

Affidavit of Mary Sjostrom #1
Sworn on July 23, 2013

No. QSL-S-S-15196
Quesnel Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SYLVIA BATTLE, WAYDE BATTLE, LARRY DUNN, JEAN GELINAS, JAN MCKINNEY,
WALLY MCKINNEY AND LINDA BUXTON

PETITIONERS

AND:

MARY SJOSTROM, MICHAEL CAVE, JOHN BRISCO, ED COLEMAN, SCOTT ELLIOT,
and LAUREY-ANNE ROODENBURG

RESPONDENTS

AFFIDAVIT

I, Mary Sjostrom, Mayor of the City of Quesnel, c/o Municipal Hall, 410 Kinchant St., Quesnel, British Columbia, V2J 7J5, AFFIRM THAT:

1. I am the Mayor of the City of Quesnel (the "City"), and as such have personal knowledge of the facts and matters hereinafter deposed to, and swear that all such matters are true.
2. I was elected Mayor in November 2008 and have been a member of Quesnel City Council ("Council") since December 1999. I am currently the President of the Union of British Columbia Municipalities.
3. I have read the Amended Petition in this matter, and the Affidavits of Meriel Wild sworn March 13, 2013, Sylvia Battle sworn March 18, 2013 (the "Battle Affidavit"), Keith Butchard sworn June 11, 2013, and Sushil Thapar sworn June 11, 2013.
4. John Stecyk was employed by the City as City Manager. Now shown and produced before me as Exhibit "A" to this my Affidavit is a copy of the job description for the City Manager. The position of City Manager is key to the effective operation of the City. As noted in

the job description the City Manager is responsible for the overall management of the administrative operations of the City, ensures that the policies and directions of Council are implemented, and advises and informs Council on the operations and affairs of the City. Several managers in the City report to the City Manager, and the City Manager reports to Council. Ultimately, Council depends on the City Manager and the City manager requires the confidence of the members of Council.

5. During the months leading up to April 2012, it was my belief that there was a strained environment at Quesnel City Hall surrounding Mr. Stecyk. In part this was related to complaints that had been made by the City's then Human Resources Advisor, Meriel Wild, concerning Mr. Stecyk. It was my view that this strained environment affected morale at City Hall, harmed the effective operations of the City, affected the confidence Council had in Mr. Stecyk, and created a significant distraction and burden for Council because of the amount of time and resources needed to deal with the matter. Ultimately, it resulted in consideration by myself and Council about whether Mr. Stecyk should continue to be the City Manager.

6. Council directed at its Closed Meeting of April 16, 2012 that Mr. Stecyk be advised that Council was considering terminating his employment, subject to giving him an opportunity to be heard. In response to the Battley Affidavit, while there was some discussion about whether Mr. Stecyk's employment could be terminated for cause, I did not believe that there was a basis for Mr. Stecyk's employment being terminated for cause, and Council had not made a decision at that meeting to terminate Mr. Stecyk's employment. However, it was my expectation that the majority of Council would ultimately vote to terminate Mr. Stecyk's employment on a without cause basis.

7. After Mr. Stecyk was advised of the City's position as noted above, Mr. Stecyk responded by providing the City with a proposal which would result in his departure from the City without the need for a hearing before Council. There is a confidentiality agreement between the City and Mr. Stecyk concerning his departure from the City.

8. I supported the proposal made by Mr. Stecyk, and believe that it resulted in a reasonable means of addressing the strained environment then existing at City Hall. I understood that under his contract, Mr. Stecyk would be entitled to severance if the City

terminated his position without cause. I believed that under Mr. Stecyk's proposal, he would receive the same severance as if Council terminated his position on a without cause basis.

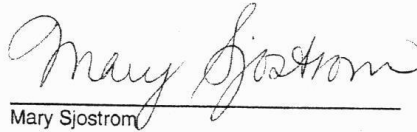
9. Ultimately, I believed that accepting Mr. Stecyk's proposal for his immediate departure from the City in exchange for paying him severance was lawful and in the best interests of the City.

SWORN BEFORE ME at the City of Quesnel)
British Columbia this 23 day of July, 2013.)



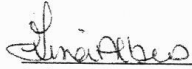
A Commissioner for taking Affidavits within)
British Columbia)

Gina Albers, Deputy
Corporate Administrator
Commissioner for taking
Affidavits in British Columbia
410 Kinchant Street, Quesnel, BC
V2J 7J5 250.991.7471



Mary Sjostrom

This is Exhibit "A" referred to in the Affidavit of Mary Sjostrom sworn before me at Quesnel, British Columbia this 2nd day of July, 2013.



