

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, OCTOBER 13, 2021**

SUBJECT **Outcomes from Board Meeting (September 8, 2021) on Region-Wide Participation in the Arts and Culture Support Service**

ISSUE SUMMARY

On September 8, 2021, the Board of the Capital Regional District (CRD) considered three recommended motions from the Arts Commission to expand the current service to full regional participation through Alternative Approval Process (AAP). Two out of three motions passed, resulting in a mixed outcome with no clear path forward.

BACKGROUND

On July 28, 2021, the Arts Commission reviewed a staff report on the efforts to gain more participation in the Arts and Culture Support Service through consent of municipal councils. As a motion arising, the Arts Commission approved a set of recommendations, namely:

1. That staff be directed to prepare amendments to the establishing bylaw to gain full regional participation in the Arts and Culture Support Service, with all electoral areas and municipalities added as Group 1 or Group 2 Participating Areas;
2. That the Board proceed by way of a regional alternative approval process; and
3. That staff include a report with the removal of the 2-year exit clause and include additional service requisition scenarios that reflect 30% participation for new members and a general increase to the service budget.

On September 8, 2021, the Board considered these recommended motions. The results were that the two motions regarding the amendments to the bylaw carried, but the motion regarding the alternative approval process was defeated (see Table 1).

Table 1. CRD Board Voting Results on Arts Commission Motions Arising

Motion	Threshold	Result
#1 Prepare bylaw amendments	Majority	Carried
#2 Proceed with region-wide AAP	2/3rds Majority	Defeated
#3 Remove exit clause	Majority	Carried

Because these motions are connected and dependent on one another, staff are providing a report with an analysis of feasibility and implications of next steps.

ALTERNATIVES

Alternative 1

1. That staff take no further action to draft amendments, including removal of the exit clause, to the establishing bylaw of the Arts and Culture Support Service, Bylaw No. 2884.
2. That the CRD Board Chair send a letter to non-participating jurisdictions, outlining the benefits of joining the Arts and Culture Support Service, and associated costs, and encouraging non-participating jurisdictions to join the existing service voluntarily.

Alternative 2

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

IMPLICATIONS

Service Delivery Implications

The Arts and Culture Support Service delivers five granting programs: Operating Grants, Project Grants, IDEA Grants, Incubator Grants, and Equity Grants. Non-profit organizations within participating jurisdictions are eligible to apply to these programs to fund arts activities. The economic, social, and cultural benefits of arts activities funded through these grants throughout the region have been well-documented in the *CRD Arts and Culture 2020 Progress Report*.

Alignment with Board & Corporate Priorities

Board Initiative 12a-1 in the 2019-2022 Corporate Plan indicates there is a priority to:

“Facilitate a discussion of the region’s art facility needs & explore partnerships to support 100% participation in the CRD arts functions.”

Since the establishment of the Arts Service in 2001, efforts to recruit new participants have been repeated as councils have changed through election cycles. In 2017-18, prior to the most recent corporate plan, council presentations were made in North Saanich, Central Saanich, Sidney, and Sooke. From the establishment of the Arts Service, such presentations and outreach have resulted in participation increasing from four to nine jurisdictions.

Since October 2019, staff have sent correspondence to the non-participating municipalities of Central Saanich, Colwood, Langford, North Saanich, and Sidney as well as the non-participating electoral areas of Salt Spring Island and Juan de Fuca. Following this outreach, presentations were made to Sidney and Colwood councils. While several of the seven non-participating jurisdictions gave due consideration, all have declined to join the service at this time.

Next, the Board explored the possibility of 100% participation in the Arts and Culture through a region-wide AAP and the necessary amendments to the establishing bylaw, which were approved at the Arts Commission meeting of July 28, 2021, and met mixed results at the September 8, 2021, CRD Board meeting (see Background section above).

Through these two initiatives, the Board has explored multiple ways to achieve 100% participation in the Arts and Culture Support Service and has fulfilled the scope of work outlined in this board initiative.

Legislative Implications

Staff have been directed to make amendments to the establishing bylaw of the Arts and Culture Support Service (Bylaw No. 2884) for full regional participation, including removal of the current 2-year exit clause. These amendments must also specify the participants in the service and can only be advanced if accompanied by a Board resolution on the electoral approval process. The

recommended electoral approval process at the time of these proposed amendments was AAP, which has been eliminated as an option for this initiative by a Board vote on September 8, 2021.

The Arts and Culture Support Service is currently a sub-regional service of interested participating jurisdictions. If, as indicated through staff outreach over several years, certain jurisdictions are not interested in joining through consent at this time, then there are two electoral approval processes that could lead to a region-wide service: region-wide AAP (which was rejected by the CRD Board on September 8, 2021) and region-wide referendum. A region-wide referendum would take four to six months and would likely cost more than \$500,000. Even if deferred, running a referendum in conjunction with the 2022 local government elections is not likely to result in significant savings, as the CRD cannot require municipalities to participate nor can the CRD be assured that the question provided on the ballot would be the same throughout the region. Staff have no capacity to execute a region-wide referendum as a stand-alone process in the same year as a general election. Also, a motion to pursue a region-wide referendum would require a two-thirds majority vote at the Board in order to pass. Thus, a region-wide referendum is not a feasible approach to attain full regional participation in the Arts and Culture Support Service at this time.

Additionally, to continue making amendments to the current bylaw, as currently directed by the Board, could have adverse unintended consequences. Any amendment that involves withdrawal provisions, such as the exit clause, requires unanimous consent of existing participants. Certain participants may also view the removal of this exit clause as placing an additional restriction on their consent to participate or not participate in the service, and they may withdraw from the service as a result of this amendment being further pursued.

CONCLUSION

The CRD Board considered recommendations from the Arts Commission on how to achieve 100% participation in the Arts and Culture Support Service. The Board passed motions on making amendments to the establishing bylaw, but defeated an accompanying motion on the electoral approval process necessary to implement these amendments. This report reviews the implications of the outcomes of this Board vote and provides a recommended path forward that focuses on expanding the existing service through providing information on the value of the service to non-participating jurisdictions and encouraging them to join.

RECOMMENDATION

1. That staff take no further action to draft amendments, including removal of the exit clause, to the establishing bylaw of the Arts and Culture Support Service, Bylaw No. 2884.
2. That the CRD Board Chair send a letter to non-participating jurisdictions, outlining the benefits of joining the Arts and Culture Support Service and associated costs, and encouraging non-participating jurisdictions to join the existing service voluntarily.

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