

An Act

LEGISLATIVE ACT 31-20

AN ACT AMENDING LEGISLATIVE ACT #16-20 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2021 – Mod. 2; 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 #16-20 Authorizing the Comprehensive Capital Budget for FY 2021 – Mod. 2**”.

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 Capital Budget Act for Fiscal Year 2021” or subsequent amendment. The cumulative total of the capital budget is increased by **\$ 100,000** for a total capital budget authority of **\$ 218,521,120**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 16-20 (detail attached)	\$	0
Modification Request (per Section 4 below)		<u>100,000</u>
Cumulative change in budget authority	\$	<u>100,000</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #16-20 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 capital budget authorization by an increase of **\$ 100,000**.

A. An increase in the **General Fund** budget authority of **\$ 100,000**.

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.

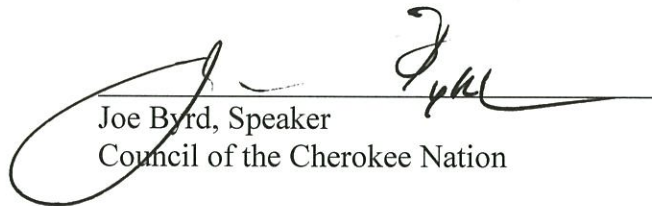
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

Passed by the Cherokee Council on the 14th day of December, 2020


Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:

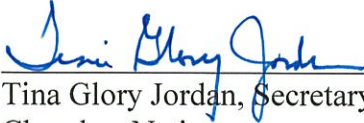

Janees Taylor, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 11th day of Dec., 2020



Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:



Tina Glory Jordan, 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>
Wes Nofire	<u>Yea</u>	Dora Smith Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Yea</u>	Joe Deere	<u>Yea</u>
E.O. "Jr." Smith	<u>Yea</u>	Keith Austin	<u>Yea</u>
Daryl Legg	<u>Absent</u>	Janees Taylor	<u>Yea</u>
Canaan Duncan	<u>Yea</u>	Mary Baker Shaw	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Julia Coates	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

CHEROKEE NATION
 PROPOSED FY 2021 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2021 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1012506 Land Acquisitions - Trust	New	100,000	100,000	\$ -
01-Cherokee Nation Total				\$ 100,000	\$ 100,000	\$ -
Grand Total				\$ 100,000	\$ 100,000	\$ -

Capital Mod #2 Request

**COMPREHENSIVE BUDGET
FOR FISCAL YEAR 2021**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	116,280,954	18,840,298	135,121,252	112,975,534	4,486,611	17,659,107	135,121,252	0
Motor Fuels Tax Funding Srce	10,947,620	18,029,395	28,977,015	20,410,008	76,007	8,491,000	28,977,015	0
Motor Vehicle Tax Funding Srce	33,190,903	1,099,686	34,290,589	32,274,428	623,323	1,392,838	34,290,589	0
Permanent Fund Funding Source	9,100	0	9,100	9,100	0	0	9,100	0
DOI General Funding Source	15,311,117	0	15,311,117	14,230,748	1,080,369	0	15,311,117	0
DOI Self Gov Funding Source	18,626,967	79,600	18,706,567	14,981,272	1,214,874	2,510,421	18,706,567	0
DOI Self Gov Roads Funding Srce	4,658,360	0	4,658,360	4,621,055	32,305	5,000	4,658,360	0
Dept of Transportation Fnd Srce	75,905,514	0	75,905,514	75,580,524	224,990	100,000	75,905,514	0
DOI PL102-477 Funding Source	95,587,677	0	95,587,677	91,565,270	1,929,581	2,092,826	95,587,677	0
IHS Self Gov Health Funding Sr	544,528,926	12,034,146	556,563,072	514,154,467	30,374,459	12,034,146	556,563,072	0
IHS Self Gov TEH Funding Srce	18,740,302	0	18,740,302	18,457,407	282,895	0	18,740,302	0
IHS Self Gov Offic Funding Srce	388,823	0	388,823	351,730	37,093	0	388,823	0
IHS Discretionary Funding Srce	75,000	0	75,000	75,000	0	0	75,000	0
DHHS General Funding Source	66,956,576	603,199	67,559,775	63,240,472	4,319,303	0	67,559,775	0
USDA Funding Source	17,679,827	793,409	18,473,236	17,717,953	755,283	0	18,473,236	0
Dept of Education Funding Srce	816,788	82,222	899,010	835,668	48,342	15,000	899,010	0
HUD Funding Source	36,834,884	300,000	37,134,884	35,174,013	460,871	1,500,000	37,134,884	0
Housing Proceeds Funding Srce	0	0	0	0	0	0	0	0
EPA Funding Source	2,551,226	0	2,551,226	2,332,508	218,718	0	2,551,226	0
Dept of Labor Funding Source	15,740,463	0	15,740,463	14,597,130	1,143,333	0	15,740,463	0
Dept of Treasury Funding Source	250,000,000	0	250,000,000	236,031,071	0	13,968,929	250,000,000	0
Federal Other Funding Source	10,055,531	285,812	10,341,343	10,083,636	257,707	0	10,341,343	0
State of Oklahoma Funding Srce	1,600,698	0	1,600,698	1,478,920	121,778	0	1,600,698	0
Private Funding Source	2,709,047	0	2,709,047	2,693,918	15,129	0	2,709,047	0
Indirect Cost Pool Funding Srce	56,953,842	4,500	56,958,342	56,958,342	0	0	56,958,342	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	5,750,439	0	5,750,439	5,750,439	0	0	5,750,439	0
Enterprise Funding Source	2,436,773	1,400,000	3,836,773	3,646,694	190,079	0	3,836,773	0
Other Funding Source	208,000	17,000	225,000	220,134	4,866	0	225,000	0
Debt Service Funding Source	0	0	0	0	0	0	0	0
Capital Projects Funding Sourc	80,586,419	6,200,000	86,786,419	86,786,419	0	0	86,786,419	0
Total	\$ 1,485,131,776	\$ 59,769,267	\$ 1,544,901,043	\$ 1,437,233,860	\$ 47,897,916	\$ 59,769,267	\$ 1,544,901,043	\$ -

Non Grant Requests

Oper Mod #1	33,808,794	11/16 Council
Cap Mod #1	249,530	11/16 Council
Oper Mod #2	3,306,369	11/17 E&F
Cap Mod #2	100,000	11/17 E&F

Total after pending Mod's
\$ 1,582,365,736

CAPITAL RECONCILIATION

LA 16-20	\$ 218,171,590
Cap Mod #1	249,530
Cap Mod #2	100,000

Total Capital **\$ 218,521,120**

Operating (LA 17-20)	1,363,844,616	Cumulative Oper
Capital (LA 16-20)	218,521,120	Cumulative Cap
Grand Total	\$ 1,582,365,736	



CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

Mem o

To: Janees Taylor, Chairman, Executive & Finance Committee
From: Jody S. Reece
CC: Executive & Finance Committee
Date: 11/15/2020
Re: Review of Capital Budget Modification #2 – **Total \$ 100,000**

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>Reason(s)</u>	<u>Amount</u>
None	-	\$ 0
TOTAL GRANTS		\$ 0

B. MOD #2 Request - Increase in budget authority - \$ 100,000

1. Land Acquisitions - Trust – 1012506 – General Fund: New budget requesting expenditure authorization of \$100,000 for land acquisitions. The funding revenue is from the existing surface lease for the future wind-energy project located on the Chilocco property.

