

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0088-25_

SPONSOR: Steven R. Arviso

TITLE: An Action Relating to the Resources and Development, and Budget and Finance Committees; Approving a Change to CAP-35-18 for Smith Lake Chapter by Moving the Chapter's "Bay/Shop Building Project" from Funding Year 1 to Funding Year 3, with No Change in the Original Funding Amount of \$694,444.44

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0088-25

DATE: May 1, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18 FOR SMITH LAKE CHAPTER BY MOVING THE CHAPTER'S "BAY/SHOP BUILDING PROJECT" FROM FUNDING YEAR 1 TO FUNDING YEAR 3, WITH NO CHANGE IN THE ORIGINAL FUNDING AMOUNT OF \$694,444.44

PURPOSE: The purpose of this proposed resolution is to change the Smith Lake Project from Year 1 to Year 3.

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 committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD:
Website Posting Time/Date:
Posting End Date: 05-20-25
Eligible for Action: 05-21-25

Resources & Development Committee
Thence
Budget & Finance Committee

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

INTRODUCED BY:


(Prime Sponsor)

TRACKING NO. 0088-25

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET
AND FINANCE COMMITTEES; APPROVING A CHANGE TO CAP-35-18
FOR SMITH LAKE CHAPTER BY MOVING THE CHAPTER'S "BAY/SHOP
BUILDING PROJECT" FROM FUNDING YEAR 1 TO FUNDING YEAR 3,
WITH NO CHANGE IN THE ORIGINAL FUNDING AMOUNT OF \$694,444.44

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).
- C. The Navajo Nation Council approved Resolution No. CAP-35-18, titled: "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. §§ 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.

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

7 8 **SECTION TWO. FINDINGS**

9 A. The amount of \$694,444.44 for the Smith Lake Chapter "Bay/Shop Building Project" was
10 approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Smith Lake
11 Chapter Project No. D-181 is attached hereto as **Exhibit 1**.

12 B. The Smith Lake Chapter wishes to move its Project No. D-181 from Funding Year 1 to
13 Funding Year 3. On behalf of the Chapter, the Division of Community Development - Capital
14 Projects Management Department ("CPMD") has submitted a Síhasin Project Amendment
15 Certification Form that explains the Chapter's requested change. **Exhibit 2**. The Síhasin
16 Project Amendment Certification Form shows the signature of the Navajo Nation Council
17 Delegate for the Naschitti Chapter, in accordance with CAP-35-18 Section 4(C).

18 C. As required by CAP-35-18 Section 4(C), the project has been certified by CPMD as
19 construction-ready and the total Síhasin funding for the Council District will not exceed
20 \$4,166,666.67. In fact, the original Síhasin funding amount of \$694,444.44 for the Project
21 D-181, as approved in CAP-35-18, will remain unchanged.

22 23 **SECTION THREE. APPROVAL**

24 A. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D,
25 Project No. D-181, by moving the Smith Lake's Bay/Shop Building Project from Funding
26 Year 1 to Funding Year 3, with no change in the original funding amount of \$694,444.44 as
27 shown in the attached **Exhibit 2**.

28 B. The Síhasin Fund may be reimbursed the \$694,444.44 reallocated herein, from funds
29 available to the Navajo Nation from any and all state, federal, or other sources.
30

1 **SECTION FOUR. EFFECTIVE DATE**

2 This Act shall become effective pursuant to 12 N.N.C. §2505(A) and CAP-35-18, Section 4(C).

4 **SECTION FIVE. SAVING CLAUSE**

5 If any provision of this Act is determined invalid by the Supreme Court of the Navajo Nation,
6 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the
7 provision(s) not determined invalid shall remain the law of the Navajo Nation.