

**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 0257-20

**DATE:** October 12, 2020

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT DESCRIPTION FOR HOUCK CHAPTER

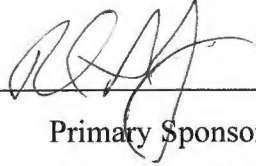
**PURPOSE:** The purpose of this resolution is to approve a change in project description in CAP-35-18 for Houck Chapter.

**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: Johnson  
Website Posting Time/Date: 5:45pm 10-14-20  
Posting End Date: 10-19-20  
Eligible for Action: 10-20-20

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24<sup>TH</sup> NAVAJO NATION COUNCIL—Second Year, 2020

3 INTRODUCED BY

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5 \_\_\_\_\_

6 Primary Sponsor

7 TRACKING NO. 0257-20

8 AN ACTION

9 RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND  
10 FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN  
11 RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT  
12 DESCRIPTION FOR HOUCK CHAPTER  
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15 BE IT ENACTED:

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17 **Section One. Authority**

- 18 A. The Resources and Development Committee exercises authority over chapters of  
19 the Navajo Nation. 2 N.N.C. § 501(C)(1).  
20 B. The Budget and Finance Committee of the Navajo Nation Council exercises  
21 authority over budgeting, appropriation, investment and management of all funds.  
22 2 N.N.C. § 301 (B)(2).  
23 C. Council Resolution CAP-35-18 provides, “[a] chapter project, powerline, or  
24 waterline project may be changed, including the year funded, or added to Exhibits  
25 A through E with the concurrence of the Delegate representing the chapter’s  
26 Council District and the approvals of the Resources and Development Committee  
27 and Budget and Finance Committee, as long as such project has been certified as  
28 construction-ready by CPMD or NTUA and the total Síhasin Funding for the  
29 District does not exceed \$4,166,666.67.” CAP-35-18, Section Four, Paragraph  
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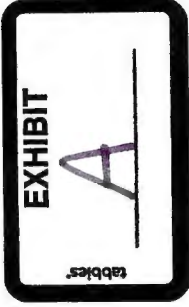
1           **Section Two. Findings**

- 2           A. The Navajo Nation Council adopted Council Resolution CAP-35-18, “Adopting the  
3           SÍhasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14,  
4           as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12  
5           N.N.C. §§ 810 (F), 820 (I) and (M) and 860 (C) Relating to the Capital Budget and  
6           Capital Improvement Process” on April 17, 2018.
- 7           B. Houck Chapter requests to change the approved funding year in CAP-35-18 to delete  
8           cemetery from year one funding in project D-149 and to replace it with access road and  
9           grading (plan, design, and construction). The project funding of \$46,722 will remain in  
10          year one.
- 11          C. The Síhasin Project Amendment Certification, attached as **Exhibit A**, has been signed by  
12          the Delegate representing the chapter’s council district as required by CAP-35-18,  
13          section 4, paragraph C.
- 14          D. The Capital Projects Management Department, through its signature in section IV of  
15          **Exhibit A**, has indicated the project is construction ready. Also, while not a requirement  
16          pursuant to CAP-35-18, Houck Chapter has indicated its support of this request in  
17          Houck Chapter Governance Resolution, HCR-091520-02, attached as **Exhibit B**.

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19           **Section Three. Approval**

20           The Navajo Nation hereby approves the project change requested by Houck Chapter in  
21           accordance with **Exhibit A**.

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CAPITAL PROJECTS MANAGEMENT DEPARTMENT  
SIHASIN PROJECT AMENDMENT CERTIFICATION  
CAP-35-18

**I. PROJECT DETAILS**  
PROJECT NAME: Houck Cemetery  
DATE SUBMITTED: September 29, 2020  
PROJECT TYPE: Plan, Design, & Construction  
REFERENCE NUMBER: #42  
ORIGINAL DATE APPROVED: November 2018

**II. NATURE OF CHANGE AND COST DETAILS**

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			TOTAL FUNDING	FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3		
D-149	Cemetery	\$46,722				Deleted
D-149	Access Road & Grading (Plan, Design, & Construction)	\$46,722			\$46,722	Added
<b>TOTAL:   INCREASED /   DECREASED FUNDING:</b>					\$46,722	

**Acknowledgement of Project Amendment:** PRINTED NAME: Raymond Smith Jr., DATE: 9/29/2020  
Navajo Nation Council Delegate SIGNATURE:

**III. REASON FOR AMENDMENT**

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:  
1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;  
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and  
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.  
4. Add language to legislation "EXHIBIT D" Funding Use/Year.

