

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0224-21_

SPONSOR: Thomas Walker, Jr.

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

Date posted: November 01, 2021 at 6:33PM

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0224-21

DATE: October 29, 2021

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

PURPOSE: The purpose of the resolution is to confirm the reappointment of Belinda Eriacho to serve on the Navajo Tribal Utility Authority's Management Board of Directors for a term of three (3) years from October 2021 until the annual board meeting in October 2024.

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: 3 Business
Website Posting Time/Date:
Posting End Date: November 6, 2021
Eligible for Action: November 7, 2021

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY

Thomas Walker, Jr.

(Prime Sponsor)

TRACKING NO. 0224-21

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE
REAPPOINTMENT OF BELINDA ERIACHO 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.

1 B. The NTUA is authorized to acquire, construct, operate and maintain utility systems
2 throughout the Navajo Nation. See 21 N.N.C. § 1(B).

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

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

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

17 F. Members of the board shall be called directors, and shall have the following qualifications:
18 (1) [f]our of the directors shall be members of the Navajo Nation who speak English with
19 fluently and who have sufficient education and experience to qualify them for learning
20 utility business practices and procedures and making sound judgments; (2) [f]our of the
21 directors shall be persons having not less than 10 years' experience in business
22 management of substantial character and at least two of such persons shall have had such
23 experience in the management and operation of a utility business. See 21 N.N.C. §
24 9(B)(1)-(2).

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

27 H. Directors shall be eligible for reappointment. See 21 N.N.C. § 9(C)(1) – (2).

28 I. RDCD-101-18 appointed Belinda Eriacho to the NTUA Management Board for a term of
29 three years that expired at the annual board meeting in October 2021. The appointed
30 resolution RDCD-101-18 is attached as **Exhibit 1**.

- 1 J. On September 24, 2021, Belinda Eriacho was recommended to be reappointed by the
2 NTUA Management Board resolution NTUA-34-21. Belinda Eriacho's resume is
3 attached as RDCD-101-18 Exhibit B which is attached in **Exhibit 1**.
- 4 K. Belinda Eriacho meets the qualifications listed under 21 N.N.C. § 9(B)(1) - (2). Ms.
5 Eriacho's resume is attached as RDCD-101-18 Exhibit B which is attached in **Exhibit 1**.
- 6 L. The reappointment of Belinda Eriacho will be for a period of three years starting from
7 October 2021 and will expire with the annual board meeting in October 2024. See 21
8 N.N.C. § 9(C)(2).
- 9 M. The Resolution of the Management Board of the Navajo Tribal Utility Authority NTUA-
10 34-21 recommending the reappointment of Belinda Eriacho to the Management Board of
11 the Navajo Tribal Utility Authority is attached as **Exhibit 2**.

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13 **SECTION THREE. CONFIRMING APPOINTMENT**

14 The Resources and Development Committee finds that Belinda Eriacho meets the
15 required qualifications to be reappointed as a director for the NTUA management board
16 as set forth in 21 N.N.C. § 9 (B)(1)-(2), and hereby reappoints Belinda Eriacho for a
17 term of three years, with the term expiring at the annual board meeting in October 2024.

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