

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

24TH NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET AND
FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18 BY
REALLOCATING LEFTOVER FUNDS FROM THE NAHATA DZIIL SHOPPING
CENTER PROJECT TO NEW PROJECTS IN THE HOUCK, LUPTON, AND
KLAGETOH CHAPTERS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over Chapter activities. 2 N.N.C. § 500(C).
- B. The Budget and Finance of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds, and to coordinate and review all fiscal, financial, and investment activities of the Navajo Nation. 2 N.N.C. § 301(B)(2) and § 301(B)(5).
- C. The Navajo Nation Council approves Resolution No. CAP-35-18, titled: "Adopting the Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. §§ 810(F), 820(I) And (M) And 860(C) Relating to the Capital Improvement Budget and the Capital Improvement Process." CAP-35-18 is incorporated herein by reference.
- D. Section 4(C) of CAP-35-18 specifically provides: "A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-

ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed \$4,166,666.67"

SECTION TWO. FINDINGS

- A. The amount of \$1,265,035.70 for the Nahata Dziil Shopping Center Project was approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Nahata Dziil Project No. D-147 is attached hereto as **EXHIBIT 1**.
- B. There are leftover funds of \$617,991.22 remaining after the completion of the Nahata Dziil Shopping Center Project. The Houck, Lupton, and Klagetoh Chapters desire to use these leftover funds for several Projects in their communities.
- C. On behalf of the Chapter, the Division of Community Development - Capital Projects Management Department ("CPMD") has submitted two Síhasin Project Amendment Certification Forms describing the requested changes. **EXHIBIT 2**. The Síhasin Project Amendment Certification Forms show the signature of the Navajo Nation Council Delegate for the Chapters, in accordance with CAP-35-18 Section 4(C).
- D. As required by CAP-35-18 Section 4(C), the new Project allocations have been certified by CPMD as construction-ready and the total Síhasin funding for the Council District will not exceed \$4,166,666.67. In fact, the original Síhasin funding amount of \$1,265,035.70 for the Nahata Dziil Shopping Center Project, as approved in CAP-35-18, will remain unchanged.

SECTION THREE. APPROVAL OF CHANGE TO CAP-35-18

- A. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D, Project No. D-147, by approving use of \$617,991.22 in leftover funds that remain after the completion of the Nahata Dziil Shopping Center Project, for six other Projects located in the Houck, Lupton, and Klagetoh Chapters.
- B. The Síhasin Fund may be reimbursed the funds reallocated herein, from other funds available to the Navajo Nation from any and all state, federal, or other sources.

SECTION FOUR. EFFECTIVE DATE

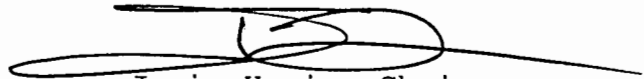
This Action shall become effective pursuant to 12 N.N.C. § 2505(A) and CAP-35-18, Section 4(C).

SECTION FIVE. SAVING CLAUSE

If any provision of this Action is determined invalid by the Supreme Court of the Navajo Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the provision(s) not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held by teleconference at which a quorum was present and that the same was passed by a vote of 5 in favor and 0 opposed, this 21st day of December 2022.

A handwritten signature in black ink, appearing to read 'J. Henio', with a long horizontal line extending to the right.

Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Elmer P. Begay
Second: Honorable Jimmy Yellowhair

EXHIBIT:
D

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 2 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
145	Lupton	Housewiring	Construction	15 months	\$0.00	\$13,000.00	\$0.00	\$0.00	\$13,000.00
146	Lupton	Road Improvement	Pre-Design	16 months	\$0.00	\$0.00	\$75,040.00	\$0.00	\$75,040.00
147	Nahataadzil	Shopping Center	Construction	12-18 months	\$1,265,035.70	\$0.00	\$0.00	\$7,200,000.00	\$1,265,035.70
148	Houck	Bathroom Additions	Design/Construction	18-24 months	\$60,000.00	\$255,000.00	\$0.00	\$0.00	\$315,000.00
149	Houck	Cemetery	Plan/Design/Construction	18-24 months	\$46,772.00	\$0.00	\$0.00	\$0.00	\$46,772.00
150	Houck	9402 Road Improvement	Plan/Design	18-24 months	\$85,000.00	\$0.00	\$0.00	\$0.00	\$85,000.00
151	Tuba City	Senior Center	Design/Construction	18-24 months	\$1,400,000.00	\$2,766,666.66	\$0.00	\$370,000.00	\$4,166,666.66
152	Casamero Lake	McKinley County Rd. 19 Construction Project	Construction	24 months	\$2,811,443.31	\$0.00	\$0.00	\$0.00	\$2,811,443.31
153	Baca-Prewitt	Backhoe	Major Equipment	4-6 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
154	Baca-Prewitt	New Warehouse	Pre-Design	12-18 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
155	Hardrock	Senior Center Facility Repairs	Design/Construction	24 months	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00
156	Hardrock	ADA	Design/Construction	24 months	\$0.00	\$60,000.00	\$0.00	\$0.00	\$60,000.00
157	Hardrock	Walk-In Shower	Design/Construction	24 months	\$52,269.00	\$0.00	\$0.00	\$0.00	\$52,269.00
158	Hardrock	HVAC Unit	Design/Construction	24 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
159	Hardrock	Vehicle	Major Equipment	24 months	\$74,886.00	\$0.00	\$0.00	\$0.00	\$74,886.00

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

1 of 2

I. PROJECT DETAILS

PROJECT NAME: NAHATA DRILL SHOPPING CENTER DATE SUBMITTED: NOV. 30, 2022
 PROJECT TYPE: DESIGN / CONSTRUCTION REFERENCE NUMBER: D-147-CMPD
 ORIGINAL DATE APPROVED: NOV. 18, 2022

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			TOTAL FUNDING	FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3		
D-147	NAHATA DRILL SHOPPING CENTER	617,991.22				DELETE
	N9355 BANANA WASH ROAD IMPROVEMENT				100,000.00	NEW
	HOUCK VETERANS BUILDING RENOVATION				75,991.22	NEW
	LUPTON HOUSEWIFING PROJECT				100,000.00	NEW
TOTAL: 1 INCREASED 1 DECREASED FUNDING:						

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navejo Nation Council Delegate

Raymond S. Harte

[Signature]

11/30/22

III. REASON FOR AMENDMENT

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

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

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

CMPD Project Manager CPMD

Department Manager

PRINTED NAME

SIGNATURE

DATE

ANDY THOMAS
JAMES ADAM

[Signature]
[Signature]

11/30/22
11/30/22

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

2 of 2

I. PROJECT DETAILS

DATE SUBMITTED: Nov. 30, 2022

PROJECT NAME: NAHATA DELL SHOPPING CENTER

REFERENCE NUMBER: D-147-CMPD

PROJECT TYPE: DESIGN/CONSTRUCTION

ORIGINAL DATE APPROVED: Nov 18, 2022

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			TOTAL FUNDING	FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3		
	HOLCK N9402 ROAD IMPROVEMENT				121,000.00	NEW
	LUPTON N9402 ROAD IMPROVEMENT				121,000.00	NEW
	KLAGETH ROAD IMPROVEMENT-N9355				100,000.00	NEW
TOTAL: 1 INCREASED 1 DECREASED FUNDING:						617,991.22

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Raymond Smith Jr.

[Signature]

11/30/22

III. REASON FOR AMENDMENT

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

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

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

CPMD Project Manager CPMD

Department Manager

PRINTED NAME

SIGNATURE

DATE

ANN THAYER

[Signature]

11/30/22

JAMES ADAMSKI

[Signature]

11/30/22

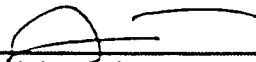
THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : Division/Executive Directors and Staff
Navajo Nation

FROM : 
James Adakai, Delegated Department Manager II
Capital Projects Management Department/DCD

DATE : October 24, 2022

SUBJECT: **FY'23 Standing Delegation of Authority**

During the period that I am on leave or on travel from the Capital Projects Management Department, the following order of delegation will be in effect:

Andy Thomas, Senior Programs and Projects Management
Irma Julian, Project Manager

The delegation is limited to signature authority for the time sensitive approval and emergency leave unless they feel that matters requires the attention of the Department Manager II. Policy decisions are not delegated and are reserved for the Department Manager II. Other personnel related matters will remain under the purview of the Department Manager II.

Your cooperation with the aforementioned staff is appreciated.

ACKNOWLEDGEMENT:


Andy Thomas, Sr. Programs & Projects Specialist
Capital Projects Management Department


Irma Julian, Project Manager
Capital Projects Management Department

Distribution

xc: Dr. Pearl Yellowman

Job C01768 NAHATADZIL SHOPPING CENTER

Thru Date 11/30/2022

Project

Cost Code	Cost Type	Description	L P M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1996	Allocation		7 N	1,265,035.70-	1,265,035.70-			1,265,035.70-		1.00
1991	Overhead Allocation		6 T	1,265,035.70-	1,265,035.70-			1,265,035.70-		1.00
1990	Other Revenues		5 T	1,265,035.70-	1,265,035.70-			1,265,035.70-		1.00
1850	Other Revenue Sources		4 T	1,265,035.70-	1,265,035.70-			1,265,035.70-		1.00
1000	Revenues		3 T	1,265,035.70-	1,265,035.70-			1,265,035.70-		1.00
9050	Building		6 BN	1,265,035.70	1,265,035.70			1,265,035.70		1.00
9060	Constructin In Progr		7 N			604,409.61	13,581.61	617,991.22-		
9050	Building		6 T	1,265,035.70	1,265,035.70	604,409.61	13,581.61	647,044.48	.49	.51
9001	Real Property		5 T	1,265,035.70	1,265,035.70	604,409.61	13,581.61	647,044.48	.49	.51
9000	Capital Outlay		4 T	1,265,035.70	1,265,035.70	604,409.61	13,581.61	647,044.48	.49	.51
2000	Expenses		3 T	1,265,035.70	1,265,035.70	604,409.61	13,581.61	647,044.48	.49	.51
C01768		NAHATADZIL SHOPPING CENTER	T			604,409.61	13,581.61	617,991.22-		
		Total:	1 T			604,409.61	13,581.61	617,991.22-		

BUDGET AND FINANCE COMMITTEE

21 December 2022

Special Meeting

VOTE TALLY SHEET:

Legislation No. 0242-22: An Action Relating to the Resources and Development and Budget and Finance Committees; Approving a Change to CAP-35-18 by Reallocating leftover funds from the Nahata Dzil Shopping Center Project to New Projects in the Houck, Lupton, and Klagetoh Chapters *Sponsored by Raymond Smith, Jr., Council Delegate*

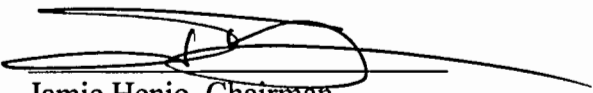
Motion: Elmer P. Begay

Second: Jimmy Yellowhair

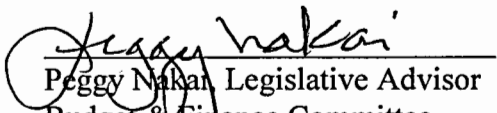
Vote: 5-0, Chairman not voting

Final Vote Tally:

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



Jamie Henio, Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee