

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0135-24_

SPONSOR: Danny Simpson

TITLE: An Action Relating to the Budget and Finance Committee, The Resources and Development Committee the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$450,000 from the Síhasin Fund to the Navajo Nation Division of Community Development for the Crownpoint Senior Center; Approving the Related Expenditure Plan

Date posted: June 26, 2024 at 6:15PM

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SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0135-24

DATE: June 26, 2024

RE: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$450,000 FROM THE SÍHASIN FUND TO THE NAVAJO NATION DIVISION OF COMMUNITY DEVELOPMENT FOR THE CROWNPOINT SENIOR CENTER; APPROVING THE RELATED EXPENDITURE PLAN

PURPOSE OF THIS LEGISLATION:

to approve \$450,000 from the Sihasin Fund to the Division of Community Development for its proposed Crownpoint Senior Center renovation project.

FINAL AUTHORITY and VOTE REQUIREMENT:

The Navajo Nation Council has final authority. A 2/3 vote is required.

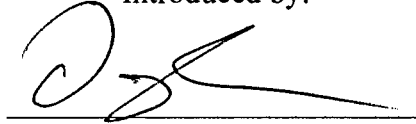
5-DAY BILL HOLD PERIOD Johnson
Website Posting Time/Date _____
Posting End Date: 07-01-24
Eligible for Action: 07-02-24

Budget & Finance Committee
Thence
Resources & Development Committee
Thence
Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION Naabik'iyáti' Committee

2 25th NAVAJO NATION COUNCIL - Second Year, 2024

3 Introduced by:

4 

5 (Prime Sponsor)

6 Tracking No. 0135-24

7 AN ACTION

8 RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE,
9 THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI'
10 COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING
11 \$450,000 FROM THE SÍHASIN FUND TO THE NAVAJO NATION
12 DIVISION OF COMMUNITY DEVELOPMENT FOR THE CROWNPOINT
13 SENIOR CENTER; APPROVING THE RELATED EXPENDITURE PLAN

14 BE IT ENACTED:

15 SECTION ONE. AUTHORITY

16 A. The Resources and Development Committee was established as a standing committee of the
17 Navajo Nation Council with oversight authority over the 110 Navajo Nation Chapters. 2
18 N.N.C. §500(C), 26 N.N.C. §102.

19 B. The Resources and Development Committee also has oversight authority over the Navajo
20 Nation Division of Community Development. 2 N.N.C. §501(C)(1).

21 C. The Budget and Finance Committee was established as a standing committee of the Navajo
22 Nation Council with the authority to review and recommend to the Council the budgeting,
23 appropriation, investment and management of all funds. 2 N.N.C. §300(A), §301(B)(2).

24 D. The Naabik'iyáti' Committee was established as a standing committee of the Navajo Nation
25 Council with the authority to hear all proposed resolutions that require final action by the
26

1 Navajo Nation Council. 2 N.N.C. §164 (A)(9), §700(A).

2 E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).

3 As such, the Council may approve appropriations from the Navajo Nation’s Síhasin Fund.

4 F. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin
5 Fund (“Síhasin Fund”) as follows:

6 §2502 Purpose

7 A. The purposes of this Fund are to provide financial support and/or financing
8 for:

- 9 1. The planning and development of economic development and regional
10 infrastructure supporting economic development and community
11 development, including such infrastructure as, but not limited to,
12 housing, commercial and government buildings, waterline, solid waste
13 management development, powerline Projects, and transportation and
14 communication systems, within the Navajo Nation; and . . .

15 B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure shall
16 not be limited by 12 N.N.C. §1310(F) or TCDCJY-77-99.

17 C. Leveraging the Fund by way of guaranteeing loans, match funding, direct
18 funding in part, and other weighted uses of the Fund, including loan
19 financing from the Fund, for the purposes in §2502(A)(1), shall be favored
20 over direct funding in whole.

21 G. The Síhasin Fund provides that “Fund Principal” shall consist of all deposits made to the
22 Síhasin Fund and that “Fund Income” shall consist of all earnings (interest, dividends, etc.)
23 generated and realized by the Fund Principal, and that Síhasin Fund Income shall be
24 deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is
25 duly approved. 12 N.N.C. §2504 and §2505(C).

