

LEGISLATION SUMMARY

Tracking No. 0004-22

Date: January 12, 2022

Title of

Legislation: **AN ACT RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAA'BIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$3,600,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE TO THE DIVISION OF COMMUNITY DEVELOPMENT FOR THE UPGRADE/REPLACEMENT OF A HIGH-VOLTAGE ELECTRICITY SYSTEM FOR RAMAH NAVAJO SCHOOL BOARD, INC./PINE HILL SCHOOL**

Purpose: to allocate \$3,600,000 from the UUFB to the Division of Community Development to pay for a high-voltage electricity line Project for Pine Hill School.

OLC No. 21-505-1

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 5:49pm; 01-12-22
Posting End Date: 01-17-22
Eligible for Action: 01-18-22

Health Education & Human Services Committee
Thence
Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:



(Prime Sponsor)

Tracking No. 0004-22

AN ACT

RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES,
RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND
NAA'BIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL;
ALLOCATING \$3,600,000 FROM THE UNRESERVED, UNDESIGNATED
FUND BALANCE TO THE DIVISION OF COMMUNITY DEVELOPMENT
FOR THE UPGRADE/REPLACEMENT OF A HIGH-VOLTAGE ELECTRICITY
SYSTEM FOR RAMAH NAVAJO SCHOOL BOARD, INC./PINE HILL SCHOOL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education, and Human Services Committee is a standing committee of the Navajo Nation Council that oversees matters involving education and school board organizations. 2 N.N.C. §400(C)(1), 2 N.N.C. §401(C)(4).
- B. The Resources and Development Committee is a standing committee of the Navajo Nation Council with authority over matters involving public utilities and community development. 2 N.N.C. §500(C).
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council, empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. §301(B)(2).

1 C. The Naa'bi'k'íyáti' Committee is a standing committee of the Navajo Nation Council that
2 is responsible for reviewing proposed resolutions requiring final action by the Navajo
3 Nation Council. 2 N.N.C. §164(A)(9).

4 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C.
5 §102(A). As such, the Council has the authority to approve supplemental appropriations.
6 "The Navajo Nation Council may adopt and approve supplemental appropriations to the
7 Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of
8 General Funds within the current fiscal year are permitted, if and when additional sources
9 of revenues above and beyond the initial or current revenue projections are projected and
10 which are also in excess of the reserve amount set forth at §820(J)." 12 N.N.C. §820(L).

11 E. The restrictions on supplemental appropriations include:

12 1. Supplemental appropriations from non-recurring revenues shall be approved only for
13 non-recurring expenses. 12 N.N.C. §820(F). The Controller determines which revenues
14 are recurring and which are non-recurring. 12 N.N.C. §820(L).

15 2. The Navajo Nation shall budget all recurring operating expenses, including capital
16 maintenance costs, from recurring revenues only; and long-term debt shall not be used
17 to finance recurring operating expenses. 12 N.N.C. §820(E).

18 3. The Navajo Nation Code further provides, ". . . non-recurring revenues will be
19 budgeted only after an examination by the Controller to determine whether or not the
20 revenues are subsidizing an imbalance between recurring revenues and expenditures,
21 and expenditures may be authorized only if a long-term (three-five year) forecast shows
22 that the operating deficit will not continue. Otherwise, non-recurring revenues will be
23 added to the Unreserved, Undesignated Fund Balance. This provision may be amended
24 or waived by a two-thirds vote of the full Navajo Nation Council." 12 N.N.C. §820(F).

25 4. All requests for supplemental funding shall be submitted to the Office of Management
26 and Budget ("OMB") for budget impact analysis. 12 N.N.C. §820(M).

27 28 **SECTION TWO. FINDINGS**

29 A. The Division of Community Development ("DCD") is requesting \$3,600,000 in
30 supplemental funds out of the Unreserved, Undesignated Fund Balance ("UUFB") to pay

1 for the upgrading and replacement of a high-voltage electricity line and electrical system
2 that serves the Pine Hill School, which is under the Ramah Navajo School Board, Inc. See
3 Appendix K "Supplemental Funding Proposal Summary," attached hereto as **EXHIBIT A**.

4 B. As explained in the Construction Report and other related Project documents attached as
5 **EXHIBIT B**, the \$3,600,000 is needed to perform extensive refurbishment of existing
6 power and distribution facilities, which activities will include the replacement of old and
7 worn electric cables and voltage boxes.

8 C. DCD has provided other required Budget Forms, including a "Program Budget Summary,"
9 a "Program Performance Criteria," and a "Detailed Budget and Justification," which pages
10 are attached as **EXHIBIT C**.

11 D. The Ramah Navajo School Board, Inc. passed Resolution No. RNSB-EXEC-2021-070
12 dated October 12, 2021, wherein it approved the request for the Navajo Nation to provide
13 funds for this high-voltage line Project, to better serve the Pine Hill School. **EXHIBIT D**.

14 E. In accordance with 12 N.N.C. §820(L), the Office of the Controller has provided a
15 memorandum regarding this UUFB funding request, designating the high-voltage line
16 Project for the Pine Hill School as a *non-recurring* expense. **EXHIBIT E**.

17 F. In compliance with 12 N.N.C. §820(M), OMB has reviewed this UUFB funding request and
18 provided its comments and concerns in an email dated December 2, 2021. **EXHIBIT F**.

19
20 **SECTION THREE. ALLOCATING \$3,600,000 FROM THE UUFB TO THE DIVISION**
21 **OF COMMUNITY DEVELOPMENT**

22 A. The Navajo Nation hereby allocates \$3,600,000 from the UUFB to the Division of
23 Community Development for DCD's use in paying for the high-voltage electricity line
24 upgrade/replacement Project urgently needed by the Pine Hill School. DCD's expenditures
25 of the \$3,600,000 approved herein shall conform to the listings and descriptions of all
26 Project costs, as shown in **EXHIBITS A and B**.

27 B. This \$3,600,000 supplemental appropriation shall be from those funds that exceed the
28 minimum fund reserve balance in the UUFB required by 12 N.N.C. §820(J), as determined
29 by the Controller.

30 C. Pursuant to 12 N.N.C. §820(N) this supplemental appropriation shall expire, and any funds

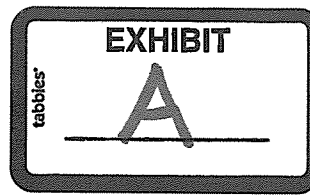
1 not expended or encumbered by DCD for the high-voltage line Project by midnight on
2 September 30, 2022 shall revert to the UUFB, unless the Navajo Nation Council determines
3 otherwise.
4

5 **SECTION FOUR. EFFECTIVE DATE**

6 This Act shall become effective as provided in 2 N.N.C. §221(B) and 2 N.N.C. §164(A)(17).
7

8 **SECTION FIVE. SAVING CLAUSE**

9 If any portion of this Act is determined invalid by the Navajo Nation Supreme Court, or by a
10 District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the
11 remainder of this Act shall be the law of the Navajo Nation.
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Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>DCD</u>	
Division/Branch: <u>EXECUTIVE</u>	Amount Requested: <u>3,600,000.00</u>	Prepared By: <u>MELINDA CIOCCO</u>	
Phone No.: <u>X7160</u>	Email Address: <u>MELINDACIOCCO@NAVAJO-NSN.GOV</u>		

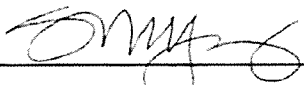

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Upgrade and replace high voltage electrical systems for the Ramah Navajo School Board utilities Pine Hill School

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

NONE

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

 Division Director's Signature / Date	 Branch Chief's Signature / Date
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Ramah Navajo School Board
Re: Construction Report for Remaining Work
Page 1

October 8, 2021

David Nez, Executive Director
Ramah Navajo School Board
Indian Service Rte. 140
Pine Hill, NM 87357

Re: Construction Report for Remaining Work

Dear Mr. Nez:

T&D performed a walk-through of all completed work. Electrical equipment was opened and reviewed. Starting November 20, 2020, T&D's inspector began review of the underground cable laid. Prior to T&D's inspection some cable installation was complete, so T&D has no method to approve the installation of that cable. All items reviewed by T&D were in satisfactory condition.

The ED was broken down into three feeders, namely Circuit 1 (north campus), Circuit 2 (southwest campus) and Circuit 3 (southeast campus). The new 24.9kV feed coming from Continental Divide Electric Cooperative (CDEC) was also energized and is feeding Circuit 2 and Circuit 3. Nearly all the primary cable for Circuit 2 has been installed and some of Circuit 3 cable is installed. Small part of Circuit 1 has been installed at this time.

The following items are necessary for project completion:

Circuit 1

1. Install and Program 1 Vista Switch Gear
2. Upgrade 15 transformers to new voltage and location.
3. Install 6 primary J-boxes.
4. Upgrade 18 Secondary J-boxes.
5. Install 10,700' 4/0 Primary Cable
6. Install 1400' 1/0 Primary Cable
7. Install 1500' Secondary Cable
8. Retire 12,000' Primary Cable
9. Retire 1400' Secondary Cable

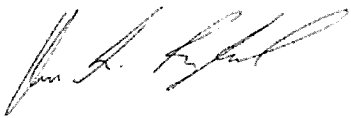
Circuit 2

1. Upgrade 6 transformers to new voltage and location.
2. Upgrade 11 Secondary J-boxes.
3. Install 900' 1/0 Primary Cable
4. Install 470' Secondary Cable
5. Retire 470' Secondary Cable

Circuit 3

1. Upgrade 11 transformers to new voltage and location.
2. Install 4 primary J-boxes.
3. Install 19 Secondary J-boxes.
4. Install 1650' 4/0 Primary Cable
5. Install 1400' 1/0 Primary Cable
6. Install 3400' Secondary Cable
7. Retire 3000' Primary Cable
8. Retire 3400' Secondary Cable

Sincerely,



Adam G. Roybal, P.E.
Distribution Lines Division Manager

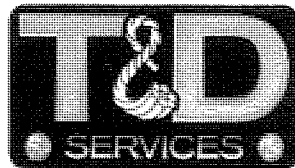
Ramah Navajo School Board

Rebuild Design For The 4,160V System

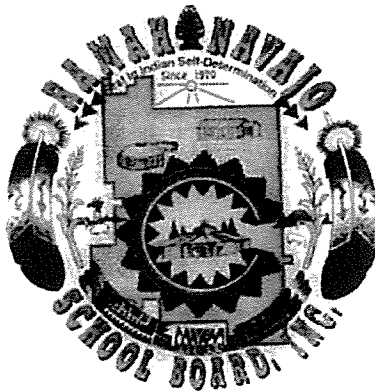
December 2020

Prepared by:

Transmission & Distribution Services, LLC



Professional Engineers and Surveyors



Foreword

This report was prepared for the Ramah Navajo School Board (RNSB) by Transmission & Distribution Services, LLC (T&D).

This document was prepared by the Consultant for RNSB. Neither the Consultant, RNSB, nor any person acting on their behalf:

- (a) makes any warranty or representation whatsoever, expressed or implied,
 - i. with respect to the use of any information, apparatus, method, process, or similar item disclosed in this document, including merchantability and fitness for a particular purpose, or
 - ii. that such use does not infringe on or interfere with privately owned rights, including a party's intellectual property, or
 - iii. that this document is suitable to any particular user's circumstance; or
- (b) assumes any responsibility for any damages or other liability whatsoever (including consequential damages, even if Consultant or any Consultant representative or RNSB or any RNSB representative has been advised of the possibility of such damages) resulting from your selection or use of this document or any information, apparatus, method, process, or similar item disclosed in this document.

Any correspondence concerning this document, including technical and commercial questions should be referred to:

Mr. David Nez
Ramah Navajo School Board
Indian Service Rte. 140
Pine Hill, NM 87357
Phone: 505-495-9396

I hereby certify that this Rebuild Design was prepared by me or under my direct supervision and that I am a duly registered professional engineer under the laws of the State of New Mexico.



12/17/2020

Adam G. Roybal, P.E.

Adam
G.
Roybal

Digitally
signed by
Adam G.
Roybal
Date:
2020.12.17
07:46:43
-07'00'



Executive Summary

T&D has completed the design of the electrical system upgrade, and I have enclosed copies of the staking sheets that represent the design's primary documents. In conjunction with the staking sheets, the design was completed using a GIS based online mapping system. The design follows USDA RUS specifications, as described in the most current version of *RUS Bulletin 1728F-806: Specification and Drawing for Underground Electric Distribution*. The design is also in accordance with IEEE Standard C2-2017, which is the 2017 version (most current) of the *National Electrical Safety Code*, and finally the most current version of NFPA 70, the *National Electrical Code*. The RUS Bulletin is available for download for no charge from the RUS website at:

https://www.rd.usda.gov/sites/default/files/UEP_Bulletin_1728F-806.pdf

As previously described, the system is designed with three circuits, upgraded to a voltage of 24.9/14.4 kV, and replaces all outdated, worn-out and non-code compliant equipment and materials with modern, best practice, industry standard and code-compliant equipment, materials and practices. The rebuilt system will offer more reliability as well as better redundancy for servicing the RNSB Campus.

To provide you a basic understanding/description of what the staking sheets represent, they describe and quantify everything to be installed on the system. There are three sets of staking sheets, one for each circuit. Each page of a staking sheets set represents a particular section of line, and each row represents a termination point for conductor. A termination point is a piece of equipment such as a transformer, junction box, secondary pedestal, etc., with conductors running between them to connect them by terminating at that equipment. All the equipment is specified by a number of "construction unit assemblies", for example a UH1.2, which is a grounding unit consisting of two copper ground rods, copper wire and connectors to ground a piece of equipment. All the units shown on the staking sheet can be found in the above referenced RUS Bulletin. The bottom of each page tabulates the quantities of all units, as well as conductor, trenching, conduit and warning tape.

At the completion of construction "As-Built" staking sheets will be provided as a record of everything that is installed.

Due to the scale and detail of the project an electronic approach was taken with the maps. Paper maps would have been difficult to see all details. Attached is the link to the interactive map where you'll be able to see the devices and staking sheet details.

