

The Corporation of the City of Kawartha Lakes
Committee of the Whole Report

Report Number ED2019-007

Date: March 19, 2019
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: 5, 7

Title: Lindsay Downtown BIA Policy Updates

Description: Update to Establishing By-Law and Adoption of Constitution

Author and Title: Carlie Arbour
Economic Development Officer, Community

Recommendation(s):

That Report ED2019-007, **Lindsay Downtown BIA Policy Updates**, be received;

That the Board approved Lindsay Downtown BIA Procedural By-Law, attached as Appendix A to Report ED2019-007, be received;

That the Board approved Lindsay Downtown BIA Constitution, attached as Appendix B to Report ED2019-007, be received;

That the Composition Section 2.02 of the establishing by-law 2008-212 be deleted in its entirety and replaced with:

The Board of Management established under section 2.01 of this By-law consists of a minimum of **7** and a maximum of **13** directors who shall have full voting privileges, and shall include:

- a) Up to Two (2) Councillors appointed directly by Council of the City of Kawartha Lakes.
- b) The balance of the directors shall be selected by vote of the members of the Lindsay Business Improvement Area and then appointed by Council of the City of Kawartha Lakes, and shall include:

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

- i) One Business Resident, being a resident of Lindsay who is an owner or operator of a business located outside the Business Improvement Area but within the City;
 - ii) The balance shall be members of the Business Improvement Area.
- c) The Board of Management will invite City staff resources from the Tourism/Economic Development office, Public Works Services office and one City Police Services Representative to act as resources to the Board and they shall have non-voting privileges.

The term of the Board of Management shall be the same as the term of the Council that appointed them, however, in an election year the Board of Management members shall continue to hold office until their successors have been appointed;

That the necessary amending By-law be forwarded to Council for adoption; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting **on March 26, 2019.**

Background:

Council approved a Business Improvement Area (BIA) for Lindsay with the By-Law 2008-212 “A By-Law to Establish a Board of Management for the Lindsay Business Improvement Area in the City of Kawartha Lakes.”

As per section 2.04 of By-Law 2008-212, the Board of Management:

- i. shall pass a procedure by-law governing the calling, place and proceedings of its meetings.
- ii. before passing the procedure by-law, shall give notice of its intention to do so to the members of the Lindsay Business Improvement Area in accordance with Section 2.05.

The Lindsay Downtown BIA has been working on coming into conformity with the By-law and has made some changes that result in changes to the Constitution and therefore By-Law.

This report addresses requested changes to the by-law and the adoption of updated foundational documents for the Board.

Rationale:

The Lindsay Downtown BIA has three foundational documents that define the parameters in which the Board operates.

1. The Establishing By-Law 2012-008 which defines the Boards’ composition, structure, and policy requirements.
2. A Constitution that governs the structure and operations of the BIA, and defines how it to implement the requirements as outlined in the By-Law
3. A Procedural By-Law that governs the calling, place and proceedings of its meetings.

The Lindsay Downtown BIA has been operating according to a Constitution and Procedural By-Law as adopted by the Board. The BIA undertook a detailed review of these documents in 2018, has since updated them to reflect the Boards current operational needs, and received approval of the documents by the Membership.

Outlined below are the updates, and requested changes to the By-Law.

The Board frequently has difficulty-reaching quorum at its monthly meetings with the current composition. They believe reducing the minimum number of required directors will remove the challenges meeting quorum and improve the effectiveness of the Board meetings.

With the reduced size of City Council, the Board recognizes there are only two wards that represent Lindsay, and the BIA boundaries. "Up to three" Councillors is no longer necessary.

The Kawartha Lakes Police Chief attends the meetings of the Board, operating as a staff-resource, rather than a voting member for a number of years, and has requested that the By-Law be updated to reflect this.

At the Lindsay BIA Annual General Meeting held on January 14, 2019, the membership adopted the following recommendations:

MEMBERSHIP APPROVAL OF CHANGES TO BY-LAW 2008-212

Moved By: Janice Silverthorne **Seconded By:** Steve Podolsky

Resolved: That the proposed changes to By-Law 2008-212 be approved, and recommended to City of Kawartha Lakes Council for amendment.

Carried AGM2019-04

Proposed Changes:

2.02 – Composition

The Board of Management established under section 2.01 of this By-Law consists of a minimum of **9** and a maximum of **15** directors who shall have full voting privileges.

Change to minimum of 7 and a maximum of 13 directors

a) Up to Three (3) Councillors appointed directly by Council of the City of Kawartha Lakes

*Change to **Two (2) Councillors** appointed directly by Council of the City of Kawartha Lakes*

b) Balance of Directors shall include: i) One City Police Services Representative

Remove this line and include this position along with the City staff resources listed in section c). This position will no longer be included with those directors who have voting privileges.

If this recommendation is accepted, a by-law amendment is required.

The BIA brought the Constitution into alignment with the recommended changes to the By-Law. The Procedural By-Law was also updated to reflect the Boards current needs. As these are governing documents for the BIA, they were presented and approved by the Membership at the AGM.

Other Alternatives Considered:

There were no other alternatives considered, as it is a recommendation from a local board.

Financial/Operation Impacts:

There are no financial considerations relating to this report.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

The Lindsay Downtown BIA relates to the Council Adopted Strategic Plan in supporting A Vibrant and Growing Economy. Through consultation and advice provided by local business and property owners involved in the Downtown, Council is able to support a stronger local economy through the delivery of programs and policy decisions that provide support to the sector.

Review of Accessibility Implications of Any Development or Policy:

Not Applicable

Servicing Implications:

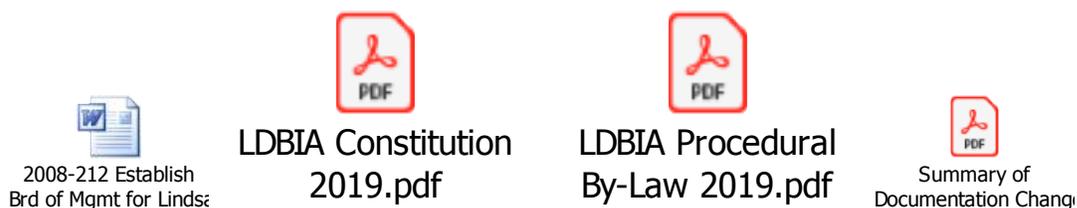
Not Applicable

Consultations:

Lindsay Downtown BIA

Deputy Clerk

Attachments:



Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall