

LEGISLATIVE SUMMARY SHEET

Tracking No. 0242-17

DATE: June 28, 2017

SUBJECT AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPROVING AMENDMENTS TO THE PLAN OF OPERATION WIRELESS PHONE SERVICE POLICY AND PROCEDURES FOR THE NAVAJO TELECOMMUNICATIONS AND UTILITIES DEPARTMENT WITHIN THE DIVISION OF GENERAL SERVICES

PURPOSE: The purpose of this legislation is to approve the amendments to the policy and procedures of the Wireless Phone Service for the Navajo Telecommunications and Utilities Department.

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: Latina Blvd
Website Posting Time/Date: 3:27pm 7/3/17
Posting End Date: 7/8/17
Eligible for Action: 7/9/17

PROPOSED NAVAJO NATION COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL -- Third Year, 2017

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0242-17

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;
APPROVING AMENDMENTS TO THE PLAN OF OPERATION UTILITIES
SERVICE POLICY AND PROCEDURES FOR THE NAVAJO
TELECOMMUNICATIONS AND UTILITIES DEPARTMENT WITHIN THE
DIVISION OF GENERAL SERVICES

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Health, Education and Human Services Committee of the Navajo Nation Council has legislative oversight of general government services and human services, hence the Division of General Services, including the authority to review, recommend or propose adoption of appropriate Plans of Operation. 2 N.N.C. §§ 400 (C)(1), 401 (C)(1)

SECTION TWO. FINDINGS

- A. The Navajo Nation Telecommunications and Utilities Department (NNTU) within the Division of General Services provides access to essential telecommunications and utility service for the Navajo Nation government.
- B. The Navajo Nation Division of General Services, Telecommunications and Utilities Department has proposed amending the policy and procedures for Utility Service. See Exhibit "A".

1 C. The proposed amendments to the Utility Service Policy and Procedures for the NNTU
2 have been reviewed by the necessary parties and found legally sufficient. See Exhibit
3 "B".

4 C. The Navajo Nation finds it in the best interest of the Navajo People to approve the
5 proposed amendments to the Navajo Nation Division of General Services,
6 Telecommunications and Utilities Department Utility Service Policy and Procedures as
7 found at Exhibit "A".

8
9 **SECTION THREE. APPROVAL**

10 The Health, Education and Human Services Committee hereby approves the proposed
11 amendments to the Navajo Nation Division of General Services, Telecommunications and
12 Utilities Department Utility Service Policy and Procedures as found at Exhibit "A".
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30



**Navajo Nation Telecommunication & Utilities (NNTU)
Utilities Service Policy and Procedures**

Authority: Pursuant to Government Service Resolution ~~HEHSCS-15-15GSCAU-27-09A~~ the purpose of the Navajo Nation Telecommunication & Utilities (NNTU) department is to plan, administer and manage the telecommunication and utilities activities for the Navajo Nation.

Purpose: NNTU seeks to provide a safe, comfortable and productive working environment for Navajo Nation government offices by ensuring use of quality utilities sources to sustain its operations, and to procure utilities service in the most cost effective manner and to promote energy & water conservation.

Policy:

All Navajo Nation divisions, departments, and programs are required to request for utilities and other related services through the Navajo Nation Telecommunication & Utilities department who shall procure those services on behalf of the Navajo Nation.

Definition:

Utilities - Electricity, natural gas, propane gas, water, and wastewater

Other Services - Waste management, elevator, landscaping and HVAC system maintenance and repair.

Energy audit - The process of determining the energy consumption of a building or facility. An energy audit is conducted to seek opportunities to reduce the amount of energy usage and cost while maintaining or improving human comfort, health and safety.

Formatted: Font: Franklin Gothic Book

EnergyStar - A government-backed program helping businesses and individuals protect the environment through superior energy efficiency. The program was created by the US Environmental Protection Agency and the US Department of Energy to help consumers save money and prevent air pollution.

Unnecessary appliances - Coffee makers, microwaves, refrigerators and small appliances unless located in designated kitchen areas.

Procedures:

1. All utility and other services (see definition) shall be requested to the Navajo Nation Telecommunication & Utilities department through memorandum and completion of ~~the required Utilities sService rRequest fForms (Attachment A)~~ for the following:
 - a. New Service
 - b. Repair/Maintenance
 - c. Transfer of utilities service
 - d. Removal/Disconnection
2. All utility services shall be utilized in the performance of Navajo Nation government business and operations.
3. All departments and programs shall:
 - a. Practice and promote energy and water conservation in the workplace.

