

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

22ND NAVAJO NATION COUNCIL - First Year, 2011

AN ACT

RELATING TO NÁBIK'IYÁTI'-COMMUNITY DEVELOPMENT; CHANGING THE  
NAME OF LUPTON CHAPTER TO TSÉ SI'ÁNI CHAPTER; AMENDING 11 N.N.C.  
§10(A)

BE IT ENACTED:

**Section 1. Enactment of the Change of Name from Lupton Chapter  
to Tsé Si'Áni Chapter**

The Navajo Nation hereby approves the Change of Name from  
Lupton Chapter to Tsé Si'Áni Chapter.

**Section 2. Codification**

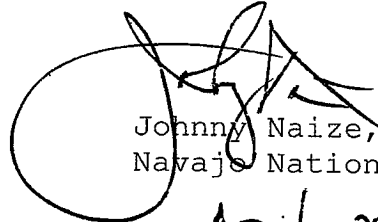
The provisions of this Act which delete or amend sections  
of the Navajo Nation Code shall be codified by the Office of  
Legislative Counsel. The Office of Legislative Counsel shall  
incorporate such provisions in the next codification of the  
Navajo Nation Code.

**Section 3. Savings Clause**

If any provisions of this Act are determined invalid by the  
Navajo Nation Supreme Court, or the District Courts of the  
Navajo Nation without appeal to the Navajo Nation Supreme Court,  
the portions of this Act which are not determined invalid shall  
remain the law of the Navajo Nation.

**CERTIFICATION**

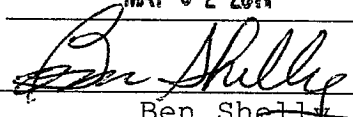
I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 18 in favor and 1 opposed, this 20<sup>th</sup> day of April 2011.

  
Johnny Naize, Speaker  
Navajo Nation Council  
April 29, 11  
Date

Motion: Jonathan Nez  
Second: Mel R. Begay

**ACTION BY THE NAVAJO NATION PRESIDENT:**

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (10), on this \_\_\_\_\_ day of MAY 02 2011 2011.

  
\_\_\_\_\_  
Ben Shelly, President  
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this \_\_\_\_\_ day of \_\_\_\_\_ 2011 for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Ben Shelly, President  
Navajo Nation



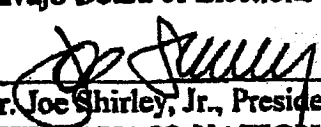


DR. JOE SHIRLEY, JR.  
President

BEN SHELLY  
Vice President

## MEMORANDUM

**TO:** Larry Biltah, Chairman  
Navajo Board of Elections Supervisors

**FROM:**   
Dr. Joe Shirley, Jr., President  
**THE NAVAJO NATION**

**DATE:** June 11, 2010

**SUBJECT:** Option 3 - Reapportionment Plan - J4

In accordance with the May 28, Navajo Nation Supreme Court opinion in *Nelson v. Initiative Committee*, and in the spirit of cooperation and working to achieve consensus on the Reapportionment Plan for a Navajo Nation Council of 24 delegates, I hereby submit another Reapportionment Plan as the third option. This plan is in line with most of the comments received during the Navajo Board of Elections Supervisors work session held on June 8, 2010, and today's meeting.

Below is a summary of the factors considered in the development of this plan as well as specific adjustments made to the J4 map.

### 2000 Census and Population Formula

The baseline datum used to develop this plan is the 2000 U.S. Census population count as modified by Navajo Nation Council Resolution No. CJN-50-02. The total number of Navajo people counted and according to Resolution No. CJN-50-02 is 171,289. This total number also includes Navajos residing on allotments and on Hopi Partitioned Land.

To determine the number of voters per delegate or voting precinct, the total population of 171,289 was divided by 24 which equals 7,137. The ideal voter population per voting precinct, therefore, is 7,137. The adjustments made on the J4 map are with the standard deviation.

The accompanying map and charts provide detailed chapter population information and the standard deviation per voting precinct.

## **Chapter Boundaries and Natural Boundaries**

This plan *does not* cut across or divide chapter boundaries. The boundaries identified are consistent with the recognized BIA grazing management unit maps which the People are familiar with and commonly use within the Navajo Nation.

