



23rd Navajo Nation Council

MEMORANDUM

To : Manuel Rico, Senior Programs and Projects Specialist
OFFICE OF LEGISLATIVE SERVICES

From : 1-711
Tom Platero, Executive Director
OFFICE OF LEGISLATIVE SERVICES

Date : January 9, 2019

Subject : ***23rd Navajo Nation Council Expired Legislation***

Pursuant to 2 N.N.C. § 164 (A) (1), "The last day for consideration of resolutions shall be December 31st of the year immediately preceding the swearing in of the new Council", the following legislation need to be closed out and labeled as "expired":

NAVAJO NATION COUNCIL:

0399-17	0424-17	0098-18	0136-18
0183-18	0224-18	0328-18	0344-18
0356-18	0358-18	0367-18	0373-18
0385-18	0393-18	0404-18	0416-18
0422-18			

NAABIK'YATI' COMMITTEE:

0224-15	0361-16	0341-18	0406-18
0418-18	0427-18		

BUDGET AND FINANCE COMMITTEE:

0021-17	0392-17	0099-18	0261-18
0287-18	0398-18	0435-18	0436-18

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE:

0414-18	0419-18	0451-18
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LAW AND ORDER COMMITTEE:

0114-17	0031-18	0217-18	0307-18
0353-18	0360-18	0364-18	0437-18

RESOURCES AND DEVELOPMENT COMMITTEE:

0402-15	0104-16	0121-16	0183-16
0282-16	0296-16	0370-16	0384-16
0135-17	0176-17	0386-17	0400-17
0076-18	0395-18	0415-18	0443-18

Legislation need to be closed out as soon as possible. If you have any questions, please let me know.

CONCURRENCE:



Honorable LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

COPIES: Pete K. Atcitty, Chief of Staff, Office of the Speaker
Ed McCool, Acting Chief Legislative Counsel, Office of Legislative Counsel
Files

LEGISLATIVE SUMMARY SHEET

Tracking No. 0393-18

DATE: December 5, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING A SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF TWO MILLION, THREE HUNDRED SEVENTY-SEVEN THOUSAND, NINE HUNDRED NINETY-NINE DOLLARS AND TWENTY CENTS (\$2,377,999.20) TO THE LEUPP CHAPTER NORTH GRAND FALLS POWERLINE PROJECT, BUSINESS UNIT NUMBER, NEW; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

PURPOSE: If approved, this resolution will approve a supplemental funding request of \$2,377,999.20 from the Unreserved, Undesignated Fund Balance to the Leupp Chapter North Grand Falls Powerline Project.


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: None
Website Posting Time/Date: 4:30pm 12/5/18
Posting End Date: 12/10/2018
Eligible for Action: 12/11/2018

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0393-18

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND
FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION
COUNCIL; APPROVING A SUPPLEMENTAL FUNDING FROM THE UNRESERVED,
UNDESIGNATED FUND BALANCE IN THE AMOUNT OF TWO MILLION, THREE
HUNDRED SEVENTY-SEVEN THOUSAND, NINE HUNDRED NINETY-NINE
DOLLARS AND TWENTY CENTS (\$2,377,999.20) TO THE LEUPP CHAPTER NORTH
GRAND FALLS POWERLINE PROJECT, BUSINESS UNIT NUMBER, NEW; WAIVING
12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT
PROCESS

BE IT ENACTED:

SECTION ONE. AUTHORITIES

- A. The Navajo Nation established the Resources and Development Committee as a Navajo Nation Council standing committee and as such gave the Committee oversight over Navajo Nation Chapters and the authority to review and make recommendations to the Navajo Nation Council regarding capital improvement projects. 2 N.N.C. §§ 500 (A), 501(B)(4)(c), 501(C)(1).

1 B. The Navajo Nation established the Budget and Finance Committee as a Navajo
2 Nation Council standing committee and as such empowered the Committee to
3 review and recommend to the Navajo Nation Council the management of all
4 funds. 2 N.N.C. §§ 164 (A)(9), 300 (A), 301 (B)(2).

5 C. The Navajo Nation Council established the Naabik'íyáti' Committee as a
6 Navajo Nation standing committee and as such proposed legislation that requires
7 final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti'
8 Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A).

9
10 **SECTION TWO. TITLE 12 FINANCE ACT SUPPLEMENTAL**
11 **APPROPRIATION PROCESS AND THE TITLE 12 CAPITAL**
12 **IMPROVEMENT PROCESS**

13 A. The Title 12 Finance Act Supplemental Appropriation requirements include:

- 14 1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional
15 sources of revenues above and beyond the initial or current revenue projections,
16 supplemental appropriations may be allocated by the Navajo Nation Council.
- 17 2. Pursuant to 12 N.N.C. § 820 (L), "Supplemental appropriations made from non-
18 recurring revenues shall only be made for non-recurring operations or purposes,
19 as set forth at § 820 (F). The Controller of the Navajo Nation shall be
20 responsible for designating recurring and non-recurring revenues and purposes."
- 21 3. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and
22 supplemental funds shall be submitted to the Office of Management and Budget
23 ("OMB") for budget impact analysis.

24 B. The Title 12 Capital Improvement Process includes:

- 25 1. Pursuant to 12 N.N.C. § 810(F), "Capital Improvement" means a major project
26 undertaken by the Navajo Nation that is generally not recurring on an annual
27 basis and which fits within one or more of the following categories:
- 28 (1) All projects requiring debt obligation or borrowing;
- 29 (2) Any acquisition or lease of land;
- 30

- (3) Purchase of major equipment or vehicles, with a life expectancy of five years or more, valued in excess of an amount to be established by the Controller;
- (4) Major building improvements that are not routine maintenance expenses and that substantially enhance the value or extend the useful life of a structure;
- (5) Construction of new buildings or facilities including engineering, design, and other pre-construction costs with an estimated cost in excess of an amount to be determined by the Controller; and/or
- (6) Major equipment or furnishing required to furnish new buildings or other projects, the cost of which is above a certain amount to be established by the Controller.

2. Pursuant to 12 N.N.C. § 820 (I), the “[d]evelopment of the Capital Budget shall be coordinated with development of the Operating Budget. All budget requests for capital improvements shall be in compliance with an adopted Capital Improvement Plan and shall not be approved unless in compliance with the Plan.”
3. Pursuant to 12 N.N.C. § 820 (M), the Office of Management and Budget shall coordinate the overall preparation, adoption and implementation of both the annual operating and capital budgets of the Navajo Nation. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis and other appropriate action.
4. Pursuant to 2 N.N.C. § 501 (B)(4)(c), the Resources and Development Committee is to review and recommend to the Navajo Nation Council through the appropriate process supplemental appropriations to the capital improvement projects annual budget to fund necessary additional capital improvement projects.
5. Pursuant to 12 N.N.C. § 860 (C)(2) “[t]he appropriation portion of the Capital Improvement Plan is subject to approval of the Navajo Nation Council upon

1 recommendation of the Budget and Finance Committee. Any modification or
2 amendment affecting the approved Capital Improvement Plan is subject to
3 review and concurrence by the Resources and Development Committee prior to
4 consideration by the Navajo Nation Council.”

5
6 **SECTION THREE. FINDINGS**

- 7 A. This is a funding request for a supplemental appropriation to the Leupp Chapter
8 North Grand Falls Powerline Project from the Unreserved, Undesignated Fund
9 Balance in the amount of \$2,377,999.20. *See* Leupp Chapter North Grand Falls
10 Powerline Project explanatory documents attached hereto as **Exhibit A** and Budget
11 Forms attached hereto as **Exhibit B**.
- 12 B. The Leupp Chapter North Grand Falls Powerline Project is not included in the Title
13 12 Capital Improvement Plan because the Capital Improvement Plan was rescinded
14 by the Navajo Nation Council by CAP-23-17.
- 15 C. Pursuant to the 2019 Budget Instructions Manual Section XIV. B. and C., the
16 requisite supplemental funding request budget forms are attached hereto as **Exhibit**
17 **B**.
- 18 D. The Office of Management and Budget has provided a Budget Impact Analysis for the
19 Leupp Chapter North Grand Falls Powerline Project pursuant to 12 N.N.C. § 820(M).
20 This memorandum is attached hereto as **Exhibit C**. *See also* **Exhibit E**.
- 21 E. The Office of the Controller has provided a memorandum dated December 4, 2018,
22 indicating the balance in the Unreserved, Undesignated Fund Balance as of
23 November 26, 2018 is \$47,555. This memorandum is provided to meet the
24 requirements of 12 N.N.C, 820 (L). The Controller of the Navajo Nation has
25 designated the funds for the Leupp Chapter North Grand Falls Powerline Project as
26 non-recurring. This memorandum is attached hereto as **Exhibit D**. *See also* **Exhibit**
27 **E**.
- 28 F. The Navajo Nation finds it in the best interest of the Navajo people to approve this
29 supplemental appropriation request and to waive the Capital Budget and Capital
30

Improvement Plan requirements as stated in 12 N.N.C. §§ 820(I) and 860 (C) regarding the Leupp Chapter North Grand Falls Powerline Project.

SECTION FOUR. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$2,377,999.20 FOR THE LEUPP CHAPTER NORTH GRAND FALLS POWERLINE PROJECT

A. The Navajo Nation hereby approves the supplemental appropriation from the Unreserved, Undesignated Fund Balance to the Leupp Chapter North Grand Falls Powerline Project as outlined in the attached **Exhibit B**.

B. This supplemental appropriation of \$2,377,999.20 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and to the new business unit number assigned to the Leupp Chapter North Grand Falls Powerline Project.

SECTION FIVE. WAIVING 12 N.N.C. §§ 820(I) AND 860 (C) REGARDING THE CAPITAL IMPROVEMENT PROCESS

The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(I) and 860(C) with regard to the Capital Improvement process for the Leupp Chapter North Grand Falls Powerline Project. The waiver of 12 N.N.C. §§ 820(I) and 860 (C) includes submittal of capital projects to the Capital Projects Management Department for review, guidance and advice or the requirements pursuant to TCDCJY-77-99 regarding the Capital Improvement Projects Guidelines Policies and Procedures.

SECTION SIX. EFFECTIVE DATE

The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).

Russell Begaye
Navajo Nation President

Jonathan Nez
Navajo Nation Vice President

Walter Phelps
Council Delegate (Birdsprings, Cameron,
Coalmine, Leupp, and Tolani Lake Chapters)



Le **Calvin Johnson**
Leupp Chapter Secretary/Treasurer

Allen Jones
Leupp Chapter Grazing Officer

Telephone: (928) 686-3227

LEUPP CHAPTER
CPO Box 5428, Leupp, AZ 86035

Facsimile: (928) 686-3232

RESOLUTION OF THE LEUPP CHAPTER
Western Navajo Agency, Navajo Nation
Resolution No: LP 03-042-2018

**REQUESTING THE NAVAJO TRIBAL UTILITY AUTHORITY TO EXPEDITE
AN UPDATED RIGHT OF WAY ASSESSMENT AND COST ESTIMATE FOR AN
ARCHAEOLOGICAL AND ENVIRONMENTAL SURVEY TO CONSTRUCT A
POWERLINE EXTENSION TO APPROXIMATELY TWENTY-FIVE (25)
HOMES IN THE NORTH GRANDFALLS.**

WHEREAS:

1. Leupp Chapter is a Certified Chapter of the Navajo Nation in accordance to Navajo Tribal Council Resolution CJ-20-55, and further recognized as a local government entity with the responsibility and authority to implement community programs and projects that will benefit the Leupp community; and
2. The Leupp Chapter pursuant to Navajo Nation Code: Title 26, The Navajo Nation Local Governance Act, is a Local Governance Certified Chapter of the Navajo Nation through Resolution No.: LP08-106-2010 ; and
3. The Leupp Chapter as a duly Government Certified Chapter is empowered and authorized to oversee various community business and development within its Chapter boundaries including entering into agreements/ contracts that address and represent the best interest of its community; and
4. The Leupp Chapter strives for the betterment of its people by providing and assisting them with opportunity for improvement in the areas of livelihood, health and education; and
5. Currently, the North Grand Falls is a disadvantaged community that lacks the basic essential services and infrastructure with approximately 25 residents with homes who need modern electrical services. Additional, the North Grand Falls area is within the Former Bennett Freeze Area; and
6. The following residents have been identified within the North Grandfalls:

- | | | |
|--------------------|------------------------------|------------------------|
| 1. Raymond Stayne | 7. Ryan McCabe | 13. Victoria Tso-Begay |
| 2. Edmund Stayne | 8. Larry & Rolanda Tohannie | 14. Harvey Lefthand |
| 3. Alice Tso | 9. Maebelle Upshaw | 15. Darren Joey |
| 4. Linda Tso-Begay | 10. Myra Begay | 16. Alvin Begody |
| 5. Wallace Stayne | 11. Nelson Cody, Sr. | 17. Ricky Boone |
| 6. Bobby McCabe | 12. Samuel & Rosebelle White | 18. Martha Boone |

Resolution No: LP 03-042-2018

Page 1 of 2

19. Alfred Tsosie
20. Henry Lefthand
21. Roseann Lefthand

22. Melvin Cody
23. Harry Cody
24. Victor McCabe

25. Billy Tso

NOW THEREFORE BE IT RESOLVED THAT:

1. Leupp Chapter hereby requesting the Navajo Tribal Utility Authority to expedite an **UPDATED** right of way assessment and cost estimate for an archaeological and environmental survey to construct a powerline extension to approximately twenty-five (25) homes in the North Grandfalls; and
2. The homes that will be served are:

1. Raymond Stayne
2. Edmund Stayne
3. Alice Tso
4. Linda Tso-Begay
5. Wallace Stayne
6. Bobby McCabe
7. Ryan McCabe
8. Larry & Rolanda Tohannie
9. Maebelle Upshaw

10. Myra Begay
11. Nelson Cody, Sr.
12. Samuel & Rosebelle White
13. Victoria Tso-Begay
14. Harvey Lefthand
15. Darren Joey
16. Alvin Begody
17. Ricky Boone
18. Martha Boone

19. Alfred Tsosie
20. Henry Lefthand
21. Roseann Lefthand
22. Melvin Cody
23. Harry Cody
24. Victor McCabe
25. Billy Tso

CERTIFICATION

We, hereby, certify the foregoing resolution number LP 03-042-2018 was duly considered by the Leupp Chapter, at a duly call chapter meeting at the Leupp Chapter house, Navajo Nation (Arizona); at which a quorum was present and that the same was passed by a vote of 29 in favor, 0 opposed and 3 abstention on this 8th, day of March, 2018.

Motion by: Mel Cody

Seconded by: Jim Store

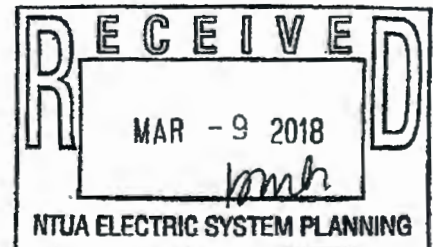
absent
Valerie Kelly, President

[Signature]
Calvin Johnson, Secretary/Treasurer

[Signature]
Angela Cody, Vice-President

absent
Allen Jones, Grazing Official

absent
Walter Phelps, Navajo Nation Council Delegate



Letter to Ms. Betty Tso, Leupp Chapter
 RE: Leupp Chapter (Grand Falls Northwest) Power Line Project
 May 17, 2018
 Page Three

LEUPP CHAPTER (Grand Falls Northwest) POWER LINE PROJECT

Line A – Main Trunk Line	7.08 Miles	\$ 867,231.57
Member Extension	5.24 Miles	771,384.19
Line B – Main Trunk Line	5.85 Miles	715,929.80
Member Extension	3.24 Miles	457,449.31
Tap C – Member Extension	2.33 Miles	284,980.64
Member Extensions	.16 Miles	37,093.12
Tap D – Member Extension	.05 Miles	<u>14,720.54</u>
Subtotal		\$ 3,148,789.17
Archaeological Clearance, Environmental Assessment, and Legal Survey for Right-of-Way Acquisition (23.95 Miles)		<u>314,387.50</u>
Subtotal		\$ 3,463,176.67
NTUA Contribution (25 Homes @ \$1,500.00)		(<u>37,500.00</u>)
Subtotal		\$ 3,425,676.67
Leupp Chapter (Check No. 12320)		(<u>239,737.50</u>)
Contribution Required Prior to Construction		\$ 3,185,939.17

less - DCD allocation

less Sahasin project #

70,000.00
<u>3,115,939.17</u>
733,333.00
<u>2,382,606.17</u>



NAVAJO TRIBAL UTILITY AUTHORITY

AN ENTERPRISE OF THE NAVAJO NATION

May 17, 2018

Betty Tso, Chapter Manager
Leupp Chapter
C.P.O. Box 5013
Leupp, Arizona 86035

RE: Leupp Chapter (Grand Falls Northwest) Power Line Project

Dear Ms. Tso:

NTUA is pleased to provide the **REVISED PRELIMINARY** construction cost estimate to provide service to residents within the Grand Falls Northwest area of Leupp Chapter referencing the enclosed Chapter Resolution LP 03-042-2018 we received for this project. These costs will supersede all previous costs. The following items are provided for your information:

1. The ownership of the power lines will belong to the Navajo Tribal Utility Authority. The Navajo Tribal Utility Authority will handle the operation and maintenance responsibilities.
2. The cost estimate submitted is **PRELIMINARY**. The final construction cost estimate will be based upon the results of archaeological and legal surveys; and final engineering and design.
3. Funding for right-of-way acquisition in the amount of \$239,737.50 has been received. NTUA will commence with the archaeological clearance, environmental assessment, and legal surveys; and final engineering and design upon payment of \$75,000.00, the remaining balance. This amount is shown on the attached estimate and contributes to the total project cost.
4. The Navajo Tribal Utility Authority will budget \$1,500.00 per customer provided their house is wired and ready for hook up prior to construction.

NOTE: If all homes are not wired, the NTUA Contribution will be adjusted downward to reflect the actual number of homes wired at the time of construction. This will result in an increase in contribution required by the Leupp Chapter

Home Office:
P.O. BOX 170
FT. DEFIANCE, AZ 86504

KAYENTA
P.O. BOX 37
KAYENTA, AZ 86033

TUBA CITY
P.O. BOX 398
TUBA CITY, AZ 86045

SHIPROCK
P.O. BOX 1749
SHIPROCK, NM 87420

CHINLE
P.O. BOX 549
CHINLE, AZ 86503

FORT DEFIANCE
P.O. BOX 587
FT. DEFIANCE, AZ 86504

DILCON
HC 63 BOX D
WINSLOW, AZ 86047

CROWNPOINT
P.O. BOX 1825
CROWNPOINT, NM 87313


CALL 800-528-5011 OR 928-729-5721 FOR ALL OFFICES.

Letter to Ms. Betty Tso, Leupp Chapter
RE: Leupp Chapter (Grand Falls Northwest) Power Line Project
May 17, 2018
Page Two

If you have any questions concerning these cost estimates, you may contact Ms. Isabelle Lang, Customer Service Supervisor, Dilcon District, at 928-729-5721, extension 4785 or the Electric System Planning Section, at 928-729-6236.

Sincerely yours,

NAVAJO TRIBAL UTILITY AUTHORITY



Ethelind Johns, Project Supervisor
Electric System Planning Section

CC: Valerie Kelly, Leupp Chapter
Walter Phelps, Leupp Chapter
Srinivasa (Veni) Venigalla, Electric Information and Systems Division, NTUA
Lester Lee, Electric Information and Systems Division, NTUA
Bernice (Niecy) Tsosie, Electric System Planning Section, NTUA
Shannon Burnette, Electric System Planning Section, NTUA
Louella Chee, Electric System Planning Section, NTUA
Sherrell White, Electric System Planning Section, NTUA
Jonathan Curley, Dilcon District, NTUA
Isabelle Lang, Dilcon District, NTUA
Elizabeth Yazzie, Dilcon District, NTUA

NAVAJO TRIBAL UTILITY AUTHORITY
Proposed Power Line Extension

CHAPTER: LEUPP

REMARKS: Leupp Chapter (Grand Falls Northwest) Power Line Project

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No	Customer's Name	Description	House Yes	Wired No	Comments
	Line A (Secondary Service Off Of Main Line				
1.	Darren Joey				
2.	Billy Tso				
3.	Alvin Begody				
	Tap A-1				
4.	Larry/Rolanda Tohannie				
	Tap A-1A				
5.	Maebelle Upshaw				
6.	Myra Begay				
	TAP A-1B				
7.	Nelson Cody, Sr.				
	TAP A-2				
8.	Henry Lefthand				
9.	Roseann Lefthand				
	TAP A-2A				
10.	Ricky Boone				
11.	Martha Boone				
12.	Alfred Tsosie				
	TAP A-4				
13.	Victoria Tso Begay				
	TAP A-5				
14.	Harvey Lefthand				
	TAP A-6				
15.	Samuel/Rosebelle White				

Proposed Power Line Extension

CHAPTER: LEUPP

REMARKS: Leupp Chapter (Grand Falls Northwest) Power Line Project

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[illegible]

THE NAVAJO NATION SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: NEW Program Title: Leupp Chapter - North Grand Falls Powerline
 Division/Branch: Community Development/Executive Amount Requested: 2,377,999.20 Phone No.: 928/871-6380
 Prepared By: Walter Phelps, NNC Email Address: wphelps@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

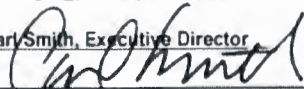
To construct 23.95 miles of powerlines to 25 homesites. North Grand Falls powerline project extension within Leupp Chapter service area. The impact and benefit of the project will help the families who have health disparities such as diabetes, kidney and heart failure and other diseases. The electricity will give the families the ability to utilize medical equipment (ventilators, oxygen, etc.) refrigerate their prescribed medication, fresh fruits and vegetables. The children would have better lights to conduct their homework by using technology such as computers, laptops and on-line classes. The advantage of having electricity will greatly benefit and improve the community member with a healthier and improving their medical conditions.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

1. Seek other alternative fund from various entity such as county and state
2. Seek the Undesignated, Unreserve Funding
3. Leveraging with Sashin Project Funds.

PART IV. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.

Carl Smith, Executive Director



REVIEWED BY: Division Director's Signature / Date

Dwight Witherspoon, Chief of Staff



11/29/18

RECOMMEND APPROVAL: Branch Chief's Signature / Date

**THE NAVAJO NATION
PROJECT PROCESS SCHEDULE**

[illegible]

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN 2020 - 2025

PROJECT SUMMARY

Agency	Chapter	Project Title	Rank	Category	Sub Category	Funding Sources	2020	2021	2022	2023	2024	2025	Total
07	Leupp	P/D/C North Grandfalls Pwrln Extn	2020 - 1	Utilities--Power - Linear	Single Phase	Chapter CIP Funds, NTUA, NN CIP General Funds	\$1,552,895.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,552,895.00
07	Leupp	P/D/C North Leupp Pwrln Extn	2021 - 2	Utilities--Power - Linear	Single Phase	NN CIP General Funds, NTUA, CDBG	\$0.00	\$555,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$555,000.00
07	Leupp	P/D/C East Canyon Diablo Pwrln Extn	2022 - 3	Utilities--Power - Linear	Single Phase	CDBG, NN CIP General Funds, NTUA	\$0.00	\$0.00	\$1,295,000.00	\$0.00	\$0.00	\$0.00	\$1,295,000.00
07	Leupp	P/D/C South Leupp Pwrln Extn	2023 - 4	Utilities--Power - Linear	Single Phase	NTUA, NN CIP General Funds, CDBG	\$0.00	\$0.00	\$0.00	\$1,402,500.00	\$0.00	\$0.00	\$1,402,500.00
07	Leupp	P/D/C South Grandfalls Pwrln extn	2023 - 5	Utilities--Power - Linear	Single Phase	NTUA, NN CIP General Funds, CDBG	\$0.00	\$0.00	\$0.00	\$925,000.00	\$0.00	\$0.00	\$925,000.00
07	Leupp	Round Cedar-Grand Falls Waterline Extension	2024 - 6	Water - Linear	Water Supply	CDBG, AML, IHS, NN CIP General Funds	\$0.00	\$0.00	\$0.00	\$0.00	\$1,250,000.00	\$0.00	\$1,250,000.00
07	Leupp	P/D/C West Canyon Diablo Pwrln Extn	2025 - 7	Utilities--Power - Linear	Single Phase	NN CIP General Funds, CDBG	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$2,000,000.00
TOTAL							\$1,552,895.00	\$555,000.00	\$1,295,000.00	\$2,327,500.00	\$1,250,000.00	\$2,000,000.00	\$8,980,395.00

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Leupp Chapter</u>		Division/Branch: <u>Community Development</u>	
Prepared By: <u>Walter Phelps, NNC</u>		Phone No.: <u>(928) 871-8211</u>		Email Address: <u>wphelps@navajo-nsn.gov</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
General Fund - UFB	1001/2018-09/30/2019	2,377,999.20	100%					
				2001 Personnel Expenses				0
				3000 Travel Expenses				0
				3500 Meeting Expenses				0
				4000 Supplies				0
				5000 Lease and Rental				0
				5500 Communications and Utilities				0
				6000 Repairs and Maintenance				0
				6500 Contractual Services				0
				7000 Special Transactions				0
				8000 Public Assistance				0
				9000 Capital Outlay	1		2,377,999.20	2,377,999.20
				9500 Matching Funds				0
				9500 Indirect Cost				0
				TOTAL		\$0.00	2,377,999.20	2,377,999.20

PART IV. POSITIONS AND VEHICLES	
Total # of Positions Budgeted:	(D) 0
Total # of Permanently Assigned Vehicles:	(E) 0

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

<p>SUBMITTED BY: <u>Merton Stevens, Dept. Manager II (Acting)</u> <u>Walter Phelps</u> SUBMITTED BY: Program Manager's Signature and Date <u>W. Phelps</u> <u>11-28-18</u></p>	<p>APPROVED BY: <u>Carl Smith, Executive Director</u> <u>Carl Smith</u> APPROVED BY: Division Director/Branch Chief's Signature and Date <u>Carl Smith</u> <u>11-28-18</u></p>
--	--

SUBMITTED BY: Program Manager's Signature and Date W. Phelps 11-28-18

APPROVED BY: Division Director/Branch Chief's Signature and Date Carl Smith 11-28-18

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:Business Unit No.: NEWProgram Name/Title: Leupp Chapter**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**

CAP-34-98: To direct the chapter administration and management control system, by promoting efficiency and accountability to the chapter membership, and to effectuate plans of action to improve the standard of living for the chapter membership.

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

To provide powerline to 25 community members.

Program Performance Measure:

Complete powerline project by the end of 4th quarter.

2. Goal Statement:**Program Performance Measure:****3. Goal Statement:****Program Performance Measure:****4. Goal Statement:****Program Performance Measure:****5. Goal Statement:****Program Performance Measure:****PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**

Markon Stevens, Dept Manager II (Acting)

Program Manager's Printed Name

Carl Smith, Executive Director

Division Director/Branch Chief's Printed Name

Program Manager's Signature and Date

Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		Leupp Chapter _____	
		Business Unit No.: _____	
		NEW _____	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
9000 9020	CAPITAL OUTLAY Infrastructure 9040 Powertine To construct 23.95 miles of powertine to 25 home sites. North Grand Falls project powertine extension within Leupp Chapter Service Area. The impact and benefit of the project will help the families who have health disampities such as diabetes, kidney and heart failure and other diseases. The electricity will give the families the ability to utilize medical equipment (ventilators, oxygen, etc.) refrigerate their prescribed medication, fresh fruits and vegetables. The children would have better hqints to conduct their homework by using technology such as computers, laptops and on-line classes. The advantage of having electricity will greatly benefit and improved the community member with a healthier improved medical conditions.	2,377,999.20	2,377,999.20
TOTAL		2,377,999.20	2,377,999.20



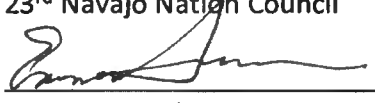
THE NAVAJO NATION

RUSSELL BEGAYE P
JONATHAN NEZ VIC



MEMORANDUM

To: Walter Phelps, Council Delegate
23rd Navajo Nation Council

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

Date: November 30, 2018

Subject: Request to Provide an OMB Budget Impact Analysis Regarding Budget Proposal Amount of \$2,377.99.20 from the UUFB for Leupp Chapter Power Line Extension Project Grand Falls.

The Office of Management and Budget reviewed the above subject document and finds the following:

1. The Office of the Controller says the UUFB has an amount of \$47,555.00 available. Therefore, insufficient funds available in FY 2018. Other available funds may be from the Sihasin Fund.
2. Project budgets should go to the DCD/Capital Projects Management Department (CPMD) for appropriate review and guidance. Are projects in compliance with priorities and funding levels?
3. Lacking Attachment A-E as stated in the Table of Contents of Leupp Chapter's Outline.

For further information regarding this review, contact Selena Begay, Senior Budget Analyst, Office of Management and Budget, at (928) 871-6575.





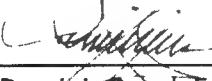
THE NAVAJO NATION

RUSSELL BEGAY, President
JONATHAN NIZA, Vice President

June 14, 2017

MEMORANDUM

TO : ALL CONCERNED

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


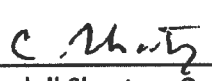
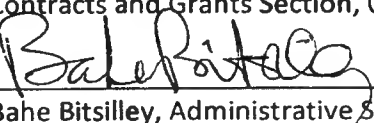
SUBJECT : Standing Delegation of Authority, FY 2018

Be advised that the personnel indicated below in the listed order of succession are delegated the authority to act in the capacity of the Executive Director for the Office of Management and Budget (OMB) during my absence from the office.

This delegation shall include all responsibilities of the Executive Director including general supervision. Any matters considered significantly questionable will be held for my review.

Your cooperation is appreciated.

