

Pueblo of Laguna
Capital Improvement Planning Policy
Adopted by Council August 31, 2010

I. Purpose

The purposes of this policy are to state the goals of capital improvement planning for the Pueblo of Laguna; to define the requirements for capital planning for Pueblo governmental programs and departments, entities, villages, and other organizations managing projects on Pueblo lands; and to define the criteria by which the Pueblo Council will evaluate and prioritize capital projects.

II. Definitions

Capital improvement project: A project costing more than five thousand dollars that plans, designs, or constructs a building, infrastructure, or other facility, or that purchases or installs vehicles, equipment, furnishings, or property.

Construct: To build, form, rehabilitate, remodel, or expand a building, infrastructure, or other facility; or to assemble and/or install prefabricated buildings, infrastructure, or other facilities. Construction may also require bidding, materials purchase, authorization to enter or access permits for construction, inspection, and construction management services. The definition of construction, for the purposes of this policy, shall be construed broadly, and is not limited to the definition provided in the Pueblo of Laguna Gross Receipts Tax Ordinance or other Pueblo ordinances.

Design: To prepare detailed specifications for a project and complete additional tasks necessary to begin the project. Specifications may include architectural and engineering drawings, detailed requirements for the project, and cost estimates. Additional tasks may include site surveys; geotechnical surveys; drainage studies; appraisal, acquisition, lease, or other approval of land use incidental to the project; environmental and archaeological studies and approvals; authorizations to enter and access permits necessary for these tasks; and any other necessary permits, certifications, and approvals.

Expand: To increase the size or the functions of a building, infrastructure, or other facility.

Infrastructure: Physical systems and individual components of those systems that provide basic services, such as water for human, agricultural, and natural uses, including wildlife; wastewater disposal; energy; communications; and transportation.

Outside funding: Funds provided by governments and governmental entities other than the Pueblo of Laguna, philanthropic organizations, private donors, and corporations and corporate-sponsored organizations, including those owned by the Pueblo of Laguna.

Plan: To develop a concept for a project, including its proposed scope, tasks required for completion, benefits, costs, and schedule. Planning may include architectural programming, conceptual design, site utility assessments, preliminary engineering reports, feasibility studies and other related studies.

Property: Real property; land, structures, and other facilities affixed to the land or beneath the surface of the land.

Project: For the purposes of this policy, “project” shall refer to a capital improvement project.

Rehabilitate: To restore to a functional condition; rehabilitation includes major repairs or replacements of a comprehensive and non-routine nature.

Remodel: To reconstruct with an intent of improving function.

III. Goals of Capital Improvement Planning

The goals of Pueblo of Laguna Capital Improvement Planning are to provide organized and comprehensive information about capital improvement projects to the Pueblo Council to assist the Council in making decisions about projects that may have an impact on Pueblo community members, lands and waters, resources, assets, and way of life, and in particular to assist the Council in making decisions about the allocation of Pueblo resources, including funds, employee time, and relationships with outside funding sources; and for the Pueblo Council to utilize this information to prioritize projects for Pueblo funding, outside funding, and use of employee time.

IV. Statement of Policy

A. It shall be the policy of the Pueblo of Laguna that:

1. The Pueblo Council shall adopt a Capital Improvement Plan (CIP) no later than August 31 of each year.
2. The CIP shall list all capital improvement projects proposed or underway that are managed by any Pueblo governmental program or departments, entity, or village, or that are managed by other organizations on Pueblo of Laguna lands, including projects currently in planning or design stages if the project is ultimately intended for construction, with the following exceptions:
 - a. Projects conducted by entities or villages using solely their own internal funds, with no use of Pueblo of Laguna governmental or outside funds, that are:
 - i. Rehabilitations of existing facilities, with no expansions
 - ii. Purchase of equipment or furnishings to be used solely by the entity or village, and to be licensed, insured, registered, or otherwise documented or certified solely by the entity or village
 - b. Projects conducted by individuals or families within the boundaries of the individual’s or family’s land assignment, such as new home construction.
3. Governmental programs and departments, entities, villages, and others submitting projects to the Capital Improvement Plan (CIP) are responsible for gathering and presenting required information for proposed projects, as defined in section V.
4. The CIP shall, through Pueblo Council decision, prioritize projects for Pueblo of Laguna funding based on criteria defined in section VI.A.
5. The CIP shall, through Pueblo Council decision, select projects for requests for outside funding based on criteria defined in section VI.B.
6. Distribution of the CIP shall be allowed as follows:
 - a. The approved CIP may be distributed to:
 - i. Pueblo of Laguna governmental programs and departments, entities, and villages for purposes related to the operations of the Pueblo of Laguna
 - ii. Enrolled members for personal information
 - iii. Others only with the approval of the Governor

- b. Excerpts from the approved CIP may be submitted to outside funding sources and other entities, including the State of New Mexico, to be included in external planning documents, funding requests, and other documents which may benefit the Pueblo of Laguna.
7. The Chief of Operations is responsible for the administration of this policy.

