

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0085-25

SPONSOR: Herman M. Daniels, Jr.

TITLE: An Action Relating to the Resources and Development Committee, the Budget and Finance Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$1,315,000 to the Division of Community Development for Two Projects at Ts'ah Bii Kin Chapter; Approving the Related Expenditure Plans for the Two Chapter Projects

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0085-25

DATE: May 01, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$1,315,000 TO THE DIVISION OF COMMUNITY DEVELOPMENT FOR TWO PROJECTS AT TS'AH BII KIN CHAPTER; APPROVING THE RELATED EXPENDITURE PLANS FOR THE TWO CHAPTER PROJECTS

PURPOSE: The purpose of this proposed resolution is to provide \$1,315,000 to DCD from the Sihasin Funds for two Ts'ah Bii Kin Chapter projects.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: 2/3 Vote

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

5-DAY BILL HOLD PERIOD: [Signature]
Website Posting Time/Date: _____
Posting End Date: 05-13-25
Eligible for Action: 05-14-25

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL - Third Year, 2025

INTRODUCED BY:

[Signature]

(Prime Sponsor)

TRACKING NO. 0085-25

AN ACTION
RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE,
THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI'
COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING
\$1,315,000 TO THE DIVISION OF COMMUNITY DEVELOPMENT FOR TWO
PROJECTS AT TS'AH BII KIN CHAPTER; APPROVING THE RELATED
EXPENDITURE PLANS FOR THE TWO CHAPTER PROJECTS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee was established as a standing committee of the Navajo Nation Council with oversight over Navajo Nation water matters and the authority to make recommendations to the Council regarding proposed resolutions that assist the Committee in accomplishing its duties and purposes. 2 N.N.C. §500(C)(1), §501(B)(4)(f).
- B. The Resources and Development Committee has oversight authority over the Navajo Nation Division of Natural Resources and its subordinate departments, including the Department of Water Resources. 2 N.N.C. §501(C)(1).
- C. The Budget and Finance Committee was established as a standing committee of the Navajo Nation Council with the authority to review and recommend to the Council the budgeting, appropriation, investment and management of all funds. 2 N.N.C. §300(A), §301(B)(2).

1 D. The Naabik'íyáti' Committee was established as a standing committee of the Navajo Nation
2 Council with the authority to hear all proposed resolutions that require final action by the
3 Navajo Nation Council. 2 N.N.C. §164 (A)(9), §700(A).

4 E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
5 As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.

6 F. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin
7 Fund ("Síhasin Fund") as follows:

8 §2502 Purpose

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

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

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

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

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

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

1 **SECTION TWO. FINDINGS**

2 A. The Ts'ah Bii Kin Chapter is requesting \$1,265,000 from the Síhasin Fund for the demolition
3 of the existing Chapter Senior Center and the construction of a new Chapter Senior Center.

4 **Exhibit A.**

5 B. The Ts'ah Bii Kin Chapter is requesting \$50,000 for environmental cleanup of the
6 Crossroads store in the Chapter that recently burned down. **Exhibit B.**

7 C. The Ts'ah Bii Kin Chapter is requesting a total of \$1,315,000 for these two projects, to
8 improve safety, health, and welfare of the Chapter community.

9 D. Approving the requested Síhasin funds for these two projects satisfies the purpose of the
10 Síhasin Fund because the proposed expenditures involve “community development” and
11 “infrastructure” as mentioned in 12 N.N.C. §2502(A)(1).

12 E. The Ts'ah Bii Kin Chapter is not certified under the Navajo Nation Local Governance Act,
13 at 26 N.N.C. §103. Therefore, the Division of Community Development is authorized to
14 implement, manage, and complete the two proposed projects on behalf of the Chapter.

15 F. The Navajo Nation finds the approval of the requested Síhasin funds to be in the best interest
16 of the Navajo Nation and the Navajo People.

17
18 **SECTION THREE. APPROVING \$1,315,000 FROM THE SÍHASIN FUND TO THE**
19 **DIVISION OF COMMUNITY DEVELOPMENT FOR TWO**
20 **PROJECTS AT TS'AH BII KIN CHAPTER; APPROVING THE**
21 **RELATED EXPENDITURE PLANS FOR THE TWO CHAPTER**
22 **PROJECTS**

23 A. Pursuant to 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$1,265,000 from the
24 Síhasin Fund for the Division of Community Development for the demolition and new
25 construction of the Ts'ah Bii Kin Chapter Senior Center, as described in **Exhibit A.**

26 B. The Navajo Nation hereby approves the Expenditure Plan for this Project, as shown in
27 **Exhibit A.**

28 C. Pursuant to 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$50,000 from the
29 Síhasin Fund for the Division of Community Development for the cleanup of the Crossroads
30 store location, as described in **Exhibit B.**

1 D. The Navajo Nation hereby approves the Expenditure Plan for this Project, as shown in
2 **Exhibit B.**

3 E. The Navajo Nation Controller shall determine whether the source of the approved Síhasin
4 funds will be from Fund Principal or Fund Income or a combination of both.

5 F. The Síhasin funds allocated for the Expenditure Plan approved herein may be further
6 leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, at
7 12 N.N.C. §1300 *et seq.*, as amended, using Síhasin Fund earnings for repayment and
8 financing costs upon the recommendation of the Budget and Finance Committee and
9 approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

10 G. The Síhasin funds approved herein shall be provided to the Division of Community
11 Development immediately upon the effective date of this Action. The funds will thereafter
12 be made available for use by DCD for the two projects described in Exhibits A-B.

13 H. The Division of Community Development shall have responsibility for implementing,
14 managing, and completing the Expenditure Plans approved herein, and shall ensure that all
15 expenditures comply with said Expenditure Plans.

16 I. Unspent and unencumbered Síhasin funds shall not lapse at the end of any Navajo Nation
17 Fiscal Year, as might otherwise occur under 12 N.N.C. §820(N), so long as all Síhasin funds
18 are accounted for as of September 30th of every year, starting with September 30, 2025.

19
20 **SECTION FOUR. DIRECTIVE**

21 DCD shall submit written reports, and verbal reports if so requested, explaining the ongoing
22 status of the Expenditure Plans approved herein and its expenditures of the approved
23 \$1,315,000. Said reports shall be provided to the Budget and Finance Committee, the Resources
24 and Development Committee, and the Naabik'íyáti' Committee by the end of each Fiscal Year
25 Quarter until all approved Síhasin funds are exhausted.

26
27 **SECTION FIVE. EFFECTIVE DATE**

28 This Action and the related Expenditure Plan shall become effective pursuant to 12 N.N.C.
29 §2505(A) and 2 N.N.C. §221(B).

1 **SECTION SIX. SAVING CLAUSE**

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

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