

Submitted by: Assembly Members
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Perez-Verdia
Prepared by: Department of Law
For reading: December 22, 2020

ANCHORAGE, ALASKA
AO No. 2020-137

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY TO ESTABLISH**
2 **GOVERNMENT-TO-GOVERNMENT RELATIONS BETWEEN THE**
3 **MUNICIPALITY OF ANCHORAGE AND THE SOVEREIGN NATIVE VILLAGE OF**
4 **EKLUTNA BY AMENDING ANCHORAGE MUNICIPAL CODE.**
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6
7 **WHEREAS**, the municipality recognizes that the Municipality of Anchorage is on the
8 traditional lands of the Dena'ina Athabascan people and that there is inherent value
9 in recognition and formalized government-to-government relationships;
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11 **WHEREAS**, the municipality passed AR 2019-426 to initiate conversations to
12 formalize a government-to-government relationship with the Native Village of
13 Eklutna;
14

15 **WHEREAS**, the Native Village of Eklutna is the only federally recognized tribal entity
16 within the Municipality's boundaries and historically, informal agreements and
17 memorandums have not done enough to ensure a respectful and productive
18 relationship;
19

20 **WHEREAS**, the municipality endeavors to establish permanent and formal, clear
21 and lasting government-to-government relations; now, therefore,
22

23 **THE ANCHORAGE ASSEMBLY ORDAINS:**
24

25 **Section 1.** Anchorage Municipal Code title 1 is hereby amended to add a new
26 chapter as follows:
27

28 **1.70 – ACKNOWLEDGMENT AND RECOGNITION**
29

30 **1.70.010 – Land acknowledgment.**
31

32 The municipality acknowledges that the Municipality of Anchorage lies within
33 the traditional lands of the Dena'ina Athabascans. For more than a thousand
34 years the Dena'ina have been and continue to be the stewards of this land.
35 It is with gratefulness and respect that we recognize the contributions,
36 innovations, and contemporary perspectives of the upper Cook Inlet
37 Dena'ina.
38

39 **1.70.020 – Recognition of sovereign tribes.**
40

41 The Municipality of Anchorage recognizes the many sovereign and
42 Indigenous tribes of Alaska and specifically, the Native Village of Eklutna, the

1 only federally recognized tribal entity within the Municipality of Anchorage's
2 boundaries.

3
4 **1.70.030 – Commitment to government-to-government relations.**

5
6 The Municipality of Anchorage is committed to clear and lasting government-
7 to-government relations with the Native Village of Eklutna.

8
9 **1.70.040 – No private right of action.**

10
11 Nothing in this chapter creates a right of action against the municipality or a
12 right of review of municipal action.

13
14 **Section 2.** Anchorage Municipal Code section 2.30.055 is hereby amended to
15 read as follows (*the remainder of the section is not affected and therefore not set*
16 *out*):

17
18 **2.30.055 - Conduct of public hearing.**

19
20 A. The chair or presiding member of the assembly meeting may request
21 persons testifying at public hearing to give their name, and to identify
22 their neighborhood or community of residence.

23
24 B. Each individual giving testimony shall be allocated three minutes. The
25 time limit for a designated representative of a community council is
26 five minutes. The time limit for a designated representative of the
27 Native Village of Eklutna is five minutes. The speaker must focus
28 testimony to the topic of the public hearing.

29
30 *** **

31
32 (AO No. 2014-2(S), § 3, 2-25-14; AO No. 2017-53 , § 10, 4-11-17)

33
34 **Section 3.** Anchorage Municipal Code chapter 2.30 is hereby amended to add a
35 new section as follows:

36
37 **2.30.135 – Joint conferences.**

38
39 A. The assembly and school board shall meet at least four times yearly
40 in public session to discuss and coordinate financial planning, capital
41 improvement needs, the comprehensive plan, and other matters of
42 mutual concern.

43
44 B. The assembly and the Native Village of Eklutna shall meet at least two
45 times yearly in public session to discuss and coordinate matters of
46 mutual concern.

47
48 **Charter reference–** Joint conferences, § 6.04.

49
50 **Section 4.** Anchorage Municipal Code title 3 is hereby amended to add a new

1 chapter as follows:
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3 **3.105 – GOVERNMENT-TO-GOVERNMENT RELATIONS WITH THE**
4 **NATIVE VILLAGE OF EKLUTNA.**

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6 **3.105.010 – Policy required.**

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8 A. The Municipality shall develop and implement a written policy that:

- 9
10 1. Identifies individuals in the municipality who are responsible for
11 developing and implementing municipal programs and projects
12 that affect the Native Village of Eklutna;
13
14 2. Establishes a process to identify programs and projects of the
15 municipality that affect the Native Village of Eklutna;
16
17 3. Promotes communication between the municipality and the
18 Native Village of Eklutna;
19
20 4. Promotes clear and lasting government-to-government
21 relations between the municipality and the Native Village of
22 Eklutna;
23
24 5. Establishes a method for notifying municipal employees of this
25 chapter and of any policy that the municipality adopts under this
26 section.
27

28 **3.105.015 – Points of contact.**

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

36 **3.105.020 – Regular training required.**

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38 At least once a year, the Municipal Office of Equity and Justice, in
39 consultation with the Native Village of Eklutna, shall provide training to
40 municipal employees on the history and legal status of tribes within Alaska
41 and the municipality, and issues of concern to tribes.
42

43 **3.105.025 – Report to the assembly.**

44
45 Once a year the mayor shall prepare a report for the assembly which shall
46 include copies of the policy prepared under AMC 3.105.010; a summary of
47 efforts undertaken to promote communication between the municipality and
48 the Native Village of Eklutna; a description of the training required by AMC
49 3.105.015; and the method by which the municipality has notified employees
50 of this chapter and policies adopted under AMC 3.105.010.

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3.105.030 – No private right of action.

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

3.105.035 – No preemption.

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

Section 5. This ordinance shall be effective immediately upon passage and approval by the Assembly.

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

Chair of the Assembly

ATTEST:

Municipal Clerk