

Municipal Government Act Review

What We Heard: A Summary of Consultation Input

Public Open House Session
Held in Grande Prairie on April 3, 2014

Released on June 24, 2014

Developed by KPMG for Alberta Municipal Affairs



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Introduction

Purpose

This document provides a summary of what was heard during a consultation session for the *Municipal Government Act* (MGA) review. The summary below includes the comments and opinions of the participants of the Public Open House Session held in Grande Prairie.

These contributions have not been reviewed or edited for accuracy. Comments recorded here reflect the opinions of individuals offered in person and recorded by session facilitators; they do not necessarily represent the opinion of the Government of Alberta.

The input summarized below will be considered by Alberta Municipal Affairs as part of the review of the legislation. Municipal Affairs would like to thank the participants of this session, as well as all Albertans participating in the review of the MGA. Any inquiries related to this summary or to the consultation process should be directed by email to the MGA Review Team at mga.review@gov.ab.ca.

The Municipal Government Act Review

The MGA is designed to help build strong, prosperous and sustainable communities throughout Alberta. Alberta Municipal Affairs is reviewing and refreshing the MGA to address evolving circumstances and priorities in Alberta's many communities, and to ensure the MGA continues to meet its objective. A successful MGA review process will continue to position Alberta as the leading Canadian jurisdiction in terms of municipal legislation, having incorporated sound thinking, input and research into a clear Act that meets the needs of the Province and municipalities. In order to achieve this vision, an inclusive and comprehensive engagement process was developed to ensure stakeholders across the province have opportunities to provide input to the review.

As part of the MGA review, regional consultations were held in eleven locations around the province to give Albertans an opportunity to provide input face-to-face. In each location, different types of sessions were held, including Technical Sessions, a Business and Industry Session, a Municipal Administrators Session, an Elected Officials Session, and a Public Open House.

These engagements were conducted in February 2014 to April 2014 in 11 locations throughout the province. Each location was held over 3 days in the following locations:

- Brooks
- Calgary
- Edmonton
- Edson
- Fort McMurray
- Grande Prairie
- Lethbridge
- Medicine Hat
- Peace River
- Red Deer
- Vermilion

Sessions were promoted via news releases, direct email invitations, social media, and by the Minister of Municipal Affairs at stakeholder conventions. Information on regional session locations, dates and registration were on the MGA Review website.

Input to the MGA Review has also been provided through other channels, including the MGA Review website (mgareview.alberta.ca), the MGA Review Consultation Workbook, and official submissions.

Session Overview

Session	Public Open House Session
Location	Muskoseepi Park, Grande Prairie
Date	April 3, 2014
Number of Participants	6

- This session was open to anyone who wished to attend. Participants were asked to register in advance in order to receive background materials before the session.

Regional Consultation Methodology

How the Open House was organized

Participants were free to browse available materials or to engage in informal conversations with facilitators from Municipal Affairs, KPMG and ADR Education on any MGA relevant topic of interest to them. The Public Open House presented information on six topics that were thought to be of particular importance to the public:

- What rules can municipalities set?
- Why do municipalities change land use plans?
- What services do municipalities provide?
- How are municipalities funded?
- How do municipalities manage growth and development?
- How do we ensure accountability?

The information was presented on handouts and posters. The structure of the Open Houses allowed participants to provide feedback in the following ways:

- Comment cards were available for participants that invited them to note:
 - What is working well under the current MGA;
 - What is not working well under the current MGA;
 - What changes they would suggest; and
 - What the implications of desired changes would be.
- Where possible, facilitators from Municipal Affairs, KPMG and ADR Education took notes to record input provided by participants through informal conversations. Given the informal and unstructured format of these discussions, not all comments from participants may be captured.

Reporting

The summary below documents the input received from participants during the Open House, as well as written feedback provided through comment sheets. This input has been organized according to relevant topics under the three themes for the MGA Review. Comments have not been screened for accuracy and do not reflect consensus of participants. As a result, comments and opinions listed may be contradictory. Comments that applied to issues outside of the scope of the review (e.g., suggested changes to other legislation) have been removed.

It is important to emphasize that this summary reflects the input heard from participants, and does not necessarily reflect the position of the Government of Alberta.

How the Summary of Responses is Organized

Input from session participants is organized according to the three themes for the review:

- *Governance and Administration*
- *Assessment and Taxation*
- *Planning and Development*

Within these themes, comments are organized according to the applicable topics for discussion, using the list provided to participants in advance. In some sessions, not all themes may have been discussed.

Summary of Input

General Comments about the MGA

The following input was received and documented related to the MGA in general.

Comments from participants included that:

- The MGA is generally working well, but there are inconsistencies in how municipalities implement or interpret it.
- Ordinary citizens don't understand the MGA. The MGA should be more accessible and user-friendly.
- There should be more resources to help people use the MGA and stay updated on it, including:
 - user guides;
 - newsletters on recent interpretations and decisions;
 - procedural steps for certain processes; and
 - clear intent and definitions explained within the MGA.

Governance and Administration

The following input was received and documented related to governance and administration.

Municipal Powers, Structures, Annexations and Other Changes

Municipal structures

Comments from participants included that:

- The current municipal model is “dying” and has to change.
- The specialized municipality model is working. The Regional Municipality of Wood Buffalo is working as a single unit, and has more bargaining power as a result.

Fundamental changes and municipal restructuring

Comments from participants included that:

- The MGA should clarify processes for municipal restructuring and better define the different types of structures.
- Counties should have a vote as to whether they absorb or amalgamate struggling municipalities.
- When municipalities can’t agree or move forward, regionalization or amalgamations should be forced.
- Non-contiguous amalgamation should be allowed so smaller urban municipalities can better work together.

Municipal Governance and Administration

Municipal governance

Comments from participants included that:

- We don’t need as much municipal governance as we currently have. The size and number of councils could be downsized to reduce the cost to taxpayers.
- The model of chief administrative officer and council separation is working well.
- Good governance means elected officials are thinking long range even if there is an election coming up, and the administration is running on strong principles and standards that will benefit future generations. These principles should be included in the MGA.
- Four-year terms for municipal elected officials allows them more time for learning and stability.

Municipal Finances

Regional funding approaches

Comments from participants included that:

- It is tough for urban municipalities to raise sufficient revenues to meet service demands. There should be a better model to balance services and revenues within a region, which would create more fair and beneficial outcomes.
 - Urban municipalities are providing more of the services in a region, and rural users don't contribute to pay for the urban services they use.
 - Currently, major urban municipalities are shouldering too much of their regions' policing and enforcement costs, compared to rural municipal cost sharing agreements.
 - The "hole in the donut" effect (poor urban municipalities surrounded by wealthy rural municipalities) is a problem that needs to be addressed in the MGA review.
 - The Regional Municipality of Wood Buffalo is a good example of a regional model that could be used to fix the current, unequal revenue distribution.
- Regionalization would present challenges for fair elections and representation.
- Regionalization would create governance efficiencies and savings for all taxpayers.
- It is important to have some "in-house" local municipal services, rather than having all services provided regionally.
- In some areas, regional revenue sharing should be forced. This would help save struggling municipalities.
- Regional linear property tax revenue pooling would help regions to develop and stay sustainable.
 - Revenues need to be pooled appropriately between urban and rural municipalities.
 - Linear property tax revenue pooling shouldn't be done on a per capita basis. It is better for this revenue to be regionally distributed.

Municipal Accountability, Liability, and Risk Management

Compliance and accountability

Comments from participants included that:

- The MGA should address the potential of inappropriate councillor conduct that can't be addressed effectively.
- The current MGA provision that conviction of a criminal offence can remove an elected official from office is working well.
- The MGA overall needs stronger enforcement of compliance.
- Any rules about conflict of interest should allow councillors to declare or challenge another councillor's possible conflict. This shouldn't just be a self-declaration responsibility.

Provincial powers

Comments from participants included that:

- The Minister of Municipal Affairs should deal with conduct of individual elected officials rather than remove entire boards or councils when major issues arise.

Municipal Services and Delivery

Service provisions

Comments from participants included that:

- When more than one municipality accesses a specific service, the municipality providing the service should have the most say in managing it. However, neighbouring municipalities that use the service should also have a say.

Public Participation and Municipal Relations

Municipal relationships and dispute resolution

Comments from participants included that:

- There should be more options or resources for addressing municipal disputes.

Public participation

Comments from participants included that:

- The development decisions system is rigged to resist public input. People affected by decisions need to have a say in the decision-making process. They should have the power to make decisions, not just influence decisions in ways like complaining at open houses.
- It is not fair that developers have months to prepare for development hearings but the public and neighbours only get two weeks notification to organize, petition and research before the hearing.
- The public should be allowed to speak more than once at a development hearing, so they can offer rebuttals.
- Minimal standards for public notification need to be raised, so the public is notified earlier and given more information about a new development.
 - Newspaper notification is a poor notification vehicle, and doesn't sufficiently inform the public.
 - More impacted residents should be directly notified. For example, the entire section of properties surrounding wetland development should be notified, not just the adjacent properties.
 - In Red Deer, public engagement is solicited through methods like door knocking, which engages the public more than methods like public open houses.

- The MGA currently mandates the outputs for notification, but not the desired outcomes. For example, the desired outcome could be a percentage of the public who are engaged on an issue, instead of just focusing on how notification occurs.
- Regional services need to have a better public and municipal participation model that accompanies service delivery.
- The public needs to be better informed about how councils operate and what limitations are involved.

Assessment and Taxation

The following input was received and documented related to assessment and taxation.

Taxation and Municipal Finances

Taxation

Comments from participants included that:

- The current residential taxation approach is an unsustainable model.
 - Municipal revenues should come from 40% residential and 60% commercial tax contributions.
- Industry development has helped to establish many urban municipalities in the region. However, industry contributes most revenues to rural municipalities, leaving urban municipalities without sufficient tax revenue to provide the services to its residents.
- Well drilling equipment assessment and taxation needs to be modernized to include directional drilling.
- Local tax dollars should support local infrastructure, not go towards private interests. Public infrastructure assets should be protected by the MGA.

Industrial and Agricultural Property Assessment

Farm property assessment

Comments from participants included that:

- Agricultural assessment is unfairly low compared to non-farm residential assessment.

Planning and Development

The following input was received and documented related to planning and development.

Subdivision and Development Authorities and Processes

Administrative decision-making processes

Comments from participants included that:

- Municipalities should be the ones directing development, not developers.
- Local expertise and experience should be included in natural resource planning, and municipalities should be involved in planning and consultation around resource development.

Land Dedication and Use of Reserves

Land dedication (reserves)

Comments from participants included that:

- The MGA needs to provide municipalities with more ability to push back against development in environmentally sensitive areas.
 - There needs to be better recognition of environmentally sensitive areas and environmental reserves in fringe areas between neighbouring municipalities. There needs to be stronger preservation of environmentally sensitive areas from development, even if the land is zoned for commercial development.

Regional Approaches

Managing growth and development

Comments from participants included that:

- There should be defined rules or parameters to address development conflict in fringe areas between or near neighbouring municipalities.