

Calgary Metropolitan Region Board  
**Governance Committee Meeting Agenda**  
 October 22, 2020 – 9:30 AM  
 Go-To Meeting

*The purpose of this meeting is to convene, discuss and make decisions regarding recommendations to be made to the Calgary Metropolitan Region Board.*

- |   |              |         |           |
|---|--------------|---------|-----------|
| 1. Call to Order & Opening Remarks  |              | Sheard  |           |
| 2. Adoption of Agenda<br><i>To adopt and/or revise the Agenda</i>   |              | All     |           |
| 3. Approval of Minutes<br><i>For Decision: Motion that the Committee approve the Minutes of July 2, 2020</i>  | (Attachment) | All     | <b>3</b>  |
| 4. Q2 Actuals<br><i>For Decision: That the Committee receive and recommend for review by the Board the Q2 Actuals</i>   | (Attachment) | Copping | <b>6</b>  |
| 5. Q3 Actuals<br><i>For Decision: That the Committee receive and recommend for review by the Board the Q3 Actuals</i>   | (Attachment) | Copping | <b>8</b>  |
| 6. 2021 Budget<br><i>For Review: Motion that the Committee review and provide direction to Administration on the proposed CMRB 2021 Budget</i>  | (Attachment) | Copping | <b>10</b> |
| 7. Participation of External Stakeholders in CMRB Initiatives<br><i>For Discussion: That the Committee provide feedback on and direct Administration to finalize, the proposed Policy on External Stakeholder Participation in CMRB Initiatives</i>                             | (Attachment) | Copping | <b>13</b> |
| 8. Appeal/Reconsideration Mechanism<br><i>For Decision: That the Committee authorize Administration to explore the creation of a pool of knowledgeable experts to hear appeals of CMRB Decisions, and report back to the November 2020 meeting of the Governance Committee.</i> | (Attachment) | Copping | <b>16</b> |

8. Proposed Next Meetings: November 26 & December 17 Sheard

9. Adjournment

Governance Committee Members:

Mayor Peter Brown (Airdrie)	Cllr Jamie Kinghorn (High River)
Cllr George Chahal (Calgary)	Mayor Bill Robertson (Okotoks)
Mayor Marshall Chalmers (Chestermere)	Cllr Jerry Gautreau (Rocky View)
Councillor Larry Spilak, Vice Chair (Foothills)	Cllr Glenn Koester (Wheatland)
Mayor Jeff Genung (Cochrane)	

Christopher Sheard, Committee Chair

Upcoming Meetings:

Land Use & Servicing Committee	Oct 29 @ 9:30 AM	Go-To Meeting
Board Meeting	Nov 20 @ 9:30 AM	Go-To Meeting
Advocacy Committee	TBD	

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Minutes of the meeting of  
the Governance Committee of the  
Calgary Metropolitan Region Board held by  
GoToMeeting on Thursday July 2, 2020

**Delegates in Attendance:**

Mayor Peter Brown – City of Airdrie  
Councillor George Chahal – City of Calgary  
Deputy Mayor Michelle Young – City of Chestermere  
Reeve Suzanne Oel – Foothills County  
Mayor Bill Robertson – Town of Okotoks  
Councillor Jamie Kinghorn – Town of High River  
Councillor Glenn Koester – Wheatland County

**CMRB Administration:**

Chris Sheard, Chair  
Jordon Copping, Chief Officer  
Shelley Armeneau, Office Manager

**1. Call to Order**

Called to order at 1:30 PM.

**2. Adoption of Agenda**

**Moved by** Mayor Brown, **Seconded by** Councillor Koester, accepted by Chair.

**Motion:** That the Committee approve the agenda of the meeting.

**Motion carried unanimously.**

**3. Approval of Minutes**

**Moved by** Mayor Brown, **Seconded by** Councillor Chahal, accepted by Chair.

**Motion:** That the Committee approve the Minutes of the April 16, 2020 meeting.

**Motion carried unanimously.**

**4. Policy for Members to Bring Agenda Items**

Jordon Copping reviewed the policy changes and clarified that the 2/3 vote referred to in the policy was a simple 2/3 majority by number.

**Moved by** Mayor Brown, **Seconded by** Deputy Mayor Young, accepted by Chair.

Reeve Oel suggested a friendly amendment to the motion which was accepted.

**Motion:** That the Committee recommend for approval by the Board the proposed Amended Procedural Policy on Motions with the following change:

1. Defeated Motions:

During a Board or Committee meeting, **a motion may be** brought back to the table sooner than six months, if agreed upon by a vote of the Board or Committee.

**Motion carried unanimously.**

**5. Policy on Email Votes**

**Moved by** Mayor Brown, **Seconded by** Councillor Kinghorn, accepted by Chair.

**Motion:** That the Committee recommend for approval by the Board the proposed Amended Procedural Policy on Motions.

**Motion carried unanimously.**

**6. Board Chair Recruitment Subcommittee**

Jordon Copping reviewed this item and noted a clerical error that the brief in the agenda package was missing the second motion. The proposed correct motions were contained in the agenda.

**Moved by** Councillor Kinghorn, **Seconded by** Deputy Mayor Young, accepted by Chair.

**Motion:** That the Committee create a Board Chair Recruitment Subcommittee.

**Motion carried unanimously.**

Members discussed expressions of interest for participation on the Board Chair Subcommittee (BCRS). The Committee agreed to ask Mayor Genung, as Vice Chair of the Board, if he would participate in the BCRS.

Jordon will solicit interest for the BCRS from the Governance Committee via email with the following criteria:

- The seat must be an individual, not a changeable municipal representative.
- There should be a balance of rural and urban as well as geographic representation.
- The number of people sitting on the BCRS should be around five.
- The BCRS will select 2-3 final candidates who will be interviewed by the Board before the selection is made.

**Moved by** Mayor Robertson, **Seconded by** Mayor Brown, accepted by Chair.

**Motion:** That the Committee authorize the Chief Officer to retain the services of an executive search firm.

**Motion carried unanimously.**

**7. Appeal/Reconsideration Mechanism**

The Committee discussed the proposed mechanism and changes were proposed. Members agreed that in order to fully understand the impacts of suggested changes, they would need additional time to review. CMRB Administration will canvas the members for their comments and bring this item back to a future meeting.

**Moved by** Mayor Brown, **Seconded by** Mayor Robertson, accepted by Chair.

**Motion:** That the Governance Committee table this item.

**Motion carried unanimously.**

**8. Email Vote on Board Chair Recruitment Subcommittee**

On July 3, 2020 CMRB Administration circulated an email to the Governance Committee asking for participation on the Board Chair Recruitment Subcommittee (BCRS) and setting out the time commitment. On July 9 another email was sent containing the proposed composition of the BCRS. Members voted by email on the following motion:

**Motion:** That the Governance Committee approve the membership of the Board Chair Recruitment Subcommittee.

**Motion carried.**

The BCRS members are as follows:

Councillor George Chahal  
Mayor Marshall Chalmers  
Reeve Suzanne Oel  
Mayor Bill Robertson  
Councillor Glenn Koester  
Mayor Jeff Genung

**9. Next Meeting** Thursday September 17.

**10. Adjourned at 3:20 PM.**

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**CMRB Chair, Christopher Sheard**

<b>Agenda Item</b>	<b>4</b>
<b>Submitted to</b>	<b>Governance Committee</b>
<b>Purpose</b>	<b>Present to the Governance Committee for Recommendation</b>
<b>Subject</b>	<b>CMRB 2020 Q2 Actuals</b>
<b>Meeting Date</b>	<b>October 22, 2020</b>
<i>That the Committee RECEIVE AND RECOMMEND for review by the Board the 2020 Q2 actuals</i>	
<p>Background</p> <ul style="list-style-type: none"> <li>The CMRB has been funded by the Government of Alberta through the Alberta Community Partnership grant program.</li> </ul>	
<p>Attachments</p> <ul style="list-style-type: none"> <li>Q2 Actuals</li> </ul>	

## 1. Introduction

CMRB Administration has compiled the Q2 Actuals for review by the Governance Committee.

## 2. Recommendation

That the Governance Committee receive for information and recommend for review by the Board the 2020 Q2 Actuals.

	2020 Budget	2020 Q2 Budget	2020 Q2 Actuals	Q2 Variance	YTD Budget	YTD Actual	YTD Variance
<b>REVENUE</b>							
GoA Grant	\$1,750,000.00	\$1,750,000.00	\$1,750,000.00	\$0.00	\$1,750,000.00	\$1,750,000.00	\$0.00
Interest on GIC	\$40,000.00	\$10,000.00	\$0.00	-\$10,000.00	\$20,000.00	\$10,704.35	-\$9,295.65
Withdrawal from Reserves	\$900,000.00	\$0.00	\$0.00	\$0.00	\$700,000.00	\$700,000.00	\$0.00
<b>TOTAL Revenue</b>	<b>\$2,690,000.00</b>	<b>\$1,760,000.00</b>	<b>\$1,750,000.00</b>	<b>-\$10,000.00</b>	<b>\$2,470,000.00</b>	<b>\$2,460,704.35</b>	<b>-\$9,295.65</b>
<b>EXPENDITURES</b>							
<u>CAPITAL EXPENSES</u>							
Computers & Hardware	\$6,000.00	\$1,500.00	\$0.00	\$1,500.00	\$3,000.00	\$0.00	\$3,000.00
Office Furniture	\$6,000.00	\$1,500.00	\$0.00	\$1,500.00	\$3,000.00	\$0.00	\$3,000.00
Phone/Internet Hardware	\$3,000.00	\$750.00	\$0.00	\$750.00	\$1,500.00	\$0.00	\$1,500.00
<b>TOTAL CAPITAL EXPENSES</b>	<b>\$15,000.00</b>	<b>\$3,750.00</b>	<b>\$0.00</b>	<b>\$3,750.00</b>	<b>\$7,500.00</b>	<b>\$0.00</b>	<b>\$7,500.00</b>
<u>OPERATING EXPENSES</u>							
STAFFING COSTS							
Salary	\$645,000.00	\$162,000.00	\$163,709.89	-\$1,709.89	\$330,000.00	\$331,810.36	-\$1,810.36
Health	\$36,000.00	\$9,000.00	\$11,527.32	-\$2,527.32	\$18,000.00	\$17,729.46	\$270.54
Retirement	\$78,000.00	\$19,500.00	\$17,975.31	\$1,524.69	\$39,000.00	\$35,950.62	\$3,049.38
Phone	\$3,000.00	\$750.00	\$750.00	\$0.00	\$1,500.00	\$1,500.00	\$0.00
Benefits	\$117,000.00	\$29,250.00	\$30,252.63	-\$1,002.63	\$58,500.00	\$55,180.08	\$3,319.92
Board Chair	\$140,000.00	\$35,000.00	\$13,808.80	\$21,191.20	\$70,000.00	\$40,171.80	\$29,828.20
<b>TOTAL STAFFING COSTS</b>	<b>\$902,000.00</b>	<b>\$226,250.00</b>	<b>\$207,771.32</b>	<b>\$18,478.68</b>	<b>\$458,500.00</b>	<b>\$427,162.24</b>	<b>\$31,337.76</b>
OFFICE LEASE	\$80,000.00	\$20,000.00	\$19,942.04	\$57.96	\$40,000.00	\$39,581.69	\$418.31
OFFICE OPERATING COST							
General Operating Costs	\$36,000.00	\$9,000.00	\$6,236.73	\$2,763.27	\$18,000.00	\$21,635.10	-\$3,635.10
Professional Fees	\$30,000.00	\$4,000.00	\$410.00	\$3,590.00	\$22,000.00	\$16,451.25	\$5,548.75
<b>TOTAL OFFICE OPERATION COSTS</b>	<b>\$66,000.00</b>	<b>\$13,000.00</b>	<b>\$6,646.73</b>	<b>\$6,353.27</b>	<b>\$40,000.00</b>	<b>\$38,086.35</b>	<b>\$1,913.65</b>
TRAVEL COSTS	\$45,000.00	\$11,250.00	\$0.00	\$11,250.00	\$22,500.00	\$4,009.80	\$18,490.20
MEETING COSTS							
Meeting Venue/Catering	\$55,000.00	\$13,750.00	\$0.00	\$13,750.00	\$27,500.00	\$4,841.79	\$22,658.21
Per Diem	\$75,000.00	\$18,750.00	\$11,131.34	\$7,618.66	\$37,500.00	\$11,131.34	\$26,368.66
<b>TOTAL MEETING COSTS</b>	<b>\$130,000.00</b>	<b>\$32,500.00</b>	<b>\$11,131.34</b>	<b>\$21,368.66</b>	<b>\$65,000.00</b>	<b>\$15,973.13</b>	<b>\$49,026.87</b>
CONSULTANT COSTS							
Growth/ Servicing Plan	\$1,200,000.00	\$300,000.00	\$460,182.88	-\$160,182.88	\$600,000.00	\$577,762.47	\$22,237.53
REF Consultants	\$144,000.00	\$36,000.00	\$10,890.95	\$25,109.05	\$72,000.00	\$22,980.59	\$49,019.41
<b>TOTAL CONSULTANT COSTS</b>	<b>\$1,344,000.00</b>	<b>\$336,000.00</b>	<b>\$471,073.83</b>	<b>-\$135,073.83</b>	<b>\$672,000.00</b>	<b>\$600,743.06</b>	<b>\$71,256.94</b>
CONTINGENCY	\$108,000.00	\$27,000.00	\$0.00	\$27,000.00	\$54,000.00	\$0.00	\$54,000.00
<b>TOTAL EXPENDITURE</b>	<b>\$2,690,000.00</b>	<b>\$669,750.00</b>	<b>\$716,565.26</b>	<b>-\$46,815.26</b>	<b>\$1,359,500.00</b>	<b>\$1,125,556.27</b>	<b>\$233,943.73</b>

<b>Agenda Item</b>	<b>5</b>
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<p>Background</p> <ul style="list-style-type: none"> <li>The CMRB has been funded by the Government of Alberta through the Alberta Community Partnership grant program.</li> </ul>	
<p>Attachments</p> <ul style="list-style-type: none"> <li>Q3 Actuals</li> </ul>	

## 1. Introduction

CMRB Administration has compiled the Q3 Actuals for review by the Governance Committee.

## 2. Recommendation

That the Committee receive for information and recommend for review by the Board the 2020 Q3 Actuals.



	2020 Budget	2020 Q3 Budget	2020 Q3 Actuals	Q3 Variance	YTD Budget	YTD Actual	YTD Variance
<b>REVENUE</b>							
GoA Grant	\$1,750,000.00	\$0.00	\$0.00	\$0.00	\$1,750,000.00	\$1,750,000.00	\$0.00
Interest on GIC	\$40,000.00	\$10,000.00	\$0.00	-\$10,000.00	\$30,000.00	\$10,704.35	-\$19,295.65
Withdrawal from Reserves	\$900,000.00	\$0.00	\$0.00	\$0.00	\$700,000.00	\$700,000.00	\$0.00
<b>TOTAL Revenue</b>	<b>\$2,690,000.00</b>	<b>\$10,000.00</b>	<b>\$0.00</b>	<b>-\$10,000.00</b>	<b>\$2,480,000.00</b>	<b>\$2,460,704.35</b>	<b>-\$19,295.65</b>
<b>EXPENDITURES</b>							
<u>CAPITAL EXPENSES</u>							
Computers & Hardware	\$6,000.00	\$1,500.00	\$0.00	\$1,500.00	\$4,500.00	\$0.00	\$4,500.00
Office Furniture	\$6,000.00	\$1,500.00	\$0.00	\$1,500.00	\$4,500.00	\$0.00	\$4,500.00
Phone/Internet Hardware	\$3,000.00	\$750.00	\$0.00	\$750.00	\$2,250.00	\$0.00	\$2,250.00
<b>TOTAL CAPITAL EXPENSES</b>	<b>\$15,000.00</b>	<b>\$3,750.00</b>	<b>\$0.00</b>	<b>\$3,750.00</b>	<b>\$11,250.00</b>	<b>\$0.00</b>	<b>\$11,250.00</b>
<u>OPERATING EXPENSES</u>							
STAFFING COSTS							
Salary	\$645,000.00	\$157,500.00	\$158,875.55	-\$1,375.55	\$487,500.00	\$490,685.91	-\$3,185.91
Health	\$36,000.00	\$9,000.00	\$9,072.42	-\$72.42	\$27,000.00	\$26,801.88	\$198.12
Retirement	\$78,000.00	\$19,500.00	\$17,975.31	\$1,524.69	\$58,500.00	\$53,925.93	\$4,574.07
Phone	\$3,000.00	\$750.00	\$750.00	\$0.00	\$2,250.00	\$2,250.00	\$0.00
Benefits	\$117,000.00	\$29,250.00	\$27,797.73	\$1,452.27	\$87,750.00	\$82,977.81	\$4,772.19
Board Chair	\$140,000.00	\$35,000.00	\$19,147.00	\$15,853.00	\$105,000.00	\$59,318.80	\$45,681.20
<b>TOTAL STAFFING COSTS</b>	<b>\$902,000.00</b>	<b>\$221,750.00</b>	<b>\$205,820.28</b>	<b>\$15,929.72</b>	<b>\$680,250.00</b>	<b>\$632,982.52</b>	<b>\$47,267.48</b>
OFFICE LEASE	\$80,000.00	\$20,000.00	\$19,639.65	\$360.35	\$60,000.00	\$59,221.34	\$778.66
OFFICE OPERATING COST							
General Operating Costs	\$36,000.00	\$9,000.00	\$2,852.37	\$6,147.63	\$27,000.00	\$24,487.47	\$2,512.53
Professional Fees	\$30,000.00	\$4,000.00	\$0.00	\$4,000.00	\$26,000.00	\$16,451.25	\$9,548.75
<b>TOTAL OFFICE OPERATION COSTS</b>	<b>\$66,000.00</b>	<b>\$13,000.00</b>	<b>\$2,852.37</b>	<b>\$10,147.63</b>	<b>\$53,000.00</b>	<b>\$40,938.72</b>	<b>\$12,061.28</b>
TRAVEL COSTS	\$45,000.00	\$11,250.00	\$0.00	\$11,250.00	\$33,750.00	\$4,009.80	\$29,740.20
MEETING COSTS							
Meeting Venue/Catering	\$55,000.00	\$13,750.00	\$5,928.63	\$7,821.37	\$41,250.00	\$10,770.42	\$30,479.58
