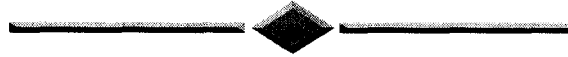




A G E N D A



FOR THE *REGULAR MEETING OF RED DEER CITY COUNCIL*

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

MONDAY, NOVEMBER 8, 2004

COMMENCING AT *4:30 P.M.*



- (1) Confirmation of the Minutes of the Regular Meeting of Monday, October 4, 2004 and the Organizational Meeting of Monday, November 1, 2004
- (2) **UNFINISHED BUSINESS**
- (3) **PUBLIC HEARINGS**
 1. Parkland Community Planning Services – Re: *Land Use Bylaw Amendment 3156/FF-2004 / Request to Allow C1 Signage as a Discretionary Use at 4820 – 45 Street / Eventide Funeral Chapels Red Deer Ltd.*
(Consideration of 2nd & 3rd Readings of the Bylaw)

(4) REPORTS

- | | | |
|----|---|-------|
| 1. | Legislative & Administrative Services Manager – Re: <i>2004 AUMA Convention Resolutions</i> | . .8 |
| 2. | Social Planning Manager – Re: <i>FCSS Multi-Municipality Agreement</i> | . .11 |
| 3. | E L & P Manager – Re: <i>Market Surveillance Administrator 2004 Second Quarter and Third Quarter Compliance</i> | . .21 |
| 4. | Legislative & Administrative Services Manager – Re: <i>Appointment of Citizens-at-Large to Environmental Advisory Board</i> | . .26 |

(5) CORRESPONDENCE

1. Bill Hull, dated November 1, 2004 – Re: *Province's Plan to Celebrate the Alberta Centennial in 2005* . . . 27

(6) PETITIONS AND DELEGATIONS

(7) NOTICES OF MOTION

(8) WRITTEN INQUIRIES

(9) **BYLAWS**

- | | | |
|----|--|-----------|
| 1. | 3156/FF-2004 – Land Use Bylaw Amendment - Request to Allow C1 Signage as a Discretionary Use at 4820 – 45 Street / Eventide Funeral Chapels Red Deer Ltd.
(2 nd & 3 rd Readings) | .29
.1 |
|----|--|-----------|



Legislative & Administrative Services

DATE: November 2, 2004
TO: City Council
FROM: Kelly Kloss, Legislative & Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3156/FF-2004
Lot 1, Block 23, Plan 892 1574
4820 – 45 Street
Eventide Funeral Chapels Red Deer Ltd.

History:

At the Monday, October 4, 2004 meeting of Council, Land Use Bylaw Amendment 3156/FF-2004 was given first reading.

Land Use Bylaw Amendment 3156/FF-2004 provides for C1 signage as a discretionary use at 4820 – 45 Street, Eventide Funeral Chapels Red Deer Ltd.

Public Consultant Process:

A Public Hearing has been advertised for the above noted bylaw to be held on Monday, November 8, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting. The owners of the properties bordering the site have been notified by letter of the Public Hearing.

Recommendations:

That following the Public Hearing, Council may proceed with 2nd and 3rd readings of the bylaw.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss
Manager



DATE: September 24, 2004

TO: Kelly Kloss, Legislative and Administrative Services Manager

FROM: Martin Kvapil, Planning Assistant

RE: Land Use Bylaw Amendment No. 3156/FF-2004
Lot 1, Block 23, Plan 892 1574
4820 – 45 Street
Eventide Funeral Chapels Red Deer Ltd.

Proposal

Eventide Funeral Chapels is seeking to amend the Land Use Bylaw in order to allow for the future development of a freestanding sign upon the above legal description. Presently the subject property is zoned as R3 Residential (Multiple Family) District. The current funeral home is not listed as a use within this district. It was approved as a discretionary use within the R3 district in 1989.

Initially, the applicant's interest was to rezone the subject property to C1 Commercial (City Centre) District to accommodate the proposed sign. A rezoning to C1 would create a spot zoning, whereby the property would not share a common district boundary with other C1 uses as all adjacent properties are zoned R3 residential.

If the subject property were rezoned to C1, future redevelopment of this site to C1 uses would be possible which, from a land use planning perspective, is not desirable, considering the proximity of the adjacent residential uses to this site. An alternative to the C1 district would be to have the site remain as R3 with the addition of an exception, as per Section 54 the Land Use Bylaw, whereby C1 signage would be allowed. Considering the low impact use of the existing funeral home, adverse affects on the neighbouring R3 properties are not anticipated.

Staff Recommendation

It is recommended that City Council proceed with first reading of Land Use Bylaw Amendment 3156/FF-2004 to allow for C1 signage as a discretionary use upon the subject site (Section 54 exception).

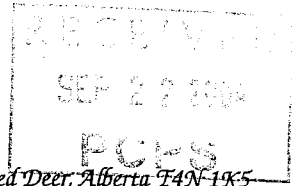
Martin Kvapil

/attach.

Eventide



3



4820 - 45 Street, Red Deer, Alberta T4N 1X5

Funeral Chapels & Crematorium Red Deer Ltd.

Phone: (403) 347-2222 Fax: (403) 346-7320

www.eventidefuneralchapels.com

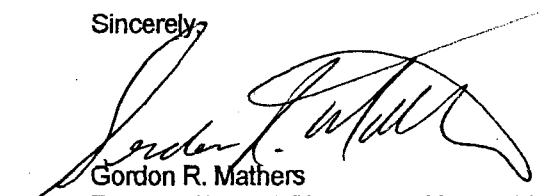
September 21, 2004

Marin Kvapil
Planning Assistant
Parkland Community Planning Services
404, 4808 Ross Street
Red Deer, Alberta T4N 1X5

This is a formal request to permit Eventide Funeral Chapels Red Deer Ltd. to rezone frontal property: LT 1 BK 23 PL 8921574, from R3 to C1 for the erection of a pylon sign. The sign has not yet been developed however we would like it to stand in the front yard in the middle of the two flower beds.

The Size of sign we would like is 10 feet by 5 feet facing west/east.

Sincerely,



Gordon R. Mathers
Eventide Funeral Chapels Red Deer Ltd.

/grm

Proud to be family owned and operated for over 74 years.

The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:
R3 - Residential (Multi-family)

Change from :
R3 to R3 with exception 15 

MAP No. 22 / 2004
BYLAW No. 3156 / FF - 2004

Christine Kenzie

From: Pat Cain, Central Office [pccain@rdcrd.ab.ca]
Sent: October 29, 2004 12:01 PM
To: LASMailbox
Subject: Lot 1, Blk 23, Plan 892-1574 (4820-45 Street)

Dear Mr. Kloss,

I am in receipt of your letter regarding the signage for the Eventide Funeral Home. I would like you to know that I am totally against signage being erected where they want it. They already have two signs on their building and in my opinion, they are quite visible.

I believe it would take away from the property value of the Sierra Grand Condominium across 45th street from them.

Please add this email to those that are against the sign being erected.

Thank you for your attention to this matter.

Patricia Cain
116, 4805 - 45 Street
Red Deer, AB T4N 7A9

[This message has been scanned for security content threats, including computer viruses.]

October 27, 2004,

The City of Red Deer,
Legislative & Administrative Services,
Box 5008,
Red Deer, AB. T4N 3T4.

Attn. Mr. Kloss, Manager, Legislative & Administrative Services.
Re: Lot 1 Block 23, Plan 892-1574 (4820- 45th St.)
Land Use Bylaw Amendment 3156/FF-2004.

Dear Mr. Kloss,

Eventide Funeral Chapels & Crematorium, Red Deer Ltd., wanted their present location, and were granted discretionary use within a R3 residential district. We assume that available C1 zoned districts were not in their best business interests and resulted in them persuing discretionary use in R3, which was granted.

Eventide now seek a modification on their permitted discretionary use for C1 signage. This is now a compounding exception, increasing unwanted commercial architectural eye appeal in a R3 district.

One half of our 110 condominium suites face Eventide. The current architecture is pleasing and low traffic volumes are tolerable. Our present owners knew what their view was when they bought. They do not support accentuating the funeral home signage. To many, the view of the funeral home across the street is already psychologically depressing and fear a decline in property values when their units are offered for resale.

Sierra Grand offers high quality, high density residential ownership within the downtown area of Red Deer. Our 110 suites contribute very high residential taxes, probably in the upper decile, based on land area usage. We believe our condominium represents the type of facility desirous for downtown revitalization.

Pressing C1 exceptions into an already discretionary use may lower the appeal of the Sierra Grand Condominiums. When appeal starts to decline, the lowered property values lead to a deterioration in the district.

We are affected by a 50 sq. ft. pylon sign as proposed by Eventide and request city council to reject the proposed land use bylaw amendment 3156/FF-2004.

Thank you for your consideration of our letter representing 170 residents who own 110 suites at Sierra Grand.

Yours Truly,


W.K. Stephenson,

President,

Sierra Grand Condominiums.

101- 4805- 45th St,

Red Deer, AB. T4N 7A9

PH- 342-1681

Christine Kenzie

BACKUP

From: on behalf of LASMailbox
To: Pat Cain, Central Office
Subject: RE: Lot 1, Blk 23, Plan 892-1574 (4820-45 Street)

Your email will be added to the November 8, 2004 Council Meeting agenda regarding the Land Use Bylaw Amendment for the sign for Eventide Funeral Home.

A public hearing will be held on Monday, November 8, 2004 at 7:00 p.m. in Council Chambers, 2nd Floor, City Hall. You are welcome to attend and speak to this item if you wish. You can access City Hall via the park side entrance.

Let me know if you need any additional information.

Christine Kenzie
Legislative & Administrative Services
City of Red Deer
403.342.8201
christine.kenzie@reddeer.ca

-----Original Message-----

From: Pat Cain, Central Office [mailto:pccain@rdcrd.ab.ca]
Sent: October 29, 2004 12:01 PM
To: LASMailbox
Subject: Lot 1, Blk 23, Plan 892-1574 (4820-45 Street)

Dear Mr. Kloss,

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I believe it would take away from the property value of the Sierra Grand Condominium across 45th street from them.

Please add this email to those that are against the sign being erected.

Thank you for your attention to this matter.

Patricia Cain
116, 4805 - 45 Street
Red Deer, AB T4N 7A9

[This message has been scanned for security content threats, including computer viruses.]

Christine Kenzie

From: Pat Cain, Central Office [pccain@rdcrd.ab.ca]
Sent: October 29, 2004 1:19 PM
To: LASMailbox
Subject: Re: Lot 1, Blk 23, Plan 892-1574 (4820-45 Street)

"LASMailbox" <LAS@reddeer.ca> writes:

>Your email will be added to the November 8, 2004 Council Meeting agenda
>regarding the Land Use Bylaw Amendment for the sign for Eventide Funeral
>Home.

>

>

>A public hearing will be held on Monday, November 8, 2004 at 7:00 p.m. in
>Council Chambers, 2nd Floor, City Hall. You are welcome to attend and
>speak to this item if you wish. You can access City Hall via the park
>side entrance.

>

>

>Let me know if you need any additional information.

>

>

>Christine Kenzie
>Legislative & Administrative Services
>City of Red Deer
>403.342.8201
>christine.kenzie@reddeer.ca

>

>

>

>

>-----Original Message-----

>From: Pat Cain, Central Office [mailto:pccain@rdcrd.ab.ca]
>Sent: October 29, 2004 12:01 PM
>To: LASMailbox
>Subject: Lot 1, Blk 23, Plan 892-1574 (4820-45 Street)

>

>

>

>

>Dear Mr. Kloss,

>

>

>I am in receipt of your letter regarding the signage for the Eventide
>Funeral Home. I would like you to know that I am totally against signage
>being erected where they want it. They already have two signs on their
>building and in my opinion, they are quite visible.

>

>

>I believe it would take away from the property value of the Sierra Grand
>Condominium across 45th street from them.

>

>

>Please add this email to those that are against the sign being erected.

>

>

>Thank you for your attention to this matter.

>

>

>Patricia Cain
>116, 4805 - 45 Street
>Red Deer, AB T4N 7A9

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>computer viruses.]
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>[The information contained in this message is confidential and is
>intended for the addressee only. If you have received this message in
>error, please notify the sender immediately and delete the message. The
>unauthorized use, disclosure, copying or alteration of this message is
>strictly forbidden.]
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>

Thank you for your response. I am unable to attend the meeting and
besides I am a little reluctant to speak in public so I was hoping the
letter would help my cause.

Patricia

[This message has been scanned for security content threats, including computer viruses.]

LUB Amendment 3156/FF-2004

DESCRIPTION: Discretionary Use of C1 Commercial Signage at 4820 -
45 Street - Eventide Funeral Chapels

FIRST READING: October 4, 2004

FIRST PUBLICATION: October 22, 2004

SECOND PUBLICATION: October 29, 2004

PUBLIC HEARING & SECOND READING: November 8, 2004

THIRD READING: NOVEMBER 8, 2004

LETTERS REQUIRED TO PROPERTY OWNERS: YES ☐ NO ☐

DEPOSIT? YES ☒ \$ 400 NO ☐ BY: Eventide

ACTUAL COST OF ADVERTISING:

\$ 298.68 X 2 TOTAL: \$ 597.36

MAP PREPARATION: \$ —

TOTAL COST: \$ 597.36

LESS DEPOSIT RECEIVED: \$ —

AMOUNT OWING/ (REFUND): \$ 597.36

INVOICE NO.: 657804 batch #

(Account No. 59.5901)

141512

October 20, 2004

«OwnerName»

«OwnerAdd1»

«OwnerAdd2»

Dear Sir/Madam:

**Re: Lot 1, Block 23, Plan 892-1574 (4820 – 45 Street)
Land Use Bylaw Amendment 3156/FF-2004**

Council of the City of Red Deer is considering a change to the Land Use Bylaw that controls the use and development of land and buildings in the city. As a property owner in the downtown area you have an opportunity to ask questions about the intended use and to let Council know your views.

Red Deer City Council proposes to pass **Land Use Bylaw Amendment 3156/FF-2004** which provides for C1 Commercial (City Centre) signage as a discretionary use at 4820 – 45 Street, Eventide Funeral Chapels & Crematorium Red Deer Ltd. The proposed bylaw may be inspected by the public at Legislative & Administrative Services, 2nd Floor of City Hall during regular office hours or for more details, contact the city planners at Parkland Community Planning Services 343-3394.

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on **Monday, November 8, 2004** at 7:00 p.m. in Council Chambers, 2nd floor of City Hall. If you want your letter or petition included on the Council agenda you must submit it to our office by **Tuesday, November 2, 2004**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Any submission will be public information. If you have any questions regarding the use of this information, please contact Legislative & Administrative Services at 342-8132.

Yours truly,



Kelly Kloss
Manager, Legislative & Administrative Services

/liz
encl.

Lot 1, Block 23, Plan 892-1574 (4820 – 45 Street)
Land Use Bylaw Amendment

Red Deer City Council proposes to pass **Land Use Bylaw Amendment 3156/FF-2004** which provides for C1 Commercial (City Centre) signage as a discretionary use at 4820 – 45 Street, Eventide Funeral Chapels & Crematorium Red Deer Ltd. The proposed bylaw may be inspected by the public at Legislative & Administrative Services, 2nd Floor of City Hall during regular office hours or for more details, contact the city planners at Parkland Community Planning Services 343-3394.

"Map"

City Council will hear from any person claiming to be affected by the proposed bylaws at a Public Hearing on **Monday, November 8, 2004** at 7:00 p.m. in Council Chambers, 2nd floor of City Hall. If you want your letter or petition included on the Council agenda you must submit it to the Manager, Legislative & Administrative Services by **Tuesday, November 2, 2004**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Any submission will be public information. If you have any questions regarding the use of this information please contact the Manager, Legislative & Administrative Services at 342-8132.

(Publication Dates: October 22 & 29, 2004)

A handwritten signature in black ink, appearing to be 'J. S.', located at the bottom center of the page.

OwnerName	OwnerAdd1	OwnerAdd2
Eventide Funeral Chapels Red Deer Ltd	4820 45 Street	RED DEER, AB T4N 1K6
Kaylor X-Ray Management Ltd	105 4929 50 St	RED DEER, AB T4N 1X9
Alberta Mortgage & Housing Corporation	5024 50 St	RED DEER, AB T4N 1Y3
Eventide Funeral Chapels Red Deer Ltd	4820 45 Street	RED DEER, AB T4N 1K6
Pembroke Investments Ltd. C/O L. Bernstein	101-10025-115 STREET	EDMONTON, AB T5K 1S8
Husky Oil Ltd. Property Tax Department	Box 6525	CALGARY, AB T2P 3G7
John & Johanna Lindhout	120 4805 45 St	RED DEER, AB T4N 7A9
Doreen Blakely	118 4805 45 St	RED DEER, AB T4N 7A9
Patricia Cain	116 4805 45 St	RED DEER, AB T4N 7A9
Kirk & Patricia Dustan	114 4805 45 St	RED DEER, AB T4N 7A9
Alice Young	112 4805 45 St	RED DEER, AB T4N 7A9
Doris Johnson	110 4805 45 St	RED DEER, AB T4N 7A9
Allen & Doreen E Holland	108 4805 45 St	RED DEER, AB T4N 7A9
Loretta Wolter	106 4805 45 St	RED DEER, AB T4N 7A9
Robert & Doreen Wolfe	205 4805 45 St	RED DEER, AB T4N 7A9
Lawrence Rangen	104 Templegren RD NE	CALGARY, AB T1Y 4Y8
Scott P & Jean Francis Mackie	209 4805 45 St	RED DEER, AB T4N 7A9
Nicholas & Rhea Bichel	211 4805 45 St	RED DEER, AB T4N 7A9
Hugh & Lorraine Dennis	213 4805 45 St	RED DEER, AB T4N 7A9
Joe & Wanda Labas	215 4805 45 St	RED DEER, AB T4N 7A9
Garry R & Diane I Stewart	217 4805 45 St	RED DEER, AB T4N 7A9
James Brandon	140 3110 47 Av	RED DEER, AB T4N 3P2
Frederick Gilbert & Sarah Hunter Titus	218 4805 45 ST	RED DEER, AB T4N 7A9
Laurie & Ronald Short	14 Odstone Gr	RED DEER, AB T4N 5H9
Jack A & Jean I Elvers	214 4805 45 St	RED DEER, AB T4N 7A9
Martha K. Popp	212 4805 45 St	RED DEER, AB T4N 7A9
- Mervin & Tina Galbraith	P O Box 591	CARSTAIRS, AB T0M 0N0
Robert & Joyce Edmondson	208 4805 45 St	RED DEER, AB T4N 7A9
Pauline & Ronald Crowe	206 4805 45 St	RED DEER, AB T4N 7A9
Sarfraz & Ann Wahid	301 4805 45 St	RED DEER, AB T4N 7A9
Gordon & Winnifred Wright	303 4805 45 St	RED DEER, AB T4N 7A9
William & Faye Stephenson	305 4805 45 St	RED DEER, AB T4N 7A9
Mary M Bywaters	405 52 Piper Drive	RED DEER, AB T4P 1H8
Robert & Cheryl Herr	309 4805 45 St	RED DEER, AB T4N 7A9
Nellie Davies	311 4805 45 St	RED DEER, AB T4N 7A9
Roy C & Alivna Clutton	313 4805 45 St	RED DEER, AB T4N 7A9
Shirley Schwedelsky	315 4805 45 St	RED DEER, AB T4N 7A9
Ronald & Lynda Kenzle	317 4805 45 St	RED DEER, AB T4N 7A9
Eugene Karashowsky	320 4805 45 St	RED DEER, AB T4N 1K3
Gwen E Hewlett	318-4805 45 St	RED DEER, AB T4N 7A9

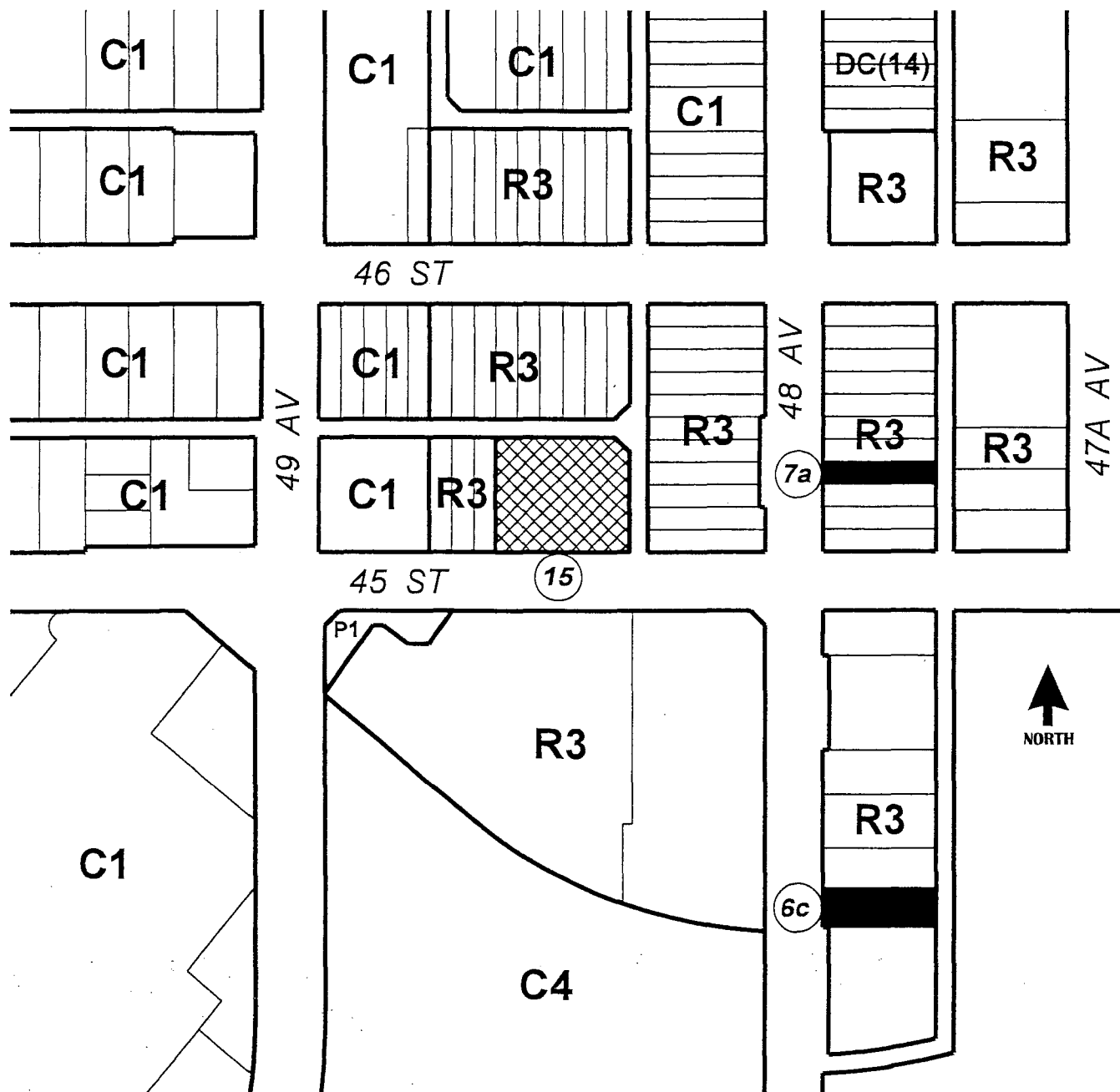
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Paul Duern & Mary Ann Conn	316 4805 45 St	RED DEER, AB T4N 7A9
Raymond M & Irene Toivanen	314 4805 45 St	RED DEER, AB T4N 7A9
Elaine Reinbold	312 4805 45 St	RED DEER, AB T4N 7A9
Marilyn Olson	R R 1	ALHAMBRA, AB T0M 0C0
Bertha Simpson	308 4805 45 St	RED DEER, AB T4N 7A9
Olive Waddell	306 4805 45 St	RED DEER, AB T4N 4A9
Donald & Elaine Dahl	401 4805 45 St	RED DEER, AB T4N 7A9
Lawrence & Sally Pearson	403-4805 45 ST	RED DEER, AB T4N 1K3
Michael & Judith Frampton	76 BERMONDSEY WAY NW	CALGARY, AB T3K 1V4
Lynda Adams	407 4805 45 St	RED DEER, AB T4N 7A9
E Myrle Pedersen	409 4805 45 St	RED DEER, AB T4N 7A9
Margery Cairns	411 4805 45 St	RED DEER, AB T4N 7A9
Margaret Scott	413 4805 45 St	RED DEER, AB T4N 7A9
Marjorie Mackenzie	415 4805 45 St	RED DEER, AB T4N 7A9
David & Brenda Reinbold	417 4805 45 St	RED DEER, AB T4N 7A9
Lorne & Florence Johnston	420 4805 45 St	RED DEER, AB T4N 7A9
Clare & Jean Andersen	418 4805 45 St	RED DEER, AB T4N 7A9
Jay & Gayl Sarbit	416 4805 45 St	RED DEER, AB T4N 7A9
M Drew Woods C/O Onshore Operations Conoco Phillips Indonesia	MENARA MULIA 5TH FLOOR	Jl.JEND.GATOT SUBROTO KAV.9-11
Ronald J & Cari L Maclean	C/O 412 4805 45 St	RED DEER, AB T4N 7A9
Allen Hicke	410 4805 45 St	RED DEER, AB T4N 7A9
Emily Hoffner	408 4805 45 St	RED DEER, AB T4N 7A9
Shirley Macgregor	406 4805 45 St	RED DEER, AB T4N 7A9
Harry & Hazel Lindskog	404-4805 45 St	RED DEER, AB T4N 7A9
Stan & Betty Stadel	402 4805 45 St	RED DEER, AB T4N 7A9
The Owners Condominium Plan No 9920727	101 4805 45 St	RED DEER, AB T4N 7A9
Clarence & Gwendoline Gaetz	105 4805 45 St	RED DEER, AB T4N 7A9
Dennis & Darlene Dickson	107 4805 45 St	RED DEER, AB T4N 7A9
Odd & Vera Fonkalsrud	109 4805 45 St	RED DEER, AB T4N 7A9
Alfred & Shirley Wuerch	111 4805 45 St	RED DEER, AB T4N 7A9
Glen & Helen Bickford	113 4805 45 St	RED DEER, AB T4N 7A9
Joan Lorraine Matheson	115 4805 45 St	RED DEER, AB T4N 7A9
Brian Douglas & Rena Clare Gaume	117 4805 45 St	RED DEER, AB T4N 7A9
Minnie Makofka	121-4805 45 St	RED DEER, AB T4N 7A9
Wilma Beach	123 4805 45 St	RED DEER, AB T4N 7A9
Rudi & Waltraut Heyn	125 4805 45 St	RED DEER, AB T4N 7A9
Mary Morgan	127 4805 45 St	RED DEER, AB T4N 7A9
Les & Faye Heintz	129 4805 45 St	RED DEER, AB T4N 7A9
Francis & Lorraine Olson	131 4805 45 St	RED DEER, AB T4N 7A9

Iris Georgia Knox	130 4805 45 St	RED DEER, AB T4N 7A9
Ron & Marie Snyder	128 4805 45 St	RED DEER, AB T4N 7A9
Rudolf & Enda Bieber	126 4805 45 St	RED DEER, AB T4N 7A9
Warren Keefe	124 4805 45 St	RED DEER, AB T4N 7A9
Jack & Ruth Gorr	Box 1206	THREE HILLS, AB T0M 2A0
Ida Dahlke	221 4805 45 St	RED DEER, AB T4N 7A9
W 5 Holdings Ltd	Box 63	BLACKFALDS, AB T0M 0J0
Jack & Almeda Gates	225 4805 45 St	RED DEER, AB T4N 7A9
Keith Wesley Alexander Exec	13-1525 ORD RD	KAMLOOPS, BC V2B 7V2
Cornelius & Hilda Baergen	229 4805 45 St	RED DEER, AB T4N 7A9
Kory & Guy Fairell	231 4805 45 St	RED DEER, AB T4N 7A9
Ernest & Gladys Krauss	230 4805 45 St	RED DEER, AB T4N 7A9
John & Cecelia Kauhaahaa	228 4805 45 St	RED DEER, AB T4N 7A9
Godfrey & Betty Cwiklewich	226 4805 45 St	RED DEER, AB T4N 7A9
Donald & Hilary Mcdonald	224 4805 45 St	RED DEER, AB T4N 7A9
Floyd & Anne Johnson	222 4805 45 St	RED DEER, AB T4N 7A9
Linda Comber	321 4805 45 St	RED DEER, AB T4N 7A9
Irma Seibert	310 4805 45 St	RED DEER, AB T4N 7A9
Mary Lytle	325 4805 45 St	RED DEER, AB T4N 7A9
Maurice De Cap	327 4805 45 St	RED DEER, AB T4N 7A9
Donald & Ruth Bryant	329-4805 45 St	RED DEER, AB T4N 7A9
George & Margret Smith	331 4805 45 St	RED DEER, AB T4N 7A9
Chester & Gwendolyn Beck	330 4805 45 St	RED DEER, AB T4N 7A9
Olga Toal	328 4805 45 St	RED DEER, AB T4N 7A9
Madeleine Hodgen	326 4805 45 St	RED DEER, AB T4N 7A9
Donald Jacob & Bregetta Klein	324 4805 45 St	RED DEER, AB T4N 7A9
S Wayne & Carin Burnside	322 - 4805 - 45 St	RED DEER, AB T4N 7A9
Edna Hicke	421 4805 45 St	RED DEER, AB T4N 7A9
Verle Sluchinski	423 4805 45 St	RED DEER, AB T4N 7A9
Naomi Burness	425 4805 45 St	RED DEER, AB T4N 7A9
Kathleen Miller	427-4805 45 St	RED DEER, AB T4N 7A9
Sadie Lampard	429 4805 45 St	RED DEER, AB T4N 7A9
Robert & Elizabeth Wroe	430 4805 45 St	RED DEER, AB T4N 7A9
Ruth Moore	430 4805 45 St	RED DEER, AB T4N 7A9
Charles & Margaret Owens	428 4805 45 St	RED DEER, AB T4N 7A9
Orale & Beverley Peterson	426 4805 45 St	RED DEER, AB T4N 7A9
Leslie & Evelyn Wadey	Box 63	BLACKFALDS, AB T0M 0J0
Margaret Schroeder	422, 4805 - 45 St	RED DEER, AB T4N 7A9
Condominium Corporation No. 9920727	101 4805 48 St	RED DEER, AB T4N 1S6

39

The City of Red Deer *PROPOSED LAND USE BYLAW AMENDMENT*



AFFECTED DISTRICTS:
R3 - Residential (Multi-family)

Change from :
R3 to R3 with exception 15 

MAP No. 22 / 2004
BYLAW No. 3156 / FF - 2004



LEGISLATIVE & ADMINISTRATIVE SERVICES
October 5, 2004

Fax: 346-7320

Gordon Mathers
Eventide Funeral Chapels Red Deer Ltd.
4820 – 45 Street
Red Deer, AB T4N 1K5

Dear Mr. Mathers:

Land Use Bylaw Amendment 3156/FF-2004
Request to Allow C1 Signage as a Discretionary Use
At 4820 – 45 Street

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3156/FF-2004* at the City of Red Deer's Council meeting held Monday, October 4, 2004. For your information, a copy of the bylaw is attached.

Land Use Bylaw Amendment 3156/FF-2004 allows C1 signage as a discretionary use at your location in order to allow for the future development of a freestanding sign.

Council must hold a Public Hearing before giving second and third readings to the bylaw. This office will now advertise for a Public Hearing to be held on Monday, November 8, 2004 at 7:00 p.m. in Council Chambers of City Hall during Council's regular meeting.

According to the *Land Use Bylaw*, the City requires a deposit before public advertising. An amount equal to the estimated cost of advertising, which in this instance is \$400, is required by Wednesday, October 20, 2004. You will be invoiced for or refunded the difference once the actual cost of advertising is known.

Please call me if you have any questions or require additional information.

Sincerely,



Kelly Kloss
Manager
/attach.

c Parkland Community Planning Services
C. Adams, Administrative Assistant

BYLAW NO. 3156/FF-2004

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That "Use District Map G8" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 22/2004 attached hereto and forming part of the bylaw; and
2. That Section 54 is hereby amended by the addition of subsection 15 to read:
(15) Signs, as listed within the C1 Commercial (City Centre) District and which comply with the provisions of Section 53 of this bylaw, may be allowed as a discretionary use upon Lot 1, Block 23, Plan 892 1574.

READ A FIRST TIME IN OPEN COUNCIL this 4th day of October 2004.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

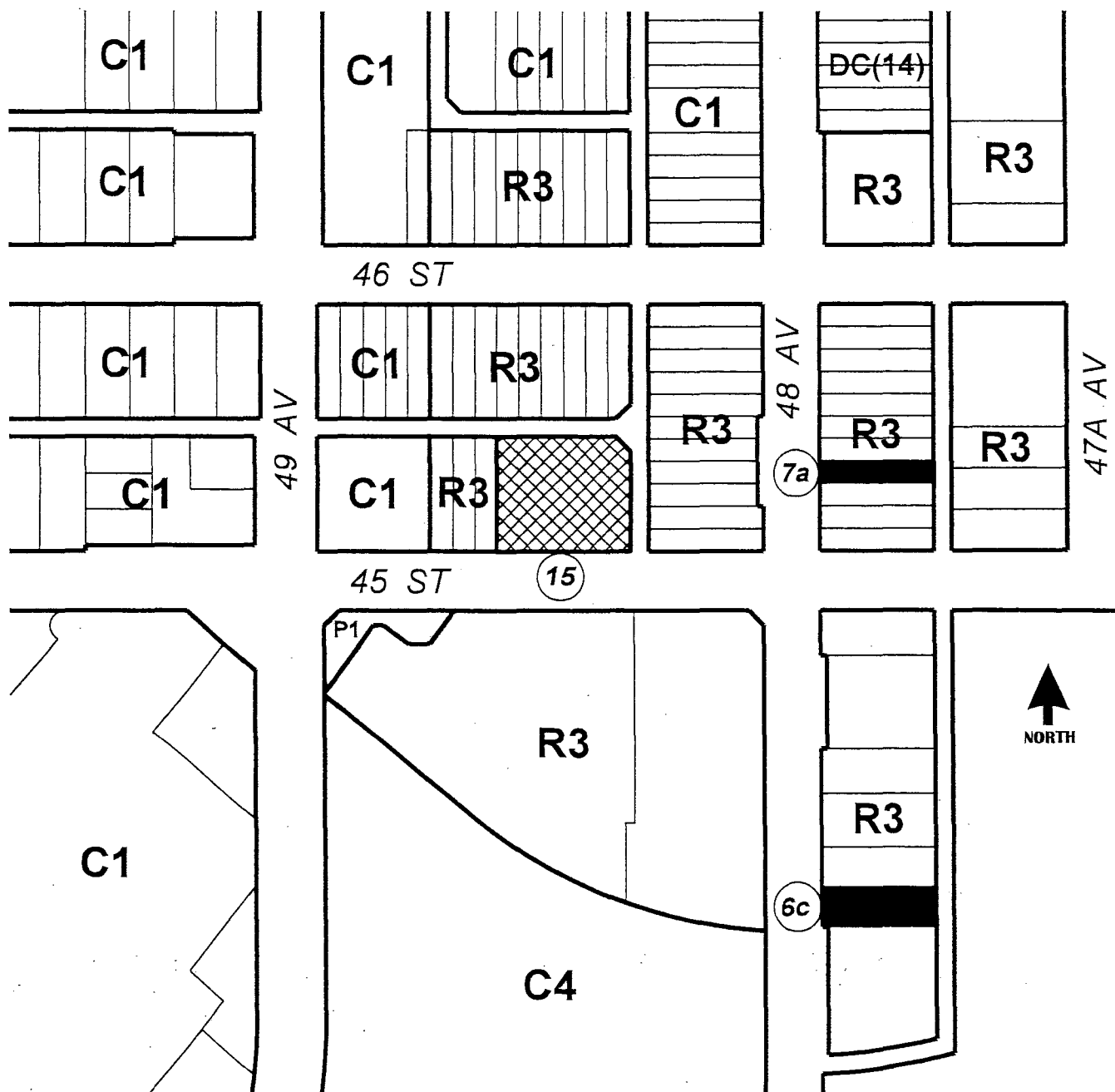
READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

MAYOR

CITY CLERK

The City of Red Deer *PROPOSED LAND USE BYLAW AMENDMENT*



AFFECTED DISTRICTS:
R3 - Residential (Multi-family)

Change from :
R3 to R3 with exception 15 

MAP No. 22 / 2004
BYLAW No. 3156 / FF - 2004



Council Decision – October 4, 2004

Legislative & Administrative Services

DATE: October 5, 2004
TO: Martin Kvapil, Parkland Community Planning Services
FROM: Kelly Kloss, Legislative & Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3156/FF-2004
Lot 1, Block 23, Plan 892 1574
4820 – 45 Street
Eventide Funeral Chapels Red Deer Ltd.

Reference Report:

Parkland Community Planning Services, dated September 24, 2004

Bylaw Readings:

Land Use Bylaw Amendment 3156/FF-2004 was given first reading. A copy of the bylaw is attached.

Report Back to Council: Yes

A Public Hearing will be held on Monday, November 8, 2004 at 7:00 p.m. in Council Chambers during Council's regular meeting.

Comments/Further Action:

Land Use Bylaw Amendment provides for C1 signage as a discretionary use at 4820 – 45 Street, Eventide Funeral Chapels Red Deer Ltd. This office will proceed with the advertising for a Public Hearing. Eventide Funeral Chapels will be responsible for advertising costs in this instance.



Kelly Kloss
Manager

/attach
/chk

c Director of Development Services
Inspections & Licensing Manager
Land & Economic Development Manager
C. Adams, Administrative Assistant
L. Soley, Clerk Steno

BYLAW NO. 3156/FF-2004

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That "Use District Map G8" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 22/2004 attached hereto and forming part of the bylaw; and
2. That Section 54 is hereby amended by the addition of subsection 15 to read:
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READ A FIRST TIME IN OPEN COUNCIL this 4th day of October 2004.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

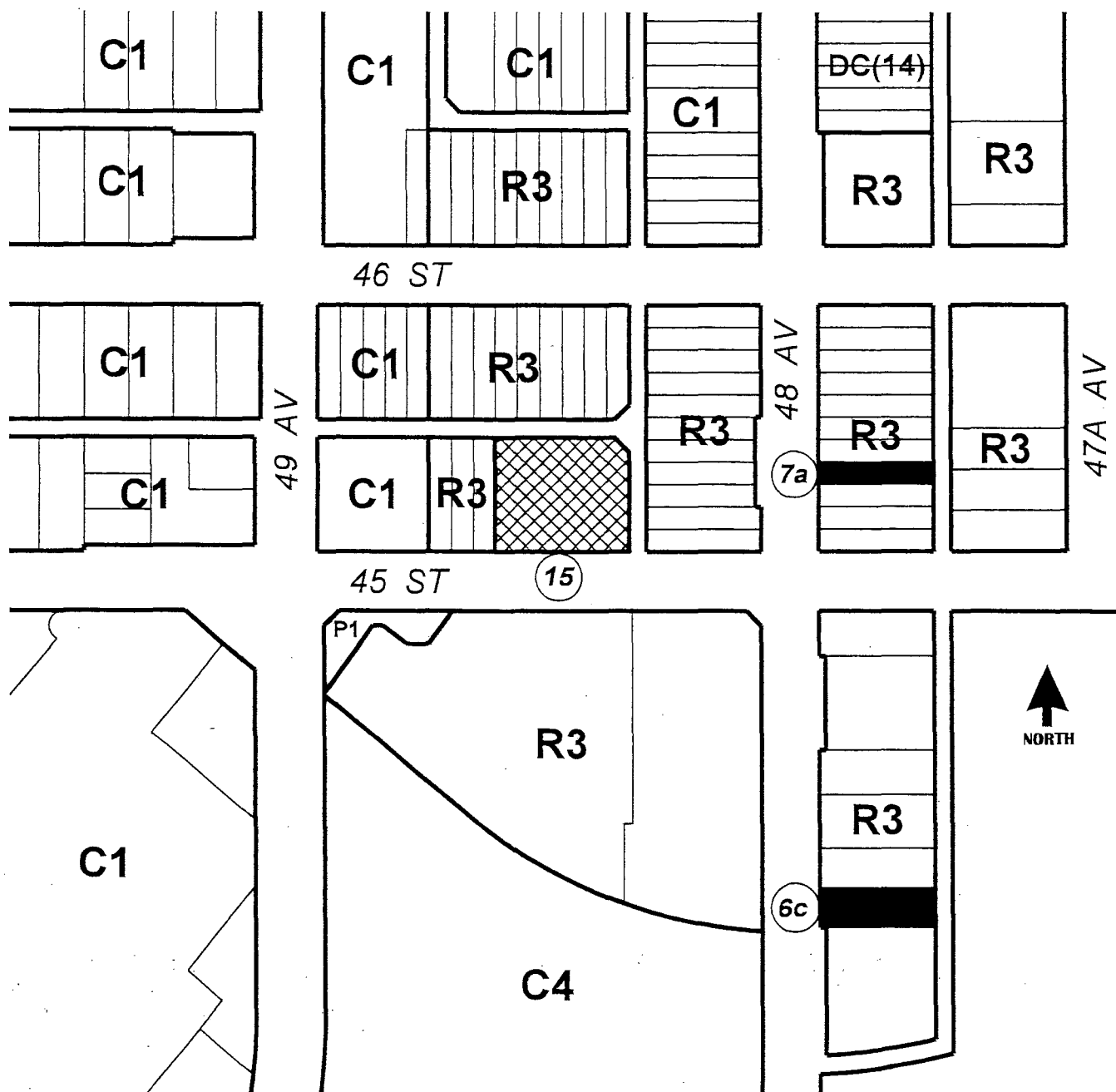
READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

MAYOR

CITY CLERK

The City of Red Deer *PROPOSED LAND USE BYLAW AMENDMENT*



AFFECTED DISTRICTS:
R3 - Residential (Multi-family)

Change from :
R3 to R3 with exception 15 

MAP No. 22 / 2004
BYLAW No. 3156 / FF - 2004

Date: October 5, 2004
To: Joni Baillie, Assessment
From: Cheryl Adams
Legislative & Administrative Services
Re: LUB Amendment 3156/FF-2004

Please provide **Liz Soley** with the names and addresses of the subject property owners and all contiguous/adjacent property owners as outlined on the attached map.

It would be helpful if the lists could be received at your earliest convenience in order to process the letters within the required time period. I have attached the map that appeared on the Council agenda for your reference.

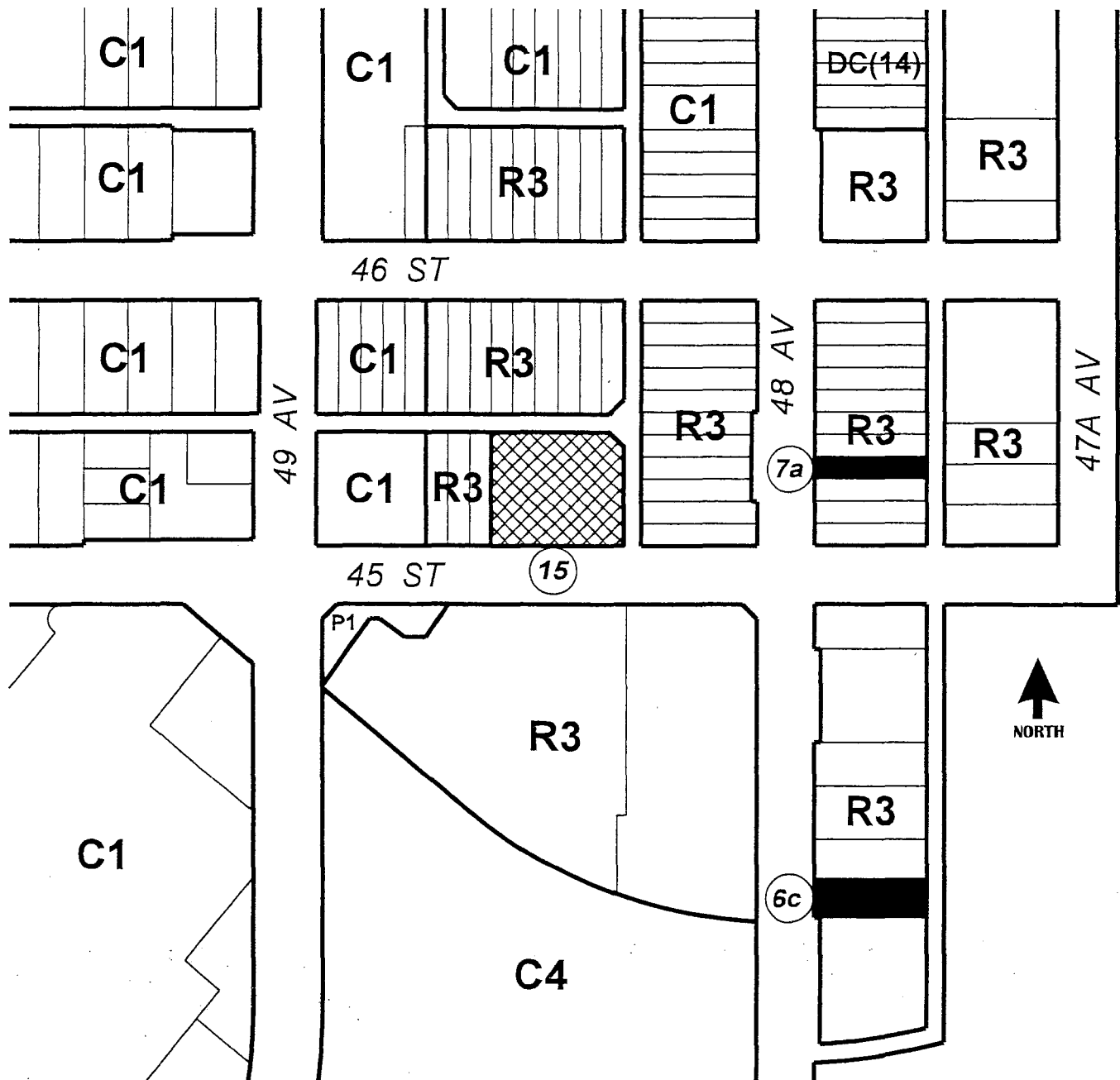
Thanks Joni.

A handwritten signature in black ink, appearing to read "Cheryl Adams", written over the printed name.

Cheryl Adams
Legislative & Administrative Services

Attach.

The City of Red Deer *PROPOSED LAND USE BYLAW AMENDMENT*



AFFECTED DISTRICTS:
R3 - Residential (Multi-family)

Change from :
R3 to R3 with exception 15

MAP No. 22 / 2004
BYLAW No. 3156 / FF - 2004



RED DEER
**COMMUNITY
PLANNING
SERVICES**

Suite 404, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@pcps.ab.ca

DATE: September 24, 2004

TO: Kelly Kloss, Legislative and Administrative Services Manager

FROM: Martin Kvapil, Planning Assistant

RE: Land Use Bylaw Amendment No. 3156/FF-2004
Lot 1, Block 23, Plan 892 1574
4820 – 45 Street
Eventide Funeral Chapels Red Deer Ltd.

Proposal

Eventide Funeral Chapels is seeking to amend the Land Use Bylaw in order to allow for the future development of a freestanding sign upon the above legal description. Presently the subject property is zoned as R3 Residential (Multiple Family) District. The current funeral home is not listed as a use within this district. It was approved as a discretionary use within the R3 district in 1989.

Initially, the applicant's interest was to rezone the subject property to C1 Commercial (City Centre) District to accommodate the proposed sign. A rezoning to C1 would create a spot zoning, whereby the property would not share a common district boundary with other C1 uses as all adjacent properties are zoned R3 residential.

If the subject property were rezoned to C1, future redevelopment of this site to C1 uses would be possible which, from a land use planning perspective, is not desirable, considering the proximity of the adjacent residential uses to this site. An alternative to the C1 district would be to have the site remain as R3 with the addition of an exception, as per Section 54 the Land Use Bylaw, whereby C1 signage would be allowed. Considering the low impact use of the existing funeral home, adverse affects on the neighbouring R3 properties are not anticipated.

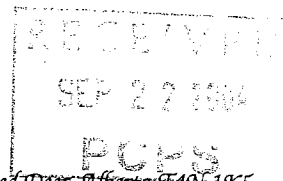
Staff Recommendation

It is recommended that City Council proceed with first reading of Land Use Bylaw Amendment 3156/FF-2004 to allow for C1 signage as a discretionary use upon the subject site (Section 54 exception).

Martin Kvapil

/attach.

Eventide



4820 - 45 Street, Red Deer, Alberta T4N 1X5

Funeral Chapels & Crematorium Red Deer Ltd.

Phone: (403) 347-2222 Fax: (403) 346-7320

www.eventidefuneralchapels.com

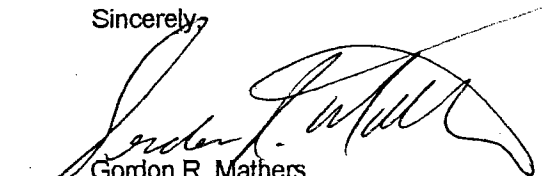
September 21, 2004

Marin Kvapil
Planning Assistant
Parkland Community Planning Services
404, 4808 Ross Street
Red Deer, Alberta T4N 1X5

This is a formal request to permit Eventide Funeral Chapels Red Deer Ltd. to rezone frontal property: LT 1 BK 23 PL 8921574, from R3 to C1 for the erection of a pylon sign. The sign has not yet been developed however we would like it to stand in the front yard in the middle of the two flower beds.

The Size of sign we would like is 10 feet by 5 feet facing west/east.

