

LEGISLATIVE SUMMARY SHEET

Tracking No. 0001-20

DATE: December 30, 2019

TITLE OF RESOLUTION: RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,444,032 FROM THE SÍHASIN FUND TO THE CAPITAL PROJECTS MANAGEMENT DEPARTMENT ON BEHALF OF THE GANADO CHAPTER; AND APPROVING AND ADOPTING THE SÍHASIN FUND GANADO SENIOR CITIZENS AND VETERANS CENTER EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

PURPOSE: This resolution, if approved, will provide Síhasin Funds to plan, design and/or construct the Ganado Charter Senior Citizens and Veterans Center.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 2388
Website Posting Time/Date: 5:13pm 1-2-20
Posting End Date: 01/07/20
Eligible for Action: 01/08/20

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0001-20

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND
DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE AND
NAVAJO NATION COUNCIL; ALLOCATING \$1,444,032 FROM THE SÍHASIN
FUND TO THE CAPITAL PROJECTS MANAGEMENT DEPARTMENT ON
BEHALF OF THE GANADO CHAPTER; AND APPROVING AND ADOPTING THE
SÍHASIN FUND GANADO SENIOR CITIZENS AND VETERANS CENTER
EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- C. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 301 (B)(2).

1 D. The Resources and Development Committee of the Navajo Nation Council is
2 empowered to provide oversight of the chapters of the Navajo Nation, as well as
3 oversight over community development on the Navajo Nation. 2 N.N.C. §501 (C)(1).

4 E. The Navajo Nation Code provides the purpose of the Navajo Nation Sihasin Fund
5 (“Sihasin Fund”) is as follows:

6 § 2502 Purpose

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

9 1. The planning and development of economic development
10 and regional infrastructure supporting economic
11 development, and community development, including such
12 infrastructure as, but not limited to, housing, commercial
13 and government buildings, waterline, solid waste
14 management development, powerline projects, and
15 transportation and communication systems, within the
16 Navajo Nation; and

17 2. Education opportunities for members of the Navajo
18 Nation.

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

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

26 12 N.N.C. § 2502, as amended by CJA-03-18.

27 F. The Sihasin Fund provides that “Fund Principal” shall consist of all deposits made
28 to the Sihasin Fund and that “Fund Income” shall consist of all earnings (interest,
29 dividends, etc.) generated and realized by the Fund Principal, and that Fund Income
30

1 shall be deposited in and added to Fund Principal until such time as a Fund
2 Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).
3

4 **Section Two. Findings**

- 5 A. The Ganado Chapter has been certified as a Local Governance Certified Chapter of
6 the Navajo Nation under 26 N.N.C. §§ 101 et al.
- 7 B. As set forth in Ganado Chapter Resolution No. GAN-147-2019, attached as
8 **Exhibit A**, the Navajo Occupational Safety and Health Administration (NOSHA)
9 recommended the closure of the Ganado Senior Citizens Center, a residential
10 double-wide trailer, due to multiple safety issues and building deficiencies; and on
11 February 26, 2016, the Ganado Chapter closed down the Senior Citizens Center to
12 protect the public.
- 13 C. The Ganado Chapter has been advocating for a Veterans Center since before 2012,
14 see **Exhibit B**, and has worked to secure the necessary land withdrawal for the
15 Senior Citizens and Veterans Center.
- 16 D. The Navajo Nation Council, through resolution CAP-35-18, approved and adopted
17 the Sihasin Fund Powerline and Chapter Projects Expenditure Plan including
18 \$833,333.00 for the Ganado Senior Citizen Center project at CAP-35-18, Exhibit
19 D, Item No. 135. This request for \$1,444,032.00 is in addition to the amount
20 approved by CAP-35-18 attached as **Exhibit C**.
- 21 E. The Ganado Senior Citizen and Veterans Center Scope of Work and Cost
22 Breakdown are attached as **Exhibit D**.
- 23 F. The "Section 164 Review Form" for the \$1,444,032.00, including Office of
24 Management and Budget (OMB), Office of the Controller and the Department of
25 Justice reviews, along with project budget and process schedules, are attached as
26 **Exhibit E**.
- 27

28 **Section Three. Allocation of \$1,444,032.00 to the Capital Projects Management** 29 **Department on Behalf of the Ganado Chapter and Approval and Adoption of the** 30 **Ganado Chapter Senior Citizen and Veterans Center Expenditure Plan**

- 1 A. The Navajo Nation hereby allocates one million four hundred forty-four thousand
2 thirty-two dollars (\$1,444,032.00) from the Síhasin Fund to the Capital Projects
3 Management Department within the Division of Community Development on behalf
4 of the Ganado Chapter to plan, design and/or construct the Ganado Chapter Senior
5 Citizen and Veterans Center as detailed in **Exhibits D and E**.
- 6 B. The Navajo Nation hereby approves and adopts the Síhasin Fund Ganado Chapter
7 Senior Citizen and Veterans Center Expenditure Plan as set forth in this resolution
8 and in **Exhibits D and E**, attached and incorporated herein.
- 9 C. The Síhasin Funds allocated for the Síhasin Fund the Ganado Chapter Senior Citizen
10 and Veterans Center Expenditure Plan may be further leveraged by bond or loan
11 financing pursuant to the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 *et*
12 *seq.*, as amended, using Síhasin Fund earnings for repayment and financing costs
13 upon the recommendation of the Budget and Finance Committee and approval by a
14 two-thirds (2/3) vote of all members of the Navajo Nation Council.
- 15

16 **Section Four. Approval and Adoption of Expenditure Plan Administration**

17 The Navajo Nation hereby approves administration of the Síhasin Fund Ganado
18 Chapter Senior Citizen and Veterans Center Expenditure Plan as follows:

- 19 1. The Navajo Nation Controller shall determine whether the source of the
20 \$1,444,032.00 allocation from the Síhasin Fund will be from Fund Principal or
21 Fund Income or a combination of both;
- 22 2. The funds allocated to the Capital Projects Management Department on behalf of
23 the Ganado Chapter for the planning, design and/or construction of the Ganado
24 Chapter Senior Citizen and Veterans Center shall be released to the Capital
25 Projects Management Department within ninety (90) days following enactment
26 of the Ganado Chapter Senior Citizen and Veterans Center Expenditure Plan;
- 27 3. The funds allocated for the Ganado Chapter Senior Citizen and Veterans Center
28 Expenditure Plan shall be used solely to design, plan, and/or construct the Ganado
29 Chapter Senior Citizen and Veterans Center described in **Exhibits D and E**. Any
30

1 and all cost-savings shall be returned to the Síhasin Fund once the Ganado
2 Chapter Senior Citizen and Veterans Center is completed;

- 3 4. If requested by the Ganado Chapter, the Capital Projects Management
4 Department may transfer the funds, responsibility and accountability for the
5 Ganado Chapter Senior Citizen and Veterans Center Expenditure Plan to the
6 Ganado Chapter pursuant to a Memorandum of Agreement or other form of grant
7 agreement executed pursuant to 2 N.N.C. § 164 (B), as amended; and
8 5. The funds allocated for the Ganado Chapter Senior Citizen and Veterans Center
9 shall not lapse on an annual basis pursuant to 12 N.N.C. §820 (N), however, any
10 funds not spent or encumbered within twenty-four (24) months of the later or the
11 date funds are released to the Capital Projects Management Department or
12 transferred to the Ganado Chapter shall revert to the Síhasin Fund principal,
13 unless recommended otherwise by the Resources and Development Committee
14 and approved by the Naabik'íyáti' Committee.

15
16 **Section Five. Effective Date**

17 The Síhasin Fund Ganado Chapter Senior Citizen and Veterans Center Expenditure Plan,
18 as set forth above, shall become effective pursuant to 12 N.N.C. § 2505.

19
20 **Section Six. Directives**

21 The Ganado Chapter and the Capital Projects Management Department shall report the
22 status of the Ganado Chapter Senior Citizen and Veterans Center to the Naabik'íyáti
23 Committee a least once per quarter after the initial release of funds.
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GANADO CHAPTER



Willie Tracey Jr., Chapter Manager
Cindy James, Administrative Assistant
Larry Tosie, Project Supervisor/Operator
Esther Kirk, Office Assistant

EXHIBIT

A

Marcarlo Roanhorse, President
Walt Jones, Vice-President
Richie Nez, Sr., Secretary/Treasurer
Vince R. James, Council Delegate
Dickerson Smith, Grazing Official

Post Office Box 188 Ganado, Arizona 86505

Telephone: (928) 755-5920

Facsimile: (928) 755-5927

Email: ganado@navajochapters.org

Resolution No. GAN-147-2019

Respectfully Requesting the Navajo Nation Council for FY19 Supplemental Appropriations in the Amount of \$1,444,032.00 as Construction Funds from the Undesignated Unreserved Fund Balance for the Proposed Ganado Senior Citizens Center and Veterans Building

WHEREAS;

1. The Ganado Chapter is a duly certified local governing entity recognized by the Navajo Nation Council to advocate and address the needs and development of the community to interact with other departments of the Navajo Nation and federal and local agencies which serve and affect the Navajo Nation; and
2. The Ganado Chapter is a Governance Certified Chapter of the Navajo Nation vested authority under 26 N.N.C. § 101 et. seq; and
3. The Navajo Nation Office of Safety and Occupational Health (NOSHA) recommended for immediate closure of the Ganado Senior Citizens Center due to multiple unsafe commercial relevant building deficiencies of a residential double wide trailer; and
4. The Ganado Chapter voluntarily closed down the Ganado Senior Citizens Center on February 26, 2016 to avoid unforeseen potential lawsuit(s), this cause difficulty for area Senior Citizens population whom desired a daily meal at the Center or delivered to their individual homes; and
5. Many elder's only source of coping with loneliness and longing for loved ones is through congregational communication at the prior Senior Citizens Center establishment where a variety of presentations are provided for awareness and promoting a healthy living lifestyle; and
6. Today, proper prescribed meals to be consume by an elderly is very significant, meals are prepared for easy consumption, digestion and design to contend with the severe diabetes, high blood pressure, and/or other recognized health relevant challenges; and

Resolution No. GAN-147-2019

Page 2

7. Ganado Chapter has identified ten (10) acres of land with a FONSI (Findings of No Significant Impact) certificate after it has completed it's required capital outlay preliminary community development studies; and

8. The Resources and Development Committee of the 23rd Navajo Nation Council on February 7, 2018 appropriated \$300,000 to advertise for an architect firm to design a 4,800 square foot building, plans which will involve all valid civil, structural, architectural, mechanical plumbing and electrical schematics and strategies in compliance with all applicable governing local, state and federal Americans with Disabilities Act (ADA) building codes; and

9. Division of Community Development, Capital Projects Management Department has advertised, interviewed and selected Indigenous Designs Studios + Architecture firm from Albuquerque, New Mexico for architecture schematic designs for the proposed facility, the contract is surmounting the Navajo Nation 164 Review Process; and

10. Proposed project facility shall also house the Loka'niteel Veterans Organization whom have an active membership of sixty-five (65) with schedule monthly meetings and have been in existence for a great number of years, it has it's own unique presence recognizing all active and/or inactive personnel of the United States Armed Forces while preserving and protecting those that have parish and all those that are amongst us.

NOW, THEREFORE BE IT RESOLVED THAT:

The Ganado Chapter is hereby respectfully requesting the Navajo Nation Council for FY19 Supplemental Appropriations in the amount of \$1,444,032.00 as construction funds from the Undesignated Unreserved Fund Balance for the Ganado Senior Citizens Center and Veterans Building.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Ganado Chapter at a duly called meeting at Ganado, Navajo Nation, Arizona, at which a quorum was present and that same passed by a vote of 25 in favor, 0 opposed and 1 abstained on this 6th day of June, 2019.

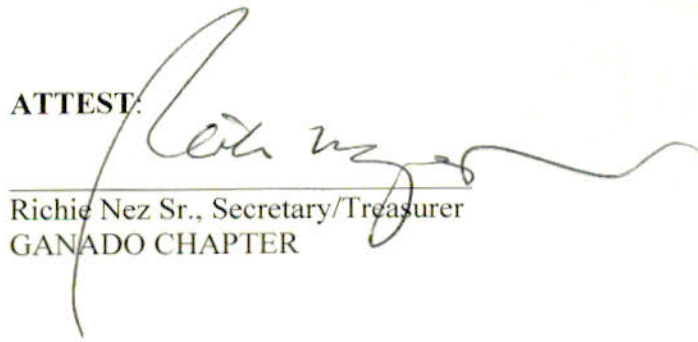
MOTION by: Cyndi Taylor

SECOND by: Steve Dalgai



Marcarlo Roanhorse, Chapter President
GANADO CHAPTER

ATTEST:



Richie Nez Sr., Secretary/Treasurer
GANADO CHAPTER

THE NAVAJO NATION



BEN SHELLY

REX LEE JIM

June 20, 2012

TO : Casey Begay, Department Manager II
Capital Improvement Office

FROM : Irma Julian, Project Manager/*Irma Julian*
Capital Improvement Office/Ft. Defiance Agcy.

SUBJECT: PROPOSED GANADO SENIOR CITIZEN CENTER &
VETERAN MEMORIAL PARK/OFFICE

We met on June 20, 2012 with Chapter President, Vice President, Senior Citizen Center Supervisor, Senior Council President, Vice President, LGSC CIS, 2 DES staff. Mr. Yazzie, CSC started the meeting & everyone introduced themselves. He briefly mentioned the purpose of this quick meeting.

I explained to everyone that this was a directive from the NN Vice President, Rex Lee Jim, to Arbin Mitchell to meet with everyone involved in this proposed Senior Center. The first thing we need to find out is "the land withdrawn and we need to see the site(s).

The CSC explained that the group has been meeting with the NN Vice President, all of sudden, he realized this project was not going anywhere and referred it to Capital Improvement Office to assist the chapter on the Proposed Senior Citizen Center and Veteran Memorial Park. The chapter has passed a resolution and gave the Senior Center two acres of land inside the chapter compound but, they felt the land was too small and the Holmes family came forward during one of the chapter meeting to donate ten (10) acres of land, she, her brother and her children are the permit holders. Caroline Holmes, already contacted Land Administration for consent forms. They will sign them and put this item on the next Chapter Planning Meeting and regular chapter meeting in July. The resolution for the two acres was rescinded.

Carolyn Holmes is heading the proposed Senior Citizen Center and gathering consent forms for the ten acres from her family members who are the permit holders.

Andy Thomas, Project Manager, DES provided copies of the guidelines and the requirements for the Senior Center and explained how their office will be involve. The steps they need to take and they will provide technical assistance. Actually, they get involve until the money is allocated but, this is one of the special projects assigned. He will be involve from here on to completion of the project.

Paulene McCabe also explained how her office (Agency LGSC) will be involve. She will be working closely with the chapter CSC on the proposed Senior Citizen Center and the Veteran Memorial Park.

I explained that the Chapter and CIO will assist in obtaining funds for this project. I will also be providing technical assistance. There are various steps the group need to take, and yes it will take lots of money to plan, design and construct a facility.

Mr. Yazzie, CSC will write letters to all the stake holders for another meeting on July 27, 2012, at Ganado Chapter House. They will also invite the Veteran group to explain their proposed Veteran Memorial Park project.

