



## AGENDA & NOTICE - CITIZENS ASSEMBLY COUNCIL COMMITTEE

Friday, March 22, 2019, 12:00 P.M.

Council Chambers

Pages

A. APPROVAL OF AGENDA

B. READING OF MINUTES

B.1 Minutes from the meeting held March 19, 2019

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C. UNFINISHED BUSINESS

C.1 General Discussion on the Citizens' Assembly on Amalgamation Committee Process

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Continuing from Section 5 of the draft Terms of Reference

*Continued from the Meeting held March 19, 2019*

D. NEW BUSINESS

E. ADJOURNMENT



## MINUTES - COMMITTEE OF THE WHOLE

March 19, 2019, 8:00 A.M.  
Council Chambers

PRESENT: Mayor Helps, Councillor Young, Councillor Isitt, Councillor Loveday

STAFF PRESENT: A. M. Ferguson - Recording Secretary, C. Coates - City Clerk, C. Havelka - Deputy City Clerk, J. Jenkyns - City Manager, C. Mycroft – Manager of Executive Operations

### A. APPROVAL OF AGENDA

**Moved By** Councillor Loveday  
**Seconded By** Councillor Young

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### D. NEW BUSINESS

#### D.1 General Discussion on the Citizens' Assembly on Amalgamation Committee Process

The Mayor provided a verbal overview outlining the process to form a Citizens' Assembly on Amalgamation Committee.

Committee discussed Section 1 of the terms of reference:

*Councillor Isitt joined the meeting at 8:04 a.m.*

**Recommended changes:**

**Last Bullet: Change "Saanich" to "their communities".**

**First Bullet: Include "emergency services" in the list of considerations.**

**Second Bullet: Change the word "City" (last word of the sentence) to "municipality".**

Committee discussed Section 2 of the terms of reference:

- Debate on the rules of order to govern the committee.

**Recommended changes:**

**2.1: Rewording as follows: “The Assembly will share learning and deliberations with the public on an ongoing and predictable basis.”**

**2.8: Add wording to the end: “and retaining a recourse to majority vote”.**

**2.7: Add wording to the end: “and the chair will work to ensure that there is room for all voices”.**

**Recommended change to the overall document:**

**Change the order in instances where Saanich and Victoria are mentioned together so that Saanich comes first (alphabetical and population size rationale).**

Committee discussed Section 3 of the terms of reference:

**Recommended changes:**

**New item between 3.13 & 3.14: “Consideration of democratic representation and accessibility of elected officials to residents and other stakeholders.”**

**3.8: Rewording as follows: “Delineation of the clear weighing off of the overall advantages vs. any disadvantages accruing to individual municipalities.”**

**3.13: Rewording as follows: “Consideration of congruency and alignment of the OCPs and other significant strategic and plan documents of the municipalities.”**

**3.6: Rewording as follows: “Cultural and land use priorities and similarities and differences of the two municipalities and any impacts arising from amalgamation.”**

Committee discussed Section 4 of the terms of reference:

**No recommended changes.**

Committee discussed Section 5 of the terms of reference:

- Debate on the number of sessions to be held.

**The Committee agreed to resume debate on this section at the Friday meeting.**

Committee discussed Section 6 of the terms of reference:

- The Province’s overview document noting the requirements of the transition plans.

**Recommended changes:**

**Communications:** In the first sentence delete the word "exclusive" and delete the line "and will approve all public communications regarding the conduct of the Assembly unless otherwise delegated".

**Communications:** Add wording: "Members of the assembly are free to share personal views regarding the assembly's conduct whenever and however they choose."

**Interim Directions Document:** Delete the following sentence: "This document will be conveyed to the Amalgamation Study team for the purpose of shaping their research activities."

**Final Report:** Add the following wording to the final sentence "any correspondence provided by individual members of the Assembly" after "a list of the members of the Assembly".

**E. ADJOURNMENT OF COMMITTEE OF THE WHOLE**

**Moved By** Councillor Young

**Seconded By** Councillor Isitt

That the Committee of the Whole Meeting be adjourned at 9:01 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

## Overview of Steps in an Amalgamation Study

This document is an overview of the key activities in an amalgamation study. It is for illustrative purposes and may not account for all the steps in an amalgamation project. This page is meant to illustrate the connections between the activities undertaken by local governments and the Ministry. Timelines for the project will vary depending on design and scope of each component of the project, but such a project typically takes several years. The following page contains more details on the steps outlined below.

### Saanich and Victoria (Municipalities)

**Councils** come to agreement on the framework for the project

**Staff jointly** draft terms of reference (TOR) and submit for **Councils'** consideration

**Councils** agree on TOR for project

**Councils** submit **request for funding to Minister**

**Municipalities** undertake request for proposals (RFP) for Consultant(s)

**Municipalities** select members of Citizens' Assembly

**Municipalities** launch, and they/their consultants undertake component projects – e.g.

- a) Citizens' Assembly
- b) Technical report on impacts of structural, administrative, and service changes
- c) Other reports/engagement with key interests (as desired)
- d) Transition plan

**Municipalities** share findings and they/their consultants undertake public consultation with their residents

**Councils** decide on whether to request that the **Minister consider ordering** votes on amalgamation

**Municipalities** hold assent votes

**Municipalities** start implementation of their transition plan in advance of incorporation of new municipality

**A Municipality** runs Election of First Council  
Incorporation of the new municipality

### Ministry of Municipal Affairs and Housing (MAH)

*Optional: Share TORs for review by Ministry staff prior to council considering them*

**Minister** considers request for funding  
If yes, **MAH** creates contribution agreement

**MAH** notify area First Nations (can be done with municipalities)

**MAH** coordinates requests for information from consultants regarding Provincial programs as required

**MAH** coordinates the Provincial Commitment of Restructuring Assistance (assistance if votes are in favour)

If **Minister** supports ordering the votes, then Ministerial Orders for each municipality are issued

If the outcomes of the votes are yes, **MAH starts** drafting of legislative instruments

**Minister** puts forward Letters Patent for **Government** consideration. If Letters Patent are issued, then **Municipal** transition plan kicks in

<b>Examples of considerations for a Project Framework</b> Typically, a framework will contain high-level information on the purpose, principles of engagement, timelines, governance, roles and methodologies; this may be used by councils to guide their work.	<b>Leads: Municipalities</b>
<b>Examples of content for Terms of Reference (TOR)</b> Name of project(s), Proponents Roles and responsibilities for various participants, including elected officials How decisions are made (e.g., project governance) Budget – including who is going to administer the study grant and which municipality will run the RFP How the work is going to be done (methodology etc.)?	<b>Leads: Municipalities</b> , with MAH input (if desired) Goals for each component of the project(s)  Steps in each component of the project(s) What is in scope and what is out of scope? Work breakdown including sequencing and scheduling of events What are the deliverables for each phase of the project?
<b>Councils submit request for funding to Minister</b> Reasons for/details on the project (e.g., project framework, budget and any other pertinent information) Overview of work done to date	<b>Leads: Municipalities</b> TOR
<b>MAH Provincial Funding Review</b> Is there adequate engagement of the public? Is there an adequate resource plan? If the study grant is approved by the <b>Minister</b> , <b>MAH staff</b> will draft a contribution agreement	<b>Lead: MAH</b> Request additional documents as required Is there room in the program budget and does it meet the requirements of the regulation?
<b>Selection of consultants</b> As per municipal procurement procedure	<b>Leads: Municipalities</b>
<i>Municipalities may opt to run the following three "projects" plus any additional reports or engagement concurrently or separately</i>	
<b>Citizens' Assembly</b> Creation of per agreed steps outlined in the TOR Assignment of municipal representatives	<b>Leads: Municipalities</b> Clear methodology for the selection of participants Clear scope of duties and purpose
<b>Examples of content for Technical Study</b> Creation of agreed steps outlined in the TOR Analysis of anticipated impacts on services, governance and assumptions about service delivery including arrangements	<b>Leads: Municipalities</b> Comparison of the two organizations Analysis of anticipated impacts on other local governments (e.g., CRD)
<b>Examples of content for Transitional Plan</b> Name of Chief Election Officer for election of first council How will the name of the new municipality be selected? Name of interim corporate officer for the new municipality	<b>Leads: Municipalities</b> Procedures for holding joint council meetings (i.e., from issuance of Letters Patent to incorporation of a new municipality) Principles of HR management Provisions for the continuation of services and governance for residents

<b>Provincial Commitment of Restructuring Assistance</b>	<b>Lead: MAH</b>
After a draft of technical report is provided to MAH, the Province will consider scope of Assistance (i.e., both financial and non-financial) and send it to councils	
<b>Public Engagement</b>	<b>Leads: Municipalities</b>
Municipalities share results from reports as per the TOR and the provincial commitment of restructuring assistance	
<b>Request for votes on amalgamation</b>	<b>Leads: Municipalities</b>
<b>Councils</b> submit a joint request for votes on amalgamation to the Minister, providing evidence that supports their request (e.g., outcomes from public engagement, Citizens' Assembly, technical report and transition plan)	
<b>Legislative Instruments</b>	<b>Lead: MAH, with Local Government staff participation (both municipalities and the CRD)</b>
Review of existing regulations, legislation and Letters Patent	Drafting of Letters Patent for the new municipality, amending letters patent (CRD), regulation and legislation as required
Discussing provisions for the Letters Patent, including creation of local area services - municipal staff to identify service names, geography and the related bylaws to be referenced in the Letters Patent for the new municipality	



# Duncan-North Cowichan Citizens' Assembly on Municipal Amalgamation

Terms of Reference v 2

## 1.0 Objective of the Citizens' Assembly on Municipal Amalgamation

The Citizens' Assembly on Municipal Amalgamation is a deliberative process intended to provide area residents with an opportunity to participate actively in developing and evaluating the case for amalgamating the City of Duncan and the Municipality of North Cowichan. The Citizens' Assembly will be an impartial, advisory body charged with providing detailed recommendations representing a broad consensus concerning the proposed amalgamation. The Assembly will work to represent all residents and exemplify high standards of transparency, accountability and robust civic participation.

## 2.0 Mandate of the Assembly

The Citizens' Assembly is tasked by the City of Duncan and the Municipality of North Cowichan (the Municipalities) to learn about the needs and interests of local residents, examine the implications of creating a new, amalgamated municipal structure, and advise local councillors and their administrations on the conditions under which the Municipalities should proceed.

Specifically, the Citizens' Assembly on Municipal Amalgamation will develop:

- A set of values which describe their aspirations for good local governance;
- A list of issues which they believe need to be satisfactorily resolved for municipal amalgamation to merit consideration;
- A detailed recommendation concerning municipal amalgamation, including any conditions which would need to be satisfied if a merger was to proceed

To assist the members of the Assembly with their task, an extensive learning program will provide them with the opportunity:

- To examine the Municipalities' respective infrastructure, services, operations, and governance structures;
- To inform and review the Amalgamation Study being undertaken concurrently with the Citizens' Assembly
- To learn from relevant case studies concerning prior, similar municipal amalgamations in British Columbia
- To consult with and learn from independent experts as well as local residents

The Assembly will also host two Public Roundtable Meetings. These meetings will provide local residents with an opportunity to express the views and make it possible for members of the Assembly to test their assumptions and ideas with other residents.

## 3.0 Schedule of the Assembly

The Assembly will meet over six days in early 2017.

1. Saturday January 21, 2017; 9am-4pm (Assembly meeting 1)
2. Thursday February 2, 2017 ; 6-8pm (Public Roundtable Meeting A)
3. Saturday February 4, 2017; 9am-4pm (Assembly meeting 2)



4. Saturday February 25, 2017; 9am-4pm (Assembly meeting 3)

*Interim directions document sent to Technical Consultants*

5. Saturday April 1, 2017; 9am-4pm (Assembly meeting 4)
6. Thursday February 8, 2017 ; 6-8pm (Public Roundtable Meeting B)
7. Saturday April 8, 2017; 9am-4pm (Assembly meeting 5)
8. Saturday April 22, 2017; 9am-4pm (Assembly meeting 6)

Additional meetings of the Assembly may be scheduled at the Assemblies discretion and with the authorization of the Chair. The Assembly will also host two Public Roundtable Meetings, which will be open to all residents of Duncan and North Cowichan.

#### **4.0 Reporting and Communications**

##### **4.1 General Reporting**

The Municipalities will develop a shared webpage that will list the members of the Assembly, a detailed agenda including all speakers and resources, and the Assembly's Terms of Reference. Following each Assembly meeting, a brief summary of its activities and progress will be posted.

##### **4.2 Interim Directions Document**

Following its first three meetings, the Assembly will issue a brief directions document listing its draft values, and the issues or questions that the Assembly believes deserve further study and consideration. This document will be conveyed to the Amalgamation Study team for the purpose of shaping their research activities.

##### **4.3 Final Report**

The Assembly will deliver its report to the Municipalities no later than May 31, 2016. The report will include a letter from the Chair, an overview of the process, and the proposed values, identified issues and final recommendations of the Assembly. It will also include an appendix that contains copies of all materials considered by the Assembly, a list of the members of the Assembly, and a 'minority report' that documents any dissenting perspectives.

##### **4.4 Communications**

The Assembly's Chair is authorized as the exclusive spokesperson for the Assembly and will approve all public communications regarding the conduct of the Assembly unless otherwise delegated.

#### **5.0 Composition of the Citizens' Assembly**

##### **5.1 Recruitment Process**

Members of the Assembly will be randomly selected by Civic Lottery — a mechanism that ensures that a broad, representative cross-section of local residents are selected to participate. 10,000 letters will be sent to households inviting residents to register as volunteers before a publicly-specified deadline. Within a week after the deadline, a blind draw will select members of the Assembly from the pool of registered volunteers.

##### **5.2 Criteria for Membership**

The Citizens' Assembly will consist of 36 members. In order to be eligible to serve on this Citizens' Assembly, an applicant must:

- Reside within the City of Duncan or the Municipality of North Cowichan, and
- Be at least 18 years old at the time of volunteering

Additional qualifications:

- Prospective volunteers may only submit their name to the Civic Lottery once.
- All residents who live at a household which has received a Civic Lottery package may volunteer to serve on the Assembly. However, only one person per residential address can be selected as a member of the Assembly.
- Residents directly employed by the Municipalities, as well as any current municipal, provincial, or federal elected representatives are ineligible to serve as members of the Assembly.

### 5.3 *Assembly Composition*

The Assembly will be composed of:

- 18 men and 18 women;
- A proportionate number of members from four age cohorts: 18-29, 30-44, 45-64, and 65+;
- 12 residents from the City of Duncan and 24 residents from the Municipality of North Cowichan;
- A proportionate number of members from three sub-areas in the City of Duncan and six sub-areas in North Cowichan; and
- At least two members who self-identify as Indigenous.

Proportions will be established based on the 2011 census profile.

To assist the Assembly members in participating, reasonable childcare, eldercare, and transportation costs will be reimbursed. Assistance will also be provided to those members with different physical or learning abilities. The working language of the Assembly is English. Translation services are not available.

## 6.0 **Roles and Responsibilities**

### 6.1 *Roles and Responsibilities of Assembly Members*

Members of the Assembly are expected to fulfil their duties and agree to:

- Attend all sessions of the Assembly as well as the two Public Roundtable Meetings;
- Work to understand and represent the varied perspectives of all residents in both Municipalities;
- Treat each other with respect and take an active role in the work of the Assembly; and
- Work collaboratively to achieve a strong consensus concerning the Assembly's recommendations.

If a member of the Assembly must withdraw owing to illness or unexpected events prior to the third meeting of the Assembly, a new member will be appointed from the pool of volunteers who submitted their name to the Civic Lottery. Members who withdraw following the third meeting will not be replaced unless so directed by the Chair.

### 6.2 *Roles and Responsibilities of the Chair*

The Chair of the Assembly is appointed by the firm responsible for undertaking the Assembly and is tasked to:

- Oversee a fair and representative selection process to appoint members of the Assembly;

- Develop and execute a sound deliberative process that upholds high democratic standards and that yields a clear recommendation for consideration by the Councils of both Municipalities;
- Develop and execute a balanced curriculum that will ensure that members of the Assembly are adequately and appropriately informed and able to fulfil their mandate;
- Support respectful dialogue and deliberation amongst members;
- Ensure that regular updates concerning the Assembly's proceedings are made publicly available;
- Produce and deliver a Final Report concerning the Assembly's activities and recommendations before May 31, 2017;
- Exercise discretion in ensuring and safeguarding the integrity and sound conduct of the Assembly;

The Chair acts as project executive and lead moderator. Decisions concerning the conduct of the Assembly are made at the Chair's discretion in consultation with the Chief Administrative Officer of each Municipality.

### 6.3 *The Roles and Responsibilities of Other Parties*

- The City of Duncan and the Municipality of North Cowichan will work to support the Assembly and ensure its success. They will endeavour to:
  - Provide expertise and access to relevant perspectives, documents and other materials; and
  - Give careful and timely consideration to the Assembly's Final Report, responding publicly and in detail to the Assembly's recommendations.
- The Amalgamation Study team will respond to the issues and questions identified in the Interim Directions Document, and support the Assembly in its deliberations by providing impartial expertise.
- Both parties agree to respect and support the independence and integrity of the Assembly.

