

2017 CALGARY LICENCE AND COMMUNITY STANDARDS APPEAL BOARD APPOINTMENTS

EXECUTIVE SUMMARY

The terms of all Calgary Licence and Community Standards Appeal Board (LCSAB) members expire on 2016 December 31. As a result, the appointment of members to the 2017 LCSAB is required.

CITY CLERK'S RECOMMENDATION(S)

That Council:

1. Consider the Licence and Community Standards Appeal Board review panel's recommendation to appoint the individuals named in Attachment 1 to serve on the Licence and Community Standards Appeal Board for the 2017 calendar year;
2. Direct that this report and Attachment 1 be released as public documents after Council rises and reports at the 2016 December 19 Regular Meeting of Council; and,
3. Direct that Attachments 2, 3, 4 and 5 remain confidential under Sections 17(1) and 17(4)(d) of the *Freedom of Information and Protection of Privacy Act*.

PREVIOUS COUNCIL DIRECTION / POLICY

At its 2015 December 14 Regular Meeting, Council reappointed all 2015 LCSAB members to the 2016 LCSAB by adopting recommendations in report C2015-0831. By adopting report PFC2016-0080 at its 2016 February 22 Regular Meeting, Council appointed a new member to replace one who resigned from the Board unexpectedly.

On 2011 September 19, Council adopted Report C2011-75 to "remove the appointment of Licence and Community Standards Appeal Board (LCSAB) members from the annual Organizational Meeting". Report C2011-75 also established that the Board would strike a panel, including the incumbent LCSAB Chair and at least one incumbent member, to screen the applicants and interview qualified candidates, and make recommendations for appointment to the Board.

BACKGROUND

Appointments to the LCSAB are made under authority of Bylaw 50M2011, the Licence and Community Standards Appeal Board Bylaw, as amended. The Bylaw establishes the Board with a membership of up to five members. Council appoints members by resolution for one-year terms, but neither members of Council nor employees of the City of Calgary may be appointed to the Board.

The LCSAB was established by Council to act as a single appeal body to hear a variety of licence appeals, community standards appeals and weed notice appeals either mandated or authorized by the *Municipal Government Act* and the *Weed Control Act*.

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Members of the Licence and Community Standards Appeal Board must be 18 years of age or older and a current resident of Calgary. The Board seeks candidates with good analytical skills, the ability to be fair and open-minded, and a capacity to work collaboratively with the Chair and other Board members. Previous experience with a quasi-judicial board or administrative tribunal is considered an asset.

Very few appeals are heard by the LCSAB on an annual basis. From January to October 2016, the LCSAB received four appeals, held three meetings and issued three decisions.

Members of the LCSAB bring a wide range of experience to the Board. Attachment 3 (2017 LCSAB Applicants Background and Experience Matrix) highlights the diversity of expertise and perspectives of the recommended candidates to the 2017 LCSAB.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Applications for membership were screened and evaluated by a panel consisting of the incumbent Chair and Vice Chair.

A total of fifteen applications were received within the deadline for five citizen appointments:

- five incumbent members; and
- ten new external applicants.

The Board's review panel is satisfied with the performance of the current Board members at this time and recommends reappointment of all incumbent members.

Stakeholder Engagement, Research and Communication

Letters were mailed to current board members to solicit their interest in reappointment. The deadline for the submission of applications was 2016 October 4.

A campaign promoting the opportunity to apply for the LCSAB ran from 2016 September 6 to 2016 October 4. This was approximately double the length of the campaign done for LCSAB recruitment last year. Advertising, notices or articles inviting applications for membership to the 2017 Calgary LCSAB appeared as follows:

- Calgary Herald - 2016 September 8 (Attachment 6)
- Postmedia multi-platform newspaper sites – 2016 September 14 to October 4
- 311 script
- Social media including Twitter, Facebook and LinkedIn
- Calgary.ca, including careers page banner
- Council/committee stream advertisement
- Calgary.ca/lcsab (Board's website)
- Federation of Calgary Communities newsletter
- Institute of Corporate Directors (ICD) website
- Community Newsletters

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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).

Social, Environmental, Economic (External)

None

Financial Capacity

Current and Future Operating Budget:

None

Current and Future Capital Budget:

None

Risk Assessment

Delays in appointing members to the 2017 Licence and Community Standards Appeal Board may hinder the Board's ability to hear appeals within the timeframes and constraints imposed by various municipal bylaws, the *Municipal Government Act* and the *Weeds Control Act*, under which the Board hears appeals.

Under the authority of the *Municipal Government Act*, Council has provided for a system of licences and permits and a mechanism for appeal. Council has delegated, by bylaw, its powers to the Licence and Community Standards Appeal Board to hear appeals. If the appointments are not made to the Board for 2017, City Council would have to hear and adjudicate the appeals on a variety of licences, permits, community standards, and weed notice appeals.

REASON(S) FOR RECOMMENDATION(S):

Terms for all LCSAB members expire at the end of 2016 and so appointments of members to carry out the mandate of the LCSAB in 2017 is therefore required.

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APPOINTMENTS**

ATTACHMENT(S)

1. Recommendation for appointments to the 2017 Licence and Community Standards Appeal Board
2. Chair's letter regarding review panel recommendations
3. 2017 LCSAB Applicants Background and Experience Matrix
4. Applications of the recommended candidates
5. Applications of the non-recommended candidates
6. Calgary Herald advertisement

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