

LEGISLATIVE SUMMARY SHEET

Tracking No. 0137-19

DATE: May 22, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A BUDGET MODIFICATION IN THE AMOUNT OF \$400,000.00 TO NAVAJO TOURISM DEPARTMENT, BUSINESS UNIT 510003

PURPOSE: If approved, this resolution will approve a budget modification of \$400,000.00 for the Navajo Nation Department of Tourism.

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 to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 2B88
Website Posting Time/Date: _____
Posting End Date: 6.3.19
Eligible for Action: 6.4.19

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0137-19

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET AND
FINANCE COMMITTEES; APPROVING A BUDGET MODIFICATION IN THE
AMOUNT OF \$400,000.00 TO NAVAJO TOURISM DEPARTMENT,
BUSINESS UNIT 510003

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Department of Tourism is within the Division of Economic Development. The Resources and Development Committee serves as the oversight committee for the Division of Economic Development. 2 N.N.C § 501 (C)(1).
- B. The Navajo Nation Tourism Fund Management Plan indicates that, “[a]n annual budget and expenditure plan for the Navajo Nation Tourism Fund shall be prepared for review and recommended for approval by the Economic Development Committee [now Resources and Development Committee] and Budget and Finance Committee of the Navajo Nation Council through the annual budget process.” Navajo Nation Tourism Fund Management Plan, Exhibit D, Section 6. Annual Budget/Expenditure Plan.

- 1 C. A budget modification is an increase or decrease to an existing business unit budget in a
2 previously approved budget. Budget modifications require oversight approval, unless it is
3 a prior approval of carryover funds. This budget modification does not involve carryover
4 funds so oversight approval is required. Navajo Nation Budget Instruction Manual, Fiscal
5 Year 2018, Section XIII(C)(1)(c).
- 6 D. The Tourism Fund Management Plan indicates the committees with legislative oversight
7 of the Tourism Fund are the Resources and Development Committee and the Budget and
8 Finance Committee. Navajo Nation Tourism Fund Management Plan, Section 9.
9

10 **SECTION TWO. FINDINGS**

- 11 A. The Navajo Nation enacted the Hotel Occupancy Tax, 24 N.N.C. §§ 701 et. seq.
- 12 B. The Hotel Occupancy Tax ("HOT") is retained in the Navajo Nation Tourism Fund.
13 Consistent with Navajo laws utilizing the prudent person rule, the HOT shall be
14 applied for the advancement of tourism promotion and to develop projects throughout
15 the Navajo Nation, 24 N.N.C. §741(A).
- 16 C. The Navajo Nation Tourism Department has requested a budget modification to
17 Business Unit # 510003, in the amount of \$400,000.00 to match the Shiprock Chapter
18 funds for construction of the Visitors Center. Budget forms supporting this request
19 are attached as **Exhibit A**.
- 20 D. The Navajo Nation Office of the Controller has determined funds are available in the
21 Navajo Nation Tourism Fund. A Memorandum from Robert Willie, Office of the
22 Controller, is contained in **Exhibit B**, along with the rest of the documents that are
23 part of the Executive Branch 164 review.
- 24 E. The Navajo Nation Tourism Fund Management Plan as approved in BFO-56-93
25 (Exhibits A, B and C omitted) is attached as **Exhibit C**.
26

27 **SECTION THREE. APPROVAL**

28 The Navajo Nation hereby approves the budget modification increasing Business Unit #
29 510003, in the amount of \$400,000.00 in accordance with **Exhibit A**.
30

1 **SECTION FOUR. DIRECTIVE TO THE OFFICE OF THE CONTROLLER**

2 The Office of the Controller is directed to make the modifications to the Navajo Tourism
3 Department Fund, Business Unit # 510003 in accordance with the budget documents
4 contained in **Exhibit A**.

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 12
BUDGET FORM 1

Business Unit No.: 510003 Program Title: Tourism Department Division/Branch: Economic Development

Prepared By: Arval T. McCabe Phone No.: 928-810-8501 Email Address: arvaltmcabec@discovernavajo.com

PART II. FUNDING SOURCE(S)	Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
Hotel Occupancy Tax	10/01/2018-09/30/2019	\$400,000	100%	2001 Personnel Expenses	5			
				3000 Travel Expenses	5			
				3500 Meeting Expenses				
				4000 Supplies	5			
				5000 Lease and Rental	5			
				5500 Communications and Utilities	5			
				6000 Repairs and Maintenance	5			
				6500 Contractual Services	5			
				7000 Special Transactions	5			
				8000 Public Assistance				
				9000 Capital Outlay	5	400,000		\$ 400,000.00
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$400,000		\$ 400,000.00

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	6	6
Total # of Permanently Assigned Vehicles:	1	1

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

Arval T. McCabe
SUBMITTED BY: Program Manager's Printed Name
Arval T. McCabe
SUBMITTED BY: Program Manager's Signature and Date
EES - 5 2019
APPROVED BY: Division Director/Branch Chief's Printed Name
Sean McCabe
APPROVED BY: Division Director/Branch Chief's Signature and Date
1/5/19

MANAGEMENT & BUDGET
NAVAJO NATION

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:

Business Unit No.: 510003

Program Name/Title: DED/Tourism Department

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

GSCAP-12-07: The Department is established to promote and develop tourism related business thereby creating jobs and business opportunities.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal		Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Develop tourism related projects, prerequisite planning and development activities.

Program Performance Measure:

Complete development requirement per project i.e., feasibility studies, surveys, EA archaeological clearances.

2. Goal Statement:

Complete and execute contract for blue prints of new building project.

Program Performance Measure:

Complete and prepare the site plans for the new building development for business site

3. Goal Statement:

0		0		0		1	
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Program Performance Measure:**4. Goal Statement:****Program Performance Measure:****5. Goal Statement:****Program Performance Measure:****PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**

Arval T McCabe

Program Manager's Printed Name


 Program Manager's Signature and Date

FEB - 5 2019

Sean McCabe

Division Director/Branch Chief's Printed Name


 Division Director/Branch Chief's Signature and Date
OFFICE OF MANAGEMENT & BUDGET
NAVAJO NATION


THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: _____

DED/Tourism Department

Business Unit No.: _____

510003

PART II. DETAILED BUDGET:

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	9000 CAPITAL OUTLAY		400,000
9020	INFRASTRUCTURE Construction of infrastructure (water, sewer, power, gas, phone, data lines, roads) to serve commercial, industrial and other economic	120,000	
	.9036 Communications .9038 Waterlines .9040 Powerlines .9042 Water/Wastewater	\$40,000 \$40,000 \$40,000 \$40,000	
9050	BUILDING Construction in Progress	280,000	
	TOTAL	400,000	400,000

Document No. 011811

Date Issued: _____


**SECTION 164 REVIEW FORM**Title of Document: NNTourism - Budget Draw Down Contact Name: MCCABE, ARVAL T.Program/Division: DIV. OF ECONOMIC DEVELOPMENTEmail: ✓arvakmccabe@discovernavajo.com Phone Number: (928) 810-8510Division Director Approval for 164A: 

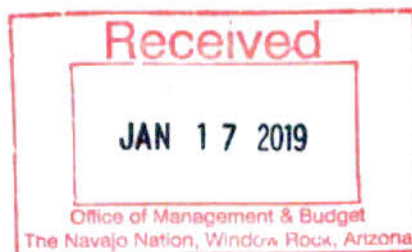
Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input type="checkbox"/>	Statement of Policy or Positive Law:		Sufficient	Insufficient
	1. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
	1. OMB: <u>DBagel - See Memo</u>	Date: <u>1-25-19</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	2. OOC: <u>Kevin</u>	Date: <u>2-14-19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	3. OAG: <u>UB</u>	Date: <u>2/25/19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input checked="" type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: <u></u>	Date: <u>1/15/19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. OMB: <u>DBagel</u>	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: <u>UB</u>	Date: <u>2/25/19</u>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: <u>BIOS & I HAL</u>	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>





NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
2/19/19 @ 2:30p	
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
DOC #:	011811
SAS #:	
UNIT:	ECDW

☐ 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:	2/19/2019	DIVISION:	Of Economic Development
CONTACT NAME:	Arval T. McCabe	DEPARTMENT:	Tourism
PHONE NUMBER:	810-8510	E-MAIL:	Click here to enter text.

