

An Act

LEGISLATIVE ACT 16-18

AN ACT AMENDING LEGISLATIVE ACT #25-17 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2018 – Mod. 5; 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. 5”.

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 \$ 8,000,000 for a total capital budget authority of \$ 260,229,466. 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>8,000,000</u>
Cumulative change in budget authority		<u>\$ 8,000,000</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 \$ 8,000,000.

A. An increase in the **Capital Projects** budget authority of \$ 8,000,000.

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.

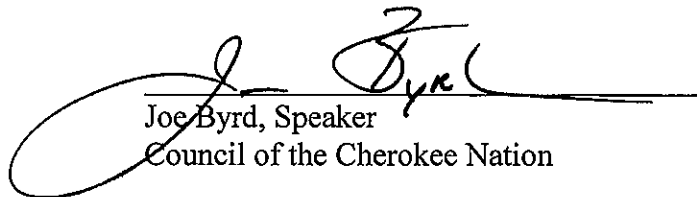
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

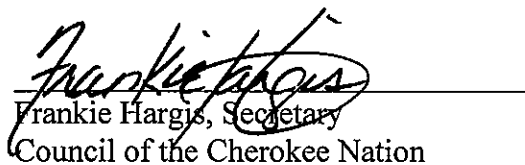
SECTION 8. SELF-HELP CONTRIBUTIONS

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.

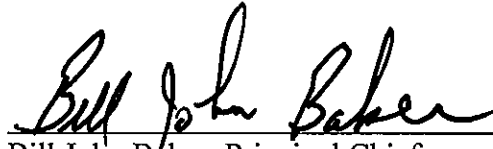
Passed by the Cherokee Council on the 9th day of July, 2018


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 10th day of July, 2018



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>
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>
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	7968300 Health Facilities Equipment	LA 25-17	8,000,000	8,000,000	\$ -
96-Capital Projects Total				\$ 8,000,000	\$ 8,000,000	\$ -
Grand Total				\$ 8,000,000	\$ 8,000,000	\$ -

Capital Mod #5 Request



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: 06/14/2018
Re: Review of Capital Budget Modification #5 – **Total \$ 8,000,000**

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 #5 Request - (1 budget) Increase in budget authority - \$ 8,000,000

1. Health Facilities Equipment – 7968300 – Capital Projects: Modification requesting an increase in expenditure authorization of \$8,000,000 for equipment at the new Hasting Facility. Funding is provided by a transfer in from AU 3329030, Heath Equipment Replacement (IHS Self Governance Health carryover) as reported in the operating mod this month.

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

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2018

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	108,747,755	714,873	109,462,628	89,508,821	5,072,432	14,881,375	109,462,628	0
Motor Fuels Tax Funding Srce	9,288,815	19,302,644	28,591,459	20,512,868	107,899	7,970,692	28,591,459	0
Motor Vehicle Tax Funding Srce	28,532,141	1,126,604	29,658,745	27,817,879	550,508	1,290,358	29,658,745	0
Permanent Fund Funding Source	10,100	0	10,100	10,100	0	0	10,100	0
DOI General Funding Source	11,498,218	371,591	11,869,809	10,216,689	1,653,120	0	11,869,809	0
DOI Self Gov Funding Source	13,711,414	79,600	13,791,014	12,571,084	1,174,016	45,914	13,791,014	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	28,349,867	0	28,349,867	27,178,951	1,170,916	0	28,349,867	0
IHS Self Gov Health Funding Sr	296,843,899	206,647	297,050,546	275,878,846	21,171,700	0	297,050,546	0
IHS Self Gov TEH Funding Src	10,133,960	0	10,133,960	9,838,595	295,365	0	10,133,960	0
IHS Self Gov Offc 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	43,190,338	557,804	43,748,142	40,651,348	3,096,794	0	43,748,142	0
USDA Funding Source	20,488,337	867,521	21,355,858	20,069,726	786,132	500,000	21,355,858	0
Dept of Education Funding Srce	1,208,201	67,222	1,275,423	1,216,367	59,056	0	1,275,423	0
HUD Funding Source	33,142,745	630,073	33,772,818	32,963,946	524,892	283,980	33,772,818	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	1,942,805	0	1,942,805	1,725,139	217,666	0	1,942,805	0
Dept of Labor Funding Source	10,509,976	0	10,509,976	9,545,468	964,508	0	10,509,976	0
Federal Other Funding Source	9,328,711	129,488	9,458,199	5,961,990	296,209	3,200,000	9,458,199	0
State of Oklahoma Funding Srce	1,108,597	0	1,108,597	1,005,638	102,959	0	1,108,597	0
Private Funding Source	1,550,442	200,550	1,750,992	1,693,775	57,217	0	1,750,992	0
Indirect Cost Pool Funding Src	47,540,049	4,500	47,544,549	47,544,549	0	0	47,544,549	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	5,554,424	0	5,554,424	5,554,424	0	0	5,554,424	0
Enterprise Funding Source	3,401,289	1,367,313	4,768,602	4,567,138	201,464	0	4,768,602	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	149,783,839	3,000,000	152,783,839	152,577,192	0	206,647	152,783,839	0
Total	\$ 916,849,141	\$ 28,643,430	\$ 945,492,571	\$ 879,116,291	\$ 37,837,270	\$ 28,539,010	\$ 945,492,571	\$ -

Non Grant Requests

Oper Mod #9	1,622,328	06/11 Council
Cap Mod #5	8,000,000	06/28 E&F
Oper Mod #10	29,872,957	06/28 E&F

Total after pending Mod's **\$ 984,987,856**

CAPITAL RECONCILIATION

LA 25-17	\$ 246,713,097
Cap Mod #1	2,000,000
Cap Mod #2	2,359,828
Cap Mod #3	1,000,000
Cap Mod #4	156,541
Cap Mod #5	8,000,000
Total Capital	\$ 260,229,466

Operating (LA 26-17)	724,758,390	Cumulative Oper
Capital (LA 25-17)	260,229,466	Cumulative Cap
Grand Total	\$ 984,987,856	

CHEROKEE NATION - FY2018 BUDGET REQUEST FORM

PART-1

Budget Period:	10/01/2017 - 09/30/2018	Budget Preparer	Name:	AMI SAMS	Phone:	453-5636
Contract Period:		Accounting Unit Director/Manager	Name:	AMI SAMS	Phone:	453-5636
Contract Number:		Executive Director	Name:	CHARLES GRIM	Phone:	453-5680
Accounting Fund:	7-Capital Projects Fund	1st Person Responsible	Employee #	105287		
Funding Source:	96-Capital Projects					
AU Description:	HEALTH FACILITIES EQUIPMENT					
Accounting Unit:	7968300					
Date/Time Printed:	04-Jun-18 09:20 AM					

Notes: Transfer in from 3329030 for equipment at the new Hastings facility.

PART-2

Staffing Summary:	FY 2018 REVISION 1	FY 2018 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	\$660,000	\$660,000	\$ -
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		\$ 660,000	\$ 660,000	\$ -

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				\$ -
Capital acquisitions >= \$5K	770000		\$8,660,000		\$660,000	\$ 8,000,000
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			\$ 8,660,000		\$ 660,000	\$ 8,000,000
Expenditures SUBJECT to IDC		\$ -		\$ -		\$ -
Indirect Cost Rate (If blank or zero, must explain in Notes above)		13.10%		11.85%		
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
Total Expenditures			\$ 8,660,000		\$ 660,000	\$ 8,000,000
Revenues OVER \ (UNDER) Expenditures			\$ (8,000,000)		\$ -	\$ (8,000,000)
Transfers In\Out - (Show ALL as Positive Numbers)						
Operating Transfers IN						
Other financing sources	900000					\$ -
Cash in: tribally required	900010		\$8,000,000		\$0	\$ 8,000,000
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			\$ 8,000,000		\$ -	\$ 8,000,000
Take to Narrative ==>			\$ 8,660,000		\$ 660,000	
Excess\ (Deficit) of Revenues, Expenditures and Net Transfers			\$ -		\$ -	\$ -

Cherokee Nation Act/Resolution Proposal Form

Act Resolution

AN ACT AMENDING LEGISLATIVE ACT #25-17 AUTHORIZING
THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2018
TITLE: CAPITAL – MOD 5 ; AND DECLARING AN EMERGENCY

DEPARTMENT CONTACT: Gaylon Thompson

RESOLUTION PRESENTER: _____

COUNCIL SPONSOR: _____

NARRATIVE:

<u>ADMINISTRATIVE CLEARANCE</u>	
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

<u>LEGISLATIVE CLEARANCE:</u>	
Legal & Legislative Coordinator:	
Signature/Initial	Date
Standing Committee & Date:	
Chairperson:	Date
Signature/Initial	Date
Returned to Presenter:	
Signature/Initial	Date

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05:02907-929 DEPAIR

REC for LAH 6/11/18

[Signature] 6/13/18

Executive Finance 6/28/18

[Signature]