# DRAFT for Discussion

Terms of Reference – Citizens’ Assembly on the Amalgamation of the District of Saanich and the City of Victoria

## Terms of Reference

The following Community Opinion Question was included on the ballot for the 2018 General and Local School Board Elections:

***“Are you in favour of spending up to \$250,000 for establishing a Citizens’ Assembly to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria?”***

### 1.0 City of Victoria and District of Saanich Objectives

The municipalities of Saanich and Victoria have adopted an innovative and transparent public process to support the completion of an analysis of the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria. The Citizens’ Assembly (the “Assembly”) process is expected to be a deliberative one, providing the residents of Victoria and Saanich with the opportunity to directly and actively participate in evaluating the case for the municipalities’ amalgamation.

The Assembly is expected to be an impartial advisory body that is tasked with representing the residents of Victoria and Saanich in investigating the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria. In doing so, the Assembly will exemplify the highest standards of transparency, accountability and citizen engagement in reaching detailed recommendations to the respective municipal Councils.

In establishing the Assembly, the municipalities have three objectives:

- To learn about the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria including shared and contrasting values, concerns and needs of residents of Victoria and Saanich regarding neighbourhoods, change, growth, service delivery, governance, capital and infrastructure needs, land use planning and strategic and regulatory frameworks.
- To fully understand the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria including residents’ vision for the future of their respective community and potentially an amalgamated City.

- To provide local residents with an unprecedented opportunity to explore the future of Saanich.

## 2.0 Guiding Principles for the Citizens' Assembly

- 2.1 **Openness and Transparency** – The Assembly will regularly share its learning and deliberations with the public.
- 2.2 **Accountability and Legitimacy** – The Assembly will work within a defined mandate and budget on behalf of the residents of Saanich and Victoria. The Assembly will deliver its Final Report directly to the respective municipal Councils.
- 2.3 **Effective Representation** – The Assembly will be charged with the responsibility of representing the needs and interests of the residents of Victoria and Saanich. The members of the Assembly will be selected to broadly represent the demographics of the municipalities.
- 2.4 **Accessibility** – The Assembly will provide reasonable supports to address barriers that may prevent a member of the Assembly from participating successfully.
- 2.5 **Independence** – The Assembly will have full independence to determine how to best fulfill its mandate.
- 2.6 **Well-informed** – The Assembly will deliver sound recommendations in its Final Report. The Assembly's recommendations will be informed by a range of perspectives and sources of expertise.
- 2.7 **Balance** – The Assembly will consider a diversity of voices and perspectives in its deliberations.
- 2.8 **Collaborative decision-making** – The Assembly will work towards consensus when drafting their recommendations, while also respecting and documenting differing perspectives among its members.
- 2.9 **Respect** – The Assembly will strive to be conscientious and fair-minded in their deliberations and in their consultations with the residents of Victoria and Saanich.

## 3.0 Mandate of the Citizens' Assembly

The Assembly is tasked by the City of Victoria and the District of Saanich to learn about the needs and interests of local residents, examine the full basket of implications of creating a new, amalgamated municipal structure, and advise the respective Councils on whether or not the municipalities should proceed towards amalgamation.

Specifically, the Assembly will:

- 3.1 Identify common aspirations for good local governance to provide a basis for evaluating amalgamation and status quo.
- 3.2 List the issues which the Assembly believes needs to be satisfactorily resolved for amalgamation to merit consideration.

- 3.3 Detail recommendation(s) concerning the amalgamation of Victoria and Saanich, including any conditions that need to be satisfied if an amalgamation was to proceed.
- 3.4 List issues and recommendations for addressing identified issues with regard to the implementation and the integration of the municipalities should the Assembly recommend amalgamation.

In satisfying their mandate and developing recommendations, the Assembly will be expected to consider and analyze (at a minimum) the following:

- 3.5 Assets and liabilities of Saanich and Victoria including any related impacts on local rate payers resulting from amalgamation.
- 3.6 Cultural and land use priorities and differences of the two municipalities and any anticipated impacts arising from amalgamation.
- 3.7 Balance of the issues of economy of scale with community identity and representation.
- 3.8 Clear delineation of advantages and disadvantages for the respective municipality in considering amalgamation versus those accruing solely to a combined municipality arising from amalgamation.
- 3.9 Comparison of corporate structures and approaches to governance of the two municipalities and the anticipated impacts (positive and negative) arising from amalgamation.
- 3.10 All analysis and recommendations of the Assembly are informed and mindful of the ongoing work with local First Nations of reconciliation.
- 3.11 Consideration of benefits and costs of amalgamation over both the short and long terms (i.e. Over 5 year, 20 year, 50 year horizons).
- 3.12 Consideration of impacts (positive and negative) at the neighbourhood level not only for the broad community.
- 3.13 Consideration of the congruency and alignment of strategic and political priorities of the municipalities (as expressed in Strategic Plans, Official Community Plans and other significant strategic and plan documents).
- 3.14 Status and strategies of capital and infrastructure replacement reserves including the analysis of anticipated impacts on an amalgamated municipality.
- 3.15 Variations in levels of service of the two municipalities including the development of clear recommendations on aligning service levels in an amalgamated municipality.
- 3.16 If full amalgamation of Victoria and Saanich is not recommended by the Assembly, commentary from the Assembly on other opportunities for service integration is considered part of the Assembly's mandate.
- 3.17 If full amalgamation of Victoria and Saanich is recommended by the Assembly, commentary and recommendations from the Assembly on the integration of full municipal operations (both in the short and longer term) is expected as part of the Assembly's mandate.

In meeting its mandate and the expectations outlined in the Terms of Reference the Assembly will, to the greatest extent possible, represent the consensus view of the members. Divergent views of Assembly members and community members will also be included in the Citizens' Assembly's Final Report.

#### **4.0 Constraints on the Citizens' Assembly**

The Assembly will enjoy wide latitude, subject to the processes and mandate laid out in the Terms of Reference, in its ability to make recommendations to Victoria and Saanich regarding the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria. Recommendations must include a final Yes/No recommendation to the respective Councils on proceeding towards a Referendum on amalgamation. The Councils of Saanich and Victoria will have the final authority to accept, modify or reject specific recommendations from the Assembly at their discretion.

#### **5.0 Schedule of the Citizens' Assembly**

The Citizens' Assembly will convene during XX full-day Saturday sessions beginning in XXXXX, and concluding in XXXXX. Additional meetings of the Assembly may be scheduled at the discretion of the Chair. The Citizens' Assembly will also host X public roundtable meetings during the course of their session's schedule which will be open to all local residents.

The Assembly will meet according to the following schedule:

- XXXX
- XXXX
- XXXX

#### **6.0 Reporting and Communications of the Citizens' Assembly**

The Citizens' Assembly will communicate regularly about its work to the public, Municipal Councils and to the joint municipal working group.

##### **General Reporting**

The Municipalities will develop a shared webpage that will list the members of the Assembly, a detailed agenda including all speakers and resources, and the Assembly's Terms of Reference. Following each Assembly meeting, a brief summary of its activities and progress will be posted.

##### **Interim Directions Document**

Following its XXXX meetings, the Assembly will issue a brief directions document listing its draft values, and the issues or questions that the Assembly believes deserve further

study and consideration. This document will be conveyed to the Amalgamation Study team for the purpose of shaping their research activities.

#### Final Report

The Assembly will deliver its report to the Municipalities no later than XXXX. The report will include a letter from the Chair, an overview of the process, and the proposed values, identified issues and final recommendations of the Assembly. It will also include an appendix that contains copies of all materials considered by the Assembly, a list of the members of the Assembly, and a 'minority report' that documents any dissenting perspectives.

#### Communications

The Assembly's Chair is authorized as the exclusive spokesperson for the Assembly and will approve all public communications regarding the conduct of the Assembly unless otherwise delegated.

The Citizens' Assembly will present this report to the respective Municipal Councils, which may, at their discretion, refer the report to the respective municipalities' Staff for comment, response and clarification, where appropriate, prior to considering the final recommendations.

## **7.0 Composition of the Citizens' Assembly**

### **7.1 Recruitment Process**

Members of the Citizens' Assembly will be randomly selected by Civic Lottery — a mechanism that ensures that a broad, representative cross-section of local residents and business owners are selected to participate.

Each household and business owner in the City of Victoria and the District of Saanich will receive or may request an Invitation to the Assembly and will be asked to register as a volunteer before a specified date. On the specified date, a blind draw will select members of the Assembly from the pool of registered volunteers.

### **7.2 Number of Members**

The Citizens' Assembly will consist of 96 members. In order to be eligible to serve on this Citizens' Assembly, an applicant must:

- Reside within the municipal boundaries of the District of Saanich or the City of Victoria as defined by the area map. (See Map – XXXX); *or*
- Maintain a business within the City of Victoria or District of Saanich; *and*,
- Be at least 16 years of age as of September 1, 2014.

Additional qualifications:

- Business owners and property owners cannot transfer their eligibility to an employee.
- Prospective candidates may only submit their name to the civic lottery once. Multiple applications will result in the candidate's disqualification.



- All residents, business owners and property owners may volunteer to serve on the Citizens' Assembly. However, only one person per residential address (unit in building) or business address will be eligible to become a member of the Assembly.
- Employees of the City of Victoria or the District of Saanich, as well as elected officials (municipal, provincial or federal), are ineligible to serve as Assembly members.
- Individuals that are members of stakeholder groups that support or do not support the amalgamation of Saanich and Victoria, are ineligible to serve as Assembly members

### **7.3 Assembly Composition**

The Assembly will be composed of:

- An equal proportion of male and female members
- A proportionate number of members from five age cohorts: 16-29, 30-44, 45-64, 65+
- A proportionate number of renters, and home owners
- A proportionate number of members from the two municipalities – 55 members from Saanich, 41 members from Victoria (based on BC Statistics population data)
- At least five members who self-identify as Aboriginal

Among the 96 members, X of the spaces will be reserved as follows:

- XXXXXX
- XXXXXX

Proportions will be established based on the most recent (2011) census profile. To assist Assembly members to participate, members will be reimbursed for reasonable childcare, eldercare, and transportation costs. Assistance will also be provided to those members with differing physical or learning abilities.

The working language of the Assembly is English. Translation services are not available.

## **8.0 Roles and Responsibilities**

### **8.1 Roles and Responsibilities of Citizens' Assembly Members**

Members of the Assembly are expected to fulfil their duties and agree to:

- Attend each of the sessions of the Citizens' Assembly as well as public roundtable meetings.
- Work to understand and represent the varied perspectives of *all* Saanich and Victoria residents.

- Treat each other with respect and take an active role in the work of the Assembly.
- Work collaboratively to achieve a strong consensus concerning the Assembly's recommendations.

If a member of the Assembly must withdraw owing to illness or unexpected events, his or her position may be filled from the pool of applicants at the discretion of the Chair.

## **8.2 Roles and Responsibilities of the Chair**

The Chair of the Citizens' Assembly will be appointed by the City of Victoria and the District of Saanich to design and host the proceedings of the Citizens' Assembly. The Chair will not be a municipal employee and is expected to remain neutral with regards to the recommendations or direction of the Assembly. The Chair, with the support of an Assembly Working Group, is charged to:

- Oversee a fair and representative member selection process.
- Develop a balanced learning program that involves residents, community organizations and experts to provide a range of perspectives.
- Follow Robert's Rules of Order in supporting respectful dialogue and deliberation amongst members leading to consensus based decisions.
- Ensure that regular updates concerning the Assembly's proceedings are made publicly available.
- Provide opportunities to inform and convey perspectives from local residents and stakeholders to Assembly members.
- Produce and deliver a Final Report concerning the Assembly's activities and recommendations to the municipal Councils.
- Exercise discretion in ensuring the integrity and sound conduct of the Assembly.

## **8.3 Roles and Responsibilities of the Advisory Working Group**

A Working Group will be formed to support the work of the Citizens' Assembly. The role of the Working Group is to provide guidance to the Chair and Assembly in order to:

- Ensure that the design and conduct of the Assembly are consistent with good democratic practices.
- Ensure that the Assembly's learning program is balanced, adequate and reflects a range of reasonable perspectives.

The Working Group will not comment on the recommendations made by the Citizens' Assembly.

The members of the Working Group will be selected by the Chair and will include representatives with well-regarded expertise in local government operation, deliberative processes and governance.

#### **8.4 Roles and Responsibilities of the Victoria and Saanich community**

All residents of Saanich and Victoria have a role to play in assisting and ensuring the success of the Citizens' Assembly. Members of the community are encouraged to participate and:

- Attend public roundtables meetings hosted by members of the Citizens' Assembly to discuss its progress and solicit community perspectives.
- Attend occasional open sessions of the Assembly to observe its proceedings.
- Submit ideas to the Assembly website, and review regular public updates.

#### **8.5 Roles and Responsibilities of the City of Victoria and the District of Saanich**

The role of the municipal elected officials and staff is to support the Citizens' Assembly. The municipalities will endeavour to:

- Provide expertise and access to existing strategic plan, financial and other documents.
- Give careful and timely consideration to the Citizens' Assembly's final report.
- Provide logistical support for Assembly activities, including venue booking, food, and additional supports as needed. The District of Saanich and City of Victoria will respect and support the independence and integrity of the Citizens' Assembly.

#### **9.0 Decision making of the Assembly**

It is expected that discussion, debate and decision making of the Citizens' Assembly will be undertaken in accordance with Robert's Rules of Order and that decisions of the Assembly will be based on the consensus of its members.

Divergent views are to be respected in this process including the opportunity for their expression in the Final Report of the Assembly submitted to Saanich and Victoria Councils.

## Joint Victoria -Saanich Citizens Assembly Process.

In review of the March 1<sup>st</sup> draft Terms of Reference prepared for Saanich Comm I acknowledge this is an excellent start to the process of establishing a joint CA process. But let me offer you two perspectives that suggest some aspects are missing and even misleading in the draft document.

First I strongly support the *Guiding Principles* as per Section 2 but wonder about in terms of the Scope of the document as per sections 5 thru 8.. After general approval of an general approach and draft budget by the respective Councils and ratification by the Province the first step is to issue a RFP with a RFEOI to solicit bid for a contractor who after initial review of the situation here ( as opposed to Duncan or Toronto ) )would submit a proposal as to how they would facilitate the CA process here. As such you use the RFEOI route to solicit advice to how to approach the task based on their qualification and experience. After you selected a contractor to serve as Facilitator they will access the local situation and present to your Joint Committee a draft outline of how and time lines they would propose to proceed.

At this point I would suggest prospective Facilitators need to understand your expectations but do not expect to be told how to carry out the task!! In that sense I would suggest much of which you have offered in your draft in Sec 5 thru 8 is both presumptive and premature to offer as T of R for any RFP but will only evolve as the process gets underway.

It is only at that time *the work plan* as proposed by the Facilitator or would be reviewed by the joint Steering Committee and presented to Council(s) for final approval. It should be well understood that the CA process is more flexible and innovative and less prescriptive than usual public consultation process as defined in municipal legislation. As it is being led by a third party this will certainly have implication for the manner in which your municipal staff will be obligated to provide administrative services to facilitate the information gathering and communications needs of the Facilitator and deliberations of the CA. And almost certainly a second RFP will be needed to solicit a contractor to provide the *municipal information background data* needs as required by the CA members.

Second I have a concern with the Sec 1 and 3 in your draft that seems to offers a narrow focus as the possible Mandate of the CA. the text of pages 1 thru 4 are necessary measures but not sufficient.

Let me explain; in one sense the study of a possible merger is much like a boxing match between two rivals and you expect that CA will assess the necessary data to compare the strengths weaknesses of the two boxers in the ring. Sec 6.3 to Sec 6.17 list compendium of items to be reviewed i.e. compare tax rates, capital debt, per capita tax burden etc.

However valid; this list is still a bit myopic and fails to acknowledge an opportunity for the CA to also assess other aspects of your shared circumstance and future prospects. Recognize the reality that your municipalities have contingent and invisible boundaries and you share 2/3 of the population. Yet in the CRD you are merely the largest of "equals".

Further because of your central core location residents of the region cannot travel to most of the major destinations whether airport, ferries, UVic, Downtown , RJH, Inner Harbor , Dockyard without traveling on your road and bridges . In that respect residents of your two municipalities and indeed the entire region are oblivious to municipal boundaries! . Unfortunately while the travel is seamless the actual

burden of costs to supply and maintain urban core services is unequal and unfair to your resident and business taxpayers. There is grievous “free rider “ issue that should be identified and reviewed during the CA process .

Consider that as the urban core you offer and fund a wide variety of community, health, charitable, .arts/cultural service and facilities used by all residents. Additionally you share a relationship with central agencies and service providers i.e. CRD, BC Transit , Crest, GVLB. GVHA that should be explored. Do residents currently get good value for your membership?

In that sense I suggest you need to broaden the Objectives and Mandate to ensure that CA process is obligated to consider these instances of your “**common cause.**’ These might include:

- i) identify current anomalies and consider possible boundary adjustments with your adjacent neighbors.
- ii) identify numerous instances where the two urban areas collectively share the burden of cost in relation to how community services funded by them are actually regional scale service, infrastructure and facilities and perpetuate a *fiscal inequity* compared to tax burden funded by non residents.

These include but are not limited to :

- a- provision of *shared service delivery* funded by the urban core. A rough estimate is that you provide over \$10 million in *property tax exemptions and community service grants* to various agencies, charities, arts/cultural /sports etc. that provide dozens of services available to all residents of the region.
- b- Conversely on the revenue side, particularly PILT grants that are captured by individual municipalities. *In contrast casino revenues must be shared!*. This inequity is most evident when considering the municipal roads/bridges that are critical elements of the regional transportation grid yet these are funded by capital /core residents.
- c- *Emergency services* ( fires, floods, spills, earthquakes don’t respect municipal borders ) and acknowledge reality that most of the other municipalities are dependent on the trained professional services and specialized equipment available only from Victoria and Saanich for mutual aid.

I trust these observations and suggestion are viewed not as critique but positive input to ensure the CA process is holistic and able to realize the expectations we have for it. Thank you for your consideration.

Submitted by James Anderson 250 477 8255 ( submitted March 11/2019)

**Alicia Ferguson**

---

**Subject:** RE: citizens assembly

**Date:** March 11, 2019 at 12:44:57 PM PDT

**To:** <[ccoates@victoria.ca](mailto:ccoates@victoria.ca)>, <[Angila.Bains@saanich.ca](mailto:Angila.Bains@saanich.ca)>

**Subject:** citizens assembly

I understand you are the scribes and contact point for the Citizens Assembly Steering Committees for Victoria and Saanich. As such in the coming weeks after respective Council review you will merge your various perspectives for a unified draft proposal to submit to the Province..

As citizen advocate and keen observer of municipal governance I support this joint initiative by the 2 Councils and have read with interest the draft proposal as recently provided for consideration to the Saanich Committee on March 1. I expect that Victoria staff are preparing something similar.

While I certainly agree with the intent of this document and particularly *Sec 2 Guiding Principles* I would offer a perspective that much of what has been prepared while a useful overview of the various component of the CA process some of the document is possibly premature and unnecessary at this stage. I have also identified an aspect of the objective and mandate that appears to be ignored and deserves consideration and inclusion.

I have attached an explanation and rationale for this perspective and would ask that you ensure these are shared with your Committees.

Please confirm receipt of this submission.

Thank you

James Anderson

Good Day Citizens' Assembly Sub-Committee Members,

The Board of Amalgamation Yes would like to convey our thanks to you, the City of Victoria, and the District of Saanich, for your recent actions relating to convening a Citizens' Assembly ***to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria.***

In addition to the Citizens' Assembly process materials from the Duncan/North Cowichan experience we suggest other useful sources:

MASS LBP website has exhaustive information on a deliberative democratic processes and offers a free publication "How To Run A Civic Lottery"  
[https://static1.squarespace.com/static/55af0533e4b04fd6bca65bc8/t/5aafb4b66d2a7312c182b69d/1521464506233/Lotto\\_Paper\\_v1.1.2.pdf](https://static1.squarespace.com/static/55af0533e4b04fd6bca65bc8/t/5aafb4b66d2a7312c182b69d/1521464506233/Lotto_Paper_v1.1.2.pdf)

The Citizens' Assembly on Electoral Reform (2005 ) published an 8pg report "Appendix 1- Consultants Term of Reference"  
<https://www.leg.bc.ca/parliamentary-business/committees/37thParliament-5thSession-citizen>

These references provide ideas on the rationale and methodology for the Citizens' Assembly process.

We look forward to witnessing the progress of this critically important process.

Sincerely, on behalf of the Amalgamation Yes Board,  
Shellie Gudgeon

Cc  
Victoria City Council  
Saanich Council  
Paul Thorkelson  
Jocelyn Jenkins

## Alicia Ferguson

---

**Subject:** RE: Citizens' Assembly - Moving Forward...

**From:** Shellie Gudgeon

**Sent:** March 4, 2019 6:32 AM

**To:** Chris Coates <[ccoates@victoria.ca](mailto:ccoates@victoria.ca)>; [angila.bains@saanich.ca](mailto:angila.bains@saanich.ca)

**Subject:** Fwd: Citizens' Assembly - Moving Forward...

Good Morning Chris and Angila,

I am the Chair of Amalgamation Yes and as you are certainly aware, our group is keenly interested in the Citizens' Assembly process.

Is there a mechanism whereby we can be notified of upcoming meetings of your respective Council Subcommittees?

Thank you for your consideration of our request,

Shellie

**Shellie Gudgeon**

**p:** (250) 532-0005

**e:** [shellie@shelliegudgeon.com](mailto:shellie@shelliegudgeon.com)

**w:** [www.shelliegudgeon.com](http://www.shelliegudgeon.com)

**t:** [@shelliegudgeon](https://twitter.com/shelliegudgeon)

----- Forwarded message -----

**From:** Shellie Gudgeon

**Date:** Mon, Mar 4, 2019 at 6:21 AM

**Subject:** Citizens' Assembly - Moving Forward...

**To:** Lisa Helps <[lhelps@victoria.ca](mailto:lhelps@victoria.ca)>, Fred Haynes <[fred.haynes@saanich.ca](mailto:fred.haynes@saanich.ca)>, <[gyoung@victoria.ca](mailto:gyoung@victoria.ca)>, Jeremy Loveday (Councillor) <[jloveday@victoria.ca](mailto:jloveday@victoria.ca)>, Ben Isitt (Councillor) <[BIsitt@victoria.ca](mailto:BIsitt@victoria.ca)>, Judy Brownoff <[Judy.Brownoff@saanich.ca](mailto:Judy.Brownoff@saanich.ca)>, <[rebecca.mersereau@saanich.ca](mailto:rebecca.mersereau@saanich.ca)>, Colin Plant <[Colin.Plant@saanich.ca](mailto:Colin.Plant@saanich.ca)>

**Cc:** Jocelyn Jenkyns <[jjenkyns@victoria.ca](mailto:jjenkyns@victoria.ca)>, <[paul.thorkelsson@saanich.ca](mailto:paul.thorkelsson@saanich.ca)>, Councillors <[councillors@victoria.ca](mailto:councillors@victoria.ca)>, [council@saanich.ca](mailto:council@saanich.ca) <[council@saanich.ca](mailto:council@saanich.ca)>

Good Day Citizens' Assembly Sub-Committee Members,

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[https://static1.squarespace.com/static/55af0533e4b04fd6bca65bc8/t/5aafb4b66d2a7312c182b69d/1521464506233/Lotto\\_Paper\\_v1.1.2.pdf](https://static1.squarespace.com/static/55af0533e4b04fd6bca65bc8/t/5aafb4b66d2a7312c182b69d/1521464506233/Lotto_Paper_v1.1.2.pdf)

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These references provide ideas on the rationale and methodology for the Citizens’ Assembly process.

We look forward to witnessing the progress of this critically important process.

Sincerely, on behalf of the Amalgamation Yes Board,  
Shellie Gudgeon

Cc  
Victoria City Council  
Saanich Council  
Paul Thorkelsson  
Jocelyn Jenkins

**Shellie Gudgeon**

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**w:** [www.shelliegudgeon.com](http://www.shelliegudgeon.com)  
**t:** [@shelliegudgeon](#)

# Commissioning Citizens' Assemblies and Reference Panels

*Advice for public agencies in procuring long-form, deliberative processes*

This guide is for public servants and elected representatives who are interested in designing and commissioning long-form deliberative processes, more commonly known as Reference Panels, Citizens' Assemblies, and Citizens' Juries. We have developed this guide based on our experience developing these processes for governments and public agencies across Canada, scrutinizing similar processes in other countries, and advising numerous international initiatives.

At MASS, we believe that the practice of democratic politics should be a form of human and social development, and that participation in meaningful and effective processes pays a dividend to the individual and society. In this way, good deliberative processes are best understood as productive *learning* processes that work to find common ground as participants advance from establishing first principles to setting priorities and, ultimately, to proposing detailed recommendations.

Enlisting citizens and residents to participate in the development of public policy is an important step towards strengthening public confidence in government, as well as improving policy outcomes. Deliberative processes can help strengthen the democratic fitness and readiness of citizens to play an expanded and more resilient role in the public life of their communities. In this way, good deliberative processes draw on the personal experiences of their members while also tapping into the capacity of all people to learn and reason on behalf of others.

## **Deliberation is different than consultation**

Almost all governments consult: Officials hold public meetings, send out surveys, or host different kinds of workshops. The goal of consultative processes is to allow decision-makers to hear directly from the people they represent, or from specific individuals, groups, and organizations that may be impacted by their decisions.

Deliberation is different. It aims to determine what a *group* of people can agree to, rather than what as *individuals* they might like or want. This process produces a set of well-informed recommendations that can form the basis of future policy decisions, rather than generating a

list of top-of-mind opinions. Governments use deliberative processes when they face complex or controversial issues and decide to delegate to a group of citizen representatives the task of weighing different factors, exercising good judgment, and proposing a solution.

