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According to Canada's Constitution, there are but two levels of government in this country - federal and provincial. In fact, there are more. If we define government as appointed or elected representatives making decisions and rules for a society, then we must include not only municipal government but regional district councils, school and hospital boards, etc.

As pointed out in Local Government in Canada, municipal government is "arguably the most important level"¹ of all governments because of its role as a provider of services. Because of its position between the provincial government and the citizens, it is charged with providing "these services in accordance with the needs and preferences of their local inhabitants."² This middle-man position makes the task of municipal government particularly difficult for they must often "adhere to their role as agents of the provincial government to the point where they are less and less able to fulfil their role as interpreters of the local scene."³ The result of this dual function is an unenviable balancing act which only the truly brave or incredibly foolish should attempt. The motto of the Association of Yukon Communities I think best describes the municipal role - "Government Close to Home."

Municipal government in Canada functions through a devolution of powers from the provincial and territorial governments. The

¹ Tindal and Tindal, Pg.1

² Ibid., Pg.2

³ Ibid., Pg.6

vehicle for this is the Municipal Act - a piece of provincial legislation. It sets out the structure, the jurisdiction and the procedures for municipal government. Section 295 of British Columbia's Municipal Act gives local councils some leeway in that they must draft a bylaw to govern their procedures and the passage of bylaws. In the case of the City of Castlegar Council, this is Bylaw No. 517.

The list of responsibilities set out in the Municipal Act indicates the magnitude of the task of local councils. To mention just a few, these include - Licensing and Regulating Businesses and Commercial Vehicles; Public Works; Utilities; Local Improvements; Recreation and Community Services; Fire Protection and Control; Community Planning and Development Management.

In an attempt to evaluate Castlegar City Council in the performance of this duty, I would like to consider the following factors:

1. Does Council function in accordance with the Municipal Act and Bylaw No.517 ?
2. Does Council preside over an efficient staff which is meeting the needs of the community ?
3. Is Council able to respond to the necessity for change ?
4. Does Council learn from past mistakes ?
5. How much of public business is done in public ?
6. How accessible is public information ?

On the question of acting in accordance with the rules governing it, I would say that there is considerable room for

improvement in Castlegar Council's methods. In the half dozen meetings I have attended I have noticed one violation of the Municipal Act and routine violations of Bylaw No.517. The Municipal Act violation occurred in the matter of the city leasing facilities to the Castlegar Curling Club. Section 542(1) of the Act states that "The council may by bylaw absolutely lease any real property held or owned by the municipality..." The City entered into a leasing agreement with the Curling Club and after the fact, on September 1, 1992 gave three readings to the bylaw and adopted it on September 15, 1992. I would suggest that Council members (particularly those who have been in office for a considerable length of time as all but one of Castlegar's have) should be familiar with the Municipal Act and failing that, a vigilant city administration should prevent these mistakes. Violations of some sections of the Act carry severe penalties for Council members.

The routine non-compliance with Council's own procedures bylaw would seem to result from expediency. Bylaw No.517 Section 6(6) states that "The agenda for a regular or special meeting shall be adopted as presented unless a resolution to alter the agenda is passed by a majority of the members of Council present at the meeting." In practice, Council is often presented with an amended agenda to be adopted. This difference might appear trivial but it precludes any discussion - any Council input in the public meeting. This is a factor which will surface again in this report. Further, Section 6(7) admonishes that "No matter, person or delegation which is not on the adopted agenda for a regular or special meeting shall

be considered or heard." However, Councillors and even the Mayor stray from the agenda and raise issues nowhere evident in the approved agenda. The intent of Bylaw No.517 is clear, in that material pertinent to the agenda be supplied with the agenda to council members for pre-meeting consideration. Section 5(3) states that "all available documents pertaining to the business listed on the agenda shall accompany the agenda when it is delivered..." and Section 6(4) states that "in preparing the agenda for each regular meeting of Council the Clerk shall include: (d)(ii) written reports from any committee or any member of Council or the City administration." The bylaw does not say that all reports must be written, but the intent to facilitate prior consideration of agenda items is clear. In fact, many reports are given verbally only. The effects of this are meetings that are longer than necessary and far from optimum communication of important material. Section 29(4) of Bylaw No.517 requires that "After second reading and prior to third reading every bylaw shall be considered clause by clause in Committee of the Whole." However on September 15, 1992, Bylaws Nos. 624, 625 and 626 were given three readings with no such consideration. Not only does this preclude Council input in a public meeting but it also allows for the passage of a bylaw which has never been heard in public! Bylaw No.517 provides for the amending of motions in Section 26(11) where it states "Amending motions shall be decided before the main question is put to a vote, and only one amendment shall be allowed to an amending motion." Instead, Council achieves this goal by a procedure called "friendly

amendment" by the Mayor. This is a free-for-all changing of the motion until consensus is reached and the vote taken. The result is often considerable confusion. Section 27(1) reads that "Every member at a Council meeting shall be expected to vote on a question when it is put..." On a routine basis, Council members neglect to vote. Not only could this result in the Mayor having difficulty in deciding the question but it also gives the public no indication of how a particular Councillor feels about an issue. I suggest that the reason for this disregard of Bylaw No.517 is the tedium of doing things "by the book". I maintain however that such sloppiness can lead to serious problems. An example of this is the current difficulty between City Council and the School Board as a result of a presentation made by a Councillor to the Education Funding Review Panel at its meeting in Cranbrook. Had procedures been in place for the approval of Council of presentations made on behalf of Council and had they been followed, there could now be no doubt as to whether or not the views voiced reflect the position of Council. As a Selkirk College student, I am accustomed to my work being assigned a letter grade. In the area of procedures, I will then give Castlegar Council only a C - sufficient.

It would be easy to criticize Castlegar Council with regard to their staff and the running of city affairs based on the findings of the Price Waterhouse Report of February 1990, for most of the present Council members held office at that time and for some time before. To give some idea of just how negative the findings of the review were, I would like to site two overviews from the report.

First - Assessment of Accomplished Performance vs 1989/90 Goals.

1. Conduct organizational review - In progress (90%)
2. Assess impacts of major projects - No action
3. Improve engineering services functions - No action
4. Implement computerized management systems in Public Works (OMS & MMS) - In progress (50%)
5. Update Municipal Emergency Plan - In progress
6. Upgrade bylaws and bylaw enforcement - No action
7. Prepare five year capital and operating plan - No action
8. Resolve legal issues - In progress
9. Implement a computerized inventory system - No action

Some credit must be given for the identification of such worthwhile goals but goals without action result in little improvement.

Second - Assessment of Performance vs Organizational Principles (Scale of 1 to 10)

FACTOR	RATING
1. Honesty	4
2. Respect	4
3. Service	5
4. Pride	4
5. Excellence	4
6. Teamwork	4
7. Change	4

These ratings would seem to indicate that the City of Castlegar was in serious trouble! For past performance, on the

basis of the Price Waterhouse report, I would assign Castlegar Council a DNW - Did Not Withdraw - They had not resigned but were not doing the work!

What is perhaps most important about the Price Waterhouse report, however, is Council's response to its recommendations. All seventy-four of the recommendations that were made public have been acted upon - the vast majority being implemented in accordance with the advice of the consultants. Many of these changes involved more than simply hiring new staff, reorganizing and putting new systems in place. Many, such as staff performance evaluations, department reporting methods and the handling of citizens' concerns required the development and adoption of new policies and procedures. In areas like bylaw updating; scheduled maintenance and replacement of equipment and budget and development planning the improvements not only enhance the delivery of municipal services at present but preclude any future administrative nightmares. For its efforts in responding to the need for change, I give Castlegar Council A+ - excellent.

Related to this is the criterion of learning from past mistakes. Late in 1991, Council went to the citizens of Castlegar requesting referendum approval to borrow funds for a major repaving of city streets. The citizens said "No". In October, 1992, Council again held a referendum - wanting to borrow funds for a new R.C.M.P. building. This time the citizens approved. Why was there a different response? Council had realized the mistake of making assumptions about popular will and had initiated an intense public

awareness campaign using public meetings, pamphlets delivered to each household and open houses of the existing facility to demonstrate the need for a new building. For progressive methods, Council chalks up another A+ - excellent.

The next subject listed on the report card is the conduct of the public's business in a public forum. My attendance at public council meetings lead me to wonder where and how the public's business was being done. Public council meetings are literally a "going through the motions" exercise. There is virtually no discussion of the issues. My investigation revealed that most of the debate takes place at the committee-of-council level and that these meetings too are open to the public. I suggest that this should be an area of concern for Council. In politics, perception is of tantamount importance. The public might be forgiven for suspecting behind-closed-doors decisions when they witness no exchange of ideas in public Council meetings. On the basis of this perception, what might have been an A becomes a B - good, rather than excellent.

On the matter of access to public information, Council has received a self-inflicted black eye in its handling of the Price Waterhouse Report. Given the negative findings of the report, it is understandable that Council did not take the document to the media demanding that it be published. However, the suppression of the information for eighteen months only fuelled public suspicions. It would seem that access-to-information policy has been revised. City staff and Council members have been more than co-

operative in response to any of my requests for information. For public access to information, Council is given an A in hope that the present openness continues.

If I were a student receiving a report card containing C, DNW, A+, A+, B and A, I would be proud of my A+'s; would work to raise my A and B to A+'s; be very concerned about my C and would make sure I never again got a DNW. Castlegar City Council may or may not feel the same. There is always the alternative of questioning the validity of the marks assigned. As pointed out in the introduction, municipal government is a tough job. In my opinion it is a task best accomplished by a mixture of experience and new ideas. We now have a pro-active rather than re-active Council. I would recommend to the voters of Castlegar, with a municipal election one year away, that they identify three or four people among the present Council members who are doing a good job and actively seek out several brave / foolish citizens willing to vie for the remaining spaces on the ballot.