

Memorandum of Understanding
Between
Coconino County
and
the City of Flagstaff
for

The inclusion of members of the Coconino County Indigenous Peoples Advisory Council specifically as ex-officio, non-voting members on the City of Flagstaff Indigenous Commission

WHEREAS, the Coconino County Indigenous Peoples Advisory Council (IPAC) is an important asset to Coconino County and the City of Flagstaff; and

WHEREAS, the Flagstaff City Council, through Ordinance 2020-24, is establishing the City of Flagstaff Indigenous Commission which will also be an important asset to the City of Flagstaff and Coconino County; and

WHEREAS, many of the values of IPAC and the City of Flagstaff Indigenous Commission will be shared values that demonstrate the need for inclusion and understanding between all tribal nations and all people; and

WHEREAS, the Flagstaff City Council, through Ordinance 2020-24, has provided for three (3) members of the IPAC to be appointed, from time to time, by the Flagstaff City Council as ex-officio, non-voting members of the City of Flagstaff Indigenous Commission; and

WHEREAS, Coconino County and the City of Flagstaff believe the added value and perspectives that come with the inclusion of three (3) members of IPAC as ex-officio, non-voting members on the City of Flagstaff Indigenous Commission will contribute to the greater benefit of all.

Now therefore, Coconino County and the City of Flagstaff enter into this Memorandum of Understanding.

Article I – BACKGROUND AND OBJECTIVE

The objective of this Memorandum of Understanding (hereinafter “Agreement”) is to establish the terms and conditions under which three (3) members of the Coconino County Indigenous Peoples Advisory Council (IPAC) may be appointed by the Flagstaff City Council to serve as ex-officio, non-voting members of the City of Flagstaff Indigenous Commission (IC).

ARTICLE II – TERM OF AGREEMENT

This Agreement will be effective so long as Flagstaff City Ordinance 2020-24 remains in the City Code;

or,

until Coconino County cancels this Agreement at its will and pleasure thereby requiring an amendment to Ordinance 2020-24 to no longer provide for the appointment of three (3) members of the IPAC to serve on the IC;

or,

until the City of Flagstaff cancels this Agreement at its will and pleasure AND the Flagstaff City Council amends Ordinance 2020-24 to no longer provide for the appointment of three (3) members of the IPAC to serve on the IC.

ARTICLE III – CONSENT

- A. The Coconino County Board of Supervisors hereby consents to the appointment of three (3) members of the Coconino County Indigenous Peoples Council (IPAC) to serve by appointment of the Flagstaff City Council as ex-officio members of the City of Flagstaff Indigenous Commission (IC).
- B. The Flagstaff City Council hereby consents to appoint three (3) members of the Coconino County Indigenous Peoples Advisory Council (IPAC) to serve as ex-officio members of the City of Flagstaff Indigenous Commission (IC).

ARTICLE IV – QUALIFICATIONS AND REQUIREMENTS

Members of the IPAC hereby acknowledge and agree that in order to qualify for appointment to the IC it is required that they NOT live within the boundaries of the City of Flagstaff.

ARTICLE V - APPOINTMENT

- A. The Flagstaff City Council shall appoint three (3) members of the IPAC who do not live within the boundaries of the City of Flagstaff to serve as ex-officio members of the IC as follows:
 - a. Two (2) members to serve for a term of three (3) years;
 - b. One (1) member to serve for a term of two (2) years.

ARTICLE VI - PURPOSE AND DUTIES

- A. The purposes and duties of the three (3) ex-officio, non-voting members shall be advisory only in nature and they shall not have a vote on actual recommendations made to the Flagstaff City Council as outlined in the subsections of this Article V, Section A., below.
1. Consistent with Flagstaff City Ordinance 2020-24, the three (3) members of the IPAC serving as ex-officio, non-voting members of the IC shall work together with the remaining seven (7) members of the IC to advise the Flagstaff City Council with respect to certain policies, needs, issues, and methods in promoting the Strategic Plan and Recommendations accepted by City Council and to furnish the City Council with information through the Coordinator for Indigenous Initiatives.
 2. The IC, and the three (3) ex-officio, non-voting members from IPAC serving on the IC shall not advise or make recommendations to the City Council regarding:
 - i. Any litigation involving any Indigenous peoples or tribes.
 - ii. Any water matters or issues.
 - iii. Any land matters or issues.

ARTICLE VII – COMMISSION RULES AND OPERATIONS

The three (3) members of the IPAC appointed to serve as ex-officio, non-voting members of the IC agree that they shall be subject to, and acknowledge that all official business conducted pursuant to the Board and Commission Members’ Rules and Operations Manual adopted by Resolution No. 2019-38 of the City Council, as may be amended from time to time, and in accordance with meeting procedures, if any, adopted by the IC insofar as they are not in conflict with the Board and Commission Members’ Rules and Operations Manual. In the event of any such conflict, the provisions of the Board and Commission Members’ Rules and Operations Manual shall prevail.

ARTICLE VIII – MODIFICATION AND TERMINIATION

Either party may terminate this Agreement at its own will and pleasure as stated above in Article II.

IN WITNESS HEREOF, the parties hereto have executed the Agreement on the date(s) set forth below:

FOR COCONINO COUNTY:

Chair
Coconino County Board of Supervisors

Date

FOR CITY OF FLAGSTAFF:

Mayor
City of Flagstaff

Date