



# An Act

## LEGISLATIVE ACT 24-19

### AN ACT AMENDING LEGISLATIVE ACT #14-19 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2020 – Mod. 1; 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 #14-19 Authorizing the Comprehensive Capital Budget for FY 2020 – Mod. 1”.

#### 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 2020” or subsequent amendment. The cumulative total of the capital budget is increased by \$ 5,000,000 for a total capital budget authority of \$ 237,215,126. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 14-19 (detail attached)	\$	0
Modification Request (per Section 4 below)		<u>5,000,000</u>
<b>Cumulative change in budget authority</b>	<b>\$</b>	<b><u>5,000,000</u></b>

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #14-19 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 \$ 5,000,000.

A. An increase in the **Capital Projects** budget authority of \$ 5,000,000.

**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.

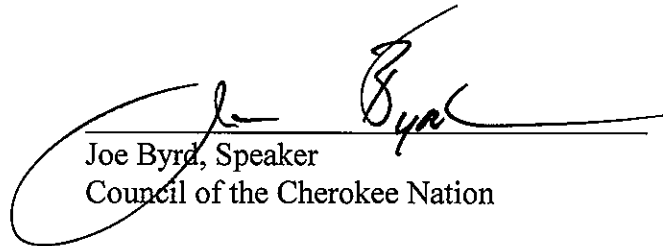
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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 12<sup>th</sup> day of November, 2019

  
\_\_\_\_\_  
Joe Byrd, Speaker  
Council of the Cherokee Nation

ATTEST:

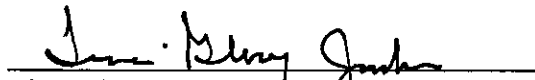
  
\_\_\_\_\_  
James Taylor, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of November, 2019



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>
Mike Dobbins	<u>Yea</u>	Joe Deere	<u>Yea</u>
E.O. "Jr." Smith	<u>Absent</u>	Keith Austin	<u>Yea</u>
Darryl Legg	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Canaan Duncan	<u>Yea</u>	Julia Coates	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Mary Baker Shaw	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

CHEROKEE NATION  
 PROPOSED FY 2020 AMENDMENT  
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2020 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
96-Capital Projects	1	7965900 Durbin Feeling Capital Project	New	5,000,000	5,000,000	\$ -
<b>96-Capital Projects Total</b>				<b>\$ 5,000,000</b>	<b>\$ 5,000,000</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 5,000,000</b>	<b>\$ 5,000,000</b>	<b>\$ -</b>

## Capital Mod #1 Request

# COMPREHENSIVE BUDGET FOR FISCAL YEAR 2020

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	107,384,556	1,841,064	109,225,620	91,945,054	5,169,013	12,111,553	109,225,620	0
Motor Fuels Tax Funding Srce	10,834,078	17,476,357	28,310,435	19,695,466	99,469	8,515,500	28,310,435	0
Motor Vehicle Tax Funding Srce	32,881,436	1,126,604	34,008,040	32,083,955	640,502	1,283,583	34,008,040	0
Permanent Fund Funding Source	10,100	0	10,100	10,100	0	0	10,100	0
DOI General Funding Source	11,101,361	538,897	11,640,258	10,557,384	1,082,874	0	11,640,258	0
DOI Self Gov Funding Source	13,964,126	79,600	14,043,726	12,874,957	1,136,269	32,500	14,043,726	0
DOI Self Gov Roads Funding Srce	5,708,071	0	5,708,071	5,608,337	36,175	63,559	5,708,071	0
Dept of Transportation Fnd Srce	88,299,335	0	88,299,335	87,217,215	236,594	845,526	88,299,335	0
DOI PL102-477 Funding Source	74,091,986	0	74,091,986	59,487,037	1,469,473	13,135,476	74,091,986	0
IHS Self Gov Health Funding Sr	469,361,870	791,174	470,153,044	439,365,945	30,787,099	0	470,153,044	0
IHS Self Gov TEH Funding Srce	13,829,320	0	13,829,320	13,547,199	282,121	0	13,829,320	0
IHS Self Gov Offic Funding Srce	381,515	0	381,515	341,322	40,193	0	381,515	0
IHS Discretionary Funding Srce	500,000	0	500,000	75,000	0	425,000	500,000	0
DHHS General Funding Source	52,908,865	584,980	53,493,845	49,734,001	3,759,844	0	53,493,845	0
USDA Funding Source	20,679,221	950,634	21,629,855	20,796,731	833,124	0	21,629,855	0
Dept of Education Funding Srce	1,263,996	82,222	1,346,218	1,263,393	67,825	15,000	1,346,218	0
HUD Funding Source	32,000,967	266,667	32,267,634	31,499,098	501,869	266,667	32,267,634	0
Housing Proceeds Funding Srce	0	0	0	0	0	0	0	0
EPA Funding Source	2,160,484	0	2,160,484	1,947,705	212,779	0	2,160,484	0
Dept of Labor Funding Source	18,197,904	0	18,197,904	16,994,887	1,203,017	0	18,197,904	0
Federal Other Funding Source	8,209,213	240,363	8,449,576	8,032,667	316,709	100,200	8,449,576	0
State of Oklahoma Funding Srce	1,603,230	0	1,603,230	1,472,765	130,465	0	1,603,230	0
Private Funding Source	1,812,812	0	1,812,812	1,800,150	12,662	0	1,812,812	0
Indirect Cost Pool Funding Srce	57,945,373	4,500	57,949,873	57,949,873	0	0	57,949,873	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	5,211,049	0	5,211,049	5,211,049	0	0	5,211,049	0
Enterprise Funding Source	3,361,060	450,200	3,811,260	3,604,044	207,216	0	3,811,260	0
Other Funding Source	211,500	17,000	228,500	221,348	7,152	0	228,500	0
Debt Service Funding Source	0	0	0	0	0	0	0	0
Capital Projects Funding Source	96,997,185	13,135,476	110,132,661	109,341,487	0	791,174	110,132,661	0
<b>Total</b>	<b>\$ 1,130,910,613</b>	<b>\$ 37,585,738</b>	<b>\$ 1,168,496,351</b>	<b>\$ 1,082,678,169</b>	<b>\$ 48,232,444</b>	<b>\$ 37,585,738</b>	<b>\$ 1,168,496,351</b>	<b>\$ -</b>

### Non Grant Requests

CAPITAL RECONCILIATION	
LA 14-19	\$ 232,215,126
Cap Mod #1	5,000,000
<b>Total Capital</b>	<b>\$ 237,215,126</b>

Oper Mod #1	21,499,927	10/15 Council
Cap Mod #1	5,000,000	10/31 E&F
Oper Mod #2	8,267,950	10/31 E&F

**Total after pending Mod's**

**\$ 1,203,264,228**

Operating (LA 15-19)	966,049,102	Cumulative Oper
Capital (LA 14-19)	237,215,126	Cumulative Cap
<b>Grand Total</b>	<b>\$ 1,203,264,228</b>	



# 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:** 10/17/2019  
**Re:** Review of Capital Budget Modification #1 – **Total \$ 5,000,000**

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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:

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### A. Grant Reporting:

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

### B. MOD #1 Request - Increase in budget authority - \$ 5,000,000

1. Durbin Feeling Capital Project – 7965900 – Capital Projects: New budget requesting expenditure authorization of \$5,000,000 to expand and renovate the existing building and site for the new Durbin Feeling Language Preservation building. Funding provided by a transfer in from the Durbin Feeling Language Center budget reported in the operating budget mod. The funding in the operating budget originates from a special dividend from Cherokee Nation Businesses (CNB) and spent in accordance with LA 19-19.

#### 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 - FY2020 BUDGET REQUEST FORM

PART-1

Budget Period:	10/01/2019 - 09/30/2020	Budget Preparer	Phone: 5354
Contract Period:		Name:	Daniel Stroup
Contract Number:		Accounting Unit Director/Manager	Phone: 4137
Accounting Fund:	7-Capital Projects Fund	Name:	David Moore
Funding Source:	96-Capital Projects	Executive Director	Phone: 4137
AU Description:	Durbin Feeling Capital Project	Name:	David Moore
Accounting Unit:	7965900	1st Person Responsible	
Place IDC Rate in Part 4 Below		Employee #	105979
Date/Time Printed:	16-Oct-19 02:58 PM		

Notes: Transfer in from 1010930.

