

## **SUMMARY OF PROPOSED LEGISLATION**

Tracking No. 0008-24

DATE: January 10, 2024

**RE: AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE, THE RESOURCES AND DEVELOPMENT COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$1,386,000 FROM THE SÍHASIN FUND TO NTUA FOR THE CONSTRUCTION OF APPROXIMATELY TWO MILES OF WATERLINE EXTENSIONS FOR 16 FAMILIES IN THE KIN DAH LICHII CHAPTER; APPROVING THE RELATED EXPENDITURE PLAN**

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

to approve \$1,386,000 from the Sihasin Fund for NTUA waterline extensions to 16 families in the Kin Dah Lichii Chapter; approving the related Expenditure Plan.

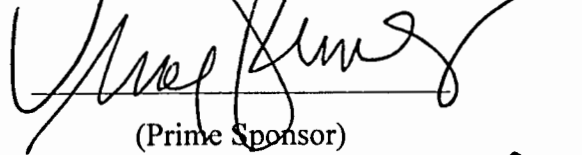
OLC No. 23-534-1

5-DAY BILL HOLD PERIOD Alfred Mike  
Website Posting Time/Date 5:50 PM 1-10-24  
Posting End Date: 01/15/24  
Eligible for Action: 01/16/24

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

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

Introduced by:

  
(Prime Sponsor)

Tracking No. 0008-24



AN ACTION

RELATING TO THE BUDGET AND FINANCE COMMITTEE, THE RESOURCES  
AND DEVELOPMENT COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND  
THE NAVAJO NATION COUNCIL; APPROVING \$1,386,000 FROM THE SÍHASIN  
FUND TO NTUA FOR THE CONSTRUCTION OF APPROXIMATELY TWO MILES  
OF WATERLINE EXTENSIONS FOR 16 FAMILIES IN THE KIN DAH LICHII  
CHAPTER; APPROVING THE RELATED EXPENDITURE PLAN

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to "review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds." 2 N.N.C. §301(B)(2).
- B. The Resources and Development Committee is a standing committee of the Navajo Nation Council with oversight authority over all 110 Navajo Nation Chapters, as well as community development matters and utilities. 2 N.N.C. §500(C) and 26 N.N.C. §102.
- C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
- As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.

1 E. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin  
2 Fund (“Síhasin Fund”) as follows:

3 §2502 Purpose

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

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

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

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

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

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

26  
27 **SECTION TWO. FINDINGS**

28 A. The Kin Dah Lichii Chapter is requesting \$1,386,000 from the Síhasin Fund for the  
29 construction of approximately two miles of new residential waterline extensions that will  
30 serve 16 families in the Chapter. Resolution No. KDLC 08-066-2023 and KDLC 2024-01

1 are attached hereto as **EXHIBIT A.**

2 B. The Chapter has provided a description and detailed price estimate for this project.  
3 **EXHIBIT B.**

4 C. Approving the \$1,386,000 for the Chapter's request satisfies the purpose of the Síhasin Fund  
5 because such purchase pertains to "community development" and "infrastructure" at the Kin  
6 Dah Lichii Chapter, as mentioned in 12 N.N.C. §2502(A)(1).

7 D. Approving the \$1,386,000 for this project satisfies the preference for leveraging of funds in  
8 12 N.N.C. §2502(C), because the Chapter states that it received federal funding through the  
9 Navajo Nation Division of Community Development for waterline extensions at the Summit  
10 area.

11 E. These new residential waterline extensions will bring running water to 16 families in the Kin  
12 Dah Lichii Chapter who have waited decades for potable water in their homes.

13 F. The Navajo Nation therefore finds the approval of the requested Síhasin funds to be in the  
14 best interests of the Navajo Nation and the Navajo People.

15  
16 **SECTION THREE. APPROVING \$1,386,000 FROM THE SÍHASIN FUND FOR THE**  
17 **CONSTRUCTION OF APPROXIMATELY TWO MILES OF**  
18 **WATERLINE EXTENSIONS FOR 16 FAMILIES IN THE KIN**  
19 **DAH LICHII CHAPTER; APPROVING THE RELATED**  
20 **EXPENDITURE PLAN**

21 A. Pursuant to 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$1,386,000 from the  
22 Síhasin Fund for the Navajo Tribal Utility Authority ("NTUA") to construct approximately  
23 two miles of new residential waterline extensions to serve 16 families in the Kin Dah Lichii  
24 Chapter.

25 B. The Navajo Nation hereby approves the Expenditure Plan for the above-described project,  
26 as shown in the attached **EXHIBIT B.**

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

29 D. The Síhasin funds allocated for the Expenditure Plan approved herein may be further  
30 leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, at

1 12 N.N.C. §1300 *et seq.*, as amended, using Síhasin Fund earnings for repayment and  
2 financing costs upon the recommendation of the Budget and Finance Committee and  
3 approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

4 E. The Síhasin funds approved herein shall be provided to the Division of Community  
5 Development (“DCD”) within fifteen (15) business days following the effective date of this  
6 Action. The funds will thereafter be made available for use by the Navajo Tribal Utility  
7 Authority (“NTUA”) for the waterline extensions project on a drawdown basis. Upon first  
8 receipt of any amount of funds, NTUA shall promptly implement the Expenditure Plan  
9 approved herein.

10 F. Drawdown of the approved Síhasin funds shall be governed by an appropriate grant  
11 agreement, memorandum of agreement, or other legal document executed by NTUA and the  
12 Navajo Nation. Said agreement shall be binding upon the parties, shall be approved by the  
13 Controller and the Department of Justice, and shall establish a project schedule, payment or  
14 drawdown plan, fund management plan, or other relevant procedures governing the project.

15 G. DCD shall have administrative oversight authority over the expenditure of the Síhasin funds  
16 approved herein, and shall monitor NTUA’s implementation of the approved Expenditure  
17 Plan.

18 H. The approved Síhasin funds shall not be comingled with any other funds, and shall be used  
19 by strictly for the Expenditure Plan approved herein. NTUA shall be responsible for ensuring  
20 that all expenditures comply with the approved Expenditure Plan, and with all provisions of  
21 the legal agreement described in Section Three (F) above.

22 I. As a condition of receiving the approved Síhasin funds, NTUA shall allow the Navajo Nation  
23 full access to its financial records related to the Síhasin funds it has received, for the purpose  
24 of the Navajo Nation’s review and audit of NTUA’s expenditures of the Síhasin funds.

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

28  
29 **SECTION FOUR. DIRECTIVE**

30 As a condition of receiving the Síhasin funds approved herein, NTUA shall submit written

1 reports, and verbal reports if so requested, explaining the ongoing status of the Expenditure Plan  
2 approved herein and its expenditures of the approved \$1,386,000. Said reports shall be provided  
3 to the Budget and Finance Committee, the Resources and Development Committee, and the  
4 Naabik'iyáti' Committee by the end of each Fiscal Year Quarter until all approved Síhasin funds  
5 are exhausted.

6  
7 **SECTION FIVE. EFFECTIVE DATE**

8 This Action and the related Expenditure Plan shall become effective pursuant to 12 N.N.C.  
9 §2505(A) and 2 N.N.C. §221(B).

10  
11 **SECTION SIX. SAVING CLAUSE**

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

# KIN DAH LICHII' CHAPTER

Mr. Larry Curtis  
PRESIDENT

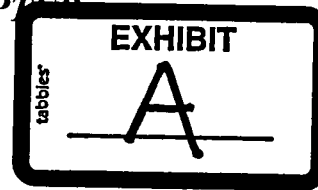
Mr. Alfred James  
VICE PRESIDENT

Ms. Roselyn Shirley  
SECRETARY/TREASURER

Ms. Maybelle Kelewood  
CHAPTER MANAGER



P.O. Box 860  
St. Michaels, Arizona 86511  
928.755.3821 Fax 928.755.6364



Mr. Vince James  
COUNCIL DELEGATE

Mr. Edward David  
GRAZING OFFICIAL

Ms. Gloria Becenti  
ADMINISTRATIVE ASSISTANT

Ms. Gayle Blackmountain  
OFFICE ASSISTANT

No. KDLC 08-066-2023

## RESOLUTION OF KIN DAH LICHII CHAPTER

Respectfully Requesting and Supporting the Naabik'iyati' Committee of the Navajo Nation Council and the Navajo Nation Budget and Finance Committee to Allocate Shortfall Funding in the Amount of \$1,386,000.00 from the Si' HaSin Funding to Construct Approximately Two (2) Miles of Waterline Extensions to 16 Families Residing in the Kin Dah Lichii Summit Area, South of State Highway 264, Project No. NA-18-F69.

### WHEREAS:

1. Kin Dah Lichii Chapter is Local Government Act certified pursuant to 26 N.N.C. Section 102(B) which permits the Kin Dah Lichii Chapter to exercise local governance authorities contained within 26 N.N.C. Section 103; and
2. The Kin Dah Lichii Chapter pursuant to 26 N.N.C. Section 1(B) is vested with the authority to review all matters affecting the community and make appropriate decisions when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. The Kin Dah Lichii Chapter was allocated Federal funding through the Division of Community Development for waterline extensions to at the Summit area; and
4. The Kin Dah Lichii Chapter constructed bathroom additions as contributions to the project to housing that required additions and trailers that had bathroom facilities already; and
5. In 2018, the Fort Defiance Office of Environmental Health (OEH) and Navajo Engineering Construction Authority (NECA) implemented the construction process installing the main waterline extension and service some homes with septic tanks and extensions into the homes; and
6. In 2020, the Kin Dah Lichii Chapter was informed by Fort Defiance Office of Environmental Health (OEH), the funding allocation was depleted due to heavy equipment breakage based on underground rock formations on the south side of State Highway 264; and
7. The Summit families have been promised water services for over 40 years and still waiting; and
8. The Kin Dah Lichii Chapter strongly depends on the Navajo Nation Council through the Navajo Nation Naabik'iyati' Committee to allocate funding in the amount of \$1,386,000.00 to complete waterline extensions for the Summit area residents.

