

Town of Drumheller
Bylaw 15.19

Being a bylaw to establish the Drumheller Resiliency and Flood Mitigation Office to implement the Drumheller Flood Mitigation and Climate Adaptation System and to establish the position of Chief Resiliency and Flood Mitigation Officer

Whereas; the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, provides that a Council of a Municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

Whereas; the Council of the Town of Drumheller, herein after referred to as “the Council” wishes to provide protection of life, property, environment and economy by implementing policies, bylaws, regulations and physical measures to mitigate potential damages that may be caused by flood or drought,

Whereas; the Council has appropriated funding to implement the administrative and physical measures to mitigate effects of some anticipated climate events,

And Whereas; the Council wishes to codify and distinguish the powers, duties and functions of the Chief Resiliency and Flood Mitigation Officer from those of the Chief Administrative Officer,

Now, therefore, the Council duly assembled hereby enacts as follows:

I. Establishment of the Drumheller Resiliency and Flood Mitigation Office

An Office of Resiliency and Flood Mitigation is established with duties and responsibilities as outlined in Schedule A attached hereto;

II. Establishment of the Chief Resiliency and Flood Mitigation Officer

A Chief Resiliency and Flood Mitigation Officer (CRFM) is hereby appointed by the Council to implement the duties and responsibilities identified in Part I. of this bylaw.

The Chief Resiliency and Flood Mitigation Officer (CRFM) will have the following powers, duties and functions:

- 1) the CRFM will collaborate with the Chief Administrative Officer
- 2) the CRFM will establish policies and procedures to ensure financial controls and reporting commensurate with the program and grant guidelines
- 3) the CRFM is designated the manager of the Drumheller Land Corporation

4) the CRFM shall acquire or dispose of assets including lands and may designate assets of the Town to be added to or disposed of to create the system

III. Limits to Powers

- i) the Council shall have final authority regarding the passing of bylaws, budgets, taxes and appeals;
- ii) the CRFM may delegate any of its powers, duties, or functions unless this or any other enactment provides otherwise;

The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.

This Bylaw shall come into force and effect upon final passing.

READ a first time this 12th day of November, 2019.

READ a second time this 25th day of November, 2019.

READ a third time and passed the 25th day of November, 2019.

The original document, duly signed and executed, is retained on file.

Schedule A

Project Overview

The Town of Drumheller, recognized as the “Dinosaur Capital of the World”, is rich in geological and paleontological history. The breathtaking landscapes surrounding Drumheller are unique in Canada and draw hundreds of thousands of visitors every year.

The Town of Drumheller has chosen to make significant investment to mitigate flooding and adapt to a changing Climate. In June of 2018 the Town began the process of applying to the Federal and Provincial Governments for financial assistance to implement a long term strategy. Funding contribution agreements require, insofar as practicable, that public solicitation be made for contracts carried out under this funding arrangement.

Work is being undertaken to implement the strategies via a project office approach using a program officer. The Town is seeking proposals from individuals or private firms who can undertake the program management and administration of this 5 – 7 year project described in Appendix A: Drumheller Flood Mitigation and Climate Adaptation System. The successful proponent will have exhaustive local knowledge of the Drumheller economy, infrastructure and emergency preparedness, response and recovery.

The Council Vision is:

Through a proactive flood-mitigation strategy, we are committed to changing the channel on flood readiness with a sustainable plan to protect Drumheller from future flooding. Together, we will shape the future of our community by protecting our people, our property, our economic growth, our environment and our cultural heritage.

You or your organizations proposal for program officer and administrative services (Services) to the Town via the project office has a commencement date planned for September 16, 2019. It is anticipated and preferred that the Services would be provided on a contracted basis rather than on an employment basis. The individual or organization proposing to provide the Services is referred to in this request as “Contractor.”

The scope of services sets out the detailed tasks, duties, expectations and responsibilities. Also provided is the approach that could be considered in the provision of the Services. It is not necessarily expected that you or your organization would deliver the Services in the same manner. Your proposal may include an alternative or varied approach to the delivery of the Services with

various duties and responsibilities allocated among a number of different individuals. As well you may wish to propose different arrangements for financial services and a different administrative center from that which would be provided by the Town.

Management

The Contractor is responsible for the full management of the Project Office and will act as the administrative head. The Contractor will be designated as Chief Resiliency and Flood Mitigation Officer of the Town for the purposes of municipal legislation and will act together with the Chief Administrative Officer as signing authority for the Project. The Contractor will:

- I. possess and maintain a complete knowledge and general understanding of the Town of Drumheller, Municipal Development Plan, Engineering Standards, Municipal Emergency Plan, the Flood Mitigation System and associated infrastructure and appurtenances, facilities and related systems and their daily operation;
- II. administer and manage the flood readiness and drought management operational readiness, including monitoring the performance of the individuals, teams and groups engaged in fulfilling the requirements of the various statutory documents and plans. This may include providing such direction and coaching and taking such action as may be required to ensure the effective operations of the flood mitigation and drought management operations in exigent and normal circumstances for the Town and the Drumheller Emergency Management Agency;
 - I. engage, consult with and direct the various Project Consultants, Surveyors, Architects, Engineers, Planners and Landscape Architects and “other” contractors to maintain the economical and efficient operation, maintenance, upgrading and expansion of the Town’s systems and facilities; impacted or associated with this project;
 - II. engage, consult with and direct such consulting services required by the Town in the evaluation of the needs of the Town in the future planning, design and development of a Flood Mitigation and Climate Adaptation System;
- III. manage infrastructure and other projects either directly or through a Project Manager Consultant,
- IV. manage the performance and delivery of other contracted Services and purchased goods and materials for the Flood Mitigation and Climate Adaptation System.

- V. direct and consult with the Town's legal counsels on legal matters affecting the Town related to the Flood Mitigation and Climate Adaptation System;
- VI. ensure that risks are properly identified, managed and mitigated and that proper insurance coverage is in place through the Town's insurance providers;
- VII. maintain a good rapport and relationship with the members of the Council, customers, government departments, regulatory authorities, suppliers and contractors;
- VIII. attend and represent the interests of the Council at external meetings and other events.

Program Secretariat

The Contractor will provide support and secretariat services to the Flood Mitigation Office and will support the Mayor and Chief Administrative Officer in the performance of their respective duties in that context. The Contractor will:

- develop and refer to the Council for adoption policies for the effective and efficient governance, management and administration of the Flood Mitigation and Climate Adaptation System and for effective and efficient operation of the associated facilities and systems;
- keep the Mayor and Chief Administrative Officer, apprised of relevant issues, incidents and matters of concern that may have impact on the operation of the:
 - I. Town, Flood Mitigation System and its ability to effectively operate, or;
 - II. future Flood Mitigation Systems and their ability to deliver flood mitigation services;
 - III. make arrangements for meetings of the Councils, Boards and respective committees;
 - IV. prepare and distribute all agendas and supporting documents for meetings, ensuring that these are delivered well in advance of meetings;
 - V.
 - I. establish an Advisory Committee which will become familiar with the DRM Program and its projects and initiatives and to provide input, comment and advice to the CRFM. It will include two members of Council, the Town Chief Administrative Officer and members of the

Town's management team (as required) and the Town Solicitor. The Mayor would be an ex officio member of the Committee, and;

- II. the CRFM shall attend and chair Advisory Committee meetings and record the minutes of those meetings;
- VI. ensure that the operations of the Town and the proceedings of the Project Office, as it pertains to the Flood Mitigation and Climate Adaptation System, comply with the provisions contained in the By-laws of the Town and the Municipal Government Act, R.S.A. 2000 c.M-26.1 as amended and the Regulations thereto (Act);
- VII. supervise and keep proper and complete books of account and records of the Town's obligations to the funding agencies.

Communications

The Contractor will manage the communications of the Flood Mitigation and Climate Adaptation System and will for the Project Office in particular and the system in general:

- I. create, prepare and participate in a comprehensive public engagement strategy;
- II. liaise and coordinate with other governments;
- III. manage indigenous consultations;
- IV. receive and act upon or distribute as may be necessary;
- V. incoming electronic mail and other communications;
- VI. communications received by post or delivery;
- VII. prepare and transmit or arrange delivery as may be applicable, outgoing communications;
- VIII. prepare and submit written reports to the Council and funding partners for regular Board meetings, or monthly commitments;
- IX. maintain the currency of the Flood Mitigation joint website;
- X. maintain the private website for the use of the project.

Administration

The Contractor is responsible to undertake all administrative tasks and make necessary administrative arrangements that are required in the operation of the Project and the Contractor will:

- I. organize, maintain and keep safe the physical and electronic records and documents;
- II. manage the operational readiness of the project office administrative center and incident command center.

Financial

The Contractor will:

- I. administer the agreement with any financial services provider;
- II. ensure that the financial operations are undertaken pursuant to all applicable statutes and regulations;
- III. prepare and present the draft annual project financial plans and budgets to the Council and Chief Administrative Officer;
- IV. monitor budgets regularly and take action on variances;
- V. prepare applications and claims for all grants available;
- VI. maintain financial records and ledger for the project;
- VII. initiate financial transactions for accounts payable, accounts receivable and provide general ledger entries and adjustments to the financial services provider;
- VIII. ensure the:
 - i. timely payment of accounts and obligations of the project office to avoid the payment of interest and penalties;
 - i. timely billing of customers of the project;
 - ii. timely deposit of payments and funds to the Towns bank accounts and invest and manage the funds of the Town to maximize the return to the Town on those funds;
 - iii. reconciliation of the Project Office bank accounts and preparation of ongoing budget and financial reports;

- IX. satisfactory completion of the annual audit and provide such information as may be required for year end financial adjustments and the preparation of the audited financial report;
- X. filing of the financial return information and audited financial statements with funding agencies.
- XI. the preparation of financial analysis and monthly Budget and other Financial Statements for the Board;

For this project the Contractor will:

- monitor and direct all consultants and contractors in the performance of the Flood Mitigation and Climate Adaptation System Project, providing direction and taking such actions as necessary to ensure the completion of the Project;
- undertake such administrative actions and tasks that may be administratively required to complete the project;
- prepare and submit interim and final grant claims;
- finalize all land and construction contract matters and;
- compile a complete set of records of the project.

APPROACH TO DELIVERY OF SERVICES

Administrative Center – The office of the Flood Mitigation and Climate Adaptation System is co-located on the second floor at 702 Premier Way in Drumheller with the Incident Command Centre. The project office will assist and support the development, fit up and operationalization of the incident command center.

Electronic Records – To the extent available the Town data systems will be utilized. Separate cloud sites will be established to allow for collaboration and version control in a secure site outside of the Town server. The Contractor will manage the consolidation of final records to the Town system from the cloud sites or other vendor sites.

Physical Records – The physical files and records of the commissions are located at the incident command center.

Computer Equipment – The Contractor will be provided access to the Town system including email. The Contractor will provide laptops that generally allow the work to be completed and will be provided access to certain software and data in the Town system via server access stations.

Contracted Financial Services – To ensure proper financial control and a proper separation of duties under the program, the Contractor can only initiate and approve financial transactions. The Town will produce: invoices for accounts receivable, cheques for accounts payable, online payments, G.S.T returns and bank reconciliations.

System Operations – The present Flood Mitigation System is largely owned by the Province through an amalgam of purpose built dykes and highways. The Town performs minor maintenance. The Province does perform major repairs. The Contractor will take charge of the system and produce an operational guide that includes routine maintenance and inspection through to emergency response due to higher than capacity flows or failure. The Contractor will also be a senior advisor to the Director of Emergency Management in such circumstance and will create an ICC, EOC that is fully functional with respect to flood mitigation.

Council and Chief Administrative Officer – Council meets approximately 20 times annually. Updates will be presented on a monthly basis in a format that also meets the reporting of grant authorities. Monthly meetings of an advisory team and a technical team will be required. A monthly meeting with the Chief Administrative Officer and Mayor will occur. Agendas and other information is conveyed by electronic means primarily through direct transmission of documents but also by internet site where information and documents are posted.