

NO: **R125**

COUNCIL DATE: **June 11, 2012**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 6, 2012**

FROM: **General Manager, Finance & Technology**

FILE: **6800-01 / 1800-00**

SUBJECT: **Amendment to the Surrey Heritage Advisory Commission Establishment By-law**

RECOMMENDATION

The Finance & Technology Department recommends that Council:

1. Approve an amendment to Section (e) of Part V of the “Surrey Heritage Advisory Commission Establishment By-law, 1997, No. 13282” that increases the minor expenditure limit stipulated in this Section of the By-law from \$1,000 to \$2,500 per expenditure; and
2. Instruct the City Clerk to bring forward an appropriate amendment by-law for the required readings.

INTENT

At its meeting on March 28, 2012 the Surrey Heritage Advisory Commission (“the Commission”) resolved as follows:

“The Heritage Advisory Commission recommends to Council that Surrey Heritage Advisory Commission Establishment By-law, 1997, No. 13282, Part V, Expenditures (e) be amended to allow minor expenditures up to and including \$2,500.”

At its Regular meeting on April 23rd, 2012, Council considered this recommendation from the Commission and referred it to staff for a report with recommendations.

BACKGROUND

The Commission is appointed by Council to provide advice to Council on heritage matters and to support the on-going heritage interests of the City in a variety of other ways. The Commission’s authority and mandate is contained within the Surrey Heritage Advisory Commission Establishment By-law, 1997, No. 13282 (“the By-law”). A copy of the By-law is attached to this report as Appendix “A”.

Under Part V of the By-law the Commission can address certain expenditures from an annual operating budget that is provided in support of the work of the Commission. Expenses as outlined in Sections (d) and (e) of Part V of the By-law are covered by this expenditure authority. For 2012, the budget allocation related to expenditures covered under Sections (d) and (e) is \$23,000. Expenditures that are incurred under Section (f) of Part V of the By-law are one-time in nature,

each with its own funding source, and therefore are not included as part of the Commission's annual budget.

DISCUSSION

Expenditures under Section (d) of Part V of the By-law:

The budget for the Commission includes an allocation for attendance at and travel to conferences. Section (d) of the By-law provides the following expenditure authorization:

“Attendance at conferences and related travel must be approved by Council, and expenses approved for payment must not exceed City policy.”

There are currently two City polices that apply to this Section of the By-law. Expenses incurred by members of Council who are part of the Commission are covered by the “Expense Policy for Council Members”. Expenses incurred by members of the Commission other than members of Council are covered by the “Expense Policy for Employees and Other Authorized Persons”. Both of these policies are functioning effectively and neither of these existing policies will be affected if Council decides to adopt the recommendations of this report.

Expenditures under Section (e) of Part V of the By-law:

Other budgeted operating expenditures that can be authorized by the Commission are outlined in Section (e) of the By-law, which states:

“Expenditures of the Commission may include expenditures for items such as recognition projects, memberships, subscriptions, supplies, and projects/events necessary to fulfill its mandate. Minor expenditures, up to and including \$1,000 shall be approved by the Commission and referred to the City Clerk to authorize payment.”

In July, 2010 Section (e) was amended by increasing the expenditure limit to \$1,000 from \$500. It is noted that expenditure authorization under this Section requires a majority vote of the Commission members present at a properly constituted meeting.

A listing of the Commission's 2011 expenditures is contained in Appendix “B”. Although individual expenditures in excess of \$1,000 are infrequent, increasing the limit to \$2,500 would enable the Commission to more quickly respond to minor heritage preservation and heritage maintenance projects within the City to the benefit of the community. Staff views such an increase in the expenditure authorization limit for the Commission under this Section of the By-law as being reasonable.

Expenditures under Section (f) of Part V of the By-law:

Section (f) of Part V of the By-law reads as follows:

“The Commission, with Council's approval, may solicit and receive funds for special projects relevant to its mandate. In such cases, a separate budget shall be established by the Commission and approved by Council to manage such funds.”

Expenditures under this Section are not included in the annual operating budget of the Commission and therefore all expenditures under this Section must be approved by Council.

CONCLUSION

Based on the above discussion it is recommended that Council:

- Approve an amendment to Section (e) of Part V of the “Surrey Heritage Advisory Commission Establishment By-law, 1997, No. 13282” that increases the minor expenditure limit stipulated in this Section of the By-law from \$1,000 to \$2,500 per expenditure; and
- Instruct the City Clerk to bring forward an appropriate amendment by-law for the required readings.

Vivienne Wilke, CGA
General Manager,
Finance & Technology

Appendix A - Surrey Heritage Advisory Commission Establishment By-law, 1997, No. 13282
Appendix B - 2011 Surrey Heritage Advisory Commission Budget and Expenditures

CITY OF SURREY
BY-LAW NO. 13282

As amended by By-laws: 13563, 11/02/98; 14621, 02/04/02; 14924, 02/17/03; 15100, 07/24/03; 17108, 01/25/10; 17229, 07/29/10; 17347; 01/24/11

A By-law to establish a Surrey Heritage Advisory Commission

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THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

WHEREAS pursuant to Section 953 of the *Local Government Act*, R.S.B.C. 1996, c.323, the Council of the City of Surrey (hereinafter called the "Council") may, by by-law, establish a community heritage commission (hereinafter called the "Commission");

AND WHEREAS the City of Surrey's heritage is an integral part of its identity; to be discovered, preserved and enjoyed;

AND WHEREAS the residents of City of Surrey have identified through the Future Surrey process the importance of "preserving and promoting our heritage sites and history";

AND WHEREAS the effective management of the City of Surrey's heritage resources requires the attention of all parties to ensure their preservation for future generations;

AND WHEREAS in the by-law establishing the Commission, there shall be set out:

- I The Name of the Commission
- II The Terms of Reference of the Commission
- III The Composition of the Commission
- IV The Manner of Appointment
- V The Procedures Governing the Operation of the Commission
- VI General Provisions

NOW, THEREFORE, the City Council of the City of Surrey (the "City"), in open meeting assembled, ENACTS AS FOLLOWS:

PART I THE NAME OF THE COMMISSION

The Commission is an advisory commission of Council and shall be known as the "Surrey Heritage Advisory Commission".

PART II THE TERMS OF REFERENCE OF THE COMMISSION

1. Purpose

The purpose of the Commission is:

- (a) to advise Council on heritage matters as outlined in its mandate;
- (b) to advise Council on heritage matters referred to it by Council; and
- (c) to provide support for heritage activities as directed or endorsed by Council.

2. Mandate

- (a) The advisory mandate of the Commission shall be:
 - (i) to advise Council on matters dealing with the creation and maintenance of a Heritage Register (as defined in the *Local Government Act*), which identifies heritage features and heritage properties and details their heritage value or heritage character;
 - (ii) to advise Council on the designation by by-law of a feature or property, in whole or in part, interior or exterior, as a City heritage site and the terms and conditions of such designation;
 - (iii) to advise Council on expenditures related to financial assistance or compensation to feature owners or property owners for maintenance or preservation of a designated heritage feature or property as authorized by By-law No. 15099;
 - (iv) to advise Council on the recognition of significant heritage features or heritage properties through the installation of markers, plaques and cairns;
 - (v) to advise Council on the recognition of individual or corporate achievements in the area of heritage preservation and awareness through the presentation of awards and commendations;
 - (vi) to review information and recommendations prepared by City staff concerning all proposed heritage preservation tools and strategies for properties and features included in the Heritage Register, and to advise Council accordingly;
 - (vii) to review information and recommendations prepared by City staff on matters related to Heritage Conservation Covenants, Heritage Conservation Areas and Heritage Revitalization Agreements (all as defined in the *Local Government Act*), and to advise Council accordingly;
 - (viii) to advise Council on all matters relating to heritage conservation as referred to the Commission by Council; and

- (ix) to advise Council and to provide comments on the heritage aspect of development applications involving sites with heritage designations and sites on or proposed to be on the Heritage Register.
- (b) The support mandate of the Commission shall be:
 - (i) to support awareness of and appreciation for the City's heritage by developing and promoting information related to the City's heritage in a variety of formats and media;
 - (ii) to support heritage activities and heritage programs undertaken by the City or community organizations in the areas of environmental preservation and interpretation, built preservation and interpretation and cultural preservation and interpretation; and
 - (iii) to support activities undertaken by the City related to awareness and preservation of significant heritage features or heritage property in the City, by raising funds as authorized by Council.

PART III THE COMPOSITION OF THE COMMISSION

- 3. The Commission shall consist of a total of six members, of which up to two members may be members of Council. The Commission may also have an alternate member appointed to the Commission to sit as a voting member, when a member of the Commission is absent.
- 4. In making appointments, Council may consider the interests, skills and expertise necessary to carry out the Commission's mandate.
- 5. In making appointments, Council may consider a balance of technical expertise and knowledge of the community.
- 6. All of the citizen appointees of Commission shall be resident electors (as defined by the *Local Government Act*) of the City.

PART IV THE MANNER OF APPOINTMENT

- 7. Prior to the appointment of the members of the Commission, the City Clerk shall, on behalf of Council, advertise for citizens interested in serving on the Commission.
- 8. The Commission may host an orientation meeting to meet potential applicants for vacancies on the Commission.
- 9. Council shall review the applications and shall appoint the members of the Commission by resolution of Council.
- 10. The Mayor may appoint up to two members of Council to attend Commission meetings, to vote on motions of the Commission and to provide liaison between the Commission and the Council.

PART V THE PROCEDURES GOVERNING THE OPERATION OF THE COMMISSION

11. Term of Appointment

- (a) The term of appointment of a member/alternate of the Commission shall be for two years dating from January 1st to December 31st two years later.
- (b) Notwithstanding the above, in order to provide continuity, in 1997, half of the members shall be appointed for a one-year term dating from January 1, 1997 to December 31, 1997. Thereafter, all appointments shall be for a two-year term.
- (c) A member/alternate of the Commission shall not serve more than three consecutive terms, provided however, that after at least one year out of office that member may be re-appointed.
- (d) All appointed members/alternate shall remain members until their successors have been appointed.
- (e) In the event of the resignation or death of an appointed member, Council shall appoint a new member to fill such vacancy for the unexpired balance of the term of the incumbent.

12. Chair

- (a) One member of City Council shall be appointed annually by the Mayor to serve as the Chair of the Commission.
- (b) The Commission shall select a vice-Chair from among its members on an annual basis.

13. Meetings

- (a) The Commission shall meet regularly.
- (b) The Chair and City staff shall prepare the agendas for the Commission meetings.
- (c) The Legislative Services Department shall record the minutes of the meetings of the Commission and submit the minutes to Council for its information.
- (d) The Commission shall submit its recommendations to Council for Council's consideration and approval, accompanied by the Commission's records and any other information that the Commission may consider relevant.
- (e) The Chair, or any three members, may call a special meeting by giving three days' written notice to all members, stating the purpose of the meeting.
- (f) In case of an emergency, the Chair may call an emergency meeting, and notice in writing may be waived by unanimous approval of all members of the Commission.
- (g) A quorum for the meeting shall be a majority of the members of the Commission. A recommendation of a quorum shall be considered that of the full Commission.

- (h) Council shall be advised of any member who misses three consecutive meetings or three meetings within a six month period. Council shall consider the impact of the absences and shall fill the vacancy by reappointing the member or appointing a new member to fill the balance of the unexpired term.
- (i) Meetings of the Commission shall be conducted in accordance with the procedures set out in Part 17 of the Council Procedure By-law, 1999, No. 13600, as amended.

14. Budget

- (a) The Commission shall submit to the Finance, Technology & Human Resources Department for Council's consideration and approval a proposed budget of its anticipated expenditures and revenues for the next fiscal year by September 30th of each year.
- (b) The Commission budget may include an amount for heritage preservation and maintenance grants for designated heritage features or heritage properties as authorized by City of Surrey Heritage Sites Financial Assistance By-law, 2003, No. 15099.
- (c) Any grants recommended for approval by the Commission must receive a 2/3 majority vote of Council, in accordance with s. 183.1 of the "*Local Government Act*".

