

PERSPECTIVES

PRESENTED BY THE MUNICIPAL INFORMATION NETWORK

Issue 5 – October 2018

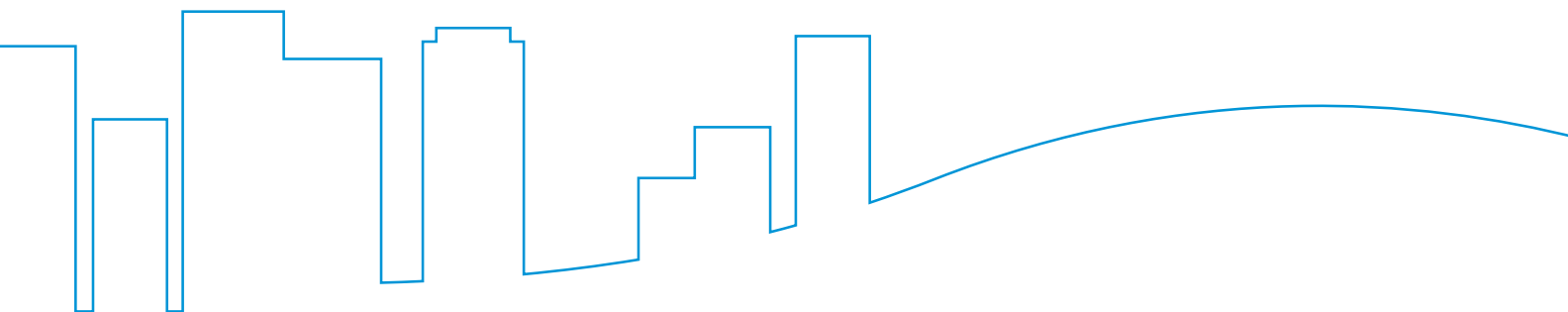


Municipal Finances & Canadian Cities



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From the Editor's Desk

GORD HUME

Canada is deep into the fall season—football games, the start of the hockey season, crisp temperatures, leaves turning red and gold, and the fragrant aroma of election sweat in the air.

It is going to be a busy electoral calendar in the next year, and that's one of the reasons we've offered our lead articles this month on better financing for local governments. That remains at the core of many municipal problems. It is our overall theme this month in PERSPECTIVES.

We continue to advocate for towns and cities being actively involved in their provincial elections to make sure that the plight of municipalities is discussed—and improved. And remember, the federal election is not far away.

We are delighted to welcome former Toronto City Councillor and now Liberal MP Adam Vaughan to our pages this month. He has written a very thoughtful article exclusively for PERSPECTIVES' readers on Municipal Revenue and finances. His long background in local and federal politics makes Adam uniquely qualified to offer this perspective.

The well-researched and deliberate report on new revenue options for Canada's cities, done in 2016, by Enid Slack and Harry Kitchen, two of Canada's most respected academics regarding municipal finances and governance, is well worth revisiting. It offers an independent view of the importance of new and additional revenues for Canada's cities. Read the Executive Summary to their full report that we've offered to you.

Paul Grenier, a long-time councillor from Niagara, offers a searing personal view of the extraordinary actions of Ontario Premier Doug Ford in slashing Toronto City Council and cancelling four Regional Chair elections. Too often we forget how much candidates sacrifice to run for public office. The stunning court decision that reversed the Toronto municipal election cuts, and then the Premier's unprecedented move to use the notwithstanding clause has, of course, disrupted the entire election process in that city. It is a mess.

There's lots more in this edition of PERSPECTIVES. We continue to get wonderful reactions from you, and the many nice comments at the AMO conference in Ottawa were most

appreciated. Remember, this is YOUR e-magazine, so send us articles and let us know what your city or town is doing that is unique and other communities should know about. You can even offer an editorial or OP ED piece about something you feel is important about local government in Canada.

Just email us at: perspectives@municipalinfonet.com

Finally, two personal items, if you will permit me. First, for many years I have had the privilege of being a keynote speaker at conferences, events and city halls across Canada and around the world. In September I was the opening speaker for the Municipal Finance Officers Association in Niagara Falls, and in October I was the keynote for the Edmonton Realtor's Association 'Municipal Day'. These types of conferences are important for municipal officials. They are not just great learning opportunities, the networking is also valuable. Thanks to the conference organizers and all participants for the warm reception.

And lastly, and I hope you will indulge me in a small brag: after writing seven non-fiction books about local government, my first novel is being released this week. Getting a new novel published in Canada is a long and difficult journey.

"SAPPHIRE BLUE" is a romantic comedy with an interesting murder (I was very surprised who the murderer turned out to be), a gentle satire about life and relationships, and—of course—corruption in city hall. Hey, what else would you expect? The book is a fun and funny read, and I hope you enjoy it.



If you would like your own copy, simply go to www.burnstownpublishing.com or go to my website, www.gordhume.com

Please. And thank you.

GORD HUME



Great Cities Help Make a Great Country

ADAM VAUGHAN, MP

When countries go to war they target each other's major cities. Damage a country's city and you weaken the nation. It is strange that many governments don't respect the equation in reverse. If attacking cities weaken a nation, does it not make sense that building strong cities is key to building a better country?

While cities may be the creatures of the provinces, it doesn't follow that they need to be impoverished ones. Nor does it make municipalities the exclusive domain of provincial capitals. Canada's urban areas succeed precisely because they have both federal and provincial investments. Housing, transit, waterworks, green infrastructure, hospitals, universities, and immigrant resettlement services, to name a few, are all areas of national importance that impact cities directly. That is why Ottawa partners with cities on so many of these issues.

The gas tax is an area where the Government of Canada has decided to play a direct role in the financial health of Canadian municipalities. Federal funds flow to municipalities across the country for two very good reasons. Firstly, the federal government has a responsibility to all Canadians. Secondly, when Canada's cities thrive the country does better. It is in the national interest to make sure our country's urban areas are doing well.

By and large, our large metropolitan areas are in fact doing well. International rankings across a range of measures show Canadian cities at the top in almost all categories. Doing well is nice, but doing better must be the goal.

Canadian municipalities own, manage, and build over 60% of this country's infrastructure, but they do it with less than 10% of the tax base. In the modern world, quality of life, economic and population growth, and cultural realities all indicate that urbanism is becoming more and more intense. As cities grow, their capacity to shoulder that growth must grow with them.

Climate Change is also a factor, whether it is forest fires driven by drought, floods from massive storms, or smog from excessive pollution, extreme weather is impacting cities to a greater extent year after year. Damage from these events, mass population migrations, the loss of key infrastructure, or just the frequent delay and loss of social capacity are all disproportionately affecting urban areas.

Our government realizes these risks to cities, but we also understand the opportunity what building more resilient cities offers Canadians. Stronger cities protect our population and give us economic security. As living laboratories, our country's cities are also charting the way for urban areas in other countries to adapt. Getting it right in Canada creates the possibility that our technology and strategies will become exportable.

To take the next step, Canadian cities need new revenue. Some of it can be done through new programs, but the best way to support our municipalities is 'new' revenue streams. The new funding must be aimed at building stronger economic foundations for our cities. Local councils with their mayors know best how to build and operate needed infrastructure, but building hard services is not enough. Revenues are also needed to animate services that flow from new infrastructure. For example: buses need drivers, fares must be affordable, and new service routes must be planned and executed. New transit vehicles by themselves don't extend service.

It is just as important to note that rural, remote and northern towns often lack the funds to even apply for federal infrastructure programs. For these communities to grow and contribute to Canada's economy we need to invest in their operations in a sustainable way. This funding needs to be robust and predictable to support long term planning.

The new revenue stream should not be a new tax. The Federation of Canadian Municipalities has called for a revenue stream that grows with the economy as a hedge against inflation. They have suggested redirecting taxes already collected as the preferred way forward. This is good advice. The City of Toronto has historically called for one cent of every dollar collected by GST. Again, good advice.

Our Government values the important contributions and leadership that our country's municipalities play in the quality of life for all Canadians. We look forward to working with the sector to strengthen its capacity. In short, municipalities matter and our government values their partnership.

Adam Vaughan, M.P.

Spadina-Fort York



Adam Vaughan was first elected to the House of Commons as Member of Parliament for Trinity-Spadina on June 30, 2014. On October 19, 2015, Adam was re-elected in the new riding of Spadina-Fort York. Adam Vaughan was elected twice to Toronto City Council before voters sent him to Ottawa to represent urban issues in Parliament.

As an activist and as a journalist, Adam has played a significant role in the social and economic growth of Toronto. Adam Vaughan brings a lifetime of experience to federal politics. On City Council he played a major role in reforming the planning process in the city. He led successful campaigns to rebuild and revitalize existing public housing stock while initiating new policies to create family housing, supportive housing and new co-op housing programs in Toronto. Together with residents, he spearheaded the revitalization of the Alexandra Park community: a significant neighbourhood in Toronto that will see new affordable housing, new commercial space, a re-built community and more parkland added to the downtown.

Before entering politics, Adam was a broadcast journalist for more than 20 years, specializing in municipal affairs for both the CBC and Citytv. He covered all three levels of government and has written about urban issues too.

In the last Parliament, Adam was appointed the Liberal Critic for Housing and Urban Affairs and worked with Justin Trudeau, Liberals and local governments across the country to re-establish a national housing policy as part of a new urban agenda for Canada. Adam served as Parliamentary Secretary to the Prime Minister for Intergovernmental Affairs from December 2015 to January 2017. On January 26, 2017, Adam was appointed as Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs).

On February 1, 2017, Adam was appointed to chair an Advisory Committee on Homelessness composed of experts and stakeholders in the field of homelessness to support the renewal of the Homelessness Partnering Strategy.



Institute on Municipal Finance and Government

HARRY KITCHEN AND ENID SLACK

Editor's Note: Following is the Executive Summary of a 2016 report prepared by Drs Harry Kitchen and Enid Slack concerning alternative revenue opportunities for Canadian cities. It is an important, independent analysis of the key issues that plague Canadian municipalities today—new revenue opportunities and changing how our local governments are financed. The article provides important context for this larger debate on new local government revenues. This summary is re-printed with permission by the authors.

Canadian cities face many challenges – changing demographics, increased income inequality, increasingly complex expenditure demands, deteriorating infrastructure, and so on. These challenges have increased over the last few decades, yet the revenues available to cities to meet those challenges have remained largely the same – property taxes, user fees, and transfers from federal and provincial governments.

For a long time, Canadian cities have been calling for access to more taxes, comparable with what large U.S. and European cities have. This article argues that additional taxes are entirely appropriate for major cities and estimates the potential revenue that some of these taxes could generate in eight Canadian cities – Vancouver, Calgary, Edmonton, Winnipeg, Toronto, Ottawa, Montréal, and Halifax.

First, however, the paper sets out a framework for analysing appropriate tax revenues for large cities and evaluates the advantages and disadvantages of each. The findings from this research are as follows:

1. Decisions on public spending need to be linked with revenue decisions. For governments to operate efficiently, it is important that a clear link be established between expenditure and revenue decisions – those who make expenditure decisions should also make revenue decisions and the revenue tool should match the type of expenditure being funded. A direct link such as this should result in more accountable government and in greater willingness on the part of taxpayers to pay taxes, as long as they know where their tax dollars are being spent.
2. The property tax is a good tax for local government. The property tax has many of the characteristics of a good local tax – property is immovable so it cannot escape the tax, it is fair based on the benefits received from local government services, and revenues are stable and predictable. Recent evidence suggests that, in many cities, there is room to increase the residential property tax without dire economic consequences, except for those who may be asset-rich but income-poor. Even so, the property tax may not be sufficient to meet the growing needs of large cities.
3. User fees bring in necessary revenues and play an important role in altering economic decisions. Cities should charge for services wherever possible. Properly designed fees enable citizens to make efficient decisions about how much of a service to consume and governments to make efficient decisions about how much of the service to provide. Under-pricing (or failing to charge for) services leads to over-consumption and demands to build more under-priced infrastructure.
4. Cities would benefit from a mix of taxes. The property tax is a good tax for local governments, but it is relatively inelastic (does not grow automatically as the economy grows), highly visible, and politically contentious almost everywhere. It is thus unlikely to be sufficient to fund the complex and increasing demands of local governments and it may not be the appropriate tax to fund some of these services. A mix of taxes would give cities more flexibility to respond to local conditions such as changes in the economy, evolving demographics and expenditure needs, changes in the political climate, and other factors. A portfolio of taxes would allow cities to achieve revenue growth and revenue stability while ensuring fairness in the impact on taxpayers.

5. Personal income taxes have the potential to generate considerable revenue for large cities. Many cities around the world have access to revenues from sources such as income, sales, hotel, fuel, and motor vehicle taxes. For Canadian cities, personal income taxes have the potential to bring in a significant amount of revenue. For small and medium-sized municipalities, however, new taxes may not be appropriate because they may not generate sufficient revenues to justify the tax. Smaller municipalities may have to rely more heavily on transfers from provincial governments than their larger city counterparts.
6. Cities should set their own tax rates. It would be administratively cost-efficient if cities “piggybacked” new taxes on to the provincial tax with the province collecting the revenue and remitting it to cities. It is critical, however, that local governments set their own tax rate.

Harry Kitchen is Professor Emeritus in the Economics Department at Trent University. Over the past 20 years, he has completed more than 100 articles, reports, studies, and books on issues relating to local government expenditures, finance, structure, and governance in Canada. He has also served as a consultant or adviser for municipal and provincial governments in Canada, the federal government, and some private-sector institutions. In 2013, he was awarded a Queen’s Diamond Jubilee medal for policy analysis and research contributions to municipal finance, structure, and governance in Canada.

Enid Slack is the Director of the Institute on Municipal Finance and Governance, and an Adjunct Professor at the Munk School of Global Affairs at the University of Toronto. Enid has been working on municipal finance issues in Canada and abroad for 35 years. Before establishing IMFG, she was a consultant specializing in municipal finance. Enid has worked with the World Bank, the International Monetary Fund, the Canadian International Development Agency, UN Habitat, the Asian Development Bank, and the Inter-American Development Bank in countries around the world. She has published books and articles on property taxes, intergovernmental transfers, development charges, financing municipal infrastructure, municipal governance, municipal boundary restructuring, and education funding. In 2012, Enid was awarded the Queen’s Diamond Jubilee Medal for her work on cities.





Making the Most of Data-Driven Government

It's not enough to simply produce data — what that data shows must track with residents' lived experience.

PAUL W. TAYLOR

This is the story of a university professor, a blogger and a journalist, each part of a larger narrative about the intersection of crime statistics and fear. Once it came together, the police department and city council wanted to operationalize it. But first it got messy.

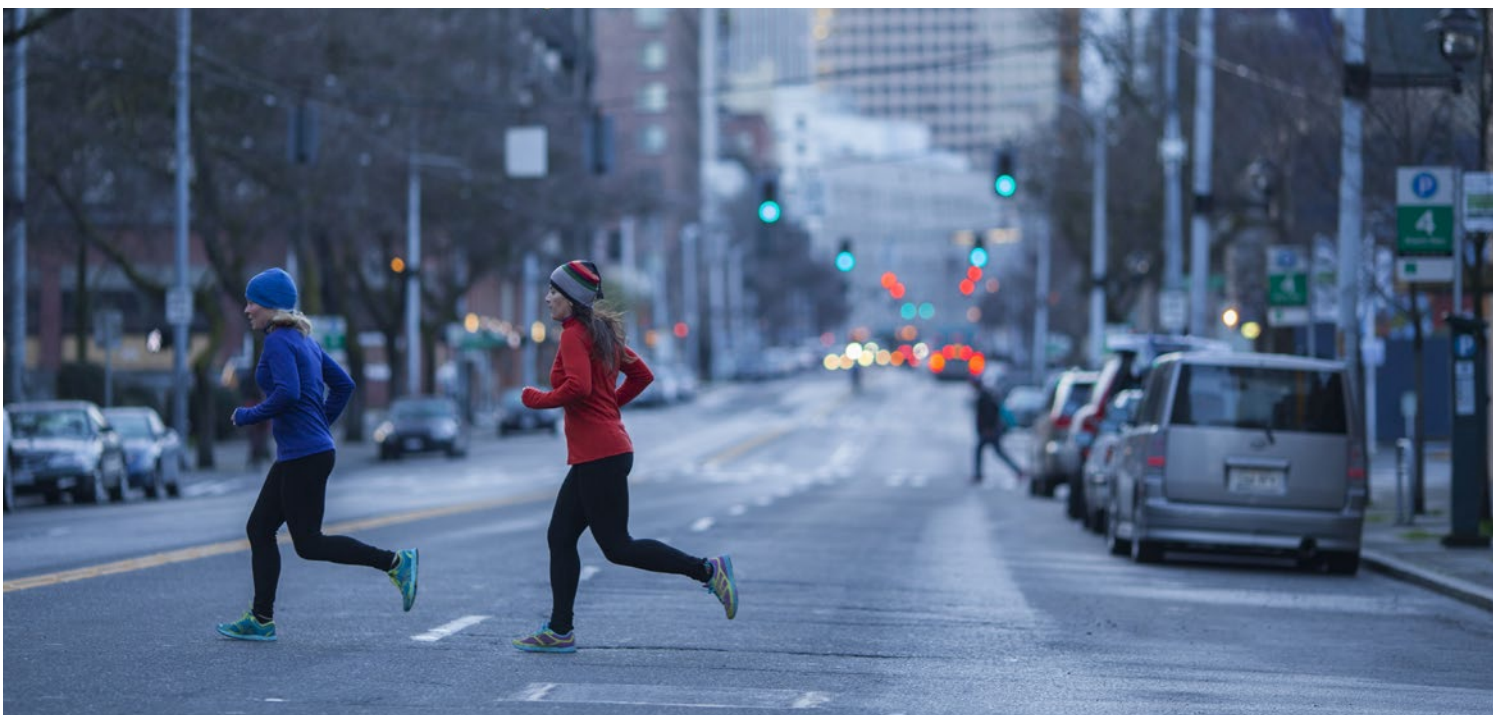
At issue is that residents in a number of Seattle neighborhoods think crime is much worse than it is. The results of a Seattle University survey asking 6,454 city residents about perception of public safety found that in Ballard, a neighborhood in the northwestern part of the city, fear of crime ranks higher than most of the 59 Seattle neighborhoods covered by the survey. The My Ballard blog published these numbers, and the story caught the attention of Seattle Times columnist Gene Balk, who followed up by comparing the numbers from Seattle University's fear-of-crime scale with actual crime rates for Seattle neighborhoods, which he calculated by using Seattle Police Department crime data and population estimates from the U.S. Census Bureau.

Balk's analysis found several neighborhoods where fear was higher than average and crime was lower than average. The reader response was swift, angry and clear: "Don't tell

me what it's like to live in my neighborhood." Data reflected reality — just not their reality. It prompted Balk to write a follow-up column to more fully capture the lived experience that was not evident in the numbers.

The survey findings were also the subject of a hearing before the city council. The professor who led the study explained the disconnect between data and the lived experience as the manifestation of an angry bit of Mean World Syndrome, a phenomenon through which violence-related media content makes consumers believe that the world is more dangerous than it actually is. It didn't help that neighbors were frustrated with slow police responses, and by their own accounts, many residents had stopped reporting crime, casting a pall on the legitimacy of the survey data. The Seattle Police Department told the City Council the contextualized data was helpful. For its part, the council wanted to know more about what made residents fearful.

There are a number of elements in play in stories such as these: data, engagement and storytelling. This Seattle case demonstrates what happens when data doesn't map to lived experience.



Data is authoritative, but its legitimacy can easily be called into question. It helps policymakers and planners see deeper and more broadly into the life of the city. Data is helpful in operations, planning and politics. Analytics can surface correlations that would have otherwise remained unknown.

Civic engagement is the result of asking questions of the people who live and work in a particular place. Methods vary in their rigor and results vary in their usefulness.

Then there is storytelling. This is not a strong suit of most public agencies, leaving constituents to their own devices to make sense of what is going on. Effective storytelling — not necessarily in the journalistic sense — provides a narrative about which people may argue, but at least lays out a common fact pattern.

Many public agencies do well to get one of these elements right; the lucky ones get two. But if policy decisions are to be trusted in an era of data-informed government, then government needs to get good at doing all three well, every time.

Paul W. Taylor, Ph.D., is the editor-at-large of *Governing* magazine. He also serves as the chief content officer of e.Republic, *Governing's* parent organization, as well as senior advisor to the Governing Institute. Prior to joining e.Republic, Taylor served as deputy Washington state CIO and chief of staff of the state Information Services Board (ISB). Dr. Taylor came to public service following decades of work in media, Internet start-ups and academia. He is also among a number of affiliated experts with the non-profit, non-partisan Information Technology and Innovation Foundation (ITIF) in Washington, D.C.

