

Intermunicipal Collaboration Framework

Between

Kananaskis Improvement District

(the “ID”)

and

Rocky View County

(the “County”)

(each a “Municipality, and collectively the “Municipalities”)

WHEREAS the ID and the County share a common boundary;

WHEREAS the ID and the County have reviewed their common interests and wish to work together when appropriate to provide services to their residents; and

WHEREAS the *Municipal Government Act* stipulates that municipalities that have a common boundary must create an intermunicipal collaboration framework with each other that describes the services to be provided that benefit residents in more than one of the municipalities that are parties to the framework.

NOW THEREFORE, by mutual covenant of the Municipalities it is agreed as follows:

A. DEFINITIONS

In this Framework:

1. “CAO” means the Chief Administrative Officer or acting CAO of each Municipality.
2. “Effective Date” means the later of the dates on which a bylaw or resolution, as applicable, that contains this Framework has been finally adopted by each Municipality.
3. “Framework” means this intermunicipal collaboration framework.
4. “*Municipal Government Act*” means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time.
5. “Services” means one or more of the following municipal services:
 - a. transportation;
 - b. water and wastewater;
 - c. solid waste;
 - d. emergency services;

- e. recreation; and
 - f. any other municipal service as may be identified by a Municipality.
6. “Shared Services” means Services benefitting the residents of each Municipality that the Municipalities have agreed to share.
 7. “Shared Services Initiative” means a future project or initiative for Shared Services that may require cost-sharing between the Municipalities.

B. TERM AND REVIEW

1. This Framework shall come into effect on the Effective Date and shall remain in effect unless it is replaced under the terms of this Framework or is no longer required pursuant to s.708.28(1) or s.708.28(5) of the *Municipal Government Act*.
2. As soon as reasonably possible after a Municipality has finally adopted either a bylaw or resolution that contains this Framework, that Municipality’s CAO shall provide written notice to the other Municipality’s CAO confirming the date of final adoption.
3. The Municipalities shall review the terms and conditions of this Framework by no later than each five year anniversary of the Effective Date.
4. After each five year review is completed, if the Municipalities do not agree that this Framework continues to serve the interests of the Municipalities, the Municipalities will create a new intermunicipal collaboration framework to replace this Framework. The County shall notify the Minister of Municipal Affairs and the ID shall notify the Minister of Environment and Parks of the replacement framework within 90 days of a resolution or bylaw containing the replacement framework being finally adopted by each Municipality.

C. THE PRINCIPLES OF INTERMUNICIPAL COOPERATION

1. The Municipalities are committed to fostering intermunicipal cooperation in a non-adversarial, informal and cost-effective manner.
2. The Municipalities will comply with section 708.4 of the *Municipal Government Act* in aligning their bylaws and resolutions with this Framework as applicable.

D. MUNICIPAL SERVICES

1. The Municipalities acknowledge and agree that they do not have any Shared Services.

E. FUTURE SHARED SERVICES INITIATIVES

1. The Municipalities acknowledge that each future Shared Services Initiative shall be dealt with on a case by case basis. In the event that either Municipality wishes to propose a new Shared Services Initiative, the initiating Municipality’s CAO will provide a written notice to the other Municipality’s CAO within 90 days that includes:

- a. a general description of the Shared Services Initiative,
 - b. the estimated costs, and
 - c. the proposed timing of the expenditure.
2. The receiving Municipality will advise if it agrees to or objects to the Shared Services Initiative, and the reasons, within 30 days of receiving the written notice.
 3. Both Municipalities recognize that a Municipality's decision to participate or not to participate in a Shared Services Initiative lies with each respective Municipality.
 4. If the Municipalities agree to a Shared Services Initiative, then they shall create a new intermunicipal collaborative framework to replace this Framework. The County shall notify the Minister of Municipal Affairs and the ID shall notify the Minister of Environment and Parks of that replacement framework within 90 days of a resolution or bylaw containing the replacement framework being finally adopted by each Municipality.

F. INTERMUNICIPAL DEVELOPMENT PLAN

1. The Municipalities acknowledge that they are each exempt from creating an intermunicipal development plan by the Minister of Municipal Affairs in accordance with Ministerial Order MSL 047/18.

G. DISPUTE RESOLUTION

1. In the event of any dispute regarding the interpretation, implementation, application of or any contravention or alleged contravention of this Framework, the Municipalities agree to refer the matter for joint discussion by their respective CAOs. If the CAOs cannot negotiate a resolution to the dispute within 30 days of their first joint discussion, the Municipalities agree to participate in mediation with a mutually acceptable mediator.
2. The Municipalities agree that mediation will proceed on the following basis:
 - a. if the Municipalities cannot agree on a mediator, they will ask the President or Executive Director of the ADR Institute of Alberta to assist in the selection process;
 - b. the Municipalities will share the cost of the mediator equally and bear their own costs incurred with respect to the mediation; and
 - c. no evidence of anything said or of any admission or communication made in the course of the mediation shall be admissible in any legal proceeding, except with the consent of both Municipalities.
3. If the Municipalities are not able to resolve the dispute by mediation within one year after the date of the first joint discussion of the CAOs under Article G.1, pursuant to section 708.34(c) of the *Municipal Government Act*, the Municipalities agree to resolve the dispute through arbitration as set out in section 708.35 of the *Municipal Government Act*.

H. NOTICES AND COMMUNICATION

1. Each Municipality's CAO will communicate with each other in a timely manner any items that might be of significance for this Framework.

- 2. Notices under this Framework shall be provided in writing to the mailing addresses of each respective Municipality and addressed for the attention of the CAO.
- 3. Notices will be sent either by courier or postal service. Regardless of the method of delivery, any notice is deemed to be received 7 business days after it has been sent. A party will endeavour to send courtesy copies of correspondence by electronic means to the attention of the CAO, but such delivery method will not affect the calculation of days set out above.

I. GENERAL

- 1. The Municipalities agree that:
 - a. in this Framework words in the singular include the plural and words in the plural include the singular;
 - b. this Framework does not affect any other responsibility, right or obligation of any Municipality and addresses only their roles with respect to the implementation of this Framework;
 - c. this Framework may be amended by mutual agreement of the Municipalities in writing;
 - d. nothing in this Framework fetters the discretion or regulatory authority of either Municipality in any way; and
 - e. this Framework may be signed in counterpart, in which case the counterparts together constitute one agreement, and communication of execution by e-mailed PDF shall constitute good delivery.

IN WITNESS WHEREOF the Municipalities have hereunto executed this Framework by the hands of their proper officers duly authorized in that regard.

KANANASKIS IMPROVEMENT DISTRICT

ROCKY VIEW COUNTY

PER:

PER:

Melanie Gnyp
Council Chair

Crystal Kissel
Reeve

Date

Date

Alex Engelberts
Interim Chief Administrative Officer

Byron Riemann
Interim Chief Administrative Officer

Date

Date