

BYLAW 1614/22
ST. ALBERT/STURGEON COUNTY INTERMUNICIPAL AFFAIRS COMMITTEE BYLAW
STURGEON COUNTY, ALBERTA

A BYLAW OF STURGEON COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING AND DEFINING THE FUNCTIONS OF THE ST. ALBERT/STURGEON COUNTY INTERMUNICIPAL AFFAIRS COMMITTEE.

WHEREAS, section 145 of the *Municipal Government Act*, RSA 2000, c. M-26, provides that Council may pass bylaws to establish council committees and define their functions;

AND WHEREAS, the municipal councils of the City of St. Albert and Sturgeon County recognize the value of ongoing communication between the two municipalities and the importance of having a mechanism to discuss matters of mutual interest;

AND WHEREAS, the municipal councils of the City of St. Albert and Sturgeon County want to establish a joint council committee to facilitate this Intermunicipal communication and information sharing;

AND WHEREAS, the municipal councils have agreed on the form of and functions for this committee;

AND WHEREAS, to bring the joint council committee into existence as a joint committee of the two municipalities both municipal councils must pass a bylaw to establish the joint committee;

NOW THEREFORE, the Council of Sturgeon County, in the Province of Alberta, duly assembled, enacts as follows:

1. Title

- 1.1. This Bylaw may be referred to as the “St. Albert/Sturgeon County Intermunicipal Affairs Committee Bylaw”.

2. Purpose

- 2.1. The purpose of this Bylaw is to establish and define the functions of the St. Albert/Sturgeon County Intermunicipal Affairs Committee.

3. Definitions

In this Bylaw:

- 3.1. “Act” means the *Municipal Government Act*, RSA 2000, c. M-26 as amended;
- 3.2. “Business Case” means a proposed capital or operating initiative, requiring financial or other resources, intended to support the mutual objectives of the City and County;

- 3.3. "City" means the municipal corporation of the City of St. Albert or, where the context so requires, the area contained within the boundaries of the City;
- 3.4. "City Council" means the municipal council of the City of St. Albert;
- 3.5. "Committee" means the St. Albert/Sturgeon County Intermunicipal Affairs Committee established by this bylaw;
- 3.6. "County" means the municipal corporation of Sturgeon County or, where the context so requires, the area contained within the boundaries of the County;
- 3.7. "County Council" means the municipal council of Sturgeon County;
- 3.8. "Intermunicipal Notice" means a written notice of a municipality's intermunicipal concern, which shall be provided by the Mayor of the municipality that has expressed concern;
- 3.9. "Mayor" means the chief elected official of the City or County Council, as applicable;
- 3.10. "*Robert's Rules*" means *Robert's Rules of Order*; and
- 3.11. "section" means a section of this bylaw.

4. Establishment

- 4.1. A joint council committee is hereby established by the City and the County. The name of the joint council committee shall be the St. Albert/Sturgeon County Intermunicipal Affairs Committee.

5. Membership

- 5.1. The Committee shall consist of all the members of the City Council and County Council.

6. Committee Roles and Responsibilities

- 6.1. The role of the Committee is advisory only.
- 6.2. The Committee shall observe the principles of, and proceed in accordance with, the mutually approved Memorandum of Understanding attached as Schedule A to this bylaw, and in the course of its activities shall:
 - 6.2.1. create an effective communication link between the City and the County;
 - 6.2.2. provide a forum for the exchange of information of mutual interest;
 - 6.2.3. explore opportunities for intermunicipal cooperation in the provision of services to residents;
 - 6.2.4. develop the framework for Intermunicipal initiatives;
 - 6.2.5. direct the chief administrative officers of the City and/or the County to

conduct research or prepare reports or business cases pertaining to matters of intermunicipal importance;

6.2.6. form administrative sub-committees, with terms of reference, as approved by the Committee, to consider matters related to the development or implementation/resourcing of proposed projects between the City and County. Administrative sub-committees shall contain administrative officials from the City and the County, and shall function in an advisory capacity to the Committee;

6.2.7. form intermunicipal task forces, with terms of reference as approved by the Committee, to consider matters related to long-term strategic opportunities between the City and County. Intermunicipal task forces shall function in an advisory capacity to the Committee and contain an equal number of elected officials from the City and the County. Recommendations on the human and/or financial resources required to support the work of the task forces shall be provided by the chief administrative officers of the City and County;

6.2.8. develop and approve work plans pertaining to Committee or sub-committee reviews, when deemed appropriate;

6.2.9. make presentations to the respective municipal councils on intermunicipal service opportunities and programs;

6.2.10. deliberate land use planning matters; and

6.2.11. deliberate matters pertaining to joint boundary matters.

7. Non-Voting Participants

7.1. The chief administrative officers, or designates, of the City and the County shall attend the meetings of the Committee but may not make motions or vote on matters before the Committee.

8. Meetings and Rules of Procedure

8.1. A quorum of the Committee will be eight (8) members and must include a minimum of four (4) representatives from each municipality.

8.2. The Committee shall meet a minimum of two times per year.

8.3. Special meetings of the Committee may occur at any time upon the call of either the Mayor of the City or the Mayor of the County.

8.4. Should an additional meeting be requested, the party who has received the meeting request will respond within 48 hours to acknowledge receipt of the meeting request and/or advise how the additional meeting request will be addressed.

8.5. The Mayor of the City, or designate, and the Mayor of the County, or designate, shall chair the meetings on an alternating basis.

- 8.6. Meetings shall be held in the municipality of the Mayor scheduled to chair the meeting.
- 8.7. The agenda for each Committee meeting shall be established by the Mayors, or designates, in advance of the meeting dates.
- 8.8. With the exception of special meetings of the Committee, agenda packages for each Committee meeting must be distributed to all Committee members at least one week in advance of the upcoming meeting.
- 8.9. Once agenda packages have been distributed to all Committee members, no changes may be made to the agenda, except by unanimous resolution at the Committee meeting.
- 8.10. The municipality whose Mayor is scheduled to chair the meeting shall provide administrative support for the Committee including the provision of staff to prepare the agenda, provide public notices as required and record the minutes of the Committee meeting.
- 8.11. If a meeting requires cancellation for any reason, either municipality must advise of that reason and provide two alternative dates for rescheduling upon cancellation.
- 8.12. The Committee shall conduct its meetings in public unless otherwise authorized by the Act.
- 8.13. The Committee may invite, or accept requests from, interested parties to attend Committee meetings to make verbal presentations or to make written submissions to the Committee on a specific item on the Committee's agenda.
- 8.14. The meetings of the Committees shall be conducted in accordance with the Act and Robert's Rules.

9. Minutes

- 9.1. The minutes shall be adopted by the Committee at its next meeting.
- 9.2. The Mayor chairing the meeting at which the minutes are adopted shall sign the minutes.
- 9.3. Signed copies of the minutes of all Committee meetings shall be provided to both the City and the County.
- 9.4. Draft, unadopted meeting minutes will be made available no later than two (2) weeks after each Committee meeting.

10. Dispute Resolution

10.1. If either the City or the County identifies a matter of intermunicipal concern between the municipalities, the following process shall be followed:

10.1.1. Any matter of intermunicipal concern between the municipalities shall first be informally discussed by relevant administrative officials employed by the City and County, culminating with discussions between the chief administrative officers, with the goal of resolving the concern in a timely manner.

10.1.2. If the matter of intermunicipal concern is not resolved pursuant to Section 10.1.1, the initiating municipality may request that a confidential review by the Committee be scheduled. All requests to the Committee shall include a copy of a Council resolution authorizing the request and a copy of an Intermunicipal Notice, which shall be circulated to Committee members within fourteen (14) calendar days of a scheduled or special meeting date.

10.1.3. When providing Intermunicipal Notice, the notice shall include a clear description of the issue and background, proposed actions or resolutions, implications of the proposed actions or resolutions, and additional documentation as required or requested by the other municipality.

10.1.4. If authorized pursuant to the *Act*, the Committee shall review an Intermunicipal Notice in closed session and may provide direction to resolve the matter or add the matter to the work plan of an administrative sub-committee following the review. Work plan additions shall require a majority of each municipality's representatives to vote in the affirmative.

10.1.5. If the matter of intermunicipal concern is not resolved pursuant to section 10.1.4, the Committee may recommend to the Councils of the City and the County that a third-party mediation, focused on interest-based negotiation and mutual success, be commenced within sixty (60) calendar days. The decision to act upon such a recommendation from the Committee is subject to approval by the Council of each municipality.

10.1.6. If the matter of intermunicipal concern is not resolved pursuant to section 10.1.5, the Committee may recommend to the Councils of the City and the County that an alternative dispute resolution process, including but not limited to binding arbitration or legal proceeding, be commenced. The decision to act upon such a recommendation from the Committee is subject to approval by the Council of each municipality.

10.2. Direct costs incurred by both municipalities pertaining to the above dispute resolution process shall be borne by the municipality initiating the Intermunicipal Notice, unless the matter is ultimately resolved in favour of the initiating municipality following a third-party mediation, arbitration, legal process or other alternative dispute resolution process, in which case, the direct costs incurred by both municipalities shall be paid by the other municipality.

11. Repeal of Committee

- 11.1. If either the City Council or County Council intends to no longer participate in this Committee, they shall give the other municipal council no less than thirty (30) days written notice of that intention prior to the meeting at which any motion or bylaw to cease participation in the Committee is to be considered.

12. Effective Date and Severability

- 12.1. This Bylaw shall come into effect upon being passed.
- 12.2. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the Bylaw is deemed valid.

13. Repeal

- 13.1. Bylaw 1322/14 and Bylaw 1340/14 are repealed.

Read a first time this ____ day of _____, 20__.

Read a second time this ____ day of _____, 20__.

Read a third time this ____ day of _____, 20__.

Alanna Hnatiw
MAYOR

Reegan McCullough
COUNTY COMMISSIONER (CAO)

DATE SIGNED

Schedule "A"
Memorandum of Understanding

Sturgeon County and the City of St. Albert

Principles for Sub-Regional Planning and Boundary Discussions

We, Sturgeon County and the City of St. Albert have come together, working in the spirit of co-operation and collaboration, for the mutual benefit of the City St. Albert and Sturgeon County.

Both municipalities are committed to the development of strong, vibrant and sustainable communities, which includes pursuing mutually beneficial activities.

In general terms, Sturgeon County and the City of St. Albert:

- a) Will work together to enable orderly and effective decision-making regarding infrastructure, lands and boundaries;
- b) Will work together in a manner which respects the rights of landowners;
- c) Are committed to the policies and principles of the Edmonton Metropolitan Region Growth Plan, and to be in compliance with all statutes and regulations of the Province of Alberta;
- d) Are committed to timely, seamless and cost-effective design and delivery of mutually supported infrastructure for mutual benefit;
- e) Agree that the cost of mutually beneficial growth is ultimately to be funded by growth itself and that the municipality(ies) incurring costs for such infrastructure shall be reimbursed from the benefitting parties;
- f) Will jointly and positively communicate with the public regarding the progress of their collaborative efforts;
- g) Shall conduct periodic reviews of their shared boundary that consider a delineation between urban and rural built form, municipal servicing requirements and costs, and other considerations as required;
- h) Acknowledge that the City St. Albert is in the best position to provide for the development and servicing of higher density urban built form as a natural extension of the city;
- i) Acknowledge that Sturgeon County is in the best position to provide for the development and servicing of lower density rural built form; and
- j) Agree that funding to develop opportunities will continue to be jointly pursued through provincial or federal grant programs where possible, or through internal resources as required.