

#### **NAVAJO NATION DEPARTMENT OF JUSTICE**

#### OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH Attorney General HEATHER CLAH Deputy Attorney General

## DEPARTMENT OF JUSTICE INITIAL ELIGIBILITY DETERMINATION FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 0582
Date & Time Received: 5/20/23 at 13:49
Date & Time of Response: June 27, 2023 at 1600
Entity Requesting FRF: Becenti Chapter
Title of Project: Becenti Chapter Housing Renovation Project
Administrative Oversight: Division of Community Development
Amount of Funding Requested: \$255,000
Eligibility Determination:  FRF eligible FRF ineligible Additional information requested
FRF Eligibility Category:
(1) Public Health and Economic Impact (2) Premium Pay (3) Government Services/Lost Revenue (4) Water, Sewer, Broadband Infrastructure
U.S. Department of Treasury Reporting Expenditure Category:
2.18, Housing Support: Other Housing Assistance

#### **Procedures**): Expenditure Plan incomplete Missing Form Supporting documentation missing Funds will not be obligated by Project will not be completed by 12/31/2026 12/31/2024 Ineligible purpose \_\_Incorrect Signatory Submitter failed to timely submit CARES reports Inconsistent with applicable NN or Additional information submitted is insufficient federal laws to make a proper determination Other Comments: Name of DOJ Reviewer: Lorenzo Curley Signature of DOJ Reviewer: lorenzo Curley

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF

#### **Disclaimers**:

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

## Becenti Chapter Housing Renovation



APPENDIX A

### THE NAVAJO NATION FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**FOR **NON-GOVERNANCE CERTIFIED CHAPTERS**

#### Part 1. Identification of parties.

Non-Governance Certified Chapter Becenti Chapter requesting FRF:	Date prepared: 2/1/2023
· · · · · · · · · · · · · · · · · · ·	phone/email: 505-786-2283/2284
Chapter's P.O. Box 708 mailing address: Crownpoint, New Mexico 87313	website (if any): becenti.navajochapters.org
This Form prepared by: Charmayne Hosteen	phone/email: 505-786-2283/2284
<b>Becenti Chapter Community Services Coordinato</b>	r chosteen@nnchapters.org
CONTACT PERSON'S name and title  Title and type of Project: Becenti Chapter Housing Ren	contact PERSON'S info
Chapter President: Jonathan Perry	phone & email: 505-786-2283/jonjperry@yahoo.com
Chapter Vice-President: Marjorie Lantana	phone & email: 505-786-2283/mlantana@naataanii.org
Chapter Secretary: Arlene Arviso-Arthur	phone & email: 505-786-2283/aarthur@navajochatpers.org
Chapter Treasurer: Arlene Arviso-Arthur	phone & email: 505-786-2283/aarthur@navajochatpers.org
Chapter Manager or CSC: Charmayne Hosteen	phone & email: 505-786-2283/chosteen@nnchapters.org
DCD/Chapter ASO: Casey Begay	phone & email: casey_begay@nndcd.org
List types of Subcontractors or Subredpients that will be paid with FRF (if ki	nown): document attached
\$255,000	
Amount of FRF requested: \$255,000 FRF funding period: 2/1	/2023 - 12/31/2026 indicate Project starting and ending/deadline date
Part 2. Expenditure Plan details.	
(a) Describe the Program(s) and/or Project(s) to be funded, including how and what COVID-related needs will be addressed;	the funds will be used, for what purposes, the location(s) to be served,
Becenti Chapter housing renovation project is to assi	st community members that are in need with
home improvement to provide a stable, safe home, a need to help eliminate the spread of COVID-19. This	
of \$5,000 per home to purchase building materials fo	
beneficial to those families living with multiple genera disadvantage homes	tions, elderlies, disable, and economic
disadvantage nomes	
	☐ document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	
The housing renovation project will benefit the needs eldery, and single parents, etc. To providing a stable	of the Navajo Chapter members, the high-risks,
	and standarized homes.
	and standarized homes.

<sup>(</sup>c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

Program(s) or Project(s) by December 31, 202	26:
	identified and have all documentation pretaining to bject. The project end date will be December 31, 2026 with all
ands will be before becember 51, 2	
	☐ document attached
(d) Identify who will be responsible for implementi	
	nmunity Services Coordinator and Chapter Officials will be bject and purchasing building materials.
	☐ document attached
<ul><li>(e) Explain who will be responsible for operations prospectively:</li></ul>	s and maintenance costs for the Project once completed, and how such costs will be funded
	for operations and maintenance once construction is complete.
	☐ document attached
(f) State which of the 66 Fiscal Recovery Fund exproposed Program or Project falls under, and exp	xpenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the lain the reason why:
2.18 Housing Support: Other Housi	
	considered other housing assistance with this funding because the ance repair and improvement renovation to community members itions to increase their health.
	☐ document attached
Part 3. Additional documents.	
List here all additional supporting documents att	ached to this FRF Expenditure Plan (or indicate N/A):
<ol> <li>Chapter Resolution BCOCT-22-</li> <li>Navajo Nation Budget Forms (1</li> <li>Appendix J - Project Budget Sch</li> <li>Community Assessment Form</li> </ol>	,2,4)
Ty Community Acceptation 1 of the	☐ Chapter Resolution attached
Part 4. Affirmation by Funding Recipie	ent.
	I Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance A Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:
Chapter's Charmagne Hoste signature of Preparer CONTACT PERSON	Approved by:  Approved by:  Signature of Chapter President (ct. V)be-President)
Approved by: Charmonghe Hoste	Approved by:  Approved by:  Signature o'Chapter ASO  Approved by:
	Approved to submit
	for Review:

#### THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 3 BUDGET FORM 1

Prepared By: Charmayn	e Hosteen, CSC	Phone	No.:	505-786-2283/2284 Email	Address:	becenti(	@navajochapters.or	g
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type	(A) NNC Approved	(B)	(C) Difference o
NN Fiscal Recovery Funds	2/1/23 - 12/31/26	\$255,000.00	100%	2001 Personnel Expenses	Code	Original Budget	Proposed Budget	Total
				3000 Travel Expenses				
		//0.2001/0.2001		3500 Meeting Expenses				
				4000 Supplies	6		\$255,000.00	\$ 255,000
				5000 Lease and Rental	0		\$233,000.00	\$ 20,000
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions		- 2	•	
		B 1		8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
					TOTAL	\$0.00	\$255,000.00	\$ 255,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions E	Budgeted:	0	0	
	TOTAL:	\$255,000.00	100%	Total # of Vehicles B	Budgeted:	0	0	
SUBMITTED BY: Ja	SE THAT THE INF mes Adakai, Dep ogram Manager's	outy Director	TAINED	IN THIS BUDGET PACKAGE IS COMPLE  APPROVED BY:  Divis	Calvin Ca	CURATE. stillo, Executive Dire r / Brangh Chief's Pr		

FY 2023

#### THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page 2 of 3 BUDGET FORM 2

PART I. PROGRAM INFORMATION:									
Business Unit No.: New	Program Name/Title:			Becenti Ch	apter Housi	ng Renova	ation Project		
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURF Becenti Chapter Resolution BCOCT-22-246	POSE OF PROGRAM:								
PART III. PROGRAM PERFORMANCE CRITERIA:	PER 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1st (		The second second	QTR		QTR	4th	
Goal Statement:  Renovation to repair/replace homes for thirty-five (35) Comm	Lunity Members.	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Measure/Objective:				P	K,	-(	A	(	ed ,
Repair/Replace existing roof, window, flooring, exterior/interior	or walls, and etc.			¥75°		475		175	
2. Goal Statement:									
Program Performance Measure/Objective:		,							
3. Goal Statement:									
Program Performance Measure/Objective:			T						
4. Goal Statement:								7 73	
Program Performance Measure/Objective:		G AV					2 3		
5. Goal Statement:									
Program Performance Measure/Objective:									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFO James Adakai, Deputy Directo Program Manager's Printed Name Program Manager's Signature and Date	3/1/2023	LY REVIEV	Divisio	on Director	Branch Chief's	ef's Printed	3/1/2023		

#### THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

PART I. F	PROGRAM INFORMATION:			
	Program Name/Title: Becenti Chapter Housing Renovation Project	Business Unit No.:	New	
PART II.	DETAILED BUDGET:		(C)	(D)
(A)	(B)		Total by	Total by
Object			DETAILED	MAJOR
Code	Object Code Description and Justification (LOD 7)		Object Code	Object Code
(LOD 6)			(LOD 6)	(LOD 4)
4000	Supplies			\$255,000.00
2.18	Housing Support: Other Housing Assistance		\$255,000.00	
	Purchase building materials for thirty-five (35) Community Members @ (\$5,000) per housing to renovate: repair/replace with roof supplications of the control	plies, windows,		
	doors, exterior/interior walls and etc.			
ľ				
l				
l				
		TOTAL	\$255,000.00	\$255,000.00

#### THE NAVAJO NATION PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: New							11			11												PAR	T II.			Proje	ect Inf	orma	ion		
Project Title: Becenti Chapt	er Batl	hroom	Addit	ion ar	nd Rer	novatio	on Pro	ject														Proje	ect Typ	e:	Bathr	oom A	Additio	n & R	enova	ation	1
Project Description Purchsae	essent	ial bui	ilding r	materi	ials an	nd sup	plies a	as nee	ded fo	or desi	ign an	d con	truct b	athro	om ad	ditions	and i	enova	ation f	or Bed	enti	Plani	ned Sta	art Date	:	2/1/20	023				
community members.																				1		Plani	ned En	d Date:		12/31	/2026				
Check one box:	V (	Origina	al Budg	get		] Budg	jet Rev	vision		Buc	dget R	ealloc	ation		Budg	et Mo	dificat	ion				Proje	ect Mar	nager:	Chap	ter Sta	aff				_
PART III.	PAR	T IV.	Use	e Fisc	al Yea	ar (FY)	Quar	ters to	com	plete t	he info	ormat	ion be	low. (	) = O	ct.; N										pected					
List Project Task separately; such as Plan, Design, Construct, Equip					F	Y	2023_										J.,,	FY_	2024						pr	oject e	excee	ds 8 F	Y Qtr	S.	,
or Furnish.		1st Qt	r.	2	2nd Qt	tr.	3	3rd Qt	r.	4	4th Qt	r.		1st Qt	r.	2	nd Qt	r.	3	Brd Qtr	:		4th Qt	r.			12/31/	2026			$\  \ $
Submit Appedix, budget forms, etc	0 X	N X	D X	J X	F X	M X	A X	M X	J X	Jul	A	S	0	N	D	J	F	М	Α	M	J	Jul	Α	S	0	N	D	J	F	М	
Hire Personnel (5)							Х	Х	Х	X	Х	Х	Х	X	Х	Х	Х	Χ	Χ	Х	Χ	Х	Х	Х							
Home had been identified Order/Delivery Building Materials												Х	Х	Х	Х	Х	Х	Χ	Χ	Х	Х	Х	Х	Х							
Start bathroom additions and renovatio	ns																	X	X	X	X	X	×	X							
PART V.		\$			\$			\$			\$			\$	_		\$			\$			\$					T TO		_	
Expected Quarterly Expenditures										17	8,000	.00	19	,25	0	19	,25	0	ī	9, 2.	So .	19	,25	0		#	255	5,0	00	_	

FOR OMB USE ONLY:	Resolution No:	FMIS Set Up Date:	Company No:	OMB Analyst:



#### BECENTI CHAPTER ARPA Community Assessment Form

P.O. Box 708 Crownpoint, NM 87313 Phone: (505) 786-2283 | Fax: (505) 786-2285 Website: becenti.navajochapers.org Email: becenti@navajochapters.org

The World Health Organization ("WHO") declared a Public Health Emergency of International Concern related to the Coronavirus ("COVID-19"), a highly contagious and sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11, 2020. Resolution number CJN-29-22.

#### CHECKLIST FOR COMPLETE ASSESSMENT

	1. Housing Assessment Application
	2. Chapter Resolution
	3. Homesite Lease/ Residential Lease
	4. Permission to Enter Premises
	5. Location to project site
	6. Land Status Map with Legal description
	7. Supporting Photos
	8. Supporting Document from Physicians, Social Worker, Community Health
	Representative, or other entity (if applicable)
-	9. Bathroom Addition or Renovation
	10. Waste Water (Septic Tank Cleaning)
	11. DD-214 (for Veterans)
	12. Documentation of Clearances: Archaeological, Environmental Assessments and Land User
	Consent (ROW).
	13. States of House Wiring - Certification of Compliance by Contractor or Certified Electrician
	14 Information of condition of existing homes and floor plans

#### 1. APPLICANT INFORMATION Date: \_\_\_\_ Name: Telephone Number: Census Number: Work or Message: Date of Birth: Spouse's Name: \_\_\_\_\_ Census Number: \_\_\_\_ Date of Birth: Mailing Address: P.O. Box City State Zip Code Enrolled at Becenti Chapter since: Are you Homeless? ☐ Yes ☐ No Comment: Location of Primary Residence: 2. OTHER HOUSEHOLD MEMBERS Name of each household member Sex Relationship to Head of Age Household M/F

#### Page 1

#### 3. HOUSING REQUIREMENTS

Type of Residence			Housing Information
□ Room	Yes	N	0
Circle one:			Electricity
Bedroom unit ONE or TWO			Solar
people only			
Bedroom unit TWO to FOUR			
people only			***
Bedroom unit THREE to SIX			Wood/Coal Stove
people only			Propane/Pellet/Natural
Bedroom unit FOUR to			Gas/Electric Heating
EIGHT people only			Furnace
□ Owner Occupied			
□ Rental Unit			Outside Privy (Out-House)
□ Single Family			ADA Accessibility
□ Mobile Home			-
□ Subsidized Housing			Generator
□ Multiple Dwellings			Cistern System
□ Hogan			
□ Other			
Land Information			
Home Site Lease? ☐ Yes ☐ No Residential Lease? ☐ Yes ☐ No Land Status: ☐			
Comment:			
4. ADDITIONAL QUESTIONS TO HOUSIN  ☐ Applicant has no Homesite/Residential Lease an			
Comment:			•
☐ Applicant has no Homesite/Residential Lease an	nd has	st	arted Homesite/ Residential Lease process.
Comment:			
Applicant has Homesite/Residential Lease and h			
Comment:			
Applicant has Homesite/Residential Lease and h			
Comment:			
Does the applicant want to be part of a Solar Pro			
Comment:	icres/		
		_	

#### 5. HOMEOWNER CERTIFICIATION

Homeov	wner must complete.
I/We	certify that I/we am/are the own(s) of the named property atlocated within the Becenti Chapter jurisdiction.
Land ow	vnership can be verified through (check one):
	Site Lease Grazing Permit
□ Land I	Use Permit   Other
	Permission to Enter Premises
	I, as owner/authorized agent for the building located at
	have read and understand the above and hereby grant permission for representative of Becenti Chapter to enter the premises when I am present for the purpose of collecting eligibility documentation from the residents and conducting a work plan which may include an assessment for housing renovation.

# w E S Physical Address:

6. LOCATION OF PROJECT SITE

ase draw you	existing home w	ith floor plan.		
			1 11.	

8. BATHROOM ADDITION OR RENOVATION								
Do you need a bathroom addition or renovation?  If so, please explain:				□ Yes □ No				
			-					
Bathroom Renovation Needed:								
Sink(s)	□ Yes	□ No		Comment:				
Sink faucet(s)	□ Yes	□ No		Comment:				
Toilet	□ Yes	□ No		Comment:				
Bidet	□ Yes	□ No		Comment:				
Bidet faucet	□ Yes	□ No		Comment:				
Shower/Walk-In Shower	□ Yes	□ No		Comment:				
Shower faucet	□ Yes	□ No		Comment:				
Shower screen	□ Yes	□ No		Comment:				
Bath	□ Yes	□ No		Comment:				
Bath faucet	□ Yes	□ No		Comment:				
Cabinets/fixtures/light	□ Yes	□ No		Comment:				
Shelves/organization accessories	□ Yes	□ No		Comment:				
Mirrors	□ Yes	□ No		Comment:				
Towel rack(s)	□ Yes	□ No		Comment:				
Water Heater	□ Yes	□ No		Comment:				
Wastewater/Drain field replace	□ Yes	□ No		Comment:				
Plumbing	□ Yes	□ No		Comment:				
ADA Rails	□ Yes	□ No		Comment:				

#### AUTHORIZATION FOR RELEASE OF INFORMATION

nterest on land an eligibility and exte	nd household. I understand and acknowledge	on for housing assistance including information this information will be used in determining repeatment of Community Develop	ny
	Signatures	:	
		Applicant's Signature	
		Co-Applicant's Signature	
		·	
		Date	



