

An Act

LEGISLATIVE ACT 13-14

AN ACT AMENDING LEGISLATIVE ACT #22-13 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2014 – Mod. 6; 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. 6**”.

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 is increased by **\$ 167,130** for a total capital budget authority of **\$ 103,054,112**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 22-13 (detail attached)	\$ 0
Modification Request (per Section 4 below)	<u>167,130</u>
Cumulative change in budget authority	<u>\$ 167,130</u>

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 **\$ 167,130** to wit:

A. An increase in the **Capital Projects** budget authority of **\$ 167,130**.

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.

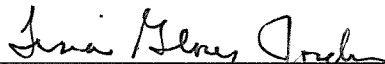
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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

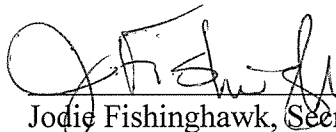
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Passed by the Cherokee Council on the 16th day of June, 2014



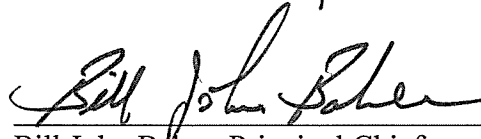
Tina Glory Jordan, Speaker
Council of the Cherokee Nation

ATTEST:



Jodie Fishinghawk, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 20 day of June, 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>	Janees Taylor	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Dick Lay	<u>Yea</u>
Joe Byrd	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Jodie Fishinghawk	<u>Absent</u>	Harley Buzzard	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Yea</u>	Frankie Hargis	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Don Garvin	<u>Yea</u>	Julia Coates	<u>Yea</u>
Lee Keener	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis G. 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	7963000 Muskogee Clinic	LA 22-13	167,130	167,130	\$ -
96-Capital Projects Total				\$ 167,130	\$ 167,130	\$ -
Grand Total				\$ 167,130	\$ 167,130	\$ -

Capital Mod #6 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	91,415,800	1,790,822	93,206,622	81,101,296	4,592,687	7,512,639	93,206,622	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	12,736,725	0	12,736,725	11,941,649	795,076	0	12,736,725	0
DOI Self Gov Funding Source	14,527,484	79,600	14,607,084	13,335,746	1,260,538	10,800	14,607,084	0
DOI Self Gov Roads Funding Src	23,844,432	0	23,844,432	23,616,471	141,068	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	16,331,596	1,179,461	0	17,511,057	0
IHS Self Gov Health Funding Sr	245,019,997	28,140	245,048,137	225,054,610	17,343,527	2,650,000	245,048,137	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	35,529,844	516,894	36,046,738	32,430,666	3,016,072	600,000	36,046,738	0
USDA Funding Source	17,466,304	743,192	18,209,496	17,461,062	748,434	0	18,209,496	0
Dept of Education Funding Srce	1,258,838	80,307	1,339,145	1,214,662	124,483	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	1,900,581	0	1,900,581	1,697,756	202,825	0	1,900,581	0
Dept of Labor Funding Source	6,505,128	0	6,505,128	5,869,884	635,244	0	6,505,128	0
Federal Other Funding Source	2,472,655	500	2,473,155	2,343,427	129,728	0	2,473,155	0
State of Oklahoma Funding Srce	1,140,306	0	1,140,306	1,032,315	107,991	0	1,140,306	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	68,400	40,981,137	40,712,130	0	0	40,712,130	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	1,247,473	450,000	1,697,473	1,237,276	0	0	1,237,276	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 Source	20,102,311	600,000	20,702,311	19,752,269	0	950,042	20,702,311	0
Total	\$ 673,593,476	\$ 23,623,298	\$ 697,216,774	\$ 639,426,907	\$ 33,437,365	\$ 23,623,298	\$ 696,487,570	\$ 729,204

CAPITAL RECONCILIATION		Non Grant Requests	
LA-22-13 CAP	\$ 92,360,612	Mod-8b Oper Req	10,207,684 05/12 Council
Mod-1 Capital	5,000,000	Mod-5a Cap Req	3,300,000 05/12 Council
Mod-2 Capital	1,554,468	Mod-9 Oper Req	2,853,238 05/28 E&F
Mod-3 Capital	521,902	Mod-6 Cap Req	167,130 05/28 E&F
Mod-4b Capital	150,000	Total after pending Mod's	
Mod-5a Capital	3,300,000		\$ 713,015,622
Mod-6 Capital	167,130	Operating (LA21-13)	\$ 609,961,510 Cumulative Oper
		Capital (LA-22-13)	103,054,112 Cumulative Cap
Total Capital	\$ 103,054,112	Grand Total	\$ 713,015,622

