

# WAVES OF CHANGE

What you need to know about the new MGA

Governance, Administration, &  
Corporate Planning

# Session Objectives

- **Review and Discuss MGA changes**
- **Practical Application**

# Session Outline

- **Preamble & Municipal Purpose**
- **Council Items**
- **Administrative Items**
- **Corporate Planning**
- **Q & A**

# Preamble

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## **NEW**

**What does this mean?**

- Authority**
- Municipal Role**
- Regional Collaboration**
- Autonomy**

# Preamble

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- **WHEREAS Alberta's municipalities, governed by democratically elected officials, are established by the Province, and are empowered to provide responsible and accountable local governance in order to create and sustain safe and viable communities;**

# Preamble

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- **WHEREAS Alberta's municipalities play an important role in Alberta's economic, environmental and social prosperity today and in the future;**

# Preamble

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- **WHEREAS the Government of Alberta recognizes the importance of working together with Alberta's municipalities in a spirit of partnership to co-operatively and collaboratively advance the interests of Albertans generally; and**

# Preamble

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- **WHEREAS the Government of Alberta recognizes that Alberta's municipalities have varying interests and capacity levels that require flexible approaches to support local, intermunicipal and regional needs;**

# Municipal Purpose

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## **ADDED s. 3**

- **Foster the well being of the environment.**
- **To work collaboratively with neighboring municipalities to plan, deliver, and fund inter-municipal services.**

# Key Highlights

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## **Service Provision (Tweaked s. 54)**

- **Can provide services outside municipal boundaries:**
  - In another municipality provided there is agreement
  - In another province adjoining Alberta provided there is agreement

# Council Items

# Council Code of Conduct

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## **NEW s. 146.1**

- **Must establish by bylaw:**
  - **Apply to all councillors equally**
  - **No disqualification provisions**
  
- **Regulation:**
  - **What can be addressed**
  - **Timelines**
  - **Potential sanctions**
  - **Implementation**
  - **Other**

# Councillor Duties and Principal Role

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## Added

- Promote an integrated and strategic approach to inter-municipal land use planning and service delivery with neighboring municipalities **s. 153**
- Adhere to the code of conduct **s. 153**
- Council must ensure that the CAO appropriately performs the duties and functions and exercise the powers assigned to the CAO by this or any other enactment or by council. **s. 205**

## Removed

- Making sure that the powers, duties and, functions of the municipality are appropriately carried out. **s. 201**

# Meetings

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## **NEW**

- The Minister may define 'meeting' in a Regulation **s. 1(1.1)**
- Application of the Act - When meetings or a part of a meeting are considered closed to the public. **s. 2(3)**
- Process for closing a part of a meeting **s. 197(4-7)**

## **Tweaked**

Reasons Council can close their meetings to the public  
**s. 197(2.01)**

# Key Highlights

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## **Parental Leave Bylaw (NEW s. 144.1)**

- May be authorized by bylaw
- The bylaw must include;
  - Length of leave
  - Any other conditions
  - How the municipality will be represented during the leave
- Does not disqualify the councillor **s. 174**

# Key Highlights

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## **Council Orientation (NEW s. 201.1)**

- **Must be offered 90 days after councilor takes oath of office**
- **In effect July 1, 2017**
- **Must address:**
  - **Role of municipalities**
  - **Municipal organization and functions**
  - **Key municipal plans, policies and projects**
  - **Roles and responsibilities of council and admin**
  - **Code of conduct**
  - **Budget and financial administration**
  - **Public participation**
- **No Regulation at this time**

# Administrative

# Duties of a CAO

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## **NEW**

- **Must provide all of council the same information**  
**s. 153.1**

## **Tweaked**

- **Reorganization of s. 208**
- **Delegation of authority s. 209**

# Public Participation Policy

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## **NEW s. 216.1**

- **Must approve within 270 days of coming into force**
- **Must identify 'How' and 'When' the municipality will engage its residents**
- **Regulation**

# Petitions

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## **NEW**

- Municipalities may now modify **s. 226.1**:
  - Decrease the % of signatures required
  - Allow the removal of a signature
  - Allow for electronic petitions
  - Extend the time to file petitions under s. 232
  - Extend the timeline to declare the sufficiency
  - Protection of information s. 226.2

## **Tweaked**

- Petitions that have no effect extended to Part 17.2 **s. 232**
- Petition requirements and verification **s. 224 & 225**
- Number of petitioners required for Summer Villages **s. 223**

# Advertising

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## **NEW s.606.1**

- **Advertisement Bylaw:**
  - Can provide for 1 or more methods to advertise
  - Can include electronic methods
  - Council must be satisfied that the new method(s) will reach substantially all residents
  - Must advertise and hold a public hearing before passing this bylaw.
  - What must be in the bylaw

## **Tweaked s. 606**

- Requirements for advertising - consequential amendments from s. 606.1

# Service of Documents

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## **Tweaked s. 608**

- **A municipality can now send documents electronically;**
  - **As long as the recipient has consented to this**
  - **It's possible to make a copy of the document that was sent electronically**

# Corporate Planning

# Current Situation

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- **Currently the MGA permits municipalities to determine their own financial management practices for long-term financial planning.**
- **Municipalities must adopt an operating budget for each calendar year and the estimated revenues must be sufficient to pay the estimated expenditures.**
- **A capital budget must include the estimated amounts for capital property and the sources of funding for the calendar year.**

### **What's Changed**

- Municipalities will adopt, at minimum, three-year (3) operating plans and five-year (5) capital plans, so Albertans have greater access to information about municipal financial decisions. (Section 283.1)
- Draft regulation establishes a minimum standard for the content of the operational and capital plans.

### **Tools**

- Information Bulletin
- Work with municipal associations to develop sample multi-year capital and operating plans (GFOA)
- Sample Municipal Budget Repository (AUMA)

### **In Effect**

- The requirement to prepare the plans begins in the 2<sup>nd</sup> year after Sec 283.1 of the MGA comes into force.

# Financial Plan

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- **What is a Financial Plan?**
  - **A rolling multi-year budget is a spending document that details expenses and anticipated revenues over the specified budget period. Each year of the plan is reviewed and approved, with adjustments as required and an additional year added.**
- **Corporate Planning Regulation Requirements**
  - **Total revenues and expenditures by major category**
  - **Annual surplus or deficit**
  - **Allocated or anticipated funding sources**

# Multi-Year Planning Rationale

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- **Greater emphasis on service delivery, program evaluation and monitoring**
- **Improved long term planning**
- **Assists in developing strategies to maintain/achieve sustainability**
- **Linkage of operating and capital activities with strategic goals**
- **Reduction in staff time spend on budget development**
- **Annual budget decisions are informed by the multi-year plan**
- **Requires council to adopt a long term perspective when making decisions**

# Budgetary Considerations

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- **What will existing programs cost three years from now?**
- **Will existing sources of revenue be sufficient to provide planned levels of service in the years to come?**
- **If the municipality is growing, what new programs will be needed in the next five years?**
- **Will current revenues be adequate to cover these needs?**

# Capital Plan

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- **What is an Capital Plan?**
  - **A capital plan is a multi-year financial plan that lists the physical assets and needs of a municipality, assesses the condition of those assets, determines what new amenities are needed, and indicates when funds will be spent on both old and new assets. A capital plan identifies how projects are to be funded and when projects are to commence.**
- **Corporate Planning Regulation Requirements**
  - **Planned capital property additions**
  - **Allocated or anticipated funding sources**

# Timeline

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- Act requires plans be prepared in the second year after the new Act is proclaimed – 2019.
- Amendments specifically state that the 3 year financial plan and 5 year capital plans do not include the year in which the plan is prepared so the first year the plans must be in place is 2020.
- Important to note that the length of the plans is the minimum, council is free to establish longer-term plans.

# Support and Resources

- **Advisory Services**
- **Our Website:**  
**<http://www.municipalaffairs.alberta.ca/municipalities-and-communities>**
- **Your Associations**

# Questions



**Alberta Municipal Affairs**

**Municipal Capacity and Sustainability Branch**

**For advisory services call**

**780-427-2225 or toll-free by first dialing 310-0000**

*Alberta* 