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**REPORT TO ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, 18 APRIL, 2012**

SUBJECT **BYLAW AMENDMENT TO COMBINE THE MAXIMUM REQUISITION LEVY RATE FROM TWO SOOKE MUSEUM ESTABLISHMENT BYLAWS, REMOVE THE ENDOWMENT PROVISION AND REPURPOSE THE ENDOWMENT FUNDS**

ISSUE

The Sooke Region Museum endowment fund is not fulfilling its objectives, which were: to provide seed funding for attracting additional donations, and to generate income to help fund ongoing museum development. Consequently, the District of Sooke, the Sooke Region Historical Society, and the Juan de Fuca (JDF) Electoral Area Director all agree that the endowment fund be discontinued and repurposed to better serve the museum's requirements.

BACKGROUND

The Sooke Region Museum endowment fund was established in 2008 by the Capital Regional District (CRD) through the Sooke Region Museum Service Bylaw No. 3525. Its requisition provides annual operating funding as well as an endowment fund for the Sooke Region Museum. The maximum levy rate is \$0.026/\$1000; two-thirds of the annual requisition is used to fund museum operations and one-third is allocated to an endowment fund.

In addition, the museum also obtains funding through the Sooke Region Historical Society Service (CRD Bylaw No. 3751) which has the same participating area as Bylaw No. 3525 and includes the same maximum requisition levy rate of \$0.026/\$1000 for the purpose of operating, maintaining and developing the museum.

Based on concurrence involving the Sooke Region Historical Society, the Mayor of the District of Sooke, and the JDF Electoral Area Director, the Council of the District of Sooke adopted a resolution, on April 10, 2012, for the CRD Board's consideration; it requests:

- 1) Removal of the endowment fund provision in Bylaw 3525 thus allowing the requisition funds to be used for operating, maintaining and developing the museum, and
- 2) Release of the current endowment fund balance to the Sooke Region Historical Society for the same purposes as described item 1) above.

To accommodate this request, it is proposed that:

- 1) The maximum requisition levy rates in the service establishment bylaws No. 3525 and No. 3751 be combined into Bylaw No. 3751 to equal \$0.052/\$1000,
- 2) Bylaw No. 3525 be repealed as it is no longer required for requisition and the endowment provision it includes would thereby be eliminated; and
- 3) The endowment fund balance be released for use according to the purpose outlined in the Sooke Region Historical Society service establishment Bylaw No. 3751.

ALTERNATIVES

1. That bylaw No. 3827 cited as "Sooke Region Historical Society Service Establishment Bylaw No. 1, 2011, Amendment Bylaw No. 1, 2012" be introduced and read a first and second time, and read a third time.
2. That bylaw No. 3827 be deferred to a future meeting pending further information.

IMPLICATIONS

Intergovernmental

The Mayor and Council of the District of Sooke, the Sooke Region Historical Society, and the JDF Electoral Area director all agree with the changes to the endowment fund that the proposed bylaw amendment is designed to achieve.

Financial

The proposed bylaw amendment accommodates the Society's request efficiently and combines two former maximum requisition levy rates into one equivalent total levy rate. The Sooke Region Historical Society and the Sooke Region Museum service establishment bylaw maximum levy rates can be combined as they serve the same participating area. Through this amendment, the maximum possible requisition remains at the same level; however, the provision to accumulate an endowment fund is removed.

CONCLUSION

With the concurrence of the Sooke Region Historical Society and the JDF Electoral Area Director, the District of Sooke has requested that the provision to accumulate an endowment fund for the Sooke Region Museum be removed and that the current endowment fund balance be released to the Society for use in operating and developing the museum. The proposed amendment to the Sooke Region Historical Society service establishment Bylaw No. 3751 accommodates this request.

RECOMMENDATION

That the Electoral Area Services Committee recommend to the CRD Board:


1. That bylaw No. 3827 cited as "Sooke Region Historical Society Service Establishment Bylaw No. 1, 2011, Amendment Bylaw No. 1, 2012" be introduced and read a first and second time, and read a third time.



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**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3827**

**A BYLAW TO AMEND BYLAW NO. 3751 BEING "SOOKE REGION HISTORICAL SOCIETY
SERVICE ESTABLISHMENT BYLAW NO.1, 2011"**

WHEREAS:

- A. By Bylaw No. 3751, "Sooke Region Historical Society Service Establishment Bylaw No.1, 2011", the Capital Regional District Board did convert the Sooke Region Historical Society Specified Area to a Service for the purpose of providing annual financial assistance for operating, maintaining and developing the Sooke Region Museum;
- B. By Bylaw No. 3525, "Sooke Region Museum Service Establishment Bylaw No. 1, 2008", the Capital Regional District Board did establish a service for the same participating area as Bylaw No. 3751 for the purpose of contributing to an endowment fund and for contributing to the management and operation of the Sooke Region Museum; and
- C. It is the intention of the Capital Regional District Board to combine the maximum requisition of the two establishment bylaws into Bylaw No. 3751, to eliminate the provision for an endowment fund, and to allow the balance of the funds in the endowment fund to be used for the same purpose as is specified in Bylaw No. 3751.

NOW THEREFORE the Board of the Capital Regional District in open meeting assembled enacts as follows:

- 1. Bylaw No. 3751 "Sooke Region Historical Society Service Establishment Bylaw No.1, 2011" is amended as follows:
 - a) By replacing Section 6 in its entirety with the following:
 - "6. In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
 - a) One Hundred Fifty-Seven Thousand Five Hundred Dollars (\$157,500); or
 - b) a property value tax rate of \$0.052 per One Thousand Dollars (\$1,000) that, when applied to the net taxable value of land and improvements in the Service Area, will yield the maximum amount that may be requisitioned for the Service.

