



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 #: HK0412

Date & Time Received: 3/24/23 at 11:36

Date & Time of Response: 30 March, 2023; 8:31 am

Entity Requesting FRF: Tsayatoh Chapter

Title of Project: New Warehouse

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$800,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: 1.14, Other Public Health Services

☐ Missing Form
☐ Supporting documentation missing
☐ Project will not be completed by 12/31/2026
☐ Ineligible purpose
☐ Submitter failed to timely submit CARES reports
☐ Additional information submitted is insufficient to make a proper determination

[illegible]

Signature of DOJ Reviewer: Adjua Adjei-Danso Digitally signed by Adjua Adjei-Danso
Date: 2023.03.30 08:30:47 -06'00'

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

The project will be planned, designed and constructed before September 30, 2026.

☐ document attached

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

Tsayatoh chapter administration and the chapter officials.

☐ 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 chapter officials is be responsible for the operation and maintenance of the warehouse. There will be a custodian who will keep up with the maintenance and a heavy equipment operator who will oversee the storage capacity of the building to ensure that storage of items and the equipment is adequate.

☐ 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:

1.14 Dedicated Public Health storage Warehouse.

This project will construct a new warehouse to provide a storage facility for the chapter and head start center of any materials provided to combat the COVID-19 pandemic. It will also be used to store heavy equipment needed to provide services to the community.

☐ document attached

Part 3. Additional documents.

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

Tsayatoh Chapter approved a chapter resolution for this project.

☐ 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:

Lucy Gutierrez
signature of Program CONTACT PERSON

Approved by:

E. Thomas
signature of Chapter President (or Vice-President)

Approved by:

V. R. R. N. T.
signature of CSC

Approved by:

[Signature]
signature of Chapter ASO

Approved to submit
for Review:

signature of DCD Director

Loa Gymm. NTRBO



DR. BUU NYGREN **PRESIDENT**

RICHELLE MONTOYA **VICE PRESIDENT**

The Navajo Nation | Yideeskáadi Nitsáhákees

MEMORANDUM:

TO : Fiscal Recovery Fund Department of Justice Reviewer
Fiscal Recovery Fund Office

FROM : Lucy Antone, Chapter Secretary, Tsayatoh Chapter
Guarena Adeky, SPPS, Admin. Services Center – Gallup

DATE : March 22, 2023

SUBJECT : TSAYATOH CHAPTER WAREHOUSE UPDATED APPENDIX A

The additional information request for the Tsayatoh Chapter Warehouse packet is attached to this memorandum, along with the amended resolution.

The additional language added to the Warehouse Appendix A. part f states, "The project will construct a new warehouse to provide a storage facility for the chapter and head start center of any materials provided to combat the COVID-19 pandemic. It will also be used to store heavy equipment needed to provide services to the community."

If any additional information is needed for this packet, please do not hesitate to contact Guarena Adeky at gadeky@nndcd.org, who is assisting with the packet development. Thank you for your attention and look forward to a favorable response to this project.

**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: Tsayatoh Chapter Date prepared: 11/10/22

Chapter's mailing address: PO Box 86 phone/email: (505)905-2649
Mentmore, NM 87319 website (if any): tsayatoh.navajochapters.org

This Form prepared by: Lucy Antone phone/email: (928)309-8057
Secretary/Treasurer lantone@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: New Warehouse

Chapter President: Ellen Young Thomas phone & email: (505)906-7282
 Chapter Vice-President: Ellen Young Thomas phone & email: eythomas@naataaanii.org
 Chapter Secretary: Lucy Antone phone & email: (928)309-8057
 Chapter Treasurer: Lucy Antone phone & email: lantone@navajochapters.org
 Chapter Manager or CSC: No CSC phone & email: _____
 DCD/Chapter ASO: Guarena Adeky phone & email: (505)488-8476 gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____
Tsayatoh Chapter ☐ document attached

Amount of FRF requested: \$800,000 FRF funding period: 10/1/22 - 9/30/2026
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:

Warehouse to store the Chapter's Heavy Equipments out of natural environment and inclement weather and from vandalism. The warehouse will also be used to store any items needed to be held for the community for COVID-19 related response. The warehouse will be constructed at 82A Mentmore, NM 87319.

☐ document attached

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

The Heavy Equipment (Motor Grader and Back Hoe) will be used for grading roads and assisting the community members. The items to be stored for the population of the community will be gloves, masks, disinfectant wipes/sprays, water, food, ETC.

☐ 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

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

The project will be planned, designed and constructed before September 30, 2026.

☐ document attached

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

Tsayatoh chapter administration and the chapter officials.

☐ 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 chapter officials is be responsible for the operation and maintenance of the warehouse. There will be a custodian who will keep up with the maintenance and a heavy equipment operator who will oversee the storage capacity of the building to ensure that storage of items and the equipment is adequate.

☐ 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:

1.14 Dedicated Public Health storage Warehouse.

This project will construct a new warehouse to provide a storage facility for the chapter and head start center of any materials provided to combat the COVID-19 pandemic. It will also be used to store heavy equipment needed to provide services to the community.

☐ document attached

Part 3. Additional documents.

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

Tsayatoh Chapter approved a chapter resolution for this project.

☐ 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: Lucy Gutore
signature of Preparer/CONTACT PERSON

Approved by: E. Thomas
signature of Chapter President (or Vice-President)

Approved by: V. R. ANT
signature of CSC

Approved by: [Signature]
signature of Chapter ASO

Approved to submit
for Review: 1.7.211
signature of DCD Director

*Council Delegate, Seth Damon
President, VACANT
Vice President, Ellen Young Thomas
Secretary/Treasurer, Lucy Antone
Land Board, Vacant
Community Service Coordinator, VACANT
Accounts Maintenance Specialist, VACANT*



THE NAVAJO NATION

TSAYATOH COMMUNITY GOVERNANCE

Post Office Box 86 · Mentmore, NM 87319
Phone: (505) 905-2649 · Fax: (505) 905-0537
email: tsayatoh@navajochapters.org

TSAYATOH GOVERNANCE

REQUESTING FUNDING FROM THE NAVAJO NATION ARPA/FRF AND NAVAJO NATION COUNCIL LEGISLATION CJN-29-22 IN THE AMOUNT OF \$800,000 FOR A SUSTAINABLE WAREHOUSE FOR THE TSAYATOH CHAPTER COMMUNITY.

Resolution No.TSA-2023-02-014

WHEREAS:

1. Pursuant to N.N.C. Title 26; Chapter 1 3 (A) under the Local Governance Act, Tsayatoh Chapter is a certified local governmental entity of the Navajo Nation and codified at 11 N.N.C. Part 1 section 10; and
2. Pursuant to Chapter 1, Section 1(B)(1) of the same "Act", Tsayatoh is vested with the governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; and
3. Pursuant to Chapter 1, Section 1(8)(2) of the same " Act", Tsayatoh Chapter is vested with the authority to make decisions over local matters and to govern with responsibility; and
4. Tsayatoh community members are requesting for a suitable warehouse for the purposes of emergency materials and supplies storage, space for emergency providers to mitigate emergency measures in an secure area to protect community members, and space to provide storage of heavy equipment that will be utilized during emergency response; and
5. Tsayatoh community members request Honorable Delegate Seth Damon to move forward with legislation to secure funding for this important project for the community.

NOW, THEREFORE BE IT RESOLVED THAT:

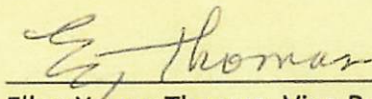
1. The Tsayatoh Chapter hereby requests funding from the Navajo Nation ARPA/FRF and Navajo Nation Council Legislation CJN-29-22, through the Delegate Regional Expenditure Plans for Honorable Seth Damon in the amount of \$800,000.00 for the new warehouse.
2. Tsayatoh Chapter affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

CERTIFICATION

WE HEREBY CERTIFY that the foregoing Resolution was duly considered by Tsayatoh Chapter Governance at a duly called chapter meeting at Tsayatoh (Navajo Nation), at which an authorized quorum of Registered Community Members and two(2) Chapter Officials presided by teleconference methods and that same passed by a vote of legal quorum of chapter Vice-President, and Secretary/Treasurer, by a vote of 15 In Favor, 0 Opposed and 0 Abstain, this 22nd day of February 2023.

MOTION: Ernest John

SECOND: Robert Yazzie



Ellen Young Thomas, Vice-President

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

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Chapter's mailing address: PO Box 86 phone/email: (505)905-2649

Mentmore, NM 87319 website (if any): tsayatoh.navajochapters.org

This Form prepared by: Lucy Antone phone/email: (928)309-8057

Secretary/Treasurer lantone@navajochapters.org

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

Title and type of Project: New Warehouse

Chapter President: Ellen Young Thomas phone & email: (505)906-7282

Chapter Vice-President: Ellen Young Thomas phone & email: eythomas@naataaanii.org

Chapter Secretary: Lucy Antone phone & email: (928)309-8057

Chapter Treasurer: Lucy Antone phone & email: lantone@navajochapters.org

Chapter Manager or CSC: No CSC phone & email: _____

DCD/Chapter ASO: Guarena Adeky phone & email: (505)488-8476 gadeky@nndcd.org

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

Tsayatoh Chapter ☐ document attached

Amount of FRF requested: \$800,000 FRF funding period: 10/1/22 - 9/30/2026

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

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(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:

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

Tsayatoh chapter administration and the chapter officials.

