



# THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT

## MEMORANDUM

**TO:** Honorable LoRenzo Bates, Speaker  
Navajo Nation Council

**FROM:**

  
Russell Begaye, *President*  
THE NAVAJO NATION

**DATE:** March 4, 2018

**SUBJECT:** Resolution No. CF-21-18: RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE HUNDRED FORTY-EIGHT THOUSAND THREE HUNDRED TWENTY FIVE DOLLARS (\$148,325.00) FOR PHOENIX INDIAN CENTER, BUSINESS UNIT NUMBER 119025

Pursuant to 2 N.N.C. 1005 (C)(10), action for Resolution No. CF-21-18 is being submitted to the Navajo Nation Council, through the Office of the Speaker within the ten (10) days requirement. Furthermore, the Navajo Nation President has line item veto authority for budget items within the annual Navajo Nation Comprehensive Budget or Supplemental Appropriations, which are not subject to override by the Navajo Nation Council. 2 N.N.C. 164 (A)(17).

After review of Resolution No. CF-21-18, I hereby exercise my line-veto to:

1. Section Three. Approving the Supplemental Appropriation from the Unreserved, Undesignated Fund Balance the amount of \$148,325.00 for Phoenix Indian Center, BU No. 119025.
2. EXHIBIT A. BUDGET FORM 1. Part III Budget Summary. 3500. 4000 Supplies (B) in the amount of 11,600; Lease and Rental (B) in the amount of 18,000; 5500

**Communications and Utilities (B) in the amount of 300; 6500 Contractual Services (B) in the amount of 28,260; 7000 Special Transactions (B) in the amount of 1,500; 9500 Indirect Cost in the amount of 20,455.**

- 3. EXHIBIT A. BUDGET FORM 4. 4000 Supplies in the amount of 11,600, 4120 General Office Supplies in the amount of 1,800, 4410 Operating Supplies in the amount of 9,800; 5110 Office Space in the amount of 18,000; 5570, 5500 Communications and Utilities 5600 Internet in the amount of 300; 6520, 6530 Fees in the amount of 28,280; 660, 5630 Audit in the amount of 2,500 and 3,300; 7710 Insurance Premiums in the amount of 1,500; 8020 Emergency Assistance in the amount of 23,750; 9710 Indirect Cost in the amount of 20,455.**

The justification and details for use of the President's line-item veto is set forth below.

The Office of the President and Vice President ("OPVP") fully supports the Phoenix Indian Center. The Center offers much support for our urban Navajos. As such I support an appropriation to the Center. However, I have also been informed by the Controller the Navajo Nation is facing a large and growing deficit, this upcoming 2019 budget. As the President of the Navajo Nation, I must protect to the best of my ability future governmental operations and continued services to our People. Therefore, I must exercise my line-item veto authority for some of the costs.

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

23<sup>RD</sup> NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE HUNDRED FORTY-EIGHT THOUSAND THREE HUNDRED TWENTY-FIVE DOLLARS (\$148,325.00) FOR PHOENIX INDIAN CENTER, BUSINESS UNIT NUMBER 119025

BE IT ENACTED:

**Section One. Authority**

- A. The Navajo Nation established the Health, Education and Human Services Committee as a Navajo Nation Council standing committee and as such gave the Committee oversight to oversee all health and social services related activities of the Navajo Nation and its tribal organizations, enterprises, relating to the delivery of health, environmental health and social services including research, planning and prevention. 2 N.N.C. §§ 400(A), 401(C)(2).
- B. The Navajo Nation established the Budget and Finance Committee (BFC) as a Navajo Nation Council standing committee and as such empowered BFC to review and recommend to the Navajo Nation Council the budgeting and management of all funds. 2 N.N.C. §§ 300 (A), 301 (B)(2).
- C. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- E. The Title 12 Appropriations Act Supplemental Appropriation requirements include:
  1. When the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be allocated by the Navajo Nation Council. 12 N.N.C. § 820(L).

2. Supplemental appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes, as set forth at § 820(F). The Controller of the Navajo Nation shall be responsible for designating recurring and non-recurring revenues. 12 N.N.C. § 820(L).
3. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget ("OMB") for budget impact analysis. 12 N.N.C. § 820(M).

## **Section Two. Findings**

- A. Phoenix Indian Center, Inc. is a nonprofit organization in Maricopa County (Arizona). Generally, the center assists American Indians in the urban community with employment, educational, cultural enrichment and community engagement services.
- B. Navajo people living in Maricopa County make up approximately 30% of the urban American Indian population.
- C. Phoenix Indian Center, Inc. is requesting from the Navajo Nation \$148,325.00 from the Unreserved, Undesignated Fund Balance (UUFB). Funding from the Navajo Nation will be used for social services for Navajo people at the center. The services will include Navajo language and culture classes, seminars and informational sessions. A portion of the funding will also be used for staff providing the services.
- D. The Grant Application and supplemental funding request forms are attached as **Exhibit A**.
- E. The Office of Management and Budget is provided notice of the funding request and is attached as **Exhibit D**, pursuant to 12 N.N.C. § 820(M).
- F. The Office of the Controller has provided a memorandum dated February 14, 2018 indicating the balance in the Unreserved, Undesignated Fund Balance as of February 14, 2018 is \$27,717,798. This memorandum is provided to meet the requirements of 12 N.N.C. § 820 (L), however the Controller of the Navajo Nation has not designated the funds as recurring or non-recurring. The memorandum is attached as **Exhibit B**.

- G. The request for funds must meet the grant budget requirements of 1) an approved plan of operation, 2) budget request must be part of a recommended division or branch budget, 3) the respective oversight [committee] of the division or branch must recommend the request; in addition shall be submitted to the Office of Management and Budget on appropriate budget forms. See Fiscal Year 2018 Budget Instruction Manual, Section XI(B).
- H. The Navajo Nation finds it in the best interest of the Navajo Nation that supplemental appropriations be made for the Phoenix Indian Center to continue services to Navajos within the Phoenix urban area. See, organizational Articles of Incorporation and Bylaws attached, as **Exhibit C**.

**Section Three. Approving the Supplemental Appropriation from the Unreserved, Undesignated Fund Balance in the Amount of \$148,325.00 for Phoenix Indian Center, BU No. 119025.**

- A. This supplemental appropriation of \$148,325.00 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 Phoenix Indian Center, BU No. 119025.
- B. The Navajo Nation hereby approves the supplemental appropriation from the Unreserved, Undesignated Fund Balance to the Phoenix Indian Center to continue services to Navajos in the Phoenix urban area.

**Section Four. Effective Date**

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

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 12 in favor and 01 opposed, on this 16<sup>TH</sup> day of February 2018.

  
LoRenzo C. Bates, Speaker  
23<sup>rd</sup> Navajo Nation Council

  
Date

Motion: Honorable Kee Allen Begay, Jr.  
Second: Honorable Seth Damon

Speaker Bates not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

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

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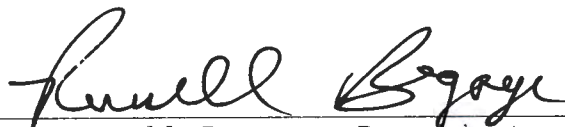
Russell Begaye, President  
Navajo Nation

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

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Russell Begaye, President  
Navajo Nation

3. I hereby exercise line item veto pursuant to the 2010, certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this 4<sup>th</sup> day of March 2018.



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Russell Begaye, President  
Navajo Nation



A

# The Navajo Nation Grant Application

Name of Applicant: Phoenix Indian Center		Telephone No.: 602-264-6768
Mailing Address: 4520 N Central Ave. Suite 250 Phoenix, AZ 85012		Email: phibbeler@phxindcenter.org
Physical Address: 4520 N Central Ave. Suite 250 Phoenix, AZ 85012		IRS TIN/EIN No: 86-6006566
NN Grant Request Amount: 148,325.00	Grant Start Date: 10/1/2017	Grant End Date: 9/30/2018

## Brief Description of the Organization or Entity Requesting the Grant:

The Phoenix Indian Center (PIC), established in 1947, is the oldest agency in the United States dedicated to improving the health and well-being of American Indian people by providing quality, culturally based workforce, language/culture, education and youth services. PIC works to build strong and lasting partnerships, and create strong leadership grounded in cultural values and honoring our history as an organization and peoples. The Navajo Language & Culture Program provides education, cultural enrichment & community engagement for urban Navajos residing in Maricopa County.

## PROBLEMS/NEEDS STATEMENT

Briefly describe the problems/needs identified based on relevant and collected data. The statement should be brief, clear and concise, including population (Navajo) to be served and location of the population.

According to the US Census, the Arizona population is estimated at 6,731,484 of which 5.3% (356,768) are American Indian and 31% of that population is Navajo. The 2011-2013 Census American Community Survey estimated the urban-living American Indian population in Maricopa County (off reservation) was 127,364 with 30% (38,209) being Navajo. Phoenix is the 3rd largest city with American Indian people in the United States. The Census also estimated that 20.8% of the homes in Arizona spoke Spanish followed by the next significant language group, Navajo at 1.48%. The Phoenix Indian Center annually provides services to over 7,000 people and reaches many more through presentations and community outreach events. 6 of every 10 clients to the Phoenix Indian Center identify themselves as Navajo tribal members. It is evident that many Navajo people relocate to the Phoenix area for various reasons including employment and/or to pursue higher education. Currently, many Navajo members who are no longer surrounded by their language report being detached from their Navajo community, not being fluent or have little speaking ability in their ancestral language and have limited cultural knowledge. Since 2005 to date, 5,158 students participated in Navajo language and culture classes while a total of 12,133 people attended Seasonal Storytelling events and presentations. This funding will provide continued opportunities for the urban Navajo community members to engage and to learn their heritage language, culture, and traditions which can promote self identity and self sufficiency. Additionally this project will allow for a continued partnership with Navajo School clothing program office and allow local Phoenix area students to participate and receive clothing for school.

