



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 #: HK0321

Date & Time Received: 12/17/22 at 11:38

Date & Time of Response: 12/29/22 at 8:00

Entity Requesting FRF: Thoreau Chapter

Title of Project: Chapter Facility COVID-19 Mitigation and Prevention

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$50,000

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: 1.4 (Prevention in Congregate Settings)

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: _____

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be 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.

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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Thoreau Chapter Date prepared: 11/29/2022

Chapter's mailing address: PO Box 899 phone/email: 505.905.0139
Thoreau, NM 87323 website (if any): _____

This Form prepared by: Vivinita Bennett phone/email: 505.905.0139
Vivinita Bennett, Community Services Coordinator niabb2@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Chapter Facility COVID-19 Mitigation & Prevention

Chapter President: Valerie Arviso phone & email: valeriearviso@gmail.com

Chapter Vice-President: Herman Yellowhorse phone & email: 505.905.0221

Chapter Secretary: Judy Platero phone & email: jkplatero@gmail.com

Chapter Treasurer: Judy Platero phone & email: jkplatero@gmail.com

Chapter Manager or CSC: Vivinita Bennett phone & email: niabb2@nnchapters.org

DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org

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

☐ document attached

Amount of FRF requested: 50,000 FRF funding period: January 2023 - September 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:

This project will provide Construction Contractors with supplies and materials to implement mitigating measures for the Chapter Facility. To ensure that the Chapter improvements, Mitigating COVID-19 measures are properly constructed and installed meeting commercial standards. The improvement measures will include but not limited to the following: Ceiling repairs, roof repairs, office window installation, automatic main entrance doors, no touch soap dispensers, air purifiers, and automatic flushing toilets.

☐ document attached

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

This project will benefit the Chapter community to congregate and request/receive services needed in a place that has taken measures to limit the spread and/or transmission of COVID-19 and other variants.

☐ document attached

(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

APPENDIX A

Program(s) or Project(s) by December 31, 2026:

Projects will be completed by September 2026. With funds anticipated to be disbursed in January 2023. We will be tiering projects into small, manageable sections to ensure completions within the time frame. Progress will be reported to our Chapter ASO and Council Delegate on a quarterly basis or when is is requested.

☐ document attached

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

Guarena Adeky, Navajo Division of Community Development ASO-ASC, Vivinita Bennett, Chapter CSC, Valerie Arviso, Chapter President, Herman Yellowhorse, Vice President, Judy Platero, 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:

The Chapter Administration and the Officials will be responsible for the operations and maintenance.

☐ 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:

1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.): The Chapter is considered a "Congregate setting" and is also a community service entity. It is where our Local Government meetings take place and we provide Community Services.

☐ document attached

Part 3. Additional documents.

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

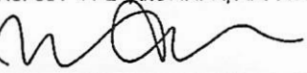
Supporting Chapter Resolution

☐ 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:

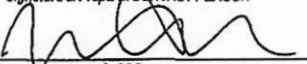
Chapter's
Preparer:


signature of Preparer/CONTACT PERSON

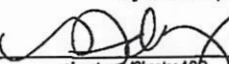
Approved by:


signature of Chapter President (or Vice-President)

Approved by:


signature of CSC

Approved by:


signature of Chapter ASO

Approved to submit
for Review:


signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

| | | | | | | | |
|--|--|---------------------------------------|--|---|--|---|--|
| PART I. Business Unit No.: <u> </u> New | | Program Title: <u>Thoreau Chapter</u> | | Facility: <u>COVID-19 Mitigating & Prevention</u> | | Division/Branch: <u> </u> DCD /ASC | |
| Prepared By: <u>Vivinita Bennett</u> | | Phone No.: <u>505-905-0139</u> | | Email Address: <u>thoreau@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 Funds | 01/01/23-09/30/26 | 50,000.00 | 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 | 6 | 6 | 50,000 | 50,000 |
| | | | | 9000 Capital Outlay | | | | |
| | | | | 9500 Matching Funds | | | | |
| | | | | 9500 Indirect Cost | | | | |
| | | | | TOTAL | | \$0.00 | 50,000.00 | 50,000 |
| | | | | PART IV. POSITIONS AND VEHICLES | | (D) | (E) | |
| | | | | Total # of Positions Budgeted: | | | | |
| | | | | Total # of Vehicles Budgeted: | | | | |
| | | TOTAL: | | \$50,000.00 | 100% | | | |

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

| | |
|--|---|
| SUBMITTED BY: <u>Sonlatsa Jim-Martin</u> Program Manager's Printed Name <u>Sonlatsa Jim</u> 12/06/2022 Program Manager's Signature and Date | APPROVED BY: <u>Pearl Yellowman</u> Division Director / Branch Chief's Printed Name <u>Pearl Yellowman</u> 12.6.22 Division Director / Branch Chief's Signature and Date |
|--|---|