The Senior Center Supervisor, Senior Council President, Vice President, Secretary, Andy Thomas, DES, Roscilia Sells, DES, CSC, CIS and I went to the proposed land withdrawal of ten acres. There is a waterline along side south of Hwy. 264 and there is a 3 powerline on site. The proposed land to be withdrawn is south of Hwy. 264. The Plan is to divide the

Pg. 2; Ganado Senior Center/Veteran Park

July 20, 2012

Ten (10 acres) into two section. They want the Senior Citizen Center to be built on the west portion of the 10 acres, on five (5) acres. The other five (5) acres, east portion will be given to the Veterans, to build a Veteran Memorial Park.

Mr. Harry Shondee, Jr., Army, was killed in Badad, Iraq, on August 03, 2004. His mother, Isabelle Shondee decided to proposed a Veteran Memorial Park in his memory. He was the first Navajo Veteran to lose his life in the military. If they can come up with enough funds, they want to build a small Office to accommodate all the Veterans in surrounding areas. Mrs. Shondee is also a permit holder, so they her sister, Carolyn Holmes was more than willing to donate five (5) acres of their land to the Veterans.

Overall, every one there, specially the elderly and chapter officers were very impressed with Andy Thomas, Project Manager, DES, saying, its feels good to have young people coming back to the reservation and help their people. They like the way he presented himself and explaining the process.

Everyone agreed to set up another meeting on July 27, 2012, 9:00am, Ganado Chapter House. Harry Yazzie, CSC will send out letters to everyone.

**Ganado Chapter Senior Citizen/Veterans Building
Pre-Planning Activities (PPA) Progress Meeting
Meeting Minutes of
July 31, 2012 - 10 AM**

Team Members / Attendees:

Alton J. Shepherd, Council Delegate, Ganado Chapter
Sony Franklin - Navajo Nation Design & Engineering Services (DES), Task Force
Carolyn Holmes, Senior Council Member, Land Owner
Phyllis Yazzie, Ganado Senior Center
Edward Kirk, Kinlichee Senior Center Representative
Isabel Shondee, Ganado Land Owner
Antalena Lee, Ganado Land Owner
Penny Dinetsu, Ganado Senior Member
Charlie Taliman, Cornfield Senior Center Representative
Paulene McCabe, CIS, Local Governance Support Center/FDA, Task Force
Absent: Irma Julian, PPS, Capital Improvement Office, Task Force
Absent: Harry J. Yazzie, CSC, Ganado Chapter, Task Force

Last meeting minutes of June 27, 2012, were unavailable due to Ms. Julian's absence.

Discussion Topics:

1. **Land Withdrawal** - The Ganado Chapter passed Resolution #GCR-71012-2, Supporting and recommending the Approval of the withdrawal of Navajo Tribal Trust Lands for a Community Development to Establish a New Senior Center and a Veterans Memorial Park at Ganado, Arizona comprising of 10 acres.
Resolution was passed on July 10, 2012 with a vote of 27 in favor, 00 opposed, and 1 abstained.
 - A. **PPA TO DO LIST** - the sponsor in coordination with Navajo Nation Capital Improvement Office have a 'to do' list of 14 items and Team Ganado is on Item #1 to secure land free and clear via land withdrawal, factoring in required utilities, parking, sewage lagoon, access roads and additional acreage to be used if necessary.
 - B. Team Ganado will be working on Item #2 to secure a comprehensive legal description of the site for the facility, including approvals relating to any existing land use rights, rights-of-way or other easements. The Chapter CSC will package an invitation to potential licensed surveyors to conduct the legal description through the Qualification Base Selection method.*

**NN Department of Justice: LaTonya Becenti, Attorney with DOJ strongly advise, the Ganado Chapter must contact NN Land Department to be 100% sure the 10-acre plot is Navajo Nation Trust Land. Get a letter of assurance from Land Department.*

responsibilities. A commitment between the groups to share these costs will be an on-going discussion to negotiate.

5. **Road Deceleration Lane – Entrance Road** – Traffic count study and permission to survey the deceleration land needs to be considered as part of the on-going discussion with Arizona Department of Transportation.
6. **Local Governance Act (LGA) Certification** – The group discussed when the chapter will be getting LGA Certification and it would allow for private donations that the chapter may be able to receive from donors. The group would like to solicit external funds to travel to the Arizona State Legislative Session in January 2013. They would like to also solicit funds for furniture, fixtures and other accommodations.
7. **Next Meeting** – Thursday, August 30, 2012, at 10:00 AM, Ganado Chapter House.

Respectfully Submitted,

Date:

Prudence F. Mc Cabe

July 31, 2012

END



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT



MEMORANDUM

TO: Honorable LoRenzo Bates, Speaker
Navajo Nation Council

FROM:


Russell Begaye, *President*
THE NAVAJO NATION

DATE: May 7, 2018

SUBJECT: Resolution No. CAP-35-18: RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SISHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18 AND 12 N.N.C. 2501-2508, AS AMENDED; WAIVING 12 N.N.C. 810 (F), 820(I) AND (M) AND 860(C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

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

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

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

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

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

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

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

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

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

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SÍHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18, AND 12 N.N.C §§ 2501 - 2508, AS AMENDED; WAIVING 12 N.N.C. §§ 810 (F), 820 (I) AND (M) AND 860 (C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

BE IT ENACTED:

Section One. Authority

- A. The Health Education and Human Services Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving health, social services, education, general governmental services and human services. 2 N.N.C. §400 (C) (1).
- B. The Resource Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communications and utilities, information technology, chapter activities, economic and community development, rights-of-way, public utilities and housing. 2 N.N.C. § 500 (C).
- C. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. §§ 301 (B) (2) and (5).
- D. The Naabik'íyáti' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164 (A) (9).
- E. The Naabik'íyáti' Committee additionally has the authority to delegate its authority as appropriate for efficiency and streamlining of government process to appropriate entities

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

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

Section Two. Findings

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

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

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

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

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

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

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

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

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

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

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

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

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

Section Three. Approval and Adoption of Expenditure Plan

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

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

2. Year 2: The distribution of \$46,203,956.06 of Síhasin Funds in Navajo Nation Fiscal Year 2019 allocated as follows: \$12,154,756.58 to NTUA for the second year of NTUA Powerline projects, as set forth in **Exhibit B**; \$1,068,666.66 to NTUA for the second year of Waterline projects, as set forth in **Exhibit E**; \$31,124,968.21 to CPMD for the second year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,855,564.61 to CPMD for the second year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.
3. Year 3: The distribution of \$12,101,711.08 of Síhasin Funds in Navajo Nation Fiscal Year 2020 allocated as follows: \$3,675,660.40 to NTUA for the third year of NTUA Powerline projects, as set forth in **Exhibit B**; \$2,612,969.33 to NTUA for the third year of Waterline projects, as set forth in **Exhibit E**; \$5,528,240.51 to CPMD for the third year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$284,840.84 to CPMD for the third year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

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

Section Four. Approval and Adoption of Expenditure Plan Administration

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

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

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

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

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

- C. A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed \$4,166,666.67.
- D. NTUA, CPMD and LGA Certified Chapters shall report the status of the Síhasin Funds allocated or transferred to them to implement the Powerline and Chapter Projects Expenditure Plan, specifically including the use and status of the Síhasin Funds and the status of projects for which they are responsible, to the Resources & Development, Budget & Finance and Naabik'iyáti' Committees and Office of the President & Vice-President on a quarterly basis.

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

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

Section Six. Effective Date

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

Section Seven. Directives

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

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

CERTIFICATION

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



LoRenzo C. Bates, Speaker
Navajo Nation Council

4-27-18

Date

Motion: Honorable Seth Damon
Second: Honorable Steven Begay

Speaker Bates not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

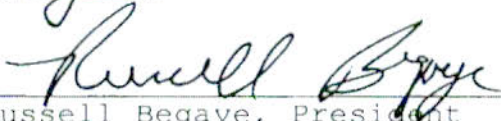
1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(10), on this _____ day of _____ 2018.

Russell Begaye, President
Navajo Nation

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

Russell Begaye, President
Navajo Nation

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


Russell Begaye, President
Navajo Nation

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

EXHIBIT:
A

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

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

EXHIBIT: B

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

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Many Farms	Powerline Phase II	Design/Construction	18-24 months	\$37,432.20	\$227,567.80	\$0.00	\$0.00	\$265,000.00
2	Tselani/ Cottonwood	Powerline Ext. Ph I, II, & Scattered	ROW/Pre-Design	18-24 months	\$0.00	\$265,000.00	\$0.00	\$0.00	\$265,000.00
3	Tsalle/ Wheatfields	Rural Electrification Project Horseshoe Canyon Powerline Ext.	ROW/Pre-Design	18-24 months	\$0.00	\$191,493.75	\$0.00	\$0.00	\$191,493.75
4	Sawmill	Powerline ext.	Pre-Design	12 months	\$120,000.00	\$0.00	\$0.00	\$0.00	\$120,000.00
5	Dennehotso	Scattered Powerline Project	Design/Construction	18-24 months	\$40,031.25	\$418,220.75	\$0.00	\$0.00	\$458,252.00
6	Chilchinbeto	Powerline-Assayi-2nd phase	Design/Construction	18-24 months	\$115,000.00	\$1,071,765.53	\$0.00	\$20,000.00	\$1,186,765.53
7	Oijato	Powerline Project	Design/Construction	24-36 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
8	Navajo Mountain	Powerline Project	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
9	Shonto	Powerline	Design/Construction	24-36 months	\$0.00	\$400,000.00	\$641,666.66	\$0.00	\$1,041,666.66
10	Inscription House	Powerline Extension	Design/Construction	24-36 months	\$0.00	\$0.00	\$661,666.68	\$0.00	\$661,666.68
11	Teenospos	Powerline -North Phase 3	Design/Construction	18-24 months	\$0.00	\$2,233,813.51	\$0.00	\$0.00	\$2,233,813.51
12	Mexican Water	3-Phase Powerline	Construction	18-24 months	\$0.00	\$1,634,047.00	\$0.00	\$0.00	\$1,634,047.00
13	Indian Wells	Salt Seep Powerline -	Design/Construction	18-24 months	\$40,000.00	\$0.00	\$0.00	\$0.00	\$40,000.00
14	Whitecone	Powerline Scattered	Design/Construction	18-24 months	\$70,000.00	\$0.00	\$164,333.49	\$0.00	\$234,333.49
15	Teesto	Teesto Scattered Powerline	Design/Construction	18-24 months	\$0.00	\$332,273.00	\$0.00	\$45,927.86	\$332,273.00
16	Dilkon	John Draw Powerline Project	Pre-Design	18-24 months	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00
17	Leupp	Powerline Project-Grandfalls	Design/Construction	12-18 months	\$0.00	\$733,333.00	\$0.00	\$352,237.50	\$733,333.00

EXHIBIT: B

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

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
18	Birdsprings	Powerline Ext. Phase III	Design/Construction	18-24 months	\$84,105.00	\$649,228.00	\$0.00	\$0.00	\$733,333.00
19	Kindahlchii	Single-Phase Powerline Ext.	Design/Construction	18-24 months	\$0.00	\$371,729.00	\$0.00	\$0.00	\$371,729.00
20	Kindahlchii	Powerline (Upper WS Ext.)	Design/Construction	18 months	\$0.00	\$366,873.00	\$0.00	\$0.00	\$366,873.00
21	Coppermine	IV P/L Project	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
22	Kalbeto	Poweline Project	Design/Construction	18-24 months	\$219,187.50	\$460,812.50	\$0.00	\$0.00	\$680,000.00
23	LeChee	Poweline Project	Construction	16 months	\$92,006.25	\$0.00	\$924,660.25	\$0.00	\$1,016,666.50
24	Klagnetoh	Salt Springs Powerline	Design/Construction	36 months	\$39,643.15	\$421,709.06	\$0.00	\$0.00	\$461,352.21
25	Lupton	Powerline	Pre-Design	37 months	\$6,036.07	\$89,074.42	\$0.00	\$49,110.49	\$95,110.49
26	Houck	Powerline	Design/Construction	12-18 months	\$80,000.00	\$273,278.00	\$0.00	\$69,056.25	\$353,278.00
27	Wide Ruins	Boggy Lake/Tanner Springs	Design/Construction	24-36 months	\$200,000.00	\$634,538.26	\$0.00	\$0.00	\$834,538.26
28	Pifion	Scattered Powerline Project	Design Construction	12-18 months	\$0.00	\$180,000.00	\$0.00	\$0.00	\$180,000.00
29	Black Mesa	Powerline	Pre-Design/ Design/Construction	24 months	\$1,472,929.52	\$0.00	\$0.00	\$227,606.25	\$1,472,929.52
					\$2,866,370.94	\$12,154,756.58	\$3,675,660.40	GRAND TOTAL	\$18,696,787.92

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

**EXHIBIT:
C**

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Alamo	Powerline/Waterline	Construction	6 months	\$694,444.44	\$694,444.45	\$0.00	\$0.00	\$1,388,888.89
2	TseLichii	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 305,393.00	\$0.00	\$50,000.00	\$305,393.00
3	Manuelito	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 397,580.00	\$0.00	\$50,000.00	\$397,580.00
4	Chichiltah	Powerline Project	Design/Construction	18-24 months	\$0.00	\$ 337,520.00	\$0.00	\$250,000.00	\$337,520.00
5	Ojo Encino	Eagle Spring Powerline Extension Project	Design/Construction	6 months	\$0.00	\$120,627.16	\$0.00	\$30,156.79	\$120,627.16
6	Pueblo Pintado	Badger Springs Powerline Ext.	Construction	24 months	\$0.00	\$0.00	\$ 284,840.84	\$0.00	\$284,840.84
7	Baca-Prewitt	Powerline Extension	Construction	6 months	\$160,000.00	\$0.00	\$0.00	\$0.00	\$160,000.00
8	Whitehorse	Powerline Extension	Construction	12 months	\$133,884.48	\$0.00	\$0.00	\$0.00	\$133,884.48
9	Counselor	Powerline Extension	Construction	13 months	\$455,870.87	\$0.00	\$0.00	\$0.00	\$455,870.87
					\$1,444,199.79	\$1,855,564.61	\$284,840.84	GRAND TOTAL	\$3,584,605.24

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

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NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Newcomb	Helipad	Design/Construction	18-24 months	\$100,000.00	\$339,637.00	\$0.00	\$75,000.00	\$439,637.00
2	Newcomb	Sr. Center Renovation	Plan/Construction	6-8 months	\$228,189.00	\$0.00	\$0.00	\$0.00	\$228,189.00
3	Hogback	New Chapter House	Design/Construction	8-16 months	\$150,018.78	\$593,100.00	\$0.00	\$0.00	\$743,118.78
4	Burnham	Community Center	Design/Construction	18-24 months	\$380,000.00	\$383,500.00	\$0.00	\$0.00	\$663,500.00
5	San Juan	Multi-Purpose Site Improvement Project	Plan/Design/Construction	24 months	\$150,000.00	\$533,333.00	\$0.00	\$0.00	\$683,333.00
6	Upper Fruitland	Renovation Walter Collins Multi-Purpose Bldg	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
7	Nenahnezaad	Multi-Purpose Renovation	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
8	Nazini	Senior Center	Design/Construction	24 months	\$0.00	\$1,980,000.00	\$0.00	\$0.00	\$1,980,000.00
9	Low Mountain	Head Start Facility	Design/Construction	24 months	\$0.00	\$596,666.66	\$0.00	\$0.00	\$596,666.66
10	Blue Gap/Tachee	New Chapter House	Design/Construction	12-18 mths	\$0.00	\$530,000.00	\$0.00	\$150,000.00	\$530,000.00
11	Many Farms	Market Study	Planning	24-36 months	\$0.00	\$265,000.00	\$0.00	\$20,000.00	\$265,000.00
12	Ramah	Chapter Renovation	Design/Construction	24-36 months	\$0.00	\$1,388,888.89	\$0.00	\$20,000.00	\$1,388,888.89
13	Tohajilee	Road Improvement	Design/Construction	36 months	\$1,388,888.89	\$0.00	\$0.00	\$353,000.00	\$1,388,888.89
14	Coyote Canyon	New Chapter Tractor	New Equipment	2-4 mths	\$50,000.00	\$0.00	\$0.00	\$9,000.00	\$50,000.00
15	Coyote Canyon	Senior Center Van	New Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00
16	Coyote Canyon	New Chapter Truck & Flatbed	New Equipment	2-4 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
17	Coyote Canyon	New Warehouse	Other Tribal Facilities	10-12 months	\$0.00	\$38,563.00	\$0.00	\$72,756.00	\$38,563.00
18	Coyote Canyon	Senior Citizen Center	Senior Center Building	10-12 months	\$109,000.00	\$0.00	\$0.00	\$520,000.00	\$109,000.00
19	Coyote Canyon	Parking Lot w/Landscape	Design/Construction	12 months	\$0.00	\$119,455.00	\$0.00	\$0.00	\$119,455.00
20	Coyote Canyon	Bathroom Addition	Design/Construction	12 months	\$126,315.33	\$0.00	\$0.00	\$11,311.00	\$126,315.33
21	Coyote Canyon	N96 Chip Seal	Design/Construction	10-12 months	\$250,000.00	\$0.00	\$0.00	\$75,864.00	\$250,000.00
22	Bahastlah (Twin Lakes)	Caterpillar 420 F3 4WD Backhoe Loader	Major Equipment	2-4 months	\$143,000.00	\$0.00	\$0.00	\$52,620.00	\$143,000.00
23	Bahastlah (Twin Lakes)	Massey Ferguson 2706E	Major Equipment	2-4 months	\$55,000.00	\$0.00	\$0.00	\$12,000.00	\$55,000.00

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NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
24	Bahastlah (Twin Lakes)	Caterpillar 140H3 AWD Motor Grader	Major Equipment	2-4 months	\$238,091.16	\$0.00	\$0.00	\$20,000.00	\$238,091.16
25	Bahastlah (Twin Lakes)	New Warehouse	Design/Construction	8-12 months	\$0.00	\$328,242.33	\$0.00	\$0.00	\$328,242.33
26	Bahastlah (Twin Lakes)	Road Maintenance	Design/Construction	8-12 months	\$0.00	\$69,000.00	\$0.00	\$35,000.00	\$69,000.00
27	Naschitti	New Chapter Truck	Major Equipment	2-4 months	\$73,333.33	\$0.00	\$0.00	\$0.00	\$73,333.33
28	Naschitti	New Warehouse	Design/Construction	12 months	\$0.00	\$376,000.00	\$0.00	\$36,000.00	\$376,000.00
29	Naschitti	966M XE Wheel Loader	Major Equipment	2-4 months	\$231,000.00	\$0.00	\$0.00	\$0.00	\$231,000.00
30	Naschitti	Backhoe	Major Equipment	2-4 months	\$103,000.00	\$0.00	\$0.00	\$0.00	\$103,000.00
31	Naschitti	Cemetery Expansion Project	Design/Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
32	Mexican Springs	Deer Springs Road	Design/Construction	12-18 months	\$667,000.00	\$0.00	\$0.00	\$0.00	\$667,000.00
33	Mexican Springs	Road Maintenance, Culverts & Bridges	Design/Construction	12-18 months	\$121,333.34	\$0.00	\$0.00	\$0.00	\$121,333.34
34	Mexican Springs	Massey Ferguson 2706E	Major Equipment	2-4 months	\$45,000.00	\$0.00	\$0.00	\$0.00	\$45,000.00
35	Round Rock	Road Improvement-Apache Cty. 590	Pre-Design/Design	18-24 months	\$50,000.00	\$60,000.00	\$228,533.94	\$0.00	\$338,533.94
36	Round Rock	Road Improvement Apache Co. 492	Design/Construction	18-24 months	\$50,000.00	\$60,000.00	\$351,153.69	\$0.00	\$461,153.69
37	Round Rock	Signage Proposal	Design/Construction	6-8 months	\$33,198.50	\$0.00	\$0.00	\$0.00	\$33,198.50
38	Tsalle/Wheatfields	Fencing of Tract	Design/Construction	6-8 months	\$220,000.00	\$0.00	\$0.00	\$0.00	\$220,000.00
39	Tsalle/Wheatfields	Senior Center Rehabilitation of Facility	Design/Construction	6-8 months	\$0.00	\$48,255.00	\$319,000.00	\$0.00	\$367,255.00
40	Tsalle/Wheatfields	Cemetery	Design/Construction	6-8 months	\$20,032.12	\$0.00	\$0.00	\$0.00	\$20,032.12
41	Tsalle/Wheatfields	Chapter Tract Master Plan	Design/Construction	18-24 months	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00
42	Rock Point	BIA Road Route 8070	Design/Construction	12-16 months	\$46,100.00	\$143,250.00	\$643,983.00	\$0.00	\$833,333.00
43	Rough Rock	Senior Center	Construction	12 months	\$245,333.33	\$0.00	\$0.00	\$0.00	\$245,333.33
44	Lukachukai	Chapter Fencing	Design/Construction	12-18 months	\$482,903.33	\$0.00	\$0.00	\$20,000.00	\$482,903.33
45	Lukachukai	Chapter Agriculture Building	Construction	6-8 months	\$0.00	\$70,000.00	\$0.00	\$0.00	\$70,000.00
46	Lukachukai	Chapter Equipment	Major Equipment	4-6 months	\$144,000.00	\$0.00	\$0.00	\$0.00	\$144,000.00
47	Lukachukai	Chapter Equipment Manlift	Major Equipment	6-8 months	\$39,500.00	\$0.00	\$0.00	\$0.00	\$39,500.00

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

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48	Lukachukai	Chapter Senior Center	Construction	12 months	\$86,427.00	\$0.00	\$0.00	\$0.00	\$86,427.00
49	Lukachukai	Chapter Welding Machinery	Major Equipment	6-8 months	\$7,000.00	\$0.00	\$0.00	\$0.00	\$7,000.00
50	Lukachukai	Chapter Roping Box	Major Equipment	6-8 months	\$3,503.00	\$0.00	\$0.00	\$0.00	\$3,503.00
51	Crystal	Fire Suppression System	Construction	6-12 months	\$876,000.00	\$0.00	\$0.00	\$285,000.00	\$876,000.00
52	Fort Defiance	Solar Street Lights	Construction	12 months	\$0.00	\$972,035.00	\$0.00	\$285,503.00	\$972,035.00
53	Fort Defiance	Street Rehabilitation	Design/Construction	24 months	\$69,641.67	\$0.00	\$0.00	\$0.00	\$69,641.67
54	Red Lake	Utility System Upgrade	Design/Construction	1-6 months	\$70,000.00	\$0.00	\$0.00	\$0.00	\$70,000.00
55	Red Lake	Street Improvement	Design/Construction	12 months	\$100,000.00	\$250,000.00	\$300,000.00	\$0.00	\$650,000.00
56	Red Lake	Chapter Complex	Plan/Design/Construction	12 months	\$0.00	\$0.00	\$321,666.67	\$0.00	\$321,666.67
57	Sawmill	Bathroom Additions	Construction	12 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
58	Sawmill	Renovate Chapter House	Construction	6 months	\$250,000.00	\$250,000.00	\$0.00	\$0.00	\$500,000.00
59	Sawmill	N7 Road Rehab	Design	12 months	\$271,666.67	\$0.00	\$0.00	\$0.00	\$271,666.67
60	Dennehotso	Transfer Station	Design/Construction	24 months	\$40,000.00	\$100,000.00	\$0.00	\$0.00	\$140,000.00
61	Dennehotso	Veterans Park	Construction	36 months	\$0.00	\$225,000.00	\$0.00	\$7,000.00	\$225,000.00
62	Dennehotso	Warehouse	Construction	12 months	\$0.00	\$162,075.82	\$0.00	\$20,000.00	\$162,075.82
63	Kayenta	Diversion Dam Rehabilitation Project	Design/Construction	24-36 months	\$0.00	\$1,344,623.31	\$0.00	\$455,000.00	\$1,344,623.31
64	Kayenta	Multi-Purpose Building	Plan/Design/Construction	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
65	Chilchinbeto	Multi-Purpose Building	Plan/Design/Construction	24 months	\$300,000.00	\$0.00	\$0.00	\$0.00	\$300,000.00
66	Shiprock	Chapter Renovation	Design/Construction	12 months	\$50,000.00	\$400,000.00	\$0.00	\$0.00	\$450,000.00
67	Shiprock	Senior Center	Construction	12 months	\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00
68	Shiprock	Elderly Care Site	Planning	8 months	\$77,000.00	\$0.00	\$0.00	\$0.00	\$77,000.00
69	Shiprock	Wellness Center	Design/Construction	12 months	\$0.00	\$200,000.00	\$0.00	\$0.00	\$200,000.00
70	Shiprock	Former BIA Compound	Testing/Planning	24 months	\$350,000.00	\$0.00	\$0.00	\$0.00	\$350,000.00
71	Shiprock	Utility Hook-Up/Restroom Renovations	Construction	8 months	\$60,000.00	\$0.00	\$0.00	\$0.00	\$60,000.00
72	Shiprock	River Trail & Community Park	Construction	9 months	\$56,000.00	\$0.00	\$0.00	\$0.00	\$56,000.00
73	Shiprock	15 Secure Land Designation	Planning	24 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
74	Shiprock	Rural Addressing	Construction	12 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
75	Shiprock	Roads-Indian Village	Major Equipment	12 months	\$318,000.00	\$0.00	\$0.00	\$0.00	\$318,000.00
76	Shiprock	South Side Incident Command Center	Construction	24 months	\$1,000,000.00	\$0.00	\$0.00	\$0.00	\$1,000,000.00

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77	Shiprock	New Traffic Lights	Construction	12 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
78	Shiprock	Shiprock Cemetery	Plan/Design/Construction	12 months	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00
79	Shiprock	Plan/Design 36 acre Tract	Plan/Design/Construction	24 months	\$85,000.00	\$0.00	\$0.00	\$0.00	\$85,000.00
80	Shiprock	Visitor Center	Plan/Design	12 months	\$360,666.66	\$0.00	\$0.00	\$0.00	\$360,666.66
81	Shiprock	Widening San Francisco Peak Blvd.	Plan/Design	12 months	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00
82	Beclabito	Beclabito Road Project N513	Design/Construction	24-36 months	\$0.00	\$0.00	\$615,000.00	\$0.00	\$615,000.00
83	Cove	Cove Senior Center	Construction	8-12 months	\$255,704.00	\$0.00	\$0.00	\$0.00	\$255,704.00
84	Cove	Cove Veterans Pavilion Gaddi ahil Tokoi	Planning/Design	10-12 months	\$0.00	\$130,000.00	\$0.00	\$8,000.00	\$130,000.00
85	Gadlaili	Infrastructure New Development	Design/Construction	10-12 months	\$0.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00
86	Red Valley	Transfer Station	Design/Construction	24-36 months	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
87	Sheep Springs	Multi-Purpose Building	Construction	8-12 months	\$682,629.66	\$0.00	\$0.00	\$240,000.00	\$682,629.66
88	Two Grey Hills/Toadlena	ROW N19	Pre-Design	8-12 months	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00
89	Tse Ahnozt'i'i	5010 Road Design	Design	24-36 months	\$75,000.00	\$0.00	\$0.00	\$0.00	\$75,000.00
90	Beclabito	Fiber Optic - Broadband	Planning/Design	12-18 months	\$708,333.00	\$0.00	\$0.00	\$0.00	\$708,333.00
91	Cove	Agriculture - Watershed Study	Planning/Design	12-18 months	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00
92	Tse'Uchil	New Senior Center	Design/Construction	12-24 months	\$0.00	\$1,600,000.00	\$0.00	\$400,000.00	\$1,600,000.00
93	Tsarato'h	Chapter Renovation	Design/Construction	12-16 months	\$0.00	\$500,000.00	\$0.00	\$100,000.00	\$500,000.00
94	Baahaali	Pine Haven Road	Design/Construction	18-24 months	\$0.00	\$600,000.00	\$0.00	\$655,000.00	\$600,000.00
95	Baahaali	Senior Center (Renov./Addition)	Design/Construction	8-12 months	\$150,000.00	\$0.00	\$0.00	\$450,000.00	\$150,000.00
96	Rock Springs	Multi-Purpose Building	Pre-Design	20-24 months	\$0.00	\$276,173.66	\$0.00	\$450,000.00	\$276,173.66
97	Inscription House	Solid Waste Transfer Station	Design/Construction	24-36 months	\$0.00	\$0.00	\$330,000.00	\$0.00	\$330,000.00
98	Inscription House	House Wiring	Design/Construction	24-36 months	\$0.00	\$50,000.00	\$0.00	\$0.00	\$50,000.00
99	Red Mesa	Chapter House Renovation	Design/Construction	12 months	\$238,249.15	\$0.00	\$0.00	\$0.00	\$238,249.15
100	St. Michael's	New Chapter House	Construction	10-14 mths	\$2,083,333.33	\$0.00	\$0.00	\$53,409.00	\$2,083,333.33
101	Oaksprings	Chapter Major Renovation	Design/Construction	24 months	\$1,000,000.00	\$1,083,333.33	\$0.00	\$10,000.00	\$2,083,333.33

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

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124	Cornfields	Sunrise Low Water Crossing (Road)	Pre-Design	26-36 months	\$0.00	\$266,000.00	\$0.00	\$0.00	\$266,000.00
125	Cornfields	Rural Address LRAC E-911	Design/Construction	12 months	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
126	Cornfields	Backhoe Purchase	Purchase	6 months	\$40,000.00	\$0.00	\$0.00	\$25,000.00	\$40,000.00
127	Cornfields	Green House	Design/Construction	12 months	\$1,000.00	\$0.00	\$0.00	\$1,000.00	\$1,000.00
128	Kindalchil	Chapter House Parking Lot	Design/Construction	12-24 months	\$94,731.32	\$0.00	\$0.00	\$0.00	\$94,731.32
129	Jeddaro	Backhoe Purchase	Major Equipment	6 months	\$107,064.66	\$0.00	\$0.00	\$0.00	\$107,064.66
130	Jeddaro	Bathroom Addition (Goldwater Loop)	Design/Construction	18-24 months	\$0.00	\$363,134.33	\$0.00	\$0.00	\$363,134.33
131	Jeddaro	Bathroom Addition (Upper Highland/ Sitting Rk)	Design/Construction	18-24 months	\$0.00	\$363,134.34	\$0.00	\$0.00	\$363,134.34
132	Steamboat	Old Chapter Renovation (Stone Bldg.)	Construction	8-12 months	\$220,000.00	\$0.00	\$0.00	\$0.00	\$220,000.00
133	Steamboat	Chapter Building Renovation	Design/Construction	18-24 months	\$0.00	\$0.00	\$400,000.00	\$50,000.00	\$400,000.00
134	Steamboat	Chapter Warehouse	Design/Construction	18-24 months	\$0.00	\$213,333.33	\$0.00	\$25,000.00	\$213,333.33
135	Canado	Senior Center Building	Design/Construction	18-24 months	\$0.00	\$833,333.34	\$0.00	\$0.00	\$833,333.34
136	Coppermine	Backhoe	Major Equipment	4-6 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
137	Coppermine	Multipurpose Building	Pre-Design	18-24 months	\$0.00	\$0.00	\$200,000.00	\$0.00	\$200,000.00
138	Coppermine	Western Navajo Pipeline, Fireflow, Storage Tank	Design/Construction	18-24 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
139	Kalbeto	Kalbeto Design Infrastructure	Design/Construction	18-24 months	\$0.00	\$370,000.00	\$0.00	\$0.00	\$370,000.00
140	Tonalea	Government Building	Construction	8-12 months	\$1,050,000.00	\$0.00	\$0.00	\$0.00	\$1,050,000.00
141	Klagatch	Head Start Project	Pre-Design	8-12 months	\$0.00	\$400,000.00	\$0.00	\$0.00	\$400,000.00
142	Lupton	Basketball Court Development	Pre-Design	12 months	\$0.00	\$53,795.00	\$0.00	\$0.00	\$53,795.00
143	Lupton	Cemetery	Pre-Design	13 months	\$0.00	\$0.00	\$100,000.00	\$0.00	\$100,000.00
144	Lupton	Warehouse Renovation	Pre-Design	14 months	\$68,795.00	\$0.00	\$0.00	\$0.00	\$68,795.00

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:
D

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

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:
D

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
160	Hardrock	Wellness Equipment	Major Equipment	24 months	\$44,940.00	\$0.00	\$0.00	\$0.00	\$44,940.00
161	Pifion	Chapter Communication Systems Upgrade	Major Equipment	10 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
162	Pifion	Chapter House Perimeter Fencing	Construction	6 months	\$21,660.00	\$0.00	\$0.00	\$0.00	\$21,660.00
163	Pifion	Clearances for Withdrawal of Land for Community	Pre-Design	12-18 months	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
164	Pifion	Chapter Vehicle w/ Metal 1000 gal. Water Tank	Major Equipment	2-4 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
165	Pifion	Chapter Vehicle	Major Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
166	Pifion	Rural Addressing	Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
167	Pifion	Housewiring/Bathroom Additions	Construction	12 months	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00
168	Pifion	Housewiring/Bathroom Additions	Construction	12 months	\$23,648.14	\$0.00	\$0.00	\$0.00	\$23,648.14
169	Pifion	N8030 Road Project	Design/Construction	24 months	\$0.00	\$0.00	\$68,334.00	\$0.00	\$68,334.00
170	Pifion	Dzilyjlin Public Safety Utility	Planning	18 months	\$0.00	\$0.00	\$400,000.00	\$0.00	\$400,000.00
171	Pifion	Dzilyjlin College Land Withdrawal	Planning	24 months	\$0.00	\$0.00	\$83,000.00	\$0.00	\$83,000.00
172	Forest Lake	Senior Center (Renov./Addition)	Design/Construction	24 months	\$500,000.00	\$0.00	\$0.00	\$50,000.00	\$500,000.00
173	Whippoorwill Springs	Renovation-Sr. Center, Warehouse, Admin. Building	Design/Construction	24 months	\$450,000.00	\$0.00	\$0.00	\$0.00	\$450,000.00
174	Iyanbito	Garden & Community Project	Pre-Design	4-6 months	\$0.00	\$10,000.00	\$97,700.00	\$0.00	\$107,700.00
175	Iyanbito	Head Start Project	Pre-Design	8-10 months	\$0.00	\$576,744.44	\$0.00	\$238,528.00	\$576,744.44

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:

D

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
176	Iyanbito	Veterans	Pre-Design	6-8 months	\$0.00	\$0.00	\$10,000.00	\$0.00	\$10,000.00
177	Thoreau	Veterans Building	Design/Construction	12-18 months	\$0.00	\$694,444.00	\$0.00	\$700,000.00	\$694,444.00
178	Mariano Lake	Multi-Purpose Building	Construction	8-12 months	\$391,044.90	\$0.00	\$0.00	\$291,255.66	\$391,044.90
179	Mariano Lake	Lake House Wiring	Construction	6-8 months	\$303,400.00	\$0.00	\$0.00	\$0.00	\$303,400.00
180	Pinedale	Veterans Building	Construction	8-12 months	\$694,444.44	\$0.00	\$0.00	\$96,609.00	\$694,444.44
181	Smithlake	Bay/Shop Building	Construction	6-10 months	\$694,444.44	\$0.00	\$0.00	\$0.00	\$694,444.44
182	Churchrock	Multi-Purpose Building	Design/Construction	18-24 months	\$0.00	\$694,444.44	\$0.00	\$0.00	\$694,444.44
***	Window Rock	Administrative Funds	***	***	\$200,000.00	\$200,000.00	\$200,000.00	\$0.00	\$600,000.00
					\$37,423,205.14	\$31,124,968.21	\$5,528,240.51	GRAND TOTAL	\$74,076,413.86

EXHIBIT: E

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

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
1	Tselani/ Cottonwood	Waterline	Construction	18-24 months	\$0.00	\$265,000.00	\$0.00	\$0.00	\$265,000.00
2	Rough Rock	Low Water project	Design/ Construction	16-24 months	\$0.00	\$588,000.00	\$0.00	\$0.00	\$588,000.00
3	Tohatchi	Waterline	Plan/ Design/ Construction	36 months	\$200,000.00	\$0.00	\$633,333.33	\$25,000.00	\$833,333.33
4	Crystal	Green Knoll/Split Mesa Waterline and Water Storage	Plan/ Design/Construction	36 months	\$100,000.00	\$65,666.66	\$0.00	\$0.00	\$165,666.66
5	Shiprock	Waterline Extension/Updates	Pre-Design (ROW, Survey, Assessment)	36 months	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
6	Tolikan	Water line extension	Plan/ Design/ Construction	24 months	\$60,557.00	\$0.00	\$0.00	\$5,000.00	\$60,557.00
7	Chinle	Waterline-SpiderRock Phase 2.5	Plan/ Design/ Construction	24 months	\$50,000.00	\$0.00	\$1,379,636.00	\$0.00	\$1,429,636.00
8	Chinle	Water Well-Construction	Design/ Construction	36 months	\$50,000.00	\$0.00	\$600,000.00	\$0.00	\$650,000.00
9	Cornfields	Waterline	Pre-Design (ROW)	24 months	\$0.00	\$150,000.00	\$0.00	\$0.00	\$150,000.00
					\$560,557.00	\$1,068,666.66	\$2,612,969.33	GRAND TOTAL	\$4,242,192.99

NAVAJO NATION

RCS# 1069

Spring Session

4/17/2018

11:53:07 PM

Amd# to Amd#

Legislation 0116-18:

PASSED

MOT Damon

Adopting the Sihasin Fund

SEC Begay, S

Powerline and Chapter Projects

Expenditure Plan Pursuant...

Yea : 21

Nay : 0

Excused : 0

Not Voting : 3

Yea : 21

Begay, K
Begay, NM
Begay, S
BeGaye, N
Bennett
Brown

Chee
Crotty
Damon
Daniels
Filfred

Hale
Jack
Perry
Pete
Phelps

Slim
Smith
Tso
Witherspoon
Yazzie

Nay : 0

Excused : 0

Not Voting : 3

Bates

Tsosie

Shepherd

Ganado Chapter Senior/Veterans Center Project Scope of Work (SOW) Proposal

EXHIBIT

tabbles

D

Project Manager: TBD
Sponsor: Navajo Nation
Prepared by: NN CPMD

Background History: An Architecture/Engineering Firm, will produce a complete set of construction document plan to allow for a new construction of a 4,800 sq. ft. building for the Ganado Chapters Senior Center/Veterans Building. The firm will design the facility within the new Ganado Senior Center 10 acres tract with all new parking lots area by the proper grading and drainage of run off precipitation and providing handicap accessibility for all senior citizens break area, an office, a small reception area, East entry (north-south) wrought-iron entry/gate, and the assembly area by the proper ADA accessibility for the facility. This was a need for the community due to a lack of a facility and growing number enrollment through the Ganado's senior community.

Work Plan: Phase one (1) of the A/E Firm will be awarded and the A/E firm will develop a full set of Construction Documents; plan, design, specifications, and construction administer the 4,800 sq. ft. project. All Civil, Structural, Architectural, Mechanical, plumbing, and Electrical drawings will be coordinated thru the hired Architect to comply with the all applicable ADA codes, local, state, and federal codes. Phase two (2) will consist of utilizing the construction funds to construct the building to a full complete turn-key facility.

Budget Detail: Phase One (1)-A/E Design

Project Cost	General Funds	Other Funds
Architect/Engineer/Programming (Under Contract)	\$300,000.00	NN (Under Contract)
Geo-technical Soil Survey (Under Contract)		NN (Under Contract)
Bidding and Award		NN Included
Construction Administration		NN \$57,836.50
Topographic Survey		Included
Construction Cost Estimate		Included
Civil Engineer		Included
Navajo Nation Tax 6%		
	(NN CIP)-\$208,339.57	
		Total: (Under Contract-\$208,339.57

Budget Detail: Phase Two (2)-Construction

Project Cost	General Funds	Other Funds
Construction		NN \$1,400,000.00
Equipment/Furnishings		NN \$100,000.00
Infrastructure		NN \$300,000.00
Parking lot		NN \$200,000.00
	(Sihasin) Pending	
Navajo Nation Tax 6%		\$120,000.00
		\$2,200,000.00

	Additional Const. Need	Total: \$1,400,000.00
--	------------------------	-----------------------

Project Goal/Performance Measures

- A/E Solicitation: August 2018- Completed
- A/E Interviews September 2018-Completed
- Navajo Nations Procurement Process April-May 2019
- Award A/E June 2019
- A/E firms issued Notice to proceed to implement Plan and Design work- June 2019
- A/E firm and Stakeholders kick off meeting on June/July 2019
- Programming and design in progress by A/E Firm July 2019
- Schematic Design to be completed- September 2019
- Design Development September 2019
- Construction Documents/specification development- October 2019-Completed November 2019
- Bidding on Construction December 2019
- Bids on project /Cost Negotiation with Contractor-January 2020
- Navajo Nations Procurement Process January 2020
- Award Contractor Company contract February 2020
- Construction Ground breaking on site with contractor March/April 2020
- Construction Starts Mid-April 2020
- Excavation, rough plumbing/sewer line, footing, foundation walls, and concrete floor completed –March-May 2020
- Exterior walls, windows, exterior doors, and roof trusses are completed – June-July 2020
- Finish roofing is installed and exterior walls painted –August 2020
- Rough electrical wiring, insulation, drywalls, and interior walls installed –July 2020
- Drywalls taped, interior walls painted, finish flooring installed –August 2020
- Electrical lighting, wall switches, outlets, finish plumbing are completed – September 2020
- Conduct testing on electrical and mechanical systems - October 2020
- Construction completion date – October 2020
- No Changes to the design shall be rendered unless the NN-Architect authorizes it.
- All communication shall be channeled through the NN-Capital Project Management Department office and at no time shall the Design Team initiate changes made by the sponsors/Chapters.
- Establish meeting dates during the design phases to assure exact percentage of completion. This should be aligned with the payment application submitted.

Problem/Opportunity Definition

With numerous violations from the office of Environmental Health department, the existing Ganado Senior/Veterans center is still housed in a residential trailer which does not meet the current commercial code requirements, commercial kitchen equipment, assembly areas, and ADA standards.

Proposed Solution

Develop and construction a new senior center/Veterans facility for the Ganado senior community.

Major project activities

1. Provide service to the elders and growing enrollment for the community.

Required parking lot to be constructed for the senior center building.

Major Obstacles

1. Inflation cost to material/labor/ insurance
2. Project funds

Risks

1. Project may idle till Construction Funds are established
2. Traffic count study and permission to survey the deceleration land need to be considered for left hand turn into future facility development.
3. With Project construction funds not established, all Building codes will have to be updated within 3 years.
4. Inflation cost of materials if construction project idles.

Schedule/Milestone Overview

Estimated Project Completion Date: 02/2021

Major Milestones

Pre-Award meeting with the Vendor

Include all the NN CPMD stakeholders at kick off meeting

A/E firm and Stakeholders kick off meeting on June 2019

Complete Construction Documents and Specification by A/E Firm

12/2020

Bidding on Construction

Award Contractor Company

Construction Ground breaking on site with contractor

Project Completion & Review

External Milestones Affecting the Project

A/E Funds established by sponsor/client

Construction Funds Established by sponsors/client

Impact of Late Delivery

Results Expected: As the Navajo Nations Lead Agency, NNDES will proceed as scheduled and execute the contracts and monitor the design, payments and oversee the design and construction of the new facility for the community of Ganado, Arizona.

Responsible Staff *(include Project Manager and Fiscal Contact):*

Name: Philandra Nelson _____
Title: LDA- Vince James _____
Address: P.O. Box 3390 Window Rock, AZ 86515 _____
Email: pnelson@navajo-nsn.gov _____
Phone: 520-491-0182 _____

Name: Edward Preston _____
Title: Architect _____
Address: P.O. Box 1510 Window Rock, AZ 86515 _____
Email: edward_preston@nndcd.org _____
Phone: 928-871-6069 _____

**Ganado Senior/Veterans Center Building
Ganado, Arizona**

PROJECT COST

Isolation Factor		10.00%			
Conventional		SQUARE FEET			
A.	Building Cost	\$187.00	\$230.00	4,800	1,104,000.00
B.	Fixed Equipment		4.00%		44,160.00
C.	Site Development		6.00%		66,240.00
D.	Contingency (Inflation and Construction)		10.00%		110,400.00
E.	TOTAL CONSTRUCTION	276.00	X	4,800	1,324,800.00
F.	Site Acquisition		0.00%		0.00
G.	Movable Equipment		4.00%		52,992.00
H.	Professional Fees		0.00%		0.00
I.	Owners Reserve		4.00%		52,992.00
J.	Administrative Cost		1.00%		13,248.00
K.	PROJECT COST	300.84	X	4,800	1,444,032.00

DISCLAIMER NOTE:

Does not include site acquisition, escalation of mid-point of construction, and design/construction cost for off-site infrastructure (NTUA) improvements.

Project Cost	1,444,032.00
Additional cost total	<u>0.00</u>
Grand Total	1,444,032.00

**Ganado Senior/Veterans Center Building
Ganado, Arizona**

PROJECT COST / CONVENTIONAL BUILDING

Architectural / Engineering Fee In Progress/Under Contract

A.	TOTAL FEE (ACTUAL/ESTIMATED)			0.00
B.	(% OF A) CONTINGENCY	10%		0.00
C.	CONSULTANT'S FEES	45%		0.00
D.	OTHER DIRECT EXPENSES OF A	4.14%		0.00
E.	SUBTOTAL			0.00
F.	INDIRECT EXPENSE ALLOWANCE (A-(B+C+D)-G)			0.00
G.	ARCH. LABOR BUDGET (A-(B+C+D)/ %)	8.00%		0.00

ARCHITECTURAL LABOR BUDGET BREAKDOWN **AVG. \$/HR.** **26.00**

	PHASE OF WORK	% BUDGET	HR. BUDGET	\$ BUDGET
a	Programming/Pre-Design	15.00%	0.00	0.00
b	Schematic Design	15.00%	0.00	0.00
c	Design Development	20.00%	0.00	0.00
d	Construction Documents	40.00%	0.00	0.00
e	Bidding and Negotiating	5.00%	0.00	0.00
f	Construction Administration	20.00%	0.00	0.00
	TOTAL	100.00%	115.00%	0.00

Additional Cost Not Included in Architectural Basic Services

a.)	Environmental Assessment	0.00	Complete
b.)	Archaeological Report	0.00	Complete
c.)	Topographic Surveying - utilities	4,500.00	
d.)	Geo-technical - soils	5,500.00	
e.)	Flood Plain Study	0.00	
f.)	Programming/Pre-Design	0.00	
g.)	Landscaping Design		
h.)	Interior Design		
i.)	Value Engineering	0.00	not yet
j.)	One model and one rendering	0.00	not yet
k.)	Reproduction (10 sets)		not yet
l.)	Material Testing		not yet
m)	Clients Inspector (Brown & Associates)		Required
	Additional cost total	0.00	

Professional Fees	0.00
Additional Cost Not Included in Architectural Basic Services	<u>0.00</u>
Grand Total	0.00

Ganado Senior/Veterans Center Building
Ganado, Arizona

Budget	Navajo Nation Gen. Fund	\$0.00
	NAAA	\$0.00
	Abandon Mine Lands	\$0.00
	Chapter Funds	\$0.00
	USDA	\$0.00
	Federal Funds	\$0.00
	total	<hr/> \$0.00
Planning		
Clearances	Environmental assessment	Complete
	Archaeological studies	Complete
Programming	Demographics	CPMD
Surveys	Legal	Complete
	Topographical	Complete
	Utilities	In Progress
Masterplanning	Site analysis	CPMD
Concepts	Site	NN CPMD
	Elevation	NN CPMD
	Floorplan	NN CPMD
Geotechnical	Soils	not yet
	Percolation test	not yet
Flood plain studies	Water shed (100 to 500 year)	
Architectural / Engineering	schematic design	
	design development	
	construction documents	
	bidding and negotiation	
	construction administration	
Construction	6 to 8 months	

TRACOT 06556862110061

A parcel of land, situated within the East Heat (E/2) of Section 56, Township 27 North, Range 26 East, Gila & Salt River Meridian, in the vicinity of Ganado, Apache County, State of Arizona, and being more particularly described as follows:

COMMEKIND of the East Quarter corner of, sold Section 28, a found United States Bureau of Land Management Brown Cap dated 1899.

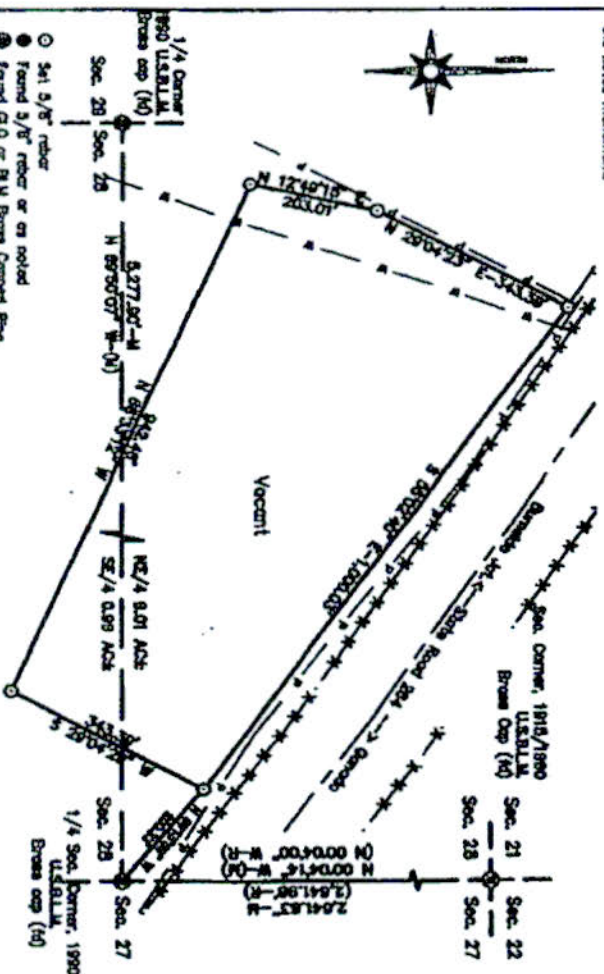
thence N150°15'59"W, a distance of 200.35', to the POINT OF BEGINNING;

thence S29°04'28" E, a distance of 343.39';
thence N68°33'12" E, a distance of 842.45';
thence N17°48'15" E, a distance of 203.07';
thence N29°04'23" E, a distance of 343.39';
thence S35°02'40" E, a distance of 1,000.03';
to the POINT OF BEGINNING.

Sold parcel contains 10.00 acres, more or less, and subject to existing easements and encumbrances.

Surveyed December 04, 2012, by the Crowpoint Land Office, The Navajo Nation, Crowpoint, New Mexico.

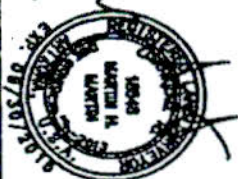
DATA: A:



- Set 3/8" rubber
- Formed 3/8" rubber or as noted
- ⊙ Found CLD or Blue Brass Coated Pipe
- ⊞ Found Mottled Stone, or as noted
- ▲ Found USSS Tri-Station or as noted
- > On-Off Distance or Bleaching



SURVEYORS STATEMENT:

I, Martha H. Martin, a registered land surveyor under the laws of Arizona, under authority of the Navajo Nation, hereby state that this plat was prepared from notes of an actual field survey performed by the Navajo Land Department, and is true and correct to the best of my knowledge and belief, as true and correct to the best of my knowledge and belief, attest to by my seal and signature hereon.



Component Land Office SURVEY BY: DBL DRAWING BY: DBL APPROVED BY: See Seal FIELD BOOK NO.: 4093 JOB NUMBER: 4093 SCALE: 1" = 200'	Coronado Veterans's & Senior Citizen Center 10.00 Ac. ± District 17, Fort Defiance Agency (E/2) Sec. 28 T27N, R26E G.S.R.M. Coronado, Apache County, Arizona
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ARCHEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD 2010)

1. HPD REPORT NO.:		3. FIELDWORK DATE(S): April 10, 2013	
2. TITLE OF REPORT: A Cultural Resource Inventory of the Ganado Veteran's and Senior Citizen Center, Ganado Chapter, Apache County, Arizona AUTHOR(S): Curtis Yazzie		4. REPORT DATE(S): April 30 and July 5, 2013	
5. CONSULTANT NAME AND ADDRESS: Gen. Charge: Denise R.E. Copeland, Principal Archaeologist Org. Name: Capital Improvement Office Org. Address: P.O. Box 336 Fruitland, New Mexico 87416 Phone: 505 369-1059		6. PERMIT NO.: NTC	
8. SPONSOR NAME AND ADDRESS: Ind. Responsible: Harry J. Yazzie, CSC Phone: 928 755-5920 Org. Name: Ganado Chapter Org. Address: P.O. Box 188 Ganado, Arizona 86505		7. CONSULTANT REPORT NO.: DCD 13-004	
		9. SPONSOR PROJECT NO.: Crownpoint NLD Job No. 4093	
		10. AREA OF EFFECT: 10.00 ac AREA SURVEYED: 10.00 ac	
11. LOCATION (MAP ATTACHED): a. Chapter: <u>Ganado</u> f. UTM Center: Zone 12 NAD 83 <u>AWW cor. 3952998N 629818E, BY 3953028N 629832E</u> b. Agency: <u>FL Defense</u> <u>GHW cor. 3953116N 629881E, DWH cor. 3952948N 630221E, & EWH cor. 3952865N 630184E</u> c. County: <u>Apache</u> g. Legal: <u>T 27 N R 28 E, E 1/2 of Sec. 28, GSRM</u> d. State: <u>Arizona</u> h. 7.5' USGS Map(s): <u>Ganado, Arizona 1972</u> e. Land Status: <u>Tribal Trust</u> i. Lead Agency: <u>BIA/Navajo Region</u>			
12. REPORT ATTACHMENTS: a. Description of Undertaking: The undertaking consists of land withdrawal of proposed Ganado Veteran's and Senior Citizen Center tract in Ganado, Apache County, Arizona (Figure 1); the construction of two buildings (a Veteran's Center and a Senior Citizen's Center) and the installation of all utilities. The area of potential effect is approximately 435,600 sq ft (40,488.6 sq m) or 10.0 ac (4.1 ha). Ground disturbance, both surface and subsurface, is expected to be intensive and extensive from the use of heavy equipment. b. Existing Data Review: A check of Navajo Nation Historic Preservation Department (NNHPD) archival files indicate that four (4) previously completed projects (NTM 80-414; HPD No.'s 95-078; 97-582; and 07-163) have been conducted and no archaeological sites have been recorded within approximate 500 ft of the current project area. c. Area Environmental and Cultural Setting: The project area is located at an average elevation of 6,360 ft/1,938m. Pueblo Colorado Wash is located 1,700 ft/518 m southeast of the project area, however, several small intermittent drainages cross the project area. Surface sediments consist of fine- to medium-grained eolian sand with gravel-sized rock inclusions and natural rock outcrops. Vegetation in the area consists of juniper, piñon, snakeweed, rabbitbrush, greasewood, prickly pear and cholla cacti, narrow-leaf yucca, wolfberry, and other seasonal native plants. No animals were observed during the inventory. The current cultural setting within the project area includes dirt roads, nearby homesteads and their associated features, powerlines, waterlines, telephone lines, State Route 264 w/ROW fence, the ADOT maintenance yard, a rodeo grounds, a sewer lagoon, Hubbell Trading Post National Historic Site and the outlying community of Ganado. d. Field Methods: Ms. Leta Sengster, Ganado AMS showed the author the project area on April 11, 2013. The project area was covered by a Class III pedestrian survey by walking parallel transects spaced 15 m (33 ft) apart. The total area surveyed is approximately 435,600 sq ft (40,488.6 sq m) or 10.0 ac/4.1 ha). The author interviewed Ms. Leta A. Sengster on April 11, 2013 regarding TCP's. No TCP's were identified near the project area.			
13. CULTURAL RESOURCE FINDINGS: a. Location/Identification of Each Resource: Ten (10) isolated occurrences (IO-1 to 10) were identified by the project (See attached Table 1 and Figure 2). b. Evaluation of Significance of Each Resource: The all the isolated occurrences (IO-1 to 10) are over 50 years old, however, they lack integrity of location and setting, and therefore they are not considered eligible (See attached).			
14. MANAGEMENT SUMMARY (RECOMMENDATIONS): A notice to proceed is recommended for the proposed undertaking. In the event of a discovery, all construction activities will cease and NNHPD will be notified. A treatment plan under CFR 800.11 (a) for such discoveries will be followed.			
15. CERTIFICATION:			
SIGNATURE: 		July 05, 2013	
Direct Charge Name: <u>Curtis Yazzie</u>		Date	
SIGNATURE: 		July 08, 2013	
General Charge Name: <u>Denise R.E. Copeland</u>		Date	

A Cultural Resource Inventory of the Ganado Veteran's and Senior Citizen Center, Ganado Chapter, Apache County, Arizona DCD1 13-004

13. CULTURAL RESOURCE FINDINGS: (Continued)

- a. Location/identification of Each Resource: Table 1 provides a brief description of the isolated occurrences, their UTM coordinates, and legal descriptions. No other cultural resources were identified in or around the project area.

Table 1
Isolated Occurrences
(T27N, R28E, Sec. 28, E 1/4)

LO. #	LO. Description	Northing	Easting
1	A (1) Plain Grayware sherd	3953082N	630028E
2	Two (2) Plain Grayware sherds	3953041N	630107E
3	Twenty (20) KXYG-9 glass fragments	3952961N	630007E
4	An (1) Unidentified Black-on-White sherd	3952950N	630057E
5	An (1) Indented corrugated sherd and a (1) chalcedony chert flake	3952839N	630086E
6	An (1) Indented Corrugated sherd	3952971N	630077E
7	A (1) Sesi Black-on-White sherd	3952998N	630070E
8	A (1) Dogosahi Black-on-White sherd	3953022N	630080E
9	Two (2) Plain Grayware sherds	3953064N	630063E
10	A (1) Purple glass fragment	3953040N	630082E

- b. Evaluation of Significance of Each Resource: (Continued) for nomination to the National Register of Historic Places (NRHP). The isolated occurrences 1-2 and 4-9 are more than 100 years old, however, they are not considered of archaeological interest, therefore they do not warrant protection under the Archaeological Resources Protection Act (ARPA). The isolated occurrences 3 and 10 are less than 100 years and therefore they do not meet the definition of an archaeological resource as required for protection under ARPA. The isolated occurrences have no known religious or sacred significance to warrant protection under AIRFA. No historic properties will be affected by the project.

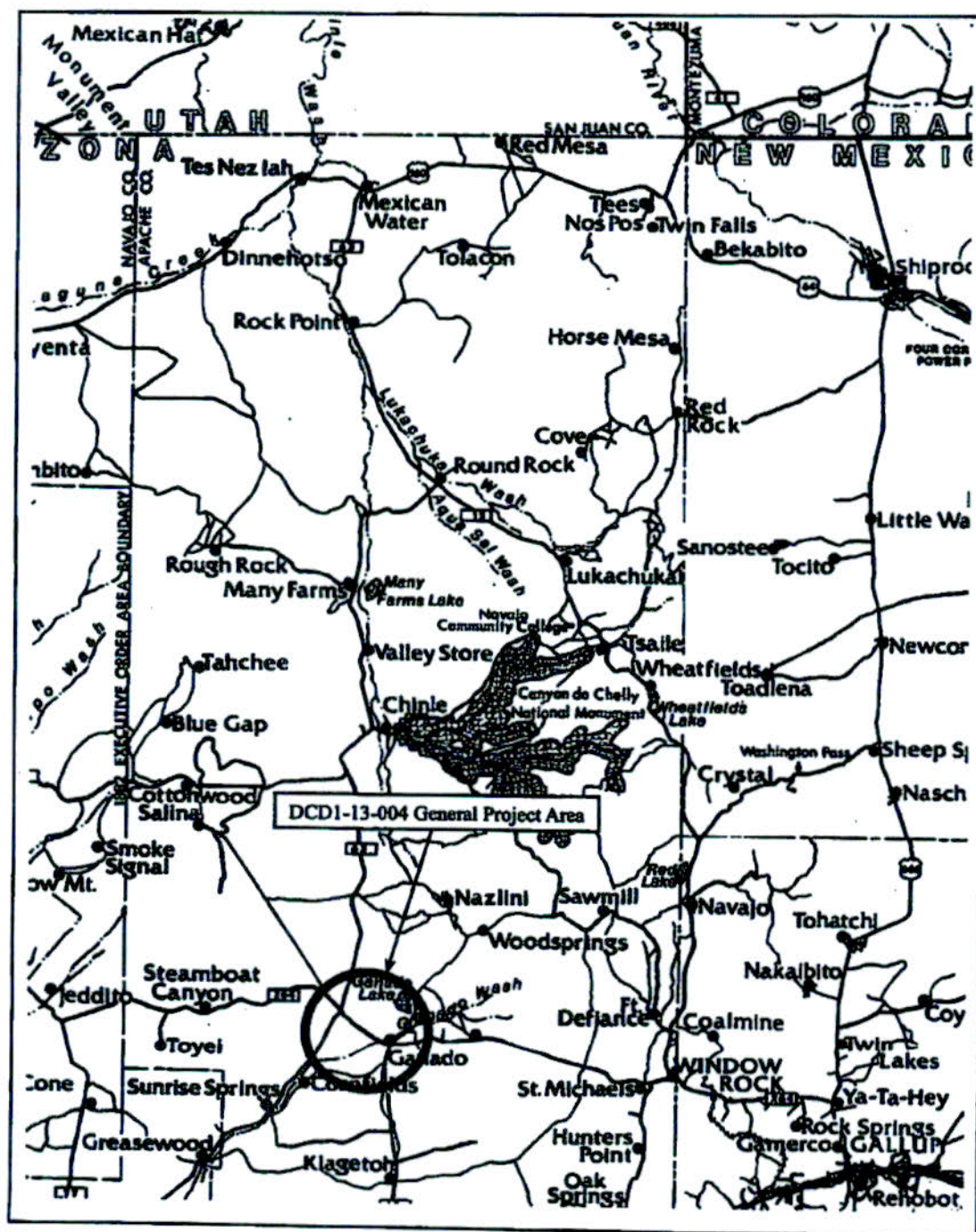


Figure 1. Locational Map of the DCD1-13-004 General Project Area (Goodman 1982).

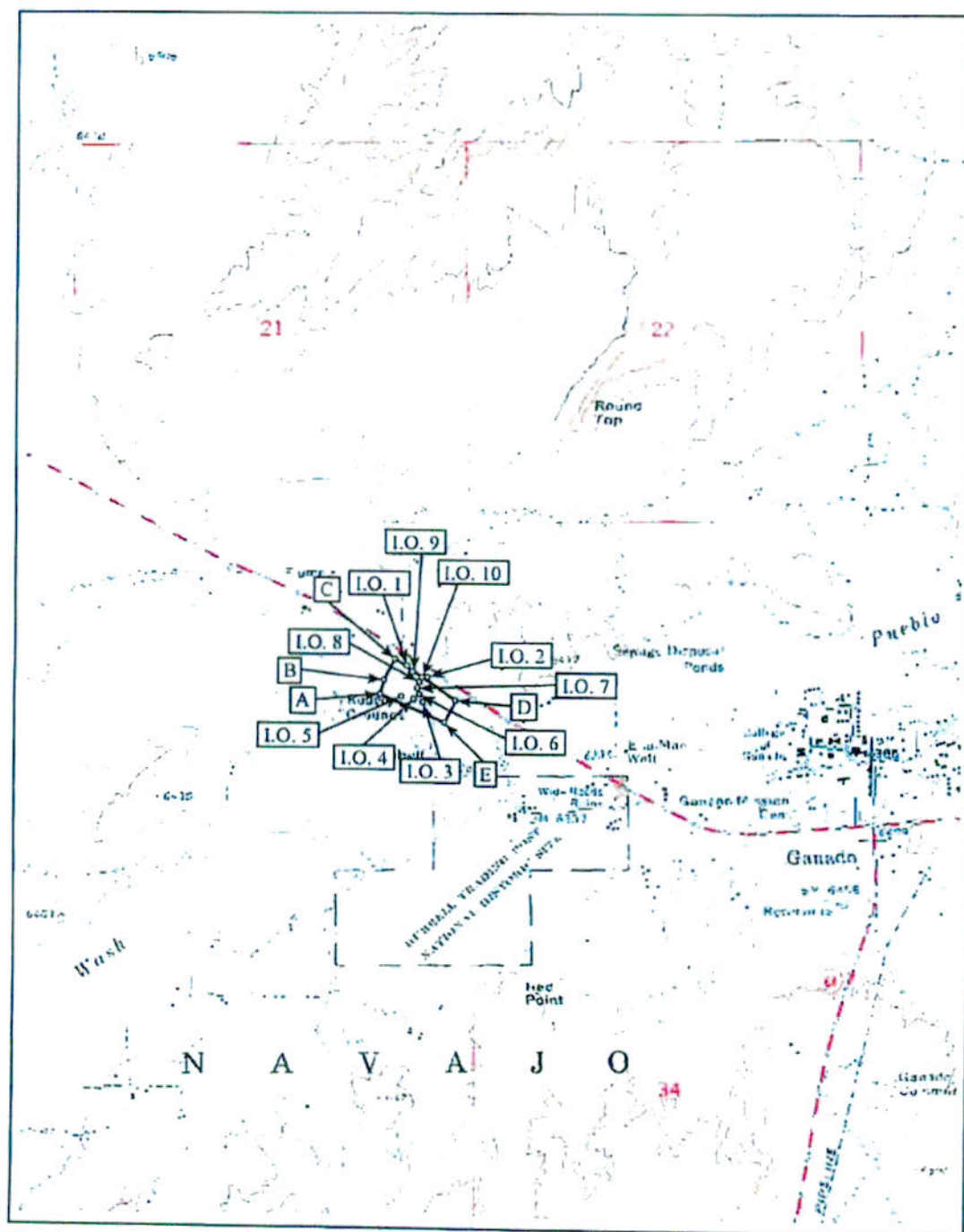


Figure 2. Locational Map of UTM Points of the Proposed Ganado Senior Center Tract and of Isolated Occurrences Identified during the DCD1-13-004 Inventory.

Ganado Senior/Veterans Center Building

Department	Comments	w	l	total	circul	tot	total	#
Staff	Two work spaces @ 8'X8' each	8	8	64	15%	9.6	73.60	1
		8	8	64	15%	9.6	73.60	2
Veterans	Two Work Spaces	12	10	120	15%	18	138.00	3
		8	8	36	15%	5.4	41.40	4
	Subtotal:	36	36	248		32.4	280.40	
Administration	One work spaces @ 8'X8' each	8	8	64	15%	9.6	73.60	5
	Subtotal:	12	12	144		10.80	154.80	
Senior Citizen Program	One 12'X12' work space for the program supervisor	12	12	144	15%	21.60	189.75	6
	Two 8'X8' space for assistant, cook, bus driver/maintenance, staf	8	8	64	15%	9.60	89.75	7
		8	8	64	15%	9.60	279.50	8
	Subtotal:	86	76	1636		245.4	2,098.90	
Senior Advisor Personal	One 10'X10' space file & supply storage	10	10	100	15%	15.00	-	
	Janitor closet	8	8	64	15%	9.60	89.75	
	Senior Center room for 80 seniors	40	30	1200	15%	180.00	1,450.15	
	Subtotal:	86	76	1636		245.4	2,098.90	
	Kitchen Area @ 20'X26'	20	26	520	15%	78.00	598.00	
	Equipment Area @ 8'X 10'	8	10	80	15%	12.00	92.00	
	Prep space @ 12'X12'	12	12	144	15%	21.60	165.60	
	Subtotal:	30	30	252		37.80	855.60	
Other:	One 8'X15' Conference rooms for meetings.	8	15	120	15%	18.00	138.00	
	One 44'X35' Dining Area	44	35	1540	15%	231.00	1,771.00	
	One 40'X30' Activity Area	20	30	600	15%	90.00	690.00	

3 additional 6'X6' space for Mech. Elec. And Data Room

6	6	36	15%	5.40	41.40
6	6	36	15%	5.40	41.40

Lounge Area: One 18'X10' space for elders.

6	6	36	15%	5.40	41.40
---	---	----	-----	------	-------

Storage: two 8'X10' space for copier, paper, supplies.

18	10	180	15%	27.00	207.00
8	10	80	15%	12.00	92.00

Veterans Break room for staff @ 11'X10.95'

12	12	144	15%	21.60	165.60
----	----	-----	-----	-------	--------

Subtotal:

78	80	892		133.80	3,187.80
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Staff Total: 10

Subtotal:

6,577.50

All Areas/ Rooms:

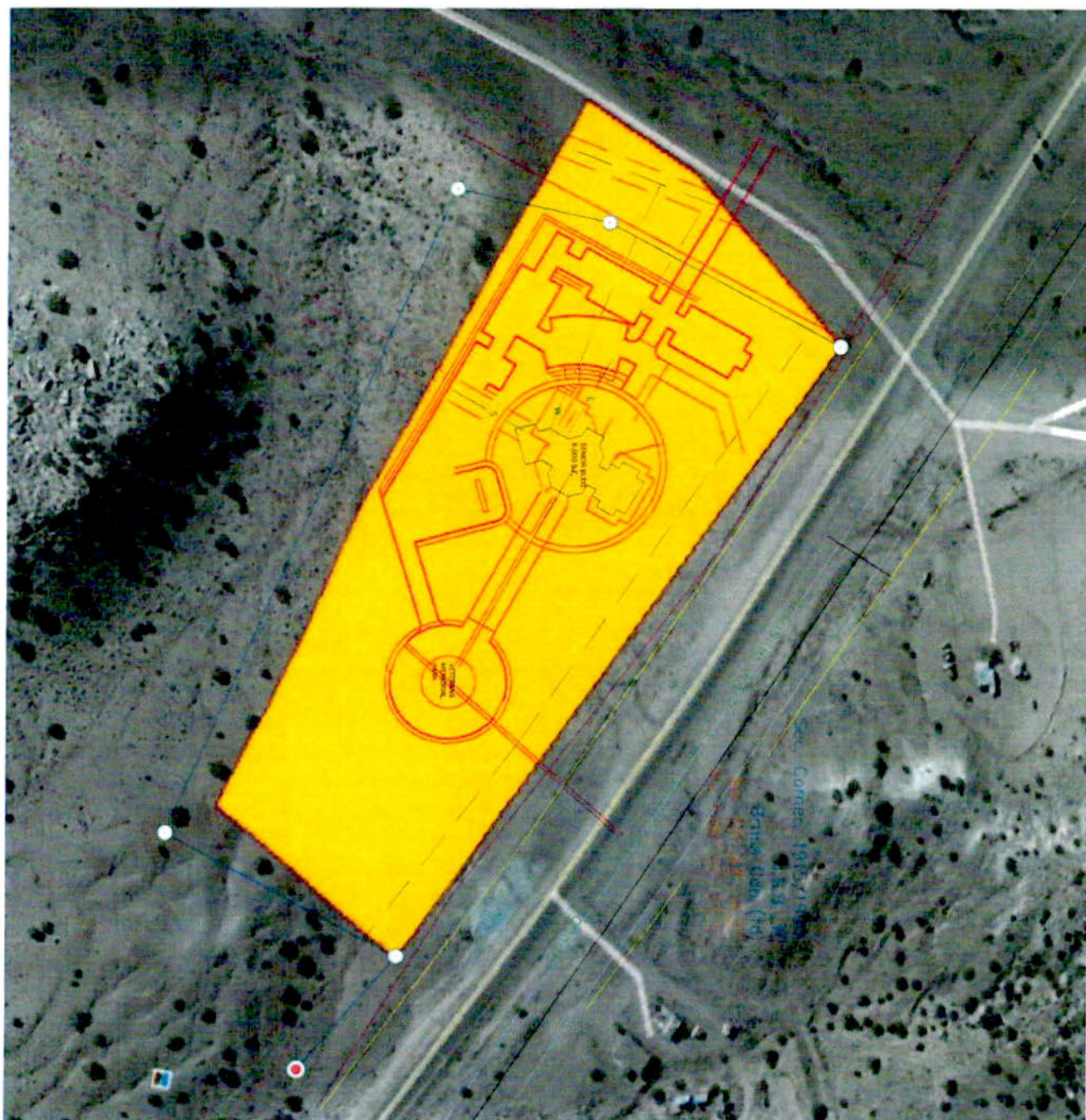
6,577.50

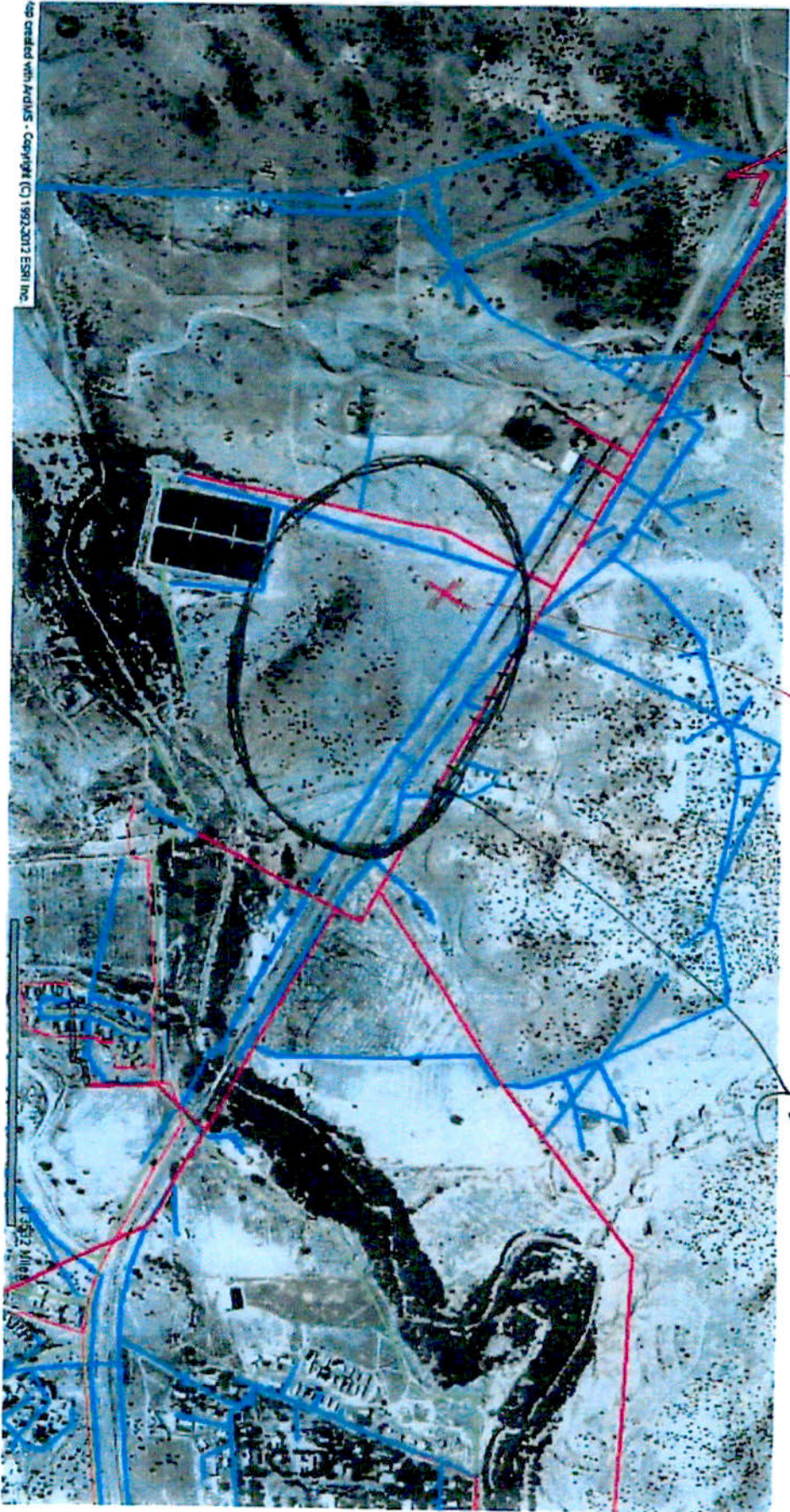
GSF Multiplier:

1.30

Total Area:

8,550.75





Map created with ArcGIS - Copyright (C) 1992-2012 ESRI Inc.

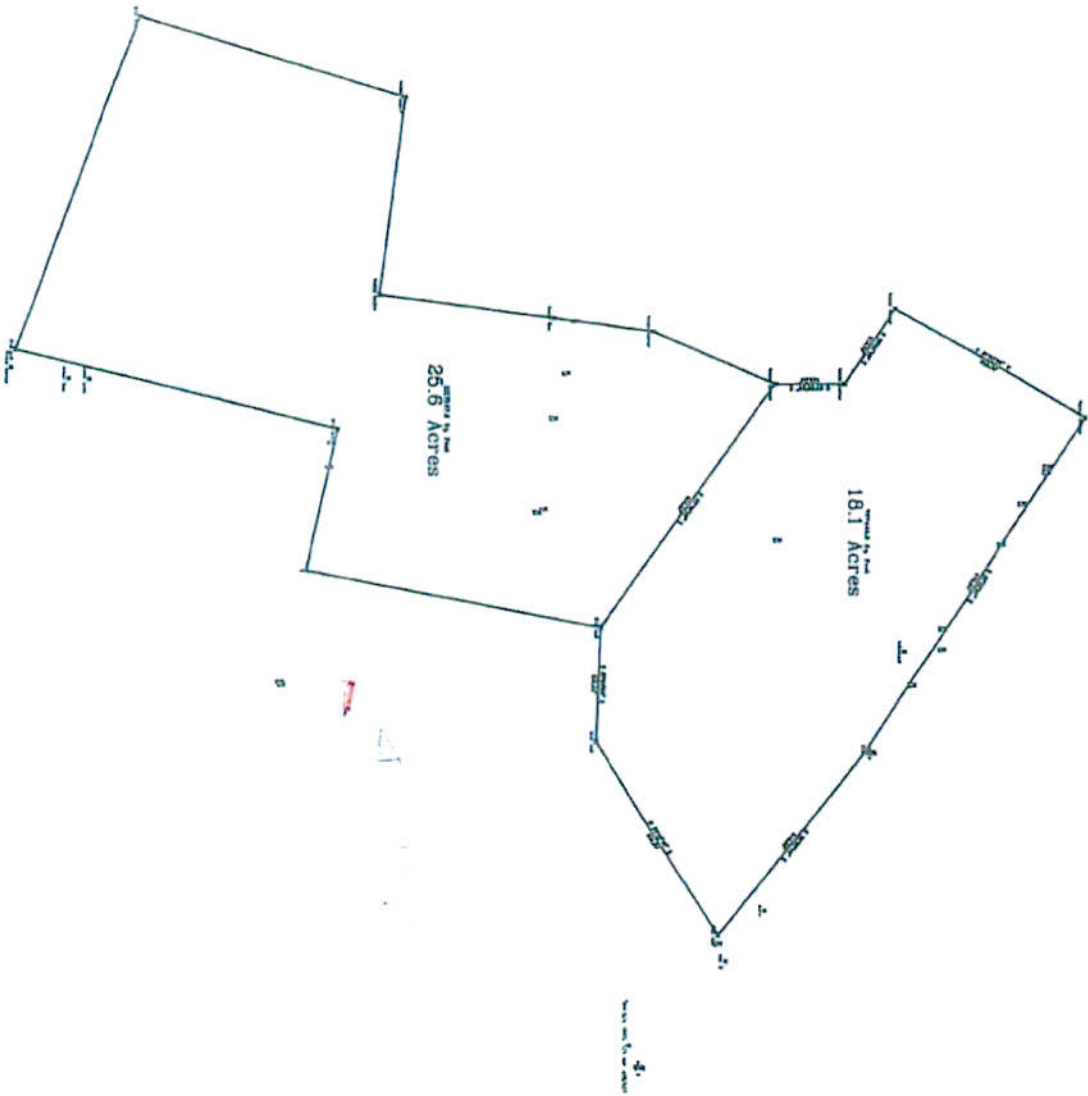
At
Dist. Transportation

Proposed 10 ac. site
for Gando Senior Center
& Veterans Memorial

(line location)

7/3/12

1-2



Rec'd 9-18-12
by MLD



Image courtesy of the U.S. Fish and Wildlife Service
© 2012 Google
© SPOT IMAGE

Google earth

feet
km 1 4000



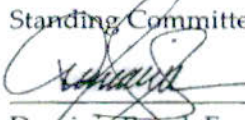


THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

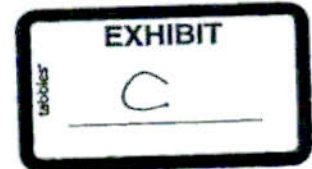
MEMORANDUM

TO : Standing Committees and Navajo Nation Council

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

DATE : October 15, 2018

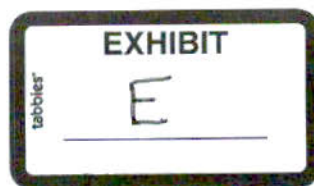
SUBJECT : BUDGET IMPACT STATEMENT for Legislation No. ____ (No Number Assigned):
UUFBS Supplemental Request in the Amount of \$551,667 for Ganado Chapter Senior
Citizens Building, Business Unit No. NEW, by Delegate Alton Shepherd.



Pursuant to 2 NNC §1201-1205 and 12 NNC §820(M), the Office of Management & Budget (OMB) reviewed the above and provides the following:

1. OMB worked with CPMD to correct the budget forms using the applicable FY 2019 forms. The forms are in order once signatures are obtained.
2. The FY 2019, Appendix K, "Supplemental Funding Proposal Summary", form needs to be updated. The version attached is dated June 12, 2018.
 - a. The correct amount to be funded with the Sihasin Fund is \$833,333 per CAP-35-18, Year 2.
 - b. The signature part needs to be signed by Carl Smith, DCD Division Director, and President Begaye as Branch Chief for the Executive Branch.
3. The CPMD Project Proposal Form attached to the request is dated May 31, 2018. The proposal indicates it is for a Senior/Veterans Center. However, the project budget was submitted for a Senior Citizens Center. Which is it? Further, the sales tax indicates 5%. The sales tax increased to 6% effective July 1, 2018. Does this change the overall cost?
4. Pursuant to 12 NNC Section 820 (L), supplemental appropriations may be allocated, if and when additional source of revenues are identified by the Controller. OOC has not completed the financial close-out for FY 2018, so the current UUFBS amount is not known at this time.
5. The FY 2019 Budget Resolution CS-68-18, Paragraph M requires the three branch chiefs to prioritize the unmet needs. Is this part of the President's priority listing since chapters are under the Executive Branch?
6. The above should be addressed before any legislation is dropped.

Contact OMB at (928) 871-6470/6029 if there are any questions and/or concerns regarding this memorandum.

Document No. 012671Date Issued: 06/03/2019**SECTION 164 REVIEW FORM**Title of Document: Ganado Chapter Senior/Veterans Center BI Contact Name: NELSON, PHILANDRA MAYProgram/Division: DIV. OF COMMUNITY DEVELOPMENTEmail: pnelson@navajo-nsn.gov Phone Number: 520 491-0182Division Director Approval for 164A: *Deary Yelloman* 4.3.19

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

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

☐ **Statement of Policy or Positive Law:** Sufficient ☐ Insufficient ☐
1. OAG: _____ Date: _____

☒ **IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**

1. OMB: *Deary Yelloman* Date: 4.3.19 ☒ ☐
2. OOC: *Donna - See Memo* Date: 8-9-19 ☐ ☒
3. OAG: *See Memo* Date: 9/5/19 ☒ ☐
OOX *Yelloman* 8-23-19 ☒ ☐

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

☐ **Grant/Funding Agreement or amendment:**
1. Division: _____ Date: _____ ☐ ☐
2. OMB: _____ Date: _____ ☐ ☐
3. OOC: _____ Date: _____ ☐ ☐
4. OAG: _____ Date: _____ ☐ ☐

☐ **Subcontract/Contract expending or receiving funds or amendment:**
1. Division: _____ Date: _____ ☐ ☐
2. BRD: _____ Date: _____ ☐ ☐
3. OMB: _____ Date: _____ ☐ ☐
4. OOC: _____ Date: _____ ☐ ☐
5. OAG: _____ Date: _____ ☐ ☐

☐ **Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**
1. Division: _____ Date: _____ ☐ ☐
2. OAG: _____ Date: _____ ☐ ☐

☐ **M.O.A. or Letter of Assurance expending or receiving funds or amendment:**
1. Division: _____ Date: _____ ☐ ☐
2. OMB: _____ Date: _____ ☐ ☐
3. OOC: _____ Date: _____ ☐ ☐
4. OAG: _____ Date: _____ ☐ ☐


THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : Executive Order/164 Reviewers

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

DATE : August 9, 2019

SUBJECT : **164 Review Document No. 012671:** FY 2019 Funding Request for the construction of the Ganado Chapter Senior/Veterans Center for \$1,444,032 from the Sihasin Funds.

Pursuant to Executive Order No. 07-2013 on the 164 Review and Signature Process, the Office of Management and Budget (OMB) reviewed the proposed document and deems the document insufficient based on the following:

1. The titles should be consistent on all budget forms as, "Ganado Chapter Senior/Veterans Center".
2. OMB is aware of legislation no. 0404-18 that was introduced by Former Council Delegate, Alton Joe Shepherd, in December, 2018 for the same project. The total cost of the project then was \$1,685,000. The request from the UUFB then was for \$551,667 to cover the shortfall. This legislation expired with no action.

	December, 2018
TOTAL ESTIMATE PROJECT COST:	\$1,685,000
Less RDCF-12-18	300,000
Less CAP-35-18 (Sihasin)	833,333
AMOUNT NEEDED:	\$551,667

3. With this new 164 review (doc 012671), the amount needed is \$1,444,032. Is the above Sihasin Fund appropriation for \$833,333 reflected in arriving at a total need of \$1.4 million? This should be clarified so the project is not overfunded.
4. The above needs to be addressed prior to development of legislation. The document is therefore insufficient.

Contact D.Sam, Senior Budget Analyst, at (928) 871-6470 if there are any questions and/or concerns regarding this memorandum.

xc: Pearl Yellowman, Division Director – DCD



THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Memorandum:

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

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

Date: August 22, 2019

Subject: 164- 012671-Ganado Chapter Senior/Veterans Center BI

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

1. The amount of the Sihasin Fund is \$341,623,953 as of the last Controller's report dated July 12, 2019 for the NN Council Summer Session.
2. Supplemental Funding budget form indicates the Sihasin Fund as the funding source. Ganado Chapter Resolution GAN-147-2019 indicates Undesignated, Unreserved, Fund Balance.
3. This funding request is in the amount of \$1,444,032, for construction of a new Ganado chapter Senior Center.
4. This project would be added to the Capital Projects Department under Community Development based upon what is being submitted.

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

NAVAJO NATION OFFICE OF THE CONTROLLER

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

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NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
9-4-19 @ 320
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 012671
SAS #:
UNIT: ECDW

☐ RESUBMITTAL

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

CLIENT TO COMPLETE

DATE OF REQUEST: 9/04/2019	ENTITY/DIVISION: DCD DCD
CONTACT NAME: Philandra Nelson	DEPARTMENT: CLERK CLERK (CMT)
PHONE NUMBER: (520) 491-0882	E-MAIL: pnelson@navajo-nsn.gov
TITLE OF DOCUMENT: Ganado Chapter Senior Veterans Center Bldg	

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: SEP 04 2019 4pm	REVIEWING ATTORNEY/ADVOCATE: Latonia Johnson
DATE/TIME OUT OF UNIT:	

DOJ ATTORNEY / ADVOCATE COMMENTS

See memo

REVIEWED BY: (PRINT) <i>UPJ</i>	DATE / TIME 9/5/19 503pm	SURNAMED BY: (PRINT) <i>UPJ</i>	DATE / TIME 9/5/19 503pm
DOJ Secretary Called: Philandra Nelson	for Document Pick Up on 9/6/19 at 835 By: <i>ah</i>		
PICKED UP BY: (PRINT)	DATE / TIME:		

NNDJ/DRRF-July 2013





NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

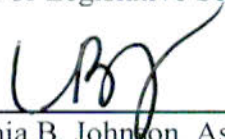
DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Acting Deputy Attorney General

ATTORNEY-CLIENT PRIVILEGED
CONFIDENTIAL

MEMORANDUM

TO: Philandra Nelson, Legislative District Assistant
24th Navajo Nation Council
Office of Legislative Services

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

DATE: September 6, 2019

SUBJECT: **Document No. 12671: Funding Request in the Amount of \$1,444,032.00 for the Ganado Chapter Senior/Veterans Center from the Sihasin Funds**

It has been noted that the Division of Community Development (DCD) generally assist Chapters with its request for supplemental appropriation and other funding request. In doing so, DCD fills out the budget forms on behalf of the Chapters. In the past, this concept has caused confusion. Specifically, Department of Justice (DOJ) has been asked to clarify who has the authority and responsibility of carrying out the purpose of the legislation (e.g., supplemental appropriation). While the legislation has not been drafted, it is important that the sponsor, in consultation with DCD and Ganado Chapter, ensure the legislation is clearly drafted to ensure which party, DCD or Ganado Chapter, is responsible for carrying out the purpose of the legislation.