## METHODOLOGY

Briefly describe the approaches, services, and/or ways the problems or needs which will be addressed with the grant.

The problems and objectives discussed will be addressed through the following approach: Navajo language and culture classes will be offered to address the need to grow more Dine speakers and gain knowledge and preservation of cultural practices. Navajo language and culture classes will be offered on a semester basis and varied throughout the week on different days, times and locations for both youth and adults. Class offerings to date have included Adult Beginning Navajo Language, Adult Intermediate Navajo Language, Navajo Literacy, Intergenerational Language and Culture, Children's Navajo Language, Dine Culture, Navajo Singing Language Class and Navajo Weaving. Additionally, special seasonal cultural story telling events using Navajo experts to share cultural teachings with the Navajo people residing in the Phoenix Metro will be offered. Organizing Dine Culture camps is another avenue chosen to provide education in language and culture to the urban Navajo population, thus preserving and growing the Dine knowledge. Finally, Phoenix area Navajo families with enrolled students will have the opportunity to participate and receive Navajo school clothing through the partnership with Navajo School Clothing Program offered by the Navajo Nation.

To the best of my knowledge and belief, all data in this application are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the Navajo Nation terms and conditions if the grant is awarded.

Signature of Authorized Representative

09.12.17

Date Signed

Patricia K. Hibbeler

Chief Executive Officer

Type Name of Authorized Representative

Title

**THE NAVAJO NATION  
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

**PART I. Business Unit No.:** 119025 **Program Title:** Phoenix Indian Center  
**Division/Branch:** \_\_\_\_\_ **Amount Requested:** 148,325.00 **Phone No.:** 602-264-6768  
**Prepared By:** Becky Martin **Email Address:** bmartin@phxindcenter.org

**PART II. REASON FOR REQUEST AND STATEMENT OF NEED:**

According to the US Census, the Arizona population is estimated at 6,731,484 of which 5.3% (356,768) are American Indian and 31% of that population is Navajo. The 2011-2013 Census American Community Survey estimated the urban-living American Indian population in Maricopa County (off reservation) was 127,364 with 30% (38,209) being Navajo and a young population with 46.4% being under the age of 24. The Census also estimated that 20.8% of the homes in Arizona spoke Spanish followed by the next significant language group, Navajo at 1.48%. The Phoenix Indian Center annually provides services to over 7,000 people and reaches many more through presentations and community events. Characteristics of our customer base show that 28% are either part-time or full-time employed, 75% of these households report less than \$10,000 income per year and 61% of these households have 3 children. Of these, depending upon which service being accessed, up to 65% are Navajo. Many of these individuals report being detached from their Navajo community, not being fluent or have little speaking ability in their ancestral language or significant cultural knowledge. They continue to seek opportunities to learn their heritage language, culture, traditions and stories, as well as access support services needed by low income families, thus availing themselves of all the services provided by the Phoenix Indian Center. This funding will provide continued opportunities for the urban Navajo community members to engage and to learn their heritage language, culture and traditions which can promote self-identity and self sufficiency. Additionally, this project will allow for a continued partnership with Navajo Nation services including the Navajo school clothing program office and allow local Phoenix area students to participate and receive clothing for school.

**PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:**

The Phoenix Indian Center does not have funding available to offer the robust program, that has been provided for over 17 years. Offerings would be extremely minimal if at all.

**PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:**

The Phoenix Indian Center will continue to identify possible funding sources and submit competitive funding where applicable.

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

  
**REVIEWED BY:** Division Director's Signature / Date

 10/5/17  
**RECOMMEND APPROVAL:** Branch Chief's Signature / Date



THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

FY 18

[illegible]

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

## PROGRAM PERFORMANCE CRITERIA

<b>PART I. PROGRAM INFORMATION:</b> Business Unit No.: <u>119025</u>		Program Name/Title: <u>Phoenix Indian Center</u>															
<b>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:</b> Amended Articles of Incorporation passed on January 9, 2001, signed by Jo Lynn Gentry-Lewis, President and Patty Dinitiou, Secretary and Carolyn Ortiz. The primary purpose of the program is to provide programs and services in answer to the needs of Native Americans residing in the metro-Phoenix area.																	
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>																	
1. Program Performance Area: Number of students completing Navajo language & culture classes		1st QTR Goal		Actual		2nd QTR Goal		Actual		3rd QTR Goal		Actual		4th QTR Goal		Actual	
Goal Statement: Educate more urban Navajo Tribal members in Navajo language & understanding of culture																	
2. Program Performance Area: Number of participants in Seasonal Stories and Culture Nights																	
Goal Statement: Share knowledge of Navajo traditional stories and traditions including performances																	
3. Program Performance Area: Number of persons/families receiving case management/intake services																	
Goal Statement: Promote urban self-sufficiency and living skill improvement																	
4. Program Performance Area: Number of eligible Navajo families receiving financial emergency assistance																	
Goal Statement: Promote urban self-sufficiency and stabilize Navajo families in crisis																	
5. Program Performance Area: Number of persons/families receiving skill building, substance abuse and suicide prevention																	
Goal Statement: Improve coping skills for living in a large city environment through prevention services																	
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>																	
Program Manager's Printed Name and Signature/Date: <u>Rebecca K. Lopez 02-16-18</u>																	
Division Director/Branch Chief's Printed Name and Signature / Date: <u>Dr. Carolyn Ortiz 2/16/18</u>																	



DEPARTMENT OF DINÉ EDUCATION  
THE NAVAJO NATION

P.O. Box 670 Window Rock, Arizona 86515  
PHONE (928) 871-7475 - FAX (928) 871-7474

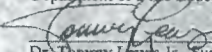


Russell Begay  
President

Jonathan Nez  
Vice-President

MEMORANDUM:

TO: Program Managers and Staff  
Department of Diné Education

FROM:   
Dr. Tommy Lewis Jr., Superintendent of Schools  
Department of Diné Education - Administration

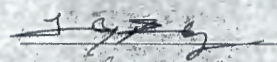
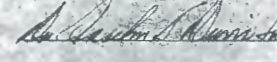

DATE: October 2, 2017

SUBJECT: STANDING DELEGATION OF AUTHORITY - FY 2018 (REVISED)

During my absence from the office, the following individuals are authorized to act on my behalf, in the order they are placed, to ensure the proper and uninterrupted functioning of the Department of Diné Education by performing the routine duties required of the Superintendent of Schools:

ACKNOWLEDGED

1. Dr. Timothy Benally, Assistant Superintendent  
Department of Diné Education - Administration
2. Dr. Anselm Davis, Education Program Manager  
AdvancED Navajo Nation (NCA/AdvancED)
3. Ms. Rose Graham, Department Manager II  
Office of Navajo Nation Scholarship and Financial  
Assistance (ONNSFA)

This delegation authorizes my designee to review and approve all routine administrative, financial and personnel documents, with the understanding that they will consult with me as necessary. However, all requests for Off Reservation Travel (ORT) will follow the process outlined in the memo distributed on March 20, 2013, authorizing only the Superintendent and the Assistant Superintendent to approve those requests.

Please continue to bring all documents requiring the review and approval of the Superintendent of Schools to the Department of Diné Education-Administration Office.

If you have any inquiries relative to this matter, contact the DODE Administration Office at 928-871-7475. Your cooperation is expected and appreciated.

XC: Honorable Russell Begay, President, The Navajo Nation  
Honorable Jonathan Nez, Vice President, The Navajo Nation  
Joshua L. Butler, Chief of Staff, Office of the President/Vice President  
Pearline Kirk, Controller, Office of the Controller  
Dominic Beyal, Executive Director, Office of Management and Budget

BOARD OF EDUCATION

Bennie Begay, President Gloria Johns, Vice President Delores Greyes, Secretary  
Members: Dolly C. Begay · Dr. Pauline Begay · Dr. Bernadette Todacheene · Patrick D. Lynch · Marlene Burbank  
Dr. Tommy Lewis, Superintendent of Schools

THE NAVAJO NATION  
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

FY 18

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2017 ACTUAL		FY 2018 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
2130	N/A	3874	Instructor, Language & Cul	N/A	PIC		62348	1040	31174



THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 18

PART I. PROGRAM INFORMATION:		Business Unit No.: 119025	
Program Name/Title: Phoenix Indian Center			
PART II. DETAILED BUDGET:			
(A) Object Code (LOD 6)	(B) Object Code Description and Justification	(C) Total by DETAILED Object Code	(D) Total by MAJOR Object Code
2110	2001 Personnel Expenses	31,174	38,070
2900	2130 Personnel Regular Part time (.5 FTE) 1040 hrs @ 29.975/hr. Average 20 hours per week		
	Fringe Benefits	6,896	
	2912 FICA @ .052% * 31,174 = 1,932.79		
	2914 Medicare @ .0145% * 31,174 = 452.02		
	2921 Medical Insurance @ 7% * 31,174 = 2,182.18		
	2926 Life Insurance @ .005% * 31,174 = 155.87		
	2940 Retirement @ 3% * 31,174 = 935.22		
	2951 Unemployment @ .0272% * 31,174 = 847.53		
	2950 Workers Compensation @ 1.251% * 31,174 = 389.99		
	3000 Travel Expenses		6,390
3210	3220 Vehicle rental, truck for Navajo Clothing = \$1,750 one time rental fee based on historical costs including fuel	6,390	
3230	3260 Mileage 4,513 miles/year (300 miles/month) - for summer camp, meetings and local to classes) * 0.545 = \$2,460		
	3240 Per Diem 12 days @ \$75/day = \$900 Costs associated with conducting business with the Natic		
	3250 Lodging 8 days @ \$160/day = \$1,280 Costs associated with conducting business with the Nation in Window Rock; Navajo Clothing and meetings		
	4000 Supplies		11,500
4120	4130 General Office Supplies: Supplies such as pens, paper, files, etc. at the rate of \$150 per month		
4410	Operating Supplies	1,800	
	4420 General Operating Supplies: Cost for program materials, excluding weaving looms, for student use including books, materials & supplies, etc. @ \$5,000/year.	9,800	
	4430 Printing, Binding Photography: Estimated cost of \$500/quarter x 4 quarters = \$2000		
	4450 Postage, Courier, Shipping: Estimated cost of \$250/quarter x 4 quarters = \$1,000		
4700	4710 Gasoline. Cost for fuel, service, etc. for PIC vehicle @ \$150/mo x 12 mos = \$1,800. Estimate based on historical data.		
	4000 Lease & Rental		18,000
5110	5120 Office Space: Based on 900 sq. ft. for an office and one classroom at \$20/sq ft. x \$900 = \$18,000 (PIC occupies 14,000+ sq ft and pays \$22,395/month in rent).	18,000	
TOTAL		74,050	74,050

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Phoenix Indian Center</u> Business Unit No.: <u>119025</u>			
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
5570	5500 Communications and Utilities 5600 Internet allocated portion of internet services at \$25/month * 12 months = 300	300	300
6520	6500 Contractual Services 6630 Fees: Consulting fee for cultural consultants for 6 cultural events per year at \$1,000 per event for a total of \$6,000. Consulting/instruction fees for Navajo singing & weaving classes during the year at \$1,000 per semester = 3 semesters for a total of \$3,000. Culture Consultants for portion of L2W summer camp \$2,000. Summer sheep camp 10 students and 2 staff, travel and per diem expenses for week long camp \$51 per day x 5 days x 12 people for a total of \$3,060 Consultants for Seasonal storytelling sessions, \$1,000 x 4 sessions for a total of \$4,000 Balance (\$1,400.00) is for unknown/unbudgeted costs that may occur	22,460	28,260
6600	Audit 6630 - Audit fees an allocated portion of the total fees for the annual audit	2,500	
6950	Subcontracted Services 6990 Subcontracted Services-Payroll processing: Estimated cost of \$25.00 per month x 12 months for pro rata share of Payroll System cost. 6990 Subcontracted Services-Network services: Estimated cost of \$250.00 x 12 mos. per qtr. for pro rata, share of cost for antivirus protection & Network maintenance.	3,300	
7710	7000 Special Transactions Insurance Premiums 7720 Liability, & property insurance: Allocated cost for liability insurance for PIC and all programs. Coverage for \$2m liability and a Multi-Peril Commercial Policy. Allocation is budget based.	1,500	1,500
8020	8000 Public Assistance 8060 Emergency Assistance: To meet emergency housing, utility, transportation and other emergency needs. It is estimated that PIC will provide an average of \$750.00 per client for rental assistance for at least 25 clients (cost = \$18,750 and the balance (cost = \$5,000) will be used for other emergency needs, i.e. utilities, transportation, etc. We receive FEMA/EFSP emergency rental funds and will use those guidelines for rental assistance.	23,750	23,750
9710	9500 Matching & Indirect Cost 9720 Indirect Costs Charged at approved rate of 16.5% which is negotiated with the US Department of Labor	20,455	20,455
		74,265	74,265



FY 18

NOV - 9 2017

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BUDGET FORM 6

THE NAVAJO NATION  
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

PART I. PROGRAM INFORMATION:		Funding Period: <u>07/01/17-06/30/18</u>	
Program Name/Title: <u>Phoenix Indian Center</u>		K #: _____	
Contract/Grant No.: _____		Prepared by: <u>Becky Martin</u>	
PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT			
PART III. BUDGET INFORMATION:			
(A) Major Object Code and Description	(B) Current Award Fiscal Year 18	(C) Anticipated Funding Fiscal Year	(D) Difference Columns (C) - (B)
2001 Personnel Expenses	806,623	806,623	-
3000 Travel Expenses	34,500	34,500	-
3500 Meeting Expenses	7,500	7,500	-
4000 Supplies	39,300	39,300	-
5000 Lease and Rental	139,000	139,000	-
5500 Communication and Utilities	4,000	4,000	-
6000 Repairs and Maintenance	-	-	-
6500 Contractual Services	157,000	157,000	-
7000 Special Transaction	-	-	-
8000 Assistance	31,956	31,956	-
9000 Capital Outlay	-	-	-
9510 Matching - Cash	-	-	-
9610 Matching - In - Kind	-	-	-
9710 Indirect Cost (Overhead) Allocation	159,698	159,698	-
<b>TOTALS:</b>	<b>1,379,577</b>	<b>1,379,577</b>	<b>-</b>
PART IV. FTEs/MATCH FUNDS:			
No. of Positions/ FTEs:			
MATCHING FUND REQUIRED:			
Required GF Cash Match:			
Required GF In - Kind Match:			
Required GF % Match:			
CONCURRED BY:			
Contracting Officer's Signature / Date:			
PART V. ACKNOWLEDGEMENT:			
Submitted by (print): <u>Patricia K. HOBBS</u>		Approved by (print): <u>Tommy Lewis</u>	
Signature/Date: <u>[Signature]</u> <u>11/08/17</u>		Signature/Date: <u>[Signature]</u> <u>11/17</u>	



NOV -9 2017

THE NAVAJO NATION  
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

FY 18

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Phoenix Indian Center</u> Contract/Grant No.: <u>Arizona Governor's Office</u>		Funding Period: <u>07/01/17-06/30/18</u> K #: _____ Prepared by: <u>Becky Martin</u>	
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b>			
<b>PART III. BUDGET INFORMATION:</b>			
(A) Major Object Code and Description	(B) Current Award Fiscal Year	(C) Anticipated Funding Fiscal Year	(D) Difference Columns (C) - (B)
2001 Personnel Expenses	104,312	104,312	-
3000 Travel Expenses	1,602	1,602	-
3500 Meeting Expenses	-	-	-
4000 Supplies	6,890	6,890	-
5000 Lease and Rental	24,000	24,000	-
5500 Communication and Utilities	1,350	1,350	-
6000 Repairs and Maintenance	-	-	-
6500 Contractual Services	33,520	33,520	-
7000 Special Transaction	-	-	-
8000 Assistance	-	-	-
9000 Capital Outlay	-	-	-
9510 Matching - Cash	-	-	-
9610 Matching - In - Kind	-	-	-
9710 Indirect Cost (Overhead) Allocation	28,326	28,326	-
<b>TOTALS:</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>
<b>PART IV. FTEs/MATCH FUNDS:</b>			
No. of Positions/ FTEs:			
Required GF Cash Match:			
Required GF In - Kind Match:			
Required GF % Match:			
<b>PART V. ACKNOWLEDGEMENT:</b>			
Contracting Officer's Signature / Date: _____		Approved by (print): <u>Terrence G. Goyes</u> Signature/Date: <u>Becky Martin 11/17</u>	
Submitted by (print): <u>Patricia K. Hibbs</u> Signature/Date: <u>11.08.17</u>			

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THE NAVAJO NATION  
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

FY 18

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Phoenix Indian Center</u> Contract/Grant No.: <u>Mercy Maricopa Intergrated Care</u>		Funding Period: <u>07/01/17-06/30/18</u> K #: _____ Prepared by: <u>Becky Martin</u>	
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b>			
<b>PART III. BUDGET INFORMATION:</b>			
(A) Major Object Code and Description	(B) Current Award Fiscal Year	(C) Anticipated Funding Fiscal Year	(D) Difference Columns (C) - (B)
2001 Personnel Expenses	85,121	85,121	-
3000 Travel Expenses	1,781	1,781	-
3500 Meeting Expenses	3,000	3,000	-
4000 Supplies	13,900	13,900	-
5000 Lease and Rental	9,600	9,600	-
5500 Communication and Utilities	480	480	-
6000 Repairs and Maintenance	-	-	-
6500 Contractual Services	15,000	15,000	-
7000 Special Transaction	-	-	-
8000 Assistance	-	-	-
9000 Capital Outlay	-	-	-
9510 Matching - Cash	-	-	-
9610 Matching - In - Kind	-	-	-
9710 Indirect Cost (Overhead) Allocation	12,082	12,082	-
<b>TOTALS:</b>	<b>140,964</b>	<b>140,964</b>	<b>-</b>
<b>PART IV. FTEs/MATCH FUNDS:</b>			
No. of Positions/ FTEs:			
Required GF Cash Match:			
Required GF In - Kind Match:			
Required GF % Match:			
<b>PART V. ACKNOWLEDGEMENT:</b>			
Contracting Officer's Signature / Date: _____		Approved by (print): <u>Patricia K. Hibberd</u> Signature/Date: <u>11.08.17</u>	

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THE NAVAJO NATION  
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

FY 18

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Phoenix Indian Center</u> Contract/Grant No.: <u>Valley of the Sun United Way</u>		Funding Period: <u>07/01/17-06/30/18</u> K #: _____ Prepared by: <u>Becky Martin</u>	
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b>			
<b>PART III. BUDGET INFORMATION:</b>			
(A) Major Object Code and Description	(B) Current Award Fiscal Year ____	(C) Anticipated Funding Fiscal Year ____	(D) Difference Columns (C) - (B)
2001 Personnel Expenses	44,218	44,218	-
3000 Travel Expenses	200	200	-
3500 Meeting Expenses	-	-	-
4000 Supplies	1,759	1,759	-
5000 Lease and Rental	1,500	1,500	-
5500 Communication and Utilities	400	400	-
6000 Repairs and Maintenance	-	-	-
6500 Contractual Services	200	200	-
7000 Special Transaction	-	-	-
8000 Assistance	3,000	3,000	-
9000 Capital Outlay	-	-	-
9510 Matching - Cash	-	-	-
9610 Matching - In - Kind	-	-	-
9710 Indirect Cost (Overhead) Allocation	-	-	-
<b>TOTALS:</b>	<b>51,277</b>	<b>51,277</b>	<b>-</b>
<b>PART IV. FTEs/MATCH FUNDS:</b>			
No. of Positions/ FTEs:			
Required GF Cash Match:			
Required GF In - Kind Match:			
Required GF % Match:			
MATCHING FUND REQUIRED: CONCURRED BY:			
Contracting Officer's Signature / Date: _____			
<b>PART V. ACKNOWLEDGEMENT:</b>			
Submitted by (print): <u>STANLEY K. HUBBARD</u> Signature/Date: <u>11.08.17</u>		Approved by (print): <u>Benny Lewis</u> Signature/Date: <u>11/9/17</u>	

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THE NAVAJO NATION  
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

FY 18

PART I. PROGRAM INFORMATION:		Funding Period: <u>10/01/15 - 09/30/17</u>	
Program Name/Title: <u>Phoenix Indian Center</u>		K #: _____	
Contract/Grant No.: _____		Prepared by: <u>Becky Martin</u>	
PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT			
PART III. BUDGET INFORMATION:			
(A) Major Object Code and Description	(B) Current Award Fiscal Year ____	(C) Anticipated Funding Fiscal Year ____	(D) Difference Columns (C) - (B)
2001 Personnel Expenses	374,732	374,732	-
3000 Travel Expenses	17,000	17,000	-
3500 Meeting Expenses	9,500	9,500	-
4000 Supplies	16,884	16,884	-
5000 Lease and Rental	25,000	25,000	-
5500 Communication and Utilities	500	500	-
6000 Repairs and Maintenance	-	-	-
6500 Contractual Services	40,250	40,250	-
7000 Special Transaction	-	-	-
8000 Assistance	18,500	18,500	-
9000 Capital Outlay	-	-	-
9510 Matching - Cash	-	-	-
9610 Matching - In - Kind	-	-	-
9710 Indirect Cost (Overhead) Allocation	65,805	65,805	-
<b>TOTALS:</b>	<b>568,171</b>	<b>568,171</b>	<b>-</b>
PART IV. FTEs/MATCH FUNDS:		No. of Positions/ FTEs:	
MATCHING FUND REQUIRED:		Required GF Cash Match:	
CONCURRED BY:		Required GF In - Kind Match:	
Contracting Officer's Signature / Date:		Required GF % Match:	
PART V. ACKNOWLEDGEMENT:			
Submitted by (print): <u>PATRICK K. NISSELER</u>		Approved by (print): <u>County Clerk</u>	
Signature/Date: <u>PK Nisseler 11.08.17</u>		Signature/Date: <u>Becky Martin 11/01/17</u>	



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BUDGET FORM 6THE NAVAJO NATION  
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

FY 18

<b>PART I. PROGRAM INFORMATION:</b>		Funding Period: 07/01/17-06/30/18		
Program Name/Title: Phoenix Indian Center		K #:		
Contract/Grant No.: Foundations & Fundraising		Prepared by: Becky Martin		
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b>				
<b>PART III. BUDGET INFORMATION:</b>				
(A) Major Object Code and Description		(B) Current Award Fiscal Year	(C) Anticipated Funding Fiscal Year	(D) Difference Columns (C) - (B)
2001	Personnel Expenses	409,084	409,084	-
3000	Travel Expenses	37,902	37,902	-
3500	Meeting Expenses	47,500	47,500	-
4000	Supplies	41,915	41,915	-
5000	Lease and Rental	61,200	61,200	-
5500	Communication and Utilities	35,318	35,318	-
6000	Repairs and Maintenance	15,000	15,000	-
6500	Contractual Services	98,220	98,220	-
7000	Special Transaction	2,500	2,500	-
8000	Assistance	145,000	145,000	-
9000	Capital Outlay	-	-	-
9510	Matching - Cash	-	-	-
9610	Matching - In - Kind	-	-	-
9710	Indirect Cost (Overhead) Allocation	59,755	59,755	-
TOTALS:		953,394	953,394	-
<b>PART IV. FTEs/MATCH FUNDS:</b>		No. of Positions/ FTEs:		-
MATCHING FUND REQUIRED:		Required GF Cash Match:		-
CONCURRED BY:		Required GF In - Kind Match:		-
Contracting Officer's Signature / Date:		Required GF % Match:		-
<b>PART V. ACKNOWLEDGEMENT:</b>				
Submitted by (print): <u>PATRICIA K. HUBBARD</u>				
Signature/Date: <u>Patricia K. Hubbard</u> 11.08.17				
Approved by (print): <u>Tommy L. S. S.</u>				
Signature/Date: <u>Tommy L. S. S.</u> 11.08.17				



# THE NAVAJO NATION

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

## Memorandum




**Date:** February 14, 2018

**To:** Honorable Russell Begaye, President  
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker  
Navajo Nation Council

Honorable JoAnn Jayne, Chief Justice  
Judicial Branch

**From:**   
Pearline Kirk, Controller  
Office of the Controller

**Subject:** Controller's Financial Update As of January 31, 2018

I am pleased to present to you the following information related to General Fund financial data up to January 31, 2018.

### **The General Fund Financial data is as follows:**

The gross General Fund Revenues (see **Exhibit "A"**) as of January 31, 2018 is \$99,205,877, and the total set asides total \$33,057,058. The Net Revenue for the General Fund is \$66,148,819, which is 44.45% of the projection.

The total expenditures by branch are shown on **Exhibit "B"**.

- The Legislative Branch has expenditures of \$4,736,197, encumbrances of \$540,894 with a remaining budget of \$11,563,745.
- The Executive Branch expenditures are \$60,501,243 encumbrances are \$5,813,170 with a remaining budget of \$109,189,810.
- The Judicial Branch expenditures are \$3,933,787 with zero encumbrances and remaining budget of \$9,914,134.
- Total General Fund expenditures are \$69,171,228; total encumbrances are \$6,354,064 with an overall remaining budget of \$130,667,690.

The updated UUFB as of February 14, 2018 is \$27,717,798 (see **Exhibit "C"**). There have been two supplemental appropriations during Fiscal Year 2018 in the total amount of \$3,909,557.

If you should have any questions, you can contact me at Tribal extension X6308.



THE NAVAJO NATION  
General Fund Revenue Schedule  
(Unaudited)  
January 31, 2018

