

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0058-25_

SPONSOR: Carl R. Slater

TITLE: An Action Relating to the Budget and Finance Committee; Approving as Recommended by the Navajo Nation Investment Committee, a New Subscription for an Interest in Special Core Plus Fund III, a Non Core Real Estate Fund Offered by Navajo Nation Investment Manager Westport Capital Partners; and Approving the Related Agreements Between The Navajo Nation and Westport Capital Partners for the Navajo Nation Permanent Fund and the Navajo Nation Retirement Plan

Date posted: April 18, 2025 at 10:56PM

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Executive Director
Office of Legislative Services
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LEGISLATIVE SUMMARY SHEET

Tracking No. 0058-25

DATE: April 18, 2025

TITLE OF RESOLUTION: RELATING TO THE BUDGET AND FINANCE COMMITTEE; APPROVING AS RECOMMENDED BY THE NAVAJO NATION INVESTMENT COMMITTEE, A NEW SUBSCRIPTION FOR AN INTEREST IN SPECIAL CORE PLUS FUND III, A NON CORE REAL ESTATE FUND OFFERED BY NAVAJO NATION INVESTMENT MANAGER WESTPORT CAPITAL PARTNERS; AND APPROVING THE RELATED AGREEMENTS BETWEEN THE NAVAJO NATION AND WESTPORT CAPITAL PARTNERS FOR THE NAVAJO NATION PERMANENT FUND AND THE NAVAJO NATION RETIREMENT PLAN

PURPOSE: The purpose of this proposed resolution is to approve agreements for investments for the Navajo Nation Permanent Fund and Retirement Plan.

FINAL AUTHORITY: Budget and Finance Committee

VOTING REQUIREMENT: Simple Majority

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

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 04-23-25
Eligible for Action: 04-24-25

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL – Third Year, 2025

3 Introduced by:

4
5 _____
6 (Primary Sponsor)

7
8 Tracking No. 0058-25



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10 RELATING TO THE BUDGET AND FINANCE COMMITTEE; APPROVING AS
11 RECOMMENDED BY THE NAVAJO NATION INVESTMENT COMMITTEE, A NEW
12 SUBSCRIPTION FOR AN INTEREST IN SPECIAL CORE PLUS FUND III, A NON-
13 CORE REAL ESTATE FUND OFFERED BY NAVAJO NATION INVESTMENT
14 MANAGER WESTPORT CAPITAL PARTNERS; AND APPROVING THE RELATED
15 AGREEMENTS BETWEEN THE NAVAJO NATION AND WESTPORT CAPITAL
16 PARTNERS FOR THE NAVAJO NATION PERMANENT FUND AND THE NAVAJO
17 NATION RETIREMENT PLAN

18
19 **SECTION ONE. AUTHORITY**

- 20 A. The Budget and Finance Committee of the Navajo Nation Council is empowered with
21 the authority to exercise oversight in the areas, “including but not limited to budget,
22 finance, investment, bonds, contracting, insurance, audits, accounting, taxes, loans,
23 Chapter budget and finance for the following purposes: 1) [t]o coordinate, oversee, and
24 regulate the fiscal, financial, investment, contracting and audit policies of the Navajo
25 Nation.” 2 N.N.C. §§ 300(C), (C)(1).
26 B. The Budget and Finance Committee is empowered to promulgate rules and regulations
27 related to contracting, investments, and financial matters pursuant to 2 N.N.C.
28 §301(B)(1) and to coordinate and review all fiscal, financial, and investment activities
29 of the Navajo Nation pursuant to 2 N.N.C. § 301(B)(5).
30

- 1 C. The Budget and Finance Committee adopted the investment policies for all Navajo
2 Nation financial resources in the document now entitled the "Master Investment
3 Policy," through Resolution Nos. BFO-61-90, BFJY-114-03, BFJA-01-08, BFJN-17-
4 15, BFD-38-17, BFD-41-17, BFD-45-18, BFAP-08-21, BFO-33-22, and BFAU-22-23.
- 5 D. The Navajo Nation created the Navajo Nation Investment Committee ("Investment
6 Committee") through Resolution No. CAU-39-73, as an advisory group to the Budget
7 and Finance Committee in the management of the Navajo Nation's investment
8 programs and the Investment Committee is responsible for accepting or rejecting
9 recommendations for Investment Managers from the Nation's Investment Consultant,
10 subject to the approval of each Investment Manager contract by the Budget and Finance
11 Committee, pursuant to the Master Investment Policy, §4.3(d).
- 12

13 **SECTION TWO. FINDINGS**

- 14 A. The Master Investment Policy at § 4.4 provides that the Controller is vested with the
15 authority to pursue the administration and management of the Nation's investment
16 programs and the responsibility to execute and operate the Nation's investment
17 program, and may delegate execution authority to the Investment Section of the Office
18 of the Controller.
- 19 B. The Master Investment Policy provides at §4.8(a) that the Investment Consultant has a
20 duty to make recommendations to the Controller, Investment Committee, and the
21 Budget and Finance Committee regarding investment policy and strategic asset
22 allocation.
- 23 C. The Budget and Finance Committee previously approved the selection of Westport
24 Capital Partners as an investment manager of Non-Core Real Estate in Resolution No.
25 BFN-49-19.
- 26 D. The Investment Committee and the Investment Consultant, RVK, Inc. ("RVK"), have
27 recommended to the Budget and Finance Committee approval of an aggregate
28 investment commitment of \$40 million in Westport Capital Partners' Special Core Plus
29 Fund III, with \$30 million from the Navajo Nation Permanent Fund (the "Permanent
30 Fund") and \$10 million from the Retirement Plan for Employees of the Navajo Nation

1 and Participating Affiliates (the "Retirement Plan") and approval of the subscription
2 documents and side letters for both the Permanent Fund and the Retirement Plan
3 ("Agreements") through Resolution No. NNICAP-01-25, attached hereto as Exhibit 1.

4 E. The Controller, RVK, the Navajo Nation Department of Justice, and outside counsel,
5 Kutak Rock, LLP, have negotiated with Westport Capital Partners the Agreements,
6 attached to Resolution No. NNICAP-01-25 as Attachment 3.

7 F. The Budget and Finance Committee now considers the recommendation of the
8 Investment Committee and RVK to approve an investment commitment of \$40 million
9 in Westport Capital Partners' Special Core Plus Fund III, with \$30 million from the
10 Permanent Fund and \$10 million from the Retirement Plan and to approve the
11 Agreements, and finds the recommended action to be in the Nation's best interest.

12 G. The Budget and Finance Committee finds execution and implementation of the
13 Agreements to be in the Nation's best interest.

14 H. The Navajo Nation Department of Justice has reviewed the Agreements and has
15 determined them to be legally sufficient for the purpose stated therein.

16
17 **SECTION THREE. APPROVAL**

18 A. The Budget and Finance Committee hereby approves an aggregate investment
19 commitment of \$40 million in Westport Capital Partners' Special Core Plus Fund III,
20 with \$30 million from the Permanent Fund and \$10 million from the Retirement Plan.

21 B. The Budget and Finance Committee further approves the Agreements and authorizes
22 the Controller to make necessary changes to the Agreements that are consistent with
23 the intent of this Resolution, and to submit the Agreements to the Navajo Nation
24 President for execution, and to effectuate the purposes of the Agreements and this
25 Resolution.