

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0089-21_

SPONSOR: Raymond Smith Jr.

TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Resolution No. CAP-35-18 for Klagetoh Chapter by Deleting the Head Start Project and Adding Metal Storage Building, Dedicated Internet Access, and Powerline Extension Projects

Date posted: June 04, 2021 at 5:05 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0089-21

DATE: June 3, 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 KLAGETOH CHAPTER BY DELETING THE HEAD START PROJECT AND ADDING METAL STORAGE BUILDING, DEDICATED INTERNET ACCESS, AND POWERLINE EXTENSION PROJECTS

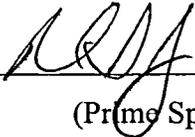
PURPOSE: The purpose of this legislation is for the Navajo Nation Council to approve amendments to CAP-35-18, Exhibit D, Project 141, for the Klagetoh Chapter, by deleting the Head Start Project and adding three alternate projects: (1) Metal Storage Building (design, construct, and equipment); (2) Dedicated Internet Access (design, construct, and equipment); and (3) Powerline Extension (design and construct). The \$400,000 Sihasin funding amount originally approved in CAP-35-18 will not be changed.

5-DAY BILL HOLD PERIOD 13 Redhorse
Website Posting Time/Date _____
Posting End Date: June 9, 2021
Eligible for Action: June 10, 2021

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
8 TRACKING NO. 0089-21

9
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 FOR KLAGETOH CHAPTER BY DELETING THE HEAD START
14 PROJECT AND ADDING METAL STORAGE BUILDING, DEDICATED
15 INTERNET ACCESS, AND POWERLINE EXTENSION PROJECTS
16

17 BE IT ENACTED:

18
19 SECTION ONE. AUTHORITY

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

25 B. The Budget and Finance Committee of the Navajo Nation Council is empowered to review
26 and recommend to the Navajo Nation Council the budgeting, appropriation, investment
27 and management of all funds, and to coordinate and review all fiscal, financial and
28 investment activities of the Navajo Nation. 2 N.N.C. §301 (B)(2) and (5).
29
30

1 **SECTION TWO. FINDINGS**

2 A. The Navajo Nation Council approved Resolution No. CAP-35-18, entitled, “Adopting the
3 Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as
4 Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C.
5 §§ 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital Improvement Budget
6 and the Capital Improvement Process.” Resolution No. CAP-35-18 is incorporated herein
7 by reference.

8 B. CAP-35-18 Section Four (C), provides: “A chapter project, powerline, or waterline project
9 may be changed, including the year funded, or added to Exhibits A through E with the
10 concurrence of the Delegate representing the chapter’s Council District and the approvals
11 of the Resources and Development Committee and Budget and Finance Committee, as
12 long as such project has been certified as construction-ready by CPMD or NTUA and the
13 total Sihasin Funding for the District does not exceed \$4,166,666.67.”

14 C. The Klagetoh Project entitled “Head Start Project” with an original Sihasin allocation of
15 \$400,000 is listed as Project No. 141 in Exhibit D attached to Resolution No. CAP-35-18.
16 Exhibit D showing Project No. 141, is attached hereto as **Exhibit 1**.

17 D. The Klagetoh Chapter is requesting a deletion of the Head Start Project and requests that
18 the \$400,000 in approved Sihasin funding be instead allocated to three alternate projects:
19 (1) Metal Storage Building (design, construct, and equipment); (2) Dedicated Internet
20 Access (design, construct, and equipment); and (3) Powerline Extension (design and
21 construct). Klagetoh Chapter Reso. No. KLA-2114-03/2021 is attached as **Exhibit 2**.

22 E. Regarding these requests, the Chapter has submitted a CAP-35-18 Capital Projects
23 Management Department - Sihasin Project Amendment Certification Form, attached as
24 **Exhibit 3**. The CPMD Amendment Certification Form shows the signature of the
25 Delegate for Klagetoh Chapter, as required by CAP-35-18 Section Four (C).

26 F. The CAP-35-18 Sihasin Project Amendment Certification Form, **Exhibit 3**, shows the
27 requested changes to be made to Exhibit D, Project No. 141, deleting the Head Start
28 Project and adding the three alternate projects listed above.

29 G. As required by CAP-35-18 Section Four (C), the three new projects to be added have been
30 certified by the Capital Projects Management Department as construction-ready and the

1 total Sihasin Funding for the Klagetoh Council District will not exceed \$4,166,666.67. In
2 fact, the \$400,000 original Sihasin funding amount approved in CAP-35-18 will remain
3 unchanged.

4
5 **SECTION THREE. APPROVALS**

6 The Navajo Nation Council hereby approves changes to Resolution No. CAP-35-18, Exhibit
7 D, Project No. 141, for the Klagetoh Chapter, by deleting the Head Start Project and
8 reallocating the \$400,000 in approved Sihasin Funds for three alternate projects, as follows:

- 9 (1) \$118,684 - Metal Storage Building (design, construct, and equipment);
10 (2) \$96,800 - Dedicated Internet Access (design, construct, and equipment); and
11 (3) \$184,516 - Powerline Extension (design and construct).

12 TOTAL: \$400,000

13
14 **SECTION FOUR. EFFECTIVE DATE**

15 The action herein shall become effective pursuant to 2 N.N.C. § 221 (B) and 2 N.N.C. § 164
16 (A)(17).

17
18 **SECTION FIVE. SAVINGS CLAUSE**

19 If any provision of this legislation is determined invalid by the Supreme Court of the Navajo
20 Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme
21 Court, the provision(s) not determined invalid shall remain as Navajo Nation law.