

Monthly Report to the CRD from the Fairness and Transparency Advisor January 2016

This report provides a summary of the FTA’s activities for the Core Area Sewage Treatment Project for the period from **January 1st to January 29th, 2016.**

FTA Activities

Monitoring Role

During this period, the FTA continued to review and monitor upcoming meetings of the various committees, flagging any potential issues associated with transparency, impartiality, or fairness. In this capacity, the FTA also reviewed minutes of committee meetings.

Complaints

A significant aspect of the FTA’s mandate and role is to screen and (if eligible) review submitted complaints regarding the wastewater planning process. The table below summarizes the FTA’s activities in this capacity for the reporting period.

January 2016 Complaints Statistics

Number of applications received	4
Number of “eligible” complaints	4
Number of decisions rendered	4
Number of Complaints previously reported	4

Four (4) formal complaints were received, screened and reviewed during this reporting period. This brings the number of formal complaints received by the FTA up to and including January 29th to eight (8). A summary of the recent complaints and the FTA’s decisions are provided below.

Complaint #5 (ID no. 396328)

The FTA received notice of complaint no. 396328 (“the complaint”) on Monday January 11th and proceeded with screening the complaint.

Summary of complaint:

The complainant raised issue with the timely availability of information on the consideration and evaluation of viable project options. The specific issue which gave rise to this complaint related to the lack of availability of a staff report which formed the basis of an agenda item at January 13th CALWMC meeting.

Summary of findings:

The final decision on the complaint was issued by the FTA on Wednesday January 13th and later posted to the CRD website.

In investigating this complaint, the FTA found that two documents were temporarily unavailable through hyperlinks. The links were re-established within 24 hours and the documents could at all times be found within the agenda package. As a result, the FTA found that the processes related to the January 13th CALWMC meeting were adequate with respect to fairness and transparency.

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[Complaint #6 \(ID no. 397183\)](#)

The FTA received notice of complaint no. 397183 (“the complaint”) on Saturday January 23rd and proceeded with screening the complaint.

Summary of complaint:

The main issue raised in this complaint related to the suppression of information. It was alleged that important information which would inform the CALWMC’s decision-making was being withheld from both the public and the committee.

Specifically, this complaint raised issue with the Technical Oversight Panel’s (TOP’s) procedures for making decisions and providing recommendations to the CALWMC, including a) incomplete disclosure in the minutes of deliberations among TOP members; b) TOP ‘voting’ processes; and c) restrictions on Panel members from making public comment and/or sharing information regarding Panel deliberations.

Summary of findings:

The final decision on the complaint was issued by the FTA on Friday January 29th and later posted to the CRD website.

Overall, the FTA found no evidence of information suppression through the procedures of the TOP. The FTA found no flaws in how the Panel has provided advice or recommendations as it relates to managing the various perspectives of panel members and moving those deliberations forward through to the CALWMC.

[Complaint #7 \(ID no. 397185\)](#)

The FTA received notice of complaint no. 397185 (“the complaint”) on Saturday January 23rd and proceeded with screening the complaint.

Summary of complaint:

The complaint raised issue with respect to whether information provided to the public about gasification has been based on technical expertise. In particular, the complainant called into question the expertise of Urban Systems (and Carollo Engineers) and raised procedural concerns relative to the TOP’s management of views / expertise on gasification, through its deliberative processes.

Summary of findings:

The final decision on the complaint was issued by the FTA on Friday January 29th and later posted to the CRD website.

With respect to this issue around the suppression of expert views, the FTA resolved that the upcoming consultation will shed light on the expertise, perspectives, and views on the various options under consideration. The current consultation may identify practical problems and as such, is a credible tool for providing a quality check on the assessment of costs. As such, procedurally, the FTA found no fault with respect to the process.

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Complaint #8 (ID no. 397206)

The FTA received notice of complaint no. 397206 (“the complaint”) on Saturday January 23rd and proceeded with screening the complaint.

Summary of complaint:

The complainant raised issue with unexplained discrepancies in comparing old and new project cost estimates. The complainant stated that these new costs contain significant unexplained inconsistencies with the previous costing estimates (e.g., the 2011 McLoughlin Wastewater Treatment Plan bid), calling into question the current costing process.

Summary of findings:

The final decision on the complaint is forthcoming from the FTA and will be posted to the CRD website.

Other Issues

On Tuesday January 12, the FTA held a discussion with the TOP to provide advice on a procedural matter concerning the TOP’s process for making recommendations.

Activities Summary

Provided in the table below is a summary of the FTA’s Project hours devoted to each of the abovementioned activities.

January 2016 Activities

Activity	Hours Worked
Setting up procedures	0
Monitoring	3.4
Meetings	0
Complaints	115.1
Other admin	8.3
Advice	1.7
Total	128.5

The total number of hours to be billed for this period (spanning January 1st to January 29th) is 128.5 hours, which totals \$24,180.50 before tax.

The FTA has billed a total of \$93,416.50 for 472.5 hours worked on the project from August 2015 to January 29th, 2016.