

LEGISLATIVE SUMMARY SHEET

Tracking No. 0096-23

DATE: May 3, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL; APPROVING \$1,000,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR EMERGENCY RESPONSE OPERATIONS AND EQUIPMENT TO SUPPORT THE CURRENT STATE OF EMERGENCY, DECLARED IN RESOLUTION CEM 23-01-19

PURPOSE: This resolution, if approved, provides \$1,000,000 from the UUFB for emergency response operations and equipment in support of the current state of emergency declared in resolution CEM 23-01-19.

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL - First Year, 2023

Introduced by:

(Prime Sponsor)



Tracking No. 0096-23

AN ACTION

**RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL;
APPROVING \$1,000,000 FROM THE UNRESERVED, UNDESIGNATED FUND
BALANCE FOR EMERGENCY RESPONSE OPERATIONS AND EQUIPMENT TO
SUPPORT THE CURRENT STATE OF EMERGENCY, DECLARED IN
RESOLUTION CEM 23-01-19**

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
As such, the Council may approve supplemental appropriations whenever additional sources of revenues above current revenue projections are anticipated and such revenues exceed the required reserve amount. 12 N.N.C. §820(L).
- B. The Navajo Nation Council may approve emergency legislation to address any matter “constituting an emergency [that] shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.” 2 N.N.C. §164 (A)(16).

1 C. This resolution is being offered as an emergency due to the current and immediate need to
2 provide disaster relief services, including search and rescue operations, to Navajo Nation
3 communities impacted by the severe winter weather conditions.

4 D. The restrictions on supplemental appropriations, including all monies from the Navajo
5 Nation's Unreserved, Undesignated Fund Balance ("UUFB"), include:

6 1. Payment of recurring government operating expenses shall be from recurring revenues,
7 and payment of nonrecurring expenses shall be from nonrecurring revenues such as UUFB
8 funds. 12 N.N.C. §820(E), §820(F).

9 2. Specifically, the UUFB shall not be used for recurring government expenditures or
10 operations. 12 N.N.C. §820(J), §820(L).

11 3. Nonrecurring revenues such as UUFB funds may be used only after the Controller
12 determines whether or not such revenues are subsidizing an imbalance between the
13 Navajo Nation's recurring revenues and expenditures, and government expenditures shall
14 only be authorized if a long-term (3-year to 5-year year) forecast shows that the operating
15 deficit will not continue; otherwise, nonrecurring revenues will be added to the
16 Unreserved, Undesignated Fund Balance. 12 N.N.C. §820(F).

17 4. The above provisions in Title 12 may be amended or waived by a two-thirds vote of the
18 full Navajo Nation Council. 12 N.N.C. §820(F), 12 N.N.C. §880.

19 5. In compliance with 12 N.N.C. §820(F) all UUFB funding requests must be reviewed by
20 the Controller. Such review is also required because the Controller determines which
21 revenues and expenses are recurring and which are non-recurring. 12 N.N.C. §820(L).

22 6. In compliance with 12 N.N.C. §820(M) all UUFB funding requests must be submitted to
23 the Office of Management and Budget ("OMB") for a budget impact analysis.

24 7. Supplemental funding such as UUFB appropriations shall lapse at the end of the current
25 fiscal year unless the Navajo Nation Council decides otherwise. 12 N.N.C. §820(N).

26 27 **SECTION TWO. FINDINGS**

28 A. On January 19, 2023, the Navajo Nation Commission on Emergency Management
29 ("NNCEM") issued a declaration of a state of emergency in Resolution CEM 23-01-19,
30 attached as **Exhibit A**.

1 B. A state of emergency was declared and the NNCER Resolution was issued because
2 "communities within the Navajo Nation are experiencing impacts from the severe inclement
3 winter weather conditions, including, but not limited to, heavy snow, high winds, significant
4 mud conditions and flooding, particularly impacting residents living in isolated and remote
5 locations of the Navajo Nation."

6 C. This state of emergency is ongoing and continues to impact the Navajo Nation, creating
7 severe conditions requiring the Navajo Nation to provide the needed resources to address the
8 needs of the impacted communities.

9 D. The Navajo Nation Division of Public Safety ("NNDPS") is requesting \$1,000,000 in UUF
10 funds to pay for search and rescue operations, including emergency response equipment, as
11 requested in the memoranda attached as **Exhibit B**.

12 E. The NNDPS has submitted completed Budget Forms for its proposed expenditures, attached
13 as **Exhibit C**, as well as the required Appendix K "Supplemental Funding Proposal
14 Summary," attached as **Exhibit D**.

15 F. The Controller has provided a memorandum, dated February 24, 2023, attached as **Exhibit**
16 **E**, indicating this proposed funding request is non-recurring and in compliance with 12
17 N.N.C. §820(F) and §820(L).

18 G. The Office of Management and Budget has provided a memorandum, dated May 3, 2023,
19 attached as **Exhibit F**, regarding this funding request to satisfy the budget impact analysis
20 requirement 12 N.N.C. §820(M).

21 H. The Navajo Nation Council has determined that approving the requested UUF funds for
22 the NNDPS is an urgent and critical priority for the Navajo Nation.

23
24 **SECTION THREE. APPROVAL OF \$1,000,000 FROM THE UUF FOR**
25 **EMERGENCY SEARCH AND RESCUE OPERATIONS,**
26 **INCLUDING EMERGENCY RESPONSE EQUIPMENT**

27 A. The Navajo Nation hereby approves \$1,000,000 from the UUF to assist in emergency
28 search and rescue operations and acquire emergency response equipment as a response to the
29 current state of emergency.

30 B. The approved UUF funds shall be from those revenues that exceed the 10% minimum

1 balance of the UUFB which must be maintained according to 12 N.N.C. §820(J).

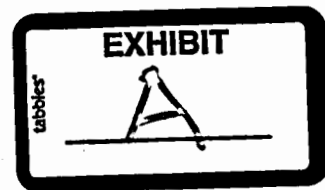
2 C. The approved UUFB funds shall not lapse at the end of Fiscal Year 2022, as would otherwise
3 occur pursuant to 2 N.N.C. §820(N), so long as such funds are used for the emergency
4 operations and equipment, as provided for herein.

5
6 **SECTION FOUR. EFFECTIVE DATE**

7 This Act shall become effective pursuant to 2 N.N.C. §221(B) and 2 N.N.C. §164(A)(17).
8

9 **SECTION FIVE. SAVING CLAUSE**

10 If any portion of this Act is determined invalid by the Navajo Nation Supreme Court, or by a
11 District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the
12 remainder of this Act shall be the law of the Navajo Nation.
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DR. BUU NYGREN PRESIDENT

RICHELLE MONTOYA VICE PRESIDENT

The Navajo Nation | Yideeskáądi Nitsáhákees

CEM 23-01-19

**RESOLUTION OF THE NAVAJO NATION
COMMISSION ON EMERGENCY MANAGEMENT**

**DECLARING A STATE OF EMERGENCY FOR THE NAVAJO NATION DUE TO SEVERE WINTER SNOW STORMS AND
SUBSEQUENT MUD FROM SNOW MELT CREATING POTENTIAL PUBLIC HEALTH AND SAFETY RISKS ACROSS THE
NAVAJO NATION**

WHEREAS:

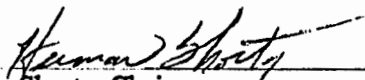
1. Pursuant to 2 N.N.C. § 881, the Navajo Nation Council established the Commission on Emergency Management. The Commission is authorized to assess, verify, recommend and declare states of emergency with the concurrence of the President of the Navajo Nation; and
2. Pursuant to 2 N.N.C. § 883, (A) and (C) the Commission in conjunction with the Department of Emergency Management is empowered to coordinate emergency and disaster relief services by Navajo Nation and non-tribal entities and to recommend and deploy appropriate resources regarding natural and man-made emergencies; and
3. Pursuant to 2 N.N.C. § 884 (B) (2), the Commission on Emergency Management may seek assistance from federal, state, other tribal governments, and local and private agencies to address emergency and disaster related situations; and
4. Communities within the Navajo Nation are experiencing impacts from the severe inclement winter weather conditions, including, but not limited to, heavy snow, high winds, significant mud conditions and flooding, particularly impacting residents living in isolated and remote locations of the Navajo Nation; and
5. Due to potential impacts and substantial public health and safety from severe winter snow storms and subsequent mud conditions resulting from snow melt that creates potential public safety risks across the Navajo Nation; and
6. Any or all initial response(s) are first at the local level. However, communication and coordination are to be established for effective response(s); and
7. It is necessary and crucial to ensure public health and safety issues are addressed through adequate assessments, establishment of priorities, communication, safety measures, coordination, and use of appropriate resources to mobilize relief efforts.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Navajo Nation Commission on Emergency Management hereby declares a State of Emergency for the Navajo Nation due to severe inclement winter weather conditions, including, but not limited to, heavy snow, high winds, significant mud conditions and flooding, particularly impacting residents living in isolated and remote locations of the Navajo Nation; and
2. The needs of the Navajo Nation are to be addressed in a manner so as to provide the necessary resources required to address said declared State of Emergency. This includes, but not limited to, resources of personnel, equipment, monetary funding, and other resources as may be required to protect the health, safety and welfare of the citizens of the Navajo Nation; and
3. Navajo Nation Commission on Emergency Management hereby finds it necessary and crucial to address the needs of the Navajo Nation through adequate assessments, establishment of priorities, communications, safety measures, coordination, and use of appropriate resources to mobilize relief and mitigate further threats to human lives and safety; and
4. The Navajo Nation Commission on Emergency Management finds it necessary for responsible Navajo Nation entities to immediately begin and maintain coordination for use of resources to meet the needs of all communities; and
5. The Navajo Nation activate available emergency resources such as funding to cover personnel, equipment, and other means as determined fit and feasible to restore and sustain vital community infrastructure.

CERTIFICATION

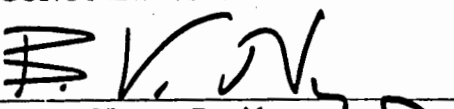
We hereby certify that the foregoing declaration was duly considered by the Navajo Nation Commission on Emergency Management in a duly called meeting at Window Rock, Navajo Nation, (Arizona), at which a quorum was present and that same passed by a vote of 4 in favor, 0 opposed, and 0 abstained, this 19th day of January 2023.


Herman Shorty, Chairperson
Commission on Emergency Management

Motion: Ben Bennett

Second: Dicky Bain

CONCURRENCE:


Dr. Buu Nygren, President
The Navajo Nation


Richelle Montoya, Vice President
The Navajo Nation

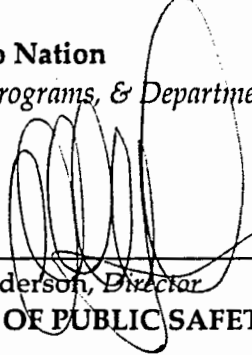


DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáadi Nitsáhákees

MEMORANDUM

TO: The Navajo Nation
Divisions, Programs, & Departments

FROM: 
Michael Anderson, *Director*
DIVISION OF PUBLIC SAFETY

DATE: January 19, 2023

SUBJECT: Emergency Snow Operational Leadership

FILE COPY

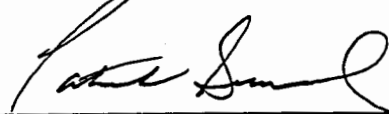
This memorandum serves as an official notification that effective immediately, the following individuals are hereby appointed to lead the emergency response efforts on the Navajo Nation for current severe winter weather conditions.

- **Harland Cleveland**, *Acting Emergency Management Director*
- **Lavina Willie-Nez**, *Acting Emergency Management Deputy Director*

Today, the Navajo Nation Commission on Emergency Management have officially declared a state of emergency due to winter snow storms and subsequent mud from snow melt. These conditions are a public health and safety risk adversely affecting the Navajo people.

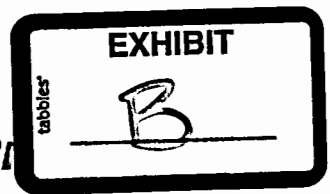
Should you have immediate questions, please contact Chief of Staff Patrick Sandoval at (928) 871-7000. Thank you.