ACKNOWLEDGED/SUCCESSION:

1.  6/19/17
Emmett Francis, Budget Officer
Budget Section, OMB
2.  6/19/17
Cordell Shortey, Contracting Officer
Contracts and Grants Section, OMB
3.  6/19/17
Bahe Bitsilley, Administrative Services Officer
Administration, OMB

File/Distribution





THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT



Memorandum:

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

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

Date: December 4, 2018

Subject: 164-011543 Leupp North Grand Falls Powerline

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

1. The balance of the Undesignated Unreserved Fund Balance is \$47,555 as of November 26, 2018.
2. These costs are for a power line for 25 homesites within the Leupp Chapter House service area. The amount requested is \$2,377,999.20 which would be non-recurring.
3. The Undesignated Unreserved Fund Balance(UUFB) is indicated on the budget forms and cover letter from the Chapter but on Supplemental Funding Proposal Summary, Part III, 3. Indicated Leveraging with Sihasin Project Funds. All other the documents included in the packet indicate the UUFB.

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

Document No. 011543

Date Issued: _____

**SECTION 164 REVIEW FORM**Title of Document: Leupp North Grand Falls Powerline Contact Name: PHELPS, WALTERProgram/Division: DIV. OF COMMUNITY DEVELOPMENTEmail: wphelps@navajo-nsn.gov Phone Number: 928/871-6380

Division Director Approval for 164A: _____



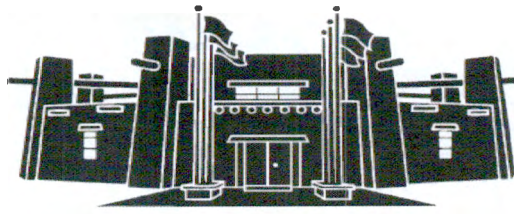
Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency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

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

<input type="checkbox"/> Statement of Policy or Positive Law:		Sufficient	Insufficient
1. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
1. OMB: _____	Date: <u>12/5/18</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

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

<input type="checkbox"/> Grant/Funding Agreement or amendment:			
1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Subcontract/Contract expending or receiving funds or amendment:			
1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



MEMORANDUM

TO: Honorable Walter Phelps
23rd Navajo Nation Council Delegate

FROM: 
Candace French, Attorney
Office of Legislative Counsel

DATE: December 5, 2018

RE: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING A SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF TWO MILLION, THREE HUNDRED SEVENTY-SEVEN THOUSAND, NINE HUNDRED NINETY-NINE DOLLARS AND TWENTY CENTS (\$2,377,999.20) TO THE LEUPP CHAPTER NORTH GRAND FALLS POWERLINE PROJECT, BUSINESS UNIT NUMBER, NEW; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

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

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

Please review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker.

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

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0393-18_

SPONSOR: Walter Phelps

TITLE: An Action Relating To Resources And Development Committee, Budget And Finance Committee, NAABIK'IYATI' Committee And The Navajo Navajo Council; Approving A Supplemental Funding From The Unreserved, Undesignated Fund Balance in the Amount Of Two Million, Three Hundred Seventy-Seven Thousand, Nine Hundred Ninety-Nine Dollars And Twenty Cents (\$2,377,99.20) To The Leupp Chapter North Grand Falls Powerline Project, Business Unit Number, New; Waiving 12 N.N.C. §§ 820(I) And 820(C) Relating To The Capital Improvement Progress

Date posted: December 5, 2018 at 6:30 PM

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

Written comments may be mailed to:

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

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

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

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

LEGISLATION NO.: 0393-18

SPONSOR: Honorable Walter Phelps

TITLE: An Action Relating To Resources And Development Committee, Budget And Finance Committee, NAABIK'IYATI' Committee And The Navajo Navajo Council; Approving A Supplemental Funding From The Unreserved, Undesignated Fund Balance in the Amount Of Two Million, Three Hundred Seventy-Seven Thousand, Nine Hundred Ninety-Nine Dollars And Twenty Cents (\$2,377,99.20) To The Leupp Chapter North Grand Falls Powerline Project, Business Unit Number, New; Waiving 12 N.N.C. §§ 820(I) And 820(C) Relating To The Capital Improvement Progress

Posted: December 5, 2018 at 6:30 PM

5 DAY Comment Period Ended: December 10, 2018

Digital Comments received:

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



**Legislative Secretary II
Office of Legislative Services**

12/11/2018 8:00am

Date/Time

ROLL CALL
VOTE TALLY SHEET:

Russell Begaye
Navajo Nation President

Jonathan Nez
Navajo Nation Vice President

Walter Phelps
Council Delegate (Birdsprings, Cameron,
Coalmine, Leupp, and Tolani Lake Chapters)



Valerie Kelly
Leupp Chapter President

Angela Cody
Leupp Chapter Vice-President

Calvin Johnson
Leupp Chapter Secretary/Treasurer

Kenny Welch
Leupp Chapter Grazing Officer

LEUPP CHAPTER

Telephone: (928) 686-3227

CPO Box 5428, Leupp, AZ 86035

Facsimile: (928) 686-3232

RESOLUTION OF THE LEUPP CHAPTER
Western Navajo Agency, Navajo Nation
Resolution No: LP 12-027-2019

**SUPPORTING AND REQUESTING THE RESOURCES AND DEVELOPMENT
COMMITTEE, BUDGET AND FINANCE COMMITTEE; NAABIK'IYATI'
COMMITTEE; NAVAJO NATION COUNCIL AND THE OFFICE OF THE
NAVAJO NATION PRESIDENT AND VICE PRESIDENT; FOR
SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED
FUND BALANCE IN THE AMOUNT OF \$2,377,999.20 FOR THE LEUPP
CHAPTER (NORTH GRAND FALLS POWER LINE EXTENSION) POWERLINE
PROJECT.**

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Leupp Chapter is a duly recognized Certified Chapter of the Navajo Nation government, as listed in 11 N.N.C., Part 1, Section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B) Leupp Chapter is vested with authority to review all matters affecting the community, make appropriate corrections as necessary, and make recommendations to the Navajo Nation and other agencies for appropriate actions; and
3. The Leupp Chapter is committed to providing and assisting with opportunities for the betterment and improvement of standard of living for it's constituents; and
4. The proposed North Grand Falls Power-line Extension project has remained a challenge for many years due to restrictions imposed by the Former Bennett Freeze; and
5. The North Grand Falls Powerline Project Proposal will provide electrification to 25 residences including elders, families with school age children, who are economically disadvantaged due to remote rural area, unimproved roads, and no telecommunication access; and
6. The Navajo Nation Division of Community Development, CDBG Program Office and the Capital Improvement Office (CIO) provide Construction funds for "project ready" community development Projects; and
7. The Leupp Chapter has worked diligently to get the North Grand Falls Powerline project to meet "project ready" status criteria; and
8. The Leupp Chapter remains firmly committed to providing required Right of Way Funding to Navajo Tribal Utility Authority (NTUA) for North Grand Falls Powerline Project in the amount of \$314,757.00 (per NTUA project cost-estimate quotation dated September 2, 2015); and

