

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0098-24\_

SPONSOR: Vince R. James

**TITLE: An Action Relating to the Resources and Development Committee; and Budget and Finance Committee; Approving a Change to CAP-35-18, Exhibit D, Project No. 123, for the Cornfields Chapter by Amending the Project Type and Project Duration**

*Date posted:* May 03, 2024 at 4:42PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0098-24

**DATE:** May 2, 2024

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; AND BUDGET AND FINANCE COMMITTEE; APPROVING A CHANGE TO CAP-35-18, EXHIBIT D, PROJECT NO. 123, FOR THE CORNFIELDS CHAPTER BY AMENDING THE PROJECT TYPE AND PROJECT DURATION

**PURPOSE:** This legislation, if approved, will enact changes to CAP-35-18, Exhibit D, Project No. 123, for the benefit of the Cornfields Chapter by amending the Project Type to “Plan, Design, Construction, and Equipment” and by amending the Project Year Funding to “Year 3” for the amount of \$250,000.00.

**FINAL AUTHORITY:** Budget and Finance Committee

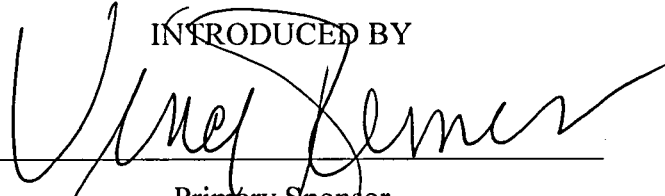
**VOTE REQUIRED:** Simple Majority

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 05-08-24  
Eligible for Action: 05-09-24

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PROPOSED STANDING COMMITTEE RESOLUTION  
25th NAVAJO NATION COUNCIL — Second Year, 2024

INTRODUCED BY  
  
\_\_\_\_\_  
Primary Sponsor

TRACKING NO. 0098-24

AN ACTION  
RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;  
AND BUDGET AND FINANCE COMMITTEE; APPROVING A  
CHANGE TO CAP-35-18, EXHIBIT D, PROJECT NO. 123, FOR THE  
CORNFIELDS CHAPTER BY AMENDING  
THE PROJECT TYPE AND PROJECT DURATION

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

1 A. The Navajo Nation Council Resolution No. CAP-35-18, entitled, “Adopting the  
2 Síhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-  
3 14, as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving  
4 12 N.N.C. §§ 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital  
5 Improvement Budget and the Capital Improvement Process” was signed into law by  
6 the President of the Navajo Nation on May 7, 2018. CAP-35-18 is included and  
7 incorporated herein by reference.

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

15 2. CAP-35-18, Exhibit D, Project No. 123, originally appropriated \$300,000.00 in  
16 Síhasin Funds for the “ Pre-Design” for “Year 3” for the Cornfields Chapter’s  
17 Deer Point Development project. **Exhibit A.**

18 B. The Budget and Finance Committee Resolution No. BFN-36-19, included and  
19 incorporated herein by reference, approved a project change to CAP-35-18, Exhibit  
20 D, Project No. 123, for the benefit of the Cornfields Chapter. This project change  
21 amended the Síhasin Funding from the original appropriation in the amount of  
22 \$300,000.00 and decreased the amount to \$250,000.00 for Project No. 123, the Deer  
23 Point Development project. **Exhibit B.**

24 C. The Cornfields Chapter, on behalf of itself and its community, provided Cornfields  
25 Chapter Resolution No. CF-APR2024-036 (certified on April 14, 2024) that requests  
26 amendments to CAP-35-18, Exhibit D, Project No. 123, to change the Project Type to  
27 “Plan, Design, Construction, and Equipment” and to change the Project Year Funding  
28 to “Year 3” for the amount of \$250,000.00 for the Cornfields Chapter. **Exhibit C.**

29 D. The Navajo Nation Division of Community Development’s Capital Projects  
30 Management Department (“CPMD”), on behalf of the Cornfields Chapter, provided a

1           Sihasin Project Amendment Certification form that identifies the Chapter's request to  
2           change the Project Type to "Plan, Design, Construction, and Equipment " and to  
3           change the Project Year Funding to "Year 3" for the amount of \$250,000.00. **Exhibit**  
4           **D.**

5           E. The Sihasin Project Amendment Certification form shows the signature of the Navajo  
6           Nation Council Delegate, in accordance with CAP-35-18, Section 4 (C), for the  
7           Cornfields Chapter. **Exhibit D.**

8           F. The Sihasin Project Amendment Certification form shows the signatures of the  
9           CPMD, in accordance with CAP-35-18, Section 4 (C), that the project is construction-  
10          ready and the total Sihasin Funding for the Council District will not exceed  
11          \$4,166,666.67. The amount of \$250,000.00 in Sihasin Funds for the Cornfields  
12          Chapter as amended in BFN-36-19, Exhibit D, Project No. 182, will remain the same.  
13          **Exhibit D.**

14  
15       **SECTION THREE. APPROVAL**

16          The Navajo Nation Council hereby approves the changes to CAP-35-18, Exhibit D, Project  
17          No. 123 for the benefit of the Cornfields Chapter by amending the Project Type to "Plan,  
18          Design, Construction, and Equipment" and by amending the Project Year Funding to "Year  
19          3" for the amount of \$250,000.00 as shown in **Exhibit D.**

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21       **SECTION FOUR. EFFECTIVE DATE**

22          This legislation shall become effective upon its approval pursuant to 12 N.N.C. §2505.

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24       **SECTION FIVE. SAVING CLAUSE**

25          If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,  
26          or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,  
27          those provisions of this legislation not determined invalid shall remain the law of the Navajo  
28          Nation.