

**THE CALGARY DOWNTOWN ASSOCIATION (A BUSINESS REVITALIZATION ZONE) AND
CHINATOWN DISTRICT BUSINESS IMPROVEMENT AREA – BOARD APPOINTMENTS**

EXECUTIVE SUMMARY

This report presents The Calgary Downtown Association (A Business Revitalization Zone) and the Chinatown District Business Improvement Area board memberships for appointment by Council.

ADMINISTRATION'S RECOMMENDATION(S)

That the Priorities and Finance Committee recommend that Council:

1. Appoint board members to The Calgary Downtown Association (A Business Revitalization Zone) for the 2017/2018/2019 terms as per Attachment 1;
2. Appoint board members to the Chinatown District Business Improvement Area for the 2017/2018 terms as per Attachment 2;
3. Direct that retiring board members receive a letter from the Mayor thanking them for their service; and
4. Direct that Report PFC2017-0597, Attachment 1 and Attachment 2 remain confidential pursuant to Sections 17(1) and 19 of the *Freedom of Information and Protection of Privacy Act* until Council rises and reports on the matter.

**RECOMMENDATION OF THE PRIORITIES AND FINANCE COMMITTEE, DATED 2017
JULY 18:**

That Council approve the Administration Recommendations contained in Report PFC2017-0597.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2016 December 19 Regular Meeting of Council, Council appointed board members to ten out of the eleven business revitalization zones (BRZs)/business improvement areas (BIAs). The Chinatown District Business Improvement Area's slate of board member names for the 2017/2018 term were not included in Report C2016-0939 as the Chinatown District Business Improvement Area had not held its Annual General Meeting at the time.

At the 2016 November 28 Regular Meeting of Council, Council adopted amendments to The City of Calgary ("The City") BRZ/BIA bylaws in order to align the bylaws with current provincial legislative requirements, and the BRZ's/BIA's practices respecting Council's appointment of their boards in order to improve BRZ/BIA board governance. Council also adopted amendments to change the "business revitalization zone" designation to the "business improvement area" designation for those BRZs requesting the change.

BACKGROUND

The *Municipal Government Act* ("MGA"), RSA 2000 c. M-26, provides that a Council may by bylaw establish a business improvement area for one or more of the following purposes:

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- (a) improving, beautifying and maintaining property in the business improvement area;
- (b) developing, improving and maintaining public parking;
- (c) promoting the business improvement area as a business or shopping area.

Subsection 51(1) of the *MGA* provides that a business improvement area is governed by a board consisting of members appointed by Council under the business improvement area bylaw. Subsection 51(2) provides that the board is a corporation.

The *MGA* provides that the Minister may make regulations respecting the appointment, term and renewal of members of the board of a BIA. The BIAs are regulated by the *Business Improvement Area Regulations*, Alberta Regulation 93/2016, which provide the following:

Board

- 6(1) A board established for a business improvement area must consist of individuals nominated by one or more taxpayers in the zone.
- (2) A council may also appoint one or more councillors to be members of a board.
- (3) A council may only revoke the appointment of a board member who was nominated by a taxpayer if the revocation is recommended by the board.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

In a 2016 December 19 Report to Council, C2016-0939, Administration identified a potential improvement to the BRZ/BIA governance and appointment practices as follows:

“business revitalization zones and business improvement areas hold Annual General Meetings throughout the year; however, board appointments historically have been presented to Council in December of each year. Accordingly, for some of the business revitalization zones and business improvement areas, board appointments are not made at the most effective time. To address this matter, the City Clerk’s Office and Administration will continue to engage with the business revitalization zones and business improvement areas to explore the possibility of bringing a change to the timing of the annual board appointment report to further enhance board governance”.

Over the course of 2017, Administration collaborated with the BRZ/BIA that held their Annual General Meetings in Q1 and Q2 of 2017. This Report, PFC2017-0597, is the first time that BRZ/BIA board appointments are being presented to Council outside of the traditional annual Q4 timeline to better align with the BRZ/BIA appointment practices.

In accordance with The Calgary Downtown Association (A Business Revitalization Zone) Bylaw (Bylaw 33M88, as amended), the board of directors for The Calgary Downtown Association (A Business Revitalization Zone) shall consist of not more than twelve (12) individuals, as may be appointed from time to time by resolution of Council, each of which shall have been nominated by any person, including a corporation, liable for municipal business assessment within The Calgary Downtown Association (A Business Revitalization Zone). The board membership established by The Calgary Downtown Association (A Business Revitalization Zone) for appointment by Council is detailed in Attachment 1.

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In accordance with the Chinatown District Business Improvement Area Bylaw (Bylaw 43M2015, as amended), the board of the Chinatown District Business Improvement Area shall consist of not less than 5 and not more than 9 members. Members of the board shall be appointed by resolution of Council, and the board must consist of individuals who have been nominated by one or more taxpayers in the BIA. The board membership established by the Chinatown District Business Improvement Area for appointment by Council is detailed in Attachment 2.

Stakeholder Engagement, Research and Communication

In 2017 June, Administration received the BRZ/BIA board memberships for presentation to Council for appointment.

Strategic Alignment

This report aligns with Council's priority of a well-run city: "Calgary's government is open, responsive, accountable and transparent, delivering excellent services at a fair price. We work with our government partners to ensure we have the tools we need" (*Action Plan 2015-2018*).

Social, Environmental, Economic (External)

None.

Financial Capacity

Current and Future Operating Budget:

There are no current and future operational budget impacts as a result of this report.

Current and Future Capital Budget:

There are no current and future capital budget impacts as a result of this report.

Risk Assessment

There are no significant risks associated with the recommendations of this report.

REASON(S) FOR RECOMMENDATION(S):

In accordance with the *MGA*, Council approval is required for the appointment of members to The Calgary Downtown Association (A Business Revitalization Zone) and the Chinatown District Business Improvement Area.

ATTACHMENT(S)

1. The Calgary Downtown Association (A Business Revitalization Zone) – 2017/2018/2019 Board membership
2. Chinatown District Business Improvement Area – 2017/2018/2019 Board membership