Sincerely,

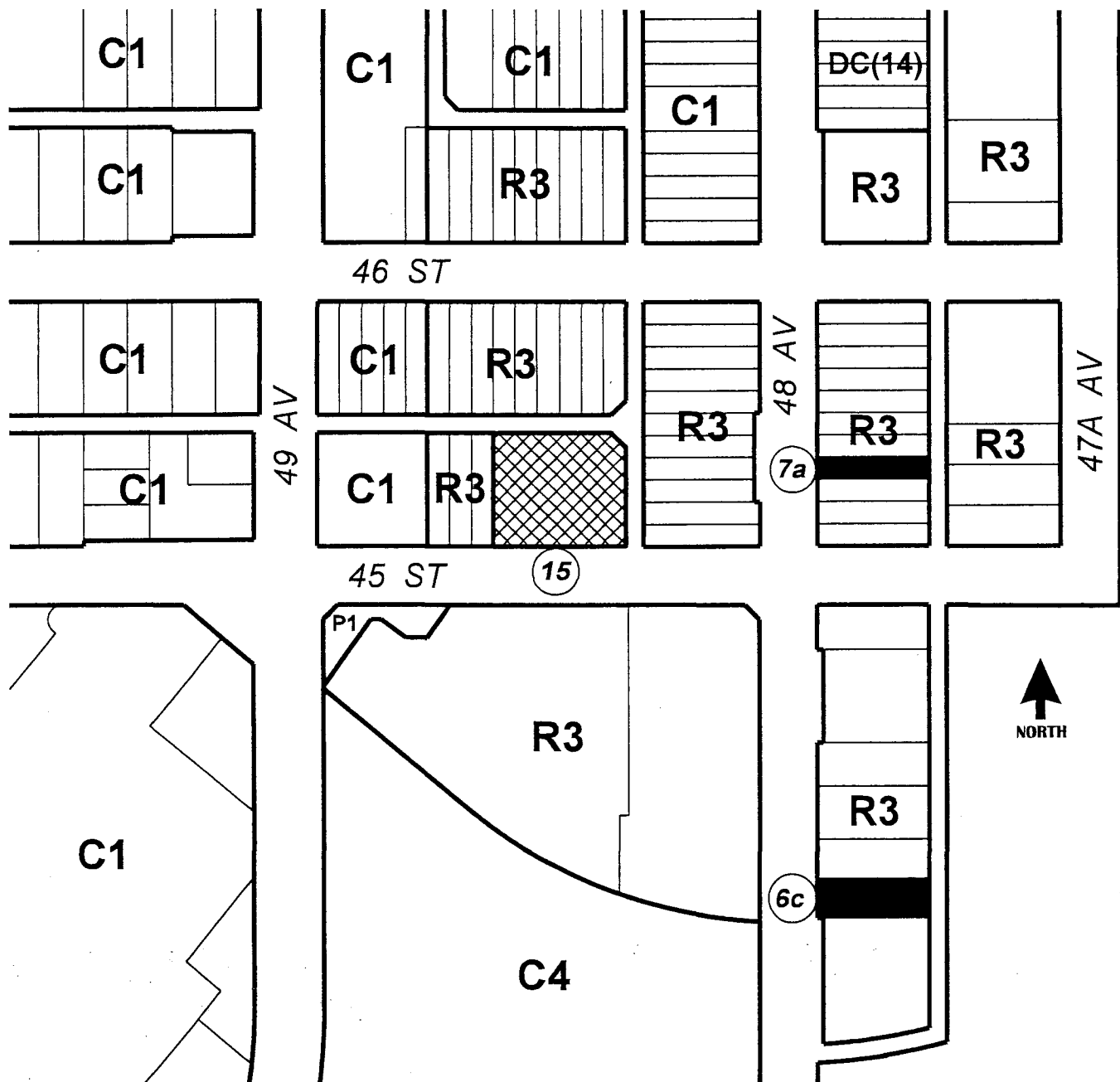


Gordon R. Mathers
Eventide Funeral Chapels Red Deer Ltd.

/gmm

Proud to be family owned and operated for over 74 years.

The City of Red Deer *PROPOSED LAND USE BYLAW AMENDMENT*



AFFECTED DISTRICTS:
 R3 - Residential (Multi-family)

Change from :
 R3 to R3 with exception 15 

MAP No. 22 / 2004
 BYLAW No. 3156 / FF - 2004



LEGISLATIVE & ADMINISTRATIVE SERVICES

November 9, 2004

Patricia Cain
116, 4805 – 45 Street
Red Deer, AB T4N 7A9

Dear Ms. Cain:

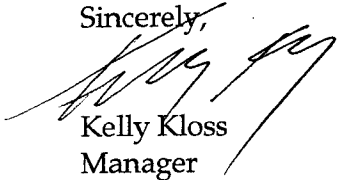
Land Use Bylaw Amendment 3156/FF-2004
Eventide Funeral Home Signage
At 4820 – 45 Street

Thank you for your letter regarding the above bylaw. At the City of Red Deer's Council Meeting held on Monday, November 8, 2004, a Public Hearing was held with respect to *Land Use Bylaw Amendment 3156/FF-2004* which would allow Eventide to make application to place a free standing sign.

Although Council did not agree to the original request of Eventide, Council did agree to allow for the future development of a smaller free standing sign. Eventide's next step is to make application to the Municipal Planning Commission for approval of the actual sign.

Please call me if you have any questions or require additional information.

Sincerely,



Kelly Kloss
Manager

c Parkland Community Planning Services



LEGISLATIVE & ADMINISTRATIVE SERVICES

November 9, 2004

Mr. W. K. Stephenson
President
Sierra Grand Condominiums
101, 4805 – 45 Street
Red Deer, AB T4N 7A9

Dear Mr. Stephenson:

Land Use Bylaw Amendment 3156/FF-2004
Eventide Funeral Home Signage
At 4820 – 45 Street

Thank you for your letter and presentation regarding the above bylaw. At the City of Red Deer's Council Meeting held on Monday, November 8, 2004, a Public Hearing was held with respect to *Land Use Bylaw Amendment 3156/FF-2004* which would allow Eventide to make application to place a free standing sign.

Although Council did not agree to the original request of Eventide, Council did agree to allow for the future development of a smaller free standing sign. Eventide's next step is to make application to the Municipal Planning Commission for approval of the actual sign.

Please call me if you have any questions or require additional information.

Sincerely,



Kelly Kloss
Manager

c Parkland Community Planning Services



FILE

LEGISLATIVE & ADMINISTRATIVE SERVICES

November 9, 2004

Gordon Mathers
Eventide Funeral Chapels Red Deer Ltd.
4820 - 45 Street
Red Deer, AB T4N 1K5

Dear Mr. Mathers:

***Land Use Bylaw Amendment 3156/FF-2004
Request to Allow C1 Signage as a Discretionary Use
At 4820 - 45 Street***

At the City of Red Deer's Council Meeting held on Monday, November 8, 2004, a Public Hearing was held with respect to *Land Use Bylaw Amendment 3156/FF-2004*. Following the Public Hearing, *Land Use Bylaw Amendment 3156/FF-2004* was amended as follows:

Resolved that Council of the City of Red Deer hereby agrees to amend Land Use Bylaw Amendment 3156/FF-2004 by deleting the phrase "C1 Commercial (City Centre) District" and substituting in its place the phrase "C3 Commercial (Neighbourhood Convenience) District."

Land Use Bylaw Amendment 3156/FF-2004 was then given second and third readings. A copy of the bylaw is enclosed for your information.

Land Use Bylaw Amendment 3156/FF-2004 allows C3 signage as a discretionary use at your location in order to allow for the future development of a freestanding sign.

Please call me if you have any questions or require additional information.

Sincerely,



Kelly Kloss
Manager

/attach.

c Parkland Community Planning Services

Legislative & Administrative Services

DATE: November 9, 2004

TO: Martin Kvapil, Parkland Community Planning Services

FROM: Kelly Kloss, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3156/FF-2004
Lot 1 Block 23, Plan 892 1574
4820 – 45 Street, Eventide Funeral Chapels Red Deer Ltd.

Reference Report:

Parkland Community Planning Services, dated September 24, 2004

Resolutions:

"Resolved that Council of the City of Red Deer hereby agrees to amend Land Use Bylaw Amendment 3156/FF-2004 by deleting the phrase "C1 Commercial (City Centre) District" and substituting in its place the phrase "C3 Commercial (Neighbourhood Convenience) District."

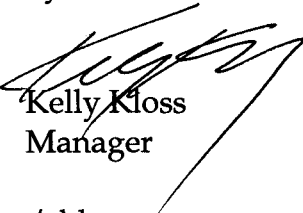
Bylaw Readings:

Land Use Bylaw Amendment 3156/FF-2004, as amended, was given second and third readings. A copy of the bylaw is attached.

Report Back to Council: No

Comments/Further Action:

Land Use Bylaw Amendment provides for C3 signage as a discretionary use at 4820 – 45 Street, Eventide Funeral Chapels Red Deer Ltd. This office will update the Land Use Bylaw and distribute copies in due course.


Kelly Kloss
Manager

/chk
attchs.

c Director of Development Services
 Land & Economic Development Manager
 Inspections & Licensing Manager
 Assessment & Taxation Manager
 D. Kutinsky, Graphics Designer
 L. Soley, Clerk Steno

BYLAW NO. 3156/FF-2004

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

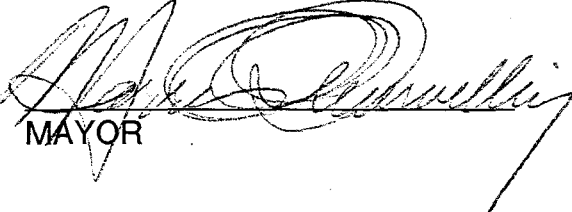
1. That "Use District Map G8" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 22/2004 attached hereto and forming part of the bylaw; and
2. That Section 54 is hereby amended by the addition of subsection 15 to read:
(15) Signs, as listed within the C3 Commercial (Neighbourhood Convenience) District and which comply with the provisions of Section 53 of this bylaw, may be allowed as a discretionary use upon Lot 1, Block 23, Plan 892 1574.

READ A FIRST TIME IN OPEN COUNCIL this 4th day of October 2004.

READ A SECOND TIME IN OPEN COUNCIL this 8th day of November 2004.

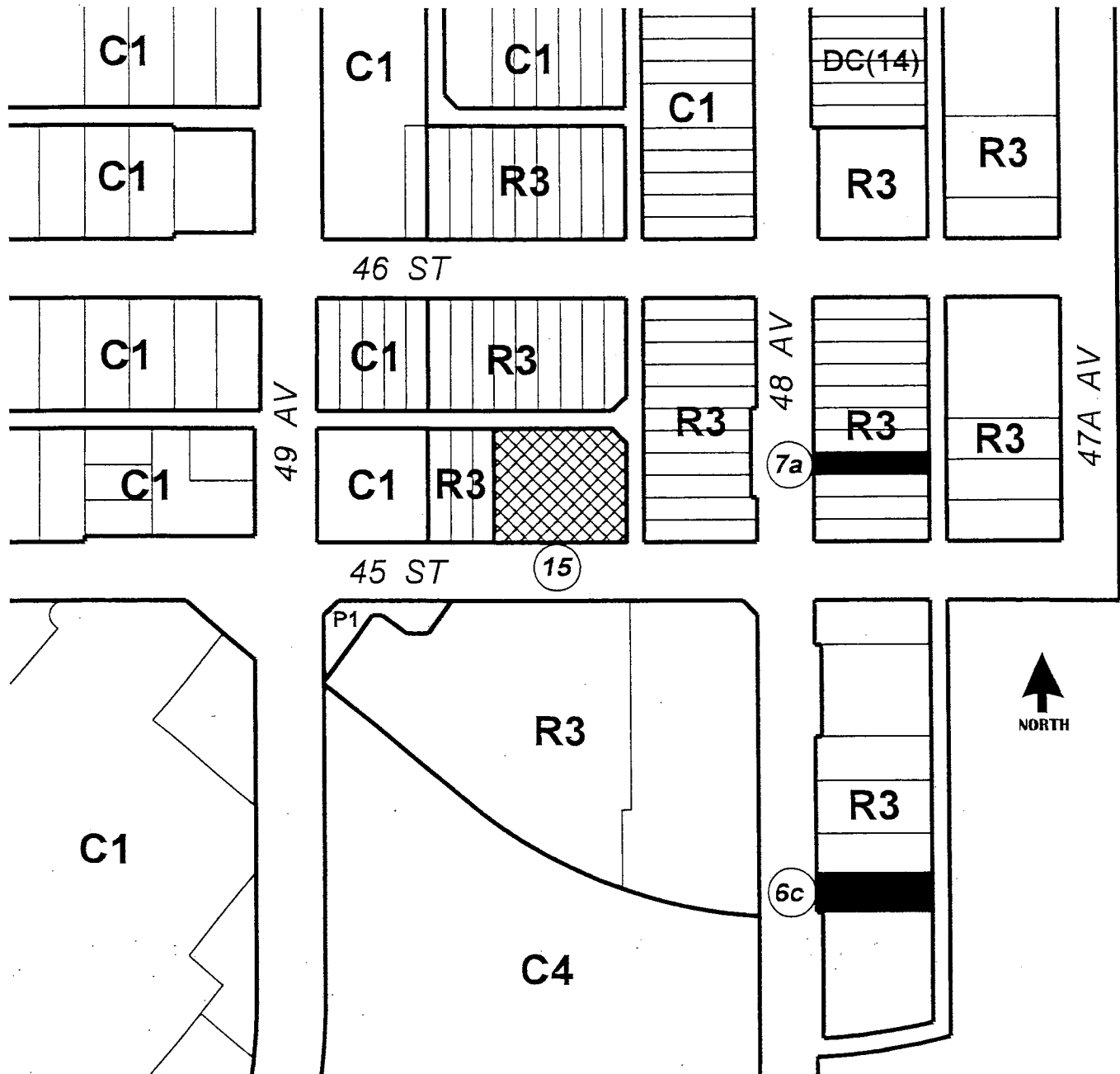
READ A THIRD TIME IN OPEN COUNCIL this 8th day of November 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this 8th day of November 2004.


MAYOR


CITY CLERK

The City of Red Deer *PROPOSED LAND USE BYLAW AMENDMENT*



AFFECTED DISTRICTS:
R3 - Residential (Multi-family)

Change from :
R3 to R3 with exception 15 

MAP No. 22 / 2004
BYLAW No. 3156 / FF - 2004



Legislative & Administrative Services

DATE: November 1, 2004
TO: City Council
FROM: Legislative & Administrative Services Manager
SUBJECT: 2004 AUMA Convention Resolutions

History

Every year the Alberta Urban Municipalities Association (AUMA) requests resolutions from communities throughout Alberta to be discussed at their annual convention. A request for resolutions is forwarded to the Mayor, Council and City Administration. Resolutions are reviewed by Council and submitted to the AUMA. Resolutions submitted from across the province are included by AUMA in a convention booklet. This booklet is then forwarded once again to City Administration for comments on some or all of the resolutions included in the AUMA resolution booklet.

Discussion

The 2004 AUMA Resolutions booklet to be considered at the upcoming AUMA Convention, November 17 – 20, 2004, is provided as an attachment to the Council Agenda of November 8, 2004 .

Resolutions will be presented in the following order at the 2004 AUMA Convention:

- A Type: Governance
- B Type: Operating and Implementation
- C Type: Issue Based: (i) General Recognition
(ii) Roles, Responsibilities and Resources
- Extraordinary Resolutions – added by the convention
- C Type: Issued Based:(iii) Goals and Objectives
(iv) Delivery Tools and Implementation
(v) Results and Reactions

City Council
November 1, 2004
Page 2

The focus of the administrative comments are on resolutions in the following categories:

C Type: Issue Based:

- (i) General Recognition: A resolution in which the Association is making a general statement about actions that should be taken in response to a situation affecting a wide range of its members, or is making a statement recognizing the status or contributions of some group or organization – for example, a statement recognizing the contributions of the military or a voluntary organization in response to an emergency.
- (ii) Roles, Responsibilities and Resources: A resolution in which the Association is making a statement addressing overall relationships between and/or capacities of different orders of government, such as statements regarding access to revenue streams, or reaffirming that a current challenge is the responsibility of another order of government.
- (iii) Goals and Objectives: A resolution in which the Association is raising questions or taking positions regarding goals and objective being pursued by others. There is no question of jurisdiction or responsibility, just the objectives to be achieved.
- (iv) Delivery Tools and Implementation: A resolution in which the Association is addressing the actual implementation instrument being used by another order of government, or other stakeholder.
- (v) Results and Reactions: A resolution in which the Association is addressing the evaluation by another order of government or other stakeholder of the effects of some initiative or policy.

City Council
November 1, 2004
Page 3

To assist Council in considering these resolutions, The City Administration provided their comments on some of the resolutions. As we received this document electronically, we were able to include the administrative comments directly following each respective resolution. Please note that there are not administrative comments for every resolution.

Council is not required to pass a resolution indicating support or non-support for these resolutions. Individual members of Council can vote as they deem fit at the Convention.

Please take the attached booklet with you to the AUMA Convention as no other copies will be supplied at the Convention.

Recommendation

That Council receive the report as information.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', is written over the printed name and title.

Kelly Kloss
Manager

/attach.



Legislative & Administrative Services

DATE: November 8, 2004

TO: Mayor
Councillors
City Manager

FROM: Legislative & Administrative Services Manager

SUBJECT: 2004 AUMA Resolutions

Attached is a revised Page 11 from the 2004 Convention Policy and Resolutions Handbook for Section 3 of the 2004 AUMA Convention Member Resolutions Section. This revised page refers to comments from the Social Planning Manager regarding the resolution on Recommendations of the Low Income Programs Review from The City of Calgary.

The comments from the Social Planning Manager have been revised.

Please substitute the attached Page 11, from Section 3 of the 2004 AUMA Convention Member Resolutions Section, for the one in your 2004 Convention Policy and Resolutions Handbook.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss
Manager

/attach.

RESOLUTION 2004.C.i.3

Page three

Comments from the Social Planning Manager

The Social Planning Department suggests that The City of Red Deer support this resolution. The proposed framework has been presented to both Alberta Seniors and Alberta Health. The response from both Departments has been positive and for that reason, staff from the Departments has been appointed to participate in the ASCHA review process. Dale Aasen from Red Deer's Piper Creek Foundation also participates as a member on the ASCHA review panel.

A per diem grant program has existed for lodges to supplement income from minimal income earners. This per diem rate increased on October 1, 2004 from \$4.80 to \$6.50/day. The net impact on the Piper Creek Foundation will be approximately \$74,000 per annum. It would appear that the increase is related to the positive response of the Proposed Seniors Supportive Housing Framework.

For the purpose of understanding the present support rates for a family in Red Deer, the following example has been prepared:

Components of the Market Basket Measure (MBM) for Alberta municipalities between 30,000 - 99,000 population	Market Basket Rates (Family of 4)	Alberta income support rate (Family of 5)
1. Food - represents a nutritious diet consistent with what ordinary Canadians purchase at the grocery store (neither ideal nor cheapest possible)	\$542/month	Income support from Alberta works for a family of five includes \$1,126/month while the parents look for work plus \$324/month from the National Child Benefit Supplement (Source: www.gov.ab.ca/hre)
2. Clothing and footwear - MBM defines quantity and type of clothing required for seasonal changes	\$180/month	
3. Shelter - includes the average cost of the median rent for two-bedroom apartments, including the cost of utilities and amenities such as stove, refrigerator, washer and dryer	\$645/month	
4. Transportation - yearly cost of two transit passes plus one \$16 round trip taxi fare/month (urban calculation)	\$110/month	
5. Other goods and services - including cost of furniture, basic telephone and postage stamps	\$497/month	
TOTAL	\$1,973/month	\$1,450/month

The Market Basket Measure was developed to establish a benchmark for a minimal standard of living. The example above demonstrates that even the income support for a family of five leaves a monthly deficit of \$523/month. The depth of poverty becomes even more desperate when families begin to use credit (such as department store credit cards) to try and meet the needs for their children for such items as winter clothing and school expenses.

The reliance on community social programs such as the food bank, clothing bank and affordable housing programs is perpetuated by the lack of funds for people accessing income supports from the Province. Further complicating the issue is the lack of sustainable funding for the operation of the voluntary sector agencies providing these necessary supports.

The Community Services Director supports the above recommendations. Many issues present as social issues (need for housing, foodbank, etc.) but these are symptoms of the real issues, which is lack of income. Use of Market Basket Measures would appear to be a very fair and equitable formula to use.

Scott Cameron
Social Planning Manager

WHEREAS the use of computer generated correspondence has become an accepted way of communication; and

WHEREAS "E-Mail" has become the current electronic method of communication; and

WHEREAS "spam E-Mail" is and has caused serious problems with E-Mail viruses and is causing an undue waste of time, energy and resources in the workplace:

<p>NOW THEREFORE BE IT RESOLVED THAT the AUMA request the Provincial and Federal Government to initiate and pass legislation to control and/or eliminate "spam E-Mail".</p>
--

BACKGROUND

One just has to open daily E-Mail to discover what we are up against. Not only are there E-Mails every day trying to sell products of varying sorts but also vulgar and offensive E-Mails which none of us need. We need to get rid of spam E-Mail.

**Social Planning Department**

DATE: November 1, 2004

TO: Kelly Kloss, Manager
Legislative and Administrative Services

FROM: Scott Cameron, Social Planning Manager

SUBJECT: FCSS MULTI - MUNICIPALITY AGREEMENT

Background:

The City of Red Deer participates in a provincial/municipal social services program known as Family and Community Support Services (FCSS). Originally established under the Preventive Social Services (PSS) Act in 1966, The City of Red Deer joined the program in 1968 and has operated in a multi-municipality partnership since that time. In 1974, the City's regional partnership with the Town of Bowden, Village of Delburne, Village of Elnora, Town of Penhold, and Red Deer County was established.

Within the regional FCSS partnership, The City of Red Deer not only acts in concert with the other municipalities to provide preventive social services programming in the region, but The City also serves as unit authority. The unit authority role leaves The City of Red Deer with the responsibility for providing administrative support to the FCSS programs and the Red Deer and District FCSS Board. This Board acts in an advisory capacity to The City of Red Deer Council and the other five partner municipal councils. Funding support for this administrative and planning function is cost-shared between The Province of Alberta (80%) and each of the six partner municipalities (20%).

The strong history of collaboration and partnership established by Red Deer and District FCSS is reflected in The City of Red Deer 2002-2005 Strategic Plan.

Item 1.8 Regional Role

Goal – To develop and maintain strong, mutually respectful, and productive partnerships with urban and rural municipalities in Central Alberta, to enhance the quality of life for our citizens and those in the Region.

In addition, the methods by which the Red Deer and District FCSS Board delivers its programs is supported by the strategies identified in the Strategic Plan through item 1.4 Social Responsibility.

Strategies

- 1.4.1 Maintain a commitment to preventive social programs.
- 1.4.2 Fund and provide support to community agencies in delivering social programs, rather than providing direct service delivery.

Social Planning Department**Review and update to FCSS Multi-Municipal Agreement**

In 2004, The Red Deer and District FCSS Board reviewed the existing multi-municipality agreement and recommended a number of minor adjustments in support of a continued partnership. Following is a summary of the significant changes to the document:

1. Administrative changes including grammar, spelling and the change from The County of Red Deer to *Red Deer County*.
2. Increased clarification on the role of Committees; more specifically the structure and function of the Finance Committee and their additional role of Executive Committee as required.
3. A recommendation to amend the billing process at year-end so that adjustments are managed by using the FCSS Designated Funds as opposed to reconciliation adjustments to the following years invoice.
4. Addition of a clause to signal review and renewal of the Agreement every ten (10) years.
5. Addition of a new Schedule A that incorporates the Cost Share Principles into the multi-municipality agreement.

The Multi-Municipality Agreement establishes the parameters of the partnership between The Town of Bowden, the Village of Delburne, the Village of Elnora, the Town of Penhold, Red Deer County and the City of Red Deer to conduct the business of providing FCSS programs and services to the region. The Agreement was last signed in 1994. This Agreement is paramount in determining the structure of the Red Deer and District FCSS Board and the administrative responsibilities of The City of Red Deer to manage the program funding and processes.

FCSS Board Recommendation:

“That the Red Deer & District Family & Community Support Services Board, having reviewed the Red Deer & District FCSS multi-municipal agreement, hereby recommend to the participating Councils of Red Deer & District FCSS that a 10-year review clause be added to the agreement, that clause 22 be amended to allow for balancing with reserve funds, and that the Finance Committee structure, role and responsibility be defined.”

A copy of the revised agreement is attached.

THIS AGREEMENT, made this _____ day of _____, 2004

BETWEEN:

THE CITY OF RED DEER
(the "City")

and

RED DEER COUNTY
(the "County")

and

THE TOWN OF BOWDEN
(“Bowden”)

and

THE VILLAGE OF DELBURNE
(“Delburne”)

and

THE VILLAGE OF ELNORA
(“Elnora”)

and

THE TOWN OF PENHOLD
(“Penhold”)

Background

- A. Under the provisions of the Family and Community Support Services Act, where a municipality provides for the establishment, administration, and operation of a Family and Community Support Services Program in a manner that is satisfactory to the Minister responsible for Family and Community Support Services (the “Minister”), the Minister may pay grants to the municipality to be used in such programs.
- B. The Family and Community Support Services Act makes provision for a municipality to enter into agreements with other municipalities to provide for the establishment, administration and operation of joint Family and Community Support Services Programs.
- C. The City of Red Deer will be acting on behalf of the other parties to this agreement for the establishment, administration and operation of such a program;

NOW THEREFORE the parties agree as follows:

BOARD STRUCTURE

1. The parties shall form a board known as the “Red Deer and District Family and Community Support Services Board” (the “Board”) composed of members to be appointed by the Councils for each of the parties at their respective annual organizational meetings, as follows:
 - a. Six (6) members appointed by Council of the City, of which at least four (4) members shall be citizens at large;
 - b. Two (2) members appointed by Council of the County; and
 - c. One (1) member appointed by each of the Councils of Delburne, Elnora, Bowden, and Penhold.
2. Each of the members so appointed shall be entitled to vote at all meetings of the Board and all members shall serve one-year terms except for Citizens-at-large appointed by the City who shall serve two-year terms.
3. All members of the Board shall remain in office until their respective successors are appointed.
4. In the event of a vacancy occurring, the person appointed to fill such vacancy shall hold office for the remainder of the term of the member they are replacing.
5. Members shall be eligible for re-appointment upon expiry of their terms and each municipality shall establish the maximum number of terms that its member or members may serve.
6. The City’s Social Planning Manager shall serve as a non-voting member of the Board.
7. The City shall provide a secretary to the Board.

BOARD PROCESS

8. The City Manager shall fix the date following the organizational meeting of City Council, on which the first meeting of the Board will be held. The members of the Board will choose a Chairperson and Vice-Chairperson at their first meeting.
9. The Chairperson or Vice-Chairperson shall not hold office for more than two (2) consecutive years unless authorized by resolution of the Board.
10. The Chairperson shall vote on all questions and a tie vote is a lost vote.
11. No less than six meetings of the Board shall be held in each year, the time and place of such meetings to be determined by the Board at its first meeting. The Board may change the date of scheduled meetings from time to time, as it may deem advisable. Special meetings may be called by the Chairperson or at the request of any six voting members of the Board, on 24 hours notice to members.
12. Every voting member of the Board who is absent from three consecutive meetings of the Board shall cease to be a member, unless such absence is caused by illness or is

authorized by resolution of the Board recorded in its minutes on or before the first meeting following such absence. Any member forfeiting his or her term of office may be eligible for re-appointment in future but shall not be eligible for re-appointment for the un-expired portion of the term so forfeited.

13. Six voting members of the Board shall constitute a quorum.
14. The Board may appoint committees to deal with any matter coming within the scope of its authority.
15. The Board shall establish as a standing committee a Finance/Executive Committee consisting of one Council member from each of the City and the County, one Council member from either Bowden, Delburne, Elnora or Penhold, and one member at large. The Board Chair shall be an ex-officio member of the Committee. The Board shall elect the Committee Chair at its annual organizational meeting.

BOARD ROLES AND RESPONSIBILITIES

16. The Board shall advise the parties to this agreement on the recommended application and administration of the Family and Community Support Services Act within the jurisdiction of the parties hereto and in such advisory capacity shall:
 - a. assist in formulating plans and priorities regarding Family and Community Support Services with a view to the establishment of a comprehensive program;
 - b. advise on the establishment of such relationships with other municipal, provincial and federal departments and community agencies as well as promote the orderly development of Family and Community Support Services;
 - c. review all applications for cost sharing under the Family and Community Support Services Act and make recommendations as to their acceptance, determent or rejection.
17. The Board shall advise the parties on the policies, budgets and administration of any program within the jurisdiction of one or more of the parties upon mutual agreement between the Board and the municipal council responsible for the program in question.
18. The Board may, in consultation with the Manager or designate,
 - a) recommend an annual budget for programs under its jurisdiction;
 - b) suggest policies concerning the application of the Family and Community Support Services Act and/or any other specific programs under its jurisdiction;
 - c) encourage submission of briefs pertaining to programs under its jurisdiction from responsible individuals and groups for review, evaluation and possible action;
 - d) suggest to public and/or private agencies changes in the policies, programs or practices that might improve the impact of such services;
 - e) stimulate and promote citizens' awareness of the importance of prevention and of preventive social services available;

- f) stimulate and, if necessary, organize such consultations with professional groups, social agencies (public or private) or other groups as it may determine advisable;
- g) effect the establishment or implementation of family and community support services and other programs under its jurisdiction;
- h) advise the participating councils on the establishment of new programs;
- i) offer participating municipalities policy guidance on the establishment of physical facilities necessary to the furtherance of programs.

FUNDING AND ADMINISTRATION

19. The cost of the Family and Community Support Services Program shall be shared by the parties to this Agreement, and shall be determined in accordance with the Cost Share Principles (Schedule A).
20. It is agreed that the cost of any service approved by the Board, but which does not qualify for a grant from the Provincial Government, shall be shared by the parties as set out in paragraph 19 unless otherwise directed by the Board and agreed to by the parties.
21. Any party may operate any family and community support service independently and shall pay for such independent program as an extra over and above the requisition for general family and community support services carried out by the Manager.
22. The parties agree that the establishment, administration and operation of the Family and Community Support Services Program or other programs may be performed within the territorial jurisdiction of the parties upon the approval of such programs being given by the Board and the costs of such programs shall be payable by the City on behalf of the parties to this agreement, subject to the City being able to recover the costs of such programs from Provincial Government funding, Federal Government funding or other types of public funding for such programs, and/or the party or parties hereto that have agreed to pay part or all of these costs.
23. The budgeted costs of all projects and services as hereinbefore described, shall be payable by each party to the City on or before the 30th day of June in each year, and adjusted using available FCSS designated funds as to actual expenditures as at the 31st of December in each year.
24. Interest will be paid on the average annual balance in the designated fund once per annum at a rate equal to the City of Red Deer's average annual return on investments.
25. Whenever any question arises as to the liability of the Provincial Government to contribute to any expenditure incurred by the City, pursuant to the terms of this Agreement, the decision of the Minister in respect thereto after consultation with the City shall be final and conclusive.
26. The City shall provide such office space, office supplies and office equipment and furniture as may be required by the Manager and staff for the efficient operation of the program, and costs thereof shall be shared by the parties to this Agreement and shall be determined by the Board primarily on a per capita basis prior to the adoption of the budget.

27. Neither the Board nor any member thereof shall have any power to pledge the credit of any of the parties hereto in connection with any matters whatsoever, nor shall the Board or any member thereof have any power to authorize any expenditure to be charged against any of the parties without prior approval by the said party.
28. This Agreement may be terminated on the 31st day of March in any year by any party hereto giving notice to the other parties on or before the 1st day of September in the preceding year.

Agreed to this _____ day of _____, 2004.

THE CITY OF RED DEER

THE VILLAGE OF DELBURNE

PER: _____

RED DEER COUNTY

THE VILLAGE OF ELNORA

PER: _____

THE TOWN OF BOWDEN

THE TOWN OF PENHOLD

PER: _____

SCHEDULE A**Red Deer and District Family and Community Support Services
Cost Share Principles**

1. The Province of Alberta provides 80% funding for the Red Deer and District FCSS Program. The partner municipalities cooperatively fund the minimum 20% municipal match.
2. Based on these cost share principles for partner municipalities within Red Deer and District FCSS, the 20% municipal match will be calculated based on the following guidelines:
 - a. Each municipality will contribute to the planning and administration expenses based on population.
 - b. Rural FCSS programs (those programs operating directly out of the County, Bowden, Delburne, Elnora and Penhold) will cost share the 20% without the City of Red Deer in accordance with the following guidelines:
 - i) Rural program operating in an undetermined number of municipalities – Red Deer County 100%
 - ii) Local program operating exclusively in one community (no County residents served) – Specific municipality 100%
 - iii) Rural program generally serving the residents of that Town – Town 80% and Red Deer County 20%
 - iv) Rural program generally serving the residents of that Village – Village 60% and Red Deer County 40%
 - v) Specific programs may be negotiated upon acceptance by the FCSS Board based on extenuating circumstances
 - c. The 20% municipal match for City FCSS programs will generally be cost shared between Red Deer County (7%) and the City of Red Deer (93%) except where the program serves only City residents.
3. All programs and services funded through the Red Deer and District FCSS Board are available to all residents within the region.

=====

DATED: August _____, 2004

=====

BETWEEN:

THE CITY OF RED DEER (the "City")
and

RED DEER COUNTY (the "County")
and

THE TOWN OF BOWDEN ("Bowden")
and

THE VILLAGE OF DELBURNE ("Delburne")
and

THE VILLAGE OF ELNORA ("Elnora")
and

THE TOWN OF PENHOLD ("Penhold")

FCSS OPERATING AGREEMENT

CHAPMAN RIEBEEK
Barristers & Solicitors
300, 4808 Ross Street
Red Deer, Alberta
T4N 1X5

DONALD J. SIMPSON
Solicitor for the City of Red Deer
Telephone: (403) 346-6603
Fax No.: (403) 340-1280

File No. DJS

Comments:

We agree with the recommendations of the Social Planning Manager.

“Morris Flewwelling”
Mayor

“Norbert Van Wyk”
City Manager



FILE
Council Decision – November 8, 2004

Legislative & Administrative Services

DATE: November 9, 2004
TO: Scott Cameron, Social Planning Manager
FROM: Kelly Kloss, Legislative & Administrative Services Manager
SUBJECT: FCSS Multi-Municipality Agreement

Reference Report:

Social Planning Manager, dated November 1, 2004

Resolutions:

"Resolved that Council of the City of Red Deer having considered the report from the Social Planning Manager, dated November 1, 2004, re: FCSS Multi-Municipality Agreement, approves the agreement, as presented to Council on November 8, 2004, and authorizes Administration to sign the agreement on behalf of the City of Red Deer."

Report Back to Council: No

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss
Manager

/chk

c Community Services Director
Treasury Services Manager

DATE: **October 27, 2004**

TO: **Manager, Legislative & Administrative Services**

FROM: **EL&P Manager**

RE: **Market Surveillance Administrator 2004 Q2 & Q3 Compliance Report**

This report is submitted to City Council in compliance with the reporting requirements pursuant to provincial regulation respecting the manner in which certain aspects of business in the electricity marketplace were conducted by the EL&P utility. The attached reports cover the Q2 and Q3 quarters of 2004. Previous similar reports related to the year 2003 and Q1 of 2004 have been submitted to Council and further reports will continue to be submitted.

Legislation and Background

The *Electric Utilities Act* SA 2003 cE-5.1 ("Act") established the Market Surveillance Administrator ("MSA") as an independent body to protect the public interest and to ensure fairness, transparency, and balance in Alberta's competitive electricity marketplace. The *Code of Conduct Regulation* AR 160/2003 ("Code"), pursuant to the Act, governs aspects of the retail electricity market such as: conduct of distribution system owners and affiliated retailers, equality of treatment for customers and retailers, confidentiality of customer information, business practices, preventing unfair competitive advantage, records and accounts, compliance plans, and compliance reporting and audits.

As the Owner of an electrical distribution system, the City of Red Deer is regulated under certain sections of the Code. Agreement has been reached with the MSA that there is no useful purpose in duplicating the compliance activities provided by outside parties respecting the specific functions they perform for the City of Red Deer. This understanding reduces the scope and volume of reporting required directly by the City of Red Deer. One of the compliance requirements that the City of Red Deer itself must meet is that senior management of the utility must provide City Council with quarterly compliance reports describing various activities and City Council must approve those quarterly compliance reports.

Based on its understanding of the City of Red Deer EL&P Department operations, the MSA will:

1. Allow the City of Red Deer to rely upon the compliance plan and audit reporting to be provided by Enmax Power and Enmax Energy related to the functions they perform for the City of Red Deer, and as such, no compliance plan or audit reporting will be required of the City of Red Deer.

2. Require the City of Red Deer to advise the MSA of any material changes relating to the services contracted to the Enmax entities.
3. Require that City Council be provided with quarterly compliance reports describing at least:
 - a. any non-compliance with the Code or the compliance plan,
 - b. the action taken to remedy the non-compliance, and
 - c. any complaints of non-compliance with the Code and the compliance plan and how the complaints have been dealt with.
4. Require the City of Red Deer, within 30 days following the end of each calendar year, to send the MSA an annual compliance report, approved by City Council, describing for the calendar year the matters referred to in item 3 above.

City Council Request

A separate quarterly compliance report for each of Q2 and Q3 of 2004 is attached.

Council's approval, designated by appropriate signature and seal, is requested for each of these reports, namely:

1. "The City of Red Deer EL&P Department 2004 Second Quarter Compliance Report to Council of the City of Red Deer", and
2. "The City of Red Deer EL&P Department 2004 Third Quarter Compliance Report to Council of the City of Red Deer"



Al Roth, P.Eng.
EL&P Manager

**THE CITY OF RED DEER
EL&P DEPARTMENT**

**2004 SECOND QUARTER COMPLIANCE REPORT
To
COUNCIL OF THE CITY OF RED DEER**

This Report is submitted to the Council of the City of Red Deer pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* AR 160/2003 for the period of April 1, 2004 to June 30, 2004.

The City of Red Deer EL&P Department advises that:

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation*.
- (b) The City of Red Deer took no action to remedy any non-compliance as there were no incidents of non-compliance.
- (c) The City of Red Deer received no complaints of non-compliance with the *Code of Conduct Regulation*, therefore, no complaints were dealt with.
- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: _____

A. Roth. P.Eng.
Manager, Electric Light & Power Department

Per: _____

K. Kloss
City Clerk

Date: _____

**THE CITY OF RED DEER
EL&P DEPARTMENT**

**2004 THIRD QUARTER COMPLIANCE REPORT
To
COUNCIL OF THE CITY OF RED DEER**

This Report is submitted to the Council of the City of Red Deer pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* AR 160/2003 for the period of July1, 2004 to September 30, 2004.

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- (c) The City of Red Deer received no complaints of non-compliance with the *Code of Conduct Regulation*, therefore, no complaints were dealt with.
- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: _____

A. Roth. P.Eng.
Manager, Electric Light & Power Department

Per: _____

K. Kloss
City Clerk

Date: _____

Comments:

We agree with the recommendations of the EL & P Manager.

“Morris Flewwelling”
Mayor

“Norbert Van Wyk”
City Manager

FILE



Council Decision – November 8, 2004

Legislative & Administrative Services

DATE: November 9, 2004
TO: Al Roth, EL & P Manager
FROM: Kelly Kloss, Legislative & Administrative Services Manager
SUBJECT: Market Surveillance Administrator 2004 Second Quarter and Third Quarter Compliance Report

Reference Report:

EL & P Manager, dated October 27, 2004

Resolutions:

"Resolved that Council of the City of Red Deer having considered the report from the EL & P Manager, dated October 27, 2004, re: Market Surveillance Administrator 2004 Second Quarter and Third Quarter Compliance, hereby approves the EL & P Department – 2004 Second Quarter and Third Quarter Compliance reports as presented to Council on November 8, 2004."

Report Back to Council: No

Comments/Further Action:

Signed copies of the 2004 Second Quarter Compliance Report and 2004 Third Quarter Compliance Report are attached.


Kelly Kloss
Manager

/chk
/attach.

c Director of Development Services

**THE CITY OF RED DEER
EL&P DEPARTMENT**

**2004 SECOND QUARTER COMPLIANCE REPORT
To
COUNCIL OF THE CITY OF RED DEER**

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Per: _____

A. Roth. P.Eng.
Manager, Electric Light & Power Department

Per: _____

K. Kloss
City Clerk

Date: _____

Nov. 9, 2004

**THE CITY OF RED DEER
EL&P DEPARTMENT**

**2004 THIRD QUARTER COMPLIANCE REPORT
To
COUNCIL OF THE CITY OF RED DEER**

This Report is submitted to the Council of the City of Red Deer pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* AR 160/2003 for the period of July 1, 2004 to September 30, 2004.

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- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: _____

A. Roth. P.Eng.
Manager, Electric Light & Power Department

Per: _____

K. Kloss
City Clerk

Date: _____

Nov. 9, 2004

**Legislative & Administrative Services**

DATE: November 2, 2004
TO: City Council
FROM: Legislative & Administrative Services Manager
SUBJECT: Appointment of Citizens-at-Large to Environmental Advisory Board

History

At the November 1, 2004 Organizational Meeting, Council gave consideration to applications received from citizens-at-large for the Environmental Advisory Board.

Council was mistakenly advised that three citizens-at-large were needed; however, only one citizen-at-large appointment is required.

Appointments required for the Environmental Advisory Board include:

- 1 Citizen-at-large
- 1 Representative of the Development Industry
- 1 Representative of an Environmental Society/Organization
- 1 Representative of the Red Deer Catholic Regional Division
- 1 Representative of the Red Deer River Naturalists.

Discussion

As a result of this error, Council needs to revisit the resolution passed at the November 1, 2004 Council Meeting. Applications from citizens-at-large for the Environmental Advisory Board have been submitted in confidence for Council's consideration.

Recommendation

That Council do the following:

- 1 Rescind the motion passed at the November 1, 2004 Organizational Meeting relating to appointments to the Environmental Advisory Board.
2. Pass a motion appointing members to the Environmental Advisory Board for a term to expire October, 2006, which reflects only one citizen-at-large.

Kelly Kloss
Manager

Legislative & Administrative Services

DATE: November 9, 2004

TO: Environmental Advisory Board
Att: Paul Goranson, Staff Liaison

FROM: Kelly Kloss, Legislative & Administrative Services Manager

SUBJECT: Environmental Advisory Board
Citizens-at-Large and Representative Appointments

Reference Report:

Legislative & Administrative Services Manager, dated November 2, 2004

Resolutions:

"Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager, dated November 2, 2004, re: Appointment of Citizens-at-Large to the Environmental Advisory Board, hereby:

1. Rescinds the motion passed at the November 1, 2004 Council Meeting relative to the Environmental Advisory Board appointments.
2. Appoints the following to serve on the Environmental Advisory Board for terms to expire October, 2006.

Steve Quine	Citizen-at-Large
Vic Walls	Development Industry Representative
Les Wetter	Environmental Society/Organization Representative
Gregory Hall	Red Deer Catholic Regional Div. Rep.
Gord Ludke	Red Deer River Naturalists Rep."

Council Decision – November 8, 2004
Environmental Advisory Board
Page 2

Report Back to Council: No

Comments/Further Action:

As well, Councillor Tara Veer has been appointed to this Board as the Council Representative.

This office will be notifying successful applicants of their appointment. I trust you will be contacting each individual with regard to meeting dates and times.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over the printed name and title.

Kelly Kloss
Manager

/chk

c Councillor Veer
 Director of Development Services
 L. Soley, Committee Directory

Item No. 1
Correspondence

27



Mayor Morris Flewwelling
City of Red Deer

November 1st, 2004

Via Fax

Your Worship,

As one of three Alberta Centennial Ambassadors in Red Deer, I request an opportunity to inform council of the Province's plan to celebrate the Alberta Centennial in 2005.

We have a 5 minute PowerPoint presentation and a brief VCR video and will answer questions of council.

Our delegation will include Red Deer Ambassadors Marlin Styner and Noreen Stuart. Please let me know if council would be interested and a possible date.

Your worship, because the City of Red Deer could play a very significant role in the celebrations, I would be pleased to provide you with information of some of the opportunities in advance. My cell phone is 391-3034. Thank you.

Yours truly,


Wm. A. Hull

c.c. Marlin Styner
Noreen Stuart

Comments:

This is submitted for Council's information. No decision is required.

"Morris Flewwelling"
Mayor

"Norbert Van Wyk"
City Manager

BYLAW NO. 3156/FF-2004

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That "Use District Map G8" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 22/2004 attached hereto and forming part of the bylaw; and
2. That Section 54 is hereby amended by the addition of subsection 15 to read:
(15) Signs, as listed within the C1 Commercial (City Centre) District and which comply with the provisions of Section 53 of this bylaw, may be allowed as a discretionary use upon Lot 1, Block 23, Plan 892 1574.

READ A FIRST TIME IN OPEN COUNCIL this 4th day of October 2004.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

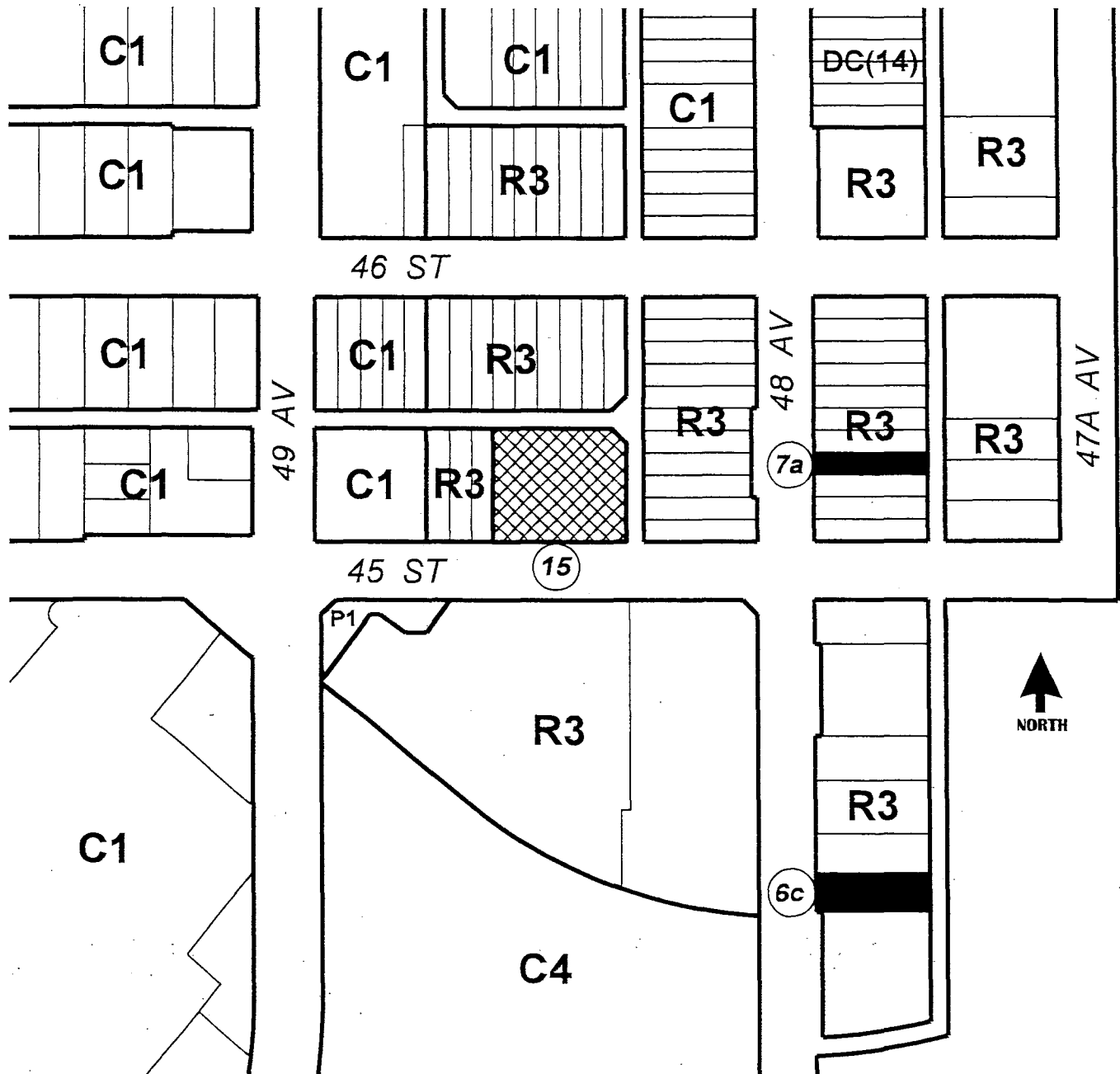
READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

MAYOR

CITY CLERK

The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:
R3 - Residential (Multi-family)

Change from :

R3 to R3 with exception 15 

MAP No. 22 / 2004
BYLAW No. 3156 / FF - 2004



COUNCIL MEETING OF NOVEMBER 8TH , 2004

ATTACHMENT

DOCUMENT STATUS: PUBLIC

**REFERS TO: 2004 AUMA CONVENTION
RESOLUTIONS**



**CITY OF RED DEER
ADMINISTRATIVE COMMENTS
HAVE BEEN
INCORPORATED INTO
THIS DOCUMENT**

**2004
Convention Policy and Resolutions
Handbook**

**Alberta Urban Municipalities Association
98th Annual Conference**

**Edmonton, Alberta
November 17th – 20th, 2004**

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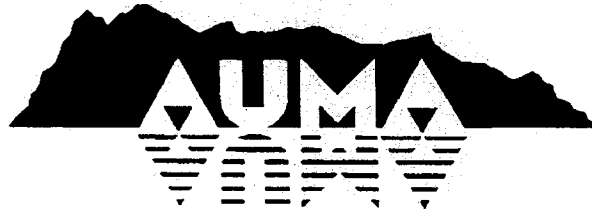
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Section 1:

Current and Proposed Bylaws and Resolutions Policy

CURRENT BYLAWS:

As of October 2003

Alberta Urban Municipalities
Association

MISSION STATEMENT

The Alberta Urban Municipalities Association will provide leadership in advocating local government interests to the Provincial Government and other organizations, and will provide services that address the needs of its membership.

GENDER STATEMENT

In this Bylaw, the word "**he**" shall be interpreted as meaning either "**he**" or "**she**".

DEFINITIONS

Affiliate Member means any private company, organization or individual, in or outside of the Province of Alberta, who has fully paid the Association's annual affiliate-membership fee.

Associate Member means

- i) any municipality, in or outside of Alberta, not eligible for regular membership, that has fully paid the Association's annual associate-membership fee; and
- ii) any municipally-related non-profit organization or special purpose board or commission that has fully paid the Association's annual associate-membership fee; and
- 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.

Elected Representative means an elected official of a Council of a municipality in the Province of Alberta. Only Elected Representatives of Regular Member municipalities may be voting delegates or an appointed representative of the Jasper Improvement District and the Townsite of Redwood Meadows.

Life Member means

- i) all past Presidents; and
- ii) any other persons who have held municipal office or rendered any meritorious service to municipalities in general and who have been regularly proposed, seconded and elected by a two-thirds vote of the delegates at an annual convention.

Membership means regular, associate, affiliate, and life members.

Municipal Government Act means the Municipal Government Act, S.A. 1994 c.M-26.1, as may be amended from time to time.

Regular Member means any City, Town, Village, Summer Village, or any one of:

- 1) Specialized City, meaning a Specialized Municipality with a population of 10,000 or more;
- 2) Specialized Town, meaning a Specialized Municipality with a population of 1,000 to 9,999, inclusive;
- 3) Specialized Village, meaning a Specialized Municipality with a population of 300 to 999, inclusive;
- 4) Specialized Summer Village, meaning a Specialized Municipality with a population of less than 300;

pursuant to Section 83, of the Municipal Government Act, in the Province of Alberta that has fully paid the Association's annual regular membership fee. Jasper Improvement District and Townsite of Redwood Meadows shall each be deemed regular members provided that each has paid the Association's annual regular membership fee.

Term The term of office for each position on the Board

- (a) commences at the organizational meeting of the Board following the annual convention and
- (b) continues until the end of the next annual convention at which the position is available for election.

ARTICLE 1 - MEMBERSHIP

Section 1 Membership Year

The Membership Year shall commence on the 1st day of January and end on the 31st day of December of each year.

Section 2 Regular Members

2.1 Regular Member means any City, Town, Village, Summer Village, Specialized Municipality pursuant to Section 83, Municipal Government Act, may become a regular member of the Association upon payment of the annual membership fee.

2.2 Any specialized municipality as designated by the Minister of Municipal Affairs pursuant to Section 83, Municipal Government Act, may become a regular member of the Association upon payment of the annual membership fee.

2.3 Jasper Improvement District and Townsite of Redwood Meadows may become regular members of the Association upon payment of the annual membership fee.

2.4 A Regular Member who wishes to withdraw its membership from the Association shall:

- a) provide notice to the office of the Association by letter with a certified copy of the resolution of Council, and;
provide not less than 12 months notice to the Association

The notice to withdraw shall be submitted to the Board of Directors for approval.

Section 3 Associate Members

An Associate Member may:

- i) attend any annual convention and may have the privileges of the floor, upon a motion from the floor, but shall not vote or be entitled to be elected to any office in the Association;
- ii) be entitled to participate in the Association's benefit and insurance plans and other services on conditions set by the Board from time to time.

Section 4 Affiliate Members

An Affiliate Member may:

- i) attend any annual convention but shall not have the privileges of the floor, or a vote, nor shall they be entitled to be elected to any office in the Association;
- ii) be entitled to participate in some of the Association's services as set by the Board, but not in the Association's benefit and insurance plans.

ARTICLE 2 - HONOURARY POSITIONS

Section 2.1 Honourary President

The position of Honourary President may be conferred upon the Minister of Municipal Affairs.

Section 2.2 Honourary Secretary

The Board may appoint from time to time an Honourary Secretary.

Section 2.3 Life Members

The Board of Directors may appoint Life Members. Life Members may not vote at the convention unless they are an Elected Representative whose municipality is a Regular Member. Life Members shall be exempt from payment of membership fees.

Section 2.4 Honourary Patrons

The position of Honourary Patron may be conferred upon the Premier and the Lieutenant-Governor of Alberta.

ARTICLE 3 - FEES

Section 3.1 Fee Establishment

Every year, the Board of Directors shall approve a budget in accordance with these bylaws and establish the Membership fees.

Section 3.2 Fee Adjustments

Membership fees may vary from year to year as determined and adopted by resolution of the Board of Directors. Fees may differ between classifications, types and categories of membership.

ARTICLE 4 - BOARD OF DIRECTORS

Section 4.1 Board Qualification

All members of the Board of Directors shall be Elected Representatives of municipalities that are Regular Members of the Association.

Section 4.2 Board Composition

Section 4.2.1

Subject to these Bylaws, the Board of Directors shall consist of no more than fifteen (15) members including:

- a) the President;
- b) seven (7) representatives allocated in accordance with Section 4.2.2, to be referred to as Directors from Cities;
- c) three (3) Directors from the group comprised of Towns and Specialized Towns, to be referred to as Directors from Towns;
- d) three (3) Directors elected from the group comprised of Villages and Specialized Villages, to be referred to as Directors from Villages; and
- e) one (1) Director elected from the group comprised of Summer Villages and Specialized Summer Villages, to be referred to as the Director from Summer Villages.

Section 4.2.2

City representation on the Board of Directors shall be as follows:

- a) two (2) Directors from the City of Calgary;
- b) two (2) Directors from the City of Edmonton; and
- c) three (3) Directors elected from the group comprised of Cities and Specialized Cities excluding Calgary and Edmonton.

Section 4.3 City Representatives

Neither Calgary nor Edmonton shall be entitled to more than two (2) representatives on the Board in any capacity, excluding the position of President.

Section 4.4 Board Term

1. The term of office for the position of
 - (a) President is one year
 - (b) Vice-President is one year
 - (c) Director is two years.
2. Notwithstanding subsection 1, the term of office for Directors described in subsection 4 elected at the 2003 annual convention shall be one year.
3. The term of office for the following Director positions shall begin in 2003
 - (a) 1 Calgary Director
 - (b) 1 Edmonton Director
 - (c) 2 other cities
 - (d) Towns East
 - (e) Villages South
 - (f) Summer Villages
4. The term of office for the following Director positions shall begin in 2004
 - (a) 1 Calgary Director
 - (b) 1 Edmonton Director
 - (c) 1 other cities
 - (d) Towns West and South
 - (e) Villages East and West
5. A person is eligible for re-election upon expiry of the term of office as set out in subsection 1.

Section 4.5 Standing Committees

The Board of Directors shall appoint committees and may delegate to the Executive Committee authority to appoint special-purpose committees. Such appointments shall be reported at the next regular meeting of the Board of Directors.

Section 4.6 Board Meetings

The Board of Directors shall establish a schedule of regular meetings at their organizational meeting following the annual convention. The Board shall also meet at the call of the President or upon the written request of four Board Members with at least 72 hours notice.

Section 4.7 Quorum

A majority of the Board of Directors is required to constitute a quorum.

Section 4.8 Voting

At meetings of the Board of Directors each member present shall have one vote and the President shall have a second deciding vote in the event of a tie. In the case of a tie, the motion shall be lost.

Section 4.9 Authority

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

Section 4.10 Board Vacancies/Disqualification

- a) Should the President no longer remain an Elected Representative, he shall nevertheless, be eligible to remain a member of the Board of Directors and to continue in office as President until the next annual convention providing such period shall not exceed two months.
- b) Should the office of the President become vacant, the remaining Board of Directors shall forthwith appoint a Board Member as President, until the next annual convention.
- c) In the event a member of the Board, other than the President, ceases to be an Elected Representative, he shall nevertheless, be eligible to remain a member of the Board until the next annual convention providing such period shall not exceed two months.
- d) Should a vacancy occur in a Director position
 - i) the Board may appoint a replacement to serve until the next annual convention, and
 - ii) if the term of office for the position does not expire at the end of the next annual convention a by-election shall be held at the next annual convention to fill the position for the remainder of the term.
- e) Should a vacancy occur on the Board from one of the appointed positions from Calgary or Edmonton, a replacement may be appointed by the Council of the City from which the vacancy occurs.
- f) Should a Director's or Vice-President's municipality change its legal municipal status,
 - (a) the Director or Vice-President shall be eligible to remain a member of the Board until the next annual convention, and
 - (b) if the term of office for the position does not expire at the end of the next annual convention a by-election shall be held at the next annual convention to fill the position for the remainder of the term.

- g) A member of the Board of Directors ceases to be a Director if:
 - i) disqualified from Council pursuant to Section 174(1) of the Act; or
 - ii) that Director misses three consecutive regular meetings of the Board, unless authorized by resolution prior to the conclusion of the third consecutive regular meeting of the Board.
- h) If the position of Vice President for Cities, Vice President for Towns, or Vice President for Villages/Summer Villages is vacated, the Board shall appoint a replacement to that position from one of the Directors representing the Cities, Towns or Villages/Summer Villages, as the case may be, until the next annual convention.
- i) A person appointed to fill a vacancy in any position must be eligible for election to that position if an election were held

Section 4.11 Honorarium/Expenses

An honorarium and expenses may be set for Elected Representatives serving on the Board, and for those serving the Board.

ARTICLE 5 - EXECUTIVE COMMITTEE

Section 5.1 Committee Composition

There shall be an Executive Committee consisting of the President, Vice-President of Cities, Vice-President of Towns and Vice-President of Villages/Summer Villages.

Section 5.2 Duties

The Executive Committee shall:

- i) undertake such things as directed by the Board of Directors; and
- ii) carry out all Board duties on emergent issues. Such action shall be reported by the Committee to the Board at their next regular meeting.

ARTICLE 6 - EXECUTIVE DIRECTOR

Section 6.1 Corporate Seal

The Executive Director shall be responsible for the retention of the Corporate Seal.

Section 6.2 Custody of Association Business

The Executive Director, or other person designated by the Board, shall be responsible for the preparation and custody of minutes of meetings of the Association and of the Directors, correspondence and financial records of the Association.

ARTICLE 7 - ASSOCIATION AUDIT

Section 7.1 Appointment of Auditor

The Board of Directors shall appoint by resolution an auditor. There shall be an audited annual financial statement submitted at the annual general meeting.

Section 7.2 Fiscal Year

The "fiscal year" shall be January 1st to December 31st.

ARTICLE 8 - BYLAW AMENDMENT

Section 8.1 Bylaw Review

In every year divisible by five (5), the President shall establish a special committee to review the Bylaws of the Association.

Section 8.2 Notice of Amendment

A notice of a special resolution containing any proposed change in these Bylaws shall be circulated in writing to the Regular Membership not later than eight weeks prior to the annual general meeting. Such amendment shall not be considered passed, unless three-fourths of the voting delegates present at the annual general meeting are in favour of the special resolution.

Section 8.3 Voting

Voting on the proposed change shall take place at the annual general meeting and shall be in accordance with the Rules of Procedure.

ARTICLE 9 - RULES OF PROCEDURE

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

ARTICLE 10 - DUTIES

The duties and powers of the President and Vice-Presidents shall be those duties and powers as commonly assigned to such officers.

ARTICLE 11 - NOMINATIONS

Section 11.1 Nominees

A nominee shall be an Elected Representative whose municipality is a Regular Member of the Association, and who is in attendance at the annual convention or has indicated in writing to the returning officer no later than 9:00 a.m. the first day of the convention, his willingness to fill the position if elected, but due to personal or family illness or attending to municipal or private business is unable to be in attendance at the convention.

Section 11.2 Nominations for President

Nominations for the position of President, Vice-President and Director, other than the Directors appointed by the Cities of Calgary and Edmonton, shall be in the form required by the Returning Officer and signed by at least 2 persons eligible to vote in that election on the date of signing the nomination, and shall be accompanied with a written acceptance signed in the prescribed form by the person nominated, stating that the person

- (a) is eligible to be elected to the office, and
- (b) will accept the office if elected.

Section 11.3 Nomination for Board Members

In the case of a nomination for the position of a Director for Towns or Villages, the person nominated and the persons signing the nomination must be elected representatives of a regular member located in that portion of Alberta which the position will represent as described in 12.4 and 12.5.

ARTICLE 12 - ELECTION PROCEDURES

Section 12.1 Election Procedures Committee

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

Section 12.2 Election of President

The President shall be elected by the voting delegates at the annual convention.

Section 12.3 City Representation

- a) The Directors from Cities shall be elected by voting delegates from the Cities/Specialized Cities at the Annual Convention, except Calgary and Edmonton, following the election of the President.
- b) Each of the City appointed Directors from Calgary and Edmonton shall automatically become a Director from Cities.

- c) The Vice-President for Cities shall be elected from among the Directors from Cities, including Edmonton and Calgary, and Specialized Cities by the voting delegates from Cities and Specialized Cities at the Annual Convention.

Section 12.4 Town Representation

- a) The Directors from Towns shall be elected by voting delegates from the Towns and Specialized Towns, at the Annual Convention, following the election of the President as follows:
 - i. One (1) from that portion of Alberta lying east of longitude 114 and north of the 9th base line
 - ii. One (1) from that portion of Alberta lying west of longitude 114 and north of the 9th baseline
 - iii. One (1) from that portion of Alberta lying south of the base line
- b) The Vice-President for Towns shall be elected from among the Directors from Towns and Specialized Towns by the voting delegates from Town and Specialized Towns at the Annual Convention.

Section 12.5 Village Representation

- a) The Directors from Villages shall be elected by voting delegates from the Villages and Specialized Villages, at the Annual Convention, following the election of President, as follows:
 - i. One (1) from that portion of Alberta lying east of longitude 114 and north of the 9th base line
 - ii. One (1) from that portion of Alberta lying west of longitude 114 and north of the 9th baseline
 - iii. One (1) from that portion of Alberta lying south of the base line
- b) The Vice-President for Villages/Summer Villages shall be elected from among the Directors from Villages and Specialized Villages and the Directors from Summer Villages and Specialized Summer Villages by the voting delegates from Villages, Specialized Villages, Summer Villages and Specialized Summer Villages at the Annual Convention.

Section 12.6 Summer Village Representation

The Director from Summer Villages shall be elected by voting delegates from the Summer Villages and Specialized Summer Villages, at the Annual Convention.

Section 12.7 Base Lines

In this Article, the terms "9th base line" and "15th base line" are as defined under the Alberta Surveys Act.

ARTICLE 13 - ANNUAL CONVENTION

Section 13.1 Convention Location

The annual convention of the Association shall be held at such time and place as may be decided by the Board of Directors.

Section 13.2 Notice of Convention

All members of the Association shall be notified of the date of the annual convention at least twelve (12) weeks prior to the date set by mail to the members' addresses.

Section 13.3 Convention Chairman

The President or his designate shall be the chairman of the annual convention.

Section 13.4 Voting Delegates

- a) The voting delegates at the annual convention of the Association shall be those Elected Representatives whose municipalities are Regular Members of the Association.
- b) Notwithstanding the foregoing, in the event a Regular Member is unable to be represented at the annual convention by an Elected Representative, the Council may by motion, appoint an official to represent them, who will be entitled to all the privileges of a delegate with the exception of voting. Notice of such appointment shall be submitted in writing to the Executive Director at least ten (10) days prior to the date of the annual convention.

ARTICLE 14 - SPECIAL MEETINGS

Section 14.1 Notification

A special meeting of the Association may be called by five per cent (5%) of the Regular Membership or by two-thirds vote of all the Board, providing there is a two-week period allowed in order to notify all Regular Members by mail to the members' addresses.

Section 14.2 Voting Delegates

- a) The voting delegates at the special meetings of the Association shall be those Elected Representatives whose municipalities are Regular Members of the Association.
- b) Notwithstanding the foregoing, in the event a Regular Member is unable to be represented at a special meeting by an Elected Representative, a Council may by motion, appoint an official to represent them, who will be entitled to all privileges of a delegate, with the exception of voting. Notice of such appointment shall be submitted in writing to the Executive Director prior to the opening of the special meeting.

ARTICLE 15 - RESOLUTION COMMITTEE

Section 15.1 Committee Composition

The Board of Directors shall appoint a Resolutions Committee who shall comply with the terms of reference as determined by the Board.

Section 15.2 Duties/Responsibilities

The duties and responsibilities of the Resolutions Committee shall be those determined by the Board

ARTICLE 16 - BORROWING POWERS

Section 16.1 Operating Funds

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.

Section 16.2 Capital Funds

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

ARTICLE 17 - GENERAL

Section 17.1 Member Reporting

Each member of the Association shall report to the Executive Committee any matter bearing upon the Objects of the Association. Any requests for general legislation, shall be submitted for the approval of the Convention, or the Board of Directors.

Section 17.2 Execution of Documents

All documents required to be executed by the Association must be executed under the corporate seal of the Association and attested to by such officers of the Association as may from time to time be decided by the Board of Directors, except that promissory notes and cheques signed on the Association's bank may be signed by such officers as may be decided by the Board of Directors.

Section 17.3 Association Acquisition

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.

Section 17.4 Disposal of Assets

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.

Section 17.5 Financial Authority

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

Section 17.6 Disbandment of Association

In the event of disbandment of the Association, the assets shall only be distributed to the Regular Membership based on the fee structure in effect at that time.

Section 17.7 Document Inspection

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.

ARTICLE 18 - QUORUM

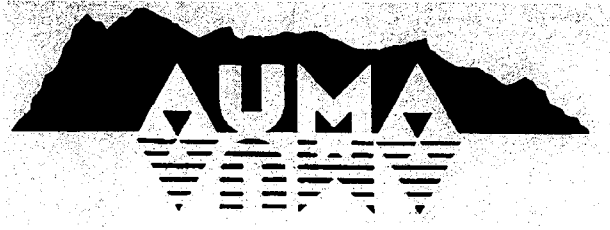
A quorum for any general or special meeting of the Association shall be representation from twenty-five percent (25%) of the Regular Membership. A quorum shall be determined within 15 minutes of the posted start time of the meeting, otherwise, the meeting will be adjourned.

ARTICLE 19 - INDEMNIFICATION

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;

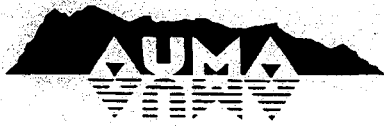
except such costs, charges, damages and expenses as are occasioned by their own wilful act, default or dishonesty.



PROPOSED BYLAWS:

As of June 24, 2004

Alberta Urban Municipalities
Association



BYLAWS

Article I NAME

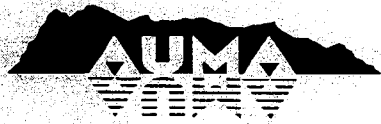
- 1.01** The name of the Association shall be the **Alberta Urban Municipalities Association**, referred to in these bylaws as the "Association".

Article II OBJECT

- 2.01** The object of the Association is to provide leadership in advocating local government interests to the Provincial Government and other organizations, and to provide services that address the needs of its membership.

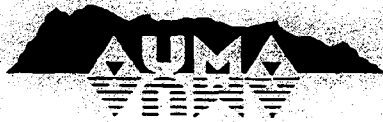
Article III – GENERAL

- 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.



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 any City, Town, Village, Summer Village, Specialized Municipality located in Alberta;
 - (b) **ASSOCIATE MEMBERSHIP** which shall be available to
 - i) any municipality, in or outside of Alberta, not eligible for regular membership;
 - ii) any organization wholly-owned by a Regular Member, any municipally-related non-profit organization or special purpose board or commission: and
 - 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.
 - (c) **AFFILIATE MEMBERSHIP** which shall be available to any private company, organization or individual, in or outside of the Province of Alberta.
- 4.03** For purposes of determining membership classification, a Specialized Municipality 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
- if less than the population set out for a village, shall be considered a summer village.
- 4.04** The Townsite of Redwood Meadows is eligible for inclusion in the appropriate classification of Regular Membership.
- 4.05** The Board of Directors in its sole discretion may appoint any Past President of the Association and any person who has held municipal office or rendered any meritorious service to municipalities in general as a Life Member.
- 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 A Regular Member is entitled to participate in all of the Association's services and, on conditions set by the Board from time to time

- (a) an Associate Member may be entitled to participate in the Association's services;
- (b) an Affiliate Member may be entitled to participate in some of the Association's services other than the benefit and insurance plans.

Article V VOTING RIGHTS

5.01 The persons entitled to vote at any annual convention or special 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 a 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, 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 convention.
- 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 and two Directors appointed by the City of Edmonton
 - (b) three Directors representing Cities up to 500,000 population
 - (c) three directors representing Towns
 - (d) three Directors representing Villages
 - (e) one Director representing Summer Villages
- 8.03** (a) The Directors representing Towns and Villages shall be elected by electoral zone.
- (b) The electoral zones are
- i) **East** being that portion of Alberta lying east of longitude 114 and north of the 9th base line
 - ii) **West** being that portion of Alberta lying west of longitude 114 and north of the 9th baseline
 - iii) **South** being that portion of Alberta lying south of the 9th base line.



- 8.04** The term "9th base line" is as defined under the *Surveys Act*, R.S.A. 2000, c. S-26 or any amendments thereto.
- 8.05** The term of office for each position on the Board
- (a) commences at the organizational meeting of the Board following the annual convention and
 - (b) continues until the end of the next annual convention at which time the position is available for election.
- 8.06** The term of office for the position of
- (a) President is one year
 - (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 no longer remains an elected representative is nevertheless eligible to remain a member of the Board of Directors and to continue in office as President until the next annual convention providing such period shall not exceed two months.
- (b) A Director who no longer remains an elected representative is nevertheless eligible to remain a member of the Board of Directors and to continue in office as a Director until the next annual convention providing such period shall not exceed two months.
- (c) In the case of either (a) or (b), if the period until the next annual convention is longer than two 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 convention, and
 - (b) if the term of office for the position does not expire at the end of the next annual convention a by-election shall be held at the next annual convention 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 convention.
- 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 convention, and
 - ii) if the term of office for the position does not expire at the end of the next annual convention a by-election shall be held at the next annual convention to fill the position for the remainder of the term.
- (b) Should a vacancy occur in a Director 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** 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.

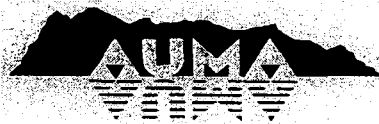
ARTICLE IX DISQUALIFICATION OF BOARD MEMBERS

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 convention 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 convention, 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** The Board may establish policies and procedures for the payment of honoraria for elected representatives and the payment of expenses for any person serving the Board.

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 convention 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 convention shall be provided to each member not less than twelve (12) weeks prior to the date of the meeting.

- 12.03** A special 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 or special 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 convention and any special meeting.



- 12.06** The persons entitled to speak at an annual convention or special 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 convention or special 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 convention or special 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 convention and any special 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 under the general direction of the Executive Committee.
- 13.02** The Chief Executive Officer shall ensure that
- (a) accurate minutes of all meetings of the Association, the Board, the Executive Committee and any other committees are recorded,
 - (b) accurate records of revenues and expenditures are recorded,
 - (c) all money belonging to or held by the Association is deposited in a financial institution or invested in financial instruments approved by the Board, and
 - (d) all records and the Seal of the Association are kept safe.
- 13.03** The Chief Executive Officer may employ any subordinate 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 meetings shall be signed by the person presiding at the meeting and 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 of disbandment of the Association, the assets shall only be distributed to the Regular Membership based on the fee structure in effect at that time.
- 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 wilful 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 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 representatives of Regular Members in good standing present at the meeting vote in favour of the amendment.
- 16.05** In every year divisible by five (5), the President shall establish a special committee to conduct a general review of the Bylaws of the Association.

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
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".		Bylaws usually set out the name of the organization
Article II OBJECT 2.01 The object of the Association is to provide leadership in advocating local government interests to the Provincial Government and other organizations, and to provide services that address the needs of its membership.	<u>MISSION STATEMENT</u> The Alberta Urban Municipalities Association will provide leadership in advocating local government interests to the Provincial Government and other organizations, and will provide services that address the needs of its membership	No change except in the heading. The term used in Bylaws is usually "Object"
Article III - GENERAL		This is a new Article to describe provisions which have general application throughout the Bylaws
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.		New provision to permit electronic meetings. The Board would approve procedures for holding electronic meetings which would be available to members.

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>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</p> <p>(c) the time for undertaking any action, and</p> <p>(d) the term of office of the President, Vice-Presidents and Directors is extended until the meeting can be reconvened.</p>		<p>New provision to cover emergency situations where it is impossible for a quorum to participate in a meeting. Such situations might involve a pandemic where health authorities banned travel or public gatherings, a major blizzard which prevented travel, an power blackout which prevented an electronic meeting being held, or similar emergency situations.</p>
<p>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.</p>		<p>New provision to authorize written notice to be given by fax or other electronic means, in addition to normal mail.</p>
<p>3.05 The classifications of Regular Members are</p> <p>(a) Cities over 500,000 population</p> <p>(b) Cities up to 500,000 population</p> <p>(c) Towns</p> <p>(d) Villages</p> <p>(e) Summer Villages</p>		<p>Establish an additional classification of Regular Membership for Edmonton and Calgary. The major impact of this provision would be that there would be a Vice-President for each of (a) and (b) thereby ensuring that cities other than Calgary and Edmonton would be represented on the Executive</p>

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
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.		This gathers provisions from a number of sections to avoid repetition in each category description
4.02 The categories of membership are: (a) REGULAR MEMBERSHIP which shall be available to any City, Town, Village, Summer Village, and Specialized Municipality located in Alberta;	Regular Member means any City, Town, Village, Summer Village, or any one of: 1) Specialized City, meaning a Specialized Municipality with a population of 10,000 or more; 2) Specialized Town, meaning a Specialized Municipality with a population of 1,000 to 9,999, inclusive; 3) Specialized Village, meaning a Specialized Municipality with a population of 300 to 999, inclusive; 4) Specialized Summer Village, meaning a Specialized Municipality with a population of less than 300; pursuant to Section 83, of the Municipal Government Act, in the Province of Alberta that has fully paid the Association's annual regular membership fee. Jasper Improvement District and Townsite of Redwood Meadows shall each be deemed regular members provided that each has paid the Association's annual regular membership fee.	The existing provision is covered in 4.01, 4.02 4.03 and 4.04

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
4.02 (b) ASSOCIATE MEMBERSHIP which shall be available to <ul style="list-style-type: none"> i) any municipality, in or outside of Alberta, not eligible for regular membership; ii) any organization wholly-owned by a Regular Member, any municipally-related non-profit organization or special purpose board or commission; and 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. 	Associate Member means <ul style="list-style-type: none"> i) any municipality, in or outside of Alberta, not eligible for regular membership, that has fully paid the Association's annual associate-membership fee; and ii) any municipally-related non-profit organization or special purpose board or commission that has fully paid the Assn's annual associate-membership fee; and 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. 	The only change is in the proposed sub-clause (b)(ii) where "any organization wholly-owned by a Regular Member" is added. This would permit a profit-making entity of which a municipality is the sole owner to become an Associate Member and consequently participate in the Association's services.
4.02 (c) AFFILIATE MEMBERSHIP which shall be available to any private company, organization or individual, in or outside of the Province of Alberta.	Affiliate Member means any private company, organization or individual, in or outside of the Province of Alberta, who has fully paid the Association's annual affiliate-membership fee.	Existing provision covered here and in 4.01
4.03 For purposes of determining membership classification, a Specialized Municipality which has a population equal to or greater than the population set out in the <i>Municipal Government Act</i> , R.S.A. 2000, c. M-26, or any amendments thereto, for a <ul style="list-style-type: none"> (a) city shall be considered a city, (b) town shall be considered a town, (c) village shall be considered a village, and if less than the population set out for a village, shall be considered a summer village. 	<ul style="list-style-type: none"> 1) Specialized City, meaning a Specialized Municipality with a population of 10,000 or more; 2) Specialized Town, meaning a Specialized Municipality with a population of 1,000 to 9,999, inclusive; 3) Specialized Village, meaning a Specialized Municipality with a population of 300 to 999, inclusive; 4) Specialized Summer Village, meaning a Specialized Municipality with a population of less than 300; pursuant to Section 83, of the <i>Municipal Government Act</i>, in the Province of Alberta that has fully paid the Association's annual regular membership fee. 	Deletes references to specific populations with generic reference to the populations set out in the <i>Municipal Government Act</i> . This eliminates the need to amend the Bylaws if the population levels are changed in the Act.

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
4.04 The Townsite of Redwood Meadows is eligible for inclusion in the appropriate classification of Regular Membership.	Jasper Improvement District and Townsite of Redwood Meadows shall each be deemed regular members provided that each has paid the Association's annual regular membership fee.	Since Jasper is now incorporated it can be deleted from this section
4.05 The Board of Directors in its sole discretion may appoint any Past President of the Association and any person who has held municipal office or rendered any meritorious service to municipalities in general as a Life Member.	<p>Section 2.4 <u>Honourary Patrons</u></p> <p>The position of Honourary Patron may be conferred upon the Premier and the Lieutenant-Governor of Alberta.</p> <p>Section 2.1 <u>Honourary President</u></p> <p>The position of Honourary President may be conferred upon the Minister of Municipal Affairs.</p> <p>Section 2.2 <u>Honourary Secretary</u></p> <p>The Board may appoint from time to time an Honourary Secretary.</p> <p>Section 2.3 <u>Life Members</u></p> <p>The Board of Directors may appoint Life Members. Life Members may not vote at the convention unless they are an Elected Representative whose municipality is a Regular Member. Life Members shall be exempt from payment of membership fees.</p>	The Association has not appointed an Honourary Patron, Honourary President or Honourary Secretary for some years. Therefore these positions are recommended to be dropped from the Bylaws.

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>4.08 (a) Subject to sub-clause (b), any member may withdraw from membership in the Association at any time by notice in writing.</p> <p>(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.</p> <p>(c) Any notice of withdrawal of membership shall be presented to the Board of Directors.</p> <p>(d) A member which withdraws from membership is not entitled to reimbursement of any membership fees.</p>	<p>2.4 A Regular Member who wishes to withdraw its membership from the Association shall:</p> <p style="padding-left: 40px;">a) provide notice to the office of the Association by letter with a certified copy of the resolution of Council, and;</p> <p style="padding-left: 40px;">b) provide not less than 12 months notice to the Association</p> <p>The notice to withdraw shall be submitted to the Board of Directors for approval.</p>	<p>Rewords the Clause to deal with all members and deletes the reference to Board "approval" of the withdrawal of a Regular Member. In its review of its Policies, the Board will address action it would take during the 12 month notice period to encourage the member to change its position.</p>
<p>4.07 The membership year is the calendar year.</p>	<p>Section 1.1 <u>Membership Year</u> The Membership Year shall commence on the 1st day of January and end on the 31st day of December of each year.</p>	<p>No change in substance</p>
<p>4.08 A "member in good standing" is a member in respect of whom the Association has received the membership fee referred to in Clause 15.04 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.</p>		<p>Combines provisions from several locations to avoid repetition. If a Special Meeting was convened early in the calendar year, Regular Members might not have yet processed the payment of their fees. So provision is made for "evidence of intention to pay".</p>

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>4.09 A Regular Member is entitled to participate in all of the Association's services and, on conditions set by the Board from time to time</p> <p>(a) an Associate Member may be entitled to participate in the Association's services;</p> <p>(b) an Affiliate Member may be entitled to participate in some of the Association's services other than the benefit and insurance plans.</p>	<p>Section 3 <u>Associate Members</u> An Associate Member may:</p> <p>i) attend any annual convention and may have the privileges of the floor, upon a motion from the floor, but shall not vote or be entitled to be elected to any office in the Association;</p> <p>ii) be entitled to participate in the Association's benefit and insurance plans and other services on conditions set by the Board from time to time.</p> <p>Section 4 <u>Affiliate Members</u> An Affiliate Member may:</p> <p>i) attend any annual convention but shall not have the privileges of the floor, or a vote, nor shall they be entitled to be elected to any office in the Association; be entitled to participate in some of the Association's services as set by the Board, but not in the Association's benefit and insurance plans.</p>	<p>Item (i) in the existing provisions for both Associate and Affiliate members is covered in proposed provisions related to qualifications for election, meetings and voting rights</p>
Article V VOTING RIGHTS		
<p>5.01 The persons entitled to vote at any annual convention or special meeting are those elected representatives in attendance whose municipalities are Regular Members of the Association in good standing.</p>	<p>Section 13.4 <u>Voting Delegates</u> a) The voting delegates at the annual convention of the Association shall be those Elected Representatives whose municipalities are Regular Members of the Association.</p>	<p>No change in substance – special meetings added</p>
<p>5.02 Each person qualified to vote at a general meeting shall be entitled to one vote.</p>		<p>Clarifies the one person/one vote practice of the Association</p>

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
Article VI NOMINATIONS		
6.01 Nominations shall be conducted in accordance with the election procedures established by the Returning Officer.	The Board of Directors shall appoint a person as Returning Officer who shall be responsible for the fair and proper conduct of elections	No change - amended in 2003
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.	Section 11.1 <u>Nominees</u> A nominee shall be an Elected Representative whose municipality is a Regular Member of the Association, and who is in attendance at the annual convention or has indicated in writing to the returning officer no later than 9:00 a.m. the first day of the convention, his willingness to fill the position if elected, but due to personal or family illness or attending to municipal or private business is unable to be in attendance at the convention.	Reflects 2003 change
6.05 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.	Section 11.2 <u>Nominations for President</u> 11.2 Nominations for the position of President, Vice-President and Director, other than the Directors appointed by the Cities of Calgary and Edmonton, shall be in the form required by the Returning Officer and signed by at least 2 persons eligible to vote in that election on the date of signing the nomination, and shall be accompanied with a written acceptance signed in the prescribed form by the person nominated, stating that the person (c) is eligible to be elected to the office, and (d) will accept the office if elected.	Reflects existing election procedures

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
	<p>Section 11.3 <u>Nomination for Board Members</u></p> <p>11.3 In the case of a nomination for the position of a Director for Towns or Villages, the person nominated and the persons signing the nomination must be elected representatives of a regular member located in that portion of Alberta which the position will represent as described in 12.4 and 12.5..</p>	
<p>6.06 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, Villages and Summer Villages shall be considered one classification.</p>	<p>b) The Vice-President for Villages/Summer Villages shall be elected from among the Directors from Villages and Specialized Villages and the Directors from Summer Villages and Specialized Summer Villages by the voting delegates from Villages, Specialized Villages, Summer Villages and Specialized Summer Villages at the Annual Convention.</p>	No change from existing procedures
Article VII ELECTIONS		
<p>7.04 The Board of Directors shall appoint a person as Returning Officer who shall be responsible for the fair and proper conduct of elections.</p>	<p>The Board of Directors shall appoint a person as Returning Officer who shall be responsible for the fair and proper conduct of elections</p>	No change - amended in 2003
<p>7.05 The Returning Officer shall establish and publish election procedures in accordance with these bylaws and generally in accordance with the provisions of the <i>Local Authorities Election Act, R.S.A.2000, c. L-21</i>, or any amendments thereto with any necessary modifications.</p>		No change - amended in 2003

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
7.06 Elections shall be held at the annual convention.		Clarifies when elections are held
<p>7.04 The election of the</p> <p>(a) President shall be conducted among all of the persons,</p> <p>(b) Vice-Presidents shall be conducted among all of the persons from the relevant classification as established in Clause 3.04</p> <p>(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.</p>	<p>Section 13.2 Election of President</p> <p>The President shall be elected by the voting delegates at the annual convention.</p> <p>The Vice-President for Cities shall be elected from among the Directors from Cities, including Edmonton and Calgary, and Specialized Cities by the voting delegates from Cities and Specialized Cities at the Annual Convention.</p> <p>The Vice-President for Towns shall be elected from among the Directors from Towns and Specialized Towns by the voting delegates from Town and Specialized Towns at the Annual Convention.</p> <p>The Vice-President for Villages/Summer Villages shall be elected from among the Directors from Villages and Specialized Villages and the Directors from Summer Villages and Specialized Summer Villages by the voting delegates from Villages, Specialized Villages, Summer Villages and Specialized Summer Villages at the Annual Convention.</p> <p>The Directors from Cities shall be elected by voting delegates from the Cities/Specialized Cities at the Annual Convention, except Calgary and Edmonton, following the election of the President.</p>	<p>Clause 3.04 establishes two cities classifications: Calgary/Edmonton and Other Cities. Calgary/Edmonton representatives would vote for a Vice-President for the former and the remaining city representatives for the latter.</p>

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
Article VIII BOARD OF DIRECTORS		
<p>8.01 The Association shall have a Board of Directors consisting of</p> <ul style="list-style-type: none"> (a) the President, and (b) 14 Directors. <p>8.02 The number of Directors representing each classification is:</p> <ul style="list-style-type: none"> (a) two Directors appointed by the City of Calgary and two Directors appointed by the City of Edmonton (b) three Directors representing Cities up to 500,000 population (c) three directors representing Towns (d) three Directors representing Villages (e) one Director representing Summer Villages 	<p>Section 4.2.2 City representation on the Board of Directors shall be as follows:</p> <ul style="list-style-type: none"> a) two (2) Directors from the City of Calgary; b) two (2) Directors from the City of Edmonton; and c) three (3) Directors elected from the group comprised of Cities and Specialized Cities excluding Calgary and Edmonton. c) three (3) Directors from the group comprised of Towns and Specialized Towns, to be referred to as Directors from Towns; d) three (3) Directors elected from the group comprised of Villages and Specialized Villages, to be referred to as Directors from Villages; and e) one (1) Director elected from the group comprised of Summer Villages and Specialized Summer Villages, to be referred to as the Director from Summer Villages. 	<p>No change in substance. 3.03 deals with specialized municipalities.</p>

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>8.03 (a) The Directors representing Towns and Villages shall be elected by electoral zone.</p> <p>(b) The electoral zones are</p> <ul style="list-style-type: none"> i) East being that portion of Alberta lying east of longitude 114 and north of the 9th base line ii) West being that portion of Alberta lying west of longitude 114 and north of the 9th baseline iii) South being that portion of Alberta lying south of the 9th base line. 	<p>The Directors from Towns shall be elected by voting delegates from the Towns and Specialized Towns, at the Annual convention, following the election of the President as follows:</p> <ul style="list-style-type: none"> i. One (1) from that portion of Alberta lying east of longitude 114 and north of the 9th base line ii. One (1) from that portion of Alberta lying west of longitude 114 and north of the 9th baseline iii. One (1) from that portion of Alberta lying south of the base line <p>The Directors from Villages shall be elected by voting delegates from the Villages and Specialized Village, at the Annual Convention, following the election of the President, as follows:</p> <ul style="list-style-type: none"> i. One (1) from that portion of Alberta lying east of longitude 114 and north of the 9th base line ii. One (1) from that portion of Alberta lying west of longitude 114 and north of the 9th baseline iii. One (1) from that portion of Alberta lying south of the base line <p>The Director from Summer Villages shall be elected by voting delegates from the Summer Villages and Specialized Summer Villages, at the Annual Convention.</p>	<p>No change in substance. Clause 7.04 describes who is eligible to vote.</p>

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
8.04 The term "9th base line" is as defined under the <i>Surveys Act</i> , R.S.A. 2000, c. S-26 or any amendments thereto.	Section 13.7 <u>Base Lines</u> In this Article, the terms "9th base line" and "15th base line" are as defined under the <i>Alberta Surveys Act</i> .	No change
8.05 The term of office for each position on the Board (a) commences at the organizational meeting of the Board following the annual convention and (b) continues until the end of the next annual convention at which time the position is available for election.	Section 4.4 <u>Board Term</u> All members of the Board of Directors shall be elected to the Board for one term. Any Director may be re-elected to the Board. Term means the period commencing at the organizational meeting of the Board following the annual convention and continues until the end of the following annual convention.	Reflects 2003 change
8.06 The term of office for the position of (a) President is one year (b) Vice-President is one year (c) Director is two years.	Section 4.4 <u>Board Term</u> 6. The term of office for the position of (a) President is one year (b) Vice-President is one year (c) Director is two years. 7. Notwithstanding subsection 1, the term of office for Directors described in subsection 4 elected at the 2003 annual convention shall be one year.	Reflects 2003 change

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
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	8. The term of office for the following Director positions shall begin in 2003 (g) 1 Calgary Director (h) 1 Edmonton Director (i) 2 other cities (j) Towns East (k) Villages South (l) Summer Villages	Reflects 2003 change
8.07 (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	9. The term of office for the following Director positions shall begin in 2004 (f) 1 Calgary Director (g) 1 Edmonton Director (h) 1 other cities (i) Towns West and South (j) Villages East and West	Reflects 2003 change
8.08 (a) A President who no longer remains an elected representative is nevertheless eligible to remain a member of the Board of Directors and to continue in office as President until the next annual convention providing such period shall not exceed two months.	<u>Section 4.10 Board Vacancies/Disqualification</u> a) Should the President no longer remain an Elected Representative, he shall nevertheless, be eligible to remain a member of the Board of Directors and to continue in office as President until the next annual convention providing such period shall not exceed two months.	No change in substance

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
8.08 (b) A Director who no longer remains an elected representative is nevertheless eligible to remain a member of the Board of Directors and to continue in office as a Director until the next annual convention providing such period shall not exceed two months.	c) In the event a member of the Board, other than the President, ceases to be an Elected Representative, he shall nevertheless, be eligible to remain a member of the Board until the next annual convention providing such period shall not exceed two months.	No change in substance
8.08 (c) In the case of either (a) or (b), if the period until the next annual convention is longer than two months, the position shall be deemed to be vacant.		Clarifies treatment if the period is longer than two months.
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 convention, and (b) if the term of office for the position does not expire at the end of the next annual convention a by-election shall be held at the next annual convention to fill the position for the remainder of the term	f) Should a Board Member's municipality change its legal municipal status, the Board Director shall be eligible to remain a member of the Board until the next annual convention.	Reflects 2003 change
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 convention.	b) Should the office of the President become vacant, the remaining Board of Directors shall forthwith appoint a Board Member as President, until the next annual convention.	No change

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>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</p> <p>i) the Board may appoint a replacement to serve until the next annual convention, and</p> <p>ii) if the term of office for the position does not expire at the end of the next annual convention a by-election shall be held at the next annual convention to fill the position for the remainder of the term.</p>	<p>d) Should a vacancy occur in a Director position</p> <p>ii) the Board may appoint a replacement to serve until the next annual convention, and</p> <p>ii) if the term of office for the position does not expire at the end of the next annual convention a by-election shall be held at the next annual convention to fill the position for the remainder of the term.</p> <p>h) If the position of Vice President for Cities, Vice President for Towns, or Vice President for Villages/Summer Villages is vacated, the Board shall appoint a replacement to that position from one of the Directors representing the Cities, Towns or Villages/Summer Villages, as the case may be, until the next annual convention.</p>	<p>No change in substance</p>
<p>8.11 (b) Should a vacancy occur in a Director 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.</p>	<p>e) Should a vacancy occur on the Board from one of the appointed positions from Calgary or Edmonton, a replacement may be appointed by the Council of the City from which the vacancy occurs.</p>	<p>Reflects 2003 change</p>
<p>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.</p>	<p>j) A person appointed to fill a vacancy in any position must be eligible for election to that position if an election were held</p>	<p>No change</p>

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>8.13 A member of the Board of Directors ceases to be a Director if:</p> <p>(a) the person is disqualified from Council pursuant to Section 174(1) of the <i>Municipal Government Act</i>, R.S.A. 2000, c. M-26, or any amendments thereto, or</p> <p>(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.</p>	<p>A member of the Board of Directors ceases to be a Director if:</p> <p>(a) disqualified from Council pursuant to Section 174(1) of the <i>Municipal Government Act</i>; or</p> <p>(b) that Director misses three consecutive regular meetings of the Board, unless authorized by resolution prior to the conclusion of the third consecutive regular meeting of the Board.</p>	No change
ARTICLE IX DISQUALIFICATION OF BOARD MEMBERS		
<p>9.01 In this Article</p> <p>(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;</p> <p>(b) "spouse"</p> <p>(i) includes a party to a relationship between a man and a woman who are living together on a bona fide domestic basis, and</p> <p>(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.</p>		ARTICLE IX in the proposed Bylaws is an exact reproduction of Article 5 in the existing Bylaws

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>9.02 (1) A member of the Board of Directors has a pecuniary interest in a matter if;</p> <p>(a) the matter could monetarily affect the Board member or an employer of the Board member, or</p> <p>(b) the Board member knows or should know that the matter could monetarily affect the Board member's family.</p>		
<p>9.02 (2) For the purposes of subsection (1), a person is monetarily affected by a matter if the matter monetarily affects</p> <p>(a) the person directly,</p> <p>(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,</p> <p>(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</p> <p>(d) a partnership or firm of which the person is a member.</p>		

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Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>9.02 (3) A Board member does not have a pecuniary interest by reason only of any interest</p> <p>(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;</p> <p>(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);</p> <p>(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</p> <p>(d) that is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Board member.</p>		

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>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,</p> <p>(a) disclose the general nature of the pecuniary interest prior to any discussion of the matter,</p> <p>(b) abstain from voting on any question relating to the matter,</p> <p>(c) abstain from any discussion of the matter, and</p> <p>(d) subject to subsection (2), leave the room in which the meeting is being held until discussion and voting on the matter are concluded.</p>		
<p>9.03 (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.</p>		

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Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>9.04 (1) A member of the Board of Directors ceases to be a Board Member if he or she</p> <p>(a) as a Board Member, takes part in a decision knowing that the decision might further a private interest of</p> <p style="padding-left: 20px;">(i) the Board Member,</p> <p style="padding-left: 20px;">(ii) a corporation, firm or partnership referred to in section 4.1.2(2) of this Article 4.1, or</p> <p style="padding-left: 20px;">(iii) a Regular Member of which the Board member is an Elected Representative,</p> <p>(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</p> <p>(c) accepts</p> <p style="padding-left: 20px;">(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</p> <p style="padding-left: 20px;">(ii) a gift or other benefit having a value of more than \$100 that is received because the Board Member is a Board Member.</p>		
<p>9.04 (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.</p>		

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>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.</p> <p>(2) The Board Member</p> <p>(a) shall be given notice of a meeting of the Board of Directors called under this section;</p> <p>(b) upon request</p> <p style="padding-left: 20px;">(i) shall be given particulars of the grounds on which it is alleged that he or she has ceased to be a Board member;</p> <p style="padding-left: 20px;">(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;</p> <p>(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.</p>		
<p>9.06 (1) The Board of Directors may by resolution state that the Board Member has ceased to be a Board Member.</p> <p>(2) The provisions of Article VIII relating to the filling of vacancies on the Board until the next annual convention apply to filling a vacancy under this Article.</p>		

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Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
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 convention, or (b) at the call of the President, or (c) upon the written request of four Directors with at least 72 hours notice.	The Board of Directors shall establish a schedule of regular meetings at their organizational meeting following the annual convention. The Board shall also meet at the call of the President or upon the written request of four Board Members with at least 72 hours notice.	No change in substance
10.02 A quorum of the Board is eight members.	Section 4.7 Quorum A majority of the Board of Directors is required to constitute a quorum.	No change in substance
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.	Section 4.8 Voting At meetings of the Board of Directors each member present shall have one vote and the President shall have a second deciding vote in the event of a tie. In the case of a tie, the motion shall be lost.	The President's second vote is eliminated and the somewhat confusing wording of the existing section is clarified.

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
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.	Section 4.9 Authority The Board of Directors shall have the authority and responsibility to carry out as appropriate, or delegate to its committees, the powers and duties conferred upon the Association.	No change
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.	Section 4.5 Standing Committees The Board of Directors shall appoint committees and may delegate to the Executive Committee authority to appoint special-purpose committees. Such appointments shall be reported at the next regular meeting of the Board of Directors.	The proposed provision assumes the authority of the Board to develop a committee structure.
10.06 The Board may establish policies and procedures for the payment of honoraria for elected representatives and the payment of expenses for any person serving the Board.	An honorarium and expenses may be set for Elected Representatives serving on the Board, and for those serving the Board.	Clarifies that the Board decides the policy.
Article XI EXECUTIVE COMMITTEE		
11.01 The Executive Committee shall consist of the President and the Vice-Presidents.	6.1 There shall be an Executive Committee consisting of the President, Vice-President of Cities, Vice-President of Towns and Vice-President of Villages/Summer Villages.	No change in substance. The Executive would be increased to five members because of the addition of a Vice-President previously.
11.02 A quorum shall consist of three (3) members of the Executive.		No change from existing practice.

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
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.	The Executive Committee shall: i) undertake such things as directed by the Board of Directors; and ii) carry out all Board duties on emergent issues.	Proposed wording reserves three functions to the Board
11.04 The Executive Committee shall report any action taken under clause 11.03 at the next meeting of the Board.	Such action shall be reported by the Committee to the Board at their next regular meeting.	No change
11.05 The President and Vice-Presidents have the duties and powers commonly assigned to such officers.	<u>ARTICLE 11 - DUTIES</u> The duties and powers of the President and Vice-Presidents shall be those duties and powers as commonly assigned to such officers.	No change
Article XII MEETINGS		
12.01 The annual convention of the Association shall be held at such time and place as the Board of Directors may determine.	<u>Section 14.1 Convention Location</u> The annual convention of the Association shall be held at such time and place as may be decided by the Board of Directors.	No change
12.02 Written notice of the date of the annual convention shall be provided to each member not less than twelve (12) weeks prior to the date of the meeting.	<u>Section 14.2 Notice of Convention</u> All members of the Association shall be notified of the date of the annual convention at least twelve (12) weeks prior to the date set by mail to the members' addresses.	No change in substance. Method of written notice is described in Clause 3.03

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
12.03 A special 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.	<u>Section 15.1 Notification</u> A special meeting of the Association may be called by five per cent (5%) of the Regular Membership or by two-thirds vote of all the Board, providing there is a two-week period allowed in order to notify all Regular Members by mail to the members' addresses.	No change in substance. Method of written notice is described in Clause 3.03
12.04 A quorum at an annual or special meeting shall be representation from twenty-five (25) 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.	<u>ARTICLE 19 - QUORUM</u> A quorum for any general or special meeting of the Association shall be representation from twenty-five percent (25%) of the Regular Membership. A quorum shall be determined within 15 minutes of the posted start time of the meeting, otherwise, the meeting will be adjourned.	No change in substance. Since the meeting cannot be opened if there is no quorum, it also cannot be adjourned and therefore the final phrase of the existing provision is deleted.
12.05 The President or another member of the Board delegated by the President shall chair the annual convention and any special meeting.	<u>Section 14.3 Convention Chairman</u> The President or his designate shall be the chairman of the annual convention.	No change in substance - special meeting added

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PROPOSED	EXISTING	COMMENTS
<p>12.06 The persons entitled to speak at an annual convention or special meeting are</p> <ul style="list-style-type: none"> (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 convention or special 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 convention or special meeting, and (c) upon a motion from the floor, a representative of an Associate Member. 	<p>b) Notwithstanding the foregoing, in the event a Regular Member is unable to be represented at the annual convention by an Elected Representative, the Council may by motion, appoint an official to represent them, who will be entitled to all the privileges of a delegate with the exception of voting. Notice of such appointment shall be submitted in writing to the Executive Director at least ten (10) days prior to the date of the annual convention.</p>	<p>No change in substance - special meeting added</p> <p>Notice changed to 3 days</p>

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
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 convention and any special meeting shall be those in "Robert's Rules of Order, Newly Revised."	<u>ARTICLE 10 - RULES OF PROCEDURE</u> Except as otherwise provided in these Bylaws, the Rules of Procedure to be followed at meetings of the Board of Directors and at the annual convention shall be those in "Robert's Rules of Order, Newly Revised."	No change in substance - special meetings added
Article XIII CHIEF EXECUTIVE OFFICER		
13.01 The Board shall appoint a Chief Executive Officer to manage the affairs of the Association under the general direction of the Executive Committee.		Authorizes appointment of Chief Executive Officer
13.02 The Chief Executive Officer shall ensure that (a) accurate minutes of all meetings of the Association, the Board, the Executive Committee and any other committees are recorded, (b) accurate records of revenues and expenditures are recorded, (c) all money belonging to or held by the Association is deposited in a financial institution or invested in financial instruments approved by the Board, and (d) all records and the Seal of the Association are kept safe.	<u>Section 7.1 Corporate Seal</u> The Executive Director shall be responsible for the retention of the Corporate Seal. <u>Section 7.2 Custody of Association Business</u> The Executive Director, or other person designated by the Board, shall be responsible for the preparation and custody of minutes of meetings of the Association and of the Directors, correspondence and financial records of the Association.	Describes general duties of Chief Executive Officer
13.03 The Chief Executive Officer may employ any subordinate staff required within the expenditure authority included in the Association's budget.		Authorizes hiring of staff by Chief Executive Officer and reflects existing practice

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
Article XIV SIGNING AUTHORITY		
14.01 After they are approved, the minutes of all meetings shall be signed by the person presiding at the meeting and the Chief Executive Officer.		An omission in existing Bylaws
14.02 The Board of Directors shall designate signing authorities for any financial instrument and the use of the seal.	Section 18.2 <u>Execution of Documents</u> All documents required to be executed by the Association must be executed under the corporate seal of the Association and attested to by such officers of the Association as may from time to time be decided by the Board of Directors, except that promissory notes and cheques signed on the Association's bank may be signed by such officers as may be decided by the Board of Directors.	Deletes the detail from the Bylaws. The Board is authorized to designate signing authorities which it does in its policies.
Article XV FINANCIAL AFFAIRS		
15.01 The fiscal year of the Association shall be the calendar year.	Section 8.2 <u>Fiscal Year</u> The "fiscal year" shall be January 1st to December 31st.	No change
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.	Section 3.1 <u>Fee Establishment</u> Every year, the Board of Directors shall approve a budget in accordance with these bylaws and establish the Membership fees.	Provides for a balanced budget to be approved prior to the start of each fiscal year
15.03 The Board of Directors may approve an interim budget for part of the next fiscal year.		Allows an interim budget

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
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.	Section 3.2 <u>Fee Adjustments</u> Membership fees may vary from year to year as determined and adopted by resolution of the Board of Directors. Fees may differ between classifications, types and categories of membership.	Provides flexibility in establishing membership fees
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		Allows a special levy for an activity not included in the budget
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.		Transitional
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.	<u>ARTICLE 17 - BORROWING POWERS</u> Section 17.1 <u>Operating Funds</u> 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.	No change
15.08 By a two-thirds majority vote of the Board, the Association may borrow for capital purposes.	Section 17.2 <u>Capital Funds</u> By a two-thirds vote of the Board, the Association may borrow for capital purposes.	No change

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Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
15.09 The Association may draw, make, accept, endorse, execute and issue promissory notes, bills of exchange and other negotiable instruments.	Section 18.5 <u>Financial Authority</u> The Association may draw, make, accept, endorse, execute and issue promissory notes, bills of exchange and other negotiable instruments.	No change
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.	Section 18.7 <u>Document Inspection</u> 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.	No change
15.11 In the event of disbandment of the Association, the assets shall only be distributed to the Regular Membership based on the fee structure in effect at that time.	Section 18.6 <u>Disbandment of Association</u> In the event of disbandment of the Association, the assets shall only be distributed to the Regular Membership based on the fee structure in effect at that time.	No change
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.	Section 8.1 <u>Appointment of Auditor</u> The Board of Directors shall appoint by resolution an auditor. There shall be an audited annual financial statement submitted at the annual general meeting.	No change
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.	Section 18.3 <u>Association Acquisition</u> 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.	No change
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.	Section 18.4 <u>Disposal of Assets</u> 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.	No change

Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
<p>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:</p> <p>(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</p> <p>(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 wilful act, default or dishonesty.</p>	<p><u>ARTICLE 20 - INDEMNIFICATION</u></p> <p>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:</p> <p>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</p> <p>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 wilful act, default or dishonesty.</p>	<p>No change</p>

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Table of Proposed Changes to Bylaws

PROPOSED	EXISTING	COMMENTS
Article XVI AMENDMENTS		
16.01 The Board of Directors or a Regular Member may propose a special resolution, as required by the <i>Societies Act</i> , R.S.A. 2000, c. S-14, or any amendments thereto, to amend these Bylaws.	Section 9.2 <u>Notice of Amendment</u> A notice of a special resolution containing any proposed change in these Bylaws shall be circulated in writing to the Regular Membership not later than eight weeks prior to the annual general meeting. Such amendment shall not be considered passed, unless three-fourths of the voting delegates present at the annual general meeting are in favour of the special resolution.	Clarifies that a Bylaw amendment may be proposed by the Board or a Regular Member.
16.02 A proposed special resolution may be considered at the Annual General Meeting or at a special meeting.	Section 9.3 <u>Voting</u> Voting on the proposed change shall take place at the annual general meeting and shall be in accordance with the Rules of Procedure.	Enables a Bylaw amendment to be considered at a Special Meeting in addition to the Annual 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.		No change from existing provision 9.2. . Method of written notice is described in Clause 3.03
16.04 An amendment to the Bylaws shall not be made unless a three-quarters (3/4) majority of the representatives of Regular Members in good standing present at the meeting vote in favour of the amendment.		No change in substance
16.05 In every year divisible by five (5), the President shall establish a special committee to conduct a general review of the Bylaws of the Association.	Section 9.1 <u>Bylaw Review</u> In every year divisible by five (5), the President shall establish a special committee to review the Bylaws of the Association.	No change in substance

CURRENT

CONVENTION POLICY AND RESOLUTION PROCEDURE:

As of October 2003

Alberta Urban Municipalities
Association

Convention Policy

and Resolution Procedures

1. Preparation of Resolutions

Sponsors of resolutions for the AUMA Annual Convention should take care to ensure that the resolutions meet the following criteria:

- a) Each resolution must bear an official endorsement by the sponsoring municipal council.
- b) Resolutions should strive to address a topic of concern to municipalities throughout the Province.
- c) Preliminary Clauses (i.e. Whereas clauses) should clearly and briefly set out the reasons for the resolutions. There should be as few preliminary clauses as possible.
- d) All resolutions should have accompanying background information outlining the issue as it relates to their municipality. The "sponsoring" municipality should indicate when and how often this resolution has been submitted in the past. Backgrounds should also indicate whether or not the resolution is related to and consistent with AUMA policy. This material will assist the Public Affairs Committee, and later the convention body, in understanding the issues.
- e) The operative clause of the resolution (i.e. the one beginning NOW THEREFORE BE IT RESOLVED THAT...) must clearly set out what the resolution is meant to achieve, and state a specific proposal for action. Its wording should be straightforward and brief so that the intent of the resolution is clear. Generalization should be avoided.
- f) Resolutions may be submitted by any municipality that is a Regular Member* of the Alberta Urban Municipalities Association.
- g) Resolutions are to be in the hands of the Executive Director no later the deadline established by the Public Affairs Committee, which will be set on an annual basis.

* A Regular Member means any incorporated City, Town, Village, or Summer Village or Specialized Municipality, in the Province of Alberta that has fully paid the Association's annual regular membership fee.

2. Extraordinary Resolutions

- a) Resolutions arising from the proceedings of the convention or matters of an urgent nature arising after the resolution deadline and being presented to the Executive Director after the first day of the convention, will be considered Extraordinary Resolutions. The AUMA Executive Committee will decide whether they meet the criteria of an extraordinary resolution.
- b) Criteria for Extraordinary Resolutions
 - Municipalities submitting the extraordinary resolution should state rationale as to why it is extraordinary
 - Extraordinary resolutions, so designated by the Executive Committee, should deal with emergent issues of concern to the general membership that have arisen in the Province after the resolution deadline
- c) All Extraordinary Resolutions approved by the Executive Committee must also be passed by a 2/3rds-majority vote of the assembly prior to any Extraordinary Resolution being considered by the assembly.
- d) Extraordinary resolutions shall be presented following debate of the Section "P" Resolutions and upon receiving a required 2/3rds majority of the voting delegates before consideration by the assembly.
- e) No debate on the merits or "urgency" of any Extraordinary Resolution will take place prior to the required 2/3rds-majority AUMA vote.
- f) Sponsoring municipality(ies) shall provide 1000 copies of the resolution.

3. Disposition of Resolutions

- a. The Executive Director may return any submitted resolutions to their sponsors to have deficiencies corrected. Deficiencies may include but are not limited to:
 - i. The lack of a clear supporting narrative where the rationale of the resolution is unclear;
 - ii. The resolution lacking any indication of being endorsed by the sponsoring council;
 - iii. The resolution not containing preliminary clauses or containing contradictory clauses to the operative clause.

The need to resubmit any resolution(s) due to these deficiencies will not have a bearing on its categorization nor will it make a timely resolution late.

- b. The Public Affairs Committee shall review all resolutions intended for submission to each annual convention and may refuse to submit to the convention any resolution deemed inappropriate for consideration by the Association.
- c. The Public Affairs Committee will notify the appropriate policy committee of any resolution related to their policy.
- d. In conducting its review, the Public Affairs Committee may:
 - i. Amend the grammar or format of the resolution;
 - ii. Consolidate resolutions of similar intent or subject matter;
 - iii. Provide comments on each resolution with regard to its background;
 - iv. Inform the sponsoring municipality where the resolution will materially change or eliminate current AUMA policy.
- e. The Public Affairs Committee shall categorize all acceptable resolutions received as Section A, B, C, P or NP resolutions as follows:
 - i. Section "NP" of the Policy and Resolutions Book will include new policies being put forward by the AUMA Board and any resolutions that are related to those policies. A Section NP resolution shall be numbered to correspond to the new policies being addressed.

The resolution sections will be presented in the following order:

1. Section "NP" resolutions
 2. Section "A" resolutions
 3. Section "P" resolutions
 4. Section "B" resolutions
 5. Section "C" resolutions
- ii. Section "A" of the Policy and Resolution Book will contain resolutions of a major concern to the vast majority of member municipalities across Alberta and which are not addressed by the AUMA's policy statements.
 - iii. Section "P" of the Policy and Resolution Book will contain resolutions relating to or amending existing policies adopted at past conventions (i.e. policy statements) or those resolutions adopted at past conventions. A Section P resolution shall be categorized to correspond to the policies being addressed.
 - iv. Section "B" of the Policy and Resolutions Book will contain resolutions of a critical nature to an individual municipality OR it will contain resolutions of a major concern to a region of municipalities or class of municipalities (e.g. S. Villages, Villages, Towns, Cities).
 - v. Section "C" of the Policy and Resolutions Book will include resolutions, which, in the opinion of the Public Affairs Committee, address less critical issues impacting few municipalities or requests action from organizations other than the AUMA or the Alberta Government.
- f. As long as there is a quorum present the final resolution session shall not be closed until all resolutions listed in the agenda are debated and voted upon.
 - g. Resolutions which are not debated at a convention resolutions session because of insufficient time or lack of quorum, will be presented by the Public Affairs Committee, with its recommendations, to a meeting of the Board of Directors following the convention.
 - h. Resolutions passed by the membership shall not be amended or modified by the Public Affairs Committee

4. Disposition of New Policy Position Papers

- a) Task forces and committees appointed by the Board will prepare new policy position papers, which are intended for presentation and adoption by delegates at the annual convention.
- b) New policy position papers being offered for presentation will be provided to the Public Affairs Committee for inclusion in the Policy and Resolution Book.

- c) Upon acceptance or rejection by the convention of a new policy position paper, all related resolutions will be dealt with immediately.

5. Handling of New Policy Position Papers and Resolutions

The guidelines for the handling of new policy position papers and resolutions during the convention are as follows:

- a) New Policy Position Papers:
 - i. 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.
- b) Resolutions:
 - i. The session chair will introduce the resolutions by the number, the name of the sponsoring municipality, and then will read the operative clause. The Chair will then call on the sponsoring or a supporting municipality to second the resolution. If no municipality seconds the resolution, the resolution dies.
 - ii. The session chair or a member of the Public Affairs Committee will then give the views of the Public Affairs Committee (if necessary) and suggestions and reasons thereof as outlined in clause 3(d)(iii).
 - iii. The session chair will then call for a spokesperson from the sponsoring municipality(ies) to speak to the resolution and open the debate as per section 6(g). The first speaker or his/her designate will have the right to close the debate. If there are no opponents to a resolution the question will be immediately called.
- c) Upon request of a sponsoring municipal council for a resolution to be withdrawn the session chair shall notify the delegates.
- d) Amendments; including "minor amendments" from the floor will be accepted when duly moved and seconded. Amendments; including "minor amendments" must be submitted in writing. Discussion procedures shall be the same as outlined in the clauses above.
- e) The session chair will rule whether or not such amendments comply with the intent of the original resolutions.

- f) The voting on new policy position papers and resolutions may be a show of delegate accreditation cards, or if necessary, the session chair can call for a standing count.
- g) For resolutions, the spokesperson of the sponsor or their designate, will be allowed two (2) minutes for the opening and one (1) minute for the closing of debate. All other speakers to resolutions will have a two (2) minute time limit and shall not speak more than once on any one question.
- h) 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 the membership to ensure they adhere to this rule.

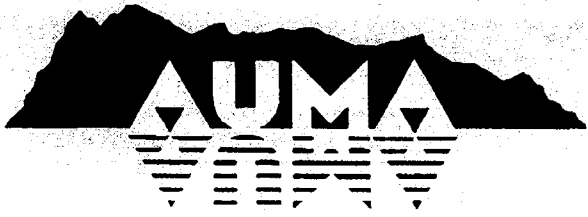
6. Adoption of the Resolution Session Agenda

- a) 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 resolution book.
- b) Amendments from the floor to the Resolution Session Agenda will be accepted when duly moved and seconded.
- c) No debate on the proposed amendments to the Resolution Session Agenda will occur.
- d) A 2/3rds majority of the delegates will be required to change the Resolution Session Agenda.
- e) If there are no amendments to the Resolutions 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.

7. Procedures for Resolutions that are "CARRIED"

- a) The AUMA Board shall forward (in writing), to the appropriate Departments, all resolutions that are carried for their response and send a copy to the submitting "sponsoring" municipality.

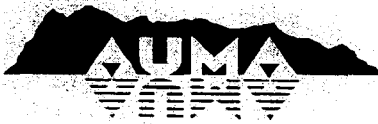
- b) The AUMA Board shall collect all Department responses to create a status of resolutions book that will be sent out to all members. The status of resolution book indicates what (if any) follow up action AUMA will take with regards to each carried resolution.
- c) Any resolutions that are not satisfactorily responded to shall be addressed directly with the Minister responsible for the department in a formal meeting with the AUMA Executive Committee.
- d) Resolutions have an active life of three (3) years, then are deemed inactive.



PROPOSED
CONVENTION POLICY AND RESOLUTION PROCEDURE:

As of March 25, 2004

Alberta Urban Municipalities
Association



RESOLUTIONS

General

1. The Public Affairs 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) Whereas clauses should clearly and briefly set out the reasons for the resolutions.
 - (c) 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 Public Affairs Committee, and later the convention body, in understanding the issues.



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

6. Effective for 2005, resolutions are to be in the hands of the Chief Executive Officer no later than May 31 each year.

Extraordinary Resolutions

- 7. 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.
- 8. 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.
- 9. The AUMA Executive Committee, in consultation with the Public Affairs Committee chair, will determine whether the proposed resolution meets the criteria of an extraordinary resolution.
- 10. The primary criterion for an Extraordinary Resolution is that it deals with an emergent issue of concern to the general membership that has arisen after the resolution deadline
- 11. 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.
- 12. No debate on the merits or "urgency" of any Extraordinary Resolution will take place prior to the vote.
- 13. Extraordinary resolutions accepted for consideration by the assembly shall be presented following debate of the Roles, Responsibilities and Resources category resolutions.

Administrative Review

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



POLICY NO. AP002

15. 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.
16. 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

17. The Public Affairs 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.
18. The Public Affairs Committee will notify the appropriate policy committee of any proposed resolution related to its policy.
19. The Public Affairs 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.
20. When the Committee determines that a proposed resolution is appropriate for submission to the convention, the Committee shall categorize the resolution as:
 - (a) Governance
 - (b) Operating and Implementation
 - (c) Issue Based
 - (i) General Recognition
 - (ii) Roles, Responsibilities and Resources
 - (iii) Goals and Objectives
 - (iv) Delivery Tools and Implementation
 - (v) Results and Reactions
21. The Governance category would have resolutions that are very broad and contain fundamental statements of policy and principle, such as the Association's guiding principles.



22. The Operating and Implementation category would have resolutions that address matters of implementation and operating indicating how the Association does its business and how it expects others to interact with it.
23. The Issue Based category would have resolutions related to specific current issues and initiatives indicating the Association's position on specific issues and challenges emerging from the current environment. Within this category there are five sub-categories.
 - (a) General Recognition is a resolution in which the Association is making a general statement about actions that should be taken in response to a situation affecting a wide range of its members, or is making a statement recognizing the status or contributions of some group or organization - for example, a statement recognizing the contributions of the military or a voluntary organization in response to an emergency.
 - (b) Roles, Resources and Responsibilities is a resolution in which the Association is making a statement addressing overall relationships between and/or capacities of different orders of government, such as statements regarding access to revenue streams, or reaffirming that a current challenge is the responsibility of another order of government.
 - (c) Goals and Objectives is a resolution in which the Association is raising questions or taking positions regarding goals and objectives being pursued by others. There is no question of jurisdiction or responsibility, just the objectives to be achieved.
 - (d) Delivery Tools and Implementation is a resolution in which the Association is addressing the actual implementation instrument being used by another order of government, or other stakeholder.
 - (e) Results and Reactions is a resolution in which the Association is addressing the evaluation by another order of government or other stakeholder of the effects of some initiative or policy.
24. 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) Public Affairs Committee Comment (if any)



POLICY NO. AP002

25. Resolutions will be presented in the following order:

Governance

Operating and Implementation

Issue Based

- (i) General Recognition
- (ii) Roles, Responsibilities and Resources

Extraordinary Resolutions added by the convention

Issue Based

- (iii) Goals and Objectives
- (iv) Delivery Tools and Implementation
- (v) Results and Reactions

26. 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

27. 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.
28. Amendments from the floor to the Resolution Session Agenda will be accepted when duly moved and seconded.
29. No debate on the proposed amendments to the Resolution Session Agenda will occur.
30. A 2/3rds majority of the delegates will be required to change the Resolution Session Agenda.
31. If there are no amendments to the Resolutions 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

32. Resolutions sessions at the convention will be chaired by the Public Affairs Committee chair or his/her designate.



POLICY NO. AP002

33. 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 Chair will then call on the sponsoring or a supporting municipality to second the resolution. If no municipality seconds the resolution, the resolution dies.
34. If the resolutions report includes a comment by the Public Affairs Committee on the proposed resolution, the session chair will then call on a member of the Public Affairs Committee to give the views of the Public Affairs Committee (if necessary).
35. 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.
36. 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.
37. 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 Chair will declare the end of the debate and the spokesperson will be allowed one (1) minute for the closing of debate.
38. If no one rises to speak in opposition to a proposed resolution, the question will be immediately called.
39. 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.
40. 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 Chair prior to the amendment being introduced.
41. The session chair will rule whether or not an amendment complies with the intent of the original resolution.
42. Discussion procedures for an amendment shall be the same as for a resolution.
43. 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.



44. Voting may be by
 - (a) a show of delegate accreditation cards, or
 - (b) electronic meansand if necessary, the session chair may call for a standing count and shall conduct a standing vote if requested by the assembly.
45. 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.
46. Resolutions which are not debated at a convention resolutions session because of insufficient time or lack of quorum, will be presented by the Public Affairs Committee, with its recommendations, to a meeting of the Board of Directors following the convention.
47. Resolutions passed by the membership shall not be amended or modified by the Public Affairs Committee or the Board of Directors.

Carried Resolutions

48. The Public Affairs Committee will assess each resolution that is carried against current AUMA policy, strategy and capacity, changing circumstances, and any new information available, and make a recommendation to the Board.
49. After the assessment, the Board of Directors will decide which resolutions will or will not be aggressively advocated during the coming year, and inform the membership of its decisions in the status of resolutions book.
50. The Board of Directors will determine and implement the method by which advocacy of the selected resolutions will be undertaken.
51. The Chief Executive Officer will collect all advocacy responses and prepare a status of resolutions book for review by the Public Affairs Committee which will make recommendations to the Board of Directors. The status of resolutions book 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.
52. Resolutions have an active life of three (3) years, then are deemed inactive.



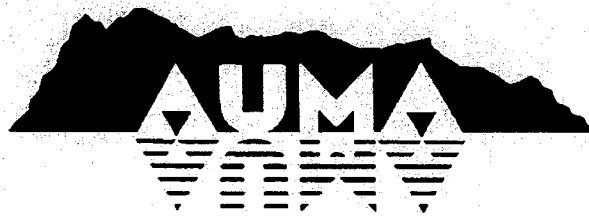
POLICY NO. AP002

53. Each year the Public Affairs Committee shall prepare a summary of this Resolutions Policy, including reference to the conflict of interest guidelines which shall be included in the resolution books and drawn to the attention of the delegates at the start of the first resolution session.

	Date	Minute Page Number
Approved	March 25, 2004	3
Amended		
Amended		

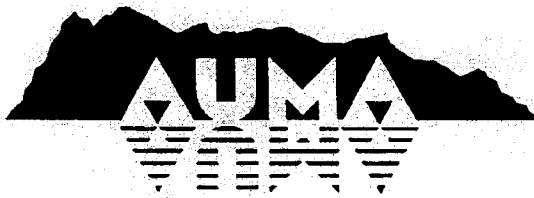
Chief Executive Officer

President



Section 2:

Proposed AUMA Policy Papers



Alberta Urban Municipalities Association

**Social Infrastructure Policy
Discussion Paper**

June 14, 2004

******* FINAL DRAFT *******

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AUMA SOCIAL INFRASTRUCTURE POLICY – RESOLUTION

WHEREAS municipalities have first-hand knowledge of the factors affecting quality of life in their communities; and

WHEREAS municipalities also have become more sophisticated in their understanding of, and their response to, issues affecting the well-being of their citizens; and

WHEREAS each of the Federal, Provincial and Municipal governments and communities has a role in ensuring that social infrastructure is adequate and accessible;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association adopt the following new policy on Social Infrastructure:

I. Federal and Provincial governments have primary responsibility to fund and support social infrastructure.

The FEDERAL government is responsible for setting national standards that are flexible enough to fit the different needs of communities and for providing financial and income support.

The PROVINCIAL government is responsible for ensuring that adequate federal and provincial resources are available to meet the demands for social infrastructure and for cooperating with municipalities in identifying needs. The provincial government is also responsible for ensuring equity between groups and municipalities.

II. Municipal Governments have a role in social infrastructure.

MUNICIPAL governments facilitate collaboration between local stakeholder groups, and identify needs and potential solutions.

III. Consultation and cooperation is essential in meeting social infrastructure needs.

INTER-GOVERNMENTAL - between federal, provincial and municipal governments

INTRA-GOVERNMENTAL - between and within federal, provincial and municipal government departments

INTER-SECTORAL – between government, non-government groups, other stakeholders and citizens

IV. Municipalities, in the context of available resources and council approval, may choose to deliver social infrastructure components.

The Alberta Municipal Government Act is explicit in saying that the power of the municipality is “to provide services, facilities or other things that, in the opinion of council, are necessary or desirable” to “maintain safe and viable communities”.

AUMA SOCIAL INFRASTRUCTURE POLICY

Municipalities have first-hand knowledge of the factors affecting quality of life in their communities. They also have become more sophisticated in their understanding of, and their response to, issues affecting the well-being of their citizens. This broadened mandate is particularly evident in local government's increased involvement and interest in matters relating to community social infrastructure. Each of the Federal, Provincial and Municipal governments and communities has a role in ensuring that social infrastructure is adequate and accessible.

Statement of Principles:

1. Federal and Provincial governments have primary responsibility to fund and support social infrastructure.

The FEDERAL government is responsible for setting national standards that are flexible enough to fit the different needs of communities and for providing financial and income support.

The PROVINCIAL government is responsible for ensuring that adequate federal and provincial resources are available to meet the demands for social infrastructure and for cooperating with municipalities in identifying needs. The provincial government is also responsible for ensuring equity between groups and municipalities.

2. Municipal Governments have a role in social infrastructure.

MUNICIPAL governments facilitate collaboration between local stakeholder groups, and identify needs and potential solutions.

3. Consultation and cooperation is essential in meeting social infrastructure needs.

INTERGOVERNMENTAL - between federal, provincial and municipal governments

INTRAGOVERNMENTAL - between and within federal, provincial and municipal government departments

INTERSECTORAL – between government, non-government groups, other stakeholders and citizens

4. Municipalities, in the context of available resources and council approval, may choose to deliver social infrastructure components.

The Alberta Municipal Government Act is explicit in saying that the power of the municipality is "to provide services, facilities or other things that, in the opinion of council, are necessary or desirable" to "maintain safe and viable communities".

INTRODUCTION

Municipal leaders are familiar with physical infrastructure such as roads and water treatment plants that keep municipalities moving and healthy. They know that if roads are filled with potholes, drinking water is contaminated or sewage is returned to the environment untreated that the economic viability of the community is placed at risk. As such, they expect the three orders of government and other partners to engage in preventative measures to ensure that roads remain in good condition, and that drinking water is clean and safe.

Similarly, social infrastructure is another part of the municipal foundation that ensures social safety and community well-being. Social infrastructure is the fundamental facilities, organizations, services and opportunities that are essential to a well functioning person, family, and ultimately community. Together, physical and social infrastructure contribute to the quality of life in our communities (see Figure 1).

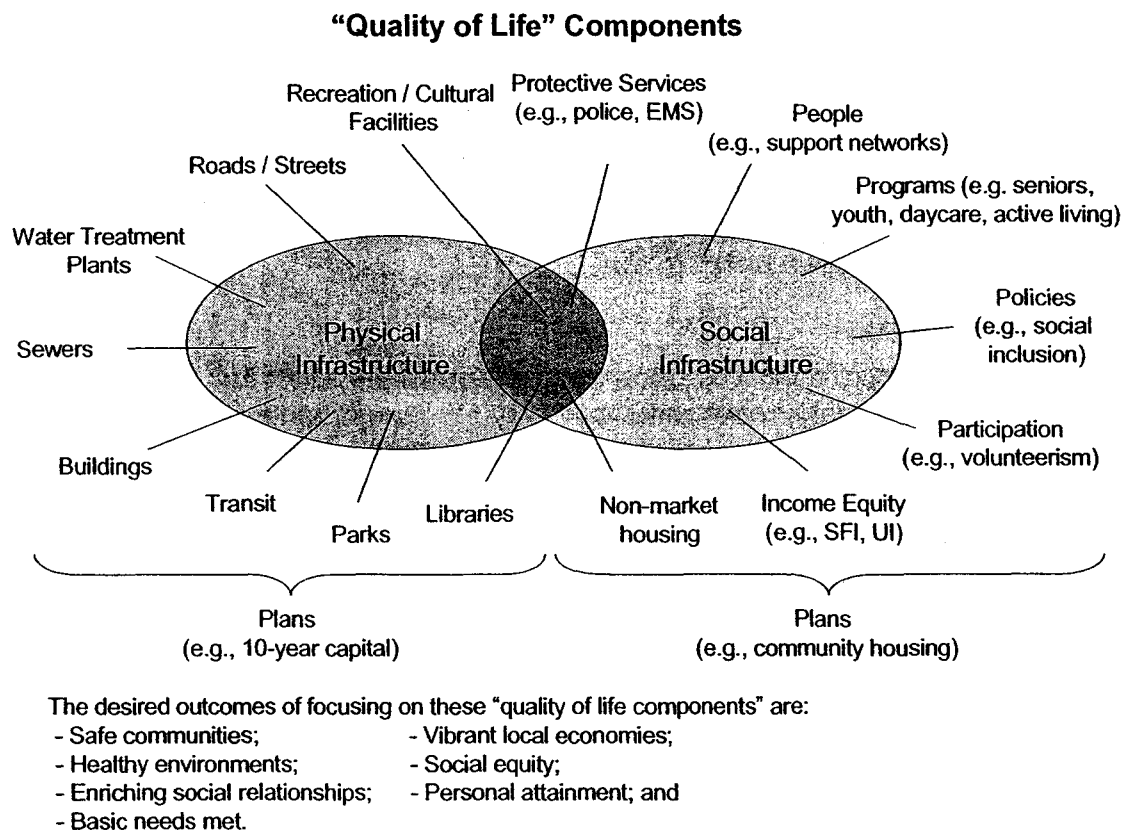


Figure 1 – Quality of Life Components

All three orders of government continue to pay a great deal of attention to physical infrastructure in communities, in particular, the growing infrastructure deficit. Now they also need to ensure adequate resources (including sustainable dollars, human resources and expertise) are available to ensure the sustainability of social infrastructure.

Each community may identify different needs and pressing social infrastructure issues. As such, this policy will incorporate principles of municipal autonomy to accommodate changing and emerging community needs.

BACKGROUND

Housing and Social Infrastructure Survey

In February 2004, a survey was distributed out to all Alberta municipalities asking about affordable housing and social infrastructure (the complete survey results are available on the AUMA website). The responses identified a number of common and specific concerns across local governments. The top concerns identified were:

- affordable housing
- family issues
- seniors' issues (e.g., services, housing)
- crime (e.g. drugs, gangs, vandalism)
- heavy reliance on volunteers / volunteer burnout

This needs assessment is a fruitful beginning point for developing a social infrastructure policy that acknowledges the diversity of issues facing municipalities. We know that each issue affects our communities in a number of ways; it is to local government that citizens often look for redress. We must therefore respond to these needs directly while maintaining a separation of jurisdictional responsibility when all of these areas require a structure and adequate resources to ensure that citizens have healthy, enriching and socially inclusive communities in which to live.

Current Legislation

The following excerpts from the Alberta Municipal Government Act, clearly demonstrate that local governments can include in their mandates social infrastructure considerations. It is reasonable to assume that a safe and viable community cannot be created through physical infrastructure initiatives alone.

Part 1, Section 3

"The purposes of a municipality are:

- (a) to provide good government,*
- (b) 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, and*
- (c) to develop and maintain safe and viable communities"*

Part 1, Section 5

"A municipality

- (a) has the powers given to it by this and other enactments,*
- (b) has the duties that are imposed on it by this and other enactments and those that the municipality imposes on itself as a matter of policy, and*
- (c) has the functions that are described in this and other enactments."*

Part 1, Section 6

"A municipality has natural person powers, except to the extent that they are limited by this or any other enactment."

In order to meet the growing social needs of communities, as well as assume their traditional municipal roles and responsibilities, local governments will require clarification and realignment of roles, responsibilities and resources with the provincial and federal governments. Fortunately, communities in Alberta have a history of collaborating to care for each other through good times and bad. Local governments and their communities are in the best position to identify their needs and to deliver programmes. Now they require resources from the federal and provincial government to continue this helping role.

Social Infrastructure Planning Challenges

Historically, social issues have been viewed as something that only impacts larger urban centres. The reality is that social issues are increasingly affecting smaller centres. People are more mobile which can lead to "shadow" social problems (e.g., drugs, gangs). Aging populations are triggering a rise in supports required for seniors as well as for people with disabilities.

Often, there are very few networks of support to handle social issues. Smaller communities have limited access to provincial offices and often lack the infrastructure to attend to crises. The not-for-profit sector in smaller centres is also small or its focus is very narrow as there are only a few people available to tend to programmes and services. Some communities do not see it as their role to deal with 'social service' issues and worry that if they get involved in these types of issues, responsibility for them will be downloaded by other orders of government.

All these issues are leaving many smaller communities wondering how social infrastructure planning applies to them. We must therefore respond by clarifying the respective roles and responsibilities of all stakeholders so that municipalities can effectively deal with their social infrastructure challenges.

Roles of Government

Most Alberta municipalities believe that the three orders of government need to clearly define their roles and responsibilities for sustaining social infrastructure, including a defined approach to fairly sharing resources. Because partnerships are strongest when each partner applies its particular strengths and expertise, there is a particular role for each order of government. The partnership is weakened if each order is expected to carry out the responsibilities required to address the issues that should more appropriately be assumed by others.

It is expected that as the social issue being addressed changes, the specific strengths, roles and responsibilities of each stakeholder may change. The key is to create an integrated and seamless approach to social infrastructure in our communities, eliminating gaps and overlap.

Alberta municipalities have a long history of an effective cost-sharing partnership either directly or in conjunction with the voluntary sector for delivering a range of locally designed preventative social programmes. The Family and Community Support Services (FCSS) model is a good example of inter-governmental cooperation in meeting some local social infrastructure needs. This model clearly defines eligibility criteria; decision making authority for funding allocations; and responsibilities for local and provincial financial contributions. However, income support for such programmes is not appropriately funded by property taxes, one of the few revenue sources available to municipal governments.

Involvement of Other Stakeholders

The family, the community, the school, business and industry, and government agencies all have a role to play in ensuring the sustainability of our communities. Partnership and collaboration are the keys to achieving and maintaining social, environmental and economic sustainability in our societies. This includes intergovernmental cooperation between all three orders of government and with Aboriginal governments; intra-governmental cooperation between and within departments of the three orders of government; and inter-sectoral cooperation between non-governmental stakeholders, groups, citizens, regional authorities, and the corporate sector.

Viability

Research has shown that the viability of our communities is determined not only by economic and environmental issues, but by attention paid to enabling people to be self-sufficient, and enabling municipalities to address present and emerging social issues in their communities. By developing social inclusion and economic development policies that attend to such things as broad, preventative social and economic policies that attend to such things as health promotion, recreation, education, social well-being, municipalities can reduce poor health, crime, illiteracy, etc. and realize long-term cost savings. This in turn leads to safer, more prosperous communities where people have opportunities to come together to create sustainable communities.

Quality of Life

FCM defines quality of life in Canadian communities as follows:

"Quality of life is enhanced and reinforced in municipalities that:

- 1. Develop and maintain a vibrant local economy;*
- 2. Protect and enhance the natural and built environment;*
- 3. Offer opportunities for the attainment of personal goals, hopes and aspirations;*
- 4. Promote a fair and equitable sharing of common resources;*
- 5. Enable residents to meet their basic needs; and*
- 6. Support rich social interactions and the inclusion of all residents in community life."*

Implicit in this definition is the fact that the quality of life in any given municipality is influenced by interrelated factors such as: affordable, appropriate housing; civic engagement; community and social infrastructure; education; employment; the local economy; the natural environment; personal and community health; personal financial security; and personal safety."

AUMA may want to evaluate FCM's Quality of Life Reporting System to determine its applicability to municipalities in Alberta.

STATEMENT OF PRINCIPLES

AUMA's Social Infrastructure Policy is comprised of four main principles:

- Federal and Provincial governments have primary responsibility to fund and support social infrastructure;
- Municipal Governments have a role in social infrastructure;
- Consultation and cooperation is essential in meeting social infrastructure needs; and
- Municipalities, in the context of available resources and council approval, may choose to deliver their priority social infrastructure components

1. Federal and Provincial Governments have primary responsibility to fund and support social infrastructure

In Canada, all orders of government, as well as community organizations, participate in the development of social values and monitoring social and economic conditions. Federal social objectives and policies should reflect concepts of equity and fairness for all citizens, respect provincial and territorial jurisdiction, and assure Albertans that all orders of government are committed to, and accountable for, maintaining and improving the quality of everyday life.

The provincial government must maintain a strong fiscal role in adequately resourcing social programmes. During the past decade, the AUMA has supported provincial efforts to eliminate budget deficits and reduce the provincial debt, but it believes the provincial government should now direct revenues previously used for debt payments to stabilize funding for social programmes. All governments must work together to make social programmes more effective and more accountable.

The Universal Declaration of Human Rights, with its conventions on civil, political, economic, social and cultural rights, enshrines the right of all Canadians to have their basic needs met. The Alberta Government has ratified these conventions. Similarly, the constitutional objective of equalization (reducing regional income inequalities and providing reasonably comparable levels of public services and taxation to all Canadians) applies equally to federal and provincial/territorial governments. These two foundational principles (the meeting of basic needs, and equalization) should be applied to social programmes, and governments should be accountable for results.

The property tax appears to be a useful revenue source for funding services to property. Social programmes and services are typically funded by government using tax dollars collected from other sources. The redistribution of income inherent in social assistance programmes requires that revenues raised for that purpose come in an equitable manner from people who are most able to pay. However, funding for any government programme can be undermined if the tax base is too confined within geographic areas or income categories. The property tax assessment base, one of the few revenue

sources available to municipal governments, provides limited revenue to achieve these larger social objectives. Furthermore, there appears to be no clear correlation between a community's social infrastructure needs and its property tax assessment base, rendering this tax an inappropriate financing source for social programmes.

2. *Municipal Governments have a role in social infrastructure*

Municipalities are in the best position to serve as the lead contact with stakeholders, community groups and citizens. It should be the role of the municipality, in the context of its resources, to bring together all of the interested local groups and individuals and reach consensus on the social infrastructure needs and potential solutions. Such consensus building will only be fruitful if the municipality ensures that the provincial and federal governments are fully informed and appropriately engaged in the process.

3. *Consultation and Cooperation is essential in meeting social infrastructure needs*

The complexity of the issues related to social infrastructure requires full, open, honest consultation and cooperation among major stakeholders. This has not always been the case in the past when the guiding principle seemed to be "he who pays the piper calls the tune". When there were discussions of social programmes, one of the partners, municipal government, was seldom invited to the table. The absence of municipal government from the discussions meant that a key partner, the one with the most direct knowledge of community needs, had no voice. Inter-governmental consultation and cooperation is essential to sustain social infrastructure in a cost-effective manner.

The same need for consultation and cooperation applies within each order of government. In communities, it often looks like Alberta government departments have not always considered the impact of their own programme initiatives on the responsibilities of other departments. The province should require its departments to discuss with each other and consider the social impact of proposed policy and/or programme changes in advance of their approval. The same observation applies to the federal and municipal governments.

All orders of government need to find ways of optimizing the resources of the private and not-for-profit sectors in achieving the building social infrastructure. These resources include, among others:

- Knowledge of community needs, networks and solutions
- Knowledge of available programmes and services
- Potential funding sources, and
- Expertise in programme delivery.

While governments have the responsibility to approve public policy, implementing the policy can be greatly enhanced by non-governmental agency involvement. Such involvement can assist in building the capacity of the non-governmental sector in our communities.

4. *Municipalities, in the context of available resources and council approval, may choose to deliver their priority social infrastructure components*

The Alberta Municipal Government Act (the “Act”) is explicit in saying that the power of the municipality is “to provide services, facilities or other things that, in the opinion of council, are necessary or desirable” to “maintain safe and viable communities”. The Act provides flexibility to Alberta municipalities by giving them powers within broad spheres of jurisdiction. Instead of stating what a municipality can do, the legislation assumes the legitimate range of municipal activity is very broad, so it simply says what a municipality cannot do.

Within this MGA jurisdiction, each municipality is free to choose the level of participation it considers appropriate in creating and sustaining the social infrastructure in its community. Some participate in the FCSS Program, build libraries, or operate recreation and park facilities. Other municipalities support homeless shelters or operate non-profit housing units. Still others fund lodge facilities or run programs for seniors.

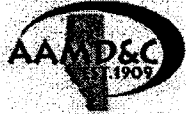
The degree to which a municipal council decides to participate is theirs to make. Consequently, some of these services and programs may be available to a greater extent in some communities than they are in other communities.

APPROVAL OF THE POLICY

The AUMA Board of Directors approved this policy in principle on June 24, 2004.

The policy and policy paper will be distributed to all AUMA members and will be presented for formal approval at the 2004 Annual Convention in November.

Alberta Association of
Municipal Districts and Counties



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Cost-sharing for Success: A Pro-active Approach

**Developed by the AAMD&C/ AUMA
Rural/Urban Cost-Sharing Task Force**



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Resolution

Whereas

Effective service/cost-sharing agreements respect the individual priorities of each municipality entering into the agreement. And

Whereas

Effective service/cost-sharing agreements align with the responsibilities and mandate of each community and maximize the opportunities to provide quality services relevant to the ratepayer. And

Whereas

Effective service/cost-sharing agreements are of mutual benefit, both economically and socially, directly and indirectly, to all parties.

Whereas

Service/cost-sharing agreements developed in consideration of the broader region, and its vision provides overall benefits to all involved communities. And

Whereas

Municipal government is the closest level of government to the people and service/cost-sharing agreements provide a framework to help local government fulfill its social, economic and moral obligations to constituents. And

Whereas

Effective service/cost-sharing agreements honour and respect the autonomy of local governments to determine levels of service and effective ways to deliver those services. And

Whereas

Local government's focus is the ratepayer and service/cost-sharing agreements enhance the community and enrich the lives of its residents. And

Whereas

Effective service/cost-sharing agreements are flexible and provide opportunities to increase (service) efficiencies. And

Whereas

Effective service/cost-sharing agreements build community capacity at the local government level.

THEREFORE BE IT RESOLVED that the AAMD&C/AUMA formally adopt the report and recommendations of the AAMD&C/AUMA Rural/Urban Cost-sharing Task Force.

Executive Summary

As a result of their review, the Rural-Urban Cost-sharing Task Force has determined that cost-sharing agreements represent important tools for municipalities in fulfilling their responsibility to provide services. Local government is becoming increasingly complex, yet resources remain limited. At the same time, municipalities are expected to deliver quality services efficiently and effectively. While cooperation is nothing new for municipalities in Alberta, a new era of intermunicipal relationships and cooperation is evolving that includes broader and more innovative intermunicipal partnerships. More than ever municipalities are coming together to cooperatively offer an expanding range of services while maintaining their independence and identity.

The Alberta Association of Municipal Districts and Counties and the Alberta Urban Municipalities Association recognize this trend and wish to ensure that member municipalities have every opportunity to capitalize on this growing spirit of cooperation. In order to assist in providing municipalities with the tools and skills required to maximize the benefits of intermunicipal partnerships, the two Associations jointly established the Rural/Urban Cost-sharing Task Force, with a mandate to identify tools to assist in the formation of cost-sharing agreements and to develop principles to guide the development of these agreements. The task force has specifically refrained from any discussion of intermunicipal revenue sharing, as this issue has been clearly established as beyond the mandate of the task force.

This report is the culmination of almost one year of discussions on the part of the Task Force. The recommendations contained in the report are fundamentally about building on a tried and tested approach – people working together can accomplish much more than those working on their own. There are, however, obstacles to cooperating and this report is about dealing with those obstacles in innovative and practical ways.

to ratepayers in the most efficient and cost-effective manner possible. Cost-sharing agreements can provide very important benefits to communities, particularly in expanding the scope of services available to local residents. The use of cost-sharing agreements can help promote a sense of "community" without undue emphasis on jurisdictional boundaries, promote economic growth within regions, and allow municipal representatives to demonstrate effective leadership on cooperative initiatives. Voluntarily entering into cost-sharing agreements allows municipalities to determine the most appropriate solutions for local needs, recognizing that collaborative initiatives provide a stronger, united voice and a greater opportunity to influence other orders of government.

The task force recommends several approaches that, when implemented, will achieve successful development of cost-sharing agreements, including:

- Relationship building through informal and formal meetings that include visioning and goal-setting, while developing an understanding of the individuals involved in the process
- Development of intermunicipal Advisory committees that allow community residents to discuss issues of concern with municipal representatives regardless of jurisdictional boundaries
- Joint Association support for the development of cost-sharing through education and information forums provided to municipalities on a regional basis, provision of sample cost-sharing agreements for municipal reference, and access to a technical team of mediators and facilitators to assist in negotiation resolution.
- (if requested) Encouraging municipalities to utilize a "fact finder," to review the circumstances of a dispute and provide an opinion regarding the results of arbitration, in instances where all other appropriate avenues have not been successful.

The Task Force recognizes that cost-sharing is a voluntary exercise, and that the determination of the most appropriate method of providing services to residents and businesses is ultimately the responsibility

of individual municipal governments. The goal of the task force is to assist municipalities by providing the tools and resources needed for and implementation of successful cost-sharing arrangements, respecting the authority of municipal governments to manage the resources available to them, and to determine appropriate distribution of these resources. To that end, the task force has provided several tools for assisting in negotiations, tools that outline:

- Methods of building relationships
- Essential elements to consider in the development of cost-sharing agreements
- Negotiation models to assist in moving through the process of creating or modifying a successful, and equitable arrangement to satisfy all involved in negotiations.

The task force also identified that the most critical element to determine a successful outcome to cost-sharing negotiations is the relationship of negotiating parties, the attitude of individuals involved and the will of the group to come to a successful resolution. For nearly any service, a cost-sharing agreement can be created if the desire exists from all those involved to achieve a successful arrangement. The challenge is for all municipalities to pro-actively embrace a new cooperative culture that encourages innovative approaches to funding and delivering municipal services, including a recognition of the value of shared services and facilities.

The task force has suggested a joint vision to show support and commitment to a better future for municipalities in Alberta. The vision is intended to demonstrate joint leadership and commitment from the Associations as well as role modeling in promoting the development of strong and sustainable intermunicipal relationships based on respect and trust. Beginning with the support of the Associations, municipalities will be able to usher in a new era of intermunicipal relationships that lead to innovation and partnership in the development of cost-sharing arrangements.

The joint vision reads as follows:

The vast majority of Alberta's municipal councils (and administrators) appreciate their relationships with their municipal neighbours and value the cost-sharing agreements they have developed. Intermunicipal improvements are a key reason why quality of life and economic competitiveness in Alberta have been ranked "best in the world."

The Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties play a key leadership role in this achievement by modeling collaboration between the Associations and assisting urban and rural municipal leaders in:

- Establishing strong intermunicipal relationships based on sound communications, hard work/commitment and mutual understanding at the local political and administrative level.
- Fostering intermunicipal respect and trust allows intermunicipal cost-sharing relationships and mechanisms to develop and change pro-actively and positively when challenges and opportunities are identified.
- Serving the collective needs and interests of their taxpayers, based on fairness and reasonableness.
- Replacing competition and fear with collaboration while strengthening municipal autonomy, relationships with other orders of government and potentially improving economic opportunity.
- Collectively offering mechanisms and opportunities to assist municipalities in settling cost sharing disagreements.

The Province and the Associations alike trumpet this vastly improved area of municipal partnership and promote its success by Alberta local government leaders as further evidence of the Alberta Advantage in public service, efficiency and effectiveness. The province is rarely called into any intermunicipal disputes.

The task force is confident that following through on this report's recommendations will make this vision a reality.

Project Description

Mandate

The mandate of the Rural/Urban Task Force includes the following:

- Identify issues and concerns relating to the funding of urban services, which are or may be beneficial to rural residents.
- Identify issues and concerns relating to the funding of rural services, which are or may be beneficial to urban residents.
- Identify principles and guidelines for evaluating the conditions under which cost sharing of these services is appropriate and for determining an appropriate local cost-share formula based upon these conditions.
- Identify examples of the best methods of bringing parties together and negotiating the joint municipal agreements.
- Identify tools and examples that would assist municipalities with formation of agreements.
- Prepare a communication plan for the Associations to use to market the tools and examples.
- Prepare appropriate survey tools for communication with municipalities and establishing a base of information and issues.

For further information on the terms of reference and membership of the task force, see Appendix "A".

Out of Scope

The Associations have agreed that the mandate of the Task Force will not address;

- Revenue or tax sharing between municipalities
- Regionalization
- Amalgamation

Stakeholders

Several stakeholders are impacted by the work of the task force, and are identified in the following list. However, the task force recognizes that some stakeholders may not be referenced in this list.

Primary

- AUMA and its member municipalities
- AAMD&C and its member municipalities
- Individual ratepayers

Secondary

- Alberta Municipal Affairs
- Other affected government departments and agencies

Principles Guiding the Final Report and Recommendations

Members of the AAMD&C/AUMA joint task force on cost sharing set forward the following beliefs to use in service/cost sharing discussions and agreement development. These statements list important, broad beliefs of what needs to be present as intermunicipal service/cost-sharing is discussed and finalized. When the parties support and commit to most or all of these beliefs, the process and content to arrive at a sound agreement is much easier. (Note that we recognize these beliefs apply to a wide range of other partnership and collaboration initiatives, not just development of service/cost sharing arrangements.) In no particular order, the beliefs are:

- Enhance community capacity building and intermunicipal relationships. (Recognize the importance of developing good intermunicipal relationships as a basis of good agreements).
- Facilitate the building of intermunicipal agreements based on open communication, trust, and transparency.
- Encourage the development of a broad community vision while respecting the democratic accountability of municipal councils.
- Realize the commitment from all parties to negotiate in good faith.
- Acknowledge the economic realities at the time.
- Provide a framework that does not unfairly impact or harm stakeholders.
- Minimize the opportunities for litigation; take away the reasons for conflict.
- Remain flexible and adapt to emerging needs, agreements must be timely and reflective of the public will.
- Utilizing the tools developed by the task force, municipalities are encouraged to find their own unique solutions and to look at the broader picture of intermunicipal co-operation.
- Recognize the need for accountability.
- Recognize that the associations and the provincial government, primarily through Municipal Affairs, has a role in supporting and encouraging the implementation of service/cost-sharing arrangements.

The development of successful, sustainable intermunicipal service/cost-sharing agreements provides municipalities with the opportunity to pro-actively address the concerns of ratepayers and the community, to demonstrate effective leadership by elected and administrative officials, and to achieve effective use of community resources through local governance. In Alberta, municipalities work in partnership with each other and the provincial government to determine appropriate solutions to ensure safe, healthy, and sustainable local communities.

RuralUrbanCostSharingTaskForce

The AAMD&C/AUMA Rural/Urban Cost-sharing Task Force was developed to provide recommendations, strategies, best practice tools, examples and dispute mechanisms that would assist municipalities to develop effective and efficient joint service arrangements and agreements. Municipalities are self-sustaining orders of government whose service levels can be enhanced by partnership agreements with their neighbours for a range of services.

Current Situation

The current perspective of cost-sharing is often characterized from two offsetting views:

"The Service View" – The urban (usually) municipality delivering a (net-cost) service for their residents also accessed by neighbouring rural residents.

"The Cost View" – The rural (usually) municipality being asked to contribute for services that may not be a priority to the rural lifestyle.

It is often viewed by municipalities that cost-sharing is a transfer of funds from one municipality to another or purchasing a service. From the perspective of the task force, cost-sharing is about more than this, and could be more appropriately characterized by a partnership relationship.

Many municipalities have recognized and addressed differing perspectives, and as a result, this has aided in the development of successful and sustainable intermunicipal agreements. However, in some cases, these differing views contribute to difficulty in negotiations and difficulty understanding the other's position, which can lead to a failure to reach consensus on the appropriate funding of rural/urban services. In some areas across the country, municipalities have been forced to amalgamate or move in directions mandated by other levels of government. In the instances where an agreement is reached, some municipalities experience further challenges with neighboring municipalities because the agreement is perceived to be forced or inequitable. The consequences of these perceptions degrade relationships and impair future negotiations.

It is recognized that certain circumstances do not always result in a successful outcome of service/cost-sharing negotiations. Failing to build partnerships with neighbouring municipalities will limit options for service provision, economic growth, and strength in unity to influence external sources. Alberta municipalities have the unique opportunity to work with each other and other levels of government to pro-actively enhance services for their ratepayers through cooperative efforts.

- What is the motivation for municipalities to engage in discussions on the development of cost-sharing agreements?
 - Political accountability and increased responsibility for public money
 - Needs of the community. Increased expectation in terms of service, but decreased ability for individual municipalities to pay for the service
 - A financial crisis. E.g. Financial motivation/challenges (Municipal Affairs grants, provincial pressure)
 - A need to demonstrate success to the community
 - A more educated public
 - Public expectation of politicians to get something done
 - Weak or deteriorating relationships
 - Change in intermunicipal relationships following elections

•The task force identified the following common barriers to be aware of and to consider in the development of Rural/Urban Cost-sharing Agreements, based on responses identified in the survey of municipalities on rural/urban cost-sharing. These issues were identified by urban and/or rural municipalities in relation to the funding or provision of rural and/or urban services. For more detailed information, a summary of survey responses has been included in Appendix "B".

- **Mistrust** – A fear of losing control over decision-making and suspicion regarding other's motives
- **Negative attitudes** - An individual's mindset, time made available for discussions, and the perception of fairness in negotiations
- **History** – The historical practices and preference of individuals, as well as any negative history will influence the expectations and attitude of the negotiating parties
- **Finance** – Increasing cost of municipal operations, ability to pay, usage and user pay and financial concerns/instability for municipalities
- **Politics** – Perceived expectations of public officials, turnover of municipal players and political pressure from external sources
- **Personalities** – Personal baggage of individuals, personality differences, an unclear understanding of "roles" and the desire for control
- **Power** – Differences in resources, appropriate sharing of decision-making and the equality of participants
- **Lack of leadership/vision** - Lack of leadership, ignorance of issues, understanding both perspectives, and different service level desires
- **Poor Communication** – Lack of appropriate communication
- **Fear** – Fear of loss of control over local services, and fear of creating unrealistic expectations in future agreements
- **Ignorance** - Lack of negotiating skills, lack of knowledge, misperception of roles, and an unwillingness to accept change
- **Me vs. Us** – Unwillingness to compromise or be good neighbours, focus on winning rather than compromise, and a focus on boundaries during negotiations
- **Public expectations** - Ratepayer buy-in or agreement, unclear public expectations and public pressure to develop a solution
- **Objectives** – Differing goals and priorities, differing understanding of community need and differing personal expectations
- **Viability** – Viability of the project
- **Transparency** – Transparency and openness of disclosure
- **Continuity of agreements after an election**

Opportunities

Municipalities have many opportunities available to them to enhance the delivery of services to their ratepayers. The development of service/cost-sharing agreements is one opportunity that exists for addressing the need for municipalities to work together and is important for municipalities to consider for the following reasons:

1. **Efficiency** - Creates efficiencies and possibly economies of scale. Enhance the delivery of services and avoids duplication of effort/expenditure.
2. **Community Building** - The public expects municipal representatives (elected and appointed) to set an example for the community and provide leadership on cooperative initiatives. Councillors must work together as a community to achieve common goals, and cooperation is tied to better service for residents. Relationships are the key to building successful agreements.
3. **Economic Growth** – Common community goals and cooperative efforts will enhance the opportunity to attract economic growth and improve economic development to the area.
4. **Municipal Autonomy** – Municipal autonomy assists municipalities to develop solutions suitable to their own settings, avoids forced amalgamations and allows municipalities to control their own destiny.
5. **United Voice** - The development of co-operative initiatives and agreements allows municipalities to speak with one voice to government, thus achieving strength in unity and providing greater opportunity to influence other orders of government.
6. **Community Capacity** – Understanding the needs of the broader community and collectively bringing to bear the necessary resources to provide a more effective and broader range of programs and services not possible individually. Municipalities are representatives of the citizens, and are stewards of the resources available. A municipality has a responsibility to maximize the use of resources through collective sharing to benefit the community as a whole while preserving municipal autonomy.

Principles Guiding the Development of Service/Cost-sharing Arrangements

The principles below are set out to guide when and how service/cost-sharing arrangements should be developed. Some broad areas of important content for these agreements are also identified; a more complete list can be found in Section 5 under components of a service/cost-sharing agreement. These principles and the beliefs in section 3 are useful as a "checklist" of how to proceed and what to consider in developing intermunicipal service/cost sharing agreements. It is important to recognize that the following principles should be considered collectively, and in context with the entire report. These principles are intended to improve and facilitate the development of cost-sharing agreements through relationship building and community capacity building.

1. Recognize, respect, and address the differing needs and values of each municipality including the broader rural urban differences.
2. If the ratepayers of one municipality are using a service/facility in a neighbouring municipality, there is an obligation to enter into discussions for a service/cost-sharing agreement.
3. Regionally accessible and beneficial services should be financed on a regionally cost-shared basis.
4. All parties to a service/cost-sharing agreement must have the opportunity to participate in a board or committee established to oversee operations.
5. Wherever there is service/cost-sharing, a sharing of ownership of associated facilities and assets will be encouraged.
6. In situations where one municipality is negotiating an agreement for sharing with another, and there are other municipalities within that municipality either negotiating an agreement or with a current agreement in place for similar services, all municipalities should jointly negotiate.
7. Councils will negotiate principles and set the parameters of service/cost-sharing agreements, their administration will then finalize details and draft agreements for council's approval.
8. Municipal services that are subject to regional negotiations (i.e. more than two municipalities) must be rationalized by the parties in a long-term plan to ensure the service meets the regional need as opposed to solely a local need.

Strategic Alignment

The collaborative efforts of the member municipalities of the AAMD&C and AUMA (through the development of service/cost-sharing agreements) provides an opportunity for municipalities to unite in their efforts to determine the most appropriate and effective solutions for meeting local needs. The leadership and support of the Associations and Alberta Municipal Affairs will facilitate the development of successful and sustainable service/cost-sharing arrangements between municipalities, and promote strong, effective and accountable local governments, as stated in the mission statements of these key stakeholders.

Mission statements of the Associations:

AUMA - The Alberta Urban Municipalities Association will provide leadership in advocating local government interests to the provincial government and other organizations, and will provide services that address the needs of its membership.

AAMD&C - The AAMD&C will assist rural municipalities to achieve strong and effective local government.

Mission statement of Alberta Municipal Affairs:

Alberta Municipal Affairs - Alberta Municipal Affairs works in partnership with Alberta's municipalities, other government departments, local authorities, various local organizations focused on local issues, and the private sector to ensure Albertans live in safe and sustainable communities, and are served by open, effective and accountable governments.

Development of service/cost-sharing Arrangements

The development of agreements or partnerships can address two or more municipalities at the negotiating table, and all types of intermunicipal cooperation; that of urban-urban, rural-rural, and urban-rural service/cost-sharing arrangements. The Task Force recognizes that the diverse nature of municipalities may influence the collaborative efforts and the unique characteristics of service/cost-sharing arrangements.

Recommendations

Whereas

Effective service/cost-sharing agreements respect the individual priorities of each municipality entering into the agreement. And

Whereas

Effective service/cost-sharing agreements align with the responsibilities and mandate of each community and maximize the opportunities to provide quality services relevant to the ratepayer. And

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THEREFORE BE IT RESOLVED that the AAMD&C/AUMA formally adopt the report and recommendations of the AAMD&C/AUMA Rural/Urban Cost-sharing Task Force.

Recommendations

1. JOINT VISION

Objective: The adoption of a joint vision relating to cost-sharing to show support and commitment to a better future.

What: Vision:

The vast majority of Alberta's municipal councils (and administrators) appreciate their relationships with their municipal neighbours and value the service/cost-sharing agreements they have developed. Intermunicipal improvements are a key reason why quality of life and economic competitiveness in Alberta have been ranked "best in the world."

The Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties play a key leadership role in this achievement by modeling collaboration between the Associations and assisting urban and rural municipal leaders in:

- Establishing strong intermunicipal relationships based on sound communications, hard work/commitment and mutual understanding at the local political and administrative level.
- Fostering intermunicipal respect and trust allows intermunicipal cost-sharing relationships and mechanisms to develop and change pro-actively and positively when challenges and opportunities are identified.
- Serving the collective needs and interests of their taxpayers, based on fairness and reasonableness.
- Replacing competition and fear with collaboration while strengthening municipal autonomy, relationships with other orders of government and potentially improving economic opportunity.
- Collectively offering mechanisms and opportunities to assist municipalities in settling cost-sharing disagreements.

The Province and the Associations alike trumpet this vastly improved area of municipal partnership and promote its success by Alberta local government leaders as further evidence of the Alberta Advantage in public service, efficiency and effectiveness. The province is rarely called into any intermunicipal disputes.

Rationale: The Associations are able to demonstrate joint leadership and commitment as well as role modeling in promoting the development of strong and sustainable intermunicipal relationships based on respect and trust. Beginning with the support of the Associations, municipalities will be able to usher in a new era of intermunicipal relationships that lead to innovation and partnership in the development of service/cost-sharing arrangements.

Who: AAMD&C and AUMA

When: ADOPTED UPON ACCEPTING THE REPORT, AND IMPLEMENTED ON AN ON-GOING BASIS

2. RELATIONSHIP BUILDING

Objective: To build positive, healthy intermunicipal relationships to facilitate the negotiation process and the successful development of service/cost-sharing agreements.

What: The AAMD&C and the AUMA will communicate with each member council to encourage them to discuss and adopt the following:

- Organize informal social events (ex. golf, dinners, etc) including an annual tour and discussion to gain a greater appreciation of the issues and priorities, during the year
- Share individual municipal strategic visions and plans, and participate in intermunicipal visioning and planning
- Establish amicable agreement negotiation processes
- Make use of the tool kit (developed by the task force) available to municipalities

Rationale: As emphasized throughout this report, the importance of relationship building

among municipalities is the foundation to the development of any good agreement. Relationships built on trust, respect, transparency and mutual understanding of the objectives, beliefs and values of the other party are essential to creating or nurturing a desire for a positive resolution to intermunicipal negotiations. In order to build those relationships there must be a high level of understanding between the municipalities involved. An understanding of the unique perspectives each brings to the table and the unique challenges that each faces in delivering services to their ratepayers is an essential element to the development of a successful cost-sharing agreement.

WHO: Municipalities that are in close proximity or share contiguous boundaries
WHEN: SEMI-ANNUALLY, QUARTERLY, OR AS FREQUENTLY AS DETERMINED BY DISCUSSIONS

3. INTERMUNICIPAL ADVISORY COMMITTEES

Objective: To provide elected officials with an unofficial sounding board of citizen perspectives and to build understanding between urban and rural citizens.

What: The AAMD&C and the AUMA will communicate to each member council to encourage them to discuss and consider the establishment of a ratepayer advisory committee by convening a representative group of residents to discuss intermunicipal issues with reeves and mayors.

Rationale: The citizens of an area have an important role to play in the support and commitment to the work of their municipal representatives. Fostering relationships between ratepayers and municipal representatives provides a strong sense of community without boundaries, and provides an opportunity to keep in touch with the perspectives of the community. Past experience has shown that an informal group of informed citizens, representing the various interests in the municipality, can be an invaluable sounding board to elected officials. By convening a group that represents both municipalities, elected officials are provided a unique opportunity to provide input to proposed cost-sharing initiatives.

WHO: Municipalities that are in close proximity or share contiguous boundaries
WHEN: SEMI-ANNUALLY, QUARTERLY, OR AS FREQUENTLY AS DETERMINED BY DISCUSSIONS

4. FORUMS

Objective: To develop strong support for the work of the task force, and to further develop linkages between urban and rural municipalities.

What: Convene forums to present the report of the task force and build:

- Understanding of the need for service/cost-sharing
- Understanding of roles of the various players
- Trust between rural and urban municipalities
- Support for the development of agreements in a non-threatening manner
- Assist municipalities to learn how to build a joint vision and utilize the tools developed by the task force
- Build expertise of negotiators through workshops

Rationale: Forums provide a valuable opportunity for municipal representatives to gain a practical understanding of how to use the tools developed by the task force, to facilitate discussions between neighbouring municipalities, to gain support and commitment for the recommendations of the task force. The Associations will demonstrate role-modeling on joint initiatives to facilitate the development of local intermunicipal relationships.

WHO: Jointly sponsored and facilitated by both Associations
WHEN: COMMENCING 1ST QUARTER OF 2005

5. SUPPORT

Objective: To build and support the capacity/ability of local municipalities to successfully enter into and complete service/cost-sharing agreements.

What: The AAMD&C and the AUMA, with the support of Alberta Municipal Affairs, will develop support resources that consist of the following:

- A team consisting of facilitation/mediation and technical expertise to provide

direct services to municipalities who are involved in service/cost-sharing negotiations, if requested by both municipalities involved

- A registry of service/cost-sharing agreements
- A listing of mentors
- Encouraging municipal official education providers to incorporate more of the training and skills required to successfully develop service/cost-sharing agreements.

Rationale: The Associations are able to jointly enhance municipalities' broad and specific capacity to develop successful agreements by providing focused technical resources, facilitation support and education. The Associations have the opportunity to demonstrate leadership and support to municipalities to build the capacity of municipal councils and staff to develop successful and sustainable service/cost-sharing agreements.

WHO: AUMA and AAMD&C

WHEN: In place by April 2005

6. DISPUTE RESOLUTION SERVICES

Objective: To provide municipalities with an avenue to resolve intermunicipal service/cost-sharing disputes.

What: The AUMA and the AAMD&C will set up a dispute resolution service as follows:

- Step One** At the request of the municipalities involved in negotiations, both Associations must agree to make available a negotiation support team consisting of technical and facilitation expertise (see recommendation #5).
- Step Two** If the support provided in Step One does not result in a resolution, then the Associations may encourage the municipalities in question to jointly obtain the services of a fact finder who will review the situation and advise the municipalities of what they feel an arbitrator might decide if a formal arbitration was held. The municipalities then have the option to review those findings and resume negotiations.
- Step Three** If Steps One and Two do not result in resolution, and if this dispute is forwarded to the Minister of Municipal Affairs or the Municipal Government Board for resolution, the fact finder's report will be made available for consideration only if all of the municipalities involved in the dispute make this request.

RATIONALE: This process provides an opportunity for the Associations to provide leadership and guidance to municipalities, and recognizes the desire of municipalities to maintain their autonomy and authority to settle disputes at the local level. The option of involving the Minister in intermunicipal disputes already exists, and the task force is attempting to ensure that municipalities retain control over the process and are able to determine solutions appropriate for them. Through the services of the "fact finder", municipalities have the opportunity to gain a reasonable understanding of the outcome of arbitration. This knowledge of the probable results would assist municipalities to reflect on their current position and possibly enter into renewed negotiations. The task force stresses that municipalities should explore all avenues of possible resolution as embodied in this report, and that the use of a "fact finder" is only to be considered as a last resort in negotiations.

WHO: Jointly by AAMD&C and AUMA

WHEN: IN PLACE BY APRIL 2005

7. MONITORING AND EVALUATION

Objective: Develop tools for the municipalities to monitor the success of improved intermunicipal relationships

What: The Associations will develop tools for monitoring the success of intermunicipal

relationships,. The task force suggests that:

- A process must be developed for continual and long-term evaluation
- Commitment must be established for the continuation of the task force's work
- Municipalities must remain accountable to ratepayers and other municipalities for the most effective and efficient service delivery possible
- The establishment of reporting mechanisms are essential
- Every three years, the Associations will jointly review the success of the implementation of the recommendations of the rural/urban cost-sharing task force.

Rationale: Monitoring of successful intermunicipal relationships provides incentive to municipalities to come together and discuss possibilities of partnering, as well as exploring innovative methods for more efficient and effective service delivery. It allows municipalities to role-model for one another, and provide examples of best practices through the development of successful service/cost-sharing arrangements. There will be a clear understanding by the Associations and municipalities of the process for developing service/cost-sharing agreements. It will also provide for the development of benchmarks.

WHO: AAMD&C and AUMA

WHEN: IN TIME FOR THE FALL 2004 CONVENTIONS

8. COMMUNICATION PLAN

Objective: Communicate with the membership of both Associations on the work of the task force.

What: Develop and implement a communication plan.

Rationale: The communication of the final report to members will be essential, and must be communicated effectively to achieve member support and implementation.

WHO: AAMD&C and AUMA

WHEN: FOLLOWING THE ADOPTION OF THE FINAL REPORT AT THE ASSOCIATIONS FALL 2004 CONVENTIONS

9. IMPLEMENTATION OF THE REPORT AND RECOMMENDATIONS OF THE TASK FORCE

Objective: On-going development and implementation of the report and recommendations of the rural/urban cost-sharing task force.

What: The development of an on-going joint AAMD&C/AUMA committee to implement the report and recommendations of the task force.

Rationale: Implementation of the recommendations of the cost-sharing task force requires an on-going committee to develop suggestions for implementation, evaluate progress, and oversee the establishment of forums, education sessions, resource support, and communication with affected stakeholders. In addition to implementing the task force's recommendations, the new committee could also consider the development of a process for the Associations and municipalities to follow if dispute resolution services are required, resource support items of a web network for "Ask the expert", the development of a database consisting of "best case" examples of cost-sharing agreements, sending out RFPs for experts, similar to casual legal advice, and preparation of a booklet including items in the tool kit and principles.

The task force recommends that an on-going committee would most appropriately consist of Association administrative support, and some original task force members, due to their familiarity with the issue and discussions, but committee members would ultimately be left to the authority of the AAMD&C and AUMA to jointly determine.

WHO: AAMD&C and AUMA

WHEN: FOLLOWING THE ADOPTION OF THE FINAL REPORT AT THE ASSOCIATIONS FALL 2004 CONVENTIONS

Developing the Appropriate Climate: the "Why" of Cost-sharing

Relationship Building

Establishing the appropriate climate for the development of successful cost-sharing agreements is fundamental. Once a relationship and understanding between two negotiating parties is reached, the desire and opportunity to achieve a successful resolution is enhanced. Below are a number of suggestions for building intermunicipal relationships as a starting point for negotiations.

- Establish group activities to get to know each other such as visioning and team building, and create an understanding from both parties and a will to improve/create a relationship.
- Develop a broader community vision for all involved, identify vision, common needs and interests.
- Demonstrate economic, social and political advantages to the relationship
- Watch for early successes and build on those
- Advocate an atmosphere of delegating responsibility and sharing goods and services
- Have all parties bury their differences – try to get those people involved that are interested in bringing a positive relationship out, and move others to the side
- There must be a commitment as well as a will for the development of a positive relationship.
- Develop respect and understanding for each other and each other's position
- Leadership: encourage the process, look at different approaches, encourage other ideas
- Informal conversation - strategically identify other party's needs and the most effective way to communicate with them
- Involve both parties equally in negotiations and decision-making
- Recognize that you are dealing with a person, and recognize the potential differences, cultural background, different values, beliefs, feelings, and interruptions.
- Don't let your relationship get tangled up in the problem.
- Recognize feelings - acknowledge your own feelings.
- Avoid feeling defensive.

Components of a Service/cost-sharing Agreement: the "What" of Cost-sharing

The task force identified fundamental components of a service/cost-sharing agreement, including:

Why are we entering into an agreement

- Vision, identified benefit, unity and framework for negotiations
- Outline of the issue to be addressed by the agreement

What are we agreeing to

- Definition of the service/product to be provided
- Budgeting
 - Inflation costs
 - Shares
 - Funding
 - Distribution of funds
- Basis for service/cost-sharing
 - Formula
- Liability
- Acquisition of capital
 - Veto and/or approval
- Principles the agreement is based on
 - Ex. the "Whereas" clauses of the agreement
- Split out the capital and operational costs

Who will be doing it

- Staff Resources

How will it be done

- Identify Governance and leadership
- Roles and responsibilities
- Governance structure
 - Fair representation for decision-making
 - Different decisions may require a different decision-making structure
- Processes to determine balance between large and small partners
 - Service/cost-sharing equity
- Decision-making process
- Review, Continuation and Termination clauses
 - Division of assets
- Dispute resolution mechanism
- Reporting mechanism/communication

When will it be done

- Establish timelines
 - Ex. Service delivery timelines/schedule

The task force created a list of possible areas where cost-sharing agreements could be developed. See Appendix "C" for more information.

Negotiation Process Techniques: The 'How' of Cost-sharing

Mutual Gains Negotiation

The objective of mutual gains negotiation is to ensure that all parties involved in the negotiations gain. Those involved seek to find as many different items/elements related to a potential solution as they can, they expand the pie. There is recognition that they will place different values on similar items, so that what one gains might not be experienced as a loss by the others. Recognizing that the parties will place different values on those elements, a package evolves which meets both parties' objectives.

Effective mutual gains negotiation requires that the parties gain a clear understanding of each other's interests (needs, hopes, fears, what is of importance, what I value), behind the positions (my unique solutions to issues) they have taken. This understanding allows them to piece together a variety of elements that address those interests into a final solution package.

The Negotiation Model

Preparation

- How ready are we?
- What are our options, our BATNA (Best Alternative To a Negotiated Agreement) our WATNA (Worst Alternative To a Negotiated Agreement)?
- Is council on side? Who should be our representative at the negotiating table?
- What are our issues and interests?
- Reflect on the issues and options of the other parties.
- Become familiar with mutual gains negotiation.
- Who will chair the negotiations? Do we need a third party to assist us?
- Is the other party ready?
- Convene the group.

Jointly develop a negotiation protocol that deals with items such as: the time available to discuss the issue, rules of behaviour, use of proper etiquette when communicating, record keeping, listening for understanding, avoiding interruptions, involvement of media in discussions, determining the location of meetings, determining the meeting chair/facilitator for discussions, and developing a clear statement of what it is being negotiated. The negotiation protocol is signed by all of the participants.

Identify the issue and interests

Identify the interests that underlie the issues and positions. It is important to get all the issues on the table and to refrain from passing judgment on or evaluating them as they are brought forward. If it is an issue for one of the parties, then it is an issue for all.

Once the issues are identified focus on Interests

- It is in the interests that you will find the common ground.
- Ask, "Why is that important, what is important about that?" - you are constantly probing.
- Don't put the others on the defensive by challenging their positions, instead probe to identify their interests.
- Share your own interests - frame them as interests and as not positions or solutions.
- Focus on the problem - be aggressive in dealing with it but be soft on the people.
- Be future oriented (yet don't forget that the past frames the way people see the problem now).

Establish common database

Should information or data be needed the objective is to establish a database that is acceptable to all so that the data itself does not become a point of contention. Remember that the data must be:

- acceptable to all the parties,
- credible scientifically and technically, and
- defensible.

Develop options

Develop a number of options; determine how these options meet the interests of all.

Consider the following when reality testing:

- Find some criteria that are independent of each party's position.
- You are jointly seeking objective criteria, the standards and the procedures should be fair.
- Be open as to what appropriate standards might be. Discuss the merits -they should be time and place relevant, widely accepted, to the point.
- Yield only to principle, not pressure or manipulation. Use the standards as a sword to persuade and as a shield to protect.
- Look for ways to make the decision easy

Finalize and implement the package

The package must clearly address and articulate the following five items:

- What specifically is to be done?
- Who will do it?
- When will they do it by? and
- How will they do it?
- A dispute resolution process, what will happen if something goes awry in the implementation phase?

The Alberta Association of Municipal Districts and Counties and the Alberta Urban Municipalities Association recognize that a new era is surfacing for local governments. Now, more than ever, municipalities are working collaboratively with neighboring municipalities to deliver services that enrich the quality of life for residents and enhance the community. Under the current legislative framework, municipalities are able to pro-actively identify opportunities to improve their communities. This degree of autonomy affords local government the opportunity to develop solutions that meet the unique challenges facing them.

The Rural Urban Cost-sharing Task Force acknowledges that municipalities must retain their independence and ability to develop solutions unique to their communities. From the onset, the task force recognized that a prescriptive approach to solutions would, in fact, limit autonomy. Municipal collaboration works because it is reflective of individual needs, mutual respect, and priorities.

As municipalities settle into this new era of municipal collaboration, the task force recognized that, at times, municipalities encounter obstacles that impair the development of cost-sharing agreements. This report provides processes and tools that will help guide municipalities in the development of innovative cost-sharing agreements.

The task force attempted to capture the importance of cost-sharing agreements in a common vision statement:

The vast majority of Alberta's municipal councils (and administrators) appreciate their relationships with their municipal neighbours and value the cost-sharing agreements they have developed. Intermunicipal improvements are a key reason why the quality of life and economic competitiveness in Alberta have been ranked "best in the world."

The task force felt that the joint adoption of the vision statement by both associations would demonstrate leadership and a commitment to promoting sustainable intermunicipal relationships. This would, in turn, encourage municipalities to develop intermunicipal relationships based on mutual respect, understanding, and a commitment to continually identify opportunities that will improve the quality of life in Alberta.

The development of cost-sharing agreements provides a means of addressing local government's legislated mandate of providing services for residents. Effective cost-sharing agreements can increase efficiencies and a municipality's capacity to provide services. Many communities that can provide a diverse and rich selection of services often see direct economic growth as a result. In today's economic climate, financial independence enhances municipal autonomy and ultimately, a collection of financially viable communities proposing a cost-sharing agreement may find that its unified voice and approach improves its position with respect to other levels of government.

Effective cost-sharing agreements should be community capacity building and enhance intermunicipal relationships. In order to achieve healthy relationships, agreements must recognize and address the differing needs and values of each municipality. Healthy relationships are cultivated through open communication, trust, and transparency and are achieved through a commitment from all parties to negotiate in good faith.

Cost-sharing agreements should also encourage the development of a broad community vision and respect the democratic accountability of municipal councils. To truly achieve an agreement that is unique to the municipalities involved, the communities responsible for developing the agreement should ensure that the agreement acknowledges the economic realities and that it will not unfairly impact or harm stakeholders. The purpose of cost-sharing agreements is to facilitate unique solutions and opportunities to look at the broader picture of intermunicipal co-operation. By remaining flexible and adapting to emerging needs, agreements will remain timely and reflective of the public will. Essentially, the agreement should be a means to reduce conflict between municipalities and minimize opportunities for litigation and interference from other levels of government.

The task force recognizes the significant impact cost-sharing agreements can have on economic viability and quality of life. As such, the task force developed a series of tools that outline processes for municipalities to develop relationships, identify elements of a cost-sharing agreement, enhance community capacity, and negotiate reasonably and fairly.

Regardless of resources, opportunities to develop and streamline municipal services exist for all municipalities. The task force encourages municipalities to identify opportunities that will help build a strong, viable network of local governments and ultimately improve the Alberta Advantage.

Appendix A

**AAMD&C/AUMA Rural/Urban Joint Cost-Sharing Task Force
Terms of Reference**

Purpose:

The Associations develop recommendations, strategies, best practice tools/examples and dispute mechanisms that would assist municipalities to develop effective and efficient joint service arrangements and agreements. Municipalities are self-sustaining orders of government that require partnership agreements with their neighbours for a range of services.

Mandate:

- Identify issues and concerns relating to the funding of urban services, which are or may be beneficial to rural residents.
- Identify issues and concerns relating to the funding of rural services, which are or may be beneficial to urban residents.
- Identify principles and guidelines for evaluating the conditions under which cost-sharing of these services is appropriate and for determining an appropriate local cost-share formula based upon these conditions.
- Identify examples of the best methods of bringing parties together and negotiating the joint municipal agreements.
- Identify tools and examples that would assist municipalities with formation of agreements.
- Prepare a communication plan for the Associations to use to market the tools and examples.
- Prepare appropriate survey tools for communication with municipalities and establishing a base of information and issues.

Establishment:

The AUMA and the AAMD&C hereby establish the Rural/Urban Cost-sharing Task Force.

Representation/Composition:

Task Force of 10 members

- 5 members appointed by AAMD&C and 5 by AUMA
- Membership from each Association to include:

	AAMD&C	AUMA
One Board member (2)	Director Eugene Wauters	Director Bruce Rowe
Two Elected Officials (4)	Councillor Wendy Snow Councillor Don Johnson	Mayor Moe Hamdon Mayor Hansa Thaleshvar
Two CAO's (4)	County Manager Brian Irmen County Administrator Brian Austrom	Town Manager Bernie Kreiner CAO Russell Wardrope
One Staff Member (2)	Kristin Lewis	Stacy Byer

Chair:

The Task Force will be co-chaired by the two Board representatives.

Reporting Mechanism:

The Chairs shall ensure regular written updates and a final report are submitted to the AUMA and AAMD&C Boards for their final approval and submission to their respective Conventions for policy approval.

Confidentiality:

Task Force reports remain confidential until they are approved by each Board of Directors.

Secretariat:

Each Association will appoint one staff member to provide research, advice and secretariat services to the committee.

Communication:

Official communication will be through the Presidents of each Association.

Appendix B

Summary of Responses to the Rural/Urban Cost-sharing Task Force's Report

Introduction

In October 2002, the Rural Urban Cost Sharing Task Force created a series of principles for the development of cost sharing agreements. The task force felt it was important to provide opportunities for the association's members to provide input into the development of the cost sharing principles. The task force distributed a survey for the purpose of gathering personal perspectives from council and staff with respect to cost-sharing agreements.

Background

The survey was distributed to members of both the AAMD&C and the AUMA. Due to the tight timelines of the survey, the task force requested that the municipal administrator distribute the survey to members of council as well as administrative staff. Overall, response to the survey was high.

Summary of Responses

Respondents identified a number of areas that were important with respect to cost-sharing agreements. The following categorizes the responses into the themes of relationship building, governance, and financial inequity.

Relationship Building

The majority of respondents identified that the lack of a decent working relationship was the barrier to and often a significant factor in the breakdown of cost-sharing agreements. Healthy relationships should begin with understanding, trust and mutual respect. Municipalities need a process in which to work through past issues (baggage) in order to develop trust and understanding. Mutual respect for individual priorities, demographic and lifestyle of constituents is essential to developing equitable and reasonable cost-sharing agreements.

If cost-sharing agreements are in place, municipalities must maintain and develop a process which incorporates open communication and reasonable reporting mechanisms. True information sharing will facilitate a deeper understanding of issues and concerns of all parties involved. All parties involved should be working for the benefit of the people that they serve and the advancement of the municipalities. Too often personalities become involved and slowly begin to impair judgement or disintegrate negotiations. Municipalities should not be resolving differences via dispute resolution; they should be working together in a pro-active manner in order to achieve goals.

Governance

Cost-sharing agreements must reflect the wants, needs and economic realities of all involved. In some instances, municipalities are expected to pay for services that do not reflect constituent needs or wants and have no representation on the governance bodies that run them. Or the smaller player has equal say in the governance body and impairs the advancement of projects and service development due to their financial constraints.

Financial Inequity

Local governments must recognize that services are not restricted to boundaries. Both urban and rural municipalities provide services that are essential to the health and vitality of communities. Failure to acknowledge each other's contributions or ignoring constituent usage is the source for many municipal issues. The *failure to pay, refusal to pay, can't pay* debate is what heavily influences negotiations around building cost sharing agreements. Both urban and rural municipalities want to identify what is fair and equitable, yet the principles of fairness and equity is subjective and can be based on perception.

Rural/Urban Cost-Sharing Task Force Survey Results - Breakdown of responses is as follows:

Urban:

Cities – 14 (out of 16)

Towns – 87 (out of 110)

Villages – 66 (out of 103)

Summer Villages – 17 (out of 53: note: some administrators are responsible for more than one summer village)

Total: 184 (out of 282) = 65% of membership

Rural

MD & Counties – 49 (out of 68) = 72% of membership

Appendix C

The Rural/urban cost-sharing task force developed a list of possible areas where cost-sharing agreements could be developed. While this list is not exhaustive, it does highlight the potential for developing agreements to address the needs in of a broad range of situations.

Areas of cost-sharing agreements

- Fire
- Ambulance
- Recreation/Parks
 - i. Operational
 - ii. Capital
- Disaster Services
- Landfills
- Library
- Seniors' Housing
- 911/Emergency Dispatch
- Roads
- Administration
- Airports
- Cemeteries
- Museums/Cultural Facilities
- Intermunicipal Development Plans
- Planning/Permitting
- Water/Sewer
- Garbage Collection
- F.C.S.S.
- Recycling
- Bylaw Services
- Agricultural Services – ex. Weed Spraying
- Policing
- Low-income Housing
- Economic Development/Tourism
- Engineering Services
- Technical Services
- Maintenance/Equipment
- Purchasing
- Legal
- Assessment
- Seniors' Centers
- Regional Exhibitions
- Safety
 - i. Codes
 - ii. Employees
- Environmental Management
- Transportation/Transit – ex. Community Buses
- Lobbying/Advocacy



Alberta Urban Municipalities Association

FORMATION, FUNDAMENTAL CHANGES AND DISSOLUTION

(Part 4, *Municipal Government Act*)

DISCUSSION PAPER

DISCUSSION PAPER

FORMATION, FUNDAMENTAL CHANGES AND DISSOLUTION

(Part 4, *Municipal Government Act*)

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NOTE TO READER: the first draft of this Discussion Paper indicated that no principles, standards and criteria had been developed under Section 76, *Municipal Government Act*. During the circulation period, AUMA learned that a Ministerial Order had been signed in 2001 related to this. AUMA has expressed concern that urban municipalities were not consulted during the development of this Ministerial Order. The content of this draft Discussion Paper reflects the existence of the Ministerial Order and the comments received on the first draft.

DISCUSSION PAPER

AUMA RESOLUTION

FORMATION, FUNDAMENTAL CHANGES AND DISSOLUTION: A DISCUSSION PAPER

WHEREAS the *Municipal Government Act* governs the processes by which municipalities form, change, and dissolve; and

WHEREAS an AUMA survey of members shows concern with how the processes of formation, fundamental change and dissolution are working, and

WHEREAS Section 76 of the MGA states that the “Minister may establish and publish principles, standards and criteria that are to be taken into account in considering the formation, change of status or dissolution of municipalities and the amalgamation of or annexation of land from municipal authorities”; and

WHEREAS the Minister has established some “principles, standards and criteria” through *Ministerial Order L:077/71*; and

WHEREAS AUMA’s Guiding Principle 6 is “amendments and changes in regulations to the *Municipal Government Act* shall only proceed when AUMA has actively participated through meaningful input in a review process”;

NOW THEREFORE BE IT RESOLVED THAT AUMA request that the Minister of Municipal Affairs engage immediately in discussions on principles, standards and criteria for “formation, fundamental changes and dissolution” of municipalities with all stakeholders; and

FURTHER BE IT RESOLVED THAT the attached paper entitled “Formation, Fundamental Changes and Dissolution” and its recommendations be adopted by the AUMA Convention as the basis for discussion of such topics.

DISCUSSION PAPER

BACKGROUND INFORMATION

In 2003 concerns were raised with the Alberta Urban Municipalities Association regarding the process and content of dissolution studies.

The relevant provisions of the *Municipal Government Act* are:

"130 (1) The Minister must undertake a dissolution study in respect of a municipality if

- (a) the Minister receives a request for the study from the council of the municipality, or*
- (b) the Minister receives a sufficient petition requesting the study from electors of the municipality numbering at least 30% of the municipality's population or, in the case of a summer village, a sufficient petition requesting the study from a majority of the electors of the summer village.*

(2) The Minister may undertake a dissolution study in respect of a municipality if the Minister believes that

- (a) the municipality cannot balance its revenues with its required expenditures*
- (b) the municipality is no longer viable*
- (c) the municipality does not meet the applicable requirements in sections 78 to 82 or, in the case of a specialized municipality, the reasons for its formation as a specialized municipality no longer exist,*
- (d) vacancies on a council cannot be filled, or*
- (e) the dissolution will lead to more effective or efficient municipal operations.*

"131 The Minister, before completing a dissolution study,

- (a) must contact all local authorities that the Minister considers would be affected by the dissolution of the municipality and invite them to comment on the proposed dissolution,*
- (b) may conduct a public meeting, which if conducted must be advertised in accordance with section 606, to discuss the implications of the dissolution, and*
- (c) must consider (i) the effect that the dissolution will have on all local authorities that the Minister considers would be affected by the dissolution, and (ii) the principles, standards and criteria on dissolution established under section 76."*

"132 (1) After completing a dissolution study, the Minister may hold a vote on the proposed dissolution.

- (2) If the Minister holds a vote, the vote must be conducted in accordance with the Local Authorities Election Act as modified by directions given by the Minister."*

DISCUSSION PAPER

The Thorhild Example

The specific example raised with the Association was the *Village of Thorhild Dissolution Study*. The Association concluded that a casual reader reviewing this study would likely believe that there would be no problems in the Village becoming a hamlet in the County of Thorhild.

However, the Association noted that:

- In the middle of a factual description of the Village, the following editorial comment is inserted (Page 1): *"Declining population may lead to problems with providing and paying for municipal services."*
- There is no mention that the County of Thorhild is intended to be a rural municipal government (majority of the residences on parcels of land with an area of at least 1850 square metres [Section 78]) while the Village deals with an urban form of development.
- There is passing mention that the electoral divisions of the County of Thorhild would be redistributed by 2007 but no mention that Division 3 would have a population almost double the others in the intervening period.
- There is no mention that councillors are to consider the interests of the municipality as a whole [Section 153(a)], that while currently five councillors focus their entire attention on the Village, in the County the interests of the residents would only be part of the responsibility of the Division 3 councillor.

The Association noted some of the requirements in Ministerial Order L:077/01 as to what should be considered during restructuring exercises:

2. *The following matters should be taken into account in considering proposals for municipal restructuring:*

(a) the financial viability of the affected municipalities;

The study says "The village is managing financially." The discussion relates to assessment and debt, not revenues and expenditures.

(b) the effects on the council structures, administrations, services and operations of the affected municipalities;

The general tone of the report is that everything will go on as it is now, except that the Village residents will pay lower taxes. There is no specific analysis of whether the Village becoming a hamlet in the County would result in more effective or efficient municipal operation for the residents of either the existing village or the county.

(c) the population of the participating municipalities, and the resulting effects on the political representation of the affected communities;

Aside from the comment about declining population, with a population of 462 the Village meets the requirements of Section 80

(NOTE: The remaining requirements of this provision relate to process issues.)

DISCUSSION PAPER

The Association also looked at the factors which would initiate a dissolution study by the Minister [Section 130(2)] and reviewed the ways these principles are discussed in the Thorhild study:

(a) the municipality cannot balance its revenues with its required expenditures

The study says "The village is managing financially." The discussion relates to assessment and debt, not revenues and expenditures.

(b) the municipality is no longer viable

Aside from the comment about declining population and equalized assessment, there is no indication that the Village is no longer viable.

(c) the municipality does not meet the applicable requirements in sections 78 to 82 or, in the case of a specialized municipality, the reasons for its formation as a specialized municipality no longer exist,

With a population of 462 the Village meets the requirements of Section 80.

(d) vacancies on a council cannot be filled, or

There are no vacancies on the council, although that is not mentioned in the report.

(e) the dissolution will lead to more effective or efficient municipal operations.

The general tone of the report is that everything will go on as it is now, except that the Village residents will pay lower taxes. There is no specific analysis of whether the Village becoming a hamlet in the County would result in more effective or efficient municipal operation for the residents of either the existing village or the county.

The Association also noted that the study makes no mention of the issues which gave rise to the petition. There is no analysis of how the issues might be addressed in any way that would ensure the residents of Thorhild Village and County "are served by open, effective, accountable and well-managed local governments". As a matter of fact the study includes a disclaimer which says there has been no audit or inquiry into the operation of the Village.

The dissolution process described in the Act was intended to provide a means for a graceful transition when a municipality was no longer viable. It was not intended to be invoked any time that some residents did not like a decision made by the Council, the way the municipality was being administered or any of the other typical challenges encountered in day-to-day municipal life. The Thorhild Dissolution Study does not conclude that the Village is no longer viable and yet, if the vote had been different, the Village could now be a hamlet.

The Association concluded that the Government of Alberta needs to "walk the talk" - the spirit of the Municipal Government Act and of the Mission of Alberta Municipal Affairs. Alberta Municipal Affairs needs to change its approach when a sufficient petition is received for a dissolution study. The Section 76 principles, standards and criteria need

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to be reviewed in consultation with the municipal associations and published so that everyone, municipalities and petitioners alike, understand what factors might lead to dissolution. People also need to understand that a policy disagreement with a Council is not a reason for dissolution. Therefore there needs to be consideration of an approach to deal with situations where what the petitioners really want is a report under Section 572.

The Association also concluded that there should be a reasonable time frame within which the Minister would respond to a Council resolution requesting a dissolution study.

Formation, Change of Status, and Amalgamation are relatively rare events in Alberta. Annexation and Dissolution have been the most frequently encountered processes in recent years.

Annexation Experience

Information provided by the Municipal Government Board indicates that there have been 160 Annexation applications since 1995. 152 of these involved the full agreement of all the affected parties, no Municipal Government Board hearing was required and the annexation proposal was approved. The 8 remaining applications were the subject of landowner objections resulting in a Municipal Government Board hearing. 6 of these were approved, 1 was altered and 1 was refused.

Dissolution Experience

Information provided by Alberta Municipal Affairs indicates that, since 1990, 45 dissolution studies have been requested (as of June 21, 2004), either by the municipal councils (34) or by petitions from more than 30 percent of the residents of the municipality (11). One request was abandoned by the Council and one was rejected by the Minister.

The outcome of the studies led to dissolution in 22 cases and rejection of the dissolution option in the other 16 cases. Five studies currently are underway. In 3 cases, a second dissolution study was undertaken for the municipality where a second request for a dissolution study was made.

	Studies underway	Studies completed	Dissolutions
Towns	1	3	2
Villages	4	33**	19
Summer Villages	0	2	1

* 3 studies were completed. As noted above, one request (Peace River) was rejected by the Minister and one request (High Prairie) was abandoned by the Council.

** 2 studies were done for 3 villages (Hairy Hill, Mirror, Warspite). In all three cases, dissolution was rejected in the initial vote and approved in the second vote.

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While this information indicates that the processes are working, the issues reported by members relate to how the processes are working. The conclusion from the survey is that some of the processes require adjustment.

Methodology

Before proposing Section 76 principles, the Association surveyed its Directors to obtain information, based on their experience and knowledge of the urban municipal scene in the province. Directors were asked to identify any issues of which they were aware with the processes and then to suggest what should be included in Section 76 principles. Subsequently, the initial draft of this paper was distributed to all members for comment.

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PROCESS ISSUES

The surveys identified a number of concerns with the processes which are not necessarily connected to the Section 76 Principles.

These concerns might be summarized as:

- duration of the processes
- appropriate participation of residents/taxpayers/landowners/electors
- allocation of costs
- final decision-making by Cabinet without hearing the stakeholders and no appeal
- role of Ministry of Municipal Affairs in processes

As noted in the title of Part 4 of the *Municipal Government Act*, these processes affect the fundamental nature of a municipal government unit. The relevant legislation and processes, therefore need to be developed in full consultation with Alberta municipalities as represented by their municipal associations. Therefore each section of this report begins with an over-riding recommendation **“That the responses to the following recommendations be developed in full consultation with Alberta’s municipal Associations”**.

Annexation Process

RECOMMENDATION 1 - CONSULTATION

That the responses to the following recommendations be developed in full consultation with Alberta’s municipal Associations.

The *Municipal Government Act* provides that when a municipality wants to initiate an annexation, it must give written notice to *“the one or more municipalities from which land is to be annexed”* and that those municipalities must *“meet with the initiating municipal authority to discuss the proposals included in the notice and negotiate the proposals in good faith”*. The Act goes on to say that if there are matters on which the municipalities cannot agree then they must *“attempt to use mediation to resolve those issues”*.

Unfortunately the Act does not provide any information on what the phrase “negotiate the proposals in good faith” means. Nor are there any apparent consequences for a municipality which does not negotiate in good faith other than that, in the event of disagreement, the municipalities involved *“must ... attempt to use mediation to resolve those matters”*.

There are also no timelines provided for the negotiation process. Consequently, the negotiation process may drag on for an inordinate period of time.

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RECOMMENDATION 2 – GOOD FAITH

That the *Municipal Government Act* be amended to include some elaboration on the meaning of negotiation in good faith and a provision that if agreement has not been reached in a defined time (up to 180 days), then the applicant municipality could request the Minister to appoint a mediator. The Municipal Government Board could be given authority to vary the timeline if appropriate in any particular case.

RECOMMENDATION 3 – MEDIATOR APPOINTMENT

That the *Municipal Government Act* be amended to provide the option of requesting the appointment of a mediator prior to the start of negotiations.

The Section 116 notice is to describe the land proposed to be annexed and the reasons for the proposed annexation. The practical consequence of this is that the initiating municipality in isolation reviews the impacts and consequences of the proposed annexation. If the study was prepared jointly by all of the municipalities affected, particularly if it was based on the criteria or principles under Section 76, it could then be used as a basis for joint negotiations.

RECOMMENDATION 4 – COOPERATION IN STUDY

That the *Municipal Government Act* be amended to provide that the municipal authorities receiving an annexation notice must cooperate in the preparation of a study which identifies the reasons, impacts and consequences of a proposed annexation and which would serve as the basis for negotiations.

The Act provides that a notice of a proposed annexation must
"include proposals for

- i) *consulting with the public about the proposed annexation, and*
- ii) *meeting with the owners of the land to be annexed, and keeping them informed about the progress of the negotiations."*(Section 116(2)(c)

It is questionable why, if extensive public consultation has been carried out and an agreement reached by the affected municipalities, the Municipal Government Board should be required to essentially invite objections to be filed (Section 120). Often the objections are not to the annexation *per se* but are related to future land use planning issues, for which other processes set out in the Act will be followed in the future.

Section 120 refers to "general agreement", and there is no guidance provided on what that might mean. A Section 118 negotiation report, signed by all the affected municipalities, even though it is very specific is still caught within that phrase.

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The Board then essentially repeats the public consultation process which was involved in reaching the agreement, with the associated costs to the municipalities of being represented at the hearing. The appointed Board members are placed in the position of either repeating or varying a decision which had been reached by the local elected officials.

RECOMMENDATION 5 – ANNEXATION AGREEMENT

That the *Municipal Government Act* be amended to provide that when an annexation application is filed with the Municipal Government Board which includes the written agreement of the affected municipalities and the public, the Board would simply confirm that the appropriate processes have been followed and then forward its recommendation to the Minister who would place it before the Lieutenant Governor in Council and that the agreement would be honoured in the annexation decision.

RECOMMENDATION 6 – VALID OBJECTIONS

That the *Municipal Government Act* be amended to refer to “valid objections” so that the Board would have discretion to determine whether an objection it receives is actually relevant to the matter being considered.

RECOMMENDATION 7 – GENERAL AGREEMENT

That the *Municipal Government Act* be amended to provide some explanation of the meaning of “general agreement”.

The Act also provides that the final decision on an annexation application rests with the Lieutenant Governor in Council. While it must consider the recommendation of the Municipal Government Board, it is not bound to follow the recommendation. In addition, Section 126 provides that despite the process provisions the Lieutenant Governor in Council “on the recommendation of the Minister, may by order annex land to a municipal authority”. This seems inconsistent with the basic principles of administrative law and natural justice which normally anticipate that decisions will be made by persons who have heard all of the evidence. The considerable investment of time, resources and energy in reaching a mediated agreement can be tossed aside relegated to the scrap heap by the decision of the Lieutenant Governor in Council. In addition, there is no provision for anyone affected by the decision to make representations directly to the persons who are members of the Lieutenant Governor in Council.

At a minimum, the municipalities should be aware of the Board recommendations and any changes proposed by the Minister. If they feel the information being presented is

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incomplete or needs to be clarified, they should be able to make additional submissions, in written form, to the Lieutenant Governor in Council. This should assist in alleviating the risk that a decision is made that is contrary to any arrangements made by the municipalities.

RECOMMENDATION 8 – HONOURING AN AGREEMENT

That *Municipal Government Act* be amended to provide that the Minister must recommend and the Lieutenant Governor in Council must approve an annexation application which has been recommended by the Municipal Government Board reflecting the written agreement of the affected municipalities.

RECOMMENDATION 9 – INFORMATION TO MUNICIPALITIES

That the *Municipal Government Act* be amended to provide that the affected municipalities will be apprised of the Municipal Government Board recommendation, the Minister's recommendation and an indication of what information will be before the Lieutenant Governor in Council and be provided an opportunity to make written submissions to the Lieutenant Governor in Council prior to a decision being made.

Section 122(2) of the Act provides that

(2) The Municipal Government Board may determine the costs of and incidental to a hearing and decide by whom and to whom the costs are to be paid.

RECOMMENDATION 10 – ALLOCATION OF COSTS

That guidelines be provided on when the Municipal Government Board will consider a cost-sharing decision regarding an annexation hearing and the principles which would guide the allocation to the various parties involved.

Dissolution Process

RECOMMENDATION 11 - CONSULTATION

That the responses to the following recommendations be developed in full consultation with Alberta's municipal Associations.

Experience has shown that people who are upset for any reason with their municipality may circulate a petition requesting a dissolution study. They may not understand the consequences of either the dissolution process or of dissolution itself.

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RECOMMENDATION 12 – INFORMATION BROCHURE

That an information brochure be developed made available for the public describing the various alternatives available and describing the process and consequences of dissolution which Ministry staff could provide to persons inquiring about a dissolution petition.