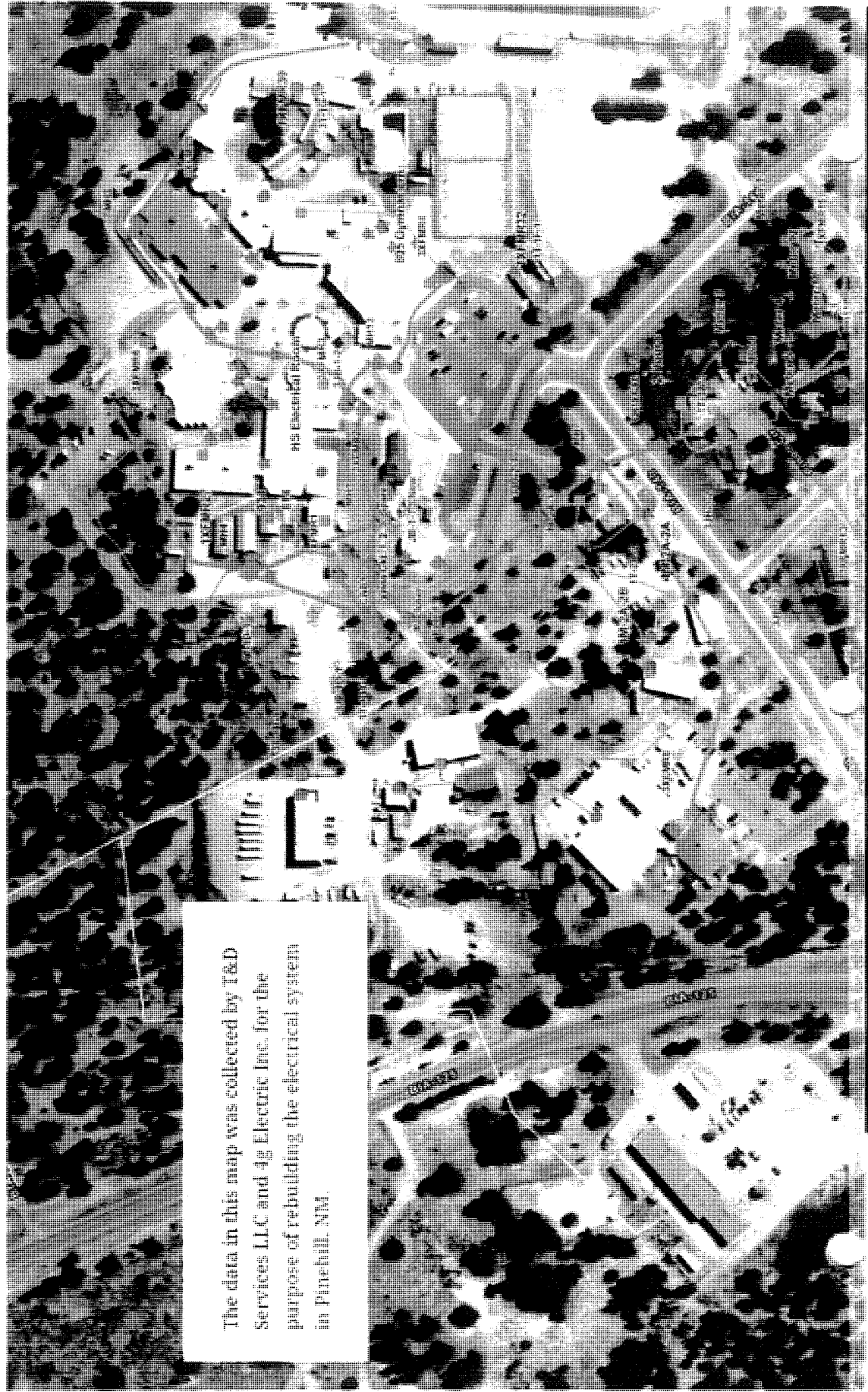
<https://storymaps.arcgis.com/stories/43e1bb2ee1de403abc9e14ccdb35067>

For access use the following username and password.

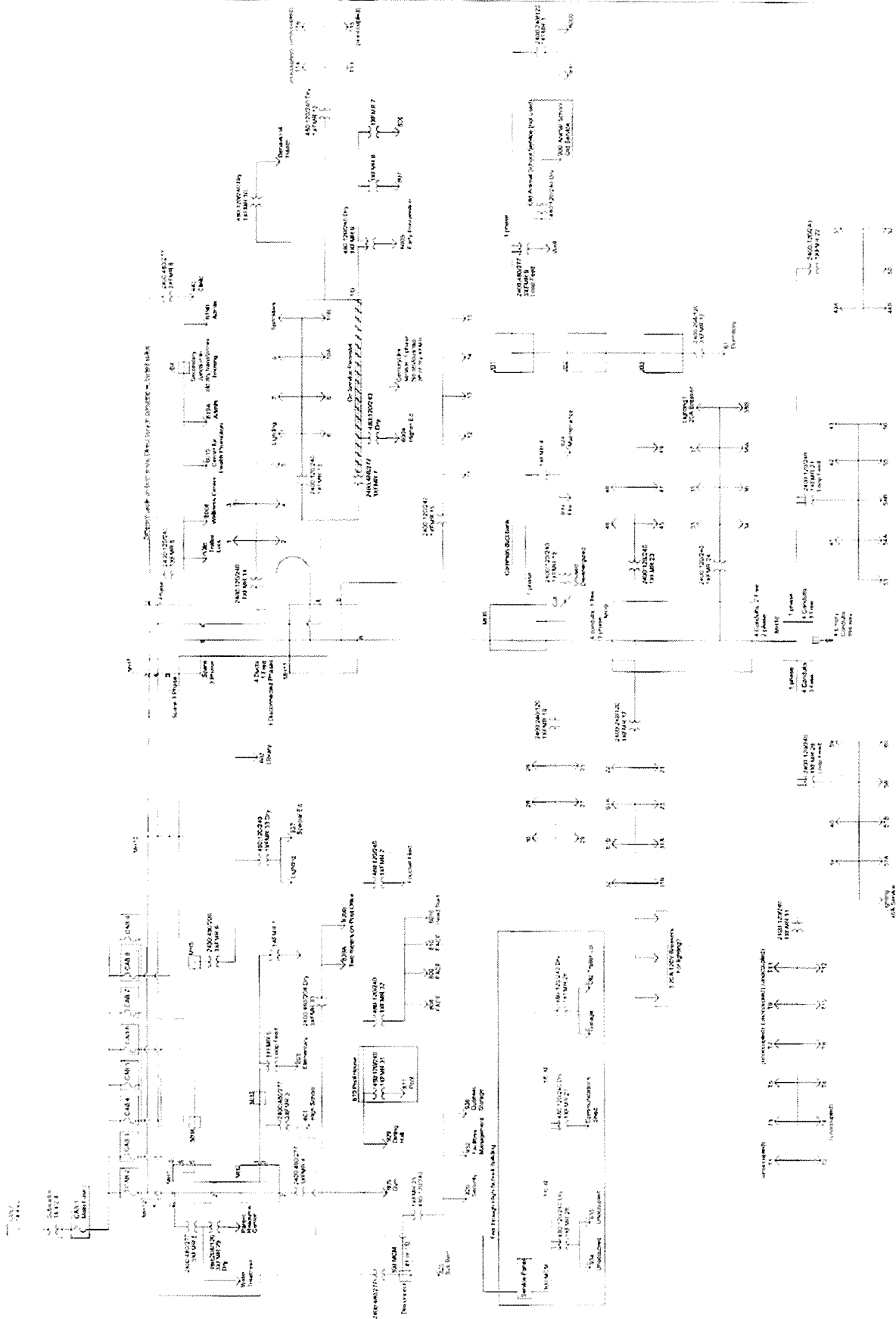
TandD_Viewer
Single20Dead3nd

RNSB Rebuild

☆ ...







Remon Navajo School Board, Incorporated Pine Hill, New Mexico		DATE 10/11/22	BY [Signature]
PROJECT Remon Navajo School Board, Incorporated Pine Hill, New Mexico		SCALE 1" = 10'	REVISIONS 1. [Description] 2. [Description] 3. [Description]
CLIENT Remon Navajo School Board, Incorporated Pine Hill, New Mexico		DESIGNER [Name]	CHECKED [Name]
PROJECT LOCATION Remon Navajo School Board, Incorporated Pine Hill, New Mexico		PROJECT NO. 10/11/22	PROJECT DATE 10/11/22
PROJECT DESCRIPTION Remon Navajo School Board, Incorporated Pine Hill, New Mexico		PROJECT STATUS [Status]	PROJECT PHASE [Phase]
PROJECT CONTACT Remon Navajo School Board, Incorporated Pine Hill, New Mexico		PROJECT PHONE [Phone]	PROJECT FAX [Fax]
PROJECT EMAIL Remon Navajo School Board, Incorporated Pine Hill, New Mexico		PROJECT WEBSITE [Website]	PROJECT ADDRESS [Address]



Professional Engineer - Licensed Engineer
 State of New Mexico, Reg. No. 10/11/22
 License No. 10/11/22



QUOTE No.
Finish Project
Circuit 1,2,3

ELECTRICAL PRICE QUOTE

PROJECT: PINE HILL UPGRADE

LOCATION: PINE HILL BID DATE: 10/5/2021 BID TIME: _____

THIS QUOTATION SUBMITTED TO: DAVID NEZ

4G ELECTRIC INC. OFFERS THE FOLLOWING PRICES FIRM FOR 30 DAYS FROM BID DATE FOR ALL LABOR AND MATERIAL FOR THE FOLLOWING ITEMS AS COVERED BY APPLICABLE PLANS & SPECS.

BASE BID: \$3,600,000.00 (INCLUDES BIA TAX ONLY) 6%

ITEMS NOT COVERED IN QUOTE

- *TEMP POWER, TEMP LIGHTING
- *HOLD HARMLESS CLAUSE PREMIUM COST
- *NM GROSS RECEIPTS TAX
- *CUTTING AND PATCHING OF WALLS
- *PAINTING, CARPENTRY
- *DEWATERING & LANDSCAPING
- *COMMISSIONING
- *UTILITY SERVICE EXTENSION FEES
- *UTILITY (POWER & TELEPHONE) SERVICE & LINE EXTENSION CHARGE
- *COST OF HAULING TRASH FROM JOBSITE, SUPPLYING OR DUMPING JOB DUMPSTER
- *ROCK EXCAVATION
- *NO SURVEYING
- *NO MULTI GENERATORS TEMP POWER FOR OUTAGES
- *NO WORK ASSOCIATED WITH CDCE
- *NOT RESPONSIBLE FOR REPAIRS OF UNMARKED UTILITIES. UNMARKED UTILITIES WILL BE REPAIRED AT \$65/HR AND MATERIAL COST
- *NO TRASH REMOVAL
- *NO TRANSFORMER HAUL OFF-PINE HILL WILL NEED TO STOCKPILE
- *NO ELECTRIC MATERIAL HAUL OFF
- *NO CUTTING ACROSS ROADS FOR SECONDARIES AS DISCUSSED WITH PINE HILLS
- *ALL 3RD PARTY TESTING
- *TESTING OF CABLE EXCEPT VLF
- *TESTING OF CONCRETE
- *SURVEYING
- *STOP WORK DUE TO COVID RELATED ISSUES
- *BONDING INSURANCE
- *FIRE TAPE

THIS QUOTE SUBMITTED BY HADLEY GILBERT

IF YOU HAVE ANY QUESTIONS REGARDING THIS QUOTE, PLEASE CALL 575-749-0161.

DISCLAIMER:

Additional costs will be applied if the following occurs

ROCK
UNFORSEEN ISSUES
COVID 19 RELATED ISSUES
OWNER STOP WORK DIRECTIVE

WEATHER DAYS (will be calculated at \$1500/day extended overhead

MATERIAL LEAD TIMES

DESIGN CHANGES

OWNER CHANGES

PAYMENT DELAYS (WHICH IS CONSIDERED 3 BUSINESS DAYS AFTER RECEIPT OF PAY APP)

*THIS BID IS BASED ON THE ABILITY TO REMOVE EXISTING WIRE FROM THE EXISTING CONDUITS. IF IT IS DISCOVERED THAT WIRE REMOVAL CANNOT BE DONE, ADDITIONAL MONEY WILL NEED TO BE APPLIED

*PAYMENTS ARE DUE IN 15 DAY PERIODS FOR SUCH A SHORT DEADLINE

*IF COVID RELATED ISSUES ARISE WHICH FORCE STOP OF WORK, A COMPLETION OF WORK PERCENTAGE WILL BE APPLIED AND PAID IN FULL UNTIL A RESOLUTION CAN BE FOUND.

4G ELECTRIC INC IS NOT RESPONSIBLE FOR THE FOLLOWING:

- *NOT RESPONSIBLE FOR ANY WATER LINES THAT FREEZE INSIDE OR OUTSIDE BUILDINGS
- *LIABILITY OF DAMAGES TO ELECTRICAL SYSTEM BEYOND TRANSFORMERS AND SERVICES
- *NOT RESPONSIBLE FOR BATTERY MALFUNCTIONS ASSOCIATED WITH UPS, FIRE ALARM, AND SPECIAL SYSTEMS
- *NOT RESPONSIBLE FOR INCORRECT SIZING OF OVERCURRENT PROTECTION ON EXISTING SYSTEMS
- *NOT RESPONSIBLE FOR TREES OR LANDSCAPE THAT DIE DUE TO CONSTRUCTION
- *NOT RESPONSIBLE FOR NON-CODE COMPLIANT EXISTING ISSUES
- *NOT RESPONSIBLE FOR EXISTING ELECTRICAL EQUIPMENT MALFUNCTION DUE TO OPERATION OR OUTAGES DURING CONSTRUCTION

PINE HILL REPRESENTATIVE – Print Name

PINE HILL REPRESENTATIVE – Signature

Date: _____

4G ELECTRIC INC REPRESENTATIVE – Print Name

4G ELECTRIC INC REPRESENTATIVE – Signature

Date: _____

Pine Hill Story Map

Adam Roybal <aroybal@t-d-services.com>

Tue 10/5/2021 9:56 AM

To: Wylie Clawson <wclawson@rnsb.k12.nm.us>

Let me know if you have any problems.

From: Tim Perez <tperez@t-d-services.com>

Sent: Tuesday, October 5, 2021 9:54 AM

To: Adam Roybal <aroybal@t-d-services.com>

Subject: Pine Hill Story Map

Attached is the link to the interactive map where they will be able to see the story map

<https://storymaps.arcgis.com/stories/43efbb2cefde403abc9e14ccdbc35067>

In order to access it they will need the following username and password.

TandD_Viewer

Single20Dead3nd

Timothy Perez

Sr. GIS Analyst



9550 San Mateo Blvd NE, Suite G, Albuquerque, NM 87113

505-314-4234 (Office) 505-344-4748 (Fax) 505-690-1387 (Cell)

tperez@t-d-services.com (Email) www.t-d-services.com

THE NAVAJO NATION

PROGRAM BUDGET SUMMARY

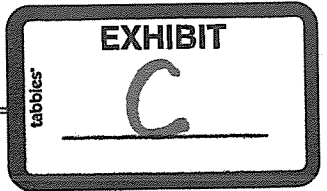
PART I. Business Unit No.: NEW		Program Title: DIVISION OF COMMUNITY DEVELOPMENT		Division/Branch: EXECUTIVE BRANCH	
Prepared By: Melinda Arviso-Ciocco		Phone No.: x7160		Email Address: melinda.cocco@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY		Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
UUFB		FY2022	3,600,000.00		2001	Personnel Expenses				
					3000	Travel Expenses				
					3500	Meeting Expenses				
					4000	Supplies				
					5000	Lease and Rental				
					5500	Communications and Utilities				
					6000	Repairs and Maintenance				
					6500	Contractual Services				
					7000	Special Transactions				
					8000	Public Assistance			3,600,000	
					9000	Capital Outlay				
					9500	Matching Funds				
					9500	Indirect Cost				
					TOTAL			\$0.00	3,600,000.00	0

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			
Total # of Vehicles Budgeted:			

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Sherylene Yazzie, Chief of Staff, Office of the Speaker		APPROVED BY: Selth Damon, Speaker, 24th Navajo Nation Council	
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name	
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date	



THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2022

PART I. PROGRAM INFORMATION: Business Unit No.: <u>NEW</u>		Program Name/Title: <u>DIVISION OF COMMUNITY DEVELOPMENT</u>									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: RDCDO-77-16 The Department is established to promote and develop improved living conditions for Navajo families and strengthening communities through programs for Community Housing, Utility services, public facility and economic improvements											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR			
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Upgrade and replacement of high voltage electrical system for the Ramah Navajo School Board Program Performance Measure/Objective: To ensure the use of funds for the replacement and upgrades to electrical systems					1						
2. Goal Statement:											
Program Performance Measure/Objective:											
3. Goal Statement:											
Program Performance Measure/Objective:											
4. Goal Statement:											
Program Performance Measure/Objective:											
5. Goal Statement:											
Program Performance Measure/Objective:											

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Sherylene Yazzie, Chief of Staff, Office of the Speaker

Program Manager's Printed Name Sherylene Yazzie

Program Manager's Signature and Date [Signature] 11/10/22

Seth Damon, Speaker, 24th Navajo Nation Council

Division Director/Branch Chief's Printed Name Seth Damon

Division Director/Branch Chief's Signature and Date [Signature] 11/10/22

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2022

PART I. PROGRAM INFORMATION: Program Name/Title: _____		DIVISION OF COMMUNITY DEVELOPMENT		Business Unit No.: _____	NEW
PART II. DETAILED BUDGET:					
(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)			(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
NEW	Upgrade and replacement of high voltage electrical systems for the Ramon Naap School Board Inc/Pne Hil School			3 600 000	
TOTAL				3 600 000	

RAMAH NAVAJO SCHOOL BOARD, INC.

