

LEGISLATIVE SUMMARY SHEET

Tracking No. 0171-20

DATE: August 12, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT FUNDING YEAR FOR MANY FARMS CHAPTER

PURPOSE: The purpose of this resolution is approve a project change for Many Farms Chapter from funding year 2 to funding year 3.

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: Johnson
Website Posting Time/Date: 5:10pm 08-12-20
Posting End Date: 08-17-20
Eligible for Action: 08-18-20

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24TH NAVAJO NATION COUNCIL—Second Year, 2020

INTRODUCED BY

Kee Allen Begay Jr
Primary Sponsor

TRACKING NO. 0171-20

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND
FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN
RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT
FUNDING YEAR FOR MANY FARMS CHAPTER

BE IT ENACTED:

Section One. Authority

1. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).
2. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301 (B)(2).
3. Council Resolution CAP-35-18 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 Sihasin Funding for the District does not exceed \$4,166,666.67.” **Exhibit 1**, Section Four, Paragraph C.

1 **Section Two. Findings**

2 A. The Navajo Nation Council adopted Council Resolution CAP-35-18, "Adopting the
3 Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14,
4 as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12
5 N.N.C. §§ 810 (F), 820 (I) and (M) and 860 (C) Relating to the Capital Budget and
6 Capital Improvement Process" on April 17, 2018, which is attached as **Exhibit 1**.

7 B. Many Farms Chapter submitted a CAP-35-18 Project Change Form, which is attached as
8 **Exhibit 2**. For reference, the Many Farms project is included in **Exhibit 1**, Exhibit D,
9 Project 11.

10 C. Many Farms Chapter submitted a chapter resolution, MF-10-11-2019, which is included
11 in **Exhibit 3**, along with a Market Study Proposal, in support of this request.

12 D. Many Farms Chapter requests to change the approved funding year in CAP-35-18 to
13 delete \$265,000 from year two funding in project D-11 and to add \$265,000 in year
14 three funding.

15
16 **Section Three. Approval**

17 The Navajo Nation hereby approves the project change requested by Many Farms
18 Chapter in accordance with **Exhibit 2**.

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; 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 BUDGET AND CAPITAL IMPROVEMENT PROCESS

BE IT ENACTED:

Section One. Authority

- A. The Health Education and Human Services Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving health, social services, education, general governmental services and human services. 2 N.N.C. §400 (C) (1).
- B. The Resource Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communications and utilities, information technology, chapter activities, economic and community development, rights-of-way, public utilities and housing. 2 N.N.C. § 500 (C).
- C. 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).
- D. The Naabik'íyáti' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164 (A) (9).
- E. The Naabik'íyáti' Committee additionally has the authority to delegate its authority as appropriate for efficiency and streamlining of government process to appropriate entities

and to establish a subcommittee that consists of committee members which the committee selects. 2 N.N.C. §§ 186 and 701 (B). The Naabik'iyáti' Committee adopted NABIAP-20-15 establishing the Naabik'iyáti' Síhasin Fund Subcommittee to "recommend to the Naabik'iyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund]".

- F. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

Section Two. Findings

- A. On November 1, 2006, the 20th Navajo Nation Council unanimously passed Resolution No. CN-57-06 authorizing the Navajo Nation Attorney General to file a lawsuit against the United States for the alleged breach of its fiduciary duties to the Nation arising under treaties, executive orders, public laws, statutes, regulations and contracts due to its mismanagement of the Nation's tribal trust assets, including tribal trust funds and select tribal resources, specifically excluding water and assets held in trust for individual Navajo members. Resolution No. CN-57-06 was signed into law by the President of the Navajo Nation on November 13, 2006.
- B. On September 26, 2013, the Naabik'iyáti' Committee of the Navajo Nation Council passed NABIS-42-13 creating a Trust Mismanagement Litigation Task Force ("Task Force"), composed of Council Delegates, from each agency and each standing committee, as well as Presidential appointees, to assist and consult with the Navajo Nation Office of the Attorney General, Department of Justice, outside legal counsel and the Office of the Navajo Nation President & Vice-President in evaluating whether any proposals put forth by the United States to settle the lawsuit, *Navajo Nation v. United States*, No. 06-945L, (United States Court of Federal Claims) were in the best interests of the Nation.
- C. On May 16, 2014, the United States made a settlement offer that was acceptable to the Nation's Attorney General, outside legal counsel, the Task Force and the Office of the President & Vice-President as being in the best interests of the Navajo Nation and on May 30, 2014, the 22nd Navajo

Nation Council adopted Resolution No. CMY-28-14 accepting a settlement of the Navajo Nation's lawsuit, *Navajo Nation v. United States*, No. 06-945L, against the United States for its historical mismanagement of the tribe's trust assets and its failure to ensure that the Navajo Nation received all funds due and owed under the United States' trust obligations and fiduciary duties. Resolution No. CMY-28-14 was signed into law by the President of the Navajo Nation on June 4, 2014.

- D. The 22nd Navajo Nation Council recognized that during the many decades that the United States was in breach of its trust obligations and fiduciary duties to the Nation and engaged in the mismanagement of the Nation's tribal trust assets and resources, the tribal government was without sufficient funds to provide basic services and amenities to the Diné of past generations. The tribal government was also without funds to develop an infrastructure within the four sacred mountains that would support the growth and development of opportunities crucial for the prosperity of future generations of Diné. See Resolution No. CMY-28-14.
- E. Between October 6, 2014 and November 8, 2014, the Office of the Speaker held seven (7) Public Hearings, as directed by the Navajo Nation Council's Naabik'iyati' Committee, to receive input from Navajo Nation members on how the net proceeds from *Navajo Nation v. United States* should be used. During that same time period, the Office of the President & Vice-President also held five (5) town hall meetings for a similar purpose.
- F. On December 13, 2014, in the best interests of the Nation and consistent with the collective wishes expressed by its members, the 22nd Navajo Nation Council adopted Resolution No. CD-68-14 enacting the Navajo Nation Breach of Trust Settlement Act of 2014 (hereinafter "2014 Act") and establishing the Navajo Nation Síhasin Fund at 12 N.N.C. § 2501 et seq. The President of the Navajo Nation signed Resolution No. CD-68-14 into law on December 31, 2014.
- G. On January 31, 2018, the 23rd Navajo Nation Council adopted Resolution No. CJA-03-18 enacting amendments to CD-68-14 clarifying the intent of the 22nd Navajo Nation Council, including that Síhasin Fund infrastructure projects were not to be limited by 12 N.N.C. § 1310(F) (Navajo Nation Bond Financing Act) or by TDCJY-77-99 (Capital Improvement Projects Guidelines Policies and Procedures).

Resolution No. CJA-03-18 was signed into law by the President of the Navajo Nation on February 8, 2018.

- H. The 2014 Act, as amended by CJA-03-18, mandates that the net proceeds and earnings thereon received by the Navajo Nation from the settlement of *Navajo Nation v. United States*, No. 06-945L, be deposited into the Síhasin Fund and managed and invested to provide financial support and/or financing for (1) the planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation; and/or (2) education opportunities for members of the Navajo Nation. See 12 N.N.C § 2501 and § 2502 (A), as amended.
- I. The 2014 Act, as amended, also established that "leveraging of the [Síhasin] Fund by way of guaranteeing loans, match funding, direct funding in part and other weighted uses of the Fund, including loan financing from the Fund for the purposes in § 2502 (A)(1), shall be favored over direct funding in whole". 12 N.N.C § 2502 (C), as amended.
- J. The 2014 Act further established that with the exception of outstanding and accrued litigation costs, Síhasin Fund Principal and Income shall only be expended pursuant to a Fund Expenditure Plan consistent with the purposes set forth in the 2014 Act, as amended, at 12 N.N.C. §2502 and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council. See 12 N.N.C. § 2505 (A).
- K. On April 9, 2015, the Naabik'íyáti' Committee adopted NABIAP-20-15 establishing the Naabik'íyáti' Síhasin Fund Subcommittee to "recommend to the Naabik'íyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund]".
- L. Between April 2015 and March 2018, the Subcommittee, assisted by the Office of Legislative Services, Office of the Speaker, Office of Legislative Counsel and outside legal counsel, met on more than thirty (30) occasions in either work sessions or official meetings to review and evaluate comments and recommendations from the Navajo

People; hear proposals from Navajo Nation entities, Chapters, programs and officials; and develop expenditure plan(s) for the Sihasin Fund Principal and Income consistent with the purposes set forth in the 2014 Act, as amended.

- M. After reviewing the comments and recommendations submitted during the Public Hearings and town hall meetings, as well as the reports and comments made during Sihasin Fund Subcommittee meetings, the Subcommittee determined that powerline projects and Chapter capital and economic development projects were a high priority for Navajo communities and that the funding of such projects would afford Navajo communities the opportunity to start and complete local projects currently stalled by the lack of sufficient funds, apply for additional state and federal funds requiring an identified match, as well as support CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, spur economic development at the local level and provide amenities to Navajo communities.
- N. In November of 2017, the Subcommittee issued a directive to the Speaker of the Navajo Nation Council to develop a nationwide powerline projects expenditure plan combining Undesignated Unreserved Fund Balance ("UUFB") and Sihasin Funds to total one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts equaling \$4,166,666.67 per District. On February 15, 2018, the Navajo Nation Council issued a further directive to the Speaker to have his staff meet with Navajo Nation Council Delegates and the Chapters they represent to develop a nationwide powerline and chapter projects expenditure plan for one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts with the Sihasin Fund as the intended funding source.
- O. Between March 5, 2018 and March 16, 2018, Office of the Speaker staff, contract legal counsel, Capital Projects Management Department ("CPMD") staff, and Navajo Tribal Utilities Authority ("NTUA") staff, met twice with each Council Delegate and their Chapter representatives, including but not limited to Chapter Officials, Chapter Managers and Community Service Coordinators, to review each District's proposed projects for (1) compliance with the 2014 Act's, as amended, purpose of "the planning and development of economic development and regional

infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; and (2) readiness status, e.g., project ready, construction ready or shovel ready, as applied by CPMD.

- P. Powerline, economic development and infrastructure projects were proposed at the March meetings including, but not limited to, Head Start facilities, senior and veteran centers, and road improvements. A listing of the proposed projects, including match and contribution funding, is included on attached **Exhibits A through E**.
- Q. To ensure that Síhasin Funds are not prematurely withdrawn and continue to earn investment earnings for as long as possible, CPMD, with the assistance of the Office of the Speaker and NTUA, compiled the proposed projects into nationwide three-year funding plans, i.e., Chapter Projects, NTUA Powerlines, Non-NTUA Powerlines, and Waterlines, attached as **Exhibits A through E**, based on individual project readiness status.
- R. On March 23, 2018, contract legal counsel and CPMD updated the Síhasin Subcommittee on the Office of the Speaker's efforts to develop the powerline and Chapter projects expenditure plan, including the identification of almost twenty million dollars (\$20,000,000.00) in already secured project matching funds.
- S. During the update to the Síhasin Subcommittee, the following accountability and implementation measures were discussed:
 - 1. Due to their experience and expertise, as well as economies of scale, the funding and responsibility for implementing Chapter projects and Non-NTUA Powerline projects should be allocated to CPMD with a template in place, e.g., Memorandum of Agreement or other form of grant agreement, for CPMD to transfer the project funds and responsibilities to Local Governance Act Certified Chapters at their request;
 - 2. Due to their experience and expertise, as well as community need to lock-in project pricing, the funding

and responsibility for NTUA Powerline and waterline projects should be allocated directly to NTUA;

3. If the funding for NTUA Powerline and Waterline projects is disbursed directly to NTUA and the funding for Chapter and non-NTUA Powerline projects is disbursed directly to CPMD, the funding for projects at Chapters sanctioned pursuant to 12 N.N.C. § 9 should not be subject to § 9 (B)'s ten percent (10%) withholding;
 4. All of the proposed projects were vetted by CPMD and NTUA, respectively, for project readiness before being apportioned into the three-year plans based on project readiness status; therefore, if the funding for a project is not spent or encumbered within twenty-four (24) months of distribution, the project funds should revert to the Síhasin Fund; and
 5. To support expeditious administration and implementation of the more than two hundred (200) Chapter projects, CPMD operations should be supplemented with administrative costs.
- T. In addition, during the District meetings with Delegates and their Chapter officials and community representatives to select and vet powerline and Chapter projects, concerns were raised that the President's line-item veto of even a single project would disrupt the equal distribution of funds among the Districts, as well as, negate local choice in project selection and impair Chapter and community efforts to procure additional matching funds from federal and state sources.
- U. The Navajo Nation Council finds that the Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, meets the purposes of the 2014 Act, as amended, i.e., "the planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; as well as the leveraging preference criteria of the 2014 Act, as Síhasin Funds will only fund a portion of the overall total cost of the projects with at least \$19,440,279.45, as

set forth on **Exhibits A through E**, of projects' costs covered by other Navajo Nation funds or federal, state or private entities through match funding, joint funding, contribution funding, cost-share funding or similar arrangements and agreements.

- V. The Navajo Nation Council also finds that the proposed Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, supports community choice and addresses CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, provide economic development at the local level and provide amenities to Navajo communities.
- W. The Navajo Nation Council hereby determines that allocating Síhasin Funds to implement the Powerline and Chapter Projects Expenditure Plan, as set forth in **Exhibits A through E**, fits within the priorities established under the July 20, 2015 One Nation, One Voice Navajo Nation Three Branch Agreement and that it is in the best interests of the Navajo Nation, as well as in the best interests of community development, the expansion of infrastructure(s) on the Navajo Nation, economic development at the local level and the provision of amenities to Navajo communities, to adopt the Síhasin Fund Powerline and Chapter Projects Expenditure Plan, attached as **Exhibits A through E**.

Section Three. Approval and Adoption of Expenditure Plan

- A. The Navajo Nation hereby approves and adopts the Síhasin Fund Powerline and Chapter Projects Expenditure Plan, attached and incorporated herein as **Exhibits A through E**.
- B. The Navajo Nation hereby approves and adopts total funding from the Síhasin Fund in the amount of one hundred million six hundred thousand dollars (\$100,600,000.00) with \$18,696,787.92 allocated to Navajo Tribal Utility Authority ("NTUA") for powerline projects; \$4,242,192.99 allocated to NTUA for waterline projects; \$74,076,413.86 allocated to Captial Projects Management Depart ("CPMD") for Chapter projects; \$3,584,605.24 allocated to CPMD for Non-NTUA powerline projects; as summarized in **Exhibit A**, to implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan as follows:
 - 1. Year 1: The distribution of \$42,294,332.87 of Síhasin Funds in Navajo Nation Fiscal Year 2018 allocated as

follows: \$2,866,370.94 to NTUA for the first year of NTUA Powerline projects, as set forth in **Exhibit B**; \$560,557.00 to NTUA for the first year of Waterline projects, as set forth in **Exhibit E**; \$37,423,205.14 to CPMD for the first year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,444,199.79 to CPMD for the first year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

2. Year 2: The distribution of \$46,203,956.06 of Síhasin Funds in Navajo Nation Fiscal Year 2019 allocated as follows: \$12,154,756.58 to NTUA for the second year of NTUA Powerline projects, as set forth in **Exhibit B**; \$1,068,666.66 to NTUA for the second year of Waterline projects, as set forth in **Exhibit E**; \$31,124,968.21 to CPMD for the second year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,855,564.61 to CPMD for the second year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

3. Year 3: The distribution of \$12,101,711.08 of Síhasin Funds in Navajo Nation Fiscal Year 2020 allocated as follows: \$3,675,660.40 to NTUA for the third year of NTUA Powerline projects, as set forth in **Exhibit B**; \$2,612,969.33 to NTUA for the third year of Waterline projects, as set forth in **Exhibit E**; \$5,528,240.51 to CPMD for the third year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$284,840.84 to CPMD for the third year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

- C. The Síhasin Funds allocated for the Síhasin Fund Powerline and Chapter Projects Expenditure Plan may be further leveraged by the Navajo Nation through bond or loan financing pursuant to the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 et seq., as amended, using Síhasin Fund Earnings for repayment and financing costs upon the recommendation of the Budget & Finance Committee and approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

Section Four. Approval and Adoption of Expenditure Plan Administration

A. The Navajo Nation hereby approves administration of the Síhasin Fund Powerline and Chapter Projects Expenditure Plan as follows:

1. The Navajo Nation Controller shall determine whether the source(s) of the annual distributions of the \$100,600,000.00 will be Síhasin Fund Principal or Income or a combination of both;
2. **NTUA Powerline and Waterline Projects.** The annual distributions for NTUA Powerline and Waterline Projects, as set forth in **Exhibits B and E**, shall be released to NTUA through Grant Agreement(s), executed pursuant to 2 N.N.C. §164 (B), as amended, as follows:
 - a. The First Year (Fiscal Year 2018) distributions shall be released to NTUA by no later than the end of Navajo Nation Fiscal Year 2018;
 - b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions shall be released to NTUA by no later than the end of the first quarter of the respective Navajo Nation Fiscal Year;
 - c. NTUA shall not require the Navajo Nation, including its Chapters, nor Navajo individuals, to contribute more funding to complete any project listed in **Exhibits B and E**, regardless of year funded;
 - d. Any individual Powerline or Waterline project funds that are not spent or encumbered within twenty-four (24) months of distribution to NTUA shall be returned to the Síhasin Fund; and
 - e. NTUA shall account for the Síhasin Funds spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
3. **Chapter and Non-NTUA Powerline Projects.** The annual distributions for Chapter and Non-NTUA Powerline Projects, as set forth in **Exhibits C and D**, shall be released to CPMD as follows:

- a. The First Year (Fiscal Year 2018) distributions, including administration costs, shall be released to CPMD by no later than the end of the third quarter of Navajo Nation Fiscal Year 2018;
- b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions, including administration costs, shall be released to CPMD by the end of the first quarter of the respective Navajo Nation Fiscal Year;
- c. Annual distributions to CPMD for administration costs shall not lapse on an annual basis pursuant to 12 N.N.C. §820 (N) or otherwise be returned to or deposited in the Síhasin Fund principal or Navajo Nation General Fund until such time as all Chapter Projects listed on Exhibit C are fully completed;
- d. 12 N.N.C. § 9 (B) is hereby waived and individual Chapter and non-NTUA Powerline Projects implemented and administered by CPMD shall not be subject to 12 N.N.C. § 9 (B)'s ten percent (10%) withholding;
- e. Individual Chapter and non-NTUA Powerline Projects shall be implemented and administered by CPMD consistent with the Navajo Nation Budget Instruction Manual, as amended, unless inconsistent with other provisions of this resolution;
- f. If requested, CPMD may transfer individual Chapter Project funds, accountability, and responsibility to a Local Governance Act ("LGA") Certified Chapter pursuant to a Memorandum of Agreement or other form of grant agreement executed pursuant to 2 N.N.C. § 164 (B), as amended;
- g. Any individual Chapter or non-NTUA Powerline Project funds that are not spent or encumbered within twenty-four (24) months of distribution to CPMD or transfer to a LGA Certified Chapter shall be returned to the Síhasin Fund;

- h. With the exception of project funds and responsibilities transferred to LGA Certified Chapters, CPMD shall account for the Síhasin Funds spent and such accounting or expenditure report shall be included as part of the Executive Branch's quarterly program report submitted to the Resources and Development Committee; and
 - i. LGA Certified Chapters that have been granted Síhasin Fund project funds and responsibilities, shall account for the money spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
- B. NTUA, CPMD and LGA Certified Chapters shall have the authority to enter into match, funding, partnership, cooperative and other cost saving or cost sharing arrangements or leveraging agreements with Navajo Nation entities and enterprises, Navajo Nation Chapters and other political subdivisions, other Navajo Nation programs and federal and state agencies and such agreements shall not be deemed procurement contracts subject to the Navajo Nation Procurement Act, 12 N.N.C. §§ 301 - 371 or Navajo Business Opportunity Act 5 N.N.C. §§ 201 - 215.
 - 1. Notwithstanding the above, all Chapters, working in conjunction with NTUA and/or CPMD, shall have the continuing responsibility to identify ways to further leverage the allocated Síhasin Funds;
 - 2. NTUA and CPMD shall each present an annual leveraging report to the Resource & Development Committee and Budget & Finance Committee during the first quarter of each Navajo Nation Fiscal Year identifying the efforts and success of Chapter(s) in securing additional matching or contribution funding; and
 - 3. With the approval of the Resources & Development Committee, any project costs saved or reduced through leveraging or otherwise shall be available for expenditure on any other project within the respective Chapter deemed construction-ready by CPMD; if there are no construction-ready projects within the respective Chapter, then, with the approval of the

Resources & Development Committee, the saved or reduced costs shall be available for expenditure on any other project within the respective District.

- C. 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.
- D. NTUA, CPMD and LGA Certified Chapters shall report the status of the Síhasin Funds allocated or transferred to them to implement the Powerline and Chapter Projects Expenditure Plan, specifically including the use and status of the Síhasin Funds and the status of projects for which they are responsible, to the Resources & Development, Budget & Finance and Naabik'íyáti' Committees and Office of the President & Vice-President on a quarterly basis.

Section Five. Waiving Navajo Nation Code Provisions Regarding the Capital Budget and Capital Improvement Process Effective Date

Notwithstanding that Síhasin Fund projects are specifically not subject to the Capital Improvement Projects Guidelines Policies and Procedures set forth by TCDCJY-77-99, the Navajo Nation hereby waives the application of 12 N.N.C. § 810 (F), §§ 820 (I) and (M) and § 860 (C) regarding the Capital Budget and Improvement processes to the Powerline and Chapter Projects Expenditure Plan.

Section Six. Effective Date

The Síhasin Fund Powerline and Chapter Projects Expenditure Plan, as set forth above, shall become effective pursuant to 12 N.N.C. § 2505.


Section Seven. Directives

- A. All Navajo Nation programs, specifically including, but not limited to, the Office of Controller, Office of Management & Budget, CPMD, and Chapters, as well as NTUA, shall take all steps necessary to expeditiously implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan.

- B. All Navajo Nation programs, as well as NTUA, named in this legislation shall be held accountable for the progress of tasks under their responsibility and control and shall participate in work group meetings, if any, necessary to expeditiously implement the Sihasin Fund Powerline and Chapter Projects Expenditure Plan.
- C. Office of Legislative Services will adjust all figures throughout the legislation and exhibits to reflect amendment totals, with the concurrence of the sponsor. The Navajo Nation directs the Office of Legislative Services to recalculate the final monetary totals such that the figures conform to the amendments passed by the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 21 in favor and 00 opposed, on this 17th day of April 2018.



LoRenzo C. Bates, Speaker
Navajo Nation Council

4-27-18

Date

Motion: Honorable Seth Damon
Second: Honorable Steven Begay

Speaker Bates not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

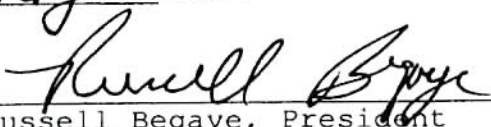
1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(10), on this _____ day of _____ 2018.

Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2018 for reason(s) expressed in the attached letter to the Speaker

Russell Begaye, President
Navajo Nation

3. I hereby exercise line item veto pursuant to the 2010, certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this 7th day of May 2018.



Russell Begaye, President
Navajo Nation

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN
(COVER SHEET)**

EXHIBIT:

A

		NUMBER OF PROJECT FOLDERS
CAPITAL PROJECTS	\$ 74,076,413.86	182
NTUA POWERLINE PROJECTS	\$ 18,696,787.92	29
NON-NTUA PROJECTS	\$ 3,584,605.24	9
NTUA WATERLINE PROJECTS	\$ 4,242,192.99	9
SUBTOTAL	\$ 100,600,000.01	
SIHAASIN APPROPRIATION	\$ 100,600,000.00	229
	\$ (0.01) <i>(Rounding Error)</i>	

	YEAR 1	YEAR 2	YEAR 3	MATCHING FUNDS
CAPITAL PROJECTS	\$37,423,205.14	\$31,124,968.21	\$5,528,240.51	\$17,842,593.31
NTUA POWERLINE PROJECTS	\$2,866,370.94	\$12,154,756.58	\$3,675,660.40	\$540,156.79
NON-NTUA PROJECTS	\$1,444,199.79	\$1,855,564.61	\$284,840.84	\$3,913,859.66
NTUA WATERLINE PROJECTS	\$560,557.00	\$1,068,666.66	\$2,612,969.33	\$15,110,777.71
	\$42,294,332.87	\$46,203,956.06	\$12,101,711.08	\$37,407,387.47

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(NTUA POWERLINES)**

**EXHIBIT:
B**

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
1	Many Farms	Powerline Phase II	Design/Construction	18-24 months	\$37,432.20	\$227,567.80	\$0.00	\$0.00	\$265,000.00
2	Tselani/ Cottonwood	Powerline Ext. Ph I, II, & Scattered	ROW/Pre-Design	18-24 months	\$0.00	\$265,000.00	\$0.00	\$0.00	\$265,000.00
3	Tsaile/ Wheatfields	Rural Electrification Project Horseshoe Canyon Powerline Ext.	ROW/Pre-Design	18-24 months	\$0.00	\$191,493.75	\$0.00	\$0.00	\$191,493.75
4	Sawmill	Powerline ext.	Pre-Design	12 months	\$120,000.00	\$0.00	\$0.00	\$0.00	\$120,000.00
5	Dennehotso	Scattered Powerline Project	Design/Construction	18-24 months	\$40,031.25	\$418,220.75	\$0.00	\$0.00	\$458,252.00
6	Chilchinbeto	Powerline-Assayi-2nd phase	Design/Construction	18-24 months	\$115,000.00	\$1,071,765.53	\$0.00	\$20,000.00	\$1,186,765.53
7	Oljato	Powerline Project	Design/Construction	24-36 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
8	Navajo Mountain	Powerline Project	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
9	Shonto	Powerline	Design/Construction	24-36 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
10	Inscription House	Powerline Extension	Design/Construction	24-36 months	\$0.00	\$0.00	\$661,666.68	\$0.00	\$661,666.68
11	Teecnospos	Powerline -North Phase 3	Design/Construction	18-24 months	\$0.00	\$2,233,813.51	\$0.00	\$0.00	\$2,233,813.51
12	Mexican Water	3-Phase Powerline	Construction	18-24 months	\$0.00	\$1,634,047.00	\$0.00	\$0.00	\$1,634,047.00
13	Indian Wells	Salt Seep Powerline -	Design/Construction	18-24 months	\$40,000.00	\$0.00	\$0.00	\$0.00	\$40,000.00
14	Whitecone	Powerline Scattered	Design/Construction	18-24 months	\$70,000.00	\$0.00	\$164,333.49	\$0.00	\$234,333.49
15	Teesto	Teesto Scattered Powerline	Design/Construction	18-24 months	\$0.00	\$332,273.00	\$0.00	\$45,927.86	\$332,273.00
16	Dilkon	John Draw Powerline Project	Pre-Design	18-24 months	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00
17	Leupp	Powerline Project-Grandfalls	Design/Construction	12-18 months	\$0.00	\$733,333.00	\$0.00	\$352,237.50	\$733,333.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(NTUA POWERLINES)**

**EXHIBIT:
B**

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
18	Birdsprings	Powerline Ext. Phase III	Design-Construction	18-24 months	\$84,105.00	\$649,228.00	\$0.00	\$0.00	\$733,333.00
19	Kindahlichii	Single-Phase Powerline Ext.	Design/Construction	18-24 months	\$0.00	\$371,729.00	\$0.00	\$0.00	\$371,729.00
20	Kindahlichii	Powerline (Upper WS Ext.)	Design/Construction	18 months	\$0.00	\$366,873.00	\$0.00	\$0.00	\$366,873.00
21	Coppermine	IV P/L Project	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
22	Kalbeto	Poweline Project	Design/Construction	18-24 months	\$219,187.50	\$460,812.50	\$0.00	\$0.00	\$680,000.00
23	LeChee	Powerline Project	Construction	16 months	\$92,006.25	\$0.00	\$924,660.25	\$0.00	\$1,016,666.50
24	Klagetoh	Salt Springs Powerline	Design/Construction	36 months	\$39,643.15	\$421,709.06	\$0.00	\$0.00	\$461,352.21
25	Lupton	Powerline	Pre-Design	37 months	\$6,036.07	\$89,074.42	\$0.00	\$49,110.49	\$95,110.49
26	Houck	Powerline	Design/Construction	12-18 months	\$80,000.00	\$273,278.00	\$0.00	\$69,056.25	\$353,278.00
27	Wide Ruins	Boggy Lake/Tanner Springs	Design/Construction	24-36 months	\$200,000.00	\$634,538.26	\$0.00	\$0.00	\$834,538.26
28	Pifion	Scattered Powerline Project	Design Construction	12-18 months	\$0.00	\$180,000.00	\$0.00	\$0.00	\$180,000.00
29	Black Mesa	Powerline	Pre-Design/ Design/Construction	24 months	\$1,472,929.52	\$0.00	\$0.00	\$227,606.25	\$1,472,929.52
					\$2,866,370.94	\$12,154,756.58	\$3,675,660.40	GRAND TOTAL	\$18,696,787.92

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(NON-NTUA POWERLINES)**

EXHIBIT:

C

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
1	Alamo	Powerline/Waterline	Construction	6 months	\$694,444.44	\$694,444.45	\$0.00	\$0.00	\$1,388,888.89
2	TseLichii	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 305,393.00	\$0.00	\$50,000.00	\$305,393.00
3	Manuelito	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 397,580.00	\$0.00	\$50,000.00	\$397,580.00
4	Chichiltah	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 337,520.00	\$0.00	\$250,000.00	\$337,520.00
5	Ojo Encino	Eagle Spring Powerline Extension Project	Design/Construction	6 months	\$0.00	\$120,627.16	\$0.00	\$30,156.79	\$120,627.16
6	Pueblo Pintado	Badger Springs Powerline Ext.	Construction	24 months	\$0.00	\$0.00	\$ 284,840.84	\$0.00	\$284,840.84
7	Baca-Prewitt	Powerline Extension	Construction	6 months	\$160,000.00	\$0.00	\$0.00	\$0.00	\$160,000.00
8	Whitehorse	Powerline Extension	Construction	12 months	\$133,884.48	\$0.00	\$0.00	\$0.00	\$133,884.48
9	Counselor	Powerline Extension	Construction	13 months	\$455,870.87	\$0.00	\$0.00	\$0.00	\$455,870.87
					\$1,444,199.79	\$1,855,564.61	\$284,840.84	GRAND TOTAL	\$3,584,605.24

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

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
1	Newcomb	Helipad	Design/Construction	18-24 months	\$100,000.00	\$339,637.00	\$0.00	\$75,000.00	\$439,637.00
2	Newcomb	Sr. Center Renovation	Plan/Construction	6-8 months	\$228,189.00	\$0.00	\$0.00	\$0.00	\$228,189.00
3	Hogback	New Chapter House	Design/Construction	8-16 months	\$150,018.78	\$593,100.00	\$0.00	\$0.00	\$743,118.78
4	Burnham	Community Center	Design/Construction	18-24 months	\$300,000.00	\$383,500.00	\$0.00	\$0.00	\$683,500.00
5	San Juan	Multi-Purpose Site Improvement Project	Plan/Design/Construction	24 months	\$150,000.00	\$533,333.00	\$0.00	\$0.00	\$683,333.00
6	Upper Fruitland	Renovation Walter Collins Multi-Purpose Bldg	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
7	Nenahnezaad	Multi-Purpose Renovation	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
8	Nazlini	Senior Center	Design/Construction	24 months	\$0.00	\$1,980,000.00	\$0.00	\$60,000.00	\$1,980,000.00
9	Low Mountain	Head Start Facility	Design/Construction	24 months	\$0.00	\$596,666.66	\$0.00	\$0.00	\$596,666.66
10	Blue Gap/Tachee	New Chapter House	Construction	12-18 mths	\$0.00	\$530,000.00	\$0.00	\$150,000.00	\$530,000.00
11	Many Farms	Market Study	Planning	24-36 months	\$0.00	\$265,000.00	\$0.00	\$20,000.00	\$265,000.00
12	Ramah	Chapter Renovation	Design/Construction	24-36 months	\$0.00	\$1,388,888.89	\$0.00	\$20,000.00	\$1,388,888.89
13	Tohajilee	Road Improvement	Design/Construction	36 months	\$1,388,888.89	\$0.00	\$0.00	\$353,000.00	\$1,388,888.89
14	Coyote Canyon	New Chapter Tractor	New Equipment	2-4 mths	\$50,000.00	\$0.00	\$0.00	\$9,000.00	\$50,000.00
15	Coyote Canyon	Senior Center Van	New Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00
16	Coyote Canyon	New Chapter Truck & Flatbed	New Equipment	2-4 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
17	Coyote Canyon	New Warehouse	Other Tribal Facilities	10-12 months	\$0.00	\$38,563.00	\$0.00	\$72,756.00	\$38,563.00
18	Coyote Canyon	Senior Citizen Center	Senior Center Building	10-12 months	\$109,000.00	\$0.00	\$0.00	\$520,000.00	\$109,000.00
19	Coyote Canyon	Parking Lot w/Landscape	Design/Construction	12 months	\$0.00	\$119,455.00	\$0.00	\$0.00	\$119,455.00
20	Coyote Canyon	Bathroom Addition	Design/Construction	12 months	\$126,315.33	\$0.00	\$0.00	\$11,311.00	\$126,315.33
21	Coyote Canyon	Ng6 Chip Seal	Design/Construction	10-12 months	\$250,000.00	\$0.00	\$0.00	\$75,864.00	\$250,000.00
22	Bahastlah (Twin Lakes)	Caterpillar 420 F2 4WD Backhoe Loader	Major Equipment	2-4 months	\$143,000.00	\$0.00	\$0.00	\$52,620.00	\$143,000.00
23	Bahastlah (Twin Lakes)	Massey Ferguson 2706E	Major Equipment	2-4 months	\$55,000.00	\$0.00	\$0.00	\$12,000.00	\$55,000.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

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
24	Bahastlah (Twin Lakes)	Caterpillar 140M3 AWD Motor Grader	Major Equipment	2-4 months	\$238,091.16	\$0.00	\$0.00	\$20,000.00	\$238,091.16
25	Bahastlah (Twin Lakes)	New Warehouse	Design/Construction	8-12 months	\$0.00	\$328,242.33	\$0.00	\$0.00	\$328,242.33
26	Bahastlah (Twin Lakes)	Road Maintenance	Design/Construction	8-12 months	\$0.00	\$69,000.00	\$0.00	\$35,000.00	\$69,000.00
27	Naschitti	New Chapter Truck	Major Equipment	2-4 months	\$73,333.33	\$0.00	\$0.00	\$0.00	\$73,333.33
28	Naschitti	New Warehouse	Design/Construction	12 months	\$0.00	\$376,000.00	\$0.00	\$36,000.00	\$376,000.00
29	Naschitti	966M XE Wheel Loader	Major Equipment	2-4 months	\$231,000.00	\$0.00	\$0.00	\$0.00	\$231,000.00
30	Naschitti	Backhoe	Major Equipment	2-4 months	\$103,000.00	\$0.00	\$0.00	\$0.00	\$103,000.00
31	Naschitti	Cemetery Expansion Project	Design/Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
32	Mexican Springs	Deer Springs Road	Design/Construction	12-18 months	\$667,000.00	\$0.00	\$0.00	\$0.00	\$667,000.00
33	Mexican Springs	Road Maintenance, Culverts & Bridges	Design/Construction	12-18 months	\$121,333.34	\$0.00	\$0.00	\$0.00	\$121,333.34
34	Mexican Springs	Massey Ferguson 2706E	Major Equipment	2-4 months	\$45,000.00	\$0.00	\$0.00	\$0.00	\$45,000.00
35	Round Rock	Road Improvement-Apache Cty. 590	Pre-Design/Design	18-24 months	\$50,000.00	\$60,000.00	\$228,533.94	\$0.00	\$338,533.94
36	Round Rock	Road Improvement Apache Co. 492	Design/Construction	18-24 months	\$50,000.00	\$60,000.00	\$351,153.69	\$0.00	\$461,153.69
37	Round Rock	Signage Proposal	Design/Construction	6-8 months	\$33,198.50	\$0.00	\$0.00	\$0.00	\$33,198.50
38	Tsaile/Wheatfields	Fencing of Tract	Design/Construction	6-8 months	\$220,000.00	\$0.00	\$0.00	\$0.00	\$220,000.00
39	Tsaile/Wheatfields	Senior Center Rehabilitation of Facility	Design/Construction	6-8 months	\$0.00	\$48,255.00	\$319,000.00	\$0.00	\$367,255.00
40	Tsaile/Wheatfields	Cemetery	Design/Construction	6-8 months	\$20,032.12	\$0.00	\$0.00	\$0.00	\$20,032.12
41	Tsaile/Wheatfields	Chapter Tract Master Plan	Design/Construction	18-24 months	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00
42	Rock Point	BIA Road Route 8070	Design/Construction	12-16 months	\$46,100.00	\$143,250.00	\$643,983.00	\$0.00	\$833,333.00
43	Rough Rock	Senior Center	Construction	12 months	\$245,333.33	\$0.00	\$0.00	\$0.00	\$245,333.33
44	Lukachukai	Chapter Fencing	Design/Construction	12-18 months	\$482,903.33	\$0.00	\$0.00	\$20,000.00	\$482,903.33
45	Lukachukai	Chapter Agriculture Building	Construction	6-8 months	\$0.00	\$70,000.00	\$0.00	\$0.00	\$70,000.00
46	Lukachukai	Chapter Equipment	Major Equipment	4-6 months	\$144,000.00	\$0.00	\$0.00	\$0.00	\$144,000.00
47	Lukachukai	Chapter Equipment Manlift	Major Equipment	6-8 months	\$39,500.00	\$0.00	\$0.00	\$0.00	\$39,500.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

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
48	Lukachukai	Chapter Senior Center	Construction	12 months	\$86,427.00	\$0.00	\$0.00	\$0.00	\$86,427.00
49	Lukachukai	Chapter Welding Machinery	Major Equipment	6-8 months	\$7,000.00	\$0.00	\$0.00	\$0.00	\$7,000.00
50	Lukachukai	Chapter Roping Box	Major Equipment	6-8 months	\$3,503.00	\$0.00	\$0.00	\$0.00	\$3,503.00
51	Crystal	Fire Suppression System	Construction	6-12 months	\$876,000.00	\$0.00	\$0.00	\$285,000.00	\$876,000.00
52	Fort Defiance	Solar Street Lights	Construction	12 months	\$0.00	\$972,025.00	\$0.00	\$283,503.00	\$972,025.00
53	Fort Defiance	Street Rehabilitation	Design/Construction	24 months	\$69,641.67	\$0.00	\$0.00	\$0.00	\$69,641.67
54	Red Lake	Utility System Upgrade	Design/Construction	1-6 months	\$70,000.00	\$0.00	\$0.00	\$0.00	\$70,000.00
55	Red Lake	Street Improvement	Design/Construction		\$100,000.00	\$250,000.00	\$300,000.00	\$0.00	\$650,000.00
56	Red Lake	Chapter Complex	Plan/Design/Construction		\$0.00	\$0.00	\$321,666.67	\$0.00	\$321,666.67
57	Sawmill	Bathroom Additions	Construction	12 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
58	Sawmill	Renovate Chapter House	Construction	6 months	\$250,000.00	\$250,000.00	\$0.00	\$0.00	\$500,000.00
59	Sawmill	N7 Road Rehab	Design		\$271,666.67	\$0.00	\$0.00	\$0.00	\$271,666.67
60	Dennehotso	Transfer Station	Design/Construction	24 months	\$40,000.00	\$100,000.00	\$0.00	\$0.00	\$140,000.00
61	Dennehotso	Veterans Park	Construction	36 months	\$0.00	\$225,000.00	\$0.00	\$7,000.00	\$225,000.00
62	Dennehotso	Warehouse	Construction	12 months	\$0.00	\$162,025.82	\$0.00	\$20,000.00	\$162,025.82
63	Kayenta	Diversion Dam Rehabilitation Project	Design/Construction	24-36 months	\$0.00	\$1,344,623.31	\$0.00	\$455,000.00	\$1,344,623.31
64	Kayenta	Multi-Purpose Building	Plan/Design/Construction	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
65	Chilchinbeto	Muti-Purpose Building	Plan/Design/Construction		\$300,000.00	\$0.00	\$0.00	\$0.00	\$300,000.00
66	Shiprock	Chapter Renovation	Design/Construction	12 months	\$50,000.00	\$400,000.00	\$0.00	\$0.00	\$450,000.00
67	Shiprock	Senior Center	Construction	12 months	\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00
68	Shiprock	Elderly Care Site	Planning	8 months	\$17,000.00	\$0.00	\$0.00	\$0.00	\$17,000.00
69	Shiprock	Wellness Center	Design/Construction	12 months	\$0.00	\$200,000.00	\$0.00	\$0.00	\$200,000.00
70	Shiprock	Former BIA Compound	Testing/Planning	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
71	Shiprock	Utility Hook-Up/Restroom Renovations	Construction	8 months	\$60,000.00	\$0.00	\$0.00	\$0.00	\$60,000.00
72	Shiprock	River Trail & Community Park	Construction	9 months	\$56,000.00	\$0.00	\$0.00	\$0.00	\$56,000.00
73	Shiprock	15 Secure Land Designation	Planning	24 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
74	Shiprock	Rural Addressing	Construction	12 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
75	Shiprock	Roads-Indian Village	Major Equipment	12 months	\$318,000.00	\$0.00	\$0.00	\$0.00	\$318,000.00
76	Shiprock	South Side Incident Command Center	Construction	24 months	\$1,000,000.00	\$0.00	\$0.00	\$0.00	\$1,000,000.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

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
77	Shiprock	New Traffic Lights	Construction	12 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
78	Shiprock	Shiprock Cemetery	Plan/Design/Construction	12 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
79	Shiprock	Plan/Design 36 acre Tract	Plan/Design/Construction	24 months	\$85,000.00	\$0.00	\$0.00	\$0.00	\$85,000.00
80	Shiprock	Visitor Center	Plan/Design	12 months	\$360,666.66	\$0.00	\$0.00	\$0.00	\$360,666.66
81	Shiprock	Widening San Francisco Peak Blvd.	Plan/Design	12 months	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00
82	Beclabito	Beclabito Road Project N5113	Design/Construction	24-36 months	\$0.00	\$0.00	\$615,000.00	\$0.00	\$615,000.00
83	Cove	Cove Senior Center	Construction	8-12 months	\$255,704.00	\$0.00	\$0.00	\$0.00	\$255,704.00
84	Cove	Cove Veterans Pavilion	Planning/Design	10-12 months	\$0.00	\$130,000.00	\$0.00	\$8,000.00	\$130,000.00
85	Gadiahil	Gaddii ahil/ Tokoi Infrastructure New Development	Design/Construction	10-12 months	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00
86	Red Valley	Transfer Station	Design/Construction	24-36 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
87	Sheep Springs	Multi-Purpose Building	Construction	8-12 months	\$682,629.66	\$0.00	\$0.00	\$240,000.00	\$682,629.66
88	Two Grey Hills/Toadlena	ROW N19	Pre-Design	8-12 months	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00
89	Tse Alnaozt'I'i	5010 Road Design	Design	24-36 months	\$75,000.00	\$0.00	\$0.00	\$0.00	\$75,000.00
90	Beclabito	Fiber Optic - Broadband	Planning/Design	12-18 months	\$708,333.00	\$0.00	\$0.00	\$0.00	\$708,333.00
91	Cove	Agriculture - Watershed Study	Planning/Design	12-18 months	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00
92	Tse'Lichii	New Senior Center	Design/Construction	12-24 months	\$0.00	\$1,600,000.00	\$0.00	\$400,000.00	\$1,600,000.00
93	Tsayatoh	Chapter Renovation	Design/Construction	12-16 months	\$0.00	\$500,000.00	\$0.00	\$100,000.00	\$500,000.00
94	Baahaali	Pine Haven Road	Design/Construction	18-24 months	\$0.00	\$600,000.00	\$0.00	\$655,000.00	\$600,000.00
95	Baahaali	Senior Center (Renov./Addition)	Design/Construction	8-12 months	\$150,000.00	\$0.00	\$0.00	\$450,000.00	\$150,000.00
96	Rock Springs	Multi-Purpose Building	Pre-Design	20-24 months	\$0.00	\$276,173.66	\$0.00	\$450,000.00	\$276,173.66
97	Inscription House	Solid Waste Transfer Station	Design/Construction	24-36 months	\$0.00	\$0.00	\$330,000.00	\$0.00	\$330,000.00
98	Inscription House	House Wiring	Design/Construction	24-36 months	\$0.00	\$50,000.00	\$0.00	\$0.00	\$50,000.00
99	Red Mesa	Chapter House Renovation	Design/Construction	12 months	\$238,249.15	\$0.00	\$0.00	\$0.00	\$238,249.15
100	St. Michael's	New Chapter House	Construction	10-14 mths	\$2,083,333.33	\$0.00	\$0.00	\$53,409.00	\$2,083,333.33
101	Oaksprings	Chapter Major Renovation	Design/Construction	24 months	\$1,000,000.00	\$1,083,333.33	\$0.00	\$10,000.00	\$2,083,333.33

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

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
102	Greasewood Springs	Master Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	\$400,000.00	\$433,333.33	\$0.00	\$0.00	\$833,333.33
103	Dilkon	Multi Purpose Complex	Planning	12 months	\$333,333.33	\$0.00	\$0.00	\$120,000.00	\$333,333.33
104	Dilkon	Chapter Tract Infrastructure Upgrade	Plan/Design	12 months	\$0.00	\$275,000.00	\$0.00	\$0.00	\$275,000.00
105	Indian Wells	HVAC Unit	Major Equipment	4-6 months	\$25,000.00	\$0.00	\$0.00	\$66,000.00	\$25,000.00
106	Indian Wells	Senior Center Facility Repairs	Planning	12 months	\$265,000.00	\$279,393.67	\$0.00	\$0.00	\$544,393.67
107	Indian Wells	10 Commercial Site Development	Planning	18-24 months	\$200,000.00	\$0.00	\$0.00	\$678,000.00	\$200,000.00
108	Whitecone	Road Improvement	Design/Construction	18-24 months	\$194,000.00	\$0.00	\$0.00	\$0.00	\$194,000.00
109	Whitecone	JW2 - Master Tract Plan	Planning, Pre-Design, Design/Construction	12-24 months	\$66,000.00	\$0.00	\$0.00	\$0.00	\$66,000.00
110	Whitecone	Motor Grader	Major Equipment	6-8 months	\$339,000.00	\$0.00	\$0.00	\$0.00	\$339,000.00
111	Teesto	Community Center	Design/Construction	18-24 months	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00
112	Standing Rock	Tseliahl Head Start	Construction	8-12 months	\$3,269,616.66	\$0.00	\$0.00	\$125,000.00	\$3,269,616.66
113	Whiterock	Chapter Renovation	Design/Construction	6-8 months	\$500,000.00	\$0.00	\$0.00	\$359,476.65	\$500,000.00
114	Huerfano	Senior Center	Design/Construction	8-12 months	\$0.00	\$397,050.00	\$0.00	\$53,261.00	\$397,050.00
115	Chinle	N7 Solar Stree Light	Pre-Design, Design/Construction	24 months	\$50,000.00	\$1,735,534.45	\$0.00	\$0.00	\$1,785,534.45
116	Chinle	Del Muerto Headstart Improvement	Construction	12 months	\$0.00	\$0.00	\$301,496.21	\$0.00	\$301,496.21
117	Cameron	Cultural Center	Pre-Design	24 months	\$250,000.00	\$250,000.00	\$133,333.00	\$0.00	\$633,333.00
118	Cameron	Demonstration Farm	Planning	18-24 months	\$100,001.66	\$0.00	\$0.00	\$0.00	\$100,001.66
119	Coalmine	Chapter House Building Repair	Renovation	12-18 months	\$200,000.00	\$533,333.00	\$0.00	\$20,000.00	\$733,333.00
120	Birdsprings/Leupp	Commercial Farm Project	Planning	24 months	\$250,000.00	\$200,000.00	\$50,000.00	\$0.00	\$500,000.00
121	Tolani Lake	New Senior Center Replacement	Design/Construction	18-24 months	\$0.00	\$733,333.00	\$0.00	\$0.00	\$733,333.00
122	Cornfields	Community/ Veterans Cemetery	Design/Construction	12 months	\$66,333.33	\$0.00	\$0.00	\$0.00	\$66,333.33
123	Cornfields	Deer Point Development	Pre-Design	24-36 months	\$0.00	\$0.00	\$300,000.00	\$0.00	\$300,000.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

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	Kindalichii	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

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design,	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
145	Lupton	Housewiring	Construction	15 months	\$0.00	\$13,000.00	\$0.00	\$0.00	\$13,000.00
146	Lupton	Road Improvement	Pre-Design	16 months	\$0.00	\$0.00	\$75,040.00	\$0.00	\$75,040.00
147	Nahatadzil	Shopping Center	Construction	12-18 months	\$1,265,035.70	\$0.00	\$0.00	\$7,200,000.00	\$1,265,035.70
148	Houck	Bathroom Additions	Design/Construction	18-24 months	\$60,000.00	\$255,000.00	\$0.00	\$0.00	\$315,000.00
149	Houck	Cemetery	Plan/Design/Construction	18-24 months	\$46,722.00	\$0.00	\$0.00	\$0.00	\$46,722.00
150	Houck	9402 Road Improvement	Plan/Design	18-24 months	\$85,000.00	\$0.00	\$0.00	\$0.00	\$85,000.00
151	Tuba City	Senior Center	Design/Construction	18-24 months	\$1,400,000.00	\$2,766,666.66	\$0.00	\$370,000.00	\$4,166,666.66
152	Casamero Lake	McKinley County Rd.19 Construction Proejct	Construction	24 months	\$2,811,443.31	\$0.00	\$0.00	\$0.00	\$2,811,443.31
153	Baca-Prewitt	Backhoe	Major Equipment	4-6 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
154	Baca-Prewitt	New Warehouse	Pre-Design	12-18 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
155	Hardrock	Senior Center Facility Repairs	Design/Construction	24 months	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00
156	Hardrock	ADA	Design/Construction	24 months	\$0.00	\$60,000.00	\$0.00	\$0.00	\$60,000.00
157	Hardrock	Walk-In Shower	Design/Construction	24 months	\$52,269.00	\$0.00	\$0.00	\$0.00	\$52,269.00
158	Hardrock	HVAC Unit	Design/Construction	24 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
159	Hardrock	Vehicle	Major Equipment	24 months	\$74,886.00	\$0.00	\$0.00	\$0.00	\$74,886.00

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

EXHIBIT:

D

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
160	Hardrock	Wellness Equipment	Major Equipment	24 months	\$44,940.00	\$0.00	\$0.00	\$0.00	\$44,940.00
161	Pifon	Chapter Communication Systems Upgrade	Major Equipment	10 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
162	Pifon	Chapter House Perimeter Fencing	Construction	6 months	\$21,660.00	\$0.00	\$0.00	\$0.00	\$21,660.00
163	Pifon	Clearances for Withdrawal of Land for Community	Pre-Design	12-18 months	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
164	Pifon	Chapter Vehicle w/ Metal 1000 gal. Water Tank	Major Equipment	2-4 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
165	Pifon	Chapter Vehicle	Major Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
166	Pifon	Rural Addressing	Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
167	Pifon	Housewiring/Bathroom Additions	Construction	12 months	\$25,000.00	\$0.00	\$0.00	\$0.00	\$25,000.00
168	Pifon	Housewiring/Bathroom Additions	Construction	12 months	\$23,648.14	\$0.00	\$0.00	\$0.00	\$23,648.14
169	Pifon	N8030 Road Project	Design/Construction	24 months	\$0.00	\$0.00	\$68,334.00	\$0.00	\$68,334.00
170	Pifon	Dzilyijiin Public Safety Utility	Planning	18 months	\$0.00	\$0.00	\$400,000.00	\$0.00	\$400,000.00
171	Pifon	Dzilyijiin College Land Withdrawal	Planning	24 months	\$0.00	\$0.00	\$83,000.00	\$0.00	\$83,000.00
172	Forest Lake	Senior Center (Renov./Addition)	Design/Construction	24 months	\$500,000.00	\$0.00	\$0.00	\$50,000.00	\$500,000.00
173	Whippoorwill Springs	Renovation-Sr. Center, Warehouse, Admin. Building	Design/Construction	24 months	\$450,000.00	\$0.00	\$0.00	\$0.00	\$450,000.00
174	Iyanbito	Garden & Community Project	Pre-Design	4-6 months	\$0.00	\$10,000.00	\$97,700.00	\$0.00	\$107,700.00
175	Iyanbito	Head Start Project	Pre-Design	8-10 months	\$0.00	\$576,744.44	\$0.00	\$238,528.00	\$576,744.44

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

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
176	Iyanbito	Veterans	Pre-Design	6-8 months	\$0.00	\$0.00	\$10,000.00	\$0.00	\$10,000.00
177	Thoreau	Veterans Building	Design/Construction	12-18 months	\$0.00	\$694,444.00	\$0.00	\$700,000.00	\$694,444.00
178	Mariano Lake	Multi-Purpose Building	Construction	8-12 months	\$391,044.90	\$0.00	\$0.00	\$291,255.66	\$391,044.90
179	Mariano Lake	Lake House Wiring	Construction	6-8 months	\$303,400.00	\$0.00	\$0.00	\$0.00	\$303,400.00
180	Pinedale	Veterans Building	Construction	8-12 months	\$694,444.44	\$0.00	\$0.00	\$96,609.00	\$694,444.44
181	Smithlake	Bay/Shop Building	Construction	6-10 months	\$694,444.44	\$0.00	\$0.00	\$0.00	\$694,444.44
182	Churchrock	Multi-Purpose Building	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
***	Window Rock	Administrative Funds	***	***	\$200,000.00	\$200,000.00	\$200,000.00		\$600,000.00
					\$37,423,205.14	\$31,124,968.21	\$5,528,240.51	GRAND TOTAL	\$74,076,413.86

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(WATERLINES)**

**EXHIBIT:
E**

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
1	Tselan/ Cottonwood	Waterline	Construction	18-24 months	\$0.00	\$265,000.00	\$0.00	\$0.00	\$265,000.00
2	Rough Rock	Low Water project	Design/ Construction	16-24 months	\$0.00	\$588,000.00	\$0.00	\$0.00	\$588,000.00
3	Tohatchi	Waterline	Plan/ Design/ Construction	36 months	\$200,000.00	\$0.00	\$633,333.33	\$25,000.00	\$833,333.33
4	Crystal	Green Knoll/Split Mesa Waterline and Water Storage	Plan/ Design/Construction	36 months	\$100,000.00	\$65,666.66	\$0.00	\$0.00	\$165,666.66
5	Shiprock	Waterline Extension/Updates	Pre-Design (ROW, Survey, Assessment)	36 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
6	Tolikan	Water line extenstion	Plan/ Design/ Construction	24 months	\$60,557.00	\$0.00	\$0.00	\$5,000.00	\$60,557.00
7	Chinle	Waterline-SpiderRock Phase 2.5	Plan/ Design/ Construction	24 months	\$50,000.00	\$0.00	\$1,379,636.00	\$0.00	\$1,429,636.00
8	Chinle	Water Well-Construction	Design/ Construction	36 months	\$50,000.00	\$0.00	\$600,000.00	\$0.00	\$650,000.00
9	Cornfields	Waterline	Pre-Design (ROW)	24 months	\$0.00	\$150,000.00	\$0.00	\$0.00	\$150,000.00
					\$560,557.00	\$1,068,666.66	\$2,612,969.33	GRAND TOTAL	\$4,242,192.99

NAVAJO NATION

RCS# 1069

Spring Session

4/17/2018

11:53:07 PM

Amd# to Amd#

Legislation 0116-18:

PASSED

MOT Damon

Adopting the Sihasin Fund

SEC Begay, S

Powerline and Chapter Projects

Expenditure Plan Pursuant...

Yea : 21

Nay : 0

Excused : 0

Not Voting : 3

Yea : 21

Begay, K

Chee

Hale

Slim

Begay, NM

Crotty

Jack

Smith

Begay, S

Damon

Perry

Tso

BeGaye, N

Daniels

Pete

Witherspoon

Bennett

Filfred

Phelps

Yazzie

Brown

Nay : 0

Excused : 0

Not Voting : 3

Bates

Tsosie

Shepherd



THE NAVAJO NATION

RUSSELL BEGAYE **PRESIDENT**
JONATHAN NEZ **VICE PRESIDENT**

MEMORANDUM

TO: Honorable LoRenzo Bates, Speaker
Navajo Nation Council

FROM:


Russell Begaye, *President*
THE NAVAJO NATION

DATE: May 7, 2018

SUBJECT: Resolution No. CAP-35-18: RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SISHASIN 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 BUDGET AND CAPITAL IMPROVEMENT PROCESS

Pursuant to 2 N.N.C. 1005 (C)(10), action for Resolution No. CAP-35-18 is being submitted to the Navajo Nation Council, through the Office of the Speaker within the ten (10) days requirement. Furthermore, the Navajo Nation President has line item veto authority for budget items within the Supplemental Appropriations, which are not subject to override by the Navajo Nation Council. 2 N.N.C. 164 (A)(17).

After review of Resolution No. CAP-35-18, I hereby exercise my line-veto to:

1. Section Three. Approval and Adoption of Expenditure Plan.
2. Section Four. Approval and Adoption of Expenditure Plan Administration.
3. EXHIBIT D. SISHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

After consultation with the impacted Divisions, I have decided to exercise my line-item veto authority. The justification and details for use of the President's line-item veto is set forth below.

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

First, the 110 Chapters have millions in unexpended dollars and should expend these fund for the many uses and projects on this Sihasin project listing. There are still many people that need water and electricity and these dollars should be priority for these funds. Second, the two projects vetoed are Bureau of Indian Affairs (BIA) projects and should remain under the BIA funding. Third, I support these appropriations as they also fulfill our four (4) pillars for Veterans, Youth and Elders, Jobs and Infrastructure.

I am pleased to sign this legislation into law as it will stimulate our economy by creating much needed jobs and bringing in infrastructure for our People.

Therefore, I will exercise my line-item veto authority to only two (2) items.

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

EXHIBIT

2

I. PROJECT DETAILS

DATE SUBMITTED: 02/27/2020

PROJECT NAME: Many Farms Market Study

REFERENCE NUMBER: CPMD REF #42

PROJECT TYPE: Planning

ORIGINAL DATE APPROVED: November 2018

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING				FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	TOTAL FUNDING	
D-11	Many Farms Market Study – Planning		\$265,000			Delete
D-11	Many Farms Market Study – Planning			\$265,000	\$265,000	Add
TOTAL: [] INCREASED [] DECREASED FUNDING:					\$265,000	

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Kee Allen Begay Jr

K

2/27/2020

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.

PRINTED NAME

SIGNATURE

DATE

CPMD Project Manager

Kait Granten

K

2/27/2020

CPMD Department Manager

James Adalcar

J

2/27/2020



MANY FARMS CHAPTER GOVERNMENT
P.O. BOX 185
MANY FARMS, ARIZONA 86538
PHONE: (928) 781-3605 FAX: (928) 781-3608
Email: manyfarms@navajochapter.org



Kee Allen Begay Jr., Council Delegate 24th Navajo Nation Council

Katherine O. Arthur, President
Aljerino Tsedah, Vice President
Jacqueline I. Begaye, Secretary/Treasurer

Francine Harrison, CSC
Lewanda A. Ben, AMS
Roland Tso, Grazing Representative

**Resolution of the
Many Farms Chapter**

MF – 10-11-2019

**REQUESTING THE SIHASIN FUND SUB-COMMITTEE OF THE NAABIKIYATI AND RESOURCES DEVELOPMENT
COMMITTEE OF THE 24TH NAVAJO NATION COUNCIL TO MOVE THE MANY FARMS
CHAPTER YEAR TWO (2) PROJECT FOR MARKET STUDY FUNDS IN THE AMOUNT OF \$265,000.00 TO YEAR
THREE (3) FUNDING CYCLE.**

WHEREAS:

1. Pursuant to CMY-23-79, the Many Farms Chapter is a certified chapter of the Navajo Nation vested with authority and responsibilities to provide and enact on all matters affecting the community and;
2. Pursuant to CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA) that allows Many Farms Chapter to make decisions over local matters; and
3. Pursuant to the Naabik'iyati Committee of the 24th Navajo Nation Council (NNC) Resolution NABIAP-23-19, the NN reestablishes the Naabik'iyati Sihasin Fund Sub-Committee (initially established in year 2015 by Resolution NABIAP-20-15) to provide recommendations to the Naabik'iyati Committee and NNC for projects to be funded using Sihasin Funds and/or financial support and/or financing plans(s) for the purposes designated and it is incumbent on the NNC to continue this discussion relative to the Sihasin Fund and its purpose established in CD-68-14, enacting 12 N.N.C., Section 2502; AND,
4. The funding allocation of Year II Sihasin Fund in the amount of \$265,000.00 for Market Study which is vital to the Chapter's Community Development process that basically supports the Chapter's project conception and planning that's more realistic; AND,
5. The Many Farms Chapter confirms the need to change the Chapter Sihasin Funding request of \$265,000.00 from year two (2) project to year three (3) Sihasin Subcommittee funding cycle considerations.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Many Farms Chapter hereby approves the request to Sihasin Sub-Committee of the Naabik'iyati Committee Of the 24th Navajo Nation Council to move the Many Farms Chapter year two (2) project for the Many Farms Chapter Market Study funds in the amount of \$265,000.00 to Year three (3) Project funding cycle.

