

**1-2017 Project Management, Town of Paradise**

**Whereas** municipalities are under significant financial constraints and must ensure best use of the tax payers' money; and,

**Whereas** cost overruns on major capital works projects are a significant drain on municipal finances; and,

**Whereas** independent project management has proven to be an effective way to minimize cost overruns and project delays in other North American jurisdictions; and,

**Whereas** we believe the municipal sector in Newfoundland and Labrador would benefit greatly in the long run from the use of independent project management;

**Therefore be it resolved** that Municipalities Newfoundland and Labrador lobby the provincial government to work with the sector to implement measures to ensure that project management services are provided independent of other consulting services on capital works projects

**Staff Comments:**

Concerns with the frequency and scale of change orders are the most common expression of frustration within the municipal sector when it comes to the management of major capital works projects. Municipalities can decide on their own to engage an independent project manager in an effort to minimize these concerns. While we believe this would have the desired affect for those municipalities, there is legitimate concern with whether this approach will spread quickly enough to spread the benefit to the whole sector.

Capital funding from the provincial government is in decline. While the recent bump in federal investment is mitigating this loss, the long-term forecast in this province is for less infrastructure funding than we've seen in the last decade. At the same time, reporting and performance requirements are scaling up significantly. In addition, project cost overruns are no longer eligible for funding as the provincial government has joined their federal counterparts in leaving project cost overruns as the responsibility of municipal governments.

As these pressures come to bear, the sector is continuing to lose capacity with fewer councils having a full compliment. The window for slowly introducing innovation in the sector is closing. Accessing the expertise of an independent project manager could prove a potent tool for more effective use of public money. Making independent project management a requirement, especially for large capital projects, will enhance the speed with which this innovation bears fruit for municipal councils and their tax payers.

Recommended as Category A

**2-2017 City of Corner Brook Accommodations Levy, City of Corner Brook**

**Whereas** Corner Brook requires a Destination Management Organization (herein referred to as “DMO”) to market the area and develop tourism opportunities and the hospitality sector; and,

**Whereas** the City of Corner Brook has entered a Memorandum of Understanding with major city hoteliers to enact a “Hotel Accommodations levy” as a means to fund a City DMO; and,

**Whereas** the intent of the Hotel Accommodations Levy is to be fully utilized to fund the tourism and community development efforts of a DMO with a Board of Directors comprised of representatives from major hoteliers in the area and the City of Corner Brook;

**Therefore be it resolved** that Municipalities Newfoundland and Labrador support the City of Corner Brook’s efforts to have the Province amend the City of Corner Brook Act to allow for the City to immediately implement an accommodations levy in accordance with the Memorandum of Understanding developed between the City and Accommodations Providers.

**Staff Comments**

MNL holds the position that municipalities have the authority to implement accommodations levies. This position was articulated in our 2014 Fiscal Framework Position Paper. The efforts of the City of Corner Brook as outlined in this resolution are entirely within the spirit of this position. They are also in line with the use of an accommodations levy authority provided in the City of St. John’s Act.

Recommended as Category A

**3-2017 Fees for Provincial Permits Issues within a Municipal Planning Boundary, Town of Norris Arm**

**Whereas** the Town of Norris Arm has, and have had, commercial harvesters cutting within its municipal planning boundary; and,

**Whereas** the provincial government receives royalties from this activity while the municipal government receives financial benefit; and,

**Whereas** the harvested resource can take seven to ten years to be replaced; and,

**Whereas** this harvesting removes resource from the use of municipal residents applying for domestic permits;

**Therefore be it resolved** that Municipalities Newfoundland and Labrador lobby the provincial government to allow a municipality to receive a fee from companies that have been issued

permits to harvest resources (e.g. lumber, firewood) within their municipal planning boundary based on the acreage of commercial cutting.

**Staff Comments:**

Municipalities in other provinces, notably British Columbia, have long had the right to charge for access to wood resources within their boundaries. This change would engage the municipality more directly in the permitting process, allowing for more local input into the overall decision making process. It should be noted that the resource may be within the municipal planning boundary, it is typically on Crown Land which is the exclusive purview of the provincial government. While there are technical obstacles to this resolution, it is recommended for support on the basis of three points:

- It is a potential sources of non-property tax revenue for municipalities
- It extends municipal influence in land use decision making at the provincial level
- It provides a potential policy sphere for regional government, should it become a reality

Recommended as Category A

**4-2017 Capital Funding for Road Work, Town of Centreville-Wareham-Trinity**

**Whereas** a safe and effective road transportation system is critical to the economic success of municipalities, especially those in rural or remote areas; and,

**Whereas** the financial limitations facing many rural municipalities means that they do not have sufficient resources to invest in expanding or renewing their local roads; and,

**Whereas** the cost of undertaking this kind of construction continues to increase; and,

**Whereas** the cost sharing formula for rural communities has required as little as 10% of project cost from the municipality; and,

**Whereas** the new provincial municipal capital works cost sharing formula for road construction requires a municipality, no matter their size or capacity, to contribute 50% of the costs; and

**Whereas** this cost sharing requirement is beyond the means of many rural communities;

**Therefore be it resolved** that Municipalities Newfoundland and Labrador lobby the provincial government to work with the sector on a roads funding solution that lessens the burden on rural communities.

**Staff Comments**

This resolution speaks to the weak financial capacity in many rural municipalities and the burden placed on these smaller populations to afford the significant costs associated with capital projects. While the population and tax base of these municipalities are often both in decline, the cost to renew and maintain major infrastructure does not decline along with them. Most rural municipalities face increasing costs with fewer taxpayers to simply maintain minimum infrastructure.

Recommended as Category A

### **5-2017 Changes to Residency Requirement in the Municipal Elections Act, Town of Brigus**

**Whereas** the 2017 Municipal Election has just been held; and,

**Whereas** many municipalities have seasonal residences and residents in their municipalities; and,

**Whereas** these property owners, during the recent election, called into question the definition of 'residency' for eligibility to run for a position on the local council and to vote in the election; and,

**Whereas** the Department of Municipal Affairs and Environment has agreed to review and revise several pieces of municipal legislation;

**Therefore be it resolved** that the Department of Municipal Affairs and Environment conduct a complete review of the Municipal Elections Act and particularly addressing and clarifying the definition of a resident, and have the legislation ready for use for the next municipal election in 2021.

#### **Staff Comments:**

The definition of residency provided in the Municipal Elections Act has been raised quite often in the run up to the 2017 municipal general elections. In particular, it has been a cause of concern in terms of seasonal residents (as per the situation raised by Brigus) as well as for university and college students who live most of the year in the municipality that hosts their school, but do not typically arrive early enough to exceed the 30 day requirement.

The upcoming municipal legislative review is the best opportunity to amend the Municipal Elections Act both in terms of timing and in terms of ensuring any amendments are in line with changes that may be coming to the Municipalities Act, 1999.

Recommended as Category A

**6-2017 Provincial Ban on Single-Use Plastic Bags, Town of Torbay**

**Whereas** waste diversion is an increasingly important component of municipal waste management;

**Whereas** almost 50% of all windborne litter escaping from landfills is plastic, much of it single-use plastic bags that end up tangled in trees or floating in our inland and coastal waters;

**Whereas** single-use plastic bags remain a persistent waste stream in our communities and an especially serious hazard for marine life notwithstanding store bag recycling programs, biodegradable bag experiments, and widespread incentives to adopt reusable bags;

**Whereas** due to prohibitive costs there is no economically feasible recycling solution available for single-use plastic shopping bags in the province of Newfoundland and Labrador;

**Whereas** municipalities are active participants in the Government of Newfoundland and Labrador's *Turn Back the Tide* Campaign to combat climate change, but the 100 million single-use plastic shopping bags used each year in the province require approximately 1.6 million litres of oil to produce, adding considerably to our carbon footprint; and,

**Whereas** a province-wide ban on single-use plastic shopping bags would afford businesspeople the most reliable, consistently-implemented and cost-saving basis for adapting their operations in Newfoundland and Labrador;

**Therefore be it resolved** that Municipalities Newfoundland and Labrador request the Province of Newfoundland and Labrador to prohibit all retail stores from providing customers with single-use plastic carry-out (shopping) bags.

**Staff Comments:**

This resolution reaffirms the sector's commitment to an existing policy position determined in 2015. After two years of advocacy, this topic is once again eligible for debate on the floor of the AGM. MNL has garnered widespread support for this position in the public, within the environmental sector and with business groups. The provincial government is getting closer to a decision on how or whether to move forward on a ban. This resolution and a strong show of support from the membership would be important for our continued advocacy.

Recommended as Category A