

Submitted by: Assembly Members
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Prepared by: Department of Law
For reading: January 12, 2021

ANCHORAGE, ALASKA
AO No. 2020-137(S)

**AN ORDINANCE OF THE ANCHORAGE ASSEMBLY TO ESTABLISH
GOVERNMENT-TO-GOVERNMENT RELATIONS BETWEEN THE
MUNICIPALITY OF ANCHORAGE AND THE SOVEREIGN NATIVE VILLAGE OF
EKLUTNA BY AMENDING ANCHORAGE MUNICIPAL CODE.**

WHEREAS, the municipality recognizes that the Municipality of Anchorage is on the traditional lands of the Dena'ina Athabascan people and that there is inherent value in recognition and formalized government-to-government relations relationships;

WHEREAS, the municipality passed AR 2019-426 to initiate conversations to formalize a government-to-government relationship with the Native Village of Eklutna;

WHEREAS, the Native Village of Eklutna is the only federally recognized **Tribe** tribal entity within the Municipality's boundaries and historically, informal agreements and memorandums have not done enough to ensure a respectful and productive relationship;

WHEREAS, the municipality endeavors to establish permanent and formal, clear and lasting government-to-government relations; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code title 1 is hereby amended to add a new chapter as follows:

1.70 – ACKNOWLEDGMENT AND RECOGNITION

1.70.010 – Land acknowledgment.

The municipality acknowledges that the Municipality of Anchorage lies within the traditional lands of the Dena'ina Athabascans. For more than a thousand years the Dena'ina have been and continue to be the stewards of this land. It is with gratitude gratefulness and respect that we recognize the contributions, innovations, and contemporary perspectives of the Upper upper Cook Inlet Dena'ina.

1.70.020 – Recognition of Sovereign Tribes sovereign tribes.

The Municipality of Anchorage recognizes the 229 federally recognized

1 **Tribes [many sovereign and Indigenous tribes]** of Alaska and specifically,
2 the Native Village of Eklutna, **as** the only federally recognized **Tribe [tribal**
3 **entity]** within the Municipality of Anchorage's boundaries.

4
5 **1.70.030 – Commitment to government-to-government relations.**

6
7 The Municipality of Anchorage is committed to clear and lasting government-
8 to-government relations with the Native Village of Eklutna.

9
10 **1.70.040 – No private right of action.**

11
12 Nothing in this chapter creates a right of action against the municipality or a
13 right of review of municipal action.

14
15 **Section 2.** Anchorage Municipal Code section 2.30.055 is hereby amended to
16 read as follows (*the remainder of the section is not affected and therefore not set*
17 *out*):

18
19 **2.30.055 - Conduct of public hearing.**

- 20
21 A. The chair or presiding member of the assembly meeting may request
22 persons testifying at public hearing to give their name, and to identify
23 their neighborhood or community of residence.
24
25 B. Each individual giving testimony shall be allocated three minutes. The
26 time limit for a designated representative of a community council is
27 five minutes. The time limit for a designated representative of the
28 Native Village of Eklutna is five minutes. The speaker must focus
29 testimony to the topic of the public hearing.

30
31 *** **

32
33 (AO No. 2014-2(S), § 3, 2-25-14; AO No. 2017-53 , § 10, 4-11-17)

34
35 **Section 3.** Anchorage Municipal Code chapter 2.30 is hereby amended to add a
36 new section as follows:

37
38 **2.30.135 – Joint conferences.**

- 39
40 A. The assembly and school board shall meet at least four times yearly
41 in public session to discuss and coordinate financial planning, capital
42 improvement needs, the comprehensive plan, and other matters of
43 mutual concern.
44
45 B. The assembly and the Native Village of Eklutna shall meet at least two
46 times yearly in public session to discuss and coordinate matters of
47 mutual concern.

48
49 **Charter reference–** Joint conferences, § 6.04.
50

1 **Section 4.** Anchorage Municipal Code title 3 is hereby amended to add a new
2 chapter as follows:

3
4 **3.105 – GOVERNMENT-TO-GOVERNMENT RELATIONS WITH THE**
5 **NATIVE VILLAGE OF EKLUTNA.**

6
7 **3.105.010 – Policy required.**

8
9 A. The Municipality, **in close coordination with the Native Village of**
10 **Eklutna,** shall develop and implement a written policy that:

- 11
12 1. Identifies individuals in the municipality who are responsible for
13 developing and implementing municipal programs and projects
14 that affect the Native Village of Eklutna;
- 15
16 2. Establishes a process to identify programs and projects of the
17 municipality that affect the Native Village of Eklutna;
- 18
19 3. Promotes communication between the municipality and the
20 Native Village of Eklutna;
- 21
22 4. Promotes clear and lasting government-to-government
23 relations between the municipality and the Native Village of
24 Eklutna;
- 25
26 5. Establishes a method for notifying municipal employees of this
27 chapter and of any policy that the municipality adopts under this
28 section.

29
30 **3.105.015 – Points of contact.**

31
32 The mayor or his/her designee shall be the point of contact between the
33 municipality and the Native Village of Eklutna. The designee shall have direct
34 access to the mayor on issues related to the Native Village. The chair of the
35 assembly shall be the point of contact between the assembly and the Native
36 Village of Eklutna.

37
38 **3.105.020 – Regular training required.**

39
40 At least once a year, the Municipal Office of Equity and Justice, in
41 consultation with the Native Village of Eklutna **and other tribal leaders and**
42 **tribal organizations as appropriate,** shall provide training to municipal
43 employees on the history and legal status of **Tribes [tribes]** within Alaska
44 and the municipality, and **on** issues of concern to **Tribes [tribes]**.

45
46 **3.105.025 – Report to the assembly.**

47
48 Once a year the mayor shall prepare a report for the assembly which shall
49 include copies of the policy prepared under AMC 3.105.010; a summary of
50 efforts undertaken to promote communication between the municipality and

1 the Native Village of Eklutna; a description of the training required by AMC
2 3.105.015; and the method by which the municipality has notified employees
3 of this chapter and policies adopted under AMC 3.105.010.
4

5 **3.105.030 – No private right of action.**
6

7 Nothing in this chapter creates a right of action against the municipality or a
8 right of review of municipal action.
9

10 **3.105.035 – No preemption.**
11

12 Nothing in this chapter is meant to preempt, supersede, or replace any
13 responsibilities that the municipality may have under federal or state law.
14

15
16 **Section 5.** This ordinance shall be effective immediately upon passage and
17 approval by the Assembly.
18

19 PASSED AND APPROVED by the Anchorage Assembly this _____ day
20 of _____, 2021.
21

22
23
24 _____
25 Chair of the Assembly

26 ATTEST:
27

28
29 _____
30 Municipal Clerk