



An Act

LEGISLATIVE ACT 03-19

AN ACT AMENDING LEGISLATIVE ACT #21-18 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2019 – 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 #21-18 Authorizing the Comprehensive Capital Budget for FY 2019 – 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 2019” or subsequent amendment. The cumulative total of the capital budget is increased by \$ 805,933 for a total capital budget authority of \$ 281,299,130. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 21-18 (detail attached)	\$ 267,492
Modification Request (per Section 4 below)	<u>538,441</u>
Cumulative change in budget authority	<u>\$ 805,933</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #21-18 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 \$ 538,441.

A. An increase in the **Capital Projects** budget authority of \$ 538,441.

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.

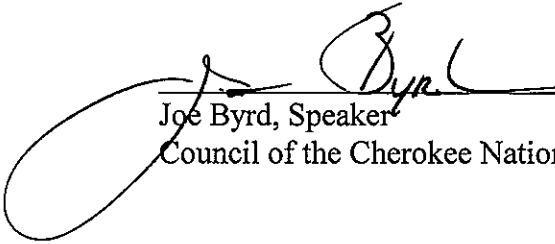
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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

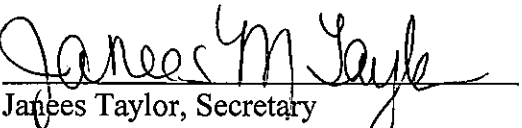
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Passed by the Cherokee Council on the 11th day of March, 2019



Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:



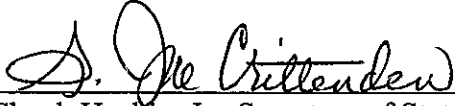
James Taylor, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 14th day of March, 2019



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>Absent</u>
E.O. "Jr." Smith	<u>Yea</u>	Keith Austin	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Canaan Duncan	<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 2019 AMENDMENT
 Sorted by Funding Source

			Data		
Funding Source	Ref # by FS	Program/Purpose	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
75-Federal Other	1	3753300 Federal Transit Program	267,492	267,492	\$ -
75-Federal Other Total			\$ 267,492	\$ 267,492	\$ -
Grand Total			\$ 267,492	\$ 267,492	\$ -

February Capital Grants - Reporting Only

CHEROKEE NATION
 PROPOSED FY 2019 AMENDMENT
 Sorted by Funding Source

			Data		
Funding Source	Ref # by FS	Program/Purpose	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
96-Capital Projects	1	7965800 Catoosa Tax Commission Building	538,441	538,441	\$ -
96-Capital Projects Total			\$ 538,441	\$ 538,441	\$ -
Grand Total			\$ 538,441	\$ 538,441	\$ -

Capital Mod #3 Request

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2019

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	101,343,251	1,261,646	102,604,897	83,613,430	5,431,944	13,559,523	102,604,897	0
Motor Fuels Tax Funding Src	9,295,674	17,338,610	26,634,284	18,543,727	112,961	7,977,596	26,634,284	0
Motor Vehicle Tax Funding Src	30,630,014	1,126,604	31,756,618	29,536,751	634,206	1,585,661	31,756,618	0
Permanent Fund Funding Source	10,100	0	10,100	10,100	0	0	10,100	0
DOI General Funding Source	10,815,869	446,691	11,262,560	10,172,997	1,089,563	0	11,262,560	0
DOI Self Gov Funding Source	14,228,384	79,600	14,307,984	12,969,805	1,285,444	52,735	14,307,984	0
DOI Self Gov Roads Funding Src	5,861,281	0	5,861,281	5,695,592	111,257	54,432	5,861,281	0
Dept of Transportation Fnd Src	72,048,214	0	72,048,214	71,756,427	191,944	99,843	72,048,214	0
DOI PL102-477 Funding Source	32,206,606	0	32,206,606	30,934,319	1,272,287	0	32,206,606	0
IHS Self Gov Health Funding Sr	373,330,199	0	373,330,199	320,462,758	25,867,441	27,000,000	373,330,199	0
IHS Self Gov TEH Funding Src	17,006,563	296,000	17,302,563	17,018,061	284,502	0	17,302,563	0
IHS Self Gov Offic Funding Src	381,515	0	381,515	337,586	43,929	0	381,515	0
IHS Discretionary Funding Src	175,000	0	175,000	45,000	0	130,000	175,000	0
DHHS General Funding Source	41,968,680	572,688	42,541,368	39,100,235	3,441,133	0	42,541,368	0
USDA Funding Source	22,210,846	995,583	23,206,429	22,366,468	839,961	0	23,206,429	0
Dept of Education Funding Src	1,258,063	67,222	1,325,285	1,240,465	84,820	0	1,325,285	0
HUD Funding Source	33,429,793	316,667	33,746,460	32,787,747	642,046	316,667	33,746,460	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	2,091,552	0	2,091,552	1,866,048	225,504	0	2,091,552	0
Dept of Labor Funding Source	13,480,273	0	13,480,273	12,330,824	1,149,449	0	13,480,273	0
Federal Other Funding Source	10,887,633	278,098	11,165,731	10,161,949	403,682	600,100	11,165,731	0
State of Oklahoma Funding Src	1,479,509	0	1,479,509	1,356,458	123,051	0	1,479,509	0
Private Funding Source	1,296,608	200,550	1,497,158	1,436,751	60,407	0	1,497,158	0
Indirect Cost Pool Funding Src	49,984,063	4,500	49,988,563	49,988,563	0	0	49,988,563	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	5,635,685	0	5,635,685	5,635,685	0	0	5,635,685	0
Enterprise Funding Source	3,461,123	1,375,098	4,836,221	4,616,822	219,399	0	4,836,221	0
Other Funding Source	216,768	17,000	233,768	225,408	8,360	0	233,768	0
Debt Service Funding Source	0	0	0	0	0	0	0	0
Capital Projects Funding Sourc	126,318,186	27,000,000	153,318,186	153,318,186	0	0	153,318,186	0
Total	\$ 981,051,452	\$ 51,376,557	\$ 1,032,428,009	\$ 937,528,162	\$ 43,523,290	\$ 51,376,557	\$ 1,032,428,009	\$ -

Non Grant Requests

Oper Mod #4	999,493	02/18 Council
Cap Mod #2	952,003	02/18 Council
Oper Mod #5	143,581	02/28 E&F
Cap Mod #3	538,441	02/28 E&F

Total after pending Mod's **\$ 1,035,061,527**

CAPITAL RECONCILIATION

LA 21-18	\$ 167,732,803
Cap Mod #1	111,808,391
Cap Mod #2	952,003
Cap Mod #3	805,933

Total Capital \$ 281,299,130

Operating (LA 22-18)	753,762,397	Cumulative Oper
Capital (LA 21-18)	281,299,130	Cumulative Cap
Grand Total	\$ 1,035,061,527	



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: 02/11/2019
Re: Review of Capital Budget Modification #3 – **Total \$ 805,933**

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>
40 – Federal Other	Federal Transit Program - Carryover	\$ 267,492
TOTAL GRANTS		<u>\$ 267,492</u>

B. MOD #3 Request - (1 budget) Increase in budget authority - \$ 538,441

1. Catoosa Tax Commission Building – 7965800 – Capital Projects: New budget requesting expenditure authorization of \$538,441 to build a new Catoosa Tax Commission building. The funding is provided by a transfer in from General Fund Operations with details provided for that accounting unit provided in the operating budget modification.

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 - FY2019 BUDGET REQUEST FORM

PART-1

Budget Period:	10/01/2018 - 09/30/2019	Budget Preparer	Phone: 5613
Contract Number:		Name:	Gaylon Thompson
Accounting Fund:	7-Capital Projects Fund	Accounting Unit Director/Manager	Phone: 4137
Funding Source:	96-Capital Projects	Name:	David Moore
AU Description:	Catoosa Tax Commission Building	Executive Director	Phone: 4137
Accounting Unit:	7965800	Name:	David Moore
Place IDC Rate in Part 4 Below		1st Person Responsible	
Date/Time Printed:	05-Feb-19 04:55 PM	Employee #	105979

Notes:

PART-2

Staffing Summary:	FY 2019 ORIG REQUEST	FY 2018 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)
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!		
Total Revenues		\$ -

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	810000	\$0		\$0		\$ -
Contract services >=\$5K	650000		\$50,000			\$ 50,000
Capital acquisitions >= \$5K	770000		\$35,691			\$ 35,691
Building construction projects	770040		\$447,750			\$ 447,750
Artwork: CWY citizens >=\$5K	770065		\$5,000			\$ 5,000
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 - >>>						\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!						
Expenditures NOT Subject to IDC			\$ 538,441		\$ -	\$ 538,441
Expenditures SUBJECT to IDC		\$ -		\$ -		\$ -
Indirect Cost Rate (If blank or zero, must explain in Notes above)		14.05%		14.05%		
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
Total Expenditures			\$ 538,441		\$ -	\$ 538,441
Revenues OVER \ (UNDER) Expenditures			\$ (538,441)		\$ -	\$ (538,441)

Transfers In\Out - (Show ALL as Positive Numbers)

Operating Transfers IN						
Other financing sources	900000					\$ -
Cash in: tribally required	900010		\$538,441			\$ 538,441
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			\$ 538,441		\$ -	\$ 538,441
Take to Narrative ==>			\$ 538,441		\$ -	
Excess\ (Deficit) of Revenues, Expenditures and Net Transfers			\$ -		\$ -	\$ -

Cherokee Nation FY 2019 Comprehensive Budget Narrative

Department/Program	Executive Director		ED Phone #
11 - Management Resources	David Moore		4137
Accounting Unit	Accounting Unit Name		
7965800	Catoosa Tax Commission Building		
Program Director/Manager	Pgm Dir/Mgr Phone #	Period Budget Covers	
David Moore	4137	10/01/2018 - 09/30/2019	
FY2018 Budget Approved	FY2019 Budget Request	\$ Increase/(Decrease) Requested – Approved	% Increase/(Decrease) (Request – Approved) / Approved
\$ -	\$ 538,441	\$ 538,441	100.00%
Staffing Plan (FTE)	FY2019 Budget Request	FY2018	Net Change in Staffing
Regular Full-Time	-	-	-
Regular Part-Time	-	-	-
Temporary Full-Time	-	-	-
Temporary Part-Time	-	-	-
IPA/MOA/Other	-	-	-
Total	-	-	-

PROGRAM NARRATIVE:

Funds will be used to build new Catoosa Tax Commission Building

SIGNIFICANT CHANGES:

New Budget

Cherokee Nation Act/Resolution Proposal Form

Act Resolution

TITLE: AN ACT AMENDING LEGISLATIVE ACT #21-18 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2019 CAPITAL - MOD 3 ; AND DECLARING AN EMERGENCY

DEPARTMENT CONTACT: Gaylon Thompson

RESOLUTION PRESENTER: _____

COUNCIL SPONSOR: _____

NARRATIVE:

ADMINISTRATIVE CLEARANCE

Dept/Program:

Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Treasurer: (Required: Grants/Contracts/Budgets)

Gaylon Thompson 2-6-19
Signature/Initial _____ Date _____

Government Resources:

Signature/Initial _____ Date _____

Administration Approval:

Bill Johnson 2-7-19
Signature/Initial _____ Date _____

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Steve 2/8/19
Signature/Initial _____ Date _____

Standing Committee & Date:

Executive Finance 2/28/19

Chairperson:

Taylor
Signature/Initial _____ Date _____

Returned to Presenter: _____

Date _____

FEB 8 '19 AM 11:53