LEGISLATION NO: _0004-20_  SPONSOR: Nathaniel Brown

TITLE: An Action Relating To Resources and Development Committee; Approving Amendments To The Kayenta Township Business Site Leasing Administrative And Management Plans

Date posted: January 07, 2020 at 6:55 PM

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DATE: January 2, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING AMENDMENTS TO THE KAYENTA TOWNSHIP BUSINESS SITE LEASING ADMINISTRATIVE AND MANAGEMENT PLANS

PURPOSE: This resolution, if approved, will amend Kayenta Township’s Business Site Leasing Administrative and Management Plans.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0004-20

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;
APPROVING AMENDMENTS TO THE KAYENTA TOWNSHIP BUSINESS
SITE LEASING ADMINISTRATIVE AND MANAGEMENT PLANS

BE IT ENACTED:

SECTION ONE. AUTHORITY
The Navajo Nation established the Resources and Development Committee as a standing committee of the Navajo Nation Council and empowered the Committee to give final approval for Business Site Leasing Administrative and Management Plans, including proposed amendments for, inter alia, the Kayenta Township, in accordance with the Navajo Nation Business Leasing Regulations of 2005. 2 N.N.C. §§ 500(A) and 501(B)(2)(I).

SECTION TWO. FINDINGS
A. By Resolution No. CAU-47-03 (Aug. 29, 2003), the Kayenta Township ("Township") was permanently made a home rule municipality of the Navajo Nation and the Kayenta Township Commission ("Commission"), the Township's governing body, was given broad authority to perform all functions necessary for local self-
government consistent with generally applicable laws of the Navajo Nation and federal government. See 2 N.N.C. §§ 4081 and 4084, as amended.

B. By Resolution No. EDCJN-28-09 (June 3, 2009), attached as Exhibit A, the former Economic Development Committee approved the Kayenta Business Site Leasing Administrative and Management Plans for the Township as part of its delegation of approval authority to the Township for business site leases for lands within the jurisdiction of the Township, with the exception of those business site leases under the leasing authority of the Navajo Nation Shopping Centers Corporation.

C. After the adoption of Resolution No. EDCJN-28-09, the Commission, based on advice from the Township’s Business Site Leasing Committee (“BSL Committee”), determined that amendments to the Kayenta Business Site Leasing Administrative and Management Plans (the “Proposed Plan Amendments”) would: (1) improve and elaborate on the appeals procedure for lease actions; (2) update and correct definitions, including Township Department names; (3) enumerate specific data to be used in appraisals or their equivalent; (4) clarify when subleasing will be permitted under business site leases, including where such subleasing would be done by a wholly owned entity of the Township; (5) clarify and enumerate the types of incentives available for attracting new businesses to the Township for purposes of economic development; and (6) make such other minor corrections and edits as are appropriate and needed, consistent with the Navajo Nation Business Leasing Regulations of 2005 and the 2008 Uniform Business Leasing Regulations.

D. The Proposed Plan Amendments, attached as Exhibits B and C, have been reviewed and deemed sufficient by the Navajo Nation Department of Justice. See Exhibit D.

E. Supporting resolutions of the Commission and the BSL Committee are attached as Exhibit E.

SECTION THREE. APPROVALS and AUTHORIZATIONS

A. The Navajo Nation hereby approves the amendments to the Kayenta Business Site Leasing Administrative and Management Plans as set forth in Exhibits B and C.
B. All business site leasing documents approved by the Commission and Township after
the date this Resolution is adopted by the Resources and Development Committee
shall comply with the Kayenta Business Site Leasing Administrative and
Management Plans as amended here.

C. This Resolution shall be identified by number and date in the appropriate places in
Sections 1.3 of the amended Plans, respectively.

D. Apart from the amendments to the Kayenta Business Site Leasing Administrative and
Management Plans set forth in Exhibits B and C, Resolution No. EDCJN-28-09 shall
remain in full force and effect.