TITLE OF DOCUMENT: Review NN Tourism - Budget Draw Down

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 2/19/19 @ 3:56 REVIEWING ATTORNEY/ADVOCATE: Adjua Adjei-Danso

DATE TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

Legally sufficient

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
Adjua Adjei-Danso	20 Feb '19; 4:15 PM	[Signature]	2/25/19 3:54

DOJ Secretary ^{Emailed} Called: Arval McCabe for Document Pick Up on 2/25/19 at 4:55 By: Ao

PICKED UP BY: (Print) DATE / TIME:

NNDOJ/DRRF-July 2013



THE NAVAJO NATION


JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

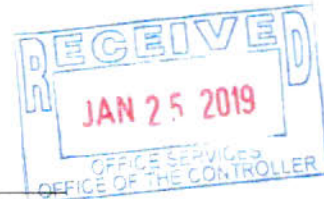


January 25, 2019

MEMORANDUM:

TO : Robert Willie, Accounting Manager
OFFICE OF THE CONTROLLER

FROM : 
Arval T. McCabe, Department Manager I
Tourism Department
DIVISION OF ECONOMIC DEVELOPMENT



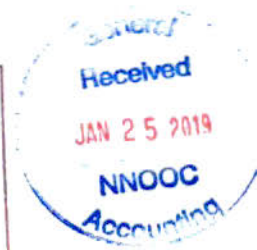
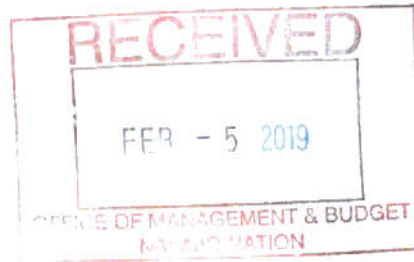
SUBJECT : 164 Review-011811-Budget Drawdown Acct#510004 into 510003

I am requesting your assistance in confirming that the drawdown budget amount is correct for account 510004 into 510003 in the amount of \$400,000.00. The requested matching funds is for the Shiprock Visitor Center project. I reviewed the FMIS system account 510004 and find that there is a little over \$400k in this account to complete this project.

Your assistance to reconsider this drawdown approval is greatly appreciated. If you have any questions, contact me at extension 8501.

ATTACHEMENTS

xc: File




THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : Executive Order 164 Process Reviewers

FROM : 
Lisa Jymm, Principal Budget Analyst
Office of Management & Budget

DATE : January 25, 2019

SUBJECT : OMB Review of 164 Document #11811: Navajo Nation Budget Draw Down.

The Office of Management and Budget reviewed above documents according to the 164 review process and the following are noted:

1. The packet states a Budget Draw Down for the Navajo Nation Tourism Program which is funded by the Hotel Occupancy Tax (HOT). What exactly is the program requesting? A memo should be attached explaining this budget package.
2. The Budget Form 1 attached was corrected to include the program's Fiscal Year 2019 budget, this correction was done in red ink.
3. A memo from Office of the Controller is needed to determine if there are enough funds in Division of Economic Development's Hotel Occupancy Tax to support this proposal, if the program is requesting an increase in their special revenue allocation.
4. If the program is requesting an increase in their special revenue allocation, this review needs to be changed to a 164 (A) review as it is a budget amendment/modification to their current budget. This would also require approval by the oversight committee, in this case, Resources and Development Committee.

OMB recommends that this packet be corrected and explained before further review. For further information regarding this review, contact Lisa Jymm at (928) 871-6230.

CONCURRENCE:



Dominic Beyer, Executive Director
Office of Management and Budget

xc: Anthony Perry, Acting Division Director, DED
Arval McCabe, Program Manager, Tourism Dept.



THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

February 11, 2019

DBeyal
2-12-19

TO : Dominic Beyal, Executive Director
Office of Management and Budgets

FROM : *Arval T McCabe*
Arval T McCabe, Department Manager I
Tourism Department
DIVISION OF ECONOMIC DEVELOPMENT

SUBJECT : **Budget Draw Down in the Amount of \$400,000**

The Navajo Division of Economic Development, Tourism Department, is requesting a drawdown in the amount of \$400,000 to match the Shiprock Chapters funds of \$425,000 for the development of the Visitors Center. This drawdown request is in addition to the already approved FY 2019 budget. The approved drawdown amount by Mr. Robert Willie of Navajo OOC is also stated on the 164 document.

Your assistance to my request is appreciated. If more information is needed, please do not hesitate to call me direct at 928-871-7392. Thank you.

ATTACHMENT

XC: File

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

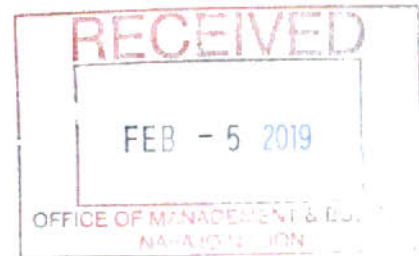
Memorandum:

To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government

From: *Robert Willie*
Robert Willie, Accounting Manager
Office of the Controller

Date: January 31, 2019

Subject: 164 Review-011811-NNTourism-Budget Draw Down



The Office of the Controller has reviewed the above referenced document.

1. The fund balance of the Tourism Fund is \$3,613,566 as of December 31, 2018.
2. This funding request is in the amount of \$400,000 to matching funds for the Shiprock Visitor Center.
3. Business Unit 510003 is the Tourism Program. Recommendation would be to have a separate business unit established for the Shiprock Visitor Center project under Tourism to track the expenses.

If you should have any questions you can contact me at tribal extension X6125

NAVAJO NATION OFFICE OF THE CONTROLLER

P.O.BOX 3150 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6398 · FAX: (928) 871-6026

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO: Dominic Beyer, Executive Director
Office of Management and Budget

THRU: Robert Willie
Robert Willie, Accounting Manager
Office of the Controller

FROM: Shani Francis
Shani Francis, Associate Accountant
General Accounting Section
Office of the Controller

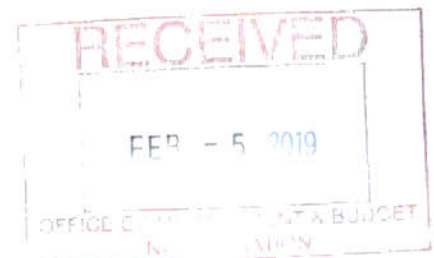
DATE: February 1, 2019

SUBJECT: 164 Review 011811 – Budget Drawdown Acct#510004 into 510003

The Office of Controller has reviewed the above referenced document.

After analyzing the fund, we determined there are additional funds available to cover the increase for the Shiprock Visitor Center project.

Should there be any questions, I can be reached at tribal extension 6125.



REVISED: Enterprise Funds, Internal Service Funds, Proprietary Funds
Revenue Projection FY 2019

Account Number	Program/Title		FY 2019 RECOMM. LIMITS
901001	Nav Nation Code Enterprise Fund	EF	60,000
907001	Home Loan Program	EF	450,000
907002	Personal Loan Program	EF	420,000
910005	Kangan Professional Office	EF	257,000
912001	Employee Housing Program	EF	945,000
914001	Veterans Loan Program	EF	15,000
915001	Park and Recreation	EF	8,500,000
915003	Tribal Ranch Program	EF	700,000
915008	Fish & Wildlife Enterprise	EF	800,000
915009	Livestock Custody Fund	EF	60,000
915010	Fourth of July Celebration	EF	100,000
915011	Annual Navajo Nation Fair Fund	EF	700,000
915013	Veterinary Medical Sales	EF	200,000
915014	Colorado Ranch Fund	EF	795,000
807001	Office Supply Center	ISF	220,000
812002	Air Transportation	ISF	800,000
812003	Fleet Management	ISF	22,978,250
812004	Duplicating Services	ISF	800,000
812009	Property & Casualty/RM	ISF	9,347,132
812016	Employee Benefit Program	ISF	600,000
812017	Group Health Self-Insurance	ISF	18,500,000
812018	Navajo Transit System	ISF	60,000
109006	Office of NN Library	GF	-
109021	Tuba City Laundry Project	GF	-
114003	Broadcast Services	GF	18,000
114004	Office of Labor Relations	GF	-
114018	Office of Background Investigation	GF	22,500
115017	HPD-NN Museum	GF	200,000
115026	Navajo Animal Control	GF	50,000
115040	Agriculture Inra Invest	GF	17,464,000
117010	Day Care-Chinle	GF	55,000
117011	Day Care-Ft Defiance	GF	70,000
117012	Day Care-Shiprock	GF	15,000
120001	Nav Nation Gaming Regulatory	GF	350,000
121002	Nav Dept. Of Highway Safety	GF	42,000
N01307	NN Fire and Rescue-Twin Arrows	GF	75,500
503043	Nav-Hopi Land Commission	SRF	-
507010	DPS-Special Revenue Gaming	SRF	732,000
509010	Sales Tax Scholarship Dist	SRF	3,641,915
510003	PDD - Tourism Department	SRF	400,000
511007	Hazardous Substance Fund	SRF	-
514001	NOSHA	SRF	-
703001	Nav-Hopi Escrow Bennett Freeze	SRF	-
NEW	Sales Tax-Fire and Rescue	SRF	7,739,000
GRAND TOTAL:			98,182,297

