



Friendship Agreement “A Shared Trail to Success”



In the spirit of the legacy of the Friendship Trail the Towns of Turner Valley and Black Diamond recognize the shared potential of their communities. The Town of Turner Valley and the Town of Black Diamond are unique as two urban municipalities, located within 3 kilometres of each other. While similar the Towns also have distinct histories that over time have developed into discernable differences in perspective. Although the borders may signify distinctive political, administrative and jurisdictional implications, both municipalities have a desire to serve the best interests of the people in the region.

Previous efforts to bring the Towns closer together through amalgamation and through a joint services study were never fully realized. This indicated to the current councils that remaining autonomous in their decision making was important for their respective constituents. However, taking advantage of a number of opportunities provided through effectively working together would bring benefits to all citizens of the region. Each Council, administration and corresponding staff must consider the connections between them, identify their common interests, and address the impacts of actions and implications of decisions with their neighbour.

This may be realized through:

Increased Inter-municipal Co-operation

Decisions may be made as distinct entities but these should not be made at the expense of the other. Even when contrary decisions are made there is an opportunity to share, learn and respect the other municipality. There is a need to encourage effective communication between councils, administration, staff and with the public to promote understanding and to avoid misunderstanding and the negative affects of conflict. A spirit of cooperation rather than competition is necessary throughout the municipalities.

Increased Efficiency

Being a sustainable community today necessitates cooperation with your neighbours. There is recognition that two towns of this size may be able to provide better services to their citizens by reducing duplication and in some cases sharing services. Expanding their purchasing power through joint purchasing and accessing Provincial grants and opportunities based on regional cooperation are examples of how working together will increase the capacity for both Black Diamond and Turner Valley.

Promoting the Diamond Valley Region

As a gateway to the high country the Towns share a common region that is attractive within Alberta. Within the larger Calgary Regional Partnership this is an important sub-region that requires unity to be effective. Each municipality has unique qualities and strengths that together, make the area a desired location to live. Developing a regional

niche and celebrating each other's unique history and culture together will provide increased possibilities for both Towns.

Catalyst for the Future

There is a hope that today's youth and future generations will see this as a desired area in which to live and prosper. This agreement is seen today as being an important step in providing direction for the entire community and as a foundation for future councils to build on. The Friendship Agreement is based upon creating pride in the community as whole.

Themes

The Friendship Agreement is motivated by three main themes.

Promotes Intermunicipal and Community Relationships

Respect, trust and commitment are core to a good relationship but also need to be maintained. The creation of an intermunicipal relationship protocol will act as a guide for keeping the Towns focused on working together. This protocol will hold councils responsible and accountable as "community builders" and neighbours while putting a template in place for future councils to uphold the success. While both Councils will set the direction, this protocol will also ensure that administrative and operational staff adhere to the same principles.

Commits to Communication

Lack of communication and ultimately misunderstanding and misinterpretation are often the cause of disputes. A protocol that puts clarity around communication helps to avoid confusion and inefficiency between the municipalities. Good communication practices will facilitate progress and support action and response in a timely manner. The creation of a communication protocol not only includes the elected and non-elected personnel of the Towns but supports generating accurate information to the public for their consideration as well.

Defines how problems will be solved

Good communication does not mean that all matters will be agreed upon. In particular, by maintaining the unique identity and autonomy of each municipality, it is likely there will be instances of differences in values, goals, beliefs and perspectives. In these cases there is a need to address problems in a predictable and efficient way to achieve an outcome or decision. In cases where differences remain, there has to be understanding of the basis of those disparities so the municipalities can continue to work together well.

Roles and Responsibilities

- a) **The Role of Council:** Each Council retains the ability and responsibility to make decisions on behalf of its residents. By signing on to the agreement each Council is showing direction to their administration, staff and public by recognizing, understanding and facilitating the cumulative value of the two municipalities working together. A commitment from Councils will drive the need for increased communication at the administrative and staff levels. The Mayors' relationship will be at the forefront of this agreement and they will be responsible for showing leadership for the elected officials.

- b) **The role of administration:** Administration, through direction of the CAOs, will be the conduit through which the agreement is executed and is made durable. CAOs bring continuity to the relationship between the municipalities and have the responsibility to ensure communication at all levels of the municipality. Personnel in each municipality will be recommended by CAOs and designated by respective councils as "Leads" of the agreement. The Leads' knowledge of each other's municipality, structure and personnel is significant. All intermunicipal information will flow through and be managed by these Leads.

- c) **The role of staff:** Staff at all levels will be responsible to ensure the principles of the agreement are carried out operationally. This means that staff will work with their municipal counterparts to identify opportunities and address challenges that arise within the scope of their authority and mandate. Staff will also raise these matters and be accountable for informing the appropriate levels of authority about opportunities and challenges that require attention for the mutual benefit of both municipalities.

The Protocols

Intermunicipal Relationship Protocol

Both municipalities recognize a joint commitment to build a working relationship between the Towns of Black Diamond and Turner Valley. That involves ensuring that each municipality's elected officials, administrative and operational staff respectfully and professionally interact with the other municipality.

Because departmental divisions and responsibilities in the Towns are not always fully aligned, each municipality will assure that all senior staff are kept aware about the function of their counterparts in the other municipality. Understanding of and co-ordination with their counterpart will be regarded as a core competency for all senior staff.

To accomplish this both municipalities will:

- 1) Include a commitment to intermunicipal cooperation at all levels of the organization through orientation sessions and other methods as directed by the CAOs.
 - a. Each municipality will ensure that newly elected officials and new staff receives, as part of their orientation, information about co-operation and collaboration between the municipalities. This should include specific information relevant to an area of operation that describes in operational terms the collaborative arrangements that affect specific staff.
 - b. Councillors will be asked to review this protocol upon election and commit to their understanding of its intention.
 - c. CAOs will direct staff through job descriptions and/or employment manuals to have an appropriate level of understanding of the other municipality. This includes regular meetings with the other municipality as required.
- 2) Each municipality agrees to keep the other informed of any strategic changes within their municipality. Both municipalities will continue to explore opportunities to be collaborative. The municipalities will set their visions with regard to the general benefit of the sub-region and its inhabitants.
- 3) Each municipality agrees to include the other in its celebrations and ceremonies, engaging officials or staff at the appropriate level.

Communication Protocol

Both municipalities recognize a joint desire to create opportunities and take action for increased co-operation and intermunicipal consultation. Both municipalities also acknowledge that they are legislatively separate and have distinct interests.

Communication Leads

In addition to the role of elected officials supporting this protocol, the municipalities agree to designate one “Communication Lead” from each municipality. A co-lead may also be designated. The Lead’s responsibilities include:

1. Advancing, as one of the core competencies of their respective job responsibilities, intermunicipal communication between the municipalities;
2. Management of the business of the Joint meetings of Council;
3. Maintain record of all Joint Consideration Documents JCDs issued and receipt acknowledged information and status for presentation at the Joint Meetings of Council.
4. Safe-keeping of the Common Notes of intermunicipal meetings;
5. Process management of the Dispute Resolution Protocol.

Suitable training for the role will be at the direction of the respective CAOs.

Joint Meetings of Council

Joint Meetings of Council (JMC) will occur not less than two times per year. The JMC has responsibility to, at minimum:

1. Review accomplishments to date, including analyzing what worked well and where improvements may be made (for example the tracking of the number of JCD issued over previous time period);
2. Assess on-going projects;
3. Identify future initiatives; and
4. Monitor the Friendship Agreement.

To accomplish these meetings:

- Full councils are expected to attend
- CAOs will be responsible for meeting and creating an Agenda two weeks in advance of the meeting
- The host municipality will be responsible to arrange facilitation, either internally or externally as required.

As determined by both Councils there may be the need to create a task force or committee to address specific challenges and opportunities that arise.

Joint Consideration

Both Town's recognize that matters arise, from time to time, that need to be brought to the attention of and recognized by both municipalities. To ensure proper attention is given to these matters three methods will be instituted.

1. Each Town's Request For Decision (RFD) template shall be modified to include a checkbox to indicate when a matter or decision needs to be circulated to the other municipality.
2. Adding a Joint Consideration Document:
 - a. This document will be created and monitored by the Towns' CAOs;
 - b. May be initiated by either municipality, or jointly, and directed to, or cc'd to, the appropriate Communication Lead when an opportunity/challenge arises in the course of business where one municipality believes the matter requires consideration by the other;
 - c. The JCD should be coordinated through the Communication Lead and sent to counterparts' Communication Lead ;
 - d. Receipt of the JCD shall be acknowledged within two (2) working days.
3. Adding a standing Council Agenda Item of "Joint Consideration" to both councils' agendas.

Common Notes

To promote a consistent and shared flow of information from intermunicipal meetings a set of common notes will be established. The common notes will be confidential and regarded as privileged. To generate the common notes, the following steps will be respected:

1. When any intermunicipal meeting occurs, the parties will take notes and make decisions about reporting out of information.
2. In the case of each such meeting, one municipality will be designated the "host" municipality and be responsible for generating the original notes from that meeting, including action points, information requests and points of circulation.
3. Once the host circulates the original notes, their respective municipal counterpart will either sign off on the notes, sign off the notes with comments or edit the notes for further comment and recirculation, within 10 business days of receipt of the notes.
4. Once the common notes are signed off by both municipalities, they will be the authoritative record of the meeting, and then the notes can be circulated at levels of the organization as determined necessary by the CAO's or their designate.
5. All common notes will be shared by and stored with both Communication Leads.

Communication

Both municipalities will co-ordinate press releases on common public information through elected officials and/or the CAOs or Communication Leads.

