SAANICH GOVERNANCE REVIEW

Report of the
Governance Review Citizen Advisory Committee

EXECUTIVE SUMMARY

Presented to Saanich Council
October 23, 2017

EXECUTIVE SUMMARY

1.   BACKGROUND

During the November 15, 2014 local government elections, eight municipalities in the capital region included a non-binding question on the ballot to determine the level of community support for either amalgamation or a review of governance within the region. Saanich voters were asked whether they supported Council initiating a community-based review of the governance structure and policies within Saanich and our partnerships within the Region. Over 88% of those who voted indicated "Yes."

A community working group was formed to discuss the purpose, roles, and terms of reference for establishing a Governance Review Citizens Advisory Committee (GRCAC).

The GRCAC's mandate was to:
a) Undertake a review of the governance structure and policies within the District of Saanich and its partnerships within the region and report to Council with recommendations;
b) Prepare a series of educational materials that enable residents and stakeholders to be productively involved in the consultation process; and
c) Consult broadly with Saanich residents and Saanich-based stakeholders related to governance, ensuring a diversity of opportunities for input and feedback.

The committee also needed a framework to guide its discussions and consultation tools. There are many interpretations of governance, but it is fundamentally about how organizations ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest, accountable manner. Governance includes all the systems and processes, values and rules that are designed to coordinate and control an organization's actions, decisions and resources, and how the organization engages and involves citizens. The committee focused its review on a number of key components of governance: authority, accountability, decision-making (including transparency), continuous improvement, and regional role. The GRCAC further reviewed these components in the context of internal governance, community engagement and regional governance.

2.   PROCESS

The GRCAC developed a comprehensive engagement and communication program, with multiple opportunities available for the public and stakeholders to provide input to the review. Formal engagement got underway on February 9, 2017, with a media event to launch the process.

Engagement methods included:
➢ **Online Consultation** – a survey was available through PlaceSpeak on the Saanich website and in hard copy, from March 1 to June 15, along with Polls and a Discussion Forum.
➢ **Public Meetings** – the committee hosted four public meetings to allow opportunities for broader discussion: two Workshops and two Town Halls.
➢ **Targeted Engagements (Focus Groups)** – key stakeholder groups were invited to meet with the committee for facilitated discussions.

➢ **Written Submissions** – a committee-managed email address was set up to receive submissions and questions (saanichgovernancereview@shaw.ca).
➢ **Pop-up Events** – booths at shopping centres, Saanich Cycling Festival, University of Victoria and Camosun College, to provide information and engage in discussion in high traffic locations.

Many tools were employed to inform the public about the governance review and governance in general, and raise awareness of the engagement opportunities and ways to be involved. These included:

❖ ongoing updates on GRCAC site on the Saanich website
❖ educational materials distributed and available on the website
❖ advertising and promotional materials – posters, rack cards, newspaper and Facebook ads
❖ social media posts (Facebook, Twitter)
❖ articles and references in Community Association newsletters and websites
❖ media launch in February and radio and print interviews by the Chair
❖ experts from the UVIC School of Public Administration

3. RECOMMENDATIONS

Early in its discussions, the committee identified three themes and has assessed the findings according to these themes: internal governance (includes the operations of Council and staff), community engagement, and regional governance. During our work, we recognized that local government is the closest government to the people it serves, where citizen involvement can have real impact. The committee developed 30 recommendations in these three thematic areas.

INTERNAL GOVERNANCE

Leadership

Leadership goes to the heart of good governance. Governing can only work effectively if voters are sufficiently engaged to help politicians choose wisely and to hold decision makers to account. Council should focus on establishing strategic direction and policy, and holding itself and staff accountable for achieving desired results and outcomes. The committee found that the Council tends to react rather than lead, and tries to manage rather than govern. Also, accountability mechanisms are unclear. We believe there is the potential to do better. Our recommendations are aimed directly at helping Council improve its leadership.

Saanich, like most Canadian municipalities, has a low voter turnout and an even lower degree of engagement in the daily affairs of Council. Without stronger citizen participation, Council faces greater uncertainty and must find new ways to engage those it serves.

Recommendations:

1. Enhance functioning of Advisory Committees through:
    a. Term limits on Advisory Committee members of six years maximum.

        b. Annual review of Terms of Reference for each committee.

        c. Co-chair arrangement with a council member and citizen member elected by the committee. Advisory Committee citizen co-chairs, not Councillors, should report to Council regularly.

2.   Establish a two-term limit for serving on Council.

3.   Limit the use of in-camera meetings and explain why an agenda item is being addressed in-camera, e.g., personnel, land or labour issue.

4.   Compile and release Council meeting agenda packages earlier, by mid-week of the week prior to the meeting.

5.   Provide leadership training for Councillors at a minimum of once per term.

6.   Adopt Policy Governance as an alternative governance model to enhance council leadership and accountability.

7.   Appoint an ongoing Citizens' Strategic Plan Advisory Committee to review performance against the strategic plan on a quarterly basis and make recommendations to Council on annual strategic plan objectives, desired outcomes and targets. Results should be reported publicly.

8.   Examine past council agendas and minutes, and create a list of the types of decisions that are related to setting direction, and the type that can easily be made by staff, with criteria set by Council. Further consider restricting the agenda to the former wherever possible, and approve decision-making criteria for staff to do the latter, within an accountability framework. Make this process as transparent as possible.

9.   Conduct minor updates to the Official Community Plan (OCP) every five years with an holistic review being done every ten years, through a consultative and transparent process. After each OCP update, refresh each Local Area Plan within three years.

10.   Place the job descriptions for the Chief Administrative Officer and Directors on the website, along with the service delivery plans, targets, performance measures and progress updates for each department, to provide greater clarity and transparency for the public.

Bylaws

Municipal bylaws are a manifestation of a particular set of council decisions and thus looking at the way they are used provides a useful measure of transparency and accountability of at least one dimension of our governance system. Some respondents observed that the present enforcement system lacks due process, and appears to be inconsistently and arbitrarily enforced. A cursory study of the issue suggests that there is a persistent gap between Council intention, as articulated in an approved bylaw, its implementation and enforcement.

Recommendations

1.   Adopt the best practices outlined in "Bylaw Enforcement: Best Practices Guide for Local Governments, Special Report No. 36 to the Legislative Assembly of British Columbia, March 2016" by the Office of the Ombudsperson.

2.   Review Saanich's bylaw procedures and determine whether Bylaw Offence Notices are an appropriate bylaw enforcement tool for the municipality.

Budget Process

Over time, the organization should question the continued relevance and cost effectiveness of the products and services it provides, in light of changing demographics and technological change. Since the municipality is primarily a service-based organization, one of its largest cost drivers is human resources. Therefore, it is incumbent upon the organization to keep these costs in line.

We believe there should be more meaningful public engagement and education process at the start of the budget cycle. This would include having citizens appointed to the Finance and Audit Committee, similar to the other advisory committees. While we realize that the topic of budgeting is not top of mind for most Saanich residents, a motivated citizen-led group could lead the process of greater citizen comment on spending priorities and taxation levels.

Recommendations

1.   Prior to the formulation of the budget, conduct a major citizen consultation and educational process ("Budget 101") on the budget once each council term, ideally to start in the first year of a new term and be completed by the second year.

2.   Once per council term, conduct a top to bottom review of the financial and service delivery structure as part of the budgeting process.

COMMUNITY ENGAGEMENT

Community engagement plays an important role in Saanich governance as it helps shape the decision-making processes in the municipality. As Saanich tries to rely on community engagement to support its decision-making processes, an examination of how these factors influence and are shaped by governance is important.

Voter Engagement

Local governments, including Saanich, are challenged by low voter turnout and subsequent engagement. While we were fortunate to have a couple of younger residents on our committee, and were able to engage a small number of students and younger people in our consultation, we also learned that the school system does little to educate our youth on civic matters and responsibilities.

Recommendations

1. Saanich should explore options to enhance voter participation and work with the Province and neighbouring municipalities to implement any proposed changes. Means of increasing turnout that should be considered include more mobile voting, advance voting, information provided to electors, and possibly online voting when the option becomes available in the province.

2. Promote youth participation in both voting and running for elected office, request that the provincial government and local school districts highlight more local government topics in the school system. Consider reaching out during municipal election periods to teach students about local government.

Public Participation

Even though Saanich has a framework to guide consultation for planning initiatives and other projects, public participation can be a challenge. While there is a public perception that Saanich tends to over consult, these consultation processes are often not perceived as open or sincere. We heard that people don't feel they have been listened to.

Transparent and well-understood public participation strategies, combined with enhanced communications strategies can build trust and benefit Saanich and its citizens. While not intending to lead to more consultation, a clearer and more properly defined framework may reduce the amount of consultation that needs to take place. So how can Saanich engage its citizens and stakeholders more effectively?

Recommendation

1. Review and update the Public Process Handbook to better reflect IAP2 best practices and to provide a clear and robust explanation of *what*, *when*, *why*, and *how* Saanich will engage.

Communications

Communication relationships are key to effective governance. This includes relationships between Councillors; Council and staff; Council, staff and public; and relationships with all stakeholders. Timely, objective, accurate and complete information is not only key to decision making, but critical to engaging the public and holding all players to account.

While the website is seen as a key tool to communication, if the information isn't easily accessible, readable or timely, the value of the tools and process is diminished.

Recommendations

1. Continue strengthening communications through online channels (including Facebook, Twitter, and emerging technologies) and through improved translation services.

2.   Establish a menu of options for citizens to receive information about topics they choose in the format they choose. This should be integrated into the Saanich website for easy access.

3.   Redesign development application notice signs that are displayed on properties to be clear and easy to understand by the general public. Use plain language, colour, and images where possible.

Community Associations

Community Associations (CAs) are a common form of neighbourhood representation in North America and have evolved from more traditional ratepayers' associations in the 20th century. In Saanich, CAs have no formal role in governance. Informally, they receive referrals from the Planning Department when there is a development application in the CA's area and they are expected to reply within 30 days. We found that how each CA chooses to formulate its response varies. CAs are underutilized and have potential to be an effective and meaningful source of feedback and input to local planning and decision- making.

Recommendations

1.   Formalize Community Associations in Saanich by establishing Terms of Reference. The Terms of Reference should be worked on with the CAs and other impacted stakeholders. This will legitimize and clarify the role of CAs by:

   a. Distinguishing the areas of representation.

   b. Clarifying the role of CA involvement in land use development applications.

   c. Putting in place measures to monitor that CAs are open to all, not restrictive, and that they follow the *Societies Act* requirements. Saanich could request a copy of Annual General Meeting minutes from CAs to ensure they are in good standing prior to any allocation of operating grant funds.

2.   Assign Council liaisons to Community Associations that rotate on a regular basis so each community has an elected official that can become familiar with local issues and provide support.

REGIONAL GOVERNANCE

Regional Districts

The regional district is referred to in academic literature as a "voluntary cooperative model" and within North America is unique to British Columbia. The voluntary cooperative model benefits from flexibility in addressing diverse needs of member municipalities, but is at a disadvantage when facing disagreement between members over regional issues with little authority. Essentially the

"regional district" is the sum of its member municipality parts operating as a group of municipalities under a provincially legislated regional structure and authority.

Regional districts have demonstrated themselves to be an effective form of governance for the provision of local services delivered at a regional scale (water supply, Hartland landfill, regional parks, social housing, air quality, etc.). Coordinated regional responsibilities beyond basic service delivery, however, have proven to be more difficult to address through regional districts (regional strategic planning, regional transportation planning, integrated resource management, etc.).

While the CRD may be effective in some areas, it is believed by many in Saanich to lack political will and accountability. It has failed to carry out strong coordinated regional planning exercises (e.g., Regional Growth Strategy, sewage treatment, affordable housing and the creation of a regional transportation authority).

It also lacks accountability because regional directors are not directly elected but rather are appointed by member municipalities. Thus, there exists an inherent tension among the regional directors as they tend to represent first their municipal interests, and secondly, the regional/local interests.

Recommendations

1.   Continue to participate fully at the Capital Regional District table and ensure that Saanich regional directors approach the business of the regional district with a mindset which recognizes that regional and local go hand in hand and what is best for the region is often best for the member municipalities overall.

2.   Through the Union of British Columbia Municipalities (UBCM), petition the Province to review the *Community Charter* to give regional districts clearer powers and authorities in the delivery of regional planning (e.g., Regional Growth Strategies), transportation, integrated resource management plans and other coordinated services.