Expenditures

- (d) Attendance at conferences and related travel must be approved by Council, and expenses approved for payment must not exceed City policy.
- (e) Expenditures of the Commission may include expenditures for items such as recognition projects, memberships, subscriptions, supplies, and projects/events necessary to fulfill its mandate. Minor expenditures, up to and including \$1000 shall be approved by the Commission and referred to the City Clerk to authorize payment.
- (f) The Commission, with Council's approval, may solicit and receive funds for special projects relevant to its mandate. In such cases, a separate budget shall be established by the Commission and approved by Council to manage such funds.

15. Staff Support and Attendance

- (a) Technical, administrative and advisory information, services and support shall be provided to the Commission by City staff from the following departments and divisions: Legislative Services, Parks, Recreation and Culture, Planning and Development, Legal Services, Finance, Engineering, and Public Affairs.
- (b) The Legislative Services Department shall designate an Administrative Assistant to provide clerical support and coordination services to the Commission as outlined in Section 16 (c).

- (c) The Parks, Recreation and Culture Department shall designate a professional liaison who shall attend meetings of the Commission and shall provide liaison and support services to the Commission as outlined in Section 16 (d), as required.
- (d) The Planning and Development Department shall designate a professional liaison who shall attend meetings of the Commission and shall provide liaison and support services to the Commission as outlined in Section 16 (e), as required.
- (e) The Engineering Department shall designate a professional liaison who shall attend meetings of the Commission as required and shall provide liaison and support services to the Commission as outlined in Section 16 (f), as required.
- (f) At the request of the Commission, the Administrative Assistant shall advise the appropriate General Manager, or designate, of the attendance, information, support or reports required from the department.
- (g) At the request of the Administrative Assistant, the General Manager, or designate, shall determine and provide the required attendance, information, support or reports.

16. Roles

- (a) The Council representative shall:
 - (i) provide liaison between the Commission and Council;
 - (ii) speak to Commission recommendations at Council meetings to augment information for Council decisions; and
 - (iii) have the power to vote on motions of the Commission.
- (b) The Chair shall:
 - (i) liaise with the Administrative Assistant (as hereinafter defined) for the preparation of agendas for meetings;
 - (ii) liaise with the Administrative Assistant for the coordination and facilitation of support services required of City staff;
 - (iii) send correspondence on behalf of the Commission;
 - (iv) send invitations or announcements on behalf of the Commission;
 - (v) liaise with representatives of other heritage commissions and societies;
 - (vi) chair Commission meetings to ensure the efficient conduct of Commission business; and
 - (vii) review the minutes of Commission and authorize the forwarding of the unapproved minutes to Council.
- (c) The City Clerk shall designate an administrative assistant (the "Administrative Assistant") to:
 - (i) record the minutes of the regular meetings of the Commission;

- (ii) prepare minutes of regular Commission meetings and forward the minutes to Council;
 - (iii) liaise with the Chair to prepare and distribute agendas for meetings;
 - (iv) prepare the correspondence of the Commission and keep records related to the activities of the Commission;
 - (v) coordinate clerical support for regular Commission meetings and for Commission activities, such clerical support to include hospitality, registrations, and bookings;
 - (vi) advertise vacancies on the Commission;
 - (vii) liaise and coordinate with appropriate City staff and external agencies to access technical, administrative and advisory information, services and support related to the mandate of the Commission and necessary for the development of Commission advice and recommendations to Council;
 - (viii) liaise with the designated Planning and Development Department liaison in the distribution of information related to the status of heritage sites, and Council's decisions on Commission recommendations on heritage sites;
 - (ix) facilitate applications and distribute information related to the eligibility for grants and compensations related to heritage maintenance or heritage preservation, acknowledgments of applications, and Council's decisions on Commission recommendations;
 - (x) liaise with the Commission to develop its annual budget;
 - (xi) disburse funds authorized by the Commission and Council and report to the Commission on revenues and expenditures approved by Council in its budget; and
 - (xii) assist the Commission in preparing an annual report to Council on Commission goals, objectives, projects, priorities and achievements.
- (d) The General Manager, Parks, Recreation and Culture Department shall designate an appropriate liaison to:
- (i) assist in providing an annual orientation for Commission members concerning the role and relationship of the Parks, Recreation and Culture Department to heritage matters;
 - (ii) facilitate Commission efforts to increase public awareness of and appreciation for the City's built, natural and cultural heritage;
 - (iii) advise and inform the Commission and liaise with the Engineering Department (Facilities Management Division) on maintenance standards and preservation works related to designated heritage public properties or park sites operated or managed by the Parks, Recreation and Culture Department;
 - (iv) preserve, arrange and provide public access to records and documents related to Surrey's heritage inventory and Heritage Register; and

