Committee: Executive & Finance Assigned:

08/12/2020 Committee: 08/27/2020

Sponsors: Janees Taylor Jody S. Reece Author:

"Capital" Mod #3

## An Act

#### LEGISLATIVE ACT 18-20

AN ACT AMENDING LEGISLATIVE ACT #14-19 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2020 - Mod. 3; 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 #14-19 Authorizing the Comprehensive Capital Budget for FY 2020 – Mod. 3".

#### **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 2020" or subsequent amendment. The cumulative total of the capital budget is increased by \$\frac{\\$47,848,268}{\}\$ for a total capital budget authority of \$285,380,634. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 14-19 (detail attached)	\$ 0
Modification Request (per Section 4 below)	 47,848,268
Cumulative change in budget authority	\$ 47,848,268

#### SECTION 3. <u>LEGISLATIVE HISTORY</u>

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #14-19 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 \$ 47,848,268.

#### A. An increase in the Capital Projects budget authority of § 47,848,268.

#### 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 27th day of August, 2020

Joe Byrd, Speaker

Council of the Cherokee Nation

ATTEST:

Council of the Cherokee Nation

Chuck Hoskin, Jr., Principal Chief

Cherokee Nation

ATTEST:

Tina Glory Jordan, Secretary of State

Cherokee Nation

#### YEAS AND NAYS AS RECORDED:

Rex Jordan	<u>Yea</u>	Harley Buzzard	Yea
Joe Byrd	<u>Yea</u>	Victoria Vazquez	Yea
Wes Nofire	<u>Yea</u>	Dora Smith Patzkowski	Yea
Mike Dobbins	<u>Yea</u>	Joe Deere	Yea
E. O. "Jr." Smith	<u>Yea</u>	Keith Austin	Yea
Daryl Legg	<u>Yea</u>	Janees Taylor	Yea
Canaan Duncan	<u>Yea</u>	Julia Coates	Yea
Shawn Crittenden	<u>Yea</u>	Mary Baker Shaw	Yea
Mike Shambaugh	<u>Yea</u>		

# CHEROKEE NATION PROPOSED FY 2020 AMENDMENT Sorted by Funding Source

				Data		
					Amend.	
•	Ref # by			Amend. Change	Expenses Total	
Funding Source	FS	Program/Purpose	FY 2020 Prior LA	to Sources	Change	Net Change
96-Capital Projects	1	7968400 Stilwell Clinic Equipment	LA-14-19	-	-	\$ -
	2	7968500 Stilwell Clinic Const	New	29,152,114	29,152,114	\$ -
	3	7969100 OSU Medical School Const	New	18,696,154	18,696,154	\$ -
96-Capital Projects Total				\$ 47,848,268	\$ 47,848,268	\$ -
Grand Total		•		\$ 47,848,268	\$ 47,848,268	\$ -