FY 2018

GENERAL FUND REVENUE

	Original Budget	Revised Budget	Actual Revenue Received	Revenue to be collected	% Revenue of Total
TNN: ROYAL; GAS; OIL	\$ 25,378,000	\$ 25,378,000	\$ 9,327,940	\$ 16,050,060	36.76
TNN: COAL REVENUES	45,381,000	45,381,000	13,027,475	32,353,525	28.71
TNN:OTR MINERALS REV			14,807	(14,807)	
TNN: LAND REVENUES	62,644,000	62,644,000	44,562,838	18,081,162	71.14
TNN: BUSINESS FEES			24,995	(24,995)	
TNN: INTEREST INCOME	2,500,000	2,500,000	2,247,521	252,479	89.90
TNN: TAX REVENUES	62,965,000	62,965,000	28,568,428	34,396,572	45.37
COURT FINES + FEES	400,000	400,000	136,722	263,278	34.18
TNN: OTHER REVENUES	750,000	750,000	1,142,582	(392,582)	152.34
BIA: ROYAL; GAS; OIL			106,680	(106,680)	
BIA: COAL REVENUES			26	(26)	
BIA:OTR MINERALS REV			-	-	
BIA: LAND REVENUES			45,863	(45,863)	
<b>TOTAL REVENUE</b>	<b>\$ 200,018,000</b>	<b>\$ 200,018,000</b>	<b>\$ 99,205,877</b>	<b>(1) \$ 100,812,123</b>	<b>49.60</b>
<b>LESS:SET ASIDES</b>					
CAPITAL OUTLAY MATCH	\$ (2,000,000)	\$ (2,000,000)	(2,000,000)	-	100.00
LAND FUND TRANSFER	(4,000,000)	(4,000,000)	(1,984,118)	(2,015,882)	49.60
PERMANENT FUND TRNSF	(24,002,000)	(24,002,000)	(11,904,705)	(12,097,295)	49.60
WATER RIGHTS CLAIM FU	(2,000,000)	(2,000,000)	(2,000,000)	-	100.00
DINE' HIGHER EDUCATIO	(11,200,000)	(11,200,000)	(11,200,000)	-	100.00
VETERANS TRUST FUND S	(8,001,000)	(8,001,000)	(3,968,235)	(4,032,765)	49.60
<b>TOTAL SET ASIDE</b>	<b>\$ (51,203,000)</b>	<b>\$ (51,203,000)</b>	<b>\$ (33,057,058)</b>	<b>(2) \$ (18,145,942)</b>	<b>64.56</b>
<b>SUB TOTAL</b>	<b>\$ 148,815,000</b>	<b>\$ 148,815,000</b>	<b>\$ 66,148,819</b>	<b>(3) \$ 82,666,181</b>	<b>44.45</b>
<b>PERMANENT FUND INCOME TRANSFER</b>					
OTHER REVENUE TRANSFER	\$ 10,881,000	\$ 10,881,000	\$ 10,881,000	(4) \$ -	100.00
ADD: PF FIVE-YEAR CONTINGENCY	2,885,000	2,885,000	2,885,000	(5) -	100.00
<b>TOTAL PFI TRANSFER</b>	<b>\$ 13,766,000</b>	<b>\$ 13,766,000</b>	<b>\$ 13,766,000</b>	<b>\$ -</b>	<b>100.00</b>
<b>NET PFI TRANSFER</b>	<b>\$ 13,766,000</b>	<b>\$ 13,766,000</b>	<b>\$ 13,766,000</b>	<b>\$ -</b>	<b>100.00</b>
<b>GRAND TOTAL</b>	<b>\$ 162,581,000</b>	<b>\$ 162,581,000</b>	<b>\$ 79,914,819</b>	<b>(6) \$ 82,666,181</b>	<b>49.15</b>

- (1) Gross General Fund Revenues  
(2) Total Set Asides for General Fund Revenue  
(3) Net General Fund Revenue  
(4) Permanent Fund Income allocation to General Fund  
(5) Permanent Fund Income allocation reserve (CO-54-16)  
(6) Grand total General Fund Revenues

Controller's Report-Special Session-February 2018

EXHIBIT "A"

Prepared by:  
General Accounting  
2/15/2018





# FY 2018 EXHIBIT "B"

## The Navajo Nation Budget Status\_Income Statement As of January 31, 2018

Branch / Object Account	Original Budget	Revised Budget	Actual Expenses	Encumbrances	Budget Available	% Available
<b>LEGISLATIVE BRANCH</b>						
2001 - Personnel Expenses	\$ 10,202,527	11,839,705	3,512,857		\$ 8,326,848	70.33
3000 - Travel Expenses	1,500,400	1,431,847	472,450	39,034	920,363	64.28
3500 - Meeting Expenses	258,642	362,097	117,727	-	244,370	67.49
4000 - Supplies	295,427	450,263	169,613	37,874	242,775	53.92
5000 - Lease & Rental	222,665	226,788	79,109	45,480	102,199	45.06
5500 - Communications & Utilities	144,602	144,850	33,157	-	111,693	77.11
6000 - Repairs & Maintenance	71,281	125,726	66,720	649	58,357	46.42
6500 - Contractual Services	499,854	1,437,403	153,074	271,827	1,012,502	70.44
7000 - Special Transactions	369,412	382,308	130,778	14,087	237,443	62.11
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	217,412	439,849	711	131,943	307,196	69.84
9500 - Matching & Indirect Cost	-	-	-	-	-	-
<b>Total LEGISLATIVE BRANCH</b>	<b>\$ 13,782,222</b>	<b>\$ 18,840,836</b>	<b>\$ 4,736,197 (1a)</b>	<b>\$ 540,894 (1b)</b>	<b>\$ 11,563,745 (1c)</b>	<b>68.66</b>
<b>EXECUTIVE BRANCH</b>						
2001 - Personnel Expenses	80,000,411	83,204,401	23,095,938	-	\$ 60,108,463	72.24
3000 - Travel Expenses	9,602,678	9,472,050	2,935,764	3,580	6,532,706	68.97
3500 - Meeting Expenses	922,101	536,613	47,314	-	489,299	91.18
4000 - Supplies	5,051,048	5,188,141	1,218,528	522,644	3,446,969	66.44
5000 - Lease & Rental	2,905,239	4,431,047	2,115,269	130,093	2,185,684	49.33
5500 - Communications & Utilities	6,405,226	7,138,720	1,712,530	518,303	4,907,887	68.75
6000 - Repairs & Maintenance	4,881,542	6,653,922	1,774,347	1,432,554	3,447,021	51.80
6500 - Contractual Services	5,462,198	9,106,568	584,079	2,951,390	5,571,099	61.18
7000 - Special Transactions	10,247,095	10,282,575	3,790,524	141,339	6,350,713	61.76
8000 - Assistance	32,211,358	33,940,942	21,463,857	72,584	12,404,502	36.55
9000 - Capital Outlay	1,067,855	1,265,866	167,851	40,685	1,057,331	83.53
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	4,283,378	4,283,378	1,595,243	-	2,688,135	62.76
<b>Total EXECUTIVE BRANCH</b>	<b>\$ 163,040,129</b>	<b>\$ 175,504,224</b>	<b>\$ 60,501,243 (2a)</b>	<b>\$ 5,813,170 (2b)</b>	<b>\$ 109,189,810 (2c)</b>	<b>62.21</b>
<b>JUDICIAL BRANCH</b>						
2001 - Personnel Expenses	\$ 12,487,393	12,492,946	3,681,025		\$ 8,811,921	70.54
3000 - Travel Expenses	367,211	438,932	64,362	-	374,570	85.34
3500 - Meeting Expenses	27,250	45,250	1,410	-	43,840	96.88
4000 - Supplies	226,217	297,219	43,215	-	254,004	85.46
5000 - Lease & Rental	9,805	14,592	9,819	-	4,773	32.71
5500 - Communications & Utilities	98,802	108,030	20,025	-	88,005	81.46
6000 - Repairs & Maintenance	50,211	183,801	44,067	-	139,734	76.02
6500 - Contractual Services	5,050	11,550	3,592	-	7,958	68.90
7000 - Special Transactions	161,958	255,603	66,272	-	189,330	74.07
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	-	-	-	-	-
9300 - Other Income and Expense	-	-	-	-	-	-
<b>Total JUDICIAL BRANCH</b>	<b>13,433,897</b>	<b>13,847,922</b>	<b>3,933,787 (3a)</b>	<b>\$ - (3b)</b>	<b>\$ 9,914,134 (3c)</b>	<b>71.50</b>
<b>GRAND TOTAL:</b>	<b>\$ 190,256,248</b>	<b>\$ 208,192,982</b>	<b>\$ 69,171,228 (4a)</b>	<b>\$ 6,354,064 (4b)</b>	<b>\$ 130,667,690 (4c)</b>	<b>63.37</b>

### Footnotes:

#### Legislative Branch

- (1a) Legislative Expenses
- (1b) Legislative Encumbrances
- (1c) Legislative Budget Available

#### Executive Branch

- (2a) Executive Expenses
- (2b) Executive Encumbrances
- (2c) Executive Budget Available

#### Judicial Branch

- (3a) Judicial Expenses
- (3b) Judicial Encumbrances
- (3c) Judicial Budget Available

#### Total General Fund

- (4a) General Fund Expenses
- (4b) General Fund Encumbrances
- (4c) General Fund Budget Available



**FY 2018**  
**EXHIBIT "C"**



**Undesignated, Unreserved, Fund Balance (UUFB)**  
**February 14, 2018**

09-30-17 UUFB balance <u>(Un-Audited)</u>		31,627,355
<b>Less Supplementals:</b>		
CD-72-17 Grazing, Farm Board, Land Board	2,452,257	
CD-73-17- UNM Housing	1,457,300	
Total Supplementals		<u>3,909,557</u>
UUFB -unaudited 02/14/18		<u><u>27,717,798</u></u>



**ARTICLES OF AMENDMENT TO  
AND RESTATEMENT OF  
THE  
ARTICLES OF INCORPORATION  
OF  
PHOENIX INDIAN CENTER, INC.**

**Pursuant to A.R.S. § 10-11007 and 11002.B**

1. The name of the corporation is Phoenix Indian Center, Inc.
2. Attached hereto are the Amended and Restated Articles of Incorporation of the Corporation, as adopted and approved.
3. The Amended and Restated Articles of Incorporation were duly adopted by act of the Board of Directors.
4. The Amended and Restated Articles of Incorporation contain no amendments requiring approval by the members or by any person or persons other than the Board of Directors, and there are no members or third persons, or any person or persons other than the Board of Directors, whose approval is required for this amendment.

IN WITNESS WHEREOF, the undersigned has executed this instrument for and on behalf of the Corporation this 18 day of December, 2012.

Phoenix Indian Center, Inc.

By: \_\_\_\_\_

Steve Geiogamah  
Its: President

Attest: \_\_\_\_\_

Jake D. Curtis  
Its: Secretary

**AMENDED AND RESTATED  
ARTICLES OF INCORPORATION  
OF  
PHOENIX INDIAN CENTER, INC.**

1. Name. The name of the corporation is Phoenix Indian Center, Inc. (the "Corporation").

2. Duration. The period of the Corporation's duration is perpetual.

3. Purpose. The Corporation is organized exclusively for charitable, educational, and scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now in effect or as may hereafter be amended ("the Code"). The specific purposes for which the Corporation is formed are:

A. to support American Indian people and the local community through innovative, research based, community driven services;

B. to implement nationally recognized social, economic, educational and cultural programs for all community members;

C. to develop a strong American Indian community through collaborative partnerships and by providing quality, culturally based services; and

D. to promote and foster Native American culture and contributions to our society as a whole.

In furtherance of its corporate purposes, the Corporation shall have all the general powers enumerated in § 10-3302 of the Arizona Nonprofit Corporation Act, as now in effect or as may hereafter be amended, together with the power to solicit grants and contributions for such purposes. The Corporation may receive property by gift, devise, or bequest; invest and reinvest the same; and apply the income and principal thereof, as the Board of Directors may from time to time determine, either directly or through contributions to any charitable organization or organizations, exclusively for charitable, scientific, or educational purposes.

4. Activities. The Corporation initially intends to undertake all activities reasonably necessary to achieve the Corporation's purposes set forth in Article 3 hereof.

Notwithstanding any other provision of the Articles of Incorporation, the Corporation shall not directly or indirectly carry on any activity not permitted to be carried on by (i) a corporation exempt from federal income tax under § 501(c)(3) of the Code or the corresponding provision of any future federal tax code, or (ii) a corporation, contributions to which are deductible under §§ 170(c)(2), 2055(a)(2), and 2522(a)(2) of the Code or the corresponding provision of any future federal tax code.

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except as otherwise permitted by section 501(h) of the Code and in any corresponding laws of the State of Arizona), and the

Corporation shall not participate in, or intervene in (including the publishing or distribution of statements concerning) any political campaign on behalf of (or in opposition to) any candidate for public office.

5. Statutory Agent. The name of the Corporation's initial statutory agent is Jake Curtis, and the street address of the initial statutory agent is Burch & Cracchiolo, P.A., 702 E. Osborn Road, Suite 200, Phoenix, Arizona 85014.

6. Known Place of Business. The street address of the known place of business of the Corporation is 4520 N. Central Avenue, Ste. 250, Phoenix, Arizona 85012-1828.

7. No Capital Stock; Membership. The Corporation shall have no capital stock and shall be composed of members rather than shareholders. The conditions and regulations of membership and the rights or other privileges of the members shall be determined and fixed by the directors.

8. Board of Directors. There shall be at least three directors who shall be elected or appointed as provided in the Bylaws.

9. Dedication and Distribution of Assets. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, any director or officer of the Corporation or any other private person, except that the Corporation shall be authorized and empowered to pay reasonable expenses and reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 3 hereof.

10. Applicable Provisions If Corporation is Classified as Private Foundation. During any period, or periods, of time as the Corporation may be treated as a private foundation pursuant to § 509(a) of the Code, the Corporation shall distribute its income at such time and in such manner so as not to become subject to the tax on undistributed income imposed by § 4942 of the Code, or the corresponding provision of any future federal tax code. The Corporation also shall not (i) engage in any act of self-dealing, as defined in § 4941 of the Code or the corresponding provision of any future federal tax code; (ii) retain any excess business holdings, as defined in § 4943(c) of the Code or the corresponding provision of any future federal tax code; (iii) make any investments, or otherwise acquire assets, in such manner so as to subject the Corporation to tax under § 4944 of the Code or the corresponding provision of any future federal tax code; and (iv) make any taxable expenditures, as defined in § 4945(d) of the Code or the corresponding provision of any future federal tax code.

11. Devolution of Assets on Dissolution. In the event of dissolution or final liquidation of the Corporation, all of the remaining assets and property of the Corporation, after paying or making provision for the payment of all the liabilities and obligations of the Corporation and for necessary expenses thereof, shall be distributed to such organization or organizations as the Board of Directors shall determine, which are organized and operated exclusively for charitable, scientific, or educational purposes and which qualify as exempt from taxation under § 501(c)(3) of the Code or the corresponding provision of any future federal tax



code. In no event shall any of such assets or property be distributed to any Director or officer of the Corporation, or to any private individual.

12. Indemnification. The corporation shall indemnify each of its directors and officers and may indemnify any of its employees or agents to the fullest extent permissible (a) under the provisions of A.R.S. Sections 10-3850 through 10-3858, (b) under indemnification provisions of any successor amended statute, (c) as provided in the Bylaws of the corporation; or (d) by any agreement adopted by the corporation. Any member of an advisory board shall be entitled to all the same rights of indemnification as a member of the board of directors of the corporation.

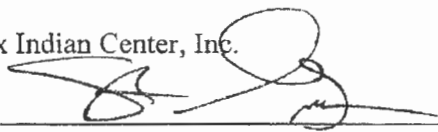
13. Director Liability. A director of this corporation shall not be personally liable to the corporation for monetary damages for any action taken or failure to take any action as a director, except for conduct described in clauses (a) through (d) of A.R.S. Section 10-3202.B.1, or any successor amended statute. If the Arizona Nonprofit Corporation Law is amended to authorize further elimination or limitation of the liability of a director, then the liability of a director of the corporation shall be eliminated or limited to the fullest extent permitted by the Arizona Nonprofit Corporation Law as so amended. Any repeal or modification of this Article 15 shall not increase the liability of a director of the corporation arising out of acts or omissions occurring before the repeal or modification becomes effective. Advisory board members shall be treated as directors for purposes of this Article 14.

14. Amendment of Articles. These Articles of Incorporation, and the Bylaws of the Corporation, may be amended by a vote of a majority of the directors then in office.

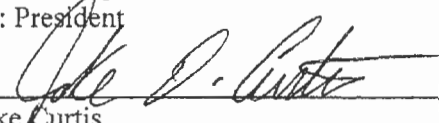
IN WITNESS WHEREOF, the undersigned subscribe these Articles of Incorporation this 18 day of December, 2012.

Phoenix Indian Center, Inc.

By:

  
Steve Geiogamah  
Its: President

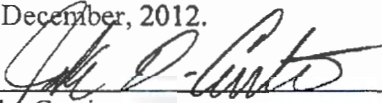
Attest:

  
Jake Curtis  
Its: Secretary

Phoenix Indian Center, Inc.  
Amended and Restated Articles of Incorporation  
December 18, 2012  
Page 4 of 4

ACCEPTANCE OF APPOINTMENT  
BY STATUTORY AGENT

The undersigned acknowledges and accepts appointment as statutory agent of Phoenix Indian Center, Inc., effective this 18 day of December, 2012.

  
\_\_\_\_\_  
Jake Curtis

**AMENDED AND RESTATED  
BYLAWS  
OF  
PHOENIX INDIAN CENTER, INC.**  
(formed under the State of Arizona  
Nonprofit Corporation Act)

**ARTICLE I**  
*Name*

Section 1.01. Name. The corporate name of this organization (the "Corporation") is Phoenix Indian Center, Inc.

**ARTICLE II**  
*Membership*

Section 2.01. Members. The Corporation's members shall consist of those persons elected to the Board of Directors. At each annual meeting of the corporation, or at such other times as may be established by the board of directors, the directors then in office, acting in their capacity as the members of the Corporation, shall elect the directors to fill any vacancy or vacancies on the board pursuant to Section 4.03 of these Bylaws. With the exception of the election of directors, any action which would otherwise require approval by a majority or all members requires only approval of the board of directors, and all rights which would otherwise vest in the members vests in the board.

Section 2.02. Authority to Establish Non-Voting "Memberships." The Board of Directors may, in its sole discretion, establish non-voting "memberships," with one or more levels and with varying specified benefits, such levels to be determined by the amount of financial or in-kind contributions or on other such bases as the Board of Directors may establish. Such "memberships" shall be established solely for purposes of fundraising, community involvement in the Corporation's programs and activities, and other such non-corporate purposes, and such "members" shall not have the right to vote for the election of directors or any other rights of "members," as that term is defined by A.R.S. § 10-3140.

**ARTICLE III**  
*Offices*

Section 3.01. Location. The board of directors will designate the location for the Corporation's principal office. The principal office need not be within the State of Arizona. The Corporation may maintain additional offices at other places as determined by the board of directors. The Corporation must at all times maintain within the State of Arizona a registered office, designated by the board of directors.

ARTICLE IV  
*Board of Directors*

Section 4.01. Power and Qualification of the board of directors. The board of directors is solely responsible for exercising corporate powers of, and overseeing the business of, the Corporation. Directors need not be residents of the State of Arizona.

Section 4.02. Number of directors. The number of directors is to be established and may be increased or decreased from time to time by the board of directors, but must at all times be at least the minimum number of directors established by the Arizona nonprofit corporation act, A.R.S. Title 10, Chapters 24 through 40, and in the Corporation's Articles of Incorporation. The term of any incumbent director may not be shortened as the result of a decrease in the number of directors.