A Commissioner for taking Affidavits
for British Columbia

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CITY OF QUESNEL

JOB DESCRIPTION

Job Title: City Manager
Department: Corporate Services
Classification: Exempt
Effective Date: August 2010

GENERAL ACCOUNTABILITY

Reporting to the Mayor and City Council, the City Manager is responsible for the overall management of the administrative operations of the municipality, ensures that the policies and directions of Council are implemented, and advises and informs Council on the operations and affairs of the municipality. The responsibilities of the City Manager can be further summarized as follows: a) program implementation by allocating resources to schedule and deliver internal and external services; b) management functions to establish and maintain systems and processes required for organizational effectiveness and efficiency; and c) political and technical advice to the local government.

KEY RESPONSIBILITIES

Positions reporting directly to the City Manager

- Director of Finance, responsible for finance, purchasing, information technology, corporate services and currently responsible for Development Services
- Director of Public Works, responsible for transportation, utilities, parks and solid waste, fleet and public services
- General Manager, Community Services, responsible for communications, recreation services, museum and facility management
- Director of Emergency Services, responsible for volunteer Fire Dept and Emergency Planning
- Human Resource Advisor
- Deputy Corporate Administrator
- City Planner (Union position)

The position also maintains close contact with the RCMP Staff Sgt. who is responsible for Community Police Coordinator and bylaw

POSITION DUTIES AND TASKS

The following exemplifies the type and level of accountability held by this position. The incumbent may delegate responsibility for the performance of related work without diminishing accountability for the results:

- As City Manager, provides overall direction to all employees, and is accountable for their recruitment, training, performance, discipline, termination (except where otherwise stipulated under the *Community Charter*), and for the maintenance of safe work practices.
- Ensures staff compliance with existing Council and Administrative Policies and Guidelines and coordinates the ongoing review of the organization's effectiveness with Council and staff.
- Assists Council in the preparation and approval of the Corporate Strategic Plan and prepares, in conjunction with division heads, a Corporate Business Plan for submission to Council, including the coordination of an ongoing process to establish and monitor organization priorities.
- Based on the overall Strategic Plan and Corporate Business Plan, prepares annual operating and capital budgets in conjunction with division heads, submits to Council for approval, and revises expenditures in accordance with budget and Council policies to ensure proper control of financial resources as per Council's direction.
- Recommends to Council the development and maintenance of policies and procedures for the City and ensures adherence to existing policies and legislation, and advises Council of liability exposure on policy matters.
- Key liaison between City and local First Nation Bands;
- Working with the City Planner, provides leadership and mentoring on issues such as zoning, OCP and Development Permits;
- Recommends new or amended municipal standards and bylaws to Council.
- Coordinates the Agenda preparation process by directing Corporate Services staff, approving reports and selecting items for discussion by Council.
- Reviews Council meeting agendas with the Mayor and meets regularly with the Mayor to discuss operative and other items of interest.
- Attends Council and Committees of Council to provide advice and recommendations on a wide variety of matters affecting the City.
- Meets with and lobbies all levels of government on behalf of the City. Establishes, promotes and maintains communication with a wide variety of contacts such as business and citizens groups, developers, consultants and the public. Meets with other regional managers/administrators to exchange information and promote cooperation.
- Coordinates an ongoing and targeted liaison program and acts as primary liaison with the senior staff of other organizations.
- Directs and may act as chief spokesman in negotiations of all significant contracts and agreements with the City, including construction and development of programs, land matters, purchase of material and capital items. Acts as chief liaison with labour negotiations and may participate in such negotiations.

QUALIFICATIONS

Education and Experience:

Bachelor's degree or higher in relevant discipline (eg public administration, business administration, politics, law)
Minimum 5 years experience at senior level within municipal or local government preferred.
Experience with Planning and Development
A combination of education and experience at senior level in government or private sector will be considered.

Knowledge:

Knowledge of Community Charter
Knowledge of provincial legislation (eg Freedom of Information, property laws, employment law)
Knowledge of municipal services and their delivery to taxpayers

Skills and Abilities:

Strategic management skills (vision, creative, innovative and facilities change)
Team development skills – must promote cooperation and build consensus, inspire and motivate others
Excellent interpersonal, verbal and written communication skills
Developed negotiation and presentation skills
Organizational and problem solving skills – must be able to provide innovative solutions which will create win-win solutions for competing interests, and meet deadlines
Must be willing and able to mentor junior level staff
Conflict management skills

The incumbent must be willing to work flexible hours, attend frequent evening and occasional weekend meetings