- b. Report the misuse and abuse of utilities by Navajo Nation governmental personnel to NNTU.
 - c. Prohibit use of unnecessary appliances in the workplace.
 - d. Immediately report utility outages and breakages to utility service provider and/or NNTU.
 - e. Purchase energy efficient office equipment with the EnergyStar logo. For more information go to www.energystar.com
4. NNTU shall be responsible for the procurement of all utilities and other services for all Navajo Nation owned buildings in accordance with Navajo Nation procurement regulations and laws. For leased buildings, it will be based on funding availability and indirect cost stipulations.
5. NNTU will be responsible for payment of utilities and other services invoice utilizing the Fixed Cost Utilities annual appropriation for all Navajo Nation owned building, subject to availability of funds.
 - a. ~~R-provided request shall be in compliance with Procedure No. 1., subject to availability of funds.~~
 - b. For payment for leased building service cost, it will be depended on NNTU's funding availability.
 - c. All invoices will be billed to NNTU regardless of funding source
 - d. NNTU will maintain complete inventory of all utility accounts.
6. NNTU ~~is responsible for~~ will conducting energy audits, based on funding availability, on Navajo Nation governmental buildings including:
 - Monitoring, analyzing, recommending cost saving measures
 - Budget and implement for energy retrofits
 - Enforcement of energy cost saving measures
 - Evaluate energy modifications and variables to measure energy savings
7. NNTU is responsible for promoting energy and water conservation to Navajo Nation employees through Energy & Water Awareness activities and public education materials. The month of October has been designated as "Energy & Water Conservation Month" on the Navajo Nation. Employees are encouraged to:
 - a. Turn off all unnecessary lighting
 - b. Turn off office equipment when not in use and at end of day
 - c. Dress for the season for productivity, health and comfort

For additional conservation tips, go to www.nntu.navajo-nsn.gov or energy & water conservation websites.
8. In the event of energy and water shortages, NNTU will implement conservation measures for the Navajo Nation government offices in collaboration with utility service providers.

Formatted: List Paragraph, Left, No bullets or numbering

Formatted

Formatted: List Paragraph, Left, No bullets or numbering

Formatted

~~8.9.~~ NNTU will meet periodically with utilities service providers to maintain good business relationship and address service concerns.

~~9.10.~~ All non-compliance issues will be addressed to the program, department, or division head and the Office of Auditor General. Failure to address non-compliance may result in termination of services.

~~10.11.~~ Clarification to the Utilities Service Policy and Procedures
The NNTU department may issue whatever additional directives and memoranda deemed necessary to clarify the intent of this policy and procedures.

~~11.12.~~ Amendment to the Utilities Service Policy and Procedures
The policy and procedures may be amended when necessary with the approval of the Government Health, Education, and Human Services Committee.

~~Attachment A~~

**NAVAJO NATION TELECOMMUNICATION & UTILITIES
UTILITIES SERVICE REQUEST FORM**

Requestor's Name:

Customer Account No.

Department Name:

Meter Number:

Phone #:

E-Mail Address:

Fax #:

TYPE OF SERVICE REQUESTED

(Please check all that apply)

☐ Electric ☐ Gas ☐ Water ☐ Sewer ☒ Security Light

☐ New Service ☐ Repair/Maintenance ☐ Transfer of utilities service ☐ Removal/Disconnection

Requested Service Date:

Description of Service to be performed:

Service Location (Physical Address):

Other Services:

☐ Landscaping ☐ Elevator ☐ HVAC ☐ Waste Management

NAVAJO NATION TELECOMMUNICATION & UTILITIES STAFF USE ONLY

Request Taken By: Date

Action Taken:

Service Provider:

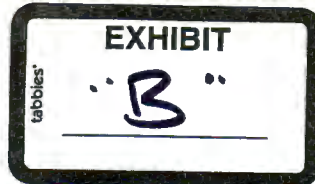
REMARKS/COMMENTS:

Request Approved by: Date

Completion: Date

NNTU/Program Manager

NNTU/Utilities Section

Document No. 006810Date Issued: 09/27/2016**EXECUTIVE OFFICIAL REVIEW**Title of Document: Amendments to NNTU Utilities P&P Contact Name: YAZZIE, BARBARA JProgram/Division: DIVISION OF GENERAL SERVICESEmail: byazi@navajo-nsn.gov Phone Number: 928-871-7740☐ **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, (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: _____ | ☐ | ☐ |
| 2. Office of the Controller: _____ | Date: _____ | ☐ | ☐ |
| 3. 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, 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**

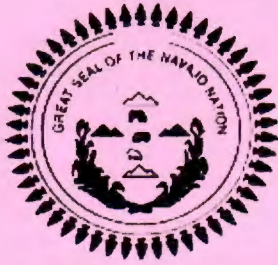
1. Minerals _____ Date: _____ ☐ ☐
2. DNR _____ Date: _____ ☐ ☐
3. DOJ _____ Date: _____ ☐ ☐

