LEGISLATION NO: _0189-21__  SPONSOR: Thomas Walker Jr.

TITLE: An Action Relating to Resources and Development; Confirming the Reappointment of Raymond J. Holgate to Serve on the Navajo Tribal Utility Authority Management Board of Directors for a Term of Three Years

Date posted: September 1, 2021 at 7:31 PM

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) 871-7586

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: August 31, 2021

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE REAPPOINTMENT OF RAYMOND J. HOLGATE 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. Raymond J. Holgate as a director for the NTUA management board as set forth in 21 N.N.C. § 9 (B)(1)-(2), and thereby reappoint Mr. Raymond J. Holgate 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. 0189-21

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE REAPPOINTMENT OF RAYMOND J. HOLGATE 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) [f]our 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) [f]our 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-48-17 appointed Raymond J. Holgate 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-48-17 is attached as Exhibit 1.

J. On September 19, 2019, Raymond J. Holgate was recommended to be reappointed by the NTUA Management Board resolution NTUA-31-19 which attached as Exhibit 2.

K. Raymond J. Holgate meets the qualifications listed under 21 N.N.C. § 9(B)(1)-(2). Raymond J. Holgate’s resume is attached as RDCMY-48-17 Exhibit C which is attached in Exhibit 1.

L. The reappointment of Raymond J. Holgate 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 Raymond J. Holgate 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 Raymond J. Holgate for a term of three years, with the term expiring at the annual board meeting in October 2022.