

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0209-24_

SPONSOR: Casey Allen Johnson

TITLE: An Action Relating to Resources and Development Committee;
Reappointing Lorenzo Max to the Management Board of the Navajo Nation
Hospitality Enterprise

Date posted: September 17, 2024 at 5:17PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0209-24

DATE: September 16, 2024

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; REAPPOINTING LORENZO MAX TO THE MANAGEMENT BOARD OF THE NAVAJO NATION HOSPITALITY ENTERPRISE

PURPOSE: The purpose of this legislation is to reappoint Mr. Lorenzo Max to the Navajo Nation Hospitality Enterprise's Management Board for a term of three (3) years.

Final Authority: Resources and Development Committee

Vote Required: Simple Majority

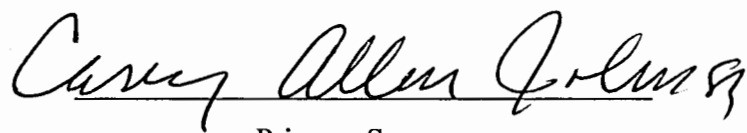
This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.

OLC No. 24-351-1

5-DAY BILL HOLD PERIOD
Website Posting Time/Date
Posting End Date: 09-22-24
Eligible for Action: 09-23-24

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL—Second Year, 2024

3 INTRODUCED BY

4 
5

6 Primary Sponsor

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8 TRACKING NO. 0209-24

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10 AN ACTION
11 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;
12 REAPPOINTING LORENZO MAX TO THE MANAGEMENT BOARD OF THE
13 NAVAJO NATION HOSPITALITY ENTERPRISE

14
15 **BE IT RESOLVED:**

16 **SECTION ONE. AUTHORITY**

- 17 A. The Resources and Development Committee of the Navajo Nation Council
18 has the authority to give final approval for appointments to the Navajo Nation
19 enterprises. 2 N.N.C. § 501(B)(9).
20 B. 5 N.N.C. § 1843(A) states: “The business and affairs of [the Navajo Nation
21 Hospitality Enterprise] shall be managed by a five-person Board of Directors, the
22 members of which shall meet the qualifications established in [the Navajo Nation
23 Hospitality Enterprise’s] plan of operation. The Board of Directors shall conduct its
24 business in a similar manner as boards of directors of successful corporations in the
25 hospitality business, to the extent feasible and permitted under [the Navajo Nation
26 Hospitality Enterprise’s] plan of operation and other applicable Navajo law.
27

28 **SECTION TWO. FINDINGS**

- 29 A. The Navajo Nation Hospitality Enterprise (or “NNHE”)’s Plan of Operation (the
30 “Plan of Operation”) was approved via Resolution CD-79-02. Article V(A) of the

1 Plan of Operation states that “[t]he Management Board shall consist of five (5)
2 members appointed for staggered three-year terms by the President of the Navajo
3 Nation with the concurrence of the Economic Development Committee [now, the
4 Resources and Development Committee] of the Navajo Nation Council.”

5 B. Article V(B) of the Plan of Operation states that “Of the five (5) Board members
6 appointed, one (1) member must be an experienced business person, one (1) member
7 from the Government Services Committee [now the Naabik’iyáti Committee] of the
8 Navajo Nation Council; one (1) from the Economic Development Committee [now
9 the Resources and Development Committee] of the Navajo Nation Council; and two
10 (2) members must have recognized expertise and substantial management experience
11 in the motel-restaurant industry. No other employee of the federal or Navajo Nation
12 government shall be a member of the Management Board. No Board member shall be
13 an employee of the Enterprise.”

14 C. Each NNHE Board member shall serve a term of three (3) years. Plan of Operation
15 Article V(A).

16 D. Between 30 and 60 days prior to the expiration of any Board member’s term, the
17 President of the Navajo Nation is to appoint a qualified person to fill the expected
18 Board member vacancy. Plan of Operation Article V(C).

19 E. If the President of the Navajo Nation fails to nominate a qualified individual to fill the
20 vacant Board position within 60 days, the Resources and Development Committee
21 may nominate and confirm an appointment to the NNHE Management Board on its
22 own initiative. Plan of Operation Article V(H).

23 F. Pursuant to RDCO-37-20, Lorenzo Max was reappointed to the NNHE Management
24 Board for a term of three years, which expired on October 13, 2023.

25 G. On October 23, 2023, Lorenze Max sent a letter of interest about being reappointed to
26 the NNHE Management Board and his resume to President Dr. Buu Nygren, which
27 are attached as **Exhibit A**.

28 H. On November 21, 2023, the NNHE Management Board passed Resolution No. 2023-
29 4 supporting the reappointment of Lorenzo Max to the NNHE Management Board to
30 serve in the capacity as the “Successful Navajo Business Person” on the Board. On

1 February 21, 2024, NNHE Chief Executive Officer Stan Sapp sent a letter to
2 President Nygren submitting NNHE Resolution No 2023-4 and Mr. Max's letter of
3 interest and resume for President's Nygren's consideration. NNHE Resolution No.
4 2023-4 and the February 21, 2024 letter are herein attached as **Exhibit B**.

- 5 I. President Nygren did not nominate a qualified individual to fill the vacant Board
6 position within 60 days after being notified of the vacancy.
- 7 J. Resources and Development Committee therefore finds it is in the best interest of the
8 Navajo Nation to reappoint Lorenzo Max to the NNHE Management Board to serve
9 as the "experienced Navajo business person".

10

11 **SECTION THREE. APPROVAL**

12 The Resources and Development Committee of the Navajo Nation Council hereby
13 confirms the reappointment of Lorenzo Max to the Navajo Nation Hospitality
14 Enterprise's Management Board for a term of three (3) years.

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