**PINE HILL, NEW MEXICO
RESOLUTION NO. RNSB-EXEC-2021-070**

A RESOLUTION APPORVING THE SUBMITTING AN APPLICATION WITH THE NAVAJO NATION DEPARMENT OF COMMUNITY DEVELOPMENT TO SECURE ARPA OR OTHER CORONA VIRUIS REFIEF FUNDS, OR OTHER NAVAJO NATION FUNDS FOR THE COMPLETION OF THE UPGRADE/REPLACEMENT OF THE HIGH VOLTAGE ELECTRICAL SYSTEM FOR THE RAMAH NAVAJO SCHOOL BOARD, INC/PINE HILL SCHOOL, IN AN AMOUNT NOT TO EXCEED \$3,600,000.00.

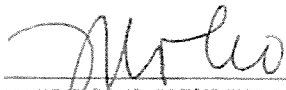
1. WHEREAS, the Ramah Navajo Chapter of the Navajo Nation established the Ramah Navajo School Board, Inc., on February 6, 1970, through Chapter Resolution No. M75-70-1A; and,
2. WHEREAS, the Ramah Navajo School Board, Inc. (RNSB) was incorporated on February 10, 1970, as a private, not-for-profit organization in the State of New Mexico to provide charitable, benevolent, social, educational and related services as needed by the Ramah Navajo community; and,
3. WHEREAS, the Navajo Nation has received in excess of over \$1B in funding for the improvement of critical infrastructure within the Great Navajo Nation; and,
4. WHEREAS, these funds will only be accessible with the timely completion of said application; and,
5. WHEREAS, the Ramah Navajo School Board, Inc./Pine Hill Schools is in need of such infrastructure work in order to continue with daily operations; and,
6. Supporting Document: Proposal from 4G Electric, LLC; Explanation from T&D Services for the remaining work to complete the project.

NOW, THEREFORE, BE IT RESOLVED THAT THE RNSB BOARD OF TRUSTEES HEREBY:

1. Approves a resolution approving the submitting an application with the Navajo Nation Department of Community Development with to secure ARPA or other Corona Virus relief funds, or other Navajo Nation Funds for the completion of the upgrade/replacement of the High Voltage Electrical System for the Ramah Navajo School Board, Inc./Pine Hill Schools in an amount not to exceed \$3,600,000.00.

Certification

We, the undersigned members of the RNSB Board of Trustees, hereby certify that the foregoing resolution was duly adopted by a vote of 5 in favor, 0 opposing, and 0 abstaining, at an official meeting of the Board of Trustees held in Pine Hill, New Mexico, on October 12, 2021.



MAXINE COHO, PRESIDENT, RNSB BOARD OF TRUSTEES

[CORPORATE SEAL]



MARLENE WATASHE, SECRETARY-TREASURER, RNSB BOARD OF TRUSTEES



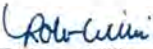
THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Memorandum:

To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government

From: 
Robert Willie, Accounting Manager
Office of the Controller

Date: November 16, 2021

Subject: Supplemental Funding Division of Community Development

The Office of the Controller has reviewed the above referenced document.

1. The un-audited balance of the UUFB is \$23,966,288 as of November 8, 2021.
2. This request is for a total of \$3,600,000 to the Navajo Nation Division of Community Development for the upgrade of high voltage electrical system for the Ramah Navajo School Board. The attached school board resolution indicates "to secure ARPA or other Corona Virus Relief funds". It is unknown if this is a part of any projects that are being discussed as being funding with ARPA funding. There is a quote attached to the request. The quote was to the Executive Director of the Ramah School Board and not to Community Development.
3. This request would be considered **NON -RECURRING** for upgrade of high voltage electrical system for Ramah Navajo School Board.

If you should have any questions, you can contact me at tribal extension X6125

NAVAJO NATION OFFICE OF THE CONTROLLER
P.O.BOX 3150 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6398 · FAX: (928) 871-6026

Subject: FW: Ramah Navajo School Board
Date: Thursday, December 2, 2021 at 5:05:00 PM Mountain Standard Time
From: Dominic Beyal
To: Jamie Henio, Melinda Arviso-Ciocco, Sherylene Yazzie
CC: Lisa Jymm
Attachments: image001.png, image002.png

Here is a message by Lisa Jymm on the first review of the budget sent by Legislative staff on the Ramah Navajo School Board/Pine Hill School request. There are some issues; and contact us if there are further questions.

From: Lisa Jymm
Sent: Thursday, December 2, 2021 2:44 PM
To: Dominic Beyal <dbeyal@omb.navajo-nsn.gov>
Subject: RE: Ramah Navajo School Board

Dominic,

Attached are concerns after a preliminary review of the budget to OMB regarding the Ramah School Board, Inc., Pine Hill School – Electrical System:

1. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2022 Budget Instructions Manual (Section XII, D), and the Appropriations Act. This activity should be completed by the branches to determine priorities.
2. Per the FY2022 Budget Instructions Manual, Section XII, A., "all supplemental funding request shall be submitted through the Navajo Nation official administrative review process before consideration by the appropriate oversight committee, Budget and Finance Committee, the Naa'bik'iyati Committee and the Council." Then when legislation is 'dropped' OMB will do a budget impact analysis memo at that time.
3. The attached budget forms identify Division of the Community Development (DCD) as the division to administer this allocation. Would this be assigned to Capital Projects and Management Department (CPMD) of DCD? As a grant? How is this to be done?
4. If DCD is to be the recipient of the funding, then Budget Forms 1 and 2, and Appendix K should be signed by DCD and/or Executive Branch representatives.
5. The budgets and information submitted indicate a project. Ramah School Board, Inc. – Pine Hill School could seek funding from the Sihasin funds as there are funds available.
6. The proposed budget and information is missing some pages in the T & D designs, it missing pages 9 of 25 and some of the attachments go up to Page

20 and Page 23. Which are the correct attachments?

Yá'at'eeh Keshmish

Lisa Jymm, Acting Budget Officer
Office of Management & Budget/Budget Section
Phone: (928) 871-6230
Email: ljymm@omb.navajo-nsn.gov



"Budget Appropriately, Spend Responsibly"

From: Jamie Henio [<mailto:jhenio@navajo-nsn.gov>]

Sent: Wednesday, December 1, 2021 12:09 PM

To: Dominic Beyal <dbeyal@omb.navajo-nsn.gov>; Lisa Jymm <ljymm@omb.navajo-nsn.gov>

Cc: Melinda Arviso-Ciocco <melindaciocco@navajo-nsn.gov>; Sherylene Yazzie <sheryleneyazzie@navajo-nsn.gov>

Subject: Ramah Navajo School Board

Good morning,

I am following up on a request that was submitted by the Office of the Speaker Staff Assistant M. Ciocco regarding a proposed legislation that I will be sponsoring on behalf of the Ramah Navajo School Board, Inc. to utilize the UUFB. The request is a standard protocol for OMB to provide a budget analysis and provide a written memo. I am patiently waiting for OMB to complete this process. In the meantime, Pinehill students are being impacted while we spin our governmental wheels in the sand here in WR!

Ahehee,

Jamie Henio, Council Delegate


Alamo, Ramah, Tohajiilee

WARNING: External email. Please verify sender before opening attachments or clicking on links.



MEMORANDUM

TO: Hon. Delegate Jamie Henio, Chairperson
Budget and Finance Committee
24th Navajo Nation Council

FROM: 
Luralene D. Tapahe, Principal Advocate
Office of Legislative Counsel

DATE: January 12, 2022

SUBJECT: AN ACT RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAA'BIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$3,600,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE TO THE DIVISION OF COMMUNITY DEVELOPMENT FOR THE UPGRADE/REPLACEMENT OF A HIGH-VOLTAGE ELECTRICITY SYSTEM FOR RAMAH NAVAJO SCHOOL BOARD, INC./PINE HILL SCHOOL

Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to review by the Navajo Nation courts in the event of proper legal challenge.

Please ensure that this legislation is precisely what you want. You are encouraged to review this proposed legislation to ensure that it is drafted to your satisfaction.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. Nevertheless, the Speaker of the Navajo Nation Council may assign this legislation to committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find this document unacceptable for any reason, please immediately contact me at the Office of Legislative Counsel (at extension 7166) and advise me of the changes you would like made to this proposed legislation. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0004-22_

SPONSOR: Jamie Henio

TITLE: An Act Relating to the Health, Education and Human Services, Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$3,600,000 from the Unreserved, Undesignated Fund Balance to the Division of Community Development for the Upgrade/Replacement of a High-Voltage Electricity System for Ramah Navajo School Board, Inc./Pine Hill School

Date posted: January 12, 2022 at 5:49PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0004-22

SPONSOR: Honorable Jamie Henio

TITLE: An Act Relating to the Health, Education and Human Services, Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$3,600,000 from the Unreserved, Undesignated Fund Balance to the Division of Community Development for the Upgrade/Replacement of a High-Voltage Electricity System for Ramah Navajo School Board, Inc./Pine Hill School

Posted: January 12, 2022 at 5:49 PM

5 DAY Comment Period Ended: January 17, 2022

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>



**Legislative Tracking Secretary
Office of Legislative Services**

Jan. 18, 2022; 7:25 AM

Date/Time

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
24TH NAVAJO NATION COUNCIL**

FOURTH YEAR 2022

COMMITTEE REPORT

Mr. Speaker,

The **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE** to whom has been assigned:

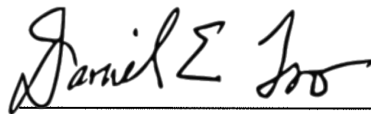
Legislation #0004-22: An Act Relating to the Health, Education and Human Services, Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$3,600,000 from the Unreserved, Undesignated Fund Balance to the Division of Community Development for the Upgrade/Replacement of a High-Voltage Electricity System for Ramah Navajo School Board, Inc./Pine Hill School

Sponsor: Delegate Jamie Henio

Has had it under consideration and reports the same with the recommendation that it DO PASS with no amendment.

And thence is referred to the Resources and Development Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel E. Tso", written over a horizontal line.

Daniel E. Tso, Chairman
Health, Education and Human Services Committee
24th Navajo Nation Council

Date: January 19, 2022

Main Motion:

Motion: Honorable Edison J. Wauneka

Second: Honorable Paul Begay, Jr.

Vote: 5-0-0

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE

Regular Meeting

January 19, 2021

Legislation #0004-22: An Act Relating to the Health, Education and Human Services, Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Allocating \$3,600,000 from the Unreserved, Undesignated Fund Balance to the Division of Community Development for the Upgrade/Replacement of a High-Voltage Electricity System for Ramah Navajo School Board, Inc./Pine Hill School

Sponsor: Delegate Jamie Henio

VOTE TALLY SHEET:

Main Motion:

Motion: Honorable Edison J. Wauneka

Second: Honorable Paul Begay, Jr.

Yea: Paul Begay, Jr.; Carl R. Slater; Charlaine Tso; Pernell Halona; Edison J. Wauneka

Nay:

Not Voting: Daniel E. Tso (Presiding Chairman)

Excused:

Absent:

Vote: 5-0-0



Daniel E. Tso, Chairman
Health, Education and Human Services Committee
24th Navajo Nation Council



Angelita Benally, Legislative Advisor
Health, Education and Human Services Committee
Office of Legislative Services

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION #0004-22: AN ACT RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$3,600,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE TO THE DIVISION OF COMMUNITY DEVELOPMENT FOR THE UPGRADE/REPLACEMENT OF A HIGH-VOLTAGE ELECTRICITY SYSTEM FOR RAMAH NAVAJO SCHOOL BOARD, INC./PINE HILL SCHOOL. *Sponsor: Honorable Jamie Henio*

Has had it under consideration and reports a **DO PASS** with no amendments.

And thereafter the legislation was referred to Budget & Finance Committee.

Respectfully submitted,



Thomas Walker, Jr., *Vice-Chairperson*
Resources and Development Committee of
the 24th Navajo Nation Council

Date: January 20, 2022 – Special Meeting (Teleconference)

Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Herman M. Daniels

S: Mark A. Freeland

V: 5-0-1 (VCNV)

In Favor: Rickie Nez; Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.

Opposition: None

Excuse: None

Not Voting: Thomas Walker, Jr., *Vice-Chairperson*

(NOTE: VOTE TALLY attached hereto)

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022

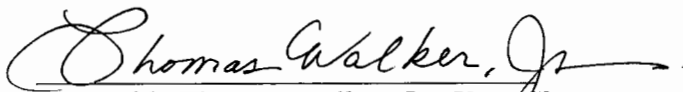
**ROLL CALL
VOTE TALLY SHEET**

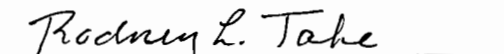
LEGISLATION #0004-22: AN ACT RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; ALLOCATING \$3,600,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE TO THE DIVISION OF COMMUNITY DEVELOPMENT FOR THE UPGRADE/REPLACEMENT OF A HIGH-VOLTAGE ELECTRICITY SYSTEM FOR RAMAH NAVAJO SCHOOL BOARD, INC./PINE HILL SCHOOL. *Sponsor: Honorable Jamie Henio*

Date: January 20, 2022 – Special Meeting (Teleconference)
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Herman M. Daniels **S:** Mark A. Freeland **V:** 5-0-1 (VCNV)
In Favor: Rickie Nez; Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.
Opposition: None
Excuse: None
Not Voting: Rickie Nez, *Chairperson*


Honorable Thomas Walker, Jr., *Vice Chairperson*
Resources and Development Committee


Rodney L. Tahe, *Legislative Advisor*
Office of Legislative Services

24th NAVAJO NATION COUNCIL

Fourth Year 2022

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL # 0004-22:

An Act Relating to the Health, Education and Human Services, Resources and Development, Budget and Finance, and Naabikiyati Committees and to the Navajo Nation Council; Allocating \$3,600,000 from the Unreserved, Undesignated Fund Balance to the Division of Community Development for the Upgrade/Replacement of a High-Voltage Electricity System for Ramah Navajo School Board, Inc./Pine Hill School *Sponsored by Jamie Henio, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** with 1 amendment.

AMENDMENT 1:

1. On page 1, at lines 14-15, after the word “**THE**” strike “**UNRESERVED, UNDESIGNATED FUND BALANCE**” and replace with “**SIHASIN FUND**”
2. On page 2, starting at line 6, delete the remainder of paragraph D and the entirety of paragraph E, as follows:

~~“The Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds within the current fiscal year are permitted, if and when additional sources of revenues above and beyond the initial or current revenue projections are projected and which are also in excess of the reserve amount set forth at §820(J).” 12 N.N.C. §820(L).~~

~~E. The restrictions on supplemental appropriations include:~~

- ~~1. Supplemental appropriations from non-recurring revenues shall be approved only for non-recurring expenses. 12 N.N.C. §820(F). The Controller determines which revenues are recurring and which are non-recurring. 12 N.N.C. §820(L).~~
- ~~2. The Navajo Nation shall budget all recurring operating expenses, including capital maintenance costs, from recurring revenues only; and long-term debt shall not be used to finance recurring operating expenses. 12 N.N.C. §820(E).~~
- ~~3. The Navajo Nation Code further provides, “. . . non-recurring revenues will be budgeted only after an examination by the Controller to determine whether or not the revenues are subsidizing an imbalance between recurring revenues and expenditures, and expenditures may be authorized only if a long-term (three-five year) forecast shows that the operating deficit will not continue. Otherwise, non-recurring revenues will be added to the Unreserved, Undesignated Fund Balance. This provision may be amended or waived by a two-thirds vote of the full Navajo Nation Council.” 12 N.N.C. §820(F).~~
- ~~4. All requests for supplemental funding shall be submitted to the Office of Management and Budget (“OMB”) for budget impact analysis. 12 N.N.C. §820(M).~~

