

An Act

LEGISLATIVE ACT 10-18

AN ACT AMENDING LEGISLATIVE ACT #25-17 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2018 – 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 #25-17 Authorizing the Comprehensive Capital Budget for FY 2018 – 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 2018” or subsequent amendment. The cumulative total of the capital budget is increased by **\$ 156,541** for a total capital budget authority of **\$ 252,229,466**. 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>156,541</u>
Cumulative change in budget authority	<u><u>\$ 156,541</u></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 **\$ 156,541**.

A. An increase in the **Capital Projects** budget authority of **\$ 156,541**.

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.

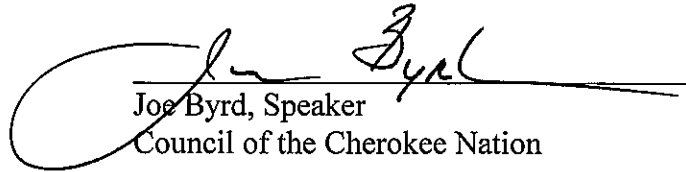
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

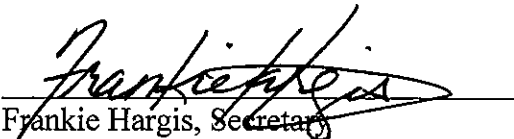
SECTION 8. SELF-HELP CONTRIBUTIONS

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.

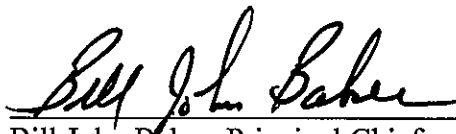
Passed by the Cherokee Council on the 16th day of April, 2018


Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:

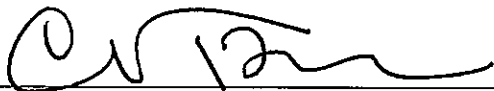

Frankie Hargis, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 18th day of April, 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>	Janees Taylor	<u>Yea</u>
Joe Byrd	<u>Yea</u>	Dick Lay	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Harley Buzzard	<u>Yea</u>
Bryan Warner	<u>Absent</u>	Keith Austin	<u>Yea</u>
E.O. "Jr." Smith	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Mike Dobbins	<u>Yea</u>	Wanda Hatfield	<u>Absent</u>
Frankie Hargis	<u>Yea</u>	Mary Baker Shaw	<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	7965500 Tribal Complex Construction	New	156,541	156,541	\$ -
96-Capital Projects Total				\$ 156,541	\$ 156,541	\$ -
Grand Total				\$ 156,541	\$ 156,541	\$ -

Capital Mod #4 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	97,097,813	714,873	97,812,686	80,403,903	4,924,500	12,484,283	97,812,686	0
Motor Fuels Tax Funding Srce	9,288,770	17,324,706	26,613,476	18,534,885	107,899	7,970,692	26,613,476	0
Motor Vehicle Tax Funding Srce	28,489,341	1,126,604	29,615,945	27,785,171	540,416	1,290,358	29,615,945	0
Permanent Fund Funding Source	10,100	0	10,100	10,100	0	0	10,100	0
DOI General Funding Source	11,498,218	0	11,498,218	9,924,439	1,573,779	0	11,498,218	0
DOI Self Gov Funding Source	13,415,569	79,600	13,495,169	12,303,213	1,146,042	45,914	13,495,169	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 Srce	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	269,145,206	20,719,852	0	289,865,058	0
IHS Self Gov TEH Funding Srce	8,972,850	0	8,972,850	8,677,485	295,365	0	8,972,850	0
IHS Self Gov Offic Funding Srce	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	37,979,598	557,804	38,537,402	35,408,294	3,129,108	0	38,537,402	0
USDA Funding Source	20,428,347	867,521	21,295,868	20,010,266	785,602	500,000	21,295,868	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	33,142,745	630,073	33,772,818	32,976,295	512,543	283,980	33,772,818	0
Housing Proceeds Funding Srce	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	10,393,317	0	10,393,317	9,431,438	961,879	0	10,393,317	0
Federal Other Funding Source	8,857,027	129,488	8,986,515	6,491,366	295,149	2,200,000	8,986,515	0
State of Oklahoma Funding Srce	1,200,970	0	1,200,970	1,094,825	106,145	0	1,200,970	0
Private Funding Source	1,511,733	152,987	1,664,720	1,619,399	45,321	0	1,664,720	0
Indirect Cost Pool Funding Srce	47,229,321	4,500	47,233,821	47,233,821	0	0	47,233,821	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 Source	149,627,298	2,000,000	151,627,298	151,420,651	0	206,647	151,627,298	0
Total	\$ 888,570,781	\$ 25,246,338	\$ 913,817,119	\$ 851,675,267	\$ 36,999,934	\$ 25,141,918	\$ 913,817,119	\$ -

