

## **SUMMARY OF PROPOSED LEGISLATION**

Tracking No. 0146-23

DATE: July 6, 2023

**RE: AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE, THE HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$2,500,000 FROM THE SÍHASIN FUND TO UTAH STATE UNIVERSITY FOR A NEW EDUCATION BUILDING IN MONUMENT VALLEY; APPROVING THE RELATED EXPENDITURE PLAN**

### **Purpose of this Legislation:**

to approve \$2.5 million from the Sihasin Fund for a portion of Utah State University's costs for constructing a new \$14 million-dollar education building in Monument Valley.

OLC No. 23-224-1

5-DAY BILL HOLD PERIOD 7:11 PM / 07-06-23  
Website Posting Time/Date 07-11-23  
Posting End Date: 07-12-23  
Eligible for Action: 07-12-23

Budget & Finance Committee

Thence

Health Education & Human Services Committee

Thence

Naabik'íyáti' Committee

Thence

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

25<sup>th</sup> NAVAJO NATION COUNCIL - First Year, 2023

Introduced by:



(Prime Sponsor)

*Ridenloz*  
*co sponsor*

Tracking No. 0146-23

AN ACTION

RELATING TO THE BUDGET AND FINANCE COMMITTEE, THE  
HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE, THE  
NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL;  
APPROVING \$2,500,000 FROM THE SÍHASIN FUND TO UTAH STATE  
UNIVERSITY FOR A NEW EDUCATION BUILDING IN MONUMENT  
VALLEY; APPROVING THE RELATED EXPENDITURE PLAN

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to "review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds." 2 N.N.C. §301(B)(2).
- B. The Health, Education, and Human Services Committee is a standing committee of the Navajo Nation Council with authority over education matters, including colleges and universities within the Navajo Nation. 2 N.N.C. §400(C)(1), 2 N.N.C. §401(C)(3).
- C. The Health, Education, and Human Services Committee also has authority to recommend to the Navajo Nation Council resolutions related to education. 2 N.N.C. §401(B)(6)(a).
- D. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. §164(A)(9).

1 E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).

2 As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.

3 F. 12 N.N.C. §2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin  
4 Fund ("Síhasin Fund") as follows:

5 §2502 Purpose

6 A. The purposes of this Fund are to provide financial support and/or  
7 financing for:

8 1. The planning and development of economic development and  
9 regional infrastructure supporting economic development and  
10 community development, including such infrastructure as, but not  
11 limited to, housing, commercial and government buildings,  
12 waterline, solid waste management development, powerline  
13 Projects, and transportation and communication systems, within  
14 the Navajo Nation; and

15 2. Education opportunities for members of the Navajo Nation.

16 B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure  
17 shall not be limited by 12 N.N.C. §1310(F) or TCDCJY-77-99.

18 C. Leveraging the Fund by way of guaranteeing loans, match funding,  
19 direct funding in part, and other weighted uses of the Fund, including  
20 loan financing from the Fund, for the purposes in §2502(A)(1), shall  
21 be favored over direct funding in whole.

22 G. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made to the  
23 Síhasin Fund and that "Fund Income" shall consist of all earnings (interest, dividends, etc.)  
24 generated and realized by the Fund Principal, and that Síhasin Fund Income shall be  
25 deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is  
26 duly approved. 12 N.N.C. §2504 and §2505(C).

27 H. The Síhasin Fund also provides that "Fund Principal and Income shall not be expended  
28 except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502  
29 of this Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation  
30 Council." 12 N.N.C. §2505(A).

1    **SECTION TWO. FINDINGS**

2    A. Utah State University is requesting \$2,500,500 from the Síhasin Fund as a contribution from  
3       the Navajo Nation to construct a new education building at Monument Valley (the "Project").

4       **EXHIBIT A.**

5    B. Utah State University has provided a description and feasibility study for this Project.

6       **EXHIBIT B.**

7    C. Utah State University has also provided a detailed Cost Estimate for the entire Project.

8       **EXHIBIT C.**

9    D. Utah State University has also provided a letter from the University Vice-President explain  
10       the University's commitment to spend the requested \$2,500,00 in Síhasin funds on  
11       construction costs for the Project. **EXHIBIT D.**

12   E. Approving the \$2,500,000 for this Project satisfies the preference for leveraging of funds in  
13       12 N.N.C. §2502(C), because the State of Utah has pledged \$5,000,000 for the Project and  
14       the University itself has also pledged \$5,000,000. See EXHIBIT A.

15   F. Providing the \$2,500,000 in Síhasin funds will enable Utah State University to serve more  
16       Navajo students and bring more higher education, training, and other learning opportunities  
17       to the community and the Navajo People.

18   G. The Navajo Nation therefore finds the approval of the requested Síhasin funds to be in the  
19       best interests of the Navajo Nation and the Navajo People.

20  
21   **SECTION THREE. APPROVING \$2,500,000 FROM THE SÍHASIN FUND TO UTAH**  
22       **STATE UNIVERSITY FOR A NEW EDUCATION BUILDING IN**  
23       **MONUMENT VALLEY; APPROVING THE RELATED**  
24       **EXPENDITURE PLAN**

25   A. Pursuant to 12 N.N.C. §2505(A), the Navajo Nation hereby approves \$2,500,000 from the  
26       Síhasin Fund to Utah State University for partial costs to build a new education building in  
27       Monument Valley, as explained in the attached **EXHIBITS A-D**. The Navajo Nation hereby  
28       approves the related Expenditure Plan as set forth in **EXHIBITS A-D**.

29   B. The Navajo Nation Controller shall determine whether the source of the \$2,500,000 amount  
30       from the Síhasin Fund will be from Fund Principal or Fund Income or a combination of both.

1 C. The Síhasin funds allocated for the Expenditure Plan approved herein may be further  
2 leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, at  
3 12 N.N.C. §1300 *et seq.*, as amended, using Síhasin Fund earnings for repayment and  
4 financing costs upon the recommendation of the Budget and Finance Committee and  
5 approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

6 D. The Síhasin funds approved herein shall be made available to the Office of Navajo Nation  
7 Scholarship and Financial Assistance (“ONNSFA”), within 30 business days of the  
8 University’s written notification to the Office of the Controller and ONNSFA that the  
9 construction phase of the Project has commenced. The funds will thereafter be made  
10 available for the University’s use on a drawdown basis. Upon first receipt of any amount of  
11 the funds approved herein, Utah State University shall promptly implement the Expenditure  
12 Plan approved herein.