# Capital Mod #3 Request

Printed: 8/12/2020 5:33 PM FS\_(Aug.)\_PT Prepared by Daniel Stroup

# COMPREHENSIVE BUDGET FOR FISCAL YEAR 2020

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	H
Tribally Funded Funding Source	134,902,765	1,868,464	136,771,229	113,851,964	5,497,024	17.422.241	136.771.229	C
Motor Fuels Tax Funding Srce	10,834,078	17,476,357	28,310,435	19,695,466	99,469	8,515,500	28.310.435	o c
Motor Vehicle Tax Funding Srce	33,348,835	1,099,204	34,448,039	32,529,694	634,762	1,283,583	34,448,039	0 0
Permanent Fund Funding Source	10,100	0	10,100	10,100	0	0	10 100	0 0
DOI General Funding Source	13,153,280	538,897	13,692,177	12,570,300	1,121,877	0	13.692,177	0 0
DOI Self Gov Funding Source	18,744,391	79,600	18,823,991	17,143,371	1,610,599	70,021	18,823,991	0
DOI Self Gov Roads Funding Src	5,708,071	0	5,708,071	5,608,337	36,175	63,559	5,708,071	0 0
Dept of Transportation Fnd Src	88,299,335	0	88,299,335	87,217,443	236,366	845,526	88,299,335	0
DOI PL102-477 Funding Source	82,445,439	0	82,445,439	67,293,716	2,016,247	13,135,476	82,445,439	0 0
IHS Self Gov Health Funding Sr	513,849,988	791,174	514,641,162	480,391,792	34,249,370	0	514.641.162	0
IHS Self Gov TEH Funding Src	18,762,630	0	18,762,630	18,491,177	271,453	0	18,762,630	0
IHS Self Gov Offic Funding Src	381,515	0	381,515	341,321	40,194	0	381,515	0
IHS Discretionary Funding Srce	200,000	0	200,000	75,000	0	425,000	200,000	0
UHHS General Funding Source	61,715,773	604,234	62,320,007	58,015,900	4,304,107	0	62,320,007	0
USDA Funding Source	22,059,959	1,029,668	23,089,627	22,302,064	787,563	0	23,089,627	0
Dept of Education Funding Srce	840,068	82,222	922,290	820,889	56,401	15,000	922,290	0
HUD Funding Source	42,270,298	339,140	42,609,438	41,770,318	499,980	339,140	42,609,438	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	2,236,691	0	2,236,691	2,014,678	222,013	0	2,236,691	0
Dept of Labor Funding Source	11,690,619	0	11,690,619	10,681,757	1,008,862	0	11,690,619	0
Dept of Ireasury Funding Source	410,906,001	0	410,906,001	400,740,675	10,165,326	0	410,906,001	0
Federal Other Funding Source	12,297,102	490,284	12,787,386	12,331,286	355,900	100,200	12,787,386	0
State of Oklahoma Funding Srce	1,578,646	0	1,578,646	1,450,543	128,103	0	1,578,646	0
Private Funding Source	2,018,647	0	2,018,647	1,991,537	27,110	0	2,018,647	0
Indirect Cost Pool Funding Src	57,945,373	4,500	57,949,873	57,949,873	0	0	57,949,873	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	5,781,419	0	5,781,419	5,781,419	0	0	5,781,419	0
Enterprise Funding Source	3,498,763	450,200	3,948,963	3,740,157	208,806	0	3,948,963	0
Other Funding Source	231,500	17,000	248,500	241,348	7,152	0	248,500	0
Debt Service Funding Source	0	0	0	0	0	0	0	0
Capital Projects Funding Sourc	96,997,185	18,135,476	115,132,661	114,341,487	0	791,174	115,132,661	0
Total	\$ 1,653,008,471 \$	43,006,420 \$	1,696,014,891 \$	1,589,423,612 \$	63,584,859 \$	43,006,420 \$	1,696,014,891 \$	

		E&F/Council
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4		Cap Cap
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S Cumulative Oper	Cumulative Cap	
1,546,291,108	285,380,634	\$ 1,831,671,742
Operating (LA 15-19)	Capital (LA 14-19)	Grand Total



#### CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA Executive Director of Financial Oversight

# Memo

To:

Janees Taylor, Chairman, Executive & Finance Committee

From:

Jody S. Reece

CC:

**Executive & Finance Committee** 

Date:

08/12/2020

Re:

Review of Capital Budget Modification #3 – Total \$ 47,848,268

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:

Funding Source	<u>Reason(s)</u>	 <u>Amount</u>
None		\$ 0
	TOTAL GRANTS	\$ 0

## B. MOD #3 Request - Increase in budget authority - \$ 47,848,268

- 1. <u>Stilwell Clinic Equipment 7968400 Capital Projects:</u> Modification requesting a \$6,000,000 decrease in Other Income and a \$6,000,000 increase in Transfer In. The Other Income was to be from CNB; however, due to the economic impact of COVID-19 it has been removed. The Transfer In is from Health carryover and is coming from AU 3329040 reported in this month's operating mod.
- Stilwell Clinic Equipment 7968400 Capital Projects: New budget requesting expenditure authorization of \$29,152,114 to complete the construction/expansion of the Stilwell Health Clinic. Funding was previously budgeted by CNB; however, due to the economic impact of COVID-19 it has been changed. The funding is provided by a Transfer In from Health carryover and is coming from AU 3329040 reported in this month's operating mod.
- 3. OSU Medical School Construction 7969100 Capital Projects: New budget requesting expenditure authorization of \$18,696,154 to complete the construction/expansion of the OSU Medical School. The funding is provided by a Transfer In from Health carryover and is coming from AU 3329040 reported in this month's 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 - FY2020 BUDGET REQUEST FORM

R.	

