

# An Act

## LEGISLATIVE ACT 10-17

### AN ACT AMENDING LEGISLATIVE ACT #22-16 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2017 – Mod. 3; 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 #22-16 Authorizing the Comprehensive Capital Budget for FY 2017 – Mod. 3**”.

#### **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 2017” or subsequent amendment. The cumulative total of the capital budget is increased by **\$ ( 102,733)** for a total capital budget authority of **\$ 279,547,962**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 22-16 (detail attached)	\$ ( 102,733)
Modification Request (per Section 4 below)	<u>0</u>
<b>Cumulative change in budget authority</b>	<b><u>\$ ( 102,733)</u></b>

#### **SECTION 3. LEGISLATIVE HISTORY**

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #22-16 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 **\$ 0**.

**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.

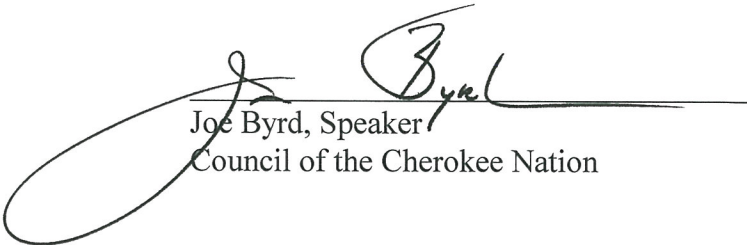
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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**

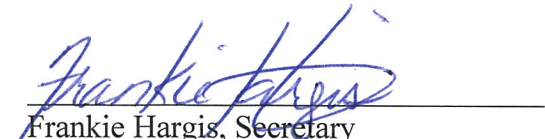
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Passed by the Cherokee Council on the 20<sup>th</sup> day of March, 2017



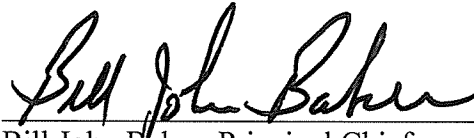
Joe Byrd, Speaker  
Council of the Cherokee Nation

ATTEST:



Frankie Hargis, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 21<sup>st</sup> day of March, 2017



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>
Don Garvin	<u>Yea</u>	Buel Anglen	<u>Yea</u>
David W. Thornton, Sr.	<u>Absent</u>	Keith Austin	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Jack Baker	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Wanda Hatfield	<u>Yea</u>
Curtis Snell	<u>Yea</u>		

CHEROKEE NATION  
 PROPOSED FY 2017 AMENDMENT  
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2017 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
75-Federal Other	1	3753300 Federal Transit Program	LA 22-16	(102,733)	(102,733)	\$ -
<b>75-Federal Other Total</b>				<b>\$ (102,733)</b>	<b>\$ (102,733)</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ (102,733)</b>	<b>\$ (102,733)</b>	<b>\$ -</b>