Non Grant Requests

Oper Mod #7	20,874,989	03/29 E&F
Cap Mod #4	156,541	03/29 E&F
Cap Mod #3	1,000,000	03/12 Council
Oper Mod #6A	3,523,663	03/12 Council

Total after pending Mod's **\$ 939,372,312**

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
Total Capital	\$ 252,229,466

Operating (LA 26-17)	687,142,846	Cumulative Oper
Capital (LA 25-17)	252,229,466	Cumulative Cap
Grand Total	\$ 939,372,312	



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: 03/14/2018
Re: Review of Capital Budget Modification #4 – **Total \$ 156,541**

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		<u>\$ 0</u>

B. MOD # Request - (1 budget) Increase in budget authority - \$ 156,541

1. Tribal Complex Construction – 7965500 – Capital Projects: New budget for fiscal year 2018 requesting expenditure authorization of \$156,541. These are carryover funds from fiscal year 2017 for artwork purchases.

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: 5774
Contract Period:		Name:	Connie Chandler
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 Construction	Name:	Bruce Davis
Accounting Unit:	7965500	1st Person Responsible	
	Place IDC Rate in Part 4 Below	Employee #	105979
Date/Time Printed:	12-Mar-18 08:37 AM		

Notes: carryover of unspent artwork

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)
Carryover: "appropriated" PY	490000	\$ 156,541	\$ 156,541
Please enter a valid account number - >>>			\$ -
Please enter a valid account number - >>>			\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!			
Total Revenues		\$ 156,541	\$ - \$ 156,541

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				\$ -
Artwork: CWY citizens >=\$5K	770065		\$ 156,541			\$ 156,541
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			\$ 156,541		\$ -	\$ 156,541
Expenditures SUBJECT to IDC		\$ -		\$ -		\$ -
Indirect Cost Rate (if blank or zero, must explain in Notes above)		14.05%		13.10%		
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
Total Expenditures			\$ 156,541		\$ -	\$ 156,541

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		\$ -		\$ -	\$ -
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Take to Narrative ==>		\$ 156,541		\$ -	
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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	
7965500	Tribal Complex Construction	
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
\$ -	\$ 156,541	\$ 156,541
Staffing Plan (FTE)	FY2018 Budget Request	FY2017
Regular Full-Time	-	-
Regular Part-Time	-	-
Temporary Full-Time	-	-
Temporary Part-Time	-	-
IPA/MOA/Other	-	-
Total	-	-

PROGRAM NARRATIVE:

Requesting carryover of unspent funds to be used for artwork purchases from FY17.

SIGNIFICANT CHANGES:

Carryover of unspent artwork funds

Cherokee Nation Act/Resolution Proposal Form

Act Resolution

TITLE: AN ACT AMENDING LEGISLATIVE ACT #25-17 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2018 CAPITAL - MOD 04 ; 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)**

JRC for LAH *3/14/18*
Signature/Initial _____ Date _____

Government Resources:

Signature/Initial _____ Date _____

Administration Approval:

S. J. C. C. C. C. *3/14/18*
Signature/Initial _____ Date _____

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

[Signature] *3/14/18*
Signature/Initial _____ Date _____

Standing Committee & Date:

Executive Finance *3/29/18*

Chairperson:

Taylor
Signature/Initial _____ Date _____

Returned to Presenter: _____

Date _____

05-14-18 09:55 RCYU