

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0062-21__

SPONSOR: Rickie Nez

TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Resolution No. CAP-35-18, Exhibit D, Project No. D5; Deleting the Project Description "Multi-Purpose Site Improvement" and Adding "Road Improvement for N566 and N361; Plan/Design & Construct" and Changing the Funding Year to Year 3

Date posted: March 29, 2021 at 3:45PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0062-21

DATE: March 26, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION NO. CAP-35-18, EXHIBIT D, PROJECT NO. D5; DELETING THE PROJECT DESCRIPTION "MULTI-PURPOSE SITE IMPROVEMENT" AND ADDING "ROAD IMPROVEMENT FOR N566 AND N361; PLAN/DESIGN & CONSTRUCT" AND CHANGING THE FUNDING YEAR TO YEAR 3

PURPOSE: The purpose of this resolution is for the Navajo Nation to approve a change in CAP-35-18 to change Project No. D5 (San Juan Chapter) from "Multi-Purpose Site Improvement" to "Road Improvement for N566 and N361 – Plan/Design & Construct" and changing the funding year to Year 3.

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 04-03-21
Eligible for Action: 04-04-21

Resources & Development Committee
Thence
Budget & Finance Committee

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION

2 24th NAVAJO NATION COUNCIL – Third Year, 2021

3 INTRODUCED BY

4 

5 _____
6 (Prime Sponsor)

7 TRACKING NO. 0062-21

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10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND
12 FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION NO.
13 CAP-35-18, EXHIBIT D, PROJECT NO. D5; DELETING THE PROJECT
14 DESCRIPTION “MULTI-PURPOSE SITE IMPROVEMENT” AND ADDING
15 “ROAD IMPROVEMENT FOR N566 AND N361; PLAN/DESIGN &
16 CONSTRUCT” AND CHANGING THE FUNDING YEAR TO YEAR 3

17
18 BE IT ENACTED:

19 **SECTION ONE. AUTHORITY**

- 20 A. The Resources and Development Committee of the Navajo Nation Council exercises
21 authority over chapters of the Navajo Nation. 2 N.N.C. § 500 (C)(1).
22 B. The Budget and Finance Committee of the Navajo Nation Council exercises authority
23 over budgeting, appropriations, investment, and management of all funds of the Navajo
24 Nation. 2 N.N.C. §301 (B)(2).
25 C. Navajo Nation Council Resolution No. CAP-35-18 provides: “[a] chapter project, power
26 line, or waterline project may be changed, including the year funded, or added to Exhibits
27 A through E with the concurrence of the Delegate representing the Chapter’s Council
28 District and the approval of the Resources and Development Committee and Budget and
29 Finance Committee, as long as such project has been certified as construction-ready by
30

1 CPMD or NTUA and the total Sihasin Funding for the District does not exceed
2 \$4,166,666.67.” See CAP-35-18, Section Four, Paragraph C.
3

4 **SECTION TWO. FINDINGS**

5 A. On April 17, 2018, the Navajo Nation approved Council Resolution CAP-35-18 titled,
6 “Adopting the Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant
7 to CD-68-14, As Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended;
8 Waiving 12 N.N.C. §§ 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital
9 Improvement Budget and the Capital Improvement Process.”

10 B. In Exhibit D attached to Resolution No. CAP-35-18, the Navajo Nation Council approved
11 \$683,333 in Sihasin funding for a “Multi-Purpose Site Improvement Project” for the San
12 Juan Chapter, designated as Project No. D5. **Exhibit A.**

13 C. Regarding Project No. D5, the Capital Projects Management Department (“CPMD”) on
14 behalf of the San Juan Chapter, has requested to delete the “Multi-Purpose Site
15 Improvement Project” and change the project description to “Road Improvement for
16 N566 and N361; Plan/Design & Construct” and the change the funding year to Year 3.
17 The CPMD has submitted a “Sihasin Project Amendment Certification” form, attached
18 as **Exhibit B.**

19 D. As required by CAP-35-18, Section Four (C), and as set forth in the attached **Exhibit B,**
20 the San Juan Chapter N566/N361 Road Improvement Project has been certified by the
21 CPMD as construction-ready; and, the total Sihasin Funding for the Project will not
22 exceed \$4,166,666.67. In fact, the funding amount originally approved for the Project
23 will remain at \$683,333.
24

25 **SECTION THREE. APPROVAL**

26 The Navajo Nation hereby approves the change to CAP-35-18 Exhibit D Project No. D5, the
27 San Juan Chapter Project, by deleting the “Multi-Purpose Site Improvement Project” and
28 changing the project description to “Road Improvement for N566 and N361; Plan/Design &
29 Construct” and changing the funding year to Year 3, as shown in **Exhibit B.**
30

1 **SECTION FOUR. EFFECTIVE DATE**

2 The actions enacted herein shall be effective pursuant to 2 N.N.C. § 221 (B) and, 2 N.N.C. §
3 164 (A)(17).

4
5 **SECTION FIVE. SAVINGS CLAUSE**

6 Should any provision(s) of this action be determined invalid by the Navajo Nation Supreme
7 Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation
8 Supreme Court, those provision(s) that are not determined invalid shall remain the law of the
9 Nation.