

Revisions to BIA Processes and Requirements



- In 1989, City had no experience working with BIAs
- By-law and Guidelines substantially the same since 1989
- First two BIA societies newly established, with limited budgets and experience
- Accordingly, City adopted terms and conditions in order to:
 - Manage financial risk
 - Facilitate oversight and accountability
 - Ensure proper society procedures and management

- First two BIAs mark 25th anniversary
- BIA network expanded to 22 BIAs
- BIAs represented by umbrella organization – Vancouver BIA Partnership
- Today's BIAs:
 - Have gained experience and capacity
 - Have knowledgeable boards and professional staff
 - Have accrued management and governance expertise
- The City now has 25 years experience dealing with BIAs

- Adopt revised terms and conditions for grants to BIAs reflecting current needs and practices; and
- Incorporate the revised requirements in a new Grant Allocation By-law to be used for each BIA at the time of renewal, and new BIA designation

- Business Improvement Areas (BIAs) are funded by an annual grant to each BIA society
- The BIA grant is recovered by a BIA tax levy only on commercial properties within the designated BIA area
- Terms and conditions of the grant are set out in identical Grant Allocation By-laws specific to each BIA, enacted when a BIA is established or renewed
- By-law terms and conditions are substantially the same as those initially approved for enactment of the first two BIAs in 1989
- ‘BIA Operational Guidelines’ supplement the Grant By-law. The Guidelines were also adopted in 1989 and are substantially unchanged.

Requirements in the current By-law

- Terms and conditions in the current By-law relate to:
 - Financial accountability
 - BIA society budget approvals
 - Member notification requirements
 - Insurance coverage
 - Financial reporting
 - Borrowing and investing limitations

Requirements in the current Operational Guidelines

- Additional funding requirements in the Guidelines include:
 - Submission of BIA society meeting minutes
 - Society board composition
 - General meeting notification requirements
 - Provisions regarding quorum at general meetings
 - Restriction on society membership fees
 - Conflict of Interest guidelines

- Clarification of AGM documentation to be provided to BIA members and City:
 - audited financials
 - proposed budgets
 - membership information
- Confirm submission dates
- Update to permit electronic distribution, including downloads from BIA websites
- Expand required AGM declarations to certify that:
 - All persons were duly notified (current)
 - AGM duly constituted and conducted (with minutes enclosed)

- Recognize proxies for quorum at BIA AGMs on limited basis
- Confirm BIA budgets must be approved by members at AGM
- New requirement: submission of a 'summary budget template' to provide comparable categories for comparison in BIA budgets Council reports (implemented for upcoming Council report)
- Affirm updated practice: draft budgets and financial statements not required
- Affirm practice: quarterly financial statements not necessary

- List of current BIA executive and directors need to confirm contact information for one directors
- Affirm practice: Submit minutes of BIA general meetings but not director's meetings
- Affirm practice: conflict of interest issues governed by common-law

- Clarify definition of levy (grant) vs. non-levy funds, and affirm separate streams for banking and audit purposes
- Clarify borrowing restriction: BIA must not owe money at fiscal year end
- Clarify investment restriction by reference to Trustee Act
- Update insurance requirements: coverages, deductibles, submission deadlines, notice to City of cancellation or change
- All requirements incorporated into one document (the new By-law)
- Clarification that BIA funding may be withheld if requirements not met.

- Due to staggered renewals, new By-law will not apply to all existing BIAs until renewal cycle is complete (in 7 years).
- For consistency during the transition, all BIAs will be asked to voluntarily operate under the provisions of the new By-law.

Thank you

