

NO: **R110**

COUNCIL DATE: **May 28, 2012**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 23, 2012**

FROM: **City Solicitor**

FILE: **0360-20-01**

SUBJECT: **Surrey Homelessness and Housing Society - 2012 Annual General Meeting**

RECOMMENDATION

The Legal Services Division recommends that Council:

1. Receive this report as information;
2. Receive the Notice of Annual General Meeting for the Surrey Homelessness and Housing Society (the "Society"), which is attached as Appendix "A" to this report, and waive the notice period required for the Society's Annual General Meeting ("AGM");
3. Appoint the City Solicitor to represent the City of Surrey at the AGM; and
4. In its role as a member of the Society, confirm its support of the recommendations to the members as set out in the Notice of Annual General Meeting.

INTENT

The purpose of this report is to have Council exercise the rights of the City of Surrey as a member of the Surrey Homelessness and Housing Society in respect of the Society's AGM.

BACKGROUND

The Society was incorporated on June 22, 2007. It is a requirement of the *Society Act* that an annual general meeting be held not more than six months after the date of the financial year-end of the Society. The Society's financial year end is December 31st. The next annual general meeting must be held by June 30, 2012. The City has received a Notice of Annual General Meeting attached as Appendix "A" to this report (the "Notice") that the AGM for the Society will be held on June 25, 2012.

The membership of the Society is dictated by its Bylaws. Bylaw 2.1 specifies that the members of the Society shall be the City of Surrey, the City Manager, the General Manager, Finance and Technology and two members appointed by Council. Currently, Council has not appointed members, but has asked the directors of the Society to make recommendations regarding appointment of these members.

Notice of Annual General Meeting and Waiver of Notice Period

The agenda for the AGM is set out in the attached Notice. The business to be conducted at the annual general meeting of the Society is stipulated in the *Society Act* and the Society's Bylaws. The business as contained in agenda on the Notice complies with these legal requirements.

Business at the Annual General Meeting

A series of recommendations are set out in the Notice. Each of these recommendations is considered reasonable in relation to the matter it addresses.

In prior years, City Council has appointed the City Solicitor as Council's representative at the AGM. This same approach is considered reasonable for the 2012 AGM as well.

The directors of the Society have appointed the City Solicitor as Secretary of the Society and City's General Manager, Finance and Technology as Treasurer of the Society.

The financial statements for the Society for the period from January 1, 2011 to December 31, 2011 are included with the Notice. Staff has reviewed the statements and considers them to be acceptable.

The current directors are recommending to the members that the persons currently appointed to the board of directors of the Society remain as directors. Each of these individuals has agreed to serve as a director if appointed.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- Receive the Notice of Annual General Meeting for the Society, which is attached as Appendix "A" to this report and waive the notice period required for the Society's AGM;
- Appoint the City Solicitor to represent the City of Surrey at the AGM; and
- In its role as a member of the Society confirm its support of the recommendations to the members as set out in the Notice of Annual General Meeting.

CRAIG MacFARLANE
City Solicitor

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Appendix "A" – Notice of Annual General Meeting

APPENDIX "A"

**NOTICE OF ANNUAL GENERAL
MEETING**

SURREY HOMELESSNESS AND HOUSING SOCIETY

**June 25, 2012
10:00 – 11:00 AM
Surrey City Hall
14245 – 56 Avenue, Surrey, BC**

Executive Board Room

Agenda

Item	Action	Responsibility
1. Agenda	Approve	J. Villeneuve, Chair
2. Approval of Minutes of June 28, 2011 Annual General Meeting	Approve	C. MacFarlane Secretary
3. Financial Statements for Year ended December 31, 2011	Approve	V. Wilke, Treasurer
4. Report of Directors to Members	Approve	J. Villeneuve, Chair
5. Appointment of Directors	Approve	C. MacFarlane, Secretary
6. Adjournment		J. Villeneuve, Chair

Item 2: Minutes of previous AGM

The minutes of the June 28, 2011 Annual General Meeting are attached as Schedule A.

Item 3: Financial Statements and Report of Auditor

The directors of the Society have established December 31 as the Society's year end. The financial statements for the period January 1, 2011 to December 31, 2011 are attached as Schedule B. No auditor report has been prepared, as the members decided at the 2009 AGM to waive the requirement for an auditor for the Society until such time as the City of Surrey is no longer the controlling member of the Society.

Recommendation: That the members accept the report of the Treasurer for the period January 1, 2011 to December 31, 2011.

Item 4: Report of Directors to Members

The President of the Board of Directors will give a report of the activities of the Society since the last Annual General Meeting.

Recommendation: That the members accept the report of the Chair.

Item 5: Appointment of Directors

The directors of the Society recommend to the members that the current directors of the Society be re-appointed to the Board.