**NOW THEREFORE BE IT RESOLVED THAT:**

The Kin Dah Lichii Chapter hereby respectfully requests and supports the Naabik'iyati' Committee of the Navajo Nation Council and the Navajo Nation Budget and Finance Committee to allocate shortfall funding in the amount of \$1,386,000.00 from the Undesignated, Unreserved Fund Balance to construct approximately two (2) miles of waterline extensions to 16 families residing in the Kin Dah Lichii Summit Area, south of State Highway 264, Project No. NA-18-F69.

**CERTIFICATION**

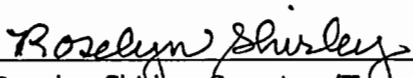
We hereby certify the foregoing resolution was considered by the Kin Dah Lichii Chapter, Navajo Nation (Arizona), at a duly called meeting at which a quorum was present and that same was approved by a vote of 36 in favor, 0 opposed, and 1 abstained on this 29<sup>th</sup> day of October 2023.

Motion by: Brunella Yazzie

Second Motion by: Harriette Leuppe

  
\_\_\_\_\_  
Larry Curtis, President

  
\_\_\_\_\_  
Alfred James, Vice-President

  
\_\_\_\_\_  
Roselyn Shirley, Secretary/Treasurer



# KIN DAH LICHII' CHAPTER

Mr. Larry Curtis  
PRESIDENT

Mr. Alfred James  
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Ms. Roselyn Shirley  
SECRETARY/TREASURER

Ms. Maybelle Kelewood  
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P.O. Box 860  
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No. KDLC-2024-01

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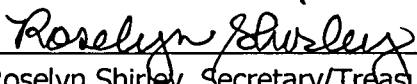
We hereby certify the foregoing resolution was considered by the Kin Dah Lichii Chapter, Navajo Nation (Arizona), at a duly called meeting at which a quorum was present and that same was approved by a vote of 36 in favor, 0 opposed, and 1 abstained on this 29<sup>th</sup> day of October 2023.

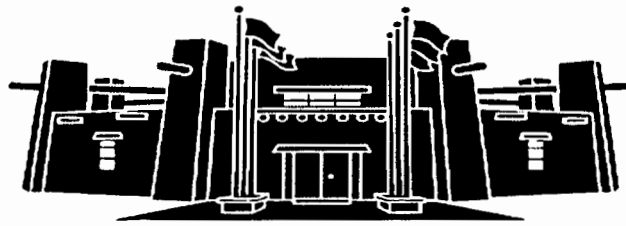
Motion by: Brunella Yazzie

Second Motion by: Harriette Leuppe

  
\_\_\_\_\_  
Larry Curtis, President


  
\_\_\_\_\_  
Alfred James, Vice-President

  
\_\_\_\_\_  
Roselyn Shirley, Secretary/Treasurer



## MEMORANDUM

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

From:   
Luralene D. Tapahe, Principal Advocate  
Office of Legislative Counsel

Date: January 10, 2024

Subject: **AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE, THE RESOURCES AND DEVELOPMENT COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$1,386,000 FROM THE SÍHASIN FUND TO NTUA FOR THE CONSTRUCTION OF APPROXIMATELY TWO MILES OF WATERLINE EXTENSIONS FOR 16 FAMILIES IN THE KIN DAH LICHII CHAPTER; APPROVING THE RELATED EXPENDITURE PLAN**

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

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

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

Thank you for your patience.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0008-24\_

SPONSOR: Vince R. James

**TITLE: An Action Relating to Budget and Finance, the Resources and Development Committee, the Naabik'íyáti' Committee, and the Navajo Nation Council; Approving \$1,386,000 from the Síhasin Fund to the NTUA for the Construction of Approximately Two Miles of Waterline Extensions for 16 Families in the Kin Dah Lichii Chapter; Approving the Related Expenditure Plan**

***Date posted:*** January 10, 2024 at 5:50PM

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

Written comments may be mailed to:

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

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

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

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

**LEGISLATION NO.: 0008-24**

**SPONSOR: Honorable Vince James**

**TITLE: An Action Relating to Budget and Finance, the Resources and Development Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$1,386,000 from the Síhasin Fund to the NTUA for the Construction of Approximately Two Miles of Waterline Extensions for 16 Families in the Kin Dah Lichii Chapter; Approving the Related Expenditure Plan**

**Posted: January 10, 2024 at 5:50 PM**

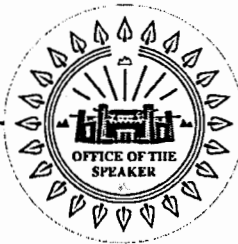
**5 DAY Comment Period Ended: January 15, 2024**

**Digital Comments received:**

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

  
**Legislative Secretary II  
Office of Legislative Services**

**January 16, 2024 8:20 AM**  
**Date/Time**



OFFICE OF THE SPEAKER  
25<sup>TH</sup> NAVAJO NATION COUNCIL

**MEMORANDUM**

TO: Julissa Johnson, Interim Executive Director  
Office of Legislative Services

FROM:   
Crystalyne Curley, Speaker  
25<sup>th</sup> Navajo Nation Council

DATE: January 16, 2024

SUBJECT: Revised Committee Assignment Listing: Legislation 0008-24

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This memorandum shall serve as official notification that Legislation 0008-24: *An Action Relating to Budget and Finance, the Resources and Development Committee, the Naabik'íyáti' Committee, and the Navajo Nation Council; Approving \$1,386,000 from the Síhasin Fund to the NTUA for the Construction of Approximately Two Miles of Waterline Extensions for 16 Families in the Kin Dah Lichii Chapter; Approving the Related Expenditure Plan*, be re-assigned to the Resources and Development Committee then the Budget and Finance Committee.

The revised committee listing shall be as follows:

1. Resources and Development Committee,
2. Budget and Finance Committee,
3. Naabik'íyáti' Committee, and
4. Navajo Nation Council.

Please make the changes as soon as possible and notify the respective committee(s).

If you should have any questions, please contact Chief of Staff, Manuel Rico at (928) 871-7160 or [mrco@navajo-nsn.gov](mailto:mrco@navajo-nsn.gov).

xc: Honorable Vince R. James, Council Delegate (Sponsor)  
Honorable Danny Simpson, Council Delegate (Co-Sponsor)  
Dana Bobroff, Chief Legislative Counsel

**RESOURCES AND DEVELOPMENT COMMITTEE  
25th NAVAJO NATION COUNCIL**

**SECOND YEAR 2024**

**COMMITTEE REPORT**

Madam Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

**LEGISLATION #0008-24:** AN ACTION RELATING TO BUDGET AND FINANCE, THE RESOURCES AND DEVELOPMENT COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$1,386,000 FROM THE SÍHASIN FUND TO THE NTUA FOR THE CONSTRUCTION OF APPROXIMATELY TWO MILES OF WATERLINE EXTENSIONS FOR 16 FAMILIES IN THE KIN DAH LICHII CHAPTER; APPROVING THE RELATED EXPENDITURE PLAN. *Sponsor: Honorable Vince R. James Co-Sponsor: Honorable Danny Simpson*

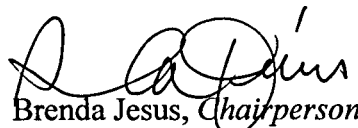
Has had it under consideration and reports a **DO PASS** with one (1) amendment.

**AMENDMENT #1:**

1. Insert **Exhibit B** which is a description and detailed price estimate for the project.
2. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Committee hereby authorizes Office of Legislative Services and Office of Legislative Counsel to correct grammatical and other technical errors, including adjustment of comprehensive dollar amounts, consistent with the intent of this amendment. This Amendment supersedes all inconsistent language in any other Committee amendment.

And thereafter the legislation was referred to the Budget and Finance Committee.

Respectfully submitted,



Brenda Jesus, *Chairperson*  
Resources and Development Committee of  
the 25th Navajo Nation Council

Date: January 17, 2024 – Regular Meeting (Mentmore, New Mexico)  
Location: Navajo Division of Transportation – #16 Old Coalmine Road, Naat'áanii Board Room – Mentmore, New Mexico 87319

**Main Motion:**

**M:** Casey Allen Johnson                      **S:** Danny Simpson                      **V:** 4-0-1 (CNV)  
**In Favor:** Shawna Ann Claw; Casey Allen Johnson; Rickie Nez; Danny Simpson  
**Opposition:** None  
**Excused:** None  
**Not Voting:** Brenda Jesus, *Chairperson*

**Amendment #1:**

**M:** Rickie Nez                                      **S:** Casey Allen Johnson                      **V:** 4-0-1 (CNV)  
**In Favor:** Shawna Ann Claw; Casey Allen Johnson; Rickie Nez; Danny Simpson  
**Opposition:** None  
**Excused:** None  
**Not Voting:** Brenda Jesus, *Chairperson*

(NOTE: VOTE TALLY attached hereto)



# Kin Dah Lichii Chapter

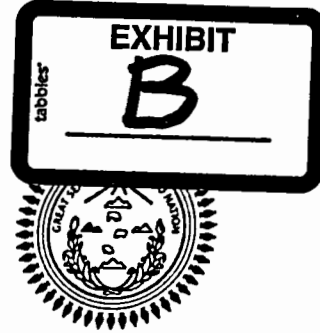
Post Office Box 860 St. Michaels, Arizona 86511

Tele: 928-755-3821 Fax: 928-755-6364 Email: kinlichee@navajochapters.org

Mr. Larry Curtis  
President  
Mr. Alfred James  
Vice-President

Roselyn Shirley  
Secretary/Treasurer  
Mr. Edward David  
Grazing Official

Mr. Vince James  
Council Delegate  
Ms. Maybelle Kelewood  
Chapter Manager



## Project Description: 0008-24

The project for waterline extension has been on the project listing for Office of Environmental Health, OEH for a number of years. The proposed waterline extension is for the summit area from mile marker 460 and extend to mile marker 470 covering homes along highway 264. This proposed area has many high-risk patients living along the route for waterline extension and the area is bedded with rocks.

From the sixteen homes, there are approximately only five homes that have cistern system but the cistern systems have been installed since 2014, outdated pipes and other necessities for a normal functioning cistern system maintenance is lacking. There is one family that developed their own cistern system near highway marker 461 due to funding shortage.

The elevation in the summit area is approximately 7,600 or higher and during the winter it is complicated to haul water due to freezing level and unpassable roads due to inclement road conditions. For the families to haul water is from the Kin Dah Lichii watering point and St. Michaels or Gallup watering point. Both ways to Gallup and Kin Dah Lichii is about 15 to 20 miles to haul water.

In conclusion, if only the waterline extension is in place, families would not have to risk travel to get household water and water for livestock in inclement weather conditions. The livestock is the livelihood of many families.

# WEST OF WINDOW ROCK QUADRANGLE

N A V A J O

R E S E R

A N

Summit  
Campground

GRAND  
CANYON

GRAVEL PIT

SCALE: 1" = 2000'

- PROJECT PARTICIPANT
- EXISTING WATERLINE
- - - PROPOSED WATERLINE
- - - EXPANDED ROW
- TANK OR PUMP HOUSE PARCEL

|   |                               |         |
|---|-------------------------------|---------|
| DEPARTMENT OF HEALTH AND HUMAN SERVICES<br>U.S. PUBLIC HEALTH SERVICE<br>INDIAN HEALTH SERVICE      |                               |         |
| ST. MICHAELS  | APACHE COUNTY,                | ARIZONA |
| ST. MICHAELS SUMMIT WATER EXT.  |                               |         |
| QUAD MAP  |                               |         |
| SHEET 01 OF 01  |                               |         |
| NA-18-F69<br>PUBLIC LAW 88-121  |                               |         |
| OFFICE OF ENVIRONMENTAL HEALTH & ENGINEERING<br>FORT DEFLANCE SERVICE UNIT<br>FORT DEFLANCE OEH & E |                               |         |
| DRAWN BY: JC<br>DATE: 08/23   | CHECKED BY: PL<br>DATE: 08/23 |         |

TABLE II.  
Cost Estimated of Recommended Facilities  
 NA-18-F69  
 St. Michaels Summit Waterline Extension

| Item  | Quantity | Unit | Unit Cost   | Total Cost  |
|---|----------|------|-------------|-------------|
| <u>WATER SUPPLY FACILITIES</u>                                |          |      |             |             |
| Endangered Species Survey                                     | 1        | LS   | \$7,000.00  | \$7,000     |
| Stormwater Prevention Plan                                    | 1        | LS   | \$10,360.00 | \$10,360    |
| 2" PVC Waterline  | 2,340    | LF   | \$16.00     | \$37,440    |
| 4" PVC Waterline  | 2,970    | LF   | \$15.00     | \$44,550    |
| 8" PVC Waterline  | 10,890   | LF   | \$26.80     | \$291,852   |
| Right of Way Clearing   | 16,200   | LF   | \$3.25      | \$52,650    |
| Pressure Testing  | 16,200   | LF   | \$1.13      | \$18,306    |
| Waterline Disinfection  | 16,200   | LF   | \$0.55      | \$8,910     |
| Rock Excavation (Vermeer)                                     | 16,200   | LF   | \$23.40     | \$379,080   |
| 1" House Service  | 16       | EA   | \$2,860.00  | \$45,760    |
| TOTAL - WATER SUPPLY FACILITIES                               |          |      |             | \$895,908   |
| <u>SEWAGE DISPOSAL FACILITIES</u>                             |          |      |             |             |
| Septic Tank (1,000 gal)                                       | 4        | EA   | \$5,030.00  | \$20,120    |
| Individual Lagoon   | 4        | EA   | \$19,930.00 | \$79,720    |
| TOTAL - SEWAGE DISPOSAL FACILITIES                            |          |      |             | \$99,840    |
| <u>INTERIOR PLUMBING FACILITIES</u>                           |          |      |             |             |
| Interior Plumbing   | 3        | EA   | \$8,980.00  | \$26,940    |
| TOTAL - INTERIOR PLUMBING FACILITIES                          |          |      |             | \$26,940    |
| <u>COST SUMMARY</u>   |          |      |             |             |
| TOTAL - WATER SUPPLY FACILITIES                               |          |      |             | \$895,908   |
| TOTAL - SEWAGE DISPOSAL FACILITIES                            |          |      |             | \$99,840    |
| TOTAL - INTERIOR PLUMBING FACILITIES                          |          |      |             | \$26,940    |
| Construction SUBTOTAL   |          |      |             | \$1,022,688 |
| <u>FEES AND TAXES</u>   |          |      |             |             |
| +10% Contingencies  |          |      |             | \$102,269   |
| Subtotal  |          |      |             | \$1,124,957 |
| +15% Support Services   |          |      |             | \$168,744   |
| Subtotal  |          |      |             | \$1,293,700 |
| + 6% Navajo Nation Sales Tax (Construction Subtotal)          |          |      |             | \$61,361    |
| + 3% Navajo Nation Regulatory Reviews (Construction Subtotal) |          |      |             | \$30,681    |
| TOTAL PROJECT COST  |          |      |             | \$1,385,742 |
| TOTAL PROJECT COST (ROUNDED)                                  |          |      |             | \$1,386,000 |

**RESOURCES AND DEVELOPMENT COMMITTEE  
25th NAVAJO NATION COUNCIL**

**SECOND YEAR 2024**

**ROLL CALL  
VOTE TALLY SHEET**

**LEGISLATION #0008-24:** AN ACTION RELATING TO BUDGET AND FINANCE, THE RESOURCES AND DEVELOPMENT COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$1,386,000 FROM THE SÍHASIN FUND TO THE NTUA FOR THE CONSTRUCTION OF APPROXIMATELY TWO MILES OF WATERLINE EXTENSIONS FOR 16 FAMILIES IN THE KIN DAH LICHII CHAPTER; APPROVING THE RELATED EXPENDITURE PLAN. *Sponsor: Honorable Vince R. James Co-Sponsor: Honorable Danny Simpson*

**Date:** January 17, 2024 – Regular Meeting (Mentmore, New Mexico)  
**Location:** Navajo Division of Transportation – #16 Old Coalmine Road, Naat'áanii Board Room – Mentmore, New Mexico 87319

**Main Motion:**

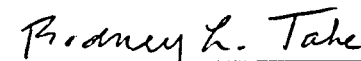
**M:** Casey Allen Johnson                      **S:** Danny Simpson                      **V:** 4-0-1 (CNV)  
**In Favor:** Shawna Ann Claw; Casey Allen Johnson; Rickie Nez; Danny Simpson  
**Opposition:** None  
**Excused:** None  
**Not Voting:** Brenda Jesus, *Chairperson*

**Amendment #1:**

**M:** Rickie Nez                                      **S:** Casey Allen Johnson                      **V:** 4-0-1 (CNV)  
**In Favor:** Shawna Ann Claw; Casey Allen Johnson; Rickie Nez; Danny Simpson  
**Opposition:** None  
**Excused:** None  
**Not Voting:** Brenda Jesus, *Chairperson*



Honorable Brenda Jesus, *Chairperson*  
Resources and Development Committee



Rodney L. Tahe, *Legislative Advisor*  
Office of Legislative Services

## 25<sup>th</sup> NAVAJO NATION COUNCIL

Second Year 2024

Ms. Speaker:

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

### **NAVAJO LEGISLATIVE BILL # 0008-24:**

An Action Relating to Budget and Finance Committee, the Resources and Development Committee, the Naabikiyati Committee and the Navajo Nation Council; Approving \$1,386,000 from the Sihasin Fund to NTUA for the Construction of Approximately two Miles of waterline extensions for 16 families in the Kin Da Lichii Chapter; Approving the Related Expenditure Plan  
Sponsor: Vince James and Danny Simpson, Council Delegates

has had it under consideration and reports the same with the recommendation that It **Table** without amendment.

1. On page --, line -- insert “\_\_” and on page -- line -- insert “-----”.  
M: S: Vote: Yeas: Nays:
2. On page --, line -- insert “\_\_” and on page -- line -- insert “-----”.  
M: S: Vote: Yeas: Nays:

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

*[January 17, 2024 agenda item; Main Motion held by Amber K. Crotty Second: Shaandiin Parrish; Tabling motion made by Carl R. Slater Seconded by Shaandiin Parrish Vote: 2-1 Yeas: Shaandiin Parrish, Carl R. Slater Nay: Amber K. Crotty; Table for no more than 30 days; Sponsor recommended to meet with the Indian Health Service and NTUA to determine where the funds should go and to get all of the funding information back to the Council]*

Respectfully submitted,

  
Seth A. Damon, Pro Tem Chairman

Adopted: \_\_\_\_\_  
Legislative Advisor

Not Adopted:   
Legislative Advisor

**January 17, 2024**

The vote was\_\_ in favor \_ opposed yeas: nays:

Main Motion:

Second:

## BUDGET AND FINANCE COMMITTEE

January 17, 2024

Special Meeting

### VOTE TALLY SHEET:

**Legislation No. 0008-24:** An Action Relating to Budget and Finance Committee, the Resources and Development Committee, the Naabikiyati Committee and the Navajo Nation Council; Approving \$1,386,000 from the Sihasin Fund to NTUA for the Construction of Approximately two Miles of waterline extensions for 16 families in the Kin Da Lichii Chapter; Approving the Related Expenditure Plan

