

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0101-19

SPONSOR: Mark A. Freeland

TITLE: An Action Relating To Budget And Finance Committee, Resources And Development Committee And NAABIK'IYATI' Committee And Navajo Nation Council; Allocating \$2,500,000 From The Sihasin Fund To The Crownpoint Chapter And Approving And Adopting The Crownpoint Youth Center Fund Expenditure Plan Pursuant 12 N.N.C §§ 2501 – 2508

Date posted: April 30, 2019 at 4:46 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0101-19

DATE: April 25, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$2,500,000 FROM THE SÍHASIN FUND TO THE CROWNPOINT CHAPTER AND APPROVING AND ADOPTING THE CROWNPOINT YOUTH CENTER FUND EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

PURPOSE: If approved, this resolution will allocate \$2,500,000 to the Crownpoint Chapter and approve and adopt the Crownpoint Youth Center Expenditure Plan.

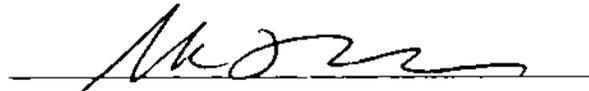
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

S-DAY BILL HOLD PERIOD: Pen B 00
Website Posting Time/Date: _____
Posting End Date: 5.5.19
Eligible for Action: 5.6.19

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

1
2 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
3 24th NAVAJO NATION COUNCIL – First Year, 2019

4 INTRODUCED BY

5
6 

7 (Prime Sponsor)

8
9 TRACKING NO. 0101-19

10
11 AN ACTION

12 RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND
13 DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE AND
14 NAVAJO NATION COUNCIL; ALLOCATING \$2,500,000 FROM THE SÍHASIN
15 FUND TO THE CROWNPOINT CHAPTER AND APPROVING AND ADOPTING
16 THE CROWNPOINT YOUTH CENTER FUND EXPENDITURE PLAN PURSUANT
17 12 N.N.C §§ 2501 – 2508

18
19 BE IT ENACTED:

20
21 **Section One. Authority**

- 22 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C.
23 § 102 (A).
24 B. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review
25 all proposed legislation which requires final action by the Navajo Nation Council. 2
26 N.N.C. §164(A)(9).
27 C. The Budget and Finance Committee of the Navajo Nation Council is empowered to
28 review and recommend to the Navajo Nation Council the budgeting, appropriation,
29 investment, and management of all funds. 2 N.N.C. § 301 (B)(2).
30

- 1 D. The Resources and Development Committee of the Navajo Nation Council has
2 oversight of the chapters of the Navajo Nation. 2 N.N.C. §501 (C)(1).
- 3 E. The Naabik'iyáti' Committee established the Naabik'iyáti' Síhasin Fund
4 Subcommittee to recommend to the Naabik'iyáti' Committee and Navajo Nation
5 Council financial support and/or financing plan(s) for the purposes designated in the
6 Síhasin Fund. NABIAP-20-15. However, approval by the Naabik'iyáti' Síhasin
7 Fund Subcommittee is not a requirement for legislation.
- 8 F. The Navajo Nation Code provides the purpose of the Navajo Nation Síhasin Fund
9 ("Síhasin Fund") is as follows:

10 § 2502 Purpose

- 11 A. The purposes of this Fund are to provide financial support and/or
12 financing for:

- 13 1. The planning and development of economic development
14 and regional infrastructure supporting economic
15 development, and community development, including such
16 infrastructure as, but not limited to, housing, commercial
17 and government buildings, waterline, solid waste
18 management development, powerline projects, and
19 transportation and communication systems, within the
20 Navajo Nation; and
- 21 2. Education opportunities for members of the Navajo
22 Nation.

- 23 B. For the Purpose in § 2502(A)(1), Fund expenditures for
24 infrastructure shall not be limited by 12 NNC § 1310(F) or
25 TCDCJY-77-99.

- 26 C. Leveraging the Fund by way of guaranteeing loans, match
27 funding, direct funding in part, and other weighted uses of the
28 Fund, including loan financing from the Fund, for the purposes
29 in § 2502(A)(1), shall be favored over direct funding in whole.

30 12 N.N.C. § 2502, as amended by CJA-03-18.

1 G. The Sihasin Fund provides that "Fund Principal" shall consist of all deposits made
2 to the Sihasin Fund and that "Fund Income" shall consist of all earnings (interest,
3 dividends, etc.) generated and realized by the Fund Principal, and that Fund
4 Income shall be deposited in and added to Fund Principal until such time as a
5 Fund Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).
6

7 **Section Two. Findings**

- 8 A. The Crownpoint Youth Center project is detailed in the project overview, scope of
9 work, and an architectural design schematic attached as **Exhibit A**.
10 B. Project process schedules are attached as **Exhibit B**.
11 C. Navajo Housing Authority has awarded the Navajo Nation Office of Diné Youth a
12 grant of \$7,432,446.02 contingent upon the project securing an additional
13 \$2,500,000 in match funding. *See Exhibit C*.
14 D. Both Crownpoint Chapter and Littlewater Chapter have passed resolutions in
15 support of this project. These resolutions are attached as **Exhibit D**.
16

17 **Section Three. Allocation of \$2,500,00 to the Crownpoint Chapter and approval**
18 **and adoption of the Crownpoint Youth Center Expenditure Plan**

- 19 A. The Navajo Nation hereby allocates to the Crownpoint Chapter the total amount of
20 \$2,500,000.00 to construct the Crownpoint Youth Center as detailed in **Exhibits A**
21 **and B**.
22 B. The Navajo Nation hereby approves and adopts the Crownpoint Youth Center
23 Expenditure Plan, attached and incorporated herein as **Exhibits A and B**.
24 C. The Sihasin Funds allocated for the Sihasin Fund Crownpoint Youth Center
25 Expenditure Plan may be further leveraged by bond or loan financing pursuant to
26 the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended,
27 using Sihasin Fund earnings for repayment and financing costs upon the
28 recommendation of the Budget and Finance Committee and approval by a two-
29 thirds (2/3) vote of all members of the Navajo Nation Council.
30

1 **Section Four. Approval and Adoption of Expenditure Plan Administration**

2 The Navajo Nation hereby approves administration of the Sihasin Fund Crownpoint
3 Youth Center Expenditure Plan as follows:

- 4 1. The Navajo Nation Controller shall determine whether the source of the annual
5 allocations from the total allocation of \$2,500,000.00 will be Sihasin Fund
6 Principal or Income or a combination of both;
- 7 2. The funding to the Crownpoint Chapter shall be distributed by the end of the first
8 quarter of the respective Navajo Nation Fiscal Year;
- 9 3. The funds allocated for the Crownpoint Youth Center shall be used solely to
10 design, plan, and construct the Crownpoint Youth Center described in **Exhibits**
11 **A and B**. Any and all cost-savings shall be returned to the to the Sihasin Fund
12 once the Crownpoint Youth Center is completed; and
- 13 4. The funds allocated for the Crownpoint Youth Center shall not lapse on an
14 annual basis pursuant to 12 N.N.C. §820 (N), however, any funds not spent or
15 encumbered within twenty-four (24) months of the date funds are made
16 available to the Crownpoint Chapter shall revert to the Sihasin Fund principal,
17 unless recommended otherwise by the Resources and Development Committee
18 and approved by the Naabik'íyáti' Committee.

19
20 **Section Five. Effective Date**

21 The Sihasin Fund Crownpoint Youth Center Expenditure Plan, as set forth above, shall
22 become effective pursuant to 12 N.N.C. § 2505.

23
24 **Section Six. Directives**

25 The Crownpoint Chapter and the Office of Dine Youth shall report the status of the
26 Crownpoint Community Youth Center to the Division of Community Development
27 and the Naabik'íyáti' Committee a least once per quarter after the initial disbursement
28 of funds.