

An Act

LEGISLATIVE ACT 21-16

AN ACT AMENDING LEGISLATIVE ACT #17-15 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2016 – Mod. 11; 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 #17-15 Authorizing the Comprehensive Operating Budget for FY 2016 – Mod. 11**”.

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 Budget Act for Fiscal Year 2016” or subsequent amendment. The cumulative total of the budget is increased by **\$ 2,182,122** for a total budget authority of **\$ 684,837,873**. The following items are identified as components of such change:

Grants Received & Authorized per LA-17-15 (detail attached)	\$ 1,325,203
Modification Request (see Section 4 below)	<u>856,919</u>
Cumulative change in budget authority	<u>\$ 2,182,122</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #17-15 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 budget authorization by a decrease of **\$ 856,919** to wit:

- A. An increase in the **General Fund** budget authority of **\$ 37,865**.
- B. An increase in the **DOI – Self Governance** budget authority of **\$ 181,554**.
- C. An increase in the **IHS – Self Governance - TEH** budget authority of **\$ 337,500**.

D. An increase in the NAHASDA budget authority of \$ 300,000.

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.

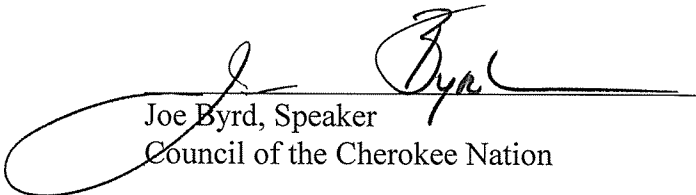
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

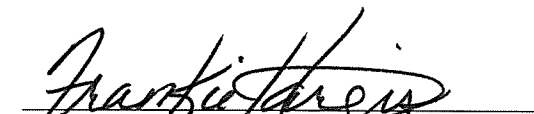
SECTION 8. SELF-HELP CONTRIBUTIONS

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.

Enacted by the Council of the Cherokee Nation on the 12th day of September, 2016.


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 14 day of September, 2016



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Rex Jordan	<u>Absent</u>	Harley Buzzard	<u>Absent</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>Yea</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 2016 AMENDMENT
Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2016 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010315 Cash Match for Grants	June Grants	-	-	\$ -
01-Cherokee Nation Total				\$ -	\$ -	\$ -
20-DOI - General	2	3200000 SHS Education Admin	LA 17-15	262,000	262,000	\$ -
20-DOI - General Total				\$ 262,000	\$ 262,000	\$ -
40-DHHS-General	3	3401140 BH Collaborative for Rural AI Comm	New	24,515	24,515	\$ -
	4	3401150 Medicare Access CHIP Reauthori	New	492,674	492,674	\$ -
	5	3402600 Diabetes Grant	July Grants	(146,635)	(146,635)	\$ -
	6	3402665 Diabetes Grant - Wings	June Grants	146,635	146,635	\$ -
	7	3402670 Diabetes Program- Nowata	July Grants	29,142	29,142	\$ -
	8	3404900 AIDS Education Training Center	New	30,000	30,000	\$ -
	9	3408400 Cherokee Parents	LA 17-15	140,383	140,383	\$ -
10	3409200 Tribal Innovations Grant	LA 17-15	1,121	1,121	\$ -	
40-DHHS-General Total				\$ 717,835	\$ 717,835	\$ -
45-USDA	11	3453451 Food Distribution Other	April Grants	20,667	20,667	\$ -
	12	3453500 WIC Administration	LA 17-15	80,173	80,173	\$ -
	13	3453502 WIC Nutrition Ed	LA 17-15	25,090	25,090	\$ -
	14	3453503 WIC Breastfeeding	LA 17-15	20,000	20,000	\$ -
	15	3453504 WIC Operational Adj	LA 17-15	86,487	86,487	\$ -
	16	3453540 Summer EBT for Children	May Grants	7,336	7,336	\$ -
45-USDA Total				\$ 239,753	\$ 239,753	\$ -
70-US Department of Labor	17	3701500 TLJC Capital Projects	LA 17-15	37,400	37,400	\$ -
70-US Department of Labor Total				\$ 37,400	\$ 37,400	\$ -
75-Federal Other	18	3756800 VOCA-ICW	New	30,231	30,231	\$ -
75-Federal Other Total				\$ 30,231	\$ 30,231	\$ -
85-Private	19	3854300 ITBC Grant	Nov. Grants	36,484	36,484	\$ -
	20	3855400 One Fire-NAAV	New	1,500	1,500	\$ -
85-Private Total				\$ 37,984	\$ 37,984	\$ -
Grand Total				\$ 1,325,203	\$ 1,325,203	\$ -

