

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0256-22_

SPONSOR: Thomas Walker, Jr.

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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LEGISLATIVE SUMMARY SHEET

Tracking No. 0296-22

DATE: December 14, 2022

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 2025.

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: Johnson
Website Posting Time/Date: _____
Posting End Date: 12-20-22
Eligible for Action: 12-21-22

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL – Fourth Year, 2022

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0256-22

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.

- 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. RDCS-26-21 confirmed the appointment of Sidney Bob Dietz II to the NTUA
2 Management Board for a term of three years that expired at the annual board meeting
3 in October 2022. The appointing resolution RDCS-26-21 (without exhibits) is
4 attached as **Exhibit A**.
- 5 J. On July 22, 2022, Sidney Bob Dietz II was recommended to be reappointed by the
6 NTUA Management Board resolution NTUA-26-22 which attached as **Exhibit B**.
- 7 K. Sidney Bob Dietz II meets the qualifications listed under 21 N.N.C. § 9(B)(1)-(2).
8 Sidney Bob Dietz II's resume and letter of interest are attached as **Exhibit C**.
- 9 L. The reappointment of Sidney Bob Dietz II will be for a period of three years starting
10 from October 2022 and will expire with the annual board meeting in October 2025.
11 See 21 N.N.C. § 9(C)(2).

12 13 **SECTION THREE. CONFIRMING APPOINTMENT**

14
15 The Resources and Development Committee finds that Sidney Bob Dietz II 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 Sidney Bob Dietz II for a term of three years, with the term expiring at the annual board
19 meeting in October 2025.
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