



EVALUATION OF PERFORMANCE OF THE MUNICIPAL COUNCIL OF TELAVI ELECTED IN 2017

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INTRODUCTION

Transparency International Georgia has evaluated the performance of the representative body of the Telavi Municipality which was elected in 2017 - the Municipal Council.

The report is based on information requested and received from the Municipal Council and on observations of our organization. It covers the period from November 2017 up to December 2019.

CHAPTER 1: MAIN FINDINGS

Trends revealed in the process of studying the activities of the Municipal Council of Telavi elected in 2017:

EXERCISE OF THE FUNCTION OF CONTROL

- During the reporting period, the Municipal Council of Telavi exercised weak oversight on the executive body and on legal entities established by the municipality, and the control was formal in most cases.
- Officials of the City Hall didn't submit activity reports to the Municipal Council elected in 2017.

THE PROCESS OF ADOPTION OF LEGAL ACTS

- During the period between 14 November 2017 and 31 December 2019, the Municipal Council held 51 sessions and 25 extraordinary sessions. Not a single session was cancelled due to lack of quorum;
- During the same period, the Municipal Council didn't approve a single contract whose value exceeds 5% of the budgetary payments;
- Not a single session of any commission was cancelled due to lack of quorum;
- The website of the Telavi Municipality is the most active among those of the eight municipalities of Kakheti; it is constantly updated and events are announced;
- Video recordings of sessions of the Municipal Council are regularly uploaded to the Municipality's website and are publicly available;
- Officials of the City Hall didn't submit activity reports to the Municipal Council elected in 2017;
- The Municipal Council didn't invite an independent auditor to conduct an audit at the municipal bodies of Telavi;
- The Commission on Mandate, Procedural and Legal Issues submitted 12 draft legal acts to the Municipal Council, while the Commission on Spatial and Territorial Planning, Infrastructure and Natural Resources submitted 3 draft legal acts.

ACCOUNTABILITY

- Members of the Municipal Council missed sessions of the Council **167 times** in total. The following members had the most absences: Levan Otiuridze – 25, Levan Mrelashvili – 13, Aleksandre Kupatadze – 11;
- From 1 January 2018 up to 31 December 2019, the Municipal Council spent fuel worth GEL 70,467.54;

- The Municipal Council didn't invite an independent auditor;
- The Municipal Council didn't create deliberative bodies to study individual issues assigned to its powers and to prepare recommendations, and didn't define the procedure for their activity;
- The remuneration given to officials of factions of the Municipal Council amounted to GEL 177,208.64 in 2018 and to GEL 188,553.4 in 2019.

CHAPTER 2: GENERAL INFORMATION ABOUT THE ACTIVITIES OF THE MUNICIPAL COUNCIL OF TELAVI

The Municipal Council of Telavi is the representative body of local self-government which exercises self-governance in the Telavi Municipality in the manner established by the Local Self-Government Code. It also exercises control on the activities of the executive body – the City Hall – and its officials within the limits established by law and carries out other powers assigned to it by the Constitution of Georgia, other legislative acts, and the Rules of Procedure of the Municipal Council.

The rights and obligations of the Municipal Council, its bodies, and officials are defined by the Organic Law of Georgia – Local Self-Government Code, the Rules of Procedure of the Municipal Council (hereinafter “the Rules of Procedure”), and other legal acts.

The Municipal Council has the authority to create commissions for the purposes of drafting proposals, facilitating the implementation of decisions, and exercising control on the structural units of the City Hall and legal entities established by the Municipal Council. The Municipal Council of Telavi has created the following commissions:

1. The Commission on Mandate, Procedural and Legal Issues (Chairperson – Nana Khvistani);
2. The Finance and Budget Commission (Chairperson – Davit Gogoshvili);
3. The Commission on Social Issues, Culture, Education and Youth Affairs (Chairperson – Levan Kochloshvili);
4. The Commission on Economy and Property Management (Chairperson – Aleksandre Shatirishvili);
5. The Commission on Spatial and Territorial Planning, Infrastructure and Natural Resources (Chairperson – Davit Ghaghanidze).

