

# ~~DRAFT for Discussion~~

Terms of Reference – Citizens' Assembly ~~between~~ on the Amalgamation of the District of Saanich and the City of Victoria – Victoria City Council Endorsed

## Terms of Reference

The following Community Opinion Question was included on the ballot for the 2018 General and Local School Board Elections ~~in Saanich and Victoria and supported by a majority of voters in both municipalities.:~~

***“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?” (the “Question”)***

### 1.0 ~~The District of Saanich and the City of Victoria Objectives~~

The municipalities of Saanich and Victoria have adopted an innovative and transparent public process to ~~explore~~ 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 “Question”).~~ The Citizens’ Assembly (the “Assembly”) process is expected to be a deliberative one, providing the residents of ~~Saanich and 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 ~~Saanich and Victoria~~ and Saanich in investigating the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria. ~~The~~ In doing so, the Assembly will exemplify the highest standards of transparency, accountability and citizen engagement in ~~delivering their report findings~~ reaching detailed recommendations to the respective municipal Councils.

In establishing the Assembly, the municipalities have three objectives:

- ~~1.1~~ 1.1 ——— 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 ~~and Victoria~~ and Victoria ——— regarding neighbourhoods, change, growth, service delivery, governance, capital ——— and infrastructure needs,

land use planning, emergency services and strategic and regulatory frameworks.

- 1.2 To fully understand the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria including residents' visions/vision for the future of their respective communities/community and potentially an amalgamated Municipality/municipality.
- 1.3 To provide local residents with an unprecedented opportunity to explore the future of Saanich and Victoria/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 of Saanich and Victoria.
- 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, under the advisement of an experienced, third-party consultant who will facilitate the Assembly process.
- 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 including the technical report.
- 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~~seek 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 ~~Saanich and~~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 explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria.

Specifically, the Assembly will:

- 3.1 Advise the respective Councils on whether or not the municipalities should proceed towards amalgamation or any other recommendations.
- ~~3.13.2~~ Identify common aspirations for good local governance to provide a basis for ~~evaluating~~ costs, benefits and disadvantages of amalgamation and status quo of the municipalities relative to their current independent status.
- 3.3 List the issues ~~that~~which the Assembly believes needs to be satisfactorily resolved for amalgamation to merit consideration, ~~including issues related to the implementation and integration of the municipalities under amalgamation.~~
- 3.4 Detail recommendation(s) concerning the amalgamation of Victoria and Saanich, including any conditions that need to be satisfied if an amalgamation was to proceed.
- ~~3.23.5~~ 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 ~~the positive and negative impacts of amalgamation~~ (at a minimum) the following:

- 3.6 Assets and liabilities of Saanich and Victoria including any related impacts on local rate payers resulting from amalgamation.
- ~~3.3~~

3.7 Cultural and land use priorities and similarities and differences of the two municipalities— and any anticipated impacts arising from amalgamation.

3.43.8 Balance of the issues of economy of scale with community identity and representation.

3.53.9 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.

3.10 Comparison of corporate structures and approaches to governance of the two municipalities and the anticipated impacts (positive and negative) arising from amalgamation.

3.11 All analysis and recommendations of the Assembly are informed and mindful of the ongoing work with local First Nations of reconciliation, toward Reconciliation.

3.6

3.12 Consideration of benefits and costs of amalgamation over both the short and long terms (i.e. Over 5 year, 20 year, 50 year horizons).

~~3.7— Neighbourhood level implications.~~

3.83.13 Consideration of impacts at the neighbourhood level not only for the broad community.

3.93.14 Consideration of the congruency and alignment of strategic and political priorities of the municipalities (as expressed in Strategic Plans, the Official Community Plans and other significant strategic and plan documents), of the municipalities.

3.103.15 Consideration of democratic representation and accessibility of elected officials to residents and other stakeholders.

3.16 Past investment in and future needs for Status and strategies of capital assets, and infrastructure replacement reserves including the analysis of anticipated impacts on an amalgamated municipality.

~~3.11~~

3.123.17 Variations in levels of service of the two municipalities including the development of clear recommendations on aligning service levels in an amalgamated municipality.

~~3.10 Clear delineation of advantages and disadvantages for the respective municipality in considering amalgamation versus those accruing solely to a combined municipality arising from amalgamation.~~

~~3.11 To the extent possible, consideration of costs, benefits and disadvantages of amalgamation between the District of Saanich and the City of Victoria over both the short and long terms (i.e.~~

~~3.13.18~~ 3.12 — 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.

3.19 ~~3.13~~ — 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.

3.14 — 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. Minority Divergent views of Assembly members and community members may 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 ~~Saanich and~~ Victoria and Saanich regarding the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria.

Recommendations must take into consideration the information gathered by a third-party technical team. ~~In accordance with the process guidance provided by the Ministry of Municipal Affairs and Housing, the Municipal 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, subject to the processes and mandate laid out in the Terms of Reference at their discretion.

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

The Citizens' Assembly will convene during ~~4-6-12 full-day~~ Saturday sessions beginning in 2019, and concluding in 2020. Additional meetings of the Assembly

may be scheduled at the discretion of the Facilitator. ~~Chair of the Assembly (see 8.2 for roles and responsibilities of the Chair).~~ Meetings of the Assembly will not allow the public to attend in person but will be viewable by the public through webcast. The Citizens' Assembly will also host ~~multiple public~~ roundtable meetings ~~in both municipalities with public participation~~ during the course of ~~the Assembly~~ their session's schedule, with one of the meetings to discuss the technical report, which will be open to all local residents.

The Assembly at the start of their process will set and define their schedule.

## 6.0 Reporting and Communication ~~Communications~~ of the Citizens' Assembly

The Citizens' Assembly will communicate regularly about its work to the public, Municipal Councils ~~of Saanich and Victoria~~ and to the joint Municipal Working Group ~~as outlined below~~.

### ~~6.1~~

#### General Reporting

The ~~municipalities~~ 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.

### ~~6.2~~

#### Interim Directions Document

As early as possible in their process, 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 ~~during their deliberations~~.

### ~~6.3~~

#### Final Report

The Assembly will deliver its Final Report to the Municipal Councils of Saanich and Victoria no later than 45 days after the last Assembly meeting. The report will include a letter from the Chair ~~Facilitator~~, an overview of the process, and the proposed values, identified issues and final recommendations of the Assembly. It will also include an Appendix ~~appendix~~ that ~~will contain~~ 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'~~ 'minority report' that documents any dissenting perspectives.

### 6.4 Communications

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

~~6.5~~—The Citizens' Assembly will present ~~the Final Report~~this report to the respective Municipal Councils ~~of Saanich and Victoria~~, which may, at their discretion, refer the report to ~~—municipal staff~~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 ~~and business owners~~ are selected to participate.

### 7.2 Number of Members

The number of members of the Citizen's Assembly will ~~consist of 100 members~~be 21 Victoria residents and 28 Saanich residents. In order to be eligible to serve on ~~the~~this Citizens' Assembly, an applicant must:

- ~~7.2.1~~—Reside within the legal municipal boundaries of the District of Saanich or the City of Victoria ~~as defined by the area map. (See Map—XXXX); and~~
- ~~7.2.2~~—Be at least 16 years of age ~~on the date of the Civic Lottery; as of September 1, 2019.~~
- ~~7.2.3~~—Only one person per residential address (unit in building) or business address will be eligible to become a member of the Assembly.

~~7.2.4~~—If a member of the Assembly is a business owner, they cannot transfer their eligibility to an employee.

- ~~7.2.5~~—Employees of the District of Saanich ~~and the~~or City of Victoria, as well as elected officials (municipal, provincial or federal), are ineligible to serve as Assembly members.

~~7.2.6~~—The Chair will ensure that 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.~~

### 7.3.7.3—Assembly Composition

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

~~7.3.1~~—An equal proportion of male and female members;

~~7.3.2 A proportionate number of members from different age cohorts based on census data;~~

~~7.3.3 A proportionate number of renters and home owners;~~

~~7.3.4 A proportionate number of members from the two municipalities— 57 members from Saanich, 43 members from Victoria (based on BC Statistics population data); and~~

~~7.3.5 At least five members who self-identify as Aboriginal. (check % of census data)~~

~~7.3.6 A proportionate number of urban and rural residents.~~

- ~~• Gender~~
- ~~• Broad age group~~
- ~~• Renter versus homeowner~~
- ~~• Aboriginal/Metis status and at least five who self-identify as Aboriginal/Metis~~

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~~7.4~~ 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 ~~or other reasonable expenses that could be a barrier to participation and will receive an honorarium of \$100 per meeting.~~ Assistance will also be provided to those members with differing physical or learning abilities.

~~7.5 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:~~

~~8.1.1 Attend each of the sessions of the Citizens' Assembly as well as public roundtable meetings.~~

~~8.1.2 Work to understand and represent the varied perspectives of *all* Saanich and Victoria residents.~~

~~8.1.3 Treat each other with respect and take an active role in the work of the Assembly.~~

~~8.1.4 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, ~~their~~his or her position may be filled from the pool of applicants at the discretion of the ChairFacilitator.

## **8.2 — Roles and Responsibilities of the ChairFacilitator**

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

8.2.1• \_\_\_\_\_ Oversee a fair and representative member selection process.

8.2.2• \_\_\_\_\_ Develop a balanced learning program that involves residents, community organizations and experts to provide a range of perspectives.

~~8.2.3• \_\_\_\_\_ Ensure that the Assembly's learning program is balanced, adequate and reflects a range of reasonable perspectives.~~

8.2.4• \_\_\_\_\_ ~~Follow Robert's Rules of Order in supporting~~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.

8.2.5• \_\_\_\_\_ Ensure that regular updates concerning the Assembly's proceedings are made publicly available.

8.2.6• \_\_\_\_\_ Provide opportunities to inform and convey perspectives from local residents and stakeholders to Assembly members.

8.2.7• \_\_\_\_\_ Produce and deliver a Final Report concerning the Assembly's activities and recommendations to the ~~Municipal~~municipal Councils ~~of Saanich and Victoria~~.

8.2.8• \_\_\_\_\_ 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:

8.2.9• \_\_\_\_\_ 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.

### **8.3 8.4 Roles and Responsibilities of the Victoria and Saanich Communitycommunity**

\_\_\_\_\_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:

~~8.3.1~~• Attend public roundtable meetings hosted by members of the Citizens' Assembly to discuss its progress and solicit community perspectives.

~~8.3.2~~ Attend occasional open sessions of the Assembly to observe its proceedings.

~~8.3.3~~• Submit ideas to the Assembly website, and review regular public updates.

### **~~8.4~~ 8.5 Roles and Responsibilities of the District of Saanich and the City of Victoria and the District of Saanich**

~~\_\_\_\_\_The District of Saanich and City of Victoria will respect and support the independence and integrity of the Assembly~~

~~The role of the municipal elected officials and staff is to supportwill remain at arm's length during deliberations of the Citizens' Assembly.~~

~~\_\_\_\_\_Municipal staff~~The municipalities will endeavour to:

~~8.4.1~~ Provide logistical support for Assembly activities, including venue booking, providing food, and additional supports as needed;

~~8.4.2~~• Provide expertise and access to existing strategic plans, plan, financial and \_\_\_\_\_other documents; and,

~~8.4.3~~• Give careful and timely consideration to the Citizens' Assembly's Final Reportfinal 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 **Makingmaking** of the Assembly

~~—Wherever possible decisions will be made on the consensus of its members. It is~~ It is expected that discussion, debate and decision-making of the Citizens' Assembly will be ~~undertaken in accordance with Robert's Rules of Order~~ 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 a~~ Minority ~~the Final~~ Report of the Assembly submitted to ~~the Municipal~~ Councils of Saanich and Victoria.

## **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.