Per Diem	\$75,000.00	\$18,750.00	\$13,458.10	\$5,291.90	\$56,250.00	\$24,589.44	\$31,660.56
<b>TOTAL MEETING COSTS</b>	<b>\$130,000.00</b>	<b>\$32,500.00</b>	<b>\$19,386.73</b>	<b>\$13,113.27</b>	<b>\$97,500.00</b>	<b>\$35,359.86</b>	<b>\$62,140.14</b>
CONSULTANT COSTS							
Growth/ Servicing Plan	\$1,200,000.00	\$300,000.00	\$61,686.97	\$238,313.03	\$900,000.00	\$639,449.44	\$260,550.56
REF Consultants	\$144,000.00	\$36,000.00	\$9,785.93	\$26,214.07	\$108,000.00	\$32,766.52	\$75,233.48
<b>TOTAL CONSULTANT COSTS</b>	<b>\$1,344,000.00</b>	<b>\$336,000.00</b>	<b>\$71,472.90</b>	<b>\$264,527.10</b>	<b>\$1,008,000.00</b>	<b>\$672,215.96</b>	<b>\$335,784.04</b>
CONTINGENCY	\$108,000.00	\$27,000.00	\$0.00	\$27,000.00	\$81,000.00	\$0.00	\$81,000.00
<b>TOTAL EXPENDITURE</b>	<b>\$2,690,000.00</b>	<b>\$665,250.00</b>	<b>\$319,171.93</b>	<b>\$346,078.07</b>	<b>\$2,024,750.00</b>	<b>\$1,444,728.20</b>	<b>\$580,021.80</b>

<b>Agenda Item</b>	<b>6</b>
<b>Submitted to</b>	<b>Governance Committee</b>
<b>Purpose</b>	<b>For Review</b>
<b>Subject</b>	<b>CMRB 2021 Budget</b>
<b>Meeting Date</b>	<b>October 22, 2020</b>
<i>That the Committee review and provide direction to Administration on the proposed CMRB 2021 Budget</i>	
<p><b>Background</b></p> <ul style="list-style-type: none"> <li>• The CMRB is funded by the Government of Alberta through the Alberta Community Partnership (ACP) grant program.</li> <li>• The Government of Alberta's Budget 2019/2020 reduced funding to the CMRB as per the below chart.</li> <li>• The gift of \$1,800,000.00 from the Calgary Regional Partnership provides a reserve against the reduced funding in upcoming years.</li> </ul>	
<p>Attachments</p> <ul style="list-style-type: none"> <li>• Proposed Budget 2021</li> </ul>	

### **1. Background**

The CMRB is nearing the completion of the mandated drafting of the Growth and Servicing Plans. Future discussions will determine efforts of the CMRB in 2021 and beyond.

The proposed budget, and in particular the line item for "Regional Initiatives" contains flexibility to support the efforts of the Board. This work may include examining: regional water sharing mechanisms, regional economic development and/or any other initiatives as determined by the Board.

## 2. Funding Summary

<b>Funded Activity</b>	<b>Grant Total</b>
2017/18 CMRB Start-up and Core Administration	\$2,070,000
	(\$1,500,000 + \$570,000 (CRP Surplus))
2019/20 CMRB Core Administration Costs	\$2,000,000
2020/21 CMRB Core Administration Costs	\$1,750,000
<b>Total CMRB Core Administration Approved Funding</b>	<b>\$5,820,000</b>

### **Future Estimated Funding**

2021/22 CMRB Core Administration Costs	\$1,500,000
	Estimate - subject to Minister Approval
2022/23 CMRB Core Administration Costs	\$1,000,000
	Estimate – subject to Minister Approval
2023/24 CMRB Core Administration Costs	\$1,000,000
	Estimate – subject to Minister Approval

## 3. CMRB Account Balances at October 14, 2020

Current Account	~ \$1,361,000.00
GIC	~ \$1,932,000.00
Total	~ \$3,293,000.00

## 4. Recommendation

That the Committee review and provide direction to Administration on the CMRB 2021 Budget.