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: NewProgram Name/Title: Thoreau Chapter - Facility: COVID-19 Mitigating & Prevention**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:

Take mitigating measures to limit the spread/transmission of COVID-19 and other variants at Chapter

Program Performance Measure/Objective:

install touchless fixtures, install protective glass window, repair ceiling, ventilation, install air purifiers, etc

| | | | | | | | |
|--|--|---|--|---|--|---|--|
| | | 2 | | 2 | | 2 | |
|--|--|---|--|---|--|---|--|

2. Goal Statement:

Program Performance Measure/Objective:

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

3. Goal Statement:

Program Performance Measure/Objective:

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

4. Goal Statement:

Program Performance Measure/Objective:

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

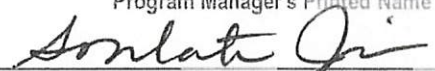
5. Goal Statement:

Program Performance Measure/Objective:

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.Sonlatsa Jim-Martin

Program Manager's Printed Name



Program Manager's Signature and Date

12/06/2022

Pearl Yellowman

Division Director/Branch Chief's Printed Name



Division Director/Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 3
BUDGET FORM 4

| PART I. PROGRAM INFORMATION: | | | |
|---|--|---------------------------------------|------------------------------------|
| Program Name/Title: <u>Thoreau Chapter Facility: COVID-19 Mitigating & Prevention</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) |
| 4 7 | REPAIRS & MAINTENANCE 6120 Furniture & Equipment R&M Supplies Purchase Furniture & Equipment and R&M Supplies to COVID proof the Chapter Facility. | 50,000 | 50,000 |
| TOTAL | | 50,000 | 50,000 |



President of the Navajo Nation
Jonathan Nez

THE NAVAJO NATION
THOREAU CHAPTER
P.O. Box 899 Thoreau, New Mexico 87323
Office (505) 905-0139 Fax (505) 905-0140
thoreau@navajochapters.org



Vice President of the Navajo Nation
Myron Lizer

Valeria Arviso . PRESIDENT • Herman Yellowhorse . VICE PRESIDENT • Judy K. Platero . SECRETARY / TREASURER
Vivinta Bennett . COMMUNITY SERVICE COORDINATOR • Olivia Anderson . ACCOUNTS MAINTENANCE SPECIALIST • Kevin Long . LANDBOARD • Edmund Yarriz . COUNCIL DELEGATE

**THOREAU CHAPTER
RESOLUTION TCH-074-23-014**

Approving the request to utilize the Delegate Regional Expenditure Plan Funds for American Rescue Plan Act (ARPA) Project – for Mitigating Measures Project for the Chapter facility to limit the transmission & spread of COVID and/or other variants at the Chapter House in the amount of \$50,000.00

WHERE AS:

- 1) Thoreau Chapter is a certified Navajo Nation Chapter Government pursuant to the Navajo Nation Resolution CJ- 20-55, it is a delegated governmental authority with respect to local matters consistent with Navajo Nation Law including customs, traditions and fiscal matters, and
- 2) Pursuant to 2 N.N.C 4028, the community members of Thoreau Chapter in a duly called meeting shall have the authority to make appropriate recommendations to the Navajo Nation; and
- 3) Thoreau Chapter is empowered by the Navajo Nation Council to review all matters affecting the community and to make favorable decisions in the best interest of the community membership; and
- 4) Thoreau Chapter membership is desirous of enhancing the living standards and providing healthy environment for residents living in the community of Thoreau Chapter, Navajo Nation, McKinley County, New Mexico; and
- 5) Thoreau Chapter is submitting an Expenditure Plan in the amount of \$50,000.00 for mitigating measures at the chapter facility to cover the materials needed to accomplish the mitigation for the safety of community membership and administration.

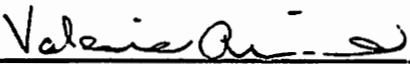
NOW THEREFORE BE IT RESOLVED THAT:


- 1) Thoreau Chapter membership hereby approves the request to utilize the Delegate Regional Expenditure Plan Funds for American Rescue Plan Act (ARPA) Project – for

- Mitigating Measures Project for the Chapter facility to limit the transmission & spread of COVID and/or other variants at the Chapter House in the amount of \$50,000.00.
- 2) Thoreau Chapter Administration and Officials are hereby authorized to execute any and all actions to carry out the purpose and intent of this foregoing resolution.

CERTIFICATION

It is hereby certified that the foregoing Resolution was duly considered by and moved for adoption by Lester Emerson seconded by Gloria Becenti and thoroughly discussed and adopted by a vote of 17 in favor, 0 opposed and 3 abstained at a duly called meeting at Thoreau Chapter on December 4, 2022.


Valerie Arviso, President


Herman Yellowhorse, Vice President


Judy K. Platero, Secretary/Treasurer