



LEASE/LICENCE OF OCCUPATION REVIEW ADVISORY

The City of Calgary, as directed by Council, has been engaged in a review of the “Lease/Licence of Occupation to Community Organizations Policy” and the corresponding agreements that are held with community partners. Throughout this review many agreements have been placed in temporary overhold as they expired during the review and many more agreements will expire by the end of 2011. The City will be asking Council for its approval of the proposed changes this fall. Upon receiving approval, The City will begin the process of entering into new agreements with its community partners.

This advisory outlines options your organization has regarding the current status of its agreement with The City. Your designated City liaison will be able to support you through which ever process your organization believes is best.

OPTION 1: START EARLY FINISH EARLY

If your agreement with The City is currently in overhold, or is due to expire, you may want to choose this option in order to get the ball rolling. The process to sign a new agreement can take some time as the discussions, documents and approvals involve many individuals. Council approval of the new changes is expected to take place in November 2011, but your organization can re-apply for a new agreement now, if the current one is expired or will expire in the next six months. Rest assured, if you choose this option, you will only be asked to sign a Council-approved agreement. Starting early simply moves your organization to the front of the queue and will result in an executed agreement sooner. If your organization would like to begin the re-application process, please submit your intent in writing to your liaison and they will support you accordingly.

OPTION 2: WAIT FOR COUNCIL APPROVAL

As mentioned above, waiting for Council approval of the changes is not necessary to begin the re-application process if your agreement is expired or about to expire. However, if your organization would rather wait to see the final outcome of Council’s decision, then the re-application process can take place at that point. You are encouraged to notify your liaison that you would like to wait for Council approval before beginning the process and once approval has been given simply submit in writing, to your liaison, your intent to re-apply for a new agreement.

OPTION 3: AMEND YOUR BOUNDARY AT THE SAME TIME

Amending a boundary, whether doing so as a standalone item or within the process of a re-application for a new agreement, has additional requirements that can lengthen the process. If your organization would like to change its boundaries (i.e. to add a community garden or amenity or to reduce the overall footprint) you are encouraged to do so as part of the re-application process rather than making the change on its own and then re-applying. Combining the two processes together is the most efficient use of everyone’s time including yours. You can choose this option in combination with OPTION 1 or OPTION 2.

OPTION 4: TERMINATE AND TAKE ADVANTAGE OF THE NEW CHANGES WITH A NEW AGREEMENT

This is not as drastic as it sounds. It is simply the most efficient and cleanest method to handle this type of option. If the current agreement your organization has with The City is not expired, and won't be until 2013 or later, you may want to choose to have your agreement amended in order to take advantage of some of the new proposed changes. If so, it will be necessary to surrender your existing agreement and make a request to enter into a new agreement. The City is open to accepting a lease/license surrender in order to support the choice of your organization. Your liaison and other City personnel can advise you in this decision and support the accompanying process. Some of the proposed changes that may motivate you to choose this option are:

- The proposal to increase the threshold for capital projects to \$50,000 from \$20,000 will allow your organization more flexibility and autonomy when pursuing smaller scale lifecycle projects or improvements that do not require a development permit.
- The proposal to remove the requirement of social recreation organizations to maintain a capital reserve fund will allow those organizations to more effectively manage their cash flow for other organizational needs at their discretion.
- If your organization is paying an annual fee that is in excess of the proposed \$10/year you may realize some savings by amending your agreement early.
- The proposed requirement that your liaison is required to meet with your organization biannually will allow your organization to continue to strengthen its relationship with the liaison and The City as well as establish scheduled review of important organizational documents such as the business plan and lifecycle study.

While all the proposed changes are perceived to be beneficial, best practices for your organization these four in particular offer real intrinsic value should you choose to adopt them early. If this is the case please indicate in writing, to your liaison, that you organization would like to amend its agreement with The City.

OPTION 5: DO NOTHING

If your agreement is not expired and won't be expired until 2013 or later you can choose to continue to operate under the provisions of your current agreement.

SUMMARY

The relationship that The City has with its community partners is of paramount importance and is strongly in alignment with Council priorities. Your continued support and partnership during the review of the "Lease/Licence of Occupation to Community Organizations Policy" and the corresponding agreements is greatly appreciated. As we now embark on the next phase of this review, which is to enter into new agreements with our partners, The City will strive to make this a transparent and efficient process with the intended result being strong, mutually beneficial relationships between The City and community organizations that will provide exceptional value to the citizens of Calgary.

Detailed steps for each of the above options are available from your liaison. Once you make your decision your liaison will support you through each step.

For more information visit www.calgary.ca/locreview.