

An Act

LEGISLATIVE ACT 19-23

AN ACT AMENDING LEGISLATIVE ACT #29-22 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2023 – Mod. 9; 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. 9**”.

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 **\$ 2,432,912** for a total capital budget authority of **\$ 638,756,929**. 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>2,432,912</u>
Cumulative change in budget authority	<u>\$ 2,432,912</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 **\$ 2,432,912** to wit:

A. An increase in the **Capital Projects** budget authority of **\$ 2,432,912**.

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.

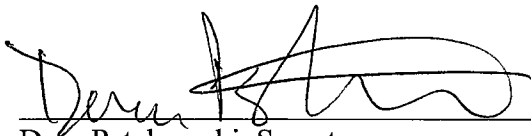
SECTION 8. SELF-HELP CONTRIBUTIONS

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.

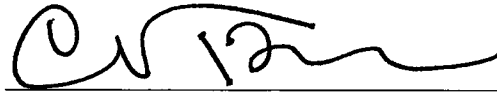
Passed by the Cherokee Council on the 11th day of September, 2023


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 14th day of September, 2023



Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:



Shella Bowlin, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Sasha Blackfox-Qualls	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Lisa Hall	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Absent</u>	Joe Deere	<u>Absent</u>
E.O. "Jr." Smith	<u>Yea</u>	Kevin Easley, Jr.	<u>Yea</u>
Daryl Legg	<u>Yea</u>	Danny Callison	<u>Yea</u>
Josh Sam	<u>Yea</u>	Johnny Kidwell	<u>Yea</u>
Codey Poindexter	<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	7968600 Stilwell Wellness Center	LA 03-23	2,432,912	2,432,912	-
96-Capital Projects Total				\$ 2,432,912	\$ 2,432,912	\$ -
Grand Total				\$ 2,432,912	\$ 2,432,912	\$ -

Capital Mod #9 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	334,432,790	19,430,519	353,863,309	299,609,297	7,239,672	47,014,340	353,863,309	-
Motor Fuels Tax Funding Srce	10,985,384	21,348,346	32,333,730	22,756,283	72,447	9,505,000	32,333,730	-
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	23,046,604	0	23,046,604	21,305,747	1,740,857	0	23,046,604	-
DOI Self Gov Funding Source	56,269,641	79,600	56,349,241	53,519,831	2,819,410	10,000	56,349,241	-
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	415,173,977	0	415,173,977	347,321,422	2,662,282	65,190,273	415,173,977	-
IHS Self Gov Health Funding Sr	853,094,767	0	853,094,767	787,779,300	46,574,316	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	105,640,256	678,560	106,318,816	99,366,225	6,952,591	0	106,318,816	-
USDA Funding Source	62,008,718	1,060,288	63,069,006	59,229,623	3,839,383	0	63,069,006	-
Dept of Education Funding Srce	1,789,584	87,222	1,876,806	1,716,652	140,154	20,000	1,876,806	-
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	27,964,552	1,429,177	0	29,393,729	-
Department of Treasury Fund Sr	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	56,829,171	321,817	57,150,988	56,037,024	966,451	147,513	57,150,988	-
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	82,658,319	11,250	82,669,569	82,669,569	0	0	82,669,569	-
Fringe Pool Funding Source	0	0	0	0	0	0	0	-
Internal Lease Pool Funding Sr	6,511,840	0	6,511,840	6,511,840	0	0	6,511,840	-
Enterprise Funding Source	1,953,008	1,843,113	3,796,121	3,703,479	92,642	0	3,796,121	-
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	96,256,393	503,082,197	502,927,172	155,025	0	503,082,197	-
Total	\$ 3,713,994,567	\$ 144,622,049	\$ 3,858,616,616	\$ 3,633,931,550	\$ 80,063,017	\$ 144,622,049	\$ 3,858,616,616	\$ -

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
Cap Mod #8	3,338,310
Cap Mod #9	2,432,912
Total Capital	\$ 638,756,929

Oper Mod #11	5,318,696	08/31 E&F
Cap Mod #9	2,432,912	08/31 E&F

Total after pending Mod's	\$ 3,866,368,224
Operating - cumulative total	\$ 3,227,611,295
Capital - cumulative total	638,756,929
Grand Total	\$ 3,866,368,224



CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

M e m o

To: Josh Sam, Co-Chairman, Executive & Finance Committee
From: Jody S. Reece
CC: Executive & Finance Committee
Date: 08/16/2023
Re: Review of Capital Budget Modification #9 – **Total \$ 2,432,912**

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 #9 Request - Increase in budget authority - \$ 2,432,912

1. Stilwell Wellness Center – 7968600 – Capital Projects: Modification requesting an increase in expenditure authorization of \$2,432,912 for updated estimates as well as a 10% construction contingency. Funding provided by transfer in from the Public Health and Wellness budget reported in the operating budget mod. The new budgeted expenditure total is \$20,432,912.

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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