



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 #: HK0654

Date & Time Received: 09/21/23 at 16:25

Date & Time of Response: Sept, 28, 2023 at 1400 hrs.

Entity Requesting FRF: Casamero Lake Chapter

Title of Project: Housewiring/Meter Box Installation

Administrative Oversight: NN Division Of Community Development

Amount of Funding Requested: \$300,000.00

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

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

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

[illegible]

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: lorenzo Curley

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 NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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.

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Casamero Lake Chapter Date prepared: 6/27/23

Chapter's PO Box 549 phone & email: 505-786-2457
mailing address: Prewitt, NM 87045 website (if any): casamerolake.navajochapters.org

This Form prepared by: Kimberly Lister phone/email: 505-786-2457
Kimberly Lister, Chapter Manager

CHAPTER CONTACT PERSON'S name and title

Title and type of Project: Community Housewiring/Meter Box Installation

Chapter President: Jerry Bodie phone & email: 505-786-2457

Chapter Vice-President: Lawrence Largo phone & email: 505-786-2457

Chapter Secretary: Raymond Tolth phone & email: rtolth@navajochapters.org

Chapter Treasurer: Raymond Tolth phone & email: rtolth@navajochapters.org

Chapter Manager or CSC: Kimberly Lister phone & email: 505-786-2457

DCD/Chapter ASO: Myrtis Begay, Delegated phone & email: msbegay@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____

☐ document attached

Amount of FRF requested: \$300,000 FRF funding period: June 27, 2023-December 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 the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Casamero Lake Community requests funding for planning and providing electricity to members without electricity to their homes. The funding will help awaiting powerline extention and drop line to homes. This project will provide project ready electric hook up. Some homes will need power poles, meter boxes, housewiring, and compliance updates with services to Continental Divide Electric Cooperative Company. Our community members need reliable power source for effective responses to prevent spread of COVID-19 and other diseases.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

This will serve community members of Casamero Lake within the boundries of the Navajo Nation. It will provide electricity to homes that have been waiting for hook up. Electric to families will help keep homes sanitized and free of COVID-19 and other diseases.

☐ document attached

APPENDIX A

(c) 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, 2026:

Upon approval and funding, the chapter will work to initiate immediate response to provide electricity to homes by beginning assessments, bidding, and contract affordable and certified electricians to complete the job to get electricity to homes in Casamero Lake by December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Chapter Administration, Chapter Officials, and Navajo Nation Division of Community Development will work together to implement and complete project.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The prospective homeowners will be responsible for maintaining all maintenance and operation costs of this project.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Housing Support: Other Housing Assistance 2.18

A reliable power source to homes is critical for effective responses to COVID-19 and other diseases.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

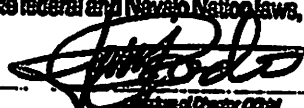
Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

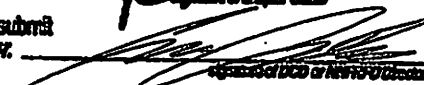
Chapter's
Preparer:


Signature of Preparer/CONTACT PERSON

Approved by:


Signature of Chapter Official

Approved to submit
for Review:


Signature of DCO or Navajo Official

08/11/2023

FY 23

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

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BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>asamero Lake Community Housewiring/Meter Box Installati</u>		Division/Branch: <u>DCD/Executive</u>	
Prepared By: <u>Kimberly Lister</u>		Phone No.: <u>505-786-2457</u>		Email Address: <u>casamerolake@navajochapters.org</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Fund	6/27/23-12/31/26	300,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6		300,000	300,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	300,000.00	300,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: <u>Patricia Begay, Delegated Department Manager</u> <div style="display: flex; justify-content: space-between; align-items: center;"> <div> <u>Patricia D. Begay</u> Program Manager's Signature and Date </div> <div> 08/15/2023 </div> </div>	APPROVED BY: <u>Calvin Castillo, Division Director</u> <div style="display: flex; justify-content: space-between; align-items: center;"> <div> <u>Calvin Castillo</u> Division Director / Branch Chief's Printed Name </div> <div> 08/11/2023 </div> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div> <u>Calvin Castillo</u> Division Director / Branch Chief's Signature and Date </div> <div></div> </div>
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PROGRAM PERFORMANCE CRITERIAPage 2 of 4
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title:

Casamero Lake Community Housewiring/Meter Box Installation

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

Casamero Lake Chapter is a LGA (Title 26) Certified Chapter in the Navajo Nation Eastern Agency / Resolution CL-042-23

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Goal Statement:

To Provide Electricity to 37 Community Members by establishing Poles/Wiring/Meter Boxes

Program Performance Measure/Objective:

Tracking of ARPA Funds

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

37

37

37

37

2. Goal Statement:

Program Performance Measure/Objective:

3. Goal Statement:

Program Performance Measure/Objective:

4. Goal Statement:

Program Performance Measure/Objective:

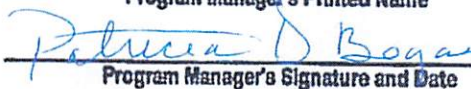
5. Goal Statement:

Program Performance Measure/Objective:

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Patricia Begay, Delegated Department Manager

Program Manager's Printed Name


Program Manager's Signature and Date

08/15/2023

Calvin Castillo, Division Director

Division Director/Branch Chief's Printed Name


Division Director/Branch Chief's Signature and Date

08/11/2023

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DETAILED BUDGET AND JUSTIFICATIONPage 3 of 4
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Cosamero Lake Community Housewiring/Meter Box Installation</u>		Business Unit No.: <u>Now</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6500	Electrical housewiring, installation of poles, and meter boxes to homes in Cosamero Lake in need of electricity by NM Certified Electricians. Average Cost of \$8,900 to at least 33 homes.	300,000	300,000
TOTAL		300,000	300,000

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PROJECT FORM

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




The Navajo Nation **Dr. BUU NYGREN** **PRESIDENT**
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** **VICE PRESIDENT**

DCDA-M23087

MEMORANDUM

TO : DCD Departments and Programs
All Concerned

FROM : 
Calvin Castillo, Division Director
Division of Community Development

DATE : July 21, 2023

SUBJECT : Delegation of Authority for Administrative Service Centers

Effective today, Ms. Patricia D. Begay is delegated the authority as the Department Manager II for the Administrative Services Centers. She is responsible for managing and overseeing the department. This delegation is effective until further notice.

Your assistance and cooperation is appreciated.

ACKNOWLEDGEMENT:



Patricia D. Begay, Senior Programs and Projects Specialist
Administrative Service Centers
Division of Community Development

Casamero Lake Chapter
P.O. Box 549
Prewitt, New Mexico 87045
Phone No. (505) 786-2457
Fax No. (505) 786-2455
Email:
casamerolake@navajochapter



Council Delegate, Daniel Tro
Agreement, George A. Tolson
Vice President, Joe Leavette Lingo
Secretary/Treasurer-Raymond Tonn
Land Board, Kevin Long
Chapter Manager Kimberly A. Lister

RESOLUTION OF CASAMERO LAKE CHAPTER

Resolution Number CL-0295-22

Requesting, Accepting, and Approving CJN-29022, American Rescue Plan Act (ARPA) Funding in the amount of 1.1 million for the Casamero Lake Chapter to be utilized for Chapter Heating Ventilation Air Conditioner, Senior Citizens Building Renovation, Chapter House Plumbing, Street Lights for Chapter Facility, Purchase Heavy-Duty F450 Truck & Gooseneck Trailer, Bathroom Additions, and Community Housing Wiring/ Meter Box.