PART-1					
Budget Period: 10/01/2019 - 09/30/2020		Budget Prepare	r		Phone; 5305
Contract Period:		Name:	[ (5)	Jamie	
Accounting Fund: 7-Capital Projects Fund		Name:	t Director/Manage	er Ryan Ho	Phone: 5340
Funding Source: 96-Capital Projects		Executive Direc	tor	ttyanin	Phone: 4137
AU Description: Stilwell Clinic Equipment		Name:		David A	
Accounting Unit: 7966400		1st Person Res	onsible		
Place IDC Rate in Part 4 Below Date/Time Printed: 11-Aug-20	11:39 AM	Employee#	 	1059	
Notes: Transfer in from 3329040.	11.33 AW	111011140111111111111111111111111111111	TITTI TESTERATION NATIONALISM INTERNA	II TITERAKO KATILIAN KATILIAN ITALIAN KATI	
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# of Temp. Part-Time Employee Equivalents:					
# of Other Employee Equivalents:				[[[]]]]]]]	
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Cash in: debt service	900070				\$
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#### Cherokee Nation FY 2020 Comprehensive Budget Narrative

Department/Program	Executive	Director !	ED Phone #
11 - Management Resources	David M	4137	
Accounting Unit			
7968400			
Program Directo		Pgm Dir/Mgr Phone #	Period Budget Covers
Ryan Hold	erby	5340	10/01/2019 - 09/30/2020
Section of the sectio			% Increase/(Decrease)
		\$ Increase/(Decrease)	(Request – Approved) /
FY 2020 ORIG REQUEST	FY 2020 REVISION 1	Requested - Approved	Approved
\$ 6,000,000	\$ 6,000,000	\$ -	0.00%
Staffing Plan (FTE)	FY 2020 REVISION 1	FY 2020 ORIG REQUEST	Net Change in Staffing
Regular Full-Time	<b>.</b>	<u> </u>	-
Regular Part-Time		-	-
Temporary Full-Time	-	-	-
Temporary Part-Time	-	-	-
IPA/MOA/Other	•	-	-
Total T	-	•	-
ROGRAM NARRATIVE;			

Funds appropriated for the purchase of equipment for the Stilwell Health Clinic.

### SIGNIFICANT CHANGES:

Funding was previously budgeted from CNB. However, due to the economic impact of COVID-19, funding will be provided from Health's Carryover.

#### CHEROKEE NATION - FY2020 BUDGET REQUEST FORM

Budgel Period: 10	0/01/2019 - 09/30/2020		Budget Prepare	:r	·····	Phone:	5305
Contract Period;			Name:	<u> </u>	Jam	ie Cole	0000
Contract Number:				t Director/Manage		Phone:	5340
	Capital Projects Fund		Name:			Holderby	
	-Capital Projects		Executive Direc	tor		Phone:	4137
	ilwell Clinic Construction		Name:	I.	Davi	Moore	
Accounting Unit:	7968500		1st Person Res	ponsible			
	Place IDC Rate in Part 4 Below		Employee #			5979	
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#### Cherokee Nation FY 2020 Comprehensive Budget Narrative

Department/Program	Executive:	Director	ED Phone #
11 - Management Resources	David M	4137	
Accounting Unit	建铁石管铁石铁铁石铁石铁石铁铁铁铁铁铁		
7968500			
Program Directo		Pgm Dir/Mgr Phone #	Period Budget Covers
Ryan Hold	erby	5340	10/01/2019 - 09/30/2020
577010 8		\$ Increase/(Decrease)	% Increase/(Decrease) (Request – Approved) /
FY2019 Budget Approved	FY2020 Budget Request	Requested - Approved	Approved
Staffing Plan (FTE)	\$ 29,152,114 FY2020 Budget Request	\$ 29,152,114 <b>FY2019</b>	100.00%  Net Change in Staffing
Regular Full-Time	-	-	-
Regular Part-Time	-	-	-
Temporary Full-Time	-	-	<b>→</b>
Temporary Part-Time	-	-	•
IPA/MOA/Other		-	-
Total	-		-

PROGRAM NARRATIVE: Funds appropriated to complete the construction/expansion of the Stilwell Health Clinic.

#### SIGNIFICANT CHANGES:

Funding was previously budgeted from CNB. However, due to the economic impact of COVID-19, funding to complete the project will be provided from Health's Carryover.

#### CHEROKEE NATION - FY2020 BUDGET REQUEST FORM

PART-1						
Budget Period: 10/01/2019 - 09/30/2020 Contract Period:		Budget Prepare	r 1	425	Phone:	5305
Contract Number:		Name:	t Director/Manage		Phone:	5340
Accounting Fund: 7-Capital Projects Fund		Name:	Lordetonmanage		ciderby	3340
Funding Source: 96-Capital Projects		Executive Direc	tar	· · · · · · · · · · · · · · · · · · ·	Phone:	4137
AU Description: OSU Medical School Construction		Name;		David	Moore	
Accounting Unit: 7969100		1st Person Resp	onsible			
Place IDC Rate in Part 4 Below	44 15 44	Employee#			979	
Date/Time Printed: 11-Aug-20 Notes: Transfer In from 3329040,	11:46 AM		<u>IIIDU((IIID)IIIU) REKERIUUIIII</u>		<u>).011).71118118011).707878611111</u>	<u>INSTÄÄTTENTIYONALUUNTII</u>
PART-2 Staffing Summary:		FY 2020 ORI	G REQUEST	FY 2019	BUDGET	Incr \ (Decr)
# of Regular Full-Time Employee Equivalents:	HATEGORIO DE LO COMO D					-
# of Regular Part-Time Employee Equivalents:						
# of Temp. Full-Time Employee Equivalents: # of Temp. Part-Time Employee Equivalents:						
# of Other Employee Equivalents:				1127610000000000000000000		
TOTAL NUMBER OF EMPLOYEE-EQUIVALENTS						-
			<del></del>			-
PART-3		_				
Revenues: (Show as positive #)	Account #	7				Incr\(Decr)
Please enter a valid account number - >>>		\$ RATE DOMESTIC DIRECTION OF COLUMN ASSESSMENT	\$0	PERIODERA DI DENGRADA DE PRE	\$0	\$
Please enter a valid account number - >>>				TO THE STATE OF TH		\$
Please enter a valid account number - >>>		927920000000000000000000000000000000000		and a continuent of the contin		Ş
Please enter a valid account number - >>>	<del>- </del>					\$
Please enter a valid account number - >>>			PHILLIPPING THOMAS PROPERTY.			\$
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!				TULINATS (COLUMNICALIA) TOLON		<u> </u>
Total Revenues			<u> </u>		\$ -	\$
PART-4 Expenditures:	Account #	Subject YES	to IDC ?	Subject t		
DO NOT COPY TO, COPY ABOVE, OR REMOVE THIS LINE!	Domornomoji w					Incr \ (Decr)
Salaries & wages	600000	\$0	TECHNICA STATISTICS AND THE	02 02	<u> 1810 matri ilifuttimit veniti f</u>	\$
ringe benefits	610000	S0		\$0		s
Building construction projects	770040	1	\$16,196,154			\$ 18,196.15
Artwork: CWY citizens >=\$5K	770065		\$500,000			\$ 500,00
Please enter a valid account number - >>>						\$
Please enter a valid account number - >>>	-	/ III/// III//				\$
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!						
Expenditures NOT Subject to IDC		minimunnannannanna				\$ 18,696,15
Expenditures SUBJECT to IDC		<u> </u>	19122000191000000000000000000000	<u> </u>	TORRAD DURAN DE SADRO TORRAD DATORE	\$
ndirect Cost Rate (if blank or zero, must explain in Notes above)			88380000.0888000.0006601008010	14.05%	UST LUBSCALITATION DE PROPERTO	
ndirect Cost Aliocation	970000					\$
Total Expenditures			\$ 18,696,154	<u> </u>	\$ .	\$ 18,696,15
Revenues OVER \ (UNDER) Expenditures			\$ (18,696,154)		s -	\$ (18,696,15
Fransfers In\Out - (Show ALL as Positive Numbers) Operating Transfers IN Other financing sources	7	THE Property by the contract of the contract o		TARING THE RESERVE TO THE RESERVE T		
tiner financing sources cash in: tribally required	900000					5 48 606 45
ash in: grant required	900070				<del></del>	S 18.696.15 \$
ash in: motor fuel tax	900040	1070111223333403330233243243617   1011112231312811172281323251				5
ash in: vehicle tax	900050			atullingiliinissättäänisten [		\$
ash in: Interprogram contract	900060					\$
ash in: debt service	900070			TUTURUUU MASSUURAMIRU (		\$
Operating Transfers OUT	1 "					
thar financing uses	900001				·	\$
	900011					\$
ash out: tribally required	900021					\$
	300021					\$
ash out: grant required ash out: motor fuel tax	900021	l opuniorasmervaniome f			1	
ash out: grant required ash out: motor (ue) lax ash out: vehicle tax	900041 900051	ODBOTO DO PROPERTO DO PORTO DO PROPERTO DO PORTO DE LA COLONIA DE LA COLONIA DE LA COLONIA DE LA COLONIA DE LA La colonia de la colonia d		HELITER KERTUUR KAN		\$
ash out: grant required ash out: motor fuel lax ash out: vehicle tex ash out:interprogram contract	900041 900051 900061	ODBOTO DO PROPERTO DO PORTO DO PROPERTO DO PORTO DE LA COLONIA DE LA COLONIA DE LA COLONIA DE LA COLONIA DE LA La colonia de la colonia d		HEBUSTS KEELEGII OO O		\$ \$
ash out: grant required ash out: motor fuel lax ash out: vehicle tax ash out:interprogram contract ash out: debt service	900041 900051	l opuniorasmervaniome f		HADARRAMON DI DININGKAN DI DILIKAN DILIKAN DI DILIKAN DI DILIKAN DI DILIKAN DI DILIKAN DI DILIKAN DILIKA		\$
ash out: grant required ssh out: motor fuel lax ash out: vehicle tax ash out:interprogram contract ush out: debt service	900041 900051 900061	ODBIT (1 ODBIT ) DEBUT NEFT (1 ODBIT ) Decidi (1 Prins) (1 Britis ; 7 Obb) (2 Booth Decidi (1 Prins) (1 Britis ; 7 Obb) (2 Booth Decidi (1 Prins) (1 Obb) (1 O		1845; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ;		\$ \$ \$
ash out: Iribally required ash out: grant required ash out: grant required ash out: motor fuel lax ash out: wehicle tax ash out:lnlerprogram contract ash out: debt service ransfers In\Out - Net ake to Narrative ==>	900041 900051 900061	DANII I DOSASI I DANIYA KATULI DI IR Jagui i kari i Gari se tu de katuli de katu Jagui i Jagui i Jagui i Katuli da katuli	\$ 18,696,154		s .	\$ \$ \$

#### Cherokee Nation FY 2020 Comprehensive Budget Narrative

Department/Program	Executive Director		ED Phone #	
11 - Management Resources	David Moore		4137	
Accounting Unit		Accounting Unit Name		
7969100	OS	on		
Program Direct		Pgm Dir/Mgr Phone #	Period Budget Covers	
Ryan Holderby		5340	10/01/2019 - 09/30/2020	
		To the second se	%:Increase/(Decrease)	
		\$ Increase/(Decrease)	(Request – Approved) /	
FY2019 Budget Approved	FY2020 Budget Request	Requested - Approved	Approved	
<u> </u>	\$ 18,696,154	\$ 18,696,154	100.00%	
Staffing Plan (FTE)	FY2020 Budget Request	FY2019	Net Change in Staffing	
Regular Full-Time	*	•	200	
Regular Part-Time	-	-	-	
Temporary Full-Time	-	-	_	
Temporary Part-Time	•	•	•	
IPA/MOA/Other		-	•	
Total	_	-	-	
ROGRAM NARRATIVE:				
Fig. 4			audenineaum (Glebus angeren)	

Funds appropriated to complete the construction of the OSU Medical School on the WW Hastings Hospital Campus.

# SIGNIFICANT CHANGES: The transfer of the state of the sta

Funding was previously budgeted from CNB. However, due to the economic impact of COVID-19, funding to complete the project will be provided from Health's Carryover.

# **ADMINISTRATIVE CLEARANCE** Dept/Program: Signature/Initial Date **Executive Director:** Signature/Initial Date Treasurer: (Required: Grants/Contracts/Budgets) Digitally signed by Tralynna Sherrill Scott Date: 2020.08.12 16:34:52 -05'00' Signature/Initial Date **Government Resources:** Signature/Initial Administration Approval: **LEGISLATIVE CLEARANCE:** al & Legislative Coordinator: Signature/Initial Standing Committee & Date: Chairperson: Signature/Initial Date

Returned to Presenter:

Date

# Cherokee Nation Act/Resolution Proposal Form

Act/Resolution Proposal Form						
	X Act	Resolution				
TITLE:	THE COMPREHENSIVE E	SLATIVE ACT #14-19 AUTHORIZING BUDGET FOR FISCAL YEAR 2020 ECLARING AN EMERGENCY				
DEPAR	TMENT CONTACT: _1	Daniel Stroup				
RESOL	UTION PRESENTER:					
COUNC	CIL SPONSOR:	·				
NARRATIVE:						