

2017/2018 CALGARY ASSESSMENT REVIEW BOARD APPOINTMENTS

EXECUTIVE SUMMARY

The terms of all Calgary Assessment Review Board (ARB) members expire on 2017 March 31. As a result, appointments for members to the 2017/2018 Calgary ARB are required. Council approval is required to update the Calgary Assessment Review Boards Bylaw.

CITY CLERK'S RECOMMENDATIONS

That Council:

1. Consider the ARB interview panel's recommendation to appoint the individuals indicated in Attachment 2 as public members to serve on the Assessment Review Board for 2017/2018;
2. Give three readings to the proposed Bylaw 15M2017 (Attachment 1) to appoint members to the Calgary Assessment Review Boards for 2017/2018;
3. Direct that this report and Attachment 1 remain confidential under Sections 24(1)(a), 24(1)(d) and 23(1)(a) of the *Freedom of Information and Protection of Privacy Act* until Council rises and reports at the 2017 March 20 Regular Meeting of Council; and,
4. Direct that Attachments 2, 3, 5 and 6 remain confidential under Subsections 17(1) and 17(4)(d) of the *Freedom of Information and Protection of Privacy Act*.

PREVIOUS COUNCIL DIRECTION / POLICY

Members of the Calgary Assessment Review Board are appointed under terms of the *Municipal Government Act* (MGA) and the Calgary Assessment Review Boards Bylaw, Bylaw 25M2010, as amended. The MGA requires municipalities to establish, by bylaw, one or more local assessment review boards, no later than on receipt of a complaint against an assessment.

The *Matters Relating to Assessment Complaints Regulation 310/2009* (MRAC) establishes that assessors, tax agents and municipal employees cannot be ARB members. Pursuant to Council's Policy on *Governance and Appointments of Boards, Commissions and Committees* (CP2016-03), members of the ARB must be at least 18 years of age and current residents of Calgary.

On 2016 October 03, Council adopted Report PFC2016-0661, as follows:

That Council give three readings to Proposed Bylaw 37M2016 to amend the Calgary Assessment Review Boards Bylaw, Bylaw 25M2010, as amended to:

- a. establish a new appointments cycle and transitional provisions to extend the appointments of current ARB members to March 2017; and
- b. establish a 12-year term limit for members of the Calgary Assessment Review Boards

Additionally, by adoption of Report SCA2017-0047 and passing of Bylaw 10M2017, Council appointed Mr. John Mathias as General Chair of the Calgary Assessment Review Board for 2017/2018, effective 2017 April 01.

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BACKGROUND

Municipalities must appoint three people to each local assessment review board; prescribe the term of office, the manner in which vacancies are to be filled, and the remuneration and expenses payable to members. Municipalities must also appoint two local members to Composite Assessment Review Boards which are chaired by members of the Alberta Municipal Government Board. Municipalities are also empowered, under provisions of the MGA and MRAC, to establish one-member Local Assessment Review Boards to hear and decide procedural and administrative matters not bearing directly on the merits of an assessment or property tax notice.

The Calgary ARB seeks members who have appropriate subject-matter expertise in areas such as: assessment, property management, development, appraisal, real estate, or law. Candidates who are the best fit and whose capabilities complement the Board are recommended for appointment by the Board's interview panel.

The time commitments for ARB members are high: hearings are held daily from as early as April until the beginning of December each year. Members conduct assessment review hearings regularly during that time as well as write decisions.

MRAC requires that all assessment review board members must successfully complete a training program provided by the Alberta Municipal Government Board, and also that they successfully complete a refresher training program every three years.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

External candidates were screened and interviewed by a panel composed of the incumbent General Chair and the Board's two Vice-Chairs. The panel independently reviewed the resumes of the applicants, shortlisted and interviewed candidates, and assessed the qualifications of applicants for suitability to the Board.

The interview process allows the Board to screen candidates for potential conflicts of interest, adequate availability and competence. The interview panel advises that interviews are a valuable screening tool, as they help the panel members evaluate the candidates' qualifications and the degree of commitment they might be expected to contribute to the work of the ARB. Interviews also give candidates an opportunity to have their questions answered and be informed of the anticipated time commitment required.