### **Two parts to any process**

There are two parts to any long-form deliberative process: The selection mechanism that is used to convene participants, and the deliberative process itself. These two halves are commonly referred to as “Civic Lotteries” and “Citizens’ Assemblies” or “Reference Panels.”

### **Citizens’ Assemblies and Reference Panels: Same idea, different scale**

In the early-2000s, both Ontario and British Columbia convened year-long, multi-million dollar Citizens’ Assemblies with more than 100 members to examine alternative electoral systems. Subsequently, other jurisdictions have adopted the term to refer to similar deliberative processes, all of which are based on similar principles, but that are generally much smaller.

At MASS, we use the term “Reference Panel” to distinguish our approach. By adopting this term, we think we are more clearly describing the function of the process and differentiating it from British Columbia and Ontario’s larger Citizens’ Assemblies. Governments and agencies refer issues to groups of citizens and residents who refer back their recommendations. We think this term helps to underscore the advisory function performed by Reference Panels, and their relationship to elected or public authorities.

*Interested to learn more about our origins and approach? Read our [practitioner’s note](#) in the *Journal of Democratic Theory*.*

### **Why convene a Reference Panel or Citizens’ Assembly?**

Deliberative processes like Reference Panels and Citizens’ Assemblies are used by public authorities to address difficult issues that councils and legislatures struggle to resolve. They are public mechanisms for creating democratic legitimacy for establishing broad public priorities or making difficult choices.

### **In this document:**

- A. What is a Civic Lottery?
- B. What is a Reference Panel?
- C. Design Choices
- D. Budgets and Contracting
- E. Consultant Responsibilities
- F. FAQs
- G. Sample Terms of Reference and Final Reports

## A. What is a Civic Lottery?

A Civic Lottery is a balanced way of selecting members of a Reference Panel. It is based on a form of *sortition* that uses the postal system and a randomized selection process to recruit panelists, giving disparate members of a community an equal opportunity to be heard.

### How does a Civic Lottery work?

The lottery begins when a minimum of 5,000 invitations are mailed to randomly selected addresses within a community or jurisdiction. Given a positive response rate of 4% to 7% depending on the time of year, issue, and duration of the panel, sending a minimum of 5,000 invitations ensures a large enough pool of volunteers from which to select panelists. Each Civic Lottery package contains detailed information about your organization and the policy issue to be discussed, and encourages the recipient to volunteer. This letter is, in effect, a lottery ticket that invites the recipient – or anyone who resides at the address – to opt in to a special pool of candidates.

Once the response deadline has passed, the “winners” are determined through a randomized draw that automatically balances for gender, age, and geography, as well as other predetermined demographic attributes. This ensures that members of the panel will be broadly representative of the diversity of the community they will serve.

The team running the Civic Lottery must also operate a 1-800 number with staff members on-hand to answer questions from prospective participants. As the deadline nears, you may wish to run automated reminder calls to each household encouraging the recipient to apply and offering to answer any questions. Your goal should be to put citizens at ease by providing as much information about the opportunity as possible, while attracting the widest range of candidates.

Mailing an invitation is less intrusive than random-digit dialing, and adds legitimacy to the request. It also significantly raises the public profile of the initiative and demonstrates the organization’s commitment to public engagement. In addition to the invitation materials, each package should include information about your organization and the issue the panel will discuss. It can also include a detailed survey as well as directions to the panel’s website – here, residents who are unable to volunteer can find other ways to participate and register their views. This information can then be used to inform the Panel’s deliberations.

## Four steps to running a Civic Lottery

1. *Draft the Invitation:* Each letter should be a call to public service and explain the mandate of the panel, what participants can expect if selected, and how their involvement will make a difference.
2. *Build a Mailing List:* Your postal system will supply a randomized, bonded list of household addresses within the geographic boundaries you determine. Setting these boundaries is an important decision that should be based on perceived public interest and who will be impacted by any resulting policy.
3. *Make Follow-up Calls:* Approximately one week after the invitations are posted, schedule an automated call to each of the households that have received a package, alerting the recipient to the invitation and connecting them, should they wish, to a staff member who can answer their questions or register them over the phone.
4. *Select the members of the Reference Panel:* The membership of each Reference Panel should, at a minimum, be representative of the broad demographic profile of the geographic area it represents. Once all demographic attributes are satisfied, the successful candidates should be notified by phone and enrolled in the process.

Looking for more information? See [How to run a Civic Lottery](#), a technical guide from MASS LBP that provides step-by-step instructions on running a Civic Lottery to recruit members for a Reference Panel.

## B. What is a Reference Panel?

A Reference Panel is a long-form deliberative process that typically involves 36 to 48 randomly selected citizens and residents who meet on three or more days over the course of several months to examine an issue, reach consensus, and draft detailed recommendations for public authorities.

### **How does a Reference Panel work?**

Reference Panels are commissioned by government and public agencies with an explicit mandate to advise public authorities on divisive and complex issues that typically involve trade-offs or compromises. In several respects, Reference Panels resemble coroner's juries – they are non-adversarial, evidence-informed processes that seek to understand the circumstances surrounding an issue by hearing from experts and engaging in dialogue. The objective is to reach a consensus on a series of recommendations that can be directed to government, industry, and society-at-large.

Reference Panels can also complement and integrate with more traditional forms of public consultation. For instance, survey research can help inform the panel's deliberations, and the panel itself can host public meetings during its term to ensure that all members of the public have an opportunity to participate and share their perspectives.

### **There are three phases in a Reference Panel**

#### *Orientation and Learning*

This phase is designed to ensure that each participant shares a common understanding of the panel process, relevant context, and the subject matter expertise they need to make informed recommendations. This information is often conveyed through reading materials and short presentations from senior public servants and academics, as well as stakeholders and constituents.

Later, invited guests, each with divergent views, will stage a three or four person discussion that provides participants with different perspectives and ideas to consider. Working in small groups, panelists will start by articulating and agreeing to a set of shared principles or values that they will later be able to apply to their recommendations.

#### *Deliberation*

During the second phase, Panel members work through a series of group activities to deliberate on the input they have received from experts and other presenters. Together, they begin to identify a range of issues, themes, and options, and work through their implications.

Often during this phase, members of the public are invited to participate in an evening public roundtable hosted by members of the Reference Panel. This gives panelists an opportunity to “check in” with the wider community and determine if their work and representative assumptions are on the right track. In pairs, the panelists meet with members of the public in small groups to exchange ideas, perspectives, and concerns. This approach enables the public sector client, members of the public, and the panelists to work together toward finding solutions in a collaborative, rather than adversarial, environment.

### *Drafting Recommendations*

Through an iterative dialogue process, each Reference Panel produces a set of consensus recommendations that form the basis for their public report. This report is written by the panelists themselves and conveys their perspective and advice in their own words.

Once a draft report has been created, it is circulated to the panelists to ensure that the tone, wording, recommendations, and account of the process are accurate. In addition to the consensus recommendations, each panelist is invited to write their own minority report where they can convey any concerns with the process or its conclusions, or emphasize any aspect of the recommendations they believe deserve further consideration. These minority reports are an important check on the process, and help to ensure the accountability of the organizers and the satisfaction of the panelists. Once completed, the final report is presented to the client and made public.

### **How are Reference Panels different from focus groups?**

A Reference Panel can sound like an elaborate focus group. Here are six features that distinguish these processes:

1. *Duration:* Panelists will invest at least forty or more hours into serving on a Reference Panel
2. *Learning:* Panelists will spend almost half of their time on a panel learning about the topic. This learning process is based on a detailed curriculum
3. *Public service:* Panelists are tasked with understanding and speaking for the needs of their community, even when they differ from their own concerns or preferences
4. *Consensus:* Panelists will strive to reach consensus through dialogue on a series of detailed recommendations that government, its agencies, and industry can enact

5. *Public results:* The Panel's final report is shared widely to build a public understanding of the panelists' recommendations
6. *Representation:* By using a Civic Lottery to randomly select a cross-section of society to sit as Reference Panel members, the panelists' recommendations are more representative of the broader public interest..



## C. Design Choices

There are many steps to designing a successful Reference Panel. Some of these design choices include:

### **Lottery size and response rate**

A properly executed Civic Lottery will have a 4% to 7% response rate. Many different factors can influence the response rate, including: The length of time before the start of the panel, the season, and the topic. To produce a diverse pool of candidates, Civic Lottery packages should be sent to a minimum of 5,000 households, though ideally it would be sent to between 10,000 and 20,000 households.

### **Member composition**

Panel membership is typically weighted to match the demographic profile of the community it represents. Age, sex, and geography are the three main attributes used in the lottery selection process, but topic relevant attributes may also be added. Special seats on the Reference Panel may be reserved for Indigenous members, or panelists who speak either of Canada's official languages.

Income, ethnicity, and education are important demographic attributes. However, the inclusion of these attributes on candidate forms is often seen as intrusive, and can dramatically reduce response rates. Geography has proven to be a strong proxy for these attributes – consequently, Civic Lotteries conducted using age, sex, and geography consistently produce diverse and representative outcomes.

### **Panel size**

Reference Panels typically have 36 to 48 members. Larger panels and assemblies are possible, but are generally ill-advised. Larger groups of participants will require more session days to reach consensus and will be more costly, as they will require larger facilitation teams and dedicated staff who can provide ongoing participant support services.

### **Panel duration and meeting frequency**

Session days should occur on alternating Saturdays over a period of several months. Panels typically last between three to six Saturdays – a design choice that should be based on the complexity of the topic and task.

### **Purpose and mandate**

Deliberative processes are most effective for making choices when selecting between two or more options, or to establish priorities among competing possibilities. Deliberative processes are less effective for generative or loosely-defined tasks like brainstorming or visioning. Once the purpose has been established, a Reference Panel should have

a clearly defined mandate. A mandate is typically framed as three responsibilities: To learn about the issue; to consider various perspectives concerning the issue; and to reach consensus and provide detailed recommendations concerning the best resolution of the issue.

### **Moderator and facilitators**

Reference Panels should be led by a professional team with specialized expertise in dialogue, group work, and consensus-building. The head of that team serves two roles as both the chair and moderator of the panel. They will need significant expertise in facilitation and policy development, and should also be regarded as fully independent and impartial. The moderator will be supported by a team that typically includes one facilitator for every six members of the panel, as well as one runner who is responsible for logistics.

### **Independent Advisory Board**

Reference Panels on controversial topics can benefit from the additional oversight provided by an Independent Advisory Board, who can review the process and curriculum proposed by the moderator. This board can be composed of six to eight volunteer members who are well-regarded and considered “above-the-fray.” They may be selected for either their standing in the community or their subject matter expertise.

### **Terms of reference**

Each panel should have a clearly defined terms of reference that sets out the purpose of the panel, the expectations of members, and the responsibilities of the facilitation team and commissioning body. *Sample terms of reference can be found in [Section G: Sample Terms of Reference and Final Reports](#).*

### **Incorporating other methods of engagement**

At least one complementary and open engagement method should be used alongside a Reference Panel so that members of the wider public can participate. It allows panelists to learn about other perspectives, and to adequately represent the views of fellow citizens who cannot be on the Panel. It also provides a way for the wider public to learn about and contribute to the Reference Panel, enhancing the legitimacy of its recommendations.

Complementary methods of engagement include:

#### *Public Roundtables*

At a public roundtable, panelists become table hosts who work in pairs to meet with and learn from interested and concerned community members. This face-to-face experience provides panelists with an intimate understanding of the expectations of those they have been tasked to represent. When used *earlier* in the Reference Panel process,

a public roundtable helps panelists consider the issues, concerns, and ideas of citizens; and when used *later* in the Reference Panel process, a roundtable can provide an opportunity for panelists to present draft recommendations and gather advice about how to refine them.

#### *Online and Paper Surveys*

Surveys can be used to gather perspectives from a larger set of individuals than might typically attend a public roundtable. Surveys can be for the general public (using scaled agree-disagree questions) or to gather submissions from specific stakeholders and experts (using open-text questions). Paper surveys and URLs for online surveys can be included in the Civic Lottery package as a way to engage those who do not volunteer. In some circumstances, a survey can be issued to gather reactions to the Panel's draft recommendations, or to their final report.

## D. Budgets and Contracting

Deliberative processes are more resource intensive than other forms of consultation. This is because they employ a rigorous recruitment methodology – the Civic Lottery – and an intensive staffing model, with as many as ten advisors, facilitators, and support staff working together to execute the panel.

There are two methods for procuring deliberative processes:

1. *Determined budget, general requirements*: In this instance, Requests for Proposals (RFPs) provide a total contract value and invite proponents to bid on the basis of the value they can create for this fee
2. *Specific requirements, no determined budget*: In this instance, RFPs carefully define the responsibilities of the consultant and the scale of the project, including the recruitment process, the size of the panel, and the number of sessions, and invite proponents to provide competitive bids based on experience and price

### Pricing

It will cost a minimum of \$20,000 (CAD) to run a 10,000 household lottery. This includes a range of services and expenses:

- Design
- Mailing list acquisition
- Printing
- Postage
- Reminder calls
- Processing and selection

It will cost a minimum of \$70,000 (CAD) to run a Reference Panel over four Saturdays. This includes a range of services:

- Strategic advice
- Background research and curriculum development
- Client relations
- Project administration and logistics
- Participant support
- Process design
- Process facilitation
- Project communications and web development
- Project reporting

Additional expenses vary from project to project, and may include:

- *Translation*: Print and/or simultaneous interpretation
- *Accessibility*: Deaf/blind interpretation, personal support workers, mobility assistance, child or eldercare
- *Venues*: Rental fees and furnishings
- *Mobility*: Mileage, parking, public transit, related travel costs for panelists
- *Catering*: Morning and afternoon snacks, lunch, special meals as required
- *A/V*: Rental fees

### **Transparency and contracting**

A government or agency that undertakes a deliberative process should expect a high degree of public interest and scrutiny. The tendering process should be scrupulous, and the contract with the consultant should be made public on the project's website.

The client has five additional obligations that can be affirmed in the project's terms of reference or contract:

1. To promote the existence of the deliberative process
2. To refrain from interfering or commenting upon its deliberations
3. To respond in a timely fashion to the substance of the Reference Panel's recommendations
4. To publish and publicize the Reference Panel's recommendations
5. To make a good faith commitment to act on the substance or spirit of the Panel's recommendations

## E. Consultant Responsibilities

Reference Panels are complex processes that benefit from third-party execution and guidance. It's important that whoever runs your deliberative process is seen to be independent, that their team possesses the specialized skills and experience necessary to deliver and facilitate the process, and that they can devote the time necessary to be fully focussed on the process and its participants.

Consequently, most public sector organizations commission an independent consultant to design and execute their deliberative process. Good consultants will have a track record of running complex public processes, can provide strategic advice, and seamlessly coordinate all aspects of running a Reference Panel.

Here are nine responsibilities a consultant should undertake:

### **Design the process**

The number of sessions, the design of the curriculum, and the deliberative process should all be tailored to fit the specifics of the project. A consultant will provide advice on each of these elements as well as determining how to sequence the panel's meetings, ensuring that presentations and deliberative activities occur in an effective sequence. They will also incorporate other consultative mechanisms like public roundtables and surveys.

### **Ensure impartiality**

Every design choice should work to maximize the legitimacy and demonstrate the impartiality of the process. A consultant will safeguard the integrity of the process and ensure that the panel's final recommendations are credible and defensible. It's essential that the consultant avoid any conflicts of interest and be perceived as a neutral and independent party.

### **Develop terms of reference**

A consultant should work with you to draft the project's terms of reference, which will define the objective and mandate of the Reference Panel along with the roles and responsibilities of panelists, the Panel chair, and the commissioning organization. The terms of reference should also include the Panel's meeting schedule, information on how reporting and communications will proceed, a description of the Panel's composition, and the process used to select panelists. *Examples of terms of reference can be found in [Section G: Sample Terms of Reference and Final Reports](#).*

### **Frame the issue and define the scope**

Successful deliberative processes are relatively narrow in their focus and address specific issues that are clearly defined. A consultant will help you to frame the inquiry based on the time and resources available. They will also work throughout the process to simplify contextual and technical information so that it can be easily understood by the participants.

### **Execute the Civic Lottery**

A consultant will work on your behalf to recruit panelists that broadly match the demographic profile of the community. They will help you to set the geographic boundaries and selection criteria needed to create a representative panel, draft the Civic Lottery package, send the invitations, process replies from candidates, staff a 1-800 number to field questions, follow-up with all candidate households to ensure they received their package, and select the members of the panel.

### **Develop curriculum**

A compelling and relevant curriculum is one of the most important aspects of a deliberative process. The consultant should understand adult education pedagogies and be able to develop a detailed curriculum that includes specific learning goals based on three forms of knowledge that are relevant to the process:

1. *Subject knowledge*: Understanding the issues and context
2. *Process knowledge*: Understanding the steps that lead to consensus
3. *Values knowledge*: Understanding the shared values of panel members and the values underlying different policy options

### **Facilitate the process**

Your consultant will be responsible for chairing the panel and leading the facilitation team. These twin responsibilities are at the heart of the deliberative process. The moderator, as chair, leads the process and provides clarity, creates momentum, and ensures that all panelists feel confident in the process and its outcome. Facilitators are specifically trained to work with small groups to accelerate knowledge acquisition, animate discussions, and ensure that every member has a more or less equal chance to be heard.

### **Provide participant support services**

It is essential that panelists are able to reach a member of the process team at any time for the duration of the process. The consultant should establish a small team that is available 24/7 by phone and email to

answer questions and address concerns, conduct small research tasks, and assist panelists with travel, special needs, or other requests.

### **Draft reports and public communications**

Most people will never meet the members of your Reference Panel, or see their deliberations first-hand. This is why the quality of the communications surrounding the process, and the panel's final report, are very important. Your consultant should be responsible for assisting the panelists in drafting their recommendations, and managing an extensive editing process. They will also draft a summary of the panel process and ensure that the final report is professional and compelling.

In addition, your consultant will need to develop a project website, provide meeting summaries, post materials, and coordinate photography and videography. Your consultant, as chair, will also be the spokesperson for the panel and coordinate the release of its recommendations during a final presentation.



## F. Frequently Asked Questions

### **Why do people volunteer?**

People will volunteer for a much wider range of reasons than you might assume. For some, this is an opportunity to “give back,” while for a few others, they want to advocate for one position or another. But the vast majority of participants will have an open mind. They will volunteer because they believe this opportunity is part of their civic responsibility; because they want to learn something new or meet new people; or because they see the processes as a chance to make a difference.

### **How many people will drop out?**

Member attrition is very rare. Generally, every panelist will complete the process unless there is an unforeseen illness or change in employment. However, panels that last more than six sessions are more likely to encounter higher levels of attrition for these and other reasons.

### **How much time will this take, start to finish?**

From the start of the project to the publication of the final report, four-session Reference Panels generally require a minimum of five months to complete.

### **What if the panel recommends something I disagree with?**

The role of a Reference Panel is to advise, not decide. Ultimately, if you disagree with the recommendations of the Panel, your organization should be ready to publicly and respectfully state the basis of your disagreement and your alternative course of action.

### **How much time will this require from my team?**

Part of the reason for commissioning a Reference Panel is to relieve your team of the responsibilities for supporting participants, managing logistics, and executing the process, all of which are very time and labour intensive. However, you should still expect to be highly involved in the design phase and periodically throughout the process.

### **What should I expect from my consultant?**

Your consultant should provide a comprehensive range of services that allows them to execute all facets of the process. They should operate at arm’s length and work at all times to ensure the impartiality, credibility, and professionalism of the process. *For more information, please see [Section E: Consultant Responsibilities](#).*

**How do I respond to people who say the process is exclusive and they feel shut out?**

Deliberative processes are necessarily limited to a group of members who are responsible for representing their community. However, to be effective, these processes must also provide opportunities for the general public and stakeholders to express their views. This can include community surveys, public meetings, and special presentations, during which stakeholders and specific constituencies can present their views.

**What is the role of stakeholders?**

Stakeholders have a vital role to play in deliberative processes. It is important that stakeholders feel respected and welcome to contribute to the panel's deliberations. Often, major stakeholders will be invited to present directly to the panel, or to submit materials for review.

**What can be done to ensure the participation of hard-to-reach or marginalized people?**

It's important to ensure that all residents have an opportunity to participate and express themselves. Often, the Civic Lottery can be modified to reach individuals experiencing homelessness or underhoused residents by working with shelters and community organizations. These same organizations can also participate by making presentations directly to members of the panel, or organizing supplementary sessions that help to address their concerns.

**What are examples I can point to of successful deliberative processes in Canada and abroad?**

There have been more than 35 Reference Panels and Citizens' Assemblies in Canada since 2004, and several dozen other examples in Ireland, Spain, and Australia. *To find more examples, please visit [masslbp.com](https://masslbp.com).*

## **G. Sample Terms of Reference and Final Reports**

Duncan-North Cowichan Citizens' Assembly on Municipal Amalgamation, the Municipalities of Duncan and North Cowichan, 2016

[Terms of Reference](#) (PDF) and [Final Report](#) (PDF)

Citizens' Assembly on the Grandview-Woodland Community Plan; City of Vancouver; 2013

[Terms of Reference](#) (PDF) and [Final Report](#) (PDF)

### **Examples of Final Reports**

Citizens' Reference Panel on Pharmacare in Canada; University of British Columbia and Canadian Institute for Health Information; 2016

[Final Report](#) (PDF)

Residents' Reference Panel on the Davenport Community Rail Overpass; Metrolinx; 2015;

[Final Report](#) (PDF)

## ABOUT MASS LBP

Over the past decade, MASS LBP has worked with dozens of ministries and public agencies in Canada to develop long-form, deliberative processes. These processes engage citizens on complex policy issues and provide detailed recommendations to public sector organizations. Most of our clients are new to this kind of engagement; consequently, some of the language we use can seem foreign, while the timelines, budgets, and expectations for running a Reference Panel are largely unknown.

We have written this document to help policy-makers think through the steps involved in designing and commissioning deliberative processes. MASS developed the reference panel model to build on and extend the example set by Canada's two Citizens' Assemblies on Electoral Reform. Since 2007, we have supported the more than 1,300 Canadians who have served on 35 Citizens' Assemblies and Reference Panels, helping decision makers find common ground, understand public sentiments, and build legitimacy for difficult policy choices.

*To learn more about our work, please visit [masslbp.com](https://masslbp.com).*

Good Morning Citizens' Assembly Standing Committee Members,

Our Board has reviewed the Saanich Draft Terms of Reference from the Saanich Citizens' Assembly Standing Committee and we are very encouraged to see that it honours the voice of your citizens with this '**unprecedented opportunity to explore the future**' of Victoria and Saanich.

It is evident that that you are 'walking the walk' with respect to your number one guiding principle of openness and transparency at this very early stage. Thank you.

We understand that the document is still a work in progress and it is our hope that our input will help you in your continued deliberation.

We would like to draw your attention to the following sections where we have suggested changes:

3.4

*"List issues, recommendations and **next steps** for addressing identified issues with regard to the implementation and the **merger** of the municipalities should the CA recommend amalgamation."*

3.17

*"If full amalgamation of Victoria and Saanich is recommended by the Assembly, commentary and recommendations from the Assembly on the **merger** of full municipal operations (both in the short and longer term) is expected as part of the assembly's mandate."*

5.0

We are pleased to see concrete beginning and end dates. However, this clause may be too prescriptive. We suggest that there be leeway allowed for the facilitator/chair to adjust the meeting schedule. According to our research, an appropriate expectation would be a minimum of six meetings with a maximum of eight.

7.3

We see this section as potentially problematic. A general mail-out does not provide a randomizing filter for the selection of a proportionate number of households in each community; based on research, we know that higher income, better educated residents are more likely to volunteer, and so will have a higher likelihood of being selected in the final draw. This design choice might skew the balance of the assembly.

Including business owners is also problematic; it would double many business owners chances of being asked to participate on the Assembly.

We suggest creating a different mechanism for business interests to make their concerns heard, such as through a special business roundtable on amalgamation. Lastly, the decision to mail all

households and businesses will be prohibitively expensive and will exceed the entirety of the project's \$250,000 budget.

We believe that once a facilitator has been selected that these details should be determined.

Based on our research and information provided at our public forum hosted in the Spring of 2018, 96 would likely be far too many people. A group of less than 50 provides a forum size which can sustain good relationships and afford everyone a chance to be heard in plenary. Managing a 96 member assembly would require a full time secretariat and member relations coordinator and again be a major cost driver. **It could also force the assembly to vote on the outcome, rather than achieve consensus through dialogue.** We recommend that the Citizens' Assembly be about half the size proposed. A smaller group would also reflect the modest budget.

#### 8.4

We view the idea of following Robert's Rules as a potential hindrance to effective dialogue and discussion. Robert's Rules are not particularly useful for building consensus and they are impractical to implement in a deliberative exercise, much less one with 96 people (or, if our previous recommendations are followed, even a group of 48). Robert's Rules do not encourage discussion nor an atmosphere of collegiality and brainstorming. This is particularly true as many citizens are not well versed in Robert's Rules, and as such, the structure would likely discourage their input and their thoughtfulness. Importantly, it gives an unfair edge to those familiar with rules, and can be used as a tool by such people to shut down others or steer the outcome in a particular direction. We suggest that the rules or control of meetings be simple, flexible, and set by the facilitator/chair.

#### General:

As with any large scale facilitation, it is important that roles and responsibilities are clarified at the outset (e.g. Who is the 'Chair'? Who is the 'CA Team' etc.).

While we are sure that the experiences of other municipalities has been a core influence in your progress thus far, it may be useful to explicitly and formally request feedback from the former members of the Duncan North Cowichan experience to glean wisdom from their lessons learned, given the recency of their experience. Al Siebring is the current Mayor of North Cowichan and Michelle Staples is the current Mayor of Duncan.

For your consideration and submitted with respect,

Shellie Gudgeon,  
Chair, Amalgamation Yes