

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0113-24\_

SPONSOR: Brenda Jesus

**TITLE: An Action Relating to Resource and Development Committee; Confirming the Appointment of Anthony Montoya, Who Possesses the Qualifications Stated in 21 N.N.C. § 9(B) (2), With 10 Years of Experience in Management and Operation of Utility Business, 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.** 0113-24

**DATE:** May 14, 2024

**TITLE OF RESOLUTION:** PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; CONFIRMING THE APPOINTMENT OF ANTHONY MONTOYA, WHO POSSESSES THE QUALIFICATIONS STATED IN 21 N.N.C. § 9 (B) (2) WITH 10 YEARS OF EXPERIENCE IN MANAGEMENT AND OPERATION OF UTILITY BUSINESS, TO SERVE ON THE NAVAJO TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD OF DIRECTORS FOR A TERM OF THREE YEARS

**PURPOSE:** This legislation would approve the appointment of Mr. Anthony Montoya as a director for the NTUA Management Board as set forth in 21 N.N.C. § 9 (B) (2), and appointing Mr. Montoya for a term of three years.

**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 AMITII  
Website Posting Time/Date \_\_\_\_\_  
Posting End Date: 5/21/24  
Eligible for Action: 5/22/24

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 25<sup>th</sup> NAVAJO NATION COUNCIL – Second Year, 2024

3 INTRODUCED BY

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5 \_\_\_\_\_  
6 (Prime Sponsor)

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8 TRACKING NO. 0113-24

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10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;  
12 CONFIRMING THE APPOINTMENT OF ANTHONY MONTOYA, WHO  
13 POSSESSES THE QUALIFICATIONS STATED IN 21 N.N.C. § 9 (B) (2) WITH 10  
14 YEARS OF EXPERIENCE IN MANAGEMENT AND OPERATION OF UTILITY  
15 BUSINESS, TO SERVE ON THE NAVAJO TRIBAL UTILITY AUTHORITY  
16 MANAGEMENT BOARD OF DIRECTORS FOR A TERM OF THREE YEARS

17  
18 **SECTION ONE. AUTHORITY**

- 19 A. The Navajo Nation established the Resources and Development Committee as a  
20 Navajo Nation Council standing committee and as such gave the Committee oversight  
21 authority over public utilities. 2 N.N.C. §§ 500 (A), (C).  
22 B. Resources and Development Committee shall appoint directors to the Navajo Tribal  
23 Utility Authority Management Board. 21 N.N.C. § 9 (A), CAP-19-24.  
24 C. Resources and Development Committee has the authority to grant final confirmation  
25 of appointments to enterprise boards. 2 N.N.C. § 501 (B) (9).  
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27 **SECTION TWO. FINDINGS**

- 28 A. The Navajo Nation established the Navajo Tribal Utility Authority (“NTUA”) as an  
29 enterprise. 21 N.N.C. § 2.  
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- 1 B. The NTUA is authorized to acquire, construct, operate and maintain utility systems  
2 throughout the Navajo Nation. 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  
6 Navajo Nation, including the establishment, ownership, operation and maintenance  
7 of electric generating, telecommunications and information services on or off the  
8 Navajo Reservation; and to provide utility generation, telecommunications and  
9 information services on a non-profit basis and at a reasonable cost to residents of the  
10 Navajo Nation consistent with the economical operations of the Enterprise. 21  
11 N.N.C. § 5 (A) (1)-(6).
- 12 D. The NTUA Management Board shall have the delegated authority and responsibility  
13 for the management and operation of the Enterprise. 21 N.N.C. § 7 (1).
- 14 E. The Management Board shall consist of seven persons, all of whom shall be appointed  
15 by the Resources and Development Committee. 21 N.N.C. § 9 (A).
- 16 F. Members of the Board shall be called directors, and shall have the following  
17 qualifications: (1) Four of the directors shall be members of the Navajo Nation who  
18 speak English with fluency and who have sufficient education and experience to  
19 qualify them for learning utility business practices and procedures and making sound  
20 judgements; (2) Four of the directors shall be persons having not less than 10 years  
21 experience in business management of substantial character and at least two of such  
22 persons shall have had such experience in the management and operation of a utility  
23 business. 21 N.N.C. § 9 (B) (1)-(2).
- 24 G. On January 9, 2024, Mr. Anthony Montoya was selected to be appointed to the NTUA  
25 Management Board; his Appointment Letter is attached as **Exhibit A**. Mr. Anthony  
26 Montoya's Letter of Interest which is attached as **Exhibit B**.
- 27 H. Mr. Montoya has "35 years of utility management and operations experience with the  
28 US Department of Energy (DOE), Western Area Power Administration (WAPA),  
29 including over 25 years at the executive level." Mr. Montoya's resume is attached as  
30 **Exhibit C**.

- 1 I. Mr. Anthony Montoya meets the qualifications as required by 21 N.N.C. § 9 (B) (2).  
2 He has not less than 10 years of experience in business management and has  
3 experience in the management and operation of a utility business.  
4 J. The appointment of Mr. Anthony Montoya will be for a period of three years. 21  
5 N.N.C. § 9 (C) (2).  
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7 **SECTION THREE. CONFIRMING APPOINTMENT**

8 The Navajo Nation Council Resources and Development Committee finds that Mr.  
9 Anthony Montoya meets the requisite qualifications to be appointed as a Director for  
10 the NTUA Management Board as set forth in 21 N.N.C. § 9 (B) (2), with 10 years of  
11 experience in management and operation of utility business, and hereby appoints Mr.  
12 Anthony Montoya for a term of three years beginning on the date of certification of  
13 this resolution. 21 N.N.C. § 9 (C)(2).  
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