Bylaws and 2016 Resolutions

Alberta Urban Municipalities Association

2016 Convention
Edmonton, Alberta
October 5 – 7

Resolution Sessions:
First Session – October 5: 1:45 – 3:00 p.m.
Second Session – October 7: 8:40 – 9:45 a.m.

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NOTE: There were no 2016 resolutions in the category of Endorsement Requests.

AUMA BYLAWS

Article I - NAME

1.01 The name of the Association shall be the Alberta Urban Municipalities Association, referred to in these bylaws as the "Association."

Article II - PURPOSE OF BYLAWS

2.01 The purpose of these bylaws is to conform to the provisions of the Societies Act, R.S.A. 2000, c. S-14 and to set out how the Association will provide leadership in advocating local government interests to the Provincial Government and other organizations, and provide services that address the needs of its membership.

2.02 These Bylaws establish, and shall continue to establish in each and every year of the Association's existence, a fundamental and paramount principle that the Association is owned and controlled by the Regular Members of the Association in every material way, and that the Association's Bylaws, or any other constating document of the Association, shall be interpreted by the Association's Members, any court of competent jurisdiction and any taxing authority having jurisdiction, in a manner consistent with this fundamental and paramount principle.

Article III - GENERAL

3.01 The Board of Directors may establish procedures for convening any meeting referred to in these Bylaws by electronic or other communication facilities including a conference telephone call, facsimile, e-mail or such other technology as may become available.

3.02 Notwithstanding anything in these Bylaws, if by virtue of severe weather conditions, a pandemic or other emergency reason, it is impossible for a quorum to participate in any scheduled or required meeting

a) the time for undertaking any action, and
b) the terms of office of the President, Vice-Presidents and Directors are extended until the meeting can be reconvened.

3.03 When written notice is required to be provided under these Bylaws, the notice may be given by mail, facsimile or other electronic means which enables the recipient to review the entire text of the notice.

3.04 The classifications of Regular Members are

a) Cities over 500,000 population
b) Cities up to 500,000 population
c) Towns
d) Villages
e) Summer Villages

3.05 A reference in these Bylaws to "elected representative" means a member of the council of a Regular Member.

3.06 A reference in these Bylaws to a "special general meeting" means a meeting of the membership held at a time other than the annual general meeting.

Article IV - MEMBERSHIP

4.01 Any municipality, organization or business which

a) desires to further the Object of the Association,
b) qualifies under a membership category described in 4.02, and
c) pays the relevant membership fee may become a member of the Association.

4.02 The categories of membership are:

a) REGULAR MEMBERSHIP which shall be available to

i. any City, Town, Village, Summer Village, or Specialized Municipality located in Alberta; and

ii. after July 1, 2007, any successor municipality of a Regular Member referred to in subsection (i) above, including any Municipal District or County if the Municipal District or County is the successor municipality thereof.

b) ASSOCIATE MEMBERSHIP which shall be available to

i. any municipality other than a municipality referred to in Article 4.02(a)(i);

ii. any organization wholly owned by one or more municipalities that are eligible to be Regular Members or Associate Members, any municipally-related non-profit organization or special purpose board or commission;

iii. any municipally-related non-profit organization or special purpose board or commission that holds a reciprocal membership that has been approved by the Board of Directors; and

iv. any other local authority or related non-profit organization incorporated pursuant to provincial legislation.

c) AFFILIATE MEMBERSHIP which shall be available to any company, organization or individual, in or outside of the Province of Alberta.

4.03 For purposes of determining membership classification, a Specialized Municipality, Municipal District or County which has a population equal to or greater than the population set out in the Municipal Government Act, R.S.A. 2000, c. M-26, or any amendments thereto, for a

a) city shall be considered a city,

b) town shall be considered a town,

c) village shall be considered a village, and

d) if less than the population set out for a village, shall be considered a summer village.

4.04 The Townsite of Redwood Meadows, the Special Areas Board and an Improvement District are eligible for inclusion in the classification of Regular Membership appropriate to its population.

4.05 Repealed.

4.06 (a) Subject to sub-clause (b), any member may withdraw from membership in the Association at any time by notice in writing.

(b) A Regular Member which wishes to withdraw from membership in the Association shall provide at least 12 months notice in writing to the Association accompanied by a certified copy of the resolution of council.

(c) Any notice of withdrawal of membership shall be presented to the Board of Directors.

(d) A member which withdraws from membership is not entitled to reimbursement of any membership fees.

4.07 The membership year is the calendar year.

4.08 A "member in good standing" is a member in respect of whom the Association has received the membership fee for the current membership year or in the case of a Regular Member evidence of intention to pay satisfactory to the Board of Directors has been received.

4.09 For purposes of this section "Association activities" means all activities of the Association under its mandate other than business services, and "business services" means any product or service provided by the Association to its members either directly or indirectly through a service delivery entity owned by the Association

a) Regular Members - Regular Members are entitled to participate in all Association activities and business services, including the right to vote as set forth in Article V.

b) Associate Members - Associate Members are entitled to participate in business services and may, on conditions set by the Board from time to time, be entitled to participate in some or all Association activities, not including the right to vote.

c) Affiliate Members - Affiliate members are not entitled to participate in business services but may, on conditions set by the Board from time to time, be entitled to participate in some or all Association activities, not including the right to vote.

d) Eligible Members (Regular and Associate Member Categories) - Municipalities or organizations eligible for the Regular or Associate Membership categories shall not be entitled to participate in Association activities when not a member in good standing, but shall be entitled to participate in the Association's business services.

4.10 If a member ceases to be a member in good standing, at the expiration of six (6) months from the date for which the membership fee was due, the member shall be automatically expelled from the Association and thereafter shall not be entitled to participate in association activities or enjoy membership privileges until the member has been brought into good standing and reinstated by the Board of the Directors.

Article V - VOTING RIGHTS

5.01 The persons entitled to vote at any annual general meeting or special general meeting are those elected representatives in attendance whose municipalities are Regular Members of the Association in good standing.

5.02 Each person qualified to vote at any annual general meeting or special general meeting shall be entitled to one vote.

Article VI - NOMINATIONS

6.01 Nominations shall be conducted in accordance with the election procedures established by the Returning Officer.

6.02 To be eligible for nomination a person must

a) be an elected representative of a Regular Member in good standing,

b) submit a completed nomination in the form prescribed by the Returning Officer, and

c) be nominated by at least two other elected representatives of Regular Members in good standing.

6.03 The persons making a nomination and the person being nominated must be eligible to vote in the election for which the nomination is being made.

6.04 The persons eligible for nomination as Vice-President for a classification are the persons who are elected or appointed as Directors for that classification provided that, for purposes of electing a Vice-President,

a) the City of Calgary shall be considered as one classification

b) the City of Edmonton shall be considered as one classification, and

c) Villages and Summer Villages shall be considered one classification.

Article VII - ELECTIONS

7.01 The Board of Directors shall appoint a person as Returning Officer who shall be responsible for the fair and proper conduct of elections.

7.02 The Returning Officer shall establish and publish election procedures in accordance with these bylaws and generally in accordance with the provisions of the Local Authorities Election Act, R.S.A. 2000, c. L-21 or any amendments thereto with any necessary modifications.

7.03 Elections shall be held at the annual general meeting.

7.04 The election of the

a) President shall be conducted among all of the persons,

b) Vice-Presidents shall be conducted among all of the persons from the relevant classification as established in Clause 3.04

c) Directors shall be conducted among all of the persons from the relevant classification as established in Clause 3.04 and electoral zone if applicable who are eligible to vote and are in attendance at the meeting.

Article VIII - BOARD OF DIRECTORS

8.01 The Association shall have a Board of Directors consisting of

a) the President, and

b) 14 Directors.

8.02 The number of Directors representing each classification is:

a) two Directors appointed by the City of Calgary, one of whom shall be designated by the City as Vice-President for Calgary

b) two Directors appointed by the City of Edmonton, one of whom shall be designated by the City as Vice-President for Edmonton

c) three Directors representing Cities up to 500,000 population

d) three directors representing Towns

e) three Directors representing Villages

f) one Director representing Summer Villages

8.03 The Directors representing Towns and Villages shall be elected by electoral zone.

8.04 For purposes of establishing electoral zones, the Board of Directors shall group

a) Towns into three zones in such a manner that the number of Towns in each zone is approximately the same

b) Villages into three zones in such a manner that the number of Villages in each zone is approximately the same

and shall publish the zone information by June 30 in each year.

8.05 The term of office for each position on the Board

a) commences at the organizational meeting of the Board following the annual general meeting and

b) continues until the end of the next annual general meeting at which time the position is available for election.

8.06 The term of office for the position of

a) President is two years

b) Vice-President is one year

c) Director is two years.

8.07 (a) The term of office for the following Director positions shall begin in odd numbered years

i. 1 Calgary Director

ii. 1 Edmonton Director

iii. 2 Cities up to 500,000 population

iv. Towns East

v. Villages South

vi. Summer Villages

(b) The term of office for the following Director positions shall begin in even numbered years

i. 1 Calgary Director

ii. 1 Edmonton Director

iii. 1 Cities up to 500,000 population

iv. Towns West and South

v. Villages East and West

8.08 (a) A President who is no longer an elected representative immediately ceases to be President and a member of the Board of Directors.

(b) A Director who is no longer an elected representative immediately ceases to be a member of the Board of Directors.

(c) In the case of either (a) or (b), if the period until the next annual general meeting is longer than three months, the position shall be deemed to be vacant.

8.09 Should the legal municipal status change of the municipality of which a Director is an elected representative:

a) the Director is eligible to remain in the position until the next annual general meeting, and

b) if the term of office for the position does not expire at the end of the next annual general meeting a by-election shall be held at the next annual general meeting to fill the position for the remainder of the term.

8.10 Should the office of the President become vacant, the remaining Board of Directors shall forthwith appoint a member of the Board to serve as President until the next annual general meeting.

8.11 (a) Should a vacancy occur in a Director position other than a Director appointed by the City of Calgary or the City of Edmonton or in a Vice-President position

i. the Board may appoint a replacement to serve until the next annual general meeting, and

ii. if the term of office for the position does not expire at the end of the next annual general meeting a by-election shall be held at the next annual general meeting to fill the position for the remainder of the term.

(b) Should a vacancy occur in a Director position or a Vice-President position appointed by the City of Calgary or the City of Edmonton, the relevant city may appoint a replacement for the remainder of the term of office of the position.

8.12 A person appointed to fill a vacancy in any position must be eligible for election to that position if an election were held.

8.13 In carrying out the responsibilities of a Director, every Director of the Association shall

a) act honestly and in good faith with a view to the best interests of the Association,

b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances,

c) comply with the Societies Act (Alberta) and any regulations under it and with the bylaws and policies of the Association,

d) maintain the confidentiality of all Association information given to the Director that is considered confidential, except in the following circumstances

i. the confidential information is or subsequently enters the public domain through no action of the Director; or

ii. the confidential information is required to be disclosed by law,

and if the Director receives Association information that is considered confidential

iii. from his or her own independent sources; or

iv. any third party not under an obligation to keep the information Confidential,

the Director will disclose to the Board that he or she has received that information.

8.14 A member of the Board of Directors ceases to be a Director if:

a) the person is disqualified from Council pursuant to Section 174(1) of the Municipal Government Act; R.S.A. 2000, c. M-26, or any amendments thereto, or

b) the person misses three consecutive regular meetings of the Board, unless authorized by resolution prior to the conclusion of the missed third consecutive regular meeting of the Board.

8.15 The Board of Directors may by resolution passed by at least three fourths (3/4) of the votes cast declare that a Board Member has ceased to be a Board member. The provisions of Article 9.05 regarding notice and an opportunity to be heard apply to a resolution under this Article.

ARTICLE IX - DISQUALIFICATION OF BOARD MEMBERS

9.01 In this Article

a) "Board member's family" means the Board member's spouse, the Board member's children, the parents of the Board member and the parents of the Board member's spouse;

b) "spouse"

i. includes a party to a relationship between a man and a woman who are living together on a bona fide domestic basis, and

ii. does not include a spouse who is living apart from the other spouse if the spouses have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order.

9.02 (1) A member of the Board of Directors has a pecuniary interest in a matter if;

a) the matter could monetarily affect the Board member or an employer of the Board member, or

b) the Board member knows or should know that the matter could monetarily affect the Board member's family.

(2) For the purposes of subsection (1), a person is monetarily affected by a matter if the matter monetarily affects

a) the person directly,

b) a corporation, other than a corporation the shares of which are traded on a stock exchange, in which the person is a shareholder, director or officer,

c) a corporation, the shares of which are traded on a stock exchange, in which the person beneficially owns voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which the person is a director or officer, or

d) a partnership or firm of which the person is a member.

(3) A Board member does not have a pecuniary interest by reason only of any interest

a) that the Board member or a member of the Board member's family may have by reason of being appointed by the Board as a director of a company incorporated for the purpose of carrying on business for and on behalf of the Association or by reason of being appointed as the representative of the Board on another body;

b) that the Board member or member of the Board member's family may have with respect to any allowance, honorarium, remuneration or benefit to which the Board member or member of the Board member's family may be entitled by being appointed by the Board to a position described in clause (a);

c) that the Board member may have with respect to any allowance, honorarium, remuneration or benefit to which the Board member may be entitled by being a Board member; or

d) that is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Board member.

9.03 (1) When a Board member, or a Regular Member of which the Board member is an elected representative, has a pecuniary interest in a matter before the Board , a Board committee or any other body to which the Board member is appointed as a representative of the Board , the Board member must, if present,

a) disclose the general nature of the pecuniary interest prior to any discussion of the matter,

b) abstain from voting on any question relating to the matter,

c) abstain from any discussion of the matter, and

d) subject to subsection (2), leave the room in which the meeting is being held until discussion and voting on the matter are concluded.

(2) If the matter with respect to which the Board member, or the Regular Member of which the Board member is an Elected Representative has a pecuniary interest is the payment of an account for which funds have previously been committed, it is not necessary for the Board member to leave the room.

9.04 (1) A member of the Board of Directors ceases to be a Board Member if he or she

a) as a Board Member, takes part in a decision knowing that the decision might further a private interest of

i. the Board Member,
ii. a corporation, firm or partnership referred to in section 4.1.2(2) of this Article 4.1, or
iii. a Regular Member of which the Board member is an Elected Representative,

b) where applicable, does not declare an interest and withdraw from a meeting without voting on or discussing a matter before the Board of Directors which might further a private interest referred to in clause (a)(i), (ii) or (iii), or

c) accepts
i. a fee of any amount other than a fee or honorarium paid by the Association for the Board member's services as a Board member, or
ii. a gift or other benefit having a value of more than $100. that is received because the Board Member is a Board Member.

(2) Subsection (1)(c) does not apply if a Board Member is invited to attend an event or function as a representative of AUMA and the Board Member discloses such attendance in a manner approved by the Board from time to time.

9.05 (1) A meeting of the Board of Directors may be called under section 10.01 to determine whether a Board Member has ceased to be a Board member under this Article.

(2) The Board Member

a) shall be given notice of a meeting of the Board of Directors called under this section;

b) upon request
i. shall be given particulars of the grounds on which it is alleged that he or she has ceased to be a Board member;
ii. shall be given an opportunity to make representations to the Board of Directors in writing or in person, or by legal counsel, or any combination of the foregoing;

c) is not entitled to be present while the Board of Directors discusses the question whether or not the Board Member has ceased to be a Board Member.

9.06 (1) The Board of Directors may by resolution state that the Board Member has ceased to be a Board Member.

(2) The provisions of Article VIII relating to the filling of vacancies on the Board until the next annual general meeting apply to filling a vacancy under this Article.

9.07 A Board Member, by accepting appointment or election as a Board Member, agrees the Board Member will not be entitled to assert any claim or bring any legal action, whether for defamation or any other cause of action, against the Association or any officer, director or employee of the Association, in respect of anything done by any of them in good faith pursuant to this Article.

Article X - POWERS AND DUTIES OF THE BOARD

10.01 Meetings of the Board of Directors shall be held

a) pursuant to a regular schedule of meetings set by the Board at its organizational meeting following the annual general meeting, or

b) at the call of the President, or

c) upon the written request of four Directors with at least 72 hours notice.

10.02 A quorum of the Board is eight members.

10.03 At meetings of the Board of Directors each Board Member present shall have one vote and, in the case of a tie, the motion shall be lost.

10.04 The Board of Directors has the authority and responsibility to carry out as appropriate, or delegate to its committees, the powers and duties conferred upon the Association.

10.05 If the Board establishes and prescribes the terms of reference for any committee, or delegates that authority to the Executive Committee, the persons appointed as committee members may be

a) Directors
b) elected representatives of members
c) other persons, or
d) any combination of the above.

10.06 Members of the Board of Directors and Executive Committee shall receive an honorarium for their service and shall be reimbursed for expenses reasonably incurred in performing their duties on the Board of Directors or Executive Committee.

Article XI - EXECUTIVE COMMITTEE

11.01 The Executive Committee shall consist of the President and the Vice-Presidents.

11.02 A quorum shall consist of three (3) members of the Executive.

11.03 The Executive Committee shall have all the powers of the Board of Directors between meetings of the Board on emergent issues in accordance with such rules as the Board of Directors may adopt provided that the Executive may only recommend

a) the employment or termination of the Chief Executive Officer of the Association,
b) the amount of membership fees under clause 15.04, and
c) borrowing money under clauses 15.07 and 15.08.

11.04 The Executive Committee shall report any action taken under clause 11.03 at the next meeting of the Board.

11.05 The President and Vice-Presidents have the duties and powers commonly assigned to such officers.

Article XII - MEETINGS

12.01 The annual general meeting of the Association shall be held at such time and place as the Board of Directors may determine.

12.02 Written notice of the date of the annual general meeting shall be provided to each member not less than twelve (12) weeks prior to the date of the meeting.

12.03 A special general meeting of the Association may be held at the call of five (5) percent of the Regular Membership or by two-thirds vote of all the Board and written notice shall be provided to each member not less than fourteen (14) days before the date of the meeting.

12.04 A quorum at an annual general meeting or special general meeting shall be representation from twenty-five percent of the Regular Membership in good standing and the quorum shall be determined within fifteen minutes of the posted starting time of the meeting.

12.05 The President or another member of the Board delegated by the President shall chair the annual general meeting and any special general meeting.

12.06 The persons entitled to speak at an annual general meeting or special general meeting are

a) those elected representatives in attendance whose municipalities are Regular Members of the Association in good standing,
b) in the event a Regular Member is unable to be represented at the annual general meeting or special general meeting by an elected representative, an official appointed by motion of the Council to represent it, provided that notice of such appointment is submitted in writing to the Chief Executive Officer at least three (3) days prior to the date of the annual general meeting or special general meeting, and
c) upon a motion from the floor, a representative of an Associate Member.

12.07 Except as otherwise provided in these Bylaws, the Rules of Procedure to be followed at meetings of the Board of Directors, the annual general meeting and any special general meeting shall be those in "Robert's Rules of Order, Newly Revised."

Article XIII - CHIEF EXECUTIVE OFFICER

13.01 The Board shall appoint a Chief Executive Officer to manage the affairs of the Association.

13.02 The Chief Executive Officer is the chief officer of the Association and any of its subsidiaries ensures that the policies and programs of the Association are implemented, and performs the duties and functions and exercises the powers assigned to the Chief Executive Officer by the Board of Directors.

13.03 The Chief Executive Officer may employ any administrative staff required within the expenditure authority included in the Association's budget.

Article XIV - SIGNING AUTHORITY

14.01 After they are approved, the minutes of all Board meetings shall be signed by the Chief Executive Officer.

14.02 The Board of Directors shall designate signing authorities for any financial instrument and the use of the seal.

Article XV - FINANCIAL AFFAIRS

15.01 The fiscal year of the Association shall be the calendar year.

15.02 Before the end of each fiscal year, the Board of Directors shall approve a budget for the next fiscal year which shall include revenues at least sufficient to pay the estimated expenditures.

15.03 The Board of Directors may approve an interim budget for part of the next fiscal year.

15.04 The Board of Directors shall annually determine a method of calculating membership fees which will generate the membership fee revenue projected in the budget.

15.05 If any number of Regular Members agree to undertake a special initiative, the Board of Directors may levy a special fee on those members to raise the required revenue.

15.06 The membership fees in effect on the date that these bylaws are approved are continued until they are changed by the Board of Directors.

15.07 The Board of Directors shall have the power to borrow on behalf of the Association and upon the credit of the Association for operating purposes an amount not in excess of sixty percent (60%) of annual fees or special assessments then levied or assessed by the Association to its membership but not yet collected.

15.08 By a two-thirds majority vote of the Board, the Association may borrow for capital purposes.

15.09 The Association may draw, make, accept, endorse, execute and issue promissory notes, bills of exchange and other negotiable instruments.

15.10 The books and records of the Association shall be available for the inspection by any Regular Member of the Association at the Association's office during normal business hours.

15.11 In the event the Association is wound up or dissolved, all of its remaining assets after payment of its liabilities shall be paid to such registered and incorporated non-profit organization or organizations with purposes similar to those of the Association as a Majority of the Regular Members determine. In no event shall any Member become entitled to any assets of the Association.

15.12 The Board of Directors shall appoint by resolution an auditor and an audited annual financial statement shall be submitted to each annual general meeting.

15.13 The Association may acquire by gift or purchase and have, possess and enjoy land, tenements, rents, annuities and other property of any kind whatsoever within the Province of Alberta.

15.14 The Association may from time to time sell, alienate, exchange, mortgage, let, lease or otherwise dispose of any part of its real or personal estate.

15.15 Every Director and officer of the Association and their heirs, executors and administrators, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the Association from and against:

a) all costs, charges, damages and expenses whatsoever which they sustain or incur in or about any action, suit or proceeding which is brought, commenced or prosecuted against them or in respect of any act, omission, deed, matter or thing whatsoever made, done or permitted by them in or about the execution of the duties of their office; and

b) all other costs, charges, damages and expenses which they sustain or incur in or about in relation to any act, omission, deed, matter or thing whatsoever made, done or permitted by them in or about the execution of the duties of their office;

except such costs, charges, damages and expenses as are occasioned by their own willful act, default or dishonesty.

Article XVI - AMENDMENTS

16.01 The Board of Directors or a Regular Member may propose a special resolution, as required by the Societies Act, R.S.A. 2000, c. S-14, or any amendments thereto, to amend these Bylaws.

16.02 A proposed special resolution may be considered at the annual general meeting or at a special general meeting.

16.03 Written notice of a proposed special resolution shall be provided to each member not less than eight (8) weeks before the meeting at which the special resolution is to be considered.

16.04 An amendment to the Bylaws shall not be made unless a three-quarters (3/4) majority of the votes cast by representatives of Regular Members in good standing present at the meeting vote in favour of the amendment.

16.05 Notwithstanding any other provision of contained in these Bylaws, every Special Resolution to amend these Bylaws shall contain the following preamble:

"WHEREAS the following proposed amendment has been submitted to the Association only after taking into consideration:

a) the Association's fundamental and paramount principle of ownership and control of the Association by its Regular Members; and

b) the Association's tax exempt status under para. 149(1)(d.5) of the Income Tax Act, Canada as discussed by the Canada Revenue Agency in its letter dated March 14, 2007,

and that the proposed amendment herein will not, by its nature, content or description, compromise, modify, alter, affect or change in any way the fundamental and paramount principle of the Association (the Association being owned and controlled by its Regular Members only) or the Association's tax exempt status under para. 149(1) (d.5) of the Income Tax Act, Canada as same may be amended from time to time."

16.06 In 2015 and every subsequent year divisible by five (5), the President shall establish a special committee to conduct a general review of the Bylaws of the Association.

16.07 In the event any provision of these Bylaws is in any manner determined to be inconsistent with, or in violation of, the fundamental and paramount principle of the Association set forth in Article 2.02 above, then such provision shall be deemed to be void ab initio and of no force and effect, and such provision shall be struck from these Bylaws without further notice or approval by the Regular Members.

AUMA Resolutions Policy

POLICY NO. AP002

RESOLUTIONS

General

1. The Municipal Governance Committee shall serve as the Resolutions Committee of the Association.

2. The responsibilities of the Committee are to review proposed resolutions for format and content, and assign a category.

3. Resolutions may be submitted for consideration at the annual convention by:
   (a) a regular member or group of regular members or
   (b) the Board of Directors.

4. Resolutions shall be in the form:
   WHEREAS ...
   AND WHEREAS ...
   NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association (take some action)

Resolution Guidelines

5. Resolutions must meet the following criteria:
   (a) Each resolution
      i) must be approved by the council of the sponsoring municipality.
      ii) should strive to address a topic of concern to municipalities throughout the Province.
   (b) Resolutions must not direct a municipality to adopt a particular course of action, but must be worded as a request for consideration of the issue.
   (c) Whereas clauses should clearly and briefly set out the reasons for the resolutions.

6. Each resolution should be accompanied by background information outlining the issue as it relates to the sponsoring municipality, when and how often the resolution has been submitted in the past, and how the resolution is related to AUMA policy. This material will assist the Municipal Governance Committee, and later the convention body, in understanding the issues.

7. The operative clause of the resolution (i.e. the one beginning NOW THEREFORE BE IT RESOLVED THAT…)
   (a) must clearly set out what the resolution is meant to achieve, and
   (b) state a specific proposal for action.
   (c) The wording should be straightforward and brief so that the intent of the resolution is clear. Generalization should be avoided.

8. Resolutions are to be in the hands of the Chief Executive Officer no later than May 31 each year, provided that, the Chief Executive Officer may grant an extension of the deadline,

(a) if the annual convention is scheduled later than Thanksgiving Day in any year; or,
(b) if requested by a member, if the Chief Executive Officer is satisfied that severe weather conditions, a pandemic or other emergency reason, has made it impossible for the member to submit the resolution by the deadline date.

9. The annual call for resolutions may include information on key issues identified in the AUMA strategic or business plan on which the Board wishes to focus and/or information regarding any other matters on which AUMA seeks assistance in the coming year. As well, the annual call for resolutions will remind members that alternatives to convention

resolutions available during the year include bringing Requests for Decisions to the appropriate Mayors' Caucus and bringing a matter directly to the attention of the AUMA Board.

Extraordinary Resolutions

10. A resolution arising from the proceedings of the convention or related to a matter of an urgent nature arising after the resolution deadline may be considered an Extraordinary Resolution.

11. A regular member wishing to propose an extraordinary resolution shall present it, together with a rationale as to why it is extraordinary, to the Chief Executive Officer after the first day of the convention. The sponsoring municipality(ies) shall provide 1000 copies of the resolution.

12. The determination whether the proposed resolution meets the criteria of an extraordinary resolution will be made by
    (a) in the case of a proposed extraordinary resolution submitted after the Resolution Deadline but before the final Board meeting prior to the Convention, by the Board on the recommendation of the Municipal Governance Committee,
    (b) in the case of a proposed extraordinary resolution submitted after the final Board meeting prior to the Convention, by the Executive Committee, in consultation with the Resolutions Session Chair.

13. The AUMA Executive Committee, in consultation with the Municipal Governance Standing Committee chair, will determine whether the proposed resolution meets the criteria of an extraordinary resolution.

14. Criteria for an Extraordinary Resolutions are:
    (a) they deal with an emergent issue of concern to the general membership that has arisen after the resolution deadline;
    (b) they deal with an emergent issue of concern to the general membership that will be addressed by another order of government BEFORE the next AUMA annual Convention; and
    (c) they comply with the guidelines for resolutions set out elsewhere in this policy (AP002).

15. A 2/3 majority vote of the assembly is required prior to any Extraordinary Resolution accepted by the Executive Committee being considered by the assembly.

16. No debate on the merits or "urgency" of any Extraordinary Resolution will take place prior to the vote.

17. Extraordinary resolutions accepted for consideration by the assembly shall be presented following debate of the **Targeted Scope** resolutions.

Administrative Review

18. The Chief Executive Officer may return any submitted resolution to the sponsoring municipality to have deficiencies corrected.

19. Deficiencies may include but are not limited to:
    (a) absence of any indication of the resolution being endorsed by the council of the sponsoring municipality;
    (b) preliminary clauses which are contradictory to the operative clause or the absence of preliminary clauses;
    (c) lack of a clear supporting narrative where the rationale of the resolution is unclear.

20. The return by the Chief Executive Officer of any proposed resolution for the correction of any deficiencies will not affect its categorization nor will it make a timely resolution late.

Committee Review

21. The Municipal Governance Committee shall review each proposed resolution and may recommend that the Board refuse to submit to the convention any resolution deemed inappropriate for consideration by the Association.

22. The Municipal Governance Committee will notify the appropriate policy committee of any proposed resolution related to its policy.

23. The Municipal Governance Standing Committee may:
    (a) amend the grammar or format of the resolution;
    (b) consolidate resolutions of similar intent or subject matter;
    (c) provide comments on each resolution with regard to its background:
    (d) inform the sponsoring municipality where the resolution will materially change or contradict current AUMA policy.
    (e) recommend to the Board of Directors, that resolutions already adopted and/or forming AUMA policy (see clause 54 of this Policy) NOT be considered at the Convention, and be returned to the sponsor(s) of the resolution(s) with an explanation of the reason for return.

24. When the Committee determines that a proposed resolution is appropriate for submission to the convention, the Committee shall categorize the resolution as:
    (a) AUMA Strategic/Business Plan Priorities
    (b) Provincial Scope
    (c) Targeted Scope
    (d) Endorsement Requests
    (e) Non-Municipal Matters

25. The AUMA Strategic/Business Plan Priorities category would address matters related to implementing the AUMA strategic and/or business plans.

26. The Provincial Scope category would have resolutions that address matters of significance to all or most municipalities in the province.

27. The Targeted Scope category would have resolutions that address matters of significance to all or most municipalities located in one area of the Province or municipal members of a similar size.

28. The Endorsement Requests category would address requests of regular Members to endorse positions they are taking without any advocacy action by AUMA.

29. The Non-Municipal Matters category would address matters outside of municipal jurisdiction and therefore not appropriate for presentation to the convention.

30. When the Board has approved the resolutions report (section 31), proposed resolutions assigned to the Non-Municipal Matters category will be returned to the sponsoring member(s) with an explanation of why the resolution will not appear in the Policy and Resolutions Book at the convention.

31. The Committee will prepare a resolutions report which will include all proposed resolutions determined appropriate for submission to the convention including the following information on each resolution:
    (a) Number and Title of Resolution
    (b) Name of Sponsoring Member(s)
    (c) Proposed Resolution
    (d) Resolutions Category
    (e) Municipal Governance Committee Comment (if any)

32. Resolutions will be presented in the following order:
    (a) AUMA Strategic/Business Plan Priorities
    (b) Provincial Scope
    (c) Targeted Scope
    (d) Endorsement Requests

33. The Committee will recommend to the Board a Policy and Resolutions Book including the resolutions report together with such other information on bylaws, policies and procedures as the Committee may deem appropriate which shall be provided to members at least eight (8) weeks prior to the Convention.

Resolution Session Agenda

34. Prior to the beginning of the first resolution session the Chair will ask for a motion from the floor to adopt the Resolution Session Agenda as presented in the Policy and Resolutions Book.

35. Amendments from the floor to the Resolution Session Agenda will be accepted when duly moved and seconded.

36. No debate on the proposed amendments to the Resolution Session Agenda will occur.

37. A 2/3rds majority of the delegates will be required to change the Resolution Session Agenda.

38. If there are no amendments to the Resolution Session Agenda, resolutions will be debated in the order they are presented in the resolution booklet. No further amendments to the resolution agenda will be accepted.

Considering Resolutions

39. The Board, after consulting with the Municipal Governance Committee Chair, will appoint a Resolution Session Chair.

40. The Session Chair will introduce each proposed resolution by indicating its number, the name of the sponsoring municipality, and then will move the resolution. The Session Chair will then call on the sponsoring or a supporting municipality to second the resolution. If no municipality seconds the resolution, the resolution dies.

41. If the resolutions report includes a comment by the Municipal Governance Committee on the proposed resolution, the Session Chair will then call on a member of the Municipal Governance Committee to give the views of the Municipal Governance Committee (if necessary).

42. The Session Chair will then call for a spokesperson from the sponsoring municipality(ies) to speak to the resolution and open the debate. The spokesperson will be allowed two (2) minutes for the opening.

43. In the case of a proposed new policy position paper, the Session Chair will allow a spokesperson or designate a maximum of five (5) minutes to introduce the new policy position paper and place the resolution on the proposed new policy before the convention and to name the seconder.

44. Following the initial speaker, the Session Chair will then call alternately for persons opposing and supporting the resolution. These speakers will have a two (2) minute time limit and shall not speak more than once on any one question. When no alternate position speaker is available, the Session Chair will declare the end of the debate and the spokesperson will be allowed one (1) minute for the closing of debate.

45. If no one rises to speak in opposition to a proposed resolution, the question will be immediately called.

46. A sponsoring municipality or designate may declare its intent to withdraw a proposed resolution when the resolution is introduced. In this event, the Session Chair shall declare the resolution withdrawn and no further debate or comments will be allowed.

47. Amendments, including "minor amendments**"** from the floor will be accepted when duly moved and seconded. Amendments, including "minor amendments" must be submitted in writing to the Session Chair prior to the amendment being introduced.

48. The Session Chair will rule whether or not an amendment complies with the intent of the original resolution.

49. Discussion procedures for an amendment shall be the same as for a resolution.

50. The conflict of interest guidelines for council votes, as outlined in the *Municipal Government Act*, shall also apply to convention resolution votes for all delegates. It is incumbent upon each delegate to ensure adherence to this rule.

51. Voting may be by
    (a) a show of delegate accreditation cards, or
    (b) electronic means.

52. As long as there is a quorum present (as provided in the Bylaws a quorum is comprised of representatives of twenty-five percent [25%] of the Regular Members) the final resolution session shall not be closed until all resolutions listed in the agenda are debated and voted upon, or the allotted time for the session has expired unless the majority of delegates present vote to extend the allotted time.

53. Resolutions which are not debated at a convention resolutions session because of insufficient time or lack of quorum, will be considered by the Municipal Governance Committee, with its recommendations, to a meeting of the Board of Directors following the convention.

54. Resolutions passed by the membership shall not be amended or modified by the Municipal Governance Standing Committee or the Board of Directors.

55. Carried resolutions will be referred to the relevant Standing Committee which will
    (a) develop policy statements and make a recommendation to the Board, or

(b) in the event that the committee determines that the background information of WHEREAS clauses are materially incorrect or misleading, may recommend to the Board that a resolution be returned to the sponsoring municipality(ies) with an explanation of the reasons for returning it.

Carried Resolutions

56. Carried resolutions will be referred to the relevant Standing Committee which will develop policy statements and make recommendations to the Board.

57. When the policy statements are approved by the Board, each statement will be sent to the relevant Minister(s).

58. The Chief Executive Officer will collect all advocacy responses and prepare a status of resolutions inventory on the AUMA website. The status of resolutions inventory will include the responses and an indication of what (if any) follow up action AUMA will take with regards to any resolution for which the advocacy was not successful.

59. Resolutions have an active life of three (3) years, then are deemed inactive.

2016 Policy and Resolutions book

Category Strategic/Business Plan Scope

AUMA Resolutions Policy:

The **Strategic/Business Plan Scope** category contains matters related to implementing the AUMA strategic and/or business plans.

1 resolution is recommended under this category

AUMA Resolution 2016.A1

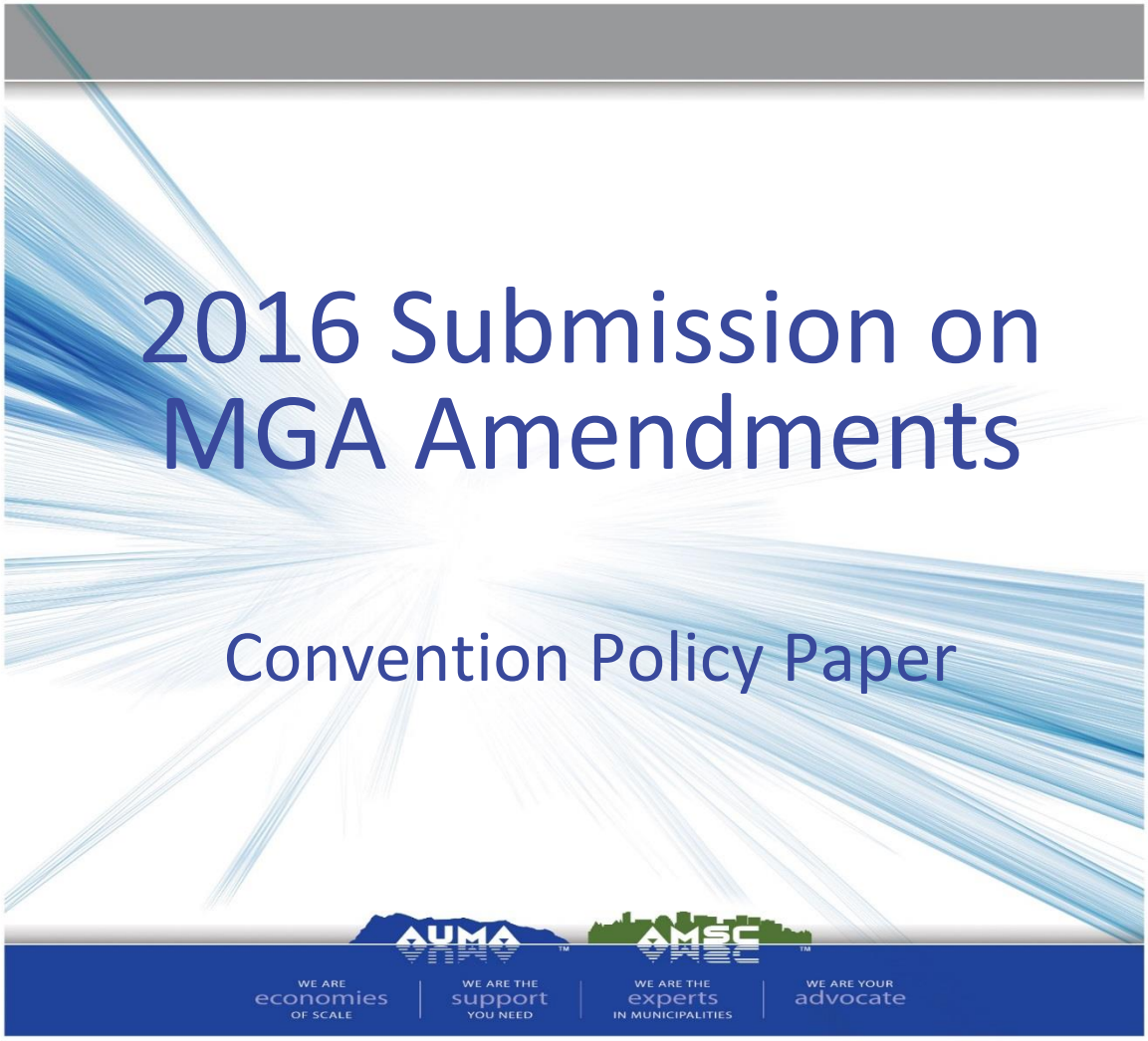
AUMA Board of Directors
2016 Submission on MGA Amendments

WHEREAS Bill 21 – the Municipal Government Amendment Act was released in May 2016;

WHEREAS changes to the Municipal Government Act will have a significant impact on urban municipalities in the long-term; and

WHEREAS the AUMA received substantive input from urban municipalities through multiple channels, including surveys, working sessions and discussions;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association 2016 General Assembly approve the "2016 Submission on MGA Amendments" Convention Policy Paper.



AUMA Resolution 2016.A1

Table of Contents: MGA Submission Policy Paper

Introduction

This resolution and policy paper reflects the submission that AUMA made to Municipal Affairs by the July 30, 2016 deadline on required changes to the proposed Municipal Government Act (MGA) amendments that were introduced in May 2016 through Bill 21 – the Modernized Municipal Government Act, as well as previous amendments passed in March 2015 through Bill 20 – the Municipal Government Amendment Act. As this submission could not wait until it could be formally adopted as a 2016 Convention resolution, AUMA made every effort before the province's deadline to solicit input from our member municipalities to inform this policy paper on the required changes to the MGA. Input opportunities for members included educational webinars, focus groups at the June Mayors' Caucuses, and an MGA survey. As well, AUMA reviewed individual members' submissions to the province and listened to the issues that members raised at the public consultation sessions hosted by Municipal Affairs in June and July. Our resulting submission, as outlined in this policy paper, was approved by the AUMA Board in late July and sent to our members on July 30.

Approval of this policy paper through a resolution is important to formally endorse AUMA's requested changes to the MGA. The resolution demonstrates to the province that AUMA's membership views the changes to the MGA amendments as being imperative for effective governance and planning.

AUMA obtained AAMDC's support for many of the required MGA changes outlined in this policy paper so that we could have a strong and united position with the province and provide a compelling rationale for change.

Municipal Affairs will use the submissions from AUMA, other municipal entities and stakeholders to determine what changes, if any, it will make to the MGA amendments. The final amendments will be reintroduced in fall 2016. Municipal Affairs has committed to complete the associated MGA regulations before the 2017 municipal election. These regulations are particularly important since much of the details of the MGA will be in the regulations rather than the Act. As well, Municipal Affairs plans to develop the city charters in 2017.

Governance

1. Provincial- Municipal Relationship (Preamble)

A preamble describes the role of municipalities in relation to the province:

WHEREAS Alberta's municipalities, governed by democratically elected officials, are established by the Province, and are empowered to provide responsible and accountable local governance in order to create and sustain safe and viable communities;

WHEREAS Alberta's municipalities play an important role in Alberta's economic, environmental and social prosperity today and in the future;

WHEREAS the Government of Alberta recognizes the importance of working together with Alberta's municipalities in a spirit of partnership to co-operatively and collaboratively advance the interests of Albertans generally; and

WHEREAS the Government of Alberta recognizes that Alberta's municipalities have varying interests and capacity levels that require flexible approaches to support local, intermunicipal and regional needs;

Position: AUMA supports the inclusion of a preamble in the MGA and believes it is a strong recognition of the role municipalities play in Alberta.

Rationale: The inclusion of a preamble that illustrates our partnership is a positive step in building a collaborative relationship between the Government of Alberta and municipalities. However, in order to be meaningful, the principles in the preamble must be acted upon by the province in their day-to-day interactions with municipalities. See item A in the Other Policy Recommendations section.

2. Provincial Oversight via Ombudsman

The Alberta Ombudsman is expanded to include municipalities and to respond to complaints about municipalities.

Note: Municipal Affairs has stated that the Ombudsman's review pertains to matters of administrative fairness/process and not the quality of Council decisions.

Position: AUMA does not support the expanded oversight of the Alberta Ombudsman as the existing mechanisms of inspections, inquiries, appeal boards and the court system should be more than adequate if properly used. Subjecting municipal decision-making and administrative processes to the oversight of the Ombudsman could compromise municipal autonomy.

If the province will not remove this requirement, AUMA is seeking the following changes:

- Include additional parameters in a Ministerial Guideline on what is in and out of scope regarding an issue of administrative fairness.
- Include a 3-year review of these provisions as a trial period.
- Require annual reporting to the public on:

    - all matters brought forward to the Ombudsman (including complaints that were not investigated and those where no recommendations were made);
    - the additional costs to the Province and estimated costs to municipalities for the Ombudsman's investigations of municipal matters; and
    - how many of the Ombudsman's investigations led to a new recommendation.
- Require the Ombudsman to notify the affected municipality and CAO in the event of all complaints (even those not investigated).
- Require the complainant to attempt to work with the municipality to resolve the complaint before an investigation begins.
- Exempt the Public Participation Regulation and the new Duty of a Councillor (Section 153 (a.1)) from complaints or oversight by the Ombudsman, along with Code of Conduct matters.
- Provide clear direction to municipalities about how to identify when councils may have no choice but to operate outside of existing municipal policies to deal with unexpected or unique municipal issues.

Rationale: It will be challenging for the public to differentiate between an issue of procedural fairness and the actual decision/action by council. Those unhappy with a council's decision may try to use the Ombudsman to overturn or delay the implementation of that decision. Clear direction on the scope of allowable complaints will be essential, along with some processes to ensure communication with municipalities and the public.

Additionally, even if the municipality is found not at fault, the launching of an investigation by the Ombudsman could erode public trust in an elected council. Allowing municipalities an opportunity to respond to complaints and provide documentation before they are formally reviewed by the Ombudsman would allow municipalities to resolve complaints that are easily addressed (e.g. issues were not brought to the attention of the appropriate person, were not understood or explained correctly, etc.). This would lessen the number of investigations required by the Ombudsman's office.

Procedural fairness will be challenging to determine in those areas that are subjective, and those areas should be excluded (e.g. Public Participation Regulation and the new duty of a councillor, especially in Intermunicipal Collaboration Framework (ICF) discussions).

Setting a mandatory review period for a cost/benefit analysis will be important to make sure that the Ombudsman is adding value. Further, the Minister should have final approval over any corrective action.

3. Municipally Controlled Corporations

Municipalities will be allowed to establish municipally controlled for-profit corporations without specific permission.

Position: AUMA supports the amendments with respect to municipally controlled corporations and is seeking the following changes:

- Expand to encompass corporations owned by multiple municipalities and not just corporations owned by a single municipality.
- Allow new and existing Regional Services Commissions to have the same ability to form and to be amended without requiring permission from the Minister.

- Amend section 75.4(2)(c)(4) to allow controlled corporations to provide utility services outside of Alberta without Ministerial approval.

Rationale: This is a positive change as it allows greater local autonomy in the formation of municipally controlled corporations. It streamlines the process and provides greater flexibility and less onerous requirements for the creation and acquisition of for-profit corporations. Given the trend towards intermunicipal collaboration and regional service delivery and the benefits that can be derived by increasing economies of scale through a regional approach, it is important that the Act recognize ownership by multiple municipalities.

4. Elected Official Training

Municipalities will be required to offer orientation training to elected officials following each municipal election and by-election.

Position: AUMA supports the amendments that require the offering of training for municipal councillors following elections and by-elections and is seeking the following additional requirements:

- The MGA should specify that all elected officials must complete the offered training within 90 days.
- The MGA should specify sanctions if training is not completed within the required time.
- The Local Authorities Election Act (LAEA) should be amended to also require mandatory orientation be completed before a candidate can file a nomination form. As well, the form should have an acknowledgment that the candidate has read and understood the council code of conduct.

Rationale: Training for elected officials is an important step to improve governance within municipalities and clarify roles and responsibilities. Ideally, this training will be a preventative and proactive step to avoid conflicts and ensure councillors are well prepared for the decisions before them.

However, the requirement to provide training is meaningless unless there is a corresponding requirement for the elected official to take it. Telling municipalities that they can make attendance a requirement through their code of conduct bylaw is insufficient as it will lead to inconsistent practices across the province. As well, it enables council to oppose this training by not including it as a requirement in their bylaws. Since there is a greater need for intermunicipal relationships and planning, it is very important that all elected officials have the same baseline of knowledge. Similar to the code of conduct amendment last year, the Act can set out some sanctions while recognizing that the elected official cannot be removed from office.

As it is also important to ensure a basic level of understanding of municipal council roles and responsibilities before a candidate files nomination papers, there is an additional suggestion to modify the LAEA accordingly.

5. Impartiality of Appeal Boards

Municipal councillors will be prohibited from forming the majority of any MGA-referenced municipal appeal board or individual hearing panel.

Position: AUMA supports the amendments to membership of MGA-referenced appeal boards and is seeking the following changes:

- Amend 454.11(2)(b) to allow for the majority of members of a hearing panel to be councillors outside of the formalized regional appeal board, provided that this majority is a result of the inclusion of councillors from other municipalities; and
- Allow exemptions to be made available for other unique circumstances where board recruitment efforts have been exhausted.

Rationale: As municipalities may have recruitment challenges for their boards, flexibility should be afforded to bringing in additional councillors from other municipalities to sit on boards, even if not a formalized regional appeal board.

There should also be a provision that exempts a municipality if they cannot find replacements, to be allowed to have a council majority or allow the Municipal Government Board (MGB) to take over that role. This will reduce pressure in regions where there are limited participants for appeal boards or where developing a formalized regional appeal panel is not feasible.

6. Municipal Sustainability and Viability

No changes were made to provision of statutory grants or provincial revenue sharing.

Position: AUMA is seeking a change to the MGA that explicitly states that there will be predictable, long-term funding so that sufficient resources are available for municipalities to carry out their core responsibilities and be sustainable and viable.

In addition, AUMA recommends that the funding sources should be legislated and indexed, similar to how the federal Gas Tax Fund operates so that funding cannot change year to year and is predictable and keeps pace with growth.

Rationale: As provincial grant programs change from year to year without notice, municipalities cannot be assured that the province will meet its commitments to provide funding.

It is inappropriate for the province to require municipalities to create long term financial plans (i.e. three year operating and five year capital) when municipal revenue sources can fluctuate widely from year to year depending on last minute changes relating to provincial grants or the downloading of a provincial responsibility to municipalities. These challenges are further complicated by the new ICF requirements where municipalities must enter into long term funding agreements for infrastructure and services without knowing what their ability to fund will be.

As municipalities cannot have a deficit operating budget, they must be assured of their revenue streams so that their expenditures are managed accordingly.

7. Growth Management Boards (GMBs)

Growth Management Boards for the Edmonton and Calgary regions will be required, with an expanded mandate to address land use planning, and the planning, delivery, and funding of regional services.

Other areas outside of the Capital Region Board (CRB) and Calgary Regional Partnership (CRP) will be enabled to come together with voluntary growth management boards, under approval from the Lieutenant Governor in Council. Growth management boards will need to develop their own dispute resolution process. Areas within a growth management board will not need to complete an Intermunicipal Collaboration Framework (see issue #8 below).

The regulations will provide more details as to who will be on the Boards, and what services will be included (i.e. the scope of the mandate).

Position: AUMA supports the amendments to require GMBs and expand their scope and is seeking the following amendments:

- Increase consistency in approach between GMBs and ICFs in terms of types of services allowed (see 8b).
- Upon coming into force, require a review of all existing IDPs between members within a GMB so that IDPs do not create issues within the GMB. Allow the GMB to repeal sections of members' IDPs (or IDPs with members and bordering municipalities outside the GMB) where the IDP conflicts with or causes issues at the regional level.
- In 708.3, clarify that GMB members do not need an Intermunicipal Development Plan (IDP).
- Clarify that GMBs take precedence over IDPs in annexation decisions.

Rationale: Within the GMB, there could be some confusion and misalignment if municipalities have individual IDPs between them. Even though the GMB agreement supersedes an IDP, the IDPs would not be agreed to by all members. Therefore the MGA needs to consider/account for IDPs in GMBs that provide additional details that are not approved by the GMB but could impact the other members.

If the change above were to be made, then there needs to be a document other than an IDP that could be used by the Municipal Government Board in determining annexations.

8. Intermunicipal Collaboration - General

All municipalities outside of the growth management board areas must adopt an Intermunicipal Collaboration Framework (ICF) within 3 years.

Position: AUMA supports regional collaboration between municipal neighbours and requests that the MGA specifically state the following requirements:

- Municipalities should work collaboratively and make decisions on the planning, funding and delivery of shared services and infrastructure.
- Municipalities should be required to act in good faith in the negotiation of ICFs and IDPs.
- Municipalities should be required to complete an ICF within two years, with an additional year for arbitration.

Rationale: Mandatory collaboration agreements will move towards positive regional outcomes and a fair and systematic method of sharing costs for commonly used infrastructure and services amongst municipalities.

There are concerns that the current timelines for the development of ICFs and IDPs will incentivize some municipalities to delay or stall negotiations. This would be to intentionally trigger arbitration in the hope that the arbitrator will provide a favourable agreement that would not have otherwise been reached in negotiations. As such, municipalities should be required to act in good faith in these negotiations.

8a. Intermunicipal Collaboration - Boundaries

The following provisions relating to boundaries will apply for ICFs:

- ***ICFs will only need to be created between municipalities that share boundaries. ICFs will not be required for non-adjacent municipalities that share services.***
- ***ICFs will not apply to First Nations' lands. The ability to develop agreements will be provided, but it will not be a requirement.***

Position: AUMA is seeking the following amendments regarding boundaries:

- Amend Section 708.28(2) so that municipalities must be party to an ICF agreement where they share services and infrastructure.
- Specify that ICFs are mandatory for a shared service area (rather than only within the context of municipalities that share a boundary), unless all parties in an area determine that they would prefer to do individual ICFs.

Rationale: Broadening the scope of municipalities required to participate will ensure that the full extent of shared services is encompassed so that the ICFs are based on who uses the infrastructure and service and not who provides it.

Collaborative ICFs for a region may not occur voluntarily, as there is little incentive for municipalities within a region to have a larger ICF with the urban municipality that is the primary service provider. The Bill 21 provisions could create a scenario where the county and the villages develop a joint ICF, and the city has an ICF with the county, but this would not guarantee an equitable and efficient distribution across the whole area that uses and benefits from the urban services.

8b. Intermunicipal Collaboration - Services

Mandatory intermunicipal mechanisms will be implemented for regional land-use planning needs, and for the planning, delivery, and funding of regional services.

- ***The purpose of ICFs (as set out in 708.27) includes:***
  (a) to provide for the integrated and strategic planning, delivery and funding of intermunicipal services,
  (b) to steward scarce resources efficiently in providing local services, and
  (c) to ensure municipalities contribute funding to services that benefit their residents.

- ***The ICF must list the services being provided by each municipality, the services being shared on an intermunicipal basis by the municipalities, and the services in each municipality that are being provided by third parties by agreement with the municipality.***

- ***The ICF may contain provisions for the purposes of developing infrastructure for the common benefit of residents of the municipalities.***

Position: AUMA is seeking the following amendments regarding services:

- Expand the scope in section 708.27, 708.28, 708.29, 708.29(2) to specify that ALL services AND infrastructure that provide benefits to residents in other municipalities are required to be considered as part of the ICF.
- The purpose of ICFs from 708.27 needs to cascade into the implementation and contents of ICFs (708.28, 708.29), which currently only references provision of service, not benefit of service.
- Provide definitions for:
    - intermunicipal infrastructure (631(b)(a)(iv));
    - intermunicipal infrastructure and intermunicipal programs part of IDPs 631(b)(a)(iv-v);
    - regional services in GMBs (708.02(2)(j)); and
    - intermunicipal services (708.27(a)) (should be consistent with regional services above).
- Increase consistency in approach between GMBs and ICFs in terms of types of services allowed (see 8b).
- As part of services and infrastructure, explicitly include full lifecycle costs, including operating and capital, interest payments for existing and new services and infrastructure (708.29(1)(b)(i-iii)).
- Services and infrastructure should also include economic development, as well as properties exempt under the Community Organization Property Tax Exemption Regulation (COPTER).
- The concept of being compensated for the benefit provided needs to be consistent throughout, so that municipalities share funds based on all services and infrastructure that provide benefit to their residents, rather than simply the go-forward costs of providing a service.
- Consideration should also be given to those structures that provide an intertie – e.g. a road or bus service that was developed to help facilitate people going to swimming pools, playgrounds, hospitals, etc.

Rationale: As GMBs include services such as affordable housing, economic development, and other shared services, ICFs should include those services that are within GMBs. This will allow for consistent approaches if ICF regions choose to become GMBs in the future.

8c. Intermunicipal Collaboration - Methodology

Each ICF will have its own agreement regarding shared services. The ICF must be reviewed at least every five years after the framework is created. If municipalities do not agree that the ICF continues to serve the interests of the municipalities, the municipalities must create a replacement ICF that involves the same initial process and use of an arbitrator.

Position: AUMA supports the requirement for ICFs and is seeking the following amendments regarding methodology of ICFs:

- Consider using formulas or consistent processes to determine how to cost-share services and infrastructure (e.g. how lifecycle costs are calculated).
- Non-legislative templates and tools should be provided by Municipal Affairs to offer some guidance.

- Outline a shared governance structure for cost-shared services and infrastructure, whereby municipalities that contribute above a certain threshold have some decision-making authority about the services and infrastructure.

Rationale: Because there are no processes and each ICF is unique, there may be reluctance to enter into the "first" ICF in a region, as this will set the tone for the cost-sharing for the remaining ICFs (to obtain the 'same deal or better'.) As it may be difficult to calculate the benefit of a particular service or infrastructure, additional processes, methodologies, and formulas may be helpful to increase consistency and to assist in calculating benefits more consistently when cost-sharing within ICFs.

For example, the Principles and Criteria for Off-Site Levies Regulation outlines the process for off-site levy costs, and perhaps these types of processes could be utilized more broadly to streamline the ICF development.

The five-year ICF review period is appropriate as it enables long-term agreements that will support municipalities in completing their required three year operating and five year capital plans, while providing a window of discussion to identify key changes that impact future years.

8d. Intermunicipal Collaboration - Arbitration

The following provisions relating to arbitration will apply for ICFs:

- ***If an ICF cannot be agreed to by the end of year two, another year will be allowed for resolution through third party arbitration (with an option to use mediation).***
- ***The arbitrator can be chosen by municipalities, or if they cannot agree, the Minister will appoint one.***
- ***The arbitration costs must be paid by the municipalities.***
- ***There must be a clause in the ICF that sets out the arbitration process for issues that arise within the life of the agreement. This process will be up to municipalities to agree upon and will not be prescribed by the province.***
- ***If one party wants to terminate, or if there is a problem at the time of the five-year review and renewal, it will go to third party arbitration.***

Position: AUMA supports regional collaboration between municipal neighbours and requests that the MGA specifically state that arbitration is binding for the five-year period as specified by the legislation, unless both parties want to open it up before those five years.

In addition, AUMA recommends the following amendments:

- Include a provision that allows arbitrators to consider impacted municipalities' collective ability to pay in the development of the ICF.
- Arbitration should be carried out by a panel of arbitrators so that appropriate skillsets and understanding of municipal issues and the legislation are brought into the decision.

Rationale: The mandatory arbitration process will solve existing problems where some municipalities refuse to discuss agreements or where there is no sound rationale for how common services and infrastructure were defined and their associated costs apportioned to municipalities.

Further, binding arbitration is required so that decisions are made in a timely manner, and municipalities are motivated to participate fully. Conventional interest arbitration where the arbitrator uses all information available and determines a unique solution is preferable to pendulum arbitration where the arbitrator chooses one of the presented frameworks.

As there are concerns that very few arbitrators are equipped with the skills and knowledge of arbitration, municipal legislation, and the workings of a municipality, it is recommended that the province allow for a panel to arbitrate the ICFs.

Currently, information that can be considered by arbitrators may be limited to the situation. This could potentially lead arbitrators to ignore the parties' ability to pay when making a decision on an ICF. As ICF decisions may result in significant changes regarding the funding of services and infrastructure, the ability to pay needs to be explicitly included as relevant information for arbitration decisions.

Planning and Development

9. Inclusionary Housing

The new legislation will enable inclusionary housing as an optional matter within municipal land use bylaws.

Position: AUMA supports the amendments to improve inclusionary housing and is seeking the following changes:

- Define "affordable housing".
- Developers and the province should contribute towards the offsets and the cost of affordable housing.

Rationale: Additional clarification is required to properly define "affordable housing" as this may vary among municipalities.

As affordable housing is a provincial responsibility, the costs should not be downloaded on municipalities and should instead be borne by the province and the developers who are earning profits.

It will be important for the regulations to outline how the required offsets for developers will be determined so that the possible benefits derived from this tool can better enable the provision of affordable housing in municipalities.

10. Municipal Development Plans

All municipalities, regardless of population size, will be required to create a Municipal Development Plan (MDP). The amendments introduced in Bill 21 would require municipalities to adopt an MDP within three years.

Position: AUMA supports the requirement for all municipalities to have an MDP and is seeking the following changes:

- Municipalities should have up to five years to complete their MDP.
- The province should fund AAMDC and AUMA in developing additional resources and templates to assist those municipalities with capacity challenges.

Rationale: Although it is important for all municipalities to develop MDPs to ensure that there is a long term and transparent approach to land development, this requirement will challenge many small municipalities who do not currently have an MDP. The three-year requirement is not feasible as small municipalities do not have the capacity to develop IDPs and ICFs at the same time as they are preparing an MDP. Also, staging the plans will allow collaborative discussions to occur and appropriate alignment within the hierarchy of plans.

Templates and resources should be developed and coordinated through the municipal associations and made available to municipalities to assist with this requirement.

11. Incenting Brownfield Development (Tax Tools)

Municipalities will be allowed to provide conditional multi-year property tax cancellations, deferrals, or reductions for multiple years to identify and promote redevelopment of brownfield properties.

Position: AUMA supports the amendments that allow for tax cancellations, deferrals or reductions to incent brownfield redevelopment and is seeking a change to have the province forego collection of education taxes on these properties.

Rationale: This provision allows municipalities to incent the redevelopment of brownfield properties through reducing the property taxes as a reward for remedial action. Municipalities should not have to bear the cost of education taxes when these incentives are put in place as ultimately both the municipal and provincial governments benefit from the redevelopment in the long term.

See item #17 for other tax options to incent remedial action. As well, the province should take action on the recommendations put forward by the Alberta Brownfields Redevelopment Working Group such as improving the remediation certificate program to help overcome barriers to redevelopment posed by liability concerns.

12. Reserves

12a. Conservation Reserve

Conservation Reserve (CR) is a newly created type of dedicated reserve for municipalities to use as they choose in order to protect sensitive or high-value ecological areas (e.g., tree stands, wildlife habitats and wetlands), provided that municipalities provide appropriate compensation to the landowner. CR is treated the same way as an Environmental Reserve in that it will be subtracted from the total land base before the formula for Municipal Reserves (MR) is applied.

Position: AUMA supports the creation of the conservation reserves as a voluntary tool for municipalities if the following changes are made:

- Specify that lands identified as CR are included and are not subtracted out of the total land base used for the purposes of calculating MR.
- Specify that municipalities have the ability to utilize land use bylaws to reach environmental and conservation outcomes.
- Include a provision for removing the CR designation or converting it to another use if the land is no longer ecologically significant (as is done for MR).
- Include a provision that lands identified as CR in a Statutory Plan be kept in a natural state prior to being provided to the municipality.
- Provide enforcement powers to municipalities to ensure that lands are being held in line with the intention of the designation.
- Specify that compensation should be required at subdivision and that the manner of calculating compensation should be clearly outlined.
- Provide an efficient dispute resolution mechanism to resolve any disagreement between the municipal planning authority and the developer with respect to the reserve boundaries.
- Define/clarify the term "natural state".
- Clarify processes/requirements when CR is transferred following an annexation.

Rationale: AUMA supports the concept of conservation reserves as an important voluntary tool for municipalities to protect nature through the land development process. However, the province, rather than the municipality, should be responsible for compensation since the environmental protection of ecologically sensitive areas is a provincial issue.

The reference to municipal land use bylaws will clarify that municipalities can continue to utilize their bylaws to reach their environmental and conservation goals. The other points of clarification are beneficial in ensuring consistency and avoiding disputes. Without monitoring and enforcement of the lands designated as CR, it is possible that lands could be damaged or used for purposes outside of their intended scope.

12b. Environmental Reserves and Body of Water

Definition and purpose of Environmental Reserve (ER) clarified as land unsuitable for development, with some additional clarification provided on the definition of a "body of water". Municipalities will be able to determine ER earlier in the planning process.

Position: AUMA supports the definitions and purpose of Environmental Reserves (ER) and is seeking the following changes:

- Provide a broader definition of environmental reserves to protect significant lands that have a provincial benefit.
- Provide for the ability to protect some lands from development (e.g. setbacks from a stream) without compensating for them.
- Harmonize the definition of body of water in the MGA with the Alberta Wetland Policy and other legislation and policies.
- Clarify jurisdiction on lands, such as beds and shores, adjacent to bodies of water.

Rationale: The more restrictive definition of environmental reserve could create a gap for municipalities to conserve environmentally significant features (that were formerly considered as part of environmental

reserve) when they do not have the funds to pay for those lands as a conservation reserve. For example, it is unclear as to whether municipalities would be able to use Environmental Reserve provisions to protect the riparian areas surrounding wetlands, which are necessary to maintain the health of these important ecosystems.

The harmonization of terminology and definitions across the province's policies and acts is required in order to ensure consistency for municipalities. For example, without this harmonization, the term "wetlands" in not included in the definition of body of water and therefore does not align with the Alberta Wetland Policy.

Jurisdictional clarifications are required since the province owns most of the beds and shores of all naturally occurring lakes, rivers and streams and of all permanent and naturally occurring bodies of water.

12c. Municipal and School Reserves

There were no changes to municipal reserve or school reserves.

Position: AUMA is seeking the following MGA amendments to expand the range of allowable uses and reflect how municipal and school reserves should be administered:

- Enable municipalities to take up to 15 per cent reserve or provide for the option of cash-in-lieu.
- Mandate joint use agreements and articulate criteria to ensure these agreements: define a process for acquiring land for future schools, define standards for school sites, articulate responsibilities for site development and maintenance, contain stipulations regarding joint use of facilities and playing fields, articulate a process for dispute resolution, and contain a mechanism for regular review.
- Provide municipalities with the ability to rededicate reserve lands in instances of significant redevelopment. Replace multiple reserve designations with a single, flexible designation with a range of uses (e.g., schools, parks, daycares, affordable housing, etc.) that can be adapted to meet local needs.

Rationale: For municipal reserves to be effective tools, municipalities should be enabled to determine appropriate uses in order to best meet the community's needs and increase flexibility in the use of those lands. This should include public use and public-private partnership use that is complementary to public use and aligns with 'municipal purposes' as identified by a municipal council.

Although joint use agreements for school reserves are mentioned in the current MGA, they are not mandated. Consideration should be given to mandating these agreements to ensure greater coordination and collaboration between municipalities and school boards.

It is disappointing that the province did not make any amendments since consensus on several key changes had been reached through the MGA Review municipal-business working group in 2015. In addition, the report that went to the Minister of Education in 2014 provided issues and solutions which have gone unaddressed. AUMA urges the Minister of Municipal Affairs and the Minister of Education to meet jointly with municipal associations and the Alberta School Board Association as soon as possible so amendments can be made this fall.

13. Transparency of Non-Statutory Planning Documents

Municipalities will be required to increase transparency around planning documentation, including the publishing all non-statutory planning documents and providing a description of how they relate to one another and to the municipality's statutory plans.

Position: AUMA supports a clear hierarchy of plans that is logical and provides clarity, and is seeking the following changes:

- Clarify scope of "non-statutory policies" (i.e. planning documents, transportation documents, visioning documents etc.).
- Clarify 638.2(2)(c), as it is unclear what kind of information is required in summarizing how the policies relate to one another.

Rationale: AUMA supports municipal transparency and strategic land use planning. It will be beneficial for municipalities to have an updated inventory of all their plans (statutory and non-statutory) that outlines how they fit together.

With respect to the hierarchy of planning, there is concern that in areas where the Alberta Land Stewardship Act (ALSA) plans have not yet been completed, municipalities may have to revise their MDPs and other plans after completion and implementation to align with ALSA plans when they are completed. This will consume additional costs and time.

14. Decision-Making Timelines for Development Permits

Municipalities will have additional time to review an application to ensure all the necessary documentation has been submitted and for applicants to provide supplemental documents to complete their application for development.

Cities or specialized municipalities will be able to create bylaws to set their own timelines for when an application must be complete, and when an application decision must be made.