EF- ENTERPRISE FUND
ISF- INTERNAL SERVICE FUND
SRF- SPECIAL REVENUE FUND
GF- GENERAL FUND

* Based on submittal of premiums from Depts

Prepared by:



Shani Francis, Associate Accountant

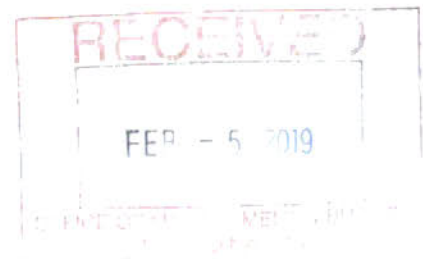
Approved by:



Pearlina Kirk, Controller

DATE

February 1, 2019



Class "C" Resolution
No BIA Action Required.

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

Approving the Navajo Nation Tourism Fund Management Plan
to be Administered by the Navajo Tourism Department,
Division of Economic Development

WHEREAS:

1. Pursuant to 2 N.T.C., Section 372 (1), the purpose of the Budget and Finance Committee of the Navajo Nation Council is to coordinate, oversee and regulate the fiscal, financial, investment, contracting and audit policies of the Navajo Nation; and
2. Pursuant to 2 N.T.C., Subsection 372 (4), the Budget and Finance Committee of the Navajo Nation Council was established to protect the interests of the Navajo people through the prudent management of the financial reserves of the Navajo Nation and the efficient use of funds available for expenditure by the Navajo Nation; and
3. Pursuant to CMA-28-93, Exhibit "E", B. Conditions of Appropriations and Expenditures, paragraph 4, the Budget and Finance Committee is authorized to review and approve revolving accounts for approved Navajo Nation Branches, Divisions, Departments and Programs upon recommendation of the appropriate oversight committee; and
4. On July 30, 1992, the President of the Navajo Nation signed into law the Hotel Occupancy Tax, 24 N.T.C. Section 700 et. seq., (Exhibit "C"), which became effective on January 1, 1993. The resolution of the Navajo Nation Council is attached hereto as Exhibit "C"; and
5. 24 N.T.C. Subsection 741 provides that the tax imposed shall be retained in a special fund entitled the "Navajo Nation Tourism Fund" which shall be administered by the Navajo Tourism Department and applied for the advancement of local tourism promotion, tourism department operational funds, and to develop projects throughout the Navajo Nation; and
6. The Navajoland Tourism Department has developed the Navajo Nation Tourism Fund Management Plan; and

7. The Economic Development Committee has reviewed the Navajo Nation Tourism Fund Management Plan favorably as reflecting the intent of the Hotel Occupancy Tax 24 N.T.C. Subsection 700 et seq. (Exhibit "B"); and

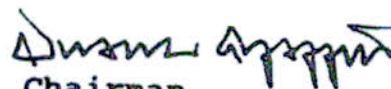
8. Pursuant to Resolution EDCAU-72-93 as attached hereto as Exhibit "E", the Economic Development Committee recommended to the Budget and Finance Committee, the approval of the Navajo Nation Tourism Fund Management Plan; and

NOW THEREFORE BE IT RESOLVED THAT:

The Budget and Finance Committee of the Navajo Nation Council hereby approves the Navajo Nation Tourism Fund Management Plan to be administered by the Navajo Tourism Department within the Division of Economic Development.

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 at Window Rock, Navajo Nation, (Arizona), at which a quorum was present and that same was passed by a vote of 7 in favor, 0 opposed, and 0 abstained, this 5th day of October, 1993.



Chairman
Budget and Finance Committee

Motioned by: Edward T. Begay
Seconded by: Eula Yazzie

Navajo Nation Tourism Fund Management Plan

Section 1 - Authority

The President of the Navajo Nation signed into law the Hotel Occupancy Tax, 24 N.T.C. 700-Resolution CJY-27-92 et seq., which became effective January 1, 1993.

These revenues will be retained in a special fund entitled "Navajo Nation Tourism Fund" which will be administered by the Navajo Tourism Department.

This tax shall be administered by the Navajo Tourism Department, and which shall, consistent with the laws of the Navajo Nation and utilizing the prudent person rule, be applied for the advancement of local promotion, and to develop projects throughout the Navajo Nation. The Division of Economic Development and the Navajo Tourism Department are hereby authorized to develop and recommend to the Budget and Finance Committee of the Navajo Nation Council the fund's management plan.

Section 2 - Purpose

The purpose of the Navajo Nation Tourism Fund is to provide funds for tourism promotion, tourism department operational funds; and for project development which includes the following, but is not limited to: the advertisement of Navajo people, scenery and facilities and for acquisition, construction, renovation and maintenance of tourism-related attractions and recreational facilities.

Section 3 - Objective

To promote a positive image and develop infrastructure that will make the Navajo Nation more accommodating. This will increase visitation on the Navajo Nation and maintain tourism dollars to create job opportunities for the Navajo people and escalate the Navajo Nation economy.

Section 4 - Program Administration

The Navajo Tourism Department shall propose, develop, and administer all tourism-related projects which require the use of this fund.

Section 5 - Use of Tax Proceeds

The tax proceeds will be utilized for local tourism promotion and project development, which will include, but not be limited to: multi-media advertising and for the development of tourism-related facilities and projects.

Section 6 - Annual Budget/Expenditure Plan

- A. An annual budget and expenditure plan for the Navajo Nation Tourism Fund shall be prepared for review and recommended for approval by the Economic Development Committee and Budget and Finance Committee of the Navajo Nation Council through the annual budget process.
- B. The plan shall include detailed projections of revenues for the coming fiscal year and detailed line item expenditures shall be processed as a budget justification and processed through normal tribal policy and procedures for review and approval.
- C. Carry-over funds shall remain in the Navajo Nation Tourism Fund Account to be used for the following year pursuant to an approved budget by the Navajo Nation Council. The revenues are credited against the expenditures and each year the balance in the account carries over into the following year without further action.

Section 7 - Accounting, Expenditure Control and Responsibility

- A. All funds received from the Navajo Nation Tourism Fund will be deposited through the Financial Services Department to the Cashiers Section within the Division of Finance.
- B. Expenditures within the Navajo Nation Tourism Fund will utilize the prudent person rule and will be in accordance with all normal tribal policies and procedures.
- C. Disbursement authorizations shall be signed by the Navajo Tourism Department director or delegated authority and the executive or deputy director of the Division of Economic Development.
- D. No expenditure shall be used for any illegal purpose or for the purpose of making political contributions to any candidate or for the purpose of making contributions to any individual, group, or organizations, whether for profit or on a non-profit basis.

Section 8 - Audits and Reports

- A. Accounting books for the Navajo Nation Tourism Fund shall be subject to periodic audits in conjunction with the regular tribal audit performed on all of the financial records of the Navajo Nation.
- B. The Navajo Tourism Department and Support Services directors within the Division of Economic Development shall make periodic written reports to the Economic Development and Budget and Finance Committees of the Navajo Nation Council on the status of the Navajo Nation Tourism Fund.

Section 9 - Legislative Oversight

- A Pursuant to 2 N.T.C., Section 724 (g), the Economic Development Committee of the Navajo Nation Council shall serve as the oversight committee of the Division of Economic Development including those activities which deal with the planning, development, promotion and oversight of economic development activities.
- B Also, pursuant to 2 N.T.C., Section 374 (b) (1), and (b) (8), the Budget and Finance Committee shall review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds, including requiring reports from and to monitor the financial performance of all offices, divisions, departments, enterprises, authorities, committees, boards, commissions, or entities having oversight or control over fiscal matters or financial obligations to the Navajo Nation.

