TITLE: An Action Relating To Resources And Development; Amending RDCAU-65-18 By Approving A Waiver Of Consideration Of $623,321.05 And Approving A Waiver Of Bond, Insurance, Or Alternative Form Of Security To The City Of Gallup

Date posted: June 21, 2019 at 6:16pm

Digital comments may be e-mailed to 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) 871-7590

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.
DATE: June 11, 2019

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCAU-65-18 BY APPROVING A WAIVER OF CONSIDERATION OF $623,321.05 AND APPROVING A WAIVER OF BOND, INSURANCE, OR ALTERNATIVE FORM OF SECURITY TO THE CITY OF GALLUP

PURPOSE: The purpose of this legislation is to amend RDCAU-65-18 by waiving valuation and waiving compensation of $623,321.05 for the right-of-way because it has determined that accepting the agreed-upon compensation and waiving valuation is in its best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.110. Another purpose of this legislation is to amend RDCAU-65-18 by waiving the requirement for a bond, insurance or alternative form of security on the part of the Grantee, based on the determination that the project benefits the Navajo Nation and such a waiver is in the best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.103 (f) (2).

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.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL -- First Year, 2019

INTRODUCED BY

[Signature]

(PRIME SPONSOR)

TRACKING NO. 0161-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCAU-65-18

BY APPROVING A WAIVER OF CONSIDERATION OF $623,321.05 AND

APPROVING A WAIVER OF BOND, INSURANCE, OR ALTERNATIVE FORM OF

SECURITY TO THE CITY OF GALLUP

BE IT ENACTED:

Section One. Authority

Pursuant to 2 N.N.C. Section §501 (B)(2), the Resources and Development Committee of the Navajo Nation Council has the authority to give final approval of all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation land and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations.

Section Two. Findings

A. The Resources and Development Committee approved RDCAU-65-18 and the resolution was certified on August 15, 2018. The resolution was entitled AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A RIGHTS-OF-WAY TO THE CITY OF
GALLUP OF MCKINLEY COUNTY, NEW MEXICO TO CONSTRUCT, OPERATE AND MAINTAIN THE NAVAJO - GALLUP WATER SUPPLY PROJECT REACH 27.7B LOCATED ON TRUST LAND IN CHURCHROCK CHAPTER VICINITY (MCKINLEY COUNTY, NEW MEXICO). Exhibit G of Resolution RDCAU-65-18, is attached as Exhibit 1.

B. The City of Gallup requests amendments to the RDCAU-65-18.

C. The City of Gallup requests a waiver of valuation and waiver of compensation of $623,321.05 for the right-of-way. See, 25 CFR § 169.110 (a) (1) (2).

D. The City of Gallup requests a waiver of bond, insurance, or alternative form of security. See, 25 CFR § 169.103 (f) (2).

Section Three. Approval

A. The Resources and Development Committee of the Navajo Nation Council hereby amends RDCAU-65-18 by waiving valuation and waiving compensation of $623,321.05 for the right-of-way because it has determined that accepting the agreed-upon compensation and waiving valuation is in its best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.110.

B. The Resources and Development Committee of the Navajo Nation Council hereby amends RDCAU-65-18 by waiving the requirement for a bond, insurance or alternative form of security on the part of the Grantee, based on the determination that the project benefits the Navajo Nation and such a waiver is in the best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.103 (f) (2).

C. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to affect the intent and purpose of this resolution.