	2019 Budget	2020 Budget	2021 Budget
<b>REVENUE</b>			
GoA Grant	\$2,000,000.00	\$1,750,000.00	\$ 1,500,000.00
Interest on GIC	\$0.00	\$40,000.00	\$ -
Withdrawal from Reserves	\$0.00	\$900,000.00	\$ 650,000.00
<b>TOTAL Revenue</b>	<b>\$2,000,000.00</b>	<b>\$2,690,000.00</b>	<b>\$ 2,150,000.00</b>
<b>EXPENDITURES</b>			
<b><u>CAPITAL EXPENSES</u></b>			
Computers & Hardware	\$6,000.00	\$6,000.00	\$ 6,000.00
Office Furniture	\$6,000.00	\$6,000.00	\$ 6,000.00
Phone/Internet Hardware	\$3,000.00	\$3,000.00	\$ 3,000.00
<b>TOTAL CAPITAL EXPENSES</b>	<b>\$15,000.00</b>	<b>\$15,000.00</b>	<b>\$ 15,000.00</b>
<b><u>OPERATING EXPENSES</u></b>			
<b>STAFFING COSTS</b>			
Salary	\$636,000.00	\$645,000.00	\$ 655,000.00
Health	\$36,000.00	\$36,000.00	\$ 36,000.00
Retirement	\$78,000.00	\$78,000.00	\$ 78,000.00
Phone	\$3,000.00	\$3,000.00	\$ 3,000.00
Board Chair	\$140,000.00	\$140,000.00	\$ 140,000.00
<b>TOTAL STAFFING COSTS</b>	<b>\$893,000.00</b>	<b>\$902,000.00</b>	<b>\$ 912,000.00</b>
OFFICE LEASE	\$85,980.00	\$80,000.00	\$ 87,000.00
OFFICE OPERATING COST			
General Operating Costs	\$35,640.00	\$36,000.00	\$ 36,000.00
Professional Fees	\$30,000.00	\$30,000.00	\$ 30,000.00
<b>TOTAL OFFICE OPERATION COSTS</b>	<b>\$65,640.00</b>	<b>\$66,000.00</b>	<b>\$ 66,000.00</b>
TRAVEL COSTS	\$55,000.00	\$45,000.00	\$ 35,000.00
MEETING COSTS			
Meeting Venue/Catering	\$55,800.00	\$55,000.00	\$ 55,000.00
Per Diem	\$120,000.00	\$75,000.00	\$ 55,000.00
<b>TOTAL MEETING COSTS</b>	<b>\$175,800.00</b>	<b>\$130,000.00</b>	<b>\$ 110,000.00</b>
CONSULTANT COSTS			
Growth/ Servicing Plan	\$1,200,000.00	\$1,200,000.00	\$ 250,000.00
Regional Initiatives			\$ 500,000.00
REF Consultants	\$288,000.00	\$144,000.00	\$ 100,000.00
<b>TOTAL CONSULTANT COSTS</b>	<b>\$1,488,000.00</b>	<b>\$1,344,000.00</b>	<b>\$ 850,000.00</b>
CONTINGENCY	\$36,000.00	\$108,000.00	\$ 75,000.00
<b>TOTAL EXPENDITURE</b>	<b>\$2,814,420.00</b>	<b>\$2,690,000.00</b>	<b>\$ 2,150,000.00</b>
Estimated /Actual Expenditure	\$ 2,243,273.23	\$ 2,300,000.00	

## Agenda Item 6 Attachment

<b>Agenda Item</b>	<b>7</b>
<b>Submitted to</b>	<b>Governance Committee</b>
<b>Purpose</b>	<b>For Discussion</b>
<b>Subject</b>	<b>Participation of External Stakeholders in CMRB Initiatives</b>
<b>Meeting Date</b>	<b>October 22, 2020</b>
<p><i>That the Committee provide feedback on, and direct Administration to finalize, the proposed Policy on External Stakeholder Participation in CMRB Initiatives.</i></p>	
<p>Background</p> <ul style="list-style-type: none"> <li>• The CMRB Regulation grants the Board the authority to create internal governance policies and processes.</li> <li>• The boundary of the Calgary Metropolitan Region (CMR) encompasses a number of municipalities which are not included as members of the Board in the Calgary Metropolitan Region Regulation.</li> <li>• In the set up phase of the Board, the participation of non-member municipalities was discussed and it was informally decided that the interests of these municipalities would be represented at the Board table by the rural members in which these municipalities were located.</li> <li>• During the discussion surrounding the South &amp; East Calgary Regional Transportation study (S&amp;ECRTS) and the amalgamation of this study with the North Calgary Regional Transportation Study, the idea of non-member municipality participation was revisited.</li> <li>• Rural members of the CMRB had differing opinions on the best way to incorporate the perspectives of non-member municipalities which are within the borders of the CMR into initiatives undertaken by the CMRB.</li> <li>• The CMRB has created an External Technical Advisory Group to provide input on the drafting of the Growth and Servicing Plans.</li> </ul>	
<p>Attachments</p> <ul style="list-style-type: none"> <li>• Proposed Policy on External Stakeholder Participation in CMRB Initiatives</li> </ul>	

## **1. Introduction**

The boundary of the Calgary Metropolitan Region (CMR) encompasses a number of municipalities which are not included as members of the Board in the Calgary Metropolitan Region Regulation.

While the CMRB has the authority to create internal governance policies and processes, it does not have the authority to change the membership of the CMRB as outlined in the Regulation. This authority rests with the Government of Alberta.

## **2. Background**

As the CMRB executes on its mandate, much has been learned about external stakeholders and the valuable contributions they can bring to the work of the CMRB. These include non-member municipalities which are within the boundary of the CMR, as well as other organizations such not-for-profit environmental groups, industry stakeholders and other orders of government, to name a few.

