

Subject: Re: Council: TPAC: NSTA and due process

Date: Wed, 10 Nov 2004 17:28:43 -0800

From: Bill Tracey <wrtracey@telus.net>

Organization: Systek Engineering Ltd.

To: Elizabeth James <cagebc@yahoo.com>

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Elizabeth,

Although not as familiar with the transportation issues as you are, I fully concur with your remarks re due process, especially with regard to such important activities taking place without adequate public notice and almost entirely out of sight or sound of the public.

I understand that action has to start somewhere, but I strongly believe that actions that will have such a far-reaching impact must have severe constraints place upon the degree to which proposed actions can be implemented without proper consideration and concurrence by all, or at least a majority of, the stakeholders who will be impacted by the actions.

Regards,
Bill

Elizabeth James wrote:

10 November 2004

Dear Clr. Nixon:

Having had a while to re-read and consider again the attachment to your email yesterday afternoon, I have some comments and concerns. In the main, these relate to the fact that citizens all too often are not being made sufficiently aware that Council and/or its committees are reactivating discussion on issues of special interest to the community, or that certain directions have been undertaken.

On two occasions, since first you made your motion with respect to feasibility of establishing a North Shore Transportation Authority [NSTA], I have asked how the idea was progressing - once during public input at Council and once in the course of an email to you. I heard nothing.

Perhaps due to ESP, I was about to send you another request for update last week but, out of the blue, you replied to my email on another topic and included an 'oh by the way, there's to be a TPAC meeting on NSTA tomorrow night, you're welcome to attend.' I appreciated the information.

However, I am not happy with the fact that members of the community who are intensely interested in this topic were not given a more formal notice of meeting and opportunity to at least observe, if not participate. Nor was I content to learn that, in July of this year, "a TPAC workshop was held to brainstorm ideas....." We did have visitors here from Switzerland in July, so did I miss a notice of that meeting?

One might be forgiven for expecting that, since I had been among others who raised the possibility of an autonomous North Shore transportation group for discussion, someone might have thought I'd be interested in at least listening to workshop discussion.

You will not be aware that, before you were elected to Council, I asked Council of the District and other municipalities, to take more seriously the opportunity to seek a Staff report and recommendations to consider whether or not North Shore taxpayers were receiving value for money from Translink - or whether we'd be better off 'going it alone' expanding and taking over the Blue Bus operation and buying ourselves another Seabus, etc. For many, many months I might have better spent my time whistling in the wind.

When you arrived, we began to make some progress. At your suggestion, I made a presentation to TPAC which again contained the recommendation for a feasibility report. Phil LeGood of SFU joined me to support and explain the information I was presenting on comparative ridership figures. We were well received.....and then nothing; nothing that is until yesterday.

When you spoke at Council, former-Mayor Bell cautioned you to use an alternative to the word "Authority." In his opinion, that word implied authority to act and implement and might set off alarm bells at TransLink which, currently, is the sole "legal authority" in the Region. As the word still is being used, am I to understand this has been examined and cleared?

So, now that's been said, let's move on to the "concepts" outlined in the TPAC document. Please be assured that my comments are respectful of the TPAC suggestions and intended for courteous discussion only:

- **NSTA should operate on its own...outside the sphere of municipal government:**

Without hearing more of the rationale, I don't agree. Council has never had a problem with seeking the support of the community for its initiatives - when it has chosen to go that route. I do not see the role of NSTA as that of an NGO "lobby group." Rather, I believe it should be a mirror of the regional agency - TransLink - which, eventually, would have all of the capital planning, engineering, implementation, operating and taxation powers that are currently enjoyed by TransLink.

The difference would be that NSTA priorities, while mindful of a need for seamless integration with ongoing development of the TransLink systems, would be those established by citizens and governments of the North Shore, not those which have been determined by the weighted influence of the governments of Vancouver, Surrey or elsewhere.

- **No organization able to present North Shore issues to TransLink...**

A need certainly exists to "present NS transportation issues directly to TransLink." However, this again suggests that NSTA would be set up as a "lobby group." It also implies that TransLink would still make all the decisions and apply all the taxations, subject only to the degree to which the lobbying of NSTA could be successful. While it is likely that this would result in a more coordinated 'voice' for the North Shore, NSTA would still be only one voice among many others - the bus riders union, B.E.S.T., Cambie Street Residents, and about 16 other municipalities to name but a few of the many.

- **TransLink Board presentation opportunities.....**

Yes, opportunities to speak are somewhat restricted, in that delegations must apply for delegation time and that there is a time limit. It is not correct, however, to say that presentations "can only be made by autonomous organizations." Any person may apply and be granted permission to speak. The TransLink Board may not *listen* as well as one might hope but anyone and any organization can and has - successfully - applied to speak.

- **Political body vs Advocacy group.....**

You might be surprised to hear me say that it is Councils who, supported by their professional staffs, have been elected to be our "advocates." Elected responsibilities cannot, should not be laid off onto a 'lay advocacy group' which is beyond the reach or control of NS councils. This is all the more important when one considers that the group is now to be designated an "Authority" capable of establishing North Shore transportation priorities outside of the professional scope of Staff and in ignorance of other Council initiatives.

- **NSTA is not intended to be a "radical" group....but an Authority made up of members with public credibility and expertise.....and,**

The Authority would be a democratically run group and would not become the "tool" of one person.

I find inclusion of these concepts very interesting. Who is to determine "credibility" and "expertise". TPAC? The only two people on that committee that I know can be said to have direct professional knowledge on transportation or transit issues, would be District staffer Ms. Howes and Mr. Henderson who is a bus driver.

No-one to my knowledge has ever suggested that cooperation between North Shore elected councils on NS transportation matters, or on 'going it alone' on North Shore transportation, should be either "radical" or the "tool" of one person. Your motion did not give even a hint of that, nor did my presentations or those of others. Who is feeling threatened here?

- **Autonomous organizations, which are not politically oriented, are able to command the respect and attention of TransLink and GVRD.**

Really? I don't think you or other members of Council(s) would have any difficulty being listened to and respected. I certainly haven't had any problems being heard. TPAC should not equate 'being listened to and respected' with an automatic expectation that such listening and respect will result in immediate acceptance of North Shore priorities. What I can say, is that a coordinated, democratically-arrived-at and unified voice from a council-oriented North Shore Transportation Board, would carry a good deal more influence with TransLink, with GVRD and with senior governments, than any 'autonomous'

lay group I could name....with the possible exception of the Chamber of Commerce which, by the way, has never sought the will of its membership for the positions it has taken on, for example, the RAV project. Nor has BCAA or ICBC.

- **NSTA would be able to advocate on behalf of all the NS communities, including the District of North Vancouver, the City of North Vancouver, the District of West Vancouver, Lions Bay and Bowen Island....**

A worthy goal. However, it might carry more weight with me had TPAC first taken the time to discover how those communities feel about the idea. My guess is that councils of other municipalities would be more inclined to cast a favourable eye on NSTA had they been included in, say, the July workshop. To my knowledge, at least one community has never heard anything about it; were the others consulted?

- **In September, TPAC appointed a Steering Committee.....**

TPAC is a creature of Council. Does it have the authority to "appoint" a Steering Committee? Who are the members of that Committee and by what authority do they have to develop a "mandate" for NSTA?.....

Further, having once assembled this "autonomous" group of volunteers, how can their goals and mandate have been predetermined by either TPAC or its Steering Committee?

Once again, Clr. Nixon, the problem concerns lack of appropriate due process rather than content. Here we have an advisory committee which exists at the pleasure of one North Shore council, and which now, apparently, has been enabled to make decisions on the manner by which all North Shore councils should present their multi-million-dollar - transportation priorities to senior government agencies and the direction those priorities should take.

1. When did TPAC plan to place this item on Council's regular Agenda?
2. When did anyone plan to seek the opinion of other councils - or to see if the idea would even 'fly' with them?
3. Has TransLink representative Mayor Sharp been invited to tonight's meeting?
4. When did TPAC or Council plan to 'let other NS Councils and/or taxpayers in on the secret'?
5. Who is to pay the bill for the February 2005 'Inaugural' meeting and where will it be held?

In summary, I really don't care who it is who gets the credit for the idea; my goal is now - and always has been - to hear an informed, unified, local government transportation voice for the whole of the North Shore. That will not be achieved by excluding other municipalities and the public right out of the starting gate. Nor will it be achieved by select Steering Committees making decisions and choosing 'advocates' out of, not just the public eye but, I believe, away from the eye of Council itself. Does TPAC even have the authority to establish a Steering Committee?

Recently, there have been several instances where Council has been accused of providing insufficient opportunity for the public to speak [Queens Road seniors' development proposal] and/or insufficient up front notice of intent [Edgemont Liquor Store], or notice of meeting [Finance]. In those cases, other 'council watchers' will confirm that I have bent over backwards to be understanding of the constraints of a 7-minus-2 council - yet here it happens again.

Clr. Nixon, if we really do want this initiative to succeed, the process by which it needs to progress needs an urgent 'rethink.' If that is not done, I believe it will scuttle itself before it even gets off the ground.

In closing, due to a previous commitment, I regret I will not be able to attend this evening's meeting but hope to attend next week's meeting at North Vancouver City Hall as an observer when, I understand, North Shore transportation issues will again be discussed.

Sincerely,

Liz James
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