LEGISLATION NO: _0006-20__  SPONSOR: Kee Allen Begay Jr

TITLE:  An Action Relating To Law and Order; amending LOCJN-04-17, Which Approved Judicial/Public Safety Facilities Fund Priority List, To Include The Blue Gap/Tachee Police Substation; And, Rescinding LOCO-15-6

Date posted: January 10, 2020 at 5:51 PM

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DATE: January 9, 2020

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO LAW AND ORDER; AMENDING LOCJN-04-17, WHICH APPROVED JUDICIAL/PUBLIC SAFETY FACILITIES FUND PRIORITY LIST, TO INCLUDE THE BLUE GAP/TACHEE POLICE SUBSTATION; AND, RESCINDING LOCO-15-16

PURPOSE: The purpose of the resolution is to approve an amendment to LOCJN-04-17, the Judicial/Public Safety Facilities Fund Priority List to include Blue Gap/Tachee, Navajo Nation, Arizona—Blue Gap/Tachee Substation.

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 NAVAO NATION COUNCIL—Second Year, 2020

INTRODUCED BY

Primary Sponsor

TRACKING NO. 00010-20

AN ACTION

RELATING TO LAW AND ORDER: AMENDING LOCJN-04-17, WHICH APPROVED JUDICIAL/PUBLIC SAFETY FACILITIES FUND PRIORITY LIST, TO INCLUDE THE BLUE GAP/TACHEE POLICE SUBSTATION; AND, RESCINDING LOCO-15-16

BE IT ENACTED:

Section One. Authority

The Navajo Nation established the Law and Order Committee as a Navajo Nation standing committee and as such gave the Law and Order Committee approval authority to fund public safety facilities from the Navajo Sales Tax revenue. 2 N.N.C. §§ 600(A), see also CJA-03-13, and BFD-66-11 approving the JUDICIAL/PUBLIC SAFETY FACILITIES FUND MANAGEMENT PLAN, sects. I and II (2011).

Section Two. Findings

A. The Navajo Nation Council established the Judicial/Public Safety Facilities Fund and the fund shall be appropriated pursuant to the Judicial/Public Safety Facilities Fund Management Plan. 24 N.N.C. § 620(B).

B. The Law and Order Committee approves a “Fund Priority List” which “shall identify and prioritize five Judicial Branch, Public Safety or combined Judicial/Public Safety facilities at specified locations that may receive funding from the Fund.” BFD-66-11
Approving the Judicial/Public Safety Facilities Fund Management Plan, sect. III. (C); BFD-66-11 attached as Exhibit 4.

C. The Judicial/Public Safety Facilities Fund Management Plan, sect. III. (C) states that “Expenditures from the Fund shall be in accord with this Fund Management Plan and restricted to those facilities set forth in the duly approved Fund Priority List. Expenditures from the Fund shall be made in compliance with Navajo Nation law and applicable policies.”

D. Pursuant to LOCJN-04-17, the Law and Order Committee approved the Fund Priority List for Fiscal Years 2016 and 2017. LOCJN-04-17 is attached as Exhibit 1.

E. In 2016, “[t]he Department of Corrections request[ed] for $301,436.27 for the construction and connection of utilities to the Blue Gap/Tachee Police Substation and bunk house which will be located at the Intersection of BIA Route N4 and N29 in Blue Gap, Arizona.” Pursuant to this request, the Law and Order Committee passed LOCO-15-16, attached as Exhibit 2, which approved the allocation from the Judicial/Public Safety Facilities Fund. The Blue Gap/Tachee project was not on the Priority List approved through Law and Order Committee Resolution LOCJN-04-17.

F. In 2019, the Department Manager and the Division Director of the Navajo Nation Division of Public Safety concurred with the Blue Gap/Tachee Chapter to allocate the $301,436.27 to a “change [in] the Scope of Work from the construction and utility connection to purchase of a modular building for the police substation in Blue Gap/Tachee.” The September 11, 2019 memorandum is attached as Exhibit 3.

G. The Law and Order Committee recognizes the need to abide by the Judicial/Public Safety Facilities Fund Management Plan requirement that the “Expenditures from the Fund shall be in accord with this Fund Management Plan and restricted to those facilities set forth in the duly approved Fund Priority List”; therefore, the Law and Order Committee will amend LOCJN-04-17, to include the purchase of a modular building for the Blue Gap/Tachee police substation.

Section Three. Approving an amendment to LOCJN-04-17, the Judicial/Public Safety Facilities Fund Priority List to include the Blue Gap/Tachee Substation
The Law and Order Committee approves an amendment to LOCJN-04-17, the Judicial/Public Safety Facilities Fund Priority List to include Blue Gap/Tachee, Navajo Nation, Arizona—Blue Gap/Tachee Substation.

Section Four. Approving allocation from the Judicial/Public Safety Facilities Fund to the Blue Gap/Tachee Substation

The Law and Order Committee hereby approves the Judicial/Public Safety Facilities Fund, Business Unit Number 1310, three hundred one thousand, four hundred thirty-six ($301,436.00) dollar allocation to the Blue Gap/Tachee Substation project, for purchase and set up of modular building for a police substation and to include ground work, delivery and set up, hook up of telephone/fiber optic, water line, sewer and upgrade sewer pond. See Exhibit 5.

Section Five. Rescinding Law and Order Committee Resolution LOCO-15-16

The Law and Order Committee hereby rescinds LOCO-15-16 An Action Relating to Law and Order; Approving an Allocation of $301,436.17 from the Judicial/Public Safety Facilities Fund, Business Unit Number 1310, for the Construction and Connection of Utility at the Blue Gap/Tachee Police Substation, Business Unit New.