3. On page 2, at line 6, after the deletions above, insert the following new sections:

E. The Navajo Nation Code (at 12 N.N.C. §2502, as amended by CJA-03-18) provides that the purpose of the Navajo Nation Sihasin Fund (“Sihasin Fund”) is as follows:

§2502 Purpose

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

1. The planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterline, solid waste management development, powerline projects, and transportation and communication systems, within the Navajo Nation; . . .
 - B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure shall not be limited by 12 N.N.C. §1310(F) or TCDCJY-77-99.
 - C. Leveraging the Fund by way of guaranteeing loans, match funding, direct funding in part, and other weighted uses of the Fund, including loan financing from the Fund, for the purposes in §2502(A)(1), shall be favored over direct funding in whole.
 - F. The Síhasin Fund provides that “Fund Principal” shall consist of all deposits made to the Síhasin Fund and that “Fund Income” shall consist of all earnings (interest, dividends, etc.) generated and realized by the Fund Principal, and that Síhasin Fund Income shall be deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is duly approved. 12 N.N.C. §2504 and §2505(C).
 - G. The Síhasin Fund provides that “Fund Principal and Income shall not be expended except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502 of this Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council.” 12 N.N.C. §2505(A).
4. On page 2, at line 30, after the word “the” delete “~~Unreserved, Undesignated Fund Balance (“UUFB”)~~” and insert “Síhasin Fund”.
 5. On page 3, at lines 15 and 17, delete ~~UUFB~~.
 6. On page 3 at line 18, after the word “in” delete ~~an email dated December 2, 2021.~~ and insert “a memorandum dated January 31, 2022.”
 7. Replace the current Exhibit F with the new **EXHIBIT F**, memorandum from Dominic Beyer, Executive Director of the Office of Management and Budget, dated January 31, 2022.
 8. On page 3, at line 20, delete ~~UUFB~~ and insert “SÍHASIN FUND”.
 9. On page 3, at line 21, after “DEVELOPMENT” insert “AND APPROVING THE PINE HILL SCHOOL PROJECT EXPENDITURE PLAN”
 10. On page 3, at line 22, at the very beginning of paragraph A, insert In accordance with 12 N.N.C. §2505(A), ~~The Navajo Nation hereby allocates . . .~~
 11. On page 3, at line 22, delete ~~UUFB~~ and insert “Síhasin Fund”.
 12. On page 3, starting at lines 27-29, delete the entirety of paragraph B, as follows:
~~B. This \$3,600,000 supplemental appropriation shall be from those funds that exceed the minimum fund reserve balance in the UUFB required by 12 N.N.C. §820(J), as determined by the Controller.~~
 13. On page 3, at line 30, and on page 4, lines 1-3, delete the entirety of paragraph C, as follows:
~~C. Pursuant to 12 N.N.C. §820(N) this supplemental appropriation shall expire, and any funds not expended or encumbered by DCD for the high voltage line Project by midnight on September 30, 2022 shall revert to the UUFB, unless the Navajo Nation Council determines otherwise.~~
 14. On page 3, starting at line 27, after the deletions above, insert the following new paragraphs:

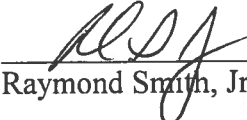
- B. The Navajo Nation hereby approves the implementation and administration of the expenditure plan for the Pine Hill School project, as described in Exhibits A-F attached hereto.
- C. The Síhasin Funds allocated for the Pine Hill School project may be further leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act (12 N.N.C. §1300 *et seq.*, as amended) using Síhasin Fund earnings for repayment and financing costs, upon approval of the Budget and Finance Committee and further approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.
- D. The Navajo Nation Controller shall determine whether the source of the annual allocations for the total amount of \$3,600,000 approved herein will be Síhasin Fund Principal or Síhasin Fund Income, or a combination of both.
- E. The Síhasin funding for the Pine Hill School project shall be disbursed to the Navajo Nation Division of Community Development ("DCD") within thirty (30) calendar days after the effective date of this legislation. The DCD shall then disburse the Síhasin funds according to specific drawdown requests and instructions submitted to DCD for this project.
- F. The Ramah Navajo School Board, Inc. and Pine Hill School shall be responsible for carrying out and implementing its proposed project, in accordance with its expenditure plan approved herein. The Síhasin funding shall be used solely to design, plan, construct, install, or purchase equipment for the Pine Hill School project, as described in the Exhibits A-F attached hereto.
- G. Any and all savings of funds shall be returned to the Síhasin Fund Principal once the Pine Hill School project has been completed or upon the reversion deadline in Section THREE (H) below.
- H. The Síhasin funding allocated for the Pine Hill School project shall not lapse on an annual basis pursuant to 12 N.N.C. §820(N); however, any Síhasin funds not spent or encumbered within thirty-six (36) months of the date that funds are provided to DCD shall revert to the Síhasin Fund Principal, unless otherwise approved by both the Resources and Development and the Naabik'íyáti' Committees of the Navajo Nation Council.
- I. The Síhasin Fund shall be reimbursed, in the \$3,600,000 amount allocated in this legislation, from prospective funds available to the Navajo Nation from any and all state and federal sources, including Congressional appropriations under the American Rescue Plan Act of 2021 or other COVID-19 related relief, in compliance with the eligibility requirements under federal and Navajo Nation laws, regulations, and guidance.


15. On page 4, at line 6, delete ~~2 N.N.C. §221(B) and 2 N.N.C. §164(A)(17)~~ and insert 12 N.N.C. §2505.
16. Replace the existing Exhibit A with the new **EXHIBIT A**, Appendix K dated 2/1/22.
17. Replace the existing Exhibit C with the new **EXHIBIT C**, Budget Forms dated 2/1/22.
18. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Committee hereby authorizes the Office of Legislative Services and the Office of Legislative Counsel to correct technical errors, consistent with the Committee's intent in approving this Amendment. This Amendment supersedes all inconsistent language in any other Committee Amendment.

Amendment 1 Motion: Elmer P. Begay Second: Jimmy Yellowhair Vote: 4-0 Yeas: Jamie Henio, Jimmy Yellowhair, Elmer P. Begay, Nathaniel Brown; Amber K. Crotty not voting

And, therefore referred to the **NAABIKIYATI** Committee

Respectfully submitted,


Raymond Smith, Jr., Vice Chairman

Adopted:  Not Adopted: _____
Legislative Advisor Legislative Advisor

15 February 2022

The vote was **5** in favor **0** opposed yeas: *Jamie Henio, Jimmy Yellowhair, Elmer P. Begay, Nathaniel Brown, Amber K. Crotty*
Main Motion: *Elmer P. Begay*
Second: *Jamie Henio*

BUDGET AND FINANCE COMMITTEE

15 February 2022

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0004-22: An Act Relating to the Health, Education and Human Services, Resources and Development, Budget and Finance, and Naabikiyati Committees and to the Navajo Nation Council; Allocating \$3,600,000 from the Unreserved, Undesignated Fund Balance to the Division of Community Development for the Upgrade/Replacement of a High-Voltage Electricity System for Ramah Navajo School Board, Inc./Pine Hill School *Sponsored by Jamie Henio, Council Delegate*

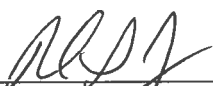
Motion: Elmer P. Begay

Second: Jamie Henio

Vote: 5-0, Vice Chairman not voting; with 1 amendment

Final Vote Tally:

Jamie Henio	yea	
Raymond Smith Jr.		
Elmer P. Begay	yea	
Nathaniel Brown	yea	
Amber K. Crotty	yea	
Jimmy Yellowhair	yea	



Raymond Smith, Jr., Vice Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee

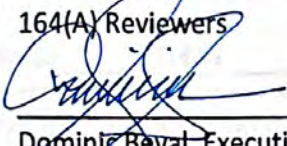
THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO: 164(A) Reviewers

FROM: 
Dominic Bayal, Executive Director
Office of Management and Budget

DATE: January 31, 2022

SUBJECT: Legislation 0004-22: Allocating \$3,600,000 from the UUFB to the DCD for the upgrade/replacement of a high-voltage electricity system for Ramah School Board, Inc. – Pine Hill School.

