Committee of the Whole
REPORT 09-032

9:30 a.m.
November 24, 2009
Albion Room
Hamilton Convention Centre

Present: Mayor F. Eisenberger
Deputy Mayor M. McCarthy

Absent with regrets: Councillor B. Clark – medical appointment

Also Present: C. Murray, City Manager
R. Rossini, General Manager, Finance and Corporate Services
G. Davis, General Manager, Public Works
T. McCabe, General Manager, Planning and Economic Development
J. Kay, General Manager, HES, Fire Chief
M. Gallagher, Co-ordinator, Council and Committee of the Whole/Budgets

COMMITTEE OF THE WHOLE PRESENTS REPORT 09-032 AND RESPECTFULLY RECOMMENDS:

1. 2010 Tax Supported User Fees (FCS09108) (City Wide) (Item 4.1)

   (a) That the 2010 User Fees contained in Appendix “A” to Report FCS09108, be approved and implemented;

   (b) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council’s approval, for the purposes of establishing the user fees contained within this report.
2. Joint Presentation - Area Chambers of Commerce (Item 6.1)

That the written submission by the Area Chambers of Commerce, be received.

3. Peter Hutton, Hamilton Transit Users Group (Item 6.2)

That the presentation by Peter Hutton, be received.

4. Area Rating – Citizen’s Forum and Area Rating Options (FCS09087) (City Wide) (Item 7.1)

(a) That Report FCS09087 respecting Area Rating Options be received; and referred to a ‘Citizens’ Forum’ process as outlined in Appendix A attached hereto.

(b) That the “Citizens’ Forum” present a consensus recommendation to Committee of the Whole on November 30, 2010.

(c) That the staff be directed to develop the Terms of Reference, including Selection Criteria for Membership, costs associated with the initiative, reporting mechanisms and report back to Committee of the Whole by mid January 2010.

(d) That the Area Rating Options Report FCS09087 be forwarded to the Citizen’s Forum, once established.

(e) That once individual citizens are selected, the selected names come to Committee of the Whole by February 2010 for final approval.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA

The Area Chambers of Commerce withdrew their delegation request to speak today. In its place however, they have submitted a written submission which has been circulated.

Subsequent delegation request from Peter Hutton of the Hamilton Transit Users Group wishing to address the area rating of transit. If approved this presentation will be added as Item 6.2 to today’s agenda.
The agenda was adopted as amended.

(b) DECLARATIONS OF INTEREST

None

(c) STAFF PRESENTATION

(i) Staff Presentation - 2010 Tax Supported User Fees (Item 3.1)

Mike Zegarac provided Highlights of the 2010 Tax Supported User Fees

Highlights of the presentation included:
- Guideline approved by Council in July, 2009
- Fees that are not included in the user fee report
- Guideline increases
- New Fees
- Impact of HST

The presentation was received.

(d) AREA RATING

(i) Staff Presentation - Area Rating Options (Item 5.1)

General Manager Rob Rossini and City Manager Chris Murray extended appreciation to staff, Tom Hewitson and Maria Di Santo for the work on the Area Rating report.

Staff provided an overview of the following:
- Area Rating Principles
- Approach to Reviewing Area Rating
- Area Rating Legislation
- Area Rating Models
- Proposed Area Rating
- EMS and Fire Operational Deployment

The presentation was received.
(ii) Peter Hutton, Hamilton Transit Users Group (Item 6.2)

Mr. Hutton addressed the following in his presentation:

- Area Rating – Let’s get on with it!
- Disappointed that the concept is spread out over a number of years – should be a shorter time period
- Citizen’s Jury – if council is not in a position to make decision on area rating today, I think it is an interesting question to think about taking this issue to the broader community and engage them.

(iii) The following Amendment was put at Committee and Approved:

That the word “jury” be replaced with the word “forum”.

(iv) The following Amendment was put at Committee and Defeated on a Standing Recorded Vote:

That the date November 30th be amended to read June 30th or during this term of council.

AMENDMENT was DEFEATED on a Standing Recorded Vote as follows:

Yeas: Councillors Collins, Duvall, Jackson, McHattie, Merulla, Morelli, Whitehead
Total: 7
Nays: Mayor Eisenberger, Councillors Bratina, Ferguson, McCarthy, Pasuta, Mitchell, Pearson, Powers
Total: 8
Absent: Councillor Clark
Total: 1

(v) A motion to Put the Question CARRIED on a Standing Recorded Vote as follows:

Yeas: Mayor Eisenberger, Councillors Bratina, Ferguson, McCarthy, Pasuta, Mitchell, Pearson, Powers
Total: 8
Nays: Councillors Collins, Duvall, Jackson, McHattie, Merulla, Morelli, Whitehead
Total: 7
Absent: Councillor Clark  
Total: 1  

(v) The Main motion as Amended CARRIED on a Standing Recorded Vote as follows:  

Yeas: Mayor Eisenberