

LEGISLATIVE SUMMARY SHEET

Tracking No. 0438-18

DATE: December 20, 2018

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A BUDGET REALLOCATION IN THE TOTAL AMOUNT OF \$157,371.89 FROM VARIOUS BUSINESS UNITS WITHIN THE DIVISION OF NATURAL RESOURCES TO BUSINESS UNIT NUMBER 115001 WITHIN THE DIVISION OF NATURAL RESOURCES

NOTE: Budget reallocations of must be approved “by two-thirds (2/3) vote of the full membership of the committee, board or commission.” 2 N.N.C. §185(A).

PURPOSE: The purpose of this legislation is to approve a budget reallocation for the Division of Natural Resources.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: V
Website Posting Time/Date: 8:35pm 12/20/18
Posting End Date: 12/25/2018
Eligible for Action: 12/27/2018

PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0438-18

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING
A BUDGET REALLOCATION IN THE TOTAL AMOUNT OF \$157,371.89 FROM
VARIOUS BUSINESS UNITS WITHIN THE DIVISION OF NATURAL
RESOURCES TO BUSINESS UNIT NUMBER 115001 WITHIN THE DIVISION OF
NATURAL RESOURCES

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is the oversight committee of the Division of Natural Resources. 2 N.N.C. § (A)(5).
- B. The Budget Instruction Manual defines a budget reallocation as “the reallocation of funds between business units which requires oversight approval. Navajo Nation Budget Instruction Manual, XIII.C.b.
- C. A standing committee may reallocate funds appropriated by the Navajo Nation Council to a division or program over which the committee has oversight. 2 N.N.C. §185(A).
- D. A reallocation of funds must be approved “by two-thirds (2/3) vote of the full membership of the committee, board or commission.” 2 N.N.C. §185(A).

1
2 **SECTION TWO. FINDINGS**

- 3 A. The Division of Natural Resources has requested a budget reallocation as indicated
4 in the Budget Revision Request Form attached as **Exhibit A**.
5 B. The Executive Official Review is currently pending within the Executive Branch.
6

7 **SECTION THREE. APPROVAL OF REALLOCATION**

8 The Navajo Nation hereby approves budget reallocation in the total amount of
9 \$157,371.89 as indicated in **Exhibit A**.
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THE NAVAJO NATION OFFICE OF MANAGEMENT AND BUDGET BUDGET REVISION REQUEST

(For Use on NN Funds and External Grant Budgets)

Hope Wilson, SPPS

hopewilson@navajo-nsn.gov

12/19/2018

REQUESTED BY (PRINTED NAME & TITLE)

EMAIL ADDRESS

DATE

SEE BELOW

DIVISION OF NATURAL RESOURCES

871-6594

BUSINESS UNIT NO.

PROGRAM / DEPARTMENT TITLE

PHONE NO.

10/01/2018-09/30/2019

TITLE OF EXTERNAL CONTRACT / GRANT				FUNDING PERIOD - START/ END DATE		
FUNDS AVAILABLE (OMB USE ONLY)	LOD	FROM OBJECT CODE & DESCRIPTION OF CODE	AMOUNT	LOD	TO OBJECT CODE & DESCRIPTION OF CODE	AMOUNT
	6	115001-1110 (Telcommunications Superviso	10,564.34	6	115001-4200 - Non-Capital Assets	103,718.89
	6	115001-1116 - Ranger Dispatcher	5,897.85	6	115001-5570 - Internet	17,350.00
	6	115011-1005 (Senior Accountant)	17,929.46	6	115001-5610 - Wireless	31,303.00
	6	115013-1007 (Sr. Construction Supervisor)	10,564.34	6	115001-6520 - Consulting	5,000.00
	6	115013-1024 (Heavy Equipment Operator)	9,056.80			
	6	115013-1114 (Senior Construction Superviso	10,564.34			
	6	115013-1199 (Heavy Equipment Operator)	1,811.36			
	6	115017-1105 (Custodian)	5,897.85			
	6	115017-1011 (Museum Facilities Tech)	7,014.13			
	6	115024-1037 (Accountant)	10,564.34			
	6	115024-1048 (Archaeologist)	17,690.67			
	6	115025-1026 (Wildlife Technician)	5,611.30			
	6	115026-1120 (Kennel Officer)	5,897.85			
	6	115026-1109 (Animal Control Officer)	3,817.78			
	6	115026-1124 (Animal Control Officer)	7,635.56			
	6	115026-1125 (Animal Control Officer)	7,635.56			
	6	115027-1102 (Dept. Manager III)	19,218.36			
TOTAL			157,371.89	TOTAL		157,371.89

JUSTIFICATION FOR BUDGET REVISION (Must be detailed and complete): Explain why the revision is required and, if necessary, provide calculations to show budget is sufficient to the end of the funding period.