Other community of interest factors considered were the "natural boundaries" like roads, canyons, mountains, buttes, land marks, and "natural" clusters of Navajo chapters.

## **One Man, One Vote Principle**

Consistent with the requirements of 11 N.N.C. § 9, this plan seeks to ensure approximate equal population within each voting precinct. This provision of the Navajo Nation Code is to ensure that the number of voters represented by each Council delegate is approximately the same from precinct to precinct.

## **Voting Precincts**

This plan recognizes voting precincts only and for this reason, there are no agency designations on the J4 map.

It should be noted however, that throughout the public input process, we received overwhelming support for the designation of a sixth agency. There are a number of tribal agency and district offices within the community of Dilkon and it is considered the hub of the Southwest Agency. Such offices include the Dilkon Judicial and Law Enforcement Districts, the Navajo Tribal Utility Authority, the Winslow Indian Health Clinic, and numerous commercial establishments.

## **2010 U.S. Census**

The information from the 2010 U.S. Census will not be available until 2012. At such time, the 22<sup>nd</sup> Navajo Nation Council has the option to review and evaluate the information, as well as any other considerations deemed appropriate, to determine whether adjustments are needed to the reapportionment plan.

## **J4 Adjustments**

During the NBOES work session, the Office of the President received a number of comments about the need for single representation for Ramah, Tohajilee and Alamo, commonly referred to as the "satellite communities." In light of those comments, adjustments were made to allow for one Council delegate to represent those communities. By addressing the satellite communities, a slight impact occurred within the Eastern Navajo Agency. As such, this plan does not fully incorporate the request made by Grazing District 19. It does however maintain 4 of those 6 chapters within the voting precinct 21.

Another adjustment made to the J4 map includes the designation of Chilchinbito Chapter within voting precinct 16, along with Kayenta and Dennehotso.

Finally, one adjustment was made within the Central Navajo Agency. Upon requests made during the Fort Defiance Agency meeting on June 4, and the NBOES work session on June 8. Many Farms Chapter has been adjusted and is now within voting precinct 2 and Wheatfields/Tsaile Chapter is now within voting precinct 4.

### **Conclusion**

I thank the NBOES for giving me the opportunity to discuss and formally present to you the J4 Reapportionment Plan (Option 3). Certainly, if NBOES does not agree with the adjustments in the J4 Reapportionment Plan, then consideration should be given to either the J2 or J3 Reapportionment Plans previously submitted. Your immediate approval is greatly appreciated.

Thank you, and should you have any questions, please do not hesitate to contact me or my office.

### **ATTACHMENTS:**

J4 Map  
J4 Standard Deviation Chart Per Voting Precinct

xc: Navajo Board of Election Supervisors  
Edison Wauneka  
Louis Denetsosie  
Frank Seanez  
Ron Haven

LUPT-2011-01-002

Resolution of the Lupton Chapter  
Lupton, Arizona

JACKIE YAZZIE, JR.  
PRESIDENT

RAYMOND SMITH, JR.  
VICE PRESIDENT

APPROVING AND ADOPTING THE COMMUNITY NAME CHANGE FROM 'LUPTON' TO EITHER Tse' Si Ani  
or Tse' Da Si Ani', ACCORDING TO THE VOTE OF THE COMMUNITY

REGAN R. HAWTHORNE  
SECRETARY/TREASURER

TIM GOODLUCK  
COUNCIL DELEGATE

WHEREAS:

1. Pursuant to the Local Governance Act (LGA), 26 NNC, Chapter 1, Sub-Chapter 1, Section 3(b), the Lupton Chapter was established as a chapter of the Navajo Nation Government by the Navajo Nation Council CAP-34-98, AND;
2. The Lupton Chapter is Local Governance Act certified pursuant to 26 NNC, Section 102 (B), which permits the Chapter to exercise authorities contained within 26 NNC, Section 103, including land administration authority, AND;
1. The Lupton Chapter is desirous of identifying the community in a manner that would reflect the local community, AND;
2. The Lupton Chapter is traditionally recognized by the name of Tse Si Ani , or Tse' Da Si Ani', which identifies a particular notable sandstone rock formation within the community.

LORENZO CURLEY  
COUNCIL DELEGATE

FREDDIE J. NELSON  
GRAZING OFFICER

BE IT THEREFORE RESOLVED:

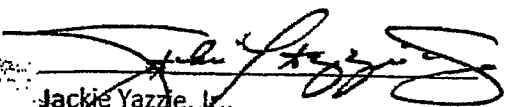
1. The Lupton Chapter adopts and approves the spelling of the name Tse' Si Ani as the official name of the community, AND;
2. The name and spelling of Tse' Si Ani is to be utilized on all official Community documents and communications, printed and electronic, beginning February 1, 2011, with the exception of pre-printed stock items such as checks and letterheads, which stock shall be used until consumed and subsequent re-orders to indicate the adopted and approved name change.


CERTIFICATION

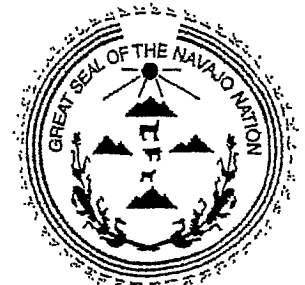
We hereby certify that the foregoing resolution was duly considered by the Lupton Chapter at a duly called meeting Lupton, AZ, at which a quorum was present and the same was passed by a vote of 25 in favor, 0 opposed and 30 abstained this 8 day of JANUARY, 2011..

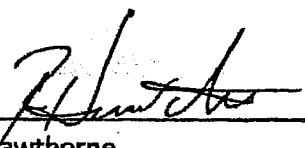
Motion: Alice Haswood

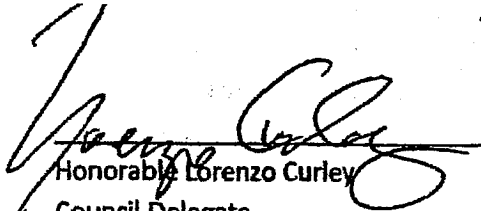
Second: Nellie Shirley

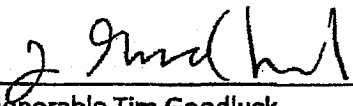
  
Jackie Yazzie, Jr.,  
Chapter President

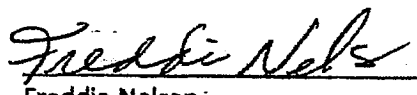
  
Raymond Smith, Jr  
Chapter Vice President



  
\_\_\_\_\_  
Regan Hawthorne  
Secretary/Treasurer

  
\_\_\_\_\_  
Honorable Lorenzo Curley  
Council Delegate

  
\_\_\_\_\_  
Honorable Tim Goodluck  
Council Delegate

  
\_\_\_\_\_  
Freddie Nelson  
Grazing Official

**LUPT-2011-01-002**  
**APPROVING CHAPTER NAME CHANGE**



**NABIK'IYATI' COMMITTEE REPORT**  
**22<sup>ND</sup> NAVAJO NATION COUNCIL – First Year 2011**

Mr. Speaker:

The NABIK'IYATI' COMMITTEE, to whom has been assigned:

**LEGISLATION NO. 0093-11**  
Introduced by Hon. Lorenzo Curley

**AN ACTION**

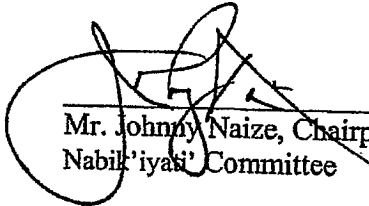
Relating to Nabik'iyati'; Community Development; Changing the Name of  
Lupton Chapter to Tse' Ani' Chapter; Amending 11NNC §10(A)

has had it under consideration and reports the same with a **DO PASS** with **NO**  
**AMENDMENTS**.

And thence referred to the Navajo Nation Council.

**CERTIFICATION**

I, hereby certify that the foregoing legislation was duly considered by the Nabik'iyati' Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed with a vote of 13 in favor and 0 opposed this 3<sup>rd</sup> day of March 2011.

  
\_\_\_\_\_  
Mr. Johnny Naize, Chairperson  
Nabik'iyati' Committee

MOTION: Leonard Pete  
SECOND: Dwight Witherspoon

U

U

U