

Terms of Reference

Annexation Negotiation Committee City of Calgary and Rocky View County

1. Introduction

On September 17, 2021, The City of Calgary (The City) gave notice to the Land and Property Rights Tribunal, Rocky View County (The County) and other local authorities, proposing to annex land from The County into The City. This precipitates the need, pursuant to the Municipal Government Act (MGA), for the two municipalities to enter into good faith negotiations on annexation. The proposed annexation lands are located within The City's industrial growth area as per the Rocky View – Calgary Intermunicipal Development Plan (2012).

2. Legislation

The legislative framework for annexation negotiations is provided in Division 6 of the *Municipal Government Act* (MGA) and more specifically Section 117 (1) and (2) of the MGA:

Direct negotiations

117(1) The municipal authorities from which the land is to be annexed must, on receipt of the notice under section 116, meet with the initiating municipal authority to discuss the proposals included in the notice and negotiate the proposals in good faith.

(2) If there are matters on which there is no agreement, the initiating municipal authority and the one or more municipal authorities from which the land is to be annexed must, during the negotiations, attempt to use mediation to resolve those matters.

3. Task of the Annexation Negotiation Committee

The Annexation Negotiation Committee is tasked with negotiating a draft Annexation Agreement between The City and The County, which would be forwarded upon completion of the negotiation process to the respective Councils for consideration.

4. Negotiation Principles

The following principles shall guide the annexation negotiation process and communications between The City of Calgary and Rocky View County.

The Annexation Negotiation Committee will:

- **Share** interests, needs and concerns with each party toward a common understanding to facilitate mutually beneficial solutions to interests, needs and concerns;
- **Understand** each other's growth aspirations by providing full disclosure and factual information;
- **Respect** each other's points of view and have honest interaction and realistic expectations;
- **Respect** which aspects of development planning and growth are of mutual interest and which areas are of single jurisdictional interest;
- **Support** each other in finding mutually beneficial solutions; and
- **Communicate** effectively to clarify any challenges and provide a clear and mutually supportive message to the public and media.

5. Committee Member Roles and Responsibilities

To promote efficient and constructive discussions of the Annexation Negotiation Committee, the roles and responsibilities include:

- Make every effort to attend scheduled meetings – this will ensure continuity in discussion and progress is made at each meeting;
- Engage in discussions in a respectful manner – seek to listen and understand each others' perspectives to best explore solutions that meet the needs of both municipalities; and
- Communicate back to respective Councils on the discussions of the Annexation Negotiation Committee.

6. Terms of Engagement

6.1. Annexation Negotiation Committee Composition

The Annexation Negotiation Committee will be comprised of two appointed members of Council from each municipality and two to three Administration members from each municipality. An alternate Councillor may be appointed by both municipalities at any time if deemed necessary by a municipality. Each municipality will determine appropriate members of their Administration to sit on the Annexation Negotiation Committee. The City will appoint two to three members (total) of City Administration from the following Departments: Deputy City Manager's Office and Planning and Development. The County will appoint appropriate Administration members to the Committee. Further staff and subject matter experts may attend and contribute to meetings as deemed appropriate by each municipality. Quorum for the Committee shall be established by the Annexation Negotiation Committee.

6.2. Roles and Decision Making

The role of the Annexation Negotiation Committee and its approach to decision making will be determined by the Annexation Negotiation Committee at the inaugural meeting.

6.3. Meeting Procedures

Meeting procedures including the timing of meetings, how meetings will be chaired, and other procedures will be defined by the Annexation Negotiation Committee at the inaugural meeting.

6.4. Facilitation / Mediation

Annexation Negotiation Committee members will select a mediator early in the process from a list maintained by Alberta Municipal Affairs to support successful negotiations.

7. Scope

The scope and topics requiring negotiations with respect to lands within proposed annexation will be determined by the Annexation Negotiation Committee. Technical studies may be required to support negotiations, as determined by the Annexation Negotiation Committee.