TITLE: An Action Relating To Health, Education And Human Services And NAABIK’IYATI’ Committee And Navajo Nation Council; Amending CAP-19-16, Title, “Approving The Navajo Nation Permanent Fund Income Five Year Expenditure Plan And Waiving 12N.N.C. § 1162 (B) For A Limited Time Period”. Reallocating Funds In Years 4 From Office Buildings To The To’hajii’lee Development Plan

Date posted: February 7, 2020 at 4:08 PM

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0030-20

DATE: January 31, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK’IYATI’ COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING CAP-19-16, TITLED, “APPROVING THE NAVAJO NATION PERMANENT FUND INCOME FIVE YEAR EXPENDITURE PLAN AND WAIVING 12 N.N.C. § 1162 (B) FOR A LIMITED TIME PERIOD”; REALLOCATING FUNDS IN YEAR 4 FROM OFFICE BUILDINGS TO THE TO’HAJIILEE DEVELOPMENT PLAN

PURPOSE: The purpose of this resolution is approve amendments to CAP-19-16.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – Second Year 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0030-20

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND
NAABIK’IYÁTI’ COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING
INCOME FIVE YEAR EXPENDITURE PLAN AND WAIVING 12 N.N.C. § 1162 (B)
FOR A LIMITED TIME PERIOD”; REALLOCATING FUNDS IN YEAR 4 FROM
OFFICE BUILDINGS TO THE TO’HAIJLEE DEVELOPMENT PLAN

BE IT ENACTED:

Section One. Authority

A. The Budget and Finance Committee 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
(5).

B. The Naabik’iyati’ Committee of the Navajo Nation Council is empowered to review
all proposed legislation which requires final action by the Navajo Nation Council. 2
N.N.C. §164(A)(9).

C. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §
102 (A).
Section Two. Findings

A. The Navajo Nation Council approved Council Resolution CAP-19-16, attached as Exhibit 1, titled, "Approving the Navajo Nation Permanent Fund Income Five Year Expenditure Plan and Waiving 12 N.N.C. § 1162 (B) for a Limited Time Period" to use income from the Nation's Permanent Fund for projects throughout the Navajo Nation.

B. The proposed amendment to Exhibit A of Exhibit 1 is to reallocate $4,000,000 from office buildings in year four to the To'hajiilee development project.

C. The projected costs of the project and architectural schematics are attached as Exhibit 2. The projected cost of the project is $3,100,000. The additional $900,000 reflects anticipated cost overruns.

D. The Navajo Nation is in critical need of additional economic development projects. Redirecting the funds in year four from office buildings into the projects for To'hajiilee will facilitate economic development on the Navajo Nation.

E. This project will have a positive impact in To'hajiilee, which is in need of access to groceries, gasoline, and basic household supplies.

F. To'hajiilee Navajo Chapter has passed a resolution, attached as Exhibit 3, in support of the amendment to CAP-19-16.

G. To'hajiilee is an optimal site for this project due to its geographic location in a designated Opportunity Zone. The Governor of New Mexico submitted 63 tracts to the United States Department of the Treasury to be designated as Opportunity Zones. The New Mexico Economic Development Department worked with local stakeholders via county governments to submit a detailed questionnaire on eligible tracts in their area. Local stakeholders included private enterprises, economic development organizations, business organizations, councils of government, property owners/developers, tribal entities, and community organizations among others.

H. The Department of the Treasury designated 63 Opportunity Zones in New Mexico on May 18, 2018. Detailed information about Opportunity Zones can be found in Exhibit 4.
Section Three. Amendment to CAP-19-16

Amend Exhibit A of Exhibit 1 as follows:

In Exhibit A of CAP-19-16, which included in Exhibit 1 of the current Resolution, reallocate $4,000,000 from the Year 4 funding total of $5,850,000 for office buildings to the To'hajiilee development project for a convenience store, gas station, and laundromat. The amendment to Exhibit A of Exhibit 1 is reflected in Exhibit 5.

Section Four. Approval

The Navajo Nation approves the amendment to CAP-19-16 as indicated in Section Three above.