#### The Havajo Hation Becenti Chapter Too'di'tsin (Barren of the trees) , Jadi'hadi't'iih (Antelope lookout)



Jonathan Perry PRESIDENT

Marjorie Lantana VICE-PRESIDENT

Arlene A. Arthur SECRETARY/TREASURER Janice Padilla LAND BOARD

Danny Simpson COUNCIL DELEGATE Charmayne Hosteen CHAPTER CSC

**VACANT CHAPTER AMS** 

P.O. Box 708, Crownpoint, NM 87313 Phone: (505) 786-2283 Fax: (505) 786-2285 Email: becenti@navajochapters.org

Website: becenti.navajochapter.org

#### **Becenti Chapter Resolution**

BCOCT-22-246

RESOLUTION APPROVING THE BECENTI CHAPTER HOUSING RENOVATION ATTACHED HERETO PROJECT WITH CLIENT LIST, ALLOCATE AMERICAN RESCUE PLAN ACT "ARPA" FUNDS IN THE AMOUNT OF \$255,000.00 FOR SAID PROJECTPURSUANT TO NAVAJO NATION COUNCIL RESOLUTION CJN-29-22.

#### WHEREAS:

- 1. Pursuant to Navajo Nation Council Resolution CJY-20-55, the Becenti Chapter is a certified chapter of the Navajo Nation Government and is vested with certain authorities to address and resolve local matters in the best interest of the community members, and coordinate with or refer appropriate subject matters to the Navajo Nation, McKinley County, State of New Mexico, and the US Federal Governments; and
- 2. Pursuant to Navajo Nation Council Resolution CAP-34-98 Local Governance Act "LGA", allows chapter governments to make decisions over local matters, this authority in the long run, will improve community decision making, allow communities to excel and flourish, enable Navajo leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation; and
- 3. Pursuant to the American Rescue Plan Act of 2021 "ARPA", officially identified as Public Law No. 117-2, was signed into law on March 11, 2021 by United States President Joseph Biden, with the intent to provide additional relief to address the continued impacts of COVID-19 on economy, public health, state, local, and tribal governments, individuals, and businesses; and
- 4. Pursuant to Navajo Nation Council Resolution CJN-29-22 the Navajo Nation allocated \$1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding; and
- 5. The World Health Organization (WHO) declared a Public Health Emergency of International Concern related to the Coronavirus (COVID-19) on January 30, 2020, the United States Department of Health and Human Services declared a Public Health

- Emergency related to the COVID-19 Pandemic on January 31, 2020, with an official global pandemic declaration from WHO on March 11, 2020; and
- 6. Pursuant to Resolution CEM-20-03-11, the Commission on Emergency Management in concurrence of the Office of President and Vice President of the Navajo Nation declared a Public Health State of Emergency on the Navajo Nation due to the COVID-19 Pandemic on March 11, 2020; and
- 7. Becenti Chapter conducted community assessments to compile a client list that reflects requirements as outlined in the Expenditure Plan for Non-Certified Chapters included in Navajo Nation Council Resolution CJN-29-22, after which, the attached Client List identified as "Exhibit A" is recognized and approved.

#### NOW, THEREFORE, LET IT BE RESOLVED THAT:

- 1. The Becenti Chapter Housing Renovation Project is approved with the attached Client List attached hereto as "Exhibit A" to be submitted for review pursuant to Navajo Nation Council Resolution CJN-29-22.
- 2. Becenti Chapter affirms that the chapter will only use awarded funds in compliance with ARPA, the ARPA Regulations, and all other applicable Navajo Nation and federal laws and regulations.

#### CERTIFICATION

WE HEREBY CERTIFY, that this foregoing resolution was duly considered by the Becenti Chapter at a duly called chapter meeting at Becenti Chapter, at which a legal quorum was present and the same was passed by a vote of  $\underline{9}$  in favor,  $\underline{0}$  in opposition, and  $\underline{0}$  abstaining on this  $3^{rd}$  day of November 2022.

Motion: Charmayne Hosteen

Jonathan Perry,

Becenti Chapter President

Arlene Arviso-Arthur

Becenti Chapter Secretary/Treasurer

Second: Marjorie Lantana

Marjorie Lantana,

Becenti Chapter Vice-President

Mark Freeland,

Navajo Nation Council Delegate