CERTIFICATION

We, hereby certify that the foregoing resolution was considered by the Many Farms Chapter at a duly called meeting in Many Farms, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 16 in favor, 0 opposed, and 1 abstained this 12th day of November 2019.

Motion: David Nez
Second: Vernita Largo

Katherine O. Arthur
Katherine O. Arthur, Chapter President

Ajirino Tsedah
Ajirino Tsedah, Vice President

Jacqueline J. Begaye
Jacqueline J. Begaye, Secretary/Treasurer

Kee A. Begay, Jr.
Kee A. Begay, Jr., Council Delegate

Roland Tso
Roland Tso, Grazing Committee

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PROPOSED PROJECT

The Many Farms Chapter aims to conduct a Market Study/Analysis to explore the feasibility of a proposed Dá'ák'e Halani Market Place which will be located within the available triangle tract of land at the intersection of Highway 191 and BIA Route N59.

The proposed project supports a strategic economic development master plan for the Many Farms Chapter and its surrounding communities.

SUMMARY OF PROJECT SCOPE AND COST

Market Study/Analysis—(120 Business Days)	\$150,000
The tasks will entail foundation research; comparative functionality and analysis; competitive analysis; current and projected tourism; retail market support estimate; development recommendations; development financing, operations and maintenance; and meetings.	
Site Assessment—(80 Business Days)	\$ 33,550
• Environmental Assessment	\$10,150
• Cultural Assessment	\$10,980
• Biological Resources Assessment	\$ 9,420
• Business Leasing Agreements	\$ 3,000
Architectural, Engineering & Construction Feasibility Study—(80 Business Days)	\$180,150
• Meetings and Coordination	\$17,500
• Geotechnical Study	\$18,550
• Architectural Schematic Design	\$37,000
• Preliminary Engineering	\$74,100
• Utility Engineering	\$23,000
• Opinion of Probable Cost	\$10,000
Operation and Maintenance Analysis—(80 Business Days)	\$ 30,300
• Staff	\$10,500
• Operation Costs	\$10,600
• Life Cycle Costs Analysis	\$ 9,200
Feasibility Study Report Preparation—(20 Business Days)	\$ 6,000
• Summary and Recommendations	\$ 3,000
• Feasibility Study Presentation	\$ 3,000
TOTAL COST:	\$400,000

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The project is identified as “redevelopment project” in the Navajo Nation Division of Economic Development’s Five-Year Plan for 2016-2021, which was approved by Resolution RDCJY-79-17 of the Resources and Development Committee of the 23rd Navajo Nation Council.

The Many Farms Chapter’s community and economic development strategic planning objectives are: improving economic condition and enhancing quality of life. Therefore, the Chapter envisions that the proposed Dá’ák’e Halani Market Place project will create jobs and business opportunities, provide convenient access to goods and services for local communities, and generate revenue through lease rental, sales tax, fuel tax and possessory interest tax which are in the best interest of the Navajo Nation.

The Many Farms Chapter intends to contract with a qualified professional architectural and engineering firm to conduct a market study/analysis consistent with the Navajo Nation Business Opportunity Act.

PROJECT DESCRIPTION

The Market Study/Analysis will encompass several components:

A. Market Analysis—(120 Business Days)

A Market Analysis for a new business provides a better understanding of the size and specific segments of a market, as well as an evaluation to determine if the target market will support the business’ growth plans. The Market Analysis is a critical part of any business plan, whether to inform the business or to communicate to potential investors the size of the opportunity.

This analysis will document an overview of the industry that the business will participate in. As the project narrow this sector down to the ideal customer based on the Chapter’s business strategy, it will define the target market. A detailed description and sizing of the target market will help the Chapter understand the market value it is pursuing (the number of potential customers multiplied by the average revenue for its product or service).

In defining the target market, key elements will be identified such as geographic location, demographics, buyer characteristics, target market’s needs and how these needs are being met currently.

This analysis will also include a SWOT (Strengths, Weaknesses, Opportunities, and Threats) Analysis to better assess the business’ position against the competition.

1. Foundation Research
 - a. Community visit, kick of meeting
 - b. Document site characteristics of potential project locations
 - c. Stakeholder engagement plan
 - d. Visit existing business facilities
 - e. Interview/meet with key community members
2. Comparative Functionality & Analysis
 - a. Identify commercial potential (strengths, weaknesses, opportunities, and threats)
 - b. Identify potential for promoting community cultural mission

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- c. Identify potential for promoting community financial goals
 - d. Identify sensitivity to community life
 - e. Identify seasonal aspects to site functionality
- 3. Competitive Analysis
 - a. Analyze local competition (establishments, events, and venues)
 - b. Identify potentially competitive tourism driven events and venues
 - c. Analyze local retail pipeline and other pertinent pipeline developments
- 4. Current and Projected Tourism
 - a. Analyze tourist, traffic counts
 - b. Analyze seasonal aspects
 - c. Analyze tourist expenditure profiles
 - d. Analyze tourist potential, opportunities, and tourism synergies
- 5. Retail Market Support Estimate
 - a. Identify current sales by retail category
 - b. Analyze current expenditure potential by retail category
 - c. Identify development pipeline and tourism estimates relating to market support
 - d. Identify future sales potential and supportable retail space estimate
- 6. Development Recommendations
 - a. Identify market-supportable square footage by retail category
 - b. Identify convenience goods and services potential
 - c. Identify tourism-driven retail potential
 - d. Identify culturally aimed destination/experience retail potential
 - e. Identify merchandising mix and potential expansion phasing
- 7. Development Financing, Operations and Maintenance
 - a. Identify potential project funding sources
 - b. Identify Project operations and maintenance options
 - c. Analyze the Project's operation and maintenance costs (excludes lifecycle, repair/replacement costs)
 - d. Prepare a stabilized year proforma (full development proforma additional)
- 8. Meetings
 - a. Two site visits include (kick-off meeting and presentation of findings included)
 - b. Additional Visits
- B. Site Assessment—(80 Business Days)

To determine the feasibility of development at the intersection site, an assessment of specific environmental resources will be conducted. Due to the location of the site on the Navajo reservation, the scope of work will be expanded beyond a typical Phase I Environmental Site Assessment (ESA), which will include an assessment of the cultural/historical and biological resources within the proposed project site. An assessment of the environmental resources for the site will provide the community and the design team with the necessary information to determine

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if there are any critical environmental concerns that would impact the feasibility of the intersection site.

Site Assessment Special considerations:

1. When evaluating past information on environmental resources it is important to know that a Phase I ESA has a shelf life of approximately 6 months. This is due to the likelihood of various materials being placed on the property unknown to the owners.
2. A cultural Resources Report expires after 10 years and needs to be updated to reflect any new information from the community.
3. Biological evaluations and reports tend to be accurate for 1-3 years and require an update within that timeframe because it is important to reevaluate the report to reflect any change in laws or newly listed threatened and endangered species.

Below is an overview that may impact the feasibility assessment from an environmental perspective:

- This site has probably had some previous environmental clearances and it will be important to review these documents. However, the information in this document is probably expired and will need to be completed again to conduct an accurate analysis.
 - The site location is low in sensitivity for biological resources (per Navajo Nation Department of Fish and Wildlife). Nonetheless an assessment is necessary to determine the overall biological condition.
- a. Environmental Assessment (EA)
The Phase I ESA, the Cultural Resource Report and the Biological Evaluation (BE) are all required component of the EA. All the site assessment reports will become part of the EA. Additional elements which are required to be analyzed in the EA but are necessary for the feasibility study include: land resources, water resources, air quality, socio-economic conditions, and various resource patterns (hunting, fishing, mining, recreation, and agriculture).
 - b. Cultural Assessment
To assess the cultural issues, the site will require pre-field background research, a review of the project area with the Navajo Nation Historic Preservation Division (HPD), and an ethnographic assessment with local residents and the local Chapter House. Additionally, a Class III level survey will be conducted. After completion of the research and field work, a detail report will be prepared documenting the scope of the project site, the site-file check results, field results, and recommendations for and management options. The report will be submitted to the Navajo Nation HPD for review and concurrence.
 - c. Biological Resources Assessment
To conduct a Biological Evaluation (BE) of the site(s), a preliminary review of the Navajo Nation Department of Fish & Wildlife (NNDFW) Biological Resource Land Use Clearance Policies and Procedures will be completed. Also included will be a review of the U.S. Fish and Wildlife Science (USFWS) and Navajo Natural Heritage Program (NNHP) database for federally listed or tribal listed candidate, and proposed species occurring within the project area (by county). A review of agency species lists and the habitat requirements of

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listed species potentially occurring within the project area will be completed. A compilation of available topographic maps, aerial photographs, and available habitat maps of the project site will allow for determination of the potential for federally and/or tribal-listed species to occur within the project area. A field visit will be conducted to determine the existing condition on-site and the suitability of the local habitat to support listed species. Based on this information, it will be determined if a listed or special status species currently inhabits the project area or the possibility for future habitation by these species. This information can be evaluated and will contribute to the feasibility of each site.

d. Land Withdrawal/Assessment Requirements and Coordination

- i. Social Economic Analysis
- ii. Endangered Species
- iii. Hazardous Materials
- iv. Archeological Investigation
- v. Indian Assessments
- vi. BIA Coordination (if required)
- vii. Navajo Nation Lease Agreements
- viii. Coordination with Agencies (BIA, NTUA, NNDES, NEPA, IHS)

e. Business Leasing Agreements

This phase will identify the appropriate business permits or agreements necessary to establish revenue generating facilities on the building or site(s). It is considered that the leasing agreement portion might be conducted directly between the Chapter and their legal counsel entity.

C. Architecture, Engineering & Construction Feasibility Study—(80 Business Days)

1. Meetings and Coordination (7 meetings)

- a. Preparation of meeting minutes, project schedules and other correspondence for the following meetings:
 - i. Review of Economic Feasibility Results (1 meeting)
 - ii. Review of Site Assessment Feasibility Results (1 meeting)
 - iii. Research and Data Collection for A/E (2 visits)
 - iv. Architectural Schematic Site Drawings (2 meetings)
 - v. Engineering Schematic Site Drawings (2 meetings)

2. Geotechnical Study

This study will provide sufficient information to determine if the site selected will have the proper soil capacity to receive a building construction and to understand the requirements of any foundation system required for such structure.

3. Architectural Schematic Design Services

A complete schematic design (SD) will be done for the site at this location based on the programmatic requirements of the project as well as the requirements by the site size and characteristics. The site SD will include parking lay out, site walls, site structure/canopies,

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sidewalks, signage location of the different proposed buildings based on the feasibility of the market study results.

4. Engineering Preliminary Services

a. Boundary and Topographic Survey

Civil Engineer will perform a boundary survey of site as defined by the proposed land plan. This is necessary to ensure the actual field location and to define a legal description of the land plan area of development.

Civil Engineer will perform all field work for horizontal and vertical panel control necessary for the aerial mapping of the site. All control will be based upon approved Horizontal and Vertical Datum. A random grid of natural ground elevations will be done to ensure the accuracy of the finished contour map. Civil Engineer will contract with an aerial mapping company to produce a 1"=40' scale drawing with 1 foot contour intervals to meet or exceed National Map Accuracy Standards. Mapping will be produced from a photo scale not exceeding 1"=300' (1:3600), all contours having a vertical accuracy of 0.50 foot or better and all planimetric features will have a horizontal accuracy of within 1 foot of their true position. Additionally, a digital High Resolution Ortho Rectified photo will be supplied.

b. Research

Civil Engineer will obtain and configure on-site and off-site data for use on the project; review existing and proposed land use entitlements for inclusion into proposed development plan; research additional project data from various agencies or consultants and catalog or configure data for use on the project; and review zoning stipulations and other entitlements (existing or proposed to control future growth). Civil Engineer will also perform site visits as needed to collect data.

c. Land Planning

Civil Engineer will prepare a land use plan to illustrate the location and quantity of various land uses, open space, drainage patterns, retention areas, and traffic circulation patterns within the project.

Civil Engineer will prepare a preliminary site plan which will include parcel boundaries, phase lines, required onsite utilities, dimensions, and other required data.

d. Landscape Architecture

A concept master landscape plan will be prepared which will consist of a site visit and data collection from the land planning and engineering departments to determine the best landscape practices for the area based on available water, elevation and climate conditions. A Design Concept meeting will be held with the Chapter to discuss and develop overall concept and project themes.

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- e. Land Development

Civil Engineer will provide a Conceptual Grading and Drainage Design Plan based on storm water requirements, the approved Preliminary Site Plan, Landscape amenity requirements, and construction practices. The Conceptual Grading and Drainage Design and Plan will be prepared which identified the spot elevations and necessary preliminary pad elevations, retention basin bottom elevations required based on best management practices for the area.
- 5. Utility Engineering
 - a. Preliminary Master Drainage Study & Report

Civil Engineer will prepare a master on-tract and off-tract Drainage Report in conformance with best management practices for the area. Civil Engineer will visit the site to determine existing drainage patterns on and adjacent to the project site. Storm drainage analysis will include both on-site and off-site hydrology. This report will include the following:

 - i. Research to determine appropriate standards for storm water management, drainage strategies, and flood control;
 - ii. Incorporate the Master Lotting, Open Space, Landscape, Traffic Circulation, and Drainage Plans;
 - iii. Exhibit delineating each drainage area with corresponding retention basins, concentration points, flow arrows, basin grading (if required), and drainage structures;
 - iv. Review and identify any portion of the development which falls within the 100-year and 500-year flood zones, and the specific designations thereof, as well as a description of mitigation measures allowed within said zone;
 - v. A discussion of off-site drainage flows and patterns including "Q" factors and velocities where appropriate, impact to the site and required mitigation measures, and including hydraulic and hydrologic analysis as required by review agencies;
 - vi. Calculations determining the volumes of retention required on a "sub-basis" specific basis and internal drainage routing where required;
 - vii. A discussion concerning the minimum required "finish floor" elevations for lots within the project; and
 - viii. Copies of all calculations, formulae, charts, and details used in preparation of the report.
 - b. Assessment of Water and Sewer System Requirement

Civil Engineer will perform the following tasks associated with the assessment of water/sewer service needs for the site location:

 - i. On-Site Water System Assessment
 - Obtain available well data, reports, operating history, as-builts, and drawings of the existing local water system.
 - Calculate anticipated demands for the proposed building and the ultimate build out of the parcel to be developed. Demand calculations for average day, maximum day, peak hour, and maximum day plus fire flows.
 - Perform water modeling to determine required waterline sizes using Water CAD software.

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- Summarize findings in a design memo with exhibits. The memo will include costs of the proposed improvements necessary to provide water service to the expected number of buildings.
- ii. On-Site Sewer System Assessment
 - Obtain available design and operational data on the existing wastewater collection system and lagoon treatment systems. A site visit will be performed as part of the water system analysis.
 - Calculate the anticipated sewage discharge quantities from the proposed building and for the ultimate buildout of the parcel.
 - Determine the most cost-effective alignment for the proposed sewers. Locate the point of connection to the existing system.
 - Calculate the capital costs of these improvements and summarize findings in a design memorandum.
- iii. Off-Site Water System Assessment
 - Using the water demands obtained above, perform an evaluation of the existing water supply and distribution system to support the proposed building and future buildout development within this parcel.
 - Determine the water system improvements necessary to support this development:
 - Well capacity;
 - Storage/fire storage requirements;
 - Transmission line;
 - Available system pressures and potential booster pumps; and
 - Findings shall be summarized in a design memo with exhibits, tables, costs, and description of results for review.
- iv. Off-Site Sewer System Assessment
 - Civil Engineer will perform a month-by-month water balance calculation that will determine if sufficient capacity exists in any lagoon treatment system or other method of treatment for the proposed development. A calculation will also be performed for the build out condition.
 - The available pipe capacity in the existing collection system will also be determined for both discharge conditions.
 - Civil Engineer will summarize its findings in a design memo that will describe the improvements necessary, provide an estimate of costs for these improvements, and include all necessary exhibits, tables, and calculations.
 - Provide on-site presentation described above.
- 6. Opinion of Probable Construction Costs
 - a. Buildings
 - Pre-design cost estimate based on square footage and volume of buildings to be constructed to meet the market feasibility requirements in terms of building are feasible for economic development.

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- b. Land Planning
The land planning cost estimate will be presented for the site and it will be performed on a schematic level meaning by schematic that will be based on the preliminary engineering and architecture provided for the site areas outside of the perimeter of the building. Items to be included in this portion of the cost estimate will be: Grading and Drainage, Landscape, and Storm Water Control.
 - c. Site and Parking
This section of the estimate will include the cost for parking, pavement, ramps, sidewalks, road access, signage, shade structure, parking structures, etc. at the preliminary design level.
 - d. Cost Estimates Comparison Reports
This section basically includes a complete report with all of the cost data analysis, including utility pricing and assumptions and clarifications for the estimating and cost data.
- D. Operation and Maintenance Cost Analysis—(80 Business Days)
- 1. Many Farms Economic Development Staff (required)
A critical part of the building lifetime cost is found on the yearly operations and maintenance which most of the time represents a bigger expense than the original building construction cost. The Chapter will consider several options and strategies to determine the best approach to the maintenance and operations of the facility, including environmental sensitive items, LEED opportunities and Life Cycle examples to understand the importance of good decisions ahead of time. An allowance will be provided for this section. These sessions will include:
 - a. Meetings and coordination
 - b. Basic models for operation and maintenance strategies education
 - c. Similar Facility field investigation/observation
 - 2. Operation Costs
One of the important factors to consider for the new facility will be the ability of the Chapter or the Many Farms Community Development Entity, to maintain and keep the building functioning during its lifetime. The cost of construction of the building has not as great impact as the life cycle maintenance and operation of the building. Analysis will include:
 - a. Staffing recommendations
Recommendations for the minimum number of employees will be evaluated for purposes of maintenance and operation of the different buildings as well as schedules that indicate typical maintenance procedures during a lapse of 30 years in the facility.
 - b. Annual Cost
 - i. Electricity
 - ii. Water
 - iii. Waste Management
 - iv. Sewer
 - c. Maintenance Annual Cost

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Other than providing the staff for maintenance, an analysis will be performed on the costs of that maintenance in relationship to the typical installed material and recommendations.

3. Life Cycle Cost Analysis

A life cycle analysis will be provided for each of the following six major components of the facility. The analysis will be done for a period of 30 years and will include replacements required of equipment during that time span as well as scheduling data.

- a. Mechanical Equipment
- b. Plumbing Equipment
- c. Electrical Equipment
- d. Fire Suppression Equipment
- e. Hardware
- f. Others

E. Feasibility Study Report Preparation—(20 Business Days)

1. Summary and Recommendations

A summary and recommendations will be developed as well as all the complete studies performed by each of the professionals involved.

2. Feasibility Study Report and Presentation

Provide a presentation to the Many Farms Chapter officials and an explanation of recommendations, including question and answer session at one meeting setting.

PROJECT TIMELINE

Project Tasks	Timeline in Business Days				
Market Study/Analysis	120 Days				
Site Assessment		80 Days			
Architectural, Engineering & Construction Feasibility Study			80 Days		
Operation & Maintenance Analysis				80 Days	
Feasibility Study Report Preparation					20 Days



MEMORANDUM

TO: Honorable Kee Allen Begay, Jr.
24th Navajo Nation Council

FROM: K.A. Lowell
Kristen A. Lowell, Principal Attorney
Office of Legislative Counsel

DATE: August 12, 2020

SUBJECT: **AN ACTION RELATING TO RESOURCES AND DEVELOPMENT
AND BUDGET AND FINANCE COMMITTEES; APPROVING A
PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A
CHANGE IN PROJECT FUNDING YEAR FOR MANY FARMS
CHAPTER**

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: _0171-20__

SPONSOR: Kee Allen Begav, Jr.

TITLE: An Action Relating to Resources and Development and Budget and Finance
Committees; Approving a Project Change in Resolution CAP-35-18; Approving a Change
in Project Funding Year for Many Farms Chapter

Date posted: August 12, 2020 at 5:10PM

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.*