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 the Sawmill Chapter by Allocating $32,133.67 in Funds Remaining from the N-7 Road Project to the Chapter House Renovation Project

Date posted: November 22, 2021 at 6:03PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

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: November 18, 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 THE SAWMILL CHAPTER BY ALLOCATING $32,133.67 IN FUNDS REMAINING FROM THE N-7 ROAD PROJECT TO THE CHAPTER HOUSE RENOVATION PROJECT

PURPOSE OF THIS LEGISLATION: to approve a change in Exhibit D to Resolution No. CAP-35-18 to allow the transfer of $32,133.67 in funds remaining from the N-7 Road Rehabilitation Project to the Sawmill Chapter House Renovation Project - total funds allocated to Sawmill Chapter in CAP-38-15 will not change.
PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL – Third Year, 2021

Introduced by:

[Signature]

(Prime Sponsor)

Tracking No. 0253-21

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 THE SAWMILL CHAPTER BY ALLOCATING $32,133.67 IN FUNDS REMAINING FROM THE N-7 ROAD PROJECT TO THE CHAPTER HOUSE RENOVATION PROJECT

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. Section 4(C) of CAP-35-18 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 amount of $271,666.67 for the Sawmill Chapter N-7 Road Rehabilitation Project in the Year 1 Funding Period was approved in Exhibit D of CAP-35-18. The CAP-35-18 Exhibit D showing the N-7 Road Project No. 59 is attached hereto as EXHIBIT 1.

D. The amount of $500,000 for the Sawmill Chapter House Renovation Project was also approved in Exhibit D of CAP-35-18. The CAP-35-18 Exhibit D showing the Chapter House Renovation Project No. 58 is attached hereto as EXHIBIT 1.

E. The Sawmill Chapter has expended $185,533 out of the $271,666.67 in approved Sihasin funds allocated for the N-7 Road Project, leaving a remaining balance of $32,133.67 that the Chapter desires to use for its Chapter House Renovation Project. EXHIBIT 2.

F. Regarding the Sawmill Chapter’s change request, the Division of Community Development - Capital Projects Management Department (“CPMD”) has submitted, on behalf of the Chapter, a Sihasin Project Amendment Certification Form, attached as EXHIBIT 3. The CPMD Amendment Certification Form shows the signature of the Navajo Nation Council Delegate for the Sawmill Chapter, as required by CAP-35-18 Section 4(C).

G. As required by CAP-35-18 Section 4(C), the Sawmill Chapter House Renovation Project to be added has been certified by CPMD as construction-ready and the total Sihasin Funding for the Council District will not exceed $4,166,666.67. In fact, the total Sihasin funding amounts approved for the Sawmill Chapter in CAP-35-18 will remain unchanged.

H. 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 a change to Resolution No. CAP-35-18, Exhibit D, Project Nos. 58-59 by transferring the balance of $32,133.67 remaining from the N-7 Road Rehabilitation Project (Project No. D-59) to the Sawmill Chapter House Renovation Project (Project No. D-58) in the Year 2 Funding Period, as shown in EXHIBIT 3.

SECTION FOUR. EFFECTIVE DATE
This Legislation 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.