

**CITY OF DUNCAN / CVRD ELECTORAL AREAS “D” & “E”
BOUNDARY RESTRUCTURE STUDY**

Restructure Committee Operational Guidelines:

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Purpose and Scope of the Restructure Committee:

To *guide* and *manage* a locally focused process to study local government boundary structure change. This includes the following tasks:

- To oversee the preparation of the restructure study and/or preliminary analysis of community governance issues;
- To oversee the local process of community discussion and debate to ensure that the process is inclusive and to ensure that adequate information is provided to enable members of the community to make informed decisions about changes to local government structure;
- To remain objective and unbiased while the committee oversees the process of a restructure study and community participation;
- To ensure that grants are made available by the Ministry of Community Aboriginal and Women’s Services through the local government to fund the study process;

Restructure Committee Operational Guidelines:

I. Committee Structure:

The restructure committee structure and the level of formality by which meetings and tasks are considered and planned will depend upon the unique needs of the participants and community that are undertaking the study process.

All meetings should be open to the public. A high level of transparency will ensure that public debate will focus on the issues rather than the study process.

Chair: Election of a committee Chair by the full committee membership is recommended as the first step in the development of an open and transparent committee and study process. The Chair’s role is to ensure that order is maintained throughout committee meetings, that all items on a meeting agenda are addressed and that the study process as a whole transpires in a timely and orderly manner. A vice-chair may also be elected to act in the absence of the chair.

Secretary: The committee should consider electing a secretary unless it is arranged that local government staff take this role. The availability of committee meeting minutes for examination by interested members of the public increases the transparency of the study process. Minutes can be made available at the local government office, the library or some other public venue easily accessed by members of the community who have an interest in the process. The minutes do not need to be expansive; they should simply record the general topics of discussion and any specific items agreed upon.

Treasurer: The committee will be working with a consultant, holding public meetings, and presenting information in various formats, which are all tasks that will incur costs to be covered by a provincial grant administered by the City of Duncan. The committee will therefore likely require a treasurer, unless it is arranged that local government staff take this role. The treasurer can prepare the provisional budget to be submitted to the Ministry of Community, Aboriginal and Women's Services and prepare statements once a grant amount has been approved.

Spokesperson: The Committee may want to designate a primary committee contact and spokesperson. This person can prepare and sign correspondence on behalf of the committee and be the primary media contact or these two functions could be delegated to separate committee members. The chair or the secretary could hold this position. Despite this designation, all members of the committee should be able to address questions from the public about the process and the purpose of the study.

Subcommittees: Committees may wish to create subcommittees to handle such tasks as finance, intergovernmental liaison, boundary review, consultant selection or media relations. Larger committees (greater than ten members) may be particularly interested in forming subcommittees. The committee as a whole should appoint members to a subcommittee. However, decisions must be made by the committee as a whole: subcommittees should perform an advisory function only. Furthermore, everyone on the committee should have a clear understanding of the role and functions of the subcommittees.

Because subcommittees have a purely advisory role, committees should consider carefully whether a need for such committee structures exist and should be wary of forming subcommittees to research specific areas of the study (roads, police, etc.), as both the consultant and the entire committee should be aware of specific information.

Decision-making: The committee will want to determine how it will reach decisions. A committee may decide that it should reach consensus on all major issues or that a simple majority or a two-thirds majority is the appropriate mechanism to reach a decision. This will depend on the nature of the committee, its participants and the community it represents. Generally, committee members should view themselves as process managers, not decision-makers, and therefore favour consensus rather than votes as the method of working and moving the process forward. (Note: March 10/05 Committee Resolution stipulated a require 2/3rd majority vote on issues.)

Ex-Officio members: Ex-officio members are the electoral area director and/or municipal councillors representing areas affected by a potential restructure. These members provide an important link between the committee and the local government. Because the local governments should be at an arms-length from the study process (to avoid actual or perceived bias), ex-officio members should participate in an advisory capacity rather than in a decision-making capacity. Ex-officio members are stewards of the process, ensuring that it is carried out in an open and transparent manner.

II. Committee Meetings:

All meetings should be open to the public: Open meetings contribute to an inclusive study process. An open process ensures that the community can focus on the results of the study rather than on the study process. This will enable the community to make informed decisions about local government structure based on sound and factual information. Times and dates of all Committee Meeting should be advertised through the local media.

Opportunity for public involvement and questions: It is recommended that some opportunity be provided at the end of each meeting for comments from the members of the public who are in attendance.

Information meetings dedicated to answering questions from members of the community can also be scheduled midway and at the end of the process. Nonetheless, given the likelihood of community interest in the study process and the purpose of the committee, expect that a significant amount of time will be committed to this discussion at the first meeting of the committee. The committee should ensure that some notice about the time and location of meetings is provided to the public. At the minimum, the committee should announce the date and place of the next meeting at the end of each meeting. Developing a regular meeting schedule at specific days and times can also facilitate public involvement in the process.

Build an Agenda: An agenda should be prepared by the secretary and distributed along with relevant documentation to each committee member prior to each meeting. The agenda should be posted at the entrances to the meeting room or on a board in clear sight for members of the community who are in attendance.

The committee must also ensure that it is able to address committee business and not get side-tracked by seemingly endless debate. The Chair can play a positive role by maintaining order and ensuring that the committee is able to complete its tasks, but at the same time by being sensitive to the need for public participation.

The Chair should introduce the agenda at the beginning of each meeting and communicate clearly to the members of the community who are in attendance the time at which there will be opportunities for questions and feedback.

Develop “Basic Rules”: The committee should develop basic rules that will govern the manner in which the committee operates and functions. These rules include letting each member speak fully and to finish their statements; respecting all members of the committee and the members of the public who are in attendance; and understanding that the committee is not the forum for taking positions about the outcome of the study process

.III. Open and Inclusive Communications

The business of the restructure committee should be conducted in an open and inclusive manner between committee members, between the committee and the public and with the local government.

Information should be made available to all members of the committee concurrently. If the committee has formed subcommittees, then information should be made available to all members of the sub-committee concurrently. Advice of the sub-committee should be made available to all members of the committee concurrently. Concurrently means being forwarded by email, fax, mail or drop-off at a specific pre-determined location within a 36-hour period.

Minutes, agendas and agenda items should be forwarded by email, fax, mail or drop-off at a specific pre-determined location, as determined by each committee member as being the most accessible method for that member to receive information and as determined by the committee as a whole as being the most reasonable method under the circumstances. The committee should determine how information is to be conveyed to each member at an initial meeting of the committee.

Minutes, agendas and agenda items should be available at a public location for community members to examine. Public locations can include a City Hall, Regional District office, a community hall, a library or some other facility easily accessible by interested members of the public.

Draft materials prepared by the consultant should be distributed to all committee members and a couple of extra copies may be made available for examination by the public. However, it is recommended that draft materials not be broadly distributed or copied as this can create confusion for the members of the community when changes are made to the final version of the study report.

The committee should decide early in the process how it will keep the members of the community informed about the study. Public access to agendas and agenda items, newsletters and public information meetings are all communication methods that can keep the community up to date on the status of the study.

IV. Committee Tasks:

The following is a rough guideline of the sequence at which tasks should be completed once committee membership is defined and it is known that a study will proceed:

1. Introduction to the purpose of the restructure committee. Meet with Ministry of Community, Aboriginal and Women's Services (MCAWS) staff. Set the committee structure. Set the agenda for the next meeting.
2. Adopt committee operational guidelines.
3. Prepare the draft terms of reference for the consultant study. MCAWS can provide examples of terms of reference and assist with the drafting if requested. - Done
4. Finish preparation of the draft terms of reference. Send to MCAWS staff for comment. - Done
5. Receive comments from MCAWS and incorporate into the final terms of reference. Committee "approves" the final terms of reference. Prepare the cover letter calling for proposals. Determine which consultants to whom the committee will send the request for proposals. MCAWS can provide a list of consultants who have conducted similar studies in the past. Send out the request for proposals. - Done
6. Receive proposals and send copies to MCAWS staff for comment. Committee or subcommittee may conduct detailed review of proposals. Interviews of consultants are a possibility, but generally not required. If the committee decides to conduct interviews, telephone conference calls should be considered as a practical option. - Done
7. Based on the committee's own analysis and comments received from MCAWS, choose a consultant. Prepare a committee operating budget. Send letter to the Minister of Community, Aboriginal and Women's Services (with a copy to the MCAWS staff contact) requesting that a specific grant amount be awarded that will cover both the consultant costs and operational costs (meeting room rental, photocopying, etc.) of the committee. Contact the consultant subject to approval of a grant amount by the Minister of Community, Aboriginal and Women's Services.
8. Receive grant award from the Minister, to be administered by the local government, and contact consultant to begin study process.
9. Meet with consultant to determine next steps in the study process and to prepare details of the work plan.

10. MCAWS staff prepare local government service analysis to assist in the consultant study.
11. In the case of a full restructure study (as opposed to a preliminary community issues analysis), and once the consultant has prepared some preliminary data (boundary options and population estimates), the committee contacts Ministry staff requesting an Offer of Restructure Assistance (MCAWS per capita grants, Ministry of Transportation and Highways (MOTH) roads maintenance program assistance, Ministry of Attorney-General (MAG) police services assistance, etc.).
12. In the case of a full restructure study, MCAWS forwards Offer of Restructure Assistance. The committee may wish to discuss the Offer of Restructure Assistance and seek further comment from MCAWS. Consultant can now finalize financial analysis.
13. The consultant presents draft report to committee for comment. This meeting may also be conducted as a public information meeting.
14. The committee provides feedback on draft report.
15. The consultant prepares final report. The committee and consultant prepare a summary of the report for wide public distribution and as the basis for the public meetings.
16. The consultant presents the final report. This meeting should be well publicized and report summary documents should be available for the community members who are in attendance.
17. In the case of a full restructure study, the committee considers whether to recommend to the Minister of Community, Aboriginal and Women's Services that a vote on restructure be held. The committee forwards its recommendations to the Minister of Community, Aboriginal and Women's Services (with a copy to the MCAWS staff contact). If the committee recommends that a vote not proceed, then the committee has completed its tasks. If the committee recommends that it proceed and the Minister orders a vote, then the committee will manage the public information process. This process may include an information mail-out including the report summary and further public information meetings. If the vote is in favour of incorporating a new municipality, amalgamating municipalities or changing status, the committee has a further role to play with regard to transitional provisions that will need to be addressed.

Appendix

Model Terms of Reference:

The terms of reference should provide some direction to potential consultants about the nature, purpose and scope of the study, the expected study process, and the expected products. The terms of reference should address the following:

1. **General Purpose and Objective of the Study:** Summarize the purpose and objective of the study in the terms of reference.
2. **Background:** Provide some context for the consultant on the need for a study.
3. **Study Tasks:** Give some thought to this section to ensure that the community's specific concerns are addressed by the study. This will enable the committee and the wider community to make informed decisions about whether to proceed to a) a full restructure study in the case of a preliminary issues analysis study, or b) to proceed on the incorporation option(s) in the case of a full restructure study.

Full restructure study tasks generally include the identification of the current situation, the identification of available options, and the analysis of implications for each option as tasks within the terms of reference. A preliminary community issues analysis will focus on the current situation and identify critical issues in the community for which a local government structure change could be a solution. It will not analyse the implications of such structure change. It is important that the terms of reference are tailored to meet the unique needs and concerns of the community that has initiated the study process. Depending on the type of study to be conducted, tasks may include the following:

Identify the Current situation:

- document the demographics, population, economy and settlement structure;
- identify the local services currently being provided to the community in terms of responsibility, method of cost recovery, and service geography;
- indicate current taxes for typical residential, industrial and agricultural properties; and
- identify critical issues in the community for which a local government structure change could be a solution.

Identify Available Options:

- identify a range of local government structure options for the community;
- prepare one or more boundary options.

Analyse Implications for each Option:

- analyse community development issues in terms of their relationship to the local government structure;
- identify transitional measures, including transfers of services from province, regional district and improvement districts to the new structure;

- prepare a summary of the advantages and disadvantages of restructure including the financial, social, administrative, political and service delivery implications;
- outline the restructure assistance offer from the province in relation to police, roads, and implementation grants and its implications;
- develop a budget for each of the restructure options, based on a status quo transfer of services from other levels of government to the new structure; and
- analyse the fiscal implications of the restructure options in relation to the status quo with particular reference to the fiscal implications for typical residential, business and agricultural taxpayers. This analysis should extend at least one year past the end of provincial restructure implementation and assistance grants provision.

4. **Study Process:** Ensure that the terms of reference clearly enable the committee to oversee the study process. The committee will likely want to have an initial meeting with the consultant to clarify the terms of reference, and to discuss any outstanding issues prior to the analysis (such as boundary options).

The committee will want the consultant to describe the consultation process he or she will follow. The consultation process will likely include public meetings, including presentation materials, to introduce the process and to seek community feedback. In the case of a preliminary issue analysis, a community survey and final presentation of findings may be sufficient. The committee may want the consultant to meet with specific parties within the area of study (members of an improvement district, or specific community organizations). The committee should require at least one public meeting to present the study findings and final report.

The committee should also be provided the opportunity to review a draft report and to make comments prior to completion of the final report. A summary document for distribution to the community should be prepared along with the final report.

5. **Administration of the study:** Request a study schedule including start and completion dates. Clarify what products are expected (number of hard copies of report, maps for presentation purposes, flyers for distribution). In this part, it can also be clarified that the consultant shall report directly to the committee and that disbursements will be provided by the regional district subject to confirmation of a grant amount by the Ministry of Community, Aboriginal and Women's Services.
6. **Cost of Study:** Request that this be clearly identified and itemized in the proposal.
7. **Consultant qualifications and references:** Request that this be clearly identified in the proposal.