

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

24TH NAVAJO NATION COUNCIL - Third Year, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE
COMMITTEES; APPROVING A CHANGE IN RESOLUTION NO. CAP-35-18 FOR
KLAGETOH CHAPTER BY DELETING THE HEAD START PROJECT AND ADDING
METAL STORAGE BUILDING, DEDICATED INTERNET ACCESS, AND
POWERLINE EXTENSION PROJECTS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communication and utilities, information technology, chapter activities, economic and community development, rights-of-way, public utilities and housing for the purposes enumerated in 2 N.N.C. § 500(C)(1)-(8).
- B. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds, and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. § 301(B)(2) and (5).

SECTION TWO. FINDINGS

- A. The Navajo Nation Council approved Resolution No. CAP-35-18, entitled, "Adopting the Síhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as Amended by CJA-03-18, AND 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. §§ 810(F), 820(I), and (M) and 860(C) Relating to the Capital Improvement Budget and the Capital Improvement Process." Resolution No. CAP-35-18 is incorporated herein by reference.

- B. CAP-35-18 Section Four (C), provides: "A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed \$4,166,666.67."
- C. The Klagetoh Project entitled "Head Start Project" with an original Síhasin allocation of \$400,000 is listed as Project No. 141 in Exhibit D attached to Resolution No. CAP-35-18. Exhibit D showing Project No. 141, is attached hereto as **Exhibit 1**.
- D. The Klagetoh Chapter is requesting a deletion of the Head Start Project and requests that the \$400,000 in approved Síhasin funding be instead allocated to three alternate projects: (1) Metal Storage Building (design, construct, and equipment); (2) Dedicated Internet Access (design, construct, and equipment); and (3) Powerline Extension (design and construct). Klagetoh Chapter Reso. No. KLA-2114-03/2021 is attached as **Exhibit 2**.
- E. Regarding these requests, the Chapter has submitted a CAP-35-18 Capital Projects Management Department - Síhasin Project Amendment Certification Form, attached as **Exhibit 3**. The CPMD Amendment Certification Form shows the signature of the Delegate for Klagetoh Chapter, as required by CAP-35-18 Section Four (C).
- F. The CAP-35-18 Síhasin Project Amendment Certification Form, **Exhibit 3**, shows the requested changes to be made to Exhibit D, Project No. 141, deleting the Head Start Project and adding the three alternate projects listed above.
- G. As required by CAP-35-18 Section Four (C), the three new projects to be added have been certified by the Capital Projects Management Department as construction-ready and the total Síhasin Funding for the Klagetoh Council District will not exceed \$4,166,666.67. In fact, the \$400,000 original Síhasin funding amount approved in CAP-35-18 will remain unchanged.

SECTION THREE. APPROVALS

The Navajo Nation Council hereby approves changes to Resolution No. CAP-35-18, Exhibit D, Project No. 141, for the Klagetoh Chapter, by deleting the Head Start Project and reallocating the \$400,000 in approved Síhasin Funds for three alternate projects, as follows:

- (1) \$118,684 - Metal Storage Building (design, construct, and equipment);
 - (2) \$96,800 - Dedicated Internet Access (design, construct, and equipment); and
 - (3) \$184,516 - Powerline Extension (design and construct).
- TOTAL: \$400,000

SECTION FOUR. EFFECTIVE DATE

The action herein shall become effective pursuant to 2 N.N.C. § 221(B) and 2 N.N.C. § 164(A)(17).

SECTION FIVE. SAVINGS CLAUSE

If any provision of this legislation is determined invalid by the Supreme Court of the Navajo Nation, or by a Navajo Nation District court without appeal to the Navajo Nation Supreme Court, the provision(s) not determined invalid shall remain as Navajo Nation law.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held by teleconference at which a quorum was present and that the same was passed by a vote of 5 in favor and 0 opposed, this 22nd day of June 2021.

A handwritten signature in blue ink, appearing to read 'J. Henio', with a long horizontal line extending to the right.

Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Jimmy Yellowhair

Second: Honorable Elmer P. Begay

EXHIBIT:

D

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

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

EXHIBIT

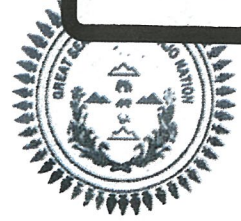
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KLAGETOH CHAPTER

PHONE: 928.652.2700 FAX: 928.652.2701 EMAIL: klagetoh@navajochapters.org

MAILING: Unit 42 HC58 Box 90
Ganado, AZ 86505

PHYSICAL: US HWY 191 Mile Post 397
Klagetoh, AZ 86505



PRESIDENT: LELAND NEZ

VICE PRESIDENT: LEON JACKSON

SECRETARY/TREASURER: MAUREEN WOODMAN

GRAZING OFFICER: ALLAN TAPAH

COUNCIL DELEGATE: RAYMOND SMITH, JR.

COMMUNITY SERVICE COORDINATOR: EDWARD CLARK, JR.

ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

RESOLUTION OF THE KLAGETOH CHAPTER

RESOLUTION KLA-2114-03/2021

RESOLUTION OF THE KLAGETOH CHAPTER TO AMEND RESOLUTION KLA-2099-01/2021 SIHASIN PROJECT AMENDMENT PRICE QUOTATION AND APPROVAL OF THE CHANGE OF PURCHASE FROM THE BACKHOE TO THE METAL STORAGE BUILDING AT \$118,684.00; ADJUST THE NUMBER HOUSEHOLDS FROM 15 TO 10 AS THE TOTAL COST OF THE POWERLINE EXTENSION REMAINS AT \$184,516.00; AND THE COST OF THE 5-YEAR CELLULARONE DEDICATED INTERNET ACCESS REMAINS AT \$96,800.00

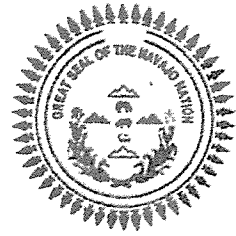
WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Klagetoh Chapter is duly recognized certified chapter of the Navajo Nation Government, as listed as 11 N.N.C., Part 1, Section 10, and;
2. Pursuant to Title 26 N.N.C., Section 1 (B) the Klagetoh Chapter is vested with the authority to review all matter affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and;
3. The Klagetoh Chapter, with careful consideration, determined the need of a much-needed purchase of a metal storage building for the storing and safe keeping of the three heavy equipment purchases and;
4. The need of upgraded internet and data services for the community and students during this trying time, where reliable and accessible internet services is required for the success of our students and community members working from home; the Powerline Extensions to 10 household members, and;
5. The amendment to Resolution KLA-2099-01/2021 needs to be implemented as follows: approval of the change of purchase from the backhoe to the metal storage building at \$118,684.00; adjusting the number of households from 15 to 10k as the total cost of the Powerline Extension remains at \$184,516.00; and the cost of the 5-year Cellularone Dedicated Internet Access remains at \$96,800.00.

NOW THEREFORE BE IT RESOLVED THAT:

The Klagetoh Chapter, hereby, supports and approves the price quotation and approval of the change of purchase from backhoe to metal storage building at \$118,684.00; adjusting the number of

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households from 15 to 10 as the total cost of the Powerline Extension remains at \$184,516.00; and the cost of the 5-year Cellularone Dedicated Internet Access remains at \$96,800.00.

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COMMUNITY SERVICE COORDINATOR: EDWARD CLARK, JR.

ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Klagetoh Chapter government at the duly call Regular Meeting at Klagetoh Chapter, Navajo Nation, Arizona at which a quorum was present; and the same was passed by a vote of 10 in favor, 0 opposed, 1 abstained, on this 28th day of March, 2021.

Motion by: Ella Shirley

Second by: Rosita Kee

A handwritten signature in black ink, appearing to read "Leland Nez", is written over a horizontal line.

Leland Nez, Chapter President

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
SIHASIN PROJECT AMENDMENT CERTIFICATION
CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED April 8, 2021

PROJECT NAME: Klagetoh Chapter-Head Start Project

REFERENCE NUMBER: CPMD REF #

PROJECT TYPE: Pre-Design

ORIGINAL DATE APPROVED: March 18, 2020

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT	PROJECT DESCRIPTION	FUNDING			TOTAL FUNDING	FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3		
D-141	Klagetoh Chapter Head Start Project (Pre-Design)		400,000.00			DELETED
	New Project-Change Project Description & Project Type To:					
	1. Metal Storage Building (Design, Construct & Equip.)		118,684.00		118,684.00	ADDED
	2. Dedicated Internet Access (Design, Construct. & Equip.)		96,800.00		96,800.00	ADDED
	3. Powerline Extension (Design and Construct)		184,516.00		184,516.00	ADDED
TOTAL: [] INCREASED / [] DECREASED FUNDING:						\$ 400,000.00

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Raymond Smith, Jr.

5/6/2021

III. REASON FOR AMENDMENT

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

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.
4. Add language to legislation "EXHIBIT D" Funding Use/Year.

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

PRINT NAME

SIGNATURE

DATE

CPMD Project Manager

Irma Julian

Irma Julian

CPMD Department Manager

James Adakai

April 14, 2021

4-14-21



BUDGET AND FINANCE COMMITTEE

22 June 2021

Special Meeting

VOTE TALLY SHEET:

Legislation No. 0089-21: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Resolution No. CAP-35-18 for Klagetoh Chapter by Deleting the Head Start Project and Adding Metal Storage Building, Dedicated Internet Access, and Powerline Extension Projects *Sponsored by Raymond Smith, Jr. Council Delegate*

Motion: Jimmy Yellowhair

Second: Elmer P. Begay

Vote: 5-0, Chairman not voting

Final Vote Tally:

Jamie Henio		
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Nathaniel Brown	yea	
Amber K. Crotty	yea	
Jimmy Yellowhair	yea	



Jamie Henio, Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee