

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0068-21\_\_

SPONSOR: Eugenia Charles-Newton

**TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Resolution No. CAP-35-18 for Shiprock Chapter by Deleting \$500,000 from the San Francisco Peak Boulevard Widening Project and Reallocating \$150,000 for this Project in Year 3; Adding a Skateboard Park Project for \$100,000 in Year 3, and Adding the Mesa Bluff Farm Road Project for \$250,000 in Year 3**

*Date posted:* April 6, 2021 at 5:25PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0068-21

**DATE:** April 5, 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 FOR SHIPROCK CHAPTER BY DELETING \$500,000 FROM THE SAN FRANCISCO PEAK BOULEVARD WIDENING PROJECT AND REALLOCATING \$150,000 FOR THIS PROJECT IN YEAR 3; ADDING A SKATEBOARD PARK PROJECT FOR \$100,000 IN YEAR 3, AND ADDING THE MESA BLUFF FARM ROAD PROJECT FOR \$250,000 IN YEAR 3

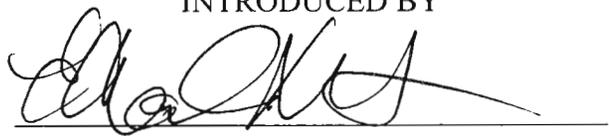
**PURPOSE:** The purpose of this resolution is for the Navajo Nation to approve a change in Resolution No. CAP-35-18 for the Shiprock Chapter by deleting \$500,000 from the San Francisco Peaks Blvd. Project and reallocating \$150,000 for this same Project in Year 3; adding a Skateboard Park Project for \$100,000 in Year 3; and adding the Mesa Bluff Farm Road Project for \$250,000 in Year 3.

5-DAY BILL HOLD PERIOD: Bredhorse  
Website Posting Time/Date:  
Posting End Date: April, 11, 2021  
Eligible for Action: April, 12, 2021

Resources & Development Committee  
Thence  
Budget & Finance Committee

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 TRACKING NO. 0068-21

8  
9 AN ACTION

10 RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND  
11 FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION NO.  
12 CAP-35-18 FOR SHIPROCK CHAPTER BY DELETING \$500,000 FROM  
13 THE SAN FRANCISCO PEAK BOULEVARD WIDENING PROJECT AND  
14 REALLOCATING \$150,000 FOR THIS PROJECT IN YEAR 3; ADDING A  
15 SKATEBOARD PARK PROJECT FOR \$100,000 IN YEAR 3, AND ADDING  
16 THE MESA BLUFF FARM ROAD PROJECT FOR \$250,000 IN YEAR 3

17  
18 BE IT ENACTED:

19  
20 SECTION ONE. AUTHORITY

- 21 A. The Resources and Development Committee of the Navajo Nation Council is  
22 empowered to exercise oversight authority on matters involving roads and  
23 transportation, communication and utilities, information technology, chapter  
24 activities, economic and community development, rights-of way, public utilities and  
25 housing for the purposes enumerated in 2 N.N.C. § 500 (C)(1)-(8).
- 26 B. The Budget and Finance Committee of the Navajo Nation Council is empowered to  
27 review and recommend to the Navajo Nation Council the budgeting, appropriation,  
28 investment and management of all funds and to coordinate and review all fiscal,  
29 financial and investment activities of the Navajo Nation. 2 N.N.C. §301 (B)(2) and  
30 (5).

1     **SECTION TWO. FINDINGS**

- 2     A. The Navajo Nation approved Council Resolution No. CAP-35-18, entitled,  
3         “Adopting the Síhasin Fund Powerline and Chapter Projects Expenditure Plan  
4         Pursuant to CD-68-14, As Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as  
5         Amended; Waiving 12 N.N.C. §§ 810 (F), 820 (I) And (M) And 860 (C) Relating to  
6         the Capital Improvement Budget and the Capital Improvement Process.” Resolution  
7         No. CAP-35-18 is incorporated herein by reference.
- 8     B. Council Resolution No. CAP-35-18, Section Four (C), provides: “A chapter project,  
9         powerline, or waterline project may be changed, including the year funded, or added  
10         to Exhibits A through E with the concurrence of the Delegate representing the  
11         chapter’s Council District and the approvals of the Resources and Development  
12         Committee and Budget and Finance Committee, as long as such project has been  
13         certified as construction-ready by CPMD or NTUA and the total Síhasin Funding for  
14         the District does not exceed \$4,166,666.67.”
- 15     C. The Shiprock Project entitled “Widening San Francisco Peak Blvd.” with an original  
16         Síhasin allocation of \$500,000 is listed as Project No. 81 in Exhibit D attached to  
17         Resolution No. CAP-35-18. Exhibit D attached to CAP-35-18, showing Project No.  
18         81, is attached hereto as **Exhibit 1**.
- 19     D. The Shiprock Chapter is requesting a deletion of the \$500,000 original funding  
20         amount for the San Francisco Peak Blvd. Project and a reallocation of \$150,000 for  
21         Year 3. The Shiprock Chapter also requests that \$100,000 be allocated for a new  
22         Skateboard Park Project, and the remaining \$250,000 be allocated for the Bluff Mesa  
23         Farm Road Project, both situated within the Shiprock Chapter. Shiprock Chapter  
24         Resolution No. 03-08-20-038-SHIP is attached as **Exhibit 2** and Shiprock Chapter  
25         Resolution No. 12-08-19-015-SHIP is attached as **Exhibit 3**.
- 26     E. Regarding these requests, the Shiprock Chapter has submitted a CAP-35-18 Capital  
27         Projects Management Department - Síhasin Project Amendment Certification Form,  
28         attached as **Exhibit 4** (other CPMD forms are also included). The CPMD  
29         Amendment Certification Form shows the signature of the Delegate for Shiprock  
30         Chapter, as required by Resolution No. CAP-35-18, Section Four (C).

1 F. The CAP-35-18 Sihasin Project Amendment Certification Form, **Exhibit 4**, shows  
2 the requested changes to be made to Exhibit D, Project No. 81, deleting \$500,000  
3 from the San Francisco Peak Blvd. Widening Project from Year 1, and reallocating  
4 \$150,000 for this same Project to Year 3. The Certification Form also shows the  
5 request to add \$100,000 in Year 3 for a new Skateboard Park Project (Plan/Design &  
6 Construct), and adding \$250,000 in Year 3 for a new Bluff Mesa Farm Road Project  
7 (Plan/Design & Construct).

8 G. As required by CAP-35-18, Section Four (C), the new Projects to be added have been  
9 certified by the Capital Projects Management Department as construction-ready and  
10 the total Sihasin Funding for the Shiprock Council District will not exceed  
11 \$4,166,666.67. In fact, the \$500,000 original funding amount will remain unchanged;  
12 \$350,000 of the original \$500,000 will merely be reallocated to two new Projects.

### 13 14 **SECTION THREE. APPROVALS**

15 A. The Navajo Nation hereby approves changes to Resolution No. CAP-35-18, Exhibit  
16 D, Project No. 81, for the Shiprock Chapter, by deleting \$500,000 in Sihasin Funds  
17 from the San Francisco Peak Blvd. Widening Project from Year 1, and reallocating  
18 \$150,000 in Sihasin Funds for this same Project for Year 3, as shown in **Exhibit 4**.

19 B. The Navajo Nation also approves an allocation of \$100,000 in Sihasin Funds from  
20 the deleted \$500,000 for a new Skateboard Park Project (Plan/Design & Construct)  
21 for the Shiprock Chapter, and approves expenditure of the \$100,000 for Year 3, as  
22 shown in **Exhibit 4**.

23 C. The Navajo Nation also approves an allocation of \$250,000 in Sihasin Funds from  
24 the deleted \$500,000 for a new Bluff Mesa Farm Road Project (Plan/Design &  
25 Construct) for the Shiprock Chapter, and approves expenditure of the \$250,000 for  
26 Year 3, as shown in **Exhibit 4**.

### 27 28 **SECTION FOUR. EFFECTIVE DATE**

29 The action herein shall be effective pursuant to 2 N.N.C. § 221 (B) and, 2 N.N.C. § 164  
30 (A)(17).

1 **SECTION FIVE. SAVINGS CLAUSE**

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

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