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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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.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0018-21

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

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communication and utilities, information technology, chapter activities, economic and community development, rights-of-way, public utilities and housing for the purposes enumerated in 2 N.N.C. § 500 (C)(1)-(8).

B. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. §301 (B)(2) and (5).
SECTION TWO. FINDINGS

A. The Navajo Nation approved Council Resolution No. CAP-35-18, entitled, "Adopting the Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, As Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. §§ 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital Improvement Budget and the Capital Improvement Process.” Resolution No. CAP-35-18 is incorporated herein by reference.

B. Council Resolution No. CAP-35-18, Section Four (C), provides: “A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter’s Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Sihasin Funding for the District does not exceed $4,166,666.67.”

C. The Shiprock Project entitled “Widening San Francisco Peak Blvd.” with an original Sihasin allocation of $500,000 is listed as Project No. 81 in Exhibit D attached to Resolution No. CAP-35-18. Exhibit D attached to CAP-35-18, showing Project No. 81, is attached hereto as Exhibit 1.

D. The Shiprock Chapter is requesting a deletion of the $500,000 original funding amount for the San Francisco Peak Blvd. Project and a reallocation of $150,000 for Year 3. The Shiprock Chapter also requests that $100,000 be allocated for a new Skateboard Park Project, and the remaining $250,000 be allocated for the Bluff Mesa Farm Road Project, both situated within the Shiprock Chapter. Shiprock Chapter Resolution No. 03-08-20-038-SHIP is attached as Exhibit 2 and Shiprock Chapter Resolution No. 12-08-19-015-SHIP is attached as Exhibit 3.

E. Regarding these requests, the Shiprock Chapter has submitted a CAP-35-18 Capital Projects Management Department - Sihasin Project Amendment Certification Form, attached as Exhibit 4 (other CPMD forms are also included). The CPMD Amendment Certification Form shows the signature of the Delegate for Shiprock Chapter, as required by Resolution No. CAP-35-18, Section Four (C).
F. The CAP-35-18 Sihasin Project Amendment Certification Form, **Exhibit 4**, shows the requested changes to be made to Exhibit D, Project No. 81, deleting $500,000 from the San Francisco Peak Blvd. Widening Project from Year 1, and reallocating $150,000 for this same Project to Year 3. The Certification Form also shows the request to add $100,000 in Year 3 for a new Skateboard Park Project (Plan/Design & Construct), and adding $250,000 in Year 3 for a new Bluff Mesa Farm Road Project (Plan/Design & Construct).

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

**SECTION THREE. APPROVALS**

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

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

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

**SECTION FOUR. EFFECTIVE DATE**

The action herein shall be effective pursuant to 2 N.N.C. § 221 (B) and, 2 N.N.C. § 164 (A)(17).
SECTION FIVE. SAVINGS CLAUSE

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