Summary:

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

Respectfully,

Jody S. Reece CPA, CIA, CMA
Executive Director of Financial Oversight
Office: 918-453-5573
Cell: 918-525-2017
Email: jody-reece@cherokee.org

Cherokee Nation FY 2021 Comprehensive Budget Narrative

Department/Program		Executive Director		ED Phone #
14 - Government Resources		Tina Glory Jordan		918-453-5101
Accounting Unit		Accounting Unit Name		
1012506		Land Acquisitions - Trust		
Program Director/Manager		Pgm Dir/Mgr Phone #	Period Budget Covers	
Ginger Reeves		918-453-5675	10/01/2020 - 09/30/2021	
FY 2020 BUDGET		FY 2021 ORIG REQUEST	\$ Increase/(Decrease) Requested – Approved	% Increase/(Decrease) (Request – Approved) / Approved
\$ -		\$ 100,000	\$ 100,000	100.00%
Staffing Plan (FTE)		FY 2021 ORIG REQUEST	FY 2020 BUDGET	Net Change in Staffing
Regular Full-Time		-	-	-
Regular Part-Time		-	-	-
Temporary Full-Time		-	-	-
Temporary Part-Time		-	-	-
IPA/MOA/Other		-	-	-
Total		-	-	-

PROGRAM NARRATIVE:

The office of Real Estate Services maintains, protects and manages certain trust properties outside the 14 county reservation area by negotiations and oversight. These specific proceeds are derived from the existing surface lease for the future wind energy project located on the Chilocco property in Kay County held USA in Trust for Cherokee Nation. This initial amount is for a delay rental payment as set out in the aforementioned lease.

SIGNIFICANT CHANGES:

New budget.

CHEROKEE NATION - FY2021 BUDGET REQUEST FORM

PART-1

Budget Period:	10/01/2020 - 09/30/2021	Budget Preparer	Name:	Amanda Chuculate	Phone:	918-453-5273
Contract Period:		Accounting Unit Director/Manager	Name:	Ginger Reeves	Phone:	918-453-5675
Contract Number:		Executive Director	Name:	Tina Glory Jordan	Phone:	918-453-5101
Accounting Fund:	1-General Fund	1st Person Responsible	Employee #	106365		
Funding Source:	01-Cherokee Nation					
Place IDC Rate in Part 4 Below						
AU Description:	Land Acquisitions - Trust					
Accounting Unit:	1012506					
Date/Time Printed:	23-Oct-20 01:48 PM					

Notes: New budget derived from wind farm proceeds.

PART-2

Staffing Summary:	FY 2021 ORIG REQUEST	FY 2020 BUDGET	Incr \ (Decr)
# of Regular Full-Time Employee Equivalents:			-
# of Regular Part-Time Employee Equivalents:			-
# of Temp. Full-Time Employee Equivalents:			-
# of Temp. Part-Time Employee Equivalents:			-
# of Other Employee Equivalents:			-
TOTAL NUMBER OF EMPLOYEE-EQUIVALENTS			-

PART-3

Revenues: (Show as positive #)	Account #			Incr \ (Decr)
Other Income	499000	\$100,000	\$0	\$ 100,000
Please enter a valid account number - >>>				\$ -
Please enter a valid account number - >>>				\$ -
Please enter a valid account number - >>>				\$ -
Total Revenues		\$ 100,000	\$ -	\$ 100,000

PART-4

Expenditures:	Account #	Subject to IDC ?		Subject to IDC ?		Incr \ (Decr)
		YES	NO	YES	NO	
DO NOT COPY TO, COPY ABOVE, OR REMOVE THIS LINE!						
Salaries & wages	600000	\$0				\$ -
Fringe benefits	610000	\$0				\$ -
Land	770050		\$100,000			\$ 100,000
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!						
Expenditures NOT Subject to IDC			\$ 100,000		\$ -	\$ 100,000
Expenditures SUBJECT to IDC		\$ -		\$ -		\$ -
Indirect Cost Rate (if blank or zero, must explain in Notes above)		11.52%		12.90%		
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
Total Expenditures			\$ 100,000		\$ -	\$ 100,000

Revenues OVER \ (UNDER) Expenditures		\$ -	\$ -	\$ -
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Transfers In/Out - (Show ALL as Positive Numbers)