CHAPTER 3: OFFICIALS ELECTED BY THE MUNICIPAL COUNCIL

The Municipal Council of Telavi elected **Archil Tkhlashidze** as its Chairperson on November 14, 2017. It should be noted that Archil Tkhlashidze had been the Chairperson of the City Council of the self-governing City of Telavi from 2014 up to 2017. The City Council of Telavi supported the abolition of the status of Telavi as a self-governing city. So did the city councils of six other self-governing cities. This change reflected negatively on the process of formation of strong self-government and decentralization. After the abolition of the status of a self-governing city, Archil Tkhlashidze was elected as the Chairperson of the Municipal Council of Telavi.

The powers of one of the 35 members of the Municipal Council of Telavi, which was elected in 2017, were terminated due to a final judgment of conviction, while 22 of the remaining 34 members are officials.

There are 7 factions at the Municipal Council of Telavi, specifically:

1. Georgian Dream – Democratic Georgia – 12 members, Chairperson – Levan Liluashvili;
2. Georgian Dream – Industrialists – 3 members, Chairperson – Tite Darejanishvili;
3. Georgian Dream – Conservatives – 3 members, Chairperson – Maia Markozashvili;
4. Georgian Dream – Greens – 3 members, Chairperson – Giorgi Chabrashvili;
5. United National Movement – 3 members, Chairperson – Aleks Dzulashvili;
6. Patriots' Alliance of Georgia – 3 members, Chairperson – Archil Tvaliashvili;
7. Strong Village – 3 members, Chairperson – Aleksandre Kupatadze.

CHAPTER 4: ACTIVITIES OF FACTIONS AND COMMISSIONS OF THE MUNICIPAL COUNCIL

Out of the factions, the Georgian Dream – Democratic Georgia submitted the most initiatives (54), while Strong Village was the most passive faction with 0 initiatives.

The numbers of initiatives submitted and recommendations prepared by the factions during the reporting period are as follows:

- Georgian Dream – Democratic Georgia – 54;
- Georgian Dream – Industrialists – 26;
- Georgian Dream – Greens – 17;
- Patriots’ Alliance of Georgia – 10;
- United National Movement – 4;
- Strong Village – 0.

THE COMPOSITION OF THE MUNICIPAL COUNCIL’S FACTIONS DURING THE REPORTING PERIOD WAS AS FOLLOWS:

The Georgian Dream – Democratic Georgia faction – 12 members	Levan Liluashvili Zurab Musaev Besik Kochishvili Giga Orkodashvili Nana Khvistani Zurab Liluashvili Levan Kochloshvili Ucha Chotiashvili Levan Mrelashvili Aleksandre Shatirishvili Davit Ghaghanidze Nikoloz Maisuradze
The Georgian Dream – Industrialists faction – 3 members	Tite Darejanishvili Vasil Arabuli Archil Tkhlashidze
The Georgian Dream – Conservatives faction – 3 members	Maia Markozashvili Giorgi Kizikelashvili Davit Gogoshvili
The Georgian Dream – Greens faction – 3 members	Giorgi Chabrashvili Giga Mamukelashvili Gocha Tsatsalashvili

The Patriots' Alliance of Georgia faction - 3 members	Archil Tvaliashvili Mikheil Gremelashvili Ioseb Partsikanashvili
The United National Movement faction - 3 members	Aleksi Dzuliashvili Baadur Revazishvili Abram Makhariashvili
The Strong Village faction - 3 members	Aleksandre Kupatadze Zurab Natsarashvili Zakaria Grishikashvili

The factions include 30 members of the Municipal Council, only 2 of whom are women.

SESSIONS OF THE MUNICIPAL COUNCIL AND THE BUREAU

From 14 November 2017 up to 31 December 2019:

- The Municipal Council held 51 sessions and 25 extraordinary sessions;
- The 25 extraordinary sessions were held on the initiative of the Chairperson of the Municipal Council and at the proposal of the Mayor.

From 14 November 2017 up to 31 December 2019, the Municipal Council of Telavi deliberated on making amendments to the municipal budget 28 times:

- 2 amendments were made in 2017, initiator - the Mayor of the Municipality;
- 10 amendments were made in 2018, initiator - the Mayor of the Municipality;
- 16 amendments were made in 2019, initiator - the Mayor of the Municipality.

LEGAL ACTS ADOPTED BY THE MUNICIPAL COUNCIL

During the reporting period, the Municipal Council initiated 65 proposals.

According to the law, the legal acts of a municipal/city council are a resolution of the municipal/city council and a decree of the municipal/city council. During the reporting period, the Municipal Council of Telavi adopted 303 administrative-legal acts, out of which 139 acts were resolutions and 164 were decrees.

2017	2018	2019
<u>25 resolutions</u>	<u>71 resolutions</u>	<u>43 resolutions</u>
29 decrees	69 decrees	66 decrees

CHAPTER 5: THE GENDER EQUALITY COUNCIL

The Gender Equality Council of the Telavi Municipality was created in March 2018. From the day of its creation up to December 31, 2019, the Gender Equality Council:

- **Didn't** conduct an analysis and review of legal acts;
- **Didn't** elaborate a system of monitoring and evaluation of measures taken to ensure gender equality;
- **Didn't** discuss applications, documentation, and other information regarding violations of gender equality;
- **Didn't** submit a report and initiatives to the Municipal Council.

This information makes it clear that the Gender Equality Council of the Telavi Municipality fails to carry out practical activity. It does not fulfill the obligations and responsibilities it has taken. It can be said that the Gender Equality Council of the Telavi Municipality does not function despite having been created.

CHAPTER 6: CITIZENS' INVOLVEMENT

Any citizen can attend sessions of the Municipal Council of Telavi without any advance notice, although, as local self-government is in a developing stage, citizens' involvement is not satisfactory.

According to the information provided by the Municipal Council, no programs were provided for in the budget to facilitate citizens' involvement in the exercise of self-government.

Not a single petition was registered at the Municipal Council elected in 2017. The general assembly of settlement was not held in the Telavi Municipality during the reporting period.

CHAPTER 7: EXPENDITURES OF THE MUNICIPAL COUNCIL OF TELAVI

The remuneration given to officials, permanent staff, and contract-based employees of the Municipal Council during the reporting period – from 2018 up to December 31, 2019 – amounts to **GEL 1,203,557.11**.

	2018	2019
Chairperson of the Municipal Council	37,200	37,200
Deputy Chairperson	33,600	33,600
Chairpersons of commissions	102,000	102,136
Chairpersons of factions	95,439.55	139,981.4
Deputy chairpersons of factions	81,769.09	113,066.4
Permanent staff of the Municipal Council	124,665.67	119,649
Contract-based employees	90,450	92,800
Total:	GEL 565,124.31	GEL 638,432.8

- In 2019 the remuneration increased **by 13%** compared with 2018;
- The **remuneration** given to officials of the Municipal Council's factions amounted to GEL 177,208.64 in 2018 and to GEL 253,033.4 in 2019;
- From 1 January 2018 up to 31 December 2019, the Municipal Council **spent fuel** worth GEL 70,467.54;
- Officials of the Municipal Council spent GEL 32,893.65 on **work trips** abroad and GEL 965.5 on work trips within the country;
- Compared with 2018, **GEL 5,769.61 more** was spent on work trips abroad in 2019;
- During the reporting period, the **telephone communication expenses** of the Municipal Council amounted to GEL 10,747.18, out of which GEL 4,433.45 was spent only in the past three months;
- During the reporting period, GEL 8,392.04 was spent on the **repair of vehicles** of the Chairperson and Deputy Chairperson of the Municipal Council;
- The price of the vehicle at the disposal of Giga Orkodashvili, Deputy Chairperson of the Municipal Council, is GEL 12,150, while the cost of its repairs amounts to 5,283.82, which raises certain questions about the reasonableness of the expenses.

CHAPTER 8: INCOMPLETE ASSET DECLARATIONS AND INCOMPATIBLE ACTIVITY

Officials' filling out asset declarations incompletely and with shortcomings is a considerable challenge to the Municipal Council of Telavi. Three of 22 officials of the Municipal Council (Chairperson of the Municipal Council, Deputy Chairperson of the Municipal Council, chairpersons of commissions, chairpersons of factions, and deputy chairpersons of factions) have filled out their declarations incompletely.

According to the Law on Conflict of Interest and Corruption in Public Service, an official is obliged to fill out an asset declaration completely within two months after his/her appointment to the office, indicate information about his/her and his/her family members' property and economic interests; transfer the management rights of his/her stakes in business entities to another person; and resign from the position of the head (director) of the business entity within 10 days after being appointed to the office.

Shortcomings in the asset declarations of officials of the Municipal Council of Telavi:



[LEVAN LILUASHVILI](#)

Chairperson of the Georgian Dream - Democratic Georgia faction

Levan Liluashvili failed to indicate in his [declaration](#) that he is the owner of a 50% stake and director of [L.M.S.I. LLC](#), as well as the owner of 100% stake and director of [Lemagi LLC](#).

Despite the requirement of law, he hasn't transferred the management rights of these stakes to another person and hasn't resigned from the director's position.



[ZURAB MUSAEV](#)

Deputy Chairperson of the Georgian Dream - Democratic Georgia faction

Zurab Musaev is registered as an [individual entrepreneur](#), although he hasn't [declared](#) this fact.



TITE DAREJANISHVILI

Chairperson of the Georgian Dream - Industrialists faction

Tite Darejanishvili's father, Vazha Darejanishvili, is registered as an [individual entrepreneur](#), although he hasn't indicated this fact in his [declaration](#).



ALEKSI DZULIASHVILI

Chairperson of the United National Movement faction

Aleksi Dzuliashvili hasn't indicated in his [declaration](#) that he is the director of JSC [Brizi](#). Despite the requirement of law, he hasn't resigned from the said position.

RECOMMENDATIONS

Exercise of control:

- Members of the Municipal Council of Poti should be involved more actively in supervision activities. Specifically, they should use mechanisms of control more frequently and take effective steps with the aim of monitoring the process of public procurements and large infrastructure projects.
- The standing commissions of the Municipal Council should also be actively involved in the supervision of the activities of executive bodies.
- The Municipal Council should work actively and in good faith to reveal cases of conflict of interest, incompatibility with public office, and violations of the Rules of Procedure of the Municipal Council and of norms of ethics within the municipality.

Sessions of the Municipal Council:

- The Municipal Council should improve the organizational aspects of its work and reduce the number of extraordinary sessions, as they interfere with ensuring citizens' involvement, mobilization of interest groups, preparation for discussing issues to be considered at the sessions, and transparency of the deliberative body.

Accountability:

- All members of the Municipal Council should exercise responsibility and attend the sessions of the Municipal Council and its commissions. The reasons for both valid and invalid absences of each member of the Municipal Council from the sessions should be found out, and corresponding measures should be applied.
- Filling out asset declarations by officials is an important mechanism for ensuring transparency and accountability. Filling out declarations incompletely also contains a risk of corruption. For this reason, it is necessary that officials fill out the declarations in full.

Activities of factions:

- It is important that the activities of factions be beneficial for the corresponding self-government body and be oriented at increasing the availability and quality of municipal services. Factions are an important component for increasing the quality of citizens' involvement in self-government, supporting local initiatives, and advocating for citizens' needs and problems. Therefore, we call upon the factions to use the said instruments actively.

Expenditures of the Municipal Council:

- It is important that the expenditures incurred by the Municipal Council be in full conformity with the exercise of the powers assigned to it by the legislation.

- The Municipal Council should exercise strict control on the administrative expenditures of both the representative body, in particular, and the municipality, in general, and be oriented at economical spending of financial resources.

Petition:

- The legislation enables self-government bodies to decrease the number of signatures required to file a petition to any number they want. The Local Self-Government Code only sets the upper limit – 1%, which may be difficult to comply with considering a large number of citizens in some municipalities.
- Considering that not a single petition was registered at the Municipal Council during the reporting period, it is important that the Municipal Council of Telavi, too, decrease the lower limit of the number of signatures and set it at 0.3% or 0.5% instead of 1%, which will make the procedure of preparation of a petition easier for interested individuals.

General assembly of the settlement:

- The general assembly of the settlement has not yet been held in the Telavi Municipality. It is important that the Municipal Council activate this mechanism of involvement and apply to the Mayor with a motion to hold the assembly. It is necessary for the municipality to hold the general assembly of the settlement in order to better plan the budget of every following year.

Access to public information:

- Compared with other municipalities of Kakheti, the Municipal Council of Telavi is more effective in terms of providing access to public information, although the quality of the public information provided needs to be improved.