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

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 et. seq.
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.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY

[Signature]
(Prime Sponsor)

TRACKING NO. 0089-21

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

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

D. The Klagetoh Chapter is requesting a deletion of the Head Start Project and requests that the $400,000 in approved Sihasin funding be instead allocated to 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). Klagetoh Chapter Reso. No. KLA-2114-03/2021 is attached as Exhibit 2.

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

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

G. As required by CAP-35-18 Section Four (C), the three new projects to be added have been certified by the Capital Projects Management Department as construction-ready and the...
total Síhasín Funding for the Klagetoh Council District will not exceed $4,166,666.67. In fact, the $400,000 original Síhasín funding amount approved in CAP-35-18 will remain unchanged.

SECTION THREE. APPROVALS
The Navajo Nation Council hereby approves changes to Resolution No. CAP-35-18, Exhibit D, Project No. 141, for the Klagetoh Chapter, by deleting the Head Start Project and reallocating the $400,000 in approved Síhasín Funds for three alternate projects, as follows:
(1) $118,684 - Metal Storage Building (design, construct, and equipment);
(2) $96,800 - Dedicated Internet Access (design, construct, and equipment); and
(3) $184,516 - Powerline Extension (design and construct).
TOTAL: $400,000

SECTION FOUR. EFFECTIVE DATE
The action herein shall become effective pursuant to 2 N.N.C. § 221 (B) and 2 N.N.C. § 164 (A)(17).

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