13 E. Drawdown of the approved Síhasin funds shall be governed by an appropriate grant  
14 agreement, memorandum of agreement, or other legal document executed by Utah State  
15 University and the Navajo Nation. Said agreement shall be binding upon the parties, shall be  
16 approved by the Controller and the Department of Justice, and shall establish a project  
17 schedule, payment or drawdown plan, fund management plan, or other relevant procedures  
18 governing the Project.

19 F. ONNSFA shall have administrative oversight authority over the expenditure of the Síhasin  
20 funds approved herein, and shall monitor the University’s implementation of the approved  
21 Expenditure Plan.

22 G. The approved Síhasin funds shall not be comingled with any other funds, and shall be used  
23 by strictly for the Expenditure Plan approved herein. Utah State University shall be  
24 responsible for ensuring that all expenditures comply with the approved Expenditure Plan,  
25 and with all provisions of the legal agreement described in Section Three (E) above.

26 H. As a condition of receiving the approved Síhasin funds, Utah State University shall allow the  
27 Navajo Nation full access to its financial records related to the Síhasin funds it has received,  
28 for the purpose of the Navajo Nation’s review and audit of the University’s expenditures of  
29 the Síhasin funds.

30 I. Unspent and unencumbered Síhasin funds shall not lapse at the end of any Navajo Nation

1 Fiscal Year, as might otherwise occur under 12 N.N.C. §820(N), so long as all Síhasin funds  
2 are accounted for as of September 30<sup>th</sup> of every year, starting with September 30, 2023.

3  
4 **SECTION FOUR. DIRECTIVE**

5 As a condition of receiving the Síhasin funds approved herein, Utah State University shall  
6 submit written reports, and verbal reports if so requested, explaining the ongoing status of the  
7 Expenditure Plan approved herein and its expenditures of the \$2,500,000. Said reports shall be  
8 provided to the Health, Education, and Human Services Committee, the Budget and Finance  
9 Committee, and the Naabik'íyáti' Committee by the end of each Fiscal Year Quarter until all  
10 approved Síhasin funds are exhausted.

11  
12 **SECTION FIVE. EFFECTIVE DATE**

13 This Action and the related Expenditure Plan shall become effective pursuant to 12 N.N.C.  
14 §2505(A) and 2 N.N.C. §221(B).

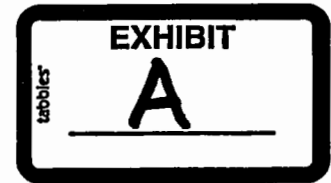
15  
16 **SECTION SIX. SAVING CLAUSE**

17 If any part of this Action is invalidated by the Supreme Court of the Navajo Nation, or by any  
18 Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the  
19 remainder of this Action shall be the law of the Navajo Nation.

# UtahStateUniversity®

## BLANDING

Date: May 8, 2023



### Monument Valley Funding Request

Utah State University is applying to the Navajo Nation for funds to support the completion of a new higher education facility in Monument Valley, Utah. The facility will benefit those who live in the Monument Valley, Oljato, and Kayenta service regions of the Navajo Nation.

Established in 1888, Utah State University is Utah's land grant institution of higher education. As Utah's Land Grant institution our mission is to provide educational opportunities to all residents of the state. We have 3 residential campuses (Logan, Price, Blanding) and 30 centers that provide certificates, associate, baccalaureate, master's and doctoral degrees. This includes four sites in San Juan County, Utah: Monument Valley, Montezuma Creek, Blanding, and Monticello.

The proposed project incorporates traditional classrooms and distance learning connections. Students will have access to a vast array of certificates and degrees, ranging from technical certifications to doctorate degrees, as well as academic guidance and support, counseling services, and career mentoring. In addition, the proposed project will benefit local high school students by expanding the concurrent enrollment courses and programs offered through Monument Valley, UT high school. USU will also expand its support for small businesses in the area through the Small Business Development Center (SBDC).

The USU educational facility will be built on San Juan School District land and supported in collaboration with the San Juan School District and Monument Valley Utah High School. Monument Valley residents will benefit through the following features:

- Delivery of education through face-to-face, online, and broadcast classes for career technical training and higher education degrees. A list of programs and degrees are provided in Appendix B and include:
  - 28 certificate programs
  - 10 associate degrees
  - 29 bachelor's degrees
  - 27 master's degrees
  - 3 doctoral degrees
  - 3 professional education licensures
- Assistance to students from locally hired staff who are located in the same building, providing skill assessment, career guidance, goal setting, tracking progress and follow-through, as well as qualitative forms of support such as mentoring, encouragement, and coaching.

- Expansion of USU's collaboration with the San Juan School District, providing high school concurrent enrollment courses and career technical education programs, which help high school students gain employment skills and experiences at an extremely important developmental stage of their lives.
- Creation of a facility that allows the entire community to engage in and witness the progress of students. As such, students become peer role models for other community members, especially the youth.
- Expansion of USU Extension Services that will increase resources, training, and education for community residents in the areas of husbandry and agriculture.

Included is a PDF with a rendering of what the building may look like. This is not the final design, nor have final decisions been made. The rendering gives a sense for what the building may look like, possible office locations, and where the building will be located on the San Juan School District property. Also, a more detailed description of the project is included in Appendix A.

A building of approximately 12,000 square feet is estimated to cost \$14,000,000 to build. The building size and associated cost reflects what is necessary to house a broad spectrum of programs that will benefit students in the region while at the same time keeping costs reasonable. To date the State of Utah has pledged \$5,000,000 towards the project and the university is committing another \$5,000,000. USU is in the process of raising additional funds. The Ray and Tye Noorda Foundation have discussed a commitment of \$750,000. Fidelity have also discussed a \$750,000 donation. The Mariner Eccels Foundation have donated \$100,000 to go towards developing community agriculture trainings and workshops.

Assistance from the Navajo Nation in the form of a financial contribution would allow USU to approach other philanthropic organizations. Therefore, we humbly ask the Navajo Nation for a contribution of \$2,500,000 toward this dynamic and impactful project.

Once again, thank you for the opportunity to meet with me and my team. We are available to meet in person or remotely at your request.

Thank you for consideration of this important partnership to help serve the educational needs of Navajo Nation residents.

