

**RESOLUTION OF THE  
BUDGET AND FINANCE COMMITTEE  
OF THE NAVAJO NATION COUNCIL**

**24<sup>TH</sup> NAVAJO NATION COUNCIL - Second Year, 2020**

**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 DESCRIPTION FOR INDIAN WELLS  
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 projects, 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."

**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. Indian Wells Chapter requests to change the approved funding year in CAP-35-18 to delete Indian Well 10 Commercial Site Development - Planning from year one funding in project D-107 and to replace it with Indian Well 10 Commercial Site Development - Planning (plan, design, and construction). The project funding of \$200,000 will remain in year one.
- 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.
- D. The Capital Projects Management Department, through its signature in section IV of **Exhibit A**, has indicated the project is construction ready. Also, while not a requirement pursuant to CAP-35-18, Indian Wells Chapter has indicated its support of this request in Indian Wells Chapter Resolution, IWC-20-135, attached as **Exhibit B**.

### SECTION THREE. APPROVAL

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

### CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held by teleconference at which a quorum was present and that the same was passed by a vote of 5 in favor and 0 opposed, this 24<sup>th</sup> day of November 2020.

  
 Jamie Henio, Chairperson  
 Budget and Finance Committee

Motion: Honorable Nathaniel Brown  
 Second: Honorable Jimmy Yellowhair

CAPITAL PROJECTS MANAGEMENT DEPARTMENT  
**SIHASIN PROJECT AMENDMENT CERTIFICATION**  
CAP-35-18

EXHIBIT

A

**I. PROJECT DETAILS**

DATE SUBMITTED: 08/21/20

PROJECT NAME: Indian Wells Chapter 10 Commercial Site Development

REFERENCE NUMBER: CPMD #40

PROJECT TYPE: Planning Project

ORIGINAL DATE APPROVED: November 28, 2019

**II. NATURE OF CHANGE AND COST DETAILS**

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			TOTAL FUNDING	FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3		
D-107	Indian Wells 10 Commercial Site Development - Planning	200,000.00				Deleted
D-107	Change Project Type to: Plan/Design and Construction	200,000.00			200,000.00	Added
	Indian Wells Chapter 10 Commercial Site Development				200,000.00	
TOTAL: [ ] INCREASED / [ ] DECREASED FUNDING:					200,000.00	

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Elmer P. Begay

*Elmer P. Begay*

10/14/2020

**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.

**IV. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.**

PRINTED NAME

SIGNATURE

DATE

CPMD Project Manager

Marlene Hoskie

*Marlene Hoskie*

8/21/2020

CPMA Department Manager

James Adakai

*James Adakai*

8-21-20

JONATHAN NEZ  
NAVAJO NATION PRESIDENT

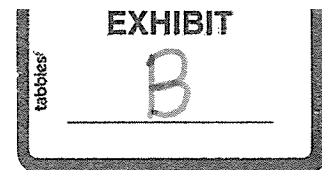
MYRON LIZER  
NAVAJO NATION VICE-PRESIDENT

SETH DAMON  
NAVAJO NATION COUNCIL SPEAKER

ELMER P. BEGAY  
CHAPTER COUNCIL DELEGATE

# THE INDIAN WELLS CHAPTER OF THE NAVAJO NATION

## RESOLUTION OF THE INDIAN WELLS CHAPTER



PRESIDENT

GEORGE JOHN  
VICE-PRESIDENT

NORA A. JOHN  
CHAPTER SECRETARY/TREASURER

JENNIFER RUSKIN  
CHAPTER GRAZING OFFICIAL

Supporting and Approving the Granting of Utility Easement within the Indian Wells Chapter  
Withdrawn 25.07± Acres Business/Commercial Development Site and Requesting the Division  
of Community Development, Capital Projects Management Department, to Begin the Process for  
Encumbering Sihasin Funds, Business Unit C01695, for Electric Power Line Extension and  
Waterline Extension Construction

Resolution #IWC-20-135

### WHEREAS:

1. The Indian Wells Chapter is a recognized Chapter of the Navajo Nation government, vested with certain authority and responsibilities to consider and act on matters of local concern that are in the best interest of the health, safety and welfare of the Chapter members and residents; and
2. Pursuant to Title 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 Nation laws, including custom and traditions; to make decisions over local matters; and to govern with responsibility and accountability to the local citizens; and
3. In order to continue the site development of the Chapter's withdrawn twenty-five (25±) acres business/commercial development zone along Navajo Route 6, the Indian Wells Chapter has engaged and is collaborating with Navajo Tribal Utility Authority (NTUA) to plan out and design the electric and water infrastructure for the economic development zone; and
4. A preliminary assessment of the proposed utility infrastructure development determined that a utility easement needs to be granted by the Indian Wells Chapter in order for NTUA to construct the electric and water line extensions from the existing electric power line and water line, attached hereto as Exhibit A; and
5. A preliminary construction cost estimate was provided by NTUA for the electric line extension \$128,597.18, which is contingent upon further discussion with the proposed tenant, Red Mesa Trading, attached hereto as Exhibit B; and
6. It is planned that the Sihasin funds allocated and established as Business Unit #C01695 for the 10 Acre Commercial Site Development be programmed to construct as Phase I the electric powerline extension; and

7. Pursuant to Indian Wells Chapter Resolution #IW-19-147, the Indian Wells Chapter approved changes to the Sihasin Expenditure Plan for the Indian Wells 10 Acre Commercial Site Development project by inserting language in the Project Type by including "Pre-Design, Design/Construction, and Equipment," in addition to Planning as well as extending the Project Duration to complete the project; and
8. To effect the necessary changes to the Sihasin Expenditure Plan, the assigned project staff with Capital Projects Management Department within the Navajo Division of Community Development, is to prepare and initiate the process for changes and forward the necessary documents to the respective Navajo Nation Council delegate to necessary and required action.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Indian Wells Chapter hereby supports, approves, and grants to Navajo Tribal Utility Authority (NTUA) the required and necessary utility easement for the construction of the electric powerline and waterline extensions within the previously approved and withdrawn 25.07± acres designated for business and commercial development, as shown in Exhibit A.
2. The Indian Wells Chapter hereby supports and approves the encumbrance and expenditure of Sihasin funds, under Business Unit #C01695, necessary to complete the construction, as Utility Development Phase I, of an electric powerline extension within the designated 25.07± business and commercial site, as outlined in the project scope of work in Exhibit B.
3. The Indian Wells Chapter further request the Navajo Division of Community Development, Capital Projects Management Department, to carry out the intent of Indian Wells Chapter Resolution #IW-19-147 by changing the Project Type and Project Duration within the Sihasin Expenditure Plan.

CERTIFICATION

I 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 15 in favor, 0 opposed and 1 abstained on this 8th day of March, 2020.

Motion: Alberto Peshlakai

Second: Jennifer Ruskin

Presiding Chairperson:

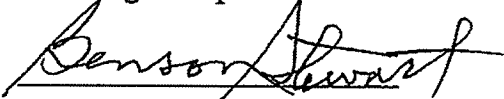
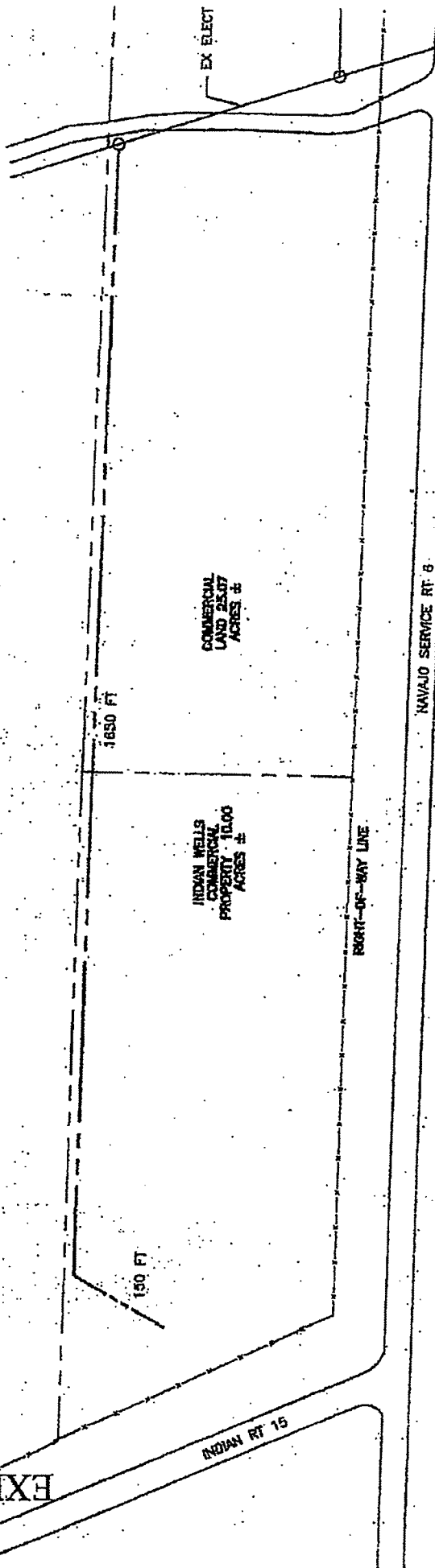
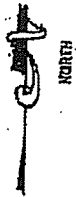
  
Benson Stewart, President



EXHIBIT A

Latitude: 35.400842° Longitude: -111.511111°



1" RELIMINARY  
VIEWER: [Signature]  
DATE: 2/14/20

LEGEND/SYMBOLS

- EX POWER POLE
- FENCE LINE
- PROPERTY LINE
- EX ELECTRIC DIST LINE
- PROPOSED ELECTRIC DIST LINE

INDIAN WELLS, AZ

Title No.	Grid No.	Page No.
NAVAJO TRIBAL UTILITY AUTHO.		
HQ ENGINEERING		
Scale 1" = 150'	WBS #:	
Date: 1/13/2020	REVISION:	
Drawn: HG	Check: DS	PROJECT CONSTRUCTION
Project:		PROJECT REMOVAL
INDIAN WELLS - RED MESA 1		

## BUDGET AND FINANCE COMMITTEE

24 November 2020

Special Meeting

### VOTE TALLY SHEET:

**Legislation No. 0258-20:** 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 Description for Indian Wells Chapter *Sponsored by Elmer P Begay, Council Delegate*

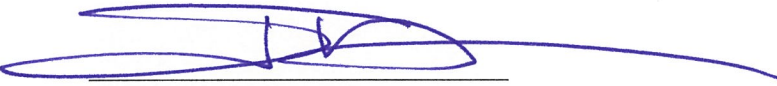
*Motion: Nathaniel Brown*

*Second: Jimmy Yellowhair*

*Vote: 5-0, Chairman not voting*

### Final Vote Tally:

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

  
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Jamie Henio, Chairman  
Budget & Finance Committee  
\_\_\_\_\_  
Peggy Makai, Legislative Advisor  
Budget & Finance Committee