Recommendation: That the members appoint the following persons as directors of the Society:

Steve Kurrein
 Peter Simpson
 Reverend Randy Emerson
 Laurie Larsen
 Marilyn Herrmann
 Mary Miller
 Marilyn Pearson
 Gary Hollick
 Randy Heed
 Sandy McLeod
 Judy Villeneuve, City Councillor
 Linda Hepner, City Councillor

SCHEDULE A TO 2012 AGM AGENDA

**SURREY HOMELESSNESS AND HOUSING SOCIETY
ANNUAL GENERAL MEETING**

June 28, 2011
Surrey City Hall
14245 – 56 Avenue, Surrey, BC

MINUTES

Members in Attendance:

Murray Dinwoodie, City Manager, City of Surrey
Vivienne Wilke, General Manager, Finance & Technology, City of Surrey
City of Surrey, represented by Craig MacFarlane, City Solicitor, City of Surrey

Present by Invitation:

Judy Villeneuve, President, Surrey Homelessness & Housing Society
Kelly Rayter, Assistant City Solicitor, City of Surrey

1. Agenda

Agenda as circulated was approved with the addition of one item of new business.

2. Approval of Minutes of June 28, 2010 Annual General Meeting

Resolved: That the members approve the minutes of the June 28, 2010 annual general meeting as circulated.

3. Financial Statements for the Year Ended December 31, 2010

The unaudited financial statements for the period January 1, 2010 to December 31, 2010 were presented by the Treasurer, Vivienne Wilke, a copy of which is attached to these minutes.

Resolved: That the members accept the report of the Treasurer as presented for the period January 1, 2010 to December 31, 2010.

The Treasurer explained to the members that there are two sets of financial statements. One set shows the financial activities of the Society. The second set consolidates the Society financial activities with the financial activities of the Surrey Homelessness and Housing Fund held by VanCity and controlled by the Society. This form of reporting is approved by the City's auditor and Canada Revenue Agency.

4. Report of Directors to Members

Judy Villeneuve, the President of the Board of Directors, gave a report on the activities of the Society, a copy of which is attached to these minutes.

Resolved: That the members accept the report of the Chair.

Resolved: That the Mayor be asked to send a letter of thanks to the volunteers who serve on the Society Board.

5. Appointment of Directors

The Board of Directors of the Society recommended to the members that the current directors of the Society be re-appointed to the Board.

Resolved: That the members appoint the following persons as directors of the Society:

Steve Kurrein
 Peter Simpson
 Reverend Randy Emerson
 Laurie Larsen
 Marilyn Herrmann
 Mary Miller
 Marilyn Pearson
 Gary Hollick
 Randy Heed
 Sandy McLeod
 Judy Villeneuve, City Councillor
 Linda Hepner, City Councillor

6. New Business

Murray Dinwoodie and Judy Villeneuve will meet with Derek Gent of VanCity regarding the change in Vera LeFranc's position at VanCity and to discuss her ongoing role with the Society.

SURREY HOMELESSNESS AND HOUSING SOCIETY

Statement of Financial Position

December 31, 2010 and 2009

	<u>2010</u>	<u>2009</u>	<u>2010</u>	<u>2009</u>
Assets				
Cash and cash equivalents	\$ 8,893,160	\$ 8,785,007	\$ 16,315	\$ 4,767
Accounts Receivable	<u>-</u>	<u>2,668</u>	<u>-</u>	<u>-</u>
	<u>\$ 8,893,160</u>	<u>\$ 8,787,675</u>	<u>\$ 16,315</u>	<u>\$ 4,767</u>
 Liabilities and Surplus				
Accounts Payable	\$ 46,516	\$ 2,831	\$ -	\$ -
Surplus	<u>8,846,644</u>	<u>8,784,844</u>	<u>16,315</u>	<u>4,767</u>
	<u>8,893,160</u>	<u>8,787,675</u>	<u>16,315</u>	<u>4,767</u>
	<u><u>\$ 8,893,160</u></u>	<u><u>\$ 8,787,675</u></u>	<u><u>\$ 16,315</u></u>	<u><u>\$ 4,767</u></u>

SURREY HOMELESSNESS AND HOUSING SOCIETY

Statement of Financial Activities

Year ended December 31, 2010 and 2009

	<u>2010</u>	<u>2009</u>	<u>2010</u>	<u>2009</u>
Revenue				
Grants	\$ 249,463	\$ 496,089	\$ 25,036	\$ 34,504
Interest revenue	<u>327,024</u>	<u>285,082</u>	<u>-</u>	<u>-</u>
	<u>576,487</u>	<u>781,171</u>	<u>25,036</u>	<u>34,504</u>
Expenditures				
Administrative fees	\$ 65,216	\$ 64,996	\$ 119	\$ -
Grants	419,750	1,055,000	-	-
Marketing	10,246	2,148	3,105	2,148
Services - consulting/professional	15,928	23,530	8,173	23,530
Supplies, materials and sundry	1,790	3,874	1,553	3,711
Training and professional development	<u>1,756</u>	<u>849</u>	<u>537</u>	<u>849</u>
	<u>514,687</u>	<u>1,150,397</u>	<u>13,488</u>	<u>30,238</u>
Excess (deficiency) of revenues over expenditures	61,800	(369,226)	11,548	4,267
Surplus, beginning of year	<u>8,784,844</u>	<u>9,154,070</u>	<u>4,767</u>	<u>500</u>
Surplus, end of year	<u>\$ 8,846,644</u>	<u>\$ 8,784,844</u>	<u>\$ 16,315</u>	<u>\$ 4,767</u>

