

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0161-19\_\_\_\_\_

SPONSOR: Edmund Yazzie

**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

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0161-19

**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

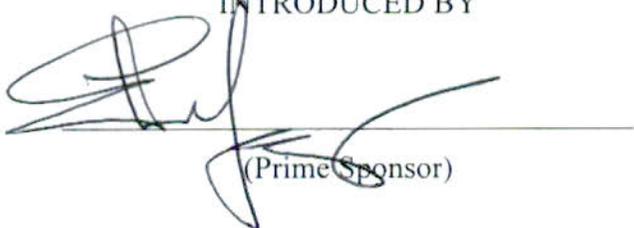
**PURPOSE:** The purpose of this legislation is to amend RDCAU-65-18 by waiving valuation and waiving compensation of \$623,321.05 for the right-of-way because it has determined that accepting the agreed-upon compensation and waiving valuation is in its best interest of the Navajo Nation, pursuant to 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.

5-DAY BILL HOLD PERIOD: \_\_\_\_\_  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 6/26/19  
Eligible for Action: 6/27/19

PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL -- First Year, 2019

INTRODUCED BY



(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 WAVIER 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

1 GALLUP OF MCKINLEY COUNTY, NEW MEXICO TO CONSTRUCT,  
2 OPERATE AND MAINTAIN THE NAVAJO – GALLUP WATER SUPPLY  
3 PROJECT REACH 27.7B LOCATED ON TRUST LAND IN CHURCHROCK  
4 CHAPTER VICINITY (MCKINLEY COUNTY, NEW MEXICO). Exhibit G of  
5 Resolution RDCAU-65-18, is attached as **Exhibit 1**.

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

7 C. The City of Gallup requests a waiver of valuation and waiver of compensation of  
8 \$623,321.05 for the right-of-way. See, 25 CFR § 169.110 (a) (1) (2).

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

11  
12 **Section Three. Approval**

13 A. The Resources and Development Committee of the Navajo Nation Council hereby  
14 amends RDCAU-65-18 by waiving valuation and waiving compensation of  
15 \$623,321.05 for the right-of-way because it has determined that accepting the agreed-  
16 upon compensation and waiving valuation is in its best interest of the Navajo Nation,  
17 pursuant to Title 25 CFR § 169.110.

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

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