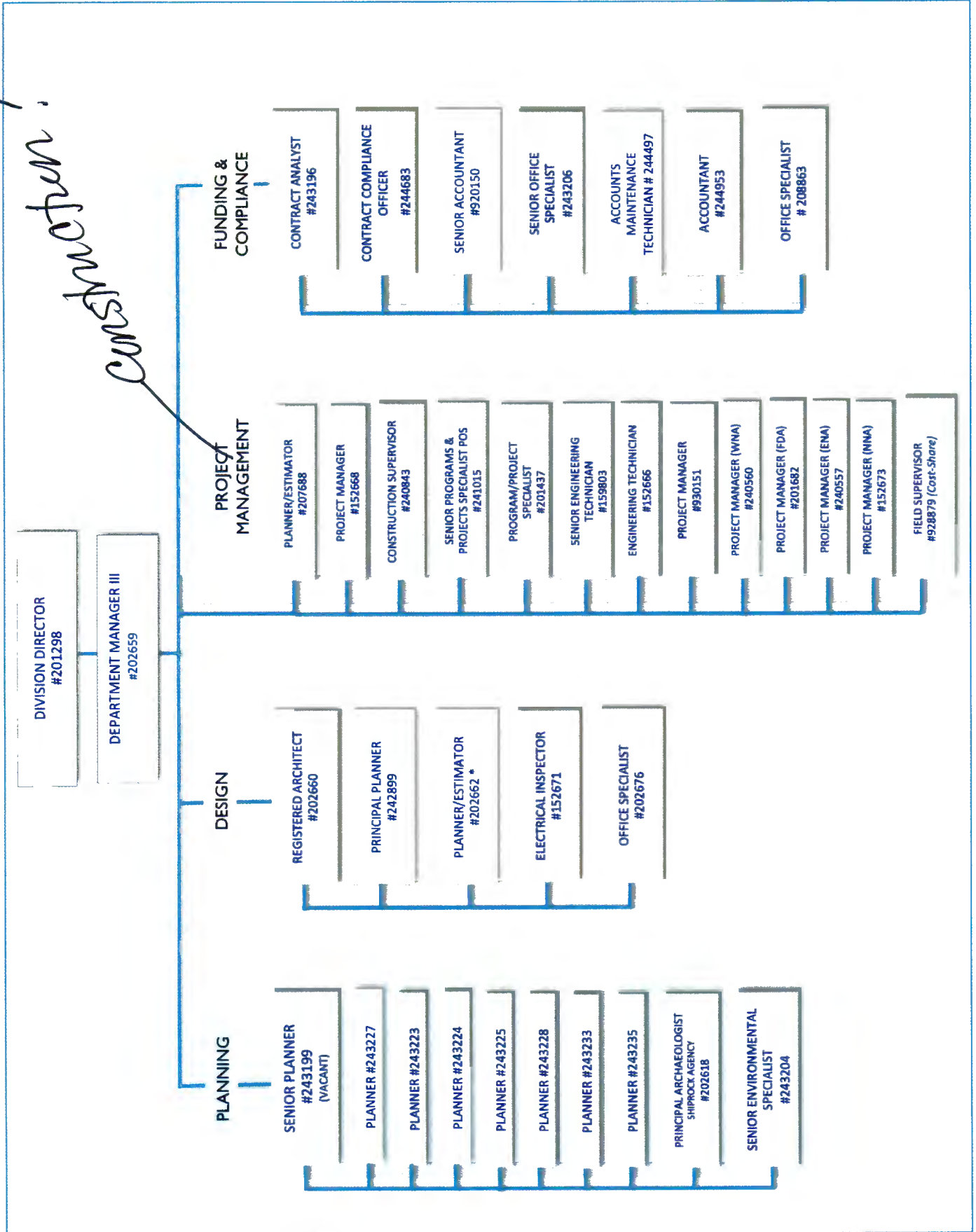


EXHIBIT D

PLAN OF OPERATION

ADMINISTRATIVE SERVICE CENTERS DIVISION OF COMMUNITY DEVELOPMENT

I. ESTABLISHMENT

There is hereby established the Administrative Service Centers (ASC) within the Division of the Navajo Nation.

II. PURPOSE AND GOALS

A. The purpose of the ASC shall be to provide administrative support, + planning services, technical assistance, and guidance to chapters, specifically relating to project planning, infrastructure development, community land use planning, and to provide guidance in the implementation of Five Management System and its policies.

B. The goals of the ASC shall be to:

1. Implement Project Management System
 - a. Strategic and community planning
 - b. Project planning and development
 - c. Project implementation/completion
 - d. Project operation and maintenance plan

1.X Promote Local Governance Act certification

- a. Provide technical assistance and guidance;
- b. Implement Local Governance Act transition plan;
- c. Implementation of the Five Management Systems; and
- d. Assist with Financial Management Information System (FMIS) 6B rollout;

2.X Assist with Post-Local Governance Act Certification activities

- a. Alternative Form of Government (AFOG);
- b. Contract requirements;
- c. Zoning, taxation, leasing, and other ordinances
- d. Update 5 year Community Land Use Plan
- e. Seek potential funding sources

3.X Enhance Human Resource and Professional Development

- a. Capacity building;
- b. Accredited training and education;
- c. Partnerships; and
- d. Proposal/Grant writing skills.

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III. PERSONNEL AND ORGANIZATION

A. PERSONNEL

1. The ~~DCD Division Executive~~ Director shall designate the ASC Director ~~Department Manager~~ to oversee the operation of the ASC and the ~~non-LGA Certified Chapter Administration Staff~~ in accordance with applicable Navajo Nation laws and policies.
2. The ASC Director Manager shall be authorized to recommend additional professional, technical, and administrative positions as needed to carry out the organizational purposes and objectives.
3. Additional positions shall be established in accordance with the Navajo Nation Personnel Policies Procedures Manual and pursuant to applicable rules established for conducting the annual budget process.
4. The ASC shall be staffed to accomplish the purpose, goals and objectives as provided herein.

B. ORGANIZATION

1. The ASC shall consist of these functions necessary to accomplish the purpose cited.
 - a. Administration;
 - b. Chapter planning;
 - c. Compliance/monitoring; and
 - d. Chapter legal services through the Department of Justice.

The Organizational Chart for the Administrative Services Centers is attached as Attachment A D-1, and incorporated herein.

IV. AUTHORITIES, DUTIES AND RESPONSIBILITIES

A. The ASC Director ~~Department Manager~~ shall:

1. Develop and implement the overall administrative policies and procedures necessary for effective management of the ASC.
2. Conduct periodic reviews of staff and program effectiveness and present operating budgets for the appropriate committees of the Navajo Nation Council.
3. Represent the ASC at the Navajo Nation, county, state, and federal levels.

B. The ASC shall have the following duties and responsibilities:

1. Assist in monitoring pre-procurement activities.
2. Monitor and ensure implementation of the Five Management System and accounting services.

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3. ~~Provide planning, administrative support, and technical assistance to the chapter administration including, but not limited to:~~

~~Planning and community assessments/inventory
Comprehensive land use planning
Project portfolio and management~~

4. ~~Facilitate governmental development by assisting chapters with implementation of capital projects.~~

5. ~~Keep updated of new developments and laws within the Navajo Nation county, state, and federal governments and other entities, which may affect the chapter government.~~

3. Prepare written reports for presentations at chapter meetings and planning sessions.

4. Assist to secure additional revenue and in-kind contributions from the Navajo Nation and other funding agencies consistent with the Navajo Nation Ethics in Government Law, 2 N.N.C. § 3741 et. seq.

8. ~~Provide information to the chapter regarding resources and socio-economic factors for effective local planning.~~

5. Ensure that the chapters' expenditures are in compliance with applicable Navajo Nation, federal, and state laws or grant agreements.

6. Assist chapters with developing corrective action plans for audit findings.

7. Assist ~~sanctioned~~ chapters by the Budget and Finance Committee of the Navajo Nation Council with budget review and approval so funds can be disbursed.

9. ~~Assist chapters with procurement~~

8. Assist chapters in finalizing and processing of payroll and tax liabilities.

9. Assist chapters with data entry and uploading accounting and budget information into the governmental accounting software and online budget application.

10. Ensure chapter compliance with monthly/quarterly financial reporting requirements and the Five Management System Policies and Procedures.

11. Carry out other responsibilities as assigned by the ~~Director~~ Executive Director.

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Comment [6]: Same comment as above.

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LaTonia Becenti 8/9/2016 10:08 AM

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V. **DEPARTMENT PROCESS PROCEDURES**

- A. The Division Executive Director may delegate certain approvals to ASC, which but not limited to; approval of travel authorizations, leave requests, purchase requisitions, etc.
- B. ~~Disciplinary actions taken on Administrative Service Centers (excluding chapters) employees shall be executed by the Division Executive Director in accordance with the Navajo Nation Personnel Policies Manual~~

VI. **LEGISLATIVE OVERSIGHT**

Pursuant to 2 N.N.C. §501(C), the ASC are under the legislative oversight of the Resources and Development Committee of the Navajo Nation Council

VII. **AMENDMENTS:**

The section herein may be amended from time-to-time by the Resource and Development Committee of the Navajo Nation Council.

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Comment [7]: Are these paragraphs necessary? This are already provided by the personnel policy manual?
If not, I would recommend deletion.
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What's the purpose of this deletion?

These two goals have been transferred with the Planners under the new department, CPMD.

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Alternative Form of Government Legislation

~~b. — Zoning, Permitting, and Ordinances~~

- e. b. Draft new agreements, proposed legislations, ordinances or other legal documents
- d. c. Policy interpretation and provide written clarification
- e. d. Review and recommend Personnel Disciplinary Actions for legal sufficiency and assist chapters with ONLR written responses.
- f. e. Represent Chapters at Labor Commission Hearing and Navajo Nation courts.
- g. d. Post-LGA certification activities

DIVISION OF COMMUNITY DEVELOPMENT ADMINISTRATIVE SERVICE CENTERS ORGANIZATIONAL CHART

ATTACHMENT D-1

