



City of
Peterborough

To: Members of the General Committee

From: Richard Freymond
Commissioner of Corporate and Legislative Services

Meeting Date: September 8, 2020

Subject: Report CLSFS20-046
Expansion of DBIA Board Membership

Purpose

A report to recommend the addition of members to the DBIA Board of Management.

Recommendation

That Council approve the recommendation outlined in Report CLSFS20-046, dated September 8, 2020, of the Commissioner of Corporate and Legislative Services, on behalf of the DBIA, as follows:

That the amending by-law, attached as Appendix B to Report CLSFS20-046, to increase the DBIA Board membership from 9 to 13, be approved.

Budget and Financial Implications

There are no budgetary or financial implications associated with the recommendations in this report.

Background

This report is in response to a resolution adopted by Council at its meeting of July 27, 2020 regarding the Downtown Business Improvement Area (DBIA) Board of Management membership:

Whereas the DBIA Board of Management, at its meeting of May 13, 2020, passed a motion requesting the City of Peterborough expand the DBIA Board composition to a maximum of 13 members and,

Whereas the DBIA sent correspondence to members of Council and staff on May 27, 2020, requesting City By-law 17-095 be amended to permit a maximum of 13 DBIA Board members,

Now be it resolved, that staff be directed to report back to Council in October with a by-law to amend the composition of the DBIA Board of Management membership to a maximum of 13 members.

In 2017 Council adopted By-law 17-095, Being a By-law to implement local policies to guide the operation and conduct of existing and new business improvement areas for the benefit of their members and the residents of Peterborough. Article 14.1 of the by-law indicates the minimum number of directors shall be 7 and the maximum 9.

On May 27, 2020 members of Council and staff received correspondence from the DBIA, attached as Appendix A to this report, requesting Council consider increasing the DBIA Board membership from its current 9 members to a maximum of 13. Article 18.1 of By-law 17-095 requires the DBIA, when seeking to increase its Board membership during the term of Council, deal with this matter as an agenda item at a regular Board meeting or at their AGM. Appendix A also includes the May 13, 2020 DBIA Board of Management meeting agenda and minutes in which this matter was discussed and voted upon.

If Council wishes to increase the Board membership as per the DBIA's request, Article 14.1 of By-law 17-095 would require an amendment to delete the current provision which reads, "The minimum number of directors shall be 7 and the maximum of 9" and replace with, "The maximum number of directors shall be 13". If supported by Council, the DBIA would hold an election at their 2021 AGM for the new Board positions. The DBIA would then forward their membership recommendations to Council for approval.

As a matter of housekeeping, staff recommend updating By-law 17-095 by removing reference to former staff positions "Director of Corporate Services" and "Director of Planning and Development" and replacing with "Commissioner of Corporate and Legislative Services" and "Commissioner of Infrastructure and Planning Services". These positions are referenced throughout the by-law. An example being Article 21 where the DBIA Board is required to send notice of their AGM 20 days prior to the date of the meeting to the Director of Planning and Development.

Attached as Appendix B to the report is an amending by-law which amends Article 14.1 of By-law 17-095 to permit a maximum of 13 members to be appointed to the DBIA Board of Management. Further, the by-law amends any reference to the former staff positions identified above. If supported, the amending by-law would be placed on the September 28, 2020 Council agenda for final consideration.

Submitted by,

Richard Freymond
Commissioner of Corporate and Legislative Services

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City Clerk
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Attachments:

Appendix A: May 27, 2020 DBIA Letter to the Mayor and members of Council

Appendix B: Draft By-law to Amend By-law 17-095



May 27, 2020

Mayor Diane Therrien
and Members of Council

cc: CAO Sandra Clancy & City Clerk John Kennedy
Corporation of the City of Peterborough
500 George St. N.
Peterborough, Ontario
K9H 3R9

Your Worship,

The DBIA Board of Management would like a change to by-law 17-095 section 14.1 regarding the number of members able to serve on the board of management of Business Improvement Areas in the City of Peterborough. When the DBIA was formed in 1980, we were limited to 7 board members. It was quickly appreciated that the DBIA would be better served with a larger board and was expanded to 11 in 1982 and again in 1994 to 13. The number of board members was reduced to 7 – 9, including our appointed council representative, with the approval of by-law 17-095 in 2017. We are seeking a return to a maximum board of 13 directors.

Our membership is a diverse group in the types of businesses they run as well as the skills and perspectives they bring to the table. Our board members are very active in their roles as we've taken on some major projects and the board has poured hundreds of hours into initiatives like the vibrancy projects, Smart Cities and strategic planning as well overseeing the regular operation and direction of the DBIA. While we are able to get a lot done, we know we could do more with a larger board. It would help us better spread out the workload and not burn people out. It would also make it easier to have a board that better represents the diversity of our members.

