

NO: R112

COUNCIL DATE: June 17, 2013

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**REGULAR COUNCIL**

TO: **Mayor & Council**

DATE: **June 10, 2013**

FROM: **City Solicitor**

FILE: **0360-20-01**

SUBJECT: **Surrey Homelessness and Housing Society - 2013 Annual General Meeting**

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**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 2013 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 2013 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 31<sup>st</sup>. The annual general meeting must be held by June 30, 2013. 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 24, 2013.

The membership of the Society is set out in 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 to the AGM. This same approach is considered reasonable for the 2013 AGM as well.

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

The financial statements for the Society for the period from January 1, 2012 to December 31, 2012 are included with the Notice. City staff has reviewed the statements and has no concerns.

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 2013 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 24, 2013  
3:00 p.m. – 4:00 p.m.  
Surrey City Hall  
14245 – 56 Avenue, Surrey, BC**

**Manager's Board Room**

**Agenda**

<b>Item</b>	<b>Action</b>	<b>Responsibility</b>
1. Agenda	Approve	J. Villeneuve, Chair
2. Approval of Minutes of June 25, 2012 Annual General Meeting	Approve	C. MacFarlane Secretary
3. Financial Statements for Year ended December 31, 2012	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 25, 2012 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, 2012 to December 31, 2012 are attached as Schedule B. No auditor report has been prepared, as the members decided at the 2011 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, 2012 to December 31, 2012.

**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. Peter Simpson has tendered his resignation from the Board effective June 11, 2013, as he is retiring and moving back East.

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

Steve Kurrein  
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 2013 AGM AGENDA**

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

**June 25, 2012**  
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  
Karandeep Pandher, Finance Cash Manager, City of Surrey

**1. Agenda**

Agenda as circulated was approved.

**2. Approval of Minutes of June 28, 2011 Annual General Meeting**

**Resolved:** That the members approve the minutes of the June 28, 2011 annual general meeting as circulated.

**3. Financial Statements for the Year Ended December 31, 2011**

The unaudited financial statements for the period January 1, 2011 to December 31, 2011 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, 2011 to December 31, 2011.

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.

The Treasurer advised that the Finance Committee of the Board provided a report to the Board at its last Board meeting reviewing the handling of the Surrey Homelessness and Housing Fund by VanCity.

**4. Report of Directors to Members**

Judy Villeneuve, the President of the Board of Directors, presented the 2011 Annual Report on the activities of the Society.

**Resolved:** That the members accept the report of the President.

**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

## 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>
<b>Assets</b>				
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>
<b>Liabilities and Surplus</b>				
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)	
	2011	2010	2011	2010
<b>Revenue</b>				
Grants	\$ 6,909	\$ 249,463	\$ 67,019	\$ 25,036
Interest revenue	238,767	327,024	-	-
	245,676	576,487	67,019	25,036
<b>Expenditures</b>				
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
	372,485	514,687	41,916	13,488
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	\$ 8,719,835	\$ 8,846,644	\$ 41,419	\$ 16,315



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

**SCHEDULE B TO 2013 AGM AGENDA**

**SURREY HOMELESSNESS AND HOUSING SOCIETY**

**Financial Statements (Unaudited)**

**Year Ended December 31, 2012**

## SURREY HOMELESSNESS AND HOUSING SOCIETY

### Statement of Financial Position

December 31, 2012 and 2011

	Surrey Homelessness & Housing Funds (according to GAAP)		Society's Charity Return (according to Canada Revenue Agency)	
	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>
<b>Assets</b>				
Cash and cash equivalents	\$ 8,644,360	\$ 8,841,138	\$ 2,759	\$ 41,419
Accounts receivable	<u>-</u>	<u>1,000</u>	<u>-</u>	<u>-</u>
	<u>8,644,360</u>	<u>8,842,138</u>	<u>2,759</u>	<u>41,419</u>
<b>Liabilities and Surplus</b>				
Accounts payable	24,739	122,303	-	-
Surplus	<u>8,619,621</u>	<u>8,719,835</u>	<u>2,759</u>	<u>41,419</u>
	<u>8,644,360</u>	<u>8,842,138</u>	<u>2,759</u>	<u>41,419</u>
	<u><u>\$ 8,644,360</u></u>	<u><u>\$ 8,842,138</u></u>	<u><u>\$ 2,759</u></u>	<u><u>\$ 41,419</u></u>

## SURREY HOMELESSNESS AND HOUSING SOCIETY

### Statement of Financial Activities

Year ended December 31, 2012 and 2011

	Surrey Homelessness & Housing Funds (according to GAAP)		Society's Charity Return (according to Canada Revenue Agency)	
	2012	2011	2012	2011
<b>Revenue</b>				
Grants	\$ 93,851	\$ 6,909	\$ 75,160	\$ 67,019
Interest revenue	282,865	238,767	-	-
	376,716	245,676	75,160	67,019
<b>Expenditures</b>				
Administrative fees	117,795	101,317	-	-
Grants	266,152	213,466	-	-
Marketing	28,502	28,373	48,047	15,923
Services - consulting/professional	43,510	23,187	43,019	21,626
Supplies, materials and sundry	20,971	5,344	22,753	2,348
Training and professional development	-	799	-	2,019
	476,930	372,485	113,820	41,916
Excess (deficiency) of revenues over expenditures	(100,214)	(126,809)	(38,660)	25,105
Surplus, beginning of year	8,719,835	8,846,644	41,419	16,315
Surplus, end of year	\$ 8,619,621	\$ 8,719,835	\$ 2,759	\$ 41,419

SURREY HOMELESSNESS AND HOUSING SOCIETY

Statement of Changes in Financial Position

Year ended December 31, 2012 and 2011

	Surrey Homelessness & Housing Funds (according to GAAP)		Society's Charity Return (according to Canada Revenue Agency)	
	2012	2011	2012	2011
Excess (deficiency) of revenues over expenditures	\$ (100,214)	\$ (126,809)	\$ (38,660)	\$ 25,105
Cash in non-cash operating working capital:				
Accounts receivable	1,000	(1,000)	-	-
Accounts payable	(97,563)	75,787	-	-
Change in cash	(196,777)	(52,022)	(38,660)	25,105
Cash and cash equivalents, beginning of year	8,841,138	8,893,160	41,419	16,315
Cash and cash equivalents, end of year	\$ 8,644,360	\$ 8,841,138	\$ 2,759	\$ 41,419