TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Resolution No. CAP-35-18 for Tsayatoh Chapter by Deleting the Tsayatoh Chapter Renovation Project and Adding the Chapter House Demolition Project

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DATE: June 4, 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 TSAYATOH CHAPTER BY DELETING THE TSAYATOH CHAPTER RENOVATION PROJECT AND ADDING THE CHAPTER HOUSE DEMOLITION PROJECT

PURPOSE: The purpose of this legislation is for the Navajo Nation Council to approve amendments to CAP-35-18, Exhibit D, Project No. 93, for the Tsayatoh Chapter, by deleting the Chapter Renovation Project and adding the Chapter House Demolition Project. The $500,000 Síhasin 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. 092-21

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN RESOLUTION NO. CAP-35-18 FOR TSAYATOH CHAPTER BY DELETING THE TSAYATOH CHAPTER RENOVATION PROJECT AND ADDING THE CHAPTER HOUSE DEMOLITION PROJECT

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 Tsayatoh Chapter Project entitled “Tsayatoh Chapter Renovation” with an original Sihasin allocation of $500,000 is listed as Project No. 93 in Exhibit D attached to Resolution No. CAP-35-18. Exhibit D showing Project No. 93 is attached hereto as Exhibit 1.

D. The Tsayatoh Chapter is requesting a deletion of the Tsayatoh Chapter Renovation Project and requests that the $500,000 in approved Sihasin funding be instead allocated to “New Project – Chapter House Demolition Project (Plan/Design).” The Division of Community Development, on behalf of the Chapter, has submitted a memorandum dated May 25, 2021, regarding the Chapter’s request. Exhibit 2.

E. Regarding this request, the Division of Community Development has submitted, on behalf of the Chapter, 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 Tsayatoh 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. 93, deleting the Tsayatoh Chapter
Renovation Project and adding the “New Project – Chapter House Demolition Project (Plan/Design).”

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

H. The Tsayatoh Chapter has submitted a detailed project description for the Tsayatoh Chapter Building Demolition Project, attached as Exhibit 4.

SECTION THREE. APPROVALS
The Navajo Nation Council hereby approves changes to Resolution No. CAP-35-18, Exhibit D, Project No. 93, for the Tsayatoh Chapter, by deleting the Tsayatoh Chapter Renovation Project and reallocating the $500,000 in approved Sihasin funding to the “New Project – Chapter House Demolition Project (Plan/Design).”

SECTION FOUR. EFFECTIVE DATE
The action herein shall become effective pursuant to 12 N.N.C. § 2505.

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.