

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0210-24\_

SPONSOR: Casey Allen Johnson

TITLE: An Action Relating to Resources and Development Committee; Appointing  
Donovan Hanley to the Management Board of the Navajo Nation Hospitality  
Enterprise

*Date posted:* September 17, 2024 at 5:21PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0210-24

DATE: September 16, 2024

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPOINTING DONOVAN HANLEY TO THE MANAGEMENT BOARD OF THE NAVAJO NATION HOSPITALITY ENTERPRISE

**PURPOSE:** The purpose of this legislation is to appoint Mr. Donovan Hanley 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

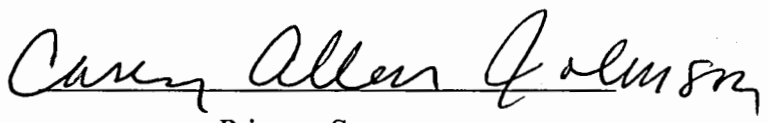
**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.**

OLC No. 24-352-1

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                                    25<sup>th</sup> NAVAJO NATION COUNCIL—Second Year, 2024

3                                    INTRODUCED BY

4                                    

5                                    Primary Sponsor

6                                    TRACKING NO. 0210-24

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9                                    AN ACTION

10                                   RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;  
11                                   APPOINTING DONOVAN HANLEY TO THE MANAGEMENT BOARD OF THE  
12                                   NAVAJO NATION HOSPITALITY ENTERPRISE

13  
14                                   **BE IT RESOLVED:**

15                                   **SECTION ONE. AUTHORITY**

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

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

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

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

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

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

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

25 F. NNHE advertised a vacant Management Board position and Mr. Donovan  
26 Hanley submitted a letter of interest to NNHE along with his resume, which  
27 are attached as **Exhibit A**.

28 G. On November 21, 2023, the NNHE Management Board passed Resolution No. 2023-  
29 6 supporting the appointment of Donovan Hanley to the NNHE Management Board  
30 to serve in the capacity as an “Industry Expert” on the Board. On January 16, 2024,

1 NNHE Chief Executive Officer Stan Sapp sent a letter to President Dr. Buu Nygren  
2 submitting NNHE Resolution No 2023-6 and Mr. Hanley’s letter of interest and  
3 resume to President Nygren for consideration. NNHE Resolution No. 2023-6 and the  
4 January 16, 2024 letter are herein attached as **Exhibit B**.

- 5 H. President Nygren did not nominate a qualified individual to fill the vacant  
6 Board position within 60 days after being notified of the vacancy.
- 7 I. Resources and Development Committee therefore finds it in the best interest  
8 of the Navajo Nation to appoint Donovan Hanley to the NNHE Management  
9 Board to serve as an “Industry Expert”.

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11 **SECTION THREE. APPROVAL**

12 The Resources and Development Committee of the Navajo Nation Council hereby  
13 confirms the appointment of Donovan Hanley to the Navajo Nation Hospitality  
14 Enterprise’s Management Board for a term of three (3) years.  
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