OMB has reviewed the subject document sent by Legislative Branch staff and provides the following information:

1. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2022 Budget Instructions Manual (Section XII, D), and the Appropriations Act. This activity should be completed by the branches to determine priorities.
2. Per the FY2022 Budget Instructions Manual, Section XII, A., "all supplemental funding request shall be submitted through the Navajo Nation official administrative review process before consideration by the appropriate oversight committee, Budget and Finance Committee, the Naa'bik'iyati Committee and the Council."
 - a. The attached budget forms identify Division of the Community Development (DCD) as the division to oversee this allocation. Will this be a grant or will DCD directly administer the project and funds? How is this to be done?
3. If DCD is the recipient of the funding, then Budget Forms 1 and 2, and Appendix K should be signed by DCD and/or Executive Branch representatives. The proposed resolution at Section Two, A, states DCD is requesting funding; and at C, that DCD has submitted Budget Forms 1, 2 and 4. There is no indication of this. Rather, budget forms are signed by staff of the Speaker's Office.
4. The budgets and information submitted indicate a project. Ramah School Board, Inc. – Pine Hill School could seek funding from the Sihasin funds as there are funds available.

Contact Lisa Jymm, Acting Budget Officer, with OMB at (928) 871-6230 if there are any questions and/or concerns regarding this memorandum.

xc: OMB file
Paulson Chaco, Chief of Staff, OPVP



THE NAVAJO NATION SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

EXHIBIT

tabbles

A

PART I. Business Unit No.: NEW Program Title: Capital Projects Management Development
 Division/Branch: Community Development Amount Requested: 3,600,000 Prepared By: Regina Eltsocie
 Phone No.: 871-6069 Email Address: gina_eltsocie@nndcd.org

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Upgrade/Replacement of High-Voltage Electricity System for Ramah Navajo School Bard, Inc./Pine Hill School

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

Alternative funding source would be if there are future funding available which would take a long time to secure and may not be available immediately.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

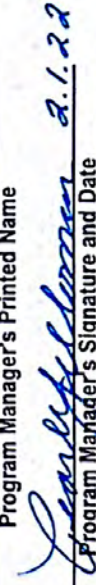
 REVIEWED BY: Division Director's Signature / Date

 RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>NEW</u>		Program Name/Title: _____		Capital Projects Management Department			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: _____									
PART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
Improve Electrical System of Ramah Pine Hill School Campus									
Program Performance Measure/Objective:									
Complete upgrade of High Voltage Electricity System									
2. Goal Statement:									
Program Performance Measure/Objective:									
3. Goal Statement:									
Program Performance Measure/Objective:									
4. Goal Statement:									
Program Performance Measure/Objective:									
5. Goal Statement:									
Program Performance Measure/Objective:									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
				James Adakai, Deputy Director		Dr. Pearl Yellowman, Division Director			
				Program Manager's Printed Name		Division Director/Branch Chief's Printed Name			
				2-1-22					
				Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date			

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY2022

PART I. Business Unit No.:		New		Ramah Navajo Sch. Board-Electric		Division/Branch: Community Development	
Prepared By:		Regina Eltsocie		Phone No.:		Email Address:	
				871-6069		gina eltsocie@nndcd.org	
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY		
CYJ-41-21 Sihasin		2022	3,600,000.00	100%	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget
							(C) Difference or Total
					2001 Personnel Expenses		
					3000 Travel Expenses		
					3500 Meeting Expenses		
					4000 Supplies		
					5000 Lease and Rental		
					5500 Communications and Utilities		
					6000 Repairs and Maintenance		
					6500 Contractual Services		
					7000 Special Transactions		
					8000 Public Assistance	3,600,000	3,600,000
					9000 Capital Outlay		
					9500 Matching Funds		
					TOTAL	\$0.00	3,600,000
							3,600,000
					PART IV. POSITIONS AND VEHICLES		
					Total # of Positions Budgeted:		
					Total # of Vehicles Budgeted:		
		TOTAL:	\$3,600,000.00	100%			
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.							
SUBMITTED BY:		Dr. Pearl Yellowman		APPROVED BY:		Paulson Chaco	
		Program Manager's Printed Name				Division Director / Branch Chief's Printed Name	
						Division Director / Branch Chief's Signature and Date	
		2.1.22					

24th NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2022

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0004-22

An Act Relating to the Health, Education and Human Services, Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and to the Navajo Nation Council; Allocating \$3,600,000 from the Unreserved, Undesignated Fund Balance to the Division of Community Development for the Upgrade/Replacement of a High-Voltage Electricity System for Ramah Navajo School Board, Inc./Pine Hill School

Sponsored by: Honorable Jamie Henio

Has had it under consideration and reports the same that the legislation **WAS PASSED WITH ONE (1) AMENDMENT AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,



Honorable Seth Damon, Chairperson
NAABIK'ÍYÁTI' COMMITTEE

17 February 2022

MAIN MOTION

Motioned by: Honorable Mark A. Freeland

Seconded by: Honorable Raymond Smith, Jr.

Vote: 21 In Favor, 00 Opposed (Chairman Damon Not Voting)

AMENDMENT #1

1. On page 4 at line 4, insert the following new Section:

SECTION FOUR. DIRECTIVES

The Navajo Nation requests that the Navajo Nation Department of Justice investigate whether the federal government's trust responsibility to the Navajo Nation requires the federal government to make the needed repairs to the Pine Hill School facilities, and whether the U.S. Department of Interior, Bureau of Indian Affairs and/or Bureau of Indian Education should reimburse the Nation for the expenditure of the \$3,600,000 approved in this Resolution. As a

condition of this \$3,600,000 funding approval, the Ramah Navajo School Board, Inc., the Pine Hill School, and their legal counsels, shall cooperate with the efforts of the Department of Justice.

2. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Office of Legislative Services and the Office of Legislative Counsel may make technical edits to this Legislation and its Exhibits to implement the Committee's intent in approving this Legislation. This Amendment shall supersede inconsistent language contained in any other Committee amendment, which language shall be conformed to the intent or language of this Amendment.

Motioned by: Honorable Elmer P. Begay

Seconded by: Honorable Amber Kanazbah Crotty

Vote: 22 In Favor, 00 Opposed (Chairman Damon Not Voting)

NAVAJO NATION

1201

2/17/2022

Naa'bik'iyati' Committee Special Meeting

01:28:36 PM

Amd# to Amd#

New Business: Item B.

PASSED

MOT Freeland, M

-Legislation 0004-22: Allocating

SEC Smith

\$3,600,000 from the Unreserved,
Undesignated Fund Balance to...

Yeas : 21

Nays : 0

Excused : 1

Not Voting : 1

Yea : 21

Begay, E

Freeland, M

Slater, C

Tso, O

Begay, K

Halona, P

Smith

Walker, T

Begay, P

Henio, J

Stewart, W

Wauneka, E

Brown

James, V

Tso, D

Yazzie

Charles-Newton

Nez, R

Tso, E

Yellowhair

Daniels

Nay : 0

Excused : 1

Crotty

Not Voting : 1

Tso, C

Presiding Speaker: Damon

NAVAJO NATION

1200

2/17/2022

Naa'bik'iyati' Committee Special Meeting

12:29:42 PM

Amd#1 to Amd#

Amendment to Legislation 0004-22

PASSED

MOT Begay, E

1.On page 4 at line 4, insert...

SEC Crotty

Yeas : 22

Nays : 0

Excused : 1

Not Voting : 0

Yea : 22

Begay, E

Daniels

Slater, C

Tso, E

Begay, K

Freeland, M

Smith

Tso, O

Begay, P

Halona, P

Stewart, W

Walker, T

Brown

Henio, J

Tso, C

Wauneka, E

Charles-Newton

James, V

Tso, D

Yellowhair

Crotty

Nez, R

Nay : 0

Excused : 1

Yazzie

Not Voting : 0

Presiding Speaker: Damon