

Government to Government Accord

This ACCORD dated for reference the 14 day of JAN, 2018.

BETWEEN: THE TSESHAHT FIRST NATION

AND: THE CITY OF PORT ALBERNI

WHEREAS (The Parties)

- A.** The Tseshaht First Nation and the City of Port Alberni (the "City") each have distinct governance authorities and responsibilities towards their residents and members, and acknowledge that the interests of persons living in their communities are best served by working together in the spirit of cooperation.
- B.** The Parties recognize that establishing a formal government-to-government relationship now will create a level of certainty for the Parties' communities and jurisdictions and begin an important dialogue in anticipation of successful community development.
- C.** The Parties recognize the following documents and principles as guides to effective inter-governmental relations:
 - United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
 - The Truth and Reconciliation Commission's 94 Calls to Action
 - lisaak (respect), hishukish-tsawalk (everything is interconnected) and uu-a-thluk (taking care of)

NOW THEREFORE the Parties enter into this Accord with the intention and desire to establish a cooperative government-to-government relationship for the purpose of sharing information, improving communications, addressing specific concerns, and raising awareness and understanding of Tseshaht First Nation Title, Rights and responsibilities and the rights of the City under the Community Charter and Local Government Act.

1.0 PURPOSE

- 1.1** The purpose of this Accord is to enter into a more formal arrangement between the Tseshaht First Nation and the City with respect to establishing and maintaining a long-term cooperative government-to-government relationship through effective communications.

2.0 PRINCIPLES OF COOPERATION

The Parties agree that the Tseshah First Nation and the City will:

- 2.1** Meet regularly to promote and encourage open and constructive dialogue based on mutual trust, honesty, respect and understanding.
- 2.2** Work cooperatively to ensure that the Parties have a full understanding of each other's governing structures, capacities, traditions, roles, responsibilities and current projects.
- 2.3** Maintain respect for the views and authority of each of the Parties.
- 2.4** Explore potential partnerships and collaborative opportunities that help support a strong local economy. Each Party will endeavor to advise the other Party at the early stages of consideration about economic development projects that may impact the other Party.

3.0 KEY JOINT INTERESTS

The Parties agree to work together on the following, but not limited to areas of mutual interest:

- Governance
- Intergovernmental Relations
- Economic Development
- Cultural, Language and Heritage Protection
- Tourism
- Environmental Protection
- Public Safety
- Capacity Building
- Infrastructure
- Service Delivery
- Poverty
- Sustainable Healthy Communities

4.0 COMMUNICATIONS

- 4.1** The Parties recognize the success of a government-to-government relationship is predicated upon:
 - Open and transparent communication
 - Effectiveness and efficiency
 - Cooperation and collaboration

- 4.2 The parties acknowledge and recognize that communication and information sharing for the interests set out in this Accord may be subject to Federal and Provincial Freedom of Information and Protection of Privacy Legislation.
- 4.3 The Parties agree to seek and explore opportunities to incorporate Tseshahat and First Nations culture, history and language into communications, advertising and signage.
- 4.4 The Parties agree to jointly develop and implement a strategy for interaction between the Parties for the purposes of improving timely communication on matters referred to in this Accord.

5.0 Implementation and Dispute Resolution

- 5.1. This Accord shall be administratively implemented through the CAO of the City and the Executive Director of the Tseshahat First Nation. In the event that a dispute arises pertaining to this Accord, the CAO and Executive Director shall meet to seek resolution of that dispute.
- 5.2 If the Administration of both Parties cannot resolve any dispute as referenced above, the Mayor of the City and the Chief Councillor of the Tseshahat First Nation shall meet to develop solutions in accordance with this Accord.
- 5.3 If a dispute cannot be resolved at the levels of Administration or Mayor and Chief Councilor, then a meeting of both Councils shall occur to resolve the matter in accordance with this Accord.

6.0 COUNCIL TO COUNCIL FORUM

- 6.1 The elected Councils will meet at least annually and as required to monitor and evaluate the implementations of this Accord and the specific initiatives undertaken thereto. Councils will also provide vision, policy and strategic direction to the Administrations of their respective governments in accordance with this Accord.

7.0 TERMS OF THE ACCORD

- 7.1 The Parties agree that this Accord shall take effect by a formal resolution by each respective Council.
- 7.2 The Parties agree that this Accord is a living document and may be subject to revision from time to time by mutual consent. The revisions must be agreed to in writing, and by formal resolution by each respective Council.


- 7.3 The Accord will remain in effect continuously unless terminated by either of the Parties by providing sixty (60) days' notice in writing, to be delivered by hand, facsimile or registered mail.
- 7.4 The Accord will be reviewed jointly by the Parties on an annual basis.
- 7.5 This Accord does not affect any aboriginal right, or any title or interest of the Tseshah First Nation.
- 7.6 This Accord does not prejudice or affect the City's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Community Charter* and *Local Government Act* as amended from time to time.
- 7.7 This Accord is non-binding and is not intended to and does not create any legal rights or obligations.

8.0 ADDRESS FOR SERVICE

TSESHAHT FIRST NATION
5091 Tsuma-as Drive
Port Alberni, BC V9Y 8X9

CITY OF PORT ALBERNI
4850 Argyle Street
Port Alberni BC, V9Y 1V8

IN WITNESS THEREOF The Parties have hereunto affixed their signatures as of the day and year first written above.



Sharie Minions, Mayor
City of Port Alberni

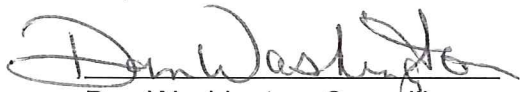
Cynthia Dick, Chief Councilor
Tseshah First Nation




Cindy Solda, Councillor
City of Port Alberni




Corey Anderson, Councillor
Tseshah First Nation




Dan Washington, Councillor
City of Port Alberni



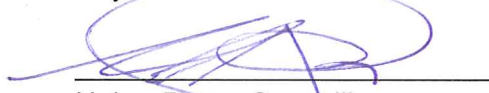
Hugh Braker, Councillor
Tseshah First Nation



Debbie Haggard, Councillor
City of Port Alberni



Melanie Cranmer, Councillor
Tseshah First Nation




Helen Poon, Councillor
City of Port Alberni



Luke George, Councillor
Tseshah First Nation



Ron Corbeil, Councillor
City of Port Alberni



John Gomez, Councillor
Tseshah First Nation




Ron Paulson, Councillor
City of Port Alberni



Eunice Joe, Councillor
Tseshah First Nation



Ken Watts, Councillor
Tseshah First Nation



Richard Watts, Councillor
Tseshah First Nation