Sponsor: Vince James and Danny Simpson, Council Delegates

Motion: Amber K. Crotty

Second: Shaandiin Parrish


Vote: 0-0, Chairperson not voting

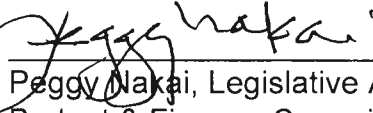
*[January 17, 2024 agenda item; Main Motion held by Amber K. Crotty Second: Shaandiin Parrish; Tabling motion made by Carl R. Slater Seconded by Shaandiin Parrish Vote: 2-1 Yeas: Shaandiin Parrish, Carl R. Slater Nay: Amber K. Crotty; Table for no more than 30 days; Sponsor recommended to meet with the Indian Health Service and NTUA to determine where the funds should go and to get all of the funding information back to the Council]*

### Final Vote Tally:

|                   |  |  |
|-------------------|--|--|
| Lomardo Aseret    |  |  |
| Norman M. Begay   |  |  |
| Amber K. Crotty   |  |  |
| Seth A. Damon     |  |  |
| Shaandiin Parrish |  |  |
| Carl R. Slater    |  |  |

Absent:

  
Seth A. Damon, Pro Tem Chairman  
Budget & Finance Committee

  
Peggy Nakai, Legislative Advisor  
Budget & Finance Committee

# 25<sup>th</sup> NAVAJO NATION COUNCIL

## NAABIK'ÍYÁTI' COMMITTEE REPORT

### Second Year 2024

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

#### NAVAJO LEGISLATIVE BILL # 0008-24

An Action Relating to Budget and Finance, the Resources and Development Committee, the Naabik'íyáti' Committee, and the Navajo Nation Council; Approving \$1,386,000 from the Síhasin Fund to the NTUA for the Construction of Approximately Two Miles of Waterline Extensions for 16 Families in the Kin Dah Lichii Chapter; Approving the Related Expenditure Plan

*Sponsored by: Honorable Vince R. James*

*Co-Sponsored by: Honorable Danny Simpson*

Has had it under consideration and reports the same that the legislation **WAS PASSED WITH ONE (1) AMENDMENT AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,



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

**18 January 2024**

#### **AMENDMENT #1**

1. On page 1 at line 14 in the title, make the following changes:  
    . . . **FUND TO NTUA FOR THE CONSTRUCTION OF APPROXIMATELY TWO MILES** . . .
2. On page 2 at lines 28-29, make the following changes:  
    . . . Síhasin Fund for ~~the construction of~~ approximately two miles . . .
3. On page 3 at lines 16-17, make the following changes:  
    . . . **SIHASIN FUND FOR THE CONSTRUCTION OF APPROXIMATELY TWO MILES** . . .
4. On page 3 at line 22, make the following changes:  
    . . . Síhasin Fund for ~~the Navajo Tribal Utility Authority to construct~~ approximately . . .
5. On page 4 at lines 4-9 in paragraph E, make the following changes:  
    E. The Síhasin funds approved herein shall be provided to the ~~Division of Community Development ("DCD")~~ Navajo Nation Department of Water Resources ("DWR") within

fifteen (15) business days following the effective date of this Action. ~~The funds will thereafter be made available for use by the Navajo Tribal Utility Authority ("NTUA") for the waterline extensions project on a drawdown basis. Upon first receipt of any amount of funds, NTUA shall promptly implement the Expenditure Plan approved herein. DWR shall work with the Navajo Area Indian Health Service, the Navajo Tribal Utility Authority, and other entities as necessary and appropriate, to execute a legal agreement governing implementation of the Expenditure Plan approved herein.~~

6. On page 4 at lines 10-12 in paragraph F, make the following changes:
  - F. ~~Drawdown of the approved Síhasin funds shall be governed by an appropriate grant agreement, memorandum of agreement, or other legal document executed by NTUA and the Navajo Nation. Said legal agreement shall be binding upon the parties, shall be approved by the . . .~~
7. On page 4 at lines 15-17 in paragraph G, make the following changes:
  - G. ~~DCD DWR shall have administrative oversight authority over the expenditure of the Síhasin funds approved herein, and shall monitor NTUA's implementation of the approved Expenditure Plan.~~
8. On page 4 at line 19, make the following change:

. . . by strictly for the Expenditure Plan approved herein. NTUA DWR shall be responsible for ensuring . . .
9. On page 4 at line 22-24, delete paragraph I in its entirety:
  - I. ~~As a condition of receiving the approved Síhasin funds, NTUA shall allow the Navajo Nation full access to its financial records related to the Síhasin funds it has received, for the purpose of the Navajo Nation's review and audit of NTUA's expenditures of the Síhasin funds.~~
10. On page 4 at line 30, make the following change:

As a condition of receiving the Síhasin funds approved herein, NTUA DWR shall submit written . . .
11. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Office of Legislative Services and the Office of Legislative Counsel are authorized to make technical edits to this legislation and its exhibits to implement the Committee's intent. This Amendment supersedes inconsistent language in any other amendment(s).

