

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0101-24_

SPONSOR: Shaandiin Parrish

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. 60 and Project No. 62, for the Benefit of the Dennehotso Chapter

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0101-24

DATE: May 7, 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. 60 AND PROJECT NO. 62, FOR THE BENEFIT OF THE DENNEHOTSO CHAPTER

PURPOSE: This legislation, if approved, will enact changes to CAP-35-18, Exhibit D, Project No. 60 and Project No. 62, for the benefit of the Dennehotso Chapter by transferring the original appropriation in the amount of \$140,000.00 in Síhasin Funding from Project No. 60 (*Dennehotso Chapter's Transfer Station* project) to Project No. 62 (*Dennehotso Chapter's Warehouse* project) and to change the Project Type for Project No. 62 (*Dennehotso Chapter's Warehouse* project) to "Plan, Design and Construct" and to change the Project Year Funding for Project No. 62 (*Dennehotso Chapter's Warehouse* project) to "Year 3" in the amount of \$140,000.00.

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.

1 14, as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving
2 12 N.N.C. §§ 810 (F), 820 (I) And (M) And 860 (C) Relating to the Capital
3 Improvement Budget and the Capital Improvement Process” was signed into law by
4 the President of the Navajo Nation on May 7, 2018. CAP-35-18 is included and
5 incorporated herein by reference.

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

13 2. CAP-35-18, Exhibit D, Project No. 60, originally appropriated \$40,000.00 for
14 “Year 1” and appropriated \$100,000.00 for “Year 2” in Síhasin Funds for the
15 “Design/Construction” of the Dennehotso Chapter’s Transfer Station project.
16 **Exhibit 1.**

17 3. CAP-35-18, Exhibit D, Project No. 62, originally appropriated \$162,025.82 for
18 “Year 2” in Síhasin Funds for the “Construction” of the Dennehotso Chapter’s
19 Warehouse project. **Exhibit 1.**

20 B. The Dennehotso Chapter, on behalf of itself and its community, provided Dennehotso
21 Chapter Resolution No. DCHMAR-044-2024 (certified on March 10, 2024) that
22 requests an amendment to transfer the original appropriation in the amount of
23 \$140,000.00 in Síhasin Funding from CAP-35-18, Exhibit D, Project No. 60
24 (*Dennehotso Chapter’s Transfer Station* project) to CAP-35-18, Exhibit D, Project
25 No. 62 (*Dennehotso Chapter’s Warehouse* project) for the benefit of the Dennehotso
26 Chapter. **Exhibit 2.**

27 C. The Dennehotso Chapter, on behalf of itself and its community, provided Dennehotso
28 Chapter Resolution No. DCHMAR-045-2024 (certified on March 10, 2024) that
29 requests an amendment to CAP-35-18, Exhibit D, Project No. 62 (*Dennehotso*
30

1 Chapter's Warehouse project) to change the Project Type to "Plan, Design and
2 Construct" for the benefit of the Dennehotso Chapter. **Exhibit 3.**

3 D. The Dennehotso Chapter, on behalf of itself and its community, provided Dennehotso
4 Chapter Resolution No. DCHMAR-046-2024 (certified on March 10, 2024) that
5 requests an amendment to CAP-35-18, Exhibit D, Project No. 62 (*Dennehotso*
6 *Chapter's Warehouse* project) to change the Project Year Duration and Funding to
7 "Year 3" for the benefit of the Dennehotso Chapter. **Exhibit 4.**

8 E. The Navajo Nation Division of Community Development's Capital Projects
9 Management Department ("CPMD"), on behalf of the Dennehotso Chapter, provided
10 a Sihasin Project Amendment Certification form that identifies the Chapter's request
11 to transfer the original appropriation in the amount of \$140,000.00 in Sihasin Funding
12 from Project No. 60 (*Dennehotso Chapter's Transfer Station* project) to Project No.
13 62 (*Dennehotso Chapter's Warehouse* project) and to change the Project Type for
14 Project No. 62 (*Dennehotso Chapter's Warehouse* project) to "Plan, Design and
15 Construct" and to change the Project Year Funding for Project No. 62 (*Dennehotso*
16 *Chapter's Warehouse* project) to "Year 3" in the amount of \$140,000.00. **Exhibit 5.**

17 F. The Sihasin Project Amendment Certification form shows the signature of the Navajo
18 Nation Council Delegate, in accordance with CAP-35-18, Section 4 (C), for the
19 Dennehotso Chapter. **Exhibit 5.**

20 G. The Sihasin Project Amendment Certification form shows the signatures of the
21 CPMD, in accordance with CAP-35-18, Section 4 (C), that the project is construction-
22 ready and the total Sihasin Funding for the Council District will not exceed
23 \$4,166,666.67. **Exhibit 5.**

24 H. The original amount of \$162,025.82 in Sihasin Funds for the Dennehotso Chapter as
25 appropriated in CAP-35-18, Exhibit D, Project No. 62 (*Dennehotso Chapter's*
26 *Warehouse* project), will remain the same. **Exhibit 1.** The transfer of the original
27 appropriation in the amount of \$140,000.00 in Sihasin Funding from CAP-35-18,
28 Exhibit D, Project No. 60 (*Dennehotso Chapter's Transfer Station* project) to CAP-
29 35-18, Exhibit D, Project No. 62 (*Dennehotso Chapter's Warehouse* project) will
30 increase the funding amount for Project No. 62 (*Dennehotso Chapter's Warehouse*

1 project) and will adjust the funding amount for Project No. 62 (*Dennehotso Chapter's*
2 *Warehouse* project) to \$302,025.82.

3
4 **SECTION THREE. APPROVAL**

5 The Navajo Nation Council hereby approves the changes to CAP-35-18, Exhibit D, Project
6 No. 60 (*Dennehotso Chapter's Transfer Station* project) and to CAP-35-18, Exhibit D,
7 Project No. 62 (*Dennehotso Chapter's Warehouse* project) for the benefit of the
8 Dennehotso Chapter by transferring the original appropriation in the amount of
9 \$140,000.00 in Sihasin Funding from Project No. 60 (*Dennehotso Chapter's Transfer*
10 *Station* project) to Project No. 62 (*Dennehotso Chapter's Warehouse* project) and to
11 change the Project Type for Project No. 62 (*Dennehotso Chapter's Warehouse* project) to
12 "Plan, Design and Construct" and to change the Project Year Funding for Project No. 62
13 (*Dennehotso Chapter's Warehouse* project) to "Year 3" in the amount of \$140,000.00 as
14 shown in **Exhibit 5**.

15
16 **SECTION FOUR. EFFECTIVE DATE**

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

18
19 **SECTION FIVE. SAVING CLAUSE**

20 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,
21 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,
22 those provisions of this legislation not determined invalid shall remain the law of the Navajo
23 Nation.