



Direction Request Pemberton and District Community Fund – Service Establishments – Update (June 2019)

Date of Meetings: Pemberton Valley Utilities and Services Committee – June 13, 2019
Regional Board – June 26, 2019

Request:

The Board to provide direction to staff regarding Electoral Area “C” and the Village of Pemberton (VOP) new Economic Development and Arts, Recreation and Culture Service Establishments, including:

1. Should Electoral Area “C” wholly or partially contribute to the services? If partially, what should be the defined scope of the Service Area?
2. What role or function should the Economic Development Collaborative and Agricultural Advisory Committee have vis-à-vis the role of the Pemberton Valley Utilities and Services (PVUS) Committee? (this can be determined at a later date)
3. Should the SLRD Board establish PVUS as Standing Committee, and/or delegate authority to the PVUS Committee for decision making authority over the disbursement of funds that may be requisitioned through the services? (this can be determined at a later date)

Attachments:

1. April 11/24 PVUS & SLRD Board Report – Direction Request, Pemberton and District Community Fund – Service Establishments (available through web link: <https://slrd.civicweb.net/FileStorage/9106AD5B43E6490093BAA99463DBDA99- DR- Pemberton District Community Fund SE-04112019.pdf>)
2. Letter of Correspondence from VOP Council, dated May 8, 2019
3. Service Establishment Scenarios—Process and Timelines

Background:

At the April 24, 2019 (SLRD) Board meeting, the Board passed the following resolutions:

THAT two new service establishment bylaws be developed:

- 1. one for economic development with an annual maximum of \$50,000 and equivalent rate per thousand; and*
- 2. one for arts, culture and recreation with an annual maximum requisition of \$75,000 and equivalent rate per thousand.*

THAT the SLRD repeal Pemberton Valley Recreation Commission Establishment Bylaw No. 653, 1997 (and amendments).

THAT the Direction Request - Pemberton and District Community Fund - Service Establishments be brought back to the June 13, 2019 Pemberton Valley Utilities and Services Committee meeting.

This report provides further information and options with respect to these resolutions.

Key Information:

History and Scope of the Statutory Letters Patent and Recreation Commissions

The Board previously requested an analysis of the scope of the Supplementary Letters Patent (SLP) which authorizes recreational programmes within the SLRD's electoral areas and the VOP. The report previously provided to the Board on this topic (provided as Attachment No. 1), presented the history and background of the SLP. To summarize, staff does not recommend continuing the use of the SLP to authorize any additional requisitions, services, commissions or functions for the following reasons:

- The SLRD's past failed effort to convert the SLP into service establishing bylaws;
- The SLP being now over 44-years old (established in 1975) and is 'out of date';
- Any electorate consent which may have been authorized under the SLP (and which continues to be authorized by statute) is no longer relevant
- The Recreation Commission established under the SLP and the related bylaws (and thus the service area under which the requisitions for cost centre #2100 are derived) only covers a portion of Electoral Area "C" (i.e. Pemberton Fringe, Meadows and Owl Creek).

In place of the SLP, the Board has directed that two (2) new services be established under the authority of Part 10 of the *Local Government Act*.

Repeal of Existing Bylaws

As per the Board's April 24, 2019 resolution provided above, staff provided the Board with information respecting the repeal of the Pemberton and District Recreation Commission (Bylaws 653/966), as this Commission has not sat for 13 years. The Board can repeal Bylaw 653/966 without assent of the electors or approval of the Inspector, but will require 2/3 consent of the participants, being the VOP and Area "C".

The Board did not direct staff to repeal the SLP 'Pemberton & District Community. As such, the SLP Service will remain authorized and in place, but will be dormant and will not requisition funds.

New Service Establishment(s):

The Board has provided direction for the SLRD to establish two (2) new services to replace the existing SLP-based service. Such new services involve the following:

1. An economic development service with an annual maximum of \$50,000 and equivalent rate per thousand; and,
2. An arts, culture and recreation service with an annual maximum requisition of \$75,000 and equivalent rate per thousand.

The following sections of this report provide further information in this respect.

Financial Justification for Services

Arts, Culture and Recreation Functions

The Board determined that \$75,000 per year would be requisitioned for the “Arts, Culture and Recreation Service”, based on the justification below.

The SLRD receives many funding requests/applications each year for the PDCF. Total approved grants-in-aid from this fund for the past 4 years are as follows (Table 1):

Table 1: PDCF Grant Funding

Year	Amount Funded
2015	\$47,693
2016	\$51,616
2017	\$27,721
2018	\$32,078
Total	\$159,108
Average / Year, past 4 years	\$39,777

Currently, the annual requisition amount for the PDCF service (i.e. Cost Center 2100) is \$30,000. The balance of funds in excess of the \$30,000 annual requisition amount allocated out of this cost center have been funded by a ‘surplus’ within the cost center that had slowly accumulated prior to 2015.

PDCF grants have typically been provided to the following types of groups (among others):

- Sea to Sky Community Services, Pemberton Youth Centre, Pemberton Children's Centre, Pemberton Canoe Association, Pemberton Young Life, Pemberton Stewardship Society, Pemberton Valley Seniors Society

PDCF funds, SLRD Electoral Area “C” select funds, VOP Community Initiatives and Opportunities Funds (CIOF) and VOP Community Enhancement Funds (CEF) have also been used to provide annual operational funding to various Arts/Recreation/Culture-based societies and organizations operating within Electoral Area “C” and the VOP. As operational funding falls outside the scope of the more periodic/temporary purpose of these funds, service funding is necessary to legitimize the regular funding of these organizations.

Table 2 below includes the societies/organizations that are relevant in this respect, as well as their pertinent financial information.

Table 2 – Local Government funding for Arts/Rec/Culture Functions

Organization/Fund	2015	2016	2017	2018	Average
1. Pemberton Animal Wellness Society					
Total Local Gov. Funding (Total of Select Funds, CIOF, CEF, PDCF)	-	\$2,500	\$4,000	\$2,000	\$4,500
Organization/Fund	2015	2016	2017	2018	Average
2. Wellness Almanac/Winds of Change					
Total Local Gov. Funding (Total of Select funds and VOP matching)	\$10,000	\$10,000	\$10,000	\$8,000	\$9,500

3. VOP/SLRD Electoral Area “C” Annual Fireworks Displays					
Total Local Gov. Funding (Total of Select funds and VOP matching)	\$1,000	\$2,000	\$2,000	\$5,000	\$3,750
4. Pemberton Arts Council					
Total Local Gov. Funding (Total of Select Funds, CIOF, CEF, PDCF)	\$2,114	\$8,000	\$13,431	\$8,000	\$9,887
5. Pemberton BMX Society					
Total Local Gov. Funding (Total of Select Funds, CIOF, CEF, PDCF)	\$12,850	-	\$5,500	\$5,550	\$5,964
6. Spirit of BC – Pemberton Winterfest					
Total Local Gov. Funding (Total of Select Funds, CIOF, CEF)	\$3,000	\$9,000	\$9,000	\$9,000	\$7,500
Total Annual Amount for Societies/Organizations Requiring Ongoing Funding (sum of averages)					\$41,101

A new Pemberton and Area “C” Arts/Culture/Recreation Service established to ‘replace’ the PDCF/Recreation Commission Service should have a requisition high enough to provide for the “Total Annual Amount for Societies/Organizations Requiring Ongoing Funding” (i.e. \$41,101 in Table 2 above), plus the average annual distributed PDCF funds (i.e. \$39,777) net of those provided to the Societies listed in Table 2. This equals **(without accounting for inflation/additional amounts)**:

Total Annual Amount for Societies/Organizations Requiring Ongoing Service Funding	+	Average Annual Distributed PDCF Funds	-	PDCF Provided to Societies to Potentially Receive Ongoing Service Funding	=	Total (potential requisition for Arts/Culture/Rec Service)
\$41,101		\$39,777		(\$4,975)		\$75,903

The Board has directed for the service to be established with a maximum requisition high enough to provide regular/annual funding in an amount of \$75,000.

Economic Development Functions

The Board determined that \$50,000 per year would be requisitioned for the “Economic Development Service”, based on the justification below.

A separate Economic Development-focused service will fund allocations to economic development functions in the local service area. The economic development type functions considered are the Pemberton & District Chamber of Commerce/Pemberton Visitor Information Center, Tourism Pemberton and the Pemberton Farmers’ Market Association, identified because of their consistent funding requests, and the economic development benefits they provide to the area. Long-term funding agreements with fund recipients will be entered into for transparency and accountability reasons. The economic development service may also provide periodic grants-in-aid, serving as replacement funding for the PDCF.

