

An Act

LEGISLATIVE ACT 17-18

AN ACT AMENDING LEGISLATIVE ACT #26-17 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2018 – Mod. 10; AND DECLARING AN EMERGENCY

BE IT ENACTED BY THE CHEROKEE NATION:

SECTION 1. TITLE AND CODIFICATION

This legislative act shall be titled and codified as “An Act Amending Legislative Act #26-17 Authorizing the Comprehensive Operating Budget for FY 2018 – Mod. 10”.

SECTION 2. PURPOSE

The purpose of this amendment is to authorize and approve the use of funds, subject to the availability of such funds, in accordance with Section 4, changing the amounts of certain cost centers approved in the “Comprehensive Budget Act for Fiscal Year 2018” or subsequent amendment. The cumulative total of the budget is increased by \$ 29,799,043 for a total budget authority of \$ 724,758,390. The following items are identified as components of such change:

Grants Received & Authorized per LA-26-17 (detail attached)	\$ (73,914)
Modification Request (see Section 4 below)	<u>29,872,957</u>
Cumulative change in budget authority	<u>\$ 29,799,043</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #26-17 are applicable to this amendment.

SECTION 4. FUNDING AUTHORIZATIONS

The changes reflect increases to cost centers set forth in the program budget justifications incorporated herein. This modification request changes the total amount of the comprehensive budget authorization by an increase of \$ 29,872,957 to wit:

- A. An increase in the **General Fund** budget authority of \$ 312,725.
- B. An increase in the **DOI – PL 102-477** budget authority of \$ 8,229.
- C. An increase in the **DOI – Self Governance** budget authority of \$ 388,958.
- D. An increase in the **IHS Self Governance Health** budget authority of \$ 24,622,872.

E. An increase in the **IHS – Self Governance TEH** budget authority of **\$ 4,510,173.**

F. An increase in the **Special Revenue Other** budget authority of **\$ 30,000.**

SECTION 5. PROVISIONS AS CUMULATIVE

The provisions of this Act shall be cumulative to existing law.

SECTION 6. SEVERABILITY

The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

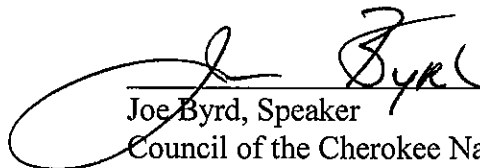
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect immediately upon its approval and signatures.

SECTION 8. SELF-HELP CONTRIBUTIONS

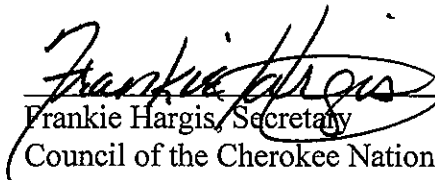
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Enacted by the Council of the Cherokee Nation on the 9th day of July, 2018



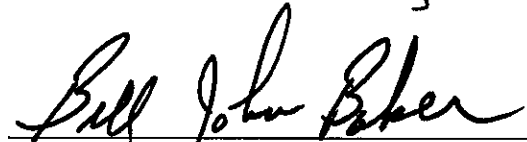
Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:




Frankie Hargis, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 10th day of July, 2018


Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:


Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Rex Jordan	<u>Yea</u>	Harley Buzzard	<u>Yea</u>
Joe Byrd	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Dick Lay	<u>Yea</u>
Dr. Mike Dobbins	<u>Yea</u>	Buel Anglen	<u>Yea</u>
E.O. "Jr." Smith	<u>Yea</u>	Keith Austin	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Mary Baker Shaw	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Wanda Hatfield	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

CHEROKEE NATION
PROPOSED FY 2018 AMENDMENT
Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2018 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
40-DHHS-General	1	3401160 Cherokee Language Curriculum	LA 26-17	20,474	20,474	\$ -
	2	3401240 SPTHB TEC	New	98,450	98,450	\$ -
	3	3401250 Improving Health through Cherokee Traditions	New	150,000	150,000	\$ -
	4	3402100 CDC BreastandCervical Cancer	LA 26-17	(250,465)	(250,465)	\$ -
40-DHHS-General Total				\$ 18,459	\$ 18,459	\$ -
80-Oklahoma	5	3802405 School Improvement Charter 515	LA 26-17	(20,000)	(20,000)	\$ -
	6	3802410 Title IA Charter Schol 84 010A	LA 26-17	(45,611)	(45,611)	\$ -
	7	3802415 Charter School Special Ed	LA 26-17	(13,781)	(13,781)	\$ -
	8	3802420 Title VIB2 Charter School	LA 26-17	(2,229)	(2,229)	\$ -
	9	3802425 Title IIA Charter School	LA 26-17	(9,737)	(9,737)	\$ -
	10	3802430 Charter Preschool Special Ed	LA 26-17	(1,015)	(1,015)	\$ -
80-Oklahoma Total				\$ (92,373)	\$ (92,373)	\$ -
Grand Total				\$ (73,914)	\$ (73,914)	\$ -

Operating Grants - June Reporting

CHEROKEE NATION
PROPOSED FY 2018 AMENDMENT
Sorted by Funding Source

Funding Source	Ref # by FS	Program/Purpose	FY 2018 Prior LA	Data		
				Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010046 Cultural Resources	LA 26-17	14,390	14,390	\$ -
	2	1010210 Cultural Outreach	LA 26-17	100	100	\$ -
	3	1010211 Cherokee Charter School	LA 11-18	500	500	\$ -
	4	1010217 Cherokee National Youth Choir	LA 26-17	12,139	12,139	\$ -
	5	1010315 Cash Match for Grants	May Grants	-	(75,000)	\$ 75,000
	6	1010432 Community Water & Sewer	LA 11-18	-	-	\$ -
	7	1010461 Human Services Emergency Asst	LA 26-17	-	75,000	\$ (75,000)
	8	1010800 Supreme Court	LA 26-17	11,020	11,020	\$ -
	9	1010805 District Court GF	LA 26-17	13,000	13,000	\$ -
	10	1012290 Tribal Leases Realty	LA 26-17	191,660	191,660	\$ -
	11	1012350 Land Development	LA 06-18	69,916	69,916	\$ -
01-Cherokee Nation Total				\$ 312,725	\$ 312,725	\$ -
22-DOI - Self Governance	12	3222220 SG General Assistance	LA 26-17	388,958	388,958	\$ -
22-DOI - Self Governance Total				\$ 388,958	\$ 388,958	\$ -
23-DOI-PL 102-477	13	3231100 PL 102-477 Career Services	LA 11-18	8,229	8,229	\$ -
23-DOI-PL 102-477 Total				\$ 8,229	\$ 8,229	\$ -
32-IHS - Self Governance Health	14	3322105 Stillwell Revenue	LA 29-17	380,960	380,960	\$ -
	15	3322205 Sallisaw Revenue	LA 29-17	905,209	905,209	\$ -
	16	3322305 Jay Revenue	LA 29-17	511,039	511,039	\$ -
	17	3322405 Salina Revenue	LA 29-17	287,971	287,971	\$ -
	18	3322505 Nowata Revenue	LA 29-17	257,868	257,868	\$ -
	19	3322705 Ochelata Revenue	LA 29-17	320,347	320,347	\$ -
	20	3322805 Vinita Revenue	LA 29-17	836,884	836,884	\$ -
	21	3323005 WW Hastings Revenue	LA 29-17	8,335,167	8,335,167	\$ -
	22	3325700 Pharmacy Refill Center	LA 29-17	1,748,581	1,748,581	\$ -
	23	3329030 Health Equipment Replacement	LA 29-17	11,038,846	11,038,846	\$ -
32-IHS - Self Governance Health Total				\$ 24,622,872	\$ 24,622,872	\$ -
33-IHS-Self Governance-T E H	24	3332000 EHS Projects	LA 11-18	4,510,173	4,510,173	\$ -
33-IHS-Self Governance-T E H Total				\$ 4,510,173	\$ 4,510,173	\$ -
90-Special Revenue-Other	25	3901820 IGNITE Language Conference	New	30,000	30,000	\$ -
90-Special Revenue-Other Total				\$ 30,000	\$ 30,000	\$ -
Grand Total				\$ 29,872,957	\$ 29,872,957	\$ -

Operating Mod #10 Request

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2018

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	108,747,755	714,873	109,462,628	89,508,821	5,072,432	14,881,375	109,462,628	0
Motor Fuels Tax Funding Srce	9,288,815	19,302,644	28,591,459	20,512,868	107,899	7,970,692	28,591,459	0
Motor Vehicle Tax Funding Srce	28,532,141	1,126,604	29,658,745	27,817,879	550,508	1,290,358	29,658,745	0
Permanent Fund Funding Source	10,100	0	10,100	10,100	0	0	10,100	0
DOI General Funding Source	11,498,218	371,591	11,869,809	10,216,689	1,653,120	0	11,869,809	0
DOI Self Gov Funding Source	13,711,414	79,600	13,791,014	12,571,084	1,174,016	45,914	13,791,014	0
DOI Self Gov Roads Funding Srce	8,312,217	0	8,312,217	8,162,149	129,867	20,201	8,312,217	0
Dept of Transportation Frnd Srce	72,048,214	0	72,048,214	71,786,009	162,362	99,843	72,048,214	0
DOI PL102-477 Funding Source	28,349,867	0	28,349,867	27,178,951	1,170,916	0	28,349,867	0
IHS Self Gov Health Funding Sr	296,843,899	206,647	297,050,546	275,878,846	21,171,700	0	297,050,546	0
IHS Self Gov TEH Funding Srce	10,133,960	0	10,133,960	9,838,595	295,365	0	10,133,960	0
IHS Self Gov Offic Funding Srce	322,788	0	322,788	288,476	34,312	0	322,788	0
IHS Discretionary Funding Srce	75,000	0	75,000	35,000	0	40,000	75,000	0
DHHS General Funding Source	43,190,338	557,804	43,748,142	40,651,348	3,096,794	0	43,748,142	0
USDA Funding Source	20,488,337	867,521	21,355,858	20,069,726	786,132	500,000	21,355,858	0
Dept of Education Funding Srce	1,208,201	67,222	1,275,423	1,216,367	59,056	0	1,275,423	0
HUD Funding Source	33,142,745	630,073	33,772,818	32,963,946	524,892	283,980	33,772,818	0
Housing Proceeds Funding Srce	0	0	0	0	0	0	0	0
EPA Funding Source	1,942,805	0	1,942,805	1,725,139	217,666	0	1,942,805	0
Dept of Labor Funding Source	10,509,976	0	10,509,976	9,545,468	964,508	0	10,509,976	0
Federal Other Funding Source	9,328,711	129,488	9,458,199	5,961,990	296,209	3,200,000	9,458,199	0
State of Oklahoma Funding Srce	1,108,597	0	1,108,597	1,005,638	102,959	0	1,108,597	0
Private Funding Source	1,550,442	200,550	1,750,992	1,693,775	57,217	0	1,750,992	0
Indirect Cost Pool Funding Srce	47,540,049	4,500	47,544,549	47,544,549	0	0	47,544,549	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	5,554,424	0	5,554,424	5,554,424	0	0	5,554,424	0
Enterprise Funding Source	3,401,289	1,367,313	4,768,602	4,567,138	201,464	0	4,768,602	0
Other Funding Source	225,000	17,000	242,000	234,124	7,876	0	242,000	0
Debt Service Funding Source	0	0	0	0	0	0	0	0
Capital Projects Funding Source	149,783,839	3,000,000	152,783,839	152,577,192	0	206,647	152,783,839	0
Total	\$ 916,849,141	\$ 28,643,430	\$ 945,492,571	\$ 879,116,291	\$ 37,837,270	\$ 28,539,010	\$ 945,492,571	\$ -

CAPITAL RECONCILIATION

LA 25-17	\$ 246,713,097
Cap Mod #1	2,000,000
Cap Mod #2	2,359,828
Cap Mod #3	1,000,000
Cap Mod #4	156,541
Cap Mod #5	8,000,000
Total Capital	\$ 260,229,466

Non Grant Requests

Oper Mod #9	1,622,328	06/11 Council
Cap Mod #5	8,000,000	06/28 E&F
Oper Mod #10	29,872,957	06/28 E&F
Total after pending Mod's	\$ 984,987,856	