All 40 incumbent board members applied for reappointment, including the 2015/2016 General Chair, who seeks reappointment to the Board as a public member. His continued service on the board as a member could assist with the transition of leadership and knowledge from a business continuity perspective. The 40 incumbent board members have been assessed by the Board's leadership as performing at a satisfactory level and are recommended for reappointment (Attachment 2).

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A total of 58 applications were received within the application deadline; seven applications were collected after the 2017 February 03, 4:30 p.m. deadline.

Although the total number of complaints facing the ARB in 2017 is still subject to adjustment and correction, it appears to be down year-over-year approximately 10 percent. There are 30 percent fewer Local Assessment Review Board complaints (residential, farmland, business tax), but 6 percent more Composite Assessment Review Board complaints (non-residential, multi-residential), which are generally more complex and time-consuming.

The Board's recommendation that Council appoint six new members in addition to the reappointment of 40 incumbents would enlarge the size of the Board to a total of 47 members, including the General Chair who was previously appointed by Council. The Board is also providing Council with three alternate candidates should Council feel it is necessary to appoint members other than those recommended by the Board. The Board's leadership can provide information on other pre-screened candidates through the City Clerk's Office, if Council wishes a broader selection of choices. Attachment 6 contains the applications of the six candidates the Board is recommending in addition to the three alternate candidates.

The Board is recommending the appointment of six new additional members due to the risks of losing members during the upcoming year and changes in member availability throughout their term, as well as to allow flexibility in scheduling and to expand the overall expertise of the Calgary ARB. Further, the Board anticipates that the forthcoming amendments to the *Municipal Government Act* will result in more complex non-residential complaint hearings. A detailed rationale can be found in the General Chair's letter in Attachment 2.

In making its recommendations, the Board's interview panel has been alive to the benefit of having a diversity of perspectives and subject-matter expertise to draw upon. A breakdown of the Board's proposed subject matter expertise is contained in Attachment 3.

Stakeholder Engagement, Research and Communication

Letters were sent to current members to solicit their interest in reappointment. The deadline for submission of applications was 2017 February 03.

A campaign promoting the opportunity to apply for service as a member on the ARB ran from 2017 January 09 to 2017 February 03. This was approximately double the length of the campaign done for ARB recruitment last year. Advertising, notices or articles inviting applications for membership to the 2017/2018 Calgary ARB appeared as indicated in Attachment 8. Calgary Neighbourhoods' Diversity Coordinator was also engaged to conduct email outreach to assist with inviting a diversity of applications from different communities.

Strategic Alignment

The recommendations in this report align with Council's priority relating to a well-run city and with Council's policy for the Governance and Appointments of Boards, Commissions and Committees (CP2016-03).

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Social, Environmental, Economic (External)

None.

Financial Capacity

Current and Future Operating Budget:

None.

Current and Future Capital Budget:

None.

Risk Assessment

Council has a statutory obligation to appoint assessment review boards to hear complaints of assessments issued in 2017/2018, pursuant to the requirements of the MGA. Delays in appointing a full complement of board members could complicate arrangements for mandatory member training and significantly delay scheduling of assessment review proceedings. Delays in concluding assessment reviews can prolong uncertainty around some of The City's annual tax revenue and therefore obstruct timely financial management and business planning.

REASONS FOR RECOMMENDATIONS:

The ARB interview panel recommends that six new external members be appointed to the Board along with the reappointment of 40 incumbent members.

The expansion of the Board's membership through these appointments will mitigate the operational risks associated with losing members during the year, or changes in their availability to conduct hearings and write decisions. The proposed composition of Assessment Reviews Boards for the 2017/2018 years is provided in the Schedules to the attached amending Bylaw.

ATTACHMENTS

1. Bylaw 15M2017, a proposed bylaw to amend Bylaw 25M2010 to appoint members to the Calgary Assessment Review Boards for 2017/2018
2. General Chair's letter regarding appointment recommendations
3. 2016 ARB applicants background and experience matrix
4. 2016 Calgary Assessment Review Board member biographies
5. Applications of the recommended internal candidates (separate distribution)
6. Applications of the recommended external candidates (separate distribution)
7. Calgary Herald advertisement
8. Marketing Activities for Recruitment