

TERMS OF REFERENCE

COASTAL COUNCIL (CC) TO B.C. FERRIES

As modified to January 2002 including modifications made at BCFC request and approved at last CC meeting, relating to structure and BCFC commitments.

For internal use only.

Committee mandates and membership section to be updated at June CC meeting. See note at end of document.

Introduction

The British Columbia Ferry Corporation is an essential element of British Columbia's coastal environment. Coastal and island, ferry dependant, communities have developed to where they are today because of the level of service and cost of access provided to them by BCFC. The ferries are a critical part of the highway system linking communities together. They provide public transportation to thousands of commuters each day and contribute to the economic diversity and vitality of the communities they serve as well as the entire province. Radical change to service levels or costs has a powerful effect on every aspect of the lives of coastal and island residents. Ferries are also a highly visible symbol of our prized lifestyle and environment, and attract people from around the world.

Section 1: Context

The Coastal Council To B.C. Ferries, which hereafter may be known as the "Coastal Council (CC)" or the "Council", is part of BC Ferries' public consultation program and operates within the context of the following relationships.

BC Ferry Corporation (BCFC), which hereafter may be known as BCFC, "the Corporation" or "BC Ferries" was created by statute, and as a statutory creation, the Corporation is governed by the following:

- 1.1 the Corporation's statutory mandate and powers (*Ferry Corporation Act*);
- 1.2 the policies established by Government (they represent the people of BC who are shareholders of the Corporation);

1.3 the policies established by the Board of Directors appointed by Government.

A President who is appointed by the Board of Directors manages the corporation.

One Executive Vice Presidents and a group of Vice Presidents, Directors, Managers and employees assist the President.

The British Columbia Ferry and Marine Workers' Union (BCFMWU) as the sole bargaining agent represents the employees.

Customers and communities served by inter-island and northern routes are represented by a number of local (Tier 1) Ferry Advisory Committees.

The Coastal Council (CC) has been created to encourage a multiparty dialogue between Stakeholders, the British Columbia Ferry and Marine Workers' Union, Management and the Board of Directors.

The Coastal Council represents customers and regions served by BC Ferries as a whole.

Ferry dependant communities are in areas served by BCFC where no alternate road access exists.

Section 2: Terms of Reference

2.1 Mission Statement:

The basic objective of the Coastal Council (CC) is to address the major issues affecting ferry users. The Coastal Council shall make specific written recommendations on policy matters relating to tariffs, service and the appropriate level of Provincial financial support. All Council reports shall be public documents.

2.2 Mandate:

The Coastal Council (CC) is formed independent of BCFC to:

2.2.1 advise BCFC;

- 2.2.2 raise and pursue issues pertaining to inter-island, northern and mainland ferry services, with particular attention to ferry dependant communities and areas;
- 2.2.3 make recommendations on how the BC Ferry Corporation (BCFC) should respond to major and interdependent issues, in the form of original written reports to the Board of Directors and the President with a copy to the Minister responsible for the Corporation;
- 2.2.4 make recommendations on Government policies affecting BC Ferries, in the form of original written reports to the Minister responsible for the Corporation, with a copy to the Board of Directors and President;
- 2.2.5 provide information and encourage effective communication between stakeholder representatives and their organisations and/or communities. Act as community representatives (along with Tier 1 groups);
- 2.2.6 provide effective communication between the Coastal Council, the Board of Directors and the Corporation;
- 2.2.7 manage and maintain it's Terms of Reference.

2.3 BC Ferries' Commitments:

The Corporation is committed to the following:

- 2.3.1 working in a collaborative manner with the Coastal Council;
- 2.3.2 maintaining an effective communication with Council members;
- 2.3.3 acting upon the advice of the Council when appropriate;
- 2.3.4 providing timely feedback on the advice of the Council;
- 2.3.5 viewing recommendations as part of an iterative process and attempting to identify those portions of recommendations which can evolve into solutions;
- 2.3.6 encouraging two-way communication/information exchanges;
- 2.3.7 communicating and explaining the basis of any proposed change in policy or programs significant to users;
- 2.3.8 briefing the Council on the annual revenue and expenditure budgets for the Corporation.

2.4 Council Members' Commitments:

All Council members are committed to the following:

- 2.4.1 having respectful interactions with all members of the Council;

- 2.4.2 working together to achieve the goals established and within a specified time frame;
- 2.4.3 challenging and debating ideas, not people, in order to make them work;
- 2.4.4 being honest and direct and taking responsibility for the Council's decisions;
- 2.4.5 staying focussed on the issues;
- 2.4.6 regularly communicating the work of the Council to their stakeholder groups (stakeholder representatives);
- 2.4.7 representing the will of their stakeholder groups (stakeholder representatives).

2.5 Functionality:

2.5.1 Representation at Coastal Council Meetings:

A. Council Members:

The Council promotes multiparty dialogue which includes representatives from the 12 Ferry Advisory Committees, the BC Ferry and Marine Workers' Union, the Chambers of Commerce, Tourism Associations, the Board of Directors of BC Ferries, Management and Government representation. Membership has been determined on the basis of drawing a balance between inclusiveness and maintaining membership at a level that provides for practical, efficient discussion and decision-making.

The Council membership list is as follows:

- ◆ 2 representatives from each of the 12 Ferry Advisory Committees;
- ◆ 2 representatives from the BC Ferry & Marine Workers' Union;
- ◆ 4 representatives from the Chambers of Commerce;
- ◆ 4 representatives from the Tourism Associations;
- ◆ 1 representative from the Islands Trust
- ◆ 1 representative from the BC Government (non-consensus).

Non-consensus means that the subject representatives are not participants in the determination of consensus on any issue.

B. Council Alternates:

There will be one alternate for each Council member. If an alternate is to attend a Coastal Council meeting in place of a designated member, the alternate must be formally identified in writing to the Chair or his or her designee prior to that meeting. Alternates may attend in addition to the designated member as an observer. All members or their alternates must represent their stakeholder group.

C. Observers:

Any person who is not either a Council member or an alternate replacing a Council member may attend any meeting as an observer. Observers will not participate in the discussion of the Coastal Council when they are meeting as a full Council. Observers may be invited to join the discussion of the committees or working groups of Council, but shall not be part of the determination of consensus on any issue.

2.5.2 Selection Process:

Each member organisation is responsible for the selection of their Council member(s) and alternate(s). Member(s) and alternate(s) shall be in good standing with their local stakeholder groups.

Each member organisation is requested to send the name(s) of their Council members and the alternate(s) to the Chair of the Coastal Council.

2.5.3 Term:

Membership on the Council is to be for a term of two years. In the interest of maintaining continuity, only half of the inaugural members shall complete their term after two years and the remaining half after the third year. Thereafter, a two-year term will be used. The term for CC Chair and Committee Chairs is two years. The inaugural term date for Members, CC Chair and Committee Chairs is June 25, 1998. The CC Chair and Committee Chairs may be reinstated at the discretion of the Coastal Council. Previous members may be reinstated by their respective stakeholder group.

2.5.4 Structure:

The structure is designed to provide an efficient and effective use of Council members' time and energy. The Chair and Vice Chair are elected by and from the Council members. To assist the Chair, an independent facilitator acceptable to Council members is to be provided for Council meetings.

Council may establish committees or working groups as a means to carry out its work. The membership, general mandate, specific tasks, structure and general rules for any committee or working group shall be determined by the Council. The committees or working groups shall be directed by, and shall report to, the Council (see Appendix 1 for a list of existing standing committees). Committees or working groups will choose a Chair and will only provide recommendations to the Council, the final authority. Resource people may be invited to participate in a committee or working group. The Executive Vice President, Inter-Island Services or his or her designate must approve expenses for the resource person.

A Co-ordinating Committee, comprised of the Chair and Vice Chair of the Coastal Council and each committee's Chair, will meet, develop and monitor the overall plan for the Council. Their authority and direction will come from the overall Council. The Chairs of the working groups shall report to the Co-ordinating committee.

