

**REPORT TO GOVERNANCE AND FINANCE COMMITTEE
MEETING OF WEDNESDAY, SEPTEMBER 02, 2020**

SUBJECT **Cancellation of the Consent Process for Bylaw Nos. 4299 and 4300**

ISSUE SUMMARY

Upon review of the feedback and comments from staff and councils of participating municipalities through the consent process, the Royal and McPherson Theatres Society Advisory Committee (RMTSAC) recommends that the CRD Board no longer proceed with the two amending bylaws: Bylaw No. 4299 (Royal Theatre Local Service Area Establishment Bylaw No. 1, 1998, Amendment Bylaw No. 1, 2019) and Bylaw No. 4300 (McPherson Playhouse Local Service Area Establishment Bylaw No. 1, 1999, Amendment Bylaw No. 1, 2019).

BACKGROUND

Bylaw Nos. 4299 and 4300 proposed changes to the maximum funding levels and apportionment for the support of the Royal Theatre and to the apportionment for the McPherson Playhouse, first laid out in the service establishing Bylaw Nos. 2587 (Royal Theatre, 1998) and 2685 (McPherson Playhouse, 1999). Bylaws Nos. 4299 and 4300 received third reading by the CRD Board on May 8, 2019, and were subsequently circulated to the service participant jurisdictions for consent. Of the three participants, one provided consent, one did not consent and suggested alternatives, and one requested a meeting among staff to discuss alternatives. Participant staff and CRD staff met, provided additional information and had a fulsome discussion on the proposed bylaw changes.

The RMTSAC, whose membership is made up of representatives from the service participants, met on July 29, 2020, to discuss the consent process impasse. The Advisory Committee also discussed how the operating context for the theatres changed due to the COVID-19 pandemic, resulting in the suspension of normal operations. These discussions underlined the need for updated information on the status of the theatres in order to inform the upcoming CRD budget process.

The Advisory Committee agreed it would be unwise to continue to pursue the bylaws in their current state and will reconsider amendments through a more fulsome understanding of the short and long term funding needs of the theatres. The Committee has requested a status update from the Royal & McPherson Theatres Society (RMTS) scheduled for the fall of 2020.

ALTERNATIVES

Alternative 1

The Governance and Finance Committee recommends to the Capital Regional District Board: That the CRD Board not proceed with Bylaw No. 4299, Royal Theatre Local Service Area Establishment Bylaw No. 1, 1998, Amendment Bylaw No. 1, 2019; and Bylaw No. 4300, McPherson Playhouse Local Service Area Establishment Bylaw No. 1, 1999, Amendment Bylaw No. 1, 2019.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Cancellation of the consent process for Bylaw Nos. 4299 and 4300 clears the stalled bylaws and allows for future bylaws with new or updated parameters. Additional information can be received from the RMTS, and funding mechanisms can be identified that ensure the success of a future consent process.

CONCLUSION

The consent process begun in 2019 for Bylaw Nos. 4299 and 4300 came to no conclusion and are at an impasse. With factors including differing responses from the service participants and changed operating circumstances of the Royal and McPherson theatres due to the COVID-19 pandemic, the RMTSAC recommends that both bylaws no longer proceed.

RECOMMENDATION

The Governance and Finance Committee recommends to the Capital Regional District Board: That the CRD Board not proceed with Bylaw No. 4299, Royal Theatre Local Service Area Establishment Bylaw No. 1, 1988, Amendment Bylaw No. 1, 2019; and Bylaw No. 4300, McPherson Playhouse Local Service Area Establishment Bylaw No. 1, 1999, Amendment Bylaw No. 1, 2019.

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Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
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ATTACHMENT

Appendix A: Bylaw Nos. 4299 and 2587

Appendix B: Bylaw Nos. 4300 and 2685