

# Memo



**Date:** May 25, 2010  
**File:** 0705-30  
**To:** City Manager  
**From:** Director of Strategic Initiatives  
**Subject:** Memorandum Of Understanding Between Westbank First Nations and the City of Kelowna

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## **Recommendation:**

THAT City Council approve the Memorandum of Understanding between the Westbank First Nation and the City of Kelowna as attached to the report dated May 25, 2010 from the Director of Strategic Initiatives;

AND THAT all members of City Council be authorized to sign the Memorandum of Understanding;

AND FURTHER THAT staff be instructed to work with representatives of the Westbank First Nation to arrange a suitable time for all parties to sign the Memorandum of Understanding.

## **Purpose:**

To formalize a statement of a lasting relationship based on mutual respect, honour and recognition, and to identify some matters of mutual interest

## **Background:**

The Westbank First Nation and the City of Kelowna formalized a Statement of Political Relationship in June of 2000. Both wish to further strengthen ongoing relationships and to increase communication and cooperation in matters of mutual concern. This is the intent of the attached Memorandum of Understanding. Specifically, the M.O.U. calls for the sharing of information regarding economic development, working together toward harmonizing community plans, and the promotion of tourism and economic development opportunities.

Upon acceptance of the Memorandum of Understanding by City Council, staff will work with the Westbank First Nation to arrange a mutually suitable time for a signing by all members of both Councils. Increasing cooperation and strengthening the relationships between the City of Kelowna and the Westbank First Nation will benefit all citizens in our region.

**Legal/Statutory Authority:** A Memorandum of Understanding is a statement of intent and not legally binding.

**Existing Policy:** The Statement of Political Relationship signed in 2000 (attached)

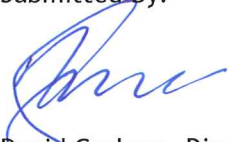
**Internal Circulation:** Tom Wilson, Communications Supervisor, Community & Media Relations

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**Considerations not applicable to this report:**

Legal/Statutory Procedural Requirements:  
Financial/Budgetary Considerations:  
Personnel Implications:  
External Agency/Public Comments:  
Community & Media Relations Comments:  
Alternate Recommendation:

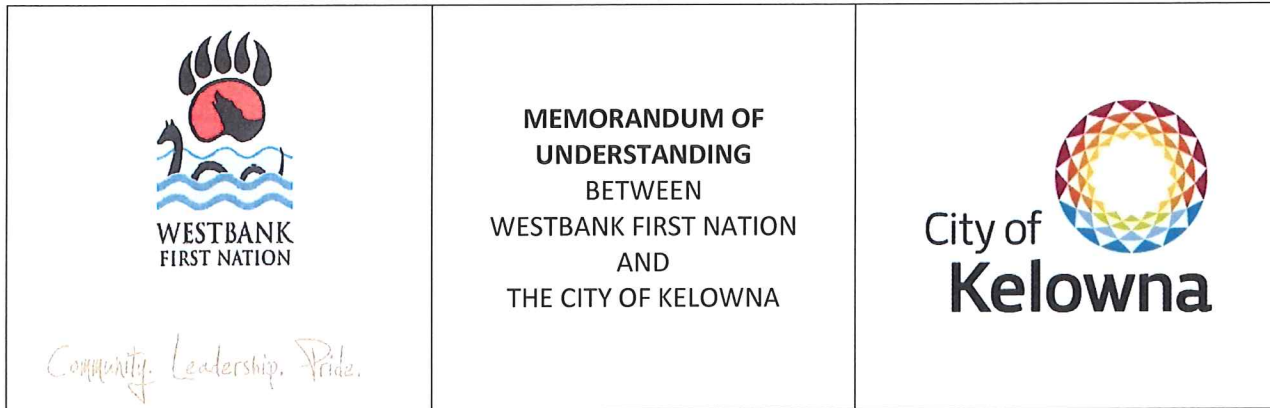
Submitted by:



David Graham, Director of Strategic Initiatives

Attachment

CC: General Manager - Community Services  
General Manager - Community Sustainability  
General Manager - Corporate Sustainability  
Director - Community & Media Relations



**WHEREAS** Westbank First Nation is a self-governing First Nation with capacity to establish its own laws and govern its own lands;

**AND WHEREAS** the City of Kelowna is a Municipality created under the laws of British Columbia;

**AND WHEREAS** Westbank First Nation represents its members and has a significant non-member population living on its lands;

**AND WHEREAS** the City of Kelowna is the local government representing the citizens of Kelowna;

**AND WHEREAS** a significant portion of Westbank First Nation lands are contiguous with the City of Kelowna, and the City of Kelowna is contained within those lands claimed by Westbank First Nation as its traditional territory and as Westbank First Nation "Caretaker Lands";

**AND WHEREAS** it is in the interests of both the Westbank First Nation and the City of Kelowna to foster a healthy working relationship to deal with issues of mutual interest and benefit;

**AND WHEREAS** the Chief and Council of Westbank First Nation and the Mayor and Council of the City of Kelowna have inaugurated formal meetings between the two governments;

**NOW THEREFORE** the Chief and Council of Westbank First Nation, on behalf of its members and citizens, and the Mayor and Council of the City of Kelowna, on behalf of its citizens hereby declare their mutual intentions to pursue a lasting relationship based upon mutual respect, honour and recognition.

**IN THE FURTHERANCE OF THIS NEW RELATIONSHIP, THE FOLLOWING COMMITMENTS ARE HEREBY UNDERTAKEN:**

That the Chief and Council of Westbank First Nation and the Mayor and Council of the City of Kelowna shall hold meetings to discuss matters of mutual concern, on an "as required" basis.

To ensure continuity between the aforesaid meetings, the respective administrations of Westbank First Nation and the City of Kelowna shall be directed to undertake such tasks or perform such duties as are required to fulfill any mutual decision reached at the said meetings and to facilitate the ongoing agenda and goals.

The Chief and Council of Westbank First Nation and the Mayor and Council of the City of Kelowna will encourage the sharing of information with regard to economic development.

The Chief and Council of Westbank First Nation and the Mayor and Council of the City of Kelowna will discuss the preparation of common informational and promotional materials that identify business opportunities and encourage such things as tourism, trade shows and conferences.

The Chief and Council of Westbank First Nation and the Mayor and Council of the City of Kelowna will work together in harmonizing community plans and bylaws to show a homogeneous area for economic investment and development.

This Memorandum of Understanding is not a binding legal agreement and does not create any binding obligations on any party. This Memorandum of Understanding reflects an understanding between the City of Kelowna and Westbank First Nation to work cooperatively in the best interests of both of their communities.

Agreed, this \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
**Chief Robert Louie**  
Westbank First Nation Government

\_\_\_\_\_  
**Sharon Shepherd, Mayor**  
City of Kelowna

\_\_\_\_\_  
**Larry Derrickson, Councillor**  
Westbank First Nation

\_\_\_\_\_  
**Kevin Craig, Councillor**  
City of Kelowna

\_\_\_\_\_  
**Brian Eli, Councillor**  
Westbank First Nation

\_\_\_\_\_  
**Robert Hobson, Councillor**  
City of Kelowna

\_\_\_\_\_  
**Loretta Swite, Councillor**  
Westbank First Nation

\_\_\_\_\_  
**Andre Blanleil, Councillor**  
City of Kelowna

\_\_\_\_\_  
**Mike DeGuevara, Councillor**  
Westbank First Nation

\_\_\_\_\_  
**Charlie Hodge, Councillor**  
City of Kelowna

\_\_\_\_\_  
**Graeme James, Councillor**  
City of Kelowna

\_\_\_\_\_  
**Angela Reid, Councillor**  
City of Kelowna

\_\_\_\_\_  
**Michele Rule, Councillor**  
City of Kelowna

\_\_\_\_\_  
**Luke Stack, Councillor**  
City of Kelowna



STATEMENT OF POLITICAL RELATIONSHIP  
BETWEEN THE CITY OF KELOWNA AND  
THE WESTBANK FIRST NATION  
JUNE, 2000



**WHEREAS** the Councils of the Westbank First Nation and the City of Kelowna desire to maintain and enhance communications between themselves; and

**WHEREAS** the Chief and the Mayor have called informal meetings from time to time to establish good relationships; and

**WHEREAS** it is deemed appropriate to formalize this relationship and to pursue a lasting relationship that is based on mutual respect and honour,

**NOW THEREFORE**, the parties agree as follows:

1. At least twice each year, the Chief and Council of Westbank First Nation and the Mayor and Council of the City of Kelowna will hold a meeting to discuss matters of mutual concern.
2. If emergent issues arise impacting the parties, that meetings will be called to discuss these issues, ensuring that good communication continues to exist between the parties.

SIGNED ON BEHALF OF  
WESTBANK FIRST NATION

*[Handwritten signature]*  
 \_\_\_\_\_  
*Chad Paul*  
 \_\_\_\_\_  
*Jing Alexander*  
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*[Signature]*  
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*[Signature]*  
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SIGNED ON BEHALF OF  
CITY OF KELOWNA

*Walt Gray*  
 \_\_\_\_\_  
*Shawn Shepherd*  
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*[Signature]*  
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*Robert D. [Signature]*  
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*[Signature]*  
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Dated this 26<sup>th</sup> day of June, 2000