

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0308-19

**DATE:** October 1, 2019

**TITLE OF RESOLUTION:** AN ACTION RELATING TO LAW AND ORDER COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$12,000,000.00 FROM THE SÍHASIN FUND TO THE KAYENTA JUDICIAL COMPLEX AND APPROVING AND ADOPTING THE KAYENTA JUDICIAL COMPLEX FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501 – 2508

**NOTE:** The Navajo Nation Department of Justice provide a memorandum that Exhibit 2 of this legislation is confidential.

**PURPOSE:** The purpose of this legislation is to approve and adopt funding for the Kayenta Judicial Complex from the Sihasin Fund.

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: 28  
Website Posting Time/Date: 10/07/19 5:42pm  
Posting End Date: 10/12/19  
Eligible for Action: 10/13/19

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24<sup>th</sup> NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY



(Prime Sponsor)

  
Herman M. Daniels

TRACKING NO. 0308-19

AN ACTION

RELATING TO LAW AND ORDER COMMITTEE, RESOURCES AND  
DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE,  
NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING  
\$12,000,000.00 FROM THE SÍHASIN FUND TO THE KAYENTA JUDICIAL  
COMPLEX AND APPROVING AND ADOPTING THE KAYENTA JUDICIAL  
COMPLEX FUND EXPENDITURE PLAN PURSUANT TO  
12 N.N.C §§ 2501 – 2508

BE IT ENACTED:

**Section One. Authority**

- A. The Law and Order Committee of the Navajo Nation Council is empowered to serve as the oversight authority for the Division of Public Safety and the Judicial Branch Navajo Nation. 2 N.N.C. § 600 (C)(6).
- B. 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).
- C. 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).

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

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

5 § 2502 Purpose

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

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

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

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

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

25 12 N.N.C. § 2502, as amended by CJA-03-18.

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



1  
2 **Section Two. Findings**

- 3 A. The Kayenta Township ("Township") was permanently made a home rule  
4 municipality of the Navajo Nation by Navajo Nation Council Resolution CAU-  
5 47-03 (August 29, 2003).
- 6 B. The Kayenta Township Commission ("KTC"), the Township's governing body,  
7 was given broad authority to perform all functions necessary for local self-  
8 government consistent with generally applicable laws of the Navajo Nation and the  
9 federal government. 2 N.N.C. §§ 4081 and 4084.
- 10 C. The Kayenta Judicial District (the "District") covers approximately 2,439,395  
11 acres with a population of over 19,240 residents. Growth and economic  
12 development initiatives within the Kayenta Judicial District, has created the need  
13 to enhance and expand the availability and delivery of judicial service, including  
14 the need for a new public safety and judicial facility in the District.
- 15 D. Since 2001, the KTC, Kayenta Chapter Administration, the Kayenta Judicial  
16 District, and Kayenta Public Safety personnel have been working on a four phase  
17 master plan for the construction of a new public safety and judicial complex (the  
18 "Project") for the District. These entities have obtained community support from  
19 the seven chapters in the district for the Project and secured the necessary land use  
20 clearances, including an archeological survey and an environmental assessment.
- 21 E. The first two phases of the Project were funded through the use of an  
22 appropriation from the United States Congress (ARRA or "stimulus" funds"),  
23 which were accepted by the Navajo Nation on September 23, 2009. The new  
24 Department of Corrections and Public Safety facilities had their grand opening on  
25 June 04, 2015. However, the last two phases of the Project for the Juvenile  
26 Detention and Judicial Facilities remain to be completed.
- 27 F. The Kayenta District Court provides court services, peacemaking, probation and  
28 parole services for the Kayenta, Chilchinbeto, Dennehotso, Oljato, Tsa'ah bii Kin,  
29 Naatsis'aan, and Shonto Chapters of the Navajo Nation. The current 26-year-old  
30 court facility is cramped, aged and inadequate to provide the necessary judicial

1 services, which are a critical component of public safety for the Township and  
2 surrounding communities.

3 G. A new 17,000 square foot Kayenta Judicial Complex will provide a safe and  
4 permanent building for courts services, judicial program personnel, the  
5 prosecutor's office, probation and parole services, the public defender's office,  
6 the peacekeeping program, offices, meeting rooms, and hearing rooms that are  
7 culturally-based, and expand and improve the availability and delivery of judicial  
8 services.

9 H. The Law and Order Committee of the Navajo Nation, on the recommendation of  
10 the Judicial Branch and the Division of Public Safety, by Committee Resolution  
11 LOCJN-04-17 (June 2, 2017), attached as **Exhibit 1**, identified construction of the  
12 Kayenta Judicial Complex as the third priority for construction of judicial/public  
13 safety facilities on the Navajo Nation.

14 I. KTC approved an appropriation to the Navajo Nation Judicial Branch by  
15 Resolution No. KTCAU-38-18, for the Kayenta Judicial Complex in the amount  
16 of \$650,000.00.

17 J. At the request of the various stakeholder agencies of the Navajo Nation, including  
18 the Judicial Branch, the Kayenta District Court, the Department of Corrections,  
19 and the Office of the Prosecutor, by Resolution No. KTCD-58-18 (Dec. 10,  
20 2018), KTC authorized the Township to serve as Fiscal Agent for the Kayenta  
21 Judicial Complex, whereby the Township would hold all of the funding for the  
22 Complex from whatever source, assist in the procurement of the contractor for the  
23 Complex, and directly disburse payments for the Complex, which would be  
24 owned by the Navajo Nation under the primary custody of the Judicial Branch.

25 K. The land for the Kayenta Judicial Complex is located within the Township and  
26 KTC has already approved a withdrawal of the land for the exclusive use of the  
27 Kayenta Judicial Complex. The Township will not charge rent or other fees for  
28 the use of the land. The land on which the Kayenta Judicial Complex will be  
29 located is estimated to be valued at \$247,771.55, which is an additional in-kind  
30



1 contribution by KTC for the Complex, for a total contribution by KTC of  
2 \$897,771.55.

- 3 L. An additional \$12,000,000.00 in funding is needed to complete the design and  
4 construction of the Kayenta Judicial and Public Safety Complex, as set forth in  
5 the Kayenta District Conceptual Project Budget/Expenditure Plan, attached and  
6 incorporated herein as **Exhibit 2**.

7  
8 **Section Three. Approval and Adoption of the Kayenta Judicial Complex**  
9 **Expenditure Plan**

- 10 A. The Navajo Nation hereby allocates to Kayenta Township the total amount of  
11 \$12,000,000.00 to construct the Kayenta Judicial Complex as detailed in **Exhibit 2**.  
12 B. The Navajo Nation hereby approves and adopts the Kayenta Judicial Complex  
13 Expenditure Plan, attached and incorporated herein as **Exhibit 2**.  
14 C. The Sihasin Funds allocated for the Kayenta Judicial Complex Expenditure Plan  
15 may be further leveraged by bond or loan financing pursuant to the Navajo Nation  
16 Bond Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended, using Sihasin Fund  
17 earnings for repayment and financing costs upon the recommendation of the Budget  
18 and Finance Committee and approval by a two-thirds (2/3) vote of all members of  
19 the Navajo Nation Council.

20  
21 **Section Four. Approval and Adoption of Expenditure Plan Administration**

22 The Navajo Nation hereby approves administration of the Sihasin Fund Kayenta  
23 Judicial Complex Expenditure Plan as follows:

- 24 A. The Navajo Nation Controller shall determine whether the source of the annual  
25 allocations from the total allocation of \$12,000,000.00 will be Sihasin Fund  
26 Principal or Income or a combination of both;  
27 B. The funding to the Kayenta Judicial Complex shall be distributed promptly to the  
28 Kayenta Township after the approval of this legislation. The Township shall  
29 serve as the fiscal agent and procuring party for the design and construction of  
30 the Kayenta Judicial Complex, in coordination with the Navajo Nation

1 stakeholders. Upon completion of the Project, the Navajo Nation shall own the  
2 Complex, which shall be under the primary custody of the Judicial Branch;

3 C. The funds allocated for the Kayenta Judicial Complex shall be used solely to  
4 design, plan, and construct the Kayenta Judicial Complex as described in  
5 **Exhibit 2**. Any and all cost-savings shall be returned to the to the Síhasin Fund  
6 once the Kayenta Judicial Complex is completed; and

7 D. The funds allocated for the Kayenta Judicial Complex shall not lapse on an  
8 annual basis pursuant to 12 N.N.C. §820 (N), however, any funds not spent or  
9 encumbered within twenty-four (24) months of the date funds are made  
10 available to the Kayenta Judicial Complex shall revert to the Síhasin Fund  
11 principal, unless recommended otherwise by the Law and Order Committee and  
12 approved by the Naabik'íyáti' Committee.

#### 13 14 **Section Five. Effective Date**

15 The Síhasin Fund Kayenta Judicial Complex Expenditure Plan, as set forth above, shall  
16 become effective pursuant to 12 N.N.C. § 2505.

#### 17 18 **Section Six. Directives**

19 The Township and the Kayenta Judicial District shall jointly report the status of the  
20 Kayenta Judicial Complex project to the Naabik'íyáti Committee on a quarterly basis,  
21 after the initial disbursement of funds, until such time as the Complex is fully  
22 functional and all funds are expended or otherwise reverted as provided herein.



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPAUL  
Attorney General

KIMBERLY A. DUTCHER  
Acting Deputy Attorney General

MEMORANDUM

TO: Stephen B. Etsitty, Administrative Director  
Administrative Office of the Courts  
Navajo Judicial Branch

FROM:

Kandis Martine, Assistant Attorney General  
Human Services & Government Unit  
Office of the Attorney General, Navajo Nation Department of Justice

DATE: September 30, 2019

SUBJECT: **Síhasin Legislation for the Kayenta Judicial Complex**

The Navajo Nation Department of Justice ("DOJ") has received a request to identify certain exhibits to the Síhasin Legislation for the Kayenta Judicial Complex as confidential. Pursuant to 2 N.N.C. § 164(A)(6), exhibits attached to any legislation can be deemed "confidential" by the DOJ. The Legislation "Allocating \$12,000,000.00 from the Síhasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 – 2508" has an Exhibit 2 attached to it, that DOJ would consider confidential. The details in that Exhibit concern information pertaining to a potential contract, which is a protected record pursuant to 2 N.N.C. § 85(A)(7).

For the above stated reasons, DOJ requests Exhibit 2 of the proposed legislation not be placed on the Navajo Nation Council's website or be released to the public.

If you have any questions regarding the above, please contact me at ext. 6935 or by email at [kmartine@nndoj.org](mailto:kmartine@nndoj.org).

KM/gj.444

xc: Kristen Lowell, Attorney  
Office of Legislative Council  
Navajo Nation Council



RESOLUTION OF THE LAW AND ORDER COMMITTEE  
23rd NAVAJO NATION COUNCIL - THIRD YEAR,  
LAW AND ORDER COMMITTEE

AN ACTION

RELATING TO LAW AND ORDER; APPROVING JUDICIAL/PUBLIC SAFETY  
FACILITIES FUND PRIORITY LIST FOR FISCAL YEARS 2017 AND 2018

BE IT ENACTED:

Section One. Authority

The Navajo Nation established the Law and Order Committee (LOC) as a Navajo Nation standing committee and as such gave LOC approval authority to fund public safety facilities from the Navajo Sales Tax revenue. 2 N.N.C. §§ 600(A) see also CJA-03-13, 22nd Navajo Nation Council, sect. 5, 30 (2013) and BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sects. I and II (2011).

Section Two. Findings

- A. The Navajo Nation Council established the Judicial/Public Safety Facilities Fund and the fund shall be appropriated pursuant to the Judicial/Public Safety Facilities Fund Management Plan. 24 N.N.C. § 620(B).
- B. The Law and Order Committee approves a "Fund Priority List" which "shall identify and prioritize five Judicial Branch, Public Safety or combined Judicial/Public Safety facilities at specified locations that may receive funding from the Fund." BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sect. III.C. (2011).
- C. For Fiscal Years 2017 and 2018, the Judicial Branch and the Division of Public Safety recommend the Law and Order Committee approve the attached Fund Priority List. EXHIBIT A.

Section Three. Approving the Judicial/Public Safety Facilities  
Fund Priority List

The Law and Order Committee approves the Judicial/Public

Safety Facilities Fund Priority List for Fiscal Years 2017 and 2018 as listed in EXHIBIT A. BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sect. III. C. (2011).

