

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0012-22_

SPONSOR: Jimmy Yellowhair

TITLE: An Action Relating to Resources and Development and Budget and Finance Committee; Approving a Change in Exhibit D to Resolution No. CAP-35-18 for Forest Lake Chapter by Adding "Planning, Design, Construction, Equipment, and Furnishings" to Project No. D-172 and Moving the Project to the Year 3 Funding Period

Date posted: January 18, 2022 at 3:12PM

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LEGISLATION SUMMARY SHEET

TRACKING NO. 0012-22

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 FOREST LAKE CHAPTER BY ADDING “PLANNING, DESIGN, CONSTRUCTION, EQUIPMENT, AND FURNISHINGS” TO PROJECT NO. D-172 AND MOVING THE PROJECT TO THE YEAR 3 FUNDING PERIOD

PURPOSE OF THIS LEGISLATION: to approve moving the Forest Lake Chapter Senior Center Project from Year 1 Funding Period to Year 3 Funding Period and adding “Planning, Design, Construction, Equipment, and Furnishings” to the Project description - no change in approved funding amount.

OLC No. 21-383-1

5-DAY BILL HOLD PERIOD:
Website Posting Time/Date:
Posting End Date: 01-23-22
Eligible for Action: 01-24-22

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Fourth Year, 2022

Introduced by:



(Prime Sponsor)

Tracking No. 0012-22

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 FOREST LAKE CHAPTER BY ADDING “PLANNING, DESIGN,
CONSTRUCTION, EQUIPMENT, AND FURNISHINGS” TO PROJECT NO. D-172
AND MOVING THE PROJECT TO THE YEAR 3 FUNDING PERIOD

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 Síhasin 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.

1 §§ 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital Improvement Budget
2 and the Capital Improvement Process.” CAP-35-18 is incorporated herein by reference.

3 B. Section 4(C) of CAP-35-18 provides: “A chapter project, powerline, or waterline project
4 may be changed, including the year funded, or added to Exhibits A through E with the
5 concurrence of the Delegate representing the chapter’s Council District and the approvals
6 of the Resources and Development Committee and Budget and Finance Committee, as
7 long as such project has been certified as construction-ready by CPMD or NTUA and the
8 total Síhasin Funding for the District does not exceed \$4,166,666.67.”

9 C. The amount of \$500,000 for the Forest Lake Chapter Senior Center Project in the Year 1
10 Funding Period was approved in Exhibit D of CAP-35-18. The CAP-35-18 Exhibit D
11 showing the Forest Lake Chapter Project No. 172 is attached hereto as **EXHIBIT 1**.

12 D. The Forest Lake Chapter desires to delete Project No. D-172 in the Year 1 Funding Period
13 and move this same Project to the Year 3 Funding Period, and to add “Planning, Design,
14 Construction, Equipment, and Furnishings” to the Project. The Division of Community
15 Development - Capital Projects Management Department (“CPMD”) has submitted, on
16 behalf of the Chapter, a Síhasin Project Amendment Certification Form. **EXHIBIT 2**. The
17 CPMD Amendment Certification Form shows the signature of the Navajo Nation Council
18 Delegate for the Forest Lake Chapter, as required by CAP-35-18 Section 4(C).

19 E. The Forest Lake Chapter has passed Resolution No. FLC-21-10-015, dated August 20,
20 2021, to request this change for its Senior Center Project. **EXHIBIT 3**.

21 F. As required by CAP-35-18 Section 4(C), the new Project activities to be added have been
22 certified by CPMD as construction-ready and the total Síhasin Funding for the Council
23 District will not exceed \$4,166,666.67. In fact, the original Síhasin funding amount of
24 \$300,000 for the Forest Lake Chapter, as approved in CAP-35-18, will remain unchanged.

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

28
29 **SECTION THREE. APPROVAL**

30 The Navajo Nation Council hereby approves a change to Resolution No. CAP-35-18, Exhibit

1 D, Project No. 172, adding the activities of “Planning, Design, Construction, Equipment, and
2 Furnishings” to the Senior Center Project for the Forest Lake Chapter, as shown in the
3 attached **EXHIBIT 2**.

4
5 **SECTION FOUR. EFFECTIVE DATE**

6 This Legislation shall become effective pursuant to 12 N.N.C. §2505.

7
8 **SECTION FIVE. SAVING CLAUSE**

9 If any provision of this Legislation is determined invalid by the Supreme Court of the Navajo
10 Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme
11 Court, the provision(s) not determined invalid shall remain as Navajo Nation law.