

An Act

LEGISLATIVE ACT 14-23

AN ACT AMENDING LEGISLATIVE ACT #30-22 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2023 – Mod. 9A 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 #30-22 Authorizing the Comprehensive Operating Budget for FY 2023 – Mod. 9A**”.

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 Budget Act for Fiscal Year 2023” or subsequent amendment. The cumulative total of the budget is increased by **\$ 33,083,786** for a total budget authority of **\$ 3,216,198,484**. The following items are identified as components of such change:

Grants Received & Authorized per LA 30-22 (detail attached)	\$ 31,940,964
Modification Request (see Section 4 below)	<u>1,142,822</u>
Cumulative change in budget authority	<u>\$ 33,083,786</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #30-22 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 budget authorization by an increase of **\$ 1,113,822** to wit:

- A. An increase in the **Tribally Funded** budget authority of **\$ 29,000**.
- B. An increase in the **Enterprise** budget authority of **\$ 301,423**.
- C. An increase in the **NAHASDA** budget authority of **\$ 0**.
- D. An increase in the **Federal Other** budget authority of **\$ 812,399**.

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.

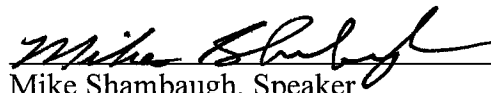
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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

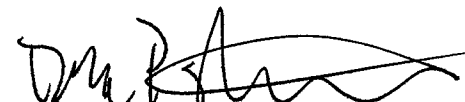
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

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




Mike Shambaugh, Speaker
Council of the Cherokee Nation

ATTEST:



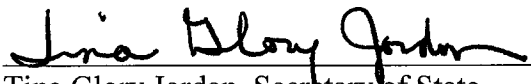
Dora Patzkowski, Secretary
Council of the Cherokee Nation

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

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
01-Cherokee Nation	1	1010315 Cash Match For Grants	Mar Grants	-	-	\$ -
01-Cherokee Nation Total				\$ -	\$ -	\$ -
20-DOI - General	2	3200160 SHS Emergency Operations Plan	New	803	803	\$ -
	3	3200230 FOCUS Enhancement 15.149	LA 30-22	125,279	125,279	\$ -
	4	3201000 Sequoyah High Schl Facilities	LA 30-22	848,890	848,890	\$ -
20-DOI - General Total				\$ 974,972	\$ 974,972	\$ -
40-DHHS-General	5	3401333 ACEs Surveillance Capacity	LA 30-22	(26,073)	(26,073)	\$ -
	6	3401600 AOA Title VI	Feb Grants	1,395	1,395	\$ -
	7	3401800 Elderly Care Giver	Feb Grants	4,669	4,669	\$ -
40-DHHS-General Total				\$ (20,009)	\$ (20,009)	\$ -
45-USDA	8	3453451 Food Distribution Other	LA 30-22	177,641	177,641	\$ -
	9	3453458 Nutrition Education Grant	LA 30-22	3,323	3,323	\$ -
	10	3453504 WIC Operational Adj	LA 30-22	311,756	311,756	\$ -
	11	3453505 WIC Food	LA 30-22	(124,108)	(124,108)	\$ -
	12	3457000 Farm Meatpacking Worker Relief	New	30,263,040	30,263,040	\$ -
13	3457100 Nutrition Education Plan	New	101,664	101,664	\$ -	
45-USDA Total				\$ 30,733,316	\$ 30,733,316	\$ -
50-US Department of Education	14	3509130 ESSER III Project 795-00	New	182,915	182,915	\$ -
50-US Department of Education Total				\$ 182,915	\$ 182,915	\$ -
62-EPA	15	3622540 CNEP Air Sensor Studies	New	69,770	69,770	\$ -
62-EPA Total				\$ 69,770	\$ 69,770	\$ -
Grand Total				\$ 31,940,964	\$ 31,940,964	\$ -

