



ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Leduc-Beaumont*

AR92590

January 25, 2018

Mr. Barry Morishita
President
Alberta Urban Municipalities Association
300, 8616 - 51 Avenue
Edmonton AB T6E 6E6

Dear Mr. Morishita,

Thank you for your letter of January 8, 2018, requesting responses to resolutions endorsed by your membership at the 2017 Alberta Urban Municipalities Association (AUMA) convention.

Please find the attached responses from Municipal Affairs with regard to the following four resolutions:

1. State of Local Emergency
2. Integrate Emergency Social Services and Emergency Management at Provincial Level
3. Municipal Reserve
4. Commitment to Formal Municipal Consultations on the Future of Provincial Revenue Sharing

I appreciate the opportunity to respond to your organization's resolutions, and I look forward to continuing to work with the AUMA to strengthen Alberta's communities.

Thank you again for writing.

Sincerely,

Hon. Shaye Anderson
Minister of Municipal Affairs

Attachment: 2017 AUMA Resolution Responses

Alberta Municipal Affairs Responses to 2017 AUMA Resolutions

- 2017.B3—State of Local Emergency
- 2017.B4—Integrate Emergency Social Services and Emergency Management at Provincial Level
- 2017.B5—Municipal Reserve
- 2017.B9—Commitment to Formal Municipal Consultations on the Future of Provincial Revenue Sharing

Resolution 2017.B3
State of Local Emergency

WHEREAS Section 21 of the Disaster Services Act (now Emergency Management Act) was amended in 2011 eliminating the ability of a municipality to delegate authority to declare a state of local emergency to an individual or committee;

WHEREAS in effect, the amendment requires either a council vote or vote of a regional commission or joint body of two or more local authorities to declare a state of local emergency; and

WHEREAS this change makes it nearly impossible to declare a state of local emergency in a timely manner, which could delay support and assistance to residents in a time of emergency.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association request that the Provincial Government amend the Emergency Services Act to enable a designated officer of municipality to declare a state of emergency, without resolution.

Alberta Municipal Affairs Response:

It is Alberta Municipal Affairs' position that the relevant clauses of both the *Emergency Management Act (EMA)* and the *Municipal Government Act (MGA)* do not limit a municipality's ability to delegate the powers or duties provided in the *EMA* to a council committee.

It is recognized that Section 203(1) of the *MGA* could be narrowly interpreted to mean that delegation internal to the municipality is not possible due to Section 11.3(1) of the *EMA*. This interpretation is counter to the intent of Section 11.3(1), which allows for delegation to organizations outside of a municipality.

Additionally, the resolution background does not consider Section 23.1 of the *EMA*, which eliminates the logistical concerns presented by removing notice provision requirements for council and council committee meetings.

Resolution 2017.B4

Integrate Emergency Social Services and Emergency Management at Provincial Level

WHEREAS the Minister of Municipal Affairs is designated as the Minister responsible for the Emergency Management Act;

WHEREAS a Director of Emergency Management is appointed by the local authority to prepare and coordinate emergency plans, act as the director of emergency operations on behalf of the emergency management agency, and coordinate all emergency services and other resources used in an emergency including emergency social services plans and resources;

WHEREAS the Emergency Social Services is housed in the Ministry of Community and Social Services, where the structure of support to local authorities that is currently available through the Alberta Emergency Management Agency is being recreated, duplicating efforts and creating confusion for local authorities in how best to communicate with the province on planning, training, and responding to emergencies in a holistic sense;

WHEREAS the Alberta Emergency Response Plan defines the Provincial Operations Centre as the entity responsible for the coordination of provincial supports to the local authority during an emergency to ensure a common understanding and prioritization of all requests for assistance, as well as to provide a single coordination point for local authorities to access all provincial ministries; and

WHEREAS during the 2011 Slave Lake Wildfire, the 2013 Southern Alberta Floods, and the 2016 Regional Municipality of Wood Buffalo Wildfire, the disconnection of emergency social services into a separate provincial ministry (in the case of the 2016 wildfire this was formalized into a separate coordination centre, known as the Provincial Emergency Social Services Emergency Coordination Centre) created communication challenges, confusion around roles and responsibilities, duplication of effort, and disjointed policies and supports provided to evacuees.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to consolidate Emergency Social Services and Emergency Management into a single, all-hazards, public safety oriented government ministry to eliminate duplication and enhance coordination of provincial support to local authorities.

Alberta Municipal Affairs Response:

The Government of Alberta (GOA) recognizes the importance of emergency management, emergency social services, and the need for clarity regarding roles and responsibilities between the province and local authorities. The province's Emergency Management Framework and Emergency Social Services (ESS) Framework are intended to support a co-ordinated, provincial approach to emergency management and emergency social services.

The GOA is continually working to identify how supports to local authorities can be enhanced through its continuous improvement processes and post incident assessments of disaster responses. As a result of the lessons identified in 2013 and 2016, the Provincial ESS Emergency Co-ordination Centre has been moved into the Provincial Operations Centre to create seamless and collaborative co-ordination of all the ESS assets in a large scale emergency.

Resolution 2017.B5
Municipal Reserve

WHEREAS Section 668 of the *Municipal Government Act* allows municipalities to take an additional 5% of municipal and school reserve land in addition to that required under Section 666 of the *Municipal Government Act*; and

WHEREAS Section 668 of the *Municipal Government Act* is worded in such a way that makes it impractical for municipalities to make use of the provision.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association request that the Provincial Government amend Section 668 of the *Municipal Government Act* to enable it to be utilized by municipalities.

Alberta Municipal Affairs Response:

The matter of municipal reserve allocations was discussed extensively during the course of the *Municipal Government Act* Review. While some stakeholders supported clarification of or even an increase to the amount of reserve land a municipality may take, other stakeholders strongly opposed this viewpoint. Upon review, the Government of Alberta is satisfied that additional changes to these sections of the legislation are not required at this time.

However, it is worth noting that amendments have been adopted to provide municipalities with greater flexibility in the reserve assembly process, specifically with respect to larger regional projects. A draft regulation in support of these changes is expected to be posted for review and comment in 2018.

Resolution 2017.B9

Commitment to Formal Municipal Consultations on the Future of Provincial Revenue Sharing

WHEREAS municipalities, their residents and the economy benefit from long-term, stable financial commitments from other orders of government;

WHEREAS municipalities receive approximately eight (8) cents of every tax dollar generated by all three levels of government;

WHEREAS municipalities are limited in their ability to raise needed revenue other than through property taxes;

WHEREAS municipalities are responsible for over half of the public infrastructure;

WHEREAS the population of Alberta is expected to grow by nearly one million over the coming decade, putting increased pressure on infrastructure and municipal assets;

WHEREAS the Government of Alberta has a history of revenue sharing with municipal governments through programs like the current Municipal Sustainability Initiative (MSI);

WHEREAS the Government of Alberta has announced a two-year continuation of the Municipal Sustainability Initiative while they review the program to reaffirm outcomes; and

WHEREAS the Government of Alberta has not made changes to the provision of statutory grants or provincial revenue sharing through any of their proposed amendments to the Municipal Government Act.

IT IS THEREFORE RESOLVED THAT that the Alberta Urban Municipalities Association (AUMA) seek a commitment from the Minister of Municipal Affairs to timely, inclusive and comprehensive consultations with municipalities on the future of provincial revenue sharing to occur within the first six month of 2018 to ensure adequate time for feedback to be incorporated prior to expiry of the Municipal Sustainability Initiative (MSI) and that the details of those consultations are shared with municipalities sufficiently in advance.

Alberta Municipal Affairs Response:

The government recognizes the importance of predictable and consistent funding for municipalities to build essential infrastructure and deliver programs and services for their residents.

We understand that municipalities and municipal associations desire a strong presence at the table when changes to the Municipal Sustainability Initiative (MSI) program are being considered. Alberta Municipal Affairs intends to discuss the future of the MSI with our municipal partners.