☐ **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: _____ ☐ ☐

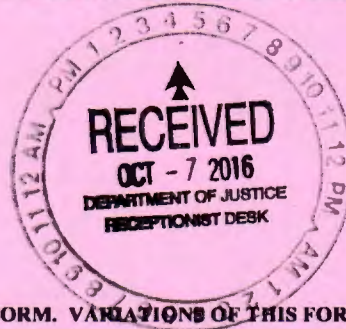
☒ **OTHER:**

1. Amendments to Utilities P&P *[Signature]* Date: 9-28-16 ☒ ☐
2. OMB *[Signature]* Date: 10-5-16 ☒ ☐
3. DOJ *[Signature]* Date: 11-16-16 ☒ ☐
4. Legislative Services _____ Date: _____ ☐ ☐
5. _____ Date: _____ ☐ ☐



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
10/07/16 4:03p
DATE / TIME
☐ 7 Day Deadline
DOC #: 006810
SAS #:
UNIT: Hsgu

☐ RESUBMITTAL

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

CLIENT TO COMPLETE

DATE OF REQUEST: 10/07/16 ENTITY/DIVISION: DGS
CONTACT NAME: Barbara Lazzie DEPARTMENT: NNTU
PHONE NUMBER: 871-7740 E-MAIL:

TITLE OF DOCUMENT: Amendments to NNTU Utilities P&P

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 10/7/16 @ 4:30 pm REVIEWING ATTORNEY/ADVOCATE: CE
DATE/TIME OUT OF UNIT: 11/16/16 @ 9:48 am

DOJ ATTORNEY / ADVOCATE COMMENTS

legally sufficient

REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
Chris Espinoza	11/16/16 9:15am	Vernica Blackhat	11/16/16 9:21am

DOJ Secretary Called: Ekneida for Document Pick Up on 11/16/16 at 9:40am By: ob

PICKED UP BY: (PRINT) DATE / TIME:

NNDJ/DRRF-July 2013





NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

RODGERICK BEGAY
ACTING DEPUTY ATTORNEY GENERAL

MEMORANDUM

TO: ALL CONCERNED

FROM:


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

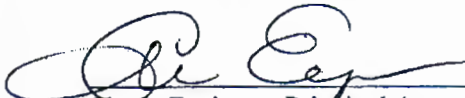
DATE: October 13, 2016

SUBJECT: Standing Delegation of Authority

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

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

ADMINISTRATIVE REVIEW:


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

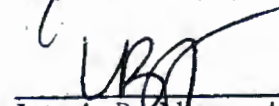

Regina Holyan, Principal Attorney
Human Services & Gov't Unit

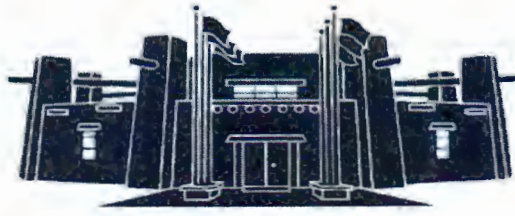

Michelle Begay, Senior Attorney
Human Services & Gov't Unit

SURNAME AUTHORITY:


Veronica Blackhat, Ass't Attorney General
Natural Resources Unit


Paul Spruhan, Ass't Attorney General
Litigation & Employment Unit


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



MEMORANDUM

TO: Honorable Jonathan Hale
Navajo Nation Council

FROM: 
Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: June 28, 2017

SUBJECT: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPROVING AMENDMENTS TO THE PLAN OF OPERATION WIRELESS PHONE SERVICE POLICY AND PROCEDURES FOR THE NAVAJO TELECOMMUNICATIONS AND UTILITIES DEPARTMENT WITHIN THE DIVISION OF GENERAL SERVICES

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. §§500, 501. 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: _0242-17_____

SPONSOR: Jonathan Hale

**TITLE: An Action Relating to Health, Education and Human Services Committee;
Approving Amendment to the Plan of Operation Wireless Phone Services Policy and
Procedures for the Navajo Telecommunications and Utilities Department Within the
Division of General Services**

Date posted: July 3, 2017 at 3:27pm

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) 871-7590

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 Nav, ajo 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.: 0242-17

SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating To Health, Education and Human Services Committee; Approving Amendment to the Plan of Operation Wireless Phone Services Policy and Procedures for the Navajo Telecommunications and Utilities Department Within the Division of General Services.

Posted: July 3, 2017 at 3:27pm

5 DAY Comment Period Ended: July 8, 2017

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>None</i>



Policy Analyst
Office of Legislative Services

7/10/2017 8:21 AM
Date/Time