



SORRENTO-BLIND BAY INCORPORATION STUDY CONSULTANT TERMS OF REFERENCE

INTRODUCTION In February, 2019, the Minister of Municipal Affairs and Housing received and endorsed a request from the Columbia Shuswap Regional District (CSRD) Board of Directors to commission an *Incorporation Study* for the Sorrento-Blind Bay portion of Electoral Area C. The *Study* will be conducted by a Sorrento-Blind Bay Incorporation Committee, which will be established by the CSRD Board of Directors. The Incorporation Committee will be supported in all stages of its work by an independent, qualified consultant who will report to the Committee, but be selected by the CSRD. The consultant will be responsible for undertaking all research and analysis, for facilitating all community engagement, and for preparing a written report on the potential change to the local government structure, as well as the implications of such a change.

This document, titled the *Consultant Terms of Reference*, sets out the requirements and expectations for the *Incorporation Study*. The document is designed to guide prospective consultants in developing their proposals to conduct the study. The document is also designed to assist the CSRD in selecting its preferred consultant for the assignment.

BACKGROUND Over a twelve month period beginning in the summer of 2016, the South Shuswap Governance Committee undertook the *Electoral Area C (South Shuswap) Governance Study*. The purpose of the *Governance Study* was to document and assess the current state of local governance and service delivery in Electoral Area C of the CSRD), understand the concerns of Area C residents with respect to governance and service delivery, and identify future governance and service delivery options for the Electoral Area.

The Governance Committee presented its final report to the CSRD Board of Directors in August, 2017. The report concluded as follows:

Based on its review of the current governance and service delivery frameworks, the South Shuswap Governance Committee recommends to the CSRD Board of Directors that a restructure study for Electoral Area C be undertaken, and that the restructure study examine two options:

- *the incorporation of a portion of the electoral area; and*

- *the division of the current electoral area into two electoral areas.*

The CSRD Board of Directors endorsed the Committee's recommendation, and asked the Minister of Municipal Affairs and Housing to support a restructure study. The Minister responded in February, 2018, with funding and the terms of reference for a *Boundary Analysis* to define the potential study area geographies for the alternatives recommended by the Committee.

The *Boundary Analysis* examined four restructure scenarios to address the Committee's alternatives. For each scenario, the *Analysis* recommended a study area (i.e., a potential boundary) based on an assessment of quantitative and qualitative data, and driven by a set of boundary criteria. The *Analysis* also identified, at a high level, the restructure implications that would be explored further under a restructure study.

The final report on the *Boundary Analysis* was presented to the CSRD Board of Directors at its February 21, 2019, meeting. Based on the information in the report, the Board passed a resolution, with the unanimous support of Directors, to ask the Minister for funding in support an *Incorporation Study* to examine the potential creation of a new Sorrento-Blind Bay Municipality. Importantly, the Board also requested that, in the event the Sorrento-Blind Bay incorporation option is deemed to be unfeasible as a result of the *Incorporation Study*, or does not receive the support of Sorrento-Blind Bay electors in an incorporation referendum, the Minister support the division of the existing Electoral Area C into two electoral areas.

STUDY PURPOSE The primary purpose of the *Incorporation Study* is to provide the electors of Sorrento and Blind Bay with the information and understanding required to make an informed decision on incorporation. To fulfill this purpose, the *Study* will undertake a thorough, objective and technical examination of the incorporation option and its implications for governance and service delivery in Sorrento and Blind Bay. The *Study* will present these implications against the governance and service delivery situations associated with the division of the existing Electoral Area C into two electoral areas — i.e., the "default option".

INCORPORATION COMMITTEE The CSRD Board of Directors will establish a Sorrento-Blind Bay Incorporation Study Committee to conduct the *Incorporation Study*. The Committee's membership will be representative of the community demographics and interests that are present within the incorporation study area. In total, the Committee will have 10 to 12 members, all of whom will serve in a volunteer capacity.¹ The Electoral Area C Director will serve on the Committee in an *ex-officio* capacity. All Committee meetings will be open to the public. A Committee website will be developed and hosted by the CSRD.

¹ The CSRD's *Code of Conduct Policy A-67* will apply to the Committee members.

The Committee will serve as an objective fact-finding and oversight body, established to ensure that all stages of the study, including the community engagement process, are conducted in a neutral and balanced fashion. Individual members of the Committee are expected to remain impartial, and must ensure that any expression of personal opinions does not undermine the Committee's neutrality or credibility as an oversight body, or as a conduit for providing information to the public.

STUDY AREA

The incorporation study area is defined by the *Sorrento-Blind Bay Municipality Option*, presented as Option 3 in the 2018 *Boundary Analysis* (map attached). Option 3 (i.e., the study area) captures all current and future development centres, as identified in the *Electoral Area A (South Shuswap) Official Community Plan*, as well as the existing water and liquid waste local service areas in Sorrento and Blind Bay. Efforts have been made, however, to limit the total length of local roads included. Agricultural, rural resource and rural residential lands have been excluded from the study area, to the extent possible.

DEFAULT OPTION

In the event that incorporation for Sorrento-Blind Bay is deemed unfeasible, the existing Electoral Area C will be divided into two separate electoral areas. This default option, against which the incorporation option will be assessed, is defined as the *Two Electoral Areas Scenario*, presented as Option 4 in the 2018 *Boundary Analysis* (map attached). The default option includes considerable agricultural and rural lands, as well as the community of Notch Hill.

STUDY PROCESS

The process to conduct the *Incorporation Study* includes the following stages, all of which will be conducted under the direction of the Incorporation Committee:

- *Background Research* — The consultant will outline the current state of governance, service delivery, and service funding in the incorporation study area, and compare this current state to that which exists under the default option (i.e., two separate electoral areas). In conducting this research, the consultant will rely heavily on the work that was completed under the *Governance Study* and the *Boundary Analysis*.
- *Comparative Analysis* — The consultant will determine and describe the service, governance, financial, property tax and other implications associated with the incorporation of Sorrento-Blind Bay. The implications will be compared against the service delivery, governance and property tax situations under the default option.

The comparative analysis will include not only the local services provided by the CSRD, but also the local services provided by the

Provincial Government that would become the responsibility of a new Sorrento-Blind Bay Municipal Council as a result of incorporation.

- *Implementation Process* — The consultant will outline the process through which incorporation would be implemented. Included in this outline will be an overview of the restructure assistance that would be provided by the Provincial Government under the incorporation option.

A clear understanding of the Province's commitment to a specific assistance package will be required at this point of the study. It will be particularly important to understand the Province's funding commitment with respect to the local road network within the incorporation study area. Responsibility for local roads would be transferred to the new municipality as a result of a decision to incorporate. The Incorporation Committee will need to understand and quantify the Province's commitment as it relates not only to the ongoing maintenance of the roads in a defined post-incorporation period, but also to upgrades required to bring the roads to municipal standards prior to any transfer of responsibility.

- *Multi-Year Operating Budget* — The consultant will provide a multi-year operating budget to project the financial implications for a new Sorrento-Blind Bay Municipality. The budget will extend beyond the restructure assistance period.
- *Property Tax Implications* — The consultant will provide the property tax implications of incorporation, compared to the property tax situation under the default option, for sample residential, business and agricultural properties in the incorporation study area.
- *Preliminary Report* — The consultant will provide a *Preliminary Report* to capture the information collected, and the results of the analysis undertaken, in the earlier stages of the study. The report will be provided to the CSRD and the Ministry for review and comment.
- *Community Engagement* — The consultant will develop a comprehensive community engagement strategy aimed at ensuring that the electors within the incorporation study area have opportunities to review, understand, and question the implications of incorporation, as presented in the *Preliminary Report*, compared to the situation under the default option. At a minimum, the strategy will include the provision of web-based and hard-copy materials, four well-advertised community meetings throughout the study area, and information sheets to highlight specific issues or implications.

- *Final Report* — Based on the input provided by the community through the engagement process, and after considering the comments provided by the CSRD and the Ministry, the consultant will produce a *Final Report* on the study. The report must include a synopsis of the public engagement process and findings. The report will be submitted to CSRD and the Ministry, and will be presented by the Committee to the CSRD Board of Directors.

Based on the findings in the report, the Committee will make a recommendation to the CSRD Board of Directors on an incorporation referendum.

- *Community Summary* — At the conclusion of the study, the consultant will prepare a public information document to summarize the findings of the study, report on the outcome of any referendum that may be held, and set out next steps.

STUDY TIMELINE The Incorporation Study must be completed and delivered to the CSRD and the Ministry by February 28, 2021. Key milestone dates are identified in Figure 1.

**Figure 1
Milestone Dates**

Milestone	Date
Request for Proposal Issued	September 1, 2019
Request for Proposal Awarded (Work to Commence)	September 30, 2019
Research and Analysis Completed	July 31, 2020
Preliminary Report Submitted	September 30, 2020
Community Engagement Completed	December 15, 2020
Final Report Submitted	February 28, 2021

INCORPORATION FUNDING The Minister has agreed to provide a total of \$100,000 (\$60,000 Fiscal 2019/2020 and \$40,000 Fiscal 2020/2021) to fund the cost of the Incorporation Study. The CSRD will provide in-kind funding in the form of staff time required to administer the study, to establish and host a study website, and to provide technical information requested by the consultant, including mapping. The CSRD will fund administrative items such as meeting/open house facility rentals and incidental material/meeting costs, advertising of meeting notices, any needed mailouts.

OUT OF SCOPE

The Sorrento-Blind Bay Incorporation Committee and the consultant are not responsible for consulting First Nations on the potential incorporation of Sorrento-Blind Bay, or on the possible division of the existing Electoral Area C into two electoral areas. Consultation with First Nations is a duty of British Columbia.

The Incorporation Study is focused on the potential incorporation of the Sorrento-Blind Bay communities, as defined by the study area. The Study is expected to compare the impacts of a potential incorporation against the default option that would feature the division of the existing Electoral Area C into two electoral areas. The Incorporation Committee is not concerned with examining other governance options identified in the *Boundary Analysis*, or put forward by some other source. Similarly, the Committee is not concerned with identifying or examining potential changes to the legislative framework.