

# Exhibit “B” Osoyoos/Oliver/Osoyoos Indian Band – South Okanagan Aquatic Centre Advisory Committee

## Terms of Reference

### INTRODUCTION

This Terms of Reference document outlines the roles, responsibilities, operating procedure and structure of the Osoyoos/Oliver/Osoyoos Indian Band<sup>1</sup> South Okanagan Aquatic Centre Advisory Committee. The Committee will assist the Service Area Participants by ensuring that the necessary leadership and authority is available to guide and approve the process, completion of phases and technical memos, communications and public input to complete a South Okanagan Aquatic Centre feasibility study. The Committee will be representative of the Service Area Participants and their respective constituencies and will provide thoughtful and comprehensive advice to the selected proponent engaged to complete the Feasibility Study and participate in public input processes and the presentation of information and findings to the Service Area Participants at appropriate stages in the process.

### PURPOSE

The Committee’s mandate is to act in an advisory and leadership role to facilitate the process to develop a South Okanagan Aquatic Centre feasibility study on behalf of the Service Area Participants. The Service Area Participants have not delegated any expenditure or decision-making authority to the Committee. The Committee is to serve in an advisory capacity and lead the process to complete a feasibility study. The Committee’s mandate is to:

- Provide advice on the development of an Aquatic Centre Feasibility Study Report (Report) on a regional indoor pool facility including:
  - finalization and acceptance of a communication plan for all stakeholders;
  - finalization and acceptance of the Terms of Reference for the advisory committee;
  - review, input and acceptance of the various stages of the report including:
    - input into the needs of the community related to pool design and function;
    - input into the development of a long list of options for consideration;
    - input into the development of triple bottom line evaluation criteria;
    - input into the determination of viable preferred options including location;
    - review and finalization of interim technical and advisory memos for submission to the Service Area Participants;
    - input into the finalization of the report; and
    - assistance with presentation of the final report individually to the Service Area Participants.
- Assist in the public engagement process, including the attendance at public events to gauge community acceptance of the preferred options and gather feedback;
- Communicate any issues to the selected consultant that have been brought to the attention of Committee members by the public at large.

### MEMBERSHIP

The Committee will consist of up to twelve (12) voting members as follows:

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<sup>1</sup> The ‘Service Area Participants’

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- Nine (9) voting members:
  - two (2) members of Osoyoos Town Council
  - one (1) member of the public appointed by Osoyoos Town Council;
  - two (2) members of Oliver Town Council
  - one (1) member of the public appointed by Oliver Town Council;
  - two (2) members of Osoyoos Indian Band Council; and
  - one (1) member of the public appointed by the Osoyoos Indian Band Council.
- The Mayors of Osoyoos and Oliver and the Chief of the Osoyoos Indian Band are ex-officio, voting, members but are not included for the purpose of determining quorum.

Quorum for Committee meetings is seven (7).

The Committee will be assisted by:

- A non-voting staff member or other representative representing each of the Service Area Participants. The staff members shall from amongst themselves select a committee secretariat or may decide to alternate responsibility for administrative support for the Committee.

A Committee member’s term will expire when the final South Okanagan Aquatic Centre Feasibility Report is accepted by the Service Area Participants or after the next general local election has been held, whichever is sooner.

Each Service Area Participant will be responsible for determining the process to select their representatives on the Committee. Service Area Participants will inform their respective Committee staff representative of their appointees within 45 days of an RFP for the South Okanagan Aquatic Centre feasibility study having been issued.

In the event of a vacancy arising from any cause other than the expiration of a Committee member’s term of office, the respective Service Area Participant may appoint a successor for the remainder of the current term.

### **COMMITTEE DECISION MAKING**

The Committee will work toward consensus, using an interest-based approach rather than a position-based approach. If a vote on a matter is necessary, the vote will be taken with a simple majority of Committee members present and voting required to pass a motion. Non-voting members will not take part in any such vote. In the event of an equal number of votes, the motion or matter will fail.

### **COMMITTEE PROTOCOL**

- The voting members shall select one of their members to act as the Chair at all Committee meetings.

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- Meetings will be open to the public and will be run by the Chair.
- Meeting notices, agendas and minutes will be prepared by the Committee Secretariat and comply with the requirements of the Community Charter. Upon approval, the minutes will be distributed electronically to the Service Area Participants and may be posted on each Participant’s website.
- A Service Area Participant may remove its representative(s) from the Committee at any time at in its discretion.
- The Committee may invite other persons to participate in making presentations to the Committee in order to benefit from additional expertise pertaining to subjects being discussed.
- Approximately five (5) to six (6) meetings of the Committee will occur during the project timeframe anticipated from April 2021 through October 2021. Dates for the meetings will be determined by the completion of project milestones by the consultant.
- The Committee will adhere to all statutes, legislation, acts, bylaws and all other responsibilities required as a Committee of the respective Service Area Participants.
- Committee members may choose to express their personal views to others outside the Committee but may not speak on behalf of or in any way create the impression that they are speaking for the Committee as a whole. In order to ensure open and honest dialogue; Committee members should not discuss comments or opinions expressed by other Committee members without their knowledge and consent.
- Members of the public may observe meetings but will not have voting rights and will only have speaking rights through invitation by the Chair and with the consent of the Committee.
- A conflict of interest arises when a Committee member participates in speaks or votes on a motion that could be the cause of some direct benefit - monetary or otherwise - to that member or the member may be subject to bias. For greater certainty the provisions, restrictions and requirements set out in the Community Charter respecting conflict of interest apply to the voting members of the Committee.
- The Committee may meet virtually as required to satisfy any public health or ministerial orders associated with Committee meeting and gatherings in relation to the COVID-19 pandemic.
- External communications and public engagement/consultation will be undertaken as set out in the South Okanagan Communication Plan and Public Engagement Strategy.
- The Committee may agree to amend the Communication Plan and Public Engagement Strategy as required or as recommended by the individual or firm selected to undertake the process to develop the feasibility study.

### **RESOURCES**

The Committee Secretariat and other staff members of the Service Area Participants will provide administrative support to the Committee including, but not limited to the scheduling of meetings, agenda distribution, minute taking and distribution of materials.

Committee participation is voluntary with no remuneration provided for members’ time.

### **AMENDMENTS TO TERMS OF REFERENCE**

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These Terms of Reference may be amended from time to time or at any time at the discretion of, and by a majority vote, of the committee.

### **COMMUNICATION PLAN AND PUBLIC ENGAGEMENT STRATEGY**

In undertaking its work the Committee will consider and comply with the Communication Plan and Public Engagement Strategy attached to these Terms of Reference.

### **CONTACT:**

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