



GOVERNANCE AND PRIORITIES COMMITTEE

The Business Improvement Districts Bylaw, 2022

Recommendation of the Committee

1. That the following changes be made to the proposed consolidated Bylaw:
 - a. That clause 11(3)(d), Board Member Responsibilities, be amended to read “advise an officer of the board or designated staff person if they are unable to attend a board meeting or general meeting”;
 - b. That a subsection 3 be added to section 14, Role of the Chair and Vice-Chair, saying that “the chair may delegate any of the actions mentioned in clauses 1(b) through (e) to a board member or district staff person, as appropriate, but remains responsible to ensure that any delegated actions are taken;
 - c. That section 19, Annual General Meeting, be amended so that the requirement for a BID to hold an Annual General Meeting be within a six month period following its most recent fiscal year rather than four months;
 - d. That section 20, Authority of the City Manager, be deleted;
 - e. That section 28, Insurance, be deleted, and that the City Solicitor’s Office shall continue to work with the BIDs regarding any insurance issues;
 - f. That the BIDs be required to provide their annual report to Council by June 30 of each year;
 - g. That no change be made to clause 5(a), Purpose of Districts;
 - h. That no changes be made to clause 2(c) and section 24 regarding the levies except to clarify that the levy is to be paid by the tenant to the landlord and the landlord to the City;
 - i. That subsection 11(4) remain as currently drafted (Option 3 – Board Member Responsibilities – City Council Appointments);
 - j. That subsection 18(2) remain as currently drafted to allow for notice of an annual general meeting or a general meeting to be at least 15 days (Option 1 – Annual General Meetings);
 - k. That section 8 be amended to allow for the appointment of two “at large” members of the board rather than non-profit corporate appointments (Option 2 – Eligibility for Appointments) but business owners shall constitute the majority and quorum of a BID Board;
 - l. That subsection 25(3) be amended to allow for the BIDs to incur indebtedness of up to five years for the lease of office space or the lease of office equipment but limit indebtedness to the current year for other reasons but allow for exceptions on application to and approval by the Standing Policy Committee on Finance (Option 3 – Expenditures by Board);



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- m. That subsection 33(3) be amended to provide that any surplus be used to support an initiative or project in the area of the former BID (Option 2 – Disestablishment of a District); and
2. That the City Solicitor be instructed to bring forward the updated version of The Business Improvement Districts Bylaw, 2022 to City Council's October 2022 meeting for its consideration.

History

The Governance and Priorities Committee, at its meeting held on July 18, 2022, considered a report from the Administration regarding the above.

Your Committee received presentations from Brent Penner, Executive Director, Downtown YXE and Randy Pshebylo, Executive Director, Riversdale BID. Also a communication from DeeAnn Mercier, Executive Director, Broadway BID, was considered and is attached.

Committee is recommending that the Bylaw be brought forward to the October 2022 meeting of City Council, in order to give the BID Boards an opportunity to review it. With respect to Section 8 of the Bylaw, your Committee is also recommending that with approval of appointment of "at large" members that the section include that business owners shall constitute the majority and quorum of a BID Board

Attachments

July 18, 2022 report of the City Solicitor

Letter – DeeAnn Mercier, Executive Director, Broadway BID, dated July 17, 2022