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Attachments:	1. School Site Allocation Committee MOU Review Final, 2. School Site Allocation Agreement - 2015, 3. April 25, 2016 AR - Proposed School Site Allocation Agreement Amendment, 4. Approved First Amendment to School Site Allocation Agreement - 2016		

Date	Ver.	Action By	Action	Result
7/4/2017	1	City Council	approved	Pass

TAMRMS#: B06

School Site Allocation Agreement Review

Presented by: Kevin Scoble, City Manager

RECOMMENDATION(S)

1. That Administration develop recommendations for amendments to the School Site Allocation Agreement jointly with the School Boards through the School Site Allocation Committee, based on recommendations presented in the June, 2017 report entitled “St. Albert School Site Allocation Memorandum of Understanding Review”, which was presented at the June 13, 2017 Joint Use Annual Meeting.

2. That Administration present recommendations for amendments to the School Site Allocation Agreement for Council’s consideration in April, 2018.

3. That Council Motion C435-2016 be brought back to Council for consideration in Q2 of 2018.

PURPOSE OF REPORT

To provide background information regarding the School Site Allocation Agreement, the results of the report “St. Albert School Site Allocation Memorandum of Understanding Review,” and recommendations for Council’s consideration.

COUNCIL DIRECTION

On June 27, 2016 Councillor Russell moved the following motion, which was subsequently

postponed by Council.

(C435-2016)
That the City Manager submit any school site proposals to City Council for approval prior to his agreement on any School Site Allocation Committee recommendations.

BACKGROUND AND DISCUSSION

The current School Site Allocation Agreement was executed on June 15, 2015, and was amended a first time on January 20, 2016. The original agreement and amending agreement are attached to this report for reference.

The following general principles are set out in Section 3.1 of the Agreement:

- Area Structure Plans (ASPs) for new areas will include at least one site large enough to accommodate a school and community park for playing fields and playgrounds.
- School Boards are responsible for articulating and justifying the need for a school in a new area.
- Annually, a School Site Allocation Report, a review of potential school/park sites is required, with the report available publicly on completion.

Section 4.1 defines the membership of the Site Allocation Committee:

- "The City Manager and the Superintendent of each Board shall act as each Party's representative …"

Section 4.2 outlines the role of the Site Allocation Committee. In general terms, the Committee:

- Reviews Facility Plans of each Board annually,
- Determines how school sites may be allocated between the Boards based on the annual Facility Plans,
- Reviews proposed ASPs or amendments to ASPs to ensure the proposed Plans or amendments reflect the needs of the parties,
- Contributes to completion of the annual School Sites Allocation Report, and
- Allocates school sites between the Boards, subject to Section 3.1(k) (which outlines a mediation process when two or more Boards desire a school site within a given ASP, with Council having the ultimate decision if mediation is unsuccessful).

Effectively, the Committee considers the future needs of the respective school authorities in the context of the existing site inventory and where a project is pending, the Committee "allocates" (in principle) an available site to accommodate those imminent needs. As noted above, any dispute between school authorities over a particular site is to be resolved by Council.

The City's designated Subdivision Authority (the Director of Planning and Development) processes the subdivision based on the Committee's decision regarding allocation. The MGA indicates that in the absence of an allocation agreement between the City and the school authorities, the Subdivision Authority allocates school sites based on the parties' needs and interests.

At the request of Council, in March, 2016 a second amending agreement was proposed to the school

authorities. The proposed amendment included the following clauses:

- “Council shall consider the submissions and recommendations of the Site Allocation Committee, and direct to which Board a school site shall be allocated”
- [The role of the Site Allocation Committee shall be to …] “make recommendations to Council respecting the allocation of school sites between the Boards”

This proposal was not accepted by other members of the Committee and the second amendment was not executed. Attached to this report is the Agenda Report of April 25, 2016, which includes correspondence from the three school authorities addressing the proposed amendment. A common theme in the correspondence, supported by the review of the City’s files, is the acknowledgement that the agreement was borne out of an intent by the parties to de-politicize the school site allocation process.

In 2016 and 2017, a third party was retained to conduct a review of the School Site Allocation Agreement, including engagement of all Boards and the City. Pertaining to approval of school sites, the review has the following related information:

- “The majority of stakeholders felt that the Committee should have final approval in school site allocation (3/4).”
- The majority of stakeholders felt that the final site allocation decision should not require the formal approval of City Council (3/4)."

Some of the relative suggestions made by the consultant in the report include:

- Continue to have a formal agreement regarding site allocations,
- Continue to utilize a Site Allocation Committee,
- Articulate the general decision-making process for the Committee, and
- Include an Appeal Process for disputing the decisions of the Committee for any one party to the agreement.

On June 13, 2017 at the Joint City/School Boards Annual meeting the Committee Members (respective Administrations) were given the following direction (subject to final approved minutes as recorded at the meeting) by Council and the School Boards: to jointly develop the revisions to the agreement as recommended by the consultant, review these with the respective governing body and then return to the next Joint City/School Boards Annual meeting with the results (in approximately one year).

Over the course of the next year, as the Committee undertakes and reports back on the above work, as directed, the outcomes may provide alternatives and/or equivalencies to the motion put forth.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT - N/A

IMPLICATIONS OF RECOMMENDATION(S)

Financial: none at this time.

Legal / Risk: Council has designated the City Manager as the City’s representative on the Committee. While Council is free to provide Administration with its perspectives on the City’s site

allocation needs, any attempt to direct the City Manager in the proposed fashion may be regarded by school authorities as an attempt to politicize the school site allocation process and circumvent the original intent of the Agreement.

Program or Service: none at this time.

Organizational: none at this time.

ALTERNATIVES AND IMPLICATIONS CONSIDERED - N/A

STRATEGIC CONNECTIONS

a) Council's Strategic Outcomes and Priorities (See Policy C-CG-02)

• CULTIVATE EXCELLENCE IN GOVERNMENT: A responsive, accountable government that delivers value to the community.

• CULTIVATE A SAFE, HEALTHY AND INCLUSIVE COMMUNITY: A community that provides opportunities for everyone to realize their potential in a thinking, caring and connected way.

Report Date: July 4, 2017
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General Manager: N/A
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