



January 8, 2018

Honourable Shaye Anderson
Minister of Municipal Affairs
132 Legislature Building
10800 97 Avenue
Edmonton, AB T5K 2B6

Dear Minister Anderson:

Each year at our annual Convention, AUMA members discuss and vote on proposed resolutions related to matters that impact municipalities, but require action by other orders of government. Enclosed for your response are the four 2017 resolutions that pertain to your ministry:

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

We look forward to your response to these resolutions.

If you wish to review the resolutions pertaining to other ministries, they can be found on our website at: <https://auma.ca/advocacy-services/resolutions/resolutions-library>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry Morishita', is written over a light blue circular background.

Barry Morishita
AUMA President

Enclosures

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.

BACKGROUND:

Section 21 of the *Disaster Services Act*, the predecessor (prior to 2011) to the current *Emergency Services Act*, indicated:

“(4) A local authority may delegate any of its powers and duties under this Act to a committee composed of a member or members of the local authority.”

This wording would have allowed Council to delegate declaratory authority to a small Committee or an individual Council member. By way of example, the City of Calgary delegated authority to their Local Emergency Committee, which is composed of two individuals – the Mayor and one other member of Council as designated by the Mayor. The City of Edmonton similarly delegated authority to a committee, comprised of all members of council, but in an emergency, the City Manager can call a meeting with one hour’s notice and those in attendance constitute a quorum. However, in 2011, the Provincial Government changed Section 21 to read:

“Declaration of state of local emergency

21(1) A local authority may, at any time when it is satisfied that an emergency exists or may exist in its municipality, by resolution or, in the case of the Minister responsible for the Municipal Government Act, the Minister responsible for the Special Areas Act or a park superintendent of a national park, by order, make a declaration of a state of local emergency relating to all or any part of the municipality.”

Notwithstanding Council’s wide powers of delegation under the *Municipal Government Act*, the legislation’s silence regarding potential delegates appears to prohibit the municipality’s ability to delegate authority to an individual designated officer (Mayor) or a committee. Under the new wording of the Act, declaration and termination of a state of local emergency must be done by resolution of the local authority (defined in that Act as Council). It may delegate this declaratory responsibility to a regional commission or a joint body of two or more local authorities. Both of these options are logistically cumbersome and make it near impossible for a municipality to declare a state of local emergency in a timely manner, which could delay support and assistance to residents in an emergency.

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.

BACKGROUND:

Alberta has had a number of large-scale disasters recently, which present and opportunity for learning and improvement. Through the Slave Lake Wildfire, Southern Alberta Floods, and the Wood Buffalo Wildfire, one common recommendation is for better integration of emergency social services and emergency management. Many municipalities have adopted this approach and are incorporating emergency social services into municipal plans, training, exercises, and responses. Provincially, however, these two inter-connected pieces are currently managed through two separate ministries, which has led to communication and coordination challenges.

The Government of Alberta adopted the ICS and mandated that all provincial organizations and ministries shall use ICS as their incident management systems. One of the foundational principles of ICS, which is United of Command, is designed to address this inherent challenge of a multi-agency response. The separation of

emergency social service and emergency management into two different provincial ministries undermines this foundational principle by introducing a dual reporting structure and creating an unnatural division in what should be a coordinated response. Unlike other provincial ministries with clear jurisdictional authority over specific elements of a response (such as Environment, Forestry, or Health), the mandate for emergency social services at the local level falls under the Director of Emergency Management.

Emergency Social Services cannot be effectively separated from the response without a significant, detrimental impact on the people affected by the disaster. Creating this separation results in loss of coordination, communication breakdowns, and conflicting messages to evacuees who need certainty in order to make decisions about their homes and businesses.

Each of the past three large-scale disasters in Alberta has resulted in the recommendation of closer integration of emergency social services into the overall response. In the Lesser Slave Lake Regional Urban Interface Wildfire – Lessons Learned Final Report (KPMG, 2012), one of the primary recommendations was to “fully implement the Incident Command System so that emergency response roles and mandates are firmly established within a single, clear chain of command”, especially regarding “Disaster Social Services, Consequence Management Officers, the NGO Council, First Nations, the Red Cross, and the Fire Commissioner” (pg. 165). This highlights the need for a fully-integrated response with a clear chain of command, making no distinction between traditional response resources (e.g. Fire Commissioner) and emergency social services (Disaster Social Services, the NGO Council, and the Red Cross). The Review and Analysis of the Government of Alberta’s Response to and Recovery from 2013 Floods (MNP, 2015) report stressed the urgent need for a provincial emergency social services framework that created a unified approach to delivering ESS services, acknowledging that “the lack of a unified approach to these elements is linked to the overarching ESS challenge at the provincial level” (pg. 43). The May 2016 Wood Buffalo Wildfire Post-Incident Assessment Report (KPMG, 2017) recommends the integration of provincial emergency social services into Provincial Operations Centre to streamline communication, coordination, and support to local authorities (pg. 96).

