

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0023-21\_\_

SPONSOR: Vince R. James

**TITLE: An Action Relating to Budget and Finance Committee, Resources and Development Committee, Naabik'iyáti' Committee and Navajo Nation Council; Allocating \$2,644,380.00 from the Sihasin Fund to the Division of Community Development for the Purchase of Fire Trucks and Ambulances for the Ganado Fire District; Adopting the Sihasin Ganado Fire District Emergency Vehicle Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 - 2508**

**Date posted: February 18, 2021 at 6:08PM**

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Executive Director  
Office of Legislative Services  
P.O. Box 3390  
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LEGISLATIVE SUMMARY SHEET

Tracking No. 0023-21

DATE: January 15, 2021

**TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$2,644,380.00 FROM THE SÍHASIN FUND TO THE DIVISION OF COMMUNITY DEVELOPMENT FOR THE PURCHASE OF FIRE TRUCKS AND AMBULANCES FOR THE GANADO FIRE DISTRICT; ADOPTING THE SÍHASIN GANADO FIRE DISTRICT EMERGENCY VEHICLE EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501 – 2508**

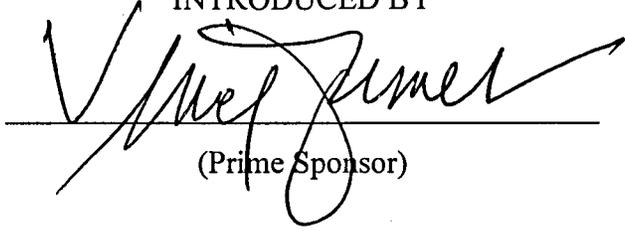
**PURPOSE:** The purpose of this resolution is to approve \$2,644,380.00 in Sihasin funding for the purchase of emergency vehicles for the Ganado Fire District.

5-DAY BILL HOLD PERIOD: VSredhorse  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 02-23-2021  
Eligible for Action: 02-24-2021

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

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL – Third Year, 2021

3 INTRODUCED BY

4   
5 \_\_\_\_\_  
6 (Prime Sponsor)

7  
8 TRACKING NO. 0023-21

9  
10 AN ACTION  
11 RELATING TO BUDGET AND FINANCE COMMITTEE, RESOURCES  
12 AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE  
13 AND NAVAJO NATION COUNCIL; ALLOCATING \$2,644,380.00 FROM  
14 THE SÍHASIN FUND TO THE DIVISION OF COMMUNITY  
15 DEVELOPMENT FOR THE PURCHASE OF FIRE TRUCKS AND  
16 AMBULANCES FOR THE GANADO FIRE DISTRICT; ADOPTING THE  
17 SÍHASIN GANADO FIRE DISTRICT EMERGENCY VEHICLE  
18 EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501 – 2508

19 BE IT ENACTED:

20  
21 SECTION ONE. AUTHORITY

- 22 A. The Resources and Development Committee of the Navajo Nation Council is  
23 empowered to provide oversight over chapter activities, as well as oversight over  
24 community and economic development on the Navajo Nation. 2 N.N.C. §501 (C)(1).  
25 B. The Budget and Finance Committee of the Navajo Nation Council is empowered to  
26 review and recommend to the Navajo Nation Council the budgeting, appropriation,  
27 investment, and management of all funds. 2 N.N.C. § 301 (B)(2).  
28 C. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review all  
29 proposed legislation which requires final action by the Navajo Nation Council. 2  
30 N.N.C. §164(A)(9).

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

3 E. The Navajo Nation Code provides that the purpose of the Navajo Nation Síhasin Fund  
4 (“Síhasin Fund”) is as follows:

5 § 2502 Purpose

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

- 7 1. The planning and development of economic development and regional  
8 infrastructure supporting economic development, and community development,  
9 including such infrastructure as, but not limited to, housing, commercial and  
10 government buildings, waterline, solid waste management development,  
11 powerline projects, and transportation and communication systems, within the  
12 Navajo Nation; and

13 2. Education opportunities for members of the Navajo Nation.

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

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

20 12 N.N.C. § 2502, as amended by CJA-03-18.

21 F. The Síhasin Fund provides that “Fund Principal” shall consist of all deposits made to  
22 the Síhasin Fund and that “Fund Income” shall consist of all earnings (interest,  
23 dividends, etc.) generated and realized by the Fund Principal, and that Fund Income  
24 shall be deposited in and added to Fund Principal until such time as a Fund Expenditure  
25 Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).

26  
27 **SECTION TWO. FINDINGS**

28 A. Ganado Fire District is a political subdivision of the State of Arizona that provides  
29 emergency services to the Navajo Nation communities of Ganado, Steamboat,  
30

1 Kindahlichii, Klagetoh, Cornfields, Woodsprings, Cross Canyon, Bashbito, and Toyeyi,  
2 and others.

3 B. The Ganado Fire District has need for \$2,644,380.00 worth of fire apparatus and  
4 rescue/medical transport units, to meet the fire and other emergency needs of the  
5 Ganado Chapter and surrounding Navajo Nation communities. **Exhibit A.**

6 C. Ganado Fire District has provided a listing of its month activity statistics, as compared  
7 to those of the Navajo Nation Police Department, for the first seven months of 2020  
8 and all of 2019. **Exhibit B.** These statistics show an urgent need for the requested  
9 emergency vehicles.

10 D. Ganado Fire District has provided its 2019-2020 and its 2020-2021 budgets. **Exhibit C.**  
11 These budgets show a shortfall, such that the \$2,644,380.00 in funding is needed to  
12 purchase the requested emergency vehicles.

13 E. Ganado Fire District has provided detailed descriptions of the fire apparatus and  
14 rescue/medical transport units that it is requesting. **Exhibit D.**

15 F. The Navajo Nation Chapters of Ganado, Steamboat, Kindahlichii, Klagetoh,  
16 Cornfields, Jeddito, Nazlini, Greasewood Springs, and the District 17 Council, have all  
17 adopted resolutions supporting the request for funding for the purchase of the fire  
18 apparatus and rescue/medical transport units for Ganado Fire District. **Exhibit E.**

19 G. The Navajo Nation finds that using the Síhasin Fund for the purchase of emergency  
20 vehicles, as set forth on Page 3 of **Exhibit A**, is within the purposes of 12 N.N.C. §  
21 2502 (A) (1) and is in the best interests of Navajo communities and the Navajo People.

22  
23 **SECTION THREE. ALLOCATION OF \$2,644,380.00 TO THE DIVISION OF**  
24 **COMMUNITY DEVELOPMENT AND APPROVAL AND**  
25 **ADOPTION OF THE SÍHASIN GANADO FIRE DISTRICT**  
**EMERGENCY VEHICLE EXPENDITURE PLAN**

26 A. The Navajo Nation hereby allocates \$2,644,380.00 from the Síhasin Fund to the  
27 Division of Community Development to implement the Síhasin Ganado Fire District  
28 Emergency Vehicle Expenditure Plan as detailed in **Exhibit A.**

29 B. The Navajo Nation hereby approves and adopts the Síhasin Ganado Fire District  
30 Emergency Vehicle Expenditure Plan as set forth in **Exhibit A.**

1 C. The Síhasin Funds allocated for the Síhasin Ganado Fire District Emergency Vehicle  
2 Expenditure Plan may be further leveraged by bond or loan financing pursuant to the  
3 Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended, using  
4 Síhasin Fund earnings for repayment and financing costs upon the recommendation of  
5 the Budget and Finance Committee and approval by a two-thirds (2/3) vote of all  
6 members of the Navajo Nation Council.

7  
8 **SECTION FOUR. APPROVAL OF SÍHASIN GANADO FIRE DISTRICT**  
9 **EMERGENCY VEHICLE EXPENDITURE PLAN**  
10 **ADMINISTRATION**

11 The Navajo Nation hereby approves the administration of the Síhasin Ganado Fire District  
12 Emergency Vehicle Expenditure Plan as follows:

- 13 A. The Navajo Nation Controller shall determine whether the source of the \$2,644,380  
14 allocation from the Síhasin Fund will be from Fund Principal or Fund Income or a  
15 combination of both.
- 16 B. The funds allocated for the Ganado Fire District Emergency Vehicle Expenditure Plan  
17 shall be distributed to the Division of Community Development within twenty (20)  
18 days following enactment of this legislation.
- 19 C. Upon receipt of the \$2,644,380 in Síhasin funds, the Division of Community  
20 Development shall promptly purchase the emergency vehicles listed in **Exhibit C** and  
21 arrange for delivery of the vehicles, and transfer of vehicle titles, to the Ganado Fire  
22 District.
- 23 D. Ganado Fire District shall be responsible for operation, maintenance, and repairs of the  
24 emergency vehicles, and shall obtain appropriate liability and other insurance covering  
25 use of the emergency vehicles. The Navajo Nation shall not be liable for any condition  
26 or event pertaining to the emergency vehicles.
- 27 E. The funds allocated for the Ganado Fire District Emergency Vehicle Expenditure Plan  
28 shall be used solely to purchase the emergency vehicles described in **Exhibit C** and  
29 any and all cost-savings shall be returned to the Síhasin Fund once the Ganado Fire  
30 District Emergency Vehicle Expenditure Plan is completed.

1 F. The funds allocated for the Ganado Fire District Emergency Vehicle Expenditure Plan  
2 shall revert to the Síhasin Fund principal if not spent or encumbered within ninety (90)  
3 days of distribution to the Division of Community Development, unless recommended  
4 otherwise by the Resources and Development Committee and approved by the  
5 Naabik'iyáti' Committee.  
6

7 **SECTION FIVE. EFFECTIVE DATE**

8 This legislation and the Síhasin Ganado Fire District Emergency Vehicle Expenditure Plan  
9 shall become effective pursuant to 12 N.N.C. § 2505.  
10

11 **SECTION SIX. SAVING CLAUSE**

12 Should any provision(s) of this Action be determined invalid by the Navajo Nation  
13 Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo  
14 Nation Supreme Court, the remainder of the Action shall remain the law of the Navajo  
15 Nation.  
16

17 **SECTION SEVEN. DIRECTIVES**

18 The Division of Community Development shall provide a written report on the status of  
19 expenditures and project progress under the Síhasin Ganado Fire District Emergency  
20 Vehicle Expenditure Plan to the Naabik'iyati' Committee and Office of the President and  
21 Vice-President by the fifth day of each month following the enactment of this legislation.  
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