- (v) assist in preparing an annual report on the achievements concerning the promotion and public awareness projects undertaken by the Commission.
- (e) The General Manager, Planning and Development Department, shall designate an appropriate liaison to:
 - (i) provide continuity through an annual orientation for Commission members concerning the role and relationship of the Planning and Development Department to the Commission;
 - (ii) maintain the Heritage Register and provide information and recommendations on properties and features proposed to be included in the Register;
 - (iii) liaise with the Administrative Assistant in the distribution of information related to the status of heritage sites, and Council's decisions on Commission recommendations on heritage sites;
 - (iv) assist the Commission in preparing an annual report to Council on Commission goals, objectives, projects, priorities and achievements;
 - (v) advise the Commission on the status of development applications involving sites with heritage designation and sites on or proposed to be on the Heritage Register and liaise with staff to ensure that the recommendations as adopted by Council with respect to the protection of the heritage sites, buildings, or trees are implemented; and
 - (vi) assist in preparing a heritage management plan.
- (f) The General Manager, Engineering Department, shall designate an appropriate liaison to:
 - (i) assist in providing an annual orientation for Commission members concerning the role and relationship of the Engineering Department to the Commission;
 - (ii) facilitate Commission efforts to protect the City's built, natural and cultural heritage when public works are being conceived, designed, constructed, operated, or maintained; and
 - (iii) assist the Commission in preparing an annual report to Council on Commission achievements concerning heritage preservation relative to public works activities.

PART VI General Provisions

- 17. "Surrey Heritage Advisory Committee Establishment By-law, 1989, No. 9949", as amended, is hereby repealed.
- 18. This By-law shall be cited for all purposes as the "Surrey Heritage Advisory Commission Establishment By-law, 1997, No. 13282.

PASSED THREE READINGS on the 24th day of November, 1997.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 1st day of December, 1997.

_____D.W. MCCALLUM_____MAYOR

_____D.B. KENNY_____CLERK

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SURREY HERITAGE ADVISORY COMMISSION 2011 OPERATING BUDGET

	Actual YTD Dec 2011		Budget 2011
Conferences & Seminars	\$ 403.87	A	\$ 2,000
	\$ 967.34	B	
	\$ 1,182.25	C	
	\$ 966.82	D	
Memberships			
Supplies & Materials	\$ 282.90	E	\$ 7,000
	\$ 179.74	F	
Printing & Promotion	\$ 330.69	G	
Heritage Site Improvements			
General - Grant for 26 Sites:			
Christ the Redeemer Church	\$ 4,897.95	H	
Heritage Site Improvement Fund	\$ (4,897.95)		
Consulting / Professional Services	\$ 1,139.13	I	\$ 5,000
Grants & Sponsorships			\$ 4,500
Maintenance Services			\$ 4,500
	<u>\$ 5,452.74</u>		<u>\$ 23,000</u>
Carried Forward	\$ 17,547.26		
Total	<u>\$ 23,000.00</u>		<u>\$ 23,000</u>

Notes:

- A E. Schultz Heritage Canada Foundation Annual Conference
- B E. Schultz International Conference of National Trusts
- C B. Farrand International Conference of National Trusts
- D L. Tannen International Conference of National Trusts
- E Incidental costs associated with Community Heritage Commission (CHC) Networking Conference; \$95.37 to be reimbursed by Heritage BC
- F Items purchased for 2011 Fusion Festival July 16-17
- G Kensington Prairie School restoration sign
- H Financial assistance for Christ the Redeemer Church
- I Galbraith Residence heritage evaluation