

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0258-22\_

SPONSOR: Thomas Walker, Jr.

**TITLE    An Action Relating to Resources and Development; Confirming the Appointment of Cathy Newby to Serve on the Navajo Tribal Utility Authority Management Board of Directors for a Term of Three Years**

*Date posted:* December 15, 2022 at 9:42 PM

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0258-22

**DATE:** December 14, 2022

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

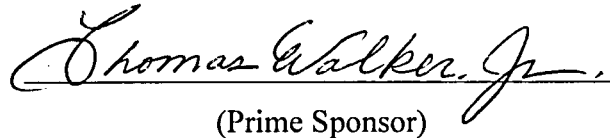
**PURPOSE:** This legislation would approve the reappointment of Ms. Cathy Newby as a director for the NTUA Management Board as set forth in 21 N.N.C. § 9 (B)(1)-(2), and thereby appoint Ms. Newby for a term of three years, with the term expiring at the annual board meeting in October 2025.

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: Holmes  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 12-20-22  
Eligible for Action: 12-21-22

PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL – Fourth Year, 2022

INTRODUCED BY

  
(Prime Sponsor)

TRACKING NO. 0258-22

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE  
APPOINTMENT OF CATHY NEWBY 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. Cathy Newby meets the qualifications listed under 21 N.N.C. § 9(B)(1)-(2). Cathy  
2 Newby's resume and letter of interest are attached as **Exhibit A**.  
3 J. The appointment of Cathy Newby will be for a period of three years expiring with the  
4 annual board meeting in October 2025. See 21 N.N.C. § 9(C)(2).  
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6 **SECTION THREE. CONFIRMING APPOINTMENT**  
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8 The Resources and Development Committee finds that Cathy Newby meets the required  
9 qualifications to be appointed as a director for the NTUA Management Board as set  
10 forth in 21 N.N.C. § 9 (B)(1)-(2), and hereby confirms the appointment of Cathy Newby  
11 for a term of three years, with the term expiring at the annual board meeting in October  
12 2025.  
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