

# An Act

## LEGISLATIVE ACT 22-14

### AN ACT AMENDING LEGISLATIVE ACT #22-13 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2014 – Mod. 9; 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 #22-13 Authorizing the Comprehensive Capital Budget for FY 2014 – Mod. 9”.

#### 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 2014” or subsequent amendment. The cumulative total of the capital budget authority of \$ 103,440,185 remains the same. The only change in this Mod is the type of authority set forth in the program budget justifications incorporated herein.

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #22-13 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 to wit:

- A. An increase in the **Capital Projects** budget authority 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.

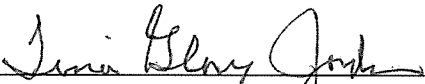
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

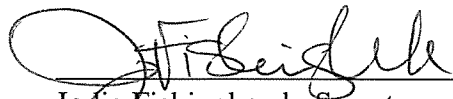
**SECTION 8. SELF-HELP CONTRIBUTIONS**

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.

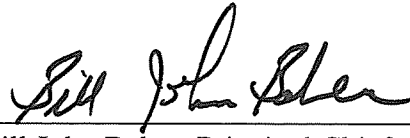
Passed by the Cherokee Council on the 28<sup>th</sup> day of August, 2014

  
\_\_\_\_\_  
Tina Glory Jordan, Speaker  
Council of the Cherokee Nation

ATTEST:

  
\_\_\_\_\_  
Jodie Fishinhawk, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 28<sup>th</sup> day of August, 2014



Bill John Baker, Principal Chief  
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State  
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Tina Glory 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>	Cara Cowan Watts	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Lee Keener	<u>Yea</u>
Janelle Fullbright	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Jack Baker	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Julia Coates	<u>Absent</u>
Curtis Snell	<u>Yea</u>		

CHEROKEE NATION  
 PROPOSED FY 2014 AMENDMENT  
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2014 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
96-Capital Projects	1	7965400 Tribal Complex Roof Replacment	LA-26-13	-	-	\$ -
<b>96-Capital Projects Total</b>				<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

## Capital Mod# 9 Request

# COMPREHENSIVE BUDGET FOR FISCAL YEAR 2014

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	91,581,515	1,791,757	93,373,272	81,190,341	4,603,010	7,579,921	93,373,272	0
Motor Fuels Tax Funding Srce	10,822,938	15,196,108	26,019,046	15,901,006	171,764	9,946,276	26,019,046	0
Motor Vehicle Tax Funding Srce	20,457,224	450,000	20,907,224	19,168,539	460,260	1,278,425	20,907,224	0
Permanent Fund Funding Source	10,530	0	10,530	10,530	0	0	10,530	0
DOI General Funding Source	12,830,540	0	12,830,540	12,035,464	795,076	0	12,830,540	0
DOI Self Gov Funding Source	14,632,344	79,600	14,711,944	13,427,668	1,273,476	10,800	14,711,944	0
DOI Self Gov Roads Funding Src	23,844,432	0	23,844,432	23,616,471	141,088	86,873	23,844,432	0
Dept of Transportation Fnd Src	47,825,387	0	47,825,387	47,566,718	158,826	99,843	47,825,387	0
DOI PL102-477 Funding Source	16,989,155	521,902	17,511,057	16,335,214	1,175,843	0	17,511,057	0
IHS Self Gov Health Funding Sr	257,862,322	765,009	258,627,331	238,477,178	17,500,153	2,650,000	258,627,331	0
IHS Self Gov TEH Funding Src	8,342,737	0	8,342,737	7,966,189	376,548	0	8,342,737	0
IHS Self Gov Offic Funding Src	322,788	0	322,788	284,719	38,069	0	322,788	0
IHS Discretionary Funding Srce	68,400	0	68,400	30,000	0	38,400	68,400	0
DHHS General Funding Source	38,917,877	516,894	39,434,771	35,634,621	3,200,150	600,000	39,434,771	0
USDA Funding Source	18,371,376	775,440	19,146,816	17,867,792	779,024	500,000	19,146,816	0
Dept of Education Funding Srce	1,258,838	80,307	1,339,145	1,220,995	118,150	0	1,339,145	0
HUD Funding Source	47,830,510	247,211	48,077,721	45,745,805	1,881,916	450,000	48,077,721	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	1,920,581	0	1,920,581	1,714,505	206,076	0	1,920,581	0
Dept of Labor Funding Source	6,926,722	0	6,926,722	6,255,505	671,217	0	6,926,722	0
Federal Other Funding Source	3,525,748	33,834	3,559,582	2,679,854	129,728	750,000	3,559,582	0
State of Oklahoma Funding Srce	1,182,118	0	1,182,118	1,069,476	112,642	0	1,182,118	0
Private Funding Source	441,113	183,222	624,335	563,142	61,193	0	624,335	0
Indirect Cost Pool Funding Src	40,912,737	69,165	40,981,902	40,712,895	0	0	40,712,895	269,007
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	4,202,608	0	4,202,608	4,202,608	0	0	4,202,608	0
Enterprise Funding Source	1,401,908	1,700,000	3,101,908	2,641,711	0	0	2,641,711	460,197
Other Funding Source	199,471	17,000	216,471	204,836	11,635	0	216,471	0
Debt Service Funding Source	0	2,650,000	2,650,000	2,650,000	0	0	2,650,000	0
Capital Projects Funding Sourc	20,065,226	4,153,861	24,219,087	18,978,315	0	5,240,772	24,219,087	0
<b>Total</b>	<b>\$ 692,747,145</b>	<b>\$ 29,231,310</b>	<b>\$ 721,978,455</b>	<b>\$ 658,152,097</b>	<b>\$ 33,865,844</b>	<b>\$ 29,231,310</b>	<b>\$ 721,249,251</b>	<b>\$ 729,204</b>

### Non Grant Requests

CAPITAL RECONCILIATION	
LA-22-13 CAP	\$ 92,360,612
Mod-1 Capital	5,000,000
Mod-2 Capital	1,554,468
Mod-3 Capital	521,902
Mod-4b Capital	150,000
Mod-5a Capital	3,300,000
Mod-6 Capital	167,130
Mod-7 Capital	382,739
Mod-8 Capital	3,334
Mod-9 Capital	-
<b>Total Capital</b>	<b>\$ 103,440,185</b>

Mod-11a Oper Req	1,755,594	07/31 E&F
Mod-12 Oper Req	4,305,997	08/28 E&F
<b>Total after pending Mod's</b>	<b>\$ 727,310,842</b>	
Operating (LA21-13)	\$ 623,870,657	Cumulative Oper
Capital (LA-22-13)	103,440,185	Cumulative Cap
<b>Grand Total</b>	<b>\$ 727,310,842</b>	



# CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece CPA, CIA, CMA

Executive Director of Financial Oversight



## M e m o

**To:** Jodie Fishinghawk, Chair, Executive & Finance Committee &  
Janees Taylor, Co-Chair, Executive & Finance Committee

**From:** Jody S. Reece

**CC:** Executive & Finance Committee

**Date:** 08/14/2014

**Re:** Review of Capital Budget Modification #9 – Total \$0

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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. Capital Grants Received (Reporting Only):

<u>Funding Source</u>	<u>Reason</u>	<u>Amount</u>
No changes	No changes	\$ 0
	<b>TOTAL GRANTS</b>	<b>\$ 0</b>

### B. Capital Mod #9 (1 budget) Increase in budget authority - \$ 0:

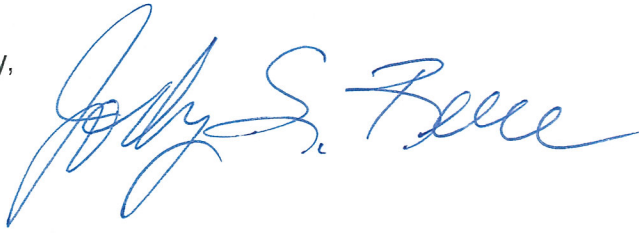
1. Tribal Complex Roof Replacement – 7965400 – Capital Projects: Modification requesting a zero change in expenditure authorization; however, it is requesting change in type of authorization from expenditure to transfer out. The \$2,400,000 is a transfer out to General Fund Operations and the transfer from General Fund Operations will be further defined in the operating budget mod# 12 request.

#### Summary:

After reviewing the submission by administration of Mod #9 to the Capital Budget, I find no technical issues surrounding these requests, nor do I have any concerns related to their respective carryover estimates.

If I can provide any further information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink, appearing to read "J. S. Felle". The signature is fluid and cursive, with the first name "J." and last name "Felle" clearly distinguishable.

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Attachments

CHEROKEE NATION - FY2014 BUDGET REQUEST FORM

PART-1

Budget Period:	10/01/13-9/30/14	Budget Preparer	Phone: 5613
Contract Period:		Name:	Gaylon Thompson
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: 5340
AU Description:	Tribal Complex Roof Replacemet	Name:	Bruce Davis
Accounting Unit:	7965400	1st Person Responsible	
	Place IDC Rate in Part 4 Below	Employee #	105979
Date/Time Printed:	07-Aug-14 02:59 PM		

Notes: Mod 12 Transfer Out \$2,400,000 to AU 1010280, General Fund Operations.

PART-2

Staffing Summary:

	FY 2014 REVISION 1	FY 2014 ORIG REQUEST	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)
Carryover: "appropriated" PY	490000	\$3,742,062	\$3,742,062	\$ -
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>		<b>\$ 3,742,062</b>	<b>\$ 3,742,062</b>	<b>\$ -</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				\$ -
Fringe benefits	610000	\$0				\$ -
Building improvements >= \$5K	770030		\$1,342,062		\$3,742,062	\$ (2,400,000)
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!						\$ -
<b>Expenditures NOT Subject to IDC</b>			\$ 1,342,062		\$ 3,742,062	\$ (2,400,000)
<b>Expenditures SUBJECT to IDC</b>		\$ -		\$ -		\$ -
Indirect Cost Rate (If blank or zero, must explain in Notes above)		15.13%		15.13%		\$ -
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
<b>Total Expenditures</b>			<b>\$ 1,342,062</b>		<b>\$ 3,742,062</b>	<b>\$ (2,400,000)</b>

<b>Revenues OVER \ (UNDER) Expenditures</b>		<b>\$ 2,400,000</b>		<b>\$ -</b>	<b>\$ 2,400,000</b>
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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		\$2,400,000			\$ 2,400,000
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					\$ -

<b>Transfers In\Out - Net</b>		<b>\$ (2,400,000)</b>		<b>\$ -</b>	<b>\$ (2,400,000)</b>
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Take to Narrative ==>		<b>\$ 3,742,062</b>		<b>\$ 3,742,062</b>	
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<b>Excess\ (Deficit) of Revenues, Expenditures and Net Transfers</b>		<b>\$ -</b>		<b>\$ -</b>	<b>\$ -</b>
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# 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>	
 8-8-14	
Signature/Initial	Date
<b>Government Resources:</b>	
Signature/Initial	Date
<b>Administration Approval:</b>	
 8/12/14	
Signature/Initial	Date

**TITLE:** AN ACT AMENDING LEGISLATIVE ACT #22-13 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2014 CAPITAL - MOD 9; AND DECLARING AN EMERGENCY

**DEPARTMENT CONTACT:** Gaylon Thompson

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

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

**NARRATIVE:**

08-12-14P05:10 RCVD

<b><u>LEGISLATIVE CLEARANCE:</u></b>	
<b>Legal &amp; Legislative Coordinator:</b>	
 8/12/14	
Signature/Initial	Date
<b>Standing Committee &amp; Date:</b>	
<u>Executive + Finance</u>	
<b>Chairperson:</b> <u>8/28/14</u>	
	
Signature/Initial	Date
<b>Returned to Presenter:</b> _____	
	Date