V. Required Information

- A. Each project listed in the Capital Improvement Plan (CIP) shall include the following information:
 1. Point(s) of contact for the project, including name, title, organization, phone number, fax number, mailing address, and e-mail
 2. Scope of work, including possible phasing
 3. Need and benefits. A list of some potential benefits is provided in section VII.
 4. Potential negative impacts of the project, if any, and how they will be mitigated
 5. Project history, including a discussion of project phases that have been completed or are currently underway, if any
 6. Coordination with other governmental programs or departments, entities, villages, or others, including a description of support from any village affected or involved
 7. Land, right of way, and/or easement requirements, including information about the amount of land required, if any, and whether or not approval has been obtained from the authority having jurisdiction
 8. Schedule for each phase of the project, with indication of completed tasks and estimates of time to complete remaining tasks
 9. Budget, including total project and phased costs, current funds available, and additional proposed funding sources for each phase.
 10. Impacts on operating and maintenance budgets

VI. Criteria for Prioritization

- A. The criteria for prioritizing projects for Pueblo of Laguna funding are as follows:
 1. Project need and benefits, including:
 - a. Requirements for compliance with laws, ordinances, regulations, policies, and other legal requirements
 - b. Consistency with priorities defined annually by the Pueblo Council, under the terms of the Pueblo of Laguna Council Policy item I.C.13 (as adopted January 26, 2010).
 - c. Other potential community benefits, such as those described in section VII
 - d. Prioritization at the village level
 2. Few negative impacts of the project, and/or feasible plans for mitigation of negative impacts
 3. Readiness to proceed, as indicated by:
 - a. Completed planning phase
 - b. Logical and feasible phasing plan, beginning with design phase (if applicable)
 - c. Expected completion of prior phase by the time funding becomes available
 - d. Coordination with all relevant parties, including support from any affected villages

- e. Land obtained or otherwise approved (if applicable)
 - f. Permits, certifications, and other approvals obtained (if applicable)
 - 4. Funding requirements and options, including:
 - a. Amount of funding required
 - b. Current Pueblo of Laguna funding availability and options (e.g., cash, loan, different fund categories)
 - c. Potential to leverage outside funding using Pueblo of Laguna funding
 - d. Equity in distribution of funding among multiple governmental program and department, entity, and village projects
 - e. Impact on operating and maintenance budgets
- B. The criteria for selecting projects for outside funding requests are as follows:
- 1. Likelihood of successfully obtaining funding, based on:
 - a. Priorities set by the outside funding source
 - b. Level of competition for the funding
 - 2. Compatibility of project schedule and funding award schedule (i.e., will outside funds be available in time to meet other proposed project schedule requirements)
 - 3. Minimal or no concerns about sharing information about the project with outside funding sources (e.g., information about projects that may affect water rights may not be appropriate to share with outside funding sources).
 - 4. Project need and benefits, including:
 - a. Requirements for compliance with laws, ordinances, regulations, policies, and other legal requirements
 - b. Consistency with priorities defined annually by the Pueblo Council, under the terms of the Pueblo of Laguna Council Policy item I.C.13 (as adopted January 26, 2010)
 - c. Other potential community benefits, such as those described in section VII
 - d. Prioritization at the village level
 - 5. Few negative impacts of the project, and/or feasible plans for mitigation of negative impacts
 - 6. Readiness to proceed, as indicated by:
 - a. Completed planning phase
 - b. Logical and feasible phasing plan, beginning with design phase (if applicable)
 - c. Expected completion of prior phase by the time funding becomes available
 - d. Coordination with all required parties, including support from any affected villages
 - e. Land obtained or otherwise approved (if applicable)
 - f. Permits, certifications, and other approvals obtained (if applicable)
 - 7. Funding requirements and options, including:
 - a. Amount of funding required
 - b. Ability to complete the project or a phase of the project with funds from the outside funding source, or, if not, the amount of additional funding that will be required, and the current Pueblo of Laguna funding availability and options (e.g., cash, loan, different fund categories)
 - c. Equity in distribution of funding among multiple governmental program and department, entity, and village projects
 - d. Impact on operating and maintenance budgets

8. Coordination with other governmental programs and departments, entities, or villages that have similar projects and are also seeking funding from outside funding sources.
- C. The Pueblo Council reserves the right to make changes to the prioritization of projects for Pueblo of Laguna funding and to the selection of projects for outside funding requests, including changes to projects that have already been awarded funding.

VII. Potential Benefits

- A. Additional potential benefits of projects may include, but are not limited to:
1. Community Health and Safety
 - a. Prevents or mitigates water, air, soil, noise, odor, or indoor pollution
 - b. Promotes physical activity or good nutrition
 - c. Reduces risks to physical safety or wellbeing in the home, on the job, or in interior or exterior public spaces
 - d. Decreases physical or emotional abuse
 - e. Addresses addictions and associated problems
 - f. Reduces overcrowding or other unsafe social conditions in housing
 - g. Improves transportation safety (including pedestrian, bicycle, and transit)
 - h. Enhances health education
 - i. Improves access to health care
 - j. Protects vulnerable populations
 2. Education
 - a. Promotes education for young people
 - b. Promotes lifelong learning for adults
 - c. Provides opportunities for self-directed education and research
 - d. Builds capacity within the Pueblo to achieve desired goals
 3. Financial Stability and Economic Security
 - a. Increases jobs and income to individuals and families
 - b. Provides revenue to the Pueblo government or villages
 - c. Supports small business development
 4. Infrastructure
 - a. Provides infrastructure to the Pueblo of Laguna
 5. Operational Efficiency
 - a. Maintains existing buildings owned by the Pueblo of Laguna or existing infrastructure located within the Pueblo of Laguna
 - b. Ensures efficient operations of governmental programs and departments, entities, and villages
 6. Community Values
 - a. Strengthens Laguna values
 - b. Promotes the Laguna language, culture, or traditions to the Laguna people
 - c. Protects places, spaces, or natural resources significant to the Pueblo of Laguna
 - d. Improves the connection of Laguna people to their communities or the natural world
 - e. Cares for elders or children
 - f. Encourages community involvement



Office of:

The Governor
The Secretary
The Treasurer

PUEBLO OF LAGUNA

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PUEBLO OF LAGUNA

Resolution No. 79-10

Re: Approval of Capital Improvement Planning Policy

At a duly called meeting of the Pueblo of Laguna Council held on the 31st day of August 2010, the following resolution was adopted.

WHEREAS, the Pueblo of Laguna is a duly recognized sovereign tribe with a government structure as set forth by the Constitution of the Pueblo of Laguna, effective June 6, 1984, as amended; and

WHEREAS, the Pueblo Council is the governing body of the Pueblo of Laguna, a federally recognized sovereign Indian Tribe; and

WHEREAS, the Constitution of the Pueblo of Laguna, Article IV, Section 2(n), authorizes the Pueblo Council to appropriate funds of the Pueblo for any lawful purpose as authorized by the Constitution or the laws of the United States; and

WHEREAS, the Constitution of the Pueblo of Laguna, Article IV, Section 2(k), further authorizes the Pueblo Council to promote and protect the public health and welfare of the members of the Pueblo; and

WHEREAS, the Pueblo Council wishes to provide for needed capital improvement projects that support the public health and welfare of the members of the Pueblo; and

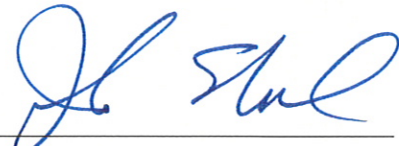
WHEREAS, the Pueblo Council recognizes that capital improvement planning is an effective tool for the Pueblo to define its needs and to establish priorities for allocating resources, from both the Pueblo and outside sources, to meet those needs; and

WHEREAS, a capital improvement planning policy will require that an annual capital improvement plan (CIP) be adopted by the Pueblo Council; that the CIP list all capital improvement projects relevant to the Pueblo of Laguna; that entities submitting projects provide adequate information about those projects; and that the Council prioritize projects for Pueblo and outside funding.

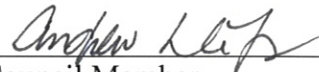
Resolution No. 79-10

NOW, THEREFORE, BE IT RESOLVED, that the Pueblo of Laguna Council hereby approves the Capital Improvement Planning Policy.

BE IT FURTHER RESOLVED, that under the terms of section 7 of the Capital Improvement Planning Policy, the Chief of Operations is responsible for the administration of the policy.



Governor



Council Member



Council Member

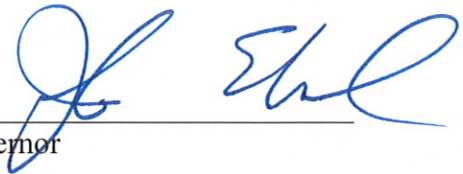
ATTEST:



Tribal Secretary


CERTIFICATION

The foregoing resolution was enacted upon by the Pueblo of Laguna Council on the 31 day of August, 2010, by a vote of 19 for and 0 opposed, at a duly called meeting at which a quorum of the Council was present.



Governor

ATTEST:



Tribal Secretary