

An Act

LEGISLATIVE ACT 13-17

AN ACT AMENDING LEGISLATIVE ACT #22-16 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2017 – Mod. 4; 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. 4**”.

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 **\$ 375,000** for a total capital budget authority of **\$ 279,992,962**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 22-16 (detail attached)	\$	0
Modification Request (per Section 4 below)		375,000
Cumulative change in budget authority		\$ 375,000

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 **\$ 375,000**.

A. An increase in the **Motor Vehicle Tax** budget authority of **\$ 375,000**.

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.

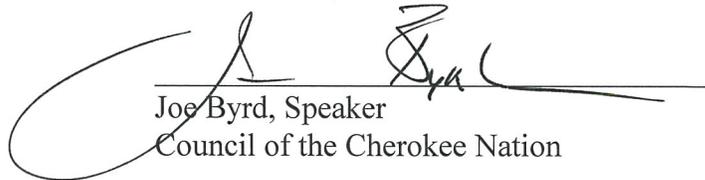
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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 10th day of April, 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 17 day of April, 2017



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Joe Byrd	<u>Yea</u>	Janees Taylor	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Dick Lay	<u>Yea</u>
Rex Jordan	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Harley Buzzard	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Frankie Hargis	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Victoria Mitchell Vazquez	<u>Yea</u>
Don Garvin	<u>Yea</u>	Wanda Hatfield	<u>Yea</u>
Keith Austin	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis G. 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
05-Vehicle Tax	1	1052000 MVT Highways Construction	LA23-16	375,000	375,000	\$ -
05-Vehicle Tax Total				\$ 375,000	\$ 375,000	\$ -
Grand Total				\$ 375,000	\$ 375,000	\$ -

Capital Mod #4 Request

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	10,521,301	0	10,521,301	9,634,778	886,523	0	10,521,301	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	266,404,596	18,493,558	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 Source	40,000	0	40,000	35,000	0	5,000	40,000	0
DHHS General Funding Source	40,986,853	557,804	41,544,657	37,301,646	2,979,537	1,263,474	41,544,657	0
USDA Funding Source	19,604,269	818,085	20,422,354	19,729,019	693,335	0	20,422,354	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	2,006,824	0	2,006,824	1,820,177	186,647	0	2,006,824	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	4,019,372	35,729	4,055,101	3,604,258	200,843	250,000	4,055,101	0
State of Oklahoma Funding Srce	1,275,565	0	1,275,565	1,177,705	97,860	0	1,275,565	0
Private Funding Source	394,107	159,738	553,845	503,490	50,355	0	553,845	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	3,995,606	161,537	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 Sourc	179,740,643	483,035	180,223,678	167,381,485	4,480	12,837,713	180,223,678	0
Total	\$ 905,966,375	\$ 37,847,499	\$ 943,813,874	\$ 873,248,157	\$ 32,718,218	\$ 37,847,499	\$ 943,813,874	\$ -

CAPITAL RECONCILIATION			
LA-22-16	\$	277,754,636	
Capital Mod # 1		76,837	
Capital Mod #2		1,819,222	02/21 Council
Capital Mod #3		(102,733)	03/20 Council
Capital Mod #4		375,000	03/21 E&F
Total Capital	\$	279,922,962	Cumulative Cap

Non Grant Requests			
Cap Mod #2 Req		1,819,222	02/21 Council
Oper Mod #5 Req		1,867,043	02/21 Council
Oper Mod #5 Req		571,790	03/20 Council
Cap Mod #4 Req		375,000	03/21 E&F
Oper Mod #6 Req		1,409,231	03/21 E&F
Total after pending Mod's	\$	949,856,160	

Operating (LA23-16)	669,933,198	Cumulative Oper
Capital (LA-22-16)	279,922,962	Cumulative Cap
Grand Total	\$ 949,856,160	



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: 03/08/2017
Re: Review of Capital Budget Modification #4 – **Total \$ 375,000**

