

BUSINESS REVITALIZATION ZONES AND BUSINESS IMPROVEMENT AREAS – BOARD APPOINTMENTS

EXECUTIVE SUMMARY

This report presents the business revitalization zones' and business improvement areas' board membership for appointment by Council for the 2017/2018 term.

CITY CLERK'S RECOMMENDATION(S)

That Council:

1. Appoint members to the boards of business revitalization zones and business improvement areas for the 2017/2018 term as per the Attachment;
2. Direct that retiring business revitalization zone board members receive a letter from the Mayor thanking them for their service; and
3. Direct that Report C2016-0939 and the Attachment 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.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2016 November 28 Regular Meeting of Council, Council adopted the recommendations presented in report CPS2016-0826, amending City of Calgary bylaws establishing various business revitalization zones in order to align these bylaws with current provincial legislative requirements and current practices to improve board governance. Further, Council adopted four bylaw amendments to change the "business revitalization zone" designation to the "business improvement area" designation in order to comply with changes to provincial legislation.

At the 2016 November 07 Combined Meeting of Council, Council adopted a boundary change and a name change from the Chinatown District Business Revitalization Zone to the Chinatown District Business Improvement Area.

At the 2015 December 14 Regular Meeting of Council, Council appointed members to the business revitalization zones boards, and adopted the following motion:

"MOTION ARISING, Moved by Councillor Woolley, Seconded by Councillor Chabot, with respect to Report C2015-0953, that Council direct Administration to work with the Business Revitalization Zones (BRZs) to review alignment between the BRZ Bylaws that Council has passed and the Business Revitalization Zones' governance documents".

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:

- (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.

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In accordance with subsection 51(1) of the *MGA*, 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.

In accordance with the *MGA*, The City of Calgary established eleven BRZs between 1984 and 2015 (some of which have now been re-named as business improvement areas to comply with the *MGA*), each under a City of Calgary Bylaw.

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

Each year, the City Clerk's Office, in collaboration with Administration, solicits and receives from the business revitalization zones and business improvement areas the membership selected for appointment by Council to the individual boards. The board membership established by the business revitalization zones and business improvement areas for appointment by Council is detailed in the Attachment. The Chinatown District Business Improvement Area has not yet held its Annual General Meeting (scheduled for 2017 January), and have not submitted their slate of board member names for the 2017/2018 term. The City Clerk's Office will continue to work with Administration, and the Chinatown District Business Improvement Area, to bring board membership to Council for appointment in Q1 2017.

In 2015, as a response to an identified misalignment between The City of Calgary business revitalization zone bylaws, the *Business Revitalization Zone Regulations, AR 377/1994* (now the *Business Improvement Area Regulations, AR 93/2016*) and The City's practices respecting the appointment of boards, Council directed Administration to work with the business revitalization zones to review governance practices. This work has been completed, and in 2016 November, Council adopted a number of amendments to City of Calgary bylaws to overcome legislative misalignment.

In addition, the City Clerk's Office and Administration continue to explore additional improvements to business revitalization zone and business improvement area appointment practices. For instance, 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

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explore the possibility of bringing a change to the timing of the annual board appointment report to further enhance board governance.

Stakeholder Engagement, Research and Communication

In 2016, the City Clerk's Office engaged with Administration (Community Services and Chief Financial Office) to explore enhancement with respect to how the board membership is collected by The City. As a result of this engagement, a new format for collecting information related to board membership from the business revitalization zones and business improvement areas was established by the City Clerk's Office and the Business Revitalization Zone Liaison position was designated as the single point of contact between the business revitalization zones and business improvement areas and The City.

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 boards of business improvement areas and business revitalization zones for the 2017/2018 term.

ATTACHMENT(S)

2017 / 2018 Business Revitalization Zone and Business Improvement Area – Boards of Directors