

Staff Report 2019-0120

Meeting Date: September 17, 2019

Subject: Appointment to the Board of Management of the Bolton Business Improvement Area (BIA)

Submitted By: Amanda Fusco, Manager of Legislative Services/Deputy Clerk, Corporate Services

RECOMMENDATION

That the By-law attached as Schedule A to staff report 2019-0120, being a by-law to establish a board of management to provide for the improvement, beautification and maintenance of municipally owned lands, building and structures in the Bolton business improvement area, be enacted.

REPORT HIGHLIGHTS

- The Bolton Business Improvement Area (BIA) has been established since December 10, 1980.
- At a meeting on January 22, 2019 Council appointed members to the BIA for the 2018-2022 Term.
- Due to a current vacancy on the Board, the BIA Board of Management passed a motion recommending the vacancy be filled by Jose Do Paco

DISCUSSION

The purpose of this report is to recommend the appointment of Jose Do Paco as a Director of the Board of Management for the Bolton BIA.

At a meeting on August 25, 1980 Council designated the Bolton BIA (By-law 1980-72, as amended). On December 10, 1980 established the Board of Management (By-law 1981-29, as amended).

Section 204(10) of the *Municipal Act, 2001*, as amended, prescribes that the term of the Board of Directors of a Board of Management is the same as the term of the Council that appointed them but continues until successors are appointed.

An election was held December 3, 2018 for the Board of Management for the 2018-2022 term. On January 22, 2019 Council appointed eight (8) Directors to the Board of Management and 2 Council representatives.

At a Board of Management meeting held on June 19, 2019, the Chair of the Board declared a vacancy in accordance with the BIA Procedural By-law, member Alphonso Ciarcellutti missed three consecutive meetings. At the July 17, 2019 Board meeting the Board discussed individuals interested in the vacancy and recommended that Jose Do Paco be appointed.

When vacancies occur, the Board of Management recruits and recommends preferred individual(s) for Council's consideration.

Upon review of the BIA Board appointment process, Staff noted that the By-law to appoint members to the Board originated from By-law 81-29. Throughout the years By-law 81-29 was amended to replace Schedule A with the names of the new Directors and members of Council. Staff undertook a house-keeping exercise to locate all the amendments to By-law 81-29 and discovered that not all the amendments and appointments had been repealed. Due to the fact that the Municipal Act has been amended, several sections referred to in By-law 81-29 are now inaccurate.

In an effort to be more transparent, staff are proposing that a new By-law, encompassing the contents of the original By-law 81-29 and amendments be approved. This By-law is reflective of the practices contained in the Bolton BIA's Procedural By-law.

The Board of Management is a statutory board and appointments must be approved by Council.

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with this report.

COUNCIL WORK PLAN

Not Applicable

Subject matter is not relevant to the Council Workplan.

ATTACHMENTS

Schedule A: Draft By-law