



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0364

Date & Time Received: 12/20/2022 at 16:58

Date & Time of Response: 11 January 2023; 9:24 am

Entity Requesting FRF: Tsidi To'ii (Birdsprings) Chapter

Title of Project: Warehouse Upgrade

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$190,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input checked="" type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services

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 | |

Other Comments: Please note that we have modified the expenditure category from 1.7 (Capital Investments or Physical Plant Changes to Public Facilities) to 6.1 (Government Services). Given the intended uses of the warehouse, the government services category is a better fit for the Project.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: _____



Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This 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: Tsidi To'ii (Birdspring) Chapter Date prepared: 09/27/2022

Chapter's HC-61 BOX K phone & email: (928) 686-3233
 mailing address: WINSLOW, AZ 86047 website (if any): BIRDSPRINGS@NAVAJOCHAPTERS.ORG

This Form prepared by: DOLLY WAGONER phone/email: (928)686-3233
CHAPTER MANAGER DWAGONER@NNCHAPTER.ORG

CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Warehouse Upgrade

Chapter President: VERNICE WAGNER phone & email: (928) 266-7618 / WAGNERVERNICE68@GMAIL.COM
 Chapter Vice-President: GENEVA SANGSTER phone & email: (928) 587-4732 / GENEVA.SANG58@GMAIL.COM
 Chapter Secretary: MITZI BEGAY phone & email: (602) 339-8867 / MITZI.BEGAY@NNCHAPTERS.ORG
 Chapter Treasurer: MITZI BEGAY phone & email: (602) 339-8867 / MITZI.BEGAY@NNCHAPTERS.ORG
 Chapter Manager or CSC: DOLLY WAGONER phone & email: (928) 686-3233 / DWAGONER@NNCHAPTERS.ORG
 DCD/Chapter ASO: EUNICE BEGAY, SPPS phone & email: (928) 654-3433 / EBEGAY@NNDCCD.ORD

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): NTUA-Dilkon Suboffice and contractor to install the automatic garage door, purchase and install Cooler/Heater Units and purchase Refrigerator/Freezer. ☐ document attached

Amount of FRF requested: \$190,000.00 FRF funding period: January 3, 2023 - June 30, 2023
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:

The Tsidi To'ii Chapter Warehouse has been utilized for supply & food distribution to the community since COVID 19 started. The purpose of the project is to hookup electric and upgrade the warehouse by purchasing refrigerator/freezer unit, cooling/heater unit and install an automatic garage door. The warehouse is wired but does not have electricity. It also has no heating & cooling system for the winter and summer months when the weather is severe as staff distribute food, hay, wood and supplies. There is also no refrigerator/freezer for food storage when St. Mary food bank delivers food for distribution or to store other supplies that need cold storage during distribution to the community. ☐ document attached

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

Surrounding chapters don't have a warehouse and have utilized Tsidi To'ii Chapter Warehouse in the past during the height of Covid-19 pandemic; for storing their supplies & food and distributing to their respective communities. Tsidi To'ii Chapter currently utilizes warehouse to distribute food delivered from St. Mary's Food Bank. These food bank distributions are open to not only Tsidi To'ii community but surrounding chapter communities as well. ☐ document attached

(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:

***See attached timeline.

☒ document attached

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

Tsidi To'ii (Birdspring) Administration-Dolly Wagoner, Chapter Manager & Jeannie James, Admin Asst.

Oversite only on project-Vernice Wagner, Chapter President & Mitzi Begay, Secretary/Treasurer

☐ 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:

Tsidi To'ii (Birdspring) Chapter will assume responsibility of all operation and maintenance cost of the warehouse once it is completed. This will include paying all utilities and insurance through Navajo Nation Risk Management Dept; currently Tsidi To'ii Warehouse is insured.

☐ 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:

1. Public Health: 1.7 Capital Investments or Physical Plant Changes to Public Facility that responds to the Covid-19 public health emergency. Energizing the warehouse will allow for the installation of an automatic garage door, purchase and install cooler/heater, refrigerator/freezer units. Which increase usage for more distribution of Covid supplies (PPE supplies), Food (frozen, dairy, non perishable food and vegetables) and other supplies (hay, feed, firewood, water, etc.) to the community. Purchasing of freezer and refrigerator units will allow the storing of frozen food like meat, vegetable and the refrigeration of vegetable and milk for distribution at a later time or distribution to people that have no transportation.

2. Negative Economic Impacts: 2.1 Household Assistance-Food Programs. Make improvements to the warehouse will benefit the community as food and supplies can be stored for longer period of time and allow staff and volunteers to working in good working conditions with heat in the winter and air conditioner in the summer.

☐ document attached

Part 3. Additional documents.

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


***See attached timeline.

☐ Chapter Resolution attached

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:

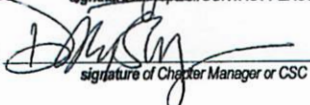
Chapter's
Preparer:


signature of Preparer/CONTACT PERSON

Approved by:


signature of Chapter President (or Vice-President)

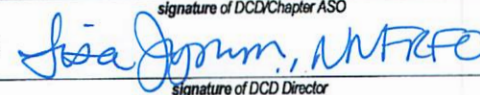
Approved by:


signature of Chapter Manager or CSC

Approved by:

signature of DCD/Chapter ASO

Approved to submit
for Review:


signature of DCD Director

APPENDIX A

***See attached timeline.

☒ document attached

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

Tsidi To'li (Birdspring) Administration-Dolly Wagoner, Chapter Manager & Jeannie James, Admin Asst.

Oversite only on project-Vernice Wagner, Chapter President & Mitzi Begay, Secretary/Treasurer

☐ 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:

Tsidi To'li (Birdspring) Chapter will assume responsibility of all operation and maintenance cost of the warehouse once it is completed. This will include paying all utilities and insurance through Navajo Nation Risk Management Dept; currently Tsidi To'li Warehouse is insured.

☐ document attached

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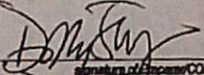
☐ document attached**Part 3. Additional documents.**

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

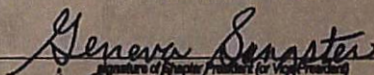
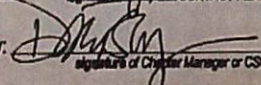
***See attached timeline.

☐ Chapter Resolution attached**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 Chapter CONTACT PERSON

Approved by:


signature of Chapter President (or Vice President)Approved by: 
signature of Chapter Manager or CSC

Approved by:

signature of DCD/Chapter ASO

Approved to submit for Review:

signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page of
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Tsidi To'ii (Birdsprings) Chapter</u>		Division/Branch: <u>Warehouse</u> Div. Comm. Development	
Prepared By: <u>Dolly Wagoner, CM</u>		Phone No.: <u>928.686.3233</u>		Email Address: <u>birdsprings@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
ARPA Warehouse Upgrade	01/03/23-12/30/26	190,000.00	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				
				7000 Special Transactions				
				8000 Public Assistance	<u>rlb</u>	<u>190,000</u>	190,000	<u>190,000</u>
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		<u>\$190,000.00</u>	190,000.00	<u>190,000</u>

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		9
Total # of Vehicles Budgeted:		0

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u>Sonlatsa Jim-Martin, Department Manager II</u> <div style="display: flex; justify-content: space-between;"> <div> <u>Sonlatsa Jim</u> Program Manager's Signature and Date </div> <div> <u>12/20/2022</u> Date </div> </div>	APPROVED BY: <u>Dr. Pearl Yellowman, Division Director</u> <div style="display: flex; justify-content: space-between;"> <div> <u>Pearl Yellowman</u> Division Director / Branch Chief's Signature and Date </div> <div> <u>11.28.22</u> Date </div> </div>

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page ____ of ____
BUDGET FORM 2

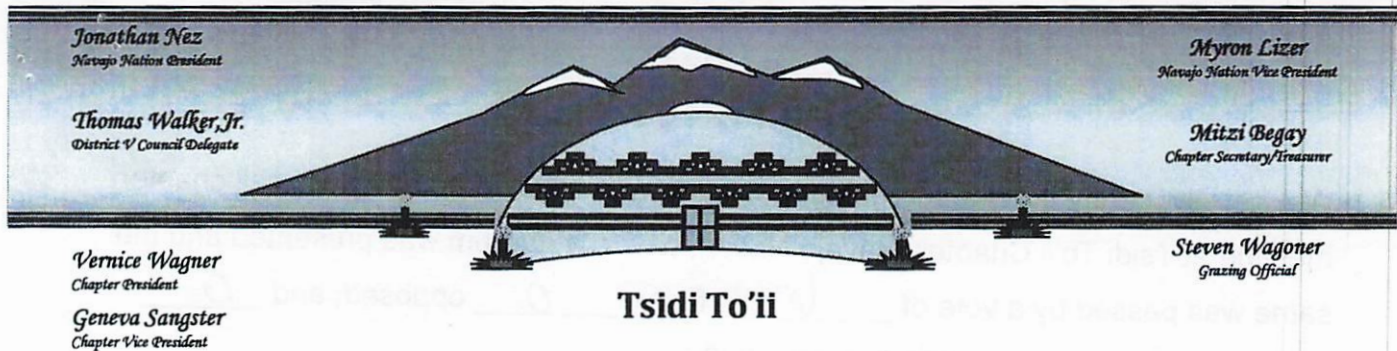
PART I. PROGRAM INFORMATION:									
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>Tsidi To'ii (Birdsprings) Chapter</u>			<u>Warehouse</u>			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
PART III. PROGRAM PERFORMANCE CRITERIA:									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
Assess warehouse for electrical upgrade and hook up.									
Program Performance Measure/Objective:									
Get the wraehouse certified by a certified electrian for electrical hook up.		1							
2. Goal Statement:									
Purchase items: refrigerator, freezer, cooler etc, untis.									
Program Performance Measure/Objective:									
Get quotations from vendors for equipments then purchase items.		7		7					
3. Goal Statement:									
Assess type of door needed for the warehouse by a professional.									
Program Performance Measure/Objective:									
Make contact with grage door vendors for quote, purchase and install dcor.		1							
4. Goal Statement:									
Program Performance Measure/Objective:									
		6		4					
5. Goal Statement:									
Program Performance Measure/Objective:									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
<u>Sonlatsa Jim-Martin, Department Manager II</u> Program Manager's Printed Name					<u>Dr. Pearl Yellowman, Division Director</u> Division Director/Branch Chief's Printed Name				
<u>Sonlatsa Jim</u> 12/20/22 Program Manager's Signature and Date					<u>Pearl Yellowman 11.28.22</u> Division Director/Branch Chief's Signature and Date				

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Tsidi To'ii (Birdsprings) Chapter <u>Warehouse</u>	Business Unit No.: <u>NEW</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)
	WAREHOUSE UPGRADE PROJECT	140,000	190,000
6603	Professional Services; Rendering services of local electrical company (NTUA) to provide services of electrical hook up of warehouse.	\$ 100,000.00	
	Rendering services of professionals to install garage door.	\$ 25,000.00	
	Rendering services of professionals to install cooler/heater units.	\$ 15,000.00	
6303	Operating Supplies Purchases of refrigerator and freezer, heater and cooler units	\$ 50,000.00	50,000
TOTAL: \$150,000.00			
TOTAL		190,000	190,000

\$

[illegible]



RESOLUTION OF TSIDI TO'II CHAPTER WESTERN NAVAJO AGENCY

Resolution No: TT-008-2022

APPROVING AND ADOPTING THE ARPA CHAPTER ALLOCATION
OF \$1,760,468.00 TO MITIGATE COVID – 19 HEALTH CONCERNS
OF THE TSIDI TO'II CHAPTER COMMUNITY.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A), the Tsidi To'ii (Birdsprings) Chapter is a duly recognized chapter of the Navajo Nation Government, as listed at 11 N.N.C., Part 1, Section 10, and
2. The Tsidi To'ii (Birdsprings) Chapter is a certified chapter government of the Navajo Nation in accordance with the Navajo Nation Local Governance Act, 26 N.N.C., Section 1 (B); thereby, vested with the authority to protect and promote the general health, safety, and welfare of the Chapter membership; and
3. As a Certified Chapter, Title 26, Chapter 1, Subchapter 1, Section 1 B.2, was established for Purposes of chapters, such as Tsidi To'ii Chapter to make decisions over local matters. This authority, improves community decision making, allows communities to excel and flourish, and enables local leadership to implement the goals and objectives of the community; and
4. The Tsidi To'ii (Birdsprings) Chapter has as prioritized and outlined ARPA Chapter Projects in which the ARPA Chapter Allocation will be used to assist the community of Tsidi To'ii (Birdsprings) Chapter; and
5. Tsidi To'ii (Birdsprings) Chapter approves and adopts the ARPA Chapter Allocation of \$1,760,468.00 for the ARPA Chapter Projects to mitigate COVID 19 health and safety issues and concerns of the Tsidi To'ii Chapter Community

CERTIFICATION

We, hereby, certify that the foregoing resolution was considered at a dully call chapter meeting at Tsidi To'ii Chapter, Navajo Nation, where a quorum was presented and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstained, this 20th day of September, 2022.

Motion by: Mitzi Begay

Second by: Jeannie James

Vernice Wagner
Vernice Wagner, Chapter President

Mitzi Begay
Mitzi Begay, Chapter Secretary/Treasurer

Geneva Sangster
Geneva Sangster, Vice-President

Steven Wagoner
Steven Wagoner, Grazing Officer

Thomas Walker Jr.
Thomas Walker Jr., Council Delegate