This provision allows all municipalities to have an additional 20 days to determine completeness of subdivision and development applications. Existing decision-making timelines for most municipalities will be maintained; however, cities and specified specialized municipalities (those with large urban centres) will have the option to adopt their own decision timelines by way of bylaw.

Position: AUMA generally supports these changes to the application review and decision making timelines, but requests that the allowance for municipalities to determine their own timelines be based on a population measure (e.g. 15,000) rather than restricting this ability to only cities and specialized municipalities.

Rationale: Additional flexibility in enforcing appropriate documentation will help prevent processing backlogs.

Allowing for additional time to determine whether an application is complete is a valuable amendment to the development review process as in the past, many complex development proposals were not able to be reviewed in the allotted time and extensions are commonly needed.

However, other types of municipalities such as large towns and districts or counties are also experiencing rapid growth and have an appropriate level of knowledge and sophistication to adopt their own decision timelines. Accordingly, they should be given the same flexibility as cities and specialized municipalities.

15. Land Use Policies

Current MGA land use policies will continue to be phased out of force as new regional plans under the ALSA come into force and the Minister will have authority, through regulation, to create land use policies for municipal planning matters that are not included in a regional plan under the ALSA.

Note: This appears to be a continuation of existing provisions that were changed by ALSA. The province has indicated that any regulation subsequently developed under the Minister's new authority would be developed in consultation with stakeholders.

Position: AUMA supports the general direction outlined in Bill 21 with regard to regional ALSA plans, and is seeking a further change to specify that any legislation, regulation or policy developed under this authority shall be made in consultation with municipalities.

Rationale: Municipalities need to have assurances that they will be engaged and able to participate in determining land use plans that include their municipalities.

Assessment and Taxation

16. Linking Residential and Non-Residential Tax Rates

The MGA will be amended to establish a ratio of 5:1 between residential and non-residential property tax rates. Municipalities with ratios that exceed the 5:1 maximum ratio will be grandfathered indefinitely, and will only be allowed to increase the non-residential tax rates if they increase the residential tax rates by the same percentage.

Position: AUMA requests that this linkage between residential and non-residential tax rates be removed. If the province will not remove this amendment, then AUMA requests the following revisions:

- Exempt urban municipalities from this requirement.
- Remove or transition the grandfathering clauses within five years.
- Allow for some subclasses to be excluded from the 5:1 linkage (e.g. brownfields, affordable housing and vacant non-residential property).
- Amend the regulated assessment rates.

Rationale: There should not be a legislated link between residential and non-residential tax rates as municipalities need the flexibility to set tax rates according to local needs and service levels. The province should not have any input into the ratio, just as the federal government does not tell the province what to do.

Urban municipalities should be exempt from this 5:1 linkage as only about 15 rural and specialized municipalities have created any concerns. The urban municipalities that fall above the range are still within a reasonable range for business taxes. This is why urban municipalities were not bound by the same linkage restrictions pre-1995.

The indefinite nature of the grandfathering of this requirement is not appropriate as it will create an imbalance between municipalities.

An alternate solution is to modernize the outdated regulated assessments so the market based assessments become de-linked from regulated assessments (e.g. farmland assessment).

17. Splitting the Non-Residential Property Class

The MGA will allow the non-residential class to be split into subclasses other than vacant or improved so that they may be taxed at different rates as defined in a regulation providing that the highest non-residential rate is not more than 5:1 of lowest tax rate.

Position: AUMA generally agrees with the ability for municipalities to split the non-residential mill rate and is seeking the following changes:

- Base subclasses on such considerations as type of development and cost of servicing, with the number of subclasses and types to be determined by municipalities.
- Allow for some subclasses to be excluded from the 5:1 linkage (e.g. brownfields, affordable housing and vacant non-residential property).
- Ensure that the regulation does not inadvertently determine categories by ownership.
- Ensure there is no linkage between highest and lowest residential tax rates and no linkage between lowest and highest non-residential tax rates.
- Ensure that the rules guiding the subclasses are flexible and adaptable to a range of municipal needs.
- Enable municipalities to determine the number of subclasses and how the subclasses operate.

Rationale: Splitting the non-residential property class provides an additional tool to municipalities to promote economic development and ensure that the tax rates placed on businesses are proportional to the impacts that they have on municipal infrastructure, services and planning.

18. Centralization of Industrial Assessment

Assessment of all designated industrial property will be centralized within Municipal Affairs over a three year period, using an annual assessment condition date of October 21. Industrial properties include linear properties, all rail (main lines and spur lines), electric power generation, and major plants (including lands, building and structures, and machinery and equipment (M&E) relating to major plants). It will not include light industrial warehouses or facilities that could be converted to another application. The associated assessment costs will be recovered from property owners. Supplementary assessment on linear properties will be allowed. Appeals will be heard by the Municipal Government Board.

Position: AUMA supports the move to centralization of industrial assessment and is seeking the following amendments:

- Require the provincial assessor to share valuation details and other relevant information with the municipal assessor/ municipality to ensure transparency.
- Require updates to regulated assessment rates annually.
- Create a third party audit function so that the province is not auditing its own assessment.
- Enable municipalities to participate in any assessment appeals for assessments provided by the provincial assessor.

Rationale: The centralization of industrial assessment within Municipal Affairs provides additional consistency. However, it also means that the same body will develop policies and implement them. This has the potential to allow special interest groups to lobby the government for changes that could impact assessments. The province needs to ensure a transparent assessment process and carry out regular audits so that special interest groups are not able to have undue influence on whether or not a property should be assessed (e.g. linear) or the value of the assessment of an industrial property.

Further, as additional properties (e.g. land at a well) will be assessed as regulated assessment rather than market value, the province will need to update rates at least once a year so that properties are assessed at appropriate rates.

19. Assessment of Farm Buildings

As all farm buildings will be exempt from assessment, buildings in urban areas (e.g. greenhouses) will not be charged municipal property tax or education property tax.

Note: Farm buildings include any improvement other than a residence that is used for farming operations (the raising, production and sale of agricultural products). Further work is underway to determine how intensive agricultural operations may be taxed.

Position: AUMA does not support exempting the assessment for all farm buildings since many of these facilities are essentially commercial operations. If the province will not reconsider this position, then AUMA requests the following changes:

- Provide a separate classification for some classes of agriculture facilities (e.g. marijuana grow operations, greenhouses, hemp industry, intensive agriculture operations) so that they can be assessed and appropriately taxed.
- Allow new provisions to separate out greenhouse components of horticultural and commercial space so that the commercial space can be taxed appropriately.

Rationale: Municipalities should have the ability to assess and tax all properties within their boundaries.

All property should be assessed on the basis of market value principles. Tax exemptions can then be provided with full awareness of the financial benefit of the exemption to the property owner. These exemptions should be periodically reviewed to determine that they are still appropriate.

Many facilities that are currently classified as farm buildings are really commercial enterprises and should be taxed to reflect that they consume municipal services (e.g. roads, sewer, water, policing, fire). Without these changes, those costs will have to be borne by other property owners, (which is not equitable) and this provision creates a disincentive for municipalities to zone land for agricultural uses.

20. Offsite Levies

The scope of offsite levies will be expanded to community recreation facilities, fire halls, police stations and libraries, provided that at least 30 per cent of the benefit of the facility accrues to the new development in a defined benefitting area. Developers will contribute costs based on proportional benefit and a dispute resolution mechanism will be available. Note: There are no changes to provisions for existing offsite levies relating to water service, sanitary sewers, storm sewer drainage, or roads required for the subdivision or development. As well, there are no new provisions for re-collecting levies following significant redevelopment or re-negotiating additional levies with developers.

Position: AUMA supports the expansion of the scope of offsite levies to include the land and buildings for community recreation facilities, fire halls, police stations and libraries, and in general, supports the notion that those who benefit from a facility or service should pay for that service in a manner that is proportional to their benefit. AUMA is seeking the following changes:

- Remove the 30 per cent benefit threshold.
- Allow collection of all off-site levies in a manner consistent with existing off-site levy processes.
- Provide clear definition of the "defined benefitting area", appeal process and the timing of when the property needs to be built.
- Allow for the re-collection of levies following significant redevelopment and allow for negotiations with developers on additional levies.
- Allow for regional and intermunicipal offsite levies.
- Allow offsite levies to cover municipal costs associated with provincial infrastructure supporting new development such as highways and overpasses.
- Enable intermunicipal offsite levies as a tool to increase collaboration under ICFs.

Rationale: The expansion of off-site levies to include land, buildings for community recreation facilities, fire halls, police stations and libraries is appropriate since they are important infrastructure that supports 'complete communities'. However, there is an additional need for offsite levies to apply to provincial infrastructure and, in particular, highways and overpasses that support new development.

Removing the 30 per cent clause will give municipalities greater flexibility to recover costs for infrastructure that benefits new developments, as is done with current offsite levies (where a proportional amount is utilized).

Given that redevelopment projects can often exert considerable costs on municipalities for increased supporting infrastructure, municipalities need the ability to re-collect levies following significant redevelopment.

21. Sharing of Linear Assessment and Taxation

No change as linear taxes will continue to be collected and accrue to the municipality in which the property is located.

Note: While linear taxes are not explicitly distributed, the intermunicipal collaboration frameworks will require municipalities to contribute to the cost of infrastructure and services owned by another municipality.

Position: As ICFs call for mandatory cost sharing between municipalities, there is no need to explicitly state that a contributing municipality must use its linear tax revenue for this purpose.

Rationale: It is not necessary to stipulate how a municipality will fund its contribution to infrastructure and services owned by another municipality.

22. Assessment of Farmland Intended for Development

Farm land will be assessed at market value, once the land is no longer used for farming operations. Triggers will be defined through regulation to indicate when land is no longer farmed (e.g., scraping top soil, new zoning, etc.).

Position: AUMA supports the amendment and is seeking a change to specify that land must be actively farmed in order to be considered as farmland.

Rationale: While the amendment will help to resolve inequities, further clarification is required to ensure that farmland that is held speculatively and is not being actively farmed is appropriately assessed.

23. Access to Assessment Information for Assessors and Property Owners

The information-sharing requirements for both assessors and property owners will be clarified so that assessors can request information to fulfill their duties and responsibilities and property owners can request information about how their assessment was prepared. Assessment Review Boards will be able to go in-camera and seal evidence to protect confidentiality.

Position: AUMA supports this amendment.

Rationale: This amendment increases clarity and consistency for assessors and property owners and supports an efficient assessment process.

24. Assessment Complaints

Composite Assessment Review Boards will hear business tax complaints and business improvement area levy complaints.

The assessor will be able to make corrections to an assessment that is under complaint without the Assessment Review Board's ratification of withdrawal of the complaint.

Assessment Review Board decisions will be able to be appealed at the Court of Queen's Bench by judicial review only, removing the step of Leave to Appeal.

Position: AUMA generally agrees with these amendments and is seeking a change to specify a regular review of the MGA (see below) in addition to a specific, regular (i.e. two to three year) review of the removal of the Leave to Appeal step in the appeals process to ensure it meets its intended outcome.

In addition, AUMA recommends that a privative clause be reinserted into the legislation to ensure that appropriate deference is afforded to decisions of the assessment review board.

Rationale: The proposed changes appear reasonable and should ensure that complaints are well founded. The ability to revise assessments under complaint will allow issues to be resolved so that they do not have to be appealed.

Inserting a privative clause into the legislation will reduce the administrative and cost burden for municipalities.

25. Municipal Taxation Powers

No amendments were made to broaden municipal taxation powers.

Position: AUMA disagrees with the status quo approach and is seeking a change so that the MGA enables expanded revenue tools through a wider variety of taxes and levies as well as increased flexibility in the current tools available to municipalities so that they can manage growth pressures and unique challenges in their communities.

AUMA further recommends the following changes:

- Enable municipalities to establish bylaws on the scope of local improvement taxes so that they may include items such as potable water systems and renewable energy systems.
- Enable municipalities to develop new revenue generating tools and share in existing provincial revenue streams (e.g. hotel and gas taxes).
- Enable the use of business licensing fees in a manner that compensates municipalities for the services that the business and its operation cost the municipality (e.g. allow levies and fees to hotels to compensate for costs to municipalities from shadow populations).

Rationale: While municipalities currently have access to a limited range of revenue generating tools, not all of these tools are suitable due to differences in size, location and demographics. As well, not all municipalities have access to the same economic base from which to draw revenues. Additional and more innovative funding mechanisms are required so that all municipalities, regardless of their location or size, can deliver high quality services and infrastructure to their citizens.

Prospective additional tools that municipalities would otherwise seek to use often lead to costly and time consuming legal challenges given ambiguous wording in the legislation, which deters municipalities from taking advantage of the full suite of resources the province appears to believe they have access to. In addition, municipalities' main source of revenue – property tax – is already at capacity in many communities and cannot be increased without downloading an undue burden on ratepayers. This effect is compounded by the refusal of the province to vacate the education property tax requisition.

Further, a lack of legislated certainty for municipal funding has implications ranging from challenges in providing services, to the inability to budget for infrastructure, which creates asset management issues.

Other Policy Recommendations

A. Consultation with Municipalities

No legislative change; there is no requirement for the province to undertake mandatory engagement with municipalities on matters that affect them.

Position: AUMA is seeking a change so that the MGA specifies that the Government of Alberta is required to engage in meaningful consultation with municipalities regarding any legislative or regulatory change with a substantial municipal impact and must provide at least three years notice of any reduced funding to municipalities before it takes effect.

Rationale: Municipalities cannot be accountable for land use planning and the provision of infrastructure and services when we do not know what the province is considering in terms of its economic, social and environmental policies. As well, the lack of engagement creates inefficiencies and makes it challenging to provide services.

Further, there is currently an inconsistency that municipalities are being required to develop public participation plans, but the province is not.

Involving municipalities would allow the province to better appreciate the consequences of its policies on municipalities.

A minimum three-year notice period for any funding changes would ensure that municipalities have appropriate information needed to prepare their required three-year operating and five-year capital plans.

B. Amalgamation

No further provisions have been made to streamline or strengthen municipal amalgamation processes.

Position: AUMA supports the streamlining of the voluntary amalgamation process, subject to support from the councils and public of all participating municipalities, and is requesting further changes to expedite the process for voluntary amalgamation involving contiguous municipalities. For example, a municipal petition could trigger a plebiscite for an amalgamation.

In addition, AUMA requests that the MGA allow for non-contiguous amalgamations for all municipalities.

Rationale: In voluntary amalgamations, steps should be taken to streamline the process of amalgamation.

As an alternative to mandating a plebiscite for amalgamations, which can often come at considerable cost, the use of a petition to trigger a plebiscite is advantageous as it allows for a tool in which to gauge citizen-support for an amalgamation in a cost-effective manner, while still allowing for a future plebiscite.

Further, all municipalities should have the option to restructure their boundaries with either a contiguous municipality or a non-contiguous municipality in order to allow mutually beneficial outcomes to be realized.

C. Duty of a Councillor

The duty of a councillor and purpose of a municipality have been expanded to include working collaboratively with other municipalities.

Councillors have the following duties:

- ***to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality; and***
- ***to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities.(NEW)***

The purposes of a municipality are:

- ***to provide good government;***
- ***to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality;***
- ***to develop and maintain safe and viable communities; and***
- ***to work collaboratively with neighbouring municipalities to plan, deliver and fund intermunicipal services. (NEW)***

Position: AUMA supports the expansion of councillor duties to include the promotion of intermunicipal collaboration, as long as there is clarity regarding the hierarchy of a councillor's duties (i.e. between a municipality's interests and regional interests). The new Duty of a Councillor should be exempt from complaints or oversight by the Ombudsman (see policy issue 2).

Rationale: These legislative changes emphasize the expectation that councils will work collaboratively across municipal boundaries.

D. Increased Inspections

The Minister will be able to require an inspection for any matter connected with the management, administration or operation of any municipality including:

> ***(a) the affairs of the municipality;***
> ***(b) the conduct of a councillor or of an employee or agent of the municipality; and***
> ***(c) the conduct of a person who has an agreement with the municipality relating to the duties or obligations of the municipality or the person under the agreement.***

Position: AUMA supports items (a) and (b), providing that item (b) is modified to specify that this does not contradict requirements associated with code of conduct reviews. AUMA requests that item (c) on third-party contractors be removed.

In addition, AUMA recommends that further oversight be established that provides proof that petitioners are from the municipality's electorate.

Rationale: The new inspection powers are too expansive, as the powers will include inspection relating to the actions of an independent contractor. As the MGA does not govern the behaviour of third party contractors to a municipality, municipal inspections are not appropriate.

Further, inspections relating to councillor code of conduct are not required as a municipality's code of conduct bylaw will include the process for review, sanctions/consequences and dispute resolution process. AUMA's earlier submission on code of conduct requirements included a request that an Integrity Commissioner be appointed to handle investigations, rather than invoking ministerial inspections. See item K for further details.

E. Intensive Agriculture Operations

No legislative change as decisions are still pending on how farm buildings related to intensive farming operations should be assessed.

Position: AUMA requests an amendment to the MGA that gives municipalities the option to charge a levy on intensive agriculture. The details of the levy should be determined through a regulation developed in partnership with commodity groups.

Rationale: This recognizes that the municipal services required to support intensive agriculture operations are different from those associated with farms (e.g. impacts on roads that were not designed for multiple heavy loads). The levy allows municipalities to offset infrastructure costs related to these operations.

F. Delinquent Education Property Taxes

No legislative change so municipalities still have to pay for the education property tax requisition on unpaid property taxes.

Position: AUMA requests that the MGA specify that municipalities are exempt from paying for the education property tax requisition on unpaid property taxes.

Rationale: This is an unfair burden on municipalities due to circumstances beyond their control when the property owner does not pay the bill.

G. Property Tax Recovery Tools

No legislative change so municipalities do not have required tools to recover unpaid taxes.

Position: AUMA is seeking changes to expand property tax recovery tools for municipalities (e.g. province pays taxes on crown lands if lease holder does not).

Rationale: This is an unfair burden on municipalities due to circumstances beyond their control when the property owner does not pay the bill.

H. Review of MGA

There is no requirement to complete a comprehensive review of the Act on a periodic basis.

Position: AUMA supports mandated regular reviews of the MGA and suggest a ten-year review period, with minor amendments passed on an as needed basis in consultation with municipalities and their associations.

Rationale: Regular reviews of the MGA are required to ensure the legislation does not have any unintended consequences (e.g. changes to appeal processes do not create the need for court action) and continues to meet the evolving needs of municipalities.

I. Joint and Several Liability

No changes were made to the MGA regarding joint and several liability as the matter was referred to the Minister of Justice and Solicitor General.

Position: AUMA requests that the MGA and/or other relevant legislation be amended as follows:

- Protect municipalities from liability for damages caused by a municipality acting in good faith to provide infrastructure and services unless the municipality is grossly negligent.
- Provide a limitation period for any person claiming compensation arising from a road closure.
- Reform joint and several liability, particularly in the areas of contribution shortfall and the creation of a minimum threshold of liability prior to the application of joint and several liability principles.

Rationale: Reform is necessary to ensure that municipalities are not required to make financial restitutions that are disproportionate to their liability if co-defendants are unable to pay.

The current system of joint and several liability allows a person who was harmed or wronged by several parties to be awarded damages from any one, several, or all of the liable parties. Because municipalities are seen as an easy target given their access to financial resources, they are often included as defendants in lawsuits even where the level of municipal liability is extremely low (e.g. one per cent liable). If other defendants are unable to pay, the municipality will be in the position of paying the entire judgment. This issue comes up frequently with regard to linking municipal road maintenance and design to auto accidents.

J. Infrastructure Deficit and Liabilities of a Dissolved Municipality

No changes were made to the MGA regarding the infrastructure deficit and liabilities of a dissolved municipality.

Position: AUMA requests that the MGA specify that the province should fund the infrastructure deficit and liabilities of a municipality that was dissolved and absorbed into a receiving municipality.

Rationale: Without this change, the receiving municipality is unfairly burdened with the considerable costs of the dissolved municipality's liabilities and/or infrastructure deficit. This is not appropriate since the absorbing municipality's residents and council had no influence in the creation of those liabilities and infrastructure deficit.

K. Oversight of Code of Conduct

The amendments do not provide for an oversight body or mechanism for the mandatory code of conduct that must be adopted through a municipal bylaw.

Position: AUMA requests that the MGA provide for an independent oversight body (e.g. Integrity Commissioner) or require the Provincial Ethics Commissioner to have an oversight role. The oversight body should utilize a quasi-judicial process, including defined timelines, evidentiary standards, burden of proof, and a right to appeal.

Rationale: As code of conduct issues are often emotionally charged and create tension in a municipality, it is important that an oversight process be provided through an independent and credible third party (e.g. integrity commissioner or similar body responsible for enforcing the policy).

L. Administration of the Property Assessment and Taxation System

No change.

Position: AUMA is requesting that the province undertake a review of the administrative provisions for the property assessment and taxation system.

These provisions are out of date and need to be amended to ensure effectiveness and efficiency. Examples include but are not limited to:

- limiting the scope of information regarding assessments that can be disclosed due to privacy reasons;
- ensuring that the Provincial Assessor is required to copy the municipality when sending a request for information;
- regularly updating definitions to ensure they are accurate; and,
- ensuring that the legislation identifies the types of errors that may be corrected in an assessment roll while a property is under complaint.

Rationale: In order to remain effective and efficient, the property assessment and taxation system requires a number of changes to ensure details are in order and the legislation is up to date.

AUMA urges the province to work with the Alberta Assessors Association, the Cities of Calgary and Edmonton, and municipal associations to identify and carry out required changes.

Additional Recommendations

The items below were submitted in AUMA's previous MGA submissions, but were not addressed by either Bill 20 or Bill 21. Some of these items also appear above. AUMA urges the province to consider these points in the introduction of the fall 2016 amendments to the MGA.

Property Assessment and Taxation Reforms

- Implement the property assessment and taxation reforms recommended by AUMA in 2010 and 2012.
- Eliminate education property taxes as property taxes should be used exclusively for the funding of municipal services associated with the ownership of property.
- In the alternative, a direct link should be established between the amount of Municipal Sustainability Initiative funding allocated and education property taxes collected.
- Provide greater flexibility in the requirements for property assessment and tax notices, reducing the prescriptive and highly detailed nature of these sections of the MGA.
- Allow municipalities to initiate the tax recovery process one year after the date that the tax was imposed.

Expand Municipal Revenue Base

- Provide municipalities with a share of provincial revenues.
- Provide municipalities with the ability to increase their revenue generating authority.
- Ensure municipality can establish fees and charges through local bylaws and without provincial interference.
- Provide the ability for municipalities to charge offsite levies more than once on a parcel of land that is being redeveloped for another use or developed in stages.
- Lift suspension of Community Revitalization Levies and allow municipalities to pass CRL bylaws without provincial oversight.
- Enable municipalities to establish bylaws on the scope of local improvement taxes so that they may include items such as potable water systems and renewable energy systems.