Sincerely,

Noelle E. Cockett

President  
Utah State University



## APPENDIX A

### USU Monument Valley Building Project Overview

Utah State University has been providing education to the residents in the Monument Valley area for over 40 years. Since 2003, USU has been offering classes and services in a leased building that was previously a Seventh Day Adventist hospital. That building suffers greatly from age including structural flood damage that renders its continued use problematic. The space was not designed as an educational facility. This limits what programs the university can offer. The dilapidated building is not a resource that is representative of USU's dedication to the residents of Monument Valley.

The new USU facility will directly support priorities important to people who live in the area.

- **Education:** Education is one of the key ways to reduce poverty, improve opportunity, and create positive change. Higher levels of education increase the chance a person will find a job and acquire the skills needed in today's economy. An investment in higher education in Monument Valley will provide residents with the opportunity to gain an education that will allow them to improve their individual situations.
- **Economic Development:** USU has plans to provide a Small Business Development Center in the new facility. The Center will be available to residents in the area and will focus on assisting individuals and businesses develop, grow, and create job opportunities for others.
- **Behavioral and Mental Health:** USU Blanding offers programs in psychology, social work, nursing, and health professions. In fact, two residents of Monument Valley recently completed their Masters of Social Work studies while attending the current USU Monument Valley facility. Additionally, USU works closely with the Utah Navajo Health System (UNHS) to provide mental health services to USU students in the San Juan County, Utah area. All of these programs support improved health education for residents in the Monument Valley area.

### Purpose

A new University building in the Monument Valley area will allow USU to provide more programs of relevance in the Four-Corners region, improve educational delivery, and provide spaces for community meetings and economic and business development. The building will reflect the local culture, strengthen ties to the school district, enhance concurrent enrollment opportunities, and serve the Navajo community with greatly improved educational infrastructure.

### Progress to Date

USU has an agreement with the San Juan School District to locate USU's new building on district property very close to Monument Valley High School and the Utah Navajo Health Services Clinic. USU is currently working with AJC Architects to design the new facility.

**General Information**

- Proposed Building Size: 12,000 – 14,000 square feet
- Budget: \$14 million
- Student Profile: Native American
- Employment: Employees in the building will be hired by USU from the local residential population
- Housing: No student or employee housing will be provided at this time

**Current and Potential Partners**

- Business Resources and Development
- San Juan School District
- San Juan County Economic Development
- Utah Navajo Health Services
- Goulding's Travel and Lodging
- The Navajo Nation
- Oljato Chapter
- Adult Education
- State of Utah
  - Utah Offices of the Governor and Lieutenant Governor
  - Utah State Legislature

## **APPENDIX B**

### **Current Degrees Offered through the USU Statewide System and Available in Monument Valley**

#### **Bachelor's Degrees:**

- Accounting
- Agribusiness
- Anthropology
- Business Education
- Communicative Disorders and Deaf Education
- Communicative Disorders and Deaf Education (Online 2nd BS)
- Economics
- Elementary Education
- English
- Environmental Studies
- Geology
- Health Education and Promotion
- History
- Human Development and Family Studies
- Human Experience Design and Interaction
- Information Systems
- Integrated Studies
- Journalism
- Liberal Arts
- Management
- Marketing
- Mathematics Education
- Psychology
- Recreation Resource Management
- RN to BSN Completion Program
- Social Work
- Sociology
- Special Education
- Technology Systems

#### **Associate Degrees:**

- Agricultural Science
- Criminal Justice
- General Studies
- General Technology
- Nursing (some travel to Blanding required)

**Certificates:**

- Certified Nursing Assistant Certificate (proposed with new building)
- Deafblind Intervener Training Certificate
- Gerontology Certificate
- Inclusive Leadership
- Interfaith Leadership
- IT Support and Web Development
- Law and Society Area Studies Certificate
- Medical Assistant Certificate
- Practical Nursing Certificate (Some travel to Blanding required)
- Welding (proposed concurrent enrollment program)

**Endorsements:**

- Chemistry
- Utah Mathematics Project

**Master's Degrees:**

- Agricultural Extension and Education
- Applied Environmental Geoscience
- Aviation Science
- Business Administration
- Career and Technical Education
- Computer Science
- Curriculum and Instruction
- Dietetics Administration
- Educational Technology and Learning Sciences
- Family and Consumer Sciences Education and Extension
- Food Safety and Quality
- Health Education and Promotion
- Horticulture
- Human Resources
- Instructional Leadership
- Instructional Technology and Learning Sciences
- Master of Technical Communication
- Natural Resources
- Physical and Sport Education
- Psychology
- Public Health Nutrition
- Rehabilitation Counseling
- Social Work
- Special Education
- Sports Management
- Technology and Engineering Education

- Veterinary Public Health

**Doctoral Degrees:**

- Career and Technical Education
- Curriculum and Instruction
- Education

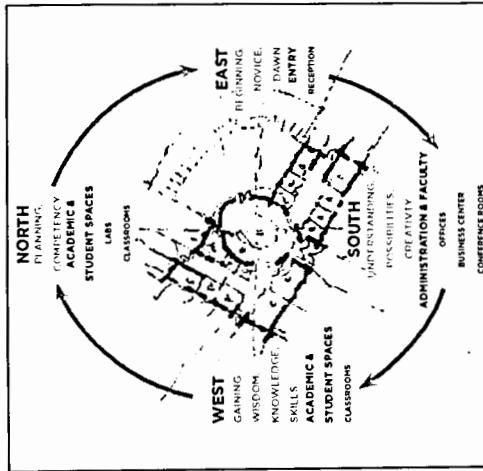
**Professional Education Licensures:**

- Administrative Supervisory Licensure
- Alternative Teacher Preparation Licensure
- Secondary Teacher Education Program (STEP) Licensure

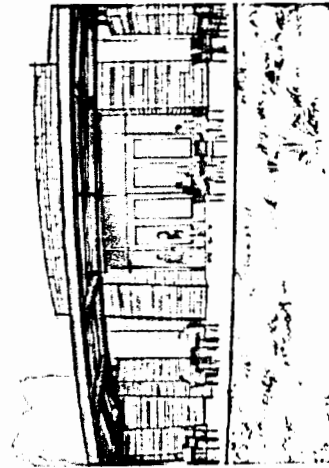
# MONUMENT VALLEY BUILDING FEASIBILITY STUDY

