

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0237-24

SPONSOR: Herman M. Daniels, Jr.

TITLE: An Action Relating to Resources and Development Committee; Approving the Off-Reservation Fee Land Lease Between the Navajo Nation and the Navajo Nation Hospitality Enterprise for the Goulding's Monument Valley Lodge and Tours Property (San Juan County, Utah)

Date posted: November 1, 2024 at 4:09 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0237-24

DATE: October 30, 2024

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE OFF-RESERVATION FEE LAND LEASE BETWEEN THE NAVAJO NATION AND THE NAVAJO NATION HOSPITALITY ENTERPRISE FOR THE GOULDING'S MONUMENT VALLEY LODGE AND TOURS PROPERTY (SAN JUAN COUNTY, UTAH)

PURPOSE: The purpose of this legislation is to approve a lease between the Navajo Nation, as the Lessor, and the Navajo Nation Hospitality Enterprise, as the Lessee, for the Goulding's Monument Valley Lodge and Tours property located in San Juan County, Utah.

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. 24-423-1

5-DAY BILL HOLD PERIOD
Website Posting Time/Date _____
Posting End Date: 11-06-24
Eligible for Action: 11-07-24

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

3 INTRODUCED BY

4 

5 Primary Sponsor

6 TRACKING NO. 0237-24

7 AN ACTION

8 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;
9 APPROVING THE OFF-RESERVATION FEE LAND LEASE BETWEEN THE
10 NAVAJO NATION AND THE NAVAJO NATION HOSPITALITY ENTERPRISE
11 FOR THE GOULDING'S MONUMENT VALLEY LODGE AND TOURS
12 PROPERTY (SAN JUAN COUNTY, UTAH)

13 **BE IT RESOLVED:**

14 **SECTION ONE. AUTHORITY**

15 A. The Resources and Development Committee of the Navajo Nation Council has
16 oversight authority with respect to all land withdrawals, non-mineral leases, permits,
17 licenses, rights of way, surface easements and bonding requirements on Navajo
18 Nation lands and unrestricted (fee) land. This authority shall include subleases,
19 modifications, assignments, leasehold encumbrances, transfers, renewals and
20 terminations. 2 N.N.C. § 501(B)(2)(a).

21 **SECTION TWO. FINDINGS**

22 A. In October 2023, the Navajo Nation approved the purchase of the Goulding's
23 Monument Valley Lodge and Tours businesses and property via CO-84-23.
24 B. Among other things, CO-84-23 states the following:

25 ...

1 DD. Beginning in January of 2022, the Division of Economic
2 Development (“DED”) issued a Request for Proposals (“RFP”) to
3 procure an operator and manager for the Goulding’s Monument
4 Valley Lodge and Tours businesses and property to commence
5 after the Navajo Nation purchases the aforementioned land and
6 business assets. DED sent the RFP to the Navajo Nation
7 Hospitality Enterprise (“NNHE”), the Navajo Nation Gaming
8 Enterprise, the Navajo Oil and Gas Company, and other Navajo
9 Nation enterprises who expressed an interest in managing the
10 aforementioned businesses. Of all the Navajo Nation business
11 enterprises that were sent a copy of the RFP, only NNHE replied to
12 the solicitation. DED determined that NNHE was qualified to
13 perform the management services and offered a business site lease
14 and operating agreement for the Property to this entity. NLD,
15 DNR, and DED are currently working in cooperation with NNHE
16 to ensure that the Goulding’s Monument Valley Lodge and Tours
17 Property continues to operate at peak efficiency when the Navajo
18 Nation succeeds to ownership of the Property and business assets.
19 It must be emphasized that NNHE is not being capitalized with
20 additional property through this purchase; rather, the Navajo
21 Nation will own the Property and NNHE will manage and operate
22 the Property for the Navajo Nation. DED would grant a business
23 site lease to the operator, as well as enter into a profit-sharing
24 agreement with the entity selected through this competitive
25 procurement process required by Navajo Nation law.

26 EE. The NNHE has agreed to a profit-sharing plan that would provide
27 100% profits or \$7,411,960 each year paid to the Nation through
28 the following: \$3.5 million from cash flow profits of the business,
29 Navajo Nation tax revenues and equity in the reserve fund
30 amounting to 1.4 million a year. The description of this profit-

1 sharing plan is contained in the July 14, 2023 memorandum from
2 the Navajo Nation President to the Navajo Nation Council,
3 attached as [Exhibit "L" to CO-84-23].

4 FF. NNHE's financial status based on current projections of cash flow
5 will meet the current data projections and expectations in the
6 profit-sharing agreement.

7 ...

8 C. The Division of Economic Development has negotiated an "Off-Reservation
9 Fee Land Lease" between the Navajo Nation, as the Lessor, and the Navajo
10 Nation Hospitality Enterprise, as the Lessee, related to the Goulding's
11 Monument Valley Lodge and Tours property (or the "Lease"), which is
12 attached as **Exhibit 1**.

13 D. The Goulding's property is comprised of 634.31 acres, more or less, with the
14 lands being more particularly described in Exhibit A of the Lease.

15 E. Section 3.3 of the Lease states that the Navajo Nation and Navajo Nation
16 Hospitality Enterprise will also enter into an Operating Agreement related to
17 the property.

18 F. Section 5 of the Lease, along with the Lease's Exhibits B and C, reference the
19 lease rental terms.

20 G. Executive Official Review document number 021675 is attached as **Exhibit 2**.

21 H. CO-84-23 is attached for reference as **Exhibit 3** (CO-84-23 exhibits omitted).

22 I. The Resources and Development Committee finds it is in the best interest of
23 the Navajo Nation to approve the Lease between the Navajo Nation and the
24 Navajo Nation Hospitality Enterprise.

25 **SECTION THREE. APPROVAL**

26 A. The Resources and Development Committee approves the Lease attached as
27 **Exhibit 1**.

28 B. The Resources and Development Committee hereby authorizes the President of the
29 Navajo Nation to execute any and all documents to effectuate the intent and purpose
30 of this resolution.