Operating (LA 26-17)	724,758,390	Cumulative Oper
Capital (LA 25-17)	260,229,466	Cumulative Cap
Grand Total	\$ 984,987,856	



CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

M e m o

To: Janees Taylor, Chairman, Executive & Finance Committee
From: Jody S. Reece
CC: Executive & Finance Committee
Date: 06/14/2018
Re: Review of Operating Budget Modification #10 – **Total \$ 29,799,043**

Per your request, I have reviewed the administration's budget modification request for this month's Executive & Finance Committee Meeting. Below is a summary of my review:

A. Grant Reporting:

<u>Funding Source</u>	<u># of Budgets - Reason</u>	<u>Amount</u>
40 – DHHS General	4 – Carryover reconciliations & new awards	\$ 18,459
80 – Oklahoma	6 – Closing budgets to correct funding source	(92,373)
TOTAL GRANTS		\$ (73,914)

General Fund Cash Match for Grants (1010315)

Cash Out: Grant Required	\$ 1,977,583
Appropriated for Cash Match (future grants)	708,489
Original Total Budget	<u>\$ 2,686,072</u>

Original Appropriated for Cash Match (future grants)	\$ 708,489	
Used: 3453458 – Nutrition Education Grant	(16,102)	November reporting
3552600 – ICDBG Retail Incubator	(50,984)	December mod
3852500 – Community Action Project	(47,563)	May reporting
Reduced to provide funding for Human Svcs Emergency Asst	(75,000)	June mod

Balance Available For Future Grant Matching	<u>\$ 518,840</u>
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B. MOD #10 Request - (25 budgets) Increase in budget authority - \$ 29,872,957

1. Cultural Resources – 1010046 – General Fund: Modification requesting an increase in expenditure authorization of \$14,390 based on a CNB donation for the purchase of bikes for the Remember the Removal Bike Ride. The new expenditure total is \$303,119.
2. Cultural Outreach - 1010210 – General Fund: Modification requesting an increase in expenditure authorization of \$100 based on a cash donation for the duplication of Rosebud Seminary CD by Barbara McAlister's students. The new expenditure total is \$500,100.
3. Cherokee Charter School – 1010211 – General Fund: Modification requesting an increase in expenditure authorization of \$500 based on a cash donation related to the 5th grade performance at the InterTribal

Language Conference. The new expenditure total is \$2,317,279 with the net expenditure total remaining at \$2,316,779.

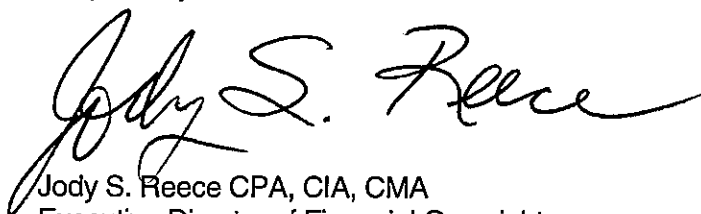
4. Cherokee National Youth Choir – 1010217 – General Fund: Modification requesting an increase in expenditure authorization of \$12,139 based on a CNB donation for 50% of the Youth Choir to travel to the Cherokee Days in DC. The new expenditure total is \$192,139 with the net expenditure total remaining at \$170,000.
5. Cash Match For Grants – 1010315 – General Fund: Modification requesting a decrease in expenditure authorization of \$75,000 by reducing the amount appropriated for future cash matches to provide funding for Human Services Emergency Assistance item 7. The new balance appropriated (reserved) for cash match is \$518,840 as shown in the Grant Reporting section above.
6. Community Water & Sewer – 1010432 – General Fund: Modification requesting a change in expenditure authorization to allow a \$296,000 transfer to EHS Projects in item 24. The new expenditure total remains at \$1,329,105.
7. Human Services Emergency Assistance – 1010461 – General Fund: Modification requesting an increase in expenditure authorization of \$75,000 for direct client services and emergency assistance. Funding is made available by the reduction in the reserve for cash match in item 5. The new expenditure total is \$250,750.
8. Supreme Court – 1010800 – General Fund: Modification requesting an increase in expenditure authorization of \$11,020 to incorporated funds received from the Cherokee Nation Bar Association (CNBA) annual dues. The new expenditure total is \$615,141 with the net expenditure total remaining at \$598,121.
9. District Court – 1010805 – General Fund: Modification requesting an increase in expenditure authorization of \$13,000 based on a revised estimate of other income from filing fees. The new expenditure total is \$478,308 with the net expenditure total remaining at \$415,308.
10. Tribal Leases Realty – 1012290 – General Fund: Modification requesting an increase in expenditure authorization of \$191,660 based on revenue received from a right way easement renewal from Phillips 66. The new expenditure total is \$316,660 with the net expenditure total remaining at \$0.
11. Land Development Land Ops – 1012350 – General Fund: Modification requesting an increase in expenditure authorization of \$69,916 based on estimated increase in property rental and other income. The new expenditure total is \$1,163,582 with the net expenditure total remaining at \$471,278.
12. SG General Assistance – 3222220 – DOI Self Governance: Modification requesting an increase in expenditure authorization of \$388,958 for client services based an estimate through the end of the fiscal year. Funding is provided by DOI SG carryover. The new expenditure total is \$1,367,389.
13. PL 102-477 Career Services – 3231100 – DOI PL 102-477: Modification requesting an increase in expenditure authorization of \$8,229 based on additional grant funds received. The new expenditure total is \$5,636,220.
14. Stilwell Revenue – 3322105 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$380,960 for contract services, supplies, and equipment lease. Funding is provided by increased estimates for third-party and small decreased estimate in IHS revenue required. The new expenditure total is \$12,666,410.
15. Sallisaw Revenue – 3322205 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$905,209 for contract services, supplies on agreement, and utilities. Funding is provided by increased estimates for third-party and decreased estimate in IHS revenue required. The new expenditure total is \$11,606,607.

16. Jay Revenue – 3322305 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$511,039 for supplies on agreement, utilities and property insurance. Funding is provided by slight decreased estimates for third-party and increased estimate in IHS revenue required. The new expenditure total is \$10,035,338.
17. Salina Revenue – 3322405 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$287,971 for supplies on agreement and utilities. Funding is provided by decreased estimates for third-party and increased estimate in IHS revenue required. The new expenditure total is \$9,835,613.
18. Nowata Revenue – 3322505 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$257,868 for several contract and supply accounts. Funding is provided by increased estimates for third-party revenue. The new expenditure total is \$6,331,042.
19. Ochelata Revenue – 3322705 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$320,347 for contract services, locum tenens, and supplies. Funding is provided by increased estimates for third-party revenue. The new expenditure total is \$4,705,513.
20. Vinita Revenue – 3322805 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$836,884 for supplies and utilities. Funding is provided by increased estimates for third-party and decreased estimate in IHS revenue required. The new expenditure total is \$10,950,342.
21. Hastings Revenue – 3323005 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$8,335,167 for contract services, locum tenens, supplies, and utilities. Funding is provided by increased estimates for third-party and small decreased estimate in IHS revenue required. The new expenditure total is \$107,691,592.
22. Pharmacy Refill Center – 3325700 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$1,748,581 for supplies on agreement. Funding is provided by increased IHS funding required. Note all third-party funding received for prescriptions go to the facility generating the prescription. The new expenditure total is \$14,209,938.
23. Health Equipment Replacement – 3329030 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$11,038,846 including a \$8,000,000 transfer out to the capital budget Health Facilities Equipment that is shown in this month's capital budget mod. Funding is provided by IHS Self Governance carryover. The new expenditure total is \$13,538,846.
24. EHS Projects – 3332000 – IHS Self Governance TEH: Modification requesting an increase in expenditure authorization of \$4,510,173 for new 2018 IHS project funding. The new expenditure total is \$11,449,692.
25. IGNITE Language Conference – 3901820 – Special Revenue Other: New budget requesting expenditure authorization of \$30,000 that is budgeted to be fully funded by registration fees.

Summary:

After reviewing the submission of the operating modification by administration, I find no technical issues surrounding these requests, nor do I have any unmentioned concerns related to their respective carryover estimates. If I can provide any additional information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, reading "Jody S. Reece". The signature is fluid and cursive, with the first name "Jody" and last name "Reece" being more prominent than the middle initial "S.".

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