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: 05/15/2014

Re: Review of Capital Budget Modification #6

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. Capital Grants Received (Reporting Only):

<u>Funding Source</u>	<u>Reason</u>	<u>Amount</u>
None	N/A	\$ 0
TOTAL GRANTS		\$ 0

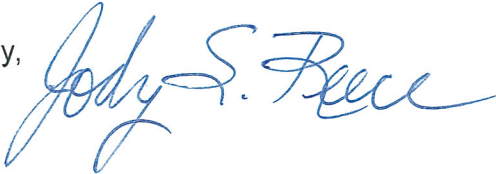
B. Capital Mod #6 (1 budget) Increase in budget authority - \$167,130:

1. Muskogee Clinic – 7963000 – Capital Projects: Modification requesting an increase in expenditure authorization of \$167,130 related to fund balance carryover reconciliation. New total for this budget is \$967,130.

Summary:

After reviewing the submission by administration of Mod #6 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, 

Attachments

CHEROKEE NATION - FY2014 BUDGET REQUEST FORM

PART-1

Budget Period:	10/01/13 to 09/30/14	Budget Preparer	Phone: 5636
Contract Period:		Name:	Ami Sams
Contract Number:		Accounting Unit Director/Manager	Phone: 5636
Accounting Fund:	7-Capital Projects Fund	Name:	Ami Sams
Funding Source:	96-Capital Projects	Executive Director	Phone: 5557
AU Description:	Muskogee Clinic	Name:	Connie Davis
Accounting Unit:	7963000	1st Person Responsible	
Place IDC Rate in Part 4 Below		Employee #	105287
Date/Time Printed:	01-May-14 01:52 PM		
Notes:			

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:			-
TOTAL NUMBER OF EMPLOYEE-EQUIVALENTS	-	-	-

PART-3

Revenues: (Show as positive #)	Account #			Incr \ (Decr)
Carryover: "appropriated" PY	490000	\$967,130	\$800,000	\$ 167,130
Please enter a valid account number - >>>				\$ -
Please enter a valid account number - >>>				\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!				\$ -
Total Revenues		\$ 967,130	\$ 800,000	\$ 167,130

PART-4

Expenditures:	Account #	Subject to IDC ?	Subject to IDC ?	Incr \ (Decr)
		YES	NO	
DO NOT COPY TO, COPY ABOVE, OR REMOVE THIS LINE!				
Salaries & wages	600000	\$0		\$ -
Fringe benefits	610000	\$0		\$ -
Capital acquisitions >= \$5K	770000	\$967,130	\$800,000	\$ 167,130
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		\$ 967,130	\$ 800,000	\$ 167,130
Expenditures SUBJECT to IDC		\$ -	\$ -	\$ -
Indirect Cost Rate (If blank or zero, must explain in Notes above)		14.23%	14.23%	
Indirect Cost Allocation	970000	\$ -	\$ -	\$ -
Total Expenditures		\$ 967,130	\$ 800,000	\$ 167,130

Revenues OVER \ (UNDER) Expenditures	\$ -	\$ -	\$ -
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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			\$ -
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		\$ -	\$ -	\$ -
Take to Narrative ==>		\$ 967,130	\$ 800,000	
Excess \ (Deficit) of Revenues, Expenditures and Net Transfers		\$ -	\$ -	\$ -

Ending Balance

967,129.73

1,048,321.72

81,191.95

0.00

Jody

**ADMINISTRATIVE
CLEARANCE**

Dept/Program:

Signature/Initial Date

Executive Director:

Signature/Initial Date

Treasurer: (Required:
Grants/Contracts/Budgets)

Signature/Initial Date

Government Resources:

Signature/Initial Date

Administration Approval:

Signature/Initial Date

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Signature/Initial Date

Standing Committee & Date:

Chairperson:

Signature/Initial Date

Returned to Presenter:

Date

**Cherokee Nation
Act/Resolution Proposal Form**

☒ Act ☐ Resolution

TITLE: AN ACT AMENDING LEGISLATIVE ACT #22-13 AUTHORIZING
THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2014
CAPITAL - MOD 6; AND DECLARING AN EMERGENCY

DEPARTMENT CONTACT: Gaylon Thompson

RESOLUTION PRESENTER: _____

COUNCIL SPONSOR: _____

NARRATIVE: