

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

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.**
5

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 **relations [relationships]**;

10
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**, nothing in this ordinance is intended to influence any state or federal
16 litigation related to Native Village of Eklutna's gaming legal claims; and

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

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

25
26 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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

30
31 **1.70 – ACKNOWLEDGMENT AND RECOGNITION**

32
33 **1.70.010 – Land acknowledgment.**

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

41
42 **1.70.020 – Recognition of Sovereign Tribes [sovereign tribes].**

43
44 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~~]
46 two times yearly in public session to discuss and coordinate matters
47 of mutual concern, and when mutually agreed after a request by either
48 government to address matters of immediate concern.

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

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

5 **3.105 – GOVERNMENT-TO-GOVERNMENT RELATIONS WITH THE**
6 **NATIVE VILLAGE OF EKLUTNA.**
7

8 **3.105.010 – Policy required.**
9

10 A. The Municipality, **in close coordination with the Native Village of**
11 **Eklutna**, shall develop and implement a written policy that:
12

- 13 1. Identifies individuals in the municipality who are responsible for
14 developing and implementing municipal programs and projects
15 that affect the Native Village of Eklutna;
16
- 17 2. Establishes a process to identify programs and projects of the
18 municipality that affect the Native Village of Eklutna;
19
- 20 3. Promotes communication between the municipality and the
21 Native Village of Eklutna;
22
- 23 4. Promotes clear and lasting government-to-government
24 relations between the municipality and the Native Village of
25 Eklutna;
26
- 27 5. Establishes a method for notifying municipal employees of this
28 chapter and of any policy that the municipality adopts under this
29 section.
30

31 **3.105.015 – Points of contact.**
32

33 The mayor or his/her designee shall be the point of contact between the
34 municipality and the Native Village of Eklutna. The designee shall have direct
35 access to the mayor on issues related to the Native Village. The chair of the
36 assembly shall be the point of contact between the assembly and the Native
37 Village of Eklutna.
38

39 **3.105.020 – Regular training required.**
40

41 At least once a year, the Municipal Office of Equity and Justice, in
42 consultation with the Native Village of Eklutna **and other tribal leaders and**
43 **tribal organizations as appropriate**, shall provide training to municipal
44 employees on the history and legal status of **Tribes [tribes]** within Alaska
45 and the municipality, and **on** issues of concern to **Tribes [tribes]**.
46

47 **3.105.025 – Report to the assembly.**
48

49 Once a year the mayor shall prepare a report for the assembly which shall
50 include copies of the policy prepared under AMC 3.105.010; a summary of

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

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

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

10
11 **3.105.035 – No preemption.**

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

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

19
20
21 PASSED AND APPROVED by the Anchorage Assembly this 14th day of January,
22 2021.

23
24
25 

26
27 _____
Chair

28 ATTEST:

29
30
31 

32
33 _____
Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 738-2020(A)

Meeting Date: January 12, 2021

1 **From: ASSEMBLY MEMBERS CHRISTOPHER CONSTANT, FORREST**
2 **DUNBAR, AND KAMERON PEREZ-VERDIA**
3

4 **Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY TO**
5 **ESTABLISH GOVERNMENT-TO-GOVERNMENT RELATIONS**
6 **BETWEEN THE MUNICIPALITY OF ANCHORAGE AND THE**
7 **SOVEREIGN NATIVE VILLAGE OF EKLUTNA BY AMENDING**
8 **ANCHORAGE MUNICIPAL CODE.**
9

10
11 The attached substitute version makes some minor but appropriate language
12 changes such as capitalizing "Tribe" as a sign of respect, and including
13 consultation with other tribal leaders and organizations in provision of the regular
14 training required of municipal employees.
15

16 The ordinance recognizes the 229 federally recognized Tribes in Alaska and
17 looks forward to building clear and lasting government-to-government relations
18 with all Tribes.
19

20
21 **WE RESPECTFULLY RECOMMEND APPROVAL.**
22

23 Christopher Constant, Assembly Member, District 1
24 Forrest Dunbar, Assembly Member, District 5
25 Kameron Perez-Verdia, Assembly Member, District 3