

An Act

LEGISLATIVE ACT 32-17

AN ACT AMENDING LEGISLATIVE ACT #25-17 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2018 – Mod. 1; 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 #25-17 Authorizing the Comprehensive Capital Budget for FY 2018 – Mod. 1**”.

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 2018” or subsequent amendment. The cumulative total of the capital budget is increased by **\$ 2,000,000** for a total capital budget authority of **\$ 248,713,097**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 25-17 (detail attached)	\$	0
Modification Request (per Section 4 below)		<u>2,000,000</u>
Cumulative change in budget authority	\$	<u>2,000,000</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #25-17 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 **\$ 2,000,000**.

A. An increase in the **Capital Projects** budget authority of **\$ 2,000,000**.

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.

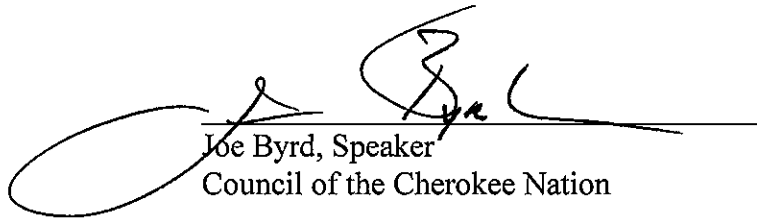
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

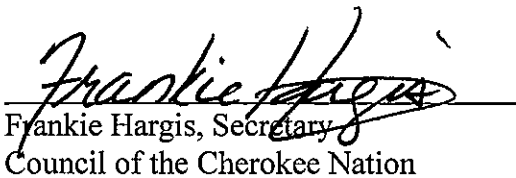
SECTION 8. SELF-HELP CONTRIBUTIONS

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.

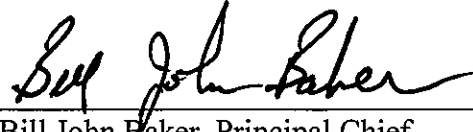
Passed by the Cherokee Council on the 11th day of December, 2017


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 14 day of December, 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>
Mike Dobbins	<u>Yea</u>	Buel Anglen	<u>Yea</u>
E.O. "Junior" Smith	<u>Yea</u>	Keith Austin	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<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 2018 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2018 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
96-Capital Projects	1	7965600 Heritage Center Archives	New	2,000,000	2,000,000	\$ -
96-Capital Projects Total				\$ 2,000,000	\$ 2,000,000	\$ -
Grand Total				\$ 2,000,000	\$ 2,000,000	\$ -

Capital Mod #1 Request

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2018

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	97,000,563	661,398	97,661,961	80,306,551	4,930,111	12,425,299	97,661,961	0
Motor Fuels Tax Funding Srce	9,288,770	17,324,706	26,613,476	18,538,315	104,469	7,970,692	26,613,476	0
Motor Vehicle Tax Funding Srce	25,351,689	1,126,604	26,478,293	24,673,484	514,451	1,290,358	26,478,293	0
Permanent Fund Funding Source	10,100	0	10,100	10,100	0	0	10,100	0
DOI General Funding Source	10,526,657	0	10,526,657	9,603,640	923,017	0	10,526,657	0
DOI Self Gov Funding Source	13,363,665	79,600	13,443,265	12,301,800	1,133,965	7,500	13,443,265	0
DOI Self Gov Roads Funding Srce	8,312,217	0	8,312,217	8,162,149	129,867	20,201	8,312,217	0
Dept of Transportation Fnd Src	72,048,214	0	72,048,214	71,786,009	162,362	99,843	72,048,214	0
DOI PL102-477 Funding Source	26,756,697	0	26,756,697	25,711,458	1,045,239	0	26,756,697	0
IHS Self Gov Health Funding Sr	289,658,411	206,647	289,865,058	269,115,612	20,749,446	0	289,865,058	0
IHS Self Gov TEH Funding Src	8,972,850	0	8,972,850	8,677,485	295,365	0	8,972,850	0
IHS Self Gov Offic Funding Src	322,788	0	322,788	288,476	34,312	0	322,788	0
IHS Discretionary Funding Srce	75,000	0	75,000	35,000	0	40,000	75,000	0
DHHS General Funding Source	38,413,749	557,804	38,971,553	35,815,249	3,156,304	0	38,971,553	0
USDA Funding Source	19,580,754	867,521	20,448,275	19,689,917	758,358	0	20,448,275	0
Dept of Education Funding Srce	1,130,919	67,222	1,198,141	1,140,593	57,548	0	1,198,141	0
HUD Funding Source	32,078,682	312,422	32,391,104	31,847,310	507,794	36,000	32,391,104	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	1,758,607	0	1,758,607	1,565,731	192,876	0	1,758,607	0
Dept of Labor Funding Source	12,670,002	0	12,670,002	11,604,396	1,065,606	0	12,670,002	0
Federal Other Funding Source	5,764,655	35,729	5,800,384	5,430,170	170,214	200,000	5,800,384	0
State of Oklahoma Funding Srce	1,274,965	0	1,274,965	1,176,942	98,023	0	1,274,965	0
Private Funding Source	303,285	152,987	456,272	410,951	45,321	0	456,272	0
Indirect Cost Pool Funding Src	47,229,321	900	47,230,221	47,230,221	0	0	47,230,221	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	5,427,293	0	5,427,293	5,427,293	0	0	5,427,293	0
Enterprise Funding Source	3,376,189	886,000	4,262,189	4,060,725	201,464	0	4,262,189	0
Other Funding Source	225,000	17,000	242,000	234,124	7,876	0	242,000	0
Debt Service Funding Source	0	0	0	0	0	0	0	0
Capital Projects Funding Sourc	149,627,298	0	149,627,298	149,420,651	0	206,647	149,627,298	0
Total	\$ 880,548,340	\$ 22,296,540	\$ 902,844,880	\$ 844,264,352	\$ 36,283,988	\$ 22,296,540	\$ 902,844,880	\$ -

CAPITAL RECONCILIATION

LA 25-17	\$ 246,713,097
Cap Mod #1	2,000,000

Non Grant Requests

Capital Mod #1 Req	2,000,000	11/14 E&F
Oper Mod #3 Req	2,292,974	11/14 E&F

Total after pending Mod's **\$ 907,137,854**

Total Capital **\$ 248,713,097**

Operating (LA 26-17) 658,424,757 Cumulative Oper
Capital (LA 25-17) 248,713,097 Cumulative Cap
Grand Total **\$ 907,137,854**



CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

M e m o

To: Janees Taylor, Chairman, Executive & Finance Committee
From: Jody S. Reece
CC: Executive & Finance Committee
Date: 10/26/2017
Re: Review of Capital Budget Modification #1 – **Total \$ 2,000,000**

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 #1 Request - (1 budget) Increase in budget authority - \$ 2,000,000

1. DOT FHWA Roads – 3190000 – Department of Transportation: New budget requesting expenditure authorization of \$2,000,000 to build the Heritage Center Archives Building. The funds are transferred in from the Tribal Historic Preservation Office budget (item 10 in the operating mod).

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 - FY2018 BUDGET REQUEST FORM

PART-1

Budget Period:	10/01/2017 - 09/30/2018	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:	Heritage Center Archives	Name:	Bruce Davis
Accounting Unit:	7965600	1st Person Responsible	
Place IDC Rate in Part 4 Below		Employee #	105979
Date/Time Printed:	18-Oct-17 12:54 PM		

Notes: Transfer in from AU 3756100, Tribal Historic Preservation Office.

PART-2

Staffing Summary:	FY 2018 ORIG REQUEST	FY 2017 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 - >>>		\$ -
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				\$ -
Fringe benefits	610000	\$0				\$ -
Building construction projects	770040		\$2,000,000		\$0	\$ 2,000,000
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			\$ 2,000,000		\$ -	\$ 2,000,000
Expenditures SUBJECT to IDC		\$ -		\$ -		\$ -
Indirect Cost Rate (If blank or zero, must explain in Notes above)		13.10%		13.10%		
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
Total Expenditures			\$ 2,000,000		\$ -	\$ 2,000,000

Revenues OVER \ (UNDER) Expenditures		\$ (2,000,000)		\$ -	\$ (2,000,000)
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Transfers In/Out - (Show ALL as Positive Numbers)

Operating Transfers IN					
Other financing sources	900000				\$ -
Cash in: tribally required	900010		\$2,000,000		\$ 2,000,000
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		\$ 2,000,000		\$ -	\$ 2,000,000
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Take to Narrative ==>		\$ 2,000,000		\$ -	
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Excess\Deficit) of Revenues, Expenditures and Net Transfers		\$ -		\$ -	\$ -
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Cherokee Nation FY 2018 Comprehensive Budget Narrative

Department/Program		Executive Director		ED Phone #
11 - Management Resources		Bruce Davis		5340
Accounting Unit		Accounting Unit Name		
7965600		Heritage Center Archives		
Program Director/Manager		Pgm Dir/Mgr Phone #	Period Budget Covers	
David Moore		4137	10/01/2017 - 09/30/2018	
FY2017 Budget Approved	FY2018 Budget Request	\$ Increase/(Decrease) Requested - Approved	% Increase/(Decrease) (Request - Approved) / Approved	
\$ -	\$ 2,000,000	\$ 2,000,000	100.00%	
Staffing Plan (FTE)	FY2018 Budget Request	FY2017	Net Change in Staffing	
Regular Full-Time	-	-	-	
Regular Part-Time	-	-	-	
Temporary Full-Time	-	-	-	
Temporary Part-Time	-	-	-	
IPA/MOA/Other	-	-	-	
Total	-	-	-	
PROGRAM NARRATIVE:				
New FY 2018 budget to build the Heritage Center Archives Building.				
SIGNIFICANT CHANGES:				
New FY 2018 budget.				

Cherokee Nation Act/Resolution Proposal Form

Act Resolution

ADMINISTRATIVE CLEARANCE

Dept/Program: _____

AN ACT AMENDING LEGISLATIVE ACT #25-17 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2018
TITLE: CAPITAL - MOD 1 ; AND DECLARING AN EMERGENCY

Signature/Initial _____ Date _____

Executive Director:

DEPARTMENT CONTACT: Gaylon Thompson

Signature/Initial _____ Date _____

Treasurer: (Required: Grants/Contracts/Budgets)

RESOLUTION PRESENTER: _____

Signature/Initial _____ Date _____

Government Resources:

COUNCIL SPONSOR: _____

NARRATIVE:

Signature/Initial _____ Date _____

Administration Approval:

Bill John Baker 10/25/17

Signature/Initial _____ Date _____

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

[Signature] 10/25/17

Signature/Initial _____ Date _____

Standing Committee & Date:

Executive + Finance 11/14/17

Chairperson:

Taylor

Signature/Initial _____ Date _____

Returned to Presenter: _____

Date