

An Act

LEGISLATIVE ACT 13-23

AN ACT AMENDING LEGISLATIVE ACT #29-22 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2023 – Mod. 7; 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 #29-22 Authorizing the Comprehensive Capital Budget for FY 2023 – Mod. 7**”.

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 2023” or subsequent amendment. The cumulative total of the capital budget is increased by **\$ 2,046,651** for a total capital budget authority of **\$ 632,985,707**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 29-22 (detail attached)	\$ 0
Modification Request (per Section 4 below)	<u>2,046,651</u>
Cumulative change in budget authority	<u>\$ 2,046,651</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #29-22 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 **\$ 2,046,651** to wit:

- A. An increase in the **Capital Projects** budget authority of **\$ 2,046,651**.

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.

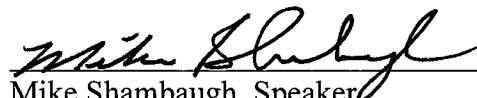
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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

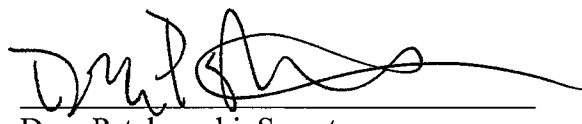
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Passed by the Cherokee Council on the 19th day of June, 2023



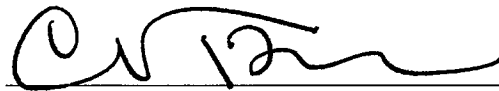
Mike Shambaugh, Speaker
Council of the Cherokee Nation

ATTEST:



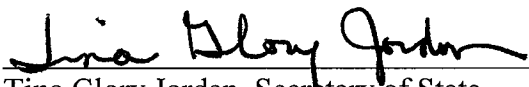
Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 22 day of June, 2023



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

CHEROKEE NATION
 PROPOSED FY 2023 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2023- Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
96-Capital Projects	1	7961510 Nowata Early Childhood Center	LA 25-23	2,046,651	2,046,651	\$ -
96-Capital Projects Total				\$ 2,046,651	\$ 2,046,651	\$ -
Grand Total				\$ 2,046,651	\$ 2,046,651	\$ -

Capital Mod #7 Request

**COMPREHENSIVE BUDGET
FOR FISCAL YEAR 2023**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	334,251,180	19,430,519	353,681,699	303,535,026	7,279,214	42,867,459	353,681,699	-
Motor Fuels Tax Funding Srce	10,985,384	19,348,346	30,333,730	20,756,283	72,447	9,505,000	30,333,730	-
Motor Vehicle Tax Funding Srce	41,891,623	1,610,440	43,502,063	42,069,006	916,786	516,271	43,502,063	-
Permanent Fund Funding Source	9,100	0	9,100	9,100	0	0	9,100	-
DOI General Funding Source	22,646,214	0	22,646,214	20,905,357	1,740,857	0	22,646,214	-
DOI Self Gov Funding Source	55,805,809	79,600	55,885,409	53,054,629	2,820,780	10,000	55,885,409	-
DOI Self Gov Roads Funding Src	0	0	0	0	0	0	0	-
Dept of Transportation Fnd Src	91,416,925	0	91,416,925	91,028,325	288,600	100,000	91,416,925	-
DOI PL102-477 Funding Source	411,877,377	0	411,877,377	344,024,822	2,662,282	65,190,273	411,877,377	-
IHS Self Gov Health Funding Sr	853,094,767	0	853,094,767	787,164,837	47,188,779	18,741,151	853,094,767	-
IHS Self Gov TEH Funding Src	26,090,941	0	26,090,941	25,746,586	344,355	0	26,090,941	-
IHS Self Gov Office Funding Src	386,587	0	386,587	351,067	35,520	0	386,587	-
IHS Discretionary Funding Source	150,000	0	150,000	100,000	0	50,000	150,000	-
DHHS General Funding Source	103,451,126	678,560	104,129,686	97,177,347	6,952,339	0	104,129,686	-
USDA Funding Source	58,911,122	1,047,121	59,958,243	56,195,618	3,762,625	0	59,958,243	-
Dept of Education Funding Srce	1,782,012	87,222	1,869,234	1,710,059	139,175	20,000	1,869,234	-
HUD Funding Source	71,062,625	1,877,501	72,940,126	69,562,057	300,568	3,077,501	72,940,126	-
Housing Proceeds Funding Src	0	0	0	0	0	0	0	-
EPA Funding Source	2,933,702	0	2,933,702	2,694,221	239,481	0	2,933,702	-
Dept of Labor Funding Source	29,393,729	0	29,393,729	27,903,048	1,490,681	0	29,393,729	-
Dept of Treasury Funding Source	1,026,700,191	0	1,026,700,191	1,023,303,346	3,146,845	250,000	1,026,700,191	-
Federal Other Funding Source	55,867,130	234,754	56,101,884	55,139,108	958,569	4,207	56,101,884	-
State of Oklahoma Funding Srce	1,046,367	0	1,046,367	987,274	59,093	0	1,046,367	-
Private Funding Source	5,424,914	0	5,424,914	5,381,131	43,783	0	5,424,914	-
Indirect Cost Pool Funding Src	82,574,764	11,250	82,586,014	82,586,014	0	0	82,586,014	-
Fringe Pool Funding Source	0	0	0	0	0	0	0	-
Internal Lease Pool Funding Sr	5,478,811	0	5,478,811	5,478,811	0	0	5,478,811	-
Enterprise Funding Source	1,794,891	1,699,807	3,494,698	3,402,056	92,642	0	3,494,698	-
Other Funding Source	268,000	17,000	285,000	280,066	4,934	0	285,000	-
Debt Service Funding Source	0	0	0	0	0	0	0	-
Capital Projects Funding Sourc	406,825,804	94,209,742	501,035,546	500,880,521	155,025	0	501,035,546	-
Total	\$ 3,702,121,095	\$ 140,331,862	\$ 3,842,452,957	\$ 3,621,425,715	\$ 80,695,380	\$ 140,331,862	\$ 3,842,452,957	\$ -

Non Grant Requests

CAPITAL RECONCILIATION	
LA 29-22	\$ 569,345,306
Cap Mod #1	13,754,571
Cap Mod #2	1,036,000
Cap Mod #3	18,451,776
Cap Mod #4	8,484,614
Cap Mod #5	8,407,838
Cap Mod #6	11,458,951
Cap Mod #7	2,046,651
Total Capital	\$ 632,985,707

Oper Mod #9	1,142,822	06/19 E&F
Cap Mod #7	2,046,651	06/19 E&F

Oper Mod #8 3,541,761

Total after pending Mod's
\$ 3,849,184,191

Operating - cumulative total \$ 3,216,198,484
Capital - cumulative total 632,985,707
Grand Total \$ 3,849,184,191



CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

M e m o

To: Keith Austin, Chairman, Executive & Finance Committee
From: Jody S. Reece
CC: Executive & Finance Committee
Date: 06/07/2023
Re: Review of Capital Budget Modification #7 – **Total \$ 2,046,651**

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 #7 Request - Increase in budget authority - \$ 2,046,651

1. Nowata Early Childhood Center – 7961510 – Capital Projects: Modification requesting an increase in expenditure authorization of \$2,046,651. Funding provided by transfer in from the Verna D. Thompson Early Childhood Education Act of 2021 (LA 46-21) (AU 1010950). The new budgeted expenditure total is \$6,866,120.

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 Act/Resolution Proposal Form

Act Resolution

AN ACT AMENDING LEGISLATIVE ACT #29-22 AUTHORIZING
THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2023
TITLE: CAPITAL – MOD 7 ; AND DECLARING AN EMERGENCY

DEPARTMENT CONTACT: Daniel Stroup

RESOLUTION PRESENTER: _____

COUNCIL SPONSOR: _____

NARRATIVE:

<u>ADMINISTRATIVE CLEARANCE</u>	
Dept/Program:	
Signature/Initial	Date
Executive Director:	
Signature/Initial	Date
Treasurer: (Required: Grants/Contracts/Budgets)	
<i>James M. Taylor 6.3.23</i>	
Signature/Initial	Date
Government Resources:	
Signature/Initial	Date
Administration Approval:	
<i>[Signature] 6/7/23</i>	
Signature/Initial	Date
<u>LEGISLATIVE CLEARANCE:</u>	
Legal & Legislative Coordinator:	
<i>[Signature] 6/7/23</i>	
Signature/Initial	Date
Standing Committee & Date:	
<i>Executive + Finance 6/19/23</i>	
Chairperson:	
<i>[Signature]</i>	
Signature/Initial	Date
Returned to Presenter: _____	
Date	