

RESOLUTION NO. 38 -22
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

A Resolution Authorizing the Nation to Purchase a Livestock Scale from Leon Valley, Inc., dba Red River Arenas, for use at the Nation's Cloverleaf Farm and Ranch

- WHEREAS:** The Yavapai-Apache Tribal Council (“Council”) is authorized to represent the Yavapai-Apache Nation (“Nation”) and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation (“Constitution”) as provided by Article V(a) of the Constitution; and
- WHEREAS:** The Council is authorized to “appropriate and regulate the use of tribal funds” as provided by Article V (k) of the Constitution; and
- WHEREAS:** The Nation’s Agricultural Resources Department (“Department”) is in the process of rehabilitating and modernizing the cattle operations at the Nation’s Cloverleaf Farm and Ranch (“Cloverleaf”); and
- WHEREAS:** Cloverleaf is an essential part of the Nation’s Governmental operations and plays an important role in developing and maintaining the Nation’s food sovereignty; and
- WHEREAS:** The Department has identified the need to acquire a livestock scale (the “Scale”) for use in managing the Cloverleaf cattle operations; and
- WHEREAS:** The Department has solicited quotes and recommends the Nation purchase the Scale from Leon Valley, Inc., dba Red River Arenas (“Red River”), in accordance with the terms and conditions of Invoice #D1683 and related documents (the “Invoice”), a copy of which is attached to this Resolution and incorporated herein as **Exhibit A**, and under which Red River agrees to sell and deliver to the Nation the Scale described in the Invoice; and
- WHEREAS:** On March 19, 2020, the Council adopted Council Resolution 60-20 declaring a State of Emergency due to the COVID-19 public health emergency; and
- WHEREAS:** On March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law, establishing the Coronavirus State and Local Fiscal Recovery Funds (“ARPA Recovery Funds”) and setting aside \$20 billion in aid for Tribal governments to respond to the impact of the COVID-19 public health emergency; and
- WHEREAS:** On May 17, 2021, the U.S. Department of Treasury published an Interim Final Rule under ARPA, along with a set of Frequently Asked Questions (FAQs), updated as of January 2022, providing further descriptions and examples of how ARPA Recovery Funds may be used by recipients in compliance with the Final Interim Rule (which is in effect until April 1, 2022 when the Final Rule published on January 27, 2022 will take effect); and
- WHEREAS:** The Interim Final Rule provides that ARPA Recovery Funds may be used by recipients for the provision of government services to the extent of the reduction in revenue due to

the COVID-19 public health emergency, or as the Final Rule provides, to a standard revenue loss allowance of up to \$10 million; and

WHEREAS: The Council finds that purchasing the Scale for use at the Nation's Cloverleaf Farm and Ranch, as part of the Nation's efforts to rehabilitate and modernize the cattle operations at the Nation's Cloverleaf Farm and Ranch, in furtherance of the Nation's policy of food sovereignty, constitutes the provision of a government service; and

WHEREAS: Funding to purchase the Scale is available to be paid from the ARPA Recovery Funds received by the Nation; and

WHEREAS: The Council has determined that it is in the best interest of the Nation to purchase the Scale from Leon Valley, Inc., dba Red River Arenas, in accordance with the terms and conditions of the Invoice, attached hereto as **Exhibit A**.

NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby authorizes the Nation to purchase a livestock scale from Leon Valley, Inc., dba Red River Arenas ("Red River"), in accordance with Invoice #D1683 and related documents, a copy of which is attached to this Resolution as **Exhibit A**, and under which Red River agrees to sell and deliver to the Nation the Scale described in the Invoice, for a total purchase and delivery price to be paid by the Nation of **Fifteen Thousand Nine Hundred Ninety-Nine and 00/100 Dollars (\$15,999.00)**, said Scale to be used in the Nation's cattle operations at Cloverleaf Farm and Ranch.

BE IT FURTHER RESOLVED that the Nation's funds shall be used to pay the purchase price and said funds shall be appropriated from the ARPA Recovery Funds received by the Nation.

BE IT FINALLY RESOLVED that the Chairman, and Vice-Chairwoman, or either of them, are hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.


CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on March 24 2022, by a vote of 9 9 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.




Jon Huey, Chairman

ATTEST:



Karla Reimer, Council Secretary

Approved as to Form:



Office of the Attorney General

EXHIBIT A

Yavapai-Apache Nation
Agriculture Department – Equipment Purchase

Invoice
Red River Arenas

Livestock Scale

March 24, 2022

Yolanda Trujillo

From: Jacky May <jacky@redriverarenas.com>
Sent: Wednesday, March 16, 2022 11:22 AM
To: Yolanda Trujillo
Subject: Invoice #D1683

RED RIVER ARENAS

INVOICE #D1683

Complete your purchase

Here you go, this is a delivered price. Thanks a million Jacky May RRA

[Complete your purchase](#)

or Visit our store

Order summary



LIVESTOCK SCALES × 1

Tan

\$15,999.00

Subtotal

\$15,999.00

Shipping

\$0.00

Taxes

\$0.00

Total

\$15,999.00 USD

Customer information

Shipping address

Yolanda Trujillo

Yavapia- Apache Nation

AZ

United States

Billing address

Yolanda Trujillo

Yavapia- Apache Nation

AZ

United States

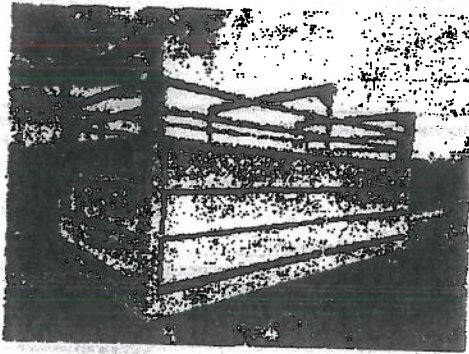
If you have any questions, reply to this email or contact us at sales@redriverarenas.com

Yolanda

Verizon LTE

9:05 AM

redriverarenas.myshopify.com



\$15,999.00

Color

Tan 

ADD TO CART

Sent from my iPhone

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific instructions on page 3.	<p>1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Leon Valley, Inc.</p> <p>2 Business name/disregarded entity name, if different from above</p> <p>3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p><small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small></p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p> <p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p style="font-size: x-small;">(Applies to accounts maintained outside the U.S.)</p> <p>5 Address (number, street, and apt. or suite no.) See instructions. P.O. Box 632</p> <p>6 City, state, and ZIP code Coleman, TX 76834</p> <p>7 List account number(s) here (optional)</p> <p>8 Requester's name and address (optional)</p>
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Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
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Employer identification number											
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7	5	-	1	9	9	3	7	6	3		

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶ <i>Tricia Kimmel</i>	Date ▶ <i>11/5/2021</i>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.