



# ALGARY REGIONAL PARTNERSHIP

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*developing a model for regional cooperation*

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## *Governance Framework*

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On Behalf of the Calgary Regional Partnership Steering Committee

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**Attachment 1: Proposed Structure of Regional Partnership**

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## *Summary of Governance Proposals*

The following document describes the “start-up” requirements for a successful Calgary Regional Partnership. It describes how the current informal arrangement can be formalized as the basis for a long-term regional arrangement. More specifically, it proposes that:

- a non-profit corporation be formed to act as the “legal entity”, allowing the Partnership to receive grants and enter into business arrangements;
- a set of principles be adopted as the by-laws of the corporation to ensure that the corporation operates to the benefit of its members and within specified limitations;
- a regional administrator be retained to keep things going and to coordinate staff secondments, contracts and projects; and
- a consensus decision process be adopted and supported, with a “weighted vote” available to the members when efforts to reach consensus have not been successful.

This document also notes that **sustaining members** (i.e. elected councils that annually support the region) will direct the Partnership through representatives, and that the councils will approve the regional budget through an annual Regional Partnership business plan. There are provisions for sustaining members to “opt out” of projects under certain conditions, and to leave the partnership with six months notice (from the tabling of the next Regional Partnership business plan).

There are provisions for **project partners** (i.e. other municipalities, jurisdictions, corporations or agencies who form a contractual relationship to participate in specific projects). This document proposes that those partners be asked to pay for a portion of the administration costs as well as their share of the project costs.

Based upon the discussion at the May 2 forum, this document was revised and distributed to all member councils for their review and endorsement. It is anticipated that the Partnership will formally endorse the framework as soon as the member councils have indicated their formal support.

## ***1.0 Introduction***

This governance framework will position the Calgary Regional Partnership (hereafter called the Partnership) to act as a forum and collective voice for the region. It outlines the approach the member councils (hereafter called members) of the Partnership generally support in their efforts to create benefits for the whole region.

This framework will be a viable approach for the region as long as its members support it. Although it has been developed with professional advice and extensive research, its success lies in reflecting the desires of member councils in the region.

The Partnership has been able to draw from the experience of other regional approaches but, in the end, has developed an approach that is customized to the needs, perceptions and expectations of its members.

The Partnership should evolve as conditions, member expectations and challenges change. The following framework should not be taken as a fixed plan for success, but rather as a good starting point that can change over time. The initial transition to implement this framework should not be rushed, but rather should occur at a thoughtful pace.

## ***2.0 Context for Effective Partnership***

The Partnership is based on a Regional Vision, approved by all members in 2002, that supports local autonomy while emphasizing that local goals can often best be facilitated through regional cooperative approaches. The vision encourages regional thinking within the context of local decision-making.

All actions undertaken by the Partnership must support the mutual benefit of all or the majority of members. Specifically, the Partnership must help its members work cooperatively to improve the delivery of municipal services, to enhance regional prosperity and to protect the natural environments upon which we depend.

All members of the Partnership are concerned with organizational efficiency and effectiveness. The Partnership must achieve results without the creation of unnecessary bureaucracy, infrastructure, policies or processes. On the other hand, the Partnership must be effective; it must achieve the results its members seek together.

An important focus of the organization is effective communication among members. The organization has therefore been structured and supported in a way that will enhance communication.

### **3.0 Legal Entity**

Although four approaches were examined, the Steering Committee recommends a **non-profit corporation** be established initially as the legal basis for the Regional Partnership. This approach is relatively simple to institute and offers a high degree of flexibility for the future. In the future, the Partnership may wish to consider establishing a **regional agency**. This would establish the Partnership in provincial legislation, would improve integration with the Municipal Government Act, and might strengthen the credibility of the Partnership as a “regional voice”.

The Steering Committee recommends that the **regional service commission** (as defined in the Municipal Government Act) not be considered for the Partnership due to the restrictive nature of the entity (e.g. lack of ability to opt out, restrictions in MGA, membership issues). The Committee felt, however, that regional service commissions have a valid role where a specific service delivery requirement is concerned. It is possible, in future, that such a commission could be created under the umbrella of the Partnership if there is mutual agreement that a shared service requirement can best be met through such a commission.

