TITLE: An Action Relating to Resources and Development; Confirming the Reappointment of Sidney Bob Dietz II to Serve on the Navajo Tribal Utility Authority Management Board of Directors for a Term of Three Years

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DATE: August 31, 2021

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE REAPPOINTMENT OF SIDNEY BOB DIETZ II TO SERVE ON THE NAVAJO TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD OF DIRECTORS FOR A TERM OF THREE YEARS

PURPOSE: This legislation, if passed, would confirm the reappointment of Mr. Sidney Bob Dietz II as a director for the NTUA Management Board as set forth in 21 N.N.C. § 9 (B)(1)-(2), and thereby reappoint Mr. Sidney Bob Dietz II for a term of three years, with the term expiring at the annual board meeting in October 2022.

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 – Third Year, 2021

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0188-21

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE REAPPOINTMENT OF SIDNEY BOB DIETZ II TO SERVE ON THE NAVAJO TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD OF DIRECTORS FOR A TERM OF THREE YEARS

SECTION ONE. AUTHORITY

A. The Resources and Development Committee was established as a standing committee of the Navajo Nation Council. 2 N.N.C. §§ 500(A).

B. Pursuant to 2 N.N.C. § 500(C), the Resources and Development Committee shall exercise oversight authority over public utilities.

C. Pursuant to 2 N.N.C. § 501(B)(9), Resources and Development Committee has the authority to grant final confirmation of appointments to enterprise boards.

SECTION TWO. FINDINGS

A. Pursuant to 21 N.N.C. § 2, the Navajo Nation established the Navajo Tribal Utility Authority (NTUA) as an enterprise.
B. The NTUA is authorized to acquire, construct, operate and maintain utility systems throughout the Navajo Nation. See 21 N.N.C. § 1(B).

C. The general purpose of NTUA is to operate, maintain and promote existing utility systems furnishing electric, gas, water, sewer utility services; generation, and telecommunications and information services for the benefit of residents of the Navajo Nation; including the establishment, ownership, operation and maintenance of electric generating, telecommunications and information services on or off the Navajo Reservation; and to provide utility generation, telecommunications and information services on a non-profit basis and at a reasonable cost to residents of the Navajo Nation consistent with the economical operations of the Enterprise. See 21 N.N.C. § 5(A)(1)-(6).

D. The NTUA Management Board shall have the delegated authority and responsibility for the management and operation of the Enterprise. See 21 N.N.C. § 7(1).

E. The management board shall consist of seven (7) persons, all of whom shall be appointed by the Government Services Committee of the Navajo Nation Council; whose authority to confirm appointments to enterprise boards has been delegated to the Resources and Development Committee. See 21 N.N.C. § 9(A); See also 2 N.N.C. § 501(B)(9).

F. Members of the board shall be called directors, and shall have the following qualifications: (1) four of the directors shall be members of the Navajo Nation who speak English with fluently and who have sufficient education and experience to qualify them for learning utility business practices and procedures and making sound judgments; (2) four of the directors shall be persons having not less than 10 years' experience in business management of substantial character and at least two of such persons shall have had such experience in the management and operation of a utility business. See 21 N.N.C. § 9(B)(1)-(2).

G. Vacancies in the management board may be filled for an unexpired term of the vacant office. See 21 N.N.C. § 9(C)(2).

H. Directors shall be eligible for reappointment. See 21 N.N.C. § 9(C)(1).
I. RDCMY-49-17 confirmed the appointment of Sidney Bob Dietz II to the NTUA Management Board for a term of three years that expired at the annual board meeting in October 2019. The appointing resolution RDCMY-49-17 is attached as Exhibit 1.

J. On September 19, 2019, Sidney Bob Dietz II was recommended to be reappointed by the NTUA Management Board resolution NTUA-32-19 which attached as Exhibit 2.

K. Sidney Bob Dietz II meets the qualifications listed under 21 N.N.C. § 9(B)(1)-(2). Sidney Bob Dietz II’s resume is attached as RDCMY-49-17 Exhibit C which is attached in Exhibit 1.

L. The reappointment of Sidney Bob Dietz II will be for a period of three years starting from October 2019 and will expire with the annual board meeting in October 2022. See 21 N.N.C. § 9(C)(2).

SECTION THREE. CONFIRMING APPOINTMENT

The Resources and Development Committee finds that Sidney Bob Dietz II meets the required qualifications to be reappointed as a director for the NTUA Management Board as set forth in 21 N.N.C. § 9 (B)(1)-(2), and hereby confirms the reappointment of Sidney Bob Dietz II for a term of three years, with the term expiring at the annual board meeting in October 2022.