3.   Through UBCM, petition the Province to review all applicable legislation to provide for the Chair/CEO of regional districts and up to 40% of the regional directors to be elected at large with such elections and terms of office to be consistent with municipal elections.

Shared Services Agreements / Joint Services Agreements

The municipalities in the Capital Regional District have a 60-year tradition of participating in various joint service agreements among and between the member municipalities. These joint service agreements allow any municipality to share and participate in a variety of services with other municipalities at a mutually agreed upon cost and duration.

Currently, there are over 200 such agreements in the Capital Regional District. There is a need to monitor and ensure these agreements not only provide value, but are efficient and cost effective. We must continue to explore better governance and how we partner with other local governments in the CRD. We need to find cost-savings, reduce duplications and redundancies, striving to become an efficient and effective government.

Recommendations

1. Continue to look for opportunities to share and participate in services provided by other municipalities in the CRD.

2. Continue to look for opportunities to provide services to other municipalities through joint service agreements or shared services agreements, as the case may be.

3. Saanich should be receptive to any initiatives for the creation of a regional police force.

Amalgamation and Restructuring

Even though the original mandate of the Governance Review did not specifically address or ask questions about amalgamation, not surprisingly, we heard from many people with views on this topic. We heard a wide-range of perspectives, including strong support for and against amalgamation, a desire to continue to pursue some form of shared services with adjacent municipalities, the acknowledgment that more study is needed on this issue and a desire to have a more specific question relating to amalgamation on the ballot in 2018. While there doesn't seem to be a consensus about whether Saanich should amalgamate or not, including amongst the Committee, there does seem to be a consensus that discussion on this topic shouldn't be shied away from. It is an important topic for our municipality and regional leadership is needed to bring clarity and direction.

Recommendations

Given the many views expressed regarding amalgamation, Saanich should take a leadership role in establishing a consensus about amalgamation through the following recommended actions:

1. Call on the Province to establish and fund a Citizens' Assembly on Amalgamation with interested municipalities in the Greater Victoria Region and actively support and participate in the Assembly.

   To inform the citizens participating in this process a study would be conducted to provide a baseline set of facts on the costs of service delivery and governance across the region. By agreeing to support the Citizens' Assembly process, Saanich and the other municipalities should be required to take the findings of the process to referendum directly.

2. In 2027, a decade from today, or a decade after a Citizens' Assembly is convened, if such assembly is convened, convene a second ad hoc Governance Review Citizen Advisory Committee to once again explore and address local governance in the District of Saanich and alternatives. This is to recognize that the governance of Saanich and the region is an evolving question that warrants regular study.

4. IN SUMMARY

The recommendations we have made are intended to reflect principles of good governance as noted above. Some overarching themes bear highlighting as they lend themselves to more immediate action and further consideration given their potential benefits.

Results of our consultations with respect to transparency and decision-making found a lack of clarity around roles and responsibilities. This includes clarifying the role of Community Associations and Advisory Committees in the consultation and decision-making processes. Challenges were also identified in timely follow through and accurate communication with the District. Decision-making processes appeared to be untethered from evidence-based practices and information was often unavailable to citizens and associations in a timely way.

With regard to the matter of enhancing the effectiveness of regional governance, we heard that it is key to address the role of the CRD. This is closely linked with views of amalgamation and the need for more cost-effective service delivery at the regional level. There is a need to look at efficiencies of the over 200 regional partnerships and whether services can be delivered better through other means, including some level of amalgamation or increased integration at the CRD level.

Finally, Saanich should continue to explore options to enhance voter participation and public engagement on issues of importance to the future of the community. Saanich has an opportunity to take a leadership role on advancing more mobile voting, electronic voting, and providing better information to voters. This will require working with other municipalities as well as the province. In addition, we believe that educating voters includes our future citizens. The provincial government and local school districts should be encouraged to highlight local government learning in the school system.

With all our suggestions and recommendations, leadership, partnerships and collaboration are critically important. Saanich has an opportunity to step into a larger regional leadership role to enhance its own service delivery, internally and externally, to meet the needs of citizens now, and in the future.