

LEGISLATIVE SUMMARY SHEET

Tracking No. 0158-19

DATE: May 16, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL; CONFIRMING THE NOMINATION OF SHAWNEVAN DALE TO COMMISSION ON NAVAJO GOVERNMENT DEVELOPMENT AS REPRESENTATIVE FOR FT. DEFIANCE AGENCY COUNCIL

PURPOSE: This resolution will confirm the nomination of Mr. Shawnevan Dale to Commission on Navajo Government Development as representative for Ft. Defiance Agency Council.

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: None
Website Posting Time/Date: _____
Posting End Date: 6/24/19
Eligible for Action: 6/25/19

Naabik'íyáti Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL - First Year, 2019

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0158-19

AN ACTION

RELATING TO NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL;
CONFIRMING THE NOMINATION OF SHAWNEVAN DALE TO COMMISSION
ON NAVAJO GOVERNMENT DEVELOPMENT AS REPRESENTATIVE FOR FT.
DEFIANCE AGENCY COUNCIL

BE IT ENACTED:

Section 1. Authorities

- A. Pursuant to 2 N.N.C. § 164 (A)(9), a proposed resolution that requires final action by the Navajo Nation Council must be assigned to the Naabik'íyáti' Committee before it is considered by the Navajo Nation Council.
- B. The Navajo Nation Council, pursuant to 2 N.N.C. §972(A), confirms appointments to the Commission on Navajo Government Development.

Section 2. Findings

- A. The Commission on Navajo Government Development consists of 12 Navajo members. Regarding appointments to this commission, Navajo Nation law mandates - "Commission members shall be chosen from among individuals who have demonstrated scholarship, a strong sense of public interest, knowledge of Navajo history and cultural

1 heritage, spiritual leadership, leadership in the Navajo government and abilities likely to
2 contribute to the fulfillment of the duties of the Commission." 2 N.N.C. § 972(D).

3 B. Once appointed, members of the Commission on Navajo Government Development are
4 confirmed by and serve at the pleasure of the Navajo Nation Council pursuant to 2 N.N.C. §
5 972(A).

6 C. For five positions on the Commission on Navajo Government Development, the law
7 provides - "Five members shall be nominated from the five agencies of the Navajo Nation.
8 Each agency council shall nominate one member from recommendations to be submitted by
9 Chapters in each agency, said nominees shall be either Chapter officers or Grazing
10 Committee/Land Board members. These members shall serve a term of four years from the
11 date of confirmation by the Navajo Nation Council so long as they continue as Chapter
12 officer or Grazing Committee/Land Board member." 2 NNC § 972(A)(5). In respect to this
13 section, Mr. Shawnevan Dale has been nominated by the Ft. Defiance Agency Council to
14 serve on the Commission on Navajo Government Development Commission. See attached
15 resolution of the Agency Council (FDAC-19-002), marked as Exhibit "A," the letter of the
16 Director of the Office of Navajo Government Development (dated May 9, 2019), marked
17 as Exhibit "B," and the letter of interest (with resume) of the nominee marked as Exhibit
18 "C."

19 D. Mr. Shawnevan Dale meets the qualifications set forth at 2 N.N.C. § 972(A)(5) to
20 serve as a commissioner on the Commission on Navajo Government Development.
21

22 **Section Three. Confirmation**

23 The Navajo Nation, pursuant to 2 N.N.C. § 972(A)(5), hereby confirms the
24 nomination of Mr. Shawnevan Dale to serve as a commissioner on the Commission of
25 Navajo Government Development for the Ft. Defiance Agency Council. Mr. Dale shall
26 serve a term consistent with the requirements of Navajo Nation law in respect to this action
27 of the Council.
28
29
30

FORT DEFIANCE AGENCY COUNCIL
NAVAJO NATION

Linda Youvella, President
(vacant), Vice President
Francis Lester, Secretary
(Host), Sergeant-At-Arm



District 17 Council
District __ Council
District 07 Council
Chapter President

RESOLUTION OF THE FORT DEFIANCE AGENCY COUNCIL

THE FORT DEFIANCE AGENCY COUNCIL NOMINATING AND RECOMMENDING
THE APPOINTMENT OF MR/MS. Shawneen Dale, Wide Ruins
CHAPTER/COMMISSION GOVERNMENT TO FILL THE VACANCY ON THE
COMMISSION OF NAVAJO GOVERNMENT DEVELOPMENT TO REPRESENT THE
FT. DEFIANCE AGENCY COUNCIL.

Resolution No: FDAC-19-04-002

WHEREAS:

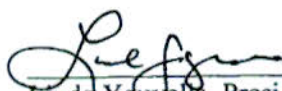
1. The Fort Defiance Agency Council is a consortium of duly elected Chapter Officials of twenty-eight (28) certified/non-certified Navajo Nation Chapter that advocate, promote, and support common goals and interest of the respective Chapters; and
2. The Fort Defiance Agency Council is comprised of elected officials from twenty-eight (28) Navajo Nation Chapters within the Fort Defiance Agency and has the responsibility and authority to address matters and projects that will benefit the 28 chapters of the Fort Defiance Agency of the Navajo Nation; and
3. The Ft. Defiance Agency Council recognizes that pursuant to 2N.N.C. §§ 970 and 971(1)(2), the Commission on Navajo Government Development ("Commission") was established as a special entity with quasi-independent authority to accomplish the Council's project of instituting reforms necessary to ensure an accountable and responsible government; and,
4. The Ft. Defiance Agency Council recognizes that five members shall be nominated from the five agencies of the Navajo Nation. Pursuant to 2 N.N.C. § 972(A)(5), each agency council shall nominate one member whom is qualified to serve on the Commission on Navajo Government Development; [*"Each Agency Council shall nominate one member from recommendations to be submitted by chapters in each agency; nominees shall be either Chapter Officers or Grazing Committee / Land Board Members. These members shall serve a term of four (4) years, from the date of confirmation by the Navajo Nation Council so long as they continue as a chapter officer or as a Grazing Committee / Land Board member "*. (Emphasis added.)]; and,
5. The Ft. Defiance Agency Council passes a resolution supporting and recommending the appointment of Mr/Ms. Shawneen Dale, Wide Ruins Chapter/Commission Government to serve on the Commission on Navajo Government Development.

NOW THEREFORE BE IT RESOLVED THAT;

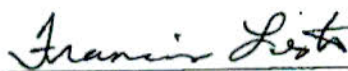
The Fort Defiance Agency Council hereby nominates and appoints Mr./Ms. Shawnean Dale Wicks Zams Chapter/Commission Government to serve on the Commission on Navajo Government Development to represent the Ft. Defiance Agency Council.

CERTIFICATION

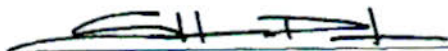
We, hereby certify that the foregoing resolution was duly considered by and moved for adoption by Bessie Simpson, Second by Virginia Baker, thoroughly discussed and adopted by a vote of 19 in favor, 00 opposed and 06 abstained at a duly called meeting at Ganado Chapter, the Ganado NAVAJO NATION, Arizona on this 06th day of April 2019.



Linda Youyella, President
Fort Defiance Agency Council



Francis K. Lester, Secretary
Fort Defiance Agency Council



(vacant), Vice-President
Fort Defiance Agency Council

LEGISLATIVE BRANCH
NAVAJO NATION



HONORABLE
Speaker,



May 9, 2019

Vince James, Council Delegate
24th Navajo Nation Council
PO Box 3390
200 Parkway, Building 4
Window Rock, AZ 86515

Dear Honorable Delegate James,

Yá'át'tééh! I hope this letter finds you in good spirit and health. On January 9, 2019, the Fort Defiance Agency representative to the Commission on Navajo Government Development (Commission) became vacant and thus an immediate effort was undertaken to get the vacancy filled.

On January 12, 2019, the Fort Defiance Agency Council (FDAC) passed Resolution No: FDAC-19-01-002, a resolution supporting and recommending the appointment of Mr. Darryl Tso, Nahata Dził Chapter/Commission Government to serve on the Commission on Navajo Government Development. Unfortunately, Mr. Tso never submitted his required and requested documents—a letter of interest and resume or CV—to the Office of Navajo Government Development for legislative packet preparation. Thus, FDAC swiftly to put this matter back on their agency council agenda on April 6, 2019 for a nominee.

On April 6, 2019, the Fort Defiance Agency Council (FDAC) passed Resolution No: FDAC-19-04-002, a resolution supporting and recommending the appointment of Mr. Shawnevan Dale, Wide Ruins Chapter, to serve on the Commission on Navajo Government Development. Mr. Dale has since submitted his letter of interest and resume in a timely matter.

The Office of Navajo Government Development respectfully request that you be the primary sponsor for this legislation and to submit this packet to the Office of Legislative Services, so the legal staff can prepare the necessary legislative documents. The Commission respectfully request this be introduced right away in hope that it makes the 24th Navajo Nation Council Summer Session.

Attached to this letter are the following:

1. Mr. Shawnevan Dale Letter of Interest
2. Mr. Shawnevan Dale's Resume
3. Resolution No: FDAC-19-04-002

If you have any questions, please do not hesitate to contact me at (928) 871-6378.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward K. Dee".

Edward K. Dee, Executive Director
Office of Navajo Government Development

xc: ONGD files

SHAWNEVAN DALE

PO Box

*

* shawnevandale@gmail.com

April 9, 2019

Edward Dee, Executive Director
Office of Navajo Government Development
PO Box 220
Window Rock, AZ 86515

Dear Mr. Dee,

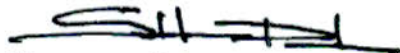
I was recently brought to my attention by the Fort Defiance Agency Council that the Agency Representative Position was recently vacated by Mr. Vince James whom was elected to the 24th Navajo Council and that the replacement nominee expressed little to no interest in the appointment.

Therefore, I am submitting this memo to express my interest in the Fort Defiance Agency Representative on the Government Development Commission. I believe that the representation on the Commission is important.

On Saturday April 6, 2019 the Fort Defiance Council met at a dually called meeting to appoint such a representative, I was nominated and confirmed by the Agency Council.

I look forward to serving on the commission and working toward creating reforms that would ensure accountability and responsible government for the Navajo People.

Regards,



Shawnevan Dale

SHAWNEVAN DALE

| shawnevandale@gmail.com |

PROFILE

Analytical and policy driven professional with twelve years of experience working for the Navajo Nation in various capacities. Proven track record of accomplishing goals and tasks in a timely fashion, excellent visionary, excellent business decision making skills. In a second-tier management position with a very complex job responsibility. I am a registered voter of Wide Ruins Chapter and currently reside on La Pinta Mesa south of Wide Ruins. I am a fluent speaker of the Navajo Language. Areas of expertise:

- Strategic Planning
- Written Communication
- Policy Review Evaluation
- Policy Analysis & Research
- Legislative Process
- NM Gaming Compacts
- Project Management
- Fiscal Planning
- Risk Assessment
- Navajo Nation Sovereignty
- NAHASDA
- NM Tort Statutes
- Technical Presentations
- Contingency Planning
- Contracts
- Lobbying
- Federal Tort Claims Act
- Bonding (NTEC)

PROFESSIONAL EXPERIENCE

The Navajo Nation, Window Rock, AZ
Program Supervisor II (Risk Manager)

October 5, 2015-Present

Supervises and coordinates the Risk Management Program; assures program responsibilities are in compliance with underwritten policies; Organizes and makes administrative decisions that may significantly impact the risk management program, such as personnel, budget, procurement or similar administrative responsibilities which support and directly affect the operation of the program; plans, evaluates and improves program delivery; sets standards and goals for the overall risk management program. Identifies staffing levels and employee development requirements; establishes performance criteria; ensures compliance with budgetary limitations; provides accounting and expenditure control for program budget; responsible for the administration and compliance of insurance participation agreements, reviews terms and condition of agreements; develops and implements internal control mechanisms, procedures and guidelines to maintain program accountability; interacts with various government agencies in regards to Federal Tort Claims Act (FTCA). Monitor and review local, state, and Federal regulations that may impact the Nations' Sovereignty.

- Financial Acumen. Must understand and master the different financial indicators which are tied to the Nation's assets, business lines, platforms, regions, markets, regulations and stakeholders. Additionally, the risk manager also needs to manage the Nation's P&L, time, resources and funding. Moreover, the Risk Manager sometimes translates not very objective concepts and risks into specific and measurable items, such as key risk indicators that play a key factor in the Nation's liabilities. The Risk Manager must make sound and quick decisions.
- Analytical Skills and reviewing details.
- Industry and Market Knowledge. Understand Market trends in insurance. Know the key factors that drive an insurance policy. Must be able to predict the trends based on all variables.
- Ability to work under stress.

- Technical Skill, Negotiations and the ability to influence people.
- Good Communication and Presentation Skills.
- Endurance to Regulation. Monitor all local, state and national regulations that may impact the overall Sovereignty of the Navajo Nation.

Accomplishment: Successfully challenged the State of New Mexico in the Navajo Nation v. Bradford Dalley at the Tenth Circuit Court of Appeals in regards to a Tort Claim that was erroneously brought into State District Court trumping the Navajo Nation's Sovereignty. The Order, in our favor was issued on July 24, 2018.