Section 10 - Amendments

The Division of Economic Development and the Navajo Tourism Department are authorized to develop and make recommendations to amend the Navajo Nation Tourism Fund's management plan to the Budget and Finance Committee of the Navajo Nation Council.

EDCAU-72-93

RESOLUTION OF THE
ECONOMIC DEVELOPMENT COMMITTEE
OF THE NAVAJO NATION COUNCIL

Recommending to the Budget and Finance Committee,
the Approval Navajo Nation Tourism Fund Management Plan
To Be Administered By the Navajo Tourism Department,
Division of Economic Development

WHEREAS:

1. Pursuant to 2 N.T.C. Section 721, the Economic Development Committee of the Navajo Nation Council is established and continued as a standing committee of the Navajo Nation Council; and
2. Pursuant to 2 N.T.C. Section 724 (d) and (g), the Economic Development Committee of the Navajo Nation Council is the oversight authority for the Division of Economic Development with the authority to review and approve all proposed economic development projects which require the use of Navajo Nation funds; and to be the central point of contact for all economic development matters; and
3. Pursuant to 2 N.T.C. Section 724 (f), the Economic Development Committee of the Navajo Nation Council is authorized, in consultation with the Navajo Tax Commission, to make recommendations to the Navajo Nation Council regarding all taxation proposals affecting business or commercial activities, attached hereto as Exhibit "A"; and
4. On July 30, 1992, the President of the Navajo Nation signed into law the Navajo Nation Hotel Occupancy Tax, 24 N.T.C. Subsection 700 et. seq., (Exhibit "C") to become effective January 1, 1993; and
5. 24 N.T.C. Subsection 741 provides that the tax imposed shall be retained in a special fund entitled the "Navajo Nation Tourism Fund", which shall be administered by the Navajo Tourism Department and applied for the advancement of local tourism promotion and to develop projects throughout the Navajo Nation; and
6. The Navajo Tourism Department has developed a Navajo Nation Tourism Fund Management Plan (Exhibit "D"); and
7. The Economic Development Committee of the Navajo Nation Council has reviewed the Navajo Nation Tourism Fund Management Plan as reflecting the intent of the Hotel Occupancy Tax, 24 N.T.C. Subsection 700 et seq., attached hereto as Exhibit "B".

NOW THEREFORE BE IT RESOLVED THAT:

The Economic Development Committee of the Navajo Nation Council hereby recommends to the Budget and Finance Committee of the Navajo Nation Council, the approval of the Navajo Nation Tourism Fund Management Plan, attached hereto and incorporated herein as Exhibit "D".

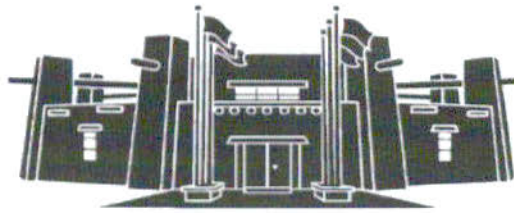
CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Economic Development Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 6 in favor, 0 opposed and 0 abstained, this 11th day of August 1993.



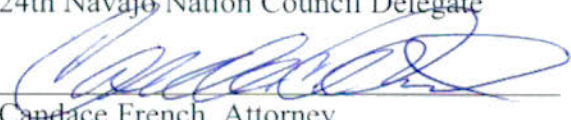
David L. John, Chairperson
Economic Development Committee

Motion: Emmett Bia
Second: Herbert Pioche



MEMORANDUM

TO: Honorable Nathaniel Brown
24th Navajo Nation Council Delegate

FROM: 
Candace French, Attorney
Office of Legislative Counsel

DATE: May 22, 2019

RE: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT
AND BUDGET AND FINANCE COMMITTEES; APPROVING A
BUDGET MODIFICATION IN THE AMOUNT OF \$400,000.00 TO
NAVAJO TOURISM DEPARTMENT, BUSINESS UNIT 510003

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews 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).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.