SEPTEMBER 2021

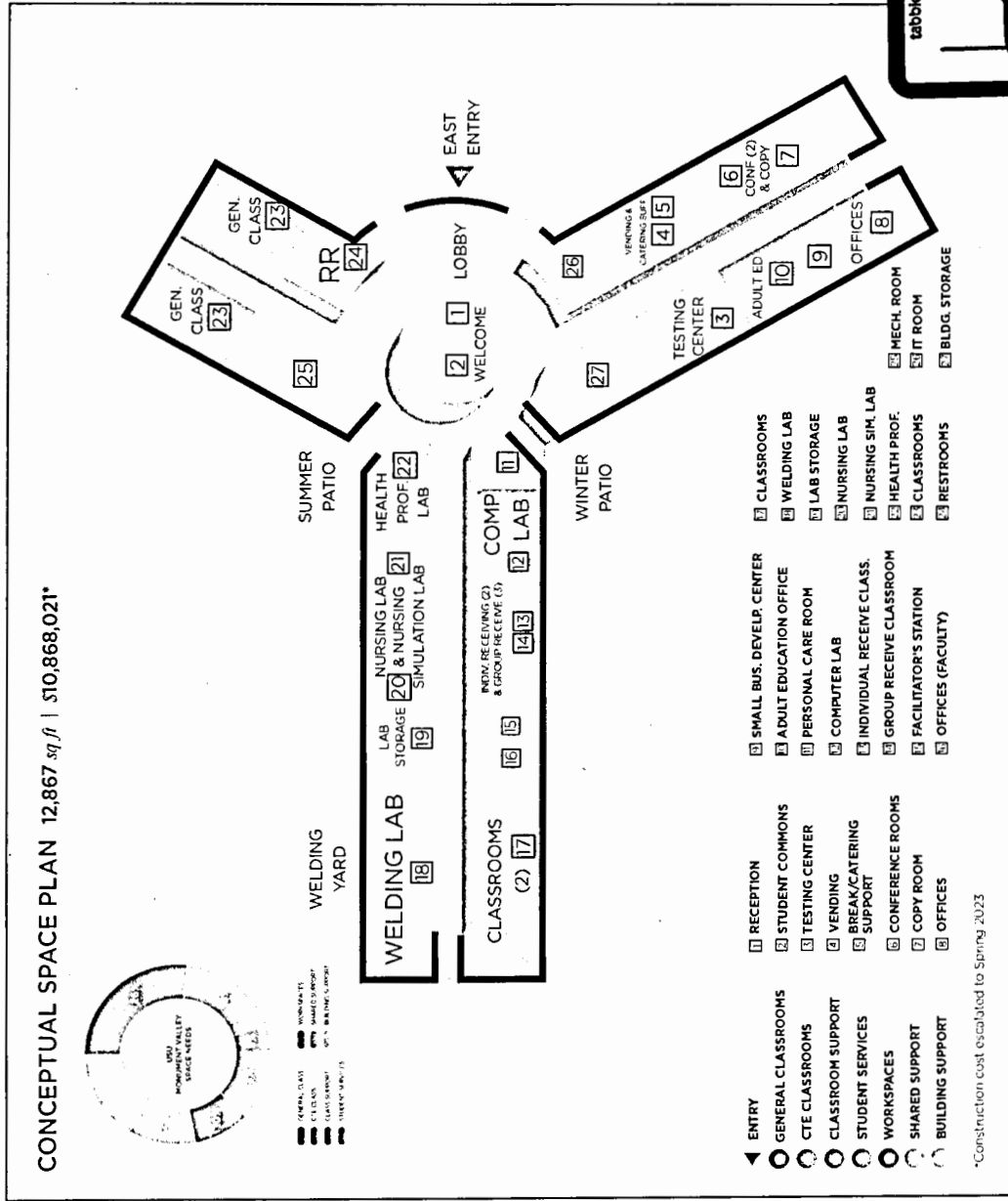
MHTN ARCHITECTS



Sketch depicts the Navajo Four Cardinal Directions inspiration of the building organization



Concept Rendering - South Patio



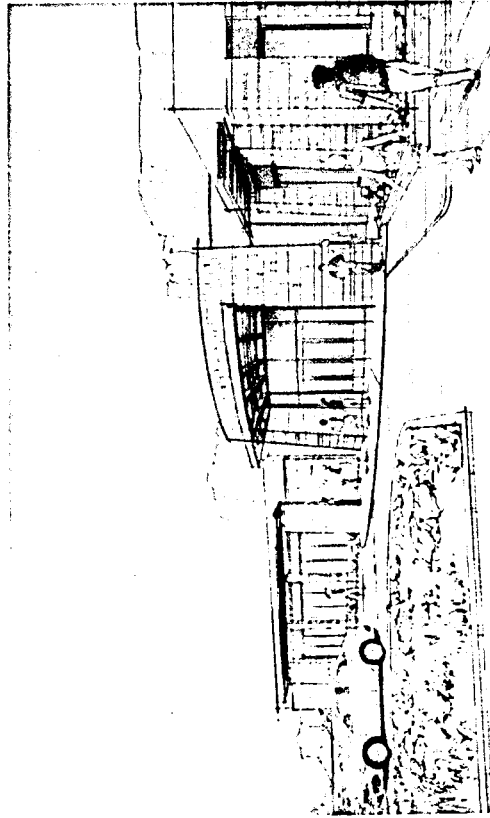
\*Construction cost escalated to Spring 2023

EXHIBIT

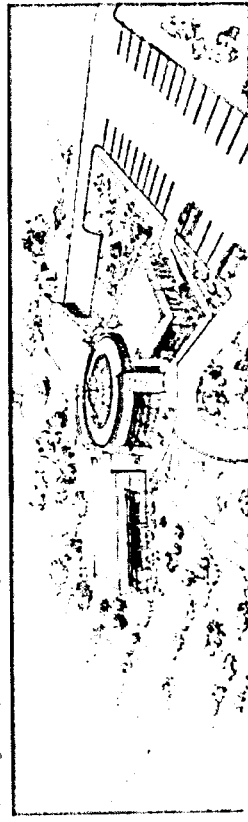
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# MONUMENT VALLEY BUILDING FEASIBILITY STUDY

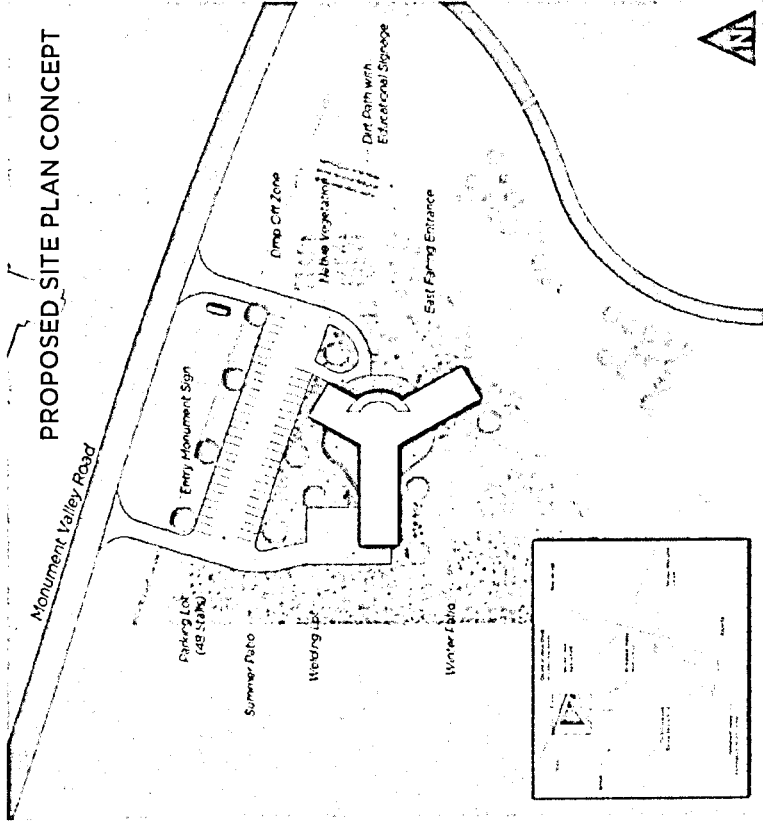
SEPTEMBER 2021



Rendering of the proposed East entry



Brad's eye view from the northeast



Utah State University (USU) Monument Valley campus is currently located in an old hospital. The student body consists primarily of Native Americans, the majority of whom are part of the Navajo Nation. The old hospital signifies death and illness in the Navajo culture, which hinders students' educational performance. To better serve the Native American population and others in the Monument Valley area, USU is considering building a new educational facility that better meets the needs of the local student body. Working with USU, the San Juan School District, and the Navajo Nation, the team created a conceptual space list, generating a conceptual massing, floor plans, and site plans for each site, analyzing availability of site utilities. The outcome of the project will indicate a clear and insightful plan for the development of the USU Monument Valley building.

Selecting the right site for the USU Monument Valley building is as important as the design. The consultant team worked with USU and the San Juan School District to rank three different sites based on location and site characteristics. The Navajo Nation was involved in the process by providing insight into their culture, each site, and finally recommending their preferred sites. All three sites are adjacent to the existing roadways. After the analytical process, the northern site was selected as most aligned with USU's priorities. The northern site is embedded alongside the community and existing facilities, such as the High School and utilities. The site provides excellent sightlines from all directions to ensure visibility of Monument Valley is maintained. The site ensures the main entrance can face east, which is vital to incorporate in the building concept to respect and embrace the Navajo culture.

PROJECT ESTIMATE		CONSTRUCTION CONTROL CORPORATION		6/8/2023	
PROJECT NAME.....		USU MONUMENT VALLEY CAMPUS			
LOCATION.....		MONUMENT VALLEY , UTAH			
ARCHITECT.....		AJC		13,963 SF	
STAGE OF DESIGN.....		PROGRAMMING			
CSI #	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL
<b>BUILDING COST SUMMARY</b>					
02	EXISTING CONDITIONS			\$ 1.65	\$ 23,085
03	CONCRETE			\$ 75.06	\$ 1,048,030
04	MASONRY			\$ -	\$ -
05	METALS			\$ 44.88	\$ 626,686
06	WOODS & PLASTICS			\$ 26.09	\$ 364,229
07	THERMAL & MOISTURE PROTECTION			\$ 39.56	\$ 552,359
08	DOORS & WINDOWS			\$ 30.51	\$ 425,972
09	FINISHES			\$ 55.69	\$ 777,547
10	SPECIALTIES			\$ 4.05	\$ 56,550
11	EQUIPMENT			\$ 12.57	\$ 175,500
12	FURNISHINGS			\$ -	\$ -
13	SPECIAL CONSTRUCTION			\$ -	\$ -
14	CONVEYING SYSTEMS			\$ -	\$ -
21	FIRE SUPPRESSION			\$ -	\$ -
22	PLUMBING			\$ 13.50	\$ 188,501
23	HVAC			\$ 64.80	\$ 904,802
26	ELECTRICAL			\$ 105.19	\$ 1,468,714
27	COMMUNICATION			\$ 10.80	\$ 150,800
28	ELECTRONIC SAFETY & SECURITY			\$ 8.17	\$ 114,043
31	EARTHWORK			\$ 21.26	\$ 296,836
32	EXTERIOR IMPROVEMENTS			\$ 126.06	\$ 1,760,205
33	UTILITIES			\$ 108.61	\$ 1,516,500
<b>SUBTOTAL</b>				\$ 748.43	\$ 10,450,359
	GENERAL CONDITIONS	8%		\$ 59.87	\$ 836,029
	BONDS & INSURANCE	1.7%		\$ 13.74	\$ 191,869
	OVERHEAD & PROFIT	3.5%		\$ 28.77	\$ 401,739
	DESIGN CONTINGENCY	15%		\$ 112.26	\$ 1,567,554
<b>TOTAL CONSTRUCTION COST</b>				\$ 963.08	\$ 13,447,549
ALTERNATE #1 GROUND SOURCE HEAT PUMP IN LIEU OF VRF					\$ 275,004
ALTERNATE # 2 REDUCE PHOTOVOLTAIC TO 100 KW					\$ (978,127)
Building Perimeter		730			
Slab on Grade		13,963			
Floor Structure area		-			
Floor to Floor Height		16			
Level		1			
Curtain Wall Percentage		0%			
Storefront Percentage		30%			
CIP Concrete Exterior		65%			
EIFS		0%			
Exterior Paneling		5%			



# UtahStateUniversity®

## BLANDING

Office of the Senior Associate Vice President



July 6, 2023

Dear Honorable Council Delegate Daniels,

I would like to express my gratitude for your unwavering support of the USU Monument Valley academic building.

I am pleased to provide you with an overview of the estimated construction costs for the building. Please keep in mind this is a working document, as we are currently collaborating with AJC Architecture to design and engineer the structure. The attached document, prepared by AJC, offers an initial breakdown of the project costs. As we progress through the architectural and engineering process, minor adjustments to the figures may occur. However, I want to assure you that we have set a firm budget of \$14,000,000, and we are committed to keeping the project's total cost below this threshold.

