



Special Council Meeting

Jubilee Centre Council Chamber
9909 Franklin Avenue, Fort McMurray, AB T9H 2K4

Tuesday, July 10, 2018
3:00 PM

Agenda

1. Call to Order

2. New Business

2.1. Moccasin Flats

THAT the Municipality support and collaborate with the Indigenous community of Wood Buffalo to reconcile Moccasin Flats in a manner that is meaningful to all that have been impacted by the events which took place.

2.2. Bylaw No. 18/018 - Vehicle for Hire Bylaw Amendment

THAT Bylaw No. 18/018, being an amendment to the Vehicle for Hire Bylaw, be read a first time.

2.3. 2018 Capital Budget Amendments – New and Amended Projects

THAT the 2018 Capital Budget Amendments as summarized on Attachment 1 (2018 Capital Budget Amendments – New and Amended Projects, dated July 10, 2018) be approved; and

THAT the revised Cash Flow of Capital Projects as summarized on Attachment 2 (2018 Capital Budget Amendments – New and Amended Projects - Cash Flow Summary, dated July 10, 2018) be approved.

2.4. Municipal Representation at Wood Buffalo Housing and Development Corporation Annual General Meetings

THAT the Chief Administrative Officer be authorized to act on behalf of the Municipality for the purposes of attending and voting during Annual General Meetings of the Wood Buffalo Housing and Development Corporation.

Adjournment



COUNCIL REPORT

Meeting Date: July 10, 2018

Subject: Moccasin Flats

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

THAT the Municipality support and collaborate with the Indigenous community of Wood Buffalo to reconcile Moccasin Flats in a manner that is meaningful to all that have been impacted by the events which took place.

Summary:

Moccasin Flats is an area of land at the confluence of the Athabasca and Clearwater Rivers. The Indigenous residents who lived there were forced to move from their homes to make way for urban development.

Background:

Beginning in the 1960s, Legal Services and Records have located documentation referencing Indigenous residents being forced to move from their homes. This documentation continues through the 1970s culminating in a meeting between the residents and the Municipality. While present at the meeting, it is reported that action was taken to bulldoze residents' homes. Events leading up to the 1979 bulldozing indicate that Indigenous Peoples had been displaced across Fort McMurray as a means to prepare for a sanitary sewer main that was planned for construction in 1971, and also to make way for what is known as the "Syncrude Towers". In addition, there is record of measures taken to relocate families to land that is now owned by the Municipality. Historically, there have been several land claims made by Indigenous people within the region; however, most negotiations have been between the Fort McMurray Métis Association and the Municipality.

On June 18, 2018 Legal Services and Indigenous & Rural Relations (IRR) met with Fort McMurray Métis to provide them with historical records dating back to 1911. The records will assist them with the forthcoming report aimed at examining the cultural history and significance of Moccasin Flats. The project will include a comprehensive review of events to understand the impact this had on Indigenous families. It is

anticipated that this report will be complete by September 2018.

Rationale for Recommendation:

Once the report is complete, and an understanding of past events is reached, IRR will continue engagement to better understand next steps in moving towards a reconciled relationship, which may include a public inquiry or apology. The Indigenous community has been vocal about the events that took place at Moccasin Flats and have alluded to wanting the Municipality to provide a public apology or inquiry. A formal request for appropriate reconciliatory actions is yet to be received by the Municipality. The outcome of the comprehensive review by Fort McMurray Métis will enable a better understanding of how to best move forward.

Strategic Priorities:

Rural and Indigenous Communities and Partnerships

Attachments:

Presentation - Moccasin Flats

Moccasin Flats

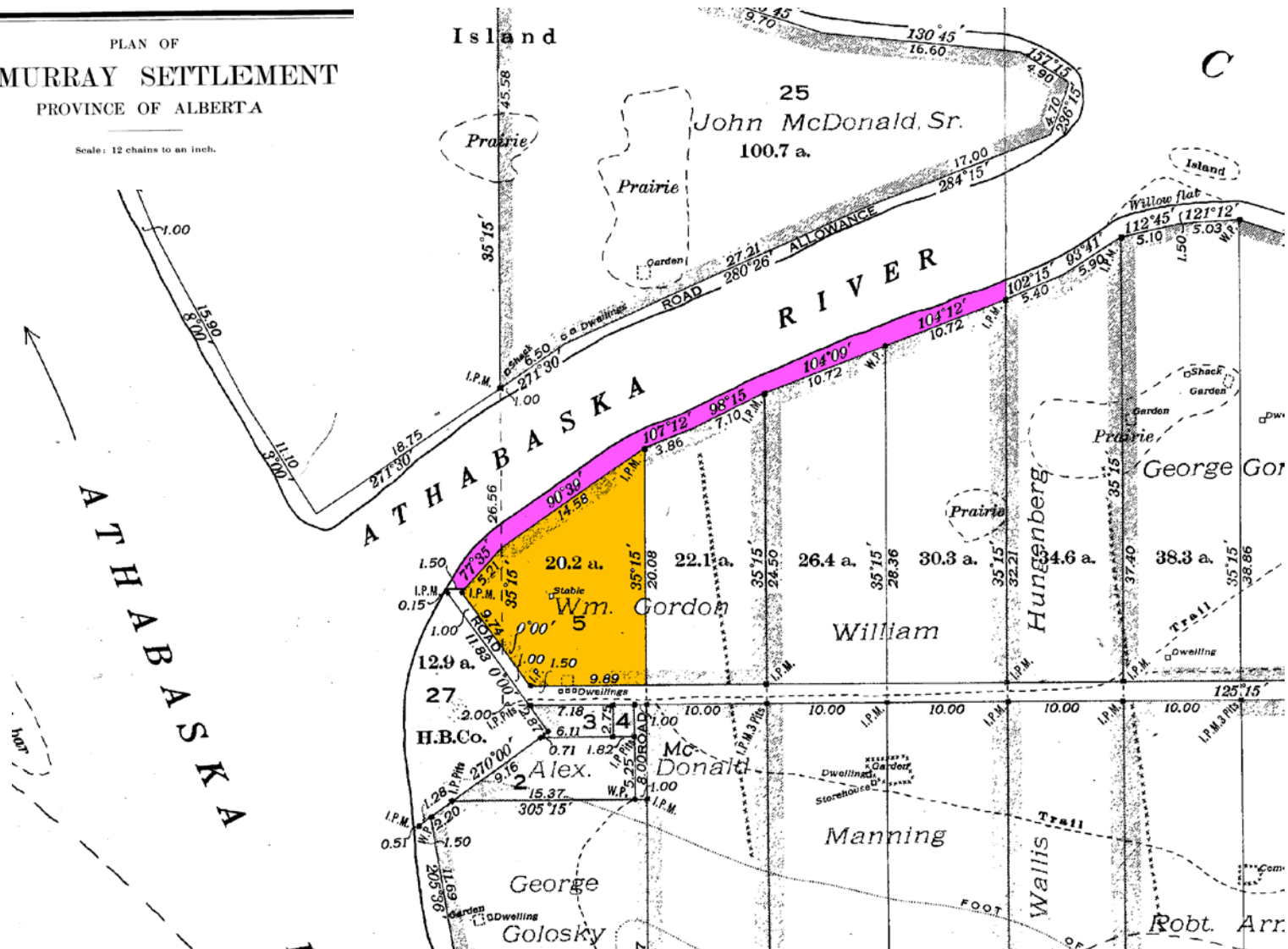
Presented by: Susan Trylinski, Municipal Legal Counsel

July 2018

Location of Moccasin Flats

PLAN OF
McMURRAY SETTLEMENT
PROVINCE OF ALBERTA

Scale: 12 chains to an inch.



What is Moccasin Flats?

- Moccasin Flats is an area of land at the confluence of the Athabasca and Clearwater Rivers in Fort McMurray.
- It was considered an important gathering place for both the Métis and the First Nations who set up seasonal accommodation.
- It has been the subject of contention in the municipality.



NWT Archives/ Rene Fumoleau fonds /N-1995-002-9385



NWT Archives / René Fumoleau fonds / N-1995-002-9384



NWT Archives/ Rene Fumoleau fonds /N-1995-002-9383

What Happened?

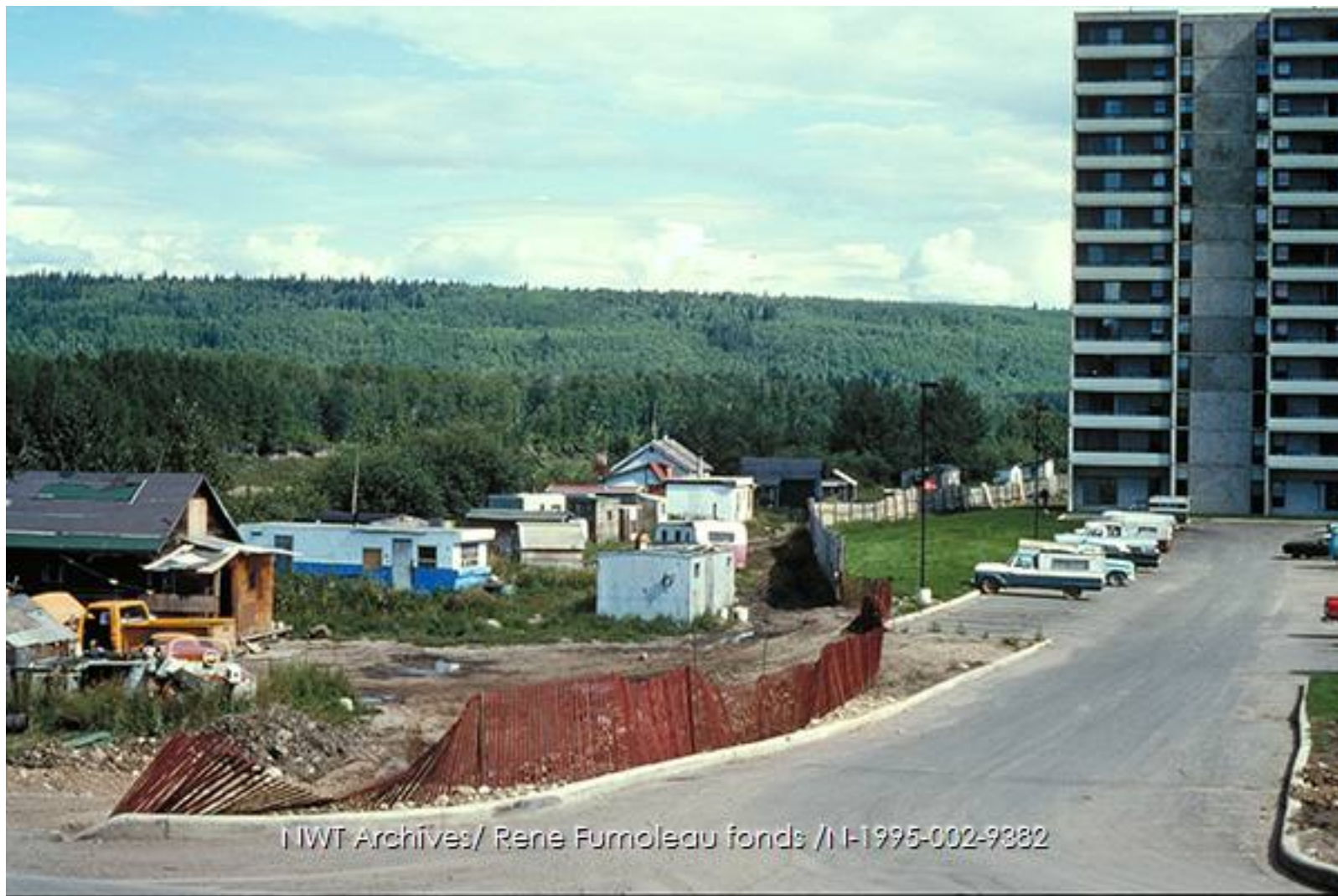
- The information presented comes from a combination of municipal records, news reports, Metis association information and photos, many of which cannot be verified at this stage.
- On about January 22, 1979 it is said that Indigenous residents of Moccasin Flats were invited to a meeting at the Town during which time their houses were bulldozed. Six residences were destroyed. There is further anecdotal information that the homes were also burned down after being doused with gasoline.



Attachment: Presentation - Moccasin Flats [Revision 1] (Moccasin Flats)

Other Facts Relating to the Bulldozing

- It is not known who ordered the bulldozing.
- There are **no** municipal documents around this event, only vague references.
- The land was owned by Northward Developments, a development arm of Syncrude. Canadian Oil Sands Partnership #1, Nexen, Imperial Oil, Mocal Energy, Sinopec and Suncor were also shareholders in Northward.



I IWT Archives/ Rene Fumoleau fonds / I I-1995-002-9382

Background: Council and the TRC Calls to Action

- On **November 8, 2016** Indigenous and Rural Relations (“IRR”) reported to Council regarding implementation of the Calls to Action which resulted from the Truth and Reconciliation Commission of Canada (“TRC”). Councillor Meagher moved that Administration review the TRC Calls to Action Report and identify where the municipality has the jurisdiction and ability to implement Calls to Action.

Background: Council and the TRC Calls to Action

- IRR reported back to Council on **February 21, 2017** and at that time Council approved an extension to continue engagement with Indigenous partners. IRR has continued to collect information through the TRC Symposium and other methods.
- At the **February 21, 2017** Council meeting, Gale Gallupe, President of the Fort McMurray Métis Local 1935, speaking as a public delegate, spoke to the TRC agenda item and raised the issue of Moccasin Flats.

Further Views of the Community

- In October of 2017, the mayoralty candidates spoke to support for a public inquiry regarding Moccasin Flats.

Report Commissioned: Fort McMurray Métis

On **April 23, 2018** the Fort McMurray Métis announced that they have commissioned a report (their second) to:

“ . . . examine the cultural history and significance of Moccasin Flats, a Métis settlement that was demolished by the Town of Fort McMurray between the late 1970's and the early 1980's. The Moccasin Flats evictions are a traumatic and painful point of Métis history in the Wood Buffalo region that continue to have effects on the present-day community. The evictions have been identified by the Elders and the leadership of the McMurray Métis community as a research priority and a central issue for Truth and Reconciliation ...”



NWT Archives/ Rene Fumoleau fonds /N-1995-002-9379

TRC

- Number 47 of the TRC Calls to Action says:

“We call upon federal, provincial, territorial and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and terra nullius, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.”

2018: RMWB Reviews Historical Documents

- In January of 2018, IRR requested assistance from Legal Services in locating documents in the possession of the RMWB which provide background to the issue under consideration: **namely, the status of, and facts surrounding, the removal of Métis and Indigenous families from property located at “Block 5” or “River Lot 5” located at the junction of the Athabasca and Clearwater Rivers, adjacent to the Snye.**

Documents Obtained and Reviewed

Legal Services obtained and reviewed the following, working closely with Corporate Records:

1. Miscellaneous documents from IRR.
2. Miscellaneous documents from Planning and Development.
3. Corporate records for 1970, 1980, 1990 and beyond.
4. Documents provided by the Métis Association.
5. Historical titles.
6. Court house searches for any litigation.

This has resulted in a compilation of 6 large binders and took several months to complete.

Sharing Information

- Last month, IRR and Legal Services met with the Métis representatives along with the PhD's who have been retained to prepare a report in order to discuss moving forward.
- An agreement was made that the RMWB will share information. These instructions were given to Legal Services by the CAO, and pave the way for production of documents without the necessity, expense and administrative difficulty of a formal request.
- Presently the information has been reviewed by the RMWB FOIP officer and has been authorized for release by the CAO.
- The documents have been released to the Métis Association.

History of Moccasin Flats

- Historically, while both the Métis and full status Indigenous people have made informal claims over this area of land, most discussions have been between the Métis Association and the municipality.
- There are documented references to the removal of Indigenous people from Waterways, the Hangingstone and in the area where Peter Pond mall is presently located.
- Events leading up to the 1979 incident at Moccasin Flats indicate that Métis had been displaced across Fort McMurray. If they were moved from Waterways, Hangingstone or Peter Pond, they moved to Moccasin Flats.



NWT Archives/ Rene Fumoleau fonds /N-1995-002-9380

Timeline: Moccasin Flats

- Around 1971, a sanitary sewer main was contemplated in the area of the Snye and at the same time, Northward Developments (the building arm of Syncrude) was getting ready to develop Moccasin Flats.
- At a municipal level, there was discussion and concern about the eviction of Métis across the region and the provision of adequate housing for this population. The Provincial Minister of Housing at that time (Bill Yurko) became involved.

Timeline: Moccasin Flats

- Starting in about 1975, eviction of the Métis from the Snye was discussed by Council and eviction notices were sent out in late 1975.
- In 1977 the Town again issued eviction notices to those residents remaining at the Snye.
- In 1978 the Town recognized only 7 families remaining at the Snye as historically entitled to removal and relocation having an appropriate “historical relationship”.
- In 1978 the Town agreed to relocate these families into mobile homes, for the duration of their lives, on land owned by the Town.

Timeline: Moccasin Flats

- In 1978 there was also open conflict between the Snye residents and the occupants of the high-rises in the form of throwing objects and name-calling. The Town brought legal action to remove any remaining Indigenous people at the Snye.
- In September of 1980 further legal proceedings were launched in the Court of Queen's Bench in Edmonton by the Town for a restraining order against a sole Métis man who was occupying the land.

Timeline: Moccasin Flats

- That order was granted by the Court. In the affidavit, the Town said *“prior to the transfer of River Lot 5 to Northward Developments Ltd., there were a number of persons maintaining residence on River Lot 5 and the Lands [defined as road allowance property adjacent to River Lot 5]. Subsequent to the transfer of River Lot 5 . . . some of those said persons maintaining residence on River Lot 5 moved such residence to the Lands [in other words to the **road allowance**]*”.
- In other words, the Town removed a Métis man from living on the road allowance adjacent to Moccasin Flats. Note that the Town had “care and control” over the road allowance, but ownership appears to have rested with the province.

Timeline: Moccasin Flats

- It is further alleged in the affidavit that “. . . *the Government of the Province of Alberta reached an agreement with the Métis Association of Alberta whereby certain of the persons resident on the Lands would be relocated on another parcel... in Fort McMurray, in a mobile home supplied by the government of the Province of Alberta*”.
- It says the decision to relocate was made jointly by the Province and the Métis Association. Unfortunately, the Métis man removed was not one of those designated to receive a mobile home.
- In 1981, seven people were evicted from the banks of the Snye and one was arrested. It is further reported that those evicted were living on the **provincial road allowance**.

Métis: Road Allowance People

- Métis who reside on road allowances have historical roots in Canada. What is termed “the road allowance people” consisted of Métis who did not have a homeland because they had no treaty rights. They built homes on the provincial road allowances that were set aside for highways. It is explained as follows on the Métis Family Services website:

“... the Métis of the West [are] a forlorn and landless people. The Métis were excluded, swindled, frightened, forced or killed off the land containing rudimentary paths that subsequent Canadians would follow to open up Canada. The Métis were left to live on unused portions of land and it is, in fact, for this reason that the Métis were called the "Road Allowance People", for they most often were obliged to make their settlements on the government land on either side of the road. The government holds this road allowance in case of road needs to be put through. This portion of land is only 30 feet wide.”

