Committee: Executive & Finance

Assigned: <u>08/11/2021</u> Committee: <u>08/27/2021</u>

Sponsors: <u>Keith Austin</u>
Author: Jody S. Reece

"Capital" Mod #6

An Act

LEGISLATIVE ACT 41-21

AN ACT AMENDING LEGISLATIVE ACT #16-20 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2021 – 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 #16-20 Authorizing the Comprehensive Capital Budget for FY 2021 – 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 2021" or subsequent amendment. The cumulative total of the capital budget is increased by \$\frac{\\$4.682,481}{\$}\$ for a total capital budget authority of \$\frac{\\$246,289,200.}{\$}\$ The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 16-20 (detail attached)	\$ 0
Modification Request (per Section 4 below)	4,682,481
Cumulative change in budget authority	\$ 4,682,481

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #16-20 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 § 4,682,481,

A. An increase in the Capital Projects budget authority of \$ 4,682,481.

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 13th day of September, 2021

Mike Shambaugh, Speaker

Council of the Cherokee Nation

ATTEST:

Council of the Cherokee Nation

Page 2 of 3

Approved and signed by the Principal Chief this ______ day of September, 2021

Chuck Hoskin, Jr., Principal Chief

Cherokee Nation

ATTEST:

Tina Glory Jordan, Secretary of State Cherokee Nation

YEAS AND NAYS AS RECORDED:

Rex Jordan	Yea	Melvina Shotpouch	Yea
Candessa Tehee	Yea	Victoria Vazquez	Yea
Wes Nofire	Yea	Dora Patzkowski	Yea
Dr. Mike Dobbins	Yea	Joe Deere	Yea
E.O. "Jr." Smith	Yea	Keith Austin	Yea
Daryl Legg	Yea	Danny Callison	Yea
Joshua Sam	Yea	Johnny Kidwell	Yea
Shawn Crittenden	Yea	Julia Coates	Yea
Mike Shambaugh	Yea		

CHEROKEE NATION PROPOSED FY 2021 AMENDMENT Sorted by Funding Source

				Data	3		
	Ref # by				•	Amend. Expenses Total	
Funding Source	FS	Program/Purpose	FY 2021- Prior LA	t	o Sources	Change	Net Change
96-Capital Projects	1	7968300 Health Facilities Equipment	LA-16-20		7,458,312	7,458,312	\$ -
	2	7969000 Hastings New Facility Constrct	LA-16-20		(2,775,831)	(2,775,831)	\$ -
96-Capital Projects Total				\$	4,682,481	\$ 4,682,481	\$ -
Grand Total				\$	4,682,481	\$ 4,682,481	\$ -

Capital Mod #6 Request

Printed: 8/11/2021 4:08 PM FS_PT Prepared by V. Hansen

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2021

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	125,635,792	21,140,297	146,776,089	124,425,045	4,978,344	17,372,700	146,776,089	0
Motor Fuels Tax Funding Srce	11,425,464	17,979,396	29,404,860	20,840,503	73,357	8,491,000	29,404,860	0
Motor Vehicle Tax Funding Srce	35,644,485	1,099,686	36,744,171	34,704,849	646,484	1,392,838	36,744,171	0
Permanent Fund Funding Source	9,100	0	9,100	9,100	0	0	9,100	0
DOI General Funding Source	16,100,862	0	16,100,862	14,996,593	1,104,269	0	16,100,862	0
DOI Self Gov Funding Source	22,231,141	79,600	22,310,741	18,574,959	1,225,361	2,510,421	22,310,741	0
DOI Self Gov Roads Funding Src	4,658,360	0	4,658,360	4,621,055	32,305	2,000	4,658,360	0
Dept of Transportation Fnd Src	97,616,429	0	97,616,429	97,272,025	244,404	100,000	97,616,429	0
DOI PL102-477 Funding Source	95,587,677	0	95,587,677	91,562,237	1,932,614	2,092,826	95,587,677	0
IHS Self Gov Health Funding Sr	663,280,518	12,034,146	675,314,664	626,306,614	34,723,904	14,284,146	675,314,664	0
IHS Self Gov TEH Funding Src	19,187,582	0	19,187,582	18,904,687	282,895	0	19,187,582	0
IHS Self Gov Offic Funding Src	388,823	0	388,823	351,730	37,093	0	388,823	0
IHS Discretionary Funding Srce	75,000	0	75,000	75,000	0	0	75,000	0
DHHS General Funding Source	86,138,009	603,199	86,741,208	81,427,808	5,313,400	0	86,741,208	0
USDA Funding Source	30,718,280	361,101	31,079,381	30,144,968	934,413	0	31,079,381	0
Dept of Education Funding Srce	923,567	82,222	1,005,789	936,045	54,744	15,000	1,005,789	0
HUD Funding Source	42,902,856	300,000	43,202,856	41,237,595	465,261	1,500,000	43,202,856	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	2,486,039	0	2,486,039	2,264,970	221,069	0	2,486,039	0
Dept of Labor Funding Source	15,870,916	0	15,870,916	14,735,861	1,135,055	0	15,870,916	0
Dept of Treasury Funding Source	2,099,452,026	0	2,099,452,026	1,910,483,097	0	188,968,929	2,099,452,026	0
Federal Other Funding Source	18,041,721	431,713	18,473,434	17,578,834	717,994	176,606	18,473,434	0
State of Oklahoma Funding Srce	1,587,872	0	1,587,872	1,467,260	120,612	0	1,587,872	0
Private Funding Source	3,030,999	0	3,030,999	2,999,680	31,319	0	3,030,999	0
Indirect Cost Pool Funding Src	58,161,986	4,500	58,166,486	58,166,486	0	0	58,166,486	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	6,105,336	0	6,105,336	6,105,336	0	0	6,105,336	0
Enterprise Funding Source	2,436,773	1,576,606	4,013,379	3,823,300	190,079	0	4,013,379	0
Other Funding Source	268,000	17,000	285,000	280,134	4,866	0	285,000	0
Debt Service Funding Source	0	0	0	0	0	0	0	0
Capital Projects Funding Sourc	80,586,419	6,200,000	86,786,419	86,786,419	0	0	86,786,419	0
Total	\$ 3,540,552,032 \$	61,909,466	\$ 3,602,461,498	\$ 3,311,082,190 \$	54,469,842 \$	236,909,466 \$	3,602,461,498 \$	
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08/09 Council	08/26 E&F 08/26 E&F
3,365,135	4,682,481
Oper Mod #10A	Capital Mod #6 Oper Mod #11