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

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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>K- [New]</u>		Program Title: <u>Tsayatoh Chapter (Warehouse)</u>		Division/Branch: <u>DCD/ASC/ Tsayatoh</u>	
Prepared By: <u>Guaerna Adeky, SPPS</u>		Phone No.: <u>505-905-2649</u>		Email Address: <u>tsayatoh@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 <u>10/1/22</u>	800,000.00	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				
				9000 Capital Outlay	6		800,000	<u>800,000</u>
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	800,000.00	<u>800,000</u>
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		<u>6</u>	<u>6</u>	
				Total # of Vehicles Budgeted:		<u>6</u>	<u>6</u>	
TOTAL:		\$800,000.00	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> <div style="text-align: center;"> <u>Sonlatsa Jim-Martin</u> Program Manager's Printed Name <u>Sonlatsa Jim-Martin</u> Program Manager's Signature and Date </div>	APPROVED BY: <u>Pearl Yellowman</u> <div style="text-align: center;"> <u>Pearl Yellowman</u> Division Director / Branch Chief's Printed Name <u>Pearl Yellowman 12-2-22</u> Division Director / Branch Chief's Signature and Date </div>
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FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: K- [New] Program Name/Title: Tsayatoh Chapter (Warehouse)**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:To plan, design, and construct a warehouse to store COVID-related items and Heavy Equipment**Program Performance Measure/Objective:**Plan, design, and construct a warehouse for the chapter

						1	
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2. Goal Statement:**Program Performance Measure/Objective:**

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3. Goal Statement:**Program Performance Measure/Objective:**

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4. Goal Statement:**Program Performance Measure/Objective:**

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5. Goal Statement:**Program Performance Measure/Objective:**


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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
Pearl Yellowman

Division Director/Branch Chief's Printed Name


 Division Director/Branch Chief's Signature and Date

FY 2023

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

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		Business Unit No.: _____	
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)
9050	Buildings 9052 - Buildings To plan, design, and construct a warehouse to store COVID related items and heavy equipment	800,000	800,000
TOTAL		800,000	800,000

Page ____ of ____
PROJECT FORM

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

Council Delegate, Seth Damon
President, VACANT
Vice President, Ellen Young Thomas
Secretary/Treasurer, Lucy Antone
Land Board, Ernest Reeder
Community Service Coordinator, VACANT
Accounts Maintenance Specialist, VACANT



THE NAVAJO NATION

TSAYATOH COMMUNITY GOVERNANCE

COPY

Post Office Box 86 • Mentmore, NM 87319
Phone: (505) 905-2649 • Fax: (505) 905-0537
email: tsayatoh@navajochapters.org

TSAYATOH GOVERNANCE

ACCEPTING AND APPROVING THE FISCAL YEAR '23, SETH DAMON DELEGATE REGIONAL EXPENDITURE PLANS IN THE AMOUNT OF \$800,000.00 FOR NEW WAREHOUSE.

Resolution No.TSA-2022-11-001

WHEREAS:

1. Pursuant to N.N.C. Title 26; Chapter 1 3 (A) under the Local Governance Act, Tsayatoh Chapter is a certified local governmental entity of the Navajo Nation and codified at 11 N.N.C. Part 1 section 10; and
2. Pursuant to Chapter 1, Section 1(B)(1) of the same "Act", Tsayatoh is vested with the governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; and
3. Pursuant to Chapter 1, Section 1(B)(2) of the same "Act", Tsayatoh Chapter is vested with the authority to make decisions over local matters and to govern with responsibility and accountability the local citizen; and
4. Tsayatoh community members approves and accepts the resolution the fiscal year '23, Seth Damon Delegate Regional Expenditure Plans in the amount of \$800,000.00 for the new warehouse.

NOW, THEREFORE BE IT RESOLVED THAT:

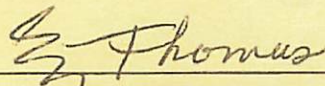
1. The Tsayatoh Chapter hereby approves and accepts the resolution the fiscal year '23, Seth Damon Delegate Regional Expenditure Plans in the amount of \$800,000.00 for the new warehouse.

CERTIFICATION

WE HEREBY CERTIFY that the foregoing Resolution was duly considered by Tsayatoh Chapter Governance at a duly called chapter meeting at Tsayatoh (Navajo Nation), at which an authorized quorum of 13 Registered Community Members and two (2) Chapter Officials presided by teleconference methods and that same passed by a vote of legal quorum of Chapter Vice-President, and Secretary/Treasurer; by a vote of 14 in Favor, 0 Opposed and 5 Abstain, this 15th day of November 2022.

MOTION: Pauline Lee

Second: Jayne Long


Ellen Young Thomas, Vice-President