SURREY HOMELESSNESS AND HOUSING SOCIETY

Statement of Changes in Financial Position

Year ended December 31, 2010 and 2009

	2010	2009	2010	2009
Excess (deficiency) of revenues over expenditures	\$ 61,800	\$ (369,226)	\$ 11,548	\$ 4,267
Cash in non-cash operating working capital:				
Accounts Receivable	2,668	(2,668)		
Accounts Payable	<u>43,685</u>	<u>2,831</u>	<u>-</u>	<u>-</u>
Change in cash	108,153	(369,063)	11,548	4,267
Cash and cash equivalents, beginning of year	<u>8,785,007</u>	<u>9,154,070</u>	<u>4,767</u>	<u>500</u>
Cash and cash equivalents, end of year	<u>\$ 8,893,160</u>	<u>\$ 8,785,007</u>	<u>\$ 16,315</u>	<u>\$ 4,767</u>

SCHEDULE B TO 2012 AGM AGENDA

SURREY HOMELESSNESS AND HOUSING SOCIETY

Financial Statements (Unaudited)

Year Ended December 31, 2011

SURREY HOMELESSNESS AND HOUSING SOCIETY

Statement of Financial Position

December 31, 2011 and 2010

	Surrey Homelessness & Housing Funds (according to GAAP)		Society's Charity Return (according to Canada Revenue Agency)	
	<u>2011</u>	<u>2010</u>	<u>2011</u>	<u>2010</u>
Assets				
Cash and cash equivalents	\$ 8,841,138	\$ 8,893,160	\$ 41,419	\$ 16,315
Accounts receivable	<u>1,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>8,842,138</u>	<u>8,893,160</u>	<u>41,419</u>	<u>16,315</u>
Liabilities and Surplus				
Accounts payable	122,303	46,516	-	-
Surplus	<u>8,719,835</u>	<u>8,846,644</u>	<u>41,419</u>	<u>16,315</u>
	<u>8,842,138</u>	<u>8,893,160</u>	<u>41,419</u>	<u>16,315</u>
	<u>\$ 8,842,138</u>	<u>\$ 8,893,160</u>	<u>\$ 41,419</u>	<u>\$ 16,315</u>

SURREY HOMELESSNESS AND HOUSING SOCIETY

Statement of Financial Activities

Year ended December 31, 2011 and 2010

	Surrey Homelessness & Housing Funds (according to GAAP)		Society's Charity Return (according to Canada Revenue Agency)	
	<u>2011</u>	<u>2010</u>	<u>2011</u>	<u>2010</u>
Revenue				
Grants	\$ 6,909	\$ 249,463	\$ 67,019	\$ 25,036
Interest revenue	238,767	327,024	-	-
	<u>245,676</u>	<u>576,487</u>	<u>67,019</u>	<u>25,036</u>
Expenditures				
Administrative fees	101,317	65,216	-	119
Grants	213,466	419,750	-	-
Marketing	28,373	10,246	15,923	3,105
Services - consulting/professional	23,187	15,928	21,626	8,173
Supplies, materials and sundry	5,344	1,790	2,348	1,553
Training and professional development	799	1,756	2,019	537
	<u>372,485</u>	<u>514,687</u>	<u>41,916</u>	<u>13,488</u>
Excess (deficiency) of revenues over expenditures	(126,809)	61,800	25,105	11,548
Surplus, beginning of year	8,846,644	8,784,844	16,315	4,767
Surplus, end of year	<u>\$ 8,719,835</u>	<u>\$ 8,846,644</u>	<u>\$ 41,419</u>	<u>\$ 16,315</u>

SURREY HOMELESSNESS AND HOUSING SOCIETY

Statement of Changes in Financial Position

Year ended December 31, 2011 and 2010

	Surrey Homelessness & Housing Funds (according to GAAP)		Society's Charity Return (according to Canada Revenue Agency)	
	2011	2010	2011	2010
Excess (deficiency) of revenues over expenditures	\$ (126,809)	\$ 61,800	\$ 25,105	\$ 11,548
Cash in non-cash operating working capital:				
Accounts receivable	(1,000)	2,668		
Accounts payable	75,787	43,685		
Change in cash	(52,022)	108,153	25,105	11,548
Cash and cash equivalents, beginning of year	8,893,160	8,785,007	16,315	4,767
Cash and cash equivalents, end of year	\$ 8,841,138	\$ 8,893,160	\$ 41,419	\$ 16,315