ACKNOWLEDGEMENT:


Patrick Sandoval, *Chief of Staff*
Office of the President & Vice President



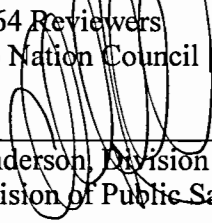
DR. BUU NYGREN PR RICHELLE MONTOYA VICE PRESIDENT



The Navajo Nation | Yideeskáadi Nitsáhákees

February 5, 2023

TO: 2 NNC § 164 Reviewers
25th Navajo Nation Council | Legislative Branch

FROM: 
Michael Anderson, Division Director
Navajo Division of Public Safety | Office of the Division Director

SUBJECT: **JUSTIFICATION REQUEST FOR EMERGENCY FUNDING**
RE: CEM 21-023-19 State of Emergency Declaration

This memorandum justifies the request for emergency funding from the Unreserved, Undesignated Fund Balance (UUFB) in the amount of \$1,000,000 from the 25th Navajo Nation Council as a result of the Emergency Declaration that was issued by the Commission on Emergency Management (CEM 21-023-19) due to the recent extreme Winter Snowstorms that affected many Navajo residents throughout the Navajo Nation.

As such, The Navajo Police Department (Department) has been tasked to assist the Navajo Nation Emergency Operations Center (EOC) in response to the Emergency Declaration issued by the Commission on Emergency Management (CEM) as a result of the severe winter snowstorms that have roadways to be impassable throughout the Nation, which has also created a concern for the public health and safety of those Navajo residents affected by high levels of snow accumulations.

With this, the Department is in dire need of acquiring emergency response equipment so as to adequately respond to any/all requests for emergency search and rescue operations for those Navajo residents stranded in the severe winter snowstorms, and with the expected post-snow smelts resulting in impassable muddy road conditions. For this, the Division continues to place all of its public safety personnel on stand-by or call out status for their immediate response to assist stranded motorists, conduct search and rescue operations for stranded motorists and residents stranded in their homes due to extreme snow accumulations.

In closing, in order for the Navajo Division of Public Safety to maintain a continuity of public safety services and to meet the needs of the Navajo Nation, as well as to better assist with search and rescue efforts, the Department will need to acquire specialty vehicles and equipment, such as ATV/UTVs, Snow Cats, Snow Mobiles and Snow Trac Systems for all ATV/UTVs and SUVs, as well as providing overtime compensation, meals and lodging for all specially assigned public safety personnel under the Navajo Division of Public Safety.



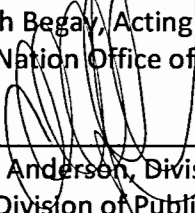
DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáadi Nitsáhákees

February 3, 2023

MEMORANDUM

TO: Elizabeth Begay, Acting Controller
Navajo Nation Office of the Controller

FROM:  16 Feb 2023
Michael Anderson, Division Director
Navajo Division of Public Safety

SUBJECT: REQUEST FOR EMERGENCY FUNDING
Re: CEM 23-01-19 State of Emergency Declaration

The Navajo Police Department (Department) has been tasked to assist the Navajo Nation Emergency Operations Center (EOC) in response to the Emergency Declaration as issued by the Commission on Emergency Management (CEM) due to the recent severe winter storms that have hindered roadways throughout the Nation that creates concerns for public health and safety of Navajo citizens affected by the extreme snow accumulations.

With this, the Department is in dire need of acquiring emergency response equipment so as to adequately respond to the Nation's need for public safety's response to emergency search and rescue operations for those Navajo citizens affected by the severe snow storms, including post muddy road conditions resulting from snow melts. The Department has placed all commissioned personnel on stand-by or call out status for their immediate response to assist stranded motorist, search and rescue operations for Navajo citizens stranded in their homes due to high snow accumulations. The Department is also assisting the Navajo Nation Emergency Operations Command in conducting road checks of all major and secondary roadway through the Navajo Nation and has struggle with calls for police services due to high snow accumulations to various residents.

Thus, in order to maintain continuity of police services and to better assist with search and rescue efforts, the Department will need emergency funding of \$1,000,000 to acquire specialty vehicles and equipment, such as ATV/UTVs, Snow Cat, Snow Mobiles and Snow Tracs for ATV/UTVs and SUVs, as well as providing overtime, meals and lodging for all specially assigned personnel under the Division of Public Safety.



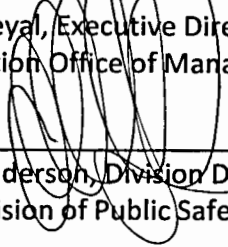
DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

February 3, 2023

MEMORANDUM

TO: Dominic Beyer, Executive Director
Navajo Nation Office of Management & Budget

FROM:  *Feb. 2023*
Michael Anderson, Division Director
Navajo Division of Public Safety

SUBJECT: REQUEST FOR EMERGENCY FUNDING
Re: CEM 23-01-19 State of Emergency Declaration

The Navajo Police Department (Department) has been tasked to assist the Navajo Nation Emergency Operations Center (EOC) in response to the Emergency Declaration as issued by the Commission on Emergency Management (CEM) due to the recent severe winter storms that have hindered roadways throughout the Nation that creates concerns for public health and safety of Navajo citizens affected by the extreme snow accumulations.

With this, the Department is in dire need of acquiring emergency response equipment so as to adequately respond to the Nation's need for public safety's response to emergency search and rescue operations for those Navajo citizens affected by the severe snow storms, including post muddy road conditions resulting from snow melts. The Department has placed all commissioned personnel on stand-by or call out status for their immediate response to assist stranded motorist, search and rescue operations for Navajo citizens stranded in their homes due to high snow accumulations. The Department is also assisting the Navajo Nation Emergency Operations Command in conducting road checks of all major and secondary roadway through the Navajo Nation and has struggle with calls for police services due to high snow accumulations to various residents.

Thus, in order to maintain continuity of police services and to better assist with search and rescue efforts, the Department will need emergency funding of \$1,000,000 to acquire specialty vehicles and equipment, such as ATV/UTVs, Snow Cat, Snow Mobiles and Snow Tracs for ATV/UTVs and SUVs, as well as providing overtime, meals and lodging for all specially assigned personnel under the Division of Public Safety.

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

BUDGET FORM 1



PART I. Business Unit No.: 116001		Navajo Police Department-Administration		Division/Branch: Public Safety	
Prepared By: Ronald Silversmith		Phone No.: 928-871-6363		Email Address: rsilversmith@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
UUFB Fund		10/01/22-9/30/23	1,000,000	100%	2001	Personnel Expenses	1	341,439	187,272	528,711	
					3000	Travel Expenses	1	412,898	118,440	531,338	
					3500	Meeting Expenses					
					4000	Supplies	1	449,047		449,047	
					5000	Lease and Rental	1	9,433		9,433	
					5500	Communications and Utilities	1	46,900		46,900	
					6000	Repairs and Maintenance	1	86,590		86,590	
					6500	Contractual Services	1	9,700		9,700	
					7000	Special Transactions	1	50,569	59,288	109,857	
					8000	Public Assistance	1	500		500	
					9000	Capital Outlay	1	117,839	635,000	752,839	
					9500	Matching Funds					
					9500	Indirect Cost					
					TOTAL			1,524,915	1,000,000	2,524,915	

PART IV. POSITIONS AND VEHICLES		(p)	(e)
Total # of Positions Budgeted:		4	
Total # of Vehicles Budgeted:		31	

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY:	Daryl Noon, Chief of Police	APPROVED BY:	Michael Anderson, Division Director
	Program Manager's Printed Name		Division Director / Branch Chief's Printed Name
	5/2/23		5/2/23
	Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:

Business Unit No.:

116001

Program Name/Title:

Navajo Police Department-Administration

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

(LOCAP-08-18) The purpose of the Navajo Police Department is to enforce all Navajo Nation laws within the territorial jurisdiction of the Navajo Nation, as defined by Title N.N.C. § 254 & 18 U.S.C. §1151, to provide effective and efficient law enforcement services on a twenty-four (24) hour basis to protect life and property and to screen all police personnel to determine their level of enforcement skills and knowledge and provide them, with the necessary law enforcement education to achieve full potential as Navajo Nation law enforcement officers. The application of these objective are subject to availability to the terms of the Department's

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:								
To provide law enforcement response for citizen welfare checks; 7 Police districts.								
Program Performance Measure/Objective:								
To conduct welfare checks of stranded Navajo citizens living in remote areas.					7			7
2. Goal Statement:								
To assist with rescue efforts of Navajo citizens to high levels of snow; 7 Police districts.								
Program Performance Measure/Objective:								
To conduct daily rescue operations as requested by Emergency Operations Center.					7			7
3. Goal Statement:								
To assist with the transport of food, water, wood and livestock feed supplies; 7 Police districts.								
Program Performance Measure/Objective:								
To conduct daily assessments of Navajo citizens in need of non-perishable items.					7			7
4. Goal Statement:								
Program Performance Measure/Objective:								
5. Goal Statement:								
Program Performance Measure/Objective:								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Daryl Noon, Chief of Police

Program Manager's Printed Name

5/3/23

Program Manager's Signature and Date

Michael Anderson, Division Director

Division Director/Branch Chief's Printed Name

5/3/23

Division Director/Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Navajo Police Department-Administration	Business Unit No.: 116001
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(U)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
2510	2001 PERSONNEL EXPENSE Overtime, fringe benefits payment for eligible personnel.		187,272
2520	Overtime		120,000
2900	Commission Officers:	120,000.00	
	Fringe Benefits		67,272
	Commission Officers:	67,272.00	
3000	TRAVEL EXPENSE		118,440
	Meals, lodging for snow operations.		
3230	Personal Travel		
3240	Meals \$69 /Daily Per Diem x 7 days/week x 8 weeks x 15 Officers.	57,960.00	
3250	Lodging \$96 /Night Per Diem x 7 days/week x 6 weeks x 15 Officers.	60,480.00	
		118,440.00	
7000	SPECIAL TRANSACTIONS		59,288
	Catering and refreshment for department assign to snow operations. Required insurance premiums.		
7110	Programs		
7180	Catering	48,000	58,130
7190	Refreshments	10,130	
7710	Insurance Premiums		1,158
7765	Policy Payment (General Liability) 187,272.00/100 X 17c =	318.36	
7767	Workers' Compensation (Less Fringe) 120,000 /100 X 70c =	840.00	
		1,158.36	
9000	CAPITAL OUTLAY		635,000
	Purchase equipment for Law Enforcement assigned to remote area, responding to Snow Operation special assignment on the Navajo Nation. (One-Snow Cat, two UTV and Trac System for the ATV/UTV).		
9140	Equipment		
	Trac System for ATV/UTV	35,000	35,000
9160	Vehicles		
	9164 Specialized Vehicle (2) SNOW CAT EQUIPMENT	500,000	600,000
	(4) UTV	100,000	
		600,000	
TOTAL		1,000,000	1,000,000

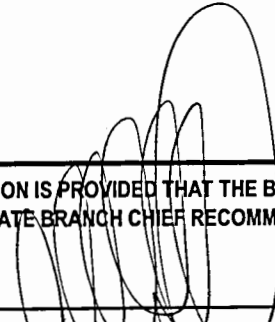
**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.: <u>116001</u>		Program Title: <u>Navajo Police Department/NDPS</u>	
Division/Branch: <u>PUBLIC SAFETY</u>	Amount Requested: <u>\$1,000,000</u>	Prepared By: <u>Ronald Silversmith</u>	
Phone No.: <u>(928) 871-6363</u>	Email Address: <u>rsilversmith@navajo-nsn.gov</u>		

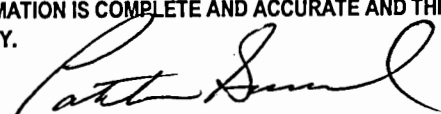
PART II. REASON FOR REQUEST AND STATEMENT OF NEED: The Navajo Police Department is in dire need of emergency response equipment to adequately respond to the Nation's need for public safety's response to emergency declarations or disaster relief efforts, specifically, during search and rescue operations when severe inclement weather conditions threaten the health and safety of Navajo citizens affected by severe rain and snow storms, including muddy conditions resulting in snow melt or heavy rain storms. The Department has placed all commissioned law enforcement personnel on stand-by or call out status for immediate responses to assist stranded motorists, search and rescue operations for Navajo citizens stranded in their homes due to extreme weather conditions. The Navajo Police Department assists the Navajo Nation Emergency Operations Command by conducting road assessments of all major/secondary roadways throughout the Navajo Nation, at times, struggles with responding to calls for police services due to high snow accumulations along roadways leading to various homes affected by the storm. Thus, in order to maintain continuity of police services and to better assist with search and rescue efforts, the Department will need to acquire specialized vehicles and equipment, such as ATV/UTVs, Snow Cats, Snow Mobiles and Snow Tracs for ATV/UTVs and SUVs to reach the homes of stranded Navajo citizens. The Department will also need to provide overtime, meals and lodging for all public safety personnel assigned to these operations under the Navajo Division of Public Safety. This request for emergency funding in the amount of (1) one million dollars from the Nation is consistent with the Emergency Declaration issued by the Commission on Emergency Management (CEM 23-01-19).

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

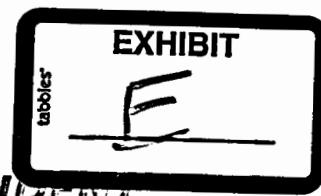
PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.



REVIEWED BY: Division Director's Signature / Date




RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date



DR. BUU NYGREN PRESIDENT
RICHELLE MONTOYA VICE PRESIDENT

The Navajo Nation | Yideeskáądi Nitsáhákees

Memorandum:

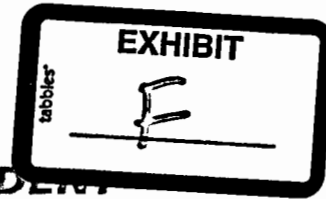
To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government

From: Robert Willie, Accounting Manager
Office of the Controller
Date: February 24, 2023
Subject: UUFB- Emergency Response -Public Safety requests \$1,000,000

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

1. The unaudited balance of the UUFB as of February 24, 2023 is \$18,809,586.
2. Division of Public Safety is seeking \$1,000,000 from the UUFB for Emergency funding for seasonal emergencies allowing Public Safety to perform wellness checks of any/all stranded Navajo citizens, assist in rescue efforts of Navajo citizens stranded in their homes due to high levels of snow, assist with the transportation of food, water, wood and livestock feed. To acquire specialized emergency response equipment to adequately respond to the Nations need for public safety response during emergency.
3. This request would be considered **NON-RECURRING** for emergency unmet needs for the Division of Public Safety to respond to the emergency declaration.

If you should have any questions, please contact me at tribal extension X6496.





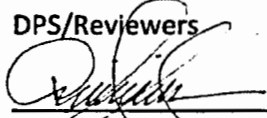
DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

MEMORANDUM

TO: DPS/Reviewers

FROM:


Dominic Beyer, Executive Director
Office of Management and Budget

DATE: May 03, 2023

SUBJECT: Supplemental Funding Budget Proposal for Emergencies in the amount of \$1,000,000 from UUFB for Division of Public Safety

1. OMB has reviewed the Budget Forms 1-4 as revised and dated May 3 and finds them to be in good order.
2. The budget forms speak primarily to "winter time" emergencies but winter is now over. Consideration could be given to other emergency operational needs throughout the remainder of this fiscal year.
3. It should be noted that over \$12.7 million is budgeted to this business unit in federal funding. DPS could advise how this proposed appropriation in general funds/UUFB would complement and support other additional or unmet needs.
4. In this memorandum, OMB comments on the submitted budget forms only. When legislation is dropped OMB may do an updated memorandum on the full legislation.

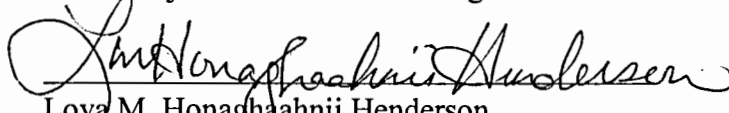
Contact OMB at (928) 871-6470 if there are any questions and/or concerns regarding this memorandum.



MEMORANDUM

TO: Honorable Otto Tso
25th Navajo Nation Council Delegate

FROM:


Loya M. Honaghaahnii Henderson
Office of Legislative Counsel

DATE: May 3, 2023

SUBJECT: AN ACTION RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL; APPROVING \$1,000,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR EMERGENCY RESPONSE OPERATIONS AND EQUIPMENT TO SUPPORT THE CURRENT STATE OF EMERGENCY, DECLARED IN RESOLUTION CEM 23-01-19

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

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

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

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0096-23__

SPONSOR: Otto Tso

TITLE: An Action Relating to an Emergency and the Navajo Nation Council; Approving \$1,000,000 from the Unreserved, Undesignated Fund Balance for Emergency Response Operations and Equipment to Support the Current State of Emergency, Declared in Resolution CEM 23-01-19

Date posted: May 3, 2023 6:38 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.*