The *Municipal Government Act* provides that the Minister, on receipt of a petition or Council resolution, “*must undertake a dissolution study*”. As a consequence of this mandatory wording the Minister does not appear to have discretion to consider whether there is a more appropriate way of addressing the reasons for the petition or resolution.

Ministerial Order L:077/01 includes the following provision:

6. *A dissolution study is not appropriate when the request raises broader regional issues that can be better addressed through another process such as a regional initiative or intermunicipal mediation.*

While there may be better ways of addressing such circumstances, it is not clear to the Association how the Minister could refuse to undertake a dissolution study given the wording of Section 130(1) of the Act.

RECOMMENDATION 13 – ALTERNATIVE PROCESSES

That the *Municipal Government Act* be amended to include a provision that offered the Minister the opportunity, before directing that a dissolution study be conducted, to consider the reasons for the petition or resolution and discuss with the petitioners or the council whether there is a more appropriate means of addressing the issues.

The *Municipal Government Act* provides that when a dissolution study has been completed “*the Minister may hold a vote on the proposed dissolution*”. The Municipal Statutes Review Committee, which proposed the current Municipal Government Act a decade ago, held as a fundamental principle that the will of the residents is the primary reason for the existence of a municipality. Dissolving a municipality should be governed by the same principle.

RECOMMENDATION 14 – VOTE ON DISSOLUTION

That the *Municipal Government Act* be amended to require a vote on a proposed dissolution.

Ministerial Order L:077/71 takes little notice of cultural and community issues.

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RECOMMENDATION 15 – CULTURAL AND COMMUNITY ISSUES

That the Minister direct that dissolution studies include consideration of cultural and community issues within the entire region.

RECOMMENDATION 16 – DISSOLUTION STUDY PROCESS

That the Minister consider requesting persons other than Ministry staff to undertake the dissolution study process.

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SECTION 76 PRINCIPLES

Section 76, *Municipal Government Act*, reads as follows:

"(76) The Minister may establish and publish principles, standards and criteria that are to be taken into account in considering the formation, change of status or dissolution of municipalities and the amalgamation of or annexation of land from municipalities."

Some principles, standards or criteria have been established in Ministerial Order L:077/71. The Association was not consulted during the development of this Order. The fact that very few people active in the Alberta municipal sector were aware of the Order seems to indicate that it has not been widely published.

The Association has reviewed the Ministerial Order and offers the following comments:

1. *Except as otherwise provided by the Minister, the following principles, standards and criteria shall be applied when considering an application for a study of municipal restructuring pursuant to Part 4 of the Municipal Government Act:*
COMMENT: If these principles, standards and criteria "shall be applied", there is a question under what circumstances the Minister might provide otherwise.
2. *Municipal restructuring includes the formation, amalgamation and dissolution of municipalities.*
COMMENT: according to Section 76, principles, standards and criteria should also apply to annexation.
3. *The following matters should be taken into account in considering proposals for municipal restructuring:*
 - (a) *the financial viability of the affected municipalities;*
COMMENT: agreed
 - (b) *the effects on the council structures, administrations, services and operations of the affected municipalities;*
COMMENT: agreed
 - (c) *the population of the participating municipalities, and the resulting effects on the political representation of the affected communities;*
COMMENT: agreed. This is particularly significant when the dissolution of an urban municipality is being considered. The political representation of the residents of the potential new hamlet within an electoral division of a rural municipality and its effects on the division alignment in the rural municipality are significant factors.

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- (d) *whether an appropriate process has been used to initiate and develop the municipal restructuring proposal pursuant to Part 4 of the Municipal Government Act; and*

COMMENT: it goes without saying that the provisions of legislation need to be honoured.

- (e) *whether the process used has adequately identified the impacts of restructuring on the affected municipalities.*

COMMENT: agreed.

4. *The formation process is appropriate when the restructuring will result in the creation of a new municipal government unit from one or more existing municipal governments or improvement districts.*

COMMENT: since the entire geographic area of the province is included in a municipality or improvement district, any new unit will arise from one of those. The Association is concerned, however, that the implication of (b) below may be that this provision anticipates the entire existing unit being included in the new unit. The history of resource development in the province indicates that this would not be a wise requirement.

- (a) *the formation of a new municipal government will be considered if the ongoing financial, political and operational viability of the new and remaining municipality or municipalities is likely to be achieved.*

COMMENT: agreed. This is consistent with 2 (a) and (b).

- (b) *the formation of a new municipal government should not be considered if it will result in an increase in the total number of municipal governments in Alberta.*

COMMENT: there is no apparent reason for this requirement. It is inappropriate to deny the residents of an area the right to have the type of municipal government which they feel is appropriate, simply because it would increase the total number of municipalities.

5. *The amalgamation process is appropriate where two or more municipalities are joined to form a new municipal government unit with a new council and administrative structure that is significantly changed from the pre-existing structures of the affected municipalities.*

COMMENT: it is not clear why the council and administrative structure would need to be "significantly changed from the pre-existing structures of the affected municipalities". If two towns, for example, amalgamated to form a new town, there is no reason that the new town should be required to have anything different than the standard council and administrative structure.

- (a) *amalgamation will be considered if there are demonstrable advantages to the residents of the affected municipalities and if the ongoing financial, political and operational viability of the amalgamated municipality is likely.*

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COMMENT: agreed. It might be noted that the process set out in the Act for developing an amalgamation report would address these issues.

6. *The dissolution study process is appropriate where the intended restructuring does not require major changes to the council structure, administration or operation of the receiving municipality.*

COMMENT: it is not clear why the word “appropriate” is used since Section 130 says the Minister must undertake a study if he receives a council resolution or a petition.

7. *A dissolution study is not appropriate when the request raises broader regional issues that can be better addressed through another process such as a regional initiative or intermunicipal mediation.*

COMMENT: it is not clear why the word “appropriate” is used since Section 130 says the Minister must undertake a study if he receives a council resolution or a petition. In addition, there have been reasons behind requests for dissolution studies which would indicate that an action under Sections 570 to 572 would be more appropriate than a regional initiative or inter-municipal meditation.

8. *If there are ongoing and unique requirements for the new municipal government proposed as a result of a municipal restructuring process, consideration will be given to the use of the specialized municipal status pursuant to section 83 of the Municipal Government Act.*

COMMENT: agreed

9. *The Minister may direct the use of an appropriate study process on the receipt of any application for municipal restructuring.*

COMMENT: the process followed must be consistent with the legislative requirements. Much of the concern expressed by Association members has been related to whether the dissolution study process is appropriate.

RECOMMENDATION 17 – DEVELOPING THE PRINCIPLES

That Section 76 principles be

(a) developed in full consultation with the municipal associations

(b) widely published

(c) applicable to annexation as well as “municipal restructuring”

so that the public, all municipalities and the provincial government will have a common information regarding the basis on which formation, change of status, annexation, amalgamation and dissolution decisions will be made.

As a contribution to a discussion on improving the Ministerial Order, the Association proposes the following for consideration as Section 76 principles applicable to all of the processes:

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RECOMMENDATION 18 – PROPOSED PRINCIPLES

That Ministerial Order L:077/71 be amended to include the following:

GENERAL

1. Public Consultation

The views of the residents of all municipalities affected by the decision should be obtained through public meetings, a vote or other appropriate mechanism before any related decision is made.

2. Statutory Requirements

All municipalities affected should meet the population and ward requirements for their type of municipality following the decision.

3. Repeated Applications

An application for essentially the same action should not be made for at least three years after a decision has been made denying the action.

SUSTAINABLE COMMUNITIES

4. Governance Viability

All municipalities affected should have the capacity to govern their affairs following the decision.

5. Financial Viability

All municipalities affected should be financially viable and sustainable following the decision.

6. Environmental Sustainability

All municipalities affected should be able to provide services following the decision on an environmentally sustainable basis including consideration of the environmental impact on adjacent municipalities.

7. Orderly Development

The decision should enable orderly development and long range planning by the municipalities affected generally using a 20 year horizon as a standard.

SERVICE PROVISION

8. Physical Infrastructure

The affected municipalities should have the capacity to provide and maintain the physical infrastructure (including transportation, water and sewer, solid waste, public protection, parks and recreation facilities) typically associated with the anticipated future development following the decision. The infrastructure could be provided and maintained either directly or through contracts with other municipalities or other entities.

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9. Appropriate Services

The receiving municipality should maintain services required by land added to it by a decision until the use of the land changes (for example, services typically overseen by an Agricultural Service Board).

10. Administrative Capacity

All municipalities affected should have, or be able to obtain, the administrative capacity to effectively support the governance of the municipality following the decision.

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SUMMARY OF RECOMMENDATIONS

ANNEXATION PROCESS

RECOMMENDATION 1 - CONSULTATION

That the responses to the following recommendations be developed in full consultation with Alberta's municipal Associations.

RECOMMENDATION 2 – GOOD FAITH

That the *Municipal Government Act* be amended to include some elaboration on the meaning of negotiation in good faith and a provision that if agreement has not been reached in a defined time (say up to 180 days), then the applicant municipality could request the Minister to appoint a mediator. The Municipal Government Board could be given authority to vary the timeline if appropriate in any particular case.

RECOMMENDATION 3 – MEDIATOR APPOINTMENT

That the *Municipal Government Act* be amended to provide the option of requesting the appointment of a mediator prior to the start of negotiations.

RECOMMENDATION 4 – COOPERATION IN STUDY

That the Municipal Government Act be amended to provide that the municipal authorities receiving an annexation notice must cooperate in the preparation of a study which identifies the reasons, impacts and consequences of a proposed annexation and which would serve as the basis for negotiations.

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RECOMMENDATION 8 – HONOURING AN AGREEMENT

That *Municipal Government Act* be amended to provide that the Minister must recommend and the Lieutenant Governor in Council must approve an annexation

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application which has been recommended by the Municipal Government Board reflecting the written agreement of the affected municipalities.

RECOMMENDATION 9 – INFORMATION TO MUNICIPALITIES

That the *Municipal Government Act* be amended to provide that the affected municipalities will be apprised of the Municipal Government Board recommendation, the Minister's recommendation and an indication of what information will be before the Lieutenant Governor in Council and be provided an opportunity to make written submissions to the Lieutenant Governor in Council prior to a decision being made.

RECOMMENDATION 10 – ALLOCATION OF COSTS

That guidelines be provided on when the Municipal Government Board will consider a cost-sharing decision regarding an annexation hearing and the principles which would guide the allocation to the various parties involved.

DISSOLUTION PROCESS

RECOMMENDATION 11 - CONSULTATION

That the responses to the following recommendations be developed in full consultation with Alberta's municipal Associations.

RECOMMENDATION 12 – INFORMATION BROCHURE

That an information brochure be developed made available for the public describing the various alternatives available and describing the process and consequences of dissolution which Ministry staff could provide to persons inquiring about a dissolution petition.

RECOMMENDATION 13 – ALTERNATIVE PROCESSES

That the Municipal Government Act be amended to include a provision that offered the Minister the opportunity, before directing that a dissolution study be conducted, to consider the reasons for the petition or resolution and discuss with the petitioners or the council whether there is a more appropriate means of addressing the issues.

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That the Municipal Government Act be amended to require a vote on a proposed dissolution.

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That the Minister consider requesting persons other than Ministry staff to undertake the dissolution study process.

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SECTION 76 PRINCIPLES

RECOMMENDATION 17 – DEVELOPING THE PRINCIPLES

That Section 76 principles be

- (a) developed in full consultation with the municipal associations
 - (b) widely published
 - (c) applicable to annexation as well as “municipal restructuring”
- so that the public, all municipalities and the provincial government will have a common information regarding the basis on which formation, change of status, annexation, amalgamation and dissolution decisions will be made.

RECOMMENDATION 18 – PROPOSED PRINCIPLES

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All municipalities affected should be able to provide services following the decision on an environmentally sustainable basis including consideration of the environmental impact on adjacent municipalities.

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The decision should enable orderly development and long range planning by the municipalities affected generally using a 20 year horizon as a standard.

SERVICE PROVISION

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The affected municipalities should have the capacity to provide and maintain the physical infrastructure (including transportation, water and sewer, solid waste, public protection, parks and recreation facilities) typically associated with the anticipated future development following the decision. The infrastructure could be provided and maintained either directly or through contracts with other municipalities or other entities.

9. Appropriate Services

The receiving municipality should maintain services required by land added to it by a decision until the use of the land changes (for example, services typically overseen by an Agricultural Service Board).

10. Administrative Capacity

All municipalities affected should have, or be able to obtain, the administrative capacity to effectively support the governance of the municipality following the decision.

Urban Municipal Low Assessment Compensation Grants PROPOSAL

Submitted to: Alberta Municipal Affairs

Submitted by: Alberta Urban Municipalities Association (AUMA)

Date: December 1, 2004

AUMA RESOLUTION

AUMA BOARD OF DIRECTORS URBAN MUNICIPAL LOW ASSISTANCE COMPENSATION GRANTS

WHEREAS urban municipalities in Alberta are in need of financial assistance that provides bridge funding while long-term, sustainable revenue sources for municipalities are negotiated and transferred; and

WHEREAS the Department of Municipal Affairs provides ad hoc grants to rural municipalities in “need” through its budget surplus; and

WHEREAS all municipalities would benefit if the ad hoc grants were to be instituted as a formal program of Alberta Municipal Affairs; and

THEREFORE BE IT RESOLVED THAT Alberta Municipal Affairs provide grants to Alberta’s urban municipalities most in need of financial assistance by implementing AUMA’s proposal for Urban Municipal Low Assessment Compensation (UMLAC) grants, and that this grant program be instituted formally by the Government of Alberta.

Urban Municipal Low Assessment Compensation (UMLAC) Grants

Introduction

The Alberta Urban Municipalities Association (AUMA) has over 280 member municipalities consisting of 85 per cent of Alberta's population. Through task forces, surveys, standing committees and conventions our organization is able to develop policies, which are brought to other organizations or orders of government to improve municipal operations, efficiency and sustainability.

AUMA proposes the establishment of a grant program to assist those urban municipal governments that have low equalized assessments. The rationale and long-term benefits of such a program are presented here, along with a proposed formula for distribution.

It should be noted in the opening of this proposal, that the Urban Municipal Low Assessment Compensation (UMLAC) Grants should not be taken as a proposal that would replace AUMA's Sustaining Prosperity Together efforts towards the following:

- A major reduction in the provincial education tax
- 5 ¢ /litre fuel tax revenue (pooled and distributed on a per capita basis, excluding Edmonton and Calgary) thereby eliminating the need for existing transportation grants
- A share of provincial revenue
- Greater flexibility within the *Municipal Government Act* to access new revenue sources

Rather, UMLAC grants should be seen as a bridge for communities that are currently struggling to survive in a context that gives them no access to sustainable revenues. It is AUMA's hope that the UMLAC grants will provide a beneficial cash injection to such communities, providing them with impetus and will to continue until such a time as other orders of government transfer net new revenues (e.g.: the fuel tax), and permit greater flexibility in municipal taxation.

Rationale for UMLAC Grants

Many urban municipal governments in Alberta are at a competitive disadvantage due to a lack of stable, adequate revenues.

While there is currently no provincial program to address the need for grants such as are proposed here, Alberta Municipal Affairs has taken a preliminary step to fulfilling that need by providing a limited number of "needy" rural municipalities with funding through the Department budget surplus in the last two fiscal years. In its March 2001 proposal,

the AAMD&C Committee that put forward the proposal for targeted investments in rural municipalities makes several references to the challenges faced by all municipalities, and supports efforts on the part of AUMA and the Province of Alberta to achieve a program that benefits Alberta municipalities – urban and rural – most in need of financial assistance. This proposal was not supported by the Government of Alberta, and therefore Alberta Municipal Affairs addressed the proposal through its budget surplus.

In referencing the targeted investment grants given to rural municipalities in 2003 and 2004, and the support of AAMD&C for such grants going to all municipalities, AUMA requests funding for its member municipalities most in “need” of an infusion of monies, and that such investments in these municipalities become an official provincial program.

In conversations with AUMA’s smaller member municipal governments regarding government grants[†], it is clear that many small urban municipalities have insufficient finances to access grants that require a municipal contribution. The establishment of the UMLAC program would provide those municipal governments most in need of support, with an injection of money that could be used to leverage other grants, and take steps towards greater sustainability.

Proposed Formula

AUMA investigated several options for developing a formula that would determine “need” in an urban municipality. This task could have been carried out by a Task Force with a multi-year mandate to come up with commonly-accepted indicators of municipal “need”. In the end, it was agreed that a simple formula, based on equalized assessment per capita (per parcel in the case of Summer Villages) would provide an adequate determination of which urban municipalities face the largest financial challenges.

The AUMA proposal sets a minimum grant of \$50,000, and has a maximum equalized assessment of \$45,000. The AUMA Board of Directors agreed that these “levels” most accurately define a “need” for financial assistance.

Attachment 1 shows the table of calculations used with this formula. Using this formula, the total annual contribution of the Province of Alberta would be:

\$ 8,915,875.00

This would provide funds for a total of 154 urban municipalities.

[†] In 2004, AUMA staff spoke with municipal governments that did not apply to the Streets Improvement Program (SIP) and the Infrastructure Canada-Alberta Program (ICAP). The most common response to the question of why they did not access funding was that they could not come up with the municipal contribution to the total of the project (in the case of SIP, 25 per cent; in the case of ICAP, 1/3 the cost of the project).

Conclusion

Urban municipal governments with low equalized assessment per capita are in need of financial assistance. While AUMA does not promote the proposed UMLAC program as a replacement for sustainable revenues for municipal governments, AUMA requests that the Department of Municipal Affairs consider complementing the targeted investment grants for rural municipalities with Urban Municipal Low Assessment Compensation grants, and that both of these Department initiatives be instituted as a formal program.

Urban Municipal Low Assessment Compensation Grant

				Max Eq Asses minimum grant	\$45,000 \$50,000
Municipality	2003 Population	Total Equalized Assessment	Equalized Assessment/ Capita	per population	\$25
AIRDRIE	23,680	\$ 1,328,790,463	\$ 56,114		\$0
CALGARY	922,315	\$ 76,695,770,755	\$ 83,156		\$0
CAMROSE	15,669	\$ 827,243,431	\$ 52,795		\$0
COLD LAKE	11,595	\$ 572,620,891	\$ 49,385		\$0
EDMONTON	666,104	\$ 41,675,120,157	\$ 62,565		\$0
FORT SASKATCHEWAN	13,824	\$ 1,958,931,498	\$ 141,705		\$0
GRANDE PRAIRIE	40,226	\$ 2,293,575,123	\$ 57,017		\$0
LEDUC	15,630	\$ 866,796,707	\$ 55,457		\$0
LETHBRIDGE	72,717	\$ 4,051,337,742	\$ 55,714		\$0
LLOYDMINSTER	13,148	\$ 782,988,978	\$ 59,552		\$0
MEDICINE HAT	51,249	\$ 3,402,793,782	\$ 66,397		\$0
RED DEER	72,691	\$ 4,551,608,126	\$ 62,616		\$0
SPRUCE GROVE	17,082	\$ 886,121,479	\$ 51,875		\$0
ST. ALBERT	54,588	\$ 3,385,253,991	\$ 62,015		\$0
WETASKIWIN	11,154	\$ 500,730,938	\$ 44,892		\$278,850
MACKENZIE NO. 23, M.D. OF	9,687	\$ 1,313,228,285	\$ 135,566		\$0
REG MUN OF WOOD BUFFALO	63,917	\$ 7,630,546,498	\$ 119,382		\$0
STRATHCONA COUNTY	75,949	\$ 7,209,280,608	\$ 94,923		\$0
ATHABASCA	2,415	\$ 122,160,778	\$ 50,584		\$0
BANFF	8,282	\$ 1,372,245,765	\$ 165,690		\$0
BARRHEAD	4,213	\$ 177,993,453	\$ 42,249		\$105,325
BASHAW	825	\$ 26,529,861	\$ 32,157		\$50,000
BASSANO	1,320	\$ 60,470,742	\$ 45,811		\$0
BEAUMONT	7,407	\$ 358,048,109	\$ 48,339		\$0
BEAVERLODGE	2,110	\$ 91,028,874	\$ 43,142		\$52,750
BENTLEY	1,035	\$ 42,328,225	\$ 40,897		\$50,000
BLACK DIAMOND	1,866	\$ 85,065,997	\$ 45,587		\$0
BLACKFALDS	3,812	\$ 163,689,712	\$ 42,941		\$95,300
BON ACCORD	1,532	\$ 47,267,724	\$ 30,854		\$50,000
BONNYVILLE	5,709	\$ 229,920,654	\$ 40,273		\$142,725
BOW ISLAND	1,704	\$ 62,426,406	\$ 36,635		\$50,000
BOWDEN	1,174	\$ 44,201,443	\$ 37,650		\$50,000
BROOKS	11,604	\$ 621,913,869	\$ 53,595		\$0
BRUDERHEIM	1,202	\$ 37,778,932	\$ 31,430		\$50,000
CALMAR	1,902	\$ 68,516,644	\$ 36,023		\$50,000
CANMORE	11,458	\$ 1,736,184,329	\$ 151,526		\$0
CARDSTON	3,475	\$ 128,847,051	\$ 37,078		\$86,875
CARSTAIRS	2,254	\$ 122,130,644	\$ 54,184		\$0
CASTOR	935	\$ 30,932,552	\$ 33,083		\$50,000
CHESTERMERE	5,712	\$ 470,717,254	\$ 82,408		\$0
CLARESHOLM	3,622	\$ 167,537,981	\$ 46,256		\$0
COALDALE	6,008	\$ 252,889,280	\$ 42,092		\$150,200
COALHURST	1,476	\$ 44,236,944	\$ 29,971		\$50,000

COCHRANE	12,074	\$	950,860,723	\$	78,753	\$0
CORONATION	1,074	\$	36,808,200	\$	34,272	\$50,000
CROSSFIELD	2,288	\$	154,264,835	\$	67,423	\$0
CROWSNEST PASS	6,262	\$	377,374,765	\$	60,264	\$0
DAYSLAND	779	\$	23,318,539	\$	29,934	\$50,000
DEVON	5,315	\$	271,821,195	\$	51,142	\$0
DIDSBURY	3,932	\$	190,313,303	\$	48,401	\$0
DRAYTON VALLEY	6,210	\$	401,966,343	\$	64,729	\$0
DRUMHELLER	7,785	\$	377,506,712	\$	48,492	\$0
ECKVILLE	1,019	\$	41,627,421	\$	40,851	\$50,000
EDSON	7,815	\$	401,794,184	\$	51,413	\$0
ELK POINT	1,440	\$	51,941,503	\$	36,070	\$50,000
FAIRVIEW	3,150	\$	145,950,393	\$	46,333	\$0
FALHER	1,109	\$	43,317,697	\$	39,060	\$50,000
FORT MACLEOD	2,990	\$	120,364,907	\$	40,256	\$74,750
FOX CREEK	2,337	\$	91,354,966	\$	39,091	\$58,425
GIBBONS	2,730	\$	85,758,392	\$	31,413	\$68,250
GRANDE CACHE	3,828	\$	151,087,360	\$	39,469	\$95,700
GRANUM	392	\$	11,502,417	\$	29,343	\$50,000
GRIMSHAW	2,435	\$	82,759,923	\$	33,988	\$60,875
HANNA	2,986	\$	113,717,336	\$	38,084	\$74,650
HARDISTY	743	\$	33,076,939	\$	44,518	\$50,000
HIGH LEVEL	4,609	\$	216,392,579	\$	46,950	\$0
HIGH PRAIRIE	2,820	\$	137,810,811	\$	48,869	\$0
HIGH RIVER	9,345	\$	615,804,054	\$	65,897	\$0
HINTON	9,405	\$	735,053,803	\$	78,156	\$0
INNISFAIL	6,958	\$	390,875,412	\$	56,176	\$0
JASPER ID	4,180	\$	613,379,270	\$	146,741	\$0
KILLAM	1,004	\$	40,769,840	\$	40,607	\$50,000
LAC LA BICHE	2,776	\$	132,176,154	\$	47,614	\$0
LACOMBE	9,946	\$	495,407,410	\$	49,810	\$0
LAMONT	1,692	\$	52,114,500	\$	30,801	\$50,000
LEGAL	1,058	\$	33,766,840	\$	31,916	\$50,000
MAGRATH	1,993	\$	62,049,002	\$	31,133	\$50,000
MANNING	1,293	\$	56,778,465	\$	43,912	\$50,000
MAYERTHORPE	1,570	\$	48,631,915	\$	30,976	\$50,000
MCLENNAN	804	\$	17,371,640	\$	21,607	\$50,000
MILK RIVER	879	\$	35,897,801	\$	40,839	\$50,000
MILLET	2,037	\$	66,680,363	\$	32,735	\$50,925
MORINVILLE	6,540	\$	243,999,739	\$	37,309	\$163,500
MUNDARE	653	\$	17,738,946	\$	27,165	\$50,000
NANTON	1,841	\$	104,900,523	\$	56,980	\$0
OKOTOKS	11,664	\$	768,011,796	\$	65,845	\$0
OLDS	6,607	\$	422,974,600	\$	64,019	\$0
OYEN	1,103	\$	44,688,135	\$	40,515	\$50,000
PEACE RIVER	6,240	\$	292,733,040	\$	46,912	\$0
PENHOLD	1,729	\$	64,753,330	\$	37,451	\$50,000
PICTURE BUTTE	1,701	\$	58,961,531	\$	34,663	\$50,000
PINCHER CREEK	3,666	\$	152,284,360	\$	41,540	\$91,650
PONOKA	6,330	\$	307,578,109	\$	48,591	\$0
PROVOST	1,980	\$	102,668,792	\$	51,853	\$0
RAINBOW LAKE	1,186	\$	54,798,042	\$	46,204	\$0
RAYMOND	3,200	\$	84,683,637	\$	26,464	\$80,000

REDCLIFF	4,372	\$	237,845,487	\$	54,402	\$0
REDWATER	2,172	\$	89,262,048	\$	41,097	\$54,300
RIMBEY	2,160	\$	100,149,807	\$	46,366	\$0
ROCKY MOUNTAIN HOUSE	6,208	\$	343,282,312	\$	55,297	\$0
SEDGEWICK	865	\$	32,470,942	\$	37,539	\$50,000
SEXSMITH	1,653	\$	59,792,773	\$	36,172	\$50,000
SLAVE LAKE	6,600	\$	315,729,945	\$	47,838	\$0
SMOKY LAKE	1,011	\$	35,918,877	\$	35,528	\$50,000
SPIRIT RIVER	1,100	\$	39,183,680	\$	35,622	\$50,000
ST. PAUL	5,061	\$	221,730,090	\$	43,812	\$126,525
STAVELY	455	\$	16,463,651	\$	36,184	\$50,000
STETTLER	5,226	\$	262,076,005	\$	50,148	\$0
STONY PLAIN	10,544	\$	510,068,233	\$	48,375	\$0
STRATHMORE	8,640	\$	476,347,536	\$	55,133	\$0
SUNDRE	2,267	\$	133,326,799	\$	58,812	\$0
SWAN HILLS	1,807	\$	47,490,244	\$	26,281	\$50,000
SYLVAN LAKE	7,493	\$	537,272,796	\$	71,703	\$0
TABER	7,671	\$	426,877,486	\$	55,648	\$0
THREE HILLS	3,541	\$	123,133,706	\$	34,774	\$88,525
TOFIELD	1,818	\$	71,688,084	\$	39,432	\$50,000
TROCHU	1,033	\$	40,109,049	\$	38,828	\$50,000
TURNER VALLEY	1,608	\$	99,084,507	\$	61,620	\$0
TWO HILLS	1,091	\$	24,194,402	\$	22,176	\$50,000
VALLEYVIEW	1,856	\$	65,809,873	\$	35,458	\$50,000
VAUXHALL	1,112	\$	42,296,116	\$	38,036	\$50,000
VEGREVILLE	5,376	\$	241,437,612	\$	44,910	\$134,400
VERMILION	4,435	\$	183,241,045	\$	41,317	\$110,875
VIKING	1,052	\$	39,080,775	\$	37,149	\$50,000
VULCAN	1,762	\$	91,810,294	\$	52,106	\$0
WAINWRIGHT	5,183	\$	258,041,207	\$	49,786	\$0
WEMBLEY	1,542	\$	46,170,962	\$	29,942	\$50,000
WESTLOCK	4,820	\$	211,581,318	\$	43,897	\$120,500
WHITECOURT	8,334	\$	620,561,574	\$	74,461	\$0
ACME	648	\$	26,692,969	\$	41,193	\$50,000
ALBERTA BEACH	762	\$	48,059,770	\$	63,071	\$0
ALIX	825	\$	55,053,795	\$	66,732	\$0
ALLIANCE	171	\$	4,876,675	\$	28,519	\$50,000
AMISK	181	\$	4,148,800	\$	22,922	\$50,000
ANDREW	485	\$	11,891,126	\$	24,518	\$50,000
ARROWWOOD	190	\$	7,791,534	\$	41,008	\$50,000
BARNWELL	548	\$	16,247,930	\$	29,650	\$50,000
BARONS	296	\$	8,087,524	\$	27,323	\$50,000
BAWLF	362	\$	8,948,359	\$	24,719	\$50,000
BEISEKER	830	\$	47,660,874	\$	57,423	\$0
BERWYN	546	\$	10,208,371	\$	18,697	\$50,000
BIG VALLEY	340	\$	9,170,702	\$	26,973	\$50,000
BITTERN LAKE	221	\$	8,612,408	\$	38,970	\$50,000
BOTHA	186	\$	4,365,387	\$	23,470	\$50,000
BOYLE	840	\$	45,851,008	\$	54,585	\$0
BRETON	573	\$	13,836,200	\$	24,147	\$50,000
CARBON	530	\$	16,075,000	\$	30,330	\$50,000
CARMANGAY	261	\$	6,012,942	\$	23,038	\$50,000
CAROLINE	556	\$	17,795,001	\$	32,005	\$50,000

CEREAL	160	\$	3,570,619	\$	22,316	\$50,000
CHAMPION	355	\$	8,433,279	\$	23,756	\$50,000
CHAUVIN	378	\$	12,344,118	\$	32,656	\$50,000
CHIPMAN	260	\$	4,648,737	\$	17,880	\$50,000
CLIVE	591	\$	18,908,815	\$	31,995	\$50,000
CLYDE	491	\$	9,128,074	\$	18,591	\$50,000
CONSORT	634	\$	26,884,899	\$	42,405	\$50,000
COUTTS	364	\$	11,942,347	\$	32,809	\$50,000
COWLEY	225	\$	7,227,331	\$	32,121	\$50,000
CREMONA	415	\$	21,890,044	\$	52,747	\$0
CZAR	205	\$	4,795,758	\$	23,394	\$50,000
DELBURNE	719	\$	31,134,485	\$	43,302	\$50,000
DELIA	215	\$	7,094,779	\$	32,999	\$50,000
DERWENT	111	\$	1,679,537	\$	15,131	\$50,000
DEWBERRY	200	\$	3,994,856	\$	19,974	\$50,000
DONALDA	230	\$	4,394,083	\$	19,105	\$50,000
DONNELLY	377	\$	9,456,732	\$	25,084	\$50,000
DUCHESS	836	\$	40,555,258	\$	48,511	\$0
EDBERG	150	\$	2,395,141	\$	15,968	\$50,000
EDGERTON	403	\$	10,946,118	\$	27,162	\$50,000
ELNORA	264	\$	7,464,279	\$	28,274	\$50,000
EMPRESS	171	\$	3,496,397	\$	20,447	\$50,000
FERINTOSH	168	\$	3,634,378	\$	21,633	\$50,000
FOREMOST	531	\$	19,763,860	\$	37,220	\$50,000
FORESTBURG	870	\$	30,700,639	\$	35,288	\$50,000
GADSBY	40	\$	684,789	\$	17,120	\$50,000
GALAHAD	161	\$	3,045,382	\$	18,915	\$50,000
GIROUXVILLE	306	\$	7,873,054	\$	25,729	\$50,000
GLENDON	459	\$	10,527,143	\$	22,935	\$50,000
GLENWOOD	258	\$	12,313,693	\$	47,727	\$0
HALKIRK	117	\$	2,682,972	\$	22,931	\$50,000
HAY LAKES	346	\$	10,933,862	\$	31,601	\$50,000
HEISLER	183	\$	2,838,022	\$	15,508	\$50,000
HILL SPRING	218	\$	5,277,624	\$	24,209	\$50,000
HINES CREEK	437	\$	11,077,308	\$	25,349	\$50,000
HOLDEN	374	\$	8,036,829	\$	21,489	\$50,000
HUGHENDEN	235	\$	5,048,469	\$	21,483	\$50,000
HUSSAR	181	\$	7,975,446	\$	44,063	\$50,000
HYTHE	714	\$	20,548,035	\$	28,779	\$50,000
INNISFREE	219	\$	5,809,943	\$	26,529	\$50,000
IRMA	435	\$	15,564,952	\$	35,781	\$50,000
IRRICANA	1,043	\$	52,135,530	\$	49,986	\$0
KINUSO	231	\$	5,570,821	\$	24,116	\$50,000
KITSCOTY	671	\$	20,061,474	\$	29,898	\$50,000
LINDEN	636	\$	30,713,488	\$	48,292	\$0
LOMOND	171	\$	4,973,186	\$	29,083	\$50,000
LONGVIEW	300	\$	19,478,526	\$	64,928	\$0
LOUGHEED	228	\$	6,943,864	\$	30,456	\$50,000
MANNVILLE	722	\$	15,922,670	\$	22,054	\$50,000
MARWAYNE	495	\$	13,477,166	\$	27,227	\$50,000
MILO	115	\$	5,579,686	\$	48,519	\$0
MINBURN	88	\$	1,269,934	\$	14,431	\$50,000
MIRROR	492	\$	12,586,912	\$	25,583	\$50,000

MORRIN	252	\$	5,019,186	\$	19,917	\$50,000
MUNSON	222	\$	5,528,117	\$	24,901	\$50,000
MYRNAME	322	\$	6,644,105	\$	20,634	\$50,000
NAMPA	372	\$	12,403,532	\$	33,343	\$50,000
NEW NORWAY	292	\$	6,358,641	\$	21,776	\$50,000
NEW SAREPTA	382	\$	10,532,457	\$	27,572	\$50,000
NOBLEFORD	615	\$	19,982,329	\$	32,492	\$50,000
ONOWAY	847	\$	32,108,701	\$	37,909	\$50,000
PARADISE VALLEY	152	\$	3,551,915	\$	23,368	\$50,000
ROCKYFORD	375	\$	15,996,560	\$	42,657	\$50,000
ROSALIND	190	\$	4,766,770	\$	25,088	\$50,000
ROSEMARY	366	\$	11,103,542	\$	30,338	\$50,000
RYCROFT	609	\$	19,278,624	\$	31,656	\$50,000
RYLEY	437	\$	13,543,223	\$	30,991	\$50,000
SANGUDO	398	\$	9,447,362	\$	23,737	\$50,000
SPRING LAKE	457	\$	20,514,803	\$	44,890	\$50,000
STANDARD	389	\$	19,161,717	\$	49,259	\$0
STIRLING	877	\$	22,564,435	\$	25,729	\$50,000
STROME	273	\$	5,973,047	\$	21,879	\$50,000
THORHILD	478	\$	12,917,086	\$	27,023	\$50,000
THORSBY	799	\$	30,542,961	\$	38,226	\$50,000
TILLEY	422	\$	11,307,975	\$	26,796	\$50,000
VETERAN	292	\$	6,427,720	\$	22,013	\$50,000
VILNA	269	\$	5,762,882	\$	21,423	\$50,000
WABAMUN	601	\$	102,502,267	\$	170,553	\$0
WARBURG	560	\$	14,451,316	\$	25,806	\$50,000
WARNER	379	\$	12,876,696	\$	33,975	\$50,000
WASKATENAU	252	\$	6,442,740	\$	25,566	\$50,000
WILLINGDON	287	\$	5,502,250	\$	19,172	\$50,000
YOUNGSTOWN	184	\$	4,301,018	\$	23,375	\$50,000
ARGENTIA BEACH	24	\$	35,932,713	\$	1,497,196	\$0
BETULA BEACH	10	\$	3,926,808	\$	392,681	\$0
BIRCH COVE	27	\$	3,525,481	\$	130,573	\$0
BIRCHCLIFF	105	\$	51,282,555	\$	488,405	\$0
BONDISS	104	\$	14,823,035	\$	142,529	\$0
BONNYVILLE BEACH	74	\$	8,227,719	\$	111,185	\$0
BURNSTICK LAKE	10	\$	6,363,651	\$	636,365	\$0
CASTLE ISLAND	10	\$	3,610,842	\$	361,084	\$0
CRYSTAL SPRINGS	72	\$	33,149,825	\$	460,414	\$0
GHOST LAKE	69	\$	15,458,735	\$	224,040	\$0
GOLDEN DAYS	125	\$	42,054,591	\$	336,437	\$0
GRANDVIEW	85	\$	40,690,650	\$	478,714	\$0
GULL LAKE	143	\$	29,371,805	\$	205,397	\$0
HALF MOON BAY	37	\$	15,609,019	\$	421,865	\$0
HORSESHOE BAY	52	\$	4,789,613	\$	92,108	\$0
ISLAND LAKE	216	\$	20,368,379	\$	94,298	\$0
ISLAND LAKE SOUTH	71	\$	6,450,759	\$	90,856	\$0
ITASKA BEACH	10	\$	18,537,545	\$	1,853,755	\$0
JARVIS BAY	124	\$	39,882,392	\$	321,632	\$0
KAPASIWIN	14	\$	8,416,485	\$	601,178	\$0
LAKEVIEW	15	\$	2,613,168	\$	174,211	\$0
LARKSPUR	21	\$	6,047,108	\$	287,958	\$0
MA-ME-O BEACH	81	\$	38,512,926	\$	475,468	\$0

MEWATHA BEACH	101	\$	12,944,567	\$	128,164	\$0
NAKAMUN PARK	31	\$	8,896,418	\$	286,981	\$0
NORGLENWOLD	267	\$	68,286,652	\$	255,755	\$0
NORRIS BEACH	29	\$	11,979,584	\$	413,089	\$0
PARKLAND BEACH	97	\$	20,584,050	\$	212,207	\$0
PELICAN NARROWS	112	\$	15,247,304	\$	136,137	\$0
POINT ALISON	10	\$	4,750,014	\$	475,001	\$0
POPLAR BAY	84	\$	36,124,150	\$	430,049	\$0
ROCHON SANDS	58	\$	15,604,275	\$	269,039	\$0
ROSS HAVEN	109	\$	16,105,497	\$	147,757	\$0
SANDY BEACH	201	\$	20,609,651	\$	102,536	\$0
SEBA BEACH	137	\$	34,238,850	\$	249,919	\$0
SILVER BEACH	39	\$	36,827,481	\$	944,294	\$0
SILVER SANDS	126	\$	14,366,809	\$	114,022	\$0
SOUTH BAPTISTE	44	\$	6,411,729	\$	145,721	\$0
SOUTH VIEW	87	\$	5,199,595	\$	59,765	\$0
SUNBREAKER COVE	86	\$	45,329,790	\$	527,091	\$0
SUNDANCE BEACH	37	\$	21,966,261	\$	593,683	\$0
SUNRISE BEACH	95	\$	10,310,096	\$	108,527	\$0
SUNSET BEACH	50	\$	9,616,620	\$	192,332	\$0
SUNSET POINT	176	\$	19,873,649	\$	112,918	\$0
VAL QUENTIN	143	\$	12,788,793	\$	89,432	\$0
WAIPAROUS	55	\$	10,426,578	\$	189,574	\$0
WEST BAPTISTE	46	\$	8,654,809	\$	188,148	\$0
WEST COVE	105	\$	11,362,775	\$	108,217	\$0
WHISPERING HILLS	118	\$	12,111,355	\$	102,639	\$0
WHITE SANDS	73	\$	21,690,460	\$	297,130	\$0
YELLOWSTONE	98	\$	9,561,129	\$	97,563	\$0
TOWNSITE OF REDWOOD MEADOWS	1,141	\$	81,385,701	\$	71,328	\$0

Includes Shadow Population	2,605,800	\$185,678,790,543	\$26,749,194	\$8,915,875
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\$71,256

**CITY OF RED DEER
ADMINISTRATIVE COMMENTS
HAVE BEEN
INCORPORATED INTO
THIS DOCUMENT**



Section 3:

2004 AUMA CONVENTION MEMBER RESOLUTIONS

THIS SECTION
WILL REPLACE
THE CURRENT SECTION
3 IN THE AUMA
HANDBOOK.
(LAST SECTION OF
THE HANDBOOK)

TYPE	MUNICIPALITY/IES	NAME	COMMENTS BY	CITY PAGE No.	AUMA PAGE No.
C.i	Barrhead	Program for Increased Heating and Electrical Costs	Greg Scott	6	165
C.i	Beiseker	Environmentally Contaminated Sites	Paul Meyette	7	166
C.i	Calgary	Recommendations of the Low Income Programs Review	Scott Cameron	9	167
C.i	Claresholm	Spam E-Mail	---	12	169
C.i	Cochrane	Postal Voting	Kelly Kloss	13	170
C.i	Drayton Valley / Drumheller	Brownfields Redevelopment Strategy	Paul Meyette	15	172
C.i	Edmonton	Funding to Seniors Lodge Management Bodies	Scott Cameron	16	173
C.i	Edmonton	Increase Financial Support Provided to AISH Recipients	Scott Cameron	18	175
C.i	Edmonton	Increase of Minimum Wage in Alberta	Scott Cameron	20	176
C.i	Grande Prairie	Sustainable Funding for Sexual Assault Programs	Scott Cameron	22	178
C.i	Grande Prairie	Health Care Funding Formula	---	24	180
C.i	Grande Prairie	Safe Communities Coordinator Funding	Grant Howell	26	182
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BARRHEAD

PROGRAM FOR INCREASED HEATING AND ELECTRICAL COSTS

WHEREAS municipalities are being faced with high operational costs for public recreation facilities, such as pools and arenas, directly resulting from dramatic increases to heat and energy costs;

WHEREAS a major expenditure component for operating public recreational facilities is the cost of utilities;

WHEREAS municipalities are having great difficulty in keeping public facilities operating at an affordable level to the citizens of Alberta;

WHEREAS recreation facilities contribute largely to the economic vitality of communities and play a major part in keeping citizens of all ages active;

WHEREAS the Government of Alberta promotes quality recreation as being a part of healthy active lifestyles which leads to reduced health care costs and citizens being more productive at home, work and in the community;

NOW THEREFORE BE IT RESOLVED THAT the AUMA urge the Government of Alberta to approve a program to assist municipalities in offsetting increased heating and electrical costs incurred for operating public recreation facilities to ensure that these facilities continue to be available at an affordable level to the citizens of Alberta.

Comments from the Director of Recreation, Parks and Culture

The Recreation, Parks & Culture Department supports this proposed resolution.

Heating and electrical costs have increased significantly in the last few years resulting in increased fees for use and services. As facilities positively impact the health and wellness of communities and individuals it is important that programs are developed to help offset rising utility costs.

The Community Services Director agrees with the above comments.

Greg Scott
Director of Recreation, Parks and Culture

WHEREAS there are numerous sites within the Province of Alberta which have been contaminated with hydrocarbons;

WHEREAS small Alberta communities do not have the financial resources nor the expertise to clean up these contaminated sites;

WHEREAS there are numerous hydrocarbon resource based industries i.e. used oil recycling operations that wish to locate in small Alberta urban municipalities and these industries will create new and further risks for hydrocarbon contamination;

WHEREAS a number of hydrocarbon resource based industries do not require the approval nor any form of licensing requirements through Alberta Environment prior to commencing their business activities;

WHEREAS small Alberta urban municipalities do not have the resources financially or otherwise to create a local environmental monitoring and/or protection service;

WHEREAS small Alberta urban municipalities cannot completely prevent hydrocarbon contamination through the enforcement of development bylaws within the existing parameters;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that Alberta Environment:

1. Become more pro-active in the monitoring and enforcement of environmental regulations for all hydrocarbon based industries located in small urban municipalities;
2. Provide assistance and be an advocate for small municipalities to effect the clean up of existing hydrocarbon contaminated sites within their municipal boundaries such as abandoned gas station sites etc.; and
3. Consider the implementation of an approval process or licensing requirement for hydrocarbon resource based industries.

AUMA Resolution 2004 C.I.2
Environmentally Contaminated Sites
Page 2

Comments from the Inspections & Licensing Manager

The current incentive for oil companies to clean up a contaminated site is the sale of the clean site to either make a profit or at least recoup the cleanup costs. In smaller municipalities, there is often little or no development pressure. Oil companies have no incentive to cleanup their sites, because they have no ability to recoup the cost of the cleanup through a subsequent purchase. Alberta Environment would only get involved if the contaminants were leaking off site.

The resolution put forward by Beiseker seeks a larger role from Alberta Environment in the monitoring and enforcement of contaminated sites. They also ask for assistance and advocacy in getting these sites cleaned. It is further suggested that Alberta Environment institute an approval process or licensing requirement for hydrocarbon based industry presumably to ensure that proper standards are followed and a cleanup plan put in place.

The Inspections & Licensing Department supports the resolution, although a later resolution by Drayton Valley/Drumheller (AUMA Resolution 2004.C.i.6) is much more effective.

Paul Meyette
Inspections & Licensing Manager

CALGARY

RECOMMENDATIONS OF THE LOW INCOME PROGRAMS REVIEW

WHEREAS in 1993 the provincial government implemented reforms to low-income programs that reduced benefits by approximately 20% and has not significantly increased them since, resulting in a further erosion of benefits by 22% due to inflation; and,

WHEREAS the funding formula for individuals and families under the Supports for Independence program is not at all based on the real cost of living; is causing a strain on the individuals, families and the community as a whole; and,

WHEREAS the use of a Market Basket Measure approach to the provincial government's low-income programs would more accurately reflect the real cost of Alberta's poorest citizens than the current provincial funding formula; and

WHEREAS in 2001 the provincial government created an MLA Committee to Review all low income programs that acknowledged that current benefit levels are insufficient to meet the basic needs of recipients; and,

WHEREAS the MLA Committee recommended the provincial government enhance the financial support it offers in its low income programs through a phase in of the Market Basket Measure as the targeted minimum income threshold; and

WHEREAS The provincial government has postponed even considering the implementation of the Market Basket Measure until "resources become available"; and

WHEREAS the provincial government has essentially retired the government's debt and is saving hundreds of millions in interest cost;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to immediately restore benefit levels under the Alberta Works (Supports for Independence) program to their pre-cutback 1993 levels and to adjust them for inflation; and,

FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to henceforth index benefit levels available under the Alberta Works (Supports for Independence) program to inflation; and,

FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to implement the recommendations of the Low Income Programs Review (2002), specifically with respect to the need to replace the current funding formula of the Alberta Works (Supports for Independence) program with a phase in of the Market Basket Measure approach.

BACKGROUND

- In 2001, the provincial government undertook a review of its low-income programs. A Ministerial Committee conducted province-wide consultations throughout the summer of 2001.
- In Spring 2002, the provincial government released the findings of the Low-Income Programs Review. This report stated that income support benefit levels are too low, stating:

“The MLA Committee heard concerns about the reduction of SFI benefits in 1993, no annual cost of living adjustments, and local and regional cost differences not being reflected in current benefit levels. The general view of participants was that SFI benefits are inadequate and present a hardship for clients.”

- Following the release of the findings, the MLA Committee subsequently released a series of recommendations. These included a *“phase-in of the Market Basket Measure as the targeted minimum income threshold”* as well as adjusting *“the income supports for clients whose combined incomes and benefits do not meet the MBM”*.
- In 2003, Human Resources Development Canada officially released the income levels defined by the Market Basket Measure for Alberta, which were significantly higher than current benefit levels.
- In 2004, the provincial government announced changes to its income support programs, consolidating its various income support programs into one new program called “Alberta Works”, a recommendation of the Low-Income Programs Review. As part of these changes, the provincial government announced a marginal increase in benefit levels for families with children of \$14 from the federal National Child Benefit plus an additional \$20 increase in basic supports.
- In 2003, benefit levels for a two-parent family with two children had eroded by \$260 / month from their 1993 levels. The adjusted benefit levels also fall \$740 below the defined Market Basket Measure threshold. Further, there has been no increase for single persons, who experience some of the highest risks of poverty. Therefore, the recently announced increase in benefit levels does not come close to addressing the income requirements of individuals and families, nor does it honour the stated intent of the government to implement a Market Basket Measure approach to establishing income support levels.

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Comments from the Social Planning Manager

The Social Planning Department suggests that The City of Red Deer support this resolution.

The proposed framework has been presented to both Alberta Seniors and Alberta Health. The response from both Departments has been positive and for that reason, staff from the Departments has been appointed to participate in the ASCHA review process. Dale Aasen from Red Deer's Piper Creek Foundation also participates as a member on the ASCHA review panel.

A per diem grant program has existed for lodges to supplement income from minimal income earners. This per diem rate increased on October 1, 2004 from \$4.80 to \$6.50/day. The net impact on the Piper Creek Foundation will be approximately \$74,000 per annum. It would appear that the increase is related to the positive response of the Proposed Seniors Supportive Housing Framework.

The Community Services Director supports the above recommendations. Many issues present as social issues (need for housing, foodbank, etc.) but these are symptoms of the real issues, which is lack of income. Use of Market Basket Measures would appear to be a very fair and equitable formula to use.

Scott Cameron
Social Planning Manager

WHEREAS the use of computer generated correspondence has become an accepted way of communication; and

WHEREAS "E-Mail" has become the current electronic method of communication; and

WHEREAS "spam E-Mail" is and has caused serious problems with E-Mail viruses and is causing an undue waste of time, energy and resources in the workplace:

<p>NOW THEREFORE BE IT RESOLVED THAT the AUMA request the Provincial and Federal Government to initiate and pass legislation to control and/or eliminate "spam E-Mail".</p>
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BACKGROUND

One just has to open daily E-Mail to discover what we are up against. Not only are there E-Mails every day trying to sell products of varying sorts but also vulgar and offensive E-Mails which none of us need. We need to get rid of spam E-Mail.

WHEREAS the Municipal Government Act is the governing piece of legislation for municipalities within the Province of Alberta; and

WHEREAS the Municipal Government Act defines the terms 'general election' which means an election held to fill vacancies on Council caused by the passage of time, and includes a first election, and 'by-election' which means an election to fill a vacancy on a Council other than at a general election; and

WHEREAS municipal government within Alberta should encourage the investigation into various strategies to increase voter turnout at local government elections; and

WHEREAS the Local Authorities Election Act details the procedures and processes that municipalities are by law required to follow when conducting either a 'general election' or 'by-election'; and

WHEREAS the Local Authorities Election Act only allows for one form of voting for municipal elections, that being 'in person voting', which is an election at which the principal method of casting votes is by voting in person on election day.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association (AUMA) request the Ministry of Municipal Affairs to amend the relevant legislation to allow Alberta municipalities the option to conduct 'general and by-elections' via 'postal elections', which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; and

BE IT FURTHER RESOLVED THAT the AUMA request that the drafting of the amendments to the legislation allowing municipalities the option to conduct elections via 'postal voting' be done in consultation with appropriate representation of the municipal industry.

BACKGROUND

General elections for municipalities have been conducted as 'in person' elections. That is, on election day within the nominated voting hours, every person eligible to vote may present themselves to the nominating voting stations and cast their vote.

The general concept of 'postal voting' is where all ballot papers are sent by post to the elector's nominated address, the elector completes the ballot paper, authorizes the necessary forms and returns it to the returning officer of the municipality by post. The returning officer, counted, subsequently opens the ballots and the results of the election are declared.

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The introduction of postal voting for local government elections in certain parts of the world has resulted in an increase in participation at municipal elections. However, with the current legislation preventing the option of postal voting municipalities must comply with the legislation.

Comments from Legislative & Administrative Services Manager

On January 12, 2004 Red Deer City Council passed the following resolution:

“Resolved that Council of the City of Red Deer, having considered the report from the Returning Officer/Legislative & Administrative Services Manager, dated January 5, 2004, re – 2004 Municipal Election – Monday, October 18, 2004, hereby requests the provincial government to:

- (a) undertake a consultation process with municipalities to develop a mail-in voting system and consideration of an on-line voting system for elections beyond 2004,
- (b) include municipal representatives in the development and completion of the consultation process.”

On February 27, 2004 Red Deer City Council received a written response from the Honorable Guy Boutilier indicated that after the 2004 elections, the ministry will contact municipal stakeholders groups to set up a group to explore options for mail-in, on-line, and other alternative voting provisions under the Local Authorities Election Act.

The process of postal voting as introduced by Cochrane would fall within the scope of the proposed group. There is merit however in AUMA also indicating its support for the establishment of such a stakeholder group and I recommend that the resolution put forth by Leduc - Vote By Special Ballot be supported as the resolution from Cochrane is limiting in its nature.

Kelly Kloss
Legislative & Administrative Services Manager

WHEREAS communities throughout Alberta are trying to cope with Brownfield Sites where past actions have caused real or suspected environmental contamination;

WHEREAS Brownfields represent a continued threat to human health and safety, possible contamination of ground water, as well as an important economic loss to municipalities through underused or idle infrastructure which results in lost property tax revenues;

AND WHEREAS urban communities could realize a substantial amount of revenue if these sites could be redeveloped;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association lobby the Provincial Government to institute a Province wide Brownfields Redevelopment Strategy and request the Province to amend the *Municipal Government Act* to create legislation governing Brownfields Redevelopment including provisions to ensure compliance, and further that a provincially sponsored program be implemented for the remediation of contaminated sites on a timely basis.

BACKGROUND

In our community, as in many other communities across our province, we are trying to cope with vacant sites or orphan properties where past actions have caused real or suspected environmental contamination. Brownfields represent an important economic loss to municipalities from lost property tax revenues and potential loss of economic activity due to the perceived blight of some of these sites. We feel that Brownfield redevelopment presents many advantages because in most cases, these sites are already connected to existing infrastructure. Redevelopment will also serve to revitalize downtown cores. We feel the Province of Alberta should institute a provincial Brownfields Redevelopment Strategy.

FUNDING TO SENIORS LODGE MANAGEMENT BODIES

WHEREAS the Broda Report entitled "*Healthy Aging: New Dimensions for Care*" outlined a new vision and guiding principles for healthy aging for seniors based on a continuum of care model; and

WHEREAS the Province has endorsed this new vision of healthy aging and for providing a range of necessary services to older people residing in various forms of housing, including subsidized seniors' lodge accommodation; and

WHEREAS a growing number of lodge residents need a wide range of supportive services, including health care and home care to keep them "functionally independent" as defined in the Social Housing Accommodation Regulation (AR 144/94); and

WHEREAS the Province has accepted in principle the Proposed Seniors Supportive Housing Framework put forward by the Alberta Senior Citizens Housing Association (ASCHA) that conceptualized seniors housing in a continuum of care framework; and

WHEREAS the current funding formula for Provincial Lodge Assistance Program (LAP) grant funding to Seniors Lodge Management Bodies does not recognize the need for different levels of funding for seniors who require different levels of care; and

WHEREAS the LAP grant has not been increased since 1995 and this grant is not linked with the annual Consumer Price Index; and

WHEREAS the operating costs of subsidized seniors lodges have increased by an average of 5% since then, resulting in substantial financial hardships for Seniors Lodge Management Bodies and local municipalities:

NOW THEREFORE BE IT RESOLVED THAT the Alberta Municipalities Association urge the Government of Alberta through the Minister responsible for Alberta Seniors to adopt the Proposed Seniors Supportive Housing Framework prepared by ASCHA and introduce a new funding formula for Seniors Lodge Management Bodies to reflect the level of service they provide in the continuum of care model.

BACKGROUND

- The Broda Report, titled "Healthy Aging: New Directions for Care", recommended that seniors be given a choice of the services (including housing, food, personal care, health care) they need and pay for each service module while living in supportive housing, including subsidized seniors lodge units. The Province has accepted this report.
- The number of low-income seniors residing in lodges who need health and home care services to keep them functionally independent is growing. Provision of the necessary supportive services will keep frail seniors active, mobile and safe. This will also save a

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substantial amount of money spent in the health care system, especially in extended care facilities.

- The Province has endorsed, in principle, the Proposed Seniors Supportive Housing Framework developed by the Alberta Senior Citizens' Housing Association (ASCHA). This document recommends four levels of supportive housing arrangement, each with a list of desirable services and estimated cost. This framework for funding urges the Province to incorporate the inflation factor in a new funding formula for senior's supportive housing. Enhanced funding for Seniors Lodge Management Bodies, calculated based on the level of service needed and linking the formula with the Consumer Price Index could alleviate the financial stress being encountered by the Management Bodies. This additional funding could also relieve municipalities responsible for covering the annual operating deficits of those Management Bodies.
- Under the provisions of the Alberta Housing Act and the Ministerial Order establishing Management Bodies, municipalities are obliged to share in the capital and operating deficit costs for subsidized seniors lodges. Municipalities have been meeting this obligation since then. However, this requirement has created significant pressure on the already strained budgets of those municipalities. The restricted financial capabilities of low-income seniors have also contributed to the financial problems. If the Province, in the spirit of providing a continuum of care to seniors living in supportive housing, introduces a new funding formula as recommended by the ASCHA, the financial challenges encountered by the Management Bodies and the municipalities could be relieved.

Comments from the Social Planning Manager

The Social Planning Department supports this resolution.

The proposed framework has been presented to both Alberta Seniors and Alberta Health. The response from both Departments has been positive and for that reason, staff from the Departments has been appointed to participate in the ASCHA review process. Dale Aasen from Red Deer's Piper Creek Foundation also participates as a member on the ASCHA review panel.

A per diem grant program has existed for lodges to supplement income from minimal income earners. This per diem rate increased on October 1, 2004 from \$4.80 to \$6.50/day. The net impact on the Piper Creek Foundation will be approximately \$74,000 per annum. It would appear that the increase is related to the positive response of the Proposed Seniors Supportive Housing Framework.

Supporting the Edmonton resolution might simply endorse the direction it would appear that the Province is already heading.

The Community Services Director agrees with the above comments.

Scott Cameron

Social Planning Manager

EDMONTON

INCREASE FINANCIAL SUPPORT PROVIDED TO AISH RECIPIENTS

WHEREAS in 2002 Alberta Human Resources and Employment (AHRE) completed a review of its low-income programs, including Assured Income for the Severely Handicapped (AISH), in consultation with 6,000 Albertans; and

WHEREAS the issue most frequently identified was the inadequate level of financial support provided to Albertans who rely on income supports; and

WHEREAS the current support rate for AISH recipients is \$850 per month which has not significantly changed for several years; and

WHEREAS the current support rate for individual AISH recipients is only 51.5% of the Low-Income Cut-off (the most commonly used measure of low-income) and only 79%¹ of the "Market Basket Measure" of low income, making it difficult for many to obtain adequate food, clothing and shelter.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to immediately increase the AISH benefit level by 25% to meet the "Market Basket Measure" income threshold level.

BACKGROUND

Through a comprehensive consultation process conducted by an MLA Committee appointed by the Minister of Human Resources and Employment, feedback was gathered through a discussion guide and questionnaire. Over 6,000 Albertans including clients of AHRE, community organizations concerned with poverty, and AHRE staff responded to the review.

In May, 2002, the Ministry released the MLA Committee's report entitled, "What We Heard" – a summary of what Albertans had to say about the current system that supports low income Albertans. Recommendation #2 stated: "Provide enhanced and more flexible financial support." Another recommendation was to keep Assured Income for the Severely Handicapped as a separate program from Supports for Independence (now Alberta Works).¹¹ In addition, the MLA Review Committee noted in its report that "current benefit levels do not meet the needs of many Albertans who rely on income supports. The support system is not flexible enough to meet the higher costs of living in certain communities, especially where housing is more expensive. Adjustments to support levels to recognize higher costs are neither responsive nor timely." Despite this feedback, the Alberta government has said that any immediate changes to benefit levels will be considered only "as budget allows."²² The City of Edmonton submission to the MLA Review Committee recommended that benefit levels for low-income Albertans be tied to an acceptable percent of the Market Basket Measure. The MBM was developed by the Federal Government and provinces in Spring 2003.

¹ Adjusted from 2000 for inflation.

**AUMA
RESOLUTION 2004.C.i.8
Increase Financial Support Provided to AISH Recipients
Page two**

Comments from the Social Planning Manager

The Social Planning Department does not support this resolution in its present form.

AUMA members will be asked to consider two resolutions on the issue of support levels for AISH recipients; Resolution 2004.C.i.17 proposed by Medicine Hat is a more comprehensive proposal and more accurately reflects the views of AISH recipients in Red Deer.

The Edmonton AISH resolution recommends a capped increase amount that for present recipients would amount to only \$1,062.50/month. The resolution could be strengthened by inserting the phrase "at least" prior to the 25%.

The Department agrees with Edmonton in recommending that the Province adopt the Market Basket Measure (MBM) formula for determining poverty levels and subsequent support rates. The Market Basket Measure "is more sensitive than the LICO (Low Income Cut-Off) to differences in living costs among different communities and community sizes across Canada" (Community Services Consulting Ltd., 2004, p. 14)

Scott Cameron
Social Planning Manager

**EDMONTON
INCREASE OF MINIMUM WAGE IN ALBERTA**

WHEREAS Alberta has the lowest minimum wage among Canadian provinces and territories at \$5.90 per hour; and

WHEREAS the poverty line for a single person varies from \$19,795 in a city with a population of over 500,000 to \$13,680 in rural areas (2003 figures); and

WHEREAS a person working 40 hours per week, fifty-two weeks per year at the minimum wage, would earn \$12,272 per year, well below the pre-tax low income cutoff developed by Statistics Canada;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Municipalities Association request that the Government of Alberta:

1. Significantly increase the minimum wage paid to workers in Alberta; and
2. Develop a formula for increasing the minimum wage on an annual basis until it at least matches the average minimum wage paid in the other nine Canadian provinces.

BACKGROUND

Alberta's minimum wage of \$5.90 per hour is the lowest minimum wage in Canada:

PROVINCE	Minimum Wage per hour
British Columbia	8.00
Quebec	7.45
Ontario	7.15
Manitoba	7.00
Saskatchewan	6.65
Prince Edward Island	6.50
Nova Scotia	6.50
New Brunswick	6.20
Newfoundland	6.00
Alberta	5.90

Average Minimum Wage for Canadian provinces (excluding Alberta) is \$6.83 per hour.

Based on a 40 hour work week, the annual income for a single individual working at minimum wage would be \$12,272, which is substantially below the 2003 low income cut-off as defined by Statistics Canada.

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LOW INCOME CUT-OFF (for 1 person – 2003 figures)	SIZE OF AREA OF RESIDENCE
\$13,680	Rural areas
\$15,690	Less than 30,000
\$16,862	30,000 to 99,999
\$16,979	100,000 to 499,999

Single individuals, one parent families, or families paid at minimum wage have great difficulty meeting their basic living requirements. The Alberta Minimum Wage, currently at \$5.90 per hour for adults is the lowest minimum wage in Canada (including all the provinces and territories). The Alberta Minimum Wage provides an income considerably below the amount required to meet the basic necessities of life. A single person living in a large city (like Edmonton or Calgary) would have to work 64.5 hours per week at minimum wage to have an income that reaches the pre-tax low income cutoff.

Comments from the Social Planning Manager

The Social Planning Department supports this resolution.

According to the Making Ends Meet: A Profile of Urban Poverty in Alberta, 13.6% of Red Deer residents were living in poverty in 2001.

Across the province, minimum wage primarily impacts women and youth ages 15 to 24 years. Almost 4% of minimum wage earners are single parents with children under the age of 18.

To achieve the 2002 Low-Income Cut-Off (LICO) rate for individuals in Alberta, minimum wage earners in Red Deer would need to be paid \$7.89/hour (based on 40 hours/week).

Poverty in our community contributes significantly to challenges experienced by residents accessing services such as housing, transportation, childcare, and recreation.

The Community Services Director agrees with the above comments.

Scott Cameron
Social Planning Manager

GRANDE PRAIRIE

SUSTAINABLE FUNDING FOR SEXUAL ASSAULT PROGRAMS

WHEREAS the Alberta Roundtable on Family Violence and Bullying defines Family Violence as including Sexual Abuse; and

WHEREAS the Alberta Association of Sexual Assault Centres was formed to advocate for a collaborative, coordinated approach to sexual assault service delivery in Alberta and has nine member communities providing service in Alberta; and

WHEREAS sexual assault centres have been providing services in Alberta since 1976 and have a proven record of success in six core service areas for child and adult victims of sexual abuse and assault; Crisis Services, Counselling, Police and Court Support, Education, Out Reach and Volunteer Support; and

WHEREAS the Alberta Roundtable on Family Violence, Framework for Action identifies that the provincial government has a specific leadership role to play in shifting from current funding models to long-term, sustainable approaches; and

WHEREAS the provincial government's stated goal is "to ensure that Albertans, especially, children, feel safe and protected

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta ensure that Sexual Assault Centres be included in the considerations for long term sustainable funding.

BACKGROUND

Eighteen per cent of female and eight percent of male Canadians in a national survey reported having been the victim of "unwanted sexual acts" (involving physical contact) before the age of 17 (Bagley, 1988). In 2002 there were 27,100 sexual offences reported to police, representing a rate of 86 incidents for every 100,000 population, virtually unchanged since 1999, when the rate was 89 per 100,000.

Sexual assault centres currently exist in Edmonton, Calgary, Red Deer, Lethbridge, Grande Prairie, Lloydminster, Fort McMurray, Medicine Hat, Strathcona and the University of Alberta. Although each centre establishes priority services for their community, there are identified core services that all sexual assault centres provide.

Crisis Services: crisis workers provide victims with support, stabilization, risk assessment, information, referrals and hospital accompaniment

Counselling: Individual and group counselling for children, women and men

Police and Court Support: options counselling, police accompaniment for reporting, court preparation and accompaniment, advocacy for victims through the court system

Education: education, prevention and public information services

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Outreach: ensuring that services are available and accessible to diverse populations, rural communities, ensuring partnerships and collaborations are developed

Volunteer Support: volunteer coordination, ensure effective and on going training, supervision and recognition

Sexual assault centres are committed to providing quality services to victims of sexual abuse and assault. In order to provide these services, long term, sustainable funding is necessary.

Comments from the Social Planning Manager

The Social Planning Department supports the intent of this resolution.

Sexual Assault Centres are only one component of supports needed to address family violence and therefore perhaps the resolution should read "...for long-term sustainable funding for all programs that address family violence."

According to the Funding Matters (2003) paper prepared by the Canadian Council on Social Development, funding for Canadian non-profit organizations is being threatened by a lack of resources for core services and administration expenses in favour of short-term project based funding. In addition, organizations are being faced with increased administrative costs due to escalating reporting requirements. These impacts are being felt by organizations across Canada and are not limited to Alberta's Sexual Assault Centres.

The rationale provided in the Grande Prairie resolution is based on the role of Alberta's Sexual Assault Centres in combating the effects of family violence and bullying as discussed at the recent Alberta Roundtable. In Red Deer, The Crisis Centre provides important preventive and early intervention programs to support these initiatives within the context of a team of community agencies and programs working together to tackle this issue.

The resolution from Grande Prairie includes a number of key messages important to Red Deer such as the plight of funding circumstances for our non-profit organizations and the tragedy of family violence and bullying in our community. The combination of the two messages, however, may appear to be weak and short sighted by the Alberta Government. AUMA membership may wish to determine the more important of the two issues and forward a resolution that would appropriately address either.

The Community Services Director agrees with the above comments.

Scott Cameron
Social Planning Manager

WHEREAS the Province of Alberta has assumed responsibility for funding health care; and

WHEREAS the Province of Alberta has committed to ensuring every Alberta resident has access to quality health care; and

WHEREAS the Province of Alberta allocates funding to regional health authorities based on a population funding formula; and

WHEREAS regional health authorities have differing circumstances and service is impacted by population density and geographic area; and

WHEREAS the regional health authorities have limited sources of revenue; and

WHEREAS the Province of Alberta has numerous funding options;

<p>NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to conduct a review of the funding formula for health care purposes to ensure equal access to health services in every Alberta municipality.</p>
--

BACKGROUND

Alberta's population based funding formula, developed in 1996, was largely shaped to meet the needs of major health facilities in Alberta's large urban centres. Rural RHAs are vastly different than urban RHAs in terms of both the area and the people they serve. More specifically, challenges relate to distance and the geographic area served. The population based funding formula presumes all services are provided out of a single large urban facility and does not recognize cost factors associated with operating a number of health facilities in a large geographic area.

Another problem with the population-based funding formula relates to how it classifies population groups. The formula breaks population groups into over 100 categories based on gender, age and socio-economic status and then assigns a funding level for those groups based on the lifestyle and health needs of people who live in large urban centres. Once again, this does not fit for rural Alberta.

RESOLUTION 2004.C.i.11

Page two

Rural RHAs also carry a larger burden in supporting the delivery of physician services. In rural Alberta, many health services offered by physicians are delivered out of RHA facilities, where overhead and utility costs are paid for by the RHA. In urban Alberta, these same services are provided out of offices, physicians operate independently and the RHAs do not incur costs for the delivery of these services. The population funding formula does not recognize the additional costs rural RHAs incur for the delivery of these services.

How RHAs are paid and reimbursed for imported or exported services is another area of Alberta's funding formula that needs to be improved. When rural residents need specialized health services not available in their own Region, they must usually travel to an urban Region and receive those services there. The exporting RHA then reimburses the importing RHA that provided the services. At present, the method Alberta Health and Wellness uses to track imported and exported services does not provide timely reimbursement.

The population based formula estimates the amount of health services residents will require from their RHA. However, it is physicians and their patients who determine when tests are needed, or when hospital admission or outpatient services are required, and, in reality, RHAs provide these services on demand. Funding RHAs for services that are actually provided would improve Alberta's funding model.

WHEREAS many Alberta municipalities and regions have active Safe Communities initiatives and that this group is composed of professionals from multi-faceted organizations and further that a funded coordinator would enhance the efforts and help achieve its goals, and since no secured funding is in place to secure this position, the AUMA is recommending that the government of Alberta provide funding for a Safe Communities Coordinator position in these regions which have active Safe Communities initiatives. Safe Communities Foundation is a national not-for-profit charitable organization dedicated to making Canada the safest country in the world to live, learn, work and play. The ultimate goal of all 35 participating Safe Communities in Canada is to eliminate injuries while promoting a culture of safety through the implementation of programs and education.

WHEREAS unintentional injury is the number one cause of death in people 45 years old and younger.

WHEREAS injuries kills more children than all other illnesses combined.

WHEREAS

- Falls account for \$8.8 million in direct costs and \$4.5 million in indirect costs;
- Non-traffic accidents account for \$2.3 million in direct costs and \$8.9 million in indirect costs;
- Motor Vehicle Collisions account for \$2.2 million in direct costs and \$5.0 million in indirect costs;
- Poisoning accounts for \$0.5 million in direct costs and \$.08 million in indirect costs.

WHEREAS the Alberta Centre for Injury Control & Research has determined that each injury costs \$4,700 per year and each disabling injury costs \$12,000 per year.

WHEREAS Safe Communities is a coalition coordinator bringing together multi-faceted organizations including injury prevention programs such as "Risk Watch," suicide prevention, Program of Reducing Injury (WCB), bicycle safety initiatives, infant car seat clinics, and injury statistical information gathering. And further, that through this effort direct savings to our health care system result, that approval of this resolution be accepted.

<p>NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the Government of Alberta to provide for the funding of a Safe Communities Coordinator position for those municipalities and regions which have an active Safe Communities initiative.</p>

AUMA Resolution 2004.C.i.12
Safe Communities Coordinator Funding
Page 2

Comments from Personnel Manager

The City of Red Deer has been a strong supporter of the Safe Communities Initiative for the past three years. Our organization was one of the first in the community to commit funding in order to see the effort get underway.

As an organization, we are committed to a safe work environment and that commitment extends to the community. Not only is it important to citizens and to the quality of life in our community, it also pays large dividends. This is a very positive way to save health care dollars; it is proactive and preventive, which is a wonderful opportunity to invest money in prevention at a fraction of the cost required for treatment.

We very much support this resolution.

Grant Howell
Personnel Manager

WHEREAS the *Local Authorities Election Act* (the Act) was amended in the fall of 2003 to add section 77.1 to allow for voting by special ballot, or mail-in voting.

AND WHEREAS the concept of providing for an alternate method of voting is strongly supported;

AND WHEREAS section 77.1 of the Act was formulated from provisions used for the Provincial election and Provincial election administration differs considerable from local elections;

AND WHEREAS to the detriment of the voting public, due to the difficulties of local governments implementing the current provisions of the Act with respect to mail-in voting, very few municipalities exercised this option for the 2004 local elections;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association lobby the Government of Alberta to establish a Task Force to review the *Local Authorities Election Act* and that the Task Force ensure that a consultation process takes place which includes representation by administrators of local government elections.

Comments from the Legislative & Administrative Services Manager

On January 12, 2004 Red Deer City Council passed the following resolution:

"Resolved that Council of the City of Red Deer, having considered the report from the Returning Officer/Legislative & Administrative Services Manager, dated January 5, 2004, re – 2004 Municipal Election – Monday, October 18, 2004, hereby requests the provincial government to:

- (a) undertake a consultation process with municipalities to develop a mail-in voting system and consideration of an on-line voting system for elections beyond 2004,
- (b) include municipal representatives in the development and completion of the consultation process."

On February 27, 2004 Red Deer City Council received a written response from the Honourable Guy Boutilier indicating that after the 2004 elections, the ministry will contact municipal stakeholders groups to set up a group to explore options for mail-in, on-line, and other alternative voting provisions under the Local Authorities Election Act. I recommend that the resolution put forth by Leduc - Vote By Special Ballot be supported.

Kelly Kloss
Legislative & Administrative Services Manager

WHEREAS sections 219 to 226 inclusive of the *Municipal Government Act* (Act) regulate the rules and procedures for electors to submit a petition to the Chief Administrative Officer;

WHEREAS section 225 of the Act makes it mandatory for the Chief Administrative Officer to review each name of a person signing the petition for the purposes of a mandatory exclusion of names of persons not meeting specific petition requirements;

WHEREAS section 224 (2) of the Act specifies information that a petition representative must ensure is contained on the petition, but does not include the requirement for the petition to collect contact information for the person signing a petition.

WHEREAS section 225 (4) of the Act only permits a random statistical sampling method to be used if 5,000 or more petitioners are necessary to make a petition sufficient. Based on this section, any municipality with a population under 50,000 is required to verify the petition eligibility of every person named on a petition.

WHEREAS since there is a limited timeframe for the Chief Administrative Officer to make a declaration to Council on the sufficiency of a petition, contact information for persons names on a petition is important to facilitate the validation process.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association lobby the Government of Alberta for an amendment to section 224 (2) of the *Municipal Government Act* to add a new subsection as follows:
(e) the petitioner's current contact telephone number.

Comments from the Legislative & Administrative Services Manager

The intent of this resolution is to broaden the information on a petition to include the contact telephone number of each person signing the petition. Other information that now must be included is:

- the printed surname and printed given names or initials of the petitioner,
- the petitioner's signature
- the street address of the petitioner or the legal description of the land on which the petitioner lives, and
- the date on which the petitioner signs the petition.

I recommend that this resolution be supported as it may facilitate the validation process of the petition.

Kelly Kloss
Legislative & Administrative Services Manager

WHEREAS municipalities have the authority to manage the issues related to the ownership of domestic animals through the creation and enforcement of local by-laws;

WHEREAS the Province of Alberta has in the past exercised do authority to manage inquiries/complaints from the public regarding wildlife in urban areas with trained and professional staff;

WHEREAS the Province of Alberta has retreated from its role in managing wildlife in urban areas while retaining this role and expertise in non-urban settings;

WHEREAS this has resulted in increased incidents of unmanaged wildlife conflicts in urban areas;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association press the Government of Alberta to re-institute services in wildlife management within urban settings consistent with that in all other jurisdictions.

BACKGROUND

Cities, towns and villages have invested in parks and open space infrastructure that not only improves the quality of life of citizens but also serves to improve the environment. In the past, these developments were strongly supported by provincial initiatives such as the Urban Parks for the Future program. In many instances the open spaces created are effective wildlife habitats and corridors.

Alberta Sustainable Resource Development is currently responsible for effective fish and wildlife protection throughout the province. Specifically, the department's website identifies these key roles:

- Protecting Alberta's fish and wildlife through effective legislation, regulation and enforcement programs.
- Assessing the status of fish and wildlife populations and manages species to ensure populations are sustained.

As a result of budget reductions in recent years, the department has retreated from these roles within urban areas of all sizes creating a gap in wildlife management services in these areas. Increasing conflict has resulted with many communities citing problems with species such as coyotes, deer, bear and raccoons.

A coordinated approach led by the department is required to ensure that this valuable wildlife resource is sustained and managed effectively.

**AUMA
RESOLUTION 2004.C.i.15
Wildlife Management**

Comments from the Directory of Community Services Division

The Recreation, Parks & Culture Department has no comments regarding this proposed resolution.

In discussions with the Parks Section, they indicated they have a great working relationship with the Province specifically the Fish and Wildlife Section and find them supportive and helpful in the management of wildlife throughout the Red Deer Community.

The Community Services Director agrees with the above comments.

Colleen Jensen
Director of Community Services

LETHBRIDGE

EXTENDING THE LENGTH OF TERMS FOR MUNICIPAL OFFICE

WHEREAS the growing complexity of issues facing municipal councillors makes it imperative that municipal councils undertake long-term planning to meet the fiscal, infrastructure, service, and community partnership needs of their communities;

AND WHEREAS the three-year term of office for municipal office in Alberta is insufficient for such long-term planning;

AND WHEREAS some jurisdictions in Canada and others in the United States have extended the term of municipal office to four years to better facilitate long-term planning;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to amend the *Local Authorities Election Act* for the purpose of extending the term of municipal office from three years to four years.

Comments from the Legislative & Administrative Services Manager

The question to be asked is "Will a four year term facilitate better long term planning than what exists today?" The Red Deer City Council has already taken many steps to facilitate long term planning. Some examples are:

- A strategic plan was developed based on the Vision 2020 (a document that asked citizens what they would like Red Deer to look like in 2020). The Strategic Plan is updated every three years and guides the City,
- Five and ten year capital plans are reviewed annually with Council,
- Many longer term studies and plans including master plans, area redevelopment plans, growth studies, transportation studies to name a few,

To my knowledge, three-year terms have not been equated in Red Deer to a lack of ability to facilitate long term planning.

Advantages of a three-year term include:

- Enhancing the democratic process, as the voters are involved in choosing a Council every three years. There is no recall procedures in place should the voters be dissatisfied with the ruling Council during the term.
- Members of Council, once elected, will often run for at least a second term. If they are elected this commitment will be six years. With a four year term the commitment would be eight years.
- Has been in affect for many years with no issues identified.
- The school boards have a three-year term. It is very important this consistency continue either for a three or four year term.

AUMA Resolution 2004 C.i.16
Extending the Length of Terms for Municipal Office
Page 2

Advantages of a four-year term include:

- ☐ May increase stability or the perception thereof
- ☐ Over time money would be saved by having fewer elections, unless it resulted in more bi-elections
- ☐ Voters may like that they do not have to go to vote as often
- ☐ Brings the term into line with MLAs & MPs

In summary, I could support either the three or four year term under one condition being, the term of Council and school board be the same length. Currently we partner with the school boards when we conduct elections. This has allowed both public bodies to save money, increases voter turnout, and reduces the number of time voters need to come out.

Kelly Kloss
Legislative & Administrative Services Manager

MEDICINE HAT
ASSURED INCOME FOR THE SEVERELY HANDICAPPED

WHEREAS the Assured Income for the Severely Handicapped is an essential support program that assists individuals in achieving an independent lifestyle; and

WHEREAS approximately 500,000 Albertans have one or more disabilities and approximately 30,300 people were on Assured Income for the Severely Handicapped in 2002; and

WHEREAS the financial benefit has risen from \$500 in 1978 to the current \$850 per month; and

WHEREAS the rate is not indexed and the current rate has increased by only 0.6% in the past ten years; and

WHEREAS the rate is the same for every recipient, regardless of family circumstance; and

WHEREAS the Alberta Disabilities Forum, representing 33 disabilities organizations in the province, have submitted six recommendations to the Premier, Minister of Human Resources Development and Employment and MLA's;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association support the following Alberta Disabilities Forum recommendations regarding Assured Income for the Severely Handicapped (AISH):

1. Guarantee medical benefits by separating them from income support.
2. Enable AISH recipients to retain more of what they earn.
3. Enable families to set up Discretionary Trusts for AISH recipients without penalty to the recipient.
4. Maintain the current asset limit.
5. Improve career and employment opportunities for persons with disabilities.
6. Increase income support by 26% so basic living expenses are covered.

BACKGROUND

An MLA Committee Review of Alberta Low Income Programs was undertaken in 2002. In its main recommendation, the committee proposed that Alberta Human Resources and Employment develop a single, integrated low-income support program. This new program would eventually replace Assured Income for the Severely Handicapped (AISH), Supports for Independence (SFI), Widows' Pension (WP), and the Skills Development Program (SDP) living allowance. Clint Dunford, Minister of Human Resources and Employment, has stated that the AISH program should remain a separate program, but is no longer sustainable. He has launched an internal review to look at changing the program.

RESOLUTION 2004.C.I.17

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The Alberta Disabilities Forum (ADF) represents 33 disability organizations in Alberta. It is their belief that the Assured Income for the Severely Handicapped (AISH) is an essential support program that assists individuals in achieving an independent lifestyle. They have proposed six enhancements to the AISH program and will be taking these recommendations to the Premier, Minister Dunford and MLAs and calling for their support. The ADF and the Alberta Committee of Citizens with Disabilities (ACCD) have also forwarded the recommendations to various organizations throughout Alberta, requesting their support of these recommendations.

The City of Medicine Hat Advisory Committee on Issues Affecting the Handicapped (ACIAH) reviewed the information from Alberta Disabilities Forum on December 18, 2003. The Committee supported the recommendations, and forwarded to City Council (through Social Development Advisory Board and Public Services Committee) for their support and further action.

RESOLUTION 2004.C.i.17

Assured Income for the Severely Handicapped

Page three

Comments from the Director of Community Services Division

The Social Planning Department support this resolution, but suggest the words "at least" be inserted before 26%.

As a result of the AISH Renewal announced by The Province of Alberta in early October, two public forums were scheduled for October 13-14, 2004 in Edmonton and Calgary. In preparation for the forums and a comprehensive submission from AISH clients in Red Deer, the Social Planning Department helped to coordinate a meeting that brought together almost 30 people with interests in the AISH program. The participants included AISH recipients, former recipients, and family members or friends of AISH recipients. Notes from the Red Deer meeting can be found at www.reddeer.ca/socialplanning.

The Medicine Hat resolution addresses the majority of concerns expressed by Red Deer residents. The notes prepared from the meeting can provide context and anecdotal evidence to support each of the items contained within the resolution.

A number of concerns surfaced regarding the present AISH Renewal being undertaken by the Province of Alberta. These concerns include:

- Many of the questions in the survey are phrased as an either/or whereby neither of the options provides the optimal solution. The survey will therefore provide justification for the government to support initiatives that don't appropriately meet the needs of Alberta's disabled community.
- Many AISH recipients, when approached to participate in the Red Deer community forum, expressed their fear and reluctance to appear, as they were afraid that speaking out could negatively impact their already meagre benefits.
- The Province of Alberta has performed other AISH reviews with few positive and tangible results. According to one community forum participant, "If this is a show, it is the most heinous show...if they are going to do this and not follow through..."
- Child support payments for single parents are considered to be income and therefore result in claw backs from AISH subsidy amounts. For single parents who are on AISH, the subsidy amounts do not adequately meet their basic needs and recipients believe that if child support payments are intended for their children, they should not be considered as income for the AISH recipients.

The Community Services Director agrees with the above comments.

Colleen Jensen
Directory of Community Services Division

**ROCKY MOUNTAIN HOUSE
SITTING JUSTICE OF THE PEACE FOR CENTRAL ALBERTA**

WHEREAS there have been a number of concerns expressed by various communities in the Central Alberta Region regarding not having sitting Justice of the Peace in Central Alberta.

WHEREAS poor decisions are being made by Justice of the Peace which are most prevalent in responses to Emergency Protection Orders, Search Warrant Applications and Judicial Interim Release (Bail) hearings.

WHEREAS the Municipal Police of their respective jurisdiction do not have the manpower or the time to wait for the Hearing Office to process documents delaying the processing of a prisoner.

WHEREAS victims of domestic violence are not receiving a high level of service through the Hearing Offices in Edmonton and Calgary.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the Minister of Justice and Attorney General to re-examine the appointment of a sitting Justice of the Peace for the central Alberta Area to provide for equal access to a Justice for residents in Central Alberta.

BACKGROUND

On behalf of the Central Alberta Bar Association; Donna C. Purcell – Treasurer wrote a letter to the City of Red Deer on October 21, 2003 requesting the City Council send a letter of support to the Alberta Minister of Justice requesting a sitting Justice of the Peace in Red Deer. The concern brought to the City of Red Deer's attention was the lack of availability of a sitting Justice of the Peace in Central Alberta. There is not a Central Justice of the Peace who has the authority to grant bail, a search warrant or an Emergency Protection Order. If a Justice of the Peace is required in Central Alberta a telephone call to Edmonton or Calgary is not practical.

The request made by the Central Alberta Bar Association has been endorsed by Red Deer County, the City of Red Deer Police Committee, the City of Red Deer, and the Town of Rocky Mountain House to name a few. Rocky Mountain House and the City of Red deer with the backing of their Councils wrote to the Honourable Minister of Justice and Attorney General Dave Hancock Q.C., MLA addressing the concern of Central Alberta not having a sitting Justice of the Peace.

The Minister of Justice is responsible for legal proceedings under the Criminal Code, the Youth Criminal Justice Act and Provincial Laws, including property and civil law. The Minister is also responsible for the Administration of all 3 levels of Court in Alberta. The Minister of Justice has the capability to change the current centralized services in Edmonton, Calgary and allow for the previous system of "sitting Justice of the Peace". Sitting Justices of the Peace have the authority to grant bail, a search warrant or an Emergency Protection Order (EPO) resulting in potential safeguards for victims of family violence.

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Prior to 1997 in areas around Central Alberta regular citizens of the community who had no legal background or experience were appointed as Justices of the peace. Their duties included issuing search warrants, taking information, issuing process under the Criminal Code and conducting bail hearings. They were paid on a fee for service basis and they were called "fee Justices of the Peace".

A Supreme Court decision compelled Alberta Justice to re-examine legislation and the "fee Justice of the Peace" resulting in the Justice Statutes Amendment Act, 1998. Three levels of Justices of the peace were created including Sitting, presiding and Non-Presiding. Two central Hearing Offices were established, one in Edmonton and one in Calgary.

Since 1999, 15 part-time Justices of the Peace have been located in the city of Edmonton while the City of Calgary has 14 Justices of the Peace and Central Alberta has none, therefore, if a sitting Justice of the Peace is required in Central Alberta telephone contact has to be made with either Edmonton or Calgary.

The intention of the legislation of an Emergency Protection Order is to provide immediate protection to a complainant, however, the Police who initiate the order are reluctant in doing so because of the time and resources needed to obtain an EPO.

When such applications have been made in the past the Justices of the Peace have responded by declining such Orders as they are mistakenly using a criminal standard for the evidence placed before them instead of the civil standard or on the basis that Criminal code charges could also be pursued.

A recent tragedy in central Alberta concerning the murder and suicide of three individuals may have been prevented if Emergency Protection Orders had been more readily available through the availability of a local sitting JP.

A person held in custody in late 2002 was held overnight. The police had faxed the documents for a bail hearing to the Calgary Bail Office. The Bail hearing was conducted but the release document was not faxed back to the police. The Calgary Bail office closed at midnight and when the officer tried calling to inquire after the document he was directed to the Edmonton bail office by voice mail. The Edmonton Bail Office was contacted and advised they could not help because the hearing and the results were not available to them, having been conducted in Calgary.

A young person was arrested on a serious violent crime. A bail hearing was held and he was ordered released to his grandmother on one-dollar surety. To make this happen the police had to arrange for his grandmother to attend and sign the document; she was an aboriginal senior and had to have an interpreter present to conduct her portion of the hearing. In hindsight it would have been easier to release the youth by the police with no conditions.

**AUMA
RESOLUTION 2004.C.I.18
SITTING JUSTICE OF THE PEACE FOR CENTRAL ALBERTA**

Comments from the Red Deer RCMP

The Red Deer RCMP support this resolution.

Currently there are 2 Justice of the Peace offices in Alberta, one in Edmonton and one in Calgary. The method of contact is via telephone and fax. Red Deer RCMP office has to deal with the Calgary office until midnight when they close and then we deal with Edmonton. This has sometimes caused problems as a process is already commenced with Calgary but due to delays etc, that office closes and then the process starts again with Edmonton. A Justice of the Peace here in central Alberta would be closer to the community and be able to take into account the current situation in Central Alberta. When we deal with Justice of the Peaces in larger spots, what is important to us may seem minor to them.

Community Services Director agrees with the above comments. Council will recall, as noted in the background, Red Deer City Council has already sent a letter to the Minister expressing our concern.

Superintendent Jim Steele
Red Deer RCMP

**SOUTHVIEW, SILVER SANDS AND SUNRISE BEACH
POLICING**

WHEREAS the announcement in the 2004 budget of increased police funding will help towns and cities better meet the costs of policing services; and

WHEREAS the Provincial and Federal Governments have a major obligation to support police service in Alberta from a constitutional perspective and for the enforcement of Provincial and Federal laws; and

WHEREAS the new funding announced for the RCMP in Alberta will only maintain and not increase the current complement of officers while the population of the province continues to increase significantly due to the "Alberta Advantage"; and

WHEREAS it must be recognized that the increases in population bring increased problems of crime in the areas; and

WHEREAS the need for policing in smaller urban municipalities, including summer villages, is growing as these municipalities grow; and

WHEREAS the smaller municipalities do not have the tax base on which to fund enhanced policing for their residents;

<p>NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the Provincial and Federal Governments to provide additional funding for policing in Alberta so that all municipalities benefit by increasing the complement of police officers to meet demands of the increased population and address issues of under-servicing.</p>

BACKGROUND

The provincial government did address some issues related to policing by providing additional funding in the 2004 budget. However, the most serious issue that most municipalities deal with in regard to policing is the fact that there simply are not enough police to deal with the increasing population and resultant increasing incidents and crimes.

Many smaller municipalities are making the financially stressing decision to move resources to supplemental policing. Because of lack of constables and/or remote location from detachment bases, municipal funds are being put towards policing when they should be put toward services to properties. It is clearly a Provincial obligation to provide for police services.

**AUMA
RESOLUTION 2004.C.i.19
POLICING**

Comments from the Director of Community Services

The Community Services Division is in support of the intent of the above resolution. Provincial funding for Policing that reflects the actual policing costs and needs in municipalities is vital to addressing the ongoing and increasing crime issues in those communities.

In Red Deer's case, funding received will be used to increase the size of our detachment to address our needs. This is different from what is outlined in the third "Whereas". Having said this, however, if total provincial funding to Red Deer (\$1,129,488) were applied to the gross police manpower costs in 2004 that we currently have budgeted (\$8,991,164), it would only cover 13%. In addition, there are costs for the municipal employees, bylaw officers, and other operations such as the facility.

A formula that acknowledges specific circumstances is difficult to develop, particularly one that would be viewed as fair by all municipalities. Having said this, however, at a minimum up to date population figures should be used.

Colleen Jensen
Director of Community Services

STONY PLAIN
FUNDING FOR RCMP SUMMER STUDENT PROGRAM

WHEREAS the federal government through Human Resources Canada funds a national summer student program for the RCMP and

WHEREAS Human Resources Canada funded seven positions in the Province of Alberta in 2004; and

WHEREAS the demand for positions far exceeds the funding available; and

WHEREAS municipalities are then asked to sponsor needed positions; and

WHEREAS the costs for policing place a significant financial burden on municipalities;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Federal Government Department of Human Resources increase their funding for the National Summer Student Program for the RCMP to relieve municipalities from the financial burden of sponsoring RCMP Summer Student Positions.

BACKGROUND

The RCMP has a Summer Student Program. The purpose of the program is to provide students an experience in the field of policing and the justice system to encourage candidates to view policing as a career. Per student funding required for the program is \$8,500. The desire is to find candidates within the communities. The Summer Student Program consists of two employment options:

- The "K" Division Summer Student Program
- The National Summer Student Program

"K" Division Program

The "K" Division program requires the potential candidates and the local RCMP Detachment Coordinator to secure sponsorship funding for the program. The required sponsorship amount for 2004 is \$8,500. In 2003, 25 students were employed throughout the Province under the "K" Division program.

National Summer Student Program

The National Summer Student Program sponsors a limited number of positions across Canada. In 2003, 7 student positions were federally funded in the Province of Alberta.

This past year (2004) the Town of Stony Plain was requested to sponsor two summer students for the local RCMP detachment. The cost of sponsorship is \$8,500 per student for a total cost of \$17,000. Town Council recognizes the benefits of the program to the student

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as well as to the local detachment and agreed to sponsor two students for 2004. The Federal Government Department of Human Resources does provide funding for the Summer Student Program. However, the number of positions sponsored throughout the Province of Alberta decreased from 9 in 2002 to 7 in 2003 and 2004.

Comments from the Red Deer RCMP

The Red Deer RCMP support this resolution

During the summers of 2003 and 2004, this detachment had summer students, which were funded through 2 different programs. In 2003, one student was funded nationally and one funded through private funding. This occurred again in 2004. There is no difference in the quality of the individual, however, some students are not able to raise the funding necessary and miss an opportunity to participate in the program.

The Community Services Director agrees with the above comments

Superintendent Jim Steele
Red Deer RCMP

WHEREAS the federal government in co-operation with the provincial government increase the size of First Nations reserves from time to time; and

WHEREAS the land added to the reserve is Crown Land, which is Provincial Property and therefore part of a municipality; and

WHEREAS this land is taken from Crown inventory and municipal assessment without consulting local municipal authorities; and

WHEREAS this arbitrary distribution of Crown Land has an affect on municipal planning in many cases, especially if land in question is bordering municipal development either urban or rural.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the federal and provincial governments implement a public hearing process similar to the annexation process for municipalities and this public process be applicable to land annexed for First Nations Reserves.

BACKGROUND

This resolution was adopted at the 2000 AUMA Convention, but responses to it were never obtained. The Town of Valleyview has re-submitted the resolution as their information shows that the resolution has never been dealt with by the provincial or federal governments.

CALGARY/EDMONTON

SHARING THE PROVINCIAL SURPLUSES WITH ALBERTA MUNICIPALITIES

WHEREAS the Alberta Advantage depends on the competitiveness of the province as a great place to live, work and visit; and

WHEREAS Alberta municipalities provide much of the infrastructure and services necessary to maintain this competitive advantage; and

WHEREAS the provincial municipal infrastructure deficit is estimated between \$7 and \$9 billion and growing by \$800 million a year; and

WHEREAS immediate funding is required for municipalities to address their back-log of critical infrastructure projects; and

WHEREAS long-term sustainable funding for municipalities continues to be the goal and focus of discussion of the provincial government's Minister's Council on Roles, Responsibilities and Resources; and

WHEREAS the provincial government has done a tremendous job in eliminating the debt of \$23 billion in just a decade, while maximizing its contributions to its reserve Sustainability Fund; and

WHEREAS the provincial government, according to TD Economics, will see accumulated surpluses totalling \$20 billion between 2004 and 2010;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests the Government of Alberta share a minimum of 20% of its future budget surpluses with all municipalities, to allow all municipalities to address their community infrastructure needs, until such time as municipalities are provided with access to additional long-term sustainable revenues.

BACKGROUND

Alberta municipalities face an infrastructure deficit of \$800 million a year. Without investment by the Government of Alberta, this infrastructure gap will soon be a crisis. Municipalities can no longer defer necessary maintenance of existing infrastructure or new capital improvements without severely affecting the quality of life that Albertans have come to expect.

Municipalities must continue to dialogue with the provincial government about a new financial relationship. One opportunity for revenue sharing that could be included in this new fiscal arrangement is for the provincial government to share its annual budget surpluses with municipalities.

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The provincial government has posted budget surpluses every year since 1994. Over the last ten years the actual annual surpluses have exceeded the government's estimated prediction by an average \$2.0 billion, and as much as \$5.2 billion. The 2003/04 surpluses are estimated at \$3.3 billion, triple the budget projection of \$1.1 billion. A 20% share of this \$3.3 billion would be about \$600 million for Alberta municipalities. This funding would allow municipalities to immediately address their critical infrastructure needs.

The Government of Alberta expects to be debt-free by 2005. Projections by TD Economics indicate the provincial government could see as much as \$5 to \$6 billion in total surpluses over the next three years. With its reserve Sustainability Fund topped up, it is reasonable to request the provincial government share a portion of its annual surplus by investing in the sustainability of municipalities. A 20% share of the surplus with municipalities still allows the provincial government to address its priorities of health care and education. Sharing of the provincial surplus with municipalities is a practical option to ensure the continued prosperity of municipalities and their contribution to the Alberta Advantage

WHEREAS Alberta's urban municipalities continue to face rapid pressures for growth and development; and

WHEREAS Albertans increasingly recognize the importance and the value of protecting significant natural areas and critical habitats within urban areas; and

WHEREAS effective management of ecosystems as a whole requires the protection of a diversity of species and of habitats including wetlands, grasslands and forests; and

WHEREAS municipalities have some specific and limited ability to protect wetlands but very little ability to protect associated uplands and other significant habitat such as grass lands and forests habitats; and

WHEREAS section 664 of the Municipal Government Act (MGA) is the main source of a municipality's legislative authority to create an Environmental Reserve; and

WHEREAS section 664 of the MGA primarily concerns itself with engineering considerations for a development such as the slope stability and the threat of flooding to the development;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the Government of Alberta to amend section 664 of the *Municipal Government Act* such that it allows municipalities to create Environmental Reserves base upon their environmental significance and role in ecosystem processes.

BACKGROUND

In most Environmental Reserves, protection of habitat is coincidental and often only protects a portion of an Environmentally Significant Area. For example, if a large hillside is covered by exceptional habitat and is an important landscape feature, only those areas that are unstable (or are a part of a ravine) could be protected as part of a natural system through the Environmental Reserve clause of the MGA. The suggested change to the MGA outlined in the operative clause would see urban municipalities given the authority to use other criteria in the creation of Environmental Reserves. These may include quality of biotic community, ecological function (including protection of rare species), distinctive and/or unusual land form and habitat uniqueness. A natural area, which because of its features or characteristics, is significant from an environmental perspective to the Municipality and has the potential to remain viable in an urban environment, could then be better protected by those municipalities and citizens, which have the most interest in protecting them.

Comments from the Inspections & Licensing Manager

Currently environmental reserves are limited to

- A swamp, gully, ravine, coulee or natural drainage course
- Land that is the subject of flooding or unstable
- Land not less than 6 metres in width abutting a water body

This resolution seeks to expand the definition of Environmental Reserves to include land environmental significance, which could include land with environmental significance in terms of habitat uniqueness, quality of biotic community, ecological function or distinctive or unusual land forms. This would allow more preservation to take place in areas with significant environmental features. In the City of Red Deer, we use some of our Municipal Reserve (10% of the subdivided area) to preserve natural areas but with the need to also provide school sites and playgrounds, not all of the significant natural areas can be preserved.

The Inspections and Licensing Department supports the resolution but with some caution. There is no limit in the Municipal Government Act on the amount of Environmental Reserve, which could be taken on a piece of developable property. If the definition is expanded to include environmentally significant land, it could remove a significant amount of land from a developer without compensation. The solution may be to put a limit on the percentage of environmentally significant land that could be taken through subdivision.

Paul Meyette
Inspections & Licensing Manager

WHEREAS many municipalities are faced with growing revenue shortfalls; and

WHEREAS many communities lack the room to increase municipal taxes because of the significant burden being placed on ratepayers to satisfy education funding; and

WHEREAS the market value assessment based system will only worsen the municipalities ability to generate new tax revenue; and

WHEREAS the non-permanent population of a municipality is not taken into account in provincial per capita grant programs;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta modify provincial acts to allow municipalities to impose a separate mill rate for non permanent residents of the community.

BACKGROUND

The Town of Canmore has been looking for creative ways to deal with funding pressures facing the community. Currently our infrastructure, recreational facilities, Town facilities and Town programs are under resourced due to the Town's inability to generate sufficient tax revenue. This situation is exacerbated by the fact that we must construct services and infrastructure to meet a growing non-permanent population base; a population that does not contribute to the community in the same way as do permanent residents.

Many resort communities suffering from financial pressures would benefit from the changes being proposed. This would simply give municipalities another tool to use to raise the necessary funds to provide an appropriate level of community services.

Comments from the Assessment & Taxation Services Manager

This resolution is suited for recreation areas that have many non-residents. There are several technical details and questions that would need to be addressed and researched prior to making such a change to the Municipal Government Act including but not limited to:

- Would the non-resident condition apply to non-residential (commercial/industrial) property types that have their head office in another community?
- Would the non-resident condition apply to an apartment building with an absentee landlord?
- Would the non-resident condition apply if a residential home is owned by a limited company that has an office in the community but the owner resides outside the municipal boundaries and the property itself is rented out?

AUMA Resolution 2004 C.ii.3
Separate Mill Rate for Non Residents
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In addition to addressing the concerns identified above, the cost of implementing such an initiative at the municipal level would be significant, especially for a city the size of Red Deer, and as a result, would not be recommended. However, there would be no negative impact to The City of Red Deer if other municipalities implemented the program.

Rod Risling
Assessment & Taxation Services Manager

WHEREAS many municipalities are faced with growing revenue shortfalls; and

WHEREAS many communities lack the room to increase municipal taxes because of the significant burden being placed on ratepayers to satisfy education funding; and

WHEREAS the market value assessment based system will only worsen the municipalities' ability to generate new tax revenue;

<p>NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta to modify provincial acts to allow municipalities to impose a tax at their discretion on all property sales located within the municipal jurisdiction.</p>
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BACKGROUND

The Town of Canmore has been looking for creative ways to deal with funding pressures facing the community. Currently our infrastructure, recreational facilities, Town facilities and Town programs are under resourced due to the Town's inability to generate sufficient tax revenue. This situation is entirely related to the unfair burden being placed on the residents of the Town of Canmore by the education tax requisition levied on the Town of Canmore.

Many high growth communities suffering from financial pressures would benefit from the changes being proposed. This would simply give municipalities another tool to use to raise the necessary funds to provide an appropriate level of community services.

Comments from the Assessment & Taxation Services Manager

Annually, The City of Red Deer realizes in excess of 7,000 land titles transfers and amendments of which approximately 4,000 are title transfers. Depending on the fee amount, there is the possibility of generating a fairly significant amount of revenue that would benefit The City of Red Deer.

British Columbia has a similar system whereby a 1% levy is added to the sale price of a property for the first \$200,000 and 2% to the remainder.

AUMA Resolution 2004.C.ii.4
Tax on Property Sales
Page 2

Canmore is proposing a system that is slightly different from BC's system in that Canmore is requesting permission to administer the program at the local level. Administration for the City of Red Deer suggest that the program be implemented at the Provincial level through the Land Title Registry Office as it would create efficiencies to have one central billing and collection process. Although the billing could be done through a central source, municipalities should still be able to set their own fees based on their requirements. The central billing process would work well for all transfers except manufactured homes that are on rented land, as they do not transfer through land titles. Collecting for these ownership transfers, that are typically few in numbers, would likely have to be done at a local level.

Rod Risling
Assessment & Taxation Services Manager

COALDALE

REDUCTION OF MUNICIPAL MATCHING PORTIONS OF GRANTS

WHEREAS Alberta is experiencing a period of strong growth and a robust economy which requires significant, predictable and sustainable expenditures by municipalities for new infrastructure and maintenance of existing investment; and

WHEREAS municipalities are limited to property taxation and user fees as revenue sources and do not have access to the other types of revenue generation that other levels of government have, which naturally increase revenues in times of expanding economies, and

WHEREAS Alberta Transportation grants are a significant source of funds for municipal infrastructure programs, reflecting the Provincial Government's role and responsibility to support and sustain the strong economic growth throughout Alberta; and

WHEREAS small communities are not accessing available Provincial Government grants because they are unable to generate sufficient property tax revenue to meet the required matching portion.

<p>NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta consider reducing the municipal matching portion of all Provincial Government grants for municipalities with populations under 10,000.</p>
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DIDSBURY

PHASE-OUT OF THE EDUCATION PORTION OF THE PROPERTY TAX

WHEREAS the Legislative Assembly of Alberta has passed Motion No.501 stating: "Be it resolved that the Legislative Assembly urge the Government to phase out the education portion of property taxes over a 10 year period, gradually supplementing the loss from alternative sources, thereby freeing up financial resources for municipalities to adequately provide required services."

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association, along with the Legislative Assembly, urge the Government to phase out the education portion of property taxes over a 10 year period, gradually supplementing the loss from alternative sources, thereby freeing up financial resources for municipalities to adequately provide required services.

WHEREAS communities throughout Alberta are constantly striving to provide funding for infrastructure within their boundaries;

WHEREAS the resource industry within a community often create additional stress on a town's infrastructure (water/sewer service connections, and in particular, the roadway systems);

WHEREAS smaller municipalities need to provide a high quality of infrastructure in order to ensure it meets the needs of citizens as well as the resource industry;

AND WHEREAS resource industries derive profit from the municipalities in which they reside;

<p>NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association lobby the Provincial Government to facilitate a more equitable distribution of resource industry revenue, by passing on to all municipalities, a portion of the fuel tax collected by the Provincial Government.</p>

BACKGROUND

In our community, as in many other Alberta communities, resource industry (oil, gas, forestry), plays a major role in our economic well-being. The resource industry utilizes many of our services, including, water/sewer services, and especially our roads. Heavy equipment exacts a very heavy toll on our roadway infrastructure.

As the resource industry takes a profit from the communities in which they reside, we feel that a portion of the fuel tax taken by the Provincial Government should be returned to the communities, in order to maintain and upgrade the roadway infrastructure system, which they use.

WHEREAS municipalities are experiencing deterioration and decay of the physical infrastructure in older neighbourhoods;

WHEREAS the Province of Alberta has in the past participated in the rehabilitation of physical infrastructure within older neighbourhoods through the Alberta Municipal Partnership in Local Employment (AMPLE) Program;

WHEREAS further investment within the older sections of urban communities is projected to make more efficient use of land and infrastructure and encourage private reinvestment;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests that the Government of Alberta re-institute a program to provide municipalities with long-term sustainable funding for the rehabilitation of aging and deteriorating physical infrastructure within older sections of urban communities.

BACKGROUND

The A.M.P.L.E. Program of 1987-1996 provided \$500 Million in funding to 364 municipalities within the Province of Alberta, and successfully enabled the rehabilitation of physical infrastructure (roads, sidewalks, waterlines, storm and sanitary sewers, parks and amenities) in several neighbourhoods within each of Edmonton and Calgary, and in other municipalities across the Province of Alberta. This program involved funding partnership with municipalities, and served as a model for public-private partnership through the large involvement of the private sector in the delivery of engineering services, community consultation and construction workers.

The public and private infrastructure built in Alberta's municipalities to support the rapid growth of urban areas from the late 1940s onward will progressively be in need of rehabilitation or replacement. The rehabilitation of older neighbourhoods positively affects neighbourhood viability, vitality and quality of life, and encourages the intensification of development within these neighbourhoods. These positive contributions to urban communities serve to enhance the economic viability of the neighbourhoods and effective use of the public infrastructure in established sectors of urban Alberta.

Continued diligent management and rehabilitation of physical infrastructure through such a funding program will provide leadership and will enhance economic confidence within Alberta's municipalities. This will also position low-income homeowners and landlords to pursue partnership with the Federal government by making application of Federal funding programs such as the Residential Rehabilitation Assistance Program (R.R.A.P.).

REDUCING THE RISKS CLANDESTINE LABS POSE TO THE COMMUNITY

WHEREAS there had been an increase in the number of clandestine laboratories used for the production of illegal drugs such as methamphetamine; and

WHEREAS these laboratories pose a serious risk to the communities wherein the laboratories are located, to the environment, and to the police who investigate the laboratories; and

WHEREAS policing agencies across Canada are making record seizures of methamphetamines from "super labs" in communities across Canada; and

WHEREAS Canada imported over 500,000 kilograms of pseudoephedrine, a main ingredient of methamphetamines in 2000, a 500% increase over the previous year; and

WHEREAS Canada has no control or monitoring over the sale of large quantities of other chemicals such as methamphetamine. Pseudoephedrine, acetone, ether, red phosphorus and hydriodic acid are easily obtainable chemicals used in the production of methamphetamine; and

WHEREAS the United States has laws in place to regulate the sale of pseudoephedrine, acetone, ether, red phosphorus and hydriodic acid used in the production of methamphetamine; and

WHEREAS Canadian municipalities are becoming prime shopping territory for American methamphetamine manufacturers looking for chemicals to make this highly addictive drug;

AND WHEREAS the following was adopted by the 2003 AUMA Convention: that the Alberta Urban Municipalities Association request the Government of Canada to implement regulations that will strictly control the sale and possession of large quantities of chemicals used in the production of methamphetamines such as pseudoephedrine, acetone, ether, red phosphorus and hydriodic acid, and institute reporting requirements associated with the sale and possession of these chemicals.

<p>NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta provide on-going funding to cover the costs of training police and other personnel in techniques regarding the proper handling and dismantling of clandestine labs.</p>

BACKGROUND

Associated with the recent increase in gang violence, there has been an increase in the number of clandestine labs used for the production of illegal drugs such as methamphetamine.

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The experts in this field work for the United States Department of Justice's drug Enforcement Administration (DEA), and are located in Quantico, Virginia. Recognizing that these labs pose a significant risk to the public, the Edmonton Police Service funded the costs of training 3 of its personnel in Quantico.

These labs are becoming much more prevalent, therefore there is a need to train additional personnel throughout the Province, as well as other members of the public (fire, ambulance, social services) that assist at the location of these labs.

For example, due to the volatile and explosive nature of the clandestine labs, fire personnel are frequently called to assist. In addition, these labs are often located in residential homes where children are being raised. As a result, social workers often attend the scene and therefore need to be trained in order to avoid contamination.

Instructors for DEA have agreed to come to Alberta on an annual basis for a 3-year period, at a cost of \$15,000 per annum. The total costs would be in the range of \$45,000.

Personnel from across Alberta would attend and receive the training required to reduce the risk that members of the public would be harmed in the process of dismantling the labs or in assisting children who live in the homes where these labs are located.

Comments from the Red Deer RCMP

The Red Deer RCMP support this resolution

Methamphetamine is easily produced using readily available chemicals. Some of the chemicals are dangerous and toxic. Dismantling clandestine labs involves a high degree of personal risk. More frequently emergency services personnel are being called upon to assist in removing these labs. The risk of fire and explosion are high and training is needed to reduce the health risk to personnel involved. Training is also required to reduce the risk to the general public.

The Community Services Director strongly supports this resolution. The social impact that methamphetamine has on individuals, families and communities is very significant. Red Deer is no exception. Having resources available and properly trained to dismantle labs safely is crucial.

Superintendent Jim Steele
Red Deer RCMP

EDMONTON

**MUNICIPAL EMERGENCY FIRST RESPONDERS IN NATIONAL SECURITY AND
DEFENCE**

WHEREAS since September 11, 2001 the Governments of Canada and Alberta have been preparing for emergency response to acts of terrorism and chemical, biological, radiological and nuclear (CBRN) threats; and

WHEREAS the Governments of Canada and Alberta acknowledge the important role that local emergency first responders play in responding to emergencies; and

WHEREAS the Governments of Canada and Alberta have, through Joint Emergency Preparedness Planning (JEPP) funding provided initial capital funding to Alberta first responder organizations in accordance with the Government of Alberta's "seven region" plan; and

WHEREAS long-term ongoing funding for staffing, training and equipment life-cycle replacement has not been committed to local emergency first responders; and

WHEREAS terrorism and CBRN threats and impacts are not confined within local government boundaries, and response must be delivered on a regional basis; and

WHEREAS local emergency first responders should be compensated for the service, they provide related to national security and defence issues;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests the Government of Alberta to provide funding for local emergency and disaster response arising from national security, terrorism and defence related incidents.

BACKGROUND

The provincial and federal governments do not deliver emergency and disaster response. Local emergency first responders provide that service, and are being required to provide the emergency and disaster response to issues, which are of national security and national defence scope.

The Government of Canada's document *Responding to CBRN Threats: A Federal Perspective* (February, 2003) rightly notes:

As with other types of emergencies, responsibility for CBRN incident response is shared by federal, provincial, and municipal governments. Civic emergencies are initially dealt with by first responders – police, fire fighters, and emergency medical personnel. If additional assistance is required, local officials contact the province or territory, who in turn can seek assistance from the federal government.

The Governments of Canada and Alberta have, prior to September 11, 2001, a long-standing practice and tradition of having plans in place to protect the public and guide

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response to emergencies and disasters. However, the potential scale and nature of municipal and local response to terrorism and CBRN incidents is beyond that experienced up to now. The terrorism and CBRN incidents are of national and provincial scope, in the realm of national security and defence. The jurisdiction and responsibility for response capability lies with the provincial and federal governments.

While initial funding has been provided, local emergency first responders require long-term, ongoing commitment for operational costs associated with providing the response capability.

Comments from the Emergency Services Manager:

I support the resolution.

The resolution speaks very well to the issues surrounding municipalities providing CBRN protection. I suspect the more practical implications are the high costs of anthrax scare calls and the like. A mechanism to recover costs incurred for hoax calls would be beneficial, not to mention the potential financial impact should a real CBRN event occur. As it stands now, the municipality would bear the cost, subject to the good will of the provincial and federal governments or the potential for cost recovery under disaster and programs.

Jack MacDonald
Fire Chief/Manager
Red Deer Emergency Services

**EDMONTON
EDUCATION PROPERTY TAX POLICY**

WHEREAS the Province passed legislation to allow the Minister of Municipal Affairs to deviate from the principals of market value in determining the Alberta School Foundation Fund Requisition which provides a benefit for some municipalities but not for others; and **WHEREAS** varying a municipality's equalized assessment does not recognize the cumulative effect of previous years' capping and averaging of equalized assessments;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests the Government of Alberta to rescind the regulation which allows the Minister of Municipal Affairs to deviate from market value in collecting the Alberta School Foundation Fund Requisition and explore options to:

- a. Base the Alberta School Foundation Fund Requisition on market value without any adjustments and phase in the increased requisition for those municipalities that would have significant increase with the shortfall to be made up from provincial general revenues, or
- b. Eliminate the collection of the Alberta School Foundation Fund Requisition from property.

BACKGROUND

Currently, the regulation allows the Minister of Municipal Affairs to vary the equalized assessment prepared for a municipality for the purpose of increasing or decreasing the amount that the municipality would otherwise be required to pay into the Alberta School Foundation Fund. Varying a municipality's equalized assessment distorts the market value approach and results in inequities in taxes paid to support education. As well it does not differentiate between the various factors that result in an increased equalized assessment such as economic growth, real growth and internal adjustments in the ratios used in preparing the equalized assessments.

Comments from the Assessment & Taxation Services Manager

Prior to 1994, local school boards requisitioned the municipality directly for a portion of the funds required to deliver the educational program. This process was abolished due to several concerns of which two were:

1. Local school boards could requisition the local taxing jurisdiction for any amount they deemed necessary with little accountability because the taxing jurisdiction collected the funds with the municipal tax bill. Most property owners associated the entire tax bill amount with the local municipal jurisdiction, not with the school board(s).
2. There were fears of developing a two-tier educational system. Some school boards were situated in locations that had more wealth and therefore, could provide better services for their students.

The new process implemented in 1994 is a provincial education requisitioning system that is based on a municipality's equalized assessment. The first step of the process is to ensure all municipalities are assessing property at the same level. Municipal Affairs adjusts each municipality's total assessment (equalizes the assessment) to a common level. Then the total provincial education requisition funding requirement is distributed based on the equalized assessment of each municipality. In 1997, the Minister of Municipal Affairs introduced a capping system. The capping process results in an inequitable distribution of the total education requisition requirements as those municipalities that are experiencing significant growth, more than the average municipality in the province, are being subsidized by those with less growth.

Edmonton's resolution is simply requesting to remove the capping process and make all municipalities pay their fair share to fund the Provincial Education system and to continue to explore the possibility of eliminating the requisition from the property tax system.

Rod Risling
Assessment & Taxation Services Manager

GRANDE PRAIRIE
LOCAL IMPROVEMENT TAX FOR WATERMAINS

WHEREAS Alberta municipalities must have the ability to strategically plan and fund for the creation of new and for the replacement of aging water utility systems within their boundaries in a timely fashion; and

WHEREAS Alberta municipalities must also have the ability to maintain current standards for the provision of fire protection and potable water services in both recently annexed areas and throughout their service areas; and

WHEREAS Alberta municipalities currently have the ability to construct a sanitary sewer, under a local improvement without the owners of the benefiting land parcels having a right to petition against its construction; and

WHEREAS Alberta municipalities do not have the ability to construct water mains under a local improvement without the owners of the benefiting land parcels having a right to petition against its construction;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the Government of Alberta to amend the *Municipal Government Act* to broaden the statutory provisions by allowing a municipality to construct a local improvement for water mains and appurtenances without the owners of the parcels of land that benefit from the local improvement being able to petition against the local improvement, and in particular:

1. That Sections 408(1) and (2) of the *Municipal Government Act* be amended to add "water mains and appurtenances" in addition to sewers.

BACKGROUND

The Alberta Urban Municipalities Association's Infrastructure Policy specifically states that a basic level of quality infrastructure development is fundamental to sustaining the health, economy and quality of life in Alberta's communities.

- Local municipalities have limited revenue opportunities to fund the expansion and upgrading of their infrastructure and have continued to assume increasing roles in the provision of basic as well as new services.
- From a development perspective, seldom are either sanitary or water main distribution systems installed separately, as the water discharge is most often via the sanitary sewer.
- Installing both utility systems at the same time minimizes disruption to the area affected, is more economical and is more environmentally friendly.

Under the existing legislation, for newly annexed rural areas that have no underground utility services, the urban municipality can easily facilitate the installation of a sanitary sewer, but not water mains critical for fire protection. This could effectively expose municipalities to significant risk for liability from potential claimants.

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LOCAL IMPROVEMENT TAX FOR WATERMAINS
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Comments from the Engineering Services Manager

As you requested, I have reviewed the Grande Prairie proposal to amend the Municipal Government Act (MGA) to allow municipalities to construct water mains as a local improvement that cannot be petitioned against. As indicated in the proposed AUMA resolution, the MGA currently allows municipalities to construct sanitary sewers under a local improvement without the right of petition opposition, but this does not apply to water mains or other facilities.

To my knowledge, The City has never imposed a local improvement for sanitary services on a neighbourhood without following the normal process of seeking majority approval. However, there may be circumstances that we would do so for reasons of health, safety, or greater good. For example, if septic fields were affecting neighbouring properties or causing health concerns, it may be appropriate to construct sanitary services and require the benefiting properties to pay for them.

Similarly, there may be circumstances that pose health or safety risks with respect to the water system. For example, fire prevention services may be inadequate or water wells may pose health concerns. While it would be very undesirable from a community relation's viewpoint to impose a local improvement against the wishes of the benefiting properties, it may be justifiable in some cases. It would therefore be beneficial to have the ability to impose a local improvement for water mains.

Recommendation

We recommend that The City support the proposed AUMA Resolution 2004.C.ii.12 to amend the Municipal Government Act so that municipalities are allowed to impose a local improvement for the construction of water mains.

Tom Warder
Engineering Services Manager

Comments from the Manager of Public Works

I agree with the principle behind the proposed revision. It does not seem logical to allow municipalities more legal right to construct a sanitary sewer than a watermain. In most cases the health and safety concerns related to water are as significant or higher than wastewater disposal. The economic synergies obtained by constructing both water and sanitary at the same time are also legitimate.

I expect that there will be cases, after annexation, where previously rural residences prefer to keep obtaining water from their own well systems. If this is the case and yet some prefer to obtain City water services, but not the legislated majority to permit a local improvement, then there are a few options:

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LOCAL IMPROVEMENT TAX FOR WATERMAINS
Page three

- the water main would not be constructed; this would lead to some dissatisfied residents and a different level of service,
- Install the water main and only allow those that contribute the opportunity to hook up; differing levels of service, fire protection would be available for all, even those not funding, there is a risk of cross connection anytime there are two sources of water,
- Install the water main and fund via a different source than a local improvement; this would not be consistent with development principles in the rest of the City.

Similar to other services such as garbage and recycling, there are benefits to the community as a whole that can be obtained by having a utility that is consistent throughout the community. Sometimes the community benefit must be considered and at times override the ability to allow individuals to make the decision to opt in or out.

The resolution should have a caveat to only allow the “non-petition clause” related to the construction of new water mains not replacement of old mains. If municipalities are using this as a mechanism to fund replacement water mains for fiscal management reasons it is not a reasonable approach.

Paul Goranson
Public Works Manager

WHEREAS the World Health Organization (WHO) has issued warnings that a Pandemic Influenza outbreak is imminent within the next 10 years; and

WHEREAS the Federal Government (Health Canada) has developed the *Canadian Pandemic Influenza Plan* which highlights the need for Federal, Provincial, and Municipal governments to coordinate planning and preparation for the impact of a Pandemic Influenza outbreak; and

WHEREAS the impact of a Pandemic Influenza outbreak could have significant detrimental effects on the ability for municipalities (region) to sustain essential services such as water treatment, and emergency services; and

NOW THEREFORE BE IT RESOLVED THAT Alberta Health and Emergency Management Alberta draft and circulate a provincial pandemic influenza plan and within the plan, establish provisions for a provincial coordination centre to assist municipalities in accessing skilled workers to sustain essential services. Specifically that:

1. Alberta Health and Emergency Management Alberta develop a provincial plan that links with the Health Canada national plan.
2. The provincial plan identifies a strong link with municipal plans in terms of being complementary and supportive to local authorities.
3. The provincial plan recognizes the critical essential services which municipalities must continue to provide despite high employee absenteeism and that the provincial plan includes provisions for the establishment of a coordination centre to assist municipalities in sustaining delivery of essential services.
4. The Province, recognizing that smaller communities have reduced capacity to create plans, establish a framework of expertise to assist such communities in planning and crafting contingencies to sustain essential services.

BACKGROUND

The World Health Organization recently announced that a Pandemic influenza is imminent, and the need for governments to commence planning was emphasized. Health Canada has since drafted a national plan and locally, steps have been taken to develop a Regional plan. The Province, however, has not published a Provincial plan as yet, which leaves municipalities in somewhat of a vacuum in terms of macro planning, as many municipalities do not have the resources to sustain essential services if key staff become ill or are unable to perform their duties. A Provincial plan that recognizes local vulnerabilities is necessary to ensure potable water supplies are maintained, that utilities continue to function, and that emergency services remain viable.

The resolution urges Provincial authorities to create plans and establish a Provincial coordination center that will monitor essential services throughout the Province, and react when shortfalls become evident. A viable Provincial plan will enable communities to better

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PANDEMIC INFLUENZA PROVINCIAL PLAN
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prepare and plan, with the knowledge that a support mechanism is at work at the Provincial level.

WHEREAS vandalism is an urban blight that detracts from the visual attraction of a community, involves wilful damage to municipal and private property, and wastes valuable municipal financial resources in its eradication and correction, and

WHEREAS municipalities have limited ability to seek compensation through the courts when malefactors are apprehended, and even less ability to enforce the payment of any fines or restitution orders of the courts, and

WHEREAS when the perpetrator of the vandalism is a young offender as defined by the Youth Justice Act with no assets or income, there is currently no opportunity to transfer that debt to the parent(s) or legal guardian(s),

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests the Government of Alberta to amend Part 13, Division 4 s.553 of the Municipal Government Act, RSA, 2000 c. M-26 to state that:

A council may add the following amounts to the tax roll of a parcel of land:

“unpaid expenses and costs related to remediation for vandalism to public property perpetrated by the following person(s) responsible for the vandalism:

- (i) an individual convicted of an offence under s. 430 of the *Criminal Code* involving acts of vandalism to public property;
- (ii) an individual who consents to participation in the Alternative Measures Program resulting from acts of vandalism to public property;
- (iii) the parent or guardian of a young offender subject to extra-judicial sanctions relating to acts of vandalism to public property.”

BACKGROUND

Vandalism is a complex community issue, with environmental, financial, and social impacts. In the event that charges are laid, the Crown's cooperation in pursuing acts of vandalism as serious acts against the community is vital so that municipalities may take a stand against malicious destruction of parks and playgrounds, city facilities and signage. Municipalities also need to take a stand in recognizing the civic responsibility to taxpayers of the community by recovering the ever-increasing costs of repairing and replacing damaged property.

Unless there is a mechanism in place to provide some form of guarantee of payment, penalties awarded by the courts are difficult to collect. This is especially true when the convicted person is a young offender. As a result there is no tie between the crime and the

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penalty as a deterrent to future acts of vandalism and the taxpayers of the municipalities are left to assume the ever-increasing costs of vandalism.

Comments from the Assessment & Taxation Services Manager

Adding an outstanding bill to the tax roll is not a difficult administrative process and is done regularly. However, this process may not be the best alternative to receive compensation for vandalism created by young offenders.

Currently, the Municipal Government Act permits municipalities to add to the tax roll account some outstanding charges that are directly related to the specific property. For example, the costs to clean an unsightly premise, the costs to address an unsafe situation that could result in public danger, or an unpaid utility bill (owner occupied buildings), can all be added to the property tax account.

To add costs associated with vandalism from young offenders is broadening the scope, and likely the intent, of the Municipal Government Act. In addition, if there is no or a limited ability to transfer costs to the parents of young offenders through the justice system (according to the information contained in the Spruce Grove resolution), it will likely be very difficult to change the Municipal Government Act to allow for the transferring of such charges.

As a result, Administration for the City of Red Deer does not have an issue with adding vandalism costs to a tax account from a logistic perspective; however, there may be better alternatives to pursue the compensation issue.

Rod Risling
Assessment & Taxation Services Manager

EDMONTON

LIBRARY SUPPORT – PROVINCIAL LIBRARY FUNDING

WHEREAS the provincial per capita operating grant to public library is lower than it was in 1986; and

WHEREAS the expenses of public libraries have increased dramatically since 1986 to cover increased costs of material, staffing, building and operations, the provision of traditional library services in addition to electronic information services to meet technological demands far exceeding those of 1986; and

WHEREAS the government of Alberta is responsible for ensuring Albertans have equitable access to library services; and

WHEREAS the provincial government has moved in the strategic direction of public libraries being technologically involved in online borrowing, inter-library loans, sharing resources and public access to internet; and

WHEREAS public libraries should all be key participants in the Alberta SuperNet project, along with hospitals and schools whose connectivity is being funded by their respective government departments; and

WHEREAS the Government of Alberta has invested a significant amount of project funding to build the Alberta Public Library Electronic Network; and

WHEREAS public libraries are an important window to the world of online information for all Albertans and are a cost-effective vehicle to provide citizens with online information from all levels of government; and

WHEREAS the provincial per capita amount to support ongoing library operations, including access and extensive use of technology was cut in 1993 and has not kept pace with inflation; and

WHEREAS provincial government support for public libraries in the province for the 1990-2000 decade has increased by 10.9%; and

WHEREAS municipal library support for Alberta's public libraries for the same decade has increased 25.7%;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta support the Alberta Library Trustees Association recommendation that the provincial per capita operating grant be doubled in order that public libraries across the province are able to meet their expenses while providing barrier free access to patrons.

FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta support Alberta Community Development's Funding Request to provide additional ongoing funding, specifically to assist libraries in addressing operational costs related to the implementation of SuperNet, inter-library loans, computer borrowing and other technologically related service.

Libraries need:

An increase in operating grants

- The per capita rate for grants to libraries was cut in 1993 and has been frozen since.
- Libraries in small centres are seeing a decrease in their operating grants.
- Population loss in rural centres is affecting provincial and local grant funding.
- Libraries have stretched their dollars as far as possible; worked harder and smarter to create incredible efficiencies, all while costs for core services and operations have risen steadily.
- An increase in the operating grants is needed to accommodate inflation since 1993, networked services and the increasing demands of library users.

Ongoing operating costs of the SuperNet

- The library community applauds the Government of Alberta's commitment to the SuperNet.
- Connection costs for the SuperNet are beyond the capacity of most smaller libraries.
- The opportunities created by this initiative will not be realized without the full participation of all libraries.

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Library Support – Provincial Library Funding

Comment from the Community Services Division

The Community Services Division strongly supports this resolution.

While expectations and costs for libraries to provide barrier-free access has increased, provincial funding has not kept pace. Without support, ongoing levels of service will decline, which will further disenfranchise those individuals in our community who rely on these services. The current funding received is \$4.29/capita, however it must be noted that 2002 population figures are being used. This has impacted the Red Deer Public Library by approximately \$10,000 in 2004 and it is anticipated that the impact will be over \$25,000 in 2005 if current population figures are not used.

The provincial direction over the last few years has had a great deal of focus on the use of technology, yet funding to address all the demands related to the implementation of technology have not been addressed with provincial funding. It is acknowledged that funding through APLEN and for some of the SuperNet costs has been helpful, but this does not fully address the issues resulting from on-line borrowing, inter-library loans, and resource sharing that also increase library operational costs. In smaller communities, libraries have no option but to reduce services, and in some instances, viability of the library is even in question.

In Red Deer provincial funding only covers 12% of the library budget in 2004, leaving municipal funding to cover 74% and the library (through grants, donations and fundraising) to cover 14%.

Colleen Jensen
Director of Community Services Division

WHEREAS the Provincial legislation requires municipalities to administer the collection of Provincial School Tax on behalf of the Province and forward the requisition to the Alberta School Foundation Fund; and

WHEREAS municipalities incur costs associated with the collection of the Provincial School Tax and are not compensated for these costs;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests the Government of Alberta to reimburse municipalities for those cost associated with administering the collection of Provincial School Tax.

BACKGROUND

Currently municipalities are legislatively forced to pay the Alberta School Tax Requisition and collect this from the property owners within the municipality. The costs include preparing the assessments, administering the school supports, and billing and collection of Provincial School Tax. The municipalities do not receive any compensation to offset the costs associated with the collection of Provincial School Tax.

Comments from the Assessment & Taxation Services Manager

The background information contained within the resolution is very clear and accurate. The City of Red Deer incurs the cost of collecting in excess of \$26.6 million on behalf of the Provincial Education system and is not financially compensated for this process.

Rod Risling
Assessment & Taxation Services Manager

**FAIRVIEW
TIMING OF PROVINCIAL GRANT FUNDING**

WHEREAS Provincial grants are available to municipalities to complete capital projects; and

WHEREAS many of these projects are legislated with a time period or a deadline for completion; and

WHEREAS these projects are approved by government departments before they begin; and

WHEREAS funding for the grants is not always available the year they are approved by the funding Department; and

WHEREAS municipalities incur interest costs to borrow monies to complete these projects.

NOW THEREFORE BE IT RESOLVED THAT the AUMA lobby the Provincial Government to have grant funding in place in the same fiscal year the project is approved by government departments.

BACKGROUND

Municipalities have been at the mercy of some government departments who cannot give promised funds to approved projects. From water/wastewater upgrades to regional landfills, projects that are regulated to be completed by the provincial government are under funded and the burden of financing these projects falls upon the municipalities. We believe that when a project is eligible for a grant program, funds should be dispersed to the municipality in the fiscal year the project received approval from the Provincial Government.

HIGH PRAIRIE

SUPPORT OF ALBERTA SPECIAL CONSTABLE PROGRAM

WHEREAS many municipalities have employed Special Constables since 1989, in response to the ever increasing need for the deployment of additional resources in traffic safety initiatives and by-law enforcement, and have found them a satisfactory solution;

WHEREAS current activities of the Alberta Solicitor General Department are serving to minimize, not maximize, the effectiveness of the Municipal Special Constable Program;

WHEREAS it is believed necessary that Special Constables be able to effectively react to elements of a Criminal Code nature which might arise as a result of routine investigations, such as a traffic stop, and that in the past, Special Constables have been granted Criminal Code authority to provide for enforcement of impaired driving;

NOW THEREFORE BE IT RESOLVED THAT representatives of AUMA, AAMD & C, and the provincial government work together towards implementing and endorsing a basic Special Constable training program that will include ongoing training requirements, with a view to recognizing Special Constables as having a legitimate role to play in law enforcement activities;

AND FURTHER BE IT RESOLVED THAT representatives of AUMA, AAMD & C and the provincial government work towards endorsing, as considered appropriate, the ASCA Professional Standards and Policies and implementing them at the provincial level.

BACKGROUND

There appears to be no willingness of either the Solicitor General Department or the RCMP to officially associate themselves with the Special Constable program. Issues simply are not addressed. These include the inability to obtain expanded Criminal Code activity for enforcement of impaired driving offences, and inability for Special Constables to enforce the graduated licence program. Despite membership representing about 50% of the designated traffic officers employed outside cities, Special Constables are restricted from arresting and detaining impaired drivers, or from enforcing the zero alcohol tolerance outlined in the new graduated licensing legislation.

As well, joint training with the RCMP is discontinued, with the RCMP citing vicarious liability issues. Other roadblocks to improved performance include the requirement of formal traffic safety management plans with respect to local highway enforcement. These traffic plans require the endorsement of the RCMP, which curiously, until 2004, had few if any traffic plans themselves. There are also efforts from within the Solicitor General Department to disassociate identification of Special Constables (uniforms, vehicle markings, recognizable patrol equipment) from appearing similar to any law enforcement agency, such as RCMP, city police or Conservation officers.

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Municipalities and counties using Special Constables are generally pleased with the contribution the program brings to law enforcement efforts and the desire to have safe communities. It seems, if we are not stepping backwards, we are certainly not moving forward as we would like.

Comments from the Red Deer RCMP

The Red Deer RCMP do not support this resolution.

This detachment currently employs Special Constables, locally called Bylaw Officers, who perform an invaluable service to the community. They perform bylaw functions and enforce provincial statutes, most commonly the Traffic Safety Act. In this community Special Constables share a common radio dispatch network with police and are integrated within the police function. They are never far from regular police support.

The resolution in question is asking for expanded authority for Special Constables to enforce certain provisions of the Criminal Code. This is in rural areas placing the Special Constables in a high risk situation. They lack the training and the necessary support to perform these functions.

The Community Services Director agrees with the above comments.

Superintendent Jim Steele
Red Deer RCMP

WHEREAS sections 219 to 226 inclusive of the *Municipal Government Act* (Act) regulate the rules and procedures for the electors to submit a petition to the Chief Administrative Officer;

WHEREAS section 225 of the Act makes it mandatory that the Chief Administrative Officer review each name of a person signing the petition for the purposes of a mandatory exclusion of names of persons not meeting petition requirements as outlined in section 225 (3);

WHEREAS the Act does not include authorization for the Chief Administrative Officer to validate petition witness affidavits to confirm the adult person signing the affidavit fulfilled their responsibilities of a witness, yet the witness affidavit is also a significant component of the petition;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association lobby the Government of Alberta for an amendment to the *Municipal Government Act* to add a discretionary provision granting the Chief Administrative Officer authority to examine the Affiant on their Affidavit pursuant to the Alberta Rules of Court.

MORINVILLE
ENVIRONMENTAL REMEDIATION PROGRAM

WHEREAS in 1992 the Government of Alberta introduced a new *Alberta Fire Code* (the legislation governing the installation and operations of petroleum storage tanks) that requires all petroleum storage tanks (PSTs) to be upgraded to minimize the risk of leakage, and;

WHEREAS the Alberta Environmental Protection and Enhancement Act requires the owners of properties contaminated by petroleum products to remediate their properties to the established guidelines, and;

WHEREAS in some cases, these requirements have resulted in financial hardship to owners of fuel facilities, and;

WHEREAS upon the introduction of the new *Alberta Fire Code* the Provincial Government offered an "Underground Petroleum Storage Tank Remediation Program," available to municipalities that owned former retail sites ("orphan sites") as a result of tax recovery, and small retail fuel facility owners to help identify and take necessary action to address environmental issues at underground retail petroleum storage tank sites, and;

WHEREAS the *Underground Petroleum Storage Tank Remediation Program* came into effect October 2000 and offered funding up to \$10,000.00 per site for professionally accredited environmental site assessments, and up to a maximum of \$100,000.00 per site for remediation and ended March 31st, 2003, and;

WHEREAS the Government of Alberta is responsible for protecting health, safety and environment of Albertans, and;

WHEREAS the Government of Canada also has responsibilities for environmental protection, and;

WHEREAS by providing this initiative the Government of Alberta would maintain a viable retail fuel distribution system to clean up contamination related to fuel storage;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta recognize the concern for the environment and hardship and implement a program similar to the "*Underground Petroleum Storage Tank Site Remediation Program*," offered in October, 2000, to provide financial assistance to remediate contamination related to fuel;

AND FURTHER BE IT RESOLVED THAT the Province of Alberta be held accountable for expedient remediation of provincially owned sites.

BACKGROUND

An environmental remediation program for underground petroleum storage tank site was established for municipalities with orphaned, former retail sites and small retail fuel facility owners in October of 2000. The program was put into place to deal with environmental remediation required as a result of the implementation of new standards in the Alberta Fire Code that was amended September 1st, 1992.

Eighty (#80) million dollars was allocated for the *Underground Petroleum Storage Tank Remediation Program*, whereby environmental site assessments were funded up to a maximum of \$10,000.00 per site and municipalities and retail owners of single site were reimbursed for remediation costs up to a maximum of \$100,000.00 per site. Small retail owners of multiple sites were reimbursed according to a sliding scale based on the number of sites and upon receipt of authorized expenditures.

The objective of the program was to protect the health, safety and environment of Albertans and to maintain a viable retail fuel distribution system.

The objective of the program was to offer assistance to eligible applicants to return the environmental condition of the site to a use consistent with the existing zoning of the property.

Comments from the Inspections & Licensing Manager

This resolution is very similar to AUMA Resolution 2004.C.i.6 (Drayton Valley/Drumheller) in that it is asking for the reinstitution of a program designed to financially assist in the cleanup of contamination caused through leakage of underground storage tanks. It is not as comprehensive as the Drayton Valley/Drumheller motion.

The Inspections and Licensing Department supports this resolution but the Drayton Valley/Drumheller motion is more comprehensive and of the two, we would prefer the motion put forward by Drayton Valley/Drumheller.

Paul Meyette
Inspections & Licensing Manager

WHEREAS communities across Alberta are concerned about the sufficiency of fresh water to meet the needs of communities; and

WHEREAS drought and water shortage conditions now exist in significant areas of the Province of Alberta; and

WHEREAS Large quantities of fresh water are being utilized by the Oil and Gas Industry for Deep Well Flooding (Enhanced Oil Recovery) purposes; and

WHEREAS alternate practices to the use of fresh water are available for Enhanced Oil Recovery.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests that the Government of Alberta work with stakeholder involvement to end the practice of using fresh water for deep well flooding (Enhanced Oil Recovery) with an effective timetable of 5-10 years.

BACKGROUND

Over the past several years increasingly communities across Alberta have experienced concerns about water levels within river basins and aquifers, which provide the water needs to their communities. Drought and water shortage conditions are of general concern but have been most dramatic in Southern Alberta. Communities in Southern Alberta rely primarily on the South Saskatchewan River Basin for the water needs of all its citizens. The South Saskatchewan River Basin comprises 26 sub-basins and well over 100 jurisdictions including 5 cities. The land area comprises approximately one-quarter of the Province of Alberta. Further North, some Communities in Central Alberta are finding that aquifers, the traditional source of water for their communities no longer have sufficient capacity and these communities in some instances have instituted water rationing while working towards alternate sources of water primarily from the Red Deer River by means of a pipeline from the City of Red Deer water treatment plant. While the Northern part of the Province has not experienced the water concerns of the rest of the Province to date, industry will have increased demands and additionally there would be significant cause for concern if inter-basin transfers of water from north to south become necessary to support the water needs of the southern part of the Province. Farmers across North America generally are experiencing drought and the drying up or lowering of water levels in wells, dugouts and streams. All available scientific evidence is clear that in Alberta, North America and Globally fresh water is being consumed at a rate, which inevitably will lead to a water crisis in many regions. Areas of Alberta may well fall into such crisis conditions if current rates of consumption, increased consumption and drought conditions persist.

RESOLUTION 2004.C.iv.6

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Notwithstanding the above, the Province of Alberta through the Provisions of the Water Act and Water Diversion Licenses granted by the Department of the Environment under the Act permits approximately 200 billion litres of water per year to be pumped into oil wells in order to increase pressure in oil reservoirs to enhance production. This is enough fresh water to supply the City of Red Deer for approximately 20 years. This 'Well Flooding' process removes water permanently from Nature (the Hydrological Cycle) and ensures that it is lost to people and nature. By contrast Municipalities through water treatment on average return 80% of water used to nature directly and all water used to the Hydrological Cycle. There are viable alternative to the use of fresh water in enhanced oil recovery but the Oil and Gas Industry has not generally been required or encouraged to utilize such alternatives.

The Province of Alberta has to some extent recognized the problem of water within the Province and has undertaken numerous studies. These include amongst others the South Saskatchewan River Basin Water Management Plan; Water For Life/Alberta's Strategy For Sustainability; Advisory Committee on Water Use Practice and Policy. The Province

of Alberta has not however addressed the use of alternatives to fresh water in the oil recovery process. The Alberta Government Study, "South Saskatchewan River Basin Non-Irrigation Water Use Forecasts" (March 2002) makes it clear that while cities and municipalities through water management use will husband fresh water with increasing efficiency, industry conversely will seek to increase its use of water.

In light of the above it is timely that the AUMA urge the Government of the Province of Alberta to amend the Water Act so as to prohibit the future diversion or use of fresh water in such a manner as to remove the water from the Hydrological Cycle and specifically to prohibit the use of fresh water for the purpose of Oil Well Flooding/Oil Recovery Enhancement.

WHEREAS Alberta is a province fortunate to have an abundance of natural resources; and

WHEREAS freshwater is relatively scarce and therefore one of our most important and valuable natural resources; and

WHEREAS protection of freshwater quality and quantity requires strategic planning of development in our watersheds; and

WHEREAS watersheds are crucial to our economic and physical well-being;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Provincial Government to continue to and enhance bringing together representatives from the public and private sector, including government, industry, business, agricultural sector and environmental interests to develop Comprehensive Watershed Management Plans and to ensure the careful efficient and effective use of this crucial natural resource, and to preserve its use for future generations.

BACKGROUND

It is suggested that the Province initiate the formation of more organizations to develop comprehensive watershed management plans to develop a newly integrated approach to managing regional water resources for economic vitality, environmental health and sustainability.

Dr. David Schindler, Professor of Ecology at the University of Alberta, Biological Sciences, Faculty of Science has stressed the importance of the development of Comprehensive Watershed Management Plans to protect our watersheds and water quality.

In the "Water for Life" Alberta's Strategy for Sustainability, the Province plans the development of some watershed plans. This goal needs to be supported, enhanced and made to happen as soon as possible.

The better the quality of water in our watersheds, the healthier our citizens and other natural resources (plants, animals) will be for this generation and future generations.

The above resolution was brought forward by Leduc County and subsequently passed at the 2004 Alberta Association of Municipal Districts and Counties (A.A.M.D. & C.) Spring Convention.

**AUMA
RESOLUTION 2004.C.iv.7
COMPREHENSIVE WATERSHED MANAGEMENT PLANS
Page two**

Comments from the Manager of Public Works

I agree with the recommended resolution being put forward by St. Albert. A sound watershed management plan can have positive economic, environmental, and health impacts. The costs associated with process improvements and costs of chemicals at water plants could be reduced if watersheds were cleaned up substantially. The environmental benefits to aquatic plants and animals, and stream bank wildlife have been shown to be substantial in areas where cleanup has occurred. The health risks associated with direct contact recreation use of surface water and water treatment are real and can be mitigated by a comprehensive watershed management plan.

I feel it is important that the process be facilitated and at the least partially funded by the Province, but that Municipalities and other key stakeholders be integrally involved in managing the processes and deciding on the structure and format of the various Watershed Management Plans.

Paul Goranson
Public Works Manager

WHEREAS Regional Library Systems exist to ensure Albertans have equitable access to library services; and

WHEREAS all libraries, but especially rural and remote libraries, improve service to patrons by sharing library resources; and

WHEREAS all libraries, but especially rural and remote libraries, depend upon Canada Post Corporation and the Library Book Rate to ship materials in a cost-effective manner; and

WHEREAS all libraries make available a variety of material formats in addition to books to meet patron needs; and

WHEREAS many Canadians cannot use conventional print resources; and

WHEREAS libraries have limited revenues;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests the federal Ministry of Canadian Heritage to continue the Library Book Rate and extend it to all library materials; and

FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the federal Ministry of Canadian Heritage to change the Library Book Rate to a one-way rate system without altering the overall charge incurred by libraries.

BACKGROUND

Libraries in Alberta, especially rural and remote libraries, make extensive use of the Library Book Rate. Below are selected excerpts from the *Study of the Library Book Rate* prepared for the Department of Canadian Heritage in 2002. The full text of the study can be found at:

www.pch.gc.ca/progs/ac-ca/progs/pap/pubs/tlb-lbr/index_e.cfm

Study of the Library Book Rate

For many public libraries, interlibrary loan is a basic service.

Public libraries in Western Canada make the greatest use of the Library Book Rate. There are several key reasons for this, including:

- There are a great number of public libraries located in small towns and villages across Western Canada, many of which fit the profile of high Library Book Rate user – small, rural and remote – with a strong commitment to equal access to information, resource sharing and interlibrary loans.

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- The provincial and regional library infrastructure is well developed in Western Canada. Therefore, interlibrary loan systems are well established and well coordinated.
- Libraries in Western Canada are leaders in the development of automated and Internet accessible library catalogues. For example, the libraries in Alberta have introduced an automated, web-based system that enables library patrons to place interlibrary loans directly into the system. This has led to an exponential increase in the number of interlibrary loans and the use of the Library Book Rate in Alberta.

In the 1960s libraries started to provide long playing records, 16mm film and microfilm. This was the first time that these materials had been available at a reasonable price. People now had access to equipment at home. The new media became popular everywhere, including in libraries.

Patrons were now interested in having access to all sorts of materials. As a result of this new need, the Canadian Library Association recommended in 1974 that a preferred rate be instated for the exchange of boxes of books and 16mm microfiche between libraries. The government rejected this recommendation.

In December 1984, the Canadian Library Association again requested that the Library Book Rate be expanded to include all library documents: audio and videocassettes, records, films and microfiche. This request was again denied.

In 1998 a working group of representatives from the National Library of Canada, the Canadian Library Association and the Association pour l'avancement des sciences et des techniques de la documentation was created to acquire information on the use of and satisfaction with the Library Book Rate. It concluded that the program "is essential to allow libraries to fulfill their role in ensuring equitable access to information for Canadians" and put forward recommendations similar to those of the 1993 study, including the recommendation that a one-way library rate at the equivalent of 60% of the current rate for each rate code be created.

In March 2002, the 1998 Memorandum of Agreement was extended for a period of three years with Canada Post. The agreement again includes the continuation of the Library Book Rate for the duration of the new Memorandum of Agreement. Negotiations will start again in 2004.

RESOLUTION 2004.C.iv.8
Library Book Rate
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Comments from the Community Services Division

The Community Services Division strongly supports this resolution.

The use of inter-library loans, as a result of the implementation of enhanced technology, has increase significantly. Continuing inter-library loaning, without a Library Book Rate will greatly impact libraries, and in particular, regional libraries.

The diversity of resources available through libraries provides an accessible opportunity for all members of the community. This is especially important in those communities where access and resources limit opportunities to acquire material in different forms. While books remain a staple in library service provision, to remain viable and relevant, libraries must be capable of meeting client demands for different mediums without additional shipping/receiving costs. In addition, as noted in the Background, the availability of a Library Book Rate, even for books, is in question after 2004.

Colleen Jensen
Director, Community Services Division

WHEREAS Alberta Transportation guidelines regarding development of raw land, adjacent or near higher designated roads, (e.g. freeways, highways, arterial or collector roads) into subdivided parcels, and access to those same higher designated roads, do not account for slower growth in many Alberta communities than that experienced by rapidly expanding centres;

WHEREAS such guidelines actually exacerbate the problems with attracting development to slower growing communities by often front-loading costs for road access, such as acceleration lanes and intersections, on to new developments that may take years for a developer or municipality to recover, if ever;

WHEREAS major overpasses, intersections, interchanges and general highway improvements like added lanes that are also a result of growth, yet recognized as needed by all concerned, are often paid by all taxpayers in Alberta through the assumption of costs by Alberta Transportation, and there is no plan to recover such costs from the developments or municipalities which have created much of the need for, and which derive much of the benefit, from such infrastructure;

WHEREAS lack of a plan to recover costs from the developments which create much of the need for these infrastructure improvements, means that municipalities and developers in communities with slower growth actually end up paying twice for development. Once through their province-wide taxes and again through having to pay for their own immediate, unrecognized local development, thereby meaning even less incentive to develop

NOW THEREFORE BE IT RESOLVED THAT the AUMA work with the provincial government to review Transportation policies towards developments in proximity to higher designated roads, and access to those roads, with a view to developing policy that is fair to all communities and developers, and in particular, removes disincentives to development in slower growing centres.

BACKGROUND

This is a complicated issue but basically, this Resolution is an attempt to move towards a more level playing field in regards to growth and development. As the situation stands today, the inequities in policies regarding roadway and roadway access requirements actually work to penalize slower growth centers of any size.

There are actually three penalties:

- 1) The downloading to developers or municipalities in slow growth centers of roadway costs, which will take years to recover, if ever, simply because developed property doesn't sell as fast.

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- 2) Second is the requirement that roads today are built for a idea of traffic usage in the future. In other words, slow growth centres are often forced to over-build for traffic requirements that may never materialize in that particular center.
- 3) Third is the cost of starting from scratch, building access to a higher designated road to a modern standard that many communities have had years to slowly work towards.

Development creates infrastructure need. Better infrastructure facilitates even more development. In fast growing centers, buyers of developed property can quickly absorb the costs for highway access. Further, existing provincial policies often pay the cost of major access improvements, like interchanges, even though these are required in large part due to local growth.

Thus, the "circle of growth" never gets started in many slow growth communities because of the access guidelines of Transportation and the way costs of access are imposed across the province.

Worse, in many cases, willing development money from a slow growth center often finds a home in a faster growing center where even similar Transportation requirements are not seen as onerous as in the slower growing center, simply because there is more opportunity to sell the developed property.