As the CMRB matures, a policy which guides how external stakeholders will be included in future CMRB workstreams will be valuable to ensure the CMRB gets the most value from any initiative.

## **3. Recommendation**

That the Committee provide feedback on, and direct Administration to finalize, the proposed Policy on External Stakeholder Participation in CMRB Initiatives.

## **Policy on External Stakeholder Participation in CMRB Initiatives**

### *Policy Purpose*

The Policy on External Stakeholder Participation in CMRB Initiatives is intended to provide guidance on the procedure to be followed by CMRB Administration when the CMRB commences a new study, initiative or other work that would benefit from the inclusion of external stakeholders as categorized below .

### *Scope*

This policy applies to all CMRB studies, initiatives and other work undertaken by CMRB.

### *Policy*

All briefing materials which propose a new study, initiative or other work will include a section identifying any external stakeholders proposed to be included in the workstream.

External stakeholders may include:

1. Other Orders of Government, including First Nations
2. Non-Member municipalities within the boundary of the Calgary Metropolitan Region
3. Municipalities outside the boundary of the Calgary Metropolitan Region
4. Industry
5. Not-for-Profit Organizations
6. Other

The Committee or Board responsible for approving the commencement of the work will also approve the inclusion of proposed external stakeholders.

<b>Agenda Item</b>	<b>8</b>
<b>Submitted to</b>	<b>Governance Committee</b>
<b>Purpose</b>	<b>For Decision</b>
<b>Subject</b>	<b>CMRB Appeal or Reconsideration Mechanism</b>
<b>Meeting Date</b>	<b>October 22, 2020</b>
<p><i>That the Committee authorize CMRB Administration to explore the creation of a pool of knowledgeable experts to hear appeals of CMRB Decisions, and report back to the November 2020 meeting of the Governance Committee.</i></p>	
<p><b>Summary</b></p> <ul style="list-style-type: none"> <li>• The <i>Municipal Government Act</i> (MGA) requires the CMRB to approve an appeal mechanism or dispute resolution mechanism by bylaw for the purposes of resolving disputes arising from actions taken or decisions made by the growth management board.</li> <li>• In response to a request of all ten municipalities by the Chair, Rocky View County submitted a proposal detailing potential mechanisms to be explored by the CMRB.</li> <li>• At its May 2018 meeting, the Governance Committee provided the following direction to CMRB Administration, <i>“Convene a workshop of member CAOs, providing them with resources needed -including legal if necessary, in order to make a recommendation to the Board regarding a dispute resolution mechanism or appeal process that will satisfy the requirements of the legislation and provide a workable mechanism for the Board in the future.”</i></li> <li>• CAO workshops were held on July 11, September 11, and December 5, 2018. These meetings were productive and led to a consensus position among the CAOs that there is need to develop a dispute resolution mechanism. This mechanism would be used to mediate disagreements between municipalities in the event a challenge is filed against a recommendation of approval of an IREF application by CMRB Administration.</li> <li>• At the September 2019 Board meeting, the Governance Committee recommended Proposed Option 2 of the CMRB Dispute Resolution Mechanism for approval by the Board.</li> <li>• At the October 2019 meeting of the Board, this issue was referred back to the Governance Committee for further discussion.</li> <li>• At the February 21, 2020 meeting of the Governance Committee the following direction was given to Administration: <ul style="list-style-type: none"> <li>○ Eliminate option “Appeal to the Minister of Municipal Affairs”.</li> </ul> </li> </ul>	



- Administration to consult with Municipal Government Board to ask if they would consider creating a review track specific to CMRB.
- Consider discussion on IREF process and whether the Board should be removed from that decision.
- Bring back to Governance Committee meeting for additional vetting before going to the Board.
- At the July 2 meeting of the Committee a two track appeal mechanism was put forward by Administration, as well as the possibility of working with the Edmonton Metropolitan Region Board on a possible appeal mechanism.
  - The Committee was not ready to support recommending a two stream appeal mechanism to the Board at the time and the City of Calgary and Foothills County requested time to provide further input into the development of the mechanism.
  - CMRB Administration continued to work with the EMRB to explore areas of joint interest and possible cooperations.

## 1. Introduction

The MGA requires the creation of an appeal or dispute resolution mechanism. There are several dispute mechanisms which could be considered by the Board including, but not limited to: mediation, arbitration, mediation-arbitration, referral to an adjudicative body or referral to the courts.

However, Section 13 of the CMRB Regulation states:

(4) Subject to an appeal or dispute resolution mechanism established under section 708.23(1) of the *Act* or as otherwise provided in the Framework, a participating municipality has no right to a hearing before the Board in respect of its approval or rejection of a statutory plan.

(5) Subject to section 708.23(1) of the *Act*, a decision of the Board under this section is final and not subject to appeal.

(6) This section applies only to statutory plans to be adopted by a participating municipality after the establishment of the Framework.

It is important to note that the Regulation recognizes the supremacy of the Board in approving statutory plans which are reviewed under the Interim Region Evaluation Framework (IREF).

## 2. Background

The full text of the pertinent section of the MGA and of the CMRB Regulation is as below.

*Municipal Government Act*

**708.23(1)** A growth management board must at its inception establish by bylaw an appeal mechanism or dispute resolution mechanism, or both, for the purposes of resolving disputes arising from actions taken or decisions made by the growth management board.

**(2)** Section 708.08(2) and (3) apply to a bylaw made under this section as if the bylaw were made under that section

*CMRB Regulation*

Approval of statutory plan

**13(1)** Statutory plans to be adopted by a participating municipality that meet the criteria set out in the Framework must be submitted to the Board for approval.

