

LEGISLATIVE SUMMARY SHEET

Tracking No. 0270-19

DATE: September 12, 2019

TITLE OF RESOLUTION: A PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; RESCINDING CD-85-18 WHICH AMENDED THE NAVAJO NATION PERMANENT FUND INCOME FIVE YEAR EXPENDITURE PLAN, CAP-19-16, REGARDING FOURTH YEAR FUNDING FOR FORT DEFIANCE AGENCY PROJECTS

PURPOSE: The purpose of this resolution, if passed, is to rescind CD-85-18, regarding the expenditure of the permanent fund income pursuant to the Permanent Income Five Year Expenditure Plan for Fort Defiance Agency from three economic development projects to one economic development project, the Indian Wells Economic Development Project. By rescinding CD-85-18, to fully restore the \$3,700,000 funding, allocated through CAP-19-16, to the Indian Wells Economic Development, the Fort Defiance Agency's Fourth Year Project.

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

5-DAY BILL HOLD PERIOD: 4:53pm 9-16-19
Website Posting Time/Date: 4:53pm 9-16-19
Posting End Date: 9-21-19
Eligible for Action: 9-22-19

Budget & Finance Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL -- First Year, 2019

INTRODUCED BY

(Prime Sponsor)



TRACKING NO. 0270-19

AN ACTION

RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES,
AND THE NAVAJO NATION COUNCIL; RESCINDING CD-85-18 WHICH
AMENDED THE NAVAJO NATION PERMANENT FUND INCOME FIVE YEAR
EXPENDITURE PLAN, CAP-19-16, REGARDING FOURTH YEAR FUNDING FOR
FORT DEFIANCE AGENCY PROJECTS

BE IT ENACTED.

Section One. Authority

- A. The Navajo Nation Council is the governing body of the Navajo Nation, pursuant to 2 N.N.C. § 102 (A).
- B. The Naabik'íyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. §164(A)(9), reviews proposed legislation which requires final action by the Navajo Nation Council.
- C. The Budget and Finance Committee is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. §300(B)(2).

Section Two. Findings

- 1 A. The Navajo Nation Council passed and the Navajo Nation President signed into law
2 CAP-19-16, the Navajo Nation Permanent Fund Income Five Year Expenditure Plan.
3 *See* CAP-19-16.
- 4 B. In CAP-19-16 the Navajo Nation approved use of the Permanent Fund Income for
5 major waterline projects throughout the Navajo Nation and economic development
6 projects in regional centers across the Navajo Nation; including the Fourth Year
7 economic development project for Indian Wells Economic Development Project
8 totaling \$3,700,000. CAP-19-16, Exhibit A attached as **Exhibit 2**.
- 9 C. The Navajo Nation Council amended CAP-19-16 by enacting CD-85-18 which is
10 attached as **Exhibit 1**. Resolution CD-85-18 amended the Fort Defiance Agency
11 economic development project from one project—the Indian Wells Economic
12 Development funded at \$3,700,000—to three economic development projects—the
13 Indian Wells Economic Development project at \$1,500,000, Greasewood Springs
14 Economic Development Convenience Store at \$1,500,000, and Little Colorado River
15 Corporation Economic Development at \$700,000; a total of \$3,700,000.
- 16 D. The Indian Wells Chapter through its resolution IWC-19-150, attached as **Exhibit 3**,
17 “supports and approves a request for the 24th Navajo Nation Council to Rescind the
18 23rd Navajo Nation Council Resolution CD-85-18 restoring an original funding
19 amount of \$3,700,000 to the Indian Wells 10 Acre Commercial Site Project.”
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21 **Section Three. Rescinding CD-85-18**

- 22 A. The Navajo Nation hereby rescinds CD-85-18, **Exhibit 1**, regarding the expenditure
23 of the permanent fund income pursuant to the Permanent Income Five Year
24 Expenditure Plan for Fort Defiance Agency from three economic development
25 projects to one economic development project, the Indian Wells Economic
26 Development Project.
- 27 B. The Navajo Nation hereby rescinds CD-85-18 to fully restore the \$3,700,000 funding,
28 allocated through CAP-19-16, to the Indian Wells Economic Development, the Fort
29 Defiance Agency’s Fourth Year Project.
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1 **Section Four. Directing OMB and OOC**

2 The Office of Management and Budget and the Office of the Controller are hereby
3 directed to implement the intent and purpose of this resolution.
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RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND
THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION PERMANENT
FUND INCOME FIVE YEAR EXPENDITURE PLAN, CAP-19-16, REGARDING
FOURTH YEAR FUNDING FOR FORT DEFIANCE AGENCY PROJECTS

BE IT ENACTED.

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation, pursuant to 2 N.N.C. § 102 (A).
- B. The Naabik'iyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 164(A)(9), reviews proposed legislation which requires final action by the Navajo Nation Council.
- C. The Budget and Finance Committee is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 300(B)(2).
- D. Pursuant to 2 N.N.C. § 300(C)(3), the Budget and Finance Committee of the Navajo Nation Council shall exercise oversight authority including, but not limited to, budget, finance, investment, bonds, contracting, insurance, audits, accounting, taxes, loans, chapter budget and finance for the purpose of recommending to the Navajo Nation Council the adoption of resolution designed to strengthen the fiscal and financial position of the Navajo Nation and to promote the efficient use of the fiscal and financial resources of the Navajo Nation.

SECTION TWO. FINDINGS

- A. The Navajo Nation Council passed, and the Navajo Nation President signed, into law CAP-19-16, the Navajo Nation Permanent Fund Income Five Year Expenditure Plan. See CAP-19-16.
- B. As stated in CAP-19-16, the Navajo Nation Permanent Fund sets out the procedures for expenditure of fund income by stating "[no Fund income shall be expended, except as set forth in §§

908 and 909 of this Chapter, for a period of 20 years from date of the first Navajo Nation contribution to the Fund. Thereafter, ninety-five percent (95%) of the Fund income may be expended in accordance with a plan for its use covering at least a five-year period adopted by resolution of the Navajo Nation Council provided that the expenditure of income in any fiscal year shall not exceed the income earned during that year. The remaining five percent (5%) of the Fund income shall be reinvested in the Permanent Fund." 12 N.N.C. §905.

- C. In CAP-19-16 the Navajo Nation contemplated the use of the Permanent Fund Income for major waterline projects throughout the Navajo Nation and economic development projects in regional centers across the Navajo Nation; including the Fourth Year economic development projects for Indian Wells totaling \$3,700,000. See CAP-19-16, **Exhibit A**.
- D. The Fort Defiance Agency proposes amending CAP-19-16, **Exhibit A**, of a single project plan to three economic development projects which include the Indian Wells Economic Development at \$1,000,000, Greasewood Springs Economic Development Convenience Store at \$1,500,000, and Little Colorado River Corporation Economic Development at \$1,200,000; a total of \$3,700,000. See preliminary project descriptions attached as **Exhibits B, C and D**, respectively.

SECTION THREE. APPROVING AN AMENDMENT TO CAP-19-16

- A. The Navajo Nation hereby amends CAP-19-16, **Exhibit A**, regarding the expenditure of the permanent fund income pursuant to the Permanent Income Five Year Expenditure Plan for Fort Defiance Agency; from a single economic development project to three economic development projects.
- B. The Navajo Nation hereby amends CAP-19-16 to include, for Fort Defiance Agency's Fourth Year Projects as:
 - 1. Indian Wells Economic Development at \$1,000,000; **Exhibit B**,
 - 2. Greasewood Springs Economic Development Convenience Store at \$1,500,000, **Exhibit C**, and,
 - 3. Little Colorado River Corporation Economic Development at \$1,200,000. **Exhibit D**.

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 14 in favor and 00 opposed, on this 20th day of December 2018.



LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

12-20-18

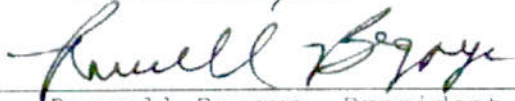
Date

Motion: Honorable Walter Phelps
Second: Honorable Alton Joe Shepherd

Speaker LoRenzo C. 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 7th day of January 2018.2019



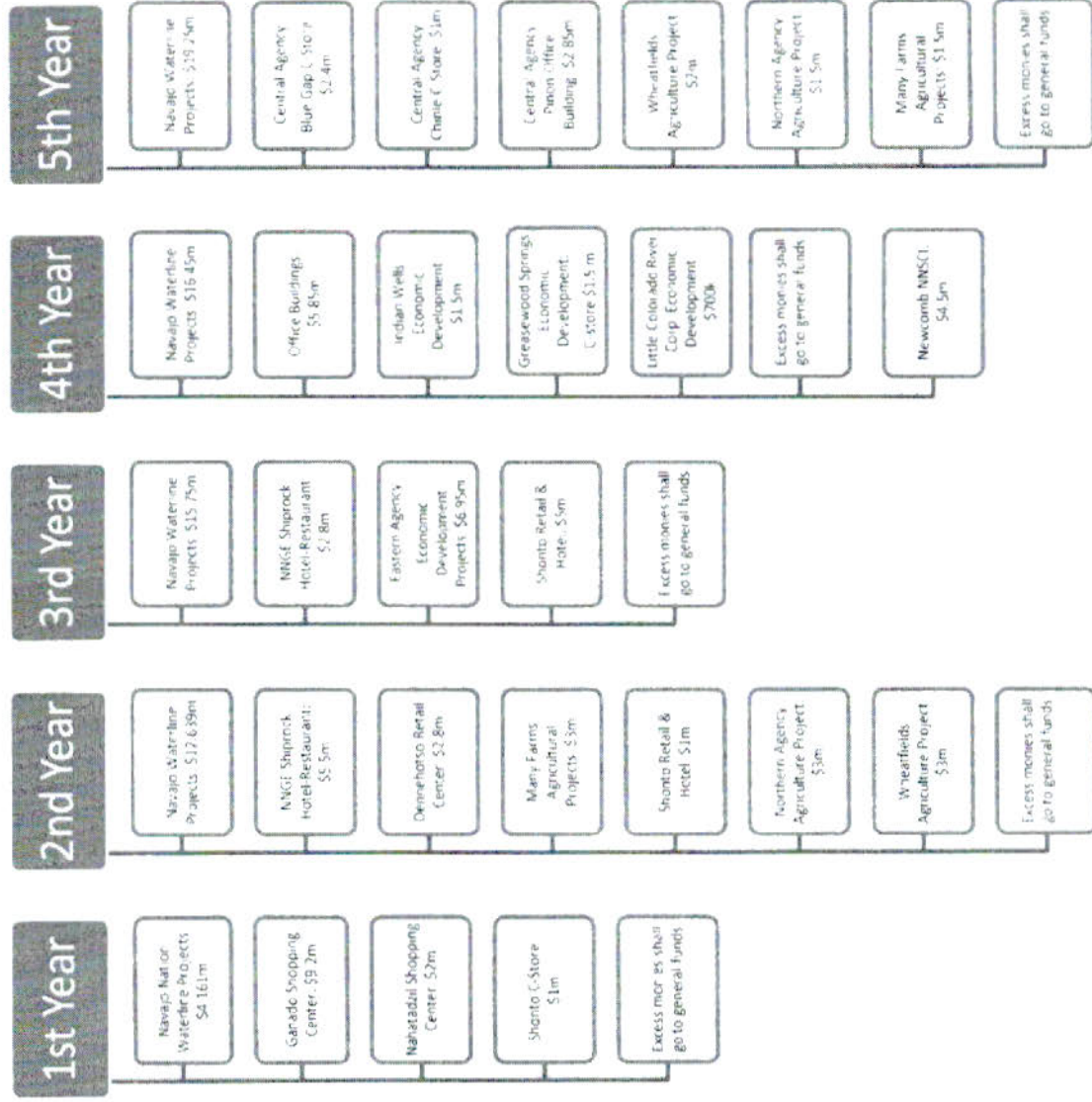
Russell Begaye, President
Navajo Nation

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

PTF – 5 Year Plan = \$150m Over 5 Years

Exhibit A \$30m \$30.939m \$30.5m \$30.5m \$30.5m





THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

PRESIDENT
VICE PRESIDENT

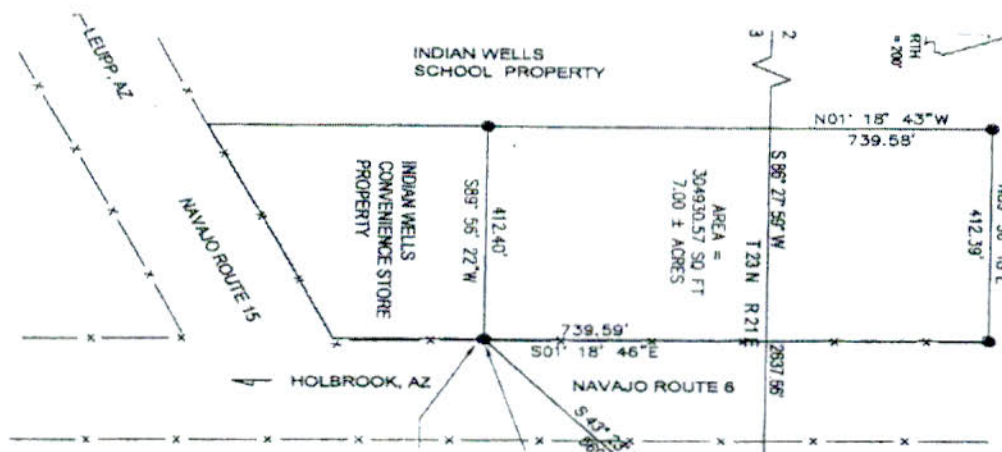
EXHIBIT

B

BUSINESS OPPORTUNITIES
INDIAN WELLS COMMERCIAL TRACT
INDIAN WELLS, NAVAJO NATION (Arizona)

The Chinle Regional Business Development Office, Division of Economic Development, the Navajo Nation is seeking retail tenants for the proposed 10 acres commercial tract, at Indian Wells, Navajo Nation (Arizona). The development will be located at the northwest intersection of Navajo Route 6 and Navajo Route 15.

An anchor Convenient Store with gasoline pumps is recommended on the southern end of the tract consisting of 2 – 3 acre plot. The remaining tract of land will consist of retail shops/spaces.



The site development is currently working on the site preparation (earthwork) and developing infrastructure. The Chinle RBDO will contract with a Project Architect to complete the Design Phase. Please submit "Letters of Interest" to:

Chinle Regional Business Development Office
Division of Economic Development
ATTN: Tony Little, Program Manager
P.O. #565
Chinle, AZ. 86503
Telephone: (928) 674-2240
Fax Number: (928) 674-2244

Indian Wells Commercial Site Development

In 2005, the Indian Wells Community withdrew 25 acres of land for commercial development. Of the 25 acres, the Division of Economic Development, Small Business Development Department, is currently working on developing infrastructure for 10 of the 25 acres.

The 10 acres infrastructure project consists of the following:

1. Clearing, grubbing and grading of the site, which is currently raw land.
2. Construction of two access roads to the project site, earthwork only.
3. Drainage works.
4. Installation of a watermain to the project site.
5. Installation of an on-site sewer disposal system. The sewer system includes 8 inch gravity sewer mains; manholes; distribution boxes; and a drainfield.

The Infrastructure Engineering Design/Construction Documents for the 10 acres was completed by the project consultant, iina' ba', inc. The costs of the engineering work totaled \$89,867.50, which was funded by DED.

The infrastructure work was publicly advertised in order to procure a contractor to construct the project. The amount of funds that were available limited the scope of work to clearing, grubbing, grading, access roads and drainage works. Arviso Construction Company, Inc. was awarded the construction contract in the amount of \$601,013. The funding for the contract included DED sales tax funds and Tourism funds.

In order to complete the infrastructure project within the 10 acres, additional funds are necessary. Funds are also needed to develop the additional 15 acres. In order to fully develop the whole 25 acres in a consistent and efficient manner, a Commercial Development Feasibility Study to evaluate the market, technical, financial and organizational aspect of the development is indispensable. Along with the Feasibility Study, a Masterplan for the entire 25 acres is essential.

Funds that are necessary to implement the above are as follows:

Preliminary Planning

Feasibility Study:	\$50,000
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Master Plan:	\$50,000
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Infrastructure (Complete 10 acres)

Water/Sewer:	\$450,000
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Paving and Site Dev.:	<u>\$300,000</u>
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Total:	\$850,000
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Further expenditures for full development will be determined by the Feasibility Study and Master Plan.

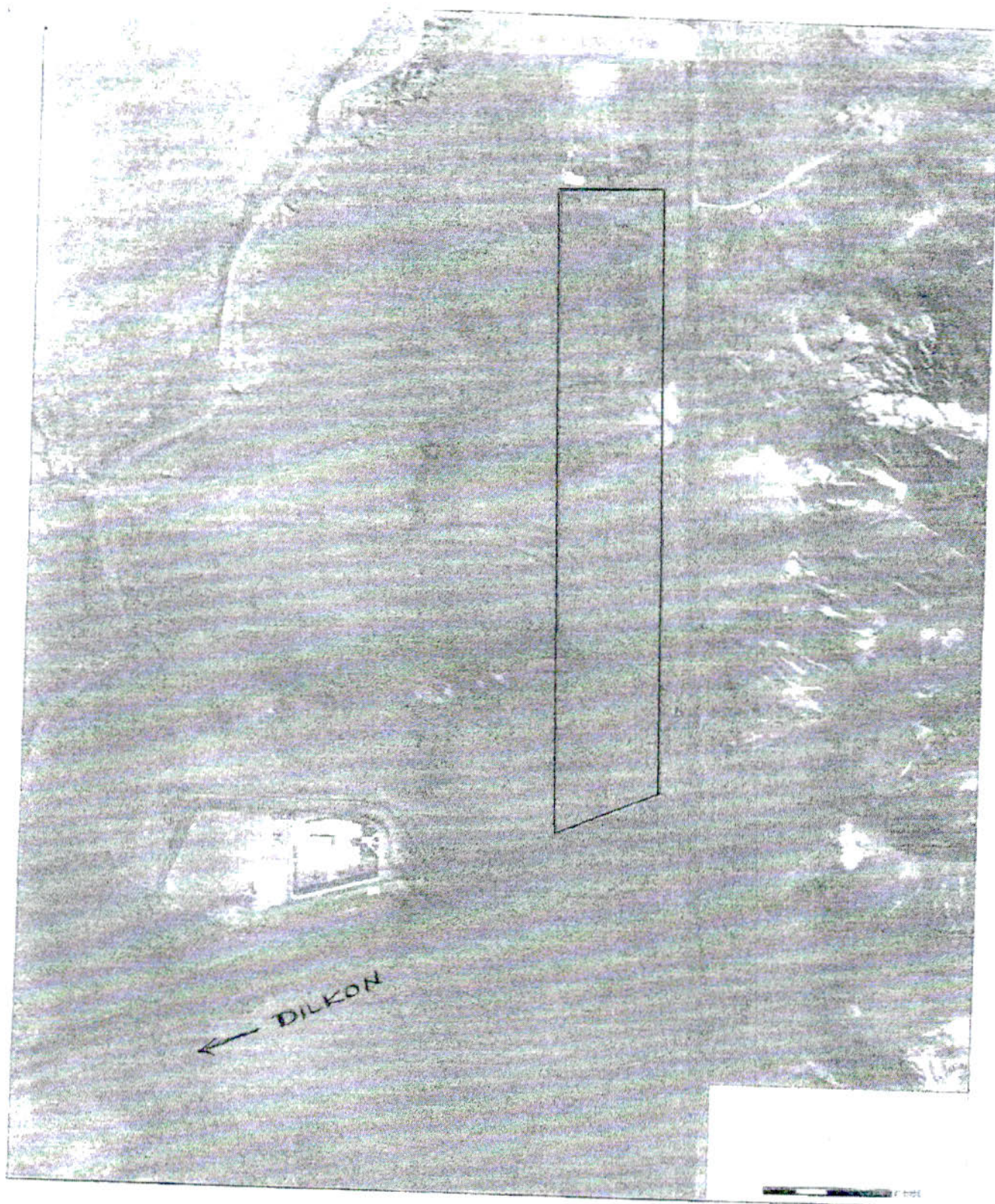
Indian Wells Commercial Site
Infrastructure Project Summary

Location: Intersection of Navajo Route 6 and Navajo Route 15.

Awarded a construction contract, in the amount of \$601,012.96, to Arviso Construction, Inc. for site preparation work. The work is being funded by DED Tourism funds and the Sales Tax funds. The Project is scheduled to be completed in 60 days, with December 15 projected as the completion date.

1. The Site Preparation Scope of Work includes:

- A. Grade and Drain work on 10 acres. Grade the current raw land and prepare it for development.
 - B. Construct 2 access road turnouts to site. One from Route 6 and one from Route 15. Grade an drain only.
2. Upon funds availability, the rest of the infrastructure can be completed, including extension of a 6 inch waterline to the site and installation of the wastewater disposal system.
3. Upon completion of the infrastructure, development of commercial projects within the 10 acre site can proceed.
4. Concurrently, a Feasibility Study and Master Plan for the entire 25 acres Commercial Site is recommended.



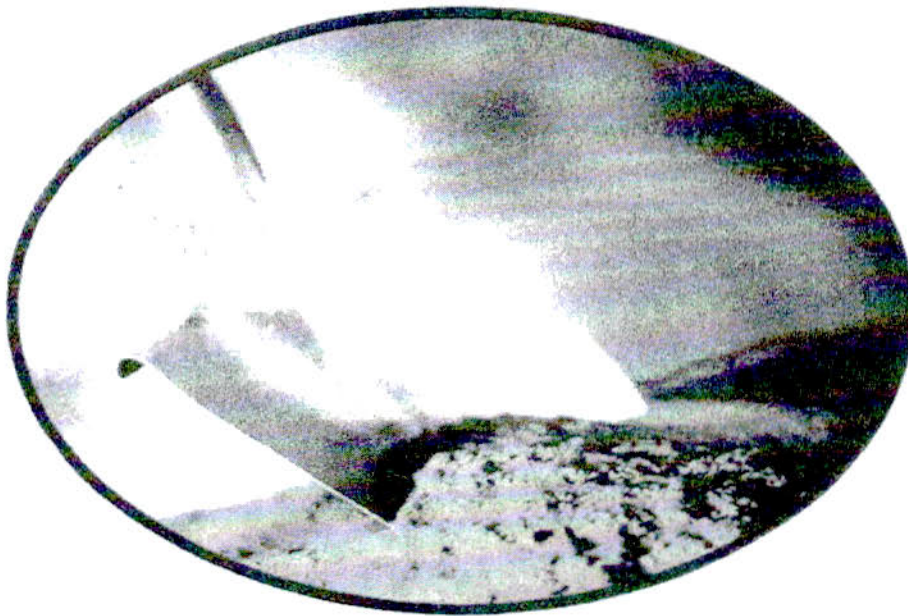
Indian Wells Future Development Site - Aerial

GROUNDBREAKING

Of Indian Wells Commercial Site

(N6 & N15 Junction)

October 19, 2019 @ 10:00 am – DST



The Program & Luncheon will resume at the
Indian Wells Chapter House

Greasewood Springs Chapter
Convenience Store



Cost Projection
Schematic Design

	Total Cost
Site	
Sitework, on site	\$ 600,000.00
Sitework, Off site utilities and drives	\$ 200,000.00
Sitework, waste water system	\$ 200,000.00
Sitework, water tank	\$ 200,000.00
Total Site Work	\$ 1,200,000.00
Building	
Concrete	\$ 150,000.00
Masonry	\$ 5,000.00
Metals	\$ 400,000.00
Carpentry	\$ 100,000.00
Thermal and Moisture Protection	\$ 150,000.00
Doors and Windows	\$ 110,000.00
Metal Studs	\$ 25,000.00
Drywall	\$ 50,000.00
Acoustic Ceilings	\$ 25,000.00
Painting	\$ 25,000.00
Flooring	\$ 40,000.00
Casework	\$ 40,000.00
Plumbing	\$ 140,000.00
Fire Protection	\$ 80,000.00
HVAC	\$ 80,000.00
Electrical	\$ 200,000.00
Specialties	\$ 20,000.00
Total Building	\$ 1,640,000.00
 Subtotal	 \$ 2,840,000.00
General Conditions	\$175,000
Overhead	\$120,000
Liability Insurance	\$ -
Fee	\$ 100,000.00
Gross Receipts Tax	\$ 130,000.00
Bond	\$ 30,000.00
Contractor Contingency	\$ 75,000.00
 Subtotal General Construction	 \$ 3,470,000.00
Soft Cost, A/E Fees, Permits, Owner	
Contingency, Administrative Costs	\$ 867,500.00
 Total Project Cost	 \$ 4,337,500.00



Dine' Cultural & Commerce Center

Winslow, Arizona

Conceptual Plan Data:

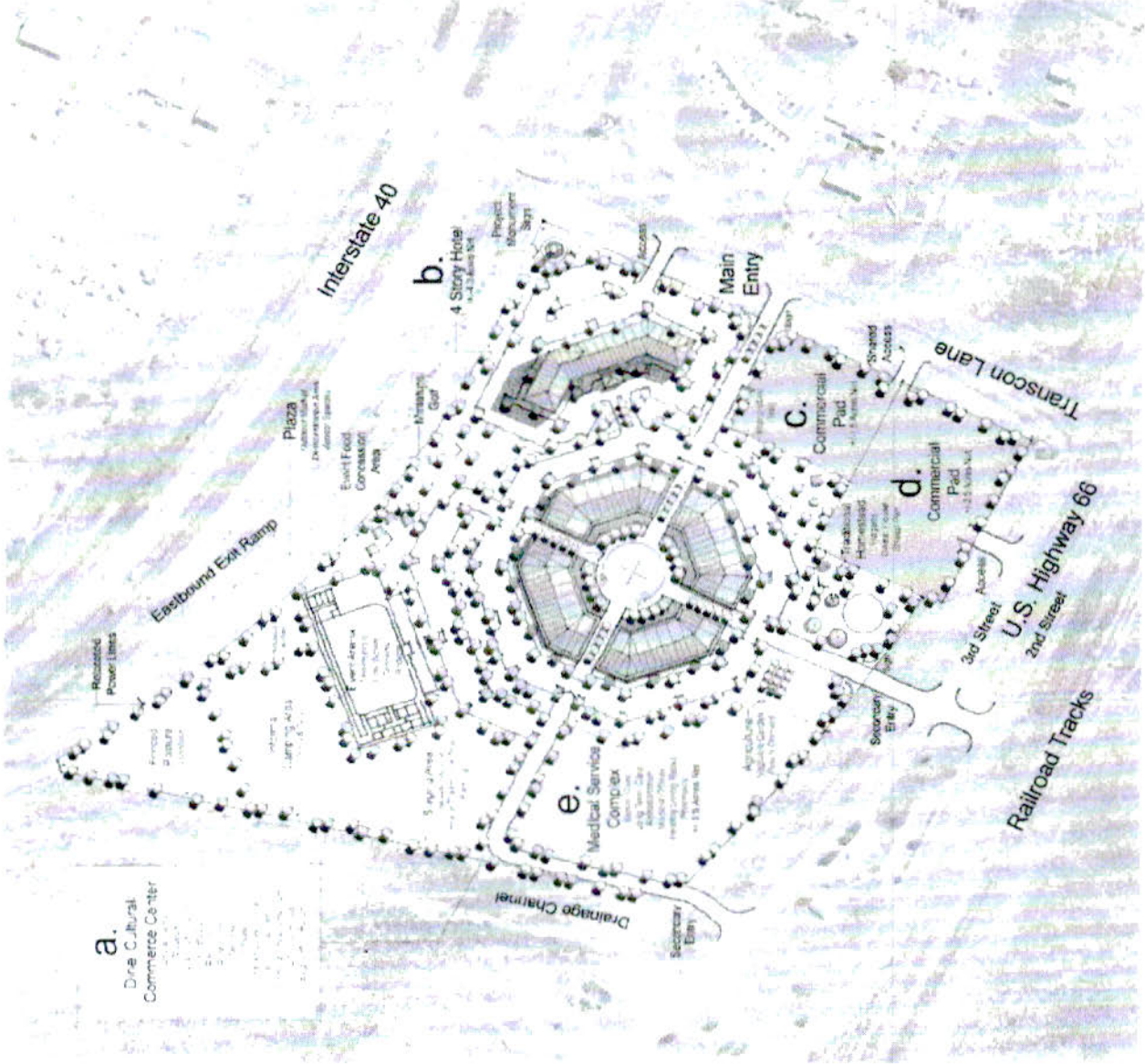
Land Owner: The Navajo Nation
Development Group: Little Colorado Community Development Corp.
Land Planner: LVA Urban Design Studio
Project Contact: Mark Roddio/Jeff Farr
Approximate Project Area: +/- 33.5 Net Acres
Property Jurisdiction: City of Winslow, Arizona
Existing Zoning: Commercial (C)
General Plan: Commercial/Native American Property

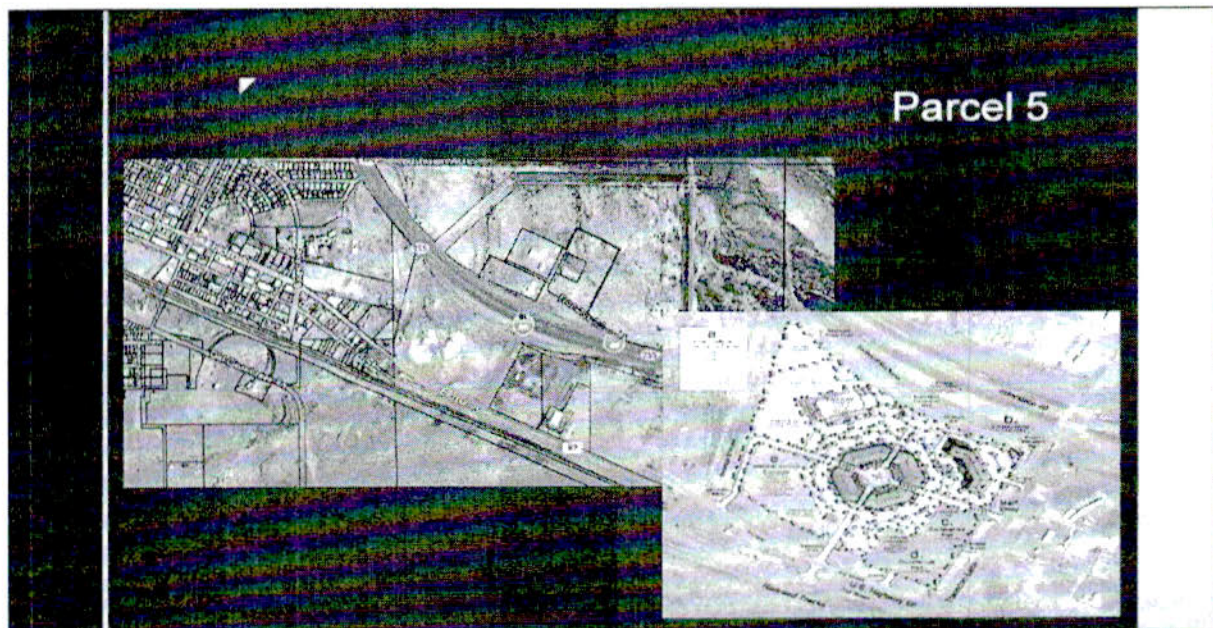
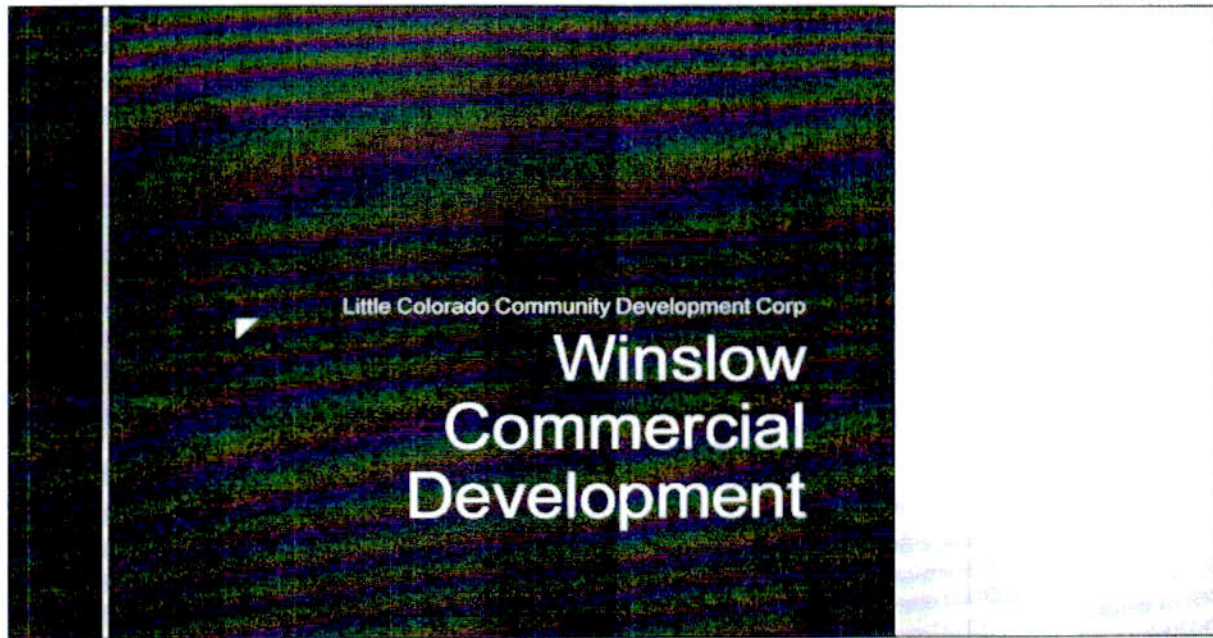
Proposed Uses:

Parcel	Use	Net Acreage
a.	Cultural/Commerce Center	+/- 21.7 Acres
b.	Hotel (+/- 126 Rooms - 4 Story)	+/- 4.3 Acres
c.	Commercial Pad	+/- 1.5 Acres
d.	Commercial Pad	+/- 2.5 Acres
e.	Medical Service Complex	+/- 3.5 Acres
Totals:		+/- 33.5 Acres

Notes:

1. All calculations are approximate.
2. This plan is conceptual in nature and subject to revision based on new survey, consultant reports, agency review and approval process & procedures.





Parcel 5 Description

- 33.5 Acre Tract between I-40 and Route 66, east of Transcon Lane
- Zoned Commercial
- Special Zoning Overlay Approved by City of Winslow in December 2017
- Access to all utilities

Economic Model

- Business model is to develop the site as a tourism and commercial center
- Hotel
- Opportunities for Native entrepreneurs and artists
- Cultural Center
- Outdoor Event Center
- Commercial Pads and Medical/Health Center

Hotel

- 90 Guest Rooms
- Comprehensive Workforce Training & Leadership Program
- Living Wage Employment
- Hospitality Industry Skills
- Approximate Cost: 9.5 Million



Cultural Center

- Conference Center, Coworking Space, Artist Residency, Café, Museum
- 10,000 Square Feet
- Approximate Cost 5.5 Million



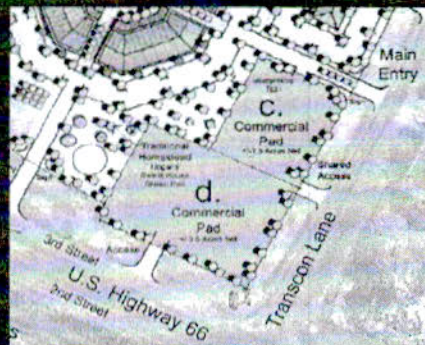
Native American Artists and Entrepreneurs



- Gallery Space
- Outdoor Vending
- Office Space
- Entrepreneurship Training
- Outdoor Event Center, Rodeo Events, Horsemanship, Livestock

Commercial Pads

- 2 Commercial Pads for Lease
- Approximate Cost 1.5 Million
- 5000 Square Foot Medical Building
- Approximate Cost 3.5 Million



Financial Model

- Navajo Nation Deeds Parcel 5 to LCCDC
- LCCDC becomes Project Owner with Land Value to Invest
- Sets the Foundation to Attract Outside Investment Funds
- Total Approximate Project Cost \$23,395,000
- Possible Investment Via New Markets Tax Credits & Impact Investment in Social Enterprise



Next Steps

- Resources and Development Committee Approve Gift Deed and Issue Directive to Navajo Nation Land Department
- Process Completed by NNLD

Approximate Project Costs

Hotel	9.5 M
Infrastructure	1.5 M
Cultural Center	5.5 M
Commercial Pads	1.5 M
Medical Building	3.5 M
Outdoor Event Area	1.2 M

Other	
Architect	250K
Engineering	50K
Legal	20K
Accounting	20K
Escrow/Title	5K
Training	35K
Consulting	65K
Marketing	50K
Development Fees	200K
Total Other	695K

Total Approximate Project Cost: \$ 23,395,000



CAP-19-16

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL -- Second Year, 2016

AN ACTION

RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND
THE NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION PERMANENT
FUND INCOME FIVE YEAR EXPENDITURE PLAN AND WAIVING 12 N.N.C.
\$1162(B) FOR A LIMITED TIME PERIOD

BE IT ENACTED.