It is acknowledged that The Review and Analysis of the Government of Alberta’s Response to and Recovery from 2013 Floods (MNP, 2015) explicitly suggests the Ministry of Human Services is best positioned to lead the ESS framework and program (pg. 84). Part of the justification for this rationale is that “social service expertise” resides in Human Services at the provincial level. However, in emergencies, the direct delivery of social services is done by the local authority, supported by non-governmental organizations and provincial ministries, and not the other way around. Likewise, recovery “is a local authority’s responsibility” (May 2016 Wood Buffalo Wildfire Post-Incident Assessment Report, KPMG, 2017, pg. 109), where provincial financial and programming support is needed for success, but must be community-led to be most effective. It is essential to prioritize the human impact of disasters and ensure this does not become lost in the overall response, but this issue can be better addressed through more integrated training for local authorities on their responsibilities under the Emergency Management Act, which includes emergency social services. Local authorities would be best served by a well-coordinated, integrated provincial approach to emergency management and emergency social services.

It is clear the frequency and impact of large-scale disasters is increasing as a result of climate change. Municipalities in Alberta are working towards closer integration and coordination between emergency social services and emergency management under the authority of the Director of Emergency Management. This progressive approach should be reflected at the provincial level to align training, planning, and responding to emergencies in a clear, unified manner.

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.

BACKGROUND:

Currently, municipalities are allowed to take 10% of the parcel of land (less the land required to be provided as an environmental reserve and the land made subject to an environmental reserve easement) as municipal reserve, school reserve, or municipal and school reserve (MGA S.666 (2), 2000). The planning for this is done at the Area Structure Plan (ASP) stage, but the land is taken at the time of subdivision.

Additionally, Section 668 of the MGA allows municipalities to take an additional 5% of municipal and school reserve at densities of 30 or more units per hectare based on a proposed subdivision. Planning for the 5% at the subdivision level has proven too impractical for municipalities to be able to implement for the following reasons:

- Section 668 provides for the acquisition of additional land, but not money in place (cash in lieu);
- Taking the additional land at the subdivision level does not result in usable additional municipal reserve to serve the purposes of a neighbourhood; and
- Taking the additional land at the subdivision level has the potential to require an Area Structure Plan amendment if the municipal reserve taken varies from the ASP.

This is the first time this resolution has been submitted by the City of St. Albert. There was an AUMA resolution passed in 2013 with respect to “School Sites for our Communities Future” which outlined the need for an increase in the initial allowable percentage of municipal reserve land that can be taken from 10% to 15%. This proposed increase did not include the additional 5% that is available to municipalities in higher-density areas. This proposed resolution differs from the former in that it is not seeking to increase the percentage of municipal or school reserve, it is seeking to amend a section of the *MGA* to enable municipalities to practically implement it.

The City of St. Albert raised this issue in the course of the *MGA* Consultations conducted by Municipal Affairs. The Ministry acknowledged that municipalities are not using the additional 5% made available to them in Section 668 and asked why. The City of St. Albert hosted a session in January 2016 with the Cities of Edmonton, Leduc, Spruce Grove, Red Deer, and Airdrie and invited representatives from the Provincial Government. The issue of why municipalities are not using Section 668 was subsequently more thoroughly examined, and it was determined that because of the wording specifying the 5% be taken based on densities at the subdivision level, it is impractical for municipalities to implement.

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.

BACKGROUND:

Most municipalities rely on provincial and federal revenue transfers to address the infrastructure deficit. The federal New Building Canada Fund and provincial MSI programs are just two examples. MSI was a welcomed program that was refined with time to allow municipalities to address their local infrastructure priorities and the two-year extension is greatly appreciated.

As complex organizations delivering meaningful services to citizens, all municipalities in Alberta rely on stable and predictable provincial revenue sharing. Funding of this nature has been leveraged in the past to successfully build and rehabilitate critical community infrastructure, support Albertans and plan for the future. The projects enabled by MSI over the past decade have had significant, positive community impacts. Without long-term predictable funding from the Province, the future of important community-building, collaborative, and climate-action initiatives and projects will be jeopardized. Certainty allows municipalities to continue work on projects that will keep Albertans working and stimulate the economy while getting the best value for those investments.

It is critical that municipalities are acknowledged as a valued partner in making the lives of everyday Albertans better. In order to hold the Government of Alberta accountable in this regard, municipalities must be persistent in seeking an open and formal consultation process where the future of provincial revenue sharing can occur.