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

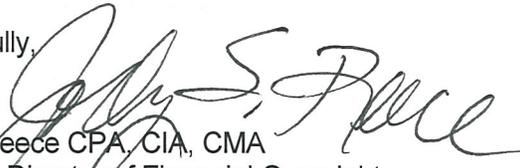
B. MOD #4 Request - (1 budget) Increase in budget authority - \$ 375,000

1. MVT Highways Construction – 1052000 – Vehicle Tax: Modification requesting an increase in expenditure authorization of \$375,000 that is funded by a reallocation of carryover funds from the MVT Highways Administration budget (operating mod). This will provide an additional \$25,000 for each of the fifteen Council Members. Per our MVT Compact and legislation the allocation to highways/roads is 20% of the total motor vehicle tax revenues. Of this 20% amount, 90% is allocated to this construction budget on an annual basis and 10% is allocated to the roads administration budget per internal budget allocation and is not a compact/legislative requirement. Based on accumulated carryover of unspent roads administration funds this reallocation is proposed and will be reviewed every couple years to determine if additional reallocation is needed. The new expenditure total is \$6,958,980.

Summary:

After reviewing the submission of Capital Mod #4 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 - FY2017 BUDGET REQUEST FORM

PART-1

Budget Period:	10/01/2016 - 09/30/2017	Budget Preparer	Phone: 4148
Contract Period:		Name:	Jackie Coppin
Contract Number:		Accounting Unit Director/Manager	Phone: 5396
Accounting Fund:	1-General Fund	Name:	Michael Lynn
Funding Source:	05-Vehicle Tax	Executive Director	Phone: 5248
AU Description:	MVT Highways Constr	Name:	Ron Qualls
Accounting Unit:	1052000	1st Person Responsible	
Place IDC Rate in Part 4 Below		Employee #	104669
Date/Time Printed:	17-Feb-17 04:24 PM		

Notes: Reduction of \$375,000 from Admin (1052010) and increase the Construction Budget by \$375,000.

PART-2

Staffing Summary:	FY 2017 REVISION 2	FY 2017 REVISION 1	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)
Carryover: "appropriated" PY	490000	\$6,958,980	\$6,583,980	\$ 375,000
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!				\$ -
Total Revenues		\$ 6,958,980	\$ 6,583,980	\$ 375,000

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				\$ -
Contract services >=\$5K	650000		\$6,958,980		\$6,583,980	\$ 375,000
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			\$ 6,958,980		\$ 6,583,980	\$ 375,000
Expenditures SUBJECT to IDC		\$ -		\$ -		\$ -
Indirect Cost Rate (If blank or zero, must explain in Notes above)		11.85%		13.86%		\$ -
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
Total Expenditures			\$ 6,958,980		\$ 6,583,980	\$ 375,000

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 ==>		\$ 6,958,980	\$ 6,583,980		
Excess(Deficit) of Revenues, Expenditures and Net Transfers		\$ -	\$ -	\$ -	

Cherokee Nation Act/Resolution Proposal Form

Act Resolution

ADMINISTRATIVE CLEARANCE

Dept/Program: _____

Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Treasurer: (Required: Grants/Contracts/Budgets)

Signature/Initial _____ Date _____

Government Resources:

Signature/Initial _____ Date _____

Administration Approval:

Signature/Initial _____ Date _____

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Signature/Initial _____ Date _____

Standing Committee & Date:

Chairperson:

Signature/Initial _____ Date _____

Returned to Presenter: _____
Date _____

TITLE: AN ACT AMENDING LEGISLATIVE ACT #22-16 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2017 CAPITAL – MOD 4 ; AND DECLARING AN EMERGENCY

DEPARTMENT CONTACT: Gaylon Thompson

RESOLUTION PRESENTER: _____

COUNCIL SPONSOR: _____

NARRATIVE:

03-06-17P04:06 RCVD

Brittain 3/6/17
Executive + Finance 3/21/17
Taylor