



BOARD REPORT

TO: Chair and Directors

File No: BL5798

SUBJECT: North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019

DESCRIPTION: Report from Lynda Shykora, Deputy Manager, Corporate Administration Services, dated May 14, 2019.

RECOMMENDATION #1: THAT: "North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019" be read a first, second and third time this 16th day of May, 2019.

RECOMMENDATION #2: THAT: the Board endorse the alternative approval process in accordance with Section 345(1)(a) of the Local Government Act as the method to obtain the assent of the electors for the establishment of a North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service identified in Bylaw No. 5798, 2019.

RECOMMENDATION #3
(2/3 MAJORITY VOTE REQUIRED): THAT: the Board provide that the participating area approval relative to the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service is to be obtained for the entire service area (on an area-wide basis).

SHORT SUMMARY:

Proposed Service Area Establishment Bylaw No. 5798 is attached for 1) consideration of First, Second and Third Readings, 2) to endorse the alternative approval process as the method to obtain elector assent, and 3) for the Board to confirm assent approval is based upon the entirety of the service area.

VOTING: Unweighted Corporate LGA Part 14 (Unweighted) Weighted Corporate Stakeholder (*Weighted*)

BACKGROUND:

Both the Electoral Area C and the Electoral F Director have expressed their interest in supporting community groups that provide arts, cultural and recreational programs to benefit area residents.

Draft Bylaw No. 5798 proposes to establish a service that would allow the CSR to contribute annually to registered non-profit groups ie societies and associations that provide arts, recreation and cultural programs to residents within Electoral Area C and a portion of Electoral Area F. The draft bylaw sets out the initial cost apportionment in year 1 (2020), and further defines the apportionment between Area C and Area F in 2021 and beyond (this is based upon a society and/or association substantiating the year prior registrants).

Under the proposed service there are two primary associations that the Area C and Area F Directors may support through a financial regime that provides more certainty than an annual grant in aid. These two associations are the Shuswap Arts Council and the North & South Shuswap Community Resource Centre Association which are very active organizations within the Area C and Area F communities in terms of membership and the users who take advantage of the offered programs. Within the proposed bylaw, the intent is not to preclude other registered associations from a financial contribution for arts, recreation and cultural programs.

By supporting non-profit community societies and organizations that offer arts, recreational and cultural services, the Directors view the proposed service as one that benefits both communities and enhances lifestyle opportunities.

Both the Electoral Area C and the Electoral Area F Directors have consented to the proposed service.

The alternative approval process is a form of approval that allows the Board to seek the approval of the electors in the service area. Electors are given the opportunity to indicate whether they are against a local government's proposal to move forward with establishing a new service.

POLICY:

Section 332 of the Local Government Act identifies that a regional district may by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district.

The Inspector of Municipalities' approval of this proposed service bylaw is needed before undertaking an Alternative Approval Process.

The Board is required (Local Government Act) to obtain participating area approval. In this instance the applicable legislation is the alternative approval process to obtain the assent of the electors. In relation to the alternative approval process, the Board may, by resolution adopted by at least 2/3 of the votes cast, provide that the participating area approval is to be obtained for the entire proposed service area.

In relation to the alternative approval process itself, Section 86 of the Community Charter specifies the legislative process. For information, the AAP (commonly known as a counter-petition), provides eligible voters of the participating area to register their opposition to the initiative. Voters are given 30 days to sign a petition advising that they are Not In Favour. Approval for the initiative is received if less than 10% of the eligible voters sign the counter-petition.

FINANCIAL:

The bylaw proposes that the annual costs for this service be recovered through the requisition of funds by a property tax levied against the value of land and improvements from those properties located within the service area (the entirety of Electoral Area C and a portion of Electoral Area F).

The bylaw establishes a maximum requisition of \$300,000.00 annually.

Further, the Service Area Establishment Bylaw proposes the following customized cost apportionment formula amongst the service area participants:

- Electoral Area C: 87%
- Electoral Area F: 13%.

As mentioned in the Background section, the draft bylaw sets out the initial cost apportionment in year 1 (2020), and further defines the apportionment between Area C and Area F in 2021 and beyond (this is based upon a society and/or association substantiating the year prior registrants).

In terms of financial impact to ratepayers within the service area, the current tax rate would be \$.038/\$1,000 which due to the apportionment would result in the average residential property in Area C paying \$17.82 and the average residential property in Area F paying approximately \$4.65 in year one. At maximum the estimated residential property in Area C and F would pay \$34.07 and \$8.88 respectively.

IMPLEMENTATION:

If the Board supports Third reading, the bylaw will be submitted to the Inspector of Municipalities for approval.

Staff will bring forward a report related to the Alternative Approval Process (AAP) to the June, 2019 Board meeting for the Board to consider recommendations necessary to fulfill legislated requirements related to the AAP.

DESIRED OUTCOMES:

That the Board endorse the staff recommendations.

BOARD'S OPTIONS:

1. *Endorse the Recommendation(s).*
2. *Deny the Recommendation(s).*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

Report Approval Details

Document Title:	2019-05-16_Board_CA_BL5798_NSSCARC.docx
Attachments:	- BL5798 North and South Shuswap Arts Recreation and Culture Contribution Service Establishment - Proposed for Three Readings.pdf - BL5798 Schedule A.pdf
Final Approval Date:	May 14, 2019

This report and all of its attachments were approved and signed as outlined below:

No Signature found

Jodi Pierce - May 14, 2019

A handwritten signature in black ink, appearing to read "C.A. Hamilton". The signature is written in a cursive style with a large, stylized "H" at the end.

Charles Hamilton - May 14, 2019