The re-allocation will allow the Division to purchase equipment for the new CODY Law Enforcement system. In consultation with the Land IT Department, officers and administrators are not able to remotely connect to the system due to the current internet traffic on the DIT network. The Division will need to have a dedicated T-1 Line installed for officers and administrators to remotely log on to the system to complete reports for the public and to access the system. Officers are using out dated equipment to access the CODY system. Our newly consolidated Central Dispatch is unable to contact officers while they are in the field. The Division needs to purchase additional two-way radio equipment to be installed on the units so that we can maintain constant communication with the officers while they are out of their units on calls for service. In order to ensure officer safety and accountability the Division needs to resolve this problem and have repeaters and other hardware upgraded on the officer units. The Division needs to purchase additional furniture for the Central Dispatch Unit and the Division since the building was condemned and furniture had to be thrown away. Furniture was in storage, however due to fluctuations in temperature they deteriorated over time. The Division also needs to complete strategic planning for the Administration and Division as a whole.

IMPACT ON PROGRAM PERFORMANCE CRITERIA SET IN BUDGET FORM 2: Describe change in funding's (object code) affect on performance criteria, if any.

The transfer does not affect the performance criteria.

Bidtah Becker, Division Director

DEPARTMENT/PROGRAM DIRECTOR (PRINTED)

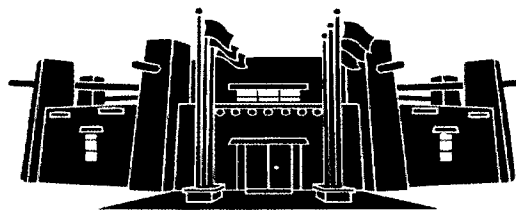
Dwight Witherspoon, Chief of Staff

BRANCH/DIVISION DIRECTOR (PRINTED)

APPROVAL SIGNATURE

CONCURRENCE SIGNATURE

Do not attach original supporting documents such as PAFs, POs, Invoices, etc.



MEMORANDUM

TO: Honorable Walter Phelps
23rd Navajo Nation Council

FROM: Ka Lowell
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: December 20, 2018

SUBJECT: **AN ACTION RELATING TO RESOURCES AND DEVELOPMENT
COMMITTEE; APPROVING A BUDGET REALLOCATION IN THE
TOTAL AMOUNT OF \$157,371.89 FROM VARIOUS BUSINESS UNITS
WITHIN THE DIVISION OF NATURAL RESOURCES TO BUSINESS
UNIT NUMBER 115001 WITHIN THE DIVISION OF NATURAL
RESOURCES**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0438-18__

SPONSOR: Walter Phelps

TITLE: An Action Relating To Resources and Development Committee; Approving a Budget Reallocation in the total amount of \$157,371.89 from various business units within the Division of Natural Resources to business unit number 115001 within the Division of Natural Resources

Date posted: December 20, 2018 at 8:35 PM

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

Written comments may be mailed to:

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

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

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

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0438-18

SPONSOR: Honorable Walter Phelps

TITLE: An Action Relating To Resources and Development Committee; Approving a Budget Reallocation in the total amount of \$157,371.89 from various business units within the Division of Natural Resources to business unit number 115001 within the Division of Natural Resources.

Posted: December 20, 2018 at 8:35 PM

5 DAY Comment Period Ended: December 25, 2018

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comment	<i>None</i>



**Legislative Secretary II
Office of Legislative Services**

12/20/2018 8:13am

Date/Time

**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,


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

Legislation # 0438-18: An Action Relating to Resources and Development Committee; Approving a Budget Reallocation in the Total Amount of \$157,371.89 from Various Business Units Within the Division of Natural Resources to Business Unit Number 115001 Within The Division of Natural Resources. *Sponsor: Honorable Walter Phelps*

Has had it under consideration and reports the matter was TABLED with a directive to Office of Legislative Counsel and Navajo Nation Department of Justice to further clarification on whether this budget reallocation will required the Navajo Nation Council's final approval;

And thereafter the legislation was tabled to December 31, 2018.

Respectfully submitted,



Alton Joe Shepherd, Presiding Chairperson
Resource and Development Committee of
the 23rd Navajo Nation Council

Date: December 27, 2018 –Special Meeting

Meeting Location: Navajo Nation Council Chambers, Window Rock, Arizona

MAIN MOTION:

M: Benjamin Bennett

S: Jonathan Perry

Vote:

MOTION TO TABLE:

Motion: Benjamin Bennet

S: Davis Filfred

Vote: 4-0-1(CNV)

YEAS: Benjamin Bennett, Walter Phelps; Jonathan Perry and Davis Filfred

NAYS:

EXCUSED: Leonard Pete

RESOURCES AND DEVELOPMENT COMMITTEE
Special Meeting

ROLL CALL
VOTE TALLY SHEET:

Legislation # 0438-18: An Action Relating to Resources and Development Committee; Approving a Budget Reallocation in the Total Amount of \$157,371.89 from Various Business Units Within the Division of Natural Resources to Business Unit Number 115001 Within The Division of Natural Resources. *Sponsor: Honorable Walter Phelps*

MAIN MOTION:

M: Benjamin Bennett S: Jonathan Perry Vote:

MOTION TO TABLE:

Motion: Benjamin Bennett S: Davis Filfred Vote: 4-0-1(CNV)

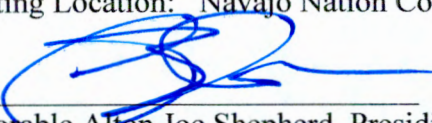
YEAS: Benjamin Bennett, Walter Phelps; Jonathan Perry and Davis Filfred

NAYS:

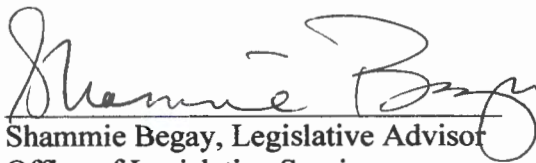
EXCUSED: Leonard Pete

Date: December 27, 2018 –Special Meeting

Meeting Location: Navajo Nation Council Chambers, Window Rock, Arizona



Honorable Alton Joe Shepherd, Presiding Chairman
Resources and Development Committee



Shammie Begay, Legislative Advisor
Office of Legislative Services

**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,

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

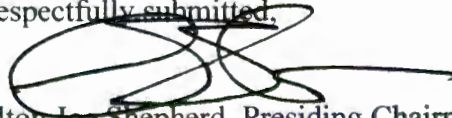
Legislation # 0438-18: An Action Relating to Resources and Development Committee; Approving a Budget Reallocation in the Total Amount of \$157,371.89 from Various Business Units Within the Division of Natural Resources to Business Unit Number 115001 Within The Division of Natural Resources. *Sponsor: Honorable Walter Phelps*

Has had it under consideration and reports the matter was TABLED with a directive to Office of Legislative Counsel and Navajo Nation Department of Justice to further clarification on whether this budget reallocation will required the Navajo Nation Council's final approval;

And thereafter the legislation was tabled to December 31, 2018.

December 31, 2018: Pursuant to OMB's memorandum dated 12/28/18, legislation was ruled out of order due to the fact that NNC would have final authority with regards to the budget reallocation.

Respectfully submitted,



Alton Joe Shepherd, Presiding Chairperson
Resource and Development Committee of
the 23rd Navajo Nation Council

Date: December 31, 2018 –Special Meeting

Meeting Location: Navajo Department of Transportation, Tse Bonito, NM

MAIN MOTION: (RULED OUT OF ORDER)

M: Benjamin Bennett

S: Jonathan Perry

Vote:

Date: December 27, 2018 –Special Meeting

Meeting Location: Navajo Nation Council Chambers, Window Rock, Arizona

MOTION TO TABLE:

Motion: Benjamin Bennet

S: Davis Filfred

Vote: 4-0-1(CNV)

YEAS: Benjamin Bennett, Walter Phelps; Jonathan Perry and Davis Filfred

NAYS:

EXCUSED: Leonard Pete