Regarding the allocation of the \$2.5 million funds received from the Navajo Nation, I would like to clarify they will be dedicated entirely to construction expenses. Although I cannot provide a detailed breakdown of which aspects of the building will be covered by these funds, at this time we have established a separate construction account housing funds that will only be utilized to build the building. This account will exclusively be utilized to cover the construction costs of the building and will not be allocated towards staff salaries, equipment purchases, or any other miscellaneous expenses. The \$2.5 million, along with other funds we raise for the project, will be devoted solely to construction expenses. Including areas such as the nursing lab, CNA lab, and welding lab.

Should we receive the funds, we are willing to provide updated details on the status of the project, budget expenses, and information on the utilization of the funds. USU has a long track record of being good stewards of funds raised for building projects and directing those funds solely to construction expenses.

As we work through the building design process we are committed to creating a structure that honors the Navajo People and reflects the culture of Monument Valley.

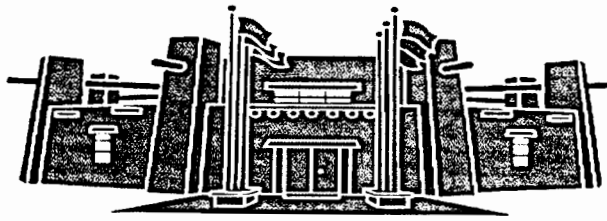
Once again, I would like to extend my heartfelt appreciation for your tireless efforts in supporting Monument Valley and the communities in the Four Corners area. Your leadership is invaluable, and I am genuinely grateful for all that you do.

Sincerely,

Kristian


A handwritten signature in black ink, appearing to read "Kristian" with a stylized flourish at the end.

Senior Associate Vice President  
Utah State University Blanding



## MEMORANDUM

To: Hon. Herman Daniels, Jr., Member  
Law and Order Committee  
25<sup>th</sup> Navajo Nation Council

From:   
Luralene D. Tapahe, Principal Advocate  
Office of Legislative Counsel

Date: July 6, 2023

Subject: **AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE, THE HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$2,500,000 FROM THE SÍHASIN FUND TO UTAH STATE UNIVERSITY FOR A NEW EDUCATION BUILDING IN MONUMENT VALLEY; APPROVING THE RELATED EXPENDITURE PLAN**

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The Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents regarding your request that were submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to judicial review in the event of a legal challenge.

**Please review this legislation to make sure it is drafted to your satisfaction, and that all necessary and appropriate supporting documents have been provided and all attached Exhibits are correct.**

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. However, the Speaker may assign this legislation to any committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find anything unacceptable, please let me know immediately and advise me of your desired changes. I can be reached at phone no. (928)871-7166 or by email at: [LuraleneTapahe@navajo-nsn.gov](mailto:LuraleneTapahe@navajo-nsn.gov)

Thank you for your cooperation.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0146-23\_

SPONSOR: Herman M. Daniels, Jr.

**TITLE: An Action Relating to the Budget and Finance Committee, the Health, Education, and Human Services Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$2,500,000 from the Síhasin Fund to Utah State University for a New Education Building in Monument Valley; Approving the Related Expenditure Plan**

***Date posted:*** July 06, 2023 at 7:11PM

**Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)**

**Written comments may be mailed to:**

**Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7586**

**Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.**

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0146-23**

**SPONSOR: Honorable Herman M. Daniels, Jr**

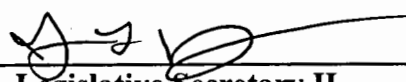
**TITLE: An Action Relating to the Budget and Finance Committee, the Health, Education, and Human Services Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$2,500,000 from the Síhasin Fund to Utah State University for a New Education Building in Monument Valley; Approving the Related Expenditure Plan**

**Posted: July 06, 2023 at 7:11 PM**

**5 DAY Comment Period Ended: July 11, 2023**

**Digital Comments received:**

<b>Comments Supporting</b>	<b>1) Navajo Utah Commission</b>
<b>Comments Opposing</b>	<i>None</i>
<b>Comments/Recommendations</b>	<i>None</i>

  
\_\_\_\_\_  
**Legislative Secretary II  
Office of Legislative Services**

**July 12, 2023; 9:15 AM**  
**Date/Time**



**RESOLUTION OF THE  
NAVAJO UTAH COMMISSION  
OF THE NAVAJO NATION COUNCIL**

**NUCJUL-922-23**

**SUPPORTING LEGISLATION 0146-23 SEEKING \$2,500,000 FROM THE  
NAVAJO NATION SIHASIN FUND FOR THE UTAH STATE UNIVERSITY  
EDUCATION FACILITY IN MONUMENT VALLEY, UTAH AND URGING THE  
HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE, BUDGET  
AND FINANCE COMMITTEE, NAABIK'IYATI COMMITTEE, AND NAVJAO  
NATION COUNCIL TO APPROVE APPROPRIATIONS IN SUPPORT OF  
EDUCATIONAL OPPORUNTUNITIES FOR THE NAVAJO PEOPLE**

**Whereas:**

1. The Navajo Utah Commission (NUC) is a governmental subdivision of the Navajo Nation and is subject to oversight of the Navajo Nation Council – Naabik'iyati" Committee pursuant to resolution no. NABIAP-21-15; and
2. Legislation 0146-23 is seeking \$2,500,000 from the Sihasin Fund for the Monument Valley Utah State University Education Center with sponsorship by Honorable Council Delegates Herman Daniels and Ricky Nez; and
3. Legislation 0146-23 identifies the Health, Education, Human Services Committee, the Budget and Finance Committee, and the Naabik'iyati' Committee as the standing committees with authority to review and recommend passage of said legislation; and
4. Utah State University is proposing construction of a new \$14 million education building and has secured \$5,000,000 from the Utah Legislature and \$5,000,000 from Utah State University; and
5. The facility will consist of 12,000 square feet on San Juan School District property near the Monument Valley High School
6. Utah State University's new education center will primarily serve the Monument Valley-Kayenta region and will offer face-to-face, online, and broadcast classes for career technical training and higher education degrees; and

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0146-23**

**SPONSOR: Honorable Herman M. Daniels, Jr**

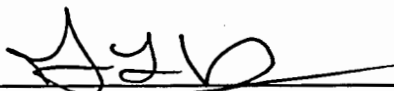
**TITLE: An Action Relating to the Budget and Finance Committee, the Health, Education, and Human Services Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$2,500,000 from the Síhasin Fund to Utah State University for a New Education Building in Monument Valley; Approving the Related Expenditure Plan**

**Posted: July 06, 2023 at 7:11 PM**

**5 DAY Comment Period Ended: July 11, 2023**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	1) Shirley Barney
<b>Comments/Recommendations</b>	<i>None</i>



**Legislative Secretary II  
Office of Legislative Services**

**July 13, 2023; 8:25 AM**

**Date/Time**

 Reply all |   Delete Junk |  ...





0146-23



Shirley Barney <barneyshirley91@yahoo.com>

Today, 7:16 AM

comments 

 Reply all | 

Inbox

This legislation should not go, because why are we spending our NN funds for a college, when they should be using their own funds to build schools. The land is the one that gets withdrawn from NN. By the time our grandkids grow up this funding is gonna be gone. Opposing. Save the funding!! We have chapters and Navajo Nation Building that are in need of renovations so, employees can work in a safe & healthy environment.

Sent from Yahoo Mail on Android

WARNING: External email. Please verify sender before opening attachments or clicking on links.

7. Utah State University is working with AJC Architect to design the new facility and will recognize and incorporate the Navajo culture as much as possible in architectural planning and development; and
8. Access to a local higher education facility is often the best option for Navajo students who prefer to stay in the community and still pursue a higher education;

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Navajo Utah Commission hereby supports Legislation 0146-23 seeking \$2,500,000 from the Navajo Nation Sihasin Fund for the Utah State University education facility in Monument Valley, Utah and urging the Health, Education, and Human Services Committee, Budget and Finance Committee, Naabik'iyati Committee, and Navajo Nation Council to approve appropriations in support of educational opportunities for the Navajo people.

**CERTIFICATION**

We, hereby certify that the foregoing resolution was duly considered by Navajo Utah Commission at a duly called meeting in Teecnospos, Arizona at which a quorum was present and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstentions, this 11<sup>th</sup> day of July, 2023.

  
Patricia Blackhorn, Chairperson  
NAVAJO UTAH COMMISSION

MOTION: Curtis Yanito  
SECOND: Shaandiin Parrish

Chair not voting



**25<sup>th</sup> NAVAJO NATION COUNCIL**

First Year 2023

Ms. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

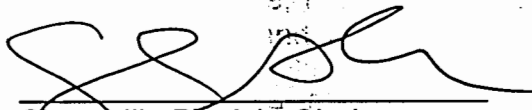
**NAVAJO LEGISLATIVE BILL # 0146-23:**

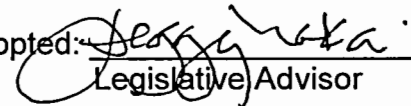
An Action Relating to the Budget and Finance Committee, the Health, Education, and Human Services Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$2,500,000 from the Sihasin Fund to Utah State University for a New Education Building in Monument Valley; Approving the Related Expenditure Plan *Sponsored by Herman M. Daniels, Jr., and Rickie Nez, Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And, therefore referred to the **HEALTH, EDUCATION & HUMAN RESOURCES** Committee

Respectfully submitted,

  
Shaandiin Parrish, Chairperson

Adopted:   
Legislative Advisor

Not Adopted: \_\_\_\_\_  
Legislative Advisor

**July 12, 2023**

The vote was **5** in favor **0** opposed yeas: *Lomardo Aseret, Norman M. Begay, Amber K. Crotty, Seth A. Damon, Carl R. Slater*  
Main Motion: *Lomardo Aseret*  
Second: *Seth A. Damon*

## BUDGET AND FINANCE COMMITTEE

July 12, 2023

Special Meeting

### VOTE TALLY SHEET:

**Legislation No. 0146-23:** An Action Relating to the Budget and Finance Committee, the Health, Education, and Human Services Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$2,500,000 from the Síhasin Fund to Utah State University for a New Education Building in Monument Valley; Approving the Related Expenditure Plan  
Sponsors: Herman M. Daniels, Jr. and Rick Nez, Council Delegates

*Motion: Lomardo Aseret*

*Second: Seth A. Damon*

*Vote: 5-0, Chairperson not voting*

### Final Vote Tally:

Lomardo Aseret	yea	
Norman M. Begay	yea	
Amber K. Crotty	yea	
Seth A. Damon	yea	
Shaandiin Parrish		
Carl R. Slater	yea	



Shaandiin Parrish, Chairperson  
Budget & Finance Committee



Peggy Nakai, Legislative Advisor  
Budget & Finance Committee

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
25<sup>TH</sup> NAVAJO NATION COUNCIL**

**FIRST YEAR 2023  
COMMITTEE REPORT**

Madame Speaker,

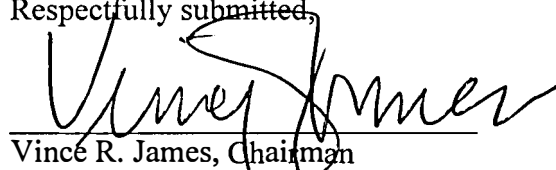
The **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE** to whom has been assigned:

**Legislation No. 0146-23:** An Action Relating to the Budget and Finance Committee, the Health, Education, and Human Services Committee, the Naabik'íyáti' Committee, and the Navajo Nation Council; Approving \$2,500,000 from the Síhasin Fund to Utah State University for a New Education Building in Monument Valley; Approving the Related Expenditure Plan

**Sponsor: Delegate Herman M. Daniels, Jr.**

Has had it under consideration and reports a Do Pass and thence refers the legislation onto the Naa'bik'iyati' Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vince R. James", is written over a horizontal line.

Vince R. James, Chairman  
Health, Education and Human Services Committee  
25<sup>th</sup> Navajo Nation Council

Date: July 12, 2023

Main Motion:

Motion: Honorable Curtis Yanito

Second: Honorable Germaine Simonson

Vote: 4-0-1

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE**  
**Regular Meeting**  
**July 12, 2023**

**Legislation No. 0146-23:** An Action Relating to the Budget and Finance Committee, the Health, Education, and Human Services Committee, the Naabik'íyáti' Committee, and the Navajo Nation Council; Approving \$2,500,000 from the Síhasin Fund to Utah State University for a New Education Building in Monument Valley; Approving the Related Expenditure Plan

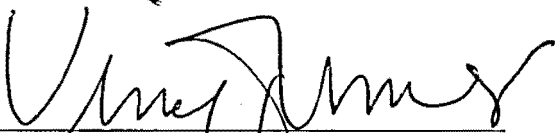
**Sponsor: Delegate Herman M. Daniels, Jr.**

