

# An Act

## LEGISLATIVE ACT 16-23

### AN ACT AMENDING LEGISLATIVE ACT #29-22 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2023 – Mod. 8; 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. 8**”.

#### 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 **\$ 3,338,310** for a total capital budget authority of **\$ 636,324,017**. 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>3,338,310</u>
<b>Cumulative change in budget authority</b>	<b><u>\$ 3,338,310</u></b>

#### 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 **\$ 3,338,310** to wit:

- A. An increase in the **Tribally Funded** budget authority of **\$ 41,710**.
- B. An increase in the **DOI PL 102-477** budget authority of **\$3,296,600**.

**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.

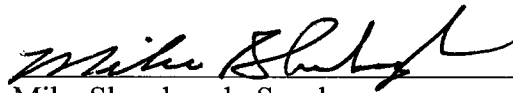
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

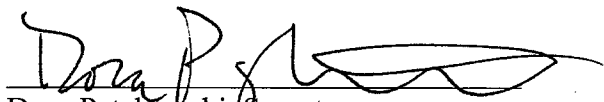
**SECTION 8. SELF-HELP CONTRIBUTIONS**

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 10<sup>th</sup> day of July, 2023

  
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Mike Shambaugh, Speaker  
Council of the Cherokee Nation

ATTEST:

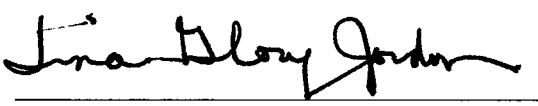
  
\_\_\_\_\_  
Dora Patzkowski, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 13<sup>th</sup> day of July, 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>Absent</u>
Wes Nofire	<u>Yea</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>Yea</u>	Danny Callison	<u>Yea</u>
Josh Sam	<u>Yea</u>	Johnny Kidwell	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Julia Coates	<u>Absent</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
01-Cherokee Nation	1	1012505 Land Acquisition & Improvement	LA 29-22	41,710	41,710	\$ -
<b>01-Cherokee Nation Total</b>				<b>\$ 41,710</b>	<b>\$ 41,710</b>	<b>\$ -</b>
23-DOI-PL 102-477	2	3232330 Pryor CDC Road Project	New	3,296,600	3,296,600	\$ -
<b>23-DOI-PL 102-477 Total</b>				<b>\$ 3,296,600</b>	<b>\$ 3,296,600</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 3,338,310</b>	<b>\$ 3,338,310</b>	<b>\$ -</b>

## Capital Mod #8 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	303,543,370	7,257,703	42,880,626	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	53,055,999	2,819,410	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	787,202,213	47,151,403	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 Offic Funding Src	386,587	0	386,587	352,292	34,295	0	386,587	-
IHS Discretionary Funding Srce	150,000	0	150,000	100,000	0	50,000	150,000	-
DHHS General Funding Source	103,866,126	678,560	104,544,686	97,556,282	6,988,404	0	104,544,686	-
USDA Funding Source	61,069,650	1,060,288	62,129,938	58,296,638	3,833,300	0	62,129,938	-
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	55,140,677	957,000	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	5,381,261	43,653	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 Source	406,825,804	94,209,742	501,035,546	500,880,521	155,025	0	501,035,546	-
<b>Total</b>	<b>\$ 3,704,694,623</b>	<b>\$ 140,345,029</b>	<b>\$ 3,845,039,652</b>	<b>\$ 3,623,955,684</b>	<b>\$ 80,738,939</b>	<b>\$ 140,345,029</b>	<b>\$ 3,845,039,652</b>	<b>\$ -</b>

CAPITAL RECONCILIATION		Non Grant Requests	
LA 29-22	\$ 569,345,306	Oper Mod #8	3,541,761 06/19 Council
Cap Mod #1	13,754,571	Oper Mod #9	1,142,822 06/19 Council
Cap Mod #2	1,036,000	Cap Mod #7	2,046,651 06/19 Council
Cap Mod #3	18,451,776		
Cap Mod #4	8,484,614	Oper Mod #10	149,555 07/10 E&F/Council
Cap Mod #5	8,407,838	Cap Mod #8	3,338,310 07/10 E&F/Council
Cap Mod #6	11,458,951		
Cap Mod #7	2,046,651		
Cap Mod #8	3,338,310		
<b>Total Capital</b>	<b>\$ 636,324,017</b>	<b>Total after pending Mod's</b>	<b>\$ 3,855,258,751</b>
		Operating - cumulative total	\$ 3,218,934,734
		Capital - cumulative total	636,324,017
		<b>Grand Total</b>	<b>\$ 3,855,258,751</b>



# CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

## Mem o

**To:** Keith Austin, Chairman, Executive & Finance Committee  
**From:** Jody S. Reece  
**CC:** Executive & Finance Committee  
**Date:** 06/29/2023  
**Re:** Review of Capital Budget Modification #8 – **Total \$ 3,338,310**

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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:

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### A. Grant Reporting:

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

### B. MOD #8 Request - Increase in budget authority - \$ 3,338,310

1. Land Acquisition & Improvement – 1012505 – Tribally Funded: Modification requesting an increase in expenditure authorization of \$41,710 to reflect additional funds deposited from an easement payment. The new budgeted expenditure total is \$68,631.
2. Pryor CDC Road Project – 3232330 – PL 102-477: New budget requesting expenditure authorization of \$3,296,600 as part of an agreement with the Pryor Industrial Park to receive the property where the Child Development Center (CDC) will be built.

### 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  
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