WHEREAS:

- 1 The Casamero Lake Chapter is a certified chapter of the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C. 4021 et seq. and 26 N.N.C. S102, and
- 2 Pursuant 2 N.N.C. S102 (a). The Navajo Nation Council is governing the body of the Navajo Nation, and by resolution CAP-34-98, the Navajo Nation Council approved the "Local Governance Act" wherein the Navajo Nation Council delegated governmental authority to the Chapters of the Navajo Nation to address matters of local concern with Navajo Law, Custom, and Tradition; and
- 3 The Casamero Lake Chapter is a certified Chapter of the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C. 4021 et seq. and 26 N.N.C. S103, and
- 4 The Casamero Lake Chapter realized the Navajo Nation Council approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (8,802,340) per Delegate Region Project Plans approved by the Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) (17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12); and
- 5 The purposes of the NNFRF and the Chapter and Regional Projects Expenditure Plan, "Delegate Region" shall mean all the Navajo Nation Chapters, both LGA Certified and Non-LGA Chapters, Townships, represented by a Navajo Nation Council Delegates, and
- 6 The Casamero Lake Chapter realized the Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that the Navajo Nation must obligate FRF funds by that date. Treasury's Final Rule provides that "incurred" shall have the same meaning given to "financial obligation" under the Uniform Guidance at 2 CFR 200.1 "Financial obligations, when referencing a recipient's or sub-recipients use of funds under a Federal award, means orders

- placed for property services, contracts and sub-lease, trade, and similar transactions that require payment, and
7. The Casamero Lake Chapter realized the Fiscal Recovery Fund period performance runs from March 3, 2021, until December 31, 2026, meaning that all FRF-funded projects must be completed, and funds must be fully expended by December 31, 2026; and
 8. The Casamero Lake Chapter recognizes the need for these projects to improve the quality of life for its residents while combating and recovering from COVID-19 and the number of requests is only a fraction of what the chapter needs to substantially improve the community of Casamero Lake Chapter for a safe, healthy, and habitable home environment.

NOW, THEREFORE BE IT RESOLVED THAT:

1. Requesting, Accepting, and Approving CJN-29022, American Rescue Plan Act (ARPA) Funding in the amount of 1.8 million for the Casamero Lake Chapter to be utilized for Chapter Heating Ventilation Air Conditioner, Heavy Equipment, Senior Citizens Building Renovation, Street Lights for Chapter Facility, purchase a new Heavy-Duty F450 Truck & Gooseneck Trailer, Bathroom Additions, and Housing Wiring/Construction.
2. The Casamero Lake Chapter hereby approves and identified projects for the American Rescue Plan Act and prioritized these projects as follows:

PROJECTS DESCRIPTION:	CATEGORY:	AMOUNT:
1. Chapter House Heating Ventilation & Air Condition	1.4	\$80,000.00
2. Chapter House Plumbing	1.4	\$40,000.00
3. Streetlights for Chapter Compound Senior Citizens Building	2.22	\$10,000.00
4. Purchase F450 Super Truck	1.5, 5.11, 6.1	\$75,000.00
5. Senior Citizens Building Renovation	6.1	\$25,000.00
6. Purchase Gooseneck Trailer	1.5-11, 6.1	\$25,000.00
7. Bathroom Addition	2.28, 5.18	\$600,000.00
8. Community House Wiring/Meter Box	2.18	\$300,000.00

Motion made by Ms. Durinda Largo Member
 Seconded made by Margie Rojack, Member

CERTIFICATION

We, HEREBY CERTIFY that the foregoing resolution was duly considered by the Casamero Lake Chapter at a duly called community chapter meeting at Casamero Lake, of the Navajo Nation, (McKinley County), New Mexico at which a quorum was present and that same was approved by a vote of 13 in favor, 0 Opposed, 3 Abstained, on the 21st day of December 2022.

Mr. George H. Tolth, Chapter President
 Casamero Lake Chapter

Mr. Lawrence D. Largo, Chapter Vice-President