Stabilize Municipal Grants

- Make core provincial grants and transfers statutory and index them for growth so that they are stable and reliable, allowing for multi-year planning. Engage municipal associations in the determination of appropriate allocation formulas, ensuring that there is not a sole focus on per capita allotment.

Municipal Structure

- Review and rationalize the alignment, type and number of municipalities, and incentivize a shift to match modern communities' dynamics and to align with regionalization, population shifts, urbanization, trade and industry, natural environments, and transportation infrastructure.
- Incent specialized municipalities.
- Review the process for municipalities to pursue status changes (e.g. village to town) or change boundaries (e.g. annexation) to provide maximum legislative clarity and an ability to respond to growth within a fixed time period defined in the legislation.

A. Municipal Purposes

- Expand the scope of municipal bylaws to include any municipal purposes.

B. Municipal Engagement and Review

- Create a legislated requirement that any statutory, regulatory, or policy change to municipal duties, powers, or functions only be considered after consultation and engagement with municipalities.

C. Municipal Liability

- Protect municipalities from liability for damages caused by a municipality responding in good faith to emergencies or providing services to its region unless the municipality is grossly negligent.
- Provide a limitation period for any person claiming compensation arising from a road closure.
- Reform joint and several liability, particularly in the areas of contribution shortfall and the creation of a minimum threshold of liability prior to the application of joint and several liability principles.

D. Citizen Engagement and Public Participation

- Empower the Chief Administrative Officer to examine the affiant on petition witness affidavits.

E. Land Use Planning

- Allow municipalities to define municipal purposes through bylaw in order to provide greater flexibility on land use.
- Clarify which classes of wetland are eligible to be designated as environmental reserves and clarify that setbacks for bodies of water applies to wetlands.
- Increase the per cent amount of reserves (municipal, school, environmental, etc.) that a municipality may require of a developer, and permit the subdivision of those lands prior to transfer if necessary.
- Permit municipalities to acquire limited interests in land required for that municipality to carry out operations in another municipality. For example, utility rights of way for utilities provided to another municipality and interests in land related to interests in mines and minerals held by a municipality should be exempt from the requirements of Sec. 72.
- Amend the MGA to specify where resource extraction cannot occur and enable municipalities to determine appropriate and compatible land uses with respect to resource extraction.

Relationship to Existing Bylaws

- Repeal MGA Section 13.
- If there is an inconsistency between the newly enacted MGA or other provincial legislation and pre-existing bylaws, the bylaws shall not be affected by the law.

Revised Bylaws

- Allow for the revision of bylaws without a bylaw specifically adopting them, in cases where the revision is to correct clerical errors or to make minor changes.

Voluntary Amalgamation

- Amend the legislation to reflect that two or more municipalities may jointly initiate a voluntary amalgamation. If those municipalities agree to an amalgamation then the Minister must recommend that amalgamation to the Lieutenant Governor in Council.
- Include a financial and infrastructure evaluation of the municipalities involved in the amalgamation.

- Clarify responsibility for financial and/or infrastructure deficits and provide formal policies on when and how the province will provide financial assistance.
- Provide that the affected municipalities will determine the process for dissolving existing councils and creating an interim council and provide the process for creating a new amalgamated municipality.
- Provide that the affected municipalities will determine how to appoint an interim CAO for the amalgamated municipality.
- Review the necessity for Minister initiated amalgamations. If not warranted, eliminate this action from legislation. If retained in legislation, clarify that public input from affected citizens is required.

Annexation

- Adopt an approach that provides urban municipalities with the same opportunity as their rural counterparts to attract all types of development, including industrial development which requires significant areas of land historically not available in urban areas.
- Require that an initiating municipality and a municipality which has been served a written notice meet and proceed in good faith to prepare a study to identify the reason for and impacts of the proposed annexation, including proposals for public consultation.
- Require that negotiations regarding annexation be made in good faith and allow either party to request that the minister appoint a mediator if no agreement is reached within 180 days.
- Provide an opportunity for affected municipalities to submit written submissions after the minister has recommended an annexation to the Lieutenant Governor in Council.

Regional Service Commissions

- Exclude regional service commissions who have not commenced substantial operations and whose annual budgets are under $50,000 from Financial Information Return and audited financial statement reporting obligations.

Public Works Affecting Adjacent Land

- Restrict provisions for compensation for municipal public work to a narrow category of public works. Enable municipalities to set notification provisions in their bylaws.

Ministerial Inspection and Inquiry Regarding Local Governance

- Require that a terms of reference be created for every inspection initiated by the minister or by the council of the municipality. Allow for an inspection to be initiated on petition by the citizens of the municipality.
- Require that the inspector or the person appointed to conduct an inquiry be independent and qualified to do so through an appropriate certification.
- Prescribe a uniform reporting format for inspectors through regulation.
- Clarify definition of “irregular, improper or improvident manner.”
- Legislate that, if an Inspector’s Report recommends the dismissal of all or part of a council, the citizens shall vote on the recommendation with the Ministry of Municipal Affairs bearing the cost of the vote.
- If a councillor or council is dismissed and an election to replace them is held within a year of the next municipal election, provide that the election may serve as the upcoming general election.
- Repeal the subsection that allows the minister to appoint a new CAO and designate remuneration payable to the officer.

Provincial/Municipal Partnership Agreements

- Legislate mandatory consultation and engagement when municipal interests are impacted by the decisions of any provincial ministry.
- Where changes to roles and responsibilities are initiated by either the province or municipalities, provide a clear framework for agreed upon roles and responsibilities.
- Where municipalities have the capacity and willingness to undertake or share provincial responsibilities, provide for incentives and with a clear formula for funding that is indexed for change.

Municipal Input on Provincial Infrastructure

- Require meaningful municipal engagement in the planning and operation of provincial infrastructure.
- Require greater cooperation between municipal authorities and school boards, particularly in regard to school reserves and the planning and servicing of schools and the disposition of school property and school reserves.

Zoning and Municipal Building Standards

- Clarify that when a development authority grants a variance to a “non-conforming” building, the “non-conforming” designation is removed.
- Municipalities should have the ability to require more stringent standards than national or provincial building codes.

Mutual Access Agreements

- Require direct road access for all subdivisions, rather than the current system of voluntary agreements for mutual access.

2016 Policy and Resolutions book

Category Provincial Scope

AUMA Resolutions Policy:

The **Provincial Scope** category contains resolutions that address matters of significance to all or most municipalities in the province.

20 resolutions are recommended under this Category.

AUMA Resolution 2016.B1

Village of Beiseker

Requirements for Water/Wastewater Operator Certification

WHEREAS the Environmental Protection and Enhancement Act requires that specified water and wastewater facilities in the province of Alberta have certified operators to supervise and/or carry out day-to-day operations;

WHEREAS the certification requirements are becoming onerous in terms of both time and money;

WHEREAS these requirements are making it increasingly difficult for small municipalities to hire and/or train staff to meet these requirements;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to review and amend the requirements for certification with regard to the individual water systems.

BACKGROUND:

The Village of Beiseker is a small community of less than 800 and receives its water from the Aqua 7 Water Services Commission pipeline. This water originates from Drumheller, where it is treated and piped to the Aqua 7 Kirkpatrick reservoir where it is treated again. From the Kirkpatrick reservoir, it is distributed via the pipeline to the other communities (Village of Linden, Village of Carbon, Village of Acme, Kneehill County, Village of Beiseker and the Town of Irricana) for local distribution. All of these communities are required to have a level one operator. Over the years we have trained and certified a number of operators, all who eventually leave for larger, more affluent jobs. After losing our operator in February of 2015, we advertised for an operator for a 6 month period of time to no avail. Our neighboring communities were kind enough to give us assistance but their staff numbers are also small and we could not impose on their goodwill for the extended timeframe that it takes to train and certify an operator from our own staff. The one-year intern period and the cost of the courses becomes prohibitive for small communities over the course of time.

WHEREAS the collection of Education Property Tax via the municipalities has a profound effect on member municipalities and ultimately the individual tax payer;

WHEREAS the Province of Alberta utilizes Alberta municipalities to collect Education Requisition on their behalf to support educational requirements through the Alberta School Foundation fund;

WHEREAS the Province of Alberta has been steadily increasing the amount of Education Requisition since 2005/2006;

WHEREAS in 2005/2006, the Education Requisition was capped at 8% and has been steadily increasing each year since the removal of the cap in 2013;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association advocate for the re-establishment of the Educational Requisition Cap at 8% or the elimination of the Education Requisition via municipalities.

BACKGROUND:

Each municipality's share of the provincial education requisition is determined by applying the provincial uniform tax rates to the municipality's current equalized assessments. Municipalities collect local education property taxes from property owners to pay the requisitions. Properties of similar value and property type across the province pay similar amounts of education property taxes. The 2016 uniform tax rates are $2.48 per $1,000 of equalized assessment for residential and farmland property and $3.64 per $1,000 of equalized assessment for non-residential property;

To ensure that communities are affordable and viable, municipal tax collections should be cognisant of economic conditions facing many Alberta residents. Member municipalities are also facing increased operation costs due to climbing utilities charges, limited tax base, and overall increased operations. With a 2 to 21 percent increase in total education requisition, municipalities have limited options on where additional revenue sources could be obtained; options included increasing taxation and/or increasing borrowing, or reducing much needed programs and services.

This year alone, member municipalities took a hit to their bottom line, losing assessment and subsequently dollars when the Grant in Place of Taxes was removed from municipal funding formulas. This resolution regarding resolutions has already been addressed through AUMA board of directors and voted upon by the membership. Alberta Treasury Branches are exempt from paying the educational requisition, therefore cumulatively reducing funds of each community in Alberta.

It is understandable that the province needs a vehicle to collect sources of funding for education; it should not be on the backs of the member municipalities.

AUMA Resolution 2016.B3

City of Brooks
Oil and Gas Awareness Day

WHEREAS the people of Alberta receive approximately $9.5 billion (four-year average) in annual royalties, land bonuses and crown land sales from the oil and gas industry which contributes to hiring nurses and teachers and to building schools and hospitals (Source: Alberta Energy);

WHEREAS in 2014, approximately 133,053 people were employed in Alberta's upstream energy sector, which includes oil sands, conventional oil, gas and mining (Source: Alberta Energy);

WHEREAS Alberta's oil and gas industry is an environmental leader compared to any of its international competitors with the introduction of a price on carbon in 2007. (Source: Alberta Environment);

WHEREAS over the next 10 years the oil and gas industry will contribute $5.9 trillion dollars to Alberta's GDP (Source: Canadian Energy Research Institute);

WHEREAS the oil sands utilize over 20,300 Alberta suppliers and business partners including 300 aboriginal companies representing 54 communities across Alberta (Source: Canadian Association of Petroleum Producers);

WHEREAS over the past 14 years' aboriginal companies have earned about $10 billion through working relationships with the oil sand industry (Source: Oil Sands Community Alliance);

WHEREAS municipalities as a whole receive significant property tax dollars because of the existence of the oil and gas industry and the tertiary enterprises that are created to support it enabling municipalities to provide the essential services required by their citizens;

WHEREAS the oil and gas industry creates local employment allowing communities to remain vibrant and prosperous;

WHEREAS the oil and gas industry support community-building by generously donating to non-profit organizations and municipal capital projects, especially recreational facilities, allowing non-profit organizations to carry out the valuable services they provide and municipalities to carry out the expensive projects that would not otherwise be able to proceed without the generosity of the oil and gas industry;

WHEREAS the importance of the oil and gas industry to both the provincial and local economy is clearly demonstrated by the devastating impacts realized during the current downturn;

NOW THEREFORE BE IT RESOLVED THAT in recognition of the shared prosperity provided to all Albertans because of the oil and gas sector, that the Alberta Urban Municipalities Association urge the Government of Alberta to honour the industry by officially dedicating February 13 as Oil and Gas Awareness Day in the Province of Alberta.

BACKGROUND:

The importance of the oil and gas industry in Alberta has never been so evident as it is now. The Province's 2016 $10 billion deficit budget validates this claim. When a community is in need or there are facilities that need to be built, the oil and gas industry has always been there with their generosity. Now that they are in a downturn, we all struggle to pick up the pieces. To celebrate the importance of the industry, the City of Brooks respectfully requests AUMA members' support in urging the Province to declare February 13 as Oil and Gas Awareness Day in the Province of Alberta.

AUMA Resolution 2016.B4

Town of Cardston
Sustainable Support for Local Registry Agents

WHEREAS the Government of Alberta caps the fee amounts for Alberta Registry Agents (ARAs) through the Registry Agent Product Catalogue for those services that comprise the largest volume of revenues, which have not been adjusted to reflect the increases to the minimal wage or cost-of-living increases in Alberta;

WHEREAS the Government of Alberta has not provided details on the scope of government's future involvement in providing online services;

WHEREAS the ARAs offer essential professional and personalized online services to clients near their homes, a fact of significant importance to aging Alberta clients with distance restricted driver's licences, and/or with no ability to use the Internet for the conduct of personal government business;

WHEREAS the elimination of the critical mass of registry transactions and associated transaction fees could threaten the viability of all ARAs;

WHEREAS the potential closure of ARAs in small communities would have a negative impact on the local economy by diverting the spending outside of the municipality's boundaries;

NOW THEREFORE BE IT RESOLVED that the Alberta Urban Municipalities Association requests that the Government of Alberta recognize the vital role and positive impact that ARAs have in Alberta communities, and request that the province partner with the ARAs and local municipalities by:

- Protecting local Registry Agent revenue streams by limiting additional future government encroachment above and beyond online fine payments, and
- Negotiating the fee structure within the Registry Agent Product Catalogue to recognize inflationary increases.

AUMA Resolution 2016.B5

Town of Devon

Education Property Taxes on Properties Eligible for GIPOT

WHEREAS beginning in the current tax year, a change was made to the grants in place of taxes (GIPOT) program whereby Municipal Affairs will no longer pay the education property tax on properties eligible for GIPOT;

WHEREAS this places an unfair burden for education property taxes on the remaining non-residential properties within the Municipality;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Provincial Government to reverse its decision from Budget 2016 and reinstate payment of the education property taxes on properties eligible for GIPOT.

AUMA Resolution 2016.B6

Village of Forestburg
Clean Coal Technologies

WHEREAS the Provincial Government's announcement in November, 2015 to accelerate the phase out all coal fired power generating plants will have significant impact on those rural communities adjacent to the power plants;

WHEREAS the coal mines and the power generating stations employ significant numbers of personnel and support many local businesses, the loss of those facilities will be detrimental to the sustainability of the rural communities;

WHEREAS the Provincial Government has not offered the option to the coal and power generation industries to research methods for reducing the emissions caused by these coal fired plants;

WHEREAS alternate methods of utilizing coal to produce electricity with reduced emissions are being used in other provinces and countries at this time;

WHEREAS coal is a valuable natural resource available in abundance in Alberta and the Provincial Government should be supportive of exploring alternate uses or methods of refining this resource;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to allow continued operation of coal fired power plants while allowing industry to explore and develop methods of clean coal burning and alternate markets for coal.

BACKGROUND:

Coal is used as the source of power generation for up to 55% of Alberta's power needs. There is an abundant supply of coal in Alberta and the technology exists to burn it with fewer emissions. Even with wind and solar developments, there must be an "on demand" supply that will replace it when those renewable sources of electricity do not produce. Wind only produces 30% of the time while solar is limited to 15% of the time. While natural gas is promoted as a replacement, it is subject to wild price fluctuations. This would tie us to one source for both our heating and electrical needs, which, during a price spike, would severely impact everyone, but most dramatically the poor who can least afford it.

Coal has proven to be the most economical method of producing electricity in areas that do not have access to hydro power. The loss of this commodity and the introduction of a carbon levy on natural gas will cause a significant spike in the cost of electricity to the end user. Countries that had previously decided to phase out coal fired power generation are now opening up new sites as the cost of utilizing renewable energy is too expensive and the reliability of renewable energy does not meet the standards set by coal.

Since 1956, Forestburg has been closely tied to the Battle River Generating Station, a coal fired power plant capable of producing 689 megawatts of power. The generating station and the affiliated coal mine provide many jobs in the Forestburg and surrounding areas.

The loss of these corporations will greatly affect our communities. Not only do they provide employment and livelihood for our residents, they have assisted financially with many of our local projects, the most recent

being a new multi-purpose arena. Furthermore, they are a source of donations and volunteers to other organizations such as our volunteer fire department, library, and swimming pool, to name a few. These sites also provide work to local support businesses, such as welders, contractors, tradespeople and commercial businesses. All of these will be negatively impacted by the impending shut down.

The loss of employment to our residents could be catastrophic to our communities. There are few local employment opportunities available for the displaced workers. The loss of these families will affect enrolment in our school, our volunteer base, and our business base.

Forestburg recognizes that environmental stewardship should be a high priority for all of us, but we do feel that decisions made must be tempered with local needs as well. The cost of shutting down the Battle River Generating Station could be devastating to our region and will impact not only Forestburg, but also our municipal neighbours including Flagstaff County, Paintearth County, County of Stettler, Camrose County, Village of Heisler, Town of Daysland and the hamlet of Galahad. All of these communities either house workers or businesses that support the plant and mine.

Rural municipalities struggle to survive and the decision to shut down all coal fired plants without attempting to look at ways to ensure that these plants are viable, both economically and environmentally, is very short sighted. The ultimate cost may be more than our province and citizens can afford.

There is an opportunity for Alberta to become a leader in the development of the clean burning of coal, which would allow us to meet the province's emissions goals while not negatively impacting the ability of small rural communities to remain sustainable.

WHEREAS the Provincial Government in 2016 implemented the climate leadership strategy that stated that facilities that contribute to Alberta's Climate Change and Emissions Management Fund that pay $20 for every tonne over their reduction target will have to pay $30 per tonne as of Jan 1, 2017;

WHEREAS coal powered electricity generation may become uneconomical after Jan 1 2017, causing coal plants to close prematurely;

WHEREAS implementing the increase in the carbon emissions levy has caused the return of power purchase arrangements back to the Balancing Pool;

WHEREAS the closure of coal fired generating stations before securing a reliable replacement will result in increased, and potentially volatile energy costs to municipalities without compensation from the Government of Alberta;

WHEREAS the Federal Government, in 2012, implemented Legislation that Coal-Fired Generating Stations would be decommissioned after 50 years of service;

WHEREAS industry in Alberta consumes more than 50% of all of the generation, and maintaining a stable base load of power secures confidence for industry to invest in Alberta in the future;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the provincial government to delay the increase of the carbon levy for large industrial emitters until 2020 so that the province can maintain a reliable electricity baseload until such time as new replacement generation comes online;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the provincial government to consider carbon-revenue neutrality for municipalities in regards to the major fuels carbon levy;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the provincial government to provide new, comparable jobs to communities where jobs are lost as a result the closure of the coal plants.

BACKGROUND:

In 2012 the Federal Government legislated that coal-fired generating stations would close after their 50-year use. Of the 18 coal-fired generating stations in Alberta, 12 would be closed prior to 2030, leaving only six to remain operating after that date. In November 2015, the Alberta Government introduced their climate change strategy which would cease the operation of all coal-fired generating stations by 2030. This includes a carbon emissions levy which would increase the per tonne levy from $15 to $20 in 2017 and increasing again in 2018 to $30. These increases affect the coal-fired generators more substantially as they will be paying these levies on a larger amount of emissions. As a direct result of the increase in the carbon emission levy, there have been Power Purchase Arrangements returned to the Balancing Pool as the arrangements have become unprofitable. The return of the Power Purchase Arrangements could close these generating stations much

earlier than the 2030 date, causing Alberta's base load of power to be depleted, which would increase the cost of power not only to residential consumers but also to industry and municipalities. Sheerness Generating Station was involved in one of the Power Purchase Arrangements returned, and is one of the six coal fired generating stations originally scheduled to operate past the 2030 date. The federal legislated closure for Sheerness is 2034 for unit 1 and 2040 for unit 2. Presently there is not a mechanism to compensate municipalities for the increased costs associated with the carbon emissions levy, downloading more costs to municipalities to fund. Therefore, amending the carbon emissions levy to allow our base load of power to be secure will benefit all Albertans and the municipalities in which they live, while still encouraging industry to invest in Alberta as a result of low energy prices.

AUMA Resolution 2016.B8

Town of Hanna
Fixed Date for Educational Levies

WHEREAS section 351 of the Municipal Government Act (MGA) requires Municipalities to collect the Education Property tax to be pooled into the Alberta School Foundation Fund;

WHEREAS Municipalities require the amount of this tax, reported by the Government of Alberta, before tax notices can be sent to property owners

WHEREAS In 2016 the Education Property Tax amounts were not announced until April 14th when the budget was released;

WHEREAS section 242 of the Municipal Government Act (MGA) requires Municipalities to have a budget for the calendar year or adopt an interim budget before the beginning of the calendar year;

WHEREAS instating a fixed date provides a mechanism for Municipalities to schedule the release of tax notices to residents;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the provincial government to instate a deadline of no later than February 28th annually for the release of the Education Property Tax for municipalities as to allow municipalities to send tax notices in a timely manner.

WHEREAS the *Mobile Home Sites Tenancy Act* sets out the rights and responsibilities that apply to people who own a mobile home and rent the mobile home site from a landlord;

WHEREAS Service Alberta is responsible for the enforcement of the *Mobile Homes Sites Tenancy Act* and Regulations;

WHEREAS Service Alberta offers binding mediated resolution services only to regular landlord and tenant disputes under the Residential Tenancies Dispute Resolution Service;

WHEREAS the *Mobile Home Sites Tenancy Act* does not limit or cap rental pad increases;

WHEREAS it is possible that landlords of mobile home parks can target some or all residents by levying pad rental increases so high as to offer no option for the resident but to leave as an "economic eviction" tactic;

WHEREAS mobile home park renters may have limited income and options to move or leave;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to amend the *Mobile Home Sites Tenancy Act* to offer Residential Tenancies Disputes Resolution Services (RTDRS) to mobile home site residents and to prohibit the potential practice of "economic eviction" of residents by defining such targeted rental increases as an offence.

BACKGROUND:

The *Mobile Home Sites Tenancy Act (MHSTA)* sets out the rights and responsibilities that apply to people who own a mobile home and rent the mobile home site from a landlord, including offences and civil litigation items.

Residents of mobile home park sites across Alberta should be afforded the same binding mediation services as offered to other landlord/tenant situations to bring effective and efficient resolution to tenancy issues. The Residential Tenancies Disputes Resolution Services (RTDRS) is a free service offered under regular tenancy/landlord disputes where a tribunal can make decisions and issue a binding order that is filed at court. This service should be offered under the MHSTA also.