2.5.5 Communications:

A permanent Communications Committee shall assist the Council and Chair in developing effective communications between Council members. A primary function of the committee shall be to ensure that all correspondence (e.g., press releases) between the Council and external parties is copied to all Council members.

Council Press Releases:

- ◆ Only the Coastal Council can direct that a news release be generated. Before being circulated, all news releases should be reviewed and approved by the committees or working groups generating the release and by the Chair of the Council and the

Chair of the Communications Committee, or when unavailable by their designated alternates.

- ◆ News releases issued by the Coastal Council will address subject matter that pertains to most or all routes.
- ◆ Circulation of news releases will be handled by the Communications Committee.
- ◆ News releases will be sent to all members of the Coastal Council, including voting and non-voting members, all major newspapers and major radio and television stations in BC, as well as those in communities served by the inter-island ferry routes.
- ◆ The effectiveness of Coastal Council news releases, as mass communications to ferry users in particular and the people of BC in general, will be evaluated on a regular basis by the Communications Committee.

Other Communications:

- ◆ Council members sending a formal written or electronic communication on behalf of the Council or a committee or working group to any person or group external to the Council shall ensure that the Council Chair and the chair of the Communications Committee review the communication before it is sent. Informal communications do not need this review.
- ◆ All communications from the Council, including those from committees or working groups, shall be identified as from the "Coastal Council to BC Ferries".

Σεχτιον 3: Γρουνδ Ρυλεσ

3.1 Introduction:

The following ground rules are intended to guide the process of the Coastal Council, promoting closure in its deliberations and clarifying responsibilities of its participants.

3.2 Meeting Agendas:

Prior to each meeting, a draft agenda prepared under the direction of the independent facilitator, Chair and/or Co-ordinating Committee (as defined earlier) shall be distributed in a timely manner. The first item of business at each meeting shall be to review and approve the draft agenda.

3.3 Meeting Summaries:

A meeting summary shall be prepared and distributed to members as soon as possible after each meeting of the Council. The second item of business at each meeting shall be to review and approve the draft meeting summary prepared for the previous meeting. Once approved, meeting summaries shall be immediately made available to the public.

3.4 Conduct of Meetings:

Meetings shall begin promptly at the time indicated on the agenda. The meetings shall be facilitated by either the independent facilitator or Chair in a manner that:

- ◆ allots time for discussion of each item on the agenda;
- ◆ encourages a variety of views on each item;
- ◆ allows participants to have an equal opportunity to participate in the discussion.

The facilitator and/or Chair shall ensure that the views of each person present at the meeting are clearly summarised at the conclusion of that discussion.

3.5 Meeting Process:

All decisions made by the Council with respect to issues arising out of or related to the terms of reference will be made by a consensus of the members.

The word "consensus" is derived from the Latin word for "with/together" and "to serve or feel." Thus, consensus means to "feel together" or "to come to a common sense of a matter."

In consensus processes, decisions are reached by participants in the process such that all have reached a common conclusion. Members may

not all share a common view of the issues or matters but they can reach a joint conclusion or outcome. It is important to note that the members reach a joint conclusion or outcome by sensing together rather than by "out persuading" each other.

There are many definitions of consensus; however, it is recommended that the Council use the following definition:

"Consensus shall be defined as no member having formally notified the Chair of a specific objection concerning the issue prior to it being recorded or resolved."

Other possible definitions that could be considered include:

"Consensus shall be defined as the situation that exists when no member disagrees substantially with other members of the group with regard to a given issue."

The facilitator and the Coastal Council Chair shall determine Consensus . This will be done by polling the members and asking if there is any disagreement with respect to the proposed decision or course of action being discussed.

Prior to declaring that there is a consensus on an issue or issues, the facilitator and Chair shall review the subject material/information concurrently with all the members with a view to confirming that there is a clear and common understanding of the issue being agreed to.

3.5.1 Mechanisms to Address an Impasse:

In the event that the Coastal Council or any committees or working groups reaches an impasse on an issue, one or more of the following approaches or techniques may be used to seek resolution:

- ◆ having those individual members involved in the impasse meet with the facilitator and/or Chair;
- ◆ establishing a task group to brainstorm on the issue and seek creative solutions;
- ◆ having the Co-ordinating Committee and available resource persons assist in the resolution of issues through the exploration and/or application of technical and administrative solutions;

- ◆ having those individual members that disagree with the proposed decision agree to stand aside on the condition that they may be permitted to raise the issue at an agreed later date;
- ◆ if resolution of an impasse cannot otherwise be achieved, those disagreeing with the proposed decision may elect to write a minority report statement. Such a statement shall be recorded in the meeting minutes and included (in expanded form) in any Coastal Council or working group written report.

3.5.2 Recording Secretary:

The Corporation shall supply a person to fulfil this function. This person will record all issues from the discussion, the decisions of the Council and its committees or working groups, and who is responsible for the actions to be taken. Records of Council decisions shall be summarised at the time that decision is made and made available at the close of the meeting, but no later than 24 hours following.

3.5.3 Independent Facilitator:

The Corporation shall supply a person to fulfil this function.

3.5.4 Frequency:

A maximum of (4) Coastal Council meetings shall be scheduled per year. Extraordinary Coastal Council meetings may be scheduled as required to deal with critical issues.

3.5.5 Meeting Materials and Facilities:

The Corporation shall provide materials/information and facilities as required by the Coastal Council.

3.5.6 Members' Expenses:

The Corporation shall reimburse the expenses of Coastal Council members and committees or working groups participants to attend scheduled meetings and/or committees or working groups' sessions in accordance with the Expense Reimbursement summary attached in Appendix 2.

3.5.7 Amendments:

- ◆ This document may only be amended by the Coastal Council.
- ◆ Changes to the Coastal Council membership shall be by amendment to Section 2.5.1.
- ◆ Membership of committees or working groups is exempted from the amendment process.
- ◆ Changes to active working groups shall be by amendment to Appendix 1.

APPENDIX 1: COMMITTEES

1. Communications:

Mandate:

Dedicated to guiding the communications process within the committees or working groups, within the Coastal Council and between the Council and others to achieve clarity, accuracy and timeliness in the sharing of information about the workings of the Council. Specifically, its mandate includes:

- ◆ developing, implementing and maintaining communications policies;
- ◆ informing Council members about communications policies;
- ◆ developing policies for accountability and review of communications (to be overseen by the Co-ordinating Committee);
- ◆ defining communications roles and responsibilities for the Council, its committees and groups;
- ◆ assisting in the determination of what is communicated (routinely and otherwise);
- ◆ identifying appropriate methods of communications (what, who, when and how?);
- ◆ developing appropriate timelines;
- ◆ maintaining list serve/network;
- ◆ developing and distributing guidelines on how to use the list serve;
- ◆ developing and maintaining contact names.

Membership:

2. Financial Direction/Subsidy:

Mandate:

Make recommendations on policy and direction relating to:

First level priority:

- ◆ determine feasibility of break-even policy for minor routes;
- ◆ develop long-term equitable sustainable financial plan;
- ◆ determine distribution of subsidy between commercial and non-commercial routes, individual routes and regions.

Second level priority:

- ◆ allocate overhead and capital costs;
- ◆ determine feasibility of uniform policies between Routes 1, 2 and 30;
- ◆ develop a vision for capital renewal and expansion for a two to five year period;
- ◆ distribute subsidy to communities not currently receiving ferry services.

Tariff/Revenue Generation:

Make recommendations on policy and direction relating to:

First level priority:

- ◆ prepare options and recommendations for next tariff increase;
- ◆ determine a fare structure that is equitable, transparent and rational;
- ◆ develop a tariff plan.

Second level priority:

- ◆ discuss commercial rates;
- ◆ discuss sources of new revenue.

Membership:

- ◆ Chair – Steve Wohleben, Gabriola Island and Ian Ralston, Route 20.
- ◆ Luz Budzinski, Bowen Island
- ◆ Chuck Childress, Texada Island
- ◆ Kerry Morris, Mid Coast
- ◆ Conchita Harding, Gibson's Chamber of Commerce

- ◆ Glen Tyrell, Victoria Chamber of Commerce
- ◆ BCFC Resource Person –

4. Terms of Reference:

Mandate:

To develop a draft terms of reference for the Coastal Council.

Membership:

- ◆ Chair – Ian Ralston, Thetis Island
- ◆ Neville Atkinson, Saltspring Island
- ◆ Richard Dalon, Mayne Island
- ◆ Martin Amiabel, Quadra Island
- ◆ John Rumble, Pender Island
- ◆ Tim Walters, Quadra Island
- ◆ BCFC Resource Person –

5. Γοπερνανχε:

Mandate:

To research and propose other models of other transportation agencies.
Propose changes to CC for integrating transportation infrastructure.

Membership:

- ◆ Chair – Tony Law, Denman/Hornby Island,
- ◆ John Money, Islands Trust,
- ◆ Ταωνψ Χαπον, Γαβριολα Ισλανδ,
- ◆ BCFC Resource Person –

APPENDIX 2: REIMBURSEMENT OF COUNCIL MEMBERS' EXPENSES

Background:

Members of the Coastal Council (CC) volunteer their time to participate on the Council. Travel to and from meetings, participating in meetings, communicating via phone and fax with BC Ferries, communicating via phone and fax with each other – these things are done on their own time. The following policy was established with the intention of fairly compensating Council members, their alternates and committees or working groups' participants for valid expenses incurred while in an advisory capacity to BC Ferries.

Approval of Expenses:

The expenses listed below will be covered for all Council members (or if they are unable to attend, their alternate) for Council meetings. Committees or working group meeting expenses must be approved in advance. This is done by the committees or working groups Chair who must obtain a written approval from the Vice President, Corporate Communications or his or her designate, for reimbursement of committees or working groups participants and any resource persons.

Travel – Transportation:

By vehicle: Vehicle mileage will be paid for travel to and from meetings that are sponsored by BC Ferries, at the current BCFC rate (presently \$.41/km). This does not apply to local travel (meetings within 10 kilometres of the community represented).

By ferry: Ferry passes will be issued for travel to and from meetings that are sponsored by BC Ferries.

Other modes: Expenses for travel by means other than vehicle may be reimbursed with prior agreement from BC Ferries. *

Travel – Meals:

Meal expenses incurred while travelling to and from meetings sponsored by BC Ferries will be reimbursed up to the current maximum BCFC daily rate as stipulated in the collective agreement (presently \$10.75 for breakfast, \$10.50 for lunch and \$20.00 for dinner).

Travel – Accommodation:

Room costs may be reimbursed with prior agreement from BC Ferries. *

Travel – Miscellaneous:

Parking fees will be reimbursed, with receipt.

Other miscellaneous expenses are not covered by BC Ferries.

Telephone/Fax:

Routine telephone calls or faxes are not covered by BC Ferries. However, if such expenses are incurred at the request of BC Ferries (e.g., setting up meetings or disseminating information to other stakeholders), then these may be reimbursed with prior agreement from BC Ferries. *

Other Office Expenses (e.g., Fax Paper, Toner, etc.)

These are not covered by BC Ferries.

General Expenses:

The Council Chair will be given \$250 annually for expenses by Committee members of a general nature.

All expenses, except general expenses under the control of the Council Chair, are to be submitted in writing with receipts attached, to the office of the Executive Vice President, Inter-Island Services.

* Contact the office of the Vice President, Corporate Communications.

Notes for June 7/8 meeting of Council

NOTE RE. REVISIONS REQUIRED AS OF JUNE 2001:

Membership, mandate and BCFC resources must be updated for appendix 1, committees are asked to supply updated membership and mandates.

Expense details for appendix 2 need updating.

BCFC executive responsible for Coastal Council liaison and management of resource persons has changed.

Membership section will require review, in regard to new Tier 1 processes and possible inclusion of Mill Bay/ Brentwood Bay route.

CC may wish to address manner of Tier 1 groups constitution and choice of rep to CC with respect to accountability and independence.

CC may wish to mention the expectation that all members will be active on subcommittees.