In addition, DOJ has previously been asked to clarify what are the parameters and limitation of the funds that Council appropriated and are noted in the legislation. In other legislations, including the exhibits, the purpose was not clearly outlined and it has caused confusion. In reviewing budget form 4, supplemental form proposal summary, cost breakdown, and the scope of work, all of the aforementioned appear to be slightly different. It is recommended that all the language regarding this funding request is consistent and reflects the scope of work (assuming that the scope of work is what DCD worked off). While the aforementioned issues do not make this document legally insufficient, it is highly recommended that DCD and the Chapter

Memorandum to: Philandra Nelson

**RE: Document No. 12671: Funding Request in the Amount of \$1,444,032.00 for the
Ganado Chapter Senior/Veterans Center from the Sihasin Funds**

September 6, 2019

Page 2 of 2

ensure the documents in this packet are clear as these documents may be used as exhibits in the legislation.

If you have any questions regarding this memorandum, please contact me at extension 6933. Thank you.

LBJ/ah/250

xc: James Adakai, Department Manager
CPMD, Division of Community Development

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



DCDA-M19125

MEMORANDUM

TO : Department and Program Staff
Division of Community Development

FROM : 
Pearl Yellowman, Division Director
Division of Community Development


DATE : July 29, 2019

SUBJECT : Delegation of Authority

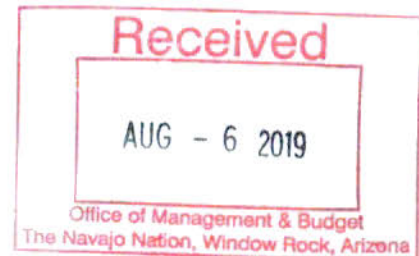
In my absence from the office on July 31, 2019 at 1:00pm to August 2, 2019 at 5:00pm, Mr. Patrick Dalgai shall be delegated in the capacity of the Division Director for Division of Community Development. The delegation includes handling administrative matters and signatory authority for routine documents, except those matters he feels requires my attention.

Your assistance and cooperation are appreciated. Thank you.

ACKNOWLEDGED BY:

 7.31.19
Patrick Dalgai, Acting Department Manager II
Capital Projects Management Department
Division of Community Development

C



Received

AUG - 6 2019

Office of Management & Budget

The Navajo Nation - Window Rock, Arizona

FY 2019

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Capital Project Management Dept</u>		Division/Branch: <u>COMMUNITY DEVELOPMENT</u>	
Prepared By: <u>Philandra Nelson, LDA Delegate James</u>		Phone No.: <u>520-491-0182</u>		Email Address: <u>pnelson@navajo-nsn.gov</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year	Amount	% of	
Sihasin Funds		07/01/19-9/30/20	1,444,032.00	Total	100%
PART III. BUDGET SUMMARY		Fund Type Code	Original Budget	Proposed Budget	Difference (Column B - A)
2001 Personnel Expenses					0
3000 Travel Expenses					0
3500 Meeting Expenses					0
4000 Supplies					0
5000 Lease and Rental					0
5500 Communications and Utilities					0
6000 Repairs and Maintenance					0
6500 Contractual Services					0
7000 Special Transactions					0
8000 Public Assistance					0
9000 Capital Outlay		1		1,444,032	1,444,032
9500 Matching Funds					0
9500 Indirect Cost					0
TOTAL			\$0.00	1,444,032.00	1,444,032
PART IV. POSITIONS AND VEHICLES		(D)	(E)		
Total # of Positions Budgeted:			0		
Total # of Permanently Assigned Vehicles:			0		
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
SUBMITTED BY: <u>Pearl Yellowman, Executive Director</u>		APPROVED BY: <u>Paulson Chaco, Chief of Staff</u>			
SUBMITTED BY: <u>Program Manager's Printed Name</u>		APPROVED BY: <u>Division Director/Branch Chief's Printed Name</u>			
SUBMITTED BY: <u>Program Manager's Signature and Date</u>		APPROVED BY: <u>Division Director/Branch Chief's Signature and Date</u>			

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		Business Unit No.: _____ NEW	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(U)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
9000	CAPITAL OUTLAY		1,444,032
9050	Building 9052-Building Construction Services for new Ganado chapter Senior Center Building for Ganado community. All Site, Civil, Parking Lot, Infrastructure hook-ups, and building structure to be upright constructed	1,444,032	
TOTAL		1,444,032	1,444,032

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.: New Program Title: Ganado Chapter Senior/Veterans Center Building
Division/Branch: Community Development Amount Requested: \$1,444,032.00 Phone No.: 520-491-0182
Prepared By: P. Nelson Email Address: pnelson@navajo-nsn.org

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

To construction the Ganado Chapter Senior Center Senior Building for the greater Ganado Regional area. The total request amount is \$1,444,032.00 for construction for the 4,800 S.F. facility. With all construction documents and specifications completed. All drawings include Civil, Structural, Architectural, Mechanical, Plumbing, and Electrical drawings will be coordinated thru the hired A/E Firm by the General Contractor.

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

Pursue funding from the Navajo Nation Sihasin, DALTC program and Arizona State congressional leaders/representatives.

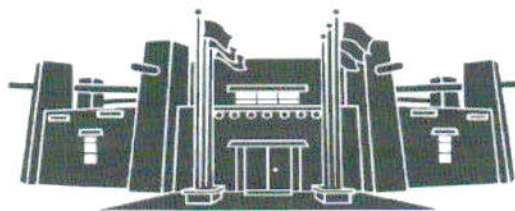
PART IV. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.

Pearl Yellowman, Executive Director

Paulson Chaco, Chief of Staff

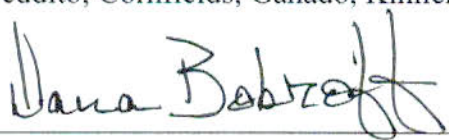

REVIEWED BY: Division Director's Signature / Date

6.3.19
RECOMMEND APPROVAL: Branch Chief's Signature / Date



MEMORANDUM

TO: Honorable Vince James
Jeddito, Cornfields, Ganado, Kinlichee, Steamboat

FROM: 
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: December 30, 2019

SUBJECT: RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,444,032 FROM THE SÍHASIN FUND TO THE CAPITAL PROJECTS MANAGEMENT DEPARTMENT ON BEHALF OF THE GANADO CHAPTER; AND APPROVING AND ADOPTING THE SÍHASIN FUND GANADO SENIOR CITIZENS AND VETERANS CENTER EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

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

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0001-20 _____ SPONSOR: Vince James

TITLE: An Action Relating to Budget and Finance Committee, Resources and Development Committee and Naabik'iyáti' Committee and Navajo Nation Council; Allocating \$1,444,032 from the Síhasin Fund to the Capital Projects Management Department on behalf of the Ganado Chapter; and approving and adopting the Síhasin Fund Ganado Senior Citizens and Veterans Center Expenditure Plan pursuant 12 N.N.C. §§2501 – 2508

Date posted: January 2, 2020 at 5:13pm

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

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

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.: 0001-20

SPONSOR: Honorable Vince R. James

TITLE: An Action Relating to Budget and Finance Committee, Resources and Development Committee and Naabik'iyáti' Committee and Navajo Nation Council; Allocating \$1,444,032 from the Sihasin Fund to the Capital Projects Management Department on behalf of the Ganado Chapter; and approving and adopting the Sihasin Fund Ganado Senior Citizens and Veterans Center Expenditure Plan pursuant 12 N.N.C. §§2501 – 2508

Posted: January 02, 2020 at 5:13 PM

5 DAY Comment Period Ended: January 07, 2020

Digital Comments received:

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



Legislative Tracking Secretary
Office of Legislative Services

1/8/20 8:20 AM

Date/Time

24th NAVAJO NATION COUNCIL

Second Year 2020

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL # 0001-20:

An Action Relating to Budget and Finance Committee, Resources and Development Committee and Naabikiyati Committee and Navajo Nation Council; Allocating \$1,444,032 from the Sihasin Fund to the Capital Projects Management Department on Behalf of the Ganado Chapter; and Approving and Adopting the Sihasin Fund Ganado Senior Citizens and Veterans Center Expenditure Plan Pursuant 12 N.N.C. §§2501-2508 *Sponsored by Vince James, Council Delegate*

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

And, therefore referred to the **RESOURCES AND DEVELOPMENT** Committee

Respectfully submitted,



Jamie Henio, Chairman

Adopted:  Legislative Advisor Not Adopted: _____ Legislative Advisor

21 January 2020

The vote was **4** in favor _ opposed yeas: *Raymond Smith, Jr., Elmer P. Begay, Amber K. Crotty, Nathaniel Brown*
Main Motion: *Elmer P. Begay*
Second: *Amber K. Crotty*

BUDGET AND FINANCE COMMITTEE

21 January 2020

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0001-20: An Action Relating to Budget and Finance Committee, Resources and Development Committee and Naabikiyati Committee and Navajo Nation Council; Allocating \$1,444,032 from the Sihasin Fund to the Capital Projects Management Department on Behalf of the Ganado Chapter; and Approving and Adopting the Sihasin Fund Ganado Senior Citizens and Veterans Center Expenditure Plan Pursuant 12 N.N.C. §§2501-2508 *Sponsored by Vince James, Council Delegate*

Motion: Elmer P. Begay

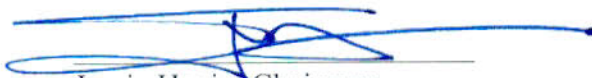
Second: Amber K. Crotty

Vote: 4-0, Chairman not voting

Vote Tally:

Jamie Henio		
Jimmy Yellowhair		
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Amber K. Crotty	yea	
Nathaniel Brown	yea	

Absent: Jimmy Yellowhair



Jamie Henio, Chairman
Budget & Finance Committee



Peggy Naka, Legislative Advisor
Budget & Finance Committee

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

SECOND YEAR 2020

COMMITTEE REPORT

Mr. Speaker,

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

LEGISLATION #0001-20: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'IYATI COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,444,032 FROM THE SIHASIN FUND TO THE CAPITAL PROJECTS MANAGEMENT DEPARTMENT ON BEHALF OF THE GANADO CHAPTER; AND APPROVING AND ADOPTING THE SIHASIN FUND GANADO SENIOR CITIZENS AND VETERANS CENTER EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501-2508. *Sponsor: Honorable Vince R. James*

Has had it under consideration and reports a **DO PASS** with no amendments;

And thereafter the matter was referred to NAABI'IYATI COMMITTEE.

Respectfully submitted,



Rickie Nez, Chairperson
Resources and Development Committee
of the 24th Navajo Nation Council

Date: January 22, 2020 - Regular Meeting
Meeting Location: Navajo Nation Council Chambers
Window Rock, Arizona

Main Motion:

Motion: Thomas Walker, Jr. S: Herman M. Daniels Vote: 5-0-1 (CNV)

In Favor: Mark A. Freeland; Wilson C. Stewart, Jr.; Kee Allen Begay, Jr.; Thomas Walker, Jr.; and Herman M. Daniels;

Oppose: None

Excuse: None

Not Voting: Chairperson Rickie Nez

RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council

ROLL CALL
VOTE TALLY SHEET:

LEGISLATION #0001-20: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'IYATI COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,444,032 FROM THE SIHASIN FUND TO THE CAPITAL PROJECTS MANAGEMENT DEPARTMENT ON BEHALF OF THE GANADO CHAPTER; AND APPROVING AND ADOPTING THE SIHASIN FUND GANADO SENIOR CITIZENS AND VETERANS CENTER EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501-2508. *Sponsor: Honorable Vince R. James*

Date: January 22, 2020 – Regular Meeting
Meeting Location: Navajo Nation Council Chambers
Window Rock, Arizona

Main Motion:

Motion: Thomas Walker, Jr. S: Herman M. Daniels Vote: 5-0-1 (CNV)

In Favor: Mark A. Freeland.; Wilson C. Stewart, Jr.; Kee Allen Begay, Jr.; Thomas Walker, Jr.; and Herman M. Daniels;

Oppose: None

Excused: None.

Not Voting: Chairperson Rickie Nez



Honorable Rickie Nez, Presiding Chairperson
Resources and Development Committee



Shammie Begay, Legislative Advisor
Office of Legislative Services

24th NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Second Year 2020

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

NAVAJO LEGISLATIVE BILL #0001-20

An Action Relating to Budget and Finance Committee, Resources and Development Committee and Naabik'iyáti' Committee and Navajo Nation Council; Allocating \$1,444,032 from the Síhasin Fund to the Capital Projects Management Department on behalf of the Ganado Chapter; and Approving and Adopting the Síhasin Fund Ganado Senior Citizens and Veterans Center Expenditure Plan pursuant 12 N.N.C. §§2501 – 2508

Sponsored by: Honorable Vince R. James

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

Respectfully Submitted,



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

23 January 2020

MAIN MOTION

Motioned by: Honorable Thomas Walker, Jr.

Seconded by: Honorable Rickie Nez

Vote: 14 in Favor, 00 Opposed (Chairman Damon Not Voting)

NAVAJO NATION

430

1/23/2020

Naa'bik'iyati Committee Meeting

07:30:27 PM

Amd# to Amd#	Legislation 0001-20; Allocating	PASSED
MOT Walker, T	\$1,444,032 from the Sihasin Fund	
SEC Nez, R	to the Capital Projects...	

Yeas : 14

Nays : 0

Excused : 1

Not Voting : 8

Yea : 14

Begay, K	Daniels	Nez, R	Tso, E
Begay, P	Freeland, M	Smith	Walker, T
Charles-Newton	Halona, P	Stewart, W	Yellowhair
Crotty	James, V		

Nay : 0

Excused : 1

Wauneka, E

Not Voting : 8

Begay, E	Henio, J	Tso, C	Tso, O
Brown	Slater, C	Tso, D	Yazzie

Presiding Speaker: Damon

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0001-20

SPONSOR: Honorable Vince R. James

TITLE: An Action Relating to Budget and Finance Committee, Resources and Development Committee and Naabik'iyáti' Committee and Navajo Nation Council; Allocating \$1,444,032 from the Síhasin Fund to the Capital Projects Management Department on behalf of the Ganado Chapter; and approving and adopting the Síhasin Fund Ganado Senior Citizens and Veterans Center Expenditure Plan pursuant 12 N.N.C. §§2501 – 2508

Posted: January 02, 2020 at 5:13 PM

5 DAY Comment Period Ended: January 07, 2020

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comments	1) Dominic Beyer, OMB


 Legislative Tracking Secretary
 Office of Legislative Services

1/23/20 9:26pm

Date/Time


THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : Naabik'iyati' Committee of the Navajo Nation Council

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

DATE : January 23, 2020

SUBJECT : **Legislation No. 0001-20:** Allocating \$1,444,032 from the Sihasin Fund to the Capital Projects Management Department on Behalf of the Ganado Chapter; and Approving and Adopting the Sihasin Fund Ganado Senior Citizens and Veterans Center Expenditure Plan Pursuant to 12 NNC Section 2501-2508.

Pursuant to 2 NNC § 1201-1205 and 12 NNC §820 (M), the Office of Management & Budget (OMB) reviewed the legislation and provides the following:

1. This is an updated review memorandum to the version dated 10/15/18, 15 months ago.
2. The FY 2019 Budget Forms should be updated to the Fiscal Year 2020 budget forms.
3. The Supplemental Funding Proposal Summary is not signed by President's Office indicating acceptance of the general scope and intent.

Contact OMB at 871-6470/6029 if there are any questions and/or concerns regarding this memorandum.

xc: James Adakai, Acting Department Manager – CPMD
Dr. Pearl Yellowman, Division Director – DCD

