

## **RESOLUTION NO. 09-46**

### **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, RECOGNIZING TRIBAL SOVEREIGNTY, ESTABLISHING A TRIBAL CONSULTATION POLICY AND ESTABLISHING AN ANNUAL JOINT SUMMIT WITH THE AK-CHIN INDIAN COMMUNITY**

**WHEREAS**, the Ak-Chin Indian Community is a federally-recognized sovereign American Indian Tribal Community who has existed in the region for centuries, long before the formation of the United States and the entry of the State of Arizona into the union; and

**WHEREAS**, the Ak-Chin Indian Community citizenry have participated in all branches of the United States Armed Forces and participated in all major wars, defending the United States and the fundamental rights of all the people; and

**WHEREAS**, the Ak-Chin Indian Community and the City of Maricopa share a common border and are prospering in the same general region; and

**WHEREAS**, it mutually benefits to partner with the Ak-Chin Indian Community and the City of Maricopa on issues deemed important, affecting the region and for the collective good; and

**WHEREAS**, meaningful and timely consultation with the Ak-Chin Indian Community Leadership will facilitate better understanding and informed decision making; and

**WHEREAS**, a spirit of cooperation should guide the continuing government-to-government relationship between the Ak-Chin Indian Community and the City of Maricopa.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Maricopa hereby order and direct as follows:

#### **Tribal Sovereignty Recognition**

The City of Maricopa shall recognize that the Ak-Chin Indian Community has a unique and special legal relationship with the United States government, as affirmed and set forth in Presidential Executive Orders, Acts of Congress and Federal Court Decisions.

The City of Maricopa shall recognize and support the rights of the Ak-Chin Indian Community to exercise self-government, self-determination, sovereign authority, as defined by federal law, over its members and its community.

### **Government-to-Government Relationship**

The City of Maricopa shall engage in a government-to-government relationship with the Ak-Chin Indian Community, when formulating and implementing policies or programs that affect the Ak-Chin Indian Community and its members.

Whenever feasible and appropriate, the City of Maricopa shall consult the Ak-Chin Indian Community regarding City of Maricopa actions or proposed actions that are anticipated to directly impact the Ak-Chin Indian Community or its members.

The Mayor of the City of Maricopa, or an elected official designee, shall assume responsibility for the City's implementation of the Tribal-City coordination activity, consultation policy, and act as the City's principle point of contact for tribal issues. This will provide both entities with City elected leadership to Tribal elected leadership communication.

The City Manager of the City of Maricopa, or his designee, shall be the primary person to facilitate communication between the administrative offices of the Ak-Chin community and the City. The City Manager of the City of Maricopa, or his designee, shall assist the City Council and City departments to fulfill the responsibility for the City's implementation of the Tribal Consultation Policy.

### **Tribal Consultation Policy**

The City of Maricopa shall implement the Tribal Consultation Policy listed below to guide their work and interaction with the Ak-Chin Indian Community.

Consultation requires that to the extent practicable, the City of Maricopa shall seek input from appropriate elected or appointed Tribal officials before undertaking any action or policy that will, or is reasonably believed to, have the potential to directly affect the tribal community or its members.

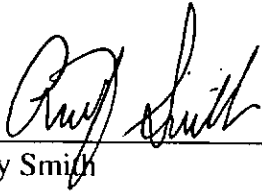
The City of Maricopa shall integrate to the extent practical the input generated from Tribal consultation into the City decision-making processes to achieve mutually acceptable solutions to issues that affect both the City and the Ak-Chin Indian Community.

The City of Maricopa shall review its Tribal Consultation Policy each year and submit an annual report to the City Council and the Ak-Chin Indian Community Council describing the actions undertaken to comply with the Tribal Consultation Policy. This annual report shall be available at the City Clerk's Office.

**Annual Joint Summit**


The City of Maricopa and the Ak-Chin Indian Community will participate in at least one annual Joint Summit meeting between the City Council and the Ak-Chin Indian Community Council. This Joint Summit will be to facilitate continued dialogue and for further in-depth discussions on mutual concerns.

**PASSED AND ADOPTED BY THE** Mayor and Council of the City of Maricopa, Arizona, this 21<sup>ST</sup> day of JULY, 2009.



Anthony Smith  
Mayor

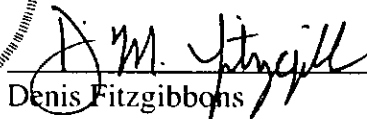
ATTEST:



Vanessa Bueras  
City Clerk



APPROVED AS TO FORM:



Denis Fitzgibbons  
City Attorney