

The Councils of Women Vs the Municipal Corporate Utility- One Woman's view.

Last fall there was growing concern about a proposal to convert the City of Winnipeg Water and Waste Department into a stand-alone municipal utility. Some groups feared that this was the first step toward privatization of our water and were alarmed that international water companies had expressed interest in the proposal. I had an email exchange with Councillor Gord Steeves, who assured me that this was not about privatization. The utility was to be established along the lines of Manitoba Hydro, and the Public Utilities Board would be involved in setting rates. The utility would remain in public ownership. Since I had a favourable opinion of both Hydro and the PUB, I did not know what to think. I had not seen any of the documents. Brian Testar, a member of the Green Action Committee of the Unitarian Church, which I chair, urged me to get involved, but I did not have enough information to take a stand. The same seemed to be the case with several other members of the Council of Women of Winnipeg, who held back when the issue went to City Council in November. The matter was deferred for further study.

Nothing much happened in public until June of this year. The City had hired a public relations firm at a cost of a quarter of a million dollars to sell the concept to the public. They did a lousy job. The sum total of public consultations consisted of two open houses held on two days of the same week at the same location. I attended the second of them. Ironically it was the open houses that really set us on fire. There were poster boards with some information, but there was no verbal presentation or format for raising questions. There were several people from the city standing more or less like they were a reception line with no one lined up to shake their hands. Some of them were from the team that had drawn up the proposal and others from the current Water and Waste Department. Most people neither recognized nor approached them but simply took a soft drink and a cookie and perhaps filled out a questionnaire and went home. Fortunately, I recognized some of the city people and began to question them about things that struck me as contradictory. After being passed from one person to the next and ending up with Bryan Gray, the project manager, I found several of my questions still unanswered. I looked at the questionnaire and recognized it at once as a set up. Several motherhood questions were posed, and it was clear that yes answers to these questions would be taken as support for the proposal. There was a small space available for comment. Except for the surveys I receive in the mail from Stephen Harper and the Conservatives, this was the worst survey I have ever seen. By now irritation was added to my puzzlement, and I realized that that small space provided would not be nearly enough for me to express my concerns. I chose to answer the questionnaire on line, where I did not have the same constraints. I sent a copy of my response to Elizabeth Fleming.

It was Elizabeth who initiated everything as far as our two councils were concerned. She called together a group of women from CWW and from PCWM to a meeting at Stella's restaurant. She also invited Lynne Fernandez of the Canadian Centre for Policy Alternatives to join us. That was the first meeting of a group of women who would go on to accomplish some wonderful things. Our subsequent meetings were at The Boulton, where Leonore lives.

Elizabeth asked me to turn my response to the questionnaire into an op-ed piece and send it to Gerald Flood at the Free Press. I was very doubtful that my piece would be seen the light of day, but I made a few changes to what I had already written and sent it in on the Friday after our meeting, expecting that would be the end of it. I was startled to be asked for a photo and even more startled when the piece appeared in the paper the next Sunday. That week I got a lot of compliments on the article, some from people I did not even know. That was the pleasant part. The city remained silent for a while, and then the mayor came out and indignantly denied one claim that I had made in my piece that Winnipeggers might be subject to the PST and GST on their water and sewer bills, unless they get special exemptions. This is curious since at least one councillor has been insisting that the new utility will be just like Hydro, and we do pay GST and PST on our electricity and gas bills. Hmm.

At our next meeting, we decided to come up with 10 questions to ask the city. The business plan had still not been released. We also decided to hold a forum at which key people from the city would make a presentation to the public on the plan and would answer questions posed by a panel and by members of the audience. While several people attended one or more of our meetings, including Johnna Burns of the City of Winnipeg Retirees' Association, a core group began to coalesce to make things happen within a very short time. This group consisted of Elizabeth Fleming, Marilyn McGonigal, Monika Feist, Arlene Draffin-Jones, Phyllis Watson, Irene McKenzie, Leonore Saunders and me. They are an amazing bunch of doers, all anxious to do their part. Elizabeth and Monika were out of town at the time of the forum and of the EPC meeting, but they worked up to the last moment at a time when you would have thought they would have been busy packing. Arlene too worked tirelessly despite medical problems she had to attend to in the midst of it all and despite the fact she was planning another major event. It was fantastic.

Toward the end of June, Monika contacted Bryan Gray, the project manager, and invited him and his team to speak at a public meeting to discuss the pros and cons of the proposal. Bryan indicated that he would be available to speak at a meeting on July 13th. Monika tried to contact Bryan both by phone and by email about the format and about the participation of his team, but he went silent. Time was running out, and we could not wait on a reply from Bryan. We went ahead with the planning and publicity. We decided on three panellists to pose questions to Bryan and his team. Paul Hesse of the Sierra Club and Jesse Hajer of the Canadian Centre for Policy Alternatives were two of the panellists. We had also asked John Loxley of the University of Manitoba, but he was not available, and I took his place. My main qualifications for the job were that I learned how to read in elementary school and had read the plan, which at last had been released to the public.

The forum was widely publicized through many email lists. We had advertized that people should bring their questions, and then on the Thursday before the Monday Forum, Monika received a letter from Bryan saying that they would not participate in a meeting at which any others beside themselves would speak, that they would not engage in any debating style questioning nor would they answer any policy type questions. We decided at that point that we would have to divide our meeting, with the panellists speaking in the last half. We still thought that the project team would answer written questions about the plan. After all you can't really debate with a card. Then, just on the day of the forum, we were informed that they would not answer any questions, not even written ones. They would make a 10 minute presentation, answer the ten questions we had submitted two weeks earlier before we saw the plan and would then leave. They wanted an answer in writing, confirming our agreement to these conditions, before 3 pm. Monika was now out of town, and the message came to Arlene while she was attending a funeral. She had to hurry back home to write an email, or they were cancelling out. They were also demanding that we provide them with a projector and a screen. I may be wrong, but I think they were hoping that we could not meet these conditions so that they could get out of the commitment. Marilyn, Irene, Phyllis and I were at the church setting things up when we got the message. It turned out that the church has a screen but there was no projector, and it was now getting late in the afternoon. Arlene called the city and asked them to make a projector available to the team. Fortunately I had already called my husband, Peter Miller, who was able to borrow a projector for us from the University of Winnipeg, and it was too late to call him back when Arlene called to say it was not necessary. That was indeed lucky for the project team arrived without a projector probably still hoping they could walk out indignantly.

The church was set up for a crowd, and we got one. 220 chairs had been set out, and we filled them. There were a few empty seats but as many standing in the foyer. Brian Testar welcomed people on behalf of the Green Action Committee of the Unitarian Church. Then Arlene gave a good sales pitch about the can-do Councils of Women and welcomed the moderator Terry Macleod. Bryan Gray made his power point presentation and was joined on the stage by his team mates Henry Hunter and Moira

Geer, who remained mute while Bryan alluded to our ten questions without answering most of them. When Marilyn got up to thank the three, Terry put her on the spot by asking if she was satisfied by the answers. She tactfully asked for clarification about the last answer. Then the three packed up and left.

In the second hour Paul, Jesse and I each spoke briefly. I went first. My eyes were stinging, and with the microphone pressed up almost to my nose, I could hardly read my text and once completely lost my place, but judging from the applause the speech was well received. Jesse's main focus was on the P3 that was being proposed for the sewer service. Paul's main focus was on the legal red tape involved in these arrangements. The three of us made some attempt to answer the questions written on the cards but gave up on that and turned the meeting over to the people to make their comments. Despite the poor showing of the city, the meeting was a great success. Leonore spontaneously made a motion asking the city to postpone the decision on the Municipal Corporate Utility. It was passed unanimously. After the meeting we collected all the cards. Irene and I each took half of them and typed the questions out. We sent the 67 questions to Bryan Gray and to all of the city councillors, saying that we hoped that the decision on the utility could be postponed until these and other questions were answered.

Picking up on Leonore's motion, the Social Planning Council drew up a petition asking for the motion to be delayed and setting out a comprehensive consultation process. They cited CWW as the co-sponsors of the petition. The request for approval came to me as an email from Donald Benham. I made one correction but told Donald that although I liked the petition and could personally support it, I could not speak for CWW and Monika was out of town. I mentioned that PCWM had also sponsored the forum, and Donald was able to reach Marilyn who spoke to a few people. Time was running out, and the petition was already printed. It was not proper procedure but there was no harm and even some good for our councils. The petition would collect 4000 signatures before the Council meeting on the 22nd.

It had become obvious that many of the people who were protesting the utility believed that water was being privatized. Others knew that privatization of water was not immediately in the plan and was in fact specifically excluded, but they felt that the formation of a Municipal Utility was the first step in that direction and put their emphasis on that fear rather than on other elements of the plan. Councillors felt very frustrated in getting their message across. I felt it would be in our interest to acknowledge the reasons why council wanted to form the utility and to acknowledge that the proposal was not about the privatization of water. It was not in my brief but I did say that if in the future there was an attempt to privatize water we would oppose it but for now we wanted to address things that were in the plan. In my presentation I spoke against the two elements of the plan, the formation of a stand-alone utility removed from the oversight of council and against the formation of a P3 to design, build, and operate a waste water treatment plant and to operate the whole sewer system. I ran out of time to address the consultation process, but I assume they had my written brief.

It was annoying that some of the protesters had not read or understood the plan, or had simply made up their minds, perhaps for ideological reasons. While that was annoying and frustrating to the councillors, it is shocking that some of the same things might be said about some members of City Council. While some councillors put a lot of time and effort into dealing with the business plan, it is not clear that all had read or understood the whole thing. The mayor for example said politely that I was mistaken in my comment that the members of the board of the utility would be selected by a private corporation. I said, as politely as I could, "I beg your pardon. I don't have a copy of the business plan with me at the moment, but I am sure someone can show give you the reference." He simply said, "I'm sure they can." It was obviously that some others had not understood the implications. Councillor Clement was taken by surprise when Jenny Gerbasi pointed out that the utility could impose garbage fees without consulting City Council my. Even Councillor Gord Steeves, who repeatedly claimed the proposed utility would be just like Manitoba Hydro, had not taken the time to explore the similarities and differences. While obviously there were councillors like Jenny Gerbasi and John Orlikow who

examined the proposal carefully and proposed alternatives, it was hard to know if most of the councillors, who remained silent, had actually read more than the executive summary. I think we should expect our city councillors to be able to read critically. By that I don't mean reading taking a negative stance but asking critical questions as they read. Whether or not they had read the plan, it was clear that many of the councillors had already made up their minds and nothing they heard was going to make any difference and that this was true for ideological reasons. In making his summary before the final vote, Mayor Katz said: "This is all about ideology." He probably had in mind the protesters, but I felt like shouting "amen" at that point.

On Wednesday July 15th EPC heard 28 delegations. It would be a long day. The Municipal Utility item was not the only item of business. Unfortunately only four of us were able to attend the meeting. Jenny Gerbasi opened with an excellent presentation. I was one of the earlier presenters. My strategy worked. I got and held their attention, and their questions allowed me to get in more points. Councillor Steeves told everyone that the plan they were bringing in was just like Hydro and asked if they did not think Hydro was just fine. Fortunately, thanks to my husband's interventions before the Public Utilities Board on Hydro matters, I knew a bit about Hydro and the differences from what was being proposed. I also told them that their plan to seek an exemption from Hydro for their capital budget would not likely succeed. Although I was obviously saying things they did not want to hear I must have made a favourable impression. Mayor Katz chided the next speaker for not keeping a meeting and said, "I bet Carolyn would have come if I planned a meeting with her." That really took me by surprise. There were many excellent presentations, including one by Jesse Hajer. He would later speak at the council meeting, and every time he got better. On the whole I was quite impressed with the speakers. The audience had to be repeatedly reminded not to clap. Very few of the presentations were actually off track. They stressed the lack of transparency and the loss of control by council over development in the Capital Region. Johnna made a presentation about the concerns of retirees. Irene, Marilyn and I stayed until all the presentations were finished. It was late in the afternoon when Bryan and his silent partners made their appearance. At four o'clock EPC met in camera on another matter for an hour, and the three of us who were remaining from our councils left. We later heard on the news that EPC had voted unanimously to send the proposal forward to council but had expressed some concerns.

The week in between EPC and the council meeting on the 22nd was no time for rest either for us or for EPC. The mayor and his cabinet met for six hours to hammer out some amendments to the proposal. Gord Steeves would later say that they had listened to the concerns of the delegations and that their amendments were made in response. That was partially true, but the main thing that the council was responding to was their own loss of control, which of course was something that several of the speakers, including me, had pointed out, but none of the amendments would make the workings of the utility more accessible to the public.

On Monday July 20th, we had scheduled a meeting to debrief and look at next steps, but we learned that CUPE and CCPA were meeting at the same time to strategize. We decided to postpone our meeting until the afternoon, and four of us joined them: Monika, who was now back, Marilyn, Phyllis and I. It was decided that there were five votes at City Council on our side and we would try to get meetings with four who might possibly be persuaded to vote against the proposal: Councillors Clement, Lazarenko, Wyatt, and Pagtakhan. Only one of these meetings took place, and it was, you guessed it, the only one that our members organized, but even that was not a success. Monika, who is one of Clement's constituents, arranged the meeting, which was also attended by Marilyn and Jesse Hajer. It was a frustrating ordeal that lasted over two hours, with Clement doing most of the talking, telling them what a great councillor he was. Of the four councillors we thought might be persuaded, only Russ Wyatt voted against the proposal. He had attended our forum and his comments showed he had learned something there.

On Wednesday July 22nd, council met to vote on the two part proposal: the formation of a Municipal Water and Waste Utility, and the partial privatization of the waste water treatment system. According to the rules council will hear from four delegations, two for a measure and two against. The first speaker on either side gets 10 minutes and the second five. Phyllis Watson, who was quick off her mark was the second of those opposed and was supposed to get five minutes, but as it turned out the first speaker did not show up, and Phyllis was given 10 minutes. Originally the speakers for the proposal were listed as two members of the Shoal Lake Band. They appear to have been place holders only. The real speakers for the proposal were Chris Lorenc and Dave Angus, urging council not to delay. Phyllis made a case for delaying the proposal on the grounds that there had not been adequate public consultation. As is usually the case, the rules were waived and Jenny had a list of speakers who were allowed to speak for five minutes with no questions. Again there were excellent presentations, including a rousing speech by a student from the University of Manitoba. Phyllis had to leave after her presentation. Elizabeth, who was now back attended part of the morning session. Monika, Marilyn, Irene and I stayed through the morning session and into the afternoon. Monika had to leave for work, and Marilyn and Irene left around five just before the councillors started making their closing speeches. I stayed on until the end, which was about 6:30.

The motion by councillors Gerbasi and Orlikow to defer was defeated. At the same time the idea of changing the proposal so that it would be more like Manitoba Hydro also fell off the table, but I missed just how that happened. I will later check this out, but for now I am limiting myself to my first hand impressions. Harry Lazarenko moved that water should never be privatized without a referendum. He said that anyone who did not support his motion was for the privatization of water. A few councillors (Thomas, Vandal and Wyatt) did not support the amendment because the privatization of water is already prohibited by Winnipeg's Charter. Also of interest to me was a speech by Gord Steeves chastising all those who would like to use water as a means of controlling development. That was, he declared, a practice that did not work. Besides it was immoral and unneighbourly. He said this as a preface to a motion, which I do not understand, that would presumably give the city some voice about the extension of water. It was confusing because the city's voice, if Steeves has his way, would be to put no restrictions on the development aspirations of our good neighbours in exchange for water. The motions proposed by members of EPC were all passed, none of them unanimously. The six councillors who would vote against the main motion were divided in their support for the various amendments. Then with all the amendments in place, it was time for the main motion. Each councillor was given time to strut his or her stuff, and they almost all took their full time. Jenny and Lillian Thomas spoke very well. Most of the speeches were pretty predictable. Russ Wyatt simply raised a lot of questions. They were basically our questions. He said his vote would depend upon the answers, but of course there were no answers and he voted against the main measure. Our forum definitely had an impact on him.

The final vote was 10 to 6. The ball now is in the Province's court, but it is not clear how the measure will proceed. It is clear, however, that the game is not over.

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The relevant dates for agendas, minutes and Hansard (City Council only) are:

Executive Policy Committee, November 12 2008 and January 15 2009

City Council, November 19 2008 and January 22 2009 and of course July 15 and 22, 2009