

People, Innovation & Collaboration Services Report to  
Executive Committee  
2024 December 05

ISC: UNRESTRICTED  
EC2024-1335

## **Agreement Request – Bearspaw Nation**

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### **PURPOSE**

This report advances a request received from Bearspaw First Nation to create a Protocol Agreement with The City of Calgary and outlines the recommended approach for development.

### **PREVIOUS COUNCIL DIRECTION**

This is a new request with no previous Council direction provided.

### **RECOMMENDATION:**

That the Executive Committee recommend that Council direct Administration to initiate work to develop a Protocol Agreement with Bearspaw Nation, and report back to Council through the Intergovernmental Affairs Committee with the agreement for approval, upon completion.

### **CHIEF ADMINISTRATIVE OFFICER/GENERAL MANAGER COMMENTS**

General Manager Chris Arthurs concurs with this report and recommendations.

### **HIGHLIGHTS**

- Bearspaw Nation has requested that The City of Calgary enter into negotiations to develop a Protocol Agreement “as a first step in addressing many interests and concerns including Addition to Reserves (ATR) process”.
- Protocol Agreements, also known as Friendship Agreements or Memorandum of Understanding, are legally non-binding agreements detailing how Indigenous and non-Indigenous governments will engage with one another on areas of mutual interest and establish a cooperative relationship.
- This is the third request The City has received for a Protocol Agreement. On 2024 September 23, Council directed Administration to proceed with the development of a Protocol Agreement with the Blackfoot Confederacy. Development of this agreement is currently underway. Concurrently, Administration is also seeking Council direction to consider a request from Tsuut’ina Nation for a Memorandum of Understanding (see EC2024-1320).

### **DISCUSSION**

#### **Background**

Bearspaw Nation is one of three Stoney Nakoda Nations. It consists of over 1,900 members<sup>i</sup>, employs nearly 80 people and is governed by Chief Darcy Dixon and four (4) Councillors. Currently, members live primarily on four (4) reserves: Stoney Indian Reserves #142, #143 and #144 at Mîni Thnî (formerly Morley) located 65 kilometres west of Calgary along Highway 1; as well, at Eden Valley Indian Reserve #216, located 120 kilometres south of Mîni Thnî (formerly Morley) near Longview.

Bearspaw Nation has diverse business interests, including examples such as: Stoney Nakoda Casino (1/3 ownership) and Resort, Stoney Nakoda Telecom, Clearwave Broadband Networks,

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Bearspaw Kananaskis Travel Centre as well as Natural Gas Development and pipeline royalties flowing through BFN Capital Trust.

### **Request**

On 2024 November 25, the Office of the Mayor received a letter from Bearspaw Chief Dixon requesting that The City of Calgary develop a Protocol Agreement with the Nation (Attachment 1). This is the third request received, following a request received from Tsuut'ina Nation (November 2024) and a similar request received from Blackfoot Nation (November 2023). The City views this request as an important step in building stronger relations with Bearspaw Nation.

### **Protocol Agreement**

Protocol Agreement, also referred to as Friendship Agreements or Memorandum of Understanding, are legally non-binding agreements that outline how Indigenous governments and municipal governments engage with one another and establish cooperative relationships. Agreements will vary depending on the goals and aspirations of its signatories and will reflect the specific scope of issues identified by the parties. These agreements may also include a preamble outlining guiding principles, a definition of areas of mutual interest and conditions to convene meetings and discussions.

The Government of Alberta, through a dedicated Protocol and Relationship Secretariat, has reached three (3) agreements and supports ongoing conversations with Tribal Councils in Alberta. Many municipalities across Canada have MOUs or Protocol Agreements with surrounding Nations, along with some provincial governments. In addition, the Federation of Canadian Municipalities recommends that municipalities enter into agreements with surrounding Nations as they:

- Outline a long-term joint vision for a productive community-to-community relationship;
- Demonstrate a willingness to heal past wrongs and renew the relationship between communities;
- Set a formal commitment to sustain working relationships through changes in leadership, and signals its importance to communities and staff; and
- Create strong working and interpersonal relationships between community members and create opportunities for joint celebrations<sup>ii</sup>.

The City is committed to ensuring equal opportunity for local First Nations to request and develop Protocol Agreements, should they wish. This process involves an initial meeting between Chief(s), Mayor and Senior Administration from both parties to discuss potential opportunities for collaboration, followed by a letter of request from a Nation's Chief to the Mayor. Requests are then sent to Intergovernmental Relations to advance the request to Council through Committee (Attachment 2).

### **Future Servicing Agreements**

To date, there are no servicing agreements with the Bearspaw Nation, and no details on whether the Nation aims to pursue one.

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### EXTERNAL ENGAGEMENT AND COMMUNICATION

- |  |   |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken        | <input checked="" type="checkbox"/> Dialogue with interested parties was undertaken     |
| <input type="checkbox"/> Public/interested parties were informed | <input checked="" type="checkbox"/> Public communication or engagement was not required |

### IMPLICATIONS

#### Social

Reaching agreements is a concrete way to demonstrate The City's commitment a clear long-term joint vision for community-to-community relationships.

#### Environmental

Protocol agreements develop a framework that can support and facilitate joint environmental initiatives and resource sharing, which can result in more effective environmental stewardship.

#### Economic

In 2021-2022, Indigenous-owned businesses generated approximately \$552 million in revenue in Calgary and on Treaty 7 First Nation lands.<sup>iii</sup> Indigenous-owned businesses operate on and beyond First Nations lands and are active across every sector. In building and strengthening relationships with Indigenous Nations, agreements offer an opportunity to diversify and expand the city's economy through new businesses and partnerships.

#### Service and Financial Implications

Existing operating funding - one-time

In September 2024, Council directed Administration to develop a sustainment plan for Protocol Agreements beyond 2026 and report back to Council through the Intergovernmental Affairs Committee in Q1 of 2026. (Refer to IGA2024-0941.) That said, the current pace of requests for agreements is exceeding what Administration had forecasted and may cause some capacity challenges. To manage in the interim, work will be initiated on agreements in order requests are received and as capacity is created.

### RISK

- There is a reputational and relational risk for The City if it declines this request or does not invest adequate resources in the process. This may be perceived as disrespectful and erode trust in The City's commitment to Reconciliation and its collaboration with First Nations.
- There is a risk that by not advancing this request, the Bearspaw Nation will view The City's approach with Nations as unfair considering that Council directed Administration to work on a similar agreement with the Blackfoot Confederacy.
- There is a risk that once this Agreement is complete, other local First Nations may request an agreement, resulting in resource limitations and capacity constraints.

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### ATTACHMENTS

1. Bearspaw Letter of Request
2. City Process for Indigenous Agreement Requests
3. Presentation

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Chris Arthurs	People, Innovation & Collaboration Services	Approve

Author: Government Relations

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<sup>i</sup> *Registered Population as of October 2024 - Bearspaw First Nation*, Crown-Indigenous Relations and Northern Affairs Canada, [https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/FNRegPopulation.aspx?BAND\\_NUMBER=473&lang=eng](https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/FNRegPopulation.aspx?BAND_NUMBER=473&lang=eng)

<sup>ii</sup> *Strong Together Tool Kit*, September 2015, Federation of Canadian Municipalities, p.18. [stronger-together-toolkit-  
cedi.pdf](#)

<sup>iii</sup> *Indigenous Economic Contribution Study*, December 2023. Calgary Economic Development, The City of Calgary and MNP LLP, p. 19. [CED2023\\_Indigenous-Economic-Contribution-Study.pdf](#)