June Grants - Reporting Only

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	1010020 Inauguration	NEW	-	38,500	\$ (38,500)
	2	1010208 Health Discretionary	LA30-22	-	75,000	\$ (75,000)
	3	1010296 Unappropriated Reserve	May Mod	-	(113,500)	\$ 113,500
	4	1010950 Verna Thompson Early Chldhd Ed	LA06-23	-	-	\$ -
	17	1010230 Tribal Youth Council	LA30-22	29,000	29,000	\$ -
01-Cherokee Nation Total				\$ 29,000	\$ 29,000	\$ -
10-Enterprise	5	4105000 CN Landfill Operations	LA30-22	158,117	158,117	\$ -
	6	4109000 Consumer Loan Fund	LA30-22	143,306	143,306	\$ -
10-Enterprise Total				\$ 301,423	\$ 301,423	\$ -
56-NAHASDA	7	3566003 Operating Subsidy	LA30-22	504,423	504,423	\$ -
	8	3566008 Buffington Heights Conversion	LA30-22	(950,600)	(950,600)	\$ -
	9	3566022 Catoosa Office Construction	LA30-22	250,600	250,600	\$ -
	10	3566029 Mortgage Assistance	LA30-22	(300,000)	(300,000)	\$ -
	11	3566044 Housing Rehabilitation	LA30-22	300,000	300,000	\$ -
	12	3566069 IDA IHP	LA30-22	(678,581)	(678,581)	\$ -
	13	3566075 Housing Management	LA30-22	189,299	189,299	\$ -
	14	3566076 Rental Assistance	LA30-22	500,442	500,442	\$ -
15	3566098 HACN Administration	LA30-22	184,417	184,417	\$ -	
56-NAHASDA Total				\$ -	\$ -	\$ -
75-Federal Other	16	3753207 CDFI Fund	LA30-22	812,399	812,399	\$ -
75-Federal Other Total				\$ 812,399	\$ 812,399	\$ -
Grand Total				\$ 1,142,822	\$ 1,142,822	\$ -

Operaing Mod #9A 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 Offic Funding Src	386,587	0	386,587	351,067	35,520	0	386,587	-
IHS Discretionary Funding Srce	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: 06/19/2023
Re: Review of Operating Budget Mod #9A – Total \$ 33,083,786

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># of Budgets</u>	<u>Amount</u>
DOI General	3	\$ 974,972
DHHS General	3	(20,009)
USDA	6	30,733,316
US Dept of Education	1	182,915
EPA	1	69,770

Total Grant Reporting \$ 31,940,964

Cash Match for Grants (1010315) – Start of Year

Cash Out: Grant Required	\$ 829,939
Appropriated for Cash Match (future grants)	<u>1,886,576</u>
Original Total Budget	<u>\$ 2,716,515</u>

Original Appropriated for Cash Match – for future grants	\$ 829,939	
Used: 3759790 – BRIC Tsa La Gi (storm shelters)	(87,167)	Mod #6
3453451 – Food Distribution – Other	(1,097)	Mod #9
3457100 – Nutrition Education Plan	<u>(20,333)</u>	Mod #9
Balance Available for Future Grant Matching	<u>\$ 721,342</u>	

B. MOD #9A Request - Increase in budget authority - \$ 1,142,822

1. Inauguration – 1010020 – Tribally Funded: New budget requesting expenditure authorization of \$38,500. Funded by general fund carryover released from the unappropriated reserve in item 3.
2. Health Discretionary – 1010208 – Tribally Funded: Modification requesting an increase in expenditure authorization of \$75,000 for new hospital groundbreaking, Salina clinic

groundbreaking, and costs associated for Clinic Week (see narrative for further explanation). Funded by general fund carryover released from the unappropriated reserve in item 3. The new budgeted expenditure total is \$208,327.

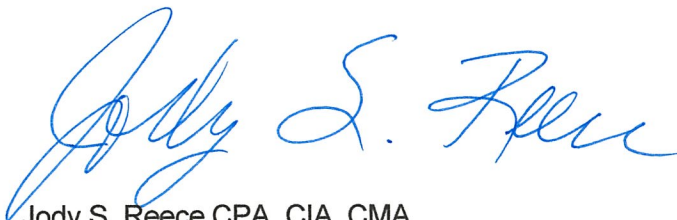
3. Unappropriated Reserve – 1010296 – Tribally Funded: Modification requesting a decrease in expenditure authorization of \$113,500 to provide funding for Inauguration and Health Discretionary. The new budgeted reserved by appropriation total is \$2,527,955.
4. Verna Thompson Early Childhd Ed – 1010950 – Tribally Funded: Modification requesting an increase in transfer out of \$2,046,651 for the Nowata Clinic construction reported in the capital modification. The reserve by appropriation account is reduced by the same amount to provide the funding. The new budgeted reserved by appropriation total is \$13,133,880. The special dividends from component units remains at \$20 million.
5. CN Landfill Operations – 4105000– Enterprise: Modification requesting an increase in expenditure authorization of \$158,117 to prepare a site for landfill future construction. Funding provided by sale of surplus equipment through sealed bid. The new budgeted expenditure total is \$2,353,717 with Tribal funding remaining at \$1,695,600.
6. Consumer Loan Fund – 4109000 – Enterprise: Modification requesting an increase in expenditure authorization of \$143,306 and offsetting transfer in from the CDFI Loan Fund in budget 16. The new budgeted expenditure total is \$38,856.
7. Operating Subsidy – 3566003 – NAHASDA: Modification requesting an increase in expenditure authorization of \$504,423. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$3,500,000.
8. Buffington Heights Conversion – 3566008 – NAHASDA: Modification requesting a decrease in expenditure authorization of \$950,600. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$49,400.
9. Catoosa Office Construction – 3566022 – NAHASDA: Modification requesting an increase in expenditure authorization of \$250,600. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$550,600.
10. Mortgage Assistance – 3566029 – NAHASDA: Modification requesting a decrease in expenditure authorization of \$300,000. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$3,496,025.
11. Housing Rehabilitation – 3566044 – NAHASDA: Modification requesting an increase in expenditure authorization of \$300,000. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$5,994,591.
12. IDA IHP – 3566069 – NAHASDA: Modification requesting a decrease in expenditure authorization of \$678,581. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$600,000.

13. Housing Management – 3566075 – NAHASDA: Modification requesting an increase in expenditure authorization of \$189,299. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$3,600,000.
14. Rental Assistance – 3566076 – NAHASDA: Modification requesting an increase in expenditure authorization of \$500,442. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$3,500,000.
15. HACN Administration – 3566098 – NAHASDA: Modification requesting an increase in expenditure authorization of \$184,417. Budgets 7-15 are all NAHASDA budgets and are reallocated based on need and the changes net to \$0. The new budgeted expenditure total is \$2,375,388.
16. CDFI Fund – 3753207 – Federal Other: Modification requesting an increase in expenditure authorization of \$143,306 for transfer out to the Consumer Loan Fund in budget 6. Funding provided by new grant award. The new budgeted transfer out total is \$147,513 and the new expenditure total is \$669,093.
17. Added in 9A - Tribal Youth Council – 1010230 – Tribally Funded: Modification requesting an increase in expenditure authorization of \$29,000 for 17 Tribal Youth Council member and 3 chaperones to travel to Cherokee, NC for youth leadership and cultural education trip in July. Funding provided by CNB donation. The new budgeted total expenditure total is \$63,100 and the net expenditure total remains at \$34,100.

Summary:

After reviewing the submission of the operating modification by administration, I find no technical issues surrounding these requests, nor do I have any unmentioned concerns related to their respective carryover estimates. If I can provide any additional 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

ADMINISTRATIVE CLEARANCE

Dept/Program:

Signature/Initial Date

Executive Director:

Signature/Initial Date

Treasurer: (Required:
Grants/Contracts/Budgets)

Signature/Initial Date

Government Resources:

Signature/Initial Date

Administration Approval:

Signature/Initial Date

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Signature/Initial Date

Standing Committee & Date:

Chairperson:

Signature/Initial Date

Returned to Presenter: Date

AN ACT AMENDING LEGISLATIVE ACT #30-22 AUTHORIZING
THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2023
TITLE: OPERATING - MOD 09; AND DECLARING AN EMERGENCY

DEPARTMENT CONTACT: Daniel Stroup

RESOLUTION PRESENTER: _____

COUNCIL SPONSOR: _____

NARRATIVE:

James M. Taylor 6.3.23

[Signature] 6/7/23

[Signature] 6/7/23

Executive Finance 6/19/23

[Signature]