**Section Four. Fund Administration**

With the assistance of the Controller, the Judicial Branch and the Division of Public Safety shall ensure that funds are properly administered and fund expenditures shall be restricted to facilities approved by this resolution in EXHIBIT A. BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sect. III. A. and B. (2011).

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23<sup>rd</sup> 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 4 in favor and 0 oppose, this 2<sup>nd</sup> day of June, 2017



Honorable Raymond Smith Jr,  
Vice Chairperson  
Law and Order Committee

Motion: Honorable Edmund Yazzie

Second: Honorable Otto Tso





## AMENDED AGREEMENT

### RECOMMENDING APPROVAL OF THE JUDICIAL/PUBLIC SAFETY FACILITIES FUND PRIORITY LIST FOR FISCAL YEARS 2017 AND 2018 AS PROVIDED BY THE JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN

WHEREAS,

The Judicial Branch ("Branch") and the Division of Public Safety ("Division") are joint administrators of the Judicial/Public Safety Facilities Fund Management Plan.

The Fund requires that a priority listing of facilities for funding be approved beginning with Fiscal Years 2008-2009 and every two years thereafter.

The Navajo Nation District Judicial/Public Safety Master Plan completed in March 2007 serves as a guide for the planning and design of judicial/public safety facilities.

The Chief Justice and the Division Director have reviewed the facility needs for judicial/public safety facilities and have identified projects that may receive funding from the Judicial/Public Safety Facilities Fund.

THEREFORE, The Chief Justice and the Division Director hereby recommend to the Law and Order Committee of the Navajo Nation Council ("Committee") that the priorities for the Judicial/Public Safety Facilities Fund Management Plan be approved as follows:

1. Window Rock, Navajo Nation, Arizona – Division of Public Safety, Window Rock Judicial District and NDPS Headquarters Facility
2. Shiprock, Navajo Nation, New Mexico – Judicial/Public Safety/Correctional Facilities
3. Kayenta, Navajo Nation, Arizona – Judicial Facility
4. Chinle, Navajo Nation, Arizona – Public Safety Training Facility
5. Dilkon, Navajo Nation, Arizona – Public Safety/Correctional Facilities
6. Pinon, Navajo Nation, Arizona – Judicial/Public Safety/Correctional Facilities
7. Window Rock, Navajo Nation, Arizona – Supreme Court Facility
8. Ramah, Navajo Nation, New Mexico – Judicial Facility
9. Aneth, Navajo Nation, Utah – Judicial/Public Safety/Correctional Facilities
10. Alamo, Navajo Nation, New Mexico – Judicial/Public Safety/Correctional Facilities
11. Pueblo Pintado, Navajo Nation, New Mexico – Public Safety/Correctional Facilities
12. To'hajiilee, Navajo Nation, New Mexico – Public Safety/Correctional Facilities
13. Kaibeto, Navajo Nation, Arizona – Public Safety Substation
14. Cameron, Navajo Nation, Arizona – Public Safety Substation
15. Leupp, Navajo Nation, Arizona – Public Safety Substation
16. Tuba City, Navajo Nation, Arizona – Fire Department and Emergency Medical Services Facility



77-10-10010  
The Branch and Division further recommend to the Committee that the sequence of construction of facilities may be modified by the timing of approval of financing and upon the shovel- and construction-readiness of each project.

The Branch and Division further recommend to the Committee that from time to time, additional appropriation requests be made to the Navajo Nation Council for deposit into the Judicial/Public Safety Facilities Fund to address construction of judicial/public safety facilities.

The Branch and Division further recommend to the Committee that from time to time, additional appropriation requests be considered for other judicial/public safety facility projects outside of the priority list.

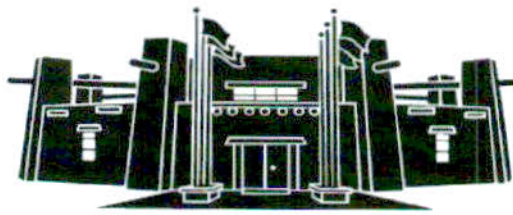
Signed this 2nd day of June 2017



Allen Sloan, *Acting Chief Justice*  
Judicial Branch of the Navajo Nation



Jesse Delmar, *Division Director*  
Division of Public Safety



**MEMORANDUM**

TO: Honorable Nathaniel Brown  
24<sup>th</sup> Navajo Nation Council

FROM:   
Kristen Lowell, Principal Attorney  
Office of Legislative Counsel

DATE: October 1, 2019

SUBJECT: **AN ACTION RELATING TO LAW AND ORDER COMMITTEE,  
RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND  
FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO  
NATION COUNCIL; ALLOCATING \$12,000,000.00 FROM THE SÍHASIN  
FUND TO THE KAYENTA JUDICIAL COMPLEX AND APPROVING AND  
ADOPTING THE KAYENTA JUDICIAL COMPLEX FUND EXPENDITURE  
PLAN PURSUANT TO  
12 N.N.C §§ 2501 – 2508**

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.

Please ensure that this 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 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).

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

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0308-19

SPONSOR: Nathaniel Brown

**TITLE:** An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati Committee and Navajo Nation Council; Allocating \$12,000,00.00 from the Sihasin Fund to the Kayenta Judicial Complex and approving and adopting the Kayenta Judicial Complex fund expenditure Plan pursuant to 12 N.N.C. §§ 2501-2508

*Date posted:* October 7, 2019 at 5:42pm

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

Written comments may be mailed to:

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

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.: 0308-19

SPONSOR: Honorable Nathaniel Brown

TITLE: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati Committee and Navajo Nation Council; Allocating \$12,000,00.00 from the Sihasin Fund to the Kayenta Judicial Complex and approving and adopting the Kayenta Judicial Complex fund expenditure Plan pursuant to 12 N.N.C. §§ 2501-2508

Posted: October 07, 2019 at 05:42 PM

5 DAY Comment Period Ended: October 12, 2019

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

10/14/19 8:32 AM  
\_\_\_\_\_  
Date/Time

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0308-19

SPONSOR: Honorable Nathaniel Brown

TITLE: An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati Committee and Navajo Nation Council; Allocating \$12,000,00.00 from the Sihasin Fund to the Kayenta Judicial Complex and approving and adopting the Kayenta Judicial Complex fund expenditure Plan pursuant to 12 N.N.C. §§ 2501-2508

Posted: October 07, 2019 at 05:42 PM

5 DAY Comment Period Ended: October 12, 2019

Digital Comments received:

Comments Supporting	1) Gabriel Yazzie, Kayenta Township Manager
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>

  
\_\_\_\_\_  
Legislative Tracking Secretary  
Office of Legislative Services

10/15/19 3:23 PM  
\_\_\_\_\_  
Date/Time



# THE KAYENTA TOWNSHIP

P.O. Box 1490 KAYENTA, AZ 86033 - PHONE: (928) 697-8451 FAX: (928) 697-8461

*Continuing the legacy of brilliant leadership through local empowerment since 1984.*



## Resolution No: KTCM-16-19

### RESOLUTION OF THE KAYENTA TOWNSHIP COMMISSION

#### Supporting a Navajo Nation Council Resolution Approving and Adopting the Sihasin Fund Kayenta Judicial Complex Expenditure Plan Pursuant 12 N.N.C. §§ 2501 - 2508

#### **WHEREAS:**

1. The Kayenta Township Commission ("Commission") is a home-rule municipality of the Navajo Nation with the general authority and responsibility to govern for the welfare of the Kayenta Township ("Township"), the Township's employees, and its residents, including the enactment of such ordinances, rules and regulations as it deems in the best interest of the Township. *See* 2 N.N.C. §§ 4081-4086, as amended; and
2. The Kayenta Judicial District (the "District") covers approximately 2,439,395 acres with a population of over 19,240 residents. Because of growth and economic development initiatives within the District, there has been a need to enhance and expand the availability and delivery of judicial services and a need for a new public safety and judicial facility in the District; and
3. Since 2001, the Kayenta Township Commission, the Kayenta Chapter Administration, the Kayenta Judicial District, and Kayenta Public Safety personnel have been working on a four-phase master plan for the construction of a new public safety and judicial complex for the District (the "Project"), have obtained community support for the Project, and have completed all necessary land use clearances, including an archaeological survey and an environmental assessment; and
4. The first two phases of the Project were funded through the use of an appropriation from the United States Congress (ARRA or "stimulus" funds"), which were accepted by the Navajo Nation on September 23, 2009. The new Department of Corrections and Public Safety facilities had their grand opening on June 04, 2015. However, the last two phases of the Project for the Juvenile Detention and Judicial Facilities remain to be completed; and
5. The Kayenta District Court provides court, peacemaking and probation services for the Kayenta, Chilchinbeto, Dennehotso, Inscription House, Navajo Mountain, Oljato, and Shonto Chapters of the Navajo Nation. The current 25-year-old court facility is cramped, aged and inadequate to provide the necessary judicial services, which are a critical component of public safety for the Kayenta Township and surrounding communities; and
6. A new 15,000 square foot Kayenta Judicial Complex will provide a safe and permanent building for courts, judicial program personnel, the prosecutor's office, the peacekeeping program, offices, meeting rooms, and hearing rooms that are culturally based, and expand and improve the availability and delivery of judicial services; and



7. Pursuant to Resolution No. LOCJN-04-17 (June 2, 2017), the Law and Order Committee of the Navajo Nation, on the recommendation of the Judicial Branch and the Division of Public Safety, identified construction of a new Kayenta Judicial Complex as the number third priority for construction of judicial/public safety facilities on the Navajo Nation; and
8. Pursuant to Resolution No. KTCAU-38-18, at the request of the Kayenta Judicial District, the Commission approved an appropriation to the Navajo Nation Judicial Branch for completing the construction of a new public safety and judicial facility in the Kayenta Judicial District, in the amount of \$555,500.00; and
9. Pursuant to Resolution No. KTCD-58-18 (Dec. 10, 2018), at the request of the Navajo Nation, the Commission authorized the Township to serve as Fiscal Agent for the Project, whereby the Township would hold all of the funding for the Project from whatever source, assist in the procurement of the contractor for the Project, and directly disburse payments for the Project; and
10. The land where the Kayenta Judicial Complex is to be located is within the Township's boundaries and its withdrawal has already been approved by the Commission for the exclusive use of the Kayenta Judicial Complex, at an estimated value of \$247,771.55, which is an additional in-kind contribution by the Commission; and
11. An approximate additional \$12,000,000.00 in funding is needed to complete the design and construction of the Kayenta Judicial Complex, as set forth in draft Navajo Nation Council legislation attached hereto as Exhibit A; and
12. Pursuant to Navajo Nation Council Resolution No. CD-68-14, the Navajo Nation Council enacted the Navajo Nation Breach of Trust Settlement Act of 2014 and established the Słhasin Fund at 12 N.N.C. § 2501 *et seq.* The Słhasin Fund is funded with all moneys received from the United States government through the settlement of *Navajo Nation v. United States*, U.S. Court of Federal Claims, Case No. 06-945L, as well as proceeds of other settlement or judgment awards and any other sources of revenue as appropriated by the Navajo Nation Council. 12 N.N.C. § 2501(A), (B); and
13. Pursuant to Navajo Nation Council Resolution No. CJA-03-18, the Navajo Nation Słhasin Fund may be used for (1) "[t]he planning and development of economic development and regional infrastructure supporting economic and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterline, solid waste management development, powerline projects, and transportation and communication systems, within the Navajo Nation;" and (2) "educational opportunities for members of the Navajo Nation." 12 N.N.C. § 2502(A); and
14. The Commission determines that construction of a safe and permanent building for the Kayenta Judicial District, an essential component to public safety, is in the best interest of the Township; and

15. The Commission now wishes to support the use of the Sîhasin Fund for the design and construction of the Kayenta Judicial Complex, as set forth in the draft legislation attached hereto as Exhibit A.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Commission hereby renews its support of stakeholder efforts to construct the new Kayenta Judicial Complex, which will provide a safe and permanent home for the Kayenta Judicial District and expand and improve the delivery of judicial services.
2. The Commission hereby supports use of the Sîhasin Fund for the design and construction of the Kayenta Judicial Complex, and hereby reaffirms its in-kind contribution of land for the Complex, at an estimated value of \$247,771.55.
3. The Commission hereby supports legislation by the Navajo Nation Council approving the use of Sîhasin funds for the Kayenta Judicial Complex, a draft of such legislation which is attached hereto as Exhibit "A."
4. The Commission reaffirms that the Township will act as fiscal agent for all funds for the construction of the Kayenta Judicial Complex and hereby approves and authorizes the Township to do the procurement for the Complex, including without limitation design and construction of the Complex.
5. The Commission hereby authorizes the Town Manager and the Commission Chairperson to take all appropriate and necessary steps to accomplish the purposes of this Resolution, including locating one or more sponsors for Navajo Nation Council legislation to fund the Kayenta Judicial Complex from the Sîhasin Fund.
6. This Resolution supersedes and replaces any prior resolutions passed for the same purpose and subject matter, which are in conflict with the provisions herein.

**CERTIFICATION**

I hereby certify that the foregoing resolution was considered by the Kayenta Township Commission at a duly called meeting at Kayenta, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 4 in favor, 0 opposed, and 1 abstained, this 11<sup>TH</sup> day of March, 2019.

Motion: Commissioner J. Williams

Second: Commisisoner C. Kescoli

  
Edward Seaton, Chairperson  
Kayenta Township Commission





Navajo Nation Kayenta Chapter  
Post Office Box 1088  
Kayenta Chapter, Navajo Nation, AZ 86033  
Chapter Resolution

**Resolution No: KY19-396-01**

**SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO  
OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER  
FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS  
NEEDED**

WHEREAS,

1. The Kayenta Chapter of the Navajo Nation acts on his resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1, Section 1, B. Purpose which states "Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition: the inclusivity provided by the Dine Fundamental Law, in that "it is entirely appropriate for the government itself to openly observe these fundamental laws"; and
2. Kayenta Judicial district serves the following chapters; Ts'ah Bii kin, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
3. The Seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
4. It is in the best interest of Kayenta Chapter and the Dine served by the Kayenta Chapter to support the efforts of the Kayenta Judicial District; and
5. The Kayenta Chapter has heard a report and recommendation of the Kayenta Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation Sihasin funds, and from other Navajo Nation, Federal, and state sources of funds as needed.; and



NOW THEREFORE, BE IT RESOLVED,

1. The Kayenta Chapter hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation Sihasin funds, and other Navajo Nation, Federal, and state sources of funds as needed.

\*\*\*\*\*  
CERTIFICATION  
\*\*\*\*\*

We hereby certify that the foregoing resolution was duly considered by the **KAYENTA** Chapter, **KAYENTA, ARIZONA**, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of **22** in favor, **00** opposed, and **01** abstaining, this 14th day of January, 2019.

Motion: Rosie Begay

Second: Sara Blackwater

  
\_\_\_\_\_  
Stanley Clitso, Kayenta Chapter President

President  
FELIX R FULLER  
Vice-President  
ELIZABETH WHITETHORNE-  
BENALLY  
Secretary / Treasurer  
WINNIFRED BRONSTON  
Grazing Representative  
ROLAND SMALLCANYON  
Council Delegate  
HERMAN DANIELS



East Representative  
JONES GRASS  
South Representative  
STANLEY YAZZIE  
West Representative  
ROYD LEE  
North Representative  
VACANT

Governance Manager  
ROBERT K BLACK, JR.

SHO01-23-19

**APPROVING AND SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL  
DISTRICT TO OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS,  
AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE  
SOURCES AS NEEDED**

**WHEREAS:**

1. Pursuant to TCDSCS-98-99, The Transportation and Community Development approved the Governance Certification of the Five Management System Policies and Procedures for Shonto Chapter, pursuant to the Local Governance Act, 26 N.N.C. Section 102(B); and
2. Shonto Community Governance is a local certified Chapter of the Navajo Nation Government with vested authority and responsibility to develop and implement local ordinances and to approve plans and take positions on matters of local concern that are in the best interest of the local chapter and Navajo Nation; and
3. Kayenta Judicial District serves the following chapters: Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
4. The Seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
5. It is in the best interest of Shonto Community Governance and the *Diné* served by the Shonto Community Governance to support the efforts of the Kayenta Judicial District; and
6. The Shonto Community Governance has heard a report and recommendation of the Kayenta Judicial District Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation *Sihasin* funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Shonto Community Governance hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation *Sihasin* funds, and other Navajo Nation, Federal, and state sources of funds as needed.

## CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Shonto Community Governance at a duly called Council of Nat'aa meeting in Shonto, Arizona at which a quorum was present and that the same was passed by a vote of 7 in favor 0 opposed, and 0 abstained, this 24th day of January 2019.

Motion: Mr. Brian Kee

Second: Ms. Marsha Greyeyes

## CONCURRENCE:



Elizabeth Whitethorne-Benally, Chapter Vice-President  
Shonto Community Governance (Chapter)





# Ts'ah Bii Kin Chapter

RESOLUTION # 2019-013-004

Martha Tate  
President

Geraldine Chee  
Vice-President

Chancy Nodestine  
Secretary/Treasurer

Jerry Happy Begay  
Grazing Official

Herman Daniels Jr.  
Council Delegate

**SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO  
OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING  
FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED**

**Whereas:**

1. The Ts'ah Bii Kin Chapter of the Navajo Nation acts on this resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1, Section 1, B. Purpose which states "Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition" the inclusivity provided by the *Dine* Fundamental Law, in that "it is entirely appropriate for the government itself to openly observe these fundamental laws", and
2. Kayenta Judicial District serves the following chapters: Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
3. The seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
4. It is in the best interest of Ts'ah Bii Kin Chapter and the *Diné* served by the Ts'ah Bii Kin Chapter to support the efforts of the Kayenta Judicial District; and
5. The Ts'ah Bii Kin Chapter has heard a report and recommendation of the Kayenta Judicial District Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation *Sihasin* funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Ts'ah Bii Kin Chapter hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation *Sihasin* funds, and other Navajo Nation, Federal, and state sources of funds as needed.

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the Ts'ah Bii Kin Chapter at a duly called meeting in Ts'ah Bii Kin, Arizona at which a quorum was present and that the same was passed by a vote of 27 in favor 0 opposed, and 5 abstained, this 13th day of January 2019.

