



TERMS OF REFERENCE COASTAL COUNCIL (CC) TO B.C. FERRIES

Introduction

The British Columbia Ferry Corporation is an essential element of British Columbia's coastal environment. Coastal and island communities served by BCFC have developed to where they are today because of the level and cost of access to them. 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 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.

The Corporation is managed by a President who is appointed by the Board of Directors.

The President is assisted by two Executive Vice Presidents and a group of Vice Presidents, Directors, Managers and employees.

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

Customers and communities served by inter-island and northern routes are represented by a number of local stakeholder processes.

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.

Customers and regions served by BC Ferries as a whole are represented by the Coastal Council.

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 raise and pursue issues pertaining to inter-island, northern and main-land ferry services;

- 2.2.2 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;
- 2.2.3 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;
- 2.2.4 provide information and encourage effective communication between stakeholder representatives and their organizations and/or communities;
- 2.2.5 provide effective communication between the Coastal Council, the Board of Directors and the Corporation.

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 developing more effective communication with Council members;
- 2.3.3 acting upon the advice of the Council unless there are safety, regulatory or financial imperatives which take precedence;
- 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 timeframe;

- 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 focused 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 stakeholder processes, the BC Ferry and Marine Workers' Union, the Chambers of Commerce, Tourism Associations, B.C. Trucking Association, 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 stakeholder processes;
- ◆ 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 B.C. Trucking Association;
- ◆ 1 representative from the Islands Trust
- ◆ 4 members of the BCFC Board of Directors (non-consensus);
- ◆ 4 members of the BCFC Corporate Management Team (non-consensus);
- ◆ 1 representative from the BC Government (non-consensus).

It is proposed that 4 members of the Council be from the BC Ferries Board of Directors and 4 members from the Corporate Management Team. Non-consensus means that the subject representatives are not a participant 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 working groups of Council, but, shall not be part of the determination of consensus on any issue.

2.5.2 Selection Process:

Each member organization is responsible for the selection of their Council member(s) and alternate(s).

Each member organization 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. 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 is 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 working groups as a means to carry out its work. The membership, general mandate, specific tasks, structure and general rules for any working group shall be determined by the Council. The working groups shall be directed by, and shall report to, the Council (see Appendix 1 for a list of existing working groups). 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 working group. The expenses for the resource person must be approved by the Executive Vice President, Inter-Island Services or his or her designate.

A Coordinating Committee, comprised of the Chair of the Coastal Council and each working group's Chair, will meet, develop and monitor the overall plan for the Council. Their authority and direction will come from the overall Council.

2.5.5 Communications:

A permanent Communications Working Group shall assist the Council and Chair in developing effective communications between Council members. A primary function of the working group 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 working group generating the release and by the Chair of the Council and the Chair of the Communications Working Group, 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 Working Group.
- ◆ News releases will be sent to all members of the Coastal Council, including both 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 Working Group.

Other Communications:

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

Section 3: Ground Rules

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 Coordinating 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 summarized 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.”

Consensus shall be determined by the facilitator and the Coastal Council Chair. 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 working group 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 Coordinating 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 fulfill this function. This person will record all issues from the discussion, the decisions of the Council and its working groups, and who is responsible for the actions to be taken.

3.5.3 Independent Facilitator:

The Corporation shall supply a person to fulfill 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 working group participants to attend scheduled meetings and/or working group 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 working groups is exempted from the amendment process.
- ◆ Changes to active working groups shall be by amendment to Appendix 1.

APPENDIX 1: WORKING GROUPS

1. Audit:

Mandate:

Participate in the oversight of a timely independent audit that is a transparent process – open and fully discussed when completed.

Membership:

- ◆ Chair – John Rumble, Pender Island
- ◆ Peter Gellatly, Quadra Island
- ◆ Jacob Knaus, Sunshine Coast
- ◆ Lynn Nash, Campbell River
- ◆ Drew Thorburn, Saltspring Island
- ◆ Tim Walters, Quadra Island
- ◆ BCFC Resource Person – Peter Mills, Treasurer

2. Communications:

Mandate:

Dedicated to guiding the communications process within the 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 Coordinating Committee);
- ◆ defining communications roles and responsibilities for the Council, its committees and working 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:

- ◆ Chair – Louise Bell, Denman Island
- ◆ Patrick Brown, Pender Island
- ◆ John Sprungman, Cortes Island
- ◆ Tim Walters, Quadra Island
- ◆ David Freeman, Sointula
- ◆ BCFC Resource Persons – Ann Carpenter, Manager of Customer and Stakeholder Relations; Valerie Douglas, Manager of Customer and Stakeholder Relations; and Fran Hobbis, Executive Assistant of Inter-Island Services

3. 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:

◆

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 – Lorne Whyte, Tourism Victoria
- ◆ Curtis Eaton, Chair, BCFC Board of Directors
- ◆ Luz Budzinski, Bowen Island
- ◆ Chuck Childress, Texada Island
- ◆ Kerry Morris, Mid Coast
- ◆ Conchita Harding, Gibson's Chamber of Commerce
- ◆ Ian Ralston, Thetis Island
- ◆ Glen Tyrell, Victoria Chamber of Commerce
- ◆ Steve Wohlleben, Gabriola Island
- ◆ BCFC Resource Person – Peter Mills, Treasurer

4. Service/Efficiency:

Mandate:

Make recommendations on policy and direction relating to:

- ◆ long-term operating mandate;
- ◆ service levels (frequency, timing, capacity, etc.);

- ◆ reservation system;
- ◆ interconnectivity and scheduling between routes.

Membership:

- ◆ Chair – Richard Dalon, Mayne Island
- ◆ Mike Clark, British Columbia Ferry and Marine Workers’ Union
- ◆ Marshall Cooper, Tourism Nanaimo
- ◆ Gordon Feyer, North Coast
- ◆ Susan Pasha, Nanaimo Chamber of Commerce
- ◆ BCFC Resource Persons – Captain Norm Craddock, Marine Superintendent (North), Inter-Island Services; Captain Peter Hughes, Assistant Vice President, Northern Services/Mainland; Mike Chanin, Business Manager, Inter-Island Services; and Carol Prest, Senior Expenditure Analyst, Treasury Group

5. Terms of Reference:

Mandate:

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 working group 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. Working group meeting expenses must be approved in advance. This is done by the working group Chair who must obtain a written approval from the Executive Vice President, Inter-Island Services or his or her designate, for reimbursement of working group participants and any resource per-sons.

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 \$.38/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 \$8.75 for breakfast, \$9.75 for lunch and \$17.75 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 Executive Vice President, Inter-Island Services.