Section 4.03. Election and Term of directors. At each annual meeting of the corporation, the directors then in office, acting in their capacity as the members of the Corporation, elect the directors to fill any vacancy or vacancies on the board. Each director holds office for a term of three years, and until his or her successor has been elected and qualified, with staggered terms so that the term of office of one-third of the directors shall expire each year. Any director, after serving a first term, may hold two successive terms of office. At all times, a majority of the directors shall consist of self-declared members of an Indian tribe.

Section 4.04. Vacancies. Any vacancy may be filled by the board of directors.

Section 4.05 Removal of directors. A director may be removed, with or without cause, by a majority of the directors then in office.

Section 4.06. Resignations. A director may resign at any time by delivering written notice to the board of directors, the president, or the secretary. A director's resignation is effective when the notice is delivered, unless the notice specifies a later effective date.

Section 4.07. Quorum of directors and action by the board. Unless otherwise required by law or by the articles of incorporation or these bylaws, a majority of the directors then in office constitutes a quorum, and the act of a majority of directors present at a meeting at which a quorum is present constitutes the action of the board of directors.

Section 4.08. Meetings of the board. The board of directors will establish a time and location for the corporation's annual meeting. Meetings need not be held in the State of Arizona. Directors may participate in a meeting in person, or by using any means of communication that permits all participating directors to communicate with each other during the course of the meeting.

Section 4.09. Notice of Meetings. Written notice is not required for regular meetings. Written notice of each special meeting must state the date, place, and hour of the meeting, and must be delivered to each director, using the director's preferred means of contact



on file with the Corporation, not less than three days prior to the meeting date. Notice of a special meeting may be waived by a director, in writing or by the director's attendance at and participation in a meeting.

Section 4.10. Action in Lieu of a Meeting. Unless otherwise restricted by the articles of incorporation or these bylaws, the board of directors may take action without a meeting, by utilizing a written consent signed by all of the directors. In signing the consent, each director must indicate the date of execution. A written consent should include an effective date for the resolutions being approved; if not, the consent is effective as of the date that the last director signs the consent. Written consents may be signed in counterpart, and may be signed using an electronic signature as defined in A.R.S. § 44-7002. Any director may revoke a consent by delivering a signed revocation of the consent to the president or secretary before the date the last director signs the consent or consents. Written consents are to be filed with the minutes of the board of directors.

Section 4.11. Compensation of Directors. The directors serve without compensation for services rendered by them in their capacity as directors, but may be reimbursed for reasonable and necessary out-of-pocket expenses incurred in the course of serving as directors.

## ARTICLE V

### *Committees*

Section 5.01. Committees; Authority. The board of directors, by resolution adopted by a majority of the directors in office, may designate and appoint one or more committees having the authority to act on behalf of the board of directors, to the extent permitted in the authorizing resolution. Each committee with the authority to act on behalf of the board of directors must consist of at least two directors, and may not have any members who are not directors of the Corporation. Other committees not having and exercising the authority of the board of directors may be designated and appointed by the board of directors, and may include members who are not directors of the Corporation. Neither the designation and appointment of a committee, nor the delegation of authority to a committee, operates to relieve the board of directors, or any individual director, of any duty or responsibility imposed by law.

## ARTICLE VI

### *Officers, Agents and Employees*

Section 6.01 Officers. The board of directors shall elect or appoint a president, a secretary, a treasurer, and one or more vice-presidents, and such other officers and assistant officers as may be deemed necessary. The officers of the Corporation may be designated by such other titles as may be determined by the board of directors, provided such other titles not be contrary to any provision of the Arizona nonprofit corporation act, the Articles of Incorporation, or these bylaws. Any two or more offices may be held by the same person, except the offices of President and Secretary.

Section 6.02. Election, Term of Office, and Removal. Unless otherwise provided by resolution of the board of directors, officers are to be elected or appointed at the annual meeting. Each officer holds office for the term determined by the board of directors and until a successor has been elected or appointed. Any officer may be removed by the board of directors when, in their judgment, the best interest of the Corporation will be served thereby. Removal of an officer is without prejudice to any contract rights, and the election or appointment of an officer does not itself create contract rights.

Section 6.03. Vacancies. Any vacancy in an office may be filled by the board of directors.

Section 6.04. Powers and Duties of Officers. Subject to the control of the board of directors, all officers have the authority and may perform the duties customary for their respective offices, consistent with these bylaws and applicable law, in managing the property and affairs of the Corporation.

Section 6.05. Agents and Employees. The board of directors and officers of the Corporation may engage or employee such agents and employees as may be necessary and appropriate to carry out the Corporation's purposes. Any agent or employee may be removed or terminated at any time with or without cause, unless a duly authorized and legally-binding written agreement provides otherwise. Removal without cause is without prejudice to any contract rights, and the appointment of an agent or employee does not itself create contract rights unless otherwise provided for in a duly authorized and legally-binding written agreement.

Section 6.06. Compensation of Officers, Agents, and Employees. The Corporation may pay compensation to its officers, agents, and employees for services rendered, and may reimburse officers, agents and employees for expenses incurred in the performance of their duties to the Corporation, in reasonable amounts, such amounts to be fixed or approved by the board of directors. The board of directors may require agents or employees to give security for the faithful performance of their duties.

## ARTICLE VII

### *Conflict of Interest Policy*

Section 7.01. Purpose. The purpose of the conflicts of interest policy is to protect the Corporation's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Corporation.

This policy is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to nonprofit corporations and any applicable federal tax rules dealing with private inurement or other such matters applicable to tax-exempt organizations described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future federal tax code.

Section 7.02. Definitions.

(a) Interested Person. Any director, officer, or member of a committee with board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person. If a person is an interested person with respect to any entity with which the Corporation is affiliated, he or she is an interested person with respect to all of the Corporation.

(b) Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment or family --

i) an ownership or investment interest in any entity with which the Corporation has a transaction or arrangement, or

ii) a compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement, or

iii) a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature. A financial interest is not necessarily a conflict of interest. Under Section 7.03(b), a person who has a financial interest may have a conflict of interest only if the board or appropriate committee decides that a conflict of interest exists.

Section 7.03. Procedures.

(a) Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of his or her financial interest and must be given the opportunity to disclose all material facts to the board of directors or committee with board delegated powers considering the proposed transaction or arrangement.

(b) Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, the interested person must leave the board or committee meeting while the remaining board or committee members discuss and decide whether a conflict of interest exists.

(c) Procedures for Addressing the Conflict of Interest.

i) Once a determination that a conflict of interest exists, the interested person may make a presentation at to the board or committee considering the proposed transaction or arrangement, but after such presentation, the interested person must leave the meeting during the discussion of, and any vote on, the transaction or arrangement that results in the conflict of interest.

ii) The president or person chairing the board or committee meeting may, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

iii) After exercising due diligence, the board or committee must determine whether the corporation can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.

iv) If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the board or committee may vote to proceed with the proposed transaction or arrangement, if a majority of the disinterested directors determine the transaction or arrangement is in the Corporation's best interest and for its own benefit and that the transaction is fair and reasonable to the Corporation.

(d) Violations of the Conflicts of Interest Policy.

i) If the board or committee has reasonable cause to believe that a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

ii) If, after hearing the response of the member and making such further investigation as may be warranted in the circumstances, the board or committee determines that the member has in fact failed to disclose an actual or possible conflict of interest, the board or committee may take such disciplinary and corrective action as the board determines is warranted in the circumstances.

Section 7.04. Records of Proceedings. For any proceeding involving the disclosure or discussion of a potential or actual conflict of interest, the minutes of the board or committee must include --

(a) the names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the board's or committee's decision as to whether a conflict of interest in fact existed.

(b) the names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

Section 7.05. Compensation.

(a) A voting member of the board of directors who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.



(b) A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

Section 7.06. Annual Statements. Each director, officer, and member of a committee with Board delegated powers shall annually sign a statement which affirms that such person --

(a) has received a copy of the conflicts of interest policy,

(b) has read and understands the policy,

(c) has agreed to comply with the policy, and

(d) understands that the Corporation is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Section 7.07. Periodic Reviews. To ensure that the Corporation operates in a manner consistent with its charitable purposes and that it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

(a) Whether compensation arrangements and benefits are reasonable and are the result of arm's-length bargaining.

(b) Whether partnership and joint venture arrangements and arrangements with management service organizations conform to written policies, are properly recorded, reflect reasonable payments for goods and services, further the Corporation's charitable purposes and do not result in inurement or impermissible private benefit.

Section 7.08. Use of Outside Experts. In conducting the periodic reviews provided for in Section 7.07, the Corporation may, but need not, use outside advisors. If outside experts are used their use shall not relieve the board of its responsibility for ensuring that periodic reviews are conducted.

## ARTICLE VIII

### *Indemnification and Insurance*

Section 8.01. Indemnification. Unless otherwise prohibited by law, the Corporation shall indemnify any member, director or officer, any former member, director or officer, any person who may have served at its request as a director or officer of another corporation, whether for profit or not for profit, and may, by resolution of the board of directors, indemnify any employee or agent (each an "Indemnified Party"), against any and all expenses

and liabilities actually and necessarily incurred, or imposed on the Indemnified Party in connection with any claim, action, suit, or proceeding (whether actual or threatened, civil, criminal, administrative, or investigative, including appeals) to which the Indemnified Party may be or is made a party by reason of being or having been a director, officer, employee, or agent; subject to the limitation, however, that indemnification is not permitted in relation to matters as to which the Indemnified Party is adjudged in such claim, action, suit, or proceeding to be guilty of a criminal offense or liable to the Corporation for damages arising out of the Indemnified Party's own negligence or misconduct in the performance of a duty to the Corporation.

Amounts that may be paid in indemnification of expenses and liabilities include, but are not limited to, counsel fees and other fees; costs and disbursements; and judgments, fines, and penalties against, and amounts paid in settlement by the Indemnified Party. To the extent permitted by law, the Corporation may advance expenses to, or where appropriate may itself, at its expense, undertake the defense of an Indemnified Party; provided, however, that the Indemnified Party must undertake to repay or to reimburse such expenses if it should be ultimately determined that the Indemnified Party is not entitled to indemnification under this Section.

This Section applies to all claims, actions, suits, or proceeding made or commenced after the adoption of these bylaws, regardless of when the disputed act or omission to act occurs.

The indemnification provided by this Section shall not be deemed exclusive of any other rights to which an Indemnified Party may be entitled under any statute, bylaw, agreement, vote of the board of directors, or otherwise, and shall not restrict the power of the Corporation to make any indemnification permitted by law.

Section 8.02. Insurance. The board of directors may authorize the purchase of insurance on behalf of any director, officer, employee, or agent, against any liability asserted against or incurred which arises out of such person's status as a director, officer, employee, or agent of the Corporation, or out of acts taken in such capacity, whether or not the Corporation would have the power to indemnify the person against that liability under law.

If any part of this Section is found in any action, suit, or proceeding to be invalid or ineffective, the validity and the effectiveness of the remaining parts shall not be affected.

Section 8.03. Loans to Directors and Officers. No loans may be made by the Corporation to its directors or officers, provided, however, that nothing in this Section 8.03 prevents the Corporation from advancing funds to any Indemnified Party pursuant to Section 8.01.

ARTICLE IX  
*Miscellaneous*

Section 9.01. Fiscal Year. The Corporation shall operate on the fiscal year ending June 30, or upon any such other fiscal year as may be established by the board of directors.

Section 9.02. Checks, Notes, and Contracts. The board of directors determines who, on behalf of the Corporation, is authorized to sign checks, drafts, or other orders for payment of money; to sign acceptances, notes, or other evidences of indebtedness; to enter into contracts; or to execute and deliver other documents and instruments.

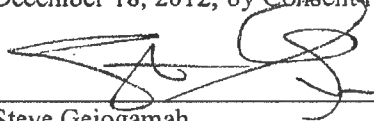
Section 9.03. Books and Records to be Kept. The Corporation shall keep at its principal office in the State of Arizona, correct and complete books and records of account; records of activities and transactions of the Corporation; minutes of the proceedings of the board of directors and committees with board-delegated powers; and a list of current directors and officers, their business and residence addresses, and their preferred means of contact. The minutes, books, and records of the Corporation may be in written form or in any other form capable of being converted into written form within a reasonable time.

Section 9.04. Amendments. The articles of incorporation may be amended or restated, and these bylaws amended, repealed, or restated, by a majority vote of directors then in office, except that no provision of these bylaws or any future bylaws may be adopted, amended, or repealed if such action would cause the Corporation's bylaws to be inconsistent with the Corporation's articles of incorporation; and except that no provision of the articles of incorporation or these bylaws may be adopted, amended, restated, or repealed, if such action would be contrary to, or would cause the articles of incorporation or these bylaws to be in violation of the Arizona nonprofit corporation act or any provision of federal or state law applicable to tax-exempt organizations described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future federal tax code.

Section 9.05. Exempt Status. Notwithstanding any provision in these bylaws or in the Corporation's articles of incorporation, the Corporation shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax as an organization described in § 501(c)(3) of the Code or the corresponding provision of any future federal tax code.

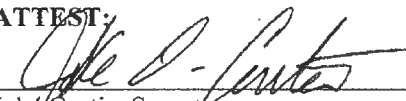
**CERTIFICATION**

The foregoing Bylaws were adopted by the Board of Directors, and made effective as of December 18, 2012, by Consent resolution signed by all of the Directors of the Corporation.

  
\_\_\_\_\_  
Steve Geiogamah

12-18-12  
Date

**ATTEST:**

  
\_\_\_\_\_  
Jake Curtis, Secretary

12-18-12  
Date





# THE NAVAJO NATION

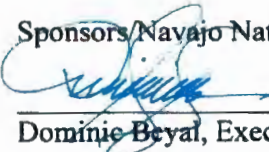
RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT

## Office of Management and Budget



### Memorandum

To: Sponsors/Navajo Nation Council Committees

From:   
Dominic Beyer, Executive Director

Date: November 7, 2017

Subject: Proposed Legislation # 0426-17, Supplemental Funding Request From the Navajo Nation UUFB by the Phoenix Indian Center in the Amount of \$148,325

The Phoenix Indian Center has submitted a supplemental funding proposal in the amount of \$148,325 and the Office of Management and Budget reviewed the proposed legislation and the budget that was attached to the proposed legislation and its findings are as follows:

1. The funds appropriated before Phoenix Indian Center started receiving general funds was a special fund coming from a land exchange settlement of the former Phoenix Indian School in the amount of \$148,325. The special revenue funds have not been available now for several years due to a dispute over the settlement payment. The land exchange case has gone through the court and the case has been resolved in favor of the Arizona tribes, including the Navajo Tribe (and Phoenix Indian Center). The land exchange payment case has been handled by the Navajo Nation Department of Justice. The Phoenix Indian Center should soon continue to receive funds from this settlement and, therefore, the requests for the general funds from the Navajo Nation should be reconsidered at that time.
2. This supplemental request was not processed through the required 164 document review process and, therefore, comments by OMB and other Executive Branch programs prior to the proposed legislation is not included. All proposed supplemental budget requests should be routed through the 164 document review process prior to any action by the Navajo Nation Council committees.
3. Several object codes are misplaced on Budget Form 4's and also some cost items have incorrect object codes. Those object codes are as follows:
  - a. Object code 2001 on page 4 of 12 should be changed to 2110 in Part II, Column (A) of the form (page 4 of 12).
  - b. Object code 3000 on page 4 of 12 of Part II, Column (A) should be changed to 3230 for personal travel which includes mileage, per diem, and lodging.
  - c. Other cost items under the 3000 series of object codes such as vehicle rental should be entered separately as 3120 in Part II, Column (A) and object code 3290 should be entered separately as object code 4700 for fuel and 4610 for

- servicing of the PIC vehicle. Object codes 4700 and 4610 should also be included as separate entries with other 4000 object codes series cost items.
- d. Object code 4000 should be changed to object code 4120 and entered in Part II, Column (A) on page 4 of 12 of Budget Form 4.
  - e. Object code 5500 should be changed to object code 5570 as the proper object code on page 5 of 12 and the entry in Column (B) for object code 5570 should be changed to object code 5600 for internet services.
  - f. Object code 6500 on page 5 of 12 in Column (A) should be changed to 6520 for consulting services.
  - g. The Budget Form 4, pages 4 of 12 and 5 of 12 should be changed to reflect the above object code changes and re-entry of amounts in Columns (C) and (D). Column (D) amounts should agree with entries in Budget Form 1 in Part III, Column (B).
4. There are numerous UUFB supplemental budget requests (in excess of \$60 million) before the various Navajo Nation Council committees which are more than the funding available. The Navajo Nation Council, in its budget resolution, CS-53-17, directed "the Branch Chiefs of the Executive, Legislative and Judicial Branches to prioritize the unmet needs of their respective branches and to prepare appropriate budgets for such prioritized needs for potential consideration of supplemental appropriations in Fiscal Year 2018....." This has not been done, except by the Judicial Branch. The Navajo Nation Council with the many supplemental budget requests to be considered should follow its own rules rather than simply inviting any and all Navajo Nation programs or entities to submit supplemental budget requests without some way to address the many requests and to insure those that need funds the most are strongly considered.

The above findings by the Office of Management and Budget need to be addressed as soon as possible or before the supplemental budget is presented to the Navajo Nation Council committees. Mr. Emmett Francis, phone 928-871-7648, with the Office of Management and Budget is available for any inquiries regarding this memorandum or for assistance with any part of the correction of the proposed supplemental budget.

NAVAJO NATION

RCS# 1006

2/16/2018

Special Session

08:28:32 PM

Amd# to Amd#

Legislation No. 0426-17

PASSED

MOT Begay, K

Phoenix Indian Center

SEC Damon

\$148,325.00 - utilizing UUFB  
funds

**Yea : 12**

**Nay : 1**

**Excused : 3**

**Not Voting : 8**

**Yea : 12**

Begay, K  
Begay, S  
BeGaye, N

Bennett  
Chee  
Damon

Hale  
Perry  
Slim

Smith  
Witherspoon  
Yazzie

**Nay : 1**

Tso

**Excused : 3**

Brown

Shepherd

Tsosie

**Not Voting : 8**

Bates  
Begay, NM

Crotty  
Daniels

Filfred  
Jack

Pete  
Phelps