This article was originally published in GOVTECH magazine in Washington, DC and is reprinted with permission. www.govtech.com





Overcoming the Resistance: How to Gain Support for Risk Initiatives

REBECCA WEBB

In the last few years, risk management has become more popular. Risk managers were traditionally purchasers of insurance and the “department of no”, but today they are expected to predict and prevent risks.

Risk managers in municipalities have to juggle a huge number of changing factors and stakeholder perspectives. They have to evaluate the risks of the external environment, such as technological and public-related changes, and the internal environment, including employees.

They must also implement risk initiatives to combat these risks and evaluate their effectiveness, all while proving to several different parties that their work is creating results. Even with these high expectations, risk managers often encounter resistance when trying to implement risk initiatives, especially if they require upfront investment.

So how can municipalities gain the support they need to achieve their risk management objectives?

First, the risk manager must have a deep understanding of the value of risk management. When used effectively, risk management can reduce the number of claims and occurrences through trend analysis, which lowers costs. It can also save employees’ time and enable them to work on more value-added activities. In order to measure results, it’s important to know what specific benefits are required or desired.

Research a potential new risk initiative thoroughly, whether it’s a new system, piece of operational equipment, or training method. The risk manager should look for statistics, case studies, or other objective proof that the initiative can achieve the desired benefits within the organization.

Due diligence and a thorough understanding of the change will make it easier to perform the main step of gaining support: communicating a strong business case.

Build the case around the primary values and benefits discovered in step one. It may be particularly helpful to target one specific issue: for example, if the risk manager encounters a high number of trip and falls, they can illustrate how the risk initiative can reduce that risk and its associated costs. Implementing a formal inspection policy of the area in question can remove hazards before somebody gets injured. From there, expand the discussion to other benefits the new method could bring: inspections will also reduce the chance of slip and falls, thereby improving overall safety and reducing claim costs.

Risk managers often need support from a number of areas: executives, legal, IT, and the everyday users. Consider having a separate discussion with each to determine their wants, needs, and concerns.

Executives can be won to the cause by tying the initiative back to the strategic goals of the organization. Is the municipality trying to lower costs, reduce claims, or improve culture? The risk manager should illustrate that it’s possible to achieve this goal through the particular initiative.

Legal and IT teams typically need to know that any new initiative complies with internal requirements. This is easy to prove if proper research has already been performed.

As for the main users, explain how the new risk initiative can make their jobs safer, easier, or more meaningful. An example would be the introduction of automated data and trend analysis: employees will no longer need to spend time building reports for managers if they’re available at the press of a button. This eliminates a repetitive task and allows them to act on the results of the data.



Throughout all discussions, it's crucial the risk manager emphasizes the need for change. If managers and users don't feel that the risk initiative is urgent enough, they're unlikely to support it. The manager should describe the problems created by the current process, the concrete benefits of fixing it, and demonstrate that there is a well-thought out implementation plan in place, including training for new roles. This will ensure each person knows exactly what is expected of them and when it will occur.

There is almost always resistance during the discussion and implementation of any significant change. Through empathetic communication and demonstration of real value, this can be bypassed. It's usually a significant help if the risk manager can gain the support of one key stakeholder who can champion the idea.

Finally, realize that any risk initiative is a process to regularly revisit and sometimes modify. Benefits may not always be instant. Stress this to those who ask for a quick ROI, and be prepared to give regular updates on the success of the initiative.

Risk initiatives are not only necessary, they can turn a risk department from a cost-center into a profit-center. After gaining the necessary support, a risk manager can implement their winning strategy.

Rebecca Webb is a writer and marketing specialist at ClearRisk, a provider of cloud-based risk and claims management software solutions. ClearRisk has been providing innovative solutions to customers within all industries for 12 years, reducing their total cost of organizational risk and insurance programs by streamlining data management and reporting; enabling a shift in focus to high-value, high-return initiatives.



Regional Elections in Ontario Disrupted by Province

A Personal Perspective by Long-Time Councillor Paul Grenier

PAUL GRENIER

Premier Ford's cancellation of the direct election of Regional Chairs in York, Peel, Niagara and Muskoka districts in Ontario was not only an affront to the democratic process by changing the rules in the middle of the game, but has also negated the possibility for residents to participate directly in the much needed debate on the role, purpose, and benefits of Regional Government.

As a Board member of the Association of Municipalities of Ontario (AMO) and the Chair of the Regional Caucus for AMO, I have spoken with my colleagues here and across Ontario and am very concerned about how municipalities will be viewed by this provincial government. Is it a mature partnership where we share the obligations of government, or will we be treated as a stakeholder along with other interest groups advocating for their cause? This distinction is important to all local governments in Ontario.

Regional Governments were created by the Ontario government beginning in the late 1960s that joined counties together to form a larger unit to deliver more affordable services to citizens.

Police, Public Health, Water/Sewer and all social services are examples of such services.

These departments are operated professionally and services are delivered universally and affordably.

Unfortunately all Regional Governments have become distant and disconnected from the public they serve. Most citizens don't understand its purpose or believe in its value.

A region-wide election for Chair would have provided a forum for debate on the future and role of Regional Government in all 4 communities, including such critical topics as:

- Rising to the challenge of providing affordable housing
- The coming demographic wave requiring Long-Term Care
- The changing nature of policing
- The infrastructure investments needed to sustain our quality of roads, water, and environmental services
- Intercity transit to connect our communities

These are all real questions about the role of government in our lives and the services we expect within the contract of paying property taxes in exchange of the kind of orderly society we desire.

Most residents identify more deeply with their local community. Rightly so. Regional Government, properly executed, allows and encourages local communities to flourish and thrive which in turn makes us greater together than apart.

A debate on how we can come together within our respective Regions to address the challenges before us is needed now more than ever. If we are going to be denied a region-wide election for our Chair, we can at least focus the debate for members of Regional Council on the core function of Regional Government and what future there can be under the current regime at Queen's Park. Properly lead and executed, all Regions can deliver on the promise of government and raise the quality of life throughout the Region. I believe the public deserves, needs, and wants this debate.

Paul Grenier is Regional Councillor for Welland. Chair, Regional and Single Tier Caucus, Association of Municipalities of Ontario (AMO). 2010-12, Chair Ontario Small Urban Municipalities (OSUM).

The views above are Councillor Grenier's and not intended to represent AMO or OSUM.



Frequently Asked Questions: Local Preference Policy

NATIONAL EDUCATION CONSULTING INC.

As a municipality, can we enact a local preference policy for procurements that are below the trade agreement thresholds? Is there any case law on this?

Let's start with your last question first: no, there isn't any case law we are aware of that prohibits or prevents a local preference policy for smaller spends. There may be specific statutory, regulatory or jurisdictional industry directives on this, but the courts will not likely wade into the issue of local preference. As we know, public-sector entities (with a few enumerated exempt entities) are bound to trade agreement obligations of non-discrimination for procurements above a stipulated dollar value. More specifically, there is a general prohibition on discrimination based on province of origin, with only a few enumerated exempt procurements. Any complaint about a breach of the trade agreements must go through the dispute resolution process set out in the agreement – not through the courts. Some of these agreements, notably the New West Partnership Trade Agreement (NWPTA), the Canadian Free Trade Agreement (CFTA) and the Comprehensive Economic and Trade Agreement (CETA) have begun to implement some fairly rigorous dispute resolution provisions, so it is likely that we will see an increase in challenges through this avenue in the coming years.

With respect to your first question, although there are no such restrictions for under-threshold procurements, we find that the majority of our municipal clients do follow the spirit and intent of the trade agreements, even for smaller-dollar contracting. In other words, they do advertise interprovincially, when it is practical – embedding a policy requirement to obtain at least three quotes for any procurement at or above \$5,000, for example. We have certainly seen some municipal policies to the effect that, all else being equal on small dollar procurements, the municipality may award to a local supplier.

But when is “all else” ever “equal”? Although municipalities and community colleges in particular rely heavily on financial and other support from the community, we suggest that it is a bit risky to embed a local preference policy, even for smaller-dollar procurements. Remember that procurement policies are generally part of the public record and therefore readily available to challengers. Perhaps a situation will arise in which it doesn't make any economic sense to award to the local company, so you decide not to exercise the discretion embedded in policy. What then? Are you open to justifiable criticism for failing to exercise that discretion in favour of the local supplier? Worse yet, what if there is a requirement to award to a local supplier, all else being equal? In that case, you would be hard pressed to be able to bypass the policy, and may end up having to settle for less-than-optimum value. And if you were to draft such a policy, how would you define “local”?

To sum up, while there are no general legal impediments to implementing a local preference policy for under-threshold procurements, it may make more sense to remain silent on this issue. You don't need a policy for this: sourcing locally often makes the most economic sense for smaller-dollar spending, but enshrining this in policy would likely invite more criticism than benefit. As with all procurement processes, it is usually best to focus your selection criteria on legitimate business requirements.

Readers are cautioned not to rely upon this article as legal advice nor as an exhaustive discussion of the topic or case. For any particular legal problem, seek advice directly from your lawyer or in-house counsel. All dates, contact information and website addresses were current at the time of original publication.

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CIVIC COMMENT

How a Province Can Wreak a Municipal Election

GORD HUME

The Toronto municipal election that happens in just a couple of weeks has been a trainwreck.

The chaos that erupted last month after the Court decision to rescind Bill 5 reverberated not just in Toronto, not just in Ontario, but across the entire country.

Bill 5, introduced by new Ontario Premier Doug Ford just hours before the closing in July of nominations for this month's Ontario municipal elections, effectively halved the size of Toronto council (and the school boards, something that has been lost in the fire and fury around city hall) and cancelled four Regional Chair elections.

Toronto council appealed to the courts which upheld their position when the judge agreed that the timing violated the freedom of expression rights of both candidates and voters.

Joy at city hall.

Hours later, Premier Ford stunned constitutional experts and political observers by announcing he would reintroduce the bill—but this time with the notwithstanding clause which gives provinces unique authority to override a court decision. It was the first time in Ontario's history that any government had announced it would use that power.

Disbelief and shock at city hall.

One assumes at this point that the staff in the City Clerk's department who run the election have headed for the bar. Rightly so.

Then another head-spinning reversal—Ontario's top court ruled that almost certainly the original Court decision would be reversed on appeal and "there is a strong likelihood that (the trial judge) erred in law."

Joy at Queen's Park.

More disbelief, shock and anger amongst many—not all—at Toronto city hall.

The upshot is the nomination period was extended for a couple of days, there will be 25 Councillors elected in Toronto this year instead of 47, and the face of municipal politics in Toronto—and arguably in Ontario—has changed forever.

The Prime Minister, when questioned, wisely decided to sidestep this controversy. Constitutional scholars weighed in. Big city mayors were pretty much united in their condemnation of the process. Candidates and voters are still bewildered by the roller-coaster ride and what ward they are in. Some candidates pulled out. Chaos. Anger. Resignation. A truncated campaign is drawing to an unhappy conclusion.





YOU SHOULD BE CONCERNED

If you are inside the City of Toronto boundaries, these extraordinary actions have disrupted and threatened your municipal election for council and school boards. That is unacceptable. If you were a candidate, your already hectic life and election planning had a grenade thrown in the middle of your campaign. Also unacceptable. We need good people to run for public office, but there is no rationale for such a disruptive process to occur.

If you are an Ontario resident, the Premier's unilateral actions should make you nervous about potential future dictatorial steps concerning your own local government. Ford made it clear that he would not hesitate to use the notwithstanding clause again. This opens an ugly door in Ontario politics.

And if you are a resident of another province or territory in Canada, you should rightly be concerned about the precedent this sets. Will this embolden other Premiers?

More importantly, perhaps, is the stark reality that Canadians need to face: provinces have virtually unfettered power over their towns and cities. That needs to change.

I have argued for years that such power in today's urban society needs to be modified, and a new relationship amongst and between our six orders of government needs to be developed. With the economic, cultural and social power that municipalities have today, they need to be able to reach their potential and that won't happen with the handcuffs imposed upon them by this 150-year old legislation written when Canada was a vastly different nation.

Municipalities need to become much more aggressive in their arguments with federal and provincial authorities.

As an Ontario resident and former city councillor, my own observation about Ford's actions are that they appeared to be petulant and personal after his (and his brother's) tumultuous time at city hall. That is a bad way to govern.

It smacks of another person in power. The one in Washington, DC.

Is this what politics in Canada are becoming?

Is this what candidates and voters want?

Is this the best we can do?