

## **SUMMARY OF PROPOSED LEGISLATION**

Tracking No. 0009-24

DATE: January 9, 2024

**RE: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$17,628 FROM THE SÍHASIN FUND TO NTUA FOR THE CONSTRUCTION OF A GAS SERVICE LINE EXTENSION FOR GLADYS JONES' RESIDENCE IN GANADO, ARIZONA; APPROVING THE RELATED EXPENDITURE PLAN**

### **Purpose of this Legislation:**

to approve \$17,628 from the Sihasin Fund for a new gas service line extension project for Gladys Jones' residence in Ganado, Arizona; approving the related Expenditure Plan.

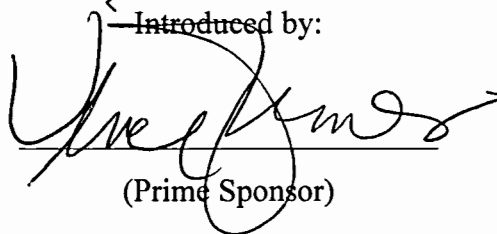
OLC No. 23-538-1

5-DAY BILL HOLD PERIOD 12:16 PM; 01-11-24  
Website Posting Time/Date  
Posting End Date: 01-16-24  
Eligible for Action: 01-17-24

Resources & Development Committee  
Thence  
Budget & Finance Committee  
Thence  
Committee  
Thence  
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
25<sup>th</sup> NAVAJO NATION COUNCIL - Second Year, 2024

Introduced by:

  
(Prime Sponsor)

Tracking No. 0009-24



**AN ACTION**

**RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE,  
THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI'  
COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING  
\$17,628 FROM THE SÍHASIN FUND TO NTUA FOR THE CONSTRUCTION  
OF A GAS SERVICE LINE EXTENSION FOR GLADYS JONES' RESIDENCE IN  
GANADO, ARIZONA; APPROVING THE RELATED EXPENDITURE PLAN**

**BE IT ENACTED:**

**SECTION ONE. AUTHORITY**

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with oversight authority over utilities and land disturbances. 2 N.N.C. §500(C).
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to "review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds." 2 N.N.C. §301(B)(2).
- C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.
- E. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin

1 Fund ("Síhasin Fund") as follows:

2 §2502 Purpose

3 A. The purposes of this Fund are to provide financial support and/or financing for:

4 1. The planning and development of economic development and regional infrastructure  
5 supporting economic development and community development, including such  
6 infrastructure as, but not limited to, housing, commercial and government buildings,  
7 waterline, solid waste management development, powerline Projects, and  
8 transportation and communication systems, within the Navajo Nation; and . . .

9 B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure shall not be limited  
10 by 12 N.N.C. §1310(F) or TCDCJY-77-99.

11 C. Leveraging the Fund by way of guaranteeing loans, match funding, direct funding in  
12 part, and other weighted uses of the Fund, including loan financing from the Fund, for  
13 the purposes in §2502(A)(1), shall be favored over direct funding in whole.

14 F. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made to the  
15 Síhasin Fund and that "Fund Income" shall consist of all earnings (interest, dividends, etc.)  
16 generated and realized by the Fund Principal, and that Síhasin Fund Income shall be  
17 deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is  
18 duly approved. 12 N.N.C. §2504 and §2505(C).

19 G. The Síhasin Fund also provides that "Fund Principal and Income shall not be expended  
20 except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502  
21 of this Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation  
22 Council." 12 N.N.C. §2505(A).

23  
24 **SECTION TWO. FINDINGS**

25 A. The Navajo Tribal Utility Authority ("NTUA") has provided a letter to Gladys Jones, a  
26 Navajo resident in Ganado, Arizona. This letter, dated July 13, 2023, explains the new gas  
27 service line extension project that will be constructed to serve her residence. The letter  
28 explains that the Owner, namely Gladys Jones, will be responsible for the total cost of  
29 construction for this project, which is estimated to be approximately \$17,628. See the  
30 attached **EXHIBIT A**.

1 B. In addition, NTUA has provided engineering drawings and further details for this project.

2 See the attached **EXHIBIT B**.

3 C. Approving the requested \$17,628 for this project satisfies the purpose of the Síhasin Fund  
4 because such purchase pertains to “infrastructure” and “community development” as  
5 mentioned in 12 N.N.C. §2502(A)(1).

6 D. The Navajo Nation finds that approval of the requested Síhasin funds is in the best interests  
7 of the Navajo Nation and the Navajo People.