Section One. Authority

- A. The Navajo Nation Council is the governing body of the Navajo Nation, pursuant to 2 N.N.C. § 102 (A).
- B. The Naabik'íyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. §164(A)(9), reviews proposed legislation which requires final action by the Navajo Nation Council.
- C. The Budget and Finance Committee is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. §300(B)(2).
- D. Pursuant to 2 N.N.C. §300(C)(3), the Budget and Finance Committee of the Navajo Nation Council shall exercise oversight authority, including but not limited to, budget, finance, investment, bonds, contracting, insurance, audits, accounting, taxes, loans, chapter budget and finance for the purpose of recommending to the Navajo Nation Council the adoption of resolution designed to strengthen the fiscal and financial position of the Navajo Nation and to promote the efficient use of the fiscal and financial resources of the Navajo Nation.

Section Two. Findings

- A. The Navajo Nation Permanent fund, established in 1985, made available certain funds after a 20 year period and such funds have been available for use since 2005;

however, the fund income of the Navajo Nation Permanent fund continues to be reinvested in the Permanent Fund.

- B. The Navajo Nation Permanent Fund was established for the purpose of creating reserves for future generations after finding that the Navajo Nation's General Reserve Fund had been declining. See CJY-53-85, Whereas Clause Two and Six.
- C. The Navajo Nation Permanent Fund defines fund income as consisting of all earnings generated by the principal of the Fund. 12 N.N.C. §903(B).
- D. The Navajo Nation Permanent Fund sets out the procedures for expenditure of fund income by stating "[n]o Fund income shall be expended, except as set forth in §§903 and 909 of this Chapter, for a period of 20 years from date of the first Navajo Nation contribution to the Fund. Thereafter, ninety-five percent (95%) of the Fund income may be expended in accordance with a plan for its use covering at least a five-year period adopted by resolution of the Navajo Nation Council provided that the expenditure of income in any fiscal year shall not exceed the income earned during that year. The remaining five percent (5%) of the Fund income shall be reinvested in the Permanent Fund." 12 N.N.C. §905.
- E. As stated above, the permanent fund income has been available for use since 2005 and a prospective plan for the use of the permanent fund income covering a 5-year period, attached as Exhibit A, includes major waterline projects throughout the Navajo Nation and economic development projects in regional centers across the Navajo Nation and is generally described as:
 - 1. Navajo Nation Waterline Projects, Total: \$68,250,000, detailed in Exhibit B;
 - 2. Regional Economic Development Projects, Total: \$81,750,000, detailed in Exhibit C;
- F. The Navajo Nation Local Governance Trust Fund is established with an appropriation that "Beginning in Fiscal Year 2007, the Fund shall annually receive fifty-percent (50%) of the income available from the Navajo Nation

Permanent Fund pursuant to 12 N.N.C. §905; However to accomplish the essential Navajo Nation waterline and regional economic development projects it is necessary to lessen the appropriation to the Local Governance Trust Fund for the five year period of the expenditure plan. See 12 N.N.C. §1162 regarding annual appropriation and Exhibit A for Fund appropriation over the five year period.

- G. The Navajo Nation finds it in the best interest of the Nation to approve the Permanent Fund Income Five Year Expenditure Plan.

Section Three. Waiving 12 N.N.C. §1162(B)

The Navajo Nation hereby waives 12 N.N.C. §1162(B) for the period of the Permanent Income Five Year Expenditure Plan and approves the reduced annual appropriation to the Navajo Nation Local Governance Trust Fund to Confirm with the Permanent Income Five Year Expenditure Plan.

Section Four. Recommending and Approving

The Navajo Nation hereby recommends and approves the expenditure of the permanent fund income pursuant to the Permanent Income Five Year Expenditure Plan described as:

A. Navajo Nation Waterline Projects, Total: \$68,250,000;

B. Regional Economic Development Projects, Total:
\$81,750,000

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 18 in favor and 4 opposed, this 19th day of April 2016.



LoRenzo Bates, Speaker
Navajo Nation Council

April 27, 2016
Date

Motion: Honorable Jonathan Perry
Second: Honorable Amber Kanazbah Crotty

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 7th day of May 2016.



Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2016 for the 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 _____ day of _____, 2016.

Russell Begaye, President
Navajo Nation

PTF – 5 Year Plan = \$150m Over 5 Years

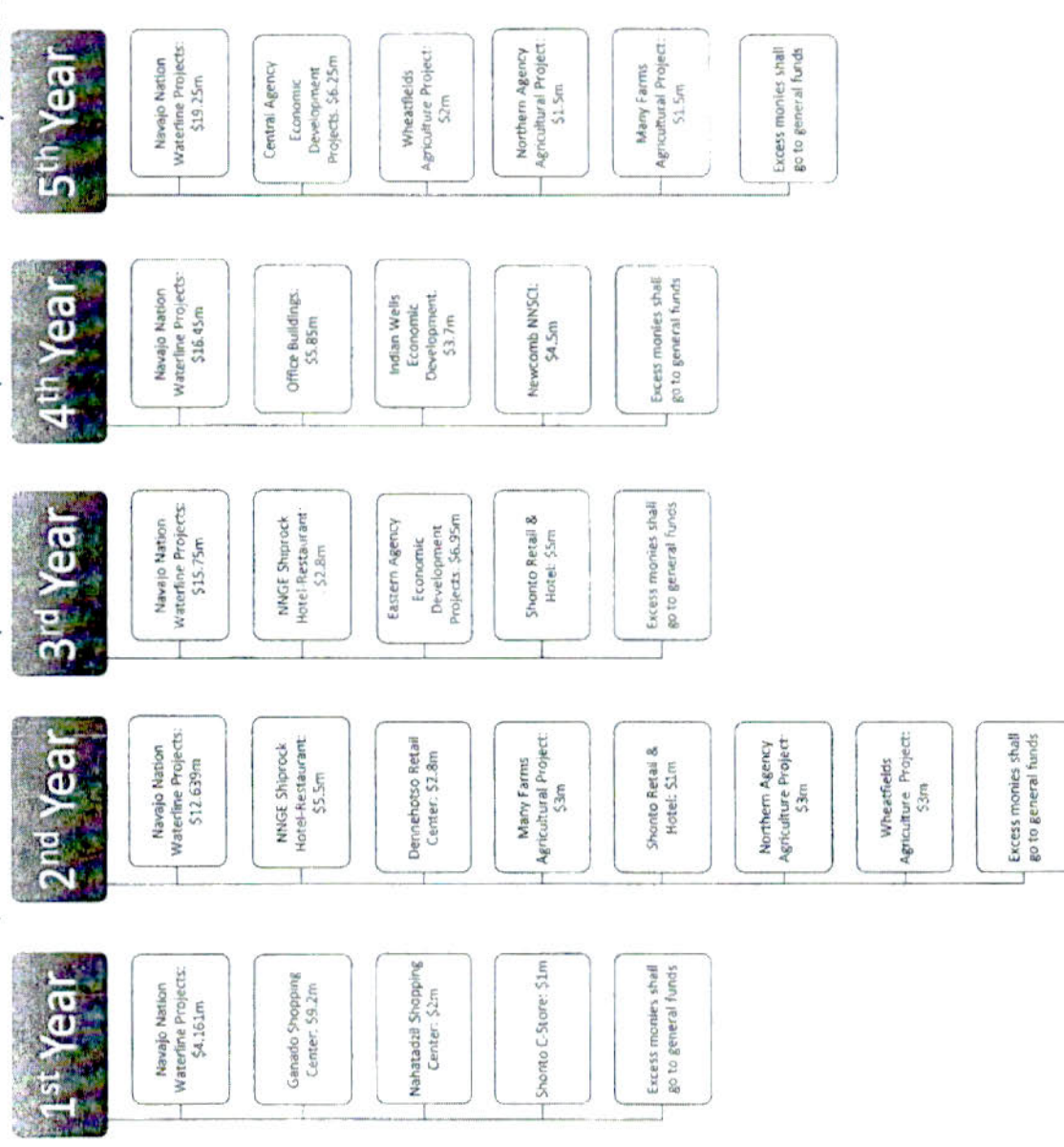
Exhibit A

New Modification

\$150 m

\$68.25m

\$81.75m



JONATHAN NEZ
NAVAJO NATION PRESIDENT

MYRON LIZER
NAVAJO NATION VICE-PRESIDENT

SETH DAMON
NAVAJO NATION COUNCIL SPEAKER

ELMER P. BEGAY
CHAPTER COUNCIL DELEGATE

THE INDIAN WELLS CHAPTER OF THE NAVAJO NATION



BENSON STEWART
PRESIDENT

HANK HASKIE
VICE-PRESIDENT

NORA A. JOHN
CHAPTER SECRETARY/TREASURER

JENNIFER RUSKIN
CHAPTER GRAZING OFFICIAL

RESOLUTION OF THE INDIAN WELLS CHAPTER

SUPPORTING AND APPROVING A REQUEST FOR THE 24TH NAVAJO NATION COUNCIL TO RESCIND THE 23RD NAVAJO NATION COUNCIL RESOLUTION CD-85-18 RESTORING AN ORIGINAL FUNDING AMOUNT OF \$3,700,000 TO THE INDIAN WELLS 10 ACRE COMMERCIAL SITE PROJECT.

RESOLUTION # IWC-19-150

WHEREAS:

1. The Indian Wells Chapter is a recognized Chapter of the Navajo Nation government, vested with certain authority and responsibilities to consider and take action on matters of local concern that are in the best interest of the health, safety and welfare of the Chapter membership and residence, and;
2. Pursuant to 26 N.N.C., Navajo Nation Local Governance Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters, consistent with Navajo law, including customs and traditions, to make decisions over local matters, and to govern with responsibility and accountability to the local citizens, and;
3. Pursuant to Navajo Nation Council resolution CAP-19-16, the Navajo Nation Council allocated \$3.7 million to the Indian Wells Economic Development for the 4th year of the five-year plan from the Navajo Nation Permanent Fund Income Five Year Expenditure Plan, and;
4. The Navajo Nation Council Resolution number CD-85-18 reduced the Indian Wells Economic Development project funds from \$3.7 million to \$1 million, reallocating \$2.7 to other projects, and;
5. The Indian Wells Chapter advocates for the continued economic development preparation as initially planned by the Community.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Indian Wells Chapter and its community membership supports and approves a request for the 24th Navajo Nation Council to Rescind the 23rd Navajo Nation Council Resolution CD-85-18 restoring an original funding amount of \$3,700,000 to the Indian Wells 10 Acre Commercial Site Project.

CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called chapter meeting at Indian Wells, Navajo Nation (Arizona), where a quorum was present and that same passed by a vote of __17__ in favor, __0__ opposed and __3__ abstained __11th__ day of July, 2019.

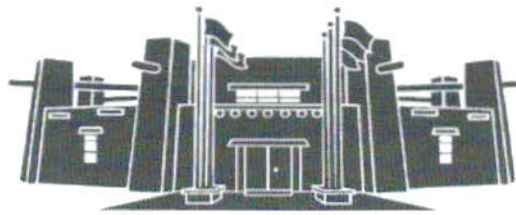
Motion: Alfred Clark

Second: Hazel Attakai

Presiding Chairperson:

A handwritten signature in cursive script, appearing to read "Benson Stewart", is written over a horizontal line.

Benson Stewart, President
Indian Wells Chapter



MEMORANDUM

TO: Honorable Elmer Begay
Dilcon, Indian Wells, Teesto, Whitecone, Greasewood Springs Chapters

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

DATE: September 12, 2019

SUBJECT: A PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; RESCINDING CD-85-18 WHICH AMENDED THE NAVAJO NATION PERMANENT FUND INCOME FIVE YEAR EXPENDITURE PLAN, CAP-19-16, REGARDING FOURTH YEAR FUNDING FOR FORT DEFIANCE AGENCY PROJECTS

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

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).

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0270-19 _____

SPONSOR: Elmer Begay/Edison Wauneka

TITLE: An Action Relating To Budget And Finance And Naabik'iyáti' Committees, And The Navajo Nation Council; Rescinding CD-85-18 Which Amended The Navajo Nation Permanent Fund Income Five Year Expenditure Plan, CAP-19-16, Regarding Fourth Year Funding For Fort Defiance Agency Projects

Date posted: September 16, 2019 at 4:53pm

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.*