

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 District of Saanich and City of Victoria 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, emergency services 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 municipality.
- To provide local residents with an unprecedented opportunity to explore the future of their communities.

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 on an ongoing and predictable basis.
- 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 Saanich and Victoria. 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. The Facilitator will work to ensure that there is room for all voices.
- 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 and retaining a recourse to majority vote.
- 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 District of Saanich and the City of Victoria 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 that 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 similarities 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 Delineation of the clear weighing of the overall advantages versus disadvantages accruing to the individual municipalities 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 at the neighbourhood level not only for the broad community.
- 3.13 Consideration of the congruency and alignment of the Official Community Plans and other significant strategic and plan documents of the municipalities.
- 3.14 Consideration of democratic representation and accessibility of elected officials to residents and other stakeholders.
- 3.15 Status and strategies of capital and infrastructure replacement reserves including the analysis of anticipated impacts on an amalgamated municipality.
- 3.16 Variations in levels of service of the two municipalities including the development of clear recommendations on aligning service levels in an amalgamated municipality.
- 3.17 If full amalgamation of Saanich and Victoria is not recommended by the Assembly, commentary from the Assembly on other opportunities for service integration is considered part of the Assembly's mandate.
- 3.18 If full amalgamation of Saanich and Victoria 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 4-6 full-day Saturday sessions beginning in September 2019, and concluding in March 2020. Additional meetings of the Assembly may be scheduled at the discretion of the Facilitator. The Citizens' Assembly will also host 3 roundtable meetings with public participation during the course of their session's schedule.

The Assembly will meet according to the following schedule:

- TBD
- TBD
- TBD
- TBD
- TBD
- TBD

All meetings of the Assembly will be open to the public.

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 second meeting, 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.

Final Report

The Assembly will deliver its report to the Municipalities no later than April 2020. The report will include a letter from the Facilitator, 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 any correspondence provided by individual members and a 'minority report' that documents any dissenting perspectives.

Communications

The Assembly's Facilitator is authorized as the spokesperson for the Assembly.

Members of the Assembly are free to share personal views regarding the Assembly's conduct whenever and however they choose.

The Citizens' Assembly will present this report to the respective Municipal Councils, which may, at their discretion, refer the report to the respective municipalities' Staffs 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 are selected to participate.

7.2 Number of Members

The number of members of the Citizen's Assembly will be 21 Victoria residents and 28 Saanich residents determined jointly by Saanich and Victoria Councils in consultation with the Citizen's Assembly Facilitator. In order to be eligible to serve on this Citizens' Assembly, an applicant must:

- Reside within the legal municipal boundaries of the District of Saanich or the City of Victoria ; *and*
- Be at least 16 years of age as of September 1, 2019.

- Employees of the District of Saanich or City of Victoria, as well as elected officials (municipal, provincial or federal), are ineligible to serve as Assembly members.

7.3 Assembly Composition

The Assembly will generally reflect the composition of the population of the two municipalities with regard to:

- Gender
- Broad age group
- Renter versus home owner
- Aboriginal/metis status and at least five who self identify as aboriginal/metis.

Proportions will be established based on the most recent (2016) census profile. To assist Assembly members to participate, members will be reimbursed for reasonable childcare, eldercare, and transportation costs and will receive an honorarium of \$100 per meeting. Assistance will also be provided to those members with differing physical or learning abilities.

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 Facilitator.

8.2 Roles and Responsibilities of the Facilitator

The Facilitator of the Citizens' Assembly will be appointed by the District of Saanich and the City of Victoria to design and host the proceedings of the Citizens' Assembly. The Facilitator will not be a municipal employee and is expected to remain neutral with regards to the recommendations or direction of the Assembly. The Facilitator, 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.
- Supporting respectful dialogue and deliberation amongst members leading to consensus based decisions and uphold assembly procedures as per these terms of reference. If members feel that consensus based decision-making is not working at any given point in the deliberations, a group of three members may request that the Facilitator call a vote on any given matter. Once three members ask for this, the Facilitator must ask the assembly to decide the matter by vote.
- 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

The Citizen's assembly has the option to form a Working Group to support the work of the Citizens' Assembly. The role of the Working Group is to provide guidance to the Facilitator 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 approved by the Councils of the District of Saanich and City of Victoria 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.
- 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 based on consensus of members. If members feel that consensus based decision making is not working at any given point in the deliberations, a group of three members may request that the Facilitator call a vote on any given matter. Once three members ask for this, the Facilitator must ask the assembly to decide the matter by vote.

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.

10.0 Process Concerns

If the facilitator or the majority of the members of the citizens' assembly lose confidence in the process, there is an appeal for review to the Council of Saanich and Victoria through the Joint Standing Committee.

Appendix A – Glossary of Terms

“Citizens Assembly” means the group of citizens of Saanich and Victoria who are appointed to under these Terms of Reference.

“Citizens Assembly Standing Committee” means a Committee of Saanich Council, and a Committee of Victoria Council both or which are established and appointed by the Mayor of each municipality under their respective Terms of Reference

“Facilitator” means the person appointed by Saanich and Victoria Councils as a consultant to lead the Citizen’s Assembly process and acts as the Chairperson of the meetings of the Citizen’s Assembly

“Joint Committee” means the combined Citizen’s Assembly Standing Committees meeting for the purposes outlined in Terms of Reference.

“Working Group” means a group of people, independent from the Citizen’s Assembly appointed to provide technical expertise and guidance as outlined in section 8.3 of the Terms of Reference.

Terms of Reference for Joint Council Citizens Assembly Subcommittee – Victoria City Council Endorsed

Reporting and Record Keeping

1. The Subcommittee has no independent decision-making authority and will report after each meeting to Saanich and Victoria Councils in a written report that outlines the proposals the Subcommittee wishes the Councils to consider.
2. The Minutes of Subcommittee meetings will be displayed on both Saanich and Victoria websites where minutes of meetings are customarily displayed.

Composition and Decision Making

1. The Subcommittee will be comprised of the Citizens Assembly Council Subcommittees of Saanich and Victoria, namely four members from Saanich Council and four members from Victoria Council.
2. The Mayors of Saanich and Victoria will Co-Chair the Subcommittee.
3. The Subcommittee will operate using Robert's Rules of order and majority vote for decision making. At the request / suggestion of either Co-Chair, the Subcommittee may break into "workshop" mode to be able to discuss items or proposals without a motion on the table; this will build understanding, collegiality and the potential for consensus. Before a decision is made on any topic, the Subcommittee will move back into Rules of Order mode.

Mandate

1. The Subcommittee will work with the Draft Terms of Reference for the Citizens Assembly prepared by both Councils and will work to achieve a finalized Terms of Reference to be presented to both Councils for consideration and adoption.
2. Working with staff from both Saanich and Victoria, the Subcommittee will prepare a proposed budget and workplan for the Citizens Assembly Project, including technical analysis, communications, etc. for consideration by both Councils, and then, once approved by both Councils, for consideration of the Provincial government and to support an application for funding the work of the Citizen's Assembly process.
3. Working with staff from both Saanich and Victoria, the Subcommittee will oversee the creation of a Request for Proposals based on the approved Terms of Reference, to be presented to both Councils for consideration and adoption.

Staff Support

1. The Subcommittee will be supported by Saanich and Victoria staff namely the City Clerks, City Managers and a recording secretary to alternate between Saanich and Victoria depending on where the meeting is held.

Meetings

1. All meetings will be open to the public and webcast. Meetings will alternate between Saanich District Hall and Victoria City Hall.
2. Meetings will be held at the call of the Co-Chairs on an as-needed basis.

Relationship to Citizens Assembly

1. Once the Citizens Assembly is underway it will be completely free from political oversight.
2. However, as per the Citizens Assembly Terms of Reference, if the Facilitator or the majority of the members of the Citizens' Assembly lose confidence in the process, there is an appeal for review to the Council of Saanich and Victoria through the Subcommittee.