**(2)** In accordance with the Framework, the Board may approve or reject a statutory plan.

**(3)** A statutory plan referred to in subsection (1) has no effect unless it is approved by the Board under subsection (2).

**(4)** Subject to an appeal or dispute resolution mechanism established under section 708.23(1) of the *Act* or as otherwise provided in the Framework, a participating municipality has no right to a hearing before the Board in respect of its approval or rejection of a statutory plan.

**(5)** Subject to section 708.23(1) of the *Act*, a decision of the Board under this section is final and not subject to appeal.

**(6)** This section applies only to statutory plans to be adopted by a participating municipality after the establishment of the Framework.

### **3. Work to Date**

At the request of the Governance Committee CMRB Administration convened three CAO workshops in an attempt to reach a consensus position on what type of appeal/dispute resolution mechanism would best suit the needs of the CMRB.

The three workshops were successful in framing the issue, exploring the need and applicability of such a mechanism, and determining in what circumstances an appeal mechanism would best serve the needs of the CMRB.

There was wide-ranging discussion at all three workshops, and consensus was reached that a mediation process should be implemented for IREF decisions where another municipality lodges a challenge against a recommendation of approval from the CMRB Administration (this will be discussed further below); however, there was no consensus reached on two critical issues:

1. Whether or not an appeal mechanism should remain internal to the Board or if there should be an external body to which a member can appeal.
  - There were three options discussed on this topic:
    - i. That an appeal should be made to an external body, such as the Municipal Governance Board.
    - ii. That an appeal should be made to the Minister of Municipal Affairs.
    - iii. That it should be a reconsideration process by the CMRB.
2. Whether the appeal mechanism should be available on decisions other than IREF decisions.
  - While much of the discussion on this topic focussed on appeals relating to a denied IREF application, there were municipal representatives who wanted to explore the possibility that the appeal mechanism could have broader applicability.

Considering the lack of consensus among the ten members, the Chief Officer of the CMRB put forward a two pronged methodology for consideration by the Committee.

### **3.1 Suggestions by Member Municipalities**

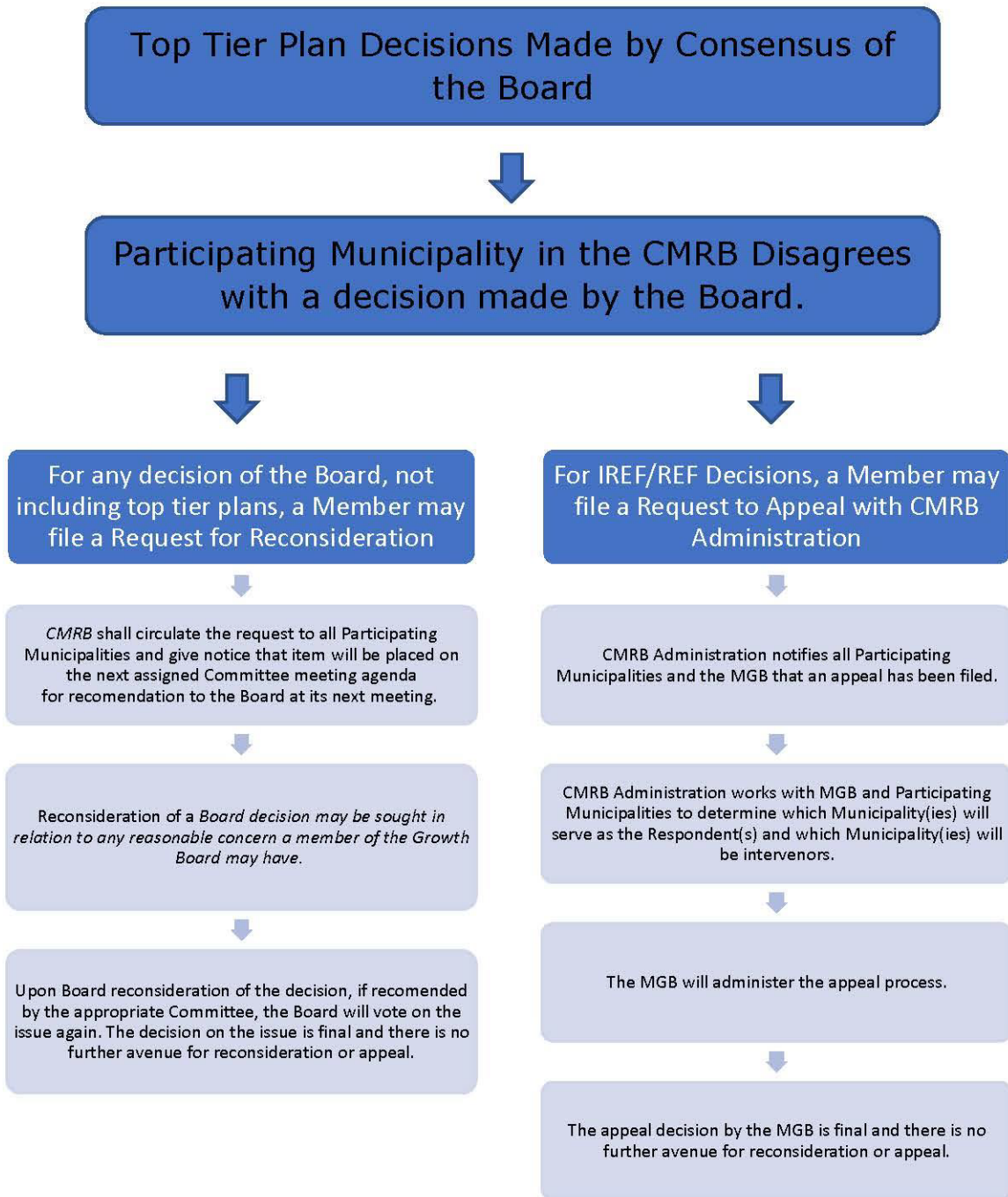
In the intervening period since the July 2 meeting two suggested paths have been brought forward by member municipalities.