218,171,590 249,530 100,000 687,126 687,558 21,710,915

> Cap Mod #1 Cap Mod #2 Cap Mod #3 Cap Mod #4 Cap Mod #5

CAPITAL RECONCILIATION

LA 16-20

4,682,481 246,289,200

Cap Mod #6 Total Capital

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\$ 3,611,774,114

Cumulative Oper	Cumulative Cap	
3,365,484,914	246,289,200	
Operating (LA 17-20)	Capital (LA 16-20)	



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:

08/11/2021

Re:

Review of Capital Budget Modification #6 - Total \$ 4,682,481

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	Reason(s)	Amount
None to Report		\$ 0
	TOTAL GRANTS	\$ 0

B. MOD #6 Request - Increase in budget authority - \$ 4,682,481

- 1. <u>Health Facilities Equipment 7968300 Capital Projects:</u> Modification requesting an increase in expenditure authorization of \$7,458,312. This adjusts to actual carryover and transfer out \$458,238 to the Hastings New Facility Construction in item 2. The new budgeted expenditure and transfer total is \$14,958,312.
- 2. <u>Hastings New Facility Construction 7969000 Capital Projects:</u> Modification requesting a decrease in expenditure authorization of \$2,775,831. This adjusts to actual carryover (overspend) and budgets the transfer in from Health Facilities Equipment of \$458,238. This will balance and close out this capital project budget.

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 FY 2021 Comprehensive Budget Narrative

Department/Program	Executive	Executive Director					
11 - Management Resources	David M	oore	4137				
Accounting Unit		Accounting Unit Name					
7968300		Health Facilities Equipment					
Program Directo		Pgm Dir/Mgr Phone #	Period Budget Covers				
David Mo	pore	4137	10/01/2020 - 09/30/2021				
FY 2021 ORIG REQUEST	FY 2021 REVISION 1	\$ Increase/(Decrease) Requested – Approved	% Increase/(Decrease) (Request – Approved) / Approved				
\$ 7,500,000	\$ 14,958,312	\$ 7,458,312	99.44%				
Staffing Plan (FTE)	FY 2021 REVISION 1	FY 2021 ORIG REQUEST	Net Change in Staffing				
Regular Full-Time		-	-				
Regular Part-Time	-	100					
Temporary Full-Time	-	-	-				
Temporary Part-Time		-	- 1				
IPA/MOA/Other		-	<u>-</u>				
Total	_	-	_				

PROGRAM NARRATIVE:

Funde	appropriated	for the	nurchase	of	equipment	for	the T	Tahlequah	Outn	ationt	Health	Clinic
runus	appropriateu	ior the	Durchase	OI	edulbillent	101	uie	ranieuuan	Outo	aueni	nealui	CIII IIC.

SIGNIFICANT CHANGES:

Budget Modification for actual carryover and budgeting a transfer out to 7969000 to close-out the CNOHC Construction Budget.