Motion: Josiah White Second: Aurora Tate

CONCURRENCE:

Martha Tate  
Martha Tate: Ts'ah Bii Kin Chapter President





OLJATO CHAPTER/ADMINISTRATION  
PO BOX 360455  
MONUMENT VALLEY, UTAH 84536  
Email: [oljato@navajochapters.org](mailto:oljato@navajochapters.org)  
Phone: 435-727-5850 Fax: 5852  
Shirlee Bedonie, Com. Serv. Coord.

Herman Daniels Jr. Council Delegate  
James Adakai, President  
Albert Holiday, Vice President  
LaNell Menard-Parrish, Sec./Treasurer  
Billy Charley, Grazing Official  
Peggy Abrigo, Account. Maint. Specialist

## RESOLUTION OF THE OLJATO CHAPTER

Resolution No: OLJ02-07-2019

### SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED

#### WHEREAS;

1. Pursuant to Navajo Nation Code, Section 4001 (D) and 4028 (a), (b), the Oljato Chapter is established and certified as a local government entity of the Navajo Nation vested with the authority to review all matters affecting the Chapter and submit appropriate recommendations to the Navajo Nation Government or other local agencies by resolution; and
2. Pursuant to 26 N.N.C., Chapter 1: Navajo Nation Chapter, Section 1., (B) (1) & (2), The Navajo Nation Councils delegated to Chapter governmental authority with respect to local matters consistent with Navajo law, including custom and tradition and allows chapter to make decisions to govern with responsibility
3. Kayenta Judicial District serves the following chapters: Ts'ah Bii Kin, Naatsis'áán, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
4. The seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
5. It is in the best interest of Oljato Chapter and the *Diné* served by the Oljato Chapter to support the efforts of the Kayenta Judicial District; and
6. The Oljato Chapter has heard a report and recommendation of the Kayenta Judicial District Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation *Sihasin* funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

#### NOW THEREFORE BE IT RESOLVED THAT:

The Oljato Chapter hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation *Sihasin* funds, and other Navajo Nation, Federal, and state sources of funds as needed.

#### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Oljato Chapter at a regular duly called meeting at Oljato, Navajo Nation, Utah at which a quorum was present and that same was passed by a vote of 51 in favor, 0 opposed and 3 abstained, this 10 day of **FEBRUARY 2019**.

1<sup>st</sup> Motion by: MARY GAZZIE

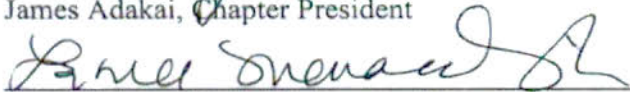
2<sup>nd</sup> Motion by: LINDA RODRIGUEZ

RESOLUTION NO: 01502-07-2019

DATE: February 10, 2019



James Adakai, Chapter President



LaNell Menard-Parrish, Secretary/Treasurer



Albert Holiday, Vice-President



**RESOLUTION OF THE  
DENNEHOTSO CHAPTER  
DCHJAN – 024 – 2019**

**SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL COURTS TO OBTAIN  
FUNDING FROM THE NAVAJO NATION SÍHASIN FUNDS, AND OTHER FUNDING  
FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED**

**WHEREAS:**

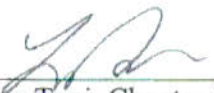
1. Dennehotso Chapter is a certified Chapter of the Navajo Nation, established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government, vested with the authority to plan and implement projects in the best interest of the community, 1AW N.N.C., Section 103 (D); and
2. Kayenta Judicial courts serves the following chapters: Inscription house, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
3. The Seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial courts serves; and
4. It is in the best interest of Dennehotso Chapter and the *Diné* served by the Dennehotso Chapter to support the efforts of the Kayenta Judicial Courts; and
5. The Dennehotso Chapter has heard a report and recommendation of the Kayenta Court administrator and has determined that it should adopt and support efforts of the Kayenta Judicial courts to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation Síhasin funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Dennehotso Chapter hereby supports the Kayenta Judicial Courts in obtaining funding for the construction of the Kayenta Judicial courts, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation Síhasin funds, and other Navajo Nation, Federal, and state sources of funds as needed.

**CERTIFICATION**

I certify that the foregoing resolution was duly considered by the Dennehotso Chapter, at a duly called meeting, in Dennehotso (Navajo Nation), Arizona at which a quorum was present and that same was passed by a vote of; **25** in favor **01** opposed, **01** abstained, this **13<sup>th</sup>** day of **January**, **2019**

  
\_\_\_\_\_  
Larry Tuni, Chapter President  
Dennehotso Chapter – Western Navajo Agency

Motion by: **Irene Clah**  
Seconded by: **Etta Mitchell**

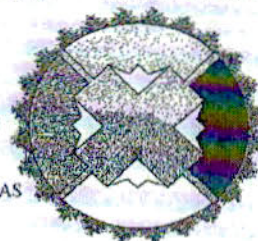


# CHILCHINBETO CHAPTER

"HOME OF THE WORLD'S LARGEST NAVAJO RUG"

P. O. BOX 1681, KAYENTA, AZ. 86033. EAST HIGHWAY 160 NAVAJO RTE. 59  
PHONE: (928) 697-5680/5681 • FAX (928) 697-5691 [chilchinbeto@navajochapters.org](mailto:chilchinbeto@navajochapters.org)

Thomas Bradley PRESIDENT • Eugene Badonie VICE PRESIDENT • Rita Zonnie SEC/TREAS  
VACANT, GRAZING OFFICIAL • Nathaniel Brown, COUNCIL DELEGATE



## RESOLUTION OF THE CHILCHINBETO CHAPTER OF THE NAVAJO NATION RESOLUTION NO.: CCH #02-10-19D

### SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL DISTRICT TO OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED

#### WHEREAS:

1. Pursuant to Title 26 N.N.C., Chilchinbeto Chapter is a certified Chapter of the Navajo Nation and is delegated the authority and responsibility to promote projects which benefits the local community; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Chilchinbeto Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. The Chilchinbeto Chapter of the Navajo Nation acts on this resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1, Section 1, B. Purpose which states "Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition" the inclusivity provided by the *Dine* Fundamental Law, in that "it is entirely appropriate for the government itself to openly observe these fundamental laws", and
4. Kayenta Judicial District serves the following chapters: Ts'ah Bii Kin, Naatsis'áán, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
5. The seven Chapters referenced above make up the Kayenta Police District, which Kayenta Judicial District serves; and
6. It is in the best interest of Chilchinbeto Chapter and the *Diné* served by the Chilchinbeto Chapter to support the efforts of the Kayenta Judicial District; and
7. The Chilchinbeto Chapter has heard a report and recommendation of the Kayenta Judicial District Court Administrator and has determined that it should adopt and support efforts of the Kayenta Judicial District to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation *Sihasin* funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

#### NOW, THEREFORE BE IT RESOLVED THAT:

The Chilchinbeto Chapter hereby supports the Kayenta Judicial District in obtaining funding for the construction of the Kayenta Judicial District, which serves seven chapters in the Kayenta Police district, including without limitation Navajo Nation *Sihasin* funds, and other Navajo Nation, Federal, and state sources of funds as needed.

#### CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Chilchinbeto Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 26 in favor, 00 opposed, and 00 abstained, this 10th day of February 2019.

Motioned By: Ernest Buzay

Seconded By: Sam Charlie, Jr.

Thomas Bradley, President

A handwritten signature of Thomas Bradley, President of the Chilchinbeto Chapter.





# WESTERN NAVAJO AGENCY COUNCIL

HANK STEVENS  
President

JERRY WILLIAMS  
Vice-President

SARAH SLIM  
Secretary



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## RESOLUTION OF THE WESTERN NAVAJO AGENCY COUNCIL WNAC RESOLUTION N0: WNAC18-12-NB1

### SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL COURTS TO OBTAIN FUNDING FROM THE NAVAJO NATION SÍHASIN FUNDS, AND OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE SOURCES AS NEEDED

#### Whereas:

1. Pursuant to 26 N.N.C., Section 3 (A) the Western Agency Council is a duly recognized certified agency of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B) Western Agency is vested with the authority to review all matters affecting the community and to make the appropriate correction when necessary and make the recommendation to the Navajo Nation and other local agencies for appropriate actions; and
3. Pursuant to "Indian Self Determination Act (PL 93-638)" as mentioned by the U.S. Congress, the Western Agency Council is entitled to support and initiate plans, make decisions and recommendations according to needs and desires of the community people; and
4. Kayenta Judicial courts serve the following chapters: Inscription house, Navajo Mountain, Oljato, Shonto, Dennehotso, Kayenta and Chilchinbeto areas; and
5. Eight of these chapters extend into the Western region of the Navajo Nation Council; and
6. It is in the best interest of WNAC and the *Diné* served by the WNAC to support the efforts of the Kayenta Judicial Courts; and
7. The WNAC has heard a report and recommendation of the Kayenta Court administrator and has determined that it should adopt and support efforts of the Kayenta Judicial courts to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation Síhasin funds, and from other Navajo Nation, Federal, and state sources of funds as needed.





# WESTERN NAVAJO AGENCY COUNCIL

HANK STEVENS  
President

JERRY WILLIAMS  
Vice-President

SARAH SLIM  
Secretary



## NOW THEREFORE BE IT RESOLVED THAT:

1. The Western Navajo Agency Council hereby supports the Kayenta Judicial Courts in obtaining funding for the construction of the Kayenta Judicial courts, which will serve chapters that extend into the western regions of the Navajo Nation, including without limitation Navajo Nation Síhasin funds, and other Navajo Nation, Federal, and state sources of funds as needed.

## CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Western Navajo Agency Council at a duly called meeting in Flagstaff, Arizona at which a quorum was present and that the same was passed by a vote of 28 in favor 3 opposed, and 5 abstained, this 15<sup>th</sup> day of December 2018.

Motion: Eugene Bedonie

Second: Stanley Clitso

Hank Stevens, President  
Western Agency Council



**RESOLUTION OF THE  
NAVAJO UTAH COMMISSION  
OF THE NAVAJO NATION COUNCIL**

**NUCDEC-770-18**

**SUPPORTING THE EFFORTS OF THE KAYENTA JUDICIAL COURTS TO  
OBTAIN FUNDING FROM THE NAVAJO NATION SIHASIN FUNDS, AND  
OTHER FUNDING FROM NAVAJO NATION, FEDERAL, AND STATE  
SOURCES AS NEEDED.**

**Whereas:**

1. The Navajo Utah Commission (NUC) is a governmental subdivision of the Navajo Nation and is subject to oversight of the Navajo Nation Council - Naabik'iya'ti' Committee pursuant to resolution no. NABIAP-21-15; and
2. Kayenta Judicial courts serves the following chapters: Navajo Mountain, Dennehotso, Shonto, Oljato, Mexican Water, and Chilchinbeto areas; and
3. Several of these chapters extend into the southern region of the State of Utah, on the Navajo Nation; and
4. It is in the best interest of the Navajo Utah Commission and the *Dine'* served by the Navajo Utah Commission to support the efforts of the Kayenta Judicial Courts; and
5. The Navajo Utah Commission has heard a report and recommendation of the Kayenta Court administrator and has determined that it should adopt and support efforts of the Kayenta Judicial courts to obtain funding for the construction of the Kayenta Courts, including without limitation from Navajo Nation Sihasin funds, and from other Navajo Nation, Federal, and state sources of funds as needed.

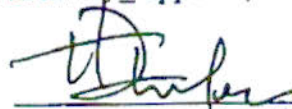
**NOW, THEREFORE BE IT RESOLVED THAT:**

1. The Navajo Utah Commission hereby supports the Kayenta Judicial Courts in obtaining funding for the construction of the Kayenta Judicial courts, which will serve chapters that extend into the southern region of the State of Utah, on the Navajo Nation, including without limitation on Navajo Nation Sihasin funds, and other Navajo Nation, federal, and state sources of fund as needed.



**CERTIFICATION**

We, hereby certify that the foregoing resolution was duly considered by Navajo Utah Commission at a duly called meeting in Dennehotso, Arizona at which a quorum was present and the same was passed by a vote of 4 in favor, 0 opposed, and 1 abstention, this 11<sup>th</sup> day of December, 2018.

  
\_\_\_\_\_  
Herman Farley, Chairperson  
NAVAJO UTAH COMMISSION

MOTION: Larry Tuni  
SECOND: Kenneth Maryboy

Chair not voting

**LAW AND ORDER COMMITTEE  
24<sup>TH</sup> NAVAJO NATION COUNCIL**

**FIRST YEAR 2019**

**COMMITTEE REPORT**

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

**Legislation No. 0308-19:** An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee and Navajo Nation Council; Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501- 2508 – Sponsors: Honorable Nathaniel Brown/Honorable Herman M. Daniels

Has had it under consideration and reports the same with the recommendation that it DO PASS with no amendment

And thereafter referred to Resources & Development Committee

Respectfully submitted,



Eugenia Charles-Newton, Chairwoman  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council

Date: December 02, 2019

Main Motion: Honorable Eugene Tso  
Second : Honorable Vince James  
Vote : 2-0-1 (Chairwoman not voting)



## **LAW AND ORDER COMMITTEE**

**Regular Meeting  
December 02, 2019**

### **VOTE TALLY SHEET:**

**Legislation No. 0308-19:** An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee and Navajo Nation Council; Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501- 2508 – Sponsors: Honorable Nathaniel Brown/Honorable Herman M. Daniels

**Main Motion:** Eugene Tso

**Second:** Vince James

**Vote:** 2-0-1

### **VOTE TALLY:**

Yea: VJames/ETso

Nay:

Not Voting: ECNewton

Excused: OTso

Absent: EYazzie

  
Eugenia Charles-Newton, Chairwoman  
Laureen Spencer, Legislative Advisor  
Law and Order Committee

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

**FIRST YEAR 2019**

**COMMITTEE REPORT**

Mr. Speaker,

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

**LEGISLATION # 0308-19:** An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'Iyati Committee and Navajo nation Council; Allocating \$12,000,000.00 From the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-25098. *Sponsor: Honorable Nathaniel Brown Co-Sponsor: Honorable Herman M. Daniels*

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

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

Respectfully submitted,



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

Date: December 4, 2019 – Regular Meeting  
Meeting Location: LeChee Chapter  
LeChee, Arizona

**MAIN MOTION:**

M: Herman M. Daniels      S: Thomas Walker, Jr.      Vote: 3-0-1(CNV)

YEAS: Mark A. Freeland, Herman M. Daniels, and Thomas Walker, Jr.

NAYS: NONE

EXCUSED: Wilson C. Stewart, Jr. and Kee Allen Begay, Jr.



**RESOURCES AND DEVELOPMENT COMMITTEE**  
**24<sup>th</sup> Navajo Nation Council**  
**FIRST YEAR**

**ROLL CALL**  
**VOTE TALLY SHEET:**

**LEGISLATION # 0308-19:** An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'Iyati Committee and Navajo Nation Council; Allocating \$12,000,000.00 From the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-25098. *Sponsor: Honorable Nathaniel Brown Co-Sponsor: Honorable Herman M. Daniels*

**December 4, 2019 – Regular Meeting**  
**Meeting Location: LeChee Chapter**  
**LeChee, Arizona**

**MAIN MOTION:**

M: Herman M. Daniels      S: Thomas Walker, Jr.      Vote: 3-0-1(CNV)

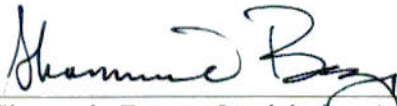
YEAS: Mark A. Freeland, Herman M. Daniels, and Thomas Walker, Jr.

NAYS: NONE

EXCUSED: Wilson C. Stewart, Jr. and Kee Allen Begay, Jr.



Honorable Rickie Nez, Presiding Chairperson  
Resources and Development Committee



Shammie Begay, Legislative Advisor  
Office of Legislative Services

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

First Year 2019

Mr. Speaker:

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

### NAVAJO LEGISLATIVE BILL # 0308-19:

An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee and Navajo Nation Council; Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Expenditure Plan Pursuant to 12 N.N.C. §§2501-2508 *Sponsored by Nathaniel Brown, and Herman M. Daniels, Council Delegates*

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

1. On page 5, line 7 insert a new clause: "M. The Controller has provided a memorandum dated December 16, 2019, which is attached as Exhibit 3, that reflects the balance in the Sihasin Fund. This memorandum also addresses the impact on interest income based on the current balance of the Sihasin Fund and with additional withdrawals."

*Motion: Amber K. Crotty; Second: Jimmy Yellowhair Vote: 5-0 Yeas: Raymond Smith, Jr., Jimmy Yellowhair, Amber K. Crotty, Nathaniel Brown, Elmer P. Begay*

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

Respectfully submitted,



Jamie Henio, Chairman

Adopted: \_\_\_\_\_

  
Legislative Advisor

Not Adopted: \_\_\_\_\_

Legislative Advisor

**17 December 2019**

The vote was **5** in favor **0** opposed yeas: *Jimmy Yellowhair, Raymond Smith, Jr., Amber K. Crotty, Nathaniel Brown, Elmer P. Begay*

Main Motion: *Elmer P. Begay*

Second: *Amber K. Crotty*



## BUDGET AND FINANCE COMMITTEE

17 December 2019

Regular Meeting

### VOTE TALLY SHEET:

#### Legislation No. 0308-19:

An Action Relating to Law and Order Committee, Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee and Navajo Nation Council; Allocating \$12,000,000.00 from the Sihasin Fund to the Kayenta Judicial Complex and Approving and Adopting the Kayenta Judicial Complex Expenditure Plan Pursuant to 12 N.N.C. §§2501-2508 *Sponsored by Nathaniel Brown, and Herman M. Daniels, Council Delegates*

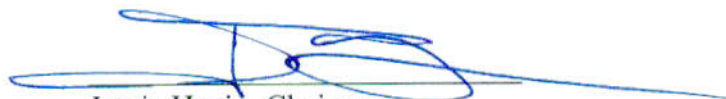
*Motion: Elmer P. Begay*

*Second: Amber K. Crotty*

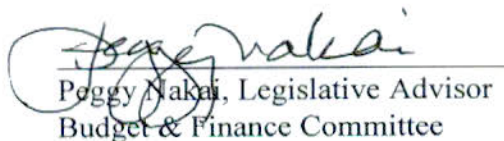
*Vote: 5-0, Chairman not voting*

#### Vote Tally:

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



Jamie Henio, Chairman  
Budget & Finance Committee



Peggy Nakai, Legislative Advisor  
Budget & Finance Committee