One member municipality suggested that the Governance Committee should take the below steps in order to determine the best path forward

- Determining first principles (such as the role of business-friendly approaches, reputation of region and role of dispute resolution);
- Confirming which decisions of the Board should be appealed (it is understood that the CMRB administration proposal is specific to statutory plan approvals but there have been many statements from other members that all Board decisions should be appealable); and
- Placing a greater emphasis on consensus building.

Another member suggested that the Board consider separating decisions into 'Top Tier' decisions and other decisions. Top Tier decisions would include decisions such as passing the Growth and Servicing Plans and would be passed only by consensus of the entire membership of the Board. Top Tier decisions would not be subject to appeal.

Other decisions, which would not require consensus, would fall into two categories as outlined by the below flow chart.



## **3.2 Work with the Edmonton Metropolitan Region Board**

During the July 2 meeting of the Governance Committee, an idea was raised about the possibility of having the Edmonton Metropolitan Region Board (EMRB) be the body which hears CMRB appeals and the CMRB be the body with hears EMRB appeals. CMRB Administration explored this idea with EMRB via their Administration and EMRB members did not support this avenue at this time.

EMRB is currently working on creating an appeal mechanism or dispute resolution mechanism as directed in section 708.23 of the MGA. Similar to the work previously done in the CMRB, the EMRB has a CAO Working Group addressing the challenge of creating this process. One potential solution which has been raised in the Edmonton Metropolitan Region is the creation of a roster of knowledgeable individuals who would be able to hear appeals from the EMRB. This is an avenue which should be explored by the CMRB.

In order to enact this idea, the Board would create a pool of individuals who are knowledgeable regarding the MGA, Statutory Plans who would serve on a roster to hear appeals of decisions made by the CMRB. This avenue offers a number of benefits for the CMRB:

- Requires no regulatory change
- Allows the CMRB to maintain control of the process
- Allows the CMRB to control timing and cost
- Is an outside body, which addresses concerns raised by some members

## **3.3 Discussion Questions**

1. Does the Committee feel that restarting and having a first principles discussion would be helpful in developing an appeal process?
2. Does the Committee agree that Top Tier decisions should be made via consensus?

## **4. Appeal vs. Reconsideration Process**

The below chart identifies pros and cons of each potential process. CMRB Administration recommends that the second option, refer the matter to arbitration before a single arbitrator, be removed from consideration.

Mechanism	Pros	Cons
Appeal to the Municipal Government Board	External body – perception of independence	Cedes primacy of the CMRB on decisions in the Region
	Potential to access the expertise of individuals from outside the Region	Requires legislative change
		Timing no longer controlled by the Board – likely longer process
		Increased cost to municipalities
Create an internal appeal process from a pool of knowledgeable individuals	External body – perception of independence	Cedes primacy of the CMRB on decisions in the Region
	Potential to access expertise of individuals not part of the CMRB	Increased cost to municipalities
	Able to better control timing/ costs than utilizing the MGB	
Reconsideration process by the CMRB	Requires no legislative changes	Internal body – perception of bias
	Timing remains in control of the Board	No ability to access expertise of individuals from outside the Region
	Limited additional cost to municipalities	
	Cedes primacy of the CMRB on decisions in the Region	

In discussion with staff at the Municipal Government Board (MGB) it was determined that the MGB could create an appeal process to address appeals brought against decisions of a Growth Management Board by members of the GMB. This would require direction from the Minister to ask the MGB to undertake such work.

## 5. Applicability of the Appeal/Reconsideration Mechanism

The CMRB has been enabled to provide a number of coordinating functions to member municipalities in the Region. The Regulation provides significant latitude in the range of endeavours the Board can direct Administration to undertake as long as those endeavours are focused on benefiting the members of the Region. One key role of the Region is to develop the Growth and Servicing Plans, the policies necessary to

implement these plans, and the Regional Evaluation Framework necessary to ensure member municipalities are meeting the agreed upon commitments made in Growth and Servicing Plans.

The Board has the authority to determine which Board decisions will be subject to an appeal/reconsideration mechanism.

Scope	Pros	Cons
Applicable solely to REF/IREF decisions	IREF decisions follow an agreed upon process, measured against mutually agreed upon criteria	Does not apply to all decisions of the Board
	IREF decisions give a clear approval/ refusal – clear what is being appealed	
	Recognizes the role of the Board	
Applicable to all decisions of the Board	Applies to all decisions of the Board	Other decisions of the Board are not measured against a mutually agreed upon criteria
		The Board has an existing procedural policy motion in place
		Creates potential to use appeal process to bog down the work of the Board

It is the opinion of CMRB Administration that limiting the scope of the appeal/reconsideration mechanism to REF/IREF decisions is the most appropriate use of this tool. This is because REF/IREF decisions:

- follow an agreed upon process,
- are subjected to third party evaluation, and
- are measured against a mutually agreed upon criteria.

Other decisions made by the Board are not made or measured in this way, therefore there is no basis to appeal/reconsider a decision.

## 5.1 Discussion Questions

1. Does the Committee agree that an Appeal Mechanism should be applicable solely to REF/ IREF decisions?

## 6. Recommendation

The work of the CAO group and the previous work of the Governance Committee has highlighted some key differences in how members view the Appeal Mechanism. It is the

opinion of Administration that the creation of an Appeal Body as outlined above will best serve the needs of the CMRB.

That the Governance Committee authorize CMRB Administration to explore the creation of a pool of knowledgeable experts to hear appeals of CMRB Decisions, and report back to the November 2020 meeting of the Governance Committee.