Accomplishment: Successfully reduced premium amounts for insurance coverage, while adding expanded coverages with over \$3 Billion in assets. Successfully renewed for 4 consecutive years with a premium decrease for our Self-Insured lines.

**The Navajo Nation, Window Rock, AZ
Safety Officer, Navajo OSHA**

June 12, 2011-October 5, 2015

Enforces the Navajo Nation Occupational Safety & Health Act of 2000. Conducts safety and health inspections; makes recommendations and works with local management, state and federal governmental agencies to improve safety and health work environment; recommends procurement of health and safety tools and equipment; ensures proper use and operation of equipment. Schedules, plans, and implements training for workers in accordance with federal requirements; updates and presents training materials, manuals and information; prepares and maintains training records; provides on-the-job training and safety training; attends training and workshops. Conducts investigations of serious and fatal accidents related to industrial operations; prepares and maintains reports and records of all accidents; investigates and monitors loss or theft of resources; prepares and maintains tools, equipment, supplies and materials and/or vehicles to use and assists with investigations; coordinates with other regulatory agencies for improving health and safety operations. Works closely with the Director to address budgetary concerns, budgets and prepares funding requests to oversight. Manage the Consultation Program for Navajo OSHA, coordinates and collaborates with Fed OSHA, ADOSH and NM OSHA on cross jurisdictional matters. Also serves as liaison between safety enforcement agencies in El Paso, Denver, Albuquerque and Phoenix.

Accomplishment: Successfully established partnership with Federal OSHA and Arizona Department of Occupation Safety & Health in conducting inspections on 'checkered' facilities throughout the Navajo Nation on behalf of the state and Federal OSHA.

**The Navajo Nation, Window Rock, AZ
Senior Safety Technician-Risk Management**

June 11, 2007-June 10, 2011

Plans, organizes, coordinates, and monitors safety programs to promote and maintain occupational safety and health programs; conducts field inspections of office space, buildings, facilities, and properties related to egress, emergency plans, electrical, fire, equipment hazards, security, and storage; assesses fire alarms, fire extinguishers, first aid kits, smoke, and carbon monoxide detectors; maintains log sheet to record carbon monoxide peak levels; extracts, analyzes and interprets data/findings for probable cause; develops, compiles and coordinates training materials; provides training, presentations and orientations on general safety standards in the workplace and instructions related to responsibilities, preparedness and awareness. Identifies hazards and recommends corrective action or training; refers corrective action to maintenance and/or appropriate individual/agency; researches code and regulations and makes recommendations related to minimum requirements square footage, emergencies, accessibility, storage of supplies and chemicals; reviews floor plans and makes recommendations

related to effective utilization of space and emergency egress; observes and monitors construction, renovation of building, facilities and infrastructure to ensure safety regulations are followed and construction is in compliance with applicable codes and regulations. Gathers air samples for testing to identify hazards in areas with possible toxic fumes; responds to emergency incidents/accidents; assesses and investigates the scene, photographs area, secures names of investigators, witnesses and identifies types of properties; prepares required reports; coordinates communication with emergency personnel and assesses if debriefing is necessary; conducts needs assessment; conducts fire drills and participates in mock disaster drills, attends meetings; participates in planning conferences.

POLITICAL EXPERIENCE

District Grazing Committee, Wide Ruins Chapter Grazing Official

January 2012- Current

Currently serving two terms as the Wide Ruins Chapter District Grazing Official for the community of Wide Ruins. Appointed to the District 17 Grazing Committee Secretary. Provide grazing permit holders with updates, reference and tallies on their livestock. Provides educational opportunity for the permit holders on livestock management. Recommend administrative changes to Council Oversight, Bureau of Indian Affairs-Branch of Natural Resources and the Department of Agriculture.

Navajo Housing Authority, Window Rock, AZ Board of Commission-Vice Chairman

June 2007-June 2014

Provide Leadership, set and champion the mission of the Navajo Housing Authority. Make strategic decisions to ensure financial solvency of the NHA, speak up when there are concerns. Provide oversight, monitor the agency's ability to meet statutory, regulatory and contractual obligations. Assure that NHA is meeting its obligation on audit recommendations. Work with Local, State and National Agencies to ensure that NAHASDA is reauthorized. Monitor all legislative activity in regards to 24 CFR Part 1000; lobby Congress and Senators in reauthorization or administrative changes that impacted the funding formula, allocation and penalties. Worked closely with the Southwest Office of Native American Programs.

Accomplishment: Successfully lobbied Congress to remove allocation caps for TDHE's that had a balance greater than the previous year's allocation. NHA and Tohono O'odham were the only TDHE's to lobby against the recommended reductions in 2013.

Wide Ruins Chapter, Wide Ruins, AZ Chapter President

January 2004-January 2008

Elected Chapter President of Wide Ruins Chapter. Provided administrative oversight to local chapter staff. Participated in meeting on behalf of the chapter in which the chapter had interest. Provided monthly reports to the chapter members and local governmental entities.

Accomplishments: worked in obtaining TCDC approval in the Wide Ruins Chapter Land Use Plan for the Wide Ruins Community.

Fort Defiance Agency Council, Fort Defiance Agency
Vice Chairperson

March 2004-January 2008

Nominated and confirmed to represent the Agency as their vice chair. Presided over meetings in the absence of the Chairperson. Work with the four districts in addressing local concerns. Present reports to Navajo Nation Council, provide testimony to monetary allocations and recommended policy changes that affect the chapter and local government.

Fort Defiance Roads Committee, Fort Defiance Agency
Vice Chairperson

June 2005-January 2008

Provided oversight to the local governmental entities on roads related issues. Worked with Bureau of Indian Affairs, Navajo Department of Transportation, McKinley and Apache Counties and AzDOT to address local roads concerns brought forth by District Councils.

Accomplishments: Established the Fuel Excise Tax expenditure plan and long-range transportation plan for the Navajo Nation Department of Transportation. Began the Fuel Excise Tax grant program and ADHOC review committee.

EDUCATION

Bachelor of University Studies, May 2015

The University of New Mexico

Multi-discipline: Political Science, Communication, Business and Native American Studies. Emphasis in Political Science and American Indian/Minority Policy

Associates of Applied Studies, July 2014

The University of New Mexico

General Studies degree with an emphasis in business law & communication.

Associates of Applied Studies, May 2007

The University of New Mexico-Gallup

Degree in Construction Techni-Business. Degree focused on the business aspect of construction trades and regulations that apply.

High School Diploma, May 1996

Gallup High School – Gallup, NM

New Mexico Common Core requirements completed to graduate.


THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : Reycita Toddy, Delegated Director
Department of Personnel Management
Division of Human Resources

FROM : 
Shawnevan Dale, Program Supervisor II
Risk Management Program

DATE : April 16, 2019

RE : Secondary Employment Request


Pursuant to NN Personnel Policies, Section III. D.1-8, I am submitting this request for your consideration and approval.

I am currently the Wide Ruins Chapter Grazing Official, going on my 2nd term. From that position, On April 6, 2019 I was appointed by my colleagues to represent the Fort Defiance Agency on the Navajo Government Development Commission representing the Agency.

Currently my Grazing Official responsibilities do not impact my work responsibilities, a majority of the work is done after hour and on weekends. Occasionally there are meetings during the week and I utilize annual leave for that leave of absence. The appointment on the commission also shall not interfere with my regular work responsibilities for my program Risk Management. It is my understanding that a majority of the Commissioners are also employed and maintain jobs and require that meetings be held on weekends.

Therefore, I respectfully request your approval in this request. My participation is based on assisting the Navajo Nation and the People in providing the best services possible and the ability to participate in venues that can make an impact. Your approval is much appreciated.

Approval / Dis-Approval:


I. Harlan Charley, Department Manager II
Insurance Services Department

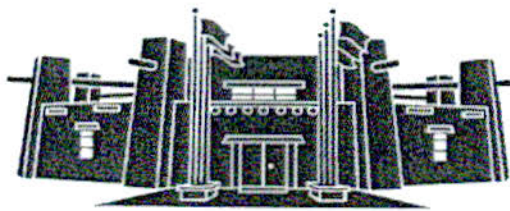
4/16/19
Date

Approval / Dis-Approval:


Reycita Toddy, Delegated HR Director
Department of Human Resources


4/17/19
Date





MEMORANDUM

To : Hon. Vince James, Council Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : May 16, 2019

Re : AN ACTION RELATING TO NAABIK'ÍYÁTI' AND NAVAJO NATION
COUNCIL; CONFIRMING THE NOMINATION OF SHAWNEVAN DALE
TO COMMISSION ON NAVAJO GOVERNMENT DEVELOPMENT AS
REPRESENTATIVE FOR FT. DEFIANCE AGENCY COUNCIL

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient. However, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Also, understand that the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title.

You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 19-235-1