## Capital Grants - Reporting Only

**COMPREHENSIVE BUDGET  
FOR FISCAL YEAR 2017**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	92,340,762	1,491,430	93,832,192	77,357,013	4,278,062	12,197,117	93,832,192	0
Motor Fuels Tax Funding Srce	9,094,252	17,299,025	26,393,277	18,360,434	91,332	7,941,511	26,393,277	0
Motor Vehicle Tax Funding Srce	24,803,219	1,126,604	25,929,823	23,417,717	475,929	2,036,177	25,929,823	0
Permanent Fund Funding Source	10,100	0	10,100	10,100	0	0	10,100	0
DOI General Funding Source	10,392,025	0	10,392,025	9,502,318	889,707	0	10,392,025	0
DOI Self Gov Funding Source	14,567,470	79,600	14,647,070	13,512,242	1,131,328	3,500	14,647,070	0
DOI Self Gov Roads Funding Src	9,386,614	0	9,386,614	9,253,572	112,841	20,201	9,386,614	0
Dept of Transportation Fnd Src	72,048,214	0	72,048,214	71,750,077	198,294	99,843	72,048,214	0
DOI PL102-477 Funding Source	25,723,581	0	25,723,581	24,937,482	786,099	0	25,723,581	0
IHS Self Gov Health Funding Sr	283,690,939	1,300,439	284,991,378	266,405,126	18,493,028	93,224	284,991,378	0
IHS Self Gov TEH Funding Src	7,353,615	0	7,353,615	7,094,460	259,155	0	7,353,615	0
IHS Self Gov Office Funding Src	322,788	0	322,788	291,326	31,462	0	322,788	0
IHS Discretionary Funding Srce	40,000	0	40,000	35,000	0	5,000	40,000	0
DHHS General Funding Source	40,969,850	557,804	41,527,654	37,284,823	2,979,357	1,263,474	41,527,654	0
USDA Funding Source	19,531,137	818,085	20,349,222	19,655,887	693,335	0	20,349,222	0
Dept of Education Funding Srce	1,142,834	63,957	1,206,791	1,151,454	55,337	0	1,206,791	0
HUD Funding Source	41,573,581	1,199,190	42,772,771	40,956,630	716,402	1,099,739	42,772,771	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	1,758,050	0	1,758,050	1,583,819	174,231	0	1,758,050	0
Dept of Labor Funding Source	10,441,611	0	10,441,611	9,630,899	810,712	0	10,441,611	0
Federal Other Funding Source	3,931,480	35,729	3,967,209	3,525,678	191,531	250,000	3,967,209	0
State of Oklahoma Funding Srce	1,237,727	0	1,237,727	1,141,882	95,845	0	1,237,727	0
Private Funding Source	369,107	159,738	528,845	478,490	50,355	0	528,845	0
Indirect Cost Pool Funding Src	46,575,174	27,900	46,603,074	46,603,074	0	0	46,603,074	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	4,617,237	0	4,617,237	4,617,237	0	0	4,617,237	0
Enterprise Funding Source	3,222,404	934,739	4,157,143	4,023,957	133,186	0	4,157,143	0
Other Funding Source	276,590	17,000	293,590	277,000	16,590	0	293,590	0
Debt Service Funding Source	186,456	12,253,224	12,439,680	12,439,680	0	0	12,439,680	0
Capital Projects Funding Source	179,740,643	483,035	180,223,678	167,381,485	4,480	12,837,713	180,223,678	0
<b>Total</b>	<b>\$ 905,347,460</b>	<b>\$ 37,847,499</b>	<b>\$ 943,194,959</b>	<b>\$ 872,678,862</b>	<b>\$ 32,668,598</b>	<b>\$ 37,847,499</b>	<b>\$ 943,194,959</b>	<b>\$ -</b>

**Non Grant Requests**

Oper Mod #5 Req	571,790	02/22 E&F
Oper Mod #4 Req	1,867,043	02/21 Council
Cap Mod #2 Req	1,819,222	02/21 Council
<b>Total after pending Mod's</b>	<b>\$ 947,453,014</b>	

**CAPITAL RECONCILIATION**

LA-22-16	\$ 277,754,636
Capital Mod # 1	76,837
Capital Mod #2	1,819,222
Capital Mod #3	(102,733)
<b>Total Capital</b>	<b>\$ 279,547,962</b>

Operating (LA23-16)	667,905,052	Cumulative Oper
Capital (LA-22-16)	279,547,962	Cumulative Cap
<b>Grand Total</b>	<b>\$ 947,453,014</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:** 02/09/2017  
**Re:** Review of Capital Budget Modification #3 – **Total \$ ( 102,733)**

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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>
Federal Transit Administration	Carryover reconciliation, new award & cash match	\$ ( 102,733)
<b>TOTAL GRANTS</b>		<b><u>\$ ( 102,733)</u></b>

### B. MOD #3 Request - (0 budgets) Increase in budget authority - \$ 0

1. Grant Reporting Only – The cash match requirement is reported in the operating budget modification.

#### Summary:

After reviewing the submission of Capital Mod #3 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 Act/Resolution Proposal Form

## ADMINISTRATIVE CLEARANCE

Act       Resolution

Dept/Program: \_\_\_\_\_

AN ACT AMENDING LEGISLATIVE ACT #22-16 AUTHORIZING  
THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2017

**TITLE:** CAPITAL – MOD 3 ; AND DECLARING AN EMERGENCY

Signature/Initial      Date

**Executive Director:**

DEPARTMENT CONTACT: Gaylon Thompson

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

Signature/Initial      Date

**Treasurer:** (Required:  
Grants/Contracts/Budgets)

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

*Gaylon Thompson*      1.31.17  
Signature/Initial      Date

## NARRATIVE:

**Government Resources:**

Signature/Initial      Date

**Administration Approval:**

Signature/Initial      Date

*[Signature]*      2/1/17

## LEGISLATIVE CLEARANCE:

**Legal & Legislative Coordinator:**

*[Signature]*      2/8/17  
Signature/Initial      Date

**Standing Committee & Date:**

*Executive + Finance*  
*2/22/17*

**Chairperson:**

*Taylor*  
Signature/Initial      Date

**Returned to Presenter:**

Date

02-08-17 P02:14 IN