Operating Transfers IN						
Other financing sources	900000					\$ -
Cash in: tribally required	900010					\$ -
Cash in: grant required	900020					\$ -
Cash in: motor fuel tax	900040					\$ -
Cash in: vehicle tax	900050					\$ -
Cash in: interprogram contract	900060					\$ -
Cash in: debt service	900070					\$ -
Operating Transfers OUT						
Other financing uses	900001					\$ -
Cash out: tribally required	900011					\$ -
Cash out: grant required	900021					\$ -
Cash out: motor fuel tax	900041					\$ -
Cash out: vehicle tax	900051					\$ -
Cash out: interprogram contract	900061					\$ -
Cash out: debt service	900071					\$ -
Transfers In/Out - Net			\$ -		\$ -	\$ -
Take to Narrative ==>			\$ 100,000		\$ -	\$ -
Excess\ (Deficit) of Revenues, Expenditures and Net Transfers			\$ -		\$ -	\$ -

Charolette Jackson

From: Daniel Stroup
Sent: Thursday, October 22, 2020 3:50 PM
To: Budget Submittals
Subject: FW: Wind farm proceeds budget

Please use this as backup for this budget request.

Daniel Stroup

*Cherokee Nation Financial Resources
Manager, Accounting/Finance
Office: (918) 453-5354
Email: daniel-stroup@cherokee.org*

From: Jamie Cole <Jamie-Cole@cherokee.org>
Sent: Thursday, October 22, 2020 3:35 PM
To: Daniel Stroup <daniel-stroup@cherokee.org>
Subject: RE: Wind farm proceeds budget

Below is an excerpt from what Cash Mgmt received this morning. There is no check as this was an ACH payment made to Cherokee Nation.

Preauthorized ACH Credit	90000	PNEWINDUSA		\$100,000.00
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From: Daniel Stroup <daniel-stroup@cherokee.org>
Sent: Thursday, October 22, 2020 3:24 PM
To: Ginger Reeves <ginger-reeves@cherokee.org>; Budget Submittals <grpUd-BudgetSubmittals@cherokee.org>
Cc: Tina Glory-Jordan <tina-glory-jordan@cherokee.org>; Jamie Cole <Jamie-Cole@cherokee.org>
Subject: RE: Wind farm proceeds budget

Ginger,

Do you have any documentation or even a check received to use as backup for the funding source?

Daniel Stroup

*Cherokee Nation Financial Resources
Manager, Accounting/Finance
Office: (918) 453-5354
Email: daniel-stroup@cherokee.org*

From: Ginger Reeves <ginger-reeves@cherokee.org>
Sent: Thursday, October 22, 2020 3:22 PM
To: Budget Submittals <grpUd-BudgetSubmittals@cherokee.org>
Cc: Tina Glory-Jordan <tina-glory-jordan@cherokee.org>; Jamie Cole <Jamie-Cole@cherokee.org>
Subject: Wind farm proceeds budget

Cherokee Nation Act/Resolution Proposal Form

Act Resolution

AN ACT AMENDING LEGISLATIVE ACT #16-20 AUTHORIZING
THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2021

TITLE: CAPITAL – MOD 2 ; AND DECLARING AN EMERGENCY

DEPARTMENT CONTACT: Daniel Stroup

RESOLUTION PRESENTER: _____

COUNCIL SPONSOR: _____

NARRATIVE:

**ADMINISTRATIVE
CLEARANCE**

Dept/Program:

Signature/Initial Date

Executive Director:

Signature/Initial Date

Treasurer: (Required:
Grants/Contracts/Budgets)

SS *10/27/20*

Signature/Initial Date

Government Resources:

Signature/Initial Date

Administration Approval:

[Signature] *11/3/2020*

Signature/Initial Date

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

[Signature] *11/3/2020*

Signature/Initial Date

Standing Committee & Date: *11-17-2020*

Executive Finance

Chairperson:

[Signature]

Signature/Initial Date

Returned to Presenter: _____
Date

NOV 3 '20 PM 4:09