

An Act

LEGISLATIVE ACT 05-19

AN ACT AMENDING LEGISLATIVE ACT #21-18 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2019 – 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 #21-18 Authorizing the Comprehensive Capital Budget for FY 2019 – 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 2019” or subsequent amendment. The cumulative total of the capital budget is increased by \$ 7,061,159 for a total capital budget authority of \$ 288,360,289. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 21-18 (detail attached)	\$ 6,271,454
Modification Request (per Section 4 below)	<u>789,705</u>
Cumulative change in budget authority	<u>\$ 7,061,159</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 \$ 789,705.

A. An increase in the **DOI Self Governance Roads** budget authority of \$ 789,705.

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.

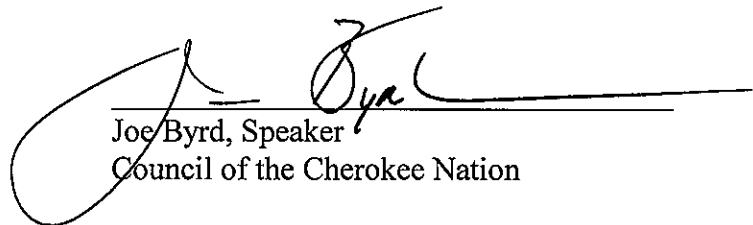
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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

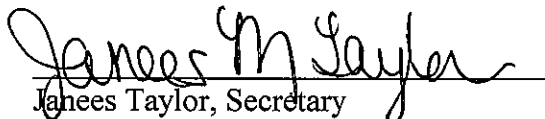
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Passed by the Cherokee Council on the 15th day of April, 2019



Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:




Janees Taylor, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 18th day of April, 2019



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



S. Joe Crittenden, Deputy Principal Chief
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>Yea</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>Absent</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
19-Department of Transportation	1	3190000 DOT FHWA Roads	6,271,454	6,271,454	\$ -
19-Department of Transportation Total			\$ 6,271,454	\$ 6,271,454	\$ -
Grand Total			\$ 6,271,454	\$ 6,271,454	\$ -

March 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
21-DOI-Self Governance-Roads	1	3211000 DOI IRR Roads Construction	789,705	789,705	\$ -
21-DOI-Self Governance-Roads Total			\$ 789,705	\$ 789,705	\$ -
Grand Total			\$ 789,705	\$ 789,705	\$ -

Capital Mod #4 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	101,545,321	1,267,372	102,812,693	83,810,450	5,432,310	13,569,933	102,812,693	0
Motor Fuels Tax Funding Srce	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 Srce	32,369,030	1,126,604	33,495,634	31,285,997	623,976	1,585,661	33,495,634	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	12,961,454	1,293,795	52,735	14,307,984	0
DOI Self Gov Roads Funding Srce	5,861,281	0	5,861,281	5,695,592	111,257	54,432	5,861,281	0
Dept of Transportation Fnd Srce	78,319,668	0	78,319,668	78,027,881	191,944	99,843	78,319,668	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 Srce	17,006,563	296,000	17,302,563	17,018,061	284,502	0	17,302,563	0
IHS Self Gov Offic Funding Srce	381,515	0	381,515	337,586	43,929	0	381,515	0
IHS Discretionary Funding Srce	175,000	0	175,000	45,000	0	130,000	175,000	0
DHHS General Funding Source	42,837,356	572,688	43,410,044	39,945,923	3,464,121	0	43,410,044	0
USDA Funding Source	22,229,426	995,583	23,225,009	22,390,404	834,605	0	23,225,009	0
Dept of Education Funding Srce	1,265,101	67,222	1,332,323	1,246,869	85,454	0	1,332,323	0
HUD Funding Source	33,429,793	316,667	33,746,460	32,791,345	638,448	316,667	33,746,460	0
Housing Proceeds Funding Srce	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	15,479,107	0	15,479,107	14,259,218	1,219,889	0	15,479,107	0
Federal Other Funding Source	11,269,299	278,098	11,547,397	10,523,047	424,250	600,100	11,547,397	0
State of Oklahoma Funding Srce	1,519,970	0	1,519,970	1,393,240	126,730	0	1,519,970	0
Private Funding Source	1,366,649	200,550	1,567,199	1,501,611	65,588	0	1,567,199	0
Indirect Cost Pool Funding Srce	49,984,063	9,184	49,993,247	49,993,247	0	0	49,993,247	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	\$ 992,649,288	\$ 51,386,967	\$ 1,044,036,255	\$ 949,012,975	\$ 43,636,313	\$ 51,386,967	\$ 1,044,036,255	\$ -

Non Grant Requests

Oper Mod #6	2,069,348	03/28 E&F
Cap Mod #4	789,705	03/28 E&F
Oper Mod #5	143,581	03/11 Council
Cap Mod #3	536,441	03/11 Council

Total after pending Mod's **\$ 1,047,577,330**

CAPITAL RECONCILIATION

LA 21-18	\$ 167,732,803
Cap Mod #1	111,808,391
Cap Mod #2	952,003
Cap Mod #3	805,933
Cap Mod #4	7,061,159

Total Capital **\$ 288,360,289**

Operating (LA 22-18)	759,217,041	Cumulative Oper
Capital (LA 21-18)	288,360,289	Cumulative Cap
Grand Total	\$ 1,047,577,330	



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: 03/13/2019
Re: Review of Capital Budget Modification #4 – Total \$ 7,061,159

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>
19 – Dept of Transportation	Federal Highway Carryover	\$ 6,271,454
TOTAL GRANTS		<u>\$ 6,271,454</u>

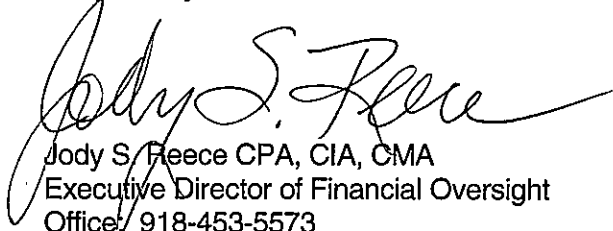
B. MOD #3 Request - (1 budget) Increase in budget authority - \$ 538,441

1. DOI IRR Roads Construction – 3211000 – Capital Projects: Modification requesting an increase in expenditure authorization of \$789,705 for carryover reconciliation. The new expenditure and transfer total is \$6,650,986.

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: 4148
Contract Period:		Name:	Jackie Johnson-Reese
Contract Number:		Accounting Unit Director/Manager	Phone: 5396
Accounting Fund:	3-Special Revenue	Name:	Michael Lynn
Funding Source:	21-DOI-SELF Governance-Roads	Executive Director	Phone: 5248
AU Description:	DOI IRR Roads Construction	Name:	Martha Keicher
Accounting Unit:	3211000	1st Person Responsible	Employee # 104869
Date/Time Printed:	15-Feb-19 09:23 AM	Place IDC Rate in Part 4 Below	

Notes: Budget Modification per Grant History.

PART-2

Staffing Summary:

	FY 2019 REVISION 1	FY 2019 ORIG REQUEST	Incr \ (Decr)
# of Regular Full-Time Employee Equivalents:	7.50	7.50	-
# 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	7.50	7.50	-

PART-3

Revenues:

(Show as positive #)

Account #			Incr \ (Decr)
Grants / contracts revenue	400000		
Investment Revenue	440000	\$6,596,554	\$5,806,849 \$ 789,705
Please enter a valid account number - >>>		\$54,432	\$54,432 \$ -
Please enter a valid account number - >>>			\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!			\$ -
Total Revenues		\$ 6,650,986	\$ 5,861,281 \$ 789,705

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					
Fringe benefits	600000	\$382,238	\$382,238		\$ -
Staff development & training	610000	\$129,197	\$129,197		\$ -
Recruitment	620000	\$23,930	\$23,930		\$ -
Travel-staff	620500	\$2,234	\$2,234		\$ -
Contract services < \$5K	630000	\$28,536	\$28,536		\$ -
Contract services >=\$5K	640000	\$20,000	\$20,000		\$ -
Supplies	650000	\$5,693,433		\$4,903,728	\$ 789,705
Equipment < \$5K	680000	\$44,193	\$44,193		\$ -
Printing cost	680070	\$111,184	\$111,184		\$ -
Direct billed: telephone expense	690070	\$2,000	\$2,000		\$ -
Direct billed: cell/mobile phone	690080	\$2,297	\$2,297		\$ -
Direct billed: auto insurance	690090	\$6,761	\$6,761		\$ -
Direct billed: GSA vehicle	710100	\$5,152	\$5,152		\$ -
R & m equipment	720050	\$31,142	\$31,142		\$ -
Advertising	730040	\$1,500	\$1,500		\$ -
Please enter a valid account number - >>>	740000	\$1,500	\$1,500		\$ -
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					
Expenditures SUBJECT to IDC		\$ 5,693,433	\$ 4,903,728		\$ 789,705
Indirect Cost Rate (If blank or zero, must explain in Notes above)		\$ 791,864	\$ 791,864		\$ -
Indirect Cost Allocation	970000	14.05%	14.05%		\$ -
Total Expenditures		\$ 111,257	\$ 111,257		\$ -
Revenues OVER \ (UNDER) Expenditures		\$ 6,596,554	\$ 5,806,849		\$ 789,705
Transfers In/Out - (Show ALL as Positive Numbers)		\$ 54,432	\$ 54,432		\$ -

Operating Transfers IN

Other financing sources				
Cash in: tribally required	900000			\$ -
Cash in: grant required	900010			\$ -
Cash in: motor fuel tax	900020			\$ -
Cash in: vehicle tax	900040			\$ -
Cash in: interprogram contract	900050			\$ -
Cash in: debt service	900060			\$ -
	900070			\$ -

Operating Transfers OUT

Other financing uses				
Cash out: tribally required	900001			\$ -
Cash out: grant required	900011	\$54,432	\$54,432	\$ -
Cash out: motor fuel tax	900021			\$ -
Cash out: vehicle tax	900041			\$ -
Cash out: interprogram contract	900051			\$ -
Cash out: debt service	900061			\$ -
	900071			\$ -

Transfers In/Out - Net

Take to Narrative ==>		\$ (54,432)	\$ (54,432)	\$ -
Excess\ (Deficit) of Revenues, Expenditures and Net Transfers		\$ 6,650,986	\$ 5,861,281	\$ -

	99,364,532.911	2,152,862.00	2,401,039.06	3,953,250.00	5,032,259.10	2,183,250.00	3,391,254.65	230,000.00	0.00
OTHER RECEIPTS									
FY 00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 01	1,252.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 02	4,549.50	4,549.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 03	2,907.75	2,007.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 04	3,009.70	2,470.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 05	560,815.35	560,815.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 06	1,294,684.40	1,293,015.20	0.00	0.00	0.00	0.00	0.00	0.00	(131.16)
FY 07	1,818,726.28	1,816,926.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 08	1,248,559.36	1,248,159.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 09	365,301.01	363,801.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 10	286,187.16	285,362.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 11	183,349.24	183,349.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 12	156,863.19	156,863.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 13	79,656.30	79,656.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 14	26,456.51	26,456.51	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 15	14,947.41	14,947.41	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 16	24,793.97	24,793.97	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 17	69,612.73	69,612.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER RECEIPTS	127,513.67	6,132,786.16	0.00	(131.16)	0.00	0.00	(131.16)	0.00	127,513.67
EXPENDITURES									
FY 00	34,401.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FY 01	887,845.53	55,563.32	3,243.69	7,773.44	0.00	0.00	0.00	0.00	0.00
FY 02	1,963,027.31	126,062.53	82,182.08	64,462.88	0.00	0.00	0.00	0.00	0.00
FY 03	5,060,446.33	212,939.52	58,319.21	90,110.25	17,047.91	1,540.34	3,225.77	0.00	0.00
FY 04	4,267,211.47	202,475.68	40,179.61	55,725.07	77,097.65	30,178.21	23,484.01	0.00	0.00
FY 05	3,522,291.50	772,589.36	68,737.25	11,095.46	19,121.53	29,993.10	86,413.34	0.00	0.00
FY 06	12,010,942.11	1,710,435.55	57,716.32	55,460.21	34,987.59	27,534.69	116,144.59	0.00	0.00
FY 07	10,035,974.11	2,040,826.53	20,027.60	78,492.44	56,341.48	36,754.36	98,986.76	0.00	0.00
FY 08	19,963,802.17	1,353,551.10	39,705.03	20,267.03	148,709.95	7,707.68	63,449.18	0.00	0.00
FY 09	5,713,789.41	501,559.40	251,239.20	42,945.99	194,111.48	14,146.11	40,865.56	0.00	0.00
FY 10	2,627,984.28	451,585.53	136,606.65	70,407.66	161,425.24	4,358.56	55,796.28	9,888.83	0.00
FY 11	2,948,534.47	320,312.44	251,818.63	86,649.46	226,039.50	37,171.03	76,613.61	25,991.63	0.00
FY 12	5,383,536.78	239,579.08	46,620.86	147,400.14	120,785.91	70,451.80	89,540.82	40,946.31	0.00
FY 13	10,510,082.55	162,357.50	20,221.67	137,208.89	71,436.49	34,655.78	122,685.54	47,814.40	0.00
FY 14	4,865,357.91	26,456.52	9,143.90	84,757.55	346,376.68	75,183.02	118,876.27	21,442.20	0.00
FY 15	3,500,999.58	14,947.41	7,209.60	73,337.21	554,012.49	99,183.72	152,409.93	0.00	0.00
FY 16	706,081.51	14,947.41	14,553.47	195,989.09	281,501.62	101,194.10	41,093.40	0.00	0.00
FY 17	1,736,689.68	68,323.41	61,532.04	398,243.73	385,295.75	119,604.17	15,873.29	0.00	0.00
FY 18	3,298,166.75	0.29	1,144,930.39	87,030.58	1,835,565.23	15,245.79	87,880.80	0.00	0.00
TOTAL EXPENDITURES	99,037,164.91	8,284,359.33	2,313,987.20	1,707,357.08	4,529,856.50	704,902.46	1,193,339.15	146,083.37	127,513.67
UNEXPENDED BALANCE									
	6,596,533.56	1,288.83	87,051.86	2,245,761.76	502,402.60	1,478,347.54	2,197,784.34	83,916.63	0.00
GRANT REC / (PAY)									
	(6,596,533.56)	(1,288.83)	(87,051.86)	(2,245,761.76)	(502,402.60)	(1,478,347.54)	(2,197,784.34)	(83,916.63)	0.00

0.00 UNEXPENDED DIFFERENCE
0.00 PAYABLE DIFFERENCE

Grant Revenue 3,170,653.08
Grant Expenditures 3,170,653.08
0.00

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 4 ; 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 3/7/19
Signature/Initial _____ Date _____

Government Resources:

Signature/Initial _____ Date _____

Administration Approval:

Bill John Baker 3/8/19
Signature/Initial _____ Date _____

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Shirley 3/8/19
Signature/Initial _____ Date _____

Standing Committee & Date:

Executive Finance
Taylor 3/28/19
Chairperson: _____

Signature/Initial _____ Date _____

Returned to Presenter: _____

Date _____

MAR 8 '19 AM 11:52