*Motioned by: Honorable Carl R. Slater*

*Seconded by: Honorable Brenda Jesus*

*Vote: 14 in Favor, 00 Opposed (Chair Pro Tem Damon Not Voting)*

## **MAIN MOTION**

*Motioned by: Honorable Casey Allen Johnson*

*Seconded by: Honorable Curtis Yanito*

*Vote: 13 in Favor, 00 Opposed (Chair Pro Tem Damon Not Voting)*



## Naa'bik'iyati' Committee Special Meeting

Amd#1 to Amd# New Business: Item F.  
MOT Slater, C #0008-24 > Amendment #1  
SEC Jesus, B

PASSED

Yeas : 14

Nays : 0

Excused : 6

Not Voting : 3

## Yea : 14

Arviso, S  
Begay, H  
Begay, N  
Claw, S

Crotty, A  
Curley, C  
James, V  
Jesus, B

Johnson, C  
Nez, A  
Parrish, S

Simonson, G  
Slater, C  
Yanito, C

## Nay : 0

## Excused : 6

Aseret, L  
Charles-Newton, E

Daniels, H  
Nez, R

Notah, N

Simpson, D

## Not Voting : 3

Yazzie, C

Tolth, G

Tso, O

Presiding Speaker: Damon, S

# NAVAJO NATION

303

1/18/2024

## Naa'bik'iyati' Committee Special Meeting

|                |                              |        |
|----------------|------------------------------|--------|
| Amd# to Amd#   | New Business: Item F. (MAIN) | PASSED |
| MOT Johnson, C | #0008-24                     |        |
| SEC Yanito, C  | (MODIFIED)                   |        |

**Yeas : 13**

**Nays : 0**

**Excused : 6**

**Not Voting : 4**

### Yea : 13

|           |           |            |             |
|-----------|-----------|------------|-------------|
| Arviso, S | Crotty, A | Jesus, B   | Parrish, S  |
| Begay, H  | Curley, C | Johnson, C | Simonson, G |
| Begay, N  | James, V  | Nez, A     | Yanito, C   |
| Claw, S   |           |            |             |

### Nay : 0

### Excused : 6

|                   |            |          |            |
|-------------------|------------|----------|------------|
| Aseret, L         | Daniels, H | Notah, N | Simpson, D |
| Charles-Newton, E | Nez, R     |          |            |

### Not Voting : 4

|           |           |          |        |
|-----------|-----------|----------|--------|
| Yazzie, C | Slater, C | Tolth, G | Tso, O |
|-----------|-----------|----------|--------|

**Presiding Speaker: Damon, S**

# **25<sup>th</sup> NAVAJO NATION COUNCIL ACTION REPORT Second Year 2024**

The **NAVAJO NATION COUNCIL** to whom has been assigned:

## **NAVAJO LEGISLATIVE BILL #0008-24**

An Action Relating to Budget and Finance, the Resources and Development Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$1,386,000 from the Síhasin Fund to the NTUA for the Construction of Approximately Two Miles of Waterline Extensions for 16 Families in the Kin Dah Lichii Chapter; Approving the Related Expenditure Plan

*Sponsored by: Honorable Vince R. James*

*Co-Sponsored by: Honorable Danny Simpson*

Has had it under consideration and reports the same that the legislation **FAILED (LEGISLATION DID NOT RECEIVE THE REQUIRED 16 IN FAVOR VOTES).**

Respectfully Submitted,



*Honorable Crystalyne Curley, Speaker  
25<sup>th</sup> NAVAJO NATION COUNCIL*

**24 January 2024**

### **MAIN MOTION**

*Motioned by: Honorable Rickie Nez*

*Seconded by: Honorable Casey Allen Johnson*

*Vote: 13 in Favor, 04 Opposed (Speaker Curley Not Voting)*

## NAVAJO NATION

Navajo Nation Council 2024 Winter Session

1/24/2024

12:12:30 PM

|                |                                |        |
|----------------|--------------------------------|--------|
| Amd# to Amd#   | New Business: Item H. (MAIN)   | FAILED |
| MOT Nez, R     | Legislation 0008-24: Approving |        |
| SEC Johnson, C | \$1,386,000 from the Sihasin   |        |
|                | Fund to NTUA for the .....     |        |

Yeas : 13

Nays : 4

Excused : 5

Not Voting : 0

## Yea : 13

Arviso, S  
Begay, H  
Begay, N  
Claw, SCrotty, A  
James, V  
Jesus, BJohnson, C  
Nez, R  
Notah, NSimonson, G  
Simpson, D  
Tolth, G

## Nay : 4

Slater, C

Parrish, S

Aseret, L

Yazzie, C

## Excused : 5

Charles-Newton, E  
Daniels, H

Nez, A

Tso, O

Yanito, C

## Not Voting : 0

Presiding Speaker: Curley, C