Conflict Resolution Protocol

Both municipalities recognize the need for a joint understanding about how to address conflict when either municipality is of the opinion that an obligation of the other has been breached. Both municipalities want to resolve problems:

- At the earliest opportunity and at the point closest to where problems originate;
- In a swift, inexpensive and uncomplicated way;
- Using a clear procedural pathway to a solution;
- To maintain a smooth working relationship even when disagreement survives.

It is acknowledged that the processes in this protocol are in addition to, and do not replace, processes and remedies provided in legislation or under existing agreements between the municipalities.

If an elected official, administrator or any staff person from either municipality thinks an obligation under this agreement has been breached, the matter shall be brought to the attention of the Communication Lead. The Lead shall inform their counterpart Lead of the alleged breach. The Leads shall investigate and, if it appears that a breach did occur, the matter will be brought to the attention of the CAO's.

Once that has happened, the matter may be resolved directly between the municipalities through informal problem solving discussions.

If the problem identified is not resolved through informal discussions, the municipalities agree to address it using the following processes. Both municipalities will ensure sufficient funds are available to undertake any or all of the Conflict Resolution Processes. The costs of the processes will be shared. It is expected the following processes will be undertaken in a timely manner accountable to the Communication Leads and/or CAOs.

1. First, ***through negotiation***: The municipalities will identify the appropriate personnel or Council member(s) who are knowledgeable about the issue and those persons will work to find a mutually acceptable solution through negotiation.

Those in the negotiation will negotiate in *good faith* to find a solution.

Those in the negotiation will seek an *integrated outcome* in the decisions they make. An integrated outcome is one in which the parties elect to work together, integrating their resources, originality and expertise.

Those in the negotiation will attempt to craft a solution to the identified issue by seeking to advance the interests of all in the negotiation rather than by simply advancing their individual positions. The parties will fully explore the issue with a view to seeking an outcome that accommodates, rather than compromises, the interests of all concerned. In that regard, negotiators will seek to:

- a) Clearly articulate their interests and the interests of their municipality;
 - b) Understand the interests of other negotiators whether or not they are in agreement with them; and,
 - c) Identify solutions that meet the interests of the other municipality as well as those of their own.
2. Next, ***through mediation***: If the issue cannot be resolved through negotiation, the municipalities will find a mutually acceptable mediator. For assistance finding an acceptable mediator, the municipalities may consult the Municipal Dispute Resolution Services at Alberta Municipal Affairs or may consult the Alternative Dispute Resolution Institute of Alberta (ADRIA).

Mediation is a process of assisted negotiation in which the municipalities retain power over the substantive outcome of the negotiation and the mediator facilitates the process.

The mediator will be responsible for the governance of the mediation process.

3. Next, ***through arbitration***: If the issue cannot be resolved through mediation, the municipalities will have the matter resolved by arbitration using a single arbitrator.

Should the municipalities agree upon a mutually acceptable arbitrator, arbitration will proceed using that arbitrator. If they cannot agree on a mutually acceptable arbitrator, each municipality will produce a list of three candidate arbitrators. In the event there is agreement on an arbitrator evident from the candidate lists, arbitration will proceed using that arbitrator. If a mutually agreeable arbitrator is not found, Alternative Dispute Resolution Institute of Alberta will make the selection of an appropriate practitioner.

The municipalities prefer arbitration based upon both verbal and written submissions. The arbitrator then, may use their judgment to determine “the best outcome” based on those submissions, rather than be limited to choosing one proposal over the other. Both municipalities agree that the decision of the arbitrator shall be final and binding upon both municipalities.

Subject to the above description of the arbitration process, the arbitrator will be governed by principles of natural justice and fairness and may make rules and procedures (including reasonable time limits), as the arbitrator shall see fit.

By signing this document, each municipality acknowledges their commitment to and agreement with the spirit, intent, and content of the Friendship Agreement.

Further, their signatures demonstrate such commitment and agreement, internally to their management and staff, and externally to the public, particularly their constituents, both residential and business, and other governments.

The intent of the Friendship Agreement is to foster a corporate culture of cooperation. The implementation will be developed over time and captured in various supporting documents.

Signed this 25th day of October, 2012 in Turner Valley, Alberta, Canada

For Town of Black Diamond:



Sharlene Brown, Mayor



Sharon Hart, Deputy Mayor



Jim Deacon, Councillor



Michel Jackson, Councillor



Diane Osberg, Councillor



Mike Ross, Councillor



Judy Thomson, Councillor



Joanne Irwin, CAO

For Town of Turner Valley:



Kelly Tuck, Mayor



Terry Moore, Deputy Mayor



Dona Fluter, Councillor



Lane Park, Councillor



Gerald Pfeil, Councillor



Sandy Rishaug, Councillor



Barry Williamson, Councillor



Leslie Fitzgerald, CAO

WITNESS: Honourable Greg Weadick, Associate Minister of Municipal Affairs:



Honourable Greg Weadick
Associate Minister of Municipal Affairs