LEGISLATION NO: _0240-21__

SPONSOR: Pernell Halona

TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a Change in Exhibit D to Resolution No. CAP-35-18 for Coyote Canyon Chapter by Deleting Certain Projects and Purchases and Approving the Use of Funds for the Purchase of New Equipment and for the Chapter Parking Lot/Landscape Project Instead

Date posted: __November 15, 2021 at 5:25 PM

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DATE: November 10, 2021

TITLE OF LEGISLATION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN EXHIBIT D TO RESOLUTION NO. CAP-35-18 FOR COYOTE CANYON CHAPTER BY DELETING CERTAIN PROJECTS AND PURCHASES AND APPROVING THE USE OF FUNDS FOR THE PURCHASE OF NEW EQUIPMENT AND FOR THE CHAPTER PARKING LOT/LANDSCAPE PROJECT INSTEAD

PURPOSE OF THIS LEGISLATION: to approve a change in CAP-35-18 Exhibit D, to allow for deletion of four items on Exhibit D for Coyote Canyon Chapter, and to allow use of the funds for 2 new equipment purchases by the Chapter and for the Chapter waterline extension project.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Third Year, 2021

Introduced by:

(Prime Sponsor)

Tracking No. 0240-21

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE IN EXHIBIT D TO RESOLUTION NO. CAP-35-18 FOR COYOTE CANYON CHAPTER BY DELETING CERTAIN PROJECTS AND PURCHASES AND APPROVING THE USE OF FUNDS FOR THE PURCHASE OF NEW EQUIPMENT AND FOR THE CHAPTER PARKING LOT/LANDSCAPE PROJECT INSTEAD

BE IT ENACTED:

SECTION ONE. AUTHORITY
A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over chapter activities. 2 N.N.C. §500(C).
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 §301(B)(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.” 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. Certain expenditures for the Coyote Canyon Chapter were approved in Exhibit D of CAP-35-18. The CAP-35-18 Exhibit D showing Coyote Canyon Chapter Project Nos. 14, 15, 16, 18, and 19 is attached hereto as EXHIBIT 1. These approved expenditures are as follows:

| No. D-14 | New Chapter Tractor | $ 50,000 |
| No. D-15 | Senior Center Van | $ 50,000 |
| No. D-16 | New Chapter Truck & Flatbed | $ 90,000 |
| No. D-18 | Senior Citizen Center | $109,000 |
| No. D-19 | Parking Lot w/Landscape | $119,455 |

D. The Coyote Canyon Chapter desires to delete No. D-14 and No. D-15 as approved in CAP-35-18 and to transfer $61,517.76 of the allocated total of $100,000 to a new Project for the Chapter, titled: “Community Regional Waterline Extension Project.” EXHIBIT 2.

E. The Coyote Canyon Chapter desires to delete No. D-16 as approved in CAP-35-18 and to transfer $26,116 of the allocated total of $90,000 to 2 new purchases of a water tank with water pump ($4000) and a dump truck ($12,000), and to the approved Project No. D-19 Parking Lot/Landscape Project ($10,116). EXHIBIT 3.

F. The Coyote Canyon Chapter desires to delete No. D-18 as approved in CAP-35-18 and to transfer $69,612.17 of the allocated total of $109,000 to the approved Project No. D-19 Parking Lot/Landscape Project. EXHIBIT 4.

G. Regarding the Chapter’s requests, the Division of Community Development has submitted, on behalf of the Chapter, three CAP-35-18 Capital Projects Management
Department - Sihasin Project Amendment Certification Forms (EXHIBITS 2-4). The
CPMD Amendment Certification Forms show the signature of the Delegate for the Coyote
Canyon Chapter, as required by CAP-35-18 Section Four (C).

H. As required by CAP-35-18 Section Four (C), the Projects to be added have been certified
by the Capital Projects Management Department as construction-ready and the total
Sihasin Funding for the Coyote Canyon Council District will not exceed $4,166,666.67.
In fact, the original Sihasin funding amounts for the Coyote Canyon Chapter, as approved
in CAP-35-18, will remain unchanged.

I. The Sihasin Fund shall be reimbursed, in the amount of the allocation authorized in this
Legislation, from prospective funds available to the Navajo Nation from any and all
appropriate state and federal sources.

SECTION THREE. APPROVAL
The Navajo Nation Council hereby approves changes to Resolution No. CAP-35-18, Exhibit
D, Project Nos. 14, 15, 16, 18, and 19, for the Coyote Canyon Chapter, as shown in
EXHIBITS 2, 3, and 4, attached hereto.

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

SECTION FIVE. SAVING 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.