

To: SPECIAL COUNCIL

Meeting Date: 6/28/2021

Subject: Appointment of New Members, Preston Towne Centre Business Improvement Area (BIA)

Submitted By: James Goodram, Director Economic Development

Prepared By: Laura Pearce, Senior Economic Development Officer

Report No.: 22-020-CRE

File No.: C1101

Wards Affected: Ward 3

RECOMMENDATION(S):

THAT Report 22-020-CRE Appointment of New Members, Preston Towne Centre Business Improvement Area (BIA) be received;

AND THAT; based on the recommendation from the Preston Towne Centre BIA Board of Managers, Cambridge Council appoint the following persons to the Preston Towne Centre BIA Board of Management:

1. Vanessa Stankiewicz: Lalola Catering, 739 King Street East
2. Tracey Doogan-Benoit: Red Wind Studio, 645 King Street East
3. Jeff Butler: Chords and Cards, 644 King Street East

EXECUTIVE SUMMARY:

Purpose

To appoint Vanessa Stankiewicz, Tracey Doogan-Benoit and Jeff Butler to the Preston Towne Centre BIA Board of Managers.

Key Findings

- Each BIA holds an election for appointment to the Board of Management at their Annual General Meeting (AGM) along with other meetings during the year as required to fill vacant positions from resignations.
- Preston Towne Centre Business Improvement Area Constitution states in Section 2.g. if the vacancy occurs more than six (6) months prior to the expiration

of the Board's term of office, an election to appoint a qualified person for recommendation to Council to fill the vacancy is required. If the vacancy occurs after 3.5 years of the 4-year term in office, the Board may appoint a qualified person for recommendation to Council to fill the vacancy for the remainder of the term of office.

- As it is within six (6) months of the end of the term (2018-2022), the BIA is permitted to appoint qualified person(s) for recommendation to Council to fill the vacancy for the remainder of the term.
- Over the course of several months, Preston Towne Centre BIA Board had three (3) resignations leaving three (3) vacancies on the Board as of June 2022.
- Council approval is required to accept the appointments of the new members.

Financial Implications

There are no financial implications

STRATEGIC ALIGNMENT:

- ☐ Strategic Action; or
- ☒ Core Service

Objective(s): STRONG CORES - Create an inviting downtown that connects and complements core areas and neighbourhoods where people want to live and visit

Strategic Action: Not Applicable

Program: BIA / Core Area Support

Core Service: BIA / Core Area Support

Supporting the Preston Towne Centre BIA encourages Development and Tourism within the Core Areas of Cambridge.

BACKGROUND:

Section 204 (1) of the *Municipal Act*, 2001 as amended, provides that a local municipality may designate an area as an improvement area and may establish a Board of Management to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally, and to promote the area as a business or shopping area. As Such, the City has approved by-law 21-016 to establish and regulate the "Board of Management" for the Preston Towne Centre Business Improvement Area.

Subsection 204 (4) of the *Municipal Act*, 2001, as amended, indicates that members of an improvement area must be a commercial property owner or commercial property tenant within the BIA area as designated by by-law.

ANALYSIS:

On occasion, a member of the board may resign during the term. As a result, the Board of Managers requests that members to put their names forward to serve on the Board of Management. In this case, three board members resigned over a short period of time creating three (3) vacancies. Pursuant to section 12.9 of the *Municipal Act*, if a vacancy occurs for any reason, the municipality may appoint a person to fill the vacancy for the unexpired portion of the term. 2001, c. 25, s. 204 (12).

In addition, the Preston Towne Centre Business Improvement Area Constitution states in Section (2)g. if the vacancy occurs more than six (6) months prior to the expiration of the Boards term of office, an election to appoint a qualified person for recommendation to Council to fill the vacancy is required. The BIA Constitution notes that if the vacancy occurs after 3.5 years of the 4-year term in office, the Board may appoint a qualified person for recommendation to Council to fill the vacancy for the remainder of the Boards term of office, as in this case.

With respect to the tenure of the entire BIA Board of Managers, their term follows Council's term of office. However, Section 204(10) of the *Municipal Act* permits the continuance of the board until such time as a general election is held. It is anticipated that the next general election for the BIA boards will be January 2023.

For Council's information, with the appointment of Vanessa Stankiewicz, Tracey Doogan-Benoit and Jeff Butler the current Preston Towne Centre BIA Board of Management for the remaining portion of 2022 consists of the following members:

1. Kendra Brough, Chair, Business Owner
2. Tim Krete, Business Owner
3. Julie Barlow, Business Owner
4. Stephen Penney, Business Owner
5. Cynthia Lavoie, Business Owner
6. Crissy Vukic , Business Owner
7. Vanessa Stankiewicz, Business Owner
8. Tracey Doogan-Benoit, Business Owner
9. Jeff Butler, Business Owner
10. Mike Mann, Cambridge City Councillor

Being a member of the Board of Management of a BIA is time consuming and challenging. City staff thanks these dedicated individuals for their hard work and

passion. The appointment of members adheres to by-law 21-016, and fulfills the regulations of the Municipal Act, 2001, as amended.

EXISTING POLICY / BY-LAW(S):

By-law 21-016 is a by-law of the Corporation to provide for the establishment and regulation of a “Board of Management” for the Preston Towne Centre Improvement Area.

FINANCIAL IMPACT:

There is no financial impact.

PUBLIC VALUE:

Collaboration:

Actively work together with our partners and the community to achieve common goals and ensure representation of community interests.

ADVISORY COMMITTEE INPUT:

Not Applicable

PUBLIC INPUT:

Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

There was no internal/external consultation undertaken.

CONCLUSION:

The *Municipal Act*, 2001, as amended, authorizes a municipality to designate an area as an improvement area and establish a Board of Management, with eligible members being property owners or business owners within the designated area. The BIA holds annual elections for positions on the Board of Management as well as when required due to vacancies and provides recommendations to Council for approval. Council approval is required to bind the appointments. Staff recommends appointing Vanessa Stankiewicz, Tracey Doogan-Benoit and Jeff Butler to the Preston Towne Centre BIA Board of Management.

REPORT IMPACTS:

Agreement: **No**

By-law: **No**

Budget Amendment: **No**

Policy: **No**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

N/A