Municipalities have the authority under the MHSTA to form an Advisory Board but this Board has no authority to enforce any provisions or bring issues to a resolution and can be very costly.

Many residents of mobile home parks are at higher risk with limited or no ability to move or leave and have no other option but to pursue an action through the courts which is time consuming and costly. "Economic

eviction" is a term that is known in the industry as when a landlord will impose a higher than normal rent increase for renters to force that renter to move out. Targeting of a "trouble" resident through the levying of a higher annual pad rental increase resulting in an "economic eviction" is a tactic that may be used by some landlords. It is not an offence or prohibited under the *MHSTA* and without such an amendment, vulnerable residents can be evicted while trying to better the park conditions overall.

AUMA Resolution 2016.B10

Town of Olds
Alberta Health Services – Lift Assist

WHEREAS Alberta Health Services is responsible for the delivery of pre-hospital care in accordance with the Emergency Health Services Act;

WHEREAS local municipalities are responsible for establishing the service levels of municipal fire protection and rescue services;

WHEREAS Emergency Medical Services (EMS) crews request assistance from local municipal fire protection and rescue personnel specifically for the provision of patient lifting;

WHEREAS Alberta Health Services has a mandate and policy directed towards the billing of individuals requiring pre-hospital care;

WHEREAS local municipalities recover no costs associated with the provision of services assisting EMS personnel;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to provide a means by which local municipalities may recover costs from Alberta Health Services for assistance to ground ambulance personnel for patient care, specifically calls for lift assists.

BACKGROUND:

Alberta Health Services is responsible for the provision of pre-hospital care including ground ambulance services. In many cases ground ambulance (EMS) crews arrive at a medical scene and require assistance removing a patient from a location into a waiting ambulance. Due to lack of EMS resources or EMS resources attached to other incidents, the ground ambulance crew contacts the local fire department to assist with the lift.

Most municipal fire departments provide medical first response services to assist EMS with patient care for their citizens; however, these services are intended to manage situations of dire need or when an ambulance does not arrive within a certain response time.

EMS crews on scene that call out fire departments to assist with medical lifts due to lack of other EMS resources impact fire departments, specifically volunteers. Volunteers many times are called away from their workplace for a lift assist, which impacts them as many do not receive compensation from their employer while away on fire calls.

There is a cost associated with every type of fire call a municipality attends. In the case of medical calls, Alberta Health Services has the mandate and policy to recover costs from the patient requiring the service and in those situations where a fire department was contacted, specifically for lift assists, the local fire department should be able to recoup some if not all its costs as well.

WHEREAS Alberta highways are under provincial jurisdiction, regulated and maintained by Alberta Transportation through the Highways Development and Protection Act;

WHEREAS Safety Measures for Stop-Controlled Intersections (September 2011) developed by Alberta Transportation, outline the four level warrant system to reduce collisions through the application of adequate traffic control devices and safety measures;

WHEREAS justification in either meeting or exceeding the threshold for a warrant triggers whether the province, municipality or developer pays for the change in intersection which can create safety concerns for efficient movement of traffic, both presently and in planning for future growth;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to review the Transportation Warrant System and allow municipalities the opportunity to provide input.

BACKGROUND:

Highways are a Provincial jurisdiction and are regulated and maintained by Alberta Transportation. Applicable guidelines are set for the design, placement, construction and maintenance of roadway lighting, signage and signalization on provincial highways. Alberta Transportation uses a warrant system to determine when investments are made to the provincial system. The warrant score and available capital dollars dictate when investments occur.

Olds has experienced at least three situations when either the warrant system or the availability of capital dollars have caused safety issues. Municipal government is responsible for safety matters in communities and as such this conflict may put local government officials at risk. Therefore, we request a review of the current recommended practices for safety measures and the warrant system, including input from local government and a strategy to communicate any changes to the current practice. Without municipal input, the current warrant system can and does create a negative impact on the current system.

WHEREAS Alberta highways are under provincial jurisdiction, regulated and maintained by Alberta Transportation through the Highways Development and Protection Act;

WHEREAS Alberta Transportation utilizes the Canadian Electrical Code System (CEC) for highway lighting and has established lighting standards (Highway Lighting Guide, August 2003) for all roadways under the control of Alberta Transportation;

WHEREAS Alberta Wire Service Providers maintain ownership of the provincial electrical system and follow the Illuminating Engineering Society of North America (IESNA) standards;

WHEREAS Alberta Transportation recommends that municipalities utilize the services of a qualified roadway lighting designer for specific projects, as the Lighting Guide was specifically developed for rural highways in Alberta;

WHEREAS the differences in roadway lighting standards between public and private entities creates inefficiencies and should be consistent with the same standardization of lighting within the rest of the community;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to allow consolidation of specifications and design standards as it pertains to local municipalities for Roadway Lighting Systems for local, collector, arterial, and highway networks.

BACKGROUND:

Alberta Transportation guidelines are set for the design, placement, construction and maintenance of roadway lighting on provincial highways. These standards are used for all roadways under the control of Alberta Transportation, including those roads and highways passing through urban areas. The standards have been developed specifically for rural highways in Alberta. Municipalities formulate their own roadway lighting guidelines and utilize the services of a qualified roadway lighting designer for their planning and lighting projects.

Regardless of the warranting by Alberta Transportation for illumination, municipalities may finance the installation of street lighting and apply to Alberta Transportation for lighting specified situations within municipal boundaries regulated by Alberta Transportation.

Recent Community Redevelopment Plans and Economic Development Community Growth have created frustration in lighting of roadway systems, service provider standards, luminance standards, capital investment responsibility, and energy consumption and reducing opportunities. Current regulations in use by Alberta Transportation deem roadway lighting components are designed in accordance with the Canadian Electrical Code (CEC). All new infrastructure must comply with CEC. All wiring from the utility meter location to the luminaire must adhere to CEC code regulations for cables, wires and conduits. This includes the provision in the design for an electrical disconnect and meter, to properly delineate ownership of the electrical system between Alberta Transportation and the local Wire Service Provider.

The lighting infrastructure within municipalities is installed largely by electric utilities and is comprised almost entirely of a different standard than CEC. Local Wire Services providers are designed in accordance with the Illuminating Engineering Society of North America (IESNA).

These are currently not openly approved for use for roadway lighting applications under CEC without special requests for approval. The two different standards within the municipalities for Alberta Transportation roadways versus municipal roadways cause unnecessary delay in future construction of street lights and ownership.

This process causes delays and confusion. Working with local Wire Service Providers, municipalities can provide a reasonable standardization that utilizes developing technology in Roadway Lighting Systems consistent throughout a community.

AUMA Resolution 2016.B13

Town of Peace River
Process for Enumerating Shadow Population

WHEREAS Alberta attracts a significant number of people who spend extensive amounts of time in one municipality of Canada but declare their primary residence elsewhere in another municipality for census purposes;

WHEREAS this population is commonly referred to as a "shadow population";

WHEREAS the MGA allows for the ability under section 57 for municipalities to conduct its own census;

WHEREAS the Determination of Population Regulation allows for the inclusion of the "shadow population" in the census, whereby the actual procedure limits the ability for accurate census numbers of the "shadow population";

WHEREAS the "shadow population" is not truly reflected in official population counts, it is challenging to plan infrastructure and program service delivery in the affected municipalities;

WHEREAS many Federal and Provincial funding programs are based on population;

WHEREAS many Alberta communities are affected by these funding inequities especially smaller communities;

WHEREAS the government has acknowledged in February 2016 that they would be interested in exploring options for enumerating the "shadow population" at the sub-provincial level and further investigation into other types of shadow populations;

NOW THEREFORE BE IT RESOLVED THAT Alberta Urban Municipalities Association encourage the Alberta government to develop a process where the "shadow population" can accurately be reflected in all funding programs for municipalities.

BACKGROUND:

Alberta attracts a significant number of people who spend extensive amounts of time in a municipality but declare their residence elsewhere (i.e. a "shadow population"). This can include those who are employed in a resource sector, spend time in a resort community, or are support workers for the tourism sector. Since shadow population is not reflected in official population counts, it is challenging to plan infrastructure and program service delivery in the affected municipalities, especially those with smaller resident populations and high numbers of transient people.

Since many Federal and Provincial funding programs are based on census numbers, these communities tend to be discriminated against when it comes to funding and therefore receive less funding. Current provisions in the Determination of Population Regulation only allow for enumeration of shadow populations during a very specific time period, and only allows the inclusion of an individual if they stay longer than 30 days straight. This does not represent most shadow populations in Alberta communities and is difficult to verify in order to receive appropriate grant funding.

AUMA Resolution 2016.B14

Town of Penhold and Town of Innisfail
Policing Services for Combatting Serious Crimes

WHEREAS the RCMP has initiated a trial combined service task force from a number of local detachments using resources from the surrounding smaller detachments and the adjacent larger urban detachment;

WHEREAS this focused task force's main duty is to address ongoing serious crimes that appear to move from community to community;

WHEREAS this trial task force has seen great success in addressing unsolved crimes;

WHEREAS with the current limited financial resources, this important team/task force is limited to the current staffing complement due to staff being removed to other call out sources, which leaves the task force in abeyance;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association encourage the Government to investigate opportunities with the RCMP to further enhance resources in addressing crime;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association encourage the Province to designate additional funds to assist in supporting adequate resources and manpower needed to continue the development of a strong proactive task force which focuses on combatting serious crimes within our communities.

BACKGROUND:

Several years ago The City of Red Deer decided to crack down on crime. This project experienced good success while displacing numerous hot spots within the city limits. The unfortunate aspect of this project was that the persons of interest resettled in the adjacent communities and started up their illegal activities again.

As the smaller communities noticed a spike in crime, the local RCMP detachments revisited the process and formed a trial task force that shared information and manpower to address the increased crime. This has proven to be very successful. The unfortunate aspect is the detachments are very limited on resources to keep this task force intact addressing crime. The services provided by this task force are interrupted many times with other emergencies/staff shortages/vacations/illness, etc.

We firmly believe a concentrated force will be a great benefit to fighting escalating crime concerns in the listed communities.

AUMA Resolution 2016.B15

City of Red Deer
Changes to RCMP Auxiliary System

WHEREAS across the country, 10 of 14 provinces/territories are serviced by the Royal Canadian Mounted Police and an auxiliary constable program comprised of over 1,600 Auxiliaries across Canada;

WHEREAS based on these conservative estimates, $17.7 million will need to be allocated to replacement members if the auxiliary program is changed/eliminated, resulting in a download to municipalities;

WHEREAS auxiliary constables are trained to a high level to mitigate risks, and desire to work with the national RCMP to respond to and to mitigate the risks identified versus seeing the program reduced in scope;

WHEREAS auxiliary RCMP members are similar to municipal Peace Officers, who are unarmed community policing members that are enabled to respond to many municipal enforcement matters;

WHEREAS changes to the auxiliary program have been introduced which propose to remove the Peace Officer status;

WHEREAS without assistance from the auxiliary constables, municipalities could see an increased demands on the RCMP and related budgetary requirements;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association advocate to the Solicitor General of Alberta to support the continuance of the auxiliary constable program.

BACKGROUND:

Auxiliary constables are community members that are able to provide neighborhood and community insights and assist in peak periods as a second member in a police car, which helps to reduce crime. They help to bring RCMP and the community together and provide Peace Officer services to events such as Canada Day, bike rodeos, safety talks and events anywhere in the province where there are RCMP. They also provide key supports to events such as floods, fires and tornados.

Each auxiliary constable gives at minimum 160 hours a year, which equates to 256,000 hours and is equivalent to an additional 127 members across the country. Across the province there are over 300 auxiliary constables with each member contributing a minimum of 160 hours per year for a minimum contribution of 52,000 provincial with minimal cost to the taxpayers. For example, in Red Deer, there are 14 current auxiliary constables contributing a minimum of 160 hours per year and many contributing up to 400 hours per year.

Changes to the auxiliary program have been introduced which propose to remove the Peace Officer status and focus on non-enforcement duties such as attending community events and assisting in training.

AUMA Resolution 2016.B16

City of Red Deer
Equalization of Policing Costs

WHEREAS many Alberta municipalities have contracted the Royal Canadian Mounted Police (RCMP) for the provision of policing services;

WHEREAS police services take up a significant portion of operating dollars in larger municipalities;

WHEREAS municipalities over 5000 residents pay significantly more for policing than those under 5000 residents;

WHEREAS the unfair policing model creates a gap between those that pay for policing services and those that do not;

WHEREAS many municipalities receive grant funding from the Province of Alberta through the Municipal Policing Assistance Grant that does not cover the full cost of an RCMP member;

WHEREAS it is to the benefit of all municipalities to increase community safety in their towns and cities by ensuring RCMP members are being funded appropriately by the Province of Alberta;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to develop a more fair and equitable funding strategy to eliminate the operating gap of RCMP services between large municipalities and small municipalities;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to provide municipalities the full cost of an RCMP member to eliminate the shortfall costs per member to be placed on the municipality.

BACKGROUND:

Many municipalities have contracted policing services through the Royal Canadian Mounted Police (RCMP). Any municipality with over 5000 residents is responsible for paying for 90% of these policing costs with a 10% subsidization coming from the Province of Alberta. In large municipalities, the required funding to pay for policing services is significant and the burden is often passed onto the tax payer. In contrast, municipalities with less than 5000 residents do not have to pay for their police. This funding model creates a unique and unfair divide between larger municipalities and smaller municipalities. Furthermore, when the municipality receives funding from the Province of Alberta through the Municipal Policing Assistance Grant, the funding received is not adequate to offset the full costs of the RCMP members. Municipalities must provide additional funding to accommodate these additional officers in order to receive this grant.

AUMA Resolution 2016.B17

City of Red Deer

Municipal Participation in Bilateral Funding Agreements

WHEREAS in the 2016 federal budget, the Government of Canada announced a new funding program for infrastructure of $120 billion over ten years. In phase one, this will be distributed as follows:

- Public Transit Infrastructure Fund of $3.4 billion to be allocated to municipalities based on ridership
- A plan to invest $5 billion in Green Infrastructure
- Social infrastructure fund of $3.4 billion for important community infrastructure such as housing, recreation and cultural facilities;

WHEREAS municipalities own close to 60% of the infrastructure in communities which creates economic possibility, healthy communities and long term national prosperity;

WHEREAS due to the Canadian constitutional framework, the federal government must work through the provincial government to provide funding to municipalities;

WHEREAS federal municipal funding agreements are subject to federal-provincial bilateral agreements;

WHEREAS these bilateral funding agreements will articulate the criteria, method and timing for the distribution of federal funds to municipalities and these agreements are currently being negotiated;

WHEREAS provincial governments in Alberta have taken a greater role in determining the funding formula or selection criteria for municipal projects to be funded by federal programs;

WHEREAS in past bilateral agreements affecting federal funding of municipal priorities, local community projects, which may have met the federal criteria, may not have been funded because they did not meet the provincial criteria that was added;

WHEREAS funding formulas should be done in a way that ensures that funding flows quickly to communities using a clear mechanism;

WHEREAS municipalities are in the best position to determine funding priorities in their community based on community engagement, strategic plans and capital budgets;

WHEREAS municipalities should be involved with the province and federal government in determining the content of the bilateral agreement so that the agreement matches the outcomes of the federal budget announcement and reflects the municipal context;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association advocate to the federal and provincial government to participate in the development of these important bilateral agreements for the federal infrastructure fund.

BACKGROUND:

Public Transit: http://news.gc.ca/web/article-en.do?nid=1047459
Green Infrastructure: http://news.gc.ca/web/article-en.do?nid=1046989
Infrastructure: http://news.gc.calweb/article-en.do?nid=1046009

WHEREAS there are many complaints with regards to noisy vehicles and or/vehicles with modified exhaust systems throughout the province;

WHEREAS the province is responsible for establishing guidelines for controlling operational noise levels of many consumer products, equipment and vehicles;

WHEREAS vehicle noise violations are challenging to enforce due to the subjectivity and discretion of the current provincial law;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association ask the Province of Alberta to establish provincial standards with respect to noise produced in connection with a vehicle, define what constitutes an objectionable noise and establish a consistent method of determining or measuring noise, and prohibiting the use or operation of a vehicle that emits a noise above an established and regulated level.

BACKGROUND:

A number of municipalities across the province are challenged to find a solution to the enforcement of excess vehicle noise in their municipality without the establishment of a local bylaw.

The following are the areas that the Alberta Traffic Safety Act addresses vehicle noise:

Alberta Traffic Safety Act - Use of Highway and Rules of the Road Regulation

Section 82 A person shall not create or cause the emission of any loud and unnecessary noise
(a) from a vehicle or any part of it, or
(b) from any thing or substance that the vehicle or a part of the vehicle comes into contact with.

Section 87 A person driving a vehicle shall not, during the period of time commencing at 10 p.m. and terminating at the following 7 a.m., drive the vehicle on a highway in a residential area in a manner that unduly disturbs the residents of the residential area.

Section 115 (2) A person shall not do any of the following: (e) perform or engage in any stunt or other activity that is likely to distract, startle or interfere with users of the highway; (f) drive a vehicle so as to perform or engage in any stunt or other activity on a highway that is likely to distract, startle or interfere with other users of the highway.

Alberta Traffic Safety Act - Vehicle Equipment Regulations

Section 61 (I) A motor vehicle propelled by an internal combustion engine must have an exhaust muffler that is cooling and expelling the exhaust gases from the engine without excessive noise and without producing flames or sparks.
(2) A person shall not drive or operate a motor vehicle propelled by an internal combustion engine if the exhaust outlet of the muffler has been widened.

(3) A person shall not drive or operate a motor vehicle propelled by an internal combustion engine if a device is attached to the exhaust system or the muffler that increases the noise made by the expulsion of gases from the engine or allows a flame to be ignited from the exhaust system.

(4) This section applies to a power bicycle that is propelled by an internal combustion engine.

The limitations of these sections of Traffic Safety act is based on the subjectivity of what is considered excessive noise. There are no specific sound measurements included in the Traffic Safety Act that outline what is illegal; this leads to the challenge of enforcement of this portion(s) of the Traffic Safety Act and is based on a subjective interpretation of excessive noise by the officer. Municipalities across the province are attempting to address this concern on an individual basis through municipal bylaws. However the discretionary judgement of what is considered excessive noise is still subjective and has led to many cases being thrown out in the judicial system.

Other pieces of legislation apply but also are challenged in the area of enforcement and/or charges being upheld in the courts:

Community Standards Bylaw 3383/2007 states:
(I) No person shall cause or permit any noise that annoys or disturbs the peace of any other person.
(2) No person shall permit property that they own or control to be used so that noise from the property annoys or disturbs the peace of any other person.
(3) No person shall yell, scream, or swear in any public place.
(4) In determining what constitutes noise likely to annoy or disturb the peace of other persons, consideration may be given, but is not limited to:

a) type, volume and duration of the sound;
b) time of day and day of the week;
c) nature and use of the surrounding area.

http://www.reddeer.ca/media/reddeerca/city-government/bylaws/Community-Standards-Bylaw-3383-2007.pdf

Criminal Code of Canada states s. 175. (I) Everyone who (d) disturbs the peace and quiet of the occupants of a dwelling-house by discharging firearms or by other disorderly conduct in a public place or who, not being an occupant of a dwelling-house comprised in a particular building or structure, disturbs the peace and quiet of the occupants of a dwelling-house comprised in the building or structure by discharging firearms or by other disorderly conduct in any part of a building or structure to which, at the time of such conduct, the occupants of two or more dwelling-houses comprised in the building or structure have access as of a right or by invitation, express or implied; is guilty of an offence punishable on summary conviction.

WHEREAS establishing a fibre optic network is essential for the provision of high speed internet services within Alberta and is a foundation for future economic development, economic diversification and community sustainability priorities;

WHEREAS the Province of Alberta has invested in fibre optic infrastructure backbone – the Alberta SuperNet - that connects communities across Alberta;

WHEREAS the cost to transmit over Alberta's SuperNet infrastructure continues to be cost-prohibitive to municipalities;

WHEREAS many communities continue to be underserved by internet providers;

WHEREAS Alberta municipalities are launching initiatives that leverage network-based technologies to strategically improve services to residents and businesses;

WHEREAS the success of these initiatives is reliant upon the availability of high bandwidth internet connectivity and connections to and between facilities and other local infrastructure;

WHEREAS the Canadian Internet Registration Authority has released an internet performance report, which places Alberta second lowest among the provinces and territories for internet download speed;

WHEREAS the Cybera organization has studied and identified the lack of adequate broadband access, affordability and speed as a major deterrent to the future development of Alberta;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Provincial Government include municipalities as a key stakeholder in the development of broadband infrastructure policies and programs;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Provincial Government provide direct funding and support to municipalities in ensuring affordable access to, or the development of, high speed (100 mb/s and faster) community network infrastructure in priority employment and other urban areas.

BACKGROUND:

The City of St. Albert has launched a Smart City initiative, with the intention of leveraging technologies to strategically improve municipal efficiency, economic development and community services. The success of this endeavour will be reliant upon the availability of high bandwidth Internet connectivity as well as network connections to and between City facilities and other infrastructure.

In 2015, St. Albert has also queried its resident and business community to benchmark the current state of local Internet services and to project future needs. Findings indicate that most parts of St. Albert are experiencing low Internet speeds, that many residents and businesses are not satisfied with the cost or value

of their service, and that many anticipate a need for increased bandwidth requirements over the next five years. Furthermore, survey responses indicated a low level of confidence that the required bandwidth will be made available by incumbent telecommunications providers when needed. The Canadian Internet Registration Authority (CIRA) released a report April 2016 on "Canada's Internet Performance: National, Provincial and Municipal Analysis". With respect to download speed, Canada is ranked 21st globally. Within Canada, Alberta has the second slowest download speed and Edmonton is ranked 21st out of 25 Canadian Cities on the basis of internet speed, quality and future-readiness.

Specific to municipalities, the Cybera organization pointed out in a submission to the CRTC that "despite the existence of the SuperNet, broadband connectivity and affordability in Alberta remains a significant barrier for many public sector organizations to participate in the digital economy."

The Government of Alberta and Government of Canada have both recently initiated consultations on broadband policy. The Government of Alberta is undergoing a review of SuperNet service and management and the Canadian Radio Television and Communications Commission (CRTC) is conducting a review of its policies and standards with respect to Canada's broadband services in order to be in step with the future and the changing needs of Canadians.

This is the first time this resolution has been submitted by the City of St. Albert. There was an AUMA resolution passed in 2015 with respect to "Review of broadband internet availability in Alberta". However, this proposed resolution differs from the former in the following ways:

1) It proposes to entrench municipalities as a recognized stakeholder in the development of policies and programs;
2) It requests direct funding and support from the Provincial government;
3) It includes economic development and employment areas as key objectives/investment locations; and
4) It recognizes the unique needs of urban areas and their position at the heart of Alberta's economic future.

AUMA Resolution 2016.B20

Town of Strathmore
Capital Funding for Alberta's Library Systems

WHEREAS Provincial Operating Grants for Library Systems do not provide sufficient funding capacity for sizeable capital projects such as the repair, expansion or replacement of headquarters' facilities;

WHEREAS legislation for Alberta Libraries does not allow Library Systems to borrow money to acquire real property for the purposes of a building to be used as a headquarters of a Library System or for erecting, repairing, furnishing and equipping a building to be used as the headquarters of a Library System;

WHEREAS Library Systems need adequately sized and safe, well-maintained facilities to effectively perform the functions that are defined in the Alberta Libraries Act, including resource sharing and supporting bibliographic and IT network and infrastructure in public libraries;

WHEREAS Library Systems exist to ensure Albertans have equitable and seamless access to library resources through a robust Public Library Network supported by the Province of Alberta and comprised of a provincial policy framework and technological infrastructure;

WHEREAS Library Systems exist to support quality services and resources in public libraries for all Albertans and to contribute to sustainable communities in Alberta, especially in rural and remote communities;

WHEREAS Library Systems are exemplary bridges to collaboration among municipalities and among other Library Systems to ensure that resources are shared and value is augmented;

WHEREAS Public Libraries provide a universal and low-cost point of access to information for Albertans of all ages, in all regions of the province, who are pursuing knowledge and information needed for success in education, business, career development, job security and personal projects;

WHEREAS Public Libraries and the Public Library Network provide resources to develop a full range of literacy skills for Albertans of all ages, in all regions of the province;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the relevant Provincial Departments (currently Municipal Affairs and Infrastructure) develop the necessary legislation, policy and procedures to enable Alberta's Library Systems to acquire capital funding to repair, expand or replace their headquarters facilities.

BACKGROUND:

The Alberta *Libraries Act* provides the legal framework for public library service in Alberta**. Library Systems**, which deliver services and support on a regional level, are also created under the *Libraries Act*.

It must be clear that the purpose of this resolution is specifically to enable borrowing powers for the seven Regional Library Systems in Alberta, representing 310 municipalities and 1,433,722 Albertans.

Library Systems were established by the Alberta Government, with the first coming into existence over 50 years ago. With the exception of four or five municipalities, all municipalities in Alberta are members of a Library System as designated in the Alberta Libraries Act.

Municipal Affairs strongly encourages municipalities to belong to Library Systems to pool resources, to maximize efficiency and purchasing power, and to participate in the Public Library Network. The Public Library Network is a provincial policy framework and a technological infrastructure that facilitates cooperation in efficient, effective and seamless delivery of library resources and services to all Albertans. The network is coordinated and supported by Alberta Municipal Affairs through the Public Library Services Branch. In turn, Library Systems are the gateway to providing public library series defined in this official Public Library Network policy through support to municipal libraries and provision of service directly to residents.

Regional Library Systems are not-for-profit public library service providers serving multiple municipalities. Municipalities and school authorities can join Library systems in compliance with the Act. There are over 300 municipalities that are members of Library Systems and whose residents are direct recipients of public library services that are purchased and managed by the seven regional Library Systems. Every member municipality appoints a trustee who has a seat and a vote on one of the seven Library System boards. These seven Library Systems provide service and support to over 270 public libraries in Alberta.

It is highly unlikely that municipalities would ever withdraw from their Library System because that would mean that their residents would no longer have access to the majority of public library series that are delivered through a computer system or via the internet. No municipality has withdrawn from any Library System within the last ten years. Every municipality that has joined a Library System signs a Library System agreement and then gets official permission to join the Library System from the Minister.

Library Systems are funded by a combination of municipal levies and provincial library grants. Overall, the funding from provincial grants and municipal levies has not been sufficient and has not kept pace with inflationary trends to provide adequate reserves for substantial repairs, expansion or replacement of headquarters' facilities. Library Systems do not have access to grant funding in the same way that a municipal library has because Library Systems do not have a relationship with only one municipality. It would take considerable effort and good fortune to get all the municipalities that are members of a Library System (which would be required) to agree to support a major grant application. A major grant ask may mean that a local library or organization might have to do without.

As it stands, the Alberta Libraries Act specifies that Library Systems cannot directly borrow for capital projects, as stated as follows in Section 24 of the Act:

> *(24) A municipality or a school authority that is a party to an agreement described in section 13 may, with the approval of the Minister, borrow money to acquire real property for the purposes of a building to be used as the headquarters of a library system or for erecting, repairing, furnishing and equipping a building to be used as the headquarters of a library system, and section 10(2) and (3) apply to the borrowing of the money.*

The Libraries Regulation within the Libraries Act does not include language about borrowing money or capital funding. It does state, however, that the Library Systems must be able to deliver services and resources to its members and have a "provision for expansion of the Library System to all jurisdictions with the prescribed boundaries" (Section 25(1)(k)). The ability of public libraries to provide current relevant library service could

be negatively impacted if the regional system headquarters facility has continued restricted access to capital funding.

There is language in the Libraries Act that refers to Municipal Libraries (Section 10(1)), and **not to Library Systems.** Section 10 under Municipal Libraries states that "When money is required for the purpose of acquiring real property for the purposes of a building to be used as a municipal library or for erecting, repairing, furnishing and equipping a building to be used as a municipal library, the council may, at the request of the municipal board, take all necessary steps to furnish the money requested or the portion of it that the council considers expedient. (2) Money approved by the council under subsection (1) may be borrowed by the council under the authority of a bylaw and on the RSA 2000 Section 10.1 Chapter L-11 LIBRARIES ACT 7.

Any given Municipal Council may be unable to, or unwilling to, borrow money on behalf of a Library System if the municipality does not have borrowing capacity, or there are other priorities and local needs.

Before borrowing, a library system such as Marigold would ensure that a special per capita levy of a modest amount would be accepted by its members over a set number of years. This added revenue would be used to pay back the loan.

Other options for funding have been investigated and found to be unsuitable, including Alberta Capital Management Agency loans. AGCL has indicated that Library Systems do not qualify for casinos even if they have a Friends Organization. Grants typically need matching funds. It is unlikely that library systems would have the ability to save sufficient funds to match a grant, if it were available, in amounts exceeding one million dollars. For example, Marigold Library System has saved $1.6 million dollars over ten years in a capital reserve that is intended for a major expansion or replacement of it 60-year-old building. This facility, once an armory, is undersized and has aging and inadequate facility infrastructure. Marigold is now serving a population that has increased 2 ½ times in 10 years, making it the third largest Library System in Alberta after Calgary and Edmonton (based on resident population). Library System services such as on-site technology training and IT network support are compromised by the limited size of the present facility.

With populations that have fluctuated throughout Alberta's municipalities, (some populations growing rapidly while others are declining), and provincial funding that has not kept up with population growth or service diversification on a regular basis, it is difficult to engage in any long term financial planning. Not only does this threaten the sustainability of Library Systems and endanger the provision of and access to valuable programs and services available to all Albertans, it makes it virtually impossible to build capital assets and capacity to meet the service delivery expectations of the province or of Albertans who use these services.

Leaders of the Library Systems have appealed to the provincial government for capital funding in writing and in person for more than five years. Library System Chairs have also requested a list of ways to raise capital funds. A spokesperson representing the Chairs of the seven Library Systems made a request to the Minister of Municipal Affairs on January 13, 2016 for the Province to provide capital funding for headquarter repair, expansion or relocation so that Library Systems can continue to serve and support the robust Public Library Network throughout the province of Alberta.

It was requested that the Minister report back on how and from whom the seven Library Systems can acquire sufficient capital funding through eligible grants and by borrowing money. Also requested was that the Alberta Libraries Act be reviewed and that more immediate funding solutions be provided before urgent

infrastructure deficits faced by several Library Systems becomes an impediment to delivering the expected service outcomes of the Province and the respective Agreements with member municipalities.

At the January 13, 2016 meeting, the Minister of Municipal Affairs acknowledged that Library System operating grants are not sufficient for Library Systems to save funds for capital projects. Minister Larivee recommended submitting the capital requests to Alberta Infrastructure. The Public Library Services Branch has been doing this for five years. Regional Library Systems are listed as Unfunded Capital Projects as of April 14, 2016, in Alberta's *Fiscal Plan: Capital Plan;* however there are many provincial projects that are deemed more urgent and fund-worthy. The indeterminate timeline for funding could be years away.

Public Libraries in Alberta are thriving. Cardholder numbers and library use is increasing in both traditional and emerging library service areas. Access to public libraries is increasingly being seen by Albertans as an essential service. This is particularly evident during any economic decline when Albertans depend on public libraries for access to technology, affordable information and recreation, literacy training, job searching and career development resources, exam invigilation, social interaction and much more.

Public libraries in every community are valued by residents as the gathering place for their community. In small, rural and remote communities, the public library is an important symbol of that community's viability and sustainability. Library Systems consolidate services and resources to ensure that all public libraries in large and small communities have the best value and the best opportunities to thrive. Library Systems provide the means to ensure that the Public Library Network remains strong and that public libraries throughout Alberta are providing relevant, vital and cost effective public library services to Albertans.

2016 Policy and Resolutions book

Category Targeted Scope

AUMA Resolutions Policy:

The **Targeted Scope** category contains resolutions that address matters of significance to all or most municipalities located in one area of the province or municipal members of a similar size.

1 resolution is recommended under this category.

AUMA Resolution 2016.C1

Lac la Biche County
Secure Access to Natural Gas Pipelines

WHEREAS sourcing of natural gas is a high priority for towns, villages and natural gas co-ops in Alberta in order to serve our residents;

WHEREAS high volumes of natural gas are available through privately-owned pipelines;

WHEREAS towns, villages and gas co-ops use privately-owned, high-pressure pipelines to supply natural gas to their customers and constituents;

WHEREAS some privately-owned pipelines are being abandoned because they are no longer viable for the owner;

WHEREAS towns, villages and gas co-ops face additional costs and uncertainties because of these abandonments;

WHEREAS these uncertainties limit cost-effective planning and expansion of natural gas systems for towns, villages and gas co-ops at a reasonable cost;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association, in conjunction with the Federation of Alberta Gas Co-ops and Gas Alberta, request the governments of Canada and Alberta to develop legislation for their respective regulatory bodies that will provide greater consultation between pipeline owners and municipalities and mandate cooperative measures for the transfer of ownership, as well as to provide financial assistance to maintain certainty of access to natural gas pipelines for town, villages, cities and gas co-ops in Alberta.

BACKGROUND:

TransCanada and other companies are the current owners of Alberta Gas Trunk Line (AGTL)/Nova pipeline facilities buried across Alberta generations ago.

Across Alberta, many towns, villages and natural gas cooperatives have used these pipelines and facilities to supply natural gas to their communities. Many of these pipelines have become uneconomic to operate for TransCanada and are being scheduled for closure and abandonment. Some of these are located in Lac La Biche County.

If these abandonments are allowed to continue, Albertans in towns and villages will have to absorb additional costs for new infrastructure to replace the abandoned pipelines. In Lac La Biche County's case, a potential line abandonment will:

- Cost the local gas co-operative $410,000 for a new regulating/metering/odourizing station plus pipeline costs to the new location; and
- Limit any expansion of the Hamlet of Lac La Biche's natural gas system for future needs.

2016 Policy and Resolutions book

Category – Extraordinary Resolutions

AUMA Resolutions Policy:

A resolution arising from the proceedings of the convention or related to a matter of an urgent nature arising after the resolution deadline may be considered an **Extraordinary Resolution**.

An Extraordinary Resolution deals with an emergent issue of concern to the general membership that has arisen after the May 31 resolution deadline, where the issue is expected to be addressed by another order of government before the next AUMA annual Convention.

Extraordinary resolutions are brought forward after Targeted Scope resolutions, time permitting.

AUMA Resolution 2016.E1

Town of Whitecourt, Town of Bruderheim, Town of Fox Creek, Town of Gibbons, Town of Mayerthorpe, Town of Morinville, Town of Valleyview, and Strathcona County

Support for Northern Gateway Project

WHEREAS the energy sector contributes approximately $9.5 billion (four-year average) in annual royalties, bonuses and crown land sales from the oil and gas industry;

WHEREAS Canada's oil and natural gas sector provides 20 per cent of the Alberta government's revenue;

WHEREAS Canada's oil and gas sector can create jobs for more than 315,000 Albertans;

WHEREAS the devastating impacts in the downturn of the economy have been felt by all Canadians, businesses and government;

WHEREAS to maximize the value of Canadian resources, market access is paramount;

WHEREAS on June 30, 2016, with respect to the Northern Gateway Project, the Federal Court of Appeal overturned the Northern Gateway permit that was issued by the federal cabinet two years ago and determined that the Federal Government's consultation with First Nations and Métis peoples was insufficient and therefore incomplete;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Canada conduct new consultations with the First Nations and Metis communities along the pipeline route prior to re-determining whether to approve or deny the approval of the Northern Gateway Project;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association advocate that the Province of Alberta voice their support of the Northern Gateway Project.

BACKGROUND:

Albertans Support Northern Gateway

In June 2016, communities along Northern Gateway's route expressed their support for Northern Gateway's extension request by sending letters to the National Energy Board including:

- 20 out of 20 Alberta communities along pipeline route
- 17 out of 18 First Nations and Métis communities
- Unanimous support from the Alberta Chamber of Commerce

Putting Albertans Back to Work

- With the current downturn in our economy, Alberta is losing our highly skilled work force. Northern Gateway will keep these people here to maintain and grow Alberta's skilled labour base.

Total construction employment opportunities in Alberta*

Grande Prairie Area	Whitecourt Area	Sturgeon County / Strathcona County Area
Construction taking place over 3 Phases: **Phase 1 (Pipelines)** 1,105 people **Phase 2 (Pipelines)** 440 people **Phase 3 (Pump Station)** 71 people **1,616 total people working over 3 phases**	Construction taking place over 3 Phases: **Phase 1 (Pipelines)** 517 people **Phase 2 (Pipelines)** 318 people **Phase 3 (Pump Station)** 68 people **903 total people working over 3 phases**	Construction taking place over 2 Phases: **Phase 1 (Pipelines)** 297 people **Phase 2 (Pump Station)** 61 people **358 total people working over 2 phases**

**note: employment opportunities includes temporary, part time and full time jobs taken from Volume 6C of the Regulatory Application*

What kind of skilled Alberta tradespeople/opportunities will be created by Northern Gateway?

Construction	Operations	Business Opportunities
• Boilermakers • Carpenters • Electricians • Ironworkers • Labourers including trade helpers • Operating engineers/heavy equipment operators • Pipefitters • Truck drivers • Welders	• Control room technicians • Heavy equipment operations • Maintenance and service pump stations • Monitoring pipeline corridor • Road maintenance • Tank farm operations	• access roads • air charters • camps and catering • clear, log and salvage • fuel supply • environmental monitoring and reclamation • security • surveying • trucking

Long-term Jobs in Alberta

- Northern Gateway will provide 380 long term operational jobs in Alberta
- Northern Gateway is committed to hiring local residents for all direct operational jobs.

Timeline of Key Events

- **June 2014**: Northern Gateway receives certificates from National Energy Board
- **October 2015:** Certificates is challenged in Federal Court of Appeal
- **June 30, 2016:** Federal Court of Appeal finds that the Joint Review Panel recommendation was acceptable and defensible on the facts and the law. **However, it concludes that the Federal Government's consultation with First Nations and Métis peoples was insufficient** and therefore incomplete. In a two-thirds majority decision, **the Federal Court of Appeal overturned Northern Gateway's approval certificates** and puts the matter back to the Federal Government.

The Federal Government now has three choices:

1. Deny the application (effectively cancel the project)
2. Conduct new consultations with the First Nations and Métis communities along the pipeline route and re-determine whether to approve the project.
3. Refer the matter back to the National Energy Board.

The Federal Government has not indicated how it will proceed but it is expected to make a decision in late 2016.

Why is Northern Gateway an Emergent Issue Now?

- Prior to June 30, 2016 Northern Gateway had its approvals and was on a path to construction.
- Now that the approvals have been overturned, it is important for supportive communities to step up their efforts and advocate that:
    - the Government of Alberta work with local supportive communities and publicly support this critical infrastructure project for Albertans
    - the Federal Government complete the necessary consultation with First Nations and Metis Peoples, as well as engaging with local communities on the importance of this project and ultimately approve the project
- This advocacy work needs to happen prior to the Federal Cabinet making a decision. It is anticipated that the federal government will be rendering a decision with respect to the Northern Gateway project within the coming months. It therefore becomes an emergent issue for the province, all of AUMA's members, along with our residents to ensure that our support for the project is immediately heard.

Why Northern Gateway is Critical to All Albertans

- One of Alberta's most valuable resources is crude oil, but 99% of all our oil exports go to the United States, now one of our biggest competitors, who purchases our crude oil at deeply discounted prices.
- Northern Gateway will provide significant access to other international markets and allow Albertans to get a better price for our crude oil.
- Getting a better price for our crude oil means more royalties collected by the Government of Alberta which can be invested in Alberta schools, universities, hospitals and infrastructure.
- With the serious decline in Alberta's economy due to low oil prices, there is growing momentum for increased international market access for our natural resources.
- Northern Gateway will provide significant access to new markets in the Pacific Rim to secure fair market prices for Alberta's oil.

Alberta Investment

- The recent dramatic drop in oil prices coupled with the lack of pipeline infrastructure is not only affecting future production, but also jeopardizing existing Canadian oil production.
- The significant decrease in oil prices has negatively impacted levels of investment and employment.
- Northern Gateway will provide a badly needed multi-billion dollar private infrastructure investment in Alberta's future including spending $1.5 billion in Alberta communities.

AUMA Resolution 2016.E2

Town of Whitecourt

Species at Risk and the need for an overall Socio-Economic Impact Assessment

WHEREAS the recommendations from the May 2016 "Setting Alberta on the Path to Caribou Recovery" report were accepted by the Alberta Government under the Provincial Land Use Framework, whereby it states that 1.8 million hectares of land to be designated as permanent protection areas for caribou recovery in northwest Alberta;

WHEREAS the Alberta Government has released several recovery plans for species at risk, as well as a structure retention plan, which all have the potential to decrease wood supply, increase costs, and create job losses or mill closures;

WHEREAS the recommendations for the permanent protected areas for woodland caribou simply follow Forestry Management Unit (FMU) boundaries with no consideration for the existing and future local oil and gas dispositions, mineral exploration, tourism, agricultural, and interprovincial and territorial infrastructure and corridors;

WHEREAS forestry is Alberta's third largest resource industry and the lifeblood of 50 communities throughout the province – employing 15,000 Albertans directly, creating 30,000 additional jobs through economic activity, and contributing over $4 billion to the economy, providing important jobs and wealth creation, even when prices for other commodities drop – and the economic contributions of the forest industry in Alberta would be negatively impacted by a reduction in the annual allowable cut (AAC) and a subsequent decrease in wood fibre supply and every part of wood fibre loss affects the entire industry and subsequently the spin off economy;

WHEREAS the local oil and gas industry supports jobs for many local people and numerous transient workers, and the tax revenues from this local industry accounts for significant portions of municipal annual budgets for local communities in northwestern Alberta;

WHEREAS each of these recovery plans and policies are completed in isolation and independent of directly affected operators, communities, and municipal governments and the provincial government has not undertaken a complete due diligence Socio-Economic Impact Assessment prior to putting these various recovery plans into action;

WHEREAS the development of the Lower Peace Regional Plan (LPRP), Upper Peace Regional Plan (UPRP), and Upper Athabasca Regional Plan (UARP) are yet to commence with potential for identification of additional conservation areas for biodiversity and other species at risk given the cumulative effects of climate change;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta complete an overall Socio-Economic Impact Assessment based on all the species at risk recovery and retention plans currently affecting the operations of all industries in the province, including but not limited to oil and gas, forestry, agricultural, tourism and mineral exploration;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to not develop, implement or enforce range plans without the consent of the forest industrial partners affected within the range plan.

BACKGROUND:

The Lower Athabasca Regional Plan (LARP) was approved and implemented in 2012 with a lower than recommended quota for the protection of new, conservation areas and corridors for biodiversity, species-at-risk; and boreal ecosystem types; including boreal habitat for woodland caribou.

Ecosystem types which are important to protect for a broad range of biodiversity objectives do not fully meet the needs of certain species-at-risk, and equally, protecting habitat for certain species-at-risk will not achieve broader biodiversity objectives.

Vegetation types which are consistently targeted for protection included Lower Boreal Highlands Open Coniferous and Dry Mixed wood, and the higher density of these vegetation types is found in northeastern Alberta. However, after the implementation of the LARP which falls short of the protection of these vital categories – increased protection of low density Open Coniferous and Dry Mixed wood vegetation type must be protected elsewhere (northwestern Alberta) in order to fill the representation gap.

Although northwestern Alberta may contain some of the most intact boreal forest; with large areas within FMUs, which are free from anthropogenic disturbance and forestry tenure, there is no validated evidence to prove such land is best for certain species at risk.

Alberta is recognized as a world leader in forest stewardship and management. Over 60% of Alberta is forested, providing many values including economic, social, and environmental. The forest industry is a key contributor to the economy and standard of living for many Albertans, particularly families living in rural Alberta in and near forested regions. In addition to providing timber resources that support the forest products industry, the province's forests provide a range of other resources and benefits that are important to Albertans, including wildlife, biodiversity, water and recreation.

Recently, the government of Alberta has been working to identify areas in Alberta where caribou habitat protection is a priority and to develop strategies that protect caribou populations. As various species at risk management strategies are contemplated, it becomes clear that there is potential for sustainable timber supply in the region to be impacted. Various alternative strategies reflect scenarios where reductions in annual allowable cuts (AAC) for Forest Management Units (FMUs) and Forest Management Areas (FMAs) are possible.

Wildlife habitat is a key component in the development of 200-year management plans for the forest. In the case of species at risk, such as caribou and grizzly bear, forest companies must ensure that habitat increases over the life of the plan. Range plans support a working landscape where species at risk and industrial activity co-exists, with strict regulation investment in aggressive and innovative approaches, and careful monitoring of outcomes.

Alberta has prepared a draft Little Smoky and A La Peche Caribou Range Plan, the first to directly address federal recovery requirements in Canada which requires each province and territory develop range plans that protect, over time, at least 65% of that habitat. These ranges include important forest and energy resources that continue to support local Alberta communities and the provincial economy.

Twenty-three percent of the overall provincial's allowable annual cut are within caribou ranges alone, in which numerous forestry operations rely on to fulfill their quotas. Although the actual percentage of wood sourced from caribou ranges may seem low, these numbers become cumulative when you consider all the other Species at Risk Recovery Plans as a whole. On top of that, forestry's work supply and landbase is also affected by the new Draft Structure Retention Directive, Mountain Pine Beetle, Land Use Framework and Protected Area recommendations, the energy sector, fire, and insect and disease agents. The extent of forest resources and the challenges forest managers have in balancing these inter-related uses is evident all across Alberta.

The Alberta Newsprint Company conducted an *Alberta Forest Sector Economic Impact Study* in January 2016 which provides some astounding stats based on wood supply reduction scenarios. In developing these scenarios, they identified the average lumber production in Alberta and extrapolated this to the province as a whole. Using that base data, they modeled a series of reduction scenarios including Allowable Annual Cut reductions between 10% and 100%. This represented reduction in the total annual harvest volume ranging from approximately 419,000m^3/year to 4,200,000m^3/year.

Forest products made in Alberta are some of the highest quality in the world and are shipped globally every day. The companies operating are highly inter-dependent, exchanging wood fibre in various forms to enable efficient operation of sawmills and pulp mills, and other facilities including biomass power generation and composite wood products.

A sustainable flow of wood supply is the basis for a healthy forest products industry. Creating an overall socio-economic impact assessment along with long-term forest management planning as a whole, including the development and ongoing review of the annual allowable cut, is necessary to ensure sustainable forest management and a reliable flow of wood fibre to processing facilities.

REFERENCES

- *Alberta's Caribou Action Plan*, Government of Alberta
- Alberta Forest Products Association
- *Alberta Forest Sector Economic Impact Study*, Prepared by MNP LLP, January 2016
- Alberta Newsprint Company
- *Draft Little Smoky and A La Peche Caribou Range Plan*, Government of Alberta
- *Setting Alberta on the Path to Caribou Recovery*, Eric Denhoff, May 2016
- Weyerhaeuser Grande Prairie

WHEREAS the energy sector contributes approximately $9.5 billion (four-year average) in annual royalties, bonuses and crown land sales from the oil and gas industry;

WHEREAS Canada's oil and natural gas sector provides 20 percent of the Alberta government's revenue;

WHEREAS Canada's oil and gas sector can create jobs for more than 315,000 Albertans;

WHEREAS the devastating impacts in the downturn of the economy have been felt by all Canadians, businesses and government;

WHEREAS to maximize the value of Canadian resources, market access is paramount;

WHEREAS The Minister of Transport, the Honourable Marc Garneau, has been mandated by Prime Minister Justin Trudeau to formalize a crude oil tanker ban on British Columbia's (BC) coastline (Source: Government of Canada);

WHEREAS Transport Canada has created a process to seek Canadians' views on what should be considered in shaping the potential parameters of a crude oil tanker ban on BC's coastline (Source: Government of Canada);

WHEREAS Public engagement on the proposed crude oil tanker moratorium will close September 30, 2016 (Source: Government of Canada);

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association voice opposition to the federal government's plan to formalize a crude oil tanker ban on British Columbia's coastline;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association participate in the public engagement process as laid out by the Federal Ministry of Transport to indicate opposition of the crude oil tanker ban.

BACKGROUND:
The Federal Government aims to formalize a crude oil tanker moratorium on British Columbia's coastline. As part of the public consultation process, the federal government through the Transport Canada is now inviting Canadian to share their perspectives through written submissions about "…*how we can formalize a moratorium to protect our waters and coastlines without losing economic benefits from shipping*". The public engagement process ends September 30, 2016.

If implemented, the crude oil tanker ban on British Columbia's coastline will severely impede Alberta's ability to diversify markets for our products and have significant consequences for western access projects, such as the Northern Gateway Pipeline Project.

The Minister of Transport, the Honourable Marc Garneau, has been mandated by Prime Minister Justin Trudeau to improve marine safety on all coasts and to formalize a crude oil tanker ban on British Columbia's (BC) coastline. This is part of the federal government's long-term agenda to identify actions that would

support Canada's marine transportation system and encourage long-term economic growth in a way that does not harm marine or coastal environments.

Transport Canada has created a process to seek Canadians' views on what should be considered in shaping the potential parameters of a crude oil tanker ban on BC's coastline. This process, thus far, has included meetings with British Columbia coastal stakeholders and indigenous organizations, leaders and communities. In late August, the public consultation process was opened to all Canadians to share their views. Public engagement on the proposed crude oil tanker moratorium will close September 30, 2016.

SCOPE OF THE MORATORIUM:
The types of ships that could be covered by the ban could include any ships constructed or adapted to carry oil in bulk as cargo (e.g. tankers). The definition of a tanker can include a barge when it is carrying large amounts of persistent oil (over 2,000 gross tonnes of oil). It should be noted that barges carrying over 2,000 gross tonnes of persistent oil do call at ports in northern BC for community and industry resupply. In addition, there are large ships that carry significant amounts of bunker fuel in their tanks calling at ports in northern BC. The potential impact on regional communities, ports, industries, and the national economy and its supply chains will be considered.

IMPACT ON ALBERTA COMMUNITIES

- There will be further erosion of our highly skilled work force. Projects, such as the Northern Gateway Pipeline Project, would keep these people here to maintain and grow Alberta's skilled labour base.
- Almost 3,000 skilled Alberta tradespeople and workers won't have the opportunity to work on the three phases of Northern Gateway's construction.
- These people will live and work in Alberta communities and enhance all Albertans quality of life.
- Northern Gateway will provide 380 long term operational jobs in Alberta.
- The energy industry is critical to Alberta's municipal tax base.

IMPACT ON ALBERTA

- One of Alberta's most valuable resources is crude oil, but 99% of all our oil exports go to the United States, now one of our biggest competitors, who purchases our crude oil at deeply discounted prices.
- The recent dramatic drop in oil prices coupled with the lack of pipeline infrastructure is not only affecting future production, but also jeopardizing existing Canadian oil production.
- Getting a better price for our crude oil means more royalties collected by the Government of Alberta which can be invested in Alberta schools, universities, hospitals and infrastructure.
- The significant decrease in oil prices has negatively impacted levels of investment and employment.

IMPACT ON NORTHERN GATEWAY

- Northern Gateway will provide significant access to new markets in the Pacific Rim to secure fair market prices for Alberta's oil.
- Projects like Northern Gateway can help the federal government ensure that the BC coast is safer for all those who operate there. Northern Gateway will result in increased prevention of incidents through land-based radar to the north coast as well as navigational aids such as new lights, beacons and buoys and approach channels.
- Northern Gateway will significantly increase spill response capacity along its marine shipping routes. This will make British Columbia's coastline safer for all vessels.

- Northern Gateway will provide a badly needed multi-billion dollar private infrastructure investment in Alberta's future including spending $1.5 billion in Alberta communities. The proposed tanker ban will eliminate this badly needed investment in Alberta and Canada's future prosperity.

ALBERTANS SUPPORT NORTHERN GATEWAY

In June 2016, communities along Northern Gateway's route expressed their support for Northern Gateway's extension request by sending letters to the National Energy Board including:

- 20 out of 20 Alberta communities along pipeline route,
- 17 out of 18 First Nations and Métis communities,
- Unanimous support from the Alberta Chamber of Commerce.

PUTTING ALBERTANS BACK TO WORK

- With the current downturn in our economy, Alberta is losing our highly skilled work force. Northern Gateway will keep these people here to maintain and grow Alberta's skilled labour base.

AUMA Resolution 2016.E4

AUMA Board of Directors
Required Changes to Local Authorities Election Act and
Timing of Campaign Financing Changes Coming into Force

WHEREAS the Local Authorities Election Act (LAEA) is an important piece of legislation that is critical to ensuring that the municipal election process is conducted in a secure, fair and impartial manner;

WHEREAS municipalities are pleased that government has indicated that they will be making much-needed changes to revise the LAEA to ensure greater integrity, transparency and consistency in local elections;

WHEREAS it is expected that the revised LAEA will be introduced in the fall 2016 sitting of the legislature and will include changes relating to campaign finances and reporting in particular as part of the province's desire to end contributions from business and unions;

WHEREAS AUMA submitted resolutions in 2011 (from Board of Directors) and 2014 (from a member) outlining several required changes and supplemented these changes through a subsequent response in summer 2016 to the province's questionnaire on potential policy shifts, and desires to consolidate all our requests into one submission; and

WHEREAS many municipal candidates have already begun fundraising activities for the 2017 municipal election and the changes relating to campaign financing and reporting may be challenging for candidates and administration to implement before the upcoming election;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to make the recommended changes to the Local Authorities Election Act as listed in the attachment;

AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the government to ensure the changes to the Local Authorities Election Act are in place for the 2017 municipal election, except for the changes relating to campaign financing and reporting rules, where the coming into force should be delayed until January 1, 2018.

BACKGROUND:

AUMA has been providing input to the province on the LAEA for the past several years. This resolution is considered extraordinary as the timing of the questions posed by Municipal Affairs was after the May 31 resolution deadline and introduction of the legislation and any changes to the LAEA will need to be made in fall 2016.

This resolution differs from the 2014 active resolution that was brought forward by member municipality St. Albert, as this resolution consolidates all of the proposed changes on LAEA and is specific to the timing of the changes for campaign financing reporting.

Attachment

AUMA's Recommendations for Changes to the Local Authorities Election Act

TIMING OF CHANGES TO CAMPAIGN FINANCING

AUMA requests the following changes:

- Getting the timing right for the enactment of LAEA changes is essential.
- As such, AUMA strongly recommends that the changes relating to campaign financing and reporting should not be enforced until January 1, 2018 after the completion of the 2017 municipal elections.
- Many candidates have already begun fundraising activities for the next election and as such these new rules could lead to inequities among candidates, create public confusion as to which candidates are following the new legislation versus the old, potentially lead to abuse by candidates, as well as prove difficult to enforce equally.
- Given these reasons we feel it would be advisable to pass these changes but to delay their enactment. However, the remainder of the changes to the LAEA (those not related to campaign financing and reporting) are critical, as well as implementable, and as such should be in place prior to the 2017 election.

CORPORATE, TRADE UNION AND EMPLOYEE ORGANIZATION CONTRIBUTIONS

AUMA requests the following changes (to come into force January 1, 2018):

- Prohibit contributions from corporations, trade unions and employee organizations to candidates in local elections only if a provincial tax credit will be provided when individuals donate to a local election campaign.
- Donations from individuals living outside of Alberta should be allowed. It is unfair to restrict a candidate's friends and family from supporting a candidate as this is allowed for federal and provincial candidates. Without a provincial tax credit to encourage donations from individuals, prospective candidates for local election may not be able to afford to run for office.

FUNDRAISING CONTRIBUTIONS

AUMA requests the following changes (to come into force January 1, 2018):

- Align treatment of fundraising activities with the rules used for provincial elections by deeming the donation portion of fundraising proceeds to be a campaign contribution, providing that anonymous contributions of less than $100 are allowed. This would recognize that a portion of the proceeds for fundraising goes towards covering the cost of the event and the remainder is the true campaign contribution. For example, a $100 dinner ticket could be allocated as $60 for the cost of the dinner, with $40 allocated as a campaign contribution with an allowable tax credit.
- A $100 threshold recognizes that it is very difficult and time consuming to keep detailed records of small fundraising items in silent auctions, pass the hat, and other events. These contributions do not represent material amounts and therefore do not need the same level of scrutiny and record keeping.

CONTRIBUTION LIMITS

AUMA requests the following changes (to come into force January 1, 2018):

- The province should not legislate a maximum limit for what individuals can contribute collectively to all candidates.
- Given that municipal candidates do not operate under a party system as is the case federally and provincially, it will be administratively challenging to implement the contribution limit provisions. Under the provincial system, each party is able to monitor contributions from an individual; however, without a central coordinating body, enforcing this will be challenging. If this was to become a

requirement, the province would need to clarify responsibility for enforcing reporting requirements. Given these challenges it may be beneficial to track contributions annually so as to report via annual tax returns.
- Given the cumulative impact of the proposed restrictions to donations and self-funding, many candidates will have to reduce their campaign activities, making it much more difficult for new candidates to have an impact and compete against incumbents.
- The definition of campaign period should be explicitly defined so it can be consistently applied.
- In-kind donations are not currently explicitly defined in the Act. There should be a section that requires in-kind donations to be fully cost attributed and be included in the contribution limits for individuals, corporations, trade unions, and employee organizations.

CAMPAIGN CONTRIBUTIONS MADE BY CANDIDATES

AUMA requests the following changes (to come into force January 1, 2018):

- The cap on self-funded contributions and campaign expenditures should be removed, unless the LAEA is amended to give municipalities the option to pass additional bylaws to set standards appropriate for their communities. Failing this, the LAEA should be amended to require municipalities with populations greater than 25,000 to pass bylaws outlining financial contribution and disclosure requirements.

CANDIDATE REGISTRATION

AUMA requests the following changes (to come into force January 1, 2018):

- Require all prospective candidates to register with the municipality before or at the time of filing nomination papers, regardless of whether they are self-funding or receiving contributions from others. This will ensure full and consistent disclosure of all sources of funding.
- As well, it will enable any campaign finance caps to be calculated consistently in terms of the time periods as the start date will be the date of the registration.

CAMPAIGN FINANCE DISCLOSURE

AUMA requests the following changes (to come into force January 1, 2018):

- Require campaign expenses to be reported by category. Having well-defined categories will improve transparency and consistency of reporting.
- Provide clear and comprehensive definitions and timeframes for campaign contributions, allowable campaign expenditures, campaign period, and campaign surplus and campaign deficit.
- Specify that financial contributions must be deposited into a separate account at a financial institution in candidate's name.
- Word the legislation to make it clear that surplus and deficit amounts must be reported regardless of whether candidate is running in the next election.

TAX INCENTIVES

AUMA requests the following changes (to come into force January 1, 2018):

- The LAEA should include a provincially funded income tax credit for Albertans who financially support municipal candidates using rates equivalent to the existing provincial tax credit for contributions to provincial election campaigns. Tax credits are critical if the province is restricting donations from unions and corporations.
- If the province is looking at thresholds and maximum annual credit amount at one half of the provincial credit, then the province should rationalize why it is setting the thresholds and maximum amount at half of the provincial credit.

- The financial cost should not be shifted to municipalities as it will create inequities between the few municipalities who have the financial flexibility to provide and those that do not.

CAMPAIGN SPENDING LIMITS

AUMA requests the following changes (to come into force January 1, 2018):

- Campaign spending limits should not be legislated.
- It is not appropriate to set a campaign spending limit when the scope and activities vary according to the size of the constituency that a candidate is representing. For example, the activities of a candidate in a city ward with tens of thousands of residents will be very different from a candidate who is running in a village election.
- Consideration could be given to enabling municipalities to set limits where they choose to do so through municipal bylaws.

CAMPAIGN FINANCE PROVISIONS FOR SCHOOL BOARDS

AUMA requests the following changes (to come into force January 1, 2018):

- Prospective school board trustee candidates should be subject to the same campaign finance and contribution disclosure requirements as municipal candidates. This will promote consistency for local elections and better understanding for the public.

THIRD PARTY ADVERTISING

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- AUMA supports the establishment of disclosure provisions for third party lobby groups through the LAEA and/or through other legislation consistent with the requirements of the Election Finances and Contributions Act.
    - In instances where a third party advertises for or against a specific candidate, provisions could be set out for contribution limits and disclosure.
    - However, given that municipalities do not follow a political party platform, much of the campaigning may not be able to be linked to a particular candidate.

ADVANCE VOTE

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Require all municipalities with a recorded population of over 1,000 to conduct an advance vote for any election, by-election, or vote on a question occurring within their jurisdiction.
- Allow the municipality to apply to the Minister for an exemption if the municipality believes that the conduct of an advance vote is not warranted in their election, by-election, or vote on a question.

INSTITUTIONAL VOTING

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Broaden the criteria for an institutional voting station to include other supportive living facilities based on the level of care rather than age. This recognizes that mobility and access issues are not limited to seniors or hospital patients.

VOTER IDENTIFICATION REQUIREMENTS

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Allow for additional flexibility in meeting the voter identification requirements by expanding the use of attestations (vouching) to include attestations by a voter who has provided proof of their own identity

and residence in the jurisdiction, regardless of whether a voters list has been prepared, providing the municipality has the option to address issues through setting out requirements in their local bylaws.
- Additional flexibility could be enabled by bylaw for municipalities that believe that they require additional flexibility or controls, whether or not they have a list of voters.
- There is a need to improve education and processes around voter identification, including how to address situations of recent relocation so that there is consistency within a municipality.

CAMPAIGN ACTIVITIES AT VOTING STATIONS

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Restrict campaign activities on public land within a 100 metre radius of the entrance or access to a voting station, and expand the list of prohibited campaign activities in this area. Allowable and restricted campaign activities should be clearly articulated (e.g. relating to signage)

SUBSTITUTE RETURNING OFFICER

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Allow the Elected authorities, and not the chief elected official, to have the authority to appoint a substitute returning officer. Elected authorities should have the option to appoint a substitute returning officer at the same time the returning officer is appointed.
- The appointment of the substitute returning officer at the same time as the returning officer ensures that a replacement is immediately available in the event that a returning officer becomes incapable.
- In addition, section 17 should include the following:
    - “If the secretary is the returning officer and becomes incapable of performing the duties of that office, the person who replaces the secretary will be the substitute returning officer."

PROSECUTION OF OFFENCES

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Extend the time to prosecute an offence of contribution rules to five years after the alleged offence occurred. This accommodates the four year election cycle while providing time for complaint investigation.

DEADLINE FOR REPORTING REQUIREMENTS

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Remove the 30 day period and associated late filing fee provisions, and thereby allow the general offence provisions to apply where a candidate has not complied with the requirements. A late payment fee should not excuse a candidate from having to meet a deadline that is based on a reasonable time period and is able to be clearly communicated in advance (i.e., candidate has ample time to prepare and is well aware).

CONSISTENCY AND READABILITY OF LEGISLATION

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Delete all references in the Act to the appointment of an “official agent” since there is no current role and no future new role for such an agent.
- Section 48(1) (Rule of Residence) should be clarified to ensure that a voter only votes once, regardless of the voter's location.
    - Specifically, 48(1)(a.1) should strike "in accordance with subsection (1.1), designate" and replace it with "declare", 48(1)(b) should strike "works, lives, and sleeps and to which" and replace it with "ordinarily lives and sleeps and the residence to which", and 48(1)(e) should

strike "if a person leaves the area with" and replace it with "if a person leaves his or her residence" and strike "residence within the area" and replace it "residence is at the new location".

- Section 98 (Recount) should be changed to clarify that a recount only needs to be done at the actual voting station that had a problem, and that a complete vote recount is not required.
    - Specifically, the following should be added: "98(1.1) If the returning officer makes a recount pursuant to subsection (1), the returning officer may count the ballots cast at one or more voting stations as the returning officer considers necessary."

GENERAL SUGGESTIONS

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Provide the same time between the nomination date and election date as the timeframe for federal and provincial elections (i.e., at least five weeks).
- Allow municipalities to adopt a bylaw to create a nomination period with a set deadline rather than a nomination day.
- Require candidates to complete an orientation on council responsibilities and read and agree to comply with the council's code of conduct as part of filing nomination papers.
- Allow municipalities the option of using electronic voting.
- Enable municipalities to adopt a bylaw setting out how they will address a tie vote (e.g., draw name, conduct a by-election or establish another action).
- Consolidate penalty provisions in Part 6 Offenses section of the Act.
- Clarify responsibility for enforcing reporting requirements.
- Ensure that the application and enforcement of penalties applies equally to candidates, regardless of whether they won the election or not.
- Provide the returning officer with the authority to enforce those areas within their responsibility (e.g. ability to remove people with electronic devices from voting locations, power to scrutinize and reject nomination forms, etc.)

ADMINSTRATION OF ELECTIONS

AUMA requests the following changes (to come into force before the 2017 municipal elections):

- Forms:
    - Ensure all forms and materials are updated to align with legislation in its entirety.
    - Provide more space on nomination forms for candidates to fill in required information.
    - Create a form for self-funded candidates to disclose.
- Process:
    - Educate and clarify the enforcement of section 152, Advertisement distribution, on voting day.
    - Educate Returning Officers on how to scrutinize nomination forms and the appropriate degree to which they are responsible for examining or rejecting improper nomination papers and processes by which they should scrutinize nomination forms.
    - Clarify if and when nicknames are acceptable in the nomination process.
    - Improve education and processes around voter identification, including how to address situations of recent relocation so that there is consistency within a municipality.
    - Additional education and partnerships are required between municipalities, Municipal Affairs, and Justice and Solicitor General on the enforcement of LAEA provisions.

AUMA Resolution 2016.E5

AUMA Board of Directors
Market Access for Oil and Natural Gas Exports

WHEREAS Alberta's economy is driven by its ability to export products and services, and the transportation and logistics industry plays a critical role, supporting a variety of industries across the province;

WHEREAS Pipelines are the major transportation mode for Alberta products, with commodity prices producing export values up to $83 billion and representing approximately two-thirds of all shipments;

WHEREAS Alberta's oil and natural gas industries require a secure and reliable pipeline infrastructure to ensure the effective movement of the province's bitumen, crude oil and natural gas to both domestic and North American markets;

WHEREAS There are comprehensive regulatory and other oversight processes for federal and provincial pipeline approvals that require a robust environmental and human health assessment prior to approval;

WHEREAS the Alberta Urban Municipalities Association conducted an advocacy campaign in spring 2016 to profile the importance of the Energy East pipeline, which is under National Energy Board review with its report currently due to the federal Minister of Natural Resources by March 2018; and

WHEREAS There are opportunities to further expand the established pipeline infrastructure particularly to the U.S. Gulf Coast and the west coast, to eventually reach more of the overseas markets;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association call on the federal and provincial governments to support the expansion of pipeline infrastructure and expedite increased market access for Alberta's oil and natural gas exports.

BACKGROUND:
Canada, and Alberta in particular, has a wealth of energy resources but has limited access to foreign markets. Several pipeline projects have been proposed that would help bridge the gap between our supply and world demand. The projects are at varying stages in their respective approval processes.

The economic importance of improved market access cannot be overstated. For example, estimates made by the Conference Board of Canada on the Energy East pipeline state the project would support over 14,000 jobs annually during a nine-year development and construction stage, and an additional 3,300 each year in the first 20 years of operations. It would also provide $10 billion in tax revenues to the provinces.