PART-2

Staffing Summary:	FY 2020 ORIG REQUEST	FY 2019 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:			-
<b>TOTAL NUMBER OF EMPLOYEE-EQUIVALENTS</b>			-

PART-3

Revenues: (Show as positive #)	Account #	Incr \ (Decr)
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!		
<b>Total Revenues</b>		\$ -

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		\$0		\$ -
Fringe benefits	610000	\$0		\$0		\$ -
Capital acquisitions >= \$5K	770000		\$400,000		\$0	\$ 400,000
Building improvements >= \$5K	770030		\$4,400,000		\$0	\$ 4,400,000
Land improvements >= \$5K	770060		\$200,000		\$0	\$ 200,000
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
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			\$ 5,000,000		\$ -	\$ 5,000,000
Expenditures SUBJECT to IDC		\$ -		\$ -		\$ -
Indirect Cost Rate (if blank or zero, must explain in Notes above)		12.90%		12.90%		
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
<b>Total Expenditures</b>			\$ 5,000,000		\$ -	\$ 5,000,000

Revenues OVER \ (UNDER) Expenditures		\$ (5,000,000)		\$ -	\$ (5,000,000)
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Transfers In\Out - (Show ALL as Positive Numbers)

Operating Transfers IN					
Other financing sources	900000				\$ -
Cash in: tribally required	900010		\$5,000,000		\$ 5,000,000
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		\$ 5,000,000		\$ -	\$ 5,000,000
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Take to Narrative ==>		\$ 5,000,000		\$ -	
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Excess\ (Deficit) of Revenues, Expenditures and Net Transfers		\$ -		\$ -	\$ -
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CHEROKEE NATION FY 2020 Comprehensive Budget Narrative  
For Internal Purposes Only - Not For Distribution

<b>Department/Program</b>	<b>Executive Director</b>		<b>ED Phone #</b>
11 - Management Resources	David Moore		4137
<b>Accounting Unit</b>	<b>Accounting Unit Name</b>		
7965900	Durbin Feeling Capital Project		
<b>Program Director/Manager</b>	<b>Pgm Dir/Mgr Phone #</b>	<b>Period Budget Covers</b>	
David Moore	4137	10/01/2019 - 09/30/2020	
<b>FY2019 Budget Approved</b>	<b>FY2020 Budget Request</b>	<b>\$ Increase/(Decrease) Requested - Approved</b>	<b>% Increase/(Decrease) (Request - Approved) / Approved</b>
\$ -	\$ 5,000,000	\$ 5,000,000	100.00%
<b>Staffing Plan (FTE)</b>	<b>FY2020 Budget Request</b>	<b>FY2019</b>	<b>Net Change in Staffing</b>
Regular Full-Time	-	-	-
Regular Part-Time	-	-	-
Temporary Full-Time	-	-	-
Temporary Part-Time	-	-	-
IPA/MOA/Other	-	-	-
Total	-	-	-

**PROGRAM NARRATIVE:**

The funds will be used to expand and renovate the existing building and site for the new Durbin Feeling Language Preservation building.

**SIGNIFICANT CHANGES:**

New FY 20 budget.



# Cherokee Nation Act/Resolution Proposal Form

Act       Resolution

<b><u>ADMINISTRATIVE CLEARANCE</u></b>	
<b>Dept/Program:</b>	
Signature/Initial	Date
<b>Executive Director:</b>	
Signature/Initial	Date
<b>Treasurer: (Required: Grants/Contracts/Budgets)</b>	
<i>Judyn Sibert</i>	10/16/19
Signature/Initial	Date
<b>Government Resources:</b>	
Signature/Initial	Date
<b>Administration Approval:</b>	
<i>W. H. Enlow</i>	
Signature/Initial	Date
<b><u>LEGISLATIVE CLEARANCE:</u></b>	
<b>Legal &amp; Legislative Coordinator:</b>	
<i>Stoke</i>	10/16/19
Signature/Initial	Date
<b>Standing Committee &amp; Date:</b>	
<i>Executive Finance</i>	
10/31/19	
<b>Chairperson:</b>	
<i>Taylor</i>	
Signature/Initial	Date
<b>Returned to Presenter:</b>	
	Date

**TITLE:** AN ACT AMENDING LEGISLATIVE ACT #14-19 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2020 CAPITAL - MOD1 ; AND DECLARING AN EMERGENCY

**DEPARTMENT CONTACT:** Daniel Stroup

**RESOLUTION PRESENTER:** \_\_\_\_\_

**COUNCIL SPONSOR:** \_\_\_\_\_

**NARRATIVE:**

OCT 16 '19 PM 4:53