26 H. The Síhasin Fund also provides that “Fund Principal and Income shall not be expended
27 except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502
28 of this Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation
29 Council.” 12 N.N.C. §2505(A).

1 **SECTION TWO. FINDINGS**

- 2 A. The Navajo Nation Division of Community Development (“DCD”) is requesting \$450,000
3 from the Síhasin Fund for its proposed Crownpoint Chapter Senior Center renovation project
4 (“Project”).
- 5 B. DCD has provided a detailed description for this Project. **EXHIBIT A.** DCD has also
6 provided a Cost Estimate and drawing for the Project. **EXHIBIT B.**
- 7 C. This Project will involve construction services, renovations of restrooms, upgrades to make
8 facilities ADA-compliant, parking lot construction, and other related activities to bring the
9 Crownpoint Senior Center up to modern standards. **EXHIBIT C.**
- 10 D. Approving the requested \$450,000 for this Project satisfies the purpose of the Síhasin Fund
11 because DCD’s proposed expenditures involve “community development” and
12 “infrastructure” as mentioned in 12 N.N.C. §2502(A)(1).
- 13 E. The Navajo Nation finds the approval of the requested Síhasin funds to be in the best interests
14 of the Navajo Nation and the Navajo People.

15
16 **SECTION THREE. APPROVING \$450,000 FROM THE SÍHASIN FUND FOR THE**
17 **DIVISION OF COMMUNITY DEVELOPMENT FOR THE**
18 **CROWNPOINT SENIOR CENTER RENOVATION PROJECT;**
19 **APPROVING THE RELATED EXPENDITURE PLAN**

- 20 A. Pursuant to 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$450,000 from the
21 Síhasin Fund for the Division of Community Development for its proposed Crownpoint
22 Senior Center renovation project.
- 23 B. The Navajo Nation hereby approves the Expenditure Plan for this Project, as shown in the
24 attached **EXHIBITS A, B, and C.**
- 25 C. The Navajo Nation Controller shall determine whether the source of the approved Síhasin
26 funds will be from Fund Principal or Fund Income or a combination of both.
- 27 D. The Síhasin funds allocated for the Expenditure Plan approved herein may be further
28 leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, at
29 12 N.N.C. §1300 *et seq.*, as amended, using Síhasin Fund earnings for repayment and
30 financing costs upon the recommendation of the Budget and Finance Committee and

1 approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

2 E. The Síhasin funds approved herein shall be provided to the Division of Community
3 Development immediately upon the effective date of this Action. The funds will thereafter
4 be made available for use by DCD for the Project described in EXHIBITS A, B, and C.

5 F. The approved Síhasin funds shall be used strictly for the Expenditure Plan approved herein.
6 DCD shall be responsible for ensuring that all expenditures comply with the approved
7 Expenditure Plan.

8 G. Unspent and unencumbered Síhasin funds shall not lapse at the end of any Navajo Nation
9 Fiscal Year, as might otherwise occur under 12 N.N.C. §820(N), so long as all Síhasin funds
10 are accounted for as of September 30th of every year, starting with September 30, 2024.

11
12 **SECTION FOUR. DIRECTIVE**

13 As a condition of receiving the Síhasin funds approved herein, DCD shall submit written
14 reports, and verbal reports if so requested, explaining the ongoing status of the Expenditure Plan
15 approved herein and its expenditures of the approved \$450,000. Said reports shall be provided
16 to the Budget and Finance Committee, the Resources and Development Committee, and the
17 Naabik'íyáti' Committee by the end of each Fiscal Year Quarter until all approved Síhasin funds
18 are exhausted.

19
20 **SECTION FIVE. EFFECTIVE DATE**

21 This Action and the related Expenditure Plan shall become effective pursuant to 12 N.N.C.
22 §2505(A) and 2 N.N.C. §221(B).

23
24 **SECTION SIX. SAVING CLAUSE**

25 If any part of this Action is invalidated by the Supreme Court of the Navajo Nation, or by any
26 Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
27 remainder of this Action shall be the law of the Navajo Nation.