TITLE: An Action Relating to the Resources and Development and Budget and Finance Committees; Approving a Modification in the FY2021 Proprietary Budget Account (Business Unit No. 115017) for the Navajo Nation Museum (An Increase of $72,000), for the Museum to Resume and Continue its Operations

Date posted: __July 14, 2021 at 9:16AM

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DATE: July 8, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A MODIFICATION IN THE FY2021 PROPRIETARY BUDGET ACCOUNT (BUSINESS UNIT NO. 115017) FOR THE NAVAJO NATION MUSEUM (AN INCREASE OF $72,000), FOR THE MUSEUM TO RESUME AND CONTINUE ITS OPERATIONS

PURPOSE: The purpose of this legislation is to approve the budget modification request by the Navajo Nation Museum to increase its Proprietary Fund budget by $72,000.
PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0115-21

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT AND BUDGET
AND FINANCE COMMITTEES; APPROVING A MODIFICATION IN THE
FY2021 PROPRIETARY BUDGET ACCOUNT (BUSINESS UNIT NO. 115017)
FOR THE NAVAJO NATION MUSEUM (AN INCREASE OF $72,000), FOR
THE MUSEUM TO RESUME AND CONTINUE ITS OPERATIONS

BE IT ENACTED:

SECTION 1. AUTHORITY
A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council
that reviews the “budgeting, appropriation, investment and management of all [Navajo
Nation] funds.” 2 N.N.C. §301(B)(2).
B. The Resources and Development Committee is a standing committee of the Navajo Nation
Council that serves as the oversight committee for the Navajo Nation Division of Natural
Resources. 2 N.N.C. §501(C)(1).
C. The Navajo Nation Museum (“Museum”) is a Navajo Nation Program established under
the Division of Natural Resources. The Plan of Operation for the Museum was approved
pursuant to Resolution No. GSCO-64-00 (as amended).
D. A Revenue Expenditure Plan for the Museum was also approved, in Resolution No.
BFAP-06-04. Exhibit A. The Plan does not specify the exact procedures for the approval
of a modification or increase to the Museum’s initial funding amount that was approved in the Navajo Nation’s Comprehensive Budget for Fiscal Year 2021. However, the Revenue Expenditure Plan does say: “[e]xpenditures from this Expenditure account shall be made in accordance with established Navajo Nation law, budget policies and procedures . . . and shall be budgeted each fiscal year through the Navajo Nation annual budgeting process.” Resolution No. BFAP-06-04.

E. In Resolution No. BFJY-19-20 the Navajo Nation adopted the FY2021 Navajo Nation Budget Instructions Manual (“BIM”), directing that all Navajo Nation programs and entities shall use the FY2021 BIM for preparation of their budgets to be included in the Navajo Nation’s FY2021 Comprehensive Budget, as well as for any subsequent carryover and supplemental budgets for FY2021. Resolution No. BFJY-19-20.

F. The FY2021 BIM serves as the Navajo Nation’s Budget regulations and provides specific guidance regarding Navajo Nation program budget revisions. It describes a budget modification as “an increase or decrease of fifty thousand dollars ($50,000) or more to an existing business unit budget under a previously approved budget. This shall require oversight committee approval before the modification can be processed . . . . Completed Budget Forms are required for a budget modification.” FY2021 BIM, Section XI.(C)(3).

SECTION 2. FINDINGS

A. In adhering to the requirements of the authorities cited above, the Museum has indeed provided the appropriate Budget Forms required by the BIM because its requested budget modification exceeds the $50,000 amount set in the BIM. The various Budget Forms, completed and signed by the appropriate officials, are attached hereto as Exhibit B.

B. In a memorandum dated June 7, 2021, the Navajo Nation Office of the Controller (“OOC”) provided its updated and revised budget schedules for certain Navajo Nation programs’ proprietary fund accounts. This report includes a $72,000 increase to the Museum’s original FY2021 budget amount that was approved by the Navajo Nation Council in Resolution No. CN-88-20. The OOC now recommends a revised maximum budget limit of $142,000 for FY2021. Exhibit C.

C. In two memoranda, dated May 24, 2021 and May 28, 2021, the Director of the Museum
requests an increase of $72,000 in the Museum’s FY2021 Proprietary Fund account, matching the $72,000 increase recommended by the OOC. The Director explains that the purpose of this added funding is for the Museum to resume and continue its operations, now that the Navajo Nation has begun to reopen its businesses to the public. Both of the Director’s memos are attached hereto as Exhibit D.

D. The Museum’s budget modification request has been processed through the Navajo Nation’s Title 2 N.N.C. §164 review process, and has been deemed “legally sufficient” by the Navajo Nation Department of Justice. Exhibit E.

E. According to its Plan of Operation, the Museum was established to bridge the past, present and future of the Navajo People, and to protect and curate items of cultural and historic significance to the Navajo People. With the preservation of such items, the Museum fosters the unity and harmony of the Navajo People by educating the public about cultural issues, from the perspective of the Navajo People. Reso. No. GSCO-64-00 (as amended).

F. The additional requested funds will assist the Museum with its activities described above. Therefore, it is in the best interest of the Navajo Nation to approve the requested budget modification, consisting of a $72,000 increase, for the Navajo Nation Museum.

SECTION 3. APPROVAL OF BUDGET MODIFICATION

The Navajo Nation hereby approves the Navajo Nation Museum’s requested budget modification, comprising a $72,000 increase in Business Unit No. 115017, for the Navajo Nation Museum’s Proprietary Fund account. This approval shall be consistent with the Budget Forms attached hereto as Exhibit B.

SECTION 4. DIRECTIVES

The Navajo Nation hereby directs the Office of Management and Budget to include the $72,000 increase approved herein in the FY2021 Executive Branch Proprietary Funds listing.

SECTION 5. EFFECTIVE DATE

This legislation and the budget modification approved herein shall become effective when adopted by the Budget and Finance Committee and certified by the Chairperson.
SECTION 6. SAVINGS CLAUSE

If any provision of this legislation is determined invalid by the Supreme Court of the Navajo Nation or by any Navajo Nation District Court, without appeal to the Navajo Nation Supreme Court, the remainder of this legislation shall remain valid as the law of the Navajo Nation.