Using the City of Calgary as the legal entity (“**as is**”) will continue for this fiscal year, but is not recommended as a long-term solution. The establishment of a legal entity (incorporating a non-profit corporation, transferring account-keeping and record-keeping from the City of Calgary) should occur in early 2004.

### **4.0 Structure of Partnership**

*This section refers to Attachment 1: Proposed Structure of Regional Partnership.*

The **sustaining members** of the Partnership are the elected councils that formally endorse the Regional Partnership and commit their municipality or jurisdiction to ongoing support. They appoint their representatives to the Regional Forum and to the Partnership Committee, and directly approve the regional business plan (or exceptional financial requirements, as necessary). Sustaining members are assumed to have a long-term commitment, but may leave the Partnership if they are not prepared to support the next Regional Partnership business plan (*see Section 6.0: principle 6.15*) and may opt out of specific projects (*see Attachment 3: Regional Project Guidelines*).

The **Regional Forum** provides a place where formal decisions regarding the priorities and strategic direction for the region are made on a consensus basis. Every member can appoint up to three representatives. The **Partnership Committee** is similar to an “executive committee”—it oversees the ongoing business and projects of the region.

However, this committee also supports efforts to build consensus within the region outside of the formal Forum process. Every member can appoint one representative. Administrators and appropriate staff will normally attend Forum or Partnership Committee meetings.

The **Regional Support Group** will include any administration or project support staff necessary for the work assigned to the region. This group will be kept small, and project staff will often be seconded from member municipalities.

**Project Partners** include other municipalities, jurisdictions, agencies or corporations who choose to participate only in selected projects within the region. They are not sustaining members and do not have any authority at Partnership meetings. However, during the time that they are formal participants in a project, they will receive project updates, attend project meetings, and have input regarding the direction of the project.

## ***5.0 Rights and Obligations of Members***

Councils that are sustaining members of the Partnership will have a seat on the Partnership Committee and (up to three) voting seats at the Regional Forum as part of their membership. They are also assured that their councils will receive information about all regional discussions, policies, projects and initiatives. They become part of the consensus group that will fashion all regional agreements and they have a voting privilege in cases where a vote is required.

Members approve a Regional Partnership business plan prior to each business year that outlines the contribution that each member is requested to make to sustain the business costs associated with the Partnership. This contribution will be based on a cost sharing formula that the members will establish on an annual basis.

Members also approve (within the Regional Partnership business plan or a special amendment to it) the regional projects to be initiated or continued. The financial contribution of members toward project costs will be specifically described and available to member councils in advance for their review. Prior to Regional Partnership business plan approval, a member may opt out of any specific project described therein (*see Attachment 3: Regional Project Guidelines - Criteria for Opting Out of a Regional Project*).

*Note: Project partners do not have the privileges noted above, but do have the right to participate in project-specific decisions.*

## ***6.0 Principles (Future By-Laws)***

*The overriding purpose and principle of the governance model developed for the Calgary regional project are to improve coordination and communication among the jurisdictions that are its members, for shared benefit. These principles, practices, protocols are the result of the council consultation process which was a key feature of the Working Toward an Organization project.*

The success of the Partnership (corporation) is dependent on shared support of the guidelines that direct the organization. When the Partnership is incorporated, these statements will become a formal part of the corporation as its by-laws.

The following principles (listed in random order) will be addressed in the development of the corporate by-laws:

- 6.1 The Partnership may provide a collective voice to provincial and federal governments according to an agreed protocol.
- 6.2 The Partnership primarily supports a consensus based decision-making process as defined in *Attachment 2: Decision-Making*. Where consensus cannot be achieved decisions will be made using a weighted vote formula.
- 6.3 The Partnership cannot interfere with the abilities and responsibilities of a member as stated under the Municipal Government Act, nor the rights and responsibilities of any other jurisdiction as granted under their relevant legislation.
- 6.4 There are many issues that will continue to be the business of two members that develop agreements. These opportunities for bi-lateral or multi-lateral arrangements should continue and may not fall under the purview of the Partnership.
- 6.5 **The** Partnership shall remain silent when member municipalities are applying for federal or provincial funds, unless the applicants request comment or participation from the Partnership.
- 6.6 Although more meetings may be beneficial, a minimum of two Regional Forum meetings must be held within each calendar year. At these meetings, all members can send up to three elected officials plus support staff.
- 6.7 The Partnership will approve a Regional Partnership business plan by July 31 (five months prior to the fiscal year). This plan must describe all major projects to be undertaken in the next fiscal year, and include all predictable requirements for administration or support costs.
- 6.8 The Partnership can undertake specific projects on behalf of its members when the Regional Forum has approved such projects. As projects are completed, a detailed evaluation of deliverables must be presented in a project report tabled at a Regional Forum meeting.

- 6.9 Members who feel that a proposed regional project will not benefit them can withdraw from the project when it is first introduced to the Regional Forum. Members cannot withdraw from regional projects after they have been initiated and a financial obligation has been created in an agreement or contract.
- 6.10 Where appropriate, staff providing services to the Partnership may be formally seconded from members. Secondments can be contracted on a full-time or part-time basis with compensation to the seconding jurisdiction, if appropriate.
- 6.11 The Partnership Committee, consisting of one representative from each jurisdiction, will be responsible to oversee the ongoing business. This committee will make practical efforts to build shared support for decisions **before** they are brought to the Regional Forum. Members are delegates of their councils and bear the responsibility to act on behalf of their councils and report back to them on a continual basis.
- 6.12 The Partnership Committee meets at least six times per year. The Partnership Committee is responsible to ensure that emergent issues and business are appropriately addressed. The Partnership Committee may request extraordinary Regional Forum meetings when necessary.
- 6.13 The chairperson of the Regional Forum and the Partnership Committee are one and the same.
- 6.14 The Partnership is accountable to the public. All formal records of meetings and regional communication are accessible on request at a single location within the region. The annual Regional Partnership business plan is available to the public. All meetings and correspondence sent to members are subject to the Freedom of Information and Protection of Privacy Act.
- 6.15 The Partnership will develop a public involvement protocol to keep citizens in the region informed about regional matters and will support the involvement of citizens, businesses and not-for-profit organizations in regional thinking.
- 6.16 Sustaining members may opt out of the Partnership when they review the next year's Regional Partnership business plan, as long as they provide five months notice prior to the next fiscal year and pay out any existing financial obligations they have incurred as members (i.e. project, shared service, or infrastructure agreements they have entered into). *The opt out notification must be submitted, in writing, to the chairperson.*
- 6.17 If a member or project partner does not meet their financial obligations to the Partnership within 60 days of affirming their commitment, they will be invoiced.

Continued non-payment could lead to a removal of sustaining members or project partners.

- 6.18 The Partnership may enter into agreements with non-member municipalities, jurisdictions, agencies, corporations or institutions that wish to contribute resources to specific regional projects and participate in the benefits that result from these projects. However, as a general rule, their level of contribution must be sufficient to cover a portion of the sustaining costs of the region, in addition to the direct costs associated with the project.

## ***7.0 Regional Support Group***

The nature of regional issues, and the support for consensus building in the region will require staff support from members to develop resources and manage projects, build partnerships for project funding, support information, exchange of ideas, and documentation. In addition, there is a need for a primary place where all information about regional discussions, projects and processes can be found.

To further support Partnership activities, it is proposed that the region have a Partnership Administrator in place by Fall 2003. This person should initially be supported by a secretary, and should have a suitable office and records-keeping place.

Additional policy/research/project support **may** be provided through secondments from members.

The Partnership Administrator should be retained before the organizational framework is finalized. This will allow the regional support group to help with transitional matters and to work with the Partnership Committee on the development of an appropriate business process.

## ***8.0 Funding***

There are many potential funding sources including, but not limited to, the following:

- Staff support from sustaining members (*see Section 7.0: Regional Support Group*)
- Staff secondments from the private sector
- Municipal contributions set out in the Regional Partnership business plan
- Provincial/federal grants
- Corporate/private sector partnerships/sponsorships
- Institutional partnerships (such as universities, health authorities and educational agencies)