Table 3 below provides information with respect to local government revenue previously provided to these organizations:

Table 3

Organization	2015	2016	2017	2018	Average
Pemberton & District Chamber of Commerce (including the Pemberton Visitor Information Center)					
Total Local Gov. Funding (Select, CIOF, PDCF)	\$11,400	\$10,500	\$12,750	\$13,500	\$11,717
<i>Total Annual Budget Revenue</i>	<i>The Pemberton & District Chamber of Commerce (& Visitors Information Centre) operates on an approximately \$130,000 annual budget.</i>				
Tourism Pemberton					
Total Local Gov. Funding (Select, CIOF)	\$4,000	\$6,500	\$10,500	\$23,500	\$12,000
<i>Total Annual Budget Revenue</i>	<i>Tourism Pemberton operates on an approximately \$50,000 annual budget</i>				
Pemberton Farmers' Market Association***					
Total Local Gov. Funding (Select, CIOF)	\$11,000	\$6,000	\$7,000	\$3,000	\$8,000
<i>Total Annual Budget Revenue</i>	<i>The Pemberton Farmers Market Association annual budget is unknown.</i>				
Total Annual Amount for Societies/Organizations Requiring Ongoing Funding (sum of averages + \$20,000 for one-offs)					\$51,717

** Note, none of the organizations in Table 3 above received VOP CEF Funding between 2015 and 2018.

The Board has directed for the service to be established with a maximum requisition high enough to provide regular/annual funding in an amount of \$50,000 (i.e. generally, the total annual figure calculated in Table 3 plus an annual grant-in-aid amount similar to the PDCF (i.e. \$20,000/yr.)).

As the Economic Development Service involves an agricultural component, the Board may wish to provide direction as to the future role of the Electoral Area "C" Agricultural Advisory Committee ("AAC") and the VOP's Agricultural Committee. A portion of the agricultural component could be to fully implement the SLRD's Pemberton Valley Agricultural Area Plan and the VOP's Agricultural Parks Master Plan.

Financial Impacts of New Service(s)

Table 4 below provides taxation impacts for both services' requisition amounts (i.e. \$50,000 and \$75,000). The funding apportionment is based on either participant's share of converted assessment values (this is the basis endorsed by VOP Council—see Attachment No. 2). Three different options are proposed for the contribution from SLRD Electoral Area "C": option 1 includes all of Area "C", option 2 includes the portion of Area "C" defined under the SLP for the PDCF/recreation function, and option 3 includes all of Area "C" except WedgeWoods (due to geographical location).

Table 4 - Pemberton, SLRD Area "C" (or portion of) Economic Development and Arts/Culture/Recreation Services

Requisition Amount→		Apportionment (% of converted)	Apportionment Dollar Amount		\$50,000	\$50,000	\$75,000	\$75,000
Participant	2019 Converted Assessment		\$50,000 Req. (Economic Develop.)	\$75,000 Req. (Arts, etc.)	Estimated Residential Tax Rate /\$1,000	Annual Cost for \$500k home	Estimated Residential Tax Rate /\$1,000	Annual Cost for \$500k home
VOP	114,302,422	48.7%	\$24,343	\$36,514	0.02130	\$10.65	0.03195	\$15.97
All Area "C" (option 1)	120,475,537	51.3%	\$25,657	\$38,486				
VOP	114,302,422	71.5%	\$35,760	\$53,639	0.03129	\$15.64	0.04693	\$23.46
Portion Area "C" Pemberton Fringe (option 2)	45,517,945	28.5%	\$14,240	\$21,360				
VOP	114,302,422	50.5%	\$25,281	\$37,922	0.02212	\$11.06	0.03318	\$16.59
Portion Area "C" (No WedgeWoods - Option 3)	111,759,437	49.5%	\$24,719	\$37,078				

Other Service Establishment Considerations

Formal Establishment of PVUS as Standing Committee of the Board

Staff is not aware of the PVUS Committee's 'true' genesis, which is operating as and considered to be a standing committee of the Board. The committee has been previously been titled both the 'Pemberton/Electoral Area C Joint Services Committee' and the 'Joint Operations Committee'. Despite utilizing a Terms of Reference, staff was unable to find a Board resolution or bylaw formally establishing the committee.

The LGA authorizes the establishment of select and standing committees through s.218 (2):

The chair may establish standing committees for matters the chair considers would be better dealt with by committee and may appoint persons to those committees.

Standing Committee establishment may be validated through either bylaw or resolution. Accordingly, the Board may wish to provide direction on establishing PVUS as a standing committee by way of resolution or bylaw (or neither). Doing so would help legitimize a potential delegation of authority to PVUS with the aim of improving the efficiency and flexibility of PVUS by granting it authority over such matters as the expenditure and use of Service funds.

Delegated Authority

Delegating authority to PVUS for such things as the provision of grants-in-aid, similar to that provided to EAD, may help to streamline the conduct of the Regional District's business. The Board may wish to give this issue further consideration at a later time if the services described herein are successfully established.