8  
9 **SECTION THREE. APPROVING \$17,628 FROM THE SÍHASIN FUND TO NTUA**  
10 **FOR THE CONSTRUCTION OF A GAS SERVICE LINE**  
11 **EXTENSION FOR GLADYS JONES’ RESIDENCE IN GANADO,**  
12 **ARIZONA; APPROVING THE RELATED EXPENDITURE PLAN**

13 A. Pursuant to 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$17,628 from the  
14 Síhasin Fund for the Navajo Tribal Utility Authority to construct a new gas service line  
15 extension project, as described in the attached **EXHIBITS A-B**.

16 B. The Navajo Nation hereby approves the Expenditure Plan for the approved Síhasin Funds,  
17 as shown in the attached **EXHIBITS A-B**.

18 C. The Navajo Nation Controller shall determine whether the source of the approved Síhasin  
19 funds will be from Fund Principal or Fund Income or a combination of both.

20 D. The Síhasin funds allocated for the Expenditure Plan approved herein may be further  
21 leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, at  
22 12 N.N.C. §1300 *et seq.*, as amended, using Síhasin Fund earnings for repayment and  
23 financing costs upon the recommendation of the Budget and Finance Committee and  
24 approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

25 E. The Síhasin funds approved herein shall be provided to the Division of Community  
26 Development (“DCD”) within thirty (30) calendar days following the effective date of this  
27 Action. All Síhasin funds shall be used strictly for the Expenditure Plan approved herein.

28 F. Disbursement of the approved Síhasin funds by DCD to NTUA shall be in accordance with  
29 an appropriate grant agreement, memorandum of agreement, or other legal document  
30 executed by NTUA and the Navajo Nation. Said agreement shall be binding upon the parties,

1 shall be approved by the Controller and the Navajo Nation Department of Justice, and shall  
2 establish a project schedule, payment or drawdown plan, fund management plan, or other  
3 relevant procedures governing NTUA's implementation of the project.

4 G. DCD shall have administrative oversight authority over the expenditure of the Síhasin funds  
5 approved herein, and DCD shall be responsible for ensuring compliance with the  
6 Expenditure Plan, as well as all mandates set forth in this Action.

7 H. As a condition of receiving the approved Síhasin funds, NTUA shall allow the Navajo Nation  
8 full access to its financial records related to the Síhasin funds it has received, for the purpose  
9 of the Navajo Nation's review and audit of NTUA's expenditures of the Síhasin funds.

10 I. The approved Síhasin funds shall not be comingled with any other funds, and shall be used  
11 by NTUA strictly for the Expenditure Plan approved herein. NTUA shall also ensure that all  
12 expenditures comply with the approved Expenditure Plan, and with all provisions of the legal  
13 agreement described in Section Three (E) above.

14 J. Unspent and unencumbered Síhasin funds shall not lapse at the end of any Navajo Nation  
15 Fiscal Year, as might otherwise occur under 12 N.N.C. §820(N), so long as all Síhasin funds  
16 are accounted for as of September 30<sup>th</sup> of every fiscal year, starting with September 30, 2024.

#### 17 18 **SECTION FOUR. EFFECTIVE DATE**

19 This Action and the related Expenditure Plan shall become effective pursuant to 12 N.N.C.  
20 §2505(A) and 2 N.N.C. §221(B).

#### 21 22 **SECTION FIVE. SAVING CLAUSE**

23 If any part of this Action is invalidated by the Supreme Court of the Navajo Nation, or by any  
24 Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the  
25 remainder of this Action shall be the law of the Navajo Nation.



NAVAJO TRIBAL UTILITY AUTHORITY  
AN ENTERPRISE OF THE NAVAJO NATION

July 13, 2023

Gladys Jones  
P.O. Box  
Ganado AZ, 86505

**RE: Estimate Letter for Natural Gas Service Member Extension request.**

Dear Gladys Jones,

At your request the Navajo Tribal Utility Authority (NTUA) Natural Gas Division has completed the estimate for the Natural Gas services to your home located in Ganado, AZ and is as follows:

DESCRIPTION	COST
MATERIAL EXPENSE	\$ 1,964.91
LABOR EXPENSE	\$ 13,540.83
TRANSPORTATION & EQUIPMENT EXPENSE	\$ 1,170.00
MISCELLANEOUS EXPENSE	\$ 546.75
	\$ 17,222.49
NAVAJO NATION TAX 6% ( <i>materials excluded</i> )	\$ 915.45
NTUA CONTRIBUTION	\$ 510.00
<b>GRAND TOTAL</b>	<b>\$ 17,627.94</b>

NN Tax include Labor, Trans & Equip and Misc. Expense only.

The Owner will be responsible for the total cost of construction; the estimated cost is \$ 17,627.94. The Navajo Tribal Utility Authority designs, constructs, operates and maintains the Natural Gas system up to and including the Gas Meter. At your request we are able to provide our services stated above with the understanding that The Owner will be responsible for the stub-out and fuel piping after the Gas Meter into the buildings to include any conversions necessary for Operation and Maintenance.

**Change Orders:** This estimate is based on information provided from the Customer/Contractor. If upon arrival onsite, the scope of work has changed, or additional services are required a Change Order will be required to proceed with the project on a time and material basis per NTUA's rate schedule. Verbal authorization will be accepted by a Company Representative, however a written authorization is required within 24 hrs.

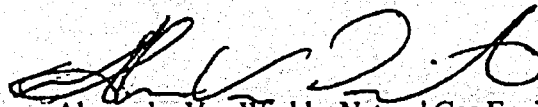
The estimate is valid for 90 days. The estimate does not include the security deposit and establishment fee of \$35.60 per utility deposit. Construction will be scheduled upon receipt of the following items:

1. Payment for the 50% of the estimated cost, which can be arranged at the NTUA's Fort Defiance District Office. The remaining cost will be calculated when construction is completed and will be sent through an invoice.
2. Load letter if delivery pressure is more than 7" WC.
3. Fuel Gas Piping Affidavit of Compliance signed by Licensed Contractor and Journeyman Plumber respectively required prior to Final Inspection and Activation.

If there are any questions, please contact Alexander Van Winkle at 1(800)528-5011 ext. 4806 or at [AlexanderV@ntua.com](mailto:AlexanderV@ntua.com) Thank You.

Sincerely,

NAVAJO TRIBAL UTILITY AUTHORITY



Alexander Van Winkle, Natural Gas Engineering Technician  
Natural Gas Division

Cc: Gary Monroe, District Manager, NTUA Chinle District  
Charmayne Wilson, Office Supervisor, NTUA Chinle District  
Rhonda Lomakema, Customer Service Supervisor, NTUA Chinle District  
Janice Harvey, Project Supervisor, NTUA Chinle District  
Alfred Dugi, Field Superintendent, NTUA Chinle District  
Antony Davison, Natural Gas Manager, NTUA-HQ Natural Gas Division  
NTUA HQ - Natural Gas Division File

En: NTUA Natural Gas Design, 7/10/23  
Fuel Gas Piping Affidavit

# NAVAJO TRIBAL UTILITY AUTHORITY

## NATURAL GAS DEPARTMENT

### GLADYS JONES NEW GAS SERVICE LINE EXTENSION

LOCATION: GANADO, AZ

PROJECT I.D. NO. \_\_\_\_\_  
COMPLETION DATE: \_\_\_\_\_



P.O. BOX 170

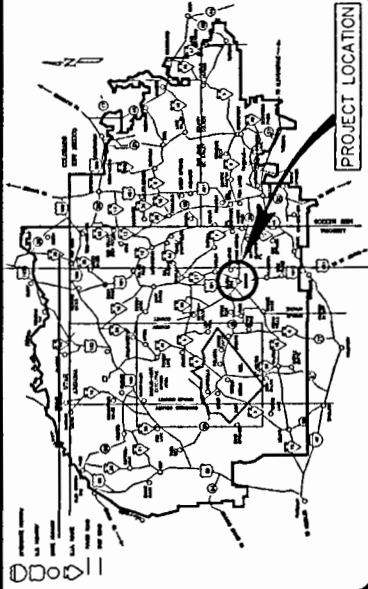
FT. DEFANCE, ARIZONA 86504

PH: (928) 729-5721 FAX: (928) 729-2135

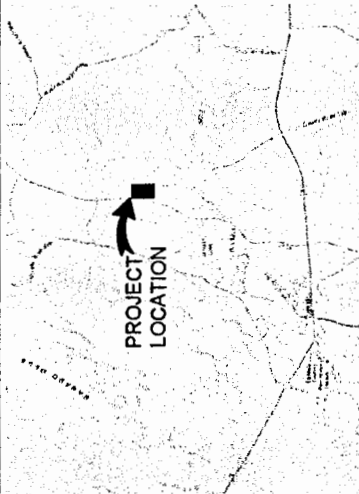
#### GENERAL NOTES:

1. ALL MATERIALS AND WORKMANSHIP SHALL COMPLY WITH NTUA TECHNICAL SPECIFICATIONS FOR WORKMANSHIP AND MATERIALS FOR NATURAL GAS FACILITIES (2004).
2. NATURAL GAS FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH MOST RECENT VERSION OF UNIFORM PLUMBING CODE (2015) AND UNIFORM MECHANICAL CODE (2015).
3. NATURAL GAS STUB-OUT SHALL COMPLY WITH NTUA DETAIL 2-150.
4. UNLESS OTHERWISE SPECIFIED BY CUSTOMER'S WRITTEN NOTICE, STANDARD DELIVERY SHALL BE 4 OUNCES PER SQUARE INCH (7 INCHES WATER COLUMN) AND NOT EXCEED 275 CUBIC FEET PER HOUR.
5. CUSTOMER SHALL PROVIDE NTUA WRITTEN NOTICE SPECIFYING INCREASE/DECREASE IN CUSTOMER'S TOTAL CONNECTED LOAD AND/OR DELIVERY PRESSURE SHOULD IT BE REQUIRED.
6. NTUA FLEX GAS PIPING, AFFORDANT OF COMPLIANCE FORM MUST BE CERTIFIED BY LICENSED JOURNEYMAN PIPEFITTER OR PLUMBER PER UNIT.
7. MODULAR UNITS SHALL BE PERMANENTLY SET PRIOR TO PRESSURE TEST.
8. LICENSED JOURNEYMAN PIPEFITTER OR PLUMBER MUST BE PRESENT AND PARTICIPATE IN ACTIVATION OF EACH NATURAL GAS METER. MINIMUM 72 HOUR NOTICE REQUIRED.
9. NATURAL GAS FACILITIES BEFORE THE METER WILL BE CONSTRUCTED BY NTUA. SCHEDULING OF CONSTRUCTION WILL COMMENCE AFTER NTUA RECEIVES 95% GRADING CERTIFICATION FROM PROJECT AND FINANCIAL COMMITMENT FROM OWNER. a. 85% GRADING CERTIFICATION MUST BE CERTIFIED BY REGISTERED LAND SURVEYOR.
10. b. 85% GRADING COMPLIANCE REQUIRED ALONG PATH OF NATURAL GAS EASEMENT/ROW ONLY.
11. NTUA NATURAL GAS DEPARTMENT MAY BE CONTACTED AT (928) 729-4701 REGARDING SCHEDULING, ENGINEERING, CONSTRUCTION, AND PROJECT MANAGEMENT.
12. CALL 811 AND NTUA (800) 528-5011 BEFORE YOU DIG. MINIMUM 72 HOUR NOTICE REQUIRED.

REGIONAL MAP (NOT TO SCALE)



VICINITY LOCATION (NOT TO SCALE)



SHEET INDEX

NO.	SHEET TITLE
1.	COVER SHEET: PROJECT INFORMATION, REGIONAL MAP & SHEET INDEX
2.	PLAN DESIGN
3.	DETAILS
4.	DETAILS

DRAWN BY: AVW  
CHECKED BY:  
DATE: 7/10/23  
FILE NAME:

EXHIBIT

B

CALL BEFORE YOU DIG  
IT'S FREE!  
CALL 1-800-528-5011



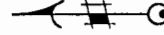
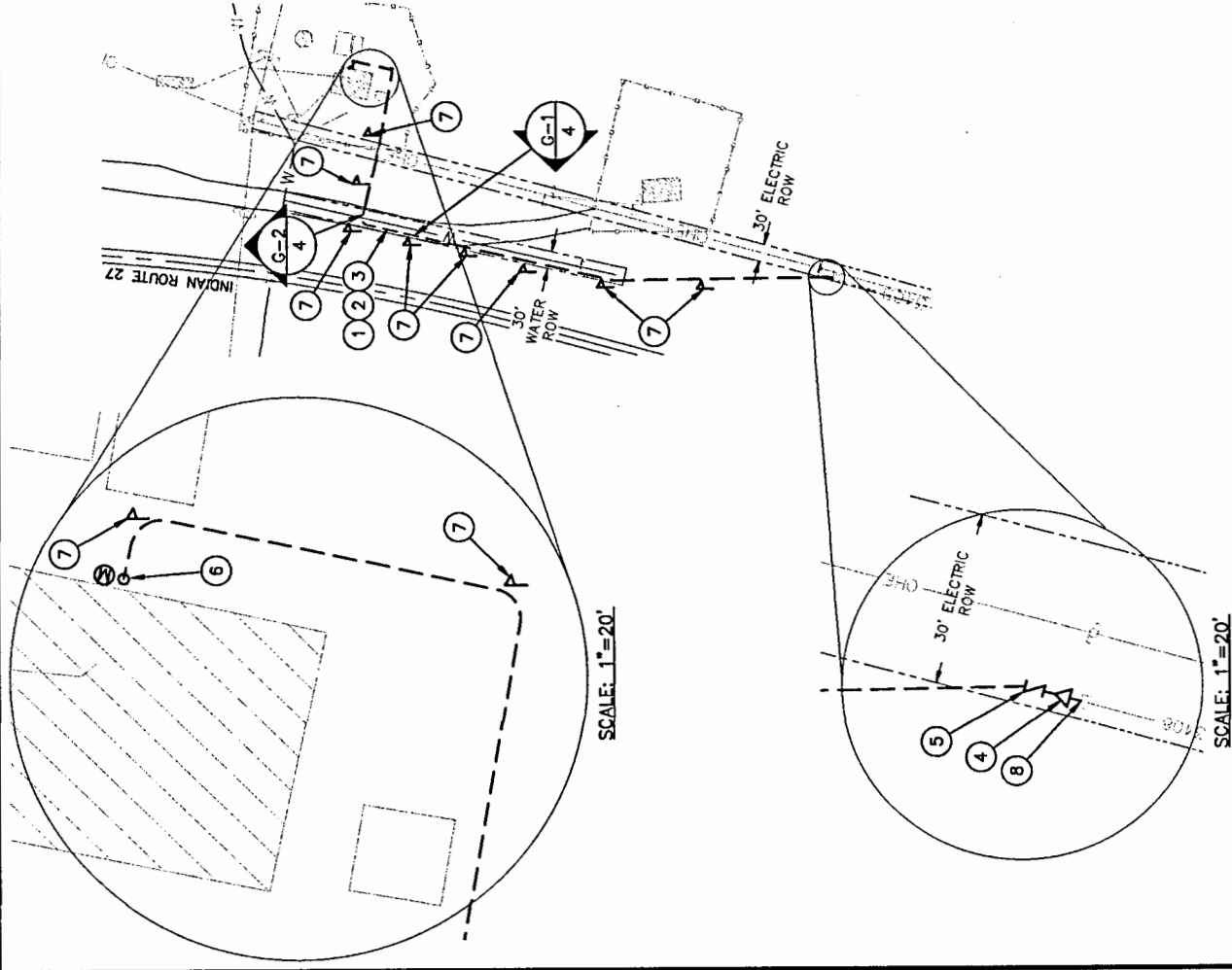


# LEGEND:

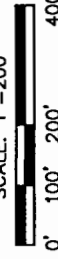
- PROPOSED PE GAS LINE
- END CAP
- REDUCING COUPLING PERMASERT
- PROPOSED SHORTSTOP
- TRANSITION
- PROPOSED TAP TEE PERMASERT
- EXCESS FLOW VALVE
- CARSONITE SIGN
- EXISTING UTILITY POLE
- EXISTING WATER LINE
- EXISTING ELECTRIC OVERHEAD LINE
- W --- EXISTING SEWER LINE
- SS --- EXISTING GAS LINE
- 2" PE 3408 --- EXISTING GAS LINE

# CONSTRUCTION NOTES:

1. INSTALL (1,145 LF) 1" 3408 POLYETHYLENE PIPE YELLOW STRIPE 8300 SERIES PER STANDARD DETAIL 2-011.
2. INSTALL (1,157 LF) #12 YELLOW TRACING WIRE PER STANDARD DETAIL 2-011.
3. INSTALL (1,145 LF) YELLOW WARNING TAPE PER STANDARD DETAIL 2-011.
4. INSTALL (1 EA) REDUCING COUPLING PERMASERT 2" IPS X 1" IPS.
5. INSTALL (1 EA) 1" EXCESS FLOW VALVE-400 CFH.
6. INSTALL (1 EA) 1" ANODELESS RISER, INSTALL (1 EA) 1" BLACK AND STOP GAS INSULATED, (1 EA) 1" BLACK MALLEABLE PLUG, (1 EA) YELLOW WRENUT ELECTRIC CONNECTOR PER STANDARD DETAIL 2-300.
7. INSTALL (1 EA) YELLOW CARSONITE MARKERS WITH (1 EA) YELLOW WARNING DECALS PER STANDARD DETAIL 2-011.
8. REMOVE 2" BLIND END CAP 2" IPS.



SCALE: 1"=200'



NO.	DATE	REVISIONS	BY

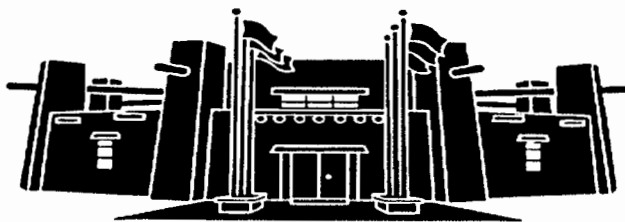
NAVAJO TRIBAL UTILITY AUTHORITY  
NATURAL GAS ENGINEERING DEPARTMENT  
P.O. Box 170 Fort Defiance, Arizona 86504-0170 Office: (928) 726-0275 Fax: (928) 726-0241

Drawn By: AVW		Date: 7/10/23	Scale: 1"=200'	Asst. File Name: Gladys S Jones 11117.dwg	Ext. File: 2" PE 3408	Ext. Pst: 35 PSI
Prop. Material: 1" PE	Prop. Type: Residential	Project: PGSD	Contribution: Start	End:	Sheet No: 2 of 4	
Total Conn. Load: 215 CFH	Total Conn. Load: 20%	Delivery Pressure: 7" WC	Regulator Size: 143-80	Meter Size: R-275	Meter MAOP: 5 PSI	Longitud: 109°30'00.0"W





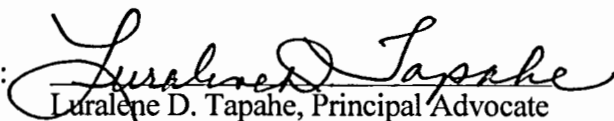




## MEMORANDUM

To : Hon. Vince James, Chairman  
Health, Education, and Human Services Committee  
25<sup>th</sup> Navajo Nation Council

From:

  
Luralene D. Tapahe, Principal Advocate  
Office of Legislative Counsel

Date: January 9, 2024

Subject: **AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$17,628 FROM THE SÍHASIN FUND TO NTUA FOR THE CONSTRUCTION OF A GAS SERVICE LINE EXTENSION FOR GLADYS JONES' RESIDENCE IN GANADO, ARIZONA; APPROVING THE RELATED EXPENDITURE PLAN**

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Pursuant to your request, the Office of Legislative Counsel has prepared the above-described proposed legislation. OLC finds this draft to be legally sufficient, but as with any action of the Navajo Nation government, it can be challenged under applicable laws.

You may assign this legislation to the appropriate committees, in accordance with your authority under Title 2 of the Navajo Nation Code.

Please review this legislation and all of its exhibits, to make sure that everything is satisfactory. You should contact me immediately if any edits are needed, or if you have any questions or other concerns. I can be reached at phone no. (928)871-7166 or by email at: [LuraleneTapahe@navajo-nsn.gov](mailto:LuraleneTapahe@navajo-nsn.gov)

Thank you for your patience.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0009-24\_

SPONSOR: Vince R. James

**TITLE: An Action Relating to the Resources and Development Committee, the Budget and Finance Committee, Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$17,628 from the Síhasin Fund to NTUA for the Construction of a Gas Service Line Extension for Gladys Jones' Residence in Ganado, Arizona; Approving the Related Expenditure Plan**

*Date posted:* January 11, 2024 at 12:16PM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.: 0009-24**

**SPONSOR: Honorable Vince R. James**

**TITLE: An Action Relating to the Resources and Development Committee, the Budget and Finance Committee, Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$17,628 from the Sihasin Fund to NTUA for the Construction of a Gas Service Line Extension for Gladys Jones' Residence in Ganado, Arizona; Approving the Related Expenditure Plan**

**Posted: January 11, 2024 at 12:16 PM**

**5 DAY Comment Period Ended: January 16, 2024**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Comments/Recommendations</b>	<i>None</i>



**Legislative Secretary II  
Office of Legislative Services**

**January 17, 2024 8:05 AM**

**Date/Time**