**IV. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE CONSTRUCTION-READY.**

CPMD Project Manager: Kent Grantsen  
CPMD Department Manager: James F. Adakai  
SIGNATURE: DATE: 9/29/20  
 DATE: 9/29/20



# HOUCK CHAPTER GOVERNANCE

P.O Box 127 Houck, AZ 86506 PH#: (928) 688-2734 Fax #: (928) 688-3068

Fred Footracer, Chapter President      Jack Smith, Grazing Official  
James Watchman, Jr., Vice President      Raymond Smith, Jr., Council Delegate  
Virginia Barker, Chapter Secretary/Treasurer      Laura Lee Yazzie, Chapter Manager

HCN-091520-02

## RESOLUTION OF THE HOUCK CHAPTER

### REQUESTING AND APPROVING THE AMENDMENTS TO THE HOUCK CHAPTER SIHASIN CHAPTER FUNDING PROPOSAL, ADDING THE LANGUAGE UNDER "COST NEED ANALYSIS - "CONSTRUCTING AN ACCESS ROAD AND ROAD GRADING" AT THE NEW COMMUNITY CEMETERY

#### WHEREAS:

1. The Houck Chapter was established pursuant to 26 N.N.C., Chapter 1, Sub-Chapter 1, Section 3(a) by the Navajo Nation Council CAP-34-98; and
2. The Houck Chapter complies with the Local Governance Act (LGA) and certified pursuant to 26 N.N.C., Section 102(B), which permits the Chapter to exercise authorities contained with 26 N.N.C., Section 103, including land administration authority; and
3. The Houck Chapter has the authority to provide for, promote, preserve and protect the health, safety and welfare of its community members; and
4. The Houck Chapter will be adding the language, "constructing an access road and road grading," to enable the cemetery project to go forward, with assistance from outside resources for road grading and access road; and
5. Houck Chapter was approved for Sihasin Chapter Funds in the amount of \$46,722.00, Business Unit #N01411, and the Sihasin Fund Chapter Capital Projects Expenditure Plan lists Houck Chapter, under the heading "Project Type - Plan/Design/Construction." Attached Expenditure Plan; and

#### NOW THEREFORE, BE IT RESOLVED:

1. The Houck Chapter hereby requests and approves the amendments to the Houck Sihasin Fund Chapter Capital Projects Expenditure Plan, to add an amendment, "constructing an access road and road grading" at the Houck Chapter's new community cemetery.

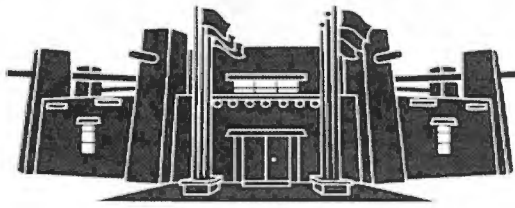
#### CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called chapter meeting at Houck (Arizona), Navajo Nation, where a quorum was present, with a motion by James Watchman, Jr., and seconded by James Watchman, Jr., and that same was passed by a vote of 23 in favor, 00 opposed, and 0 abstained this 15<sup>th</sup> day of September, 2020.

Fred Footracer  
Fred Footracer, Chapter President

James Watchman, Jr.  
James Watchman, Jr., Vice President

Vergee Barker  
Vergee Barker, Secretary/Treasurer



**MEMORANDUM**

TO: Honorable Raymond Smith, Jr.  
24<sup>th</sup> Navajo Nation Council

FROM: Kristen Lowell  
Kristen Lowell, Principal Attorney  
Office of Legislative Counsel

DATE: October 12, 2020

**SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES; APPROVING A PROJECT CHANGE IN RESOLUTION CAP-35-18; APPROVING A CHANGE IN PROJECT DESCRIPTION FOR HOUCK CHAPTER**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

**Please ensure that this particular resolution request is precisely what you want.** You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0257-20\_

SPONSOR: Raymond Smith, Jr.

**TITLE: An Action Relating To Resources And Development And Budget And Finance Committee; Approving A Project Change In Resolution CAP-35-18; Approving A Change In Project Description For Houck Chapter**

***Date posted:*** October 14, 2020 at 5:45PM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.

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