Service Establishment Process & Timelines

The Board may refer to Attachment No. 3 which provides various scenarios for service establishment timelines. As the services would requisition using an assessment-based approach, bylaws must be adopted by December 31, 2019 and submitted to BC Assessment by February 1 2020 to be included on the 2020 revised roll for requisition to occur next year.

Regional Considerations:

The decision-making authority for many Pemberton-area organizations and societies could become a function of the SLRD under these service arrangements, including for funds currently managed by the VOP through CIOF or CEF. Both VOP and SLRD staff and elected officials should be cognizant of this potential adjustment and shift of responsibilities/staff time, and the fact that some VOP CIOF funds may be disbursed under agreement through 2020-2022.

Follow-Up Action & Communications Plan:

Upon final confirmation of the Board, staff will begin to develop service establishing bylaws and associated documentation as may be necessary for the July 2019 SLRD Board meeting. The timing of the AAP also starts at the end of August, so it will not be held over the summer.

Submitted by:	Graham Haywood, Senior Project Coordinator
Approved by:	Lynda Flynn, Chief Administrative Officer



PO Box 100
7400 Prospect St.
Pemberton
British Columbia
CANADA
V0N2L0

P. 604.894.6135
F. 604.894.6136

www.pemberton.ca

May 8, 2019

Kristen Clark
Director of Legislative & Corporate Services
Squamish-Lillooet Regional District
PO Box 219,
Pemberton, BC V0N 2L0

Dear Ms. Clark:

Re: New Service Establishment

This is to advise that at the Village of Pemberton Regular Council Meeting No. 1491, Council discussed the establishment of new services being considered by the Pemberton Valley Utilities and Services Committee. In this regard, the following resolution was passed:

Moved/Seconded

THAT Council support an assessment-based distribution of funds.

CARRIED

Please accept this formal notice of Council's resolution and do not hesitate to contact our office if you require further information. We look forward to continued deliberation of this matter at the next Pemberton Valley Utilities and Services Committee Meeting.

Kind regards,

VILLAGE OF PEMBERTON

Sheena Fraser

Manager of Corporate & Legislative Services

Cc: Nikki Gilmore, Chief Administrative Officer, Village of Pemberton
Lynda Flynn, Chief Administrative Officer, SLRD

Attachment No. 3

Timeline - Alternative Approval Processes (AAP) – VOP/Area C Economic Development / Arts Recreation and Culture Service Establishments – 2019

Scenario #1 (4 week turn-around to receive Inspector approval)	Scenario #2 (6 week turn-around to receive Inspector approval)	Scenario #3 (9 week turn-around to receive Inspector approval)	Scenario #4 (12 week turn-around to receive Inspector approval)
Board Meeting at which Board considers giving three readings to Service Establishment (SE) Bylaws			
July 24, 2019	July 24, 2019	July 24, 2019	July 24, 2019
Receive statutory approval for SE Bylaws & AAP processes			
August 23, 2019	September 6, 2019	September 27, 2019	October 18, 2019
AAP statutory notices (latest 1st publication date – Question, Pique)			
August. 29, 2019 – Pique (Thurs.)	Sept. 12 2019 – Pique (Thurs.)	October. 3 2019 – Pique (Thurs.)	October. 24 2019 – Pique (Thurs.)
AAP statutory notices (latest 2nd publication date - Chief, Pique)			
Sept. 5 2019 – Pique (Thurs.)	Sept. 19 2019 – Pique (Thurs.)	October. 10 2019 – Pique (Thurs.)	October. 31 2019 – Pique (Thurs.)
AAP statutory 30-day elector response period (from latest 2nd publication date - Chief, Pique)			
Sept. 6, 2019 – Oct. 5, 2019	Sept. 20, 2019 – Oct. 19, 2019	Oct. 11 2019 – Nov. 9, 2019	Nov. 1 2019 – Nov. 30, 2019
Deadline (4:30 p.m.) for receiving elector responses for AAPs			
October. 7, 2019 (32 Days)	October. 21, 2019 (32 Days)	Nov. 12, 2019 (33 Days)	Dec. 2, 2019 (32 Days)
Publish Board Meeting Agenda			
October 18, 2019	October 21, 2019 (late agenda)	November 22, 2019	December 13, 2019
Board Meeting at which Board considers adoption of Service Establishment Bylaws			
October 23, 2019	October 23, 2019 (or November 27, 2019)	November 27, 2019	December 18, 2019
Service Establishing Bylaws must be Adopted by December 31, 2019			
Deadline to submit property taxation information to BC Assessment for inclusion on 2019 Revised Roll – Property Assessment Based Taxes Only			
February 1, 2019	February 1, 2019	February 1, 2019	February 1, 2019