

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0187-21_

SPONSOR: Thomas Walker Jr.

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

Date posted: September 1, 2021 at 7:25 PM

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0187-21

DATE: August 31, 2021

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

PURPOSE: This legislation, if passed, will approve the reappointment of Mr. William Clagett as a director for the NTUA Management Board as set forth in 21 N.N.C. § 9 (B)(1)-(2), and thereby confirm the reappointment of Mr. William Clagett for a term of three years, with the term expiring at the annual board meeting in October 2023.


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: VBREUWWE
Website Posting Time/Date:
Posting End Date: Sept. 6, 2021
Eligible for Action: Sept. 7, 2021

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL – Third Year, 2021

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4 INTRODUCED BY

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7 _____
(Prime Sponsor)



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9 TRACKING NO. 0187-21

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11 AN ACTION
12 RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE
13 REAPPOINTMENT OF WILLIAM CLAGETT TO SERVE ON THE NAVAJO
14 TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD OF DIRECTORS FOR
15 A TERM OF THREE YEARS

16
17 SECTION ONE. AUTHORITY

- 18
19 A. The Resources and Development Committee was established as a standing
20 committee of the Navajo Nation Council. 2 N.N.C. §§ 500(A).
21 B. Pursuant to 2 N.N.C. § 500(C), the Resources and Development Committee shall
22 exercise oversight authority over public utilities.
23 C. Pursuant to 2 N.N.C. § 501(B)(9), Resources and Development Committee has
24 the authority to grant final confirmation of appointments to enterprise boards.

25
26 SECTION TWO. FINDINGS

- 27
28 A. Pursuant to 21 N.N.C. § 2, the Navajo Nation established the Navajo Tribal Utility
29 Authority (NTUA) as an enterprise.
30

- 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
4 systems furnishing electric, gas, water, sewer utility services; generation, and
5 telecommunications and information services for the benefit of residents of the Navajo
6 Nation; including the establishment, ownership, operation and maintenance of electric
7 generating, telecommunications and information services on or off the Navajo
8 Reservation; and to provide utility generation, telecommunications and information
9 services on a non-profit basis and at a reasonable cost to residents of the Navajo Nation
10 consistent with the economical operations of the Enterprise. See 21 N.N.C. § 5(A)(1)-
11 (6).
- 12 D. The NTUA Management Board shall have the delegated authority and responsibility
13 for the management and operation of the Enterprise. See 21 N.N.C. § 7 (1).
- 14 E. The management board shall consist of seven (7) persons, all of whom shall be
15 appointed by the Government Services Committee of the Navajo Nation Council;
16 whose authority to confirm appointments to enterprise boards has been delegated to
17 the Resources and Development Committee. See 21 N.N.C. § 9 (A); See also 2 N.N.C.
18 § 501 (B)(9).
- 19 F. Members of the board shall be called directors, and shall have the following
20 qualifications: (1) [f]our of the directors shall be members of the Navajo Nation who
21 speak English with fluently and who have sufficient education and experience to
22 qualify them for learning utility business practices and procedures and making sound
23 judgments; (2) [f]our of the directors shall be persons having not less than 10 years'
24 experience in business management of substantial character and at least two of such
25 persons shall have had such experience in the management and operation of a utility
26 business. See 21 N.N.C. § 9(B)(1)-(2).
- 27 G. Vacancies in the management board may be filled for an unexpired term of the vacant
28 office. See 21 N.N.C. § 9 (C)(2).
- 29 H. Directors shall be eligible for reappointment. See 21 N.N.C. § 9(C)(1).
- 30

- 1 I. RDCMA-28-18 appointed William Clagett to the NTUA Management Board for a
2 term of three years that expired at the annual board meeting in October 2020. The
3 appointing resolution RDCMA-28-18 is attached as **Exhibit 1**.
- 4 J. On October 23, 2020, William Clagett was recommended to be reappointed by the
5 NTUA Management Board resolution NTUA-36-20 which attached as **Exhibit 2**.
- 6 K. William Clagett meets the qualifications listed under 21 N.N.C. § 9(B)(1)-(2).
7 William Clagett's resume is attached as RDCMA-28-18 Exhibit C which is attached
8 in **Exhibit 1**.
- 9 L. The reappointment of William Clagett will be for a period of three years starting from
10 October 2020 and will expire with the annual board meeting in October 2023. See 21
11 N.N.C. § 9(C)(2).

12
13 **SECTION THREE. CONFIRMING APPOINTMENT**

14
15 The Resources and Development Committee finds that William Clagett meets the
16 required qualifications to be reappointed as a director for the NTUA Management Board
17 as set forth in 21 N.N.C. § 9 (B)(1)-(2), and hereby confirms the reappointment of
18 William Clagett for a term of three years, with the term expiring at the annual board
19 meeting in October 2023.

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