

**Governance Review
Proposals for consideration
Karen Harper**

After attending 3/4 of all Council meetings since December 2014, I have observed that Council operates at a very granular level, rather than a strategic level. So the most important thing for council to do is to become strategic in its approach, and provide direction to staff, allowing for staff to implement the strategic directions set out. Currently it appears to be the opposite, with staff setting strategy and council implementing the details.

Many of the recommendations that follow would assist in moving towards a strategic approach. There should also be intensive training for all councillors on what being on a board of directors means. There are several institutes that provide such training, which is required for anyone wanting to be on a board of directors.

Specific recommendations to help move away from the granular and towards the strategic, as well as assist any of the public which wishes to become more involved follows:

1. Council Procedures

a) Timing of Agenda and Materials

The agenda and related materials should be released at least one full week prior to the meeting.

This would result in greater capacity for councillors to fully prepare for the meeting. It would also allow for members of the public who may be interested in topics on the agenda to fully acquaint themselves with the necessary materials. As well, it would allow those who may wish to attend time to make any necessary arrangements. As a stated goal seems to be to have greater community involvement, this is a necessary step to allowing that involvement. It is also common practice with other boards to have material distribution well in advance of the meetings, for the reasons noted above. It encourages a strategic overview.

b) Speaking times at council

Councils members should be limited to three minutes when speaking to a motion, except for the mover, who should have up to five minutes, and the first councillor who wishes to speak in opposition would also have five minutes.

When attending council meetings, it is apparent that most councillors repeat what others have said. A basic tenet of Robert's Rules of Order is to limit repetition, and seek new information. Additionally, for those who attend meetings, it is difficult to be engaged in the process when it is structured as it is at present. By limiting the time, councillors would be encouraged to find new information to share, and to clearly state their positions.

c) In camera meetings

Council should clearly state the reasons for going in camera. They should also limit in camera sessions to those required to be in camera by the legislation, and avoid going in camera for the 'may' category.

The Office of the Ombudsperson provided a report to the legislature on this matter in September 2012 entitled *Open Meetings: Best Practices for Local Governments*. In the section on closing meetings it references the need to state the specific paragraph of section 90 that authorizes the closure. It also states that as much detail as possible should be provided about the basis for closing the meeting without undermining the reason for the closure. "This will help to limit speculation, increase public trust and enhance the credibility of the local government."

In conducting a closed meeting, a detailed record of the meeting should be kept. This will provide a clear reference for attendees, and will also inform members of the public when the minutes are eventually released, that the matter was properly discussed. (reference *Open Meetings: Best Practices for local Governments*)

Best practices after a closed meeting include: complying with the provisions of FIPPA, releasing as much information as possible, as often as possible after the confidentiality is no longer required. (reference *Open Meetings: Best Practices for local Governments*)

- d) **When holding public hearings, there should be a time limit for speakers, either five or ten minutes.** A recent public hearing really showed the need for this limit, when one speaker went on well in excess of 20 minutes, without clearly speaking to the issue at hand.

2. Budget Process and Parameters - From a strategic planning point of view, Saanich needs to be collecting data/ metrics on all activities found within the budget. Only with full data can Saanich go through a productive and meaningful budget process. The IT system should be designed to easily track data in all departments. They also need to have a much more global review of budget at the outset, not delve into the silos.

- a) **Council should direct staff at the outset of the budget process to develop a budget that is within the current cost of living, as well as another that is no increase, and a third that is a reduction.** At present, Council does not seem to be acting in its capacity of strategic oversight, allowing staff to propose budgets well in excess of the cost of living. This has gone on in excess of 15 years at least. The taxpayer does not experience this kind of increase at federal or provincial levels, as the rates are set based on income. In addition, the taxpayer is not receiving increases in earnings at more than the cost of living, creating tax pressures and affordability issues.
- b) **The budget process should start far earlier, and include some type of resident participation process based on the initial budget presented.**
- c) **More transparent survey questions should be provided to taxpayers, perhaps using the tax bill mailout as an opportunity to ask the questions.** For example, a question should ask specifically if people are prepared to pay more for their services, and if so how much more, cost of living, double, or? There could also be a question asking if service reduction would be acceptable.
- d) **Major projects that are in the "nice to have" rather than the "must have" category, should be considered to go to a public referendum.**
- e) **Projects should not be included in budgets until they have reached a level of certainty in their cost parameters (level a or b).**

- f) **Zero based budgeting processes should be used as part of the budgeting process.**
- g) **Lower spending authorities for staff, reduced from \$200,000 to \$50,000, and including fix priced contracts as a requirement.**
- h) **Clarity on how the utility bills are part of total budget process and need to be factored in as part of the lift.** For example, Saanich is one of the municipalities where sewage is showing up on the utility bills, rather than the part of the tax bill. This makes it difficult to see what is actually happening over all. The utility bills have risen even faster and higher than mill rate, but are definitely part of the overall tax burden.
- i) **Relationship between Saanich taxes and CRD taxes.** With large increases on sewage, as well as the overall bill from CRD, Saanich taxpayers need to know which services are coming from where, and if there is any duplication of services that could be eliminated.
- j) **Saanich needs to undertake an efficiency and effectiveness review of all services as part of the budget process.** Central Saanich, for example, has begun a “service review for both Effectiveness and Efficiency.” They just did report card on planning development approval and inspections and will be making changes as result. In addition, the UBCM has recently promoted training and learning materials to aid in such a review.

3. Amalgamation/ Integration Issues - relationships within the region

- a) **A clear question should be asked by Council on the 2018 ballot - it should be along the lines of**

“do you support a formal request by Saanich Council to the Province and to other municipal members of the Capital Region to initiate and support a governance review and amalgamation study to provide information base to understand a variety of options for possible mergers into fewer and larger municipalities.”

Rationale : That the Capital region has multiplicity of 13 municipal jurisdiction suggests an opportunity or need for merger of at least some of the municipalities to reduce the complexity and duplication of service delivery to residents and to reflect our collective needs and mutual interests of our urban community. Saanich should provide leadership to solicit support from other Councils to facilitate a uniform poll of resident views by means of a standardized question across the region. With 88% of Saanich voters voting in favor of the last question, it is time to get clarity on this issue.

- b) **A second question is needed to address the role and accountability of the CRD**

“do you support need for electoral reforms for more accountable governance and regional leadership to require CRD Chairperson and Board members to be directly elected by residents of the region; with membership to reflect regional representation. “

Rationale: The current regional district provides for a structure where directors on the CRD Board are designated by their municipal councils to represent their interests. The Capital region lack a central authority who speak to the federal and provincial governments to represent our collective regional interests. The CRD is probably one of the least well understood, and least accountable and transparent governance models. This requires review and possible modification.

- c) **The CRD mandate should also be amended so that any item for which it is responsible, it has control.**
- d) **Police and fire services should be seriously examined for integration/amalgamation on the lower island.** There have been several reports on this issue, and all have called for the formal integration of police services on the lower island.
- e) **The number and nature of agreements with other municipalities and authorities needs to outlined, and the time to manage same clearly articulated.**

4. Term Limits for Council

With the increase in council terms to four years, this is a good time to consider term limits for councillors and mayors. Either 2 or three terms maximum.

Council positions should not be indefinite. The status quo creates a number of issues. One is the difficulty of succession planning if new people are not able to be elected due to the well known name recognition factor at the local level. Another is that relationships with staff and contractors can become problematic if a councillor or mayor is in office for long periods of time, creating at a minimum perceived issues of favoritism, or unwillingness to challenge the status quo. Being able to look at things differently is an inherently positive thing for organizations looking to change or improve. That requires a regular injection of 'new' blood. The only way to ensure this is to have term limits. These limits would not restrict former councillors from running again once they had been away for a full term, but would ensure that 'professional' politicians do not become the norm at the local level. It is also a good idea to have the same practice for advisory committees, and for the same reasons.

5. Zoning Issues

- a) **Clarification on the respective roles of the Official Community Plan (OCP) and the Local Area Plans (LAP) need to occur.**
Pursuant to materials provided by the Province, "the OCP is a statement of policy (visionary) and does not directly regulate the use of private property; this is the role of regulatory bylaws such as the zoning law." As such, it is important to recognize that specific provisos of local area plans should more directly affect any zoning changes, consistent with, but not necessarily the same as the OCP.
- b) **Materials provided to homeowners or developers needing information on zoning or building needs to be simplified and improved.**
All materials and expectation should be provided at the outset so that all requirements are clearly understood prior to commencing any project.
- c) **Standards for turnaround times need to be clearly laid out, and reporting on those standards needs to occur.**

What is measured can be improved upon. Without full metrics, accountability and transparency are not possible. Metrics also ensure that proper analysis of problem areas can be determined. Ideally, the computer system should have the capacity to undertake the metric analysis, in all areas, not only in planning. Necessary IT reports should be developed and utilized in this process.

- d) **The possibility of up zoning should be explored as part of a simplification process.** This is one way to eliminate confusion between the OCP and the LAP's and 'Action plans'. Based on the OCP and LAP's, rezone any areas envisioned for future development. This part of the process should have full public engagement, as this is the most important step in the process.
- e) **Council divestiture from many zoning issues should be explored. That is council should be involved in creating the zoning bylaws, but if a clear, transparent, and fair process is seen to be in place, procedures used in places like Ottawa and Calgary should be investigated, where Council is not involved in most zoning issues after zoning is in place.**
Council should only be involved when variances are being asked for, and even then there is the option of the Board of Variance.
- f) **Create a process whereby Community Associations must be part of any initial process on major developments.**

7. Standing Committees

- a) **Budget and other planning input should be well in advance of staff proposals in the area concerned**

Currently many committees see proposals or topics once they are well developed. Some members of committees feel that they are being asked to rubber-stamp pre decided options, rather than providing meaningful input on choices well in advance to shape them. Committees should be a place where meaningful public input is sought in advance, not after the fact. For example, In the last 10 years on the parks and rec I am advised that there was never a chance to offer advice on either the budget and priorities for capital projects nor how to balance funding for rec centres versus playgrounds/parks nor the cost of any particular project. There was just a review of draft master plans after staff had chosen what to do where, or to balance operating program for seniors versus children.

8. Access to information

FOI (Freedom of Information) requests need to be made less complicated, and less costly. Until that occurs, there is an impediment in the way for members of the public trying to gain information on various relevant topics. There would appear to be some archaic filing issues that further complicate this area and drive up costs.

9. Municipal Elections

Engage BC Elections to run all municipal elections.

This frees municipal staff to continue with their regular work, eliminating potential or perceived conflicts of interest. In the cases of bye-elections, as we have now,

it eliminates the need for any excessive delay in holding the elections due to staff commitments. All municipalities should consider this, and this should be a recommendation to the province or all of the municipalities at the fall convention when the Union of BC Municipalities meets. As an independent office of the legislature, BC Elections is already set up to run elections, has trained staff, and is available. The regular schedule of municipal elections would be straightforward for them to add into their cycle of work.