

# Calgary Arts Development Authority (CADA) 2012 Cultural Space Investment Process

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## Review of MSI Guidelines

### Re: Funding Building / Renovation of Non-Profit-Owned Buildings for Arts and Culture Projects

December 20, 2011

[http://www.municipalaffairs.gov.ab.ca/documents/2011\\_CAP\\_Guidelines.pdf](http://www.municipalaffairs.gov.ab.ca/documents/2011_CAP_Guidelines.pdf)

#### **First requirement: Type of Project**

The project must fall into one of the following Capital Project Categories to qualify for Cultural MSI funding: from page 20

#### **2.s) Other Community and Recreation**

- Cultural/community centres
- Convention or trade centres
- Exhibition buildings
- Performing arts facilities
- Museums
- Art galleries
- Tourist facilities
- Designated local heritage sites

Therefore, for projects with more than one user group, the project proposal must very clearly delineate between improvements that support the Community and Recreation Capital Project (e.g. cultural centre) and improvements that support other functions (e.g. church-based functions). Only the former are eligible for funding.

#### **Second Requirement: Non-Profit Status**

##### 3.4 Contributions to Other Entities

Municipalities may contribute MSI capital funding to eligible projects that involve assets or land owned by other municipalities, provincially- or municipally-controlled entities, or non-profit organizations as follows:

- a municipality as defined in Section 1 of the *Municipal Government Act*;
- a non-profit organization, as defined in Section 241 of the *Municipal Government Act* (see Glossary page 21);
- a regional services commission established under Part 15.1 of the *Municipal Government Act*;
- a controlled corporation as defined in Section 241 of the *Municipal Government Act*; and
- provincial agencies, crown-controlled school jurisdictions, universities, colleges, technical institutes, the Alberta Health

Services Board, and other health boards, excluding charter schools and school societies, that are included in the Government of Alberta annual report.

You must be a non-profit under this definition.

### **Third Requirement: Improvements will enable delivery of municipal services**

#### 3.4 Contributions to Other Entities (continued)

A municipal contribution to one of these entities must enable that entity to acquire, construct, develop, better, or rehabilitate a capital asset that will be used to provide or deliver municipal services.

Therefore the proposal must very clearly lay out how the construction / renovation of this capital asset will be used to provide / deliver municipal services. Clearly describe what those municipal services are using the CADA reports and City documents to substantiate your claim.

### **Fourth Requirement: Proponents will ensure on-going public accessibility**

#### 3.4 Contributions to Other Entities (continued)

##### Non-profit Organizations

Municipalities contributing funding to a non-profit organization are required to complete a Supplementary Certification Form [[http://www.municipalaffairs.alberta.ca/documents/ms/CAP\\_NonprofitSupplementary\\_form.pdf](http://www.municipalaffairs.alberta.ca/documents/ms/CAP_NonprofitSupplementary_form.pdf)] certifying that they will:

- bind the non-profit organization to all MSI conditions and obligations that apply to the municipality with respect to the project, including adherence to provincial regulations/standards and departmental access to project records; and
- maintain adequate control over public access to the asset, or over the municipal service that it provides.

In order to protect the municipal interest in the asset or facility and to meet the obligations of the certification, the municipality should enter into a binding legal agreement with the non-profit organization.

Projects involving non-profit organizations must provide a municipal service, and use of the resulting asset must not be limited to cultural or religious groups.

Therefore the proposal must very clearly state that the proponent will ensure on-going public access to the asset and to the municipal services provided. Very clearly describe how your organization will achieve this.