NOW THEREFORE BE IT RESOLVED THAT:

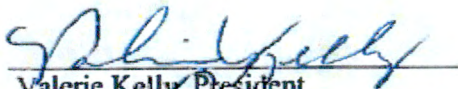
1. The Leupp Chapter supports and requests to the Resources and Development Committee, Budget and Finance Committee; Naabik'iyati' Committee; Navajo Nation Council and the Office of the Navajo Nation President and Vice President; for Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of \$2,377,999.20 for the Leupp Chapter (North Grand Falls Power Line Extension) Powerline Project.

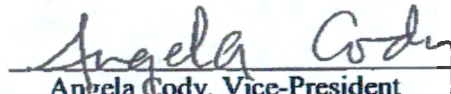
CERTIFICATION

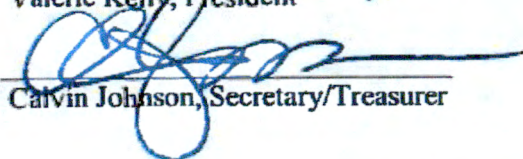
We, hereby, certify the foregoing resolution number LP 12-027-2019 was duly considered by the Leupp Chapter, at a duly call chapter meeting at the Leupp Chapter house, Navajo Nation (Arizona); at which a quorum was present and that the same was passed by a vote of 13 in favor, 0 opposed and 6 abstentions on this 4th, day of December, 2018.

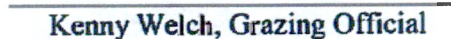
Motion by: NELSON CODY SR.

Seconded by: GILBERT CHEE


Valerie Kelly, President


Angela Cody, Vice-President


Calvin Johnson, Secretary/Treasurer


Kenny Welch, Grazing Official

Walter Phelps, Navajo Nation Council Delegate

23rd NAVAJO NATION COUNCIL

Fourth Year 2018

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL #0393-18:

An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee and the Navajo Nation Council; Approving a Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Two Million, Three Hundred Seventy-Seven Thousand, Nine Hundred Ninety-Nine Dollars and Twenty Cents (\$2,377,999.20) to the Leupp Chapter North Grand Falls Powerline Project, Business Unit *New*; Waiving 12 N.N.C. §§ 820 (I) and 860 (C) Relating to the Capital Improvement Process *Sponsored by Walter Phelps, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** with 1 amendment.

1. Swap out Exhibit E; replace with Mr. Ben Cowboy's Memo dated December 17, 2018 to 164 Reviewers; Department of Justice Document Review Request Form; Memo dated December 12, 2018 from LaTonia B. Johnson, Department of Justice with Checklist Supplemental Appropriation Request;
M: Lee Jack, Sr. S: Tom T. Chee Vote: 4-0 Yeas: Jimmy Yellowhair, Tuchoney Slim, Jr., Lee Jack, Sr., Tom T. Chee

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,


Seth Damon, Chairman

Adopted:  Legislative Advisor Not Adopted: _____
Legislative Advisor Legislative Advisor

18 December 2018

The vote was **4** in favor **0** opposed *yeas: Jimmy Yellowhair, Tuchoney Slim, Jr., Lee Jack, Sr., Tom T. Chee*

Motion: Tuchoney Slim, Jr.

Second: Tom T. Chee

BUDGET AND FINANCE COMMITTEE

18 December 2018

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0393-18:

An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee and the Navajo Nation Council; Approving a Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Two Million, Three Hundred Seventy-Seven Thousand, Nine Hundred Ninety-Nine Dollars and Twenty Cents (\$2,377,999.20) to the Leupp Chapter North Grand Falls Powerline Project, Business Unit *New*; Waiving 12 N.N.C. §§ 820 (I) and 860 (C) Relating to the Capital Improvement Process *Sponsored by Walter Phelps, Council Delegate*

Motion: Tuchoney Slim, Jr.

Second: Tom T. Chee

Vote: 4-0, Chairman not voting

Vote Tally:

Seth A. Damon		
Jimmy Yellowhair	yay	
Tom T. Chee	yay	
Lee Jack, Sr.	yay	
Leonard Tsosie		
Tuchoney Slim, Jr.	yay	

Absent: Leonard Tsosie



Seth A. Damon, Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee




THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT

JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO : 164 Reviewers

FROM : 
Ben Cowboy, Project Manager
Capital Project Management Department

DATE : December 17, 2018

SUBJECT : Leupp North Grand Falls Powerline

Capital Project Management Department has reviewed the 164 packet during the review process. The requirements from the Budget Instruction Manual, the appropriations act, the Objective Criteria (Former TCDC now RDC) for evaluating and funding capital projects in the CIP Policies and Procedures were adhered to. The North Grand Falls Powerline project is ranked No. 1 priority by the Leupp Chapter ICIP.

This request is to be used to assist additional clients/residents in the North Grand Falls powerline project. Your approval will be appreciated.

CONCURRENCE:



Marlon Stevens, Acting Dept. Manager
Capital Project Management Department



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
12-8-18 @ 307p	
DATE / TIME	
<input checked="" type="checkbox"/> 7 Day Deadline	
DOC #:	011543
SAS #:	
UNIT:	ECON

☐ RESUBMITTAL

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

CLIENT TO COMPLETE

DATE OF REQUEST: 12-6-18	ENTITY/DIVISION: DCD
CONTACT NAME: Walter Phelps	DEPARTMENT: 23rd NNC
PHONE NUMBER: 505 906-1721	E-MAIL: walterphelps@navajo-nsn.gov
TITLE OF DOCUMENT: Leupp North Grand Falls Powerline	

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 12/6/18 @ 5:04p REVIEWING ATTORNEY/ADVOCATE: LATONIA JOHNSON

DATE/TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

see memo. Legally insufficient

REVIEWED BY: (PRINT) <u>WBJ</u>	DATE / TIME <u>12/12/18 102pm</u>	SURNAMED BY: (PRINT) <u>WBJ</u>	DATE / TIME <u>12/12/18 102pm</u>
DOJ Secretary Called: <u>Walter Phelps</u>		for Document Pick Up on <u>12/12/18</u> at <u>2:42p</u> By: <u>no</u>	

PICKED UP BY: (PRINT)

DATE / TIME:

NNDOJ/DRRF-July 2013





NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

CHERIE ESPINOSA
ACTING DEPUTY ATTORNEY GENERAL

ATTORNEY-CLIENT PRIVILEGED
CONFIDENTIAL

M E M O R A N D U M

TO: Walter Phelps, Council Delegate
23RD Navajo Nation Council

FROM: 
LaTonia B. Johnson, Assistant Attorney General
Economic/Community Development Unit, Dept. Of Justice

DATE: December 12, 2018

SUBJECT: Document No. 11543: Supplemental Appropriations for
Leupp North Grand Falls Powerline

The Navajo Nation Department of Justice (DOJ) has reviewed the above-mentioned document and deems the document to be "insufficient." As you know, all supplement requests must be made consistent with the Budget Instruction Manual (BIM) Section XIV and Appropriation Act (Act), 12 N.N.C. § 800 et. seq. I have attached a checklist that I have created for all supplemental appropriation request. Please review the attached checklists for areas that are lacking. For example, there is no indication that Capital Project Management Department of Division of Community Development reviewed this package to ensure compliance with the TCDC Objective Criteria.

If you have any questions regarding this memorandum or attachment, please contact me at 928-871-6933. Thank you.

LBJ/gj/296

Attachment

CHECKLIST
Supplemental Appropriation Request
Capital Improvements and Non-Capital Improvements

TYPE OF REQUEST:

Leupp Chapter Powerline extension

PURPOSE:

All supplemental appropriation requests should be in compliance with the Appropriation Act, 12 N.N.C. § 800, *et. seq.*, the Fiscal Year 2019 Budget Instruction Manual (BIM), including Section XIV and Appendix K, and the Budget Policies Manual (BPM).

CHECKLIST:

- ☒ Supplemental Request Form: See BIM, Section XIV(B)(1)- Appendix K.
 - ☒ Explain why funding is being requested outside the regular or annual fiscal year budget development process. See BIM, Section XIV(B)(1)(b)(i).
 - ☒ Identify any other sources of funding that have been considered and that may be pursued if the supplemental request is not funded. See BIM, Section XIV(B)(1)(b)(ii).
 - ☒ Signatures:
 - ☒ Signature of the appropriate Division Director.
 - ☒ Concurrence by the appropriate Branch Chief.
- ☐ Program Operating Budget Forms 1 thru 5: See BIM, Section XIV(B)(1).
 - ☒ Form 1
 - ☒ Signature of the appropriate Division/Department.
 - ☒ Concurrence by the Branch Chief/Division Director.
 - ☒ Form 2
 - ☒ Signature of the appropriate Division/Department.
 - ☒ Concurrence by the Branch Chief/Division Director.
 - ☒ Form 3, if the request involves personnel or positions to be funded. If not applicable, please write "not applicable" not applicable.
 - ☒ Form 4
 - ☐ Form 5, if the request involves personnel or positions to be funded. If not applicable, please write "not applicable" not applicable.
 - ☐ Form 6, if the request involves supplemental funding for an externally-funded entity. If not applicable, please write "not applicable" not applicable.

Other BIM requirements:

- ☐ Any supplemental request that is not initially funded must be updated every four months or as necessary to reflect any changes. See BIM, Section XIV(B)(1)(c).
- ☐ A supplemental funding request that is not funded in a given fiscal year must be revised and resubmitted for the current fiscal year. See BIM, Section XIV(B)(1)(d).

- ☐ Supplemental funding requests must be prorated based on the remaining time left within the fiscal year. See BIM, Section XIV(B)(1)(e).
- ☐ *If applicable*, if the supplemental is granting funds to external entity, a grant application form should be filled out as provided by Appendix G. See BIM, Section XIV(B)(1).

For Capital Improvement Projects:

- ☐ Submit all requests for supplemental appropriations to the Capital Projects Management Department (CPMD) of the Division of Community that it meets all requirements in the Transportation and Community Development Objective Criteria in Resolution No. TCDCJY-77-99. See BIM, Section XIV(C)(1).

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0393-18

An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'íyáti' Committee and the Navajo Nation Council; Approving a Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of two million, three hundred seventy-seven thousand, nine hundred ninety-nine dollars and twenty cents (\$2,377,999.20) to the Leupp Chapter North Grand Falls Powerline Project, business unit number, new; waiving 12 N.N.C. §§ 820(I) and 860(C) relating to the capital improvement process

Sponsored by: Honorable Walter Phelps

Has had it under consideration and reports the same that the legislation **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



*Honorable Seth Damon, Chairman Pro Tem
NAABIK'ÍYÁTI' COMMITTEE*

18 DECEMBER 2018

MAIN MOTION

Motioned by: Honorable Alton Joe Shepherd

Seconded by: Honorable Davis Filfred

Vote: 11 in Favor, 04 Opposed (Chairman ProTem Damon Not Voting)

NAVAJO NATION

RCS# 1154

12/18/2018

Naa'bik'iyati Committee

11:46:14 PM

Amd# to Amd#

Legislation No. 0393-18

PASSED

MOT Shepherd

Approving a Supp Funding from

SEC Filfred

UUFB \$2,377,999.20 to the Leupp

Chapter North Grand Falls

Yea : 11

Nay : 4

Excused : 0

Not Voting : 9

Yea : 11

Bates

Bennett

Perry

Slim

Begay, K

Filfred

Phelps

Yellowhair

BeGaye, N

Jack

Shepherd

Nay : 4

Smith

Kieyoomia

Hale

Brown

Excused : 0

Not Voting : 9

Begay, NM

Damon

Pete

Tsosie

Chee

Daniels

Tso

Yazzie

Crotty