CHEROKEE NATION - FY2021 BUDGET REQUEST FORM

PART-1							
Budget Period:	10/01/2020 - 09/30/2021		Budget Prepare	Ţ		Phone:	5305
Contract Period:			Name:	<u> </u>		ie Cole	
Contract Number: Accounting Fund:	7-Capital Projects Fund		Accounting Unit	t Director/Manage		Phone: 1 Moore	4137
Funding Source:	96-Capital Projects		Executive Direct	tor	David	Phone:	4137
AU Description:	Health Facilities Equipment		Name:		Davk	1 Moore	
Accounting Unit:	7968300		1st Person Resp	onsible			
Date/Time Printed:	Place IDC Rate in Part 4 Below 28-Jul-21	04:49 PM	Employee #	<u>.</u> Distribuidadidididididi		8517	***************************************
Date/Time Printed.	Notes:Actual carryover to FY21. Transfer out			T1181111111111111111111111111111111111	marinmusinimari	[[1]]]	aniniaanmaaanmaa
	\$458,237.78 to close-out the CNOHC Constru						
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PART-2							<u></u>
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	p. Part-Time Employee Equivalents:						
	Other Employee Equivalents:	niadinatumnumnuming					-
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PART-3			_				
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PART-4				to IDC ?		to IDC ?	l
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Other financing sources		900000					\$ -
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Cash in: vehicle tax		900050	ektannokarannokutu				\$ -
Cash in: interprogram co	entract	900060				- 4	s -
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Cherokee Nation FY 2021 Comprehensive Budget Narrative

Department/Program	Executive	ED Phone #			
11 - Management Resources	David M	4137			
Accounting Unit	Accounting Unit Name				
7969000	Hastings New Facility Constrct				
Program Directo	or/Manager	Pgm Dir/Mgr Phone #	Period Budget Covers		
David Mo	ore	4137	10/01/2020 - 09/30/2021		
FY 2021 ORIG REQUEST	FY 2021 REVISION 1	\$ Increase/(Decrease) Requested – Approved	% Increase/(Decrease) (Request – Approved) / Approved		
\$ 3,000,000	\$ 224,169	\$ (2,775,831)	-92.53%		
Staffing Plan (FTE)	FY 2021 REVISION 1	FY 2021 ORIG REQUEST	Net Change in Staffing		
Regular Full-Time	-	-	-		
Regular Part-Time	-	-	=		
Temporary Full-Time	-	-	-		
Temporary Part-Time	<u> </u>	-	; <u> </u>		
IPA/MOA/Other		-	-		
Total	-	-			

PROGRAM NARRATIVE:

Funds appropriated for the construction of the Tahlequah Outpatient Health Clinic.

SIGNIFICANT CHANGES:

Budget Mod to close-out the CNOHC construction budget. Transfer in from 7968300.

CHEROKEE NATION - FY2021 BUDGET REQUEST FORM

PART-1							
	0/01/2020 - 09/30/2021		Budget Prepare	<u>r</u>	lami	Phone: e Cole	5305
Contract Period: Contract Number:			Name:	t Director/Manage		Phone:	4137
	Capital Projects Fund		Name:	, Distriction in East		Мооге	
1 1 113 1	-Capital Projects		Executive Direc	tor		Phone:	4137
	stings New Facility Constrct 7969000		Name:	nonelble	David	Moore	
Accounting Unit:	Place IDC Rate in Part 4 Below		1st Person Resp Employee #	OCURIDIE	108	8517	
Date/Time Printed:	28-Jul-21	02:01 PM					
	ntes: Close-out the CNOHC Construction Pi	oject. Transfer in from					
79	68300 for \$458,237.78.						
PART-2					ı		1
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Total Expenditures		37000					\$ (2,775,83
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Revenues OVER \ (UI	IDER) Expenditures			\$ (468,238)		<u> </u>	\$ (458,23
Transfers In\Out - (S	how ALL as Positive Numbers)						
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ADMINISTRATIVE CLEARANCE Dept/Program: Signature/Initial Date Executive Director: Signature/Initial Date Treasurer: (Required: Grants/Contracts/Budgets) Signature/Initial Date

Government Resources:

Administration Approval:

LEGISLATIVE CLEARANCE:
Legislative Coordinator:

Signature/Initial

Signature/Initial

Signature/Initial

Standing Committee & Date:

Chairperson:

Signature/Initial

Date

Date

Returned to Presenter:

Date

Cherokee Nation Act/Resolution Proposal Form

	X Act Resolution				
TITLE:	AN ACT AMENDING LEGISLATIVE ACT #16-20 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2021 CAPITAL – MOD 6; AND DECLARING AN EMERGENCY				
DEPARTMENT CONTACT: Daniel Stroup					
RESOLUTION PRESENTER:					
COUNCIL SPONSOR:					
NARRA	TIVE:				

AUG 10'21 PM4:31