**VOTE TALLY:**

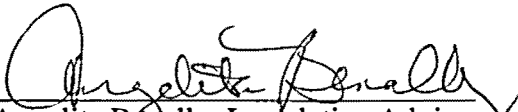
**Main Motion:**

Motion: Honorable Curtis Yanito  
Second: Honorable Germaine Simonson

Yea: Helena Nez Begay; Dr. Andy Nez; Germaine Simonson; Curtis Yanito  
Nay:  
Not Voting: Vince R. James (Presiding Chair)  
Excused: George Tolth  
Absent:  
Vote: 4-0-1



Honorable Vince R. James, Chairman  
Health, Education and Human Services Committee  
25<sup>th</sup> Navajo Nation Council



Angelita Benally, Legislative Advisor  
Health, Education and Human Services Committee  
Office of Legislative Services

**25<sup>th</sup> NAVAJO NATION COUNCIL**  
**NAABIK'ÍYÁTI' COMMITTEE REPORT**  
**First Year 2023**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

**NAVAJO LEGISLATIVE BILL #0146-23**

An Action Relating to the Budget and Finance, the Health, Education and Human Services Committee, the Naabik'íyáti' Committees and the Navajo Nation Council; Approving \$2,500,000 from the Síhasin Fund to Utah State University for a New Education Building in Monument Valley, Approving the Related Expenditure Plan

*Sponsored by: Honorable Herman M. Daniels, Jr.*

*Co-Sponsored by: Honorable Rickie Nez*

Has had it under consideration and reports the same that the legislation **PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,



*Honorable Crystalyne Curley, Chairperson*  
**NAABIK'ÍYÁTI' COMMITTEE**

**13 July 2023**

**MAIN MOTION**

*Motioned by: Honorable Vince R. James*

*Seconded by: Honorable George H. Tolth*

*Vote: 20 In Favor, 0 Opposed (Chairperson Crystalyne Curley Not Voting)*

## NAVAJO NATION

Naa'bik'iyati' Committee Regular Meeting

7/13/2023  
12:03:35 PM

Amd# to Amd#	New Business: Consent Agenda	PASSED
MOT James, V	Item A. (6)-Legislations:	
SEC Tolth, G	0148-23, 0149-23, 0150-23, 0146-23, 0141-23, 0134-23	

Yeas : 20

Nays : 0

Excused : 2

Not Voting : 1

## Yea : 20

Aseret, L	Damon, S	Nez, A	Slater, C
Begay, H	Daniels, H	Nez, R	Tolth, G
Begay, N	James, V	Notah, N	Tso, O
Charles-Newton, E	Jesus, B	Parrish, S	Yanito, C
Crotty, A	Johnson, C	Simonson, G	Yazzie, C

## Nay : 0

## Excused : 2

Claw, S	Simpson, D
---------	------------

## Not Voting : 1

Arviso, S

Presiding Speaker: Curley, C

# 25<sup>th</sup> NAVAJO NATION COUNCIL ACTION REPORT First Year 2023

The **NAVAJO NATION COUNCIL** to whom has been assigned:

## **NAVAJO LEGISLATIVE BILL #0146-23**

An Action Relating to the Budget and Finance Committee, the Health, Education, and Human Services Committee, the Naabik'íyáti' Committee, and the Navajo Nation Council; Approving \$2,500,000 from the Síhasin Fund to Utah State University for a New Education Building in Monument Valley; Approving the Related Expenditure Plan

*Sponsored by: Honorable Herman M. Daniels, Jr.  
Co-Sponsored by: Honorable Rickie Nez*

Has had it under consideration and reports the same that the legislation **FAILED (LEGISLATION DID NOT RECEIVE THE REQUIRED 16 IN FAVOR VOTES).**

Respectfully Submitted,



*Honorable Crystalyne Curley, Speaker  
25<sup>th</sup> NAVAJO NATION COUNCIL*

**20 July 2023**

### **MAIN MOTION**

*Motioned by: Honorable Shaandiin Parrish*

*Seconded by: Honorable Brenda Jesus*

*Vote: 15 in Favor, 06 Opposed (Speaker Curley Not Voting)*

----- **FAILED MOTIONS** -----

### **TABLING MOTION**

Motion to Table Legislation 0146-23 until the Navajo Nation Council Fall Session and to schedule a Naabik'íyáti' Committee Work Session to discuss the equitable distribution of the Síhasin Funds for education purposes as outlined in the Síhasin statute

*Motioned by: Honorable Carl R. Slater*

*Seconded by: Honorable Norman M. Begay*

*Vote: 07 in Favor, 13 Opposed (Speaker Curley Not Voting)*

# NAVAJO NATION

204

7/20/2023

Navajo Nation Council Summer Session

04:40:28 PM

Amd# to Amd#

Legislation 0146-23: Approving

FAILED

MOT Parrish, S

\$2,500,000 from the Sihasin Fund

SEC Jesus, B

to Utah State University for a

New Education Building in.....

**Yeas : 15**

**Nays : 6**

**Excused : 1**

**Not Voting : 1**

## **Yea : 15**

Arviso, S

Charles-Newton, E

James, V

Notah, N

Aseret, L

Claw, S

Jesus, B

Parrish, S

Begay, H

Damon, S

Nez, A

Simonson, G

Begay, N

Daniels, H

Nez, R

## **Nay : 6**

Crotty, A

Simpson, D

Tolth, G

Yazzie, C

Johnson, C

Slater, C

## **Excused : 1**

Tso, O

## **Not Voting : 1**

Yanito, C

**Presiding Speaker: Curley, C**



# NAVAJO NATION

203

7/20/2023

Navajo Nation Council Summer Session

04:37:19 PM

Amd# to Amd#

Motion to Table Legislation

FAILED

MOT Slater, C

0146-23 until NNC Fall Session

SEC Begay, N

**Yeas : 7**

**Nays : 13**

**Excused : 1**

**Not Voting : 2**

**Yea : 7**

Begay, N  
Crotty, A

Jesus, B  
Notah, N

Slater, C  
Tolth, G

Yazzie, C

**Nay : 13**

Arviso, S  
Aseret, L  
Begay, H  
Charles-Newton, E

Claw, S  
Damon, S  
Daniels, H

James, V  
Nez, A  
Nez, R

Parrish, S  
Simonson, G  
Simpson, D

**Excused : 1**

Tso, O

**Not Voting : 2**

Johnson, C

Yanito, C

**Presiding Speaker: Curley, C**