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## MANAGEMENT REPORT

**Date:** February 13, 2023  
**To:** Mayor and Council  
**From:** Tatiana Dafoe, City Clerk  
**Report #:** COU23-029  
**Attachments:** None

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**Title:** Appointments to the Downtown Stratford Business Improvement Area Board of Management 2022-2026

**Objective:** To consider appointments to the Downtown Stratford Business Improvement Area Board of Management for the 2022-2026 term of Council.

**Background:** The Downtown Stratford Business Improvement Area is Stratford Ontario's only Business Improvement Area (BIA). The Board of Management of the Downtown Stratford BIA consists of up to eight (8) volunteers who are business owners or representatives in the Stratford BIA boundaries, in addition to a City Council representative. The positions are a four year term that runs concurrently with city council terms.

### Eligibility

1. Every person who owns a commercial or industrial property within an area where a business improvement area (BIA) is established, who is shown on the last revised assessment roll of the City of Stratford is responsible for paying the BIA levy, is subject to receiving notices and therefore eligible to be appointed to the Board of Directors.
2. In the BIA, every person who operates a business, either owning the business premises or holding them under a lease requiring the payment of property taxes, is subject to receiving notice and therefore is eligible to be appointed to the Board of Directors.
3. Every person operating a business in leased space under a gross lease entered into on or before June 11, 1998 is a member of the (BIA) City Centre whether or not the landlord has exercised the right to make the business owner responsible for the (BIA) City Centre levy.
4. Incorporated members shall be represented only by a named person so designated in the corporation's official designation letter for that purpose filed with the City of Stratford.

Notwithstanding Paragraph 3 above, every person operating a business in leased space under a gross lease that was entered into between January 16, 1997 (the date of the introduction of the *Fair Municipal Finance Act, 1997* which repealed the business occupancy tax) and June 11, 1998 (the date *the Small Business and Charities Protection Act, 1998* took effect) is eligible for appointment if the landlord and tenant took the elimination of the business occupancy tax into account when determining the rent. Every person who is not subject to notice, is therefore, not eligible for appointment.

Every person operating a business in leased space under a gross lease that was entered into after June 11, 1998 is not subject to notice, are therefore, not eligible for appointment.

### **Analysis:**

#### **Appointments**

City Council, when making appointments and reappointments to City advisory and ad-hoc committees, boards, outside boards and agencies, local boards and joint boards, may take into consideration at their sole discretion, the following factors, including but not limited to:

- Experience and/or skill set of an applicant or member that may help to guide the work of the committee or board;
- Awareness of the community and local issues on the agenda by an applicant or member;
- Degree of project knowledge a member has acquired while on the committee or board, where retention of such project knowledge would be of assistance in the completion of the project;
- Number of applications received for the vacant position(s) on a committee or board;
- Years of service on the committee or board [for citizens applying for reappointment to the same committee or board];
- Attendance at committee or board meetings [for citizens applying for reappointment to the same committee or board].

For the Downtown Stratford Business Improvement Area Board of Management, there are eight (8) positions available for a four-year term to November 14, 2026. Following advertisement of these positions, seven (7) applications were received from the following individuals:

1. Carly Douglas
2. Meghan Chisholm
3. Jennifer Birmingham

4. Meghan Miller
5. Stephanie Theodoropoulos
6. Kiersten Hatanaka
7. Shawn Malvern – first year appointed to the Board was 2021

All applications were complete with the exception of:

- Shawn Malvern – a new declaration is required to be submitted
- Meghan Miller – a declaration is required to be submitted

If Shawn Malvern and Meghan Miller are to be appointed to the Board, staff would recommend a condition be added that they submit the Business Improvement Area Declaration by May 31, 2023. The BIA will ensure that training is provided to the Board Members regarding accessibility and governance. The BIA and Board are governed by the Municipal Act, 2001.

### **Financial Implications:**

#### **Financial Implications to Current and Future Years Budgets:**

The costs for recruitment of citizen representatives to advisory committees and local boards is included in the annual budget.

#### **Alignment with Strategic Priorities:**

**Not applicable:** This report does not directly relate to one of Council's Strategic Priorities.

#### **Alignment with One Planet Principles:**

**Not applicable:** This report does not directly relate to one of the One Planet Principles.

**Staff Recommendation: THAT direction be given on the appointment of members, and any conditions to be applied, to the Downtown Stratford Business Improvement Area Board of Management for a four-year term to November 14, 2026, or until successors are appointed by Stratford City Council.**

**Prepared by:** Tatiana Dafoe, City Clerk  
**Recommended by:** Joan Thomson, Chief Administrative Officer