LEGISLATIVE SUMMARY SHEET
Tracking No. 0267-20

DATE: October 19, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT FUNDING YEAR AND PROJECT SCOPE FOR CHILCHINBETO CHAPTER

PURPOSE: The purpose of this resolution is to approve a project change within Council Resolution CAP-35-18 for Chilchinbeto Chapter.

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: J. Johnson
Website Posting Time/Date: 7:28pm 10-23-20
Posting End Date: 10-28-20
Eligible for Action: 10-29-20

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24TH NAVAJO NATION COUNCIL—Second Year, 2020

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0267-20

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT FUNDING YEAR AND PROJECT SCOPE FOR CHILCHINBETO CHAPTER

BE IT ENACTED:

Section One. Authority

A. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).

B. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301 (B)(2).

C. Council Resolution CAP-35-18 provides, "[a] chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed $4,166,666.67." CAP-35-18, Section Four, Paragraph

OLC No. 20-048-1

Section Two. Findings

A. The Navajo Nation Council adopted Council Resolution CAP-35-18, "Adopting the Síhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. §§ 810 (F), 820 (I) and (M) and 860 (C) Relating to the Capital Budget and Capital Improvement Process" on April 17, 2018.

B. Chilchinbeto Chapter requests to change the approved funding year in CAP-35-18 to delete $300,000 from year one funding in project D-65 and to add $300,000 to year three funding. Chilchinbeto further requests the project scope be changed from multi-purpose building to include plan, design, and construct Chilchinbeto multi-purpose building.

C. The Síhasin Project Amendment Certification, attached as **Exhibit A**, has been signed by the Delegate representing the chapter's council district as required by CAP-35-18, section 4, paragraph C. 2. No chapter resolution is required pursuant to CAP-35-18.

Section Three. Approval

The Navajo Nation hereby approves the project change requested by Chilchinbeto Chapter in accordance with **Exhibit A.**

EXHIBIT A

CAPITAL PROJECTS MA... EMENT DEPARTMENT

SIHASIN PROJECT AMENDMENT CERTIFICATION

CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED: AUGUST 9, 2019

PROJECT NAME: CHILCHINBETO MULTI-PURPOSE BUILDING

REFERENCE NUMBER: CPMD # 11

PROJECT TYPE: MULTI-PURPOSE BUILDING

ORIGINAL DATE APPROVED: NOVEMBER 30, 2019

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDI				FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	TOTAL	
D-65	Chilchinbeto Multi-purpose Building	300,000			300,000	DELETE
D-65	Chilchinbeto Multi-purpose building to plan, design & construct			300,000	300,000	ADDED
				TOTAL ( ) INCREASED / ( ) DECREASED FUNDING:	300,000	

Acknowledgement of Project Amendment:	PRINTED NAME	SIGNATURE	DATE
Navajo Nation Council Delegate	NATHANIEL BROWN		

III. REASON FOR AMENDMENT

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed $4,166,666.67.
4. Add language to legislation ***"EXHIBIT D" Funding Use/Year. CHANGE TO THIRD YEAR FUNDING-CHILCHINBETO M/P TO PLAN, DESIGN & CONSTRUCT.***

IV. CERTIFICATION FOR PROJECT AMENDMENT

[ ] INCOMPLETE [ ] PROJECT READY [X] CONSTRUCTION READY

	PRINTED NAME	SIGNATURE	DATE
CMPD Project Manager	LEONARD HARDY		8-9-2019
CPMD Department Manager	JAMES ADAKAI		8/9/19

Rev: CPMD061219

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Nathaniel Brown
24th Navajo Nation Council

FROM: Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: October 19, 2020

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT FUNDING YEAR AND PROJECT SCOPE FOR CHILCHINBETO CHAPTER

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: _0267-20__ **SPONSOR: Nathaniel Brown**

TITLE: An Action Relating To Resources And Development And Budget And Finance Committee; Approving A Project Change In Resolution CAP-35-18; Approving A Change In Project Funding Year And Project Scope For Chilchinbeto Chapter

***Date posted*: October 23, 2020 at 7:28 PM**

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) 871-7586

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

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

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0267-20

SPONSOR: Honorable Nathaniel Brown

TITLE: An Action Relating To Resources And Development And Budget And Finance Committee; Approving A Project Change In Resolution CAP-35-18; Approving A Change In Project Funding Year And Project Scope For Chilchinbeto Chapter

Posted: October 23, 2020 at 7:28 PM

5 DAY Comment Period Ended: October 28, 2020

Digital Comments received:

Comments Supporting	***None***
Comments Opposing	***None***
Inconclusive Comments	***None***

J Johnson

Legislative Tracking Secretary
Office of Legislative Services

10/29/20 9:30AM

Date/Time