

LEGISLATIVE SUMMARY SHEET

Tracking No. 0194-18

DATE: May 30, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION, TWENTY ONE THOUSAND, FOUR HUNDRED THIRTY ONE DOLLARS (\$1,021,431) TO THE NAVAJO DIVISION OF COMMUNITY DEVELOPMENT, BUSINESS UNITS 108014-108123, WAIVING 12 N.N.C. § 820(F)

PURPOSE: This legislation will approve a supplemental funding request for the Division of Community Development to assist in meeting the funding needs for Chapter officials' stipend payments and worker's compensation.

NOTE: waiver of Title 12, § 820(F) requires a 2/3rds vote of the full Council

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.

5-DAY BILL HOLD PERIOD: Navy
Website Posting Time/Date: 1/18/2018 11:10pm
Posting End Date: 10/13/2018
Eligible for Action: 10/14/2018

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naa'bik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY

Dwight Witherpoon

(Prime Sponsor)

TRACKING NO. 0194-18

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND
FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE, AND NAVAJO NATION
COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED,
UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION,
TWENTY ONE THOUSAND, FOUR HUNDRED THIRTY ONE DOLLARS
(\$1,021,431) TO THE NAVAJO DIVISION OF COMMUNITY DEVELOPMENT,
BUSINESS UNITS 108014-108123, WAIVING 12 N.N.C. § 820(F)

BE IT ENACTED:

Section One. Authority

- A. The Resources and Development Committee has oversight of the Division of Community Development. 2 N.N.C. § 500(C)(1).
- B. The Budget and Finance Committee is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301 (B)(2).
- C. A proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'iyáti' Committee. 2 N.N.C. §§ 164 (A)(9).

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

3 E. The Title 12 Appropriations Act Supplemental Appropriation requirements include:

- 4 1. When the Controller identifies additional sources of revenues above
5 and beyond the initial or current revenue projections, supplemental
6 appropriations may be allocated by the Navajo Nation Council. 12
7 N.N.C. § 820(L).
- 8 2. Supplemental appropriations made from non-recurring revenues shall
9 only be made for non-recurring operations or purposes, as set forth at
10 § 820(F). This provision may be amended or waived only by a two-
11 thirds (2/3) vote of the full Council.
- 12 3. The Controller of the Navajo Nation shall be responsible for
13 designating recurring and non-recurring revenues. 12 N.N.C. § 820(L).
- 14 4. All requests for annual operating funds and supplemental funds shall be
15 submitted to the Office of Management and Budget for budget impact
16 analysis and other appropriate actions. 12 N.N.C. § 820(M).

17
18 **Section Two. Findings**

- 19 A. This is a funding request for a supplemental appropriation to the Navajo Nation
20 Division of Community Development for Chapter Official stipends from the
21 Unreserved, Undesignated Fund Balance (UUFB). **See Exhibit A.**
- 22 B. The need and justification for the request of funds from the UUFB is the decrease in
23 the Chapter budget for FY 2018. The impact of the decrease is a need created for
24 Chapter Officials stipends of \$987,771 with worker's compensation need of
25 \$33,660, a total of \$1,021,431.
- 26 C. The Office of the Controller provided a memorandum dated, November 30, 2017,
27 which indicated the request is a recurring cost. This memorandum is included in
28 **Exhibit B.** The Office of the Controller also provided a document that the updated
29 balance in the UUFB as of May 16, 2018 is \$3,378,986, which is included as
30 **Exhibit C.**

1 D. The Office of Management and Budget is aware of the supplemental request and
2 should provide a budget impact analysis as required by 12 N.N.C. § 820(M).
3

4 **Section Three. Approving the Supplemental Appropriation from the Unreserved,**
5 **Undesignated Fund Balance in the Amount of \$1,021,431 to the Navajo Nation Division**
6 **of Community Development to Business Units 108014-108123**
7

8 A. The Navajo Nation hereby approves the supplemental appropriation from the
9 Unreserved, Undesignated Fund Balance to the Navajo Nation Division of
10 Community Development to Business Unit Numbers 108014-108123 in accordance
11 with **Exhibit A**.

12 B. This supplemental appropriation of \$1,021,431 shall be from that amount of funds
13 that exceeds the minimum fund balance of the Unreserved, Undesignated Fund
14 Balance as determined by the Office of the Controller.
15

16 **Section Four. Waiving 12 N.N.C. § 820 (F)**

17 With the Controller's designation of this appropriation as a recurring cost, the
18 Navajo Nation waives 12 N.N.C. § 820 (F) regarding the restriction on non-recurring
19 costs. This provision may be waived by a two-thirds (2/3) vote of the full Council.
20

21 **Section Five. Effective Date**

22 The provisions of this Act shall become effective in accordance with 2 N.N.C. §
23 221(B).
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1 D. The Office of Management and Budget is aware of the supplemental request and
2 should provide a budget impact analysis as required by 12 N.N.C. § 820(M).
3

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5 **Undesignated Fund Balance in the Amount of \$1,021,431 to the Navajo Nation Division**
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9 Unreserved, Undesignated Fund Balance to the Navajo Nation Division of
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**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**



PART I. Business Unit No.: 108014-108123 **Program Title:** Navajo Nation 110 Chapters - Stipend Difference & Workers' Compens.
Community
Division/Branch: Development/Executive **Amount Requested:** \$ 1,021,431.00 **Phone No.:** 928/871-7173
Prepared By: Brenda Holgate, PPS **Email Address:** bholgate@nndcd.org

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

There is an overall decrease in the chapter budget for FY 2018. The FY 2017 Planning Base Amount for Chapters was \$13,715,708. The FY 2018 Planning Base amount is \$13,445,759. This results in a decrease in the amount of \$269,949. The biggest impact of this decrease will be in the chapter officials stipends where there is a need of \$987,771 and worker's compensation in the amount of \$119,618 totaling \$1,021,431 to get back to the FY 2016 levels which funded 12 regular meetings and 12 planning meetings plus the 4 agency council meetings.

In FY 2017, the chapters did not receive enough funds to fully pay stipends for all chapter officials for 12 regular and planning meetings and the 4 agency council meetings. The result of this decrease would be even fewer meetings that the chapter officials can convene and would affect the business that the chapter membership can conduct for FY 2018. This would disrupt progress at the chapter on approving any new or old businesses.

PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

Continue to seek support from the Navajo Nation President and Vice President and Navajo Nation Council.

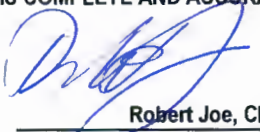
PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:

DCD to seek Undesignated Unreserved Fund Balance (UUFB) for this request in the amount of \$1,021,431

PART V. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.

 5-30-18

Carl Smith, Executive Director 05/30/2018

 6-5-18

Robert Joe, Chief of Staff 05/30/2018

REVIEWED BY: Division Director's Signature / Date

RECOMMEND APPROVAL: Branch Chief's Signature / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: 108014 - 108123		Program Title: Navajo Nation 110 Chapters		Division/Branch: Community Development/Executive	
Prepared By: Brenda Holgate, PPS		Phone No.: 928/871-7173		Email Address: bholgate@nndcd.org	

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY		
General Funds (UUFB)		2018	1,021,431	100%	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget
							(C) Difference (Column B - A)
					2001 Personnel Expenses		0
					3000 Travel Expenses		0
					3500 Meeting Expenses		0
					4000 Supplies		0
					5000 Lease and Rental		0
					5500 Communications and Utilities		0
					6000 Repairs and Maintenance		0
					6500 Contractual Services		0
					7000 Special Transactions		0
					8000 Public Assistance	1,021,431	1,021,431
					9000 Capital Outlay		0
					9500 Matching Funds		0
					9500 Indirect Cost		0
					TOTAL	\$0.00	1,021,431



PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			0
Total # of Permanently Assigned Vehicles:			0

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

Carl Smith, Executive Director SUBMITTED BY: Program Manager's Printed Name <i>Carl Smith</i> 5-30-18	Robert Joe, Chief of Staff APPROVED BY: Division Director/Branch Chief's Printed Name <i>Robert Joe</i> 6-5-18
SUBMITTED BY: Program Manager's Signature and Date	APPROVED BY: Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2018

PART I. PROGRAM INFORMATION: Business Unit No.: 108014 - 108123		Program Name/Title: Navajo Nation 110 Chapters									
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE: CAP-34-98: To direct the Chapter Administration and Management control system, by promoting efficiency and accountability to the chapter membership, and to effectuate plans of action to improve the standard of living for the Chapter membership.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Program Performance Area: To have 110 Chapters' Administration payout Chapter Official stipend accordingly to LGA Title 26 compliance.											
Goal Statement: To complete pay out by the end of 4th quarter in Fical Year 2018.											
2. Program Performance Area:											
Goal Statement:											
3. Program Performance Area:											
Goal Statement:											
4. Program Performance Area:											
Goal Statement:											
5. Program Performance Area:											
Goal Statement:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Carl Smith, Executive Director Program Manager's Printed Name 						Robert Joe, Chief of Staff Division Director/Branch Chief's Printed Name 					
5-30-16 Program Manager's Signature and Date						6-5-18 Division Director/Branch Chief's Signature and Date					

PART I. PROGRAM INFORMATION: Program Name/Title: Navajo Nation 110 Chapters Business Unit No.: 108014 - 108123			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
8705	8000 Assistance Chapter 8715 Grant FY 2018 - Navajo Nation 110 Chapters Unmet Need Request (Additional Stipend Request). Eastern Navajo Agency 332,243 Fort Defiance Navajo Agency 245,620 Northern Navajo Agency 178,069 Western Navajo Agency 145,881 Chinle Navajo Agency 119,618 1,021,431	1,021,431	1,021,431
TOTAL		1,021,431	1,021,431

DIVISION OF COMMUNITY DEVELOPMENT
 NAVAJO NATION (110)
 CHAPTERS
 FISCAL YEAR 2018 ADDITIONAL UNMET NEEDS REQUEST

A	B	C	D	E	F	G
BUS. UNIT	AGENCY/CHAPTERS	FY 2018 GENERAL FUNDS ALLOCATIONS	SUBTOTAL UNMET NEED	Chapter Official Stipend \$500x3x2x12 = \$36,000 \$150x3x4 = \$1,800	Chapter's Workers Compensation 0.81¢	FY 2018 GRAND TOTAL UNMET NEEDS
		50/50	= E - C			= D + F
	EASTERN AGENCY (31)					
108028	Alamo Chapter	29,788	8,012	37,800	306	8,318
108029	Baca Chapter	29,713	8,087	37,800	306	8,393
108030	Becenti Chapter	24,833	12,967	37,800	306	13,273
108031	Baahaali Chapter	25,854	11,946	37,800	306	12,252
108033	Casamero Lake Chapter	22,480	15,320	37,800	306	15,626
108034	Chichiltah Chapter	31,805	5,995	37,800	306	6,301
108035	Churchrock Chapter	41,615		37,800	306	306
108036	Counselor Chapter	23,351	14,449	37,800	306	14,755
108037	Crownpoint Chapter	31,394	6,406	37,800	306	6,712
108038	Huerfano Chapter	36,660	1,140	37,800	306	1,446
108039	Iyanbito Chapter	25,343	12,457	37,800	306	12,763
108040	Lake Valley Chapter	20,102	17,698	37,800	306	18,004
108041	Littlewater Chapter	24,497	13,303	37,800	306	13,609
108042	Manuelito Chapter	25,729	12,071	37,800	306	12,377
108043	Mariano Lake Chapter	26,327	11,473	37,800	306	11,779
108044	Nageezi Chapter	29,028	8,772	37,800	306	9,078
108045	Nahodishgish Chapter	21,099	16,701	37,800	306	17,007
108046	Ojo Encino Chapter	22,816	14,984	37,800	306	15,290
108047	Pinedale Chapter	30,784	7,016	37,800	306	7,322
108048	Pueblo Pintado Chapter	21,533	16,267	37,800	306	16,573
108049	Ramah Chapter	31,705	6,095	37,800	306	6,401
108050	Red Rock Chapter	35,004	2,796	37,800	306	3,102
108051	Rock Springs Chapter	33,261	4,539	37,800	306	4,845
108052	Smith Lake Chapter	23,725	14,075	37,800	306	14,381
108053	Standing Rock Chapter	23,849	13,951	37,800	306	14,257
108032	To'hajiilee Chapter	27,709	10,091	37,800	306	10,397
108054	Thoreau Chapter	33,523	4,277	37,800	306	4,583
108055	Torreón Chapter	30,261	7,539	37,800	306	7,845
108056	Tsayatoh Chapter	27,111	10,689	37,800	306	10,995
108057	Whitehorse Lake Chapter	22,156	15,644	37,800	306	15,950
108058	Whiterock Chapter	19,803	17,997	37,800	306	18,303
	SUBTOTAL	852,858	322,757	1,171,800	9,486	332,243

DIVISION OF COMMUNITY DEVELOPMENT
NAVAJO NATION (110)
CHAPTERS
FISCAL YEAR 2018 ADDITIONAL UNMET NEEDS REQUEST

A	B	C	D	E	F	G
BUS. UNIT	AGENCY/CHAPTERS	FY 2018 GENERAL FUNDS ALLOCATIONS	SUBTOTAL UNMET NEED	Chapter Official Stipend \$500x3x2x12 = \$36,000 \$150x3x4 = \$1,800	Chapter's Workers Compensation 0.81¢	FY 2018 GRAND TOTAL UNMET NEEDS
	FT DEFIANCE AGENCY (27)					
108059	Cornfields Chapter	26,439	11,361	37,800	306	11,667
108060	Coyote Canyon Chapter	28,729	9,071	37,800	306	9,377
108061	Crystal Chapter	25,816	11,984	37,800	306	12,290
108062	Dilkon Chapter	30,784	7,016	37,800	306	7,322
108063	Ft. Defiance Chapter	56,107		37,800	306	306
108064	Ganado Chapter	31,730	6,070	37,800	306	6,376
108065	Houck Chapter	30,921	6,879	37,800	306	7,185
108066	Indian Wells Chapter	27,036	10,764	37,800	306	11,070
108067	Jeddito Chapter	26,563	11,237	37,800	306	11,543
108068	Kinlichee Chapter	34,755	3,045	37,800	306	3,351
108069	Klagetoh Chapter	26,289	11,511	37,800	306	11,817
108070	Low Mountain Chapter	25,642	12,158	37,800	306	12,464
108071	Lower Greasewood Chapter	26,389	11,411	37,800	306	11,717
108072	Lupton Chapter	25,007	12,793	37,800	306	13,099
108073	Mexican Spring Chapter	26,152	11,648	37,800	306	11,954
108074	Naschitti Chapter	31,456	6,344	37,800	306	6,650
108085	Nahata Dzil Chapter	28,182	9,618	37,800	306	9,924
108075	Oak Springs Chapter	24,347	13,453	37,800	306	13,759
108076	Red Lake Chapter	25,194	12,606	37,800	306	12,912
108077	Sawmill Chapter	29,613	8,187	37,800	306	8,493
108078	St. Michaels Chapter	46,844		37,800	306	306
108079	Steamboat Chapter	30,821	6,979	37,800	306	7,285
108080	Teesto Chapter	26,974	10,826	37,800	306	11,132
108081	Tohatchi Chapter	31,120	6,680	37,800	306	6,986
108082	Twin Lakes Chapter	34,419	3,381	37,800	306	3,687
108083	Whitecone Chapter	27,074	10,726	37,800	306	11,032
108084	Wide Ruins Chapter	26,190	11,610	37,800	306	11,916
	SUBTOTAL	810,593	237,358	1,020,600	8,262	245,620

DIVISION OF COMMUNITY DEVELOPMENT
 NAVAJO NATION (110)
 CHAPTERS
 FISCAL YEAR 2018 ADDITIONAL UNMET NEEDS REQUEST

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BUS. UNIT	AGENCY/CHAPTERS	FY 2018 GENERAL FUNDS ALLOCATIONS	SUBTOTAL UNMET NEED	Chapter Official Stipend \$500x3x2x12 = \$36,000 \$150x3x4 = \$1,800	Chapter's Workers Compensation 0.81¢	FY 2018 GRAND TOTAL UNMET NEEDS
	SHIPROCK AGENCY (20)					
108086	Aneth Chapter	37,058	742	37,800	306	1,048
108087	Beclabito Chapter	23,127	14,673	37,800	306	14,979
108088	Burnham Chapter	22,866	14,934	37,800	306	15,240
108089	Cove Chapter	22,928	14,872	37,800	306	15,178
108090	Gadii'ahi Chapter	23,438	14,362	37,800	306	14,668
108092	Hogback Chapter	32,452	5,348	37,800	306	5,654
108093	Mexican Water Chapter	25,268	12,532	37,800	306	12,838
108094	Nenahnezad Chapter	36,722	1,078	37,800	306	1,384
108095	Newcomb Chapter	23,388	14,412	37,800	306	14,718
108096	Red Mesa Chapter	32,738	5,062	37,800	306	5,368
108097	Red Valley Chapter	29,663	8,137	37,800	306	8,443
108098	Rock Point Chapter	31,655	6,145	37,800	306	6,451
108100	Sanostee Chapter	36,025	1,775	37,800	306	2,081
108099	San Juan Chapter	22,841	14,959	37,800	306	15,265
108101	Sheepsprings Chapter	24,397	13,403	37,800	306	13,709
108102	Shiprock Chapter	84,428		37,800	306	306
108103	Sweetwater Chapter	27,198	10,602	37,800	306	10,908
108104	Teecnospos Chapter	28,742	9,058	37,800	306	9,364
108105	Two Grey Hills Chapter	27,945	9,855	37,800	306	10,161
108091	Upper Fruitland Chapter	40,980		37,800	306	306
	SUBTOTAL	633,859	171,949	756,000	6,120	178,069

DIVISION OF COMMUNITY DEVELOPMENT
 NAVAJO NATION (110)
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	WESTERN AGENCY (18)					
108106	Birdsprings Chapter	24,995	12,805	37,800	306	13,111
108107	Bodaway-Gap Chapter	32,950	4,850	37,800	306	5,156
108108	Cameron Chapter	26,924	10,876	37,800	306	11,182
108109	Chilchinbeto Chapter	26,663	11,137	37,800	306	11,443
108110	Coalmine Mesa Chapter	26,289	11,511	37,800	306	11,817
108111	Coppermine Chapter	24,932	12,868	37,800	306	13,174
108112	Dennehotso Chapter	29,713	8,087	37,800	306	8,393
108113	Inscription House Chapter	26,488	11,312	37,800	306	11,618
108114	Kaibeto Chapter	30,360	7,440	37,800	306	7,746
108115	Kayenta Chapter	48,911		37,800	306	306
108116	LeChee Chapter	28,095	9,705	37,800	306	10,011
108117	Leupp Chapter	33,373	4,427	37,800	306	4,733
108118	Navajo Mountain Chapter	24,272	13,528	37,800	306	13,834
108119	Oljato Chapter	36,735	1,065	37,800	306	1,371
108121	Shonto Chapter	32,552	5,248	37,800	306	5,554
108122	Tolani Lake Chapter	23,538	14,262	37,800	306	14,568
108120	Tonalea/Red Lake Chapter	36,548	1,252	37,800	306	1,558
108123	To'nanees'dizi Chapter	63,527		37,800	306	306
	SUBTOTAL	576,865	140,373	680,400	5,508	145,881

DIVISION OF COMMUNITY DEVELOPMENT
 NAVAJO NATION (110)
 CHAPTERS
 FISCAL YEAR 2018 ADDITIONAL UNMET NEEDS REQUEST

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	CHINLE AGENCY (14)					
108014	Black Mesa Chapter	22,803	14,997	37,800	306	15,303
108015	Chinle Chapter	71,072		37,800	306	306
108016	Forest Lake Chapter	22,268	15,532	37,800	306	15,838
108017	Hardrock Chapter	27,036	10,764	37,800	306	11,070
108018	Lukachukai Chapter	31,468	6,332	37,800	306	6,638
108019	Many Farms Chapter	33,996	3,804	37,800	306	4,110
108020	Nazlini Chapter	27,584	10,216	37,800	306	10,522
108021	Pinon Chapter	40,532		37,800	306	306
108023	Rough Rock Chapter	26,426	11,374	37,800	306	11,680
108022	Round Rock Chapter	26,663	11,137	37,800	306	11,443
108024	Tachee/Blue Gap Chapter	27,074	10,726	37,800	306	11,032
108025	Tsaile/Wheatfields Chapter	32,464	5,336	37,800	306	5,642
108026	Tselani/Cottonwood Chapter	32,178	5,622	37,800	306	5,928
108027	Whippoorwill Chapter	28,306	9,494	37,800	306	9,800
	SUBTOTAL	449,870	115,334	529,200	4,284	119,618
	GRAND TOTAL	3,324,045	987,771	4,158,000	33,660	1,021,431

Chapter Official Stipends Calulations:

Amts.	# of Mtgs.	Officials	Months	Subtotal	# of Chapters	TOTAL:
\$ 500	2	3	12	36,000	110	3,960,000
\$ 500	2	3	11	33,000	111	3,663,000
\$ 500	2	3	10	30,000	110	3,300,000
\$ 500	2	3	9	27,000	110	2,970,000
\$ 500	2	3	8	24,000	110	2,640,000
\$ 500	2	3	7	21,000	110	2,310,000
\$ 500	2	3	6	18,000	110	1,980,000
\$ 500	2	3	5	15,000	110	1,650,000
\$ 500	2	3	4	12,000	110	1,320,000
\$ 500	2	3	3	9,000	110	990,000
\$ 150.00	4	3		1,800	110	198,000

37,800

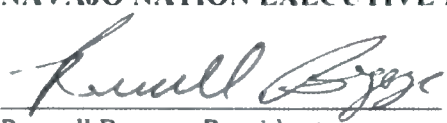


THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

MEMORANDUM

TO : Division/Executive Directors and Staff
NAVAJO NATION EXECUTIVE BRANCH

FROM : 
Russell Begaye, President
The Navajo Nation

DATE : May 29, 2018

SUBJECT : **DELEGATION OF AUTHORITY**
RE: Robert Joe, Chief Operating Officer

Mr. Robert Joe, Chief Operating Officer, shall be delegated in the capacity of the Navajo Nation Office of the President and Vice President "OPVP" Chief of Staff, beginning at 12:00 p.m., May 29, 2018 until further notice. This delegation supersedes any other delegation for the Chief of Staff.

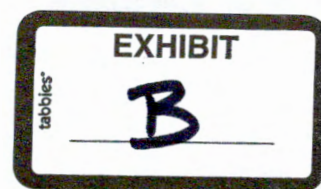
This delegation is for administrative purpose only and does not re-delegate Navajo Nation policy authority reserved for the Navajo Nation President and Vice President. Your adherence to this delegation is appreciated. Should you have any questions please call (928) 871-7000.

ACKNOWLEDGED:



Robert Joe, Chief Operating Officer
OFFICE OF THE PRESIDENT AND VICE PRESIDENT

cc Navajo Nation Office of the Speaker
Navajo Nation Judicial Branch
Navajo Nation Office of the Controller
Navajo Nation Divisions/Departments
File




THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

Memorandum:

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

From: 
Robert Willie, Accounting Manager
Office of the Controller

Date: November 30, 2017

Subject: 164 Review-009066--UUFB-\$1,021,431 Appropriation from UUFB for
Navajo Nation 110 Chapters for stipends difference and add workers
compensation.

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

1. The balance of the UUFB is \$31,258,217 as of October 8, 2017, this supplemental request is for \$1,021,431.
2. The proposed supplemental request is to fund chapter official stipend and workers compensation which would be recurring costs.

If you should have any questions you can contact me at tribal extension X6125.



THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ


Memorandum

Date: May 16, 2018

To: Honorable Russell Begaye, President
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker
Navajo Nation Council

Honorable JoAnn Jayne, Chief Justice
Judicial Branch

From: 
Pearline Kirk, Controller
Office of the Controller

Subject: Controller's Financial Update As of April 30, 2018

I am pleased to present to you the following information related to General Fund financial data up to April 30, 2018.

The General Fund Financial data is as follows:

The gross General Fund Revenues (see **Exhibit "A"**) as of April 30, 2018 is \$156,811,921 and the total set asides total \$43,426,146. The Net Revenue for the General Fund is \$113,385,775, which is 76.19% of the projection.

The total expenditures by branch are shown on **Exhibit "B"**.

- The Legislative Branch has expenditures of \$8,444,720, encumbrances of \$552,041 with a remaining budget of \$9,831,455.
- The Executive Branch expenditures are \$104,593,344 encumbrances are \$11,530,480 with a remaining budget of \$91,000,419.
- The Judicial Branch expenditures are \$7,073,183 encumbrances are \$5,903 with a remaining budget of \$6,768,836.
- Total General Fund expenditures are \$120,111,247; total encumbrances are \$12,088,424 with an overall remaining budget of \$107,600,710.

The updated UUFB as of May 9, 2018 is \$3,378,986 (see **Exhibit "C"**). There have been twenty one supplemental appropriations during Fiscal Year 2018 in the total amount of \$27,446,724.

If you should have any questions, you can contact me at Tribal extension X6308.



THE NAVAJO NATION
General Fund Revenue Schedule
(Unaudited)
April 30, 2018

FY 2018

GENERAL FUND REVENUE

	Original Budget	Revised Budget	Actual Revenue Received	Revenue to be collected	% Revenue of Total
TNN: ROYAL; GAS; OIL	\$ 25,378,000	\$ 25,378,000	\$ 17,270,677	\$ 8,107,323	68.05
TNN: COAL REVENUES	45,381,000	45,381,000	25,129,983	20,251,017	55.38
TNN:OTR MINERALS REV			62,647	(62,647)	
TNN: LAND REVENUES	62,644,000	62,644,000	71,757,682	(9,113,682)	114.55
TNN: BUSINESS FEES			46,205	(46,205)	
TNN: INTEREST INCOME	2,500,000	2,500,000	4,121,871	(1,621,871)	164.87
TNN: TAX REVENUES	62,965,000	62,965,000	36,635,211	26,329,789	58.18
COURT FINES + FEES	400,000	400,000	317,500	82,500	79.37
TNN: OTHER REVENUES	750,000	750,000	1,167,632	(417,632)	155.68
BIA: ROYAL; GAS; OIL			144,004	(144,004)	
BIA: COAL REVENUES			81	(81)	
BIA:OTR MINERALS REV					
BIA: LAND REVENUES					

TOTAL REVENUE

\$ 200,018,000	\$ 200,018,000	156,811,921	(1) \$ 43,206,079	78.40
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LESS:SET ASIDES

CAPITAL OUTLAY MATCH	\$ (2,000,000)	(2,000,000)			100.00
LAND FUND TRANSFER	(4,000,000)	(4,000,000)	(3,136,238)	(863,762)	78.41
PERMANENT FUND TRNSF	(24,002,000)	(24,002,000)	(18,817,430)	(5,184,570)	78.40
WATER RIGHTS CLAIM FU	(2,000,000)	(2,000,000)	(2,000,000)	-	100.00
DINE' HIGHER EDUCATIO	(11,200,000)	(11,200,000)	(11,200,000)	-	100.00
VETERANS TRUST FUND S	(8,001,000)	(8,001,000)	(6,272,477)	(1,728,523)	78.40

TOTAL SET ASIDE

\$ (51,203,000)	\$ (51,203,000)	(43,426,146)	(2) \$ (7,776,854)	84.81
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SUB TOTAL

\$ 148,815,000	\$ 148,815,000	\$ 113,385,775	(3) \$ 35,429,225	76.19
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PERMANENT FUND INCOME TRANSFER

OTHER REVENUE TRANSFER	\$ 10,881,000	\$ 10,881,000	(4) \$ -	100.00
ADD: PF FIVE-YEAR CONTINGENCY	2,885,000	2,885,000	(5) -	100.00
TOTAL PFI TRANSFER	\$ 13,766,000	\$ 13,766,000	\$ -	100.00
NET PFI TRANSFER	\$ 13,766,000	\$ 13,766,000	\$ -	100.00

GRAND TOTAL

\$ 162,581,000	\$ 162,581,000	\$ 127,151,775	(6) \$ 35,429,225	78.21
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- (1) Gross General Fund Revenues
(2) Total Set Asides for General Fund Revenue
(3) Net General Fund Revenue
(4) Permanent Fund Income allocation to General Fund
(5) Permanent Fund Income allocation reserve (CO-54-16)
(6) Grand total General Fund Revenues

Controller's Financial Update-April 30, 2018

EXHIBIT "A"

Prepared by:
General Accounting
5/16/2018



FY 2018 EXHIBIT "B"

The Navajo Nation Budget Status_Income Statement As of April 30, 2018

Branch / Object Account	Original Budget	Revised Budget	Actual Expenses	Encumbrances	Budget Available	% Available
LEGISLATIVE BRANCH						
2001 - Personnel Expenses	\$ 10,202,527	11,931,694	6,213,895	-	\$ 5,717,799	47.92
3000 - Travel Expenses	1,500,400	1,852,207	921,659	22,995	907,553	49.00
3500 - Meeting Expenses	258,642	446,552	144,100	-	302,452	67.73
4000 - Supplies	295,427	934,930	288,910	21,848	624,172	68.76
5000 - Lease & Rental	222,685	240,429	110,142	24,722	105,566	43.91
5500 - Communications & Utilities	144,602	161,152	68,003	-	93,149	57.80
6000 - Repairs & Maintenance	71,281	163,709	99,820	10,772	53,117	32.45
6500 - Contractual Services	499,854	1,970,835	396,845	308,758	1,265,232	64.20
7000 - Special Transactions	369,412	584,813	200,184	31,004	353,625	60.47
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	217,412	541,895	1,160	131,943	408,792	75.44
9500 - Matching & Indirect Cost	-	-	-	-	-	-
Total LEGISLATIVE BRANCH	\$ 13,782,222	\$ 18,828,217	\$ 8,444,720	(1a) \$ 552,041	(1b) \$ 9,831,485	(1c) 62.22
EXECUTIVE BRANCH						
2001 - Personnel Expenses	\$ 80,000,411	91,010,594	41,865,926	-	\$ 49,344,688	54.22
3000 - Travel Expenses	9,802,678	9,836,082	5,260,954	3,580	4,571,548	46.48
3500 - Meeting Expenses	922,101	552,431	164,029	-	388,402	70.31
4000 - Supplies	5,051,048	7,657,254	2,552,470	808,056	4,296,729	58.11
5000 - Lease & Rental	2,905,239	4,499,506	2,352,252	120,848	2,026,408	45.04
5500 - Communications & Utilities	6,405,226	7,956,985	4,175,543	471,636	3,309,806	41.60
6000 - Repairs & Maintenance	4,881,542	10,002,149	3,471,535	1,529,056	5,001,558	50.00
6500 - Contractual Services	5,462,198	14,568,743	2,780,622	3,510,943	8,277,178	56.81
7000 - Special Transactions	10,247,095	15,289,163	12,206,033	166,996	2,916,135	19.07
8000 - Assistance	32,211,358	36,351,783	26,441,026	4,243,313	5,667,444	15.59
9000 - Capital Outlay	1,067,855	5,114,505	290,355	676,055	4,148,095	81.10
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	4,283,378	4,285,048	3,232,600	-	1,052,448	24.56
Total EXECUTIVE BRANCH	\$ 163,040,129	\$ 207,124,243	\$ 104,593,344	(2a) \$ 11,530,460	(2b) \$ 91,000,419	(2c) 43.94
JUDICIAL BRANCH						
2001 - Personnel Expenses	\$ 12,487,393	12,492,946	6,559,266	-	\$ 5,933,680	47.50
3000 - Travel Expenses	367,211	445,858	169,063	-	276,596	62.06
3500 - Meeting Expenses	27,250	36,500	13,999	-	22,501	61.65
4000 - Supplies	226,217	297,581	109,521	2,680.70	185,399	62.30
5000 - Lease & Rental	9,805	16,071	11,628	-	4,443	27.65
5500 - Communications & Utilities	98,802	107,488	39,291	2,646.00	65,551	60.98
6000 - Repairs & Maintenance	50,211	178,145	49,863	595.98	127,686	71.88
6500 - Contractual Services	5,050	12,300	4,082	-	8,208	66.73
7000 - Special Transactions	161,958	261,232	116,461	-	144,771	55.42
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	-	-	-	-	-
9300 - Other Income and Expense	-	-	-	-	-	-
Total JUDICIAL BRANCH	13,433,897	13,847,922	7,073,183	(3a) \$ 5,903	(3b) \$ 6,768,836	(3c) 48.88
GRAND TOTAL:	\$ 190,256,249	\$ 239,800,381	\$ 120,111,247	(4a) \$ 12,088,424	(4b) \$ 107,600,710	(4c) 44.87

Footnotes:

Legislative Branch

- (1a) Legislative Expenses
- (1b) Legislative Encumbrances
- (1c) Legislative Budget Available

Executive Branch

- (2a) Executive Expenses
- (2b) Executive Encumbrances
- (2c) Executive Budget Available

Judicial Branch

- (3a) Judicial Expenses
- (3b) Judicial Encumbrances
- (3c) Judicial Budget Available

Total General Fund

- (4a) General Fund Expenses
- (4b) General Fund Encumbrances
- (4c) General Fund Budget Available

Prepared By:
General Accounting
5/16/2018

**FY 2018
EXHIBIT "C"**



**Undesignated, Unreserved, Fund Balance (UUFB)
May 9, 2018**

09-30-17 UUFB balance (Unaudited)

30,825,709

Less Supplementals:

CD-72-17 Grazing, Farm Board, Land Board	2,452,257
CD-73-17- UNM Housing	1,457,300
CF-14-18 Tachee-Blue Gap	580,000
CF-16-18 Asaayi Lake	764,408
CF-17-18 St. Bonaventure	209,379
CF-21-18 Phoenix Indian Center	44,460
CF-22-18 Uranium Workers Repairs to buildings	200,000
CF-23-18 Dept of Health	55,785
CF-25-18 Elections	396,621
CF-24-18 Housing Assessments	100,000
CF-26-18 Museum	350,000
CF-27-18 Headstart	6,333,333
Cf-20-18 Group Health	3,500,000
CF-19-18 Toyei Industries	108,607
CF-15-18 Chinle Nursing Home	4,200,000
CAP-32-18 NN Scholarship	1,000,000
CAP-30-18 NAAA	2,885,869
CAP-47-18 Animal Control	129,000
CAP-36-18 Thoreau Chapter	2,441,056
CAP 33-18 Library	190,649
CAP-34-18 DODE-Info System	48,000

Total Supplementals

27,446,724

UUFB -unaudited 05/09/18

3,378,986

The UUFB balance is unaudited and is subject to change pending the completion of the FY 2017 audit.

Prepared by: General Accounting


5/16/2018

3:56 PM



MEMORANDUM

TO: Hon. Dwight Witherspoon
23rd Navajo Nation Council

FROM: 
Levon B. Henry, Chief Legislative Counsel
Office of Legislative Counsel

DATE: May 30, 2018

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI COMMITTEE, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION, TWENTY ONE THOUSAND, FOUR HUNDRED THIRTY ONE DOLLARS (\$1,021,431) TO THE NAVAJO DIVISION OF COMMUNITY DEVELOPMENT, BUSINESS UNITS 108014-108123, WAIVING 12 N.N.C. § 820(F)

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge. NOTE: a two-thirds vote of the full Council is required with a waiver of 12 N.N.C. § 820(F).

The Office of Legislative Council confirms the appropriate standing committee review based on the standing committee's powers outlined in 2 N.N.C. §§ 300, 500 and 164.. 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 review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0194-18_____

SPONSOR: Dwight Witherspoon

TITLE: An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of one million, twenty one thousand, four hundred thirty one dollars (\$1,021,431) to the Navajo Division of Community Development, business units 108014-108123, waiving 12 N.N.C. § 820 (F)

Date posted: June 8, 2018 at 6:10pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

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

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

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

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0194-18

SPONSOR: Honorable Dwight Witherspoon

TITLE: An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of one million, twenty one thousand, four hundred thirty one dollars (\$1,021,431) to the Navajo Division of Community Development, business units 108014-108123, waiving 12 N.N.C. § 820 (F)

Posted: June 8, 2018 at 6:10pm

5 DAY Comment Period Ended: June 13, 2018

Digital Comments received:

Comments Supporting (3)	<i>1. Mae Franklin 2. Mexican Water Chapter 3. David Randolph</i>
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



**Office Assistant
Office of Legislative Services**

6.14.18 @ 9:43am

Date/Time

0194-18

Mae Franklin <atsamhf23@gmail.com>

Sun 6/10/2018 3:42 PM

To: comments <comments@navajo-nsn.gov>;

I support supplemental funding for the Chapter officials, appreciate the support.

Legislation 0194-18 UUFB for Chapter Official Stipend of \$1,021,431.00

Mexican Water Chapter <mexicanwater@navajochapters.org>

Mon 6/11/2018 11:43 AM

To: comments <comments@navajo-nsn.gov>;

Mexican Water Chapter is in support of the UUFB allocation to cover the shortfall for the chapter officials stipend. The chapters did not receive full funding to pay stipend for all chapter officials for 12 regular and planning meeting which is the important part of chapter operations and membership participation that effect the business that chapter conducts to continue moving forward with project implementation and expediting certain activity on behalf of the community. This is disrupting progress at the chapter level contingent upon their chapter membership approval for any new or old business.

Your support & understanding with your signature approval will be appreciated.

0194-18

David Randolph <dvrdsr491@hotmail.com>

Tue 6/12/2018 11:45 AM

To: comments <comments@navajo-nsn.gov>;

Good day, as chapter president I have perform my job as scheduled according to the LGA plan of operations, but the Navajo Nation is not compensating the officials for work done monthly, not to be compensated is a violation of Federal, State, Navajo Nation Laws. Is the Navajo Nation going to continue to violate this law for compensation that due. Therefore I support this legislation for Chapter Official Stipend and the Navajo Nation Council needs to support this and also the Navajo Nation President/Vice President office

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0194-18

SPONSOR: Honorable Dwight Witherspoon

TITLE: An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of one million, twenty one thousand, four hundred thirty one dollars (\$1,021,431) to the Navajo Division of Community Development, business units 108014-108123, waiving 12 N.N.C. § 820 (F)

Posted: June 8, 2018 at 6:10pm

5 DAY Comment Period Ended: June 13, 2018

Digital Comments received:

Comments Supporting (1)	1. Eastern Navajo Agency Council Resolution No. ENAC-03-18-002 and ENAC-03-18-003
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



**Legislative Secretary II
Office of Legislative Services**

6/28/18 4:45pm

Date/Time



**RESOLUTION
OF THE
EASTERN NAVAJO AGENCY COUNCIL
THE NAVAJO NATION**

No. ENAC-03-18-002

**REQUESTING THE BUDGET & FINANCE COMMITTEE, THE 23rd NAVAJO NATION COUNCIL
AND THE OFFICE OF THE PRESIDENT & VICE PRESIDENT TO APPROPRIATE SUPPLEMENTAL FUNDING IN
THE AMOUNT OF \$17,000 PER EASTERN NAVAJO AGENCY CHAPTER THAT WERE NOT FULLY FUNDED FOR
CHAPTER OFFICIALS STIPEND PAYMENTS IN THE FISCAL 2018 NAVAJO NATION COMPREHENSIVE BUDGET**

WHEREAS:

1. The Eastern Navajo Agency Council is established under the Legislative Branch of the Navajo Nation and certified by Resolution IGRS-251-01; and
2. Pursuant to 26 N.N.C. Section 103 (D) (4), the Eastern Navajo Agency Council, a consortium of elected Chapter Officials representing thirty-one (31) certified Navajo Nation Chapters, agree to address and undertake common goals and interests for the benefit of the Eastern Navajo Agency Chapters; and
3. Pursuant 2 N.N.C SECTION: 4028; the Eastern Navajo Agency Council is vested with government authority to review all matters affecting the community to make most appropriate recommendations when necessary to the Navajo Nation, County, State, Federal and other local agencies; and
4. Pursuant to the Navajo Nation Appropriations Act the Navajo Nation Government has a fiduciary responsibility to plan for adequate funding of services desired by the Navajo people; and
5. Pursuant to CN-50-10, determined that a statutorily fixed rate of compensation for each chapter official would provide for more uniformity and additional stability in Navajo Chapter governance – and each chapter president, chapter vice president, and chapter secretary/treasurer shall be paid \$500.00 each for one (1) regular chapter meeting and one chapter planning meeting per month; and
6. The standard annual Chapter Official Stipend budget for each of the 110 chapters is calculated as follows:

Planning Meeting:	3 officials x \$500/meeting x 12 months =	\$18,000.00
Regular Meeting:	3 officials x \$500/meeting x 12 months =	\$18,000.00
Agency Meeting:	3 officials x \$1500/meeting x 12 months =	\$18,000.00
Workman's Compensation Expense:	\$37,800 x .81% =	\$ 306.18
TOTAL CHAPTER OFFICIAL STIPEND BUDGET		\$38,106.18
7. On August 2017, the Division of Community Development distributed via spreadsheet the FY2018 Allocation to Chapters including a specific column of varied amounts for each Chapter's Stipend allocation, with the largest being the following:

Chinle Chapter	\$71,072
Fort Defiance Chapter	\$56,107
Kayenta Chapter	\$48,911
Shirpock Chapter	\$84,428
To'nanee'dizi Chapter	\$63,527
8. In December 2017 the Eastern Navajo Agency Council Resolution ENAC-12-2017-012 requested the Division of Community Development to provide the formulation and determining factors in the FY2018 Allocation to the 110 Navajo Chapters – as of this date, no response or action taken by 'Window Rock'; and
9. Navajo Chapters continue to question the allocation, specifically those Chapters who will experience a shortage in the coming months (same result occurred in FY2017); and

10. Conversations occur pertaining to compensation for elected positions at a rate that fairly compensates them for their work and should attract highly qualified candidates, while at the same time does not become the incentive for seeking public office – these talks should continue.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Eastern Navajo Agency Council hereby requests the Budget & Finance Committee, the 23rd Navajo Nation Council and the Office of the President & Vice President to appropriate supplemental funding in the amount of \$17,000 per Eastern Navajo Agency Chapter that were not fully funded for Chapter Officials Stipend payments in the Fiscal Year 2018 Navajo Nation Comprehensive Budget.

CERTIFICATION

I hereby certify that the foregoing resolution was approved by the Eastern Navajo Agency Council at a duly called meeting at Pueblo Pintado Chapter, Navajo Nation, New Mexico, at which a quorum was present and the same was passed by a vote of 73 in favor, 00 opposed, 01 abstained, this 3rd day of March 2018.

Moved by: Fernie Yazzie, Casamero Lake Chapter
Seconded: Tony Padilla, Lake Valley Chapter



Jamie Henio, President

ATTEST:



W. Wanda Arviso, Secretary



**RESOLUTION
OF THE
EASTERN NAVAJO AGENCY COUNCIL
THE NAVAJO NATION**

No. ENAC-03-18-003

**RESTATING THE REQUEST TO THE BUDGET & FINANCE COMMITTEE, THE 23RD NAVAJO NATION COUNCIL
AND THE OFFICE OF THE PRESIDENT & VICE PRESIDENT, TO APPROPRIATE SUPPLEMENTAL FUNDING FOR
CHAPTER OFFICIAL STIPENDS – A RECURRING COST NOT SUFFICIENTLY ALLOCATED BY THE DIVISION OF
COMMUNITY DEVELOPMENT & ADMINISTRATIVE SERVICE CENTER TO THE 110 NAVAJO CHAPTERS IN
FISCAL YEARS 2017 AND 2018**

WHEREAS:

1. The Eastern Navajo Agency Council is established under the Legislative Branch of the Navajo Nation and certified by Resolution IGRS-251-01; and
2. Pursuant to 26 N.N.C. Section 103 (D) (4), the Eastern Navajo Agency Council, a consortium of elected Chapter Officials representing thirty-one (31) certified Navajo Nation Chapters, agree to address and undertake common goals and interests for the benefit of the Eastern Navajo Agency Chapters; and
3. Pursuant 2 N.N.C SECTION: 4028; the Eastern Navajo Agency Council is vested with government authority to review all matters affecting the community to make most appropriate recommendations when necessary to the Navajo Nation, County, State, Federal and other local agencies; and
4. Pursuant to the Navajo Nation Appropriations Act the Navajo Nation Government has a fiduciary responsibility to plan for adequate funding of services desired by the Navajo people; and
5. Pursuant to CN-50-10, determined that a statutorily fixed rate of compensation for each chapter official would provide for more uniformity and additional stability in Navajo Chapter governance – and each chapter president, chapter vice president, and chapter secretary/treasurer shall be paid \$500.00 each for one (1) regular chapter meeting and one chapter planning meeting per month; and
6. The standard annual Chapter Official Stipend budget for each of the 110 chapters is calculated as follows:

Planning Meeting:	3 officials x \$500/meeting x 12 months =	\$18,000.00
Regular Meeting:	3 officials x \$500/meeting x 12 months =	\$18,000.00
Agency Meeting:	3 officials x \$1500/meeting x 12 months =	\$18,000.00
Workman's Compensation Expense:	\$37,800 x .81% =	\$ 306.18
TOTAL CHAPTER OFFICIAL STIPEND BUDGET		\$38,106.18
7. On August 2017, the Division of Community Development distributed via spreadsheet the FY2018 Allocation to Chapters including a specific column of varied amounts for each Chapter's Stipend allocation, with the largest being the following:

Chinle Chapter	\$71,072
Fort Defiance Chapter	\$56,107
Kayenta Chapter	\$48,911
Shiprock Chapter	\$84,428
To'nanees'dizi Chapter	\$63,527
8. On the November 2, 2017, a Division of Community Development memorandum stated that Chapter's did not receive enough funds for Chapter Official stipends and would affect the business conducted by Chapters in Fiscal Years 2017 and 2018; and
9. On the November 17, 2017, a Office of Management and Budget memorandum identified nine (9) chapters who have sufficient Chapter Official stipend funds for FY2018 – Churchrock, Ft. Defiance, Upper Fruitland, St. Michaels, Kayenta, To'nanees'dizi, Chinle and Pinon Chapters; and

10. In December 2017 the Eastern Navajo Agency Council Resolution ENAC-12-2017-012 requested the Division of Community Development to provide the formulation and determining factors in the FY2018 Allocation to the 110 Navajo Chapters – as of this date, no response or action taken; and
11. Navajo Chapters continue to question the allocation, specifically those Chapters who have and/or will experience a shortage in either or both Fiscal Years 2017 and 2018.
12. ENAC 03-2018-002 initially requested supplemental funding in the amount of \$17,000 per Eastern Navajo Agency Chapters that were not fully funded for Chapter Official Stipend payments.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Eastern Navajo Agency Council hereby restates the request to the Budget & Finance Committee, the 23rd Navajo Nation Council and the Office of the President & Vice President to appropriate supplemental funding for Chapter Official Stipends – a recurring cost not sufficiently allocated by the Division of Community Development & Administrative Center to the 110 Navajo Chapters in Fiscal Years 2017 and 2018.

CERTIFICATION

I hereby certify that the foregoing resolution was approved by the Eastern Navajo Agency Council at a duly called meeting at Pueblo Pintado Chapter, Navajo Nation, New Mexico, at which a quorum was present and the same was passed by a vote of 61 in favor, 00 opposed, 00 abstained, this 2nd day of June 2018.

Moved by: Tony Padilla, Lake Valley Chapter
Seconded: Cecil Lewis, Jr., Thoreau Chapter



Jamie Henlo, President

ATTEST:



W. Wanda Arviso, Secretary

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0194-18

SPONSOR: Honorable Dwight Witherspoon

TITLE: An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of one million, twenty one thousand, four hundred thirty one dollars (\$1,021,431) to the Navajo Division of Community Development, business units 108014-108123, waiving 12 N.N.C. § 820 (F)

Posted: June 8, 2018 at 6:10pm

5 DAY Comment Period Ended: June 13, 2018

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comments (1)	1. Dominic Beyer, Executive Director; Office of Management and Budget



**Legislative Secretary II
Office of Legislative Services**

7/11/2018 11:12am

Date/Time

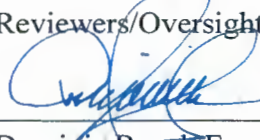


THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO : Reviewers/Oversight Committees

FROM : 
Dominic Beyal, Executive Director
Office of Management and Budget

DATE : July 5, 2018

SUBJECT : Legislation 0194-18: Approving Supplemental Funding from the
UUFB in the amount of \$1,021,431 for the Navajo Nation 110 Chapters

In April, 2018, OMB did a review memorandum on legislation 0088-18 which proposed the same purpose and funding. Today's memorandum will update the OMB review, as follows:

1. The balance in the available UUFB as of June 27, 2018 is \$4,678,986, according to the Office of the Controller. The 2018 BIM, FY 2018 budget resolution CS-53-17 (paragraph L), and Appropriation Act (§ 800 A) all call for planning and priorities. What are the priorities?
2. According to the DCD Exhibit 'A' worksheet column D, nine chapters have sufficient funds to cover the Chapter Official stipends for FY 2018. Churchrock, Ft. Defiance, Shiprock, Upper Fruitland, St. Michaels, Kayenta, To'nanees'dizi, Chinle and Pinon Chapters have sufficient funds.
3. The Auditor General March 31 (2nd Quarter) report on Chapter Fund Balances showed \$75.5 in unexpended funds including \$1.5 million for stipends.
4. The Appropriations Act requires that non-recurring funds be used for non-recurring purposes (12 NNC § 820 (E), (F), (J), (L). The Controller previously determined that this would be recurring cost.

Contact OMB, NFrancisco, SBA, at 871-6470 if there are any questions and/or concerns regarding this memorandum.



**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

FOURTH YEAR 2018

COMMITTEE REPORT

Mr. Speaker,

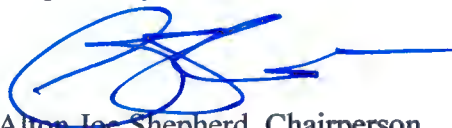
The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

Legislation # 0194-18: An Action Relating to Resources and Development Budget and Finance, and Naabik'Iyati Committees and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of One Million, Twenty-one Thousand, Four Hundred Thirty-One Dollars (\$1,021,431) to the Navajo Division of Community Development, Business Units 108014-108123, Waiving 12 N.N.C. 820(F)
Sponsor: Honorable Dwight Witherspoon

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

And thereafter referred the matter to Budget and Finance Committee.

Respectfully submitted,



Alton Joe Shepherd, Chairperson
Resource and Development Committee of
the 23rd Navajo Nation Council

Date: June 20, 2018
Meeting Location: TANCRC-VIP Conference Room, Twin Arrows, AZ

MAIN MOTION: Walter Phelps S: Leonard Pete V: 3-0-1 (CNV)

ROLL CALL VOTE TALLY:

YEAS: Walter Phelps, Leonard Pete, and Jonathan Perry

NAYS: NONE

EXCUSED: Davis Filfred and Benjamin Bennett

RESOURCES AND DEVELOPMENT COMMITTEE
Regular Meeting
June 20, 2018

ROLL CALL
VOTE TALLY SHEET:

Legislation # 0194-18: An Action Relating to Resources and Development Budget and Finance, and Naabik'Iyati Committees and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of One Million, Twenty-one Thousand, Four Hundred Thirty-One Dollars (\$1,021,431) to the Navajo Division of Community Development, Business Units 108014-108123, Waiving 12 N.N.C. 820(F) *Sponsor: Honorable Dwight Witherspoon*

MAIN MOTION: Walter Phelps **S:** Leonard Pete **V:** 3-0-1 (CNV)

ROLL CALL VOTE TALLY:

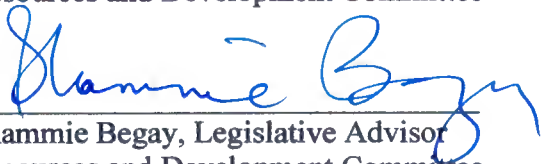
YEAS: Walter Phelps, Leonard Pete, and Jonathan Perry

NAYS:

EXCUSED: Davis Filfred and Benjamin Bennett



Alton Joe Shepherd, Chairperson
Resources and Development Committee



Shammie Begay, Legislative Advisor
Resources and Development Committee

23rd NAVAJO NATION COUNCIL

Fourth Year 2018

Mr. Speaker:

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

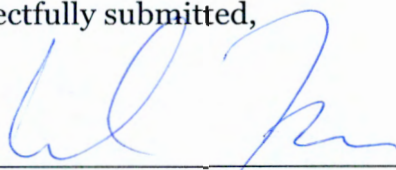
NAVAJO LEGISLATIVE BILL # 0194-18:

An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of One Million, Twenty One Thousand, Four Hundred Thirty One Dollars (\$1,021,431) to the Navajo Division of Community Development, Business Units 108014-108123, Waiving 12 N.N.C. § 820(F)
Sponsored by Dwight Witherspoon, Council Delegate

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

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

Respectfully submitted,



Leonard Tsosie, Pro Tempore Chairman

Adopted: _____


Legislative Advisor

Not Adopted: _____

Legislative Advisor

3 July 2018

The vote was **3** in favor **0** opposed Yea votes: *Lee Jack, Sr., Tom T. Chee, Dwight Witherspoon*

Motion: *Lee Jack, Sr.*

Second: *Tom T. Chee*

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0194-18

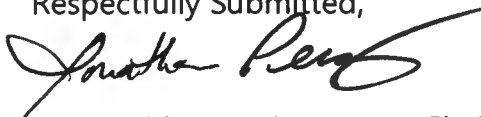
An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'iyáti' Committee, and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of One Million, Twenty-One Thousand, Four Hundred Thirty-One Dollars (\$1,021,431) to the Navajo Division of Community Development, Business Units 108014-108123, Waiving 12 N.N.C. § 820 (F)

Sponsored by: Honorable Dwight Witherspoon

Co-Sponsored by: Honorable Water Phelps

Has had it under consideration and reports the same **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



*Honorable Jonathan Perry, Chairman Pro Tem
NAABIK'ÍYÁTI' COMMITTEE*

12 JULY 2018

MAIN MOTION:

Motioned by: Honorable Walter Phelps

Seconded by: Honorable Raymond Smith, Jr.

Vote: 13 in Favor, 00 Opposed (Chairman Pro Tem Perry Not Voting)

NAVAJO NATION

RCS# 967

Naa'bik'iyati Committee

7/12/2018

09:44:04 PM

Amd# to Amd#	Legislation 0194-18: Approving	PASSED
MOT Phelps	Supplemental Funding from the	
SEC Smith	UUFB in the amount \$1,021,431	
	to the NN Division of....	

Yea : 13

Nay : 0

Excused : 0

Not Voting : 11

Yea : 13

Bates	Daniels	Phelps	Tso
BeGaye, N	Filfred	Slim	Tsosie
Bennett	Hale	Smith	Witherspoon
Damon			

Nay : 0

Excused : 0

Not Voting : 11

Begay, K	Brown	Jack	Shepherd
Begay, NM	Chee	Perry	Yazzie
Begay, S	Crotty	Pete	