Operating Grants - Reporting Only

CHEROKEE NATION
 PROPOSED FY 2016 AMENDMENT
 Sorted by Funding Source

Funding Source	Ref # by FS	Program/Purpose	FY 2016 Prior LA	Data		
				Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010390 Special Projects	LA-15-16	25,000	25,000	\$ -
	2	1016000 One Fire Helping Victims	LA-17-15	12,865	12,865	\$ -
	9	1010025 Cherokee Sports Teams	LA-17-15	-	10,000	\$ (10,000)
	10	1010026 Cherokee Livestock Auctions	LA-17-15	-	(10,000)	\$ 10,000
01-Cherokee Nation Total				\$ 37,865	\$ 37,865	\$ -
04-Indirect Cost Pool	3	2041110 Information Technology IDC	LA-17-15	-	330,046	\$ (330,046)
	4	2041115 Network and Internet System	LA-17-15	-	(330,046)	\$ 330,046
04-Indirect Cost Pool Total				\$ -	\$ -	\$ -
22-DOI - Self Governance	5	3221900 Competitive Projects	LA-17-15	21,554	21,554	\$ -
	6	3222220 SG General Assistance	LA-17-15	160,000	160,000	\$ -
22-DOI - Self Governance Total				\$ 181,554	\$ 181,554	\$ -
33-IHS-Self Governance-T E H	7	3332000 EHS Projects	LA-19-16	337,500	337,500	\$ -
33-IHS-Self Governance-T E H Total				\$ 337,500	\$ 337,500	\$ -
56-NAHASDA	8	3566060 Transitional Emergency Housing	LA-17-15	300,000	300,000	\$ -
56-NAHASDA Total				\$ 300,000	\$ 300,000	\$ -
Grand Total				\$ 856,919	\$ 856,919	\$ -

Operating Mod #11 Request

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2016

Funding Source	Revenues		Expenditures		NET
	Revenues	Transfers In	Total	Total	
Tribally Funded Funding Source	112,990,407	2,030,760	115,021,167	19,879,542	115,021,167
Motor Fuels Tax Funding Srce	8,905,998	18,213,025	27,119,023	7,941,511	27,119,023
Motor Vehicle Tax Funding Srce	24,502,408	975,182	25,477,590	1,884,755	25,477,590
Permanent Fund Funding Source	139,621	0	139,621	129,321	139,621
DOI General Funding Source	12,642,065	850,000	13,492,065	0	13,492,065
DOI Self Gov Funding Source	14,882,009	79,600	14,961,609	41,589	14,961,609
DOI Self Gov Roads Funding Src	10,259,512	0	10,259,512	20,201	10,259,512
Dept of Transportation Fnd Src	65,259,966	0	65,259,966	99,843	65,259,966
DOI PL102-477 Funding Source	19,313,281	0	19,313,281	0	19,313,281
IHS Self Gov Health Funding Sr	298,824,479	0	298,824,479	2,650,000	298,824,479
IHS Self Gov TEH Funding Src	7,215,941	576,100	7,792,041	298,427	7,792,041
IHS Self Gov Office Funding Src	322,788	0	322,788	0	322,788
IHS Discretionary Funding Src	40,000	0	40,000	5,000	40,000
DHHS General Funding Source	40,684,911	510,739	41,195,650	0	41,195,650
USDA Funding Source	19,638,308	819,825	20,458,133	0	20,458,133
Dept of Education Funding Src	1,046,036	63,957	1,109,993	703,624	1,109,993
HUD Funding Source	43,167,775	1,229,757	44,397,532	1,176,154	44,397,532
Housing Proceeds Funding Src	0	0	0	0	0
EPA Funding Source	2,113,570	0	2,113,570	232,683	2,113,570
Dept of Labor Funding Source	12,560,359	0	12,560,359	937,326	12,560,359
Federal Other Funding Source	5,992,545	48,367	6,040,912	1,633,312	6,040,912
State of Oklahoma Funding Src	1,442,994	0	1,442,994	0	1,442,994
Private Funding Source	822,881	206,111	1,028,992	62,881	1,028,992
Indirect Cost Pool Funding Src	46,200,265	338,400	46,538,665	0	46,538,665
Fringe Pool Funding Source	0	0	0	0	0
Internal Lease Pool Funding Sr	4,552,390	0	4,552,390	0	4,552,390
Enterprise Funding Source	1,487,586	2,415,688	3,903,274	60,959	3,903,274
Other Funding Source	276,592	17,000	293,592	19,491	293,592
Debt Service Funding Source	0	2,650,000	2,650,000	0	2,650,000
Capital Projects Funding Sourc	10,751,536	178,742,062	189,493,598	3,892,062	189,493,598
Total	\$ 766,036,223	\$ 209,766,573	\$ 975,802,796	\$ 37,012,779	\$ 975,802,796

Non Grant Requests

Oper Mod #11 Req 856,919 08/25 E&F

CAPITAL RECONCILIATION

LA-16-15	\$ 119,446,919
Capital Mod #1	2,245,423 02/16 Council
Capital Mod #2	170,000,000 04/11 Council
Capital Mod #3	129,500 06/13 Council
Total Capital	\$ 291,821,842

Total after pending Mod's \$ 976,659,715

Operating (LA17-15)	\$ 684,837,873	Cumulative Oper
Capital (LA-16-15)	291,821,842	Cumulative Cap
Grand Total	\$ 976,659,715	



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: 08/12/2016
Re: Review of Operating Budget Modification #11 – Total \$ 2,182,122

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># of Budgets - Reason</u>	<u>Amount</u>
20 – DOI General	1 – Carryover reconciliation	\$ 262,000
40 – DHHS General	8 – Carryover reconciliation / new awards	717,835
45 – U.S.D.A.	6 – Carryover reconciliation / revised awards	239,753
70 – US DOL	1 – Carryover reconciliation / revised award	37,400
75 – Federal Other	1 – New award	30,231
85 – Private	2 – Carryover reconciliation / new award	37,984
TOTAL GRANTS		\$ 1,325,203

General Fund Cash Match for Grants (1010315) – The original budget of \$2,686,072 included \$1,760,388 in Cash Out: Grant Required and \$925,684 in Appropriated for Cash Match (future grants).

Original Appropriated for Cash Match (future grants)	\$ 925,684
Used: 3552700 – NAHASDA - Housing Rehab	(267,000) April Reporting
3453451 – U.S.D.A. – Food Distribution Other	(36,261) April Reporting
3753300 – Federal Transit Program	(10,278) June Reporting
3453451 – U.S.D.A. – Food Distribution Other	(1,740) Aug Reporting
Balance Available	<u>\$ 610,405</u>

B. MOD #1 Request - (10 budgets) Increase in budget authority - \$ 856,919


- Special Projects – 1010390 – General Fund: Modification requesting an increase in expenditure authorization of \$25,000 that is funded from estimated contributions and donations for the Rodeo. The net expenditure total remains at \$233,620.
- One Fire Helping Victims – 1016000 – General Fund: Modification requesting an increase in expenditure authorization of 12,865 funded by other income from the One Fire golf tournament. The new budget expenditure total is \$42,865.

3. Information Technology – 2041110 – Indirect Cost Pool: Modification requesting an increase in expenditure authorization of \$330,046 for salary reclassification and career ladder promotions. This is funded by an equal reduction in the Network and Internet System budget in item 4. The new budget expenditure total is \$3,787,324.
4. Network and Internet System – 2041115 – Indirect Cost Pool: Modification requesting a decrease in expenditure authorization of \$330,046 to fund the increase for Information Technology in item 3. The new budget expenditure total is \$3,221,534.
5. Competitive Projects – 3221900 – DOI Self Governance: Modification requesting an increase in expenditure authorization of \$21,554 for adjustments to new funding and carryover. The new budget expenditure total is \$206,554.
6. SG General Assistance – 3222220 – DOI Self Governance: Modification requesting an increase in expenditure authorization of \$160,000. This is one time increase for General and Burial Assistance that is funded from DOI Self Governance carryover. The new budget net expenditure total is \$1,138,431.
7. EHS Projects – 3332000 – IHS Self Governance - TEH: Modification requesting an increase in expenditure authorization of \$337,500 for new funding received. The new budget expenditure total is \$6,003,265.
8. Transitional Emergency Housing – 33566060 – NAHASDA: Modification requesting an increase in expenditure authorization of \$300,000 from NAHASDA funds. The new budget expenditure total is \$394,401.
9. ADDED – Cherokee Sports Teams – 1010025 – General Fund: Modification requesting an increase in expenditure authorization of \$10,000 to provide funding for additional anticipated requests. Funding is provided by a reduction in the Cherokee Livestock Auctions budget. The new budget expenditure total is \$80,000.
10. ADDED – Cherokee Livestock Auctions – 1010026 – General Fund: Modification requesting a decrease in expenditure of \$10,000 authorization to provide the funding for Cherokee Sports Teams. The new budget expenditure total is \$65,000.

Summary:

After reviewing the submission of the operating modification by administration, I find no technical issues surrounding these requests, nor do I have any unmentioned concerns related to their respective carryover 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