Métis: Equal Status to First Nations

- The law has recently changed. The Supreme Court of Canada has recently issued a decision granting the Métis equal status: ***Daniels v. Canada*** (INAC) 2016 1 SCR 12.

What are the options available for the RMWB to resolve the concerns with Moccasin Flats?

Broadly speaking, resolution may look like:

1. An apology from the RMWB;
2. A public inquiry.

An Apology

A formal apology from the municipality has been suggested. The limitations are as follows:

1. It does not consider to whom the apology should be made.
2. It implies that the RMWB is the sole actor. This is inaccurate.
3. It does not consider the actions or responsibilities of other parties:
 - (a) The oil companies;
 - (b) The Métis Association;
 - (c) The Province of Alberta;
 - (d) The Indigenous people; and
 - (e) The Federal Government.

A Public Inquiry

- Mayoral candidates suggested a public inquiry during the last election.
- There are 2 ways of looking at a public inquiry:
 1. A public inquiry may be obtained through the provincial ***Public Inquiries Act*** which requires the involvement of the Province, OR
 2. It may be that, because it involves Indigenous people, the **Federal Inquiries Act** will apply.

Federal or Provincial Inquiry?

Provincial Public Inquiries Act

- When the Lieutenant Governor in Council “considers it **expedient** and in the **public interest**” an inquiry may be ordered as long as it is “**within the jurisdiction** of the legislature” and connected with the “**good government** of Alberta or . . . A matter of **public concern**”

Federal Inquiries act

- The Governor in Council may order an inquiry “concerning any matter connected with the **good government** of Canada”.
- Commissioners appointed who have very broad powers similar to those of a QB justice.

Recommendation

- A public Inquiry is recommended although it is not legally clear at this time whether this is within provincial or federal jurisdiction.
- The advantages to a public inquiry are that:
 - all the facts will be in the public domain, addressing the “truth” part of the Truth and Reconciliation Commission;
 - it will be run by an independent party;
 - it will be open to the entire population;
 - the head of the inquiry has the power to order documents and compel witnesses from any party;
 - individuals affected by Moccasin Flats have an opportunity to be heard;
 - the RMWB will demonstrate that it is showing leadership in the community; and
 - It may help forge new relationships.

Recommendation

- This option also best aligns with our values as outlined in the most recent strategic plan:
 - Strategy and Initiative #1f: *Fostering equality, diversity and inclusion in the region;*
 - Strategy and Initiative #4a: *Implement the calls to action that the Municipality has the jurisdiction to influence.*

Questions?



COUNCIL REPORT

Meeting Date: July 10, 2018

Subject: Bylaw No. 18/018 - Vehicle for Hire Bylaw Amendment

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

THAT Bylaw No. 18/018, being an amendment to the Vehicle for Hire Bylaw, be read a first time.

Summary:

On January 12, 2016, Mr. Ronald MacNeill, owner of Sun Taxi, made a presentation to Council seeking an amendment to schedule "B" of the Vehicle for Hire bylaw. Mr. MacNeill proposed that the \$3.00 Airport Service Fee charged to the taxi drivers who use the Taxi Waiting Corral at the airport charged back to the person(s) requesting the taxi.

Mr. MacNeill suggested the economic down turn in the economy and the current contract for the airport taxi coral was too costly to his chauffeurs and provided insight on other airports (Calgary and Edmonton) where a fee was charged for fares picked up at these airports.

The purpose of the fee allows the airport to recover some of the cost associated in providing a heated washroom facility for taxi chauffeurs, a secured paved lot for waiting taxis, snow removal and usual maintenance.

Council provided direction to Mr. MacNeill to seek input from the Taxi Advisory Committee to review the request and to provide clarity and recommendations for council. Due to the impact of the wildfire the Taxi Advisory Committee meetings were postponed.

In February 2017, the Taxi Advisory Committee met and discussed the \$3.00 airport fee being charged to chauffeurs, the surcharge for a van request and an increase in the surcharge for cleaning due to the actions of a passenger.

Following a lengthy discussion, the Taxi Advisory Committee voted in favor of

supporting the following changes to the Vehicle for Hire Bylaw;

- \$3.00 airport fee added as a surcharge to be paid by a passenger picked up at the airport,
- a surcharge of \$5.00, for a trip beginning and ending in the Urban Service Area if the Vehicle requested was a Van,
- a surcharge of \$10.00 for a trip beginning or ending in the Rural Service Area if the Vehicle requested was a Van,
- increasing the surcharge to \$200.00 where a cleanup of the Vehicle is required due to the actions of the passenger(s).

Rationale for Recommendation:

It is recommended that Council approve the Amendments to Bylaw 13/001 Vehicle for Hire Bylaw as attached to lessen the cost associated with operating a taxi from the driver, and the cost be added as a surcharge to be paid by a passenger(s) in addition to any other fare being charged.

Strategic Priorities:

Responsible Government

Attachments:

1. Bylaw No. 18/018

BYLAW NO. 18/018**A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND
THE VEHICLE FOR HIRE BYLAW NO. 13/001**

The Regional Municipality of Wood Buffalo, in Council duly assembled, enacts as follows:

1. Section 7 of Schedule 'B' to Bylaw 13/001 is deleted and replaced with the following:
 7. The Driver of a Vehicle for Hire may add the following surcharges to be paid by a passenger in addition to any other fare, rate or charge:
 - (a) a surcharge of \$5.00, including GST, for a trip beginning and ending in the Urban Service Area or \$10.00, including GST, for a trip beginning or ending in the Rural Service Area, if the Vehicle for Hire is a Van and:
 - (i) the passenger requested a Van in advance from a dispatcher; or
 - (ii) the passenger bypassed available Taxis in a Taxi stand queue in order to secure a Van;
 - (b) a surcharge of \$200.00, including GST, where, due to the action of the passenger, a cleanup of the Vehicle for Hire is required; and
 - (c) a surcharge of \$3.00, including GST, for a trip beginning at the Fort McMurray Airport where the Vehicle for Hire has a valid Airport Endorsement.
2. This bylaw comes into effect when it is passed.

READ A FIRST TIME the ____ day of _____, 2018.

READ A SECOND TIME the ____ day of _____, 2018.

READ A THIRD TIME the ____ day of _____, 2018.

SIGNED and PASSED this ____ day of _____, 2018.

Mayor

Chief Legislative Officer



COUNCIL REPORT

Meeting Date: July 10, 2018

Subject: 2018 Capital Budget Amendments – New and Amended Projects

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

THAT the 2018 Capital Budget Amendments as summarized on Attachment 1 (2018 Capital Budget Amendments – New and Amended Projects, dated July 10, 2018) be approved; and

THAT the revised Cash Flow of Capital Projects as summarized on Attachment 2 (2018 Capital Budget Amendments – New and Amended Projects - Cash Flow Summary, dated July 10, 2018) be approved.

Summary:

Administration has identified two (2) capital projects to be submitted for Capital Budget amendment consideration. Council is the approving authority for the Capital Budget, subject to the provisions of the Fiscal Responsibility Policy (FIN-160).

The Capital Budget amendments will result in a net increase in funding of \$301,500 to the 2018 & thereafter Capital Budget, as outlined in the Budget Net Change Summary.

Background:

Capital Budget amendments are an ongoing process. The amendments in this report include one new project and one amended project.

Landfill Temporary Road Change is a new project requested for funding to keep a widened section of roadway that was funded by the Provincial Disaster Recovery Program (DRP) to accommodate extra traffic during recovery. Since it is beneficial for the Municipality to keep this section of road permanently, it is no longer eligible for DRP funds.

Doug Barnes Cabin Expansion - Construction project is being amended to include furniture, fixtures and equipment. A grant has been received to offset 50% of the costs on the condition that the Municipality covers the remaining 50%.

Budget/Financial Implications:

The net increase in capital funding is \$301,500 and is from the 2018 & thereafter Capital Budget.

The full budget impact of this amendment will be incorporated in the 2018 Budget upon Council approval; Attachments 1 - 3 illustrate this impact.

Attachment 1 shows the net budget impact of these amendments. The original approved budgets and the revised budgets are presented with the net budget impact by project and funding source.

Attachment 2 shows the cash flow changes by funding sources. Since multi-year projects are pre-approved over the life of project development, amendments in cash flows of these projects also require pre-budget approval.

Attachment 3 summarizes the impact of cash flows and the source of funding from these proposed amendments by year 2017 and prior, and 2018 and thereafter. This is reflected below in the Budget Net Change Summary.

Budget Net Change Summary

	Total Project Cost (Accumulative)	Federal Grants	Provincial Grants	Reserves	Other Sources	Debenture
2017 & Prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2018 & Thereafter	\$ 301,500	\$ -	\$ -	\$ 178,000	\$ 123,500	\$ -
Reconciled net change	\$ 301,500	\$ -	\$ -	\$ 178,000	\$ 123,500	\$ -

Rationale for Recommendation:

The rationale for these amended and new projects is included in the attached individual Capital Budget Amendment Forms (Attachments 4 - 5).

Strategic Priorities:

Responsible Government

Attachments:

1 - 3. Worksheets July 10, 2018

4 - 5. Amendment forms July 10, 2018

Regional Municipality of Wood Buffalo
 2018 Capital Budget Amendment - New, and Amended Projects
 July 10, 2018

Attachment 1

Legend:

First year of a multi year project

Other than first year of a multi year project

Single year project

S/N	Project Description	Type	Sponsor Department	Year of original approval	Total Project Cost	Federal Grants	Provincial Grants	Reserves	Other Sources*	Debenture	Att.
ORIGINAL PROJECT BUDGET											
1	Landfill Temporary Road Change	New Project	ENV		-	-	-	-	-	-	4
2	Doug Barnes Cabin Expansion - Construction	Project Amendment	PW	2016	3,770,633	-	-	3,770,633		-	5
Total Original Capital Project Budget					\$ 3,770,633	\$ -	\$ -	\$ 3,770,633	\$ -	\$ -	
REVISED PROJECT BUDGET											
1	Landfill Temporary Road Change	New Project	ENV	2018	178,000	-	-	178,000	-	-	4
2	Doug Barnes Cabin Expansion - Construction	Project Amendment	PW	2016	3,894,133	-	-	3,770,633	123,500	-	5
Total Revised Capital Project Budget					\$ 4,072,133	\$ -	\$ -	\$ 3,948,633	\$ 123,500	\$ -	
NET BUDGET IMPACT											
1	Landfill Temporary Road Change	New Project	ENV	2018	178,000	-	-	178,000	-	-	4
2	Doug Barnes Cabin Expansion - Construction	Project Amendment	PW	2016	123,500	-	-	-	123,500	-	5
Net Increase/(Decrease) Required on Existing Projects					\$ 301,500	\$ -	\$ -	\$ 178,000	\$ 123,500	\$ -	

Attachment: 1 - 3. Worksheets July 10, 2018 (2018 Capital Amendment - New and Amended Projects)

Regional Municipality of Wood Buffalo
 2018 Capital Budget Amendment - New, and Amended Projects - Project Cash Flow Summary
 July 10, 2018

Attachment 2

Legend:

First year of a multi year project
Other than first year of a multi year project
Single year project

S/N	Project Description	Original Approval Year	Funding Source	Total Budget (Accumulative)	Cash flow				Att
					2017 & Prior	2018	2019	Thereafter	
ORIGINAL PROJECT BUDGET									
1	Landfill Temporary Road Change	-	-	-	-	-	-	-	4
2	Doug Barnes Cabin Expansion - Construction	2016	Reserves	3,770,633	3,270,633	500,000		-	5
Total Original Capital Project Budget (a)				\$ 3,770,633	\$ 3,270,633	\$ 500,000	\$ -	\$ -	
REVISED PROJECT BUDGET									
1	Landfill Temporary Road Change	2018	Reserves	178,000		178,000	-	-	4
2	Doug Barnes Cabin Expansion - Construction	2016	Reserves/Other Sources	3,894,133	3,270,633	623,500	-	-	5
Total Revised Project Budget (b)				\$ 4,072,133	\$ 3,270,633	\$ 801,500	\$ -	\$ -	
NET BUDGET IMPACT									
1	Landfill Temporary Road Change	2018	Reserves	178,000	-	178,000	-	-	4
2	Doug Barnes Cabin Expansion - Construction	2016	Reserves/Other Sources	123,500	-	123,500	-	-	5
Net Increase/(Decrease) Required on Existing Projects				\$ 301,500	\$ -	\$ 301,500	\$ -	\$ -	

Regional Municipality of Wood Buffalo
Cash Flow by Funding Sources, by Year
July 10, 2018

Attachment 3

	Funding Sources					
	Total Project Cost (Accumulative)	Federal Grants	Provincial Grants	Reserves (CIR)	Other Sources*	Debentures
Original Funding Sources						
2017 and prior	3,270,633	-	-	3,270,633	-	-
2018	500,000	-	-	500,000	-	-
2019	-	-	-	-	-	-
Thereafter	-	-	-	-	-	-
Original Funding Sources Total (a)	\$ 3,770,633	\$ -	\$ -	\$ 3,770,633	\$ -	\$ -
Revised Funding Sources						
2017 and prior	3,270,633	-	-	3,270,633	-	-
2018	801,500	-	-	678,000	123,500	-
2019	-	-	-	-	-	-
Thereafter	-	-	-	-	-	-
Revised Funding Sources Total (b)	\$ 4,072,133	\$ -	\$ -	\$ 3,948,633	\$ 123,500	\$ -
Revision / Difference (b) - (a)	\$ 301,500	\$ -	\$ -	\$ 178,000	\$ 123,500	\$ -
Net Change by year						
2017 and prior	-	-	-	-	-	-
2018	301,500	-	-	178,000	123,500	-
2019	-	-	-	-	-	-
Thereafter	-	-	-	-	-	-
Reconciled net change	\$ 301,500	\$ -	\$ -	\$ 178,000	\$ 123,500	\$ -



REGIONAL MUNICIPALITY
OF WOOD BUFFALO

CAPITAL BUDGET AMENDMENT

Council

CURRENT PROJECT NAME: Landfill Temporary Road Change

AMENDED PROJECT NAME:

Group I/O

Revenue I/O

Expense I/O

New Project

ORDER CODES (if assigned):

CURRENT PROJECT BUDGET

Year	Annual Cost	Fed Grants	Prov Grants	Reserves	Other Sources	Debtenture Financed
2017 & Prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2018	-	-	-	-	-	-
2019	-	-	-	-	-	-
2020	-	-	-	-	-	-
Thereafter	-	-	-	-	-	-
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CURRENT COST AND COMMITMENT

As at	Current Budget	Actual to Date	Commitments	Available
	\$ -	\$ -	\$ -	\$ -

DESCRIPTION/RATIONALE FOR BUDGET AMENDMENT

Subsequent to the 2016 Wildfire as a part of the recovery efforts an egress road was constructed at the Regional Landfill. This road connected directly to Highway 63 to expedite the clean up and rebuild efforts by having the construction trucks bypass the scalehouse upon exit. In addition to the egress road construction, a change request was executed to widen the road at the Regional Landfill south of the scalehouse by approximately 2.5 metres wide x 400 metres long to accommodate an extra lane for traffic control. The contract was funded by the Provincial Disaster Recovery Program (DRP) to help deal with the amount of waste/debris that was anticipated to arrive at the landfill after the 2016 Wildfire. This was to provide relief for the scalehouse queue times due to increased traffic volume. The Public Drop-off (PDO) residential scale(s) utilizes this widened road as well, to provide another outbound lane for residential traffic to bypass the main commercial scale after completing their transactions in the PDO area.

This is a request for funding for the cost of construction to keep only the section of the roadway at the Regional Landfill that was widened as it will no longer be eligible for DRP funds. The egress road will still qualify for DRP funds as it is no longer required and is scheduled to be removed.

AMENDED PROJECT BUDGET

Year	Annual Cost	Fed Grants	Prov Grants	Reserves	Other Sources	Debtenture Financed
2017 & prior	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2018	178,000	-	-	178,000	-	-
2019	-	-	-	-	-	-
2020	-	-	-	-	-	-
Thereafter	-	-	-	-	-	-
TOTAL	\$ 178,000	\$ -	\$ -	\$ 178,000	\$ -	\$ -

Budget Change

TOTAL	\$ 178,000	\$ -	\$ -	\$ 178,000	\$ -	\$ -
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FISCAL RESPONSIBILITY POLICY CRITERIA:

Will the change result in an efficient administrative and project delivery process?

Yes

Will the change result in an addition or cancellation of a capital project?

Yes

Will the underlying scope change alter the nature and type of capital project?

n/a

Where additional funding is required, are the funds from a combination of savings from fully tendered projects, other uncommitted sources such as grants and offsite levies, and cash flow management with other capital projects?

n/a

Will the change result in Council set debt and debt service limits being exceeded?

No

In order for this to be a Fiscal Management Policy Amendment the questions above must answer, Yes, No, No, Yes, No, respectively.



REGIONAL MUNICIPALITY
OF WOOD BUFFALO

CAPITAL BUDGET AMENDMENT

Council

CURRENT PROJECT NAME: Doug Barnes Cabin Expansion - Construction

AMENDED PROJECT NAME:

ORDER CODES (if assigned): **Group I/O** **Revenue I/O** **Expense I/O** **Project Amendment**

0032016 700626 601159

CURRENT PROJECT BUDGET

Year	Annual Cost	Fed Grants	Prov Grants	Reserves	Other Sources	Debtenture Financed
2017 & Prior	\$ 3,270,633	\$ -	\$ -	\$ 3,270,633	\$ -	\$ -
2018	500,000	-	-	500,000	-	-
2019	-	-	-	-	-	-
2020	-	-	-	-	-	-
Thereafter	-	-	-	-	-	-
TOTAL	\$ 3,770,633	\$ -	\$ -	\$ 3,770,633	\$ -	\$ -

CURRENT COST AND COMMITMENT

As at	Current Budget	Actual to Date	Commitments	Available
5/14/2018	\$ 3,770,633	\$ 105,533	\$ 3,482,729	\$ 182,371

DESCRIPTION/RATIONALE FOR BUDGET AMENDMENT

This amendment is to include Furniture, Fixtures and Equipment (FFE) in the scope of the facility construction. The Ptarmigan Nordic Ski Club, with the support of the Regional Municipality of Wood Buffalo, has secured a Community Facility Enhancement Program (CFEP) grant of \$123,500 from the Government of Alberta to offset 50% of the estimated FFE cost of \$247,000. As per the grant guidelines, RMWB will match 50% of the cost. As the grant is remitted to RMWB, this amendment is to add this funding to the previously approved funding.

AMENDED PROJECT BUDGET

Year	Annual Cost	Fed Grants	Prov Grants	Reserves	Other Sources	Debtenture Financed
2017 & prior	\$ 3,270,633	\$ -	\$ -	\$ 3,270,633	\$ -	\$ -
2018	623,500	-	-	500,000	123,500	-
2019	-	-	-	-	-	-
2020	-	-	-	-	-	-
Thereafter	-	-	-	-	-	-
TOTAL	\$ 3,894,133	\$ -	\$ -	\$ 3,770,633	\$ 123,500	\$ -

Budget Change

TOTAL	\$ 123,500	\$ -	\$ -	\$ -	\$ 123,500	\$ -
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FISCAL RESPONSIBILITY POLICY CRITERIA:

Will the change result in an efficient administrative and project delivery process?	Yes
Will the change result in an addition or cancellation of a capital project?	No
Will the underlying scope change alter the nature and type of capital project?	Yes
Where additional funding is required, are the funds from a combination of savings from fully tendered projects, other uncommitted sources such as grants and offsite levies, and cash flow management with other capital projects?	No
Will the change result in Council set debt and debt service limits being exceeded?	No

In order for this to be a Fiscal Management Policy Amendment the questions above must answer, Yes, No, No, Yes, No, respectively.

Attachment: 4 - 5. Amendment forms July 10, 2018 (2018 Capital Amendment - New and Amended Projects)



COUNCIL REPORT

Meeting Date: July 10, 2018

Subject: Municipal Representation at Wood Buffalo Housing and Development Corporation Annual General Meetings

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

THAT the Chief Administrative Officer be authorized to act on behalf of the Municipality for the purposes of attending and voting during Annual General Meetings of the Wood Buffalo Housing and Development Corporation.

Summary and Background:

The Wood Buffalo Housing & Development Corporation (WBHDC) is comprised of two Members - the Municipality and the Chief Administrative Officer, and is required to hold an annual general meeting (AGM) in accordance with its Articles of Association. Unless otherwise delegated, the Municipality is represented by Council at such meetings, which necessitates that a quorum of Council be in attendance.

The 2018 WBHDC annual general meeting which was scheduled to occur on June 20th was cancelled as no quorum of Council was available to attend, and will be re-scheduled at a later date. To ensure that the AGM is able to proceed without further delay, it is proposed that Council exercise its authority under the recently approved CAO Bylaw to authorize the Chief Administrative Officer to act on behalf of the Municipality for the purpose of attending and voting during a WBHDC AGM.

Rationale for Recommendation:

Authorizing the Chief Administrative Officer to act on behalf of the Municipality at the WBHDC AGM will ensure that the meeting occurs regardless of whether or not a quorum of Council is in attendance and will eliminate unnecessary delays in advancing the business of WBHDC.

Strategic Priorities:

COUNCIL REPORT – Municipal Representation at Wood Buffalo Housing and Development Corporation
Annual General Meetings

Responsible Government

Attachments:

1. Bylaw No. 17/021 - Chief Administrative Officer Bylaw

BYLAW NO. 17/021

A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER

WHEREAS the *Municipal Government Act* provides that a council must, by bylaw, establish the position of chief administrative officer;

AND WHEREAS the *Municipal Government Act* and other provincial statutes provide for certain duties, functions and powers of a chief administrative officer that are independent of the council;

AND WHEREAS the *Municipal Government Act* further provides that a council may assign additional duties, functions and powers, within municipal jurisdiction, to a chief administrative officer;

AND WHEREAS the *Municipal Government Act* further provides that where an enactment or bylaw requires or authorizes a municipality to do something but does not specify who in the municipality may do it, or when a municipality wishes to exercise its natural person powers, then the thing may be done or the natural person powers may be exercised by the chief administrative officer unless the council specifies otherwise;

NOW THEREFORE the Regional Municipality of Wood Buffalo in Council duly assembled enacts as follows:

1. This Bylaw may be cited as the “Chief Administrative Officer Bylaw” or the “CAO Bylaw”.
2. In this Bylaw:
 - (1) “Act” means the *Municipal Government Act* of the Province of Alberta;
 - (2) “Chief Administrative Officer” or “CAO” means the person appointed by the Council under section 4 and under section 205 of the Act to be chief administrative officer for the Municipality;
 - (3) “Contract” means any agreement establishing legal rights and obligations between the Municipality and one or more other parties, whether or not involving receipt or payment of money, and includes an amendment to an agreement;
 - (4) “Contract Document” means a record, in either paper or electronic format, that sets out the terms of a Contract, and includes without limitation a purchase order, credit card or procurement card transaction, agreement for acquisition or disposition of an interest in land, lease, agreement for procurement or disposal of a good or service, employment agreement, collective agreement, development or subdivision agreement, tax agreement, or change order, and includes a record of an amendment to an agreement;
 - (5) “Council” means the council of the Municipality;

- (6) “Council Policy” means a policy applicable to the affairs, operations, or administration of the Municipality that has been adopted by bylaw or resolution of the Council;
 - (7) “Municipality” means the municipal corporation of the Regional Municipality of Wood Buffalo;
 - (8) “Municipal Powers and Duties” means a thing the Municipality is required or authorized to do under a statute or regulation of the Province of Alberta or under a bylaw of the Municipality, where the statute, regulation or bylaw does not specify who in the Municipality may do the thing;
 - (9) “Natural Person Powers” means the capacity, rights, powers and privileges of a natural person, and includes without limitation:
 - (a) the capacity to enter into Contracts, including without limitation signing or authorizing an agreement referenced in subsection 213(4) of the Act, and to perform and enforce obligations under a Contract to which the Municipality is a party;
 - (b) the capacity to initiate or defend legal proceedings;
 - (c) the power to spend money;
 - (d) the power to incorporate or control a corporation;
 - (e) the capacity to be an employer, and to exercise an employer’s rights including the right to establish terms and conditions of employment of all employees who are not covered by a collective agreement to the extent allowed by law;
 - (10) “Statutory Function” means a duty, function or power assigned to the chief administrative officer of a municipality under the Act or under any other statute or regulation of the Province, excepting Natural Person Powers, and also includes:
 - (a) the duties, functions and powers of the Council under sections 214, 333.1, 360, 419, 436.1, 553, 559, and 657(6) of the Act, and
 - (b) the powers of the Council under section 481 of the Act only with respect to fees for copies of decisions and other documents.
3. The position of Chief Administrative Officer for the Municipality is established.
 4. Council shall by resolution appoint a person to the position of Chief Administrative Officer. If a vacancy occurs in the position Council may by resolution appoint a person to be an interim Chief Administrative Officer and in such case all the provisions of this bylaw that apply to the CAO apply equally to the interim CAO.
 5. The remuneration and other terms of engagement of the Chief Administrative Officer shall be set out in an agreement between the CAO and the Municipality that is satisfactory to the Council and not inconsistent with any provision of the Act or this Bylaw, which the Mayor shall execute on behalf of the Municipality.

6. In addition to Municipal Powers and Duties, Natural Person Powers and Statutory Functions the Chief Administrative Officer has such additional duties, functions or powers as may from time to time be assigned to the position by the Council.
7.
 - (1) For each of sections 69, 199, 213, 270, 429, 336, 343, 436.11, 436.21, 436.24, 439, 455, 542, 545, 546, 606 and 634 of the Act a designated officer position is established, to exercise the powers, duties and functions set out in that section of the Act in addition to any additional powers, duties or functions the Council may from time to time assign to the position.
 - (2) The authority to appoint persons to the designated officer positions established under subsection 7(1) is delegated to the Chief Administrative Officer.
8.
 - (1) The Council's duty to appoint a person to the designated officer position of clerk of the Municipality's assessment review boards is delegated to the CAO.
 - (2) The CAO must not personally hold the position of clerk of the Municipality's assessment review boards and must take reasonable steps to ensure that the powers, duties and functions of clerk of the assessment review boards are kept strictly at arms-length from all other aspects of the Municipality's operations, affairs and administration.
9.
 - (1) The position of clerk of the Municipality's subdivision and development appeal board is established, and the Council's duty under the Act to appoint a person to that designated officer position is delegated to the CAO.
 - (2) The CAO must not personally hold the position of clerk of the Municipality's subdivision and development appeal board and must take reasonable steps to ensure that the powers, duties and functions of clerk of the subdivision and development appeal board are kept strictly at arms-length from all other aspects of the Municipality's operations, affairs and administration.
10. If the Act refers to powers, duties or functions of a designated officer that can only be carried out if authorized by the Municipality or by bylaw of the Municipality, the CAO or any designated officer appointed by the CAO under section 7 is authorized to carry out those powers, duties or functions to the extent that the CAO deems to be in the best interests of the Municipality.
11. Where Council has established a Council Policy the Chief Administrative Officer may issue directions not inconsistent with either the Council Policy or any collective agreement in force, to the Municipality's officers and employees, as the CAO deems advisable to implement or support the intent of the Council Policy.
12.
 - (1) The Statutory Functions referenced in subsection 2(10), clauses (a) and (b) are delegated to the Chief Administrative Officer.
 - (2) In exercising the Statutory Function of establishing a system for destruction of records of the Municipality the CAO shall implement measures to ensure that if a record contains an individual's personal information and if that information will

be used by the Municipality to make a decision that directly affects the individual, the Municipality must retain the information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it.

- (3) In exercising the Statutory Function of administrative head of the Municipality the CAO may implement such organizational structures and reporting relationships and give such directions to or in respect of officers, employees, contractors or agents of the Municipality, not inconsistent with any collective agreement in force, as the CAO deems appropriate to serve the needs of the Municipality.
13. The Chief Administrative Officer may exercise Natural Person Powers and Municipal Powers and Duties, for and on behalf of the Municipality, subject to the limitations set out in this Bylaw.
14. The Chief Administrative Officer must not approve or execute a collective agreement with a bargaining agent, on behalf of the Municipality, until the collective agreement has been approved or ratified by the Council.
15. The Chief Administrative Officer must not
 - (1) cause the Municipality to incorporate or become a shareholder of a for-profit corporation, or to incorporate or become a shareholder or member of a not-for-profit corporation; or
 - (2) exercise on behalf of the Municipality any power, duty or function of a shareholder or member of a corporation
 until the action is approved by the Council.
16. The CAO must not settle or compromise a claim brought against the Municipality whether by way of formal legal proceeding or otherwise, for an amount exceeding \$1 million, until the Council has been informed of the amount and the rationale for the intended settlement or compromise.
17. The CAO must not cause the Municipality to initiate a legal proceeding seeking an award of money whether as damages or otherwise in an amount exceeding \$1 million until the Council has been informed of the rationale for the intended legal proceeding and the amount claimed, unless the CAO considers it necessary to take that step prior to informing the Council in order to avoid the risk of missing a limitation period.
18. The CAO must not approve the terms of a Contract or execute on behalf of the Municipality a Contract Document that commits the Municipality to spend money unless the amount of the expenditure is included in a budget approved by the Council or has otherwise been authorized by the Council.
19. The CAO must not dispose of, or by execution of a Contract Document commit the Municipality to dispose of, an asset of the Municipality of a value greater than \$1 million until the Council has been informed of the rationale for the intended asset disposal.

20. The CAO must not approve the terms of a Contract or execute a Contract Document that commits the Municipality to acquire or dispose of a fee simple interest in land or to grant a leasehold interest for a term longer than 20 years until the Council has been informed of the essential terms of the intended transaction and the rationale for it, excepting:
- (1) an acquisition of land for the purpose of establishing a public utility lot on which utility infrastructure of the Municipality will be located;
 - (2) a disposition of a lot or parcel that the CAO considers too small or irregularly shaped to be useful for a municipal purpose, in order to assist with a third party land assembly in support of economic development.
21. If by bylaw or resolution the Council does or authorizes or directs to be done any act or thing that would otherwise be within the authority of the CAO under section 13, whether on the Council's own initiative or at the request of the CAO, then the CAO's authority in respect of that act or thing is limited in accordance with the language of the bylaw or resolution, regardless of whether it contains a specific reference to section 13.
22. Every act or thing done by the Chief Administrative Officer or by any person exercising any CAO power, duty or function under delegation from the CAO, must be done in compliance with the requirements of all applicable statutory and regulatory provisions, the common law and equity, and Council Policies, and in accordance with the provisions of any interprovincial or international trade agreement that is binding on the Municipality.
23. Nothing in this bylaw, including a reference to a duty, creates a private law duty of care.
24. Bylaw No. 01/090 is repealed.
25. This bylaw comes into effect when it is passed, with the exception of section 9 which comes into effect when section 627.1 of the Act is proclaimed in force.

READ a first time this 26th day of July, 2017

READ a second time this 22nd day of August, 2017

READ a third and final time this 22nd day of August, 2017

SIGNED and PASSED this 22nd day of August, 2017

Mayor

Chief Legislative Officer