We had tried to address some of these issues through subcommittees, which are helpful, but we have highly-skilled individuals who would love to be on our board and would contribute to a more vibrant and better represented downtown. All board members volunteer their time at no cost to the City or BIA members.

In accordance with by-law 17-095 section 18.3, the following motion was passed at the May 13 DBIA Board of Management general meeting:

Appendix A



*Motion to formally request the City of Peterborough amend by-law 17-095 section 14.1 to increase the size of the DBIA Board of Management to a maximum of 13 members with the intention to hold an election for the vacant positions in 2021 moved by **Cherney**, seconded by **Moss**. **Carried.***

The agenda and minutes for the meeting are attached.

Thank you for considering our request,

Paul Bennett
DBIA board chair



**DBIA Board of Management Meeting
Wednesday, May 13, 2020
Video conference via Zoom
5 to 7 pm**

1. Welcome
2. Approval of the Agenda
3. Request for expansion of the Board of Management of the DBIA
4. Discussion of the 2021 Draft Budget
5. New Business
6. Adjournment

Appendix A

DBIA Board of Management Meeting
Wednesday, May 13, 2020
Video conference via Zoom
5 to 7 pm
Minutes

Present: Tegan Moss, Sacha Lai-Svirk, Michael Cherney, Paul Bennett, Kemi Akapo, Brad Collyer

Regrets: Jean Grant, Sam Sayer, Michael Gallant

1. Welcome 5:05 pm

2. Approval of the Agenda

Approval of the agenda as amended moved by **Cherney**, seconded by **Lai-Svirk. Carried.**

3. Request for expansion of the Board of Management of the DBIA

Motion to formally request the City of Peterborough amend by-law 17-095 section 14.1 to increase the size of the DBIA Board of Management to a maximum of 13 members with the intention to hold an election for the vacant positions in 2021 moved by **Cherney**, seconded by **Moss. Carried.**

4. Discussion of the 2021 Draft Budget

Wiebe and **Collyer** present the 2021 draft budget

The board discusses the draft budget

The board would discuss priorities of larger budget items

Motion to request the City of Peterborough increase the streetscape funding to the DBIA for 2021 to correspond with the increase in our streetscape contract moved by **Collyer**, seconded by **Lai-Svirk. Carried.**

5. New Business

Update from Executive Director

Guiel provided an update on several projects and presents the board with a proposal to provide additional Personal Protective Equipment

Motion to approve \$7,000 from the COVID relief fund for the purchase of Personal Protective Equipment for businesses moved by **Cherney**, seconded by **Lai-Svirk. Carried.**

Update on The Boro

Wiebe provides an update on The Boro

The board discusses open streets possibilities

6. Adjournment – 6:45 pm

Motion to adjourn moved by **Cherney**, seconded by **Lai-Svirk. Carried.**



The Corporation of the City of Peterborough

By-Law Number 20-057

Being a By-law to amend By-law 17-095, a By-law to implement local policies to guide the operation and conduct of existing and new business improvement areas for the benefit of their members and the residents of Peterborough

WHEREAS:

1. On September 11, 2017 the Council of The Corporation of the City of Peterborough passed By-law 17-095 to guide the operation of business improvement areas and,
2. Council considers it appropriate to amend By-law 17-095 to permit an increase to the membership of the Downtown Business Improvement Area Board of Management.

NOW THEREFORE, The Corporation of the City of Peterborough by the Council thereof enacts as follows:

1. Article 14.1 of By-law 17-095 is amended by deleting the phrase “The minimum number of directors shall be 7 and the maximum of 9” and replacing with the following “The maximum number of directors shall be 13”.
2. That reference to “Director of Corporate Services” in Articles 1.5 iii, 1.11, 28.1, 28.2, 29.2, 29.5, 30.1, 30.2, 30.3 and 2.4 g of Schedule B, be deleted and replaced with “Commissioner of Corporate and Legislative Services”.
3. That reference to “Director of Planning and Development” in Articles 1.12, 4.3 c. iv, 4.3 c. v, 4.4, 4.5, 4.6, 4.7, 4.10, 5.11, 5.14, 5.15, 6.1a, 6.11, 6.14 d, 6.15, 9.12, 9.15 d, 9.16, 16.3, 16.7, 16.9, 16.10, 21.3, 31.2 b and 2.3 d of Schedule B, be deleted and replaced with “Commissioner of Infrastructure and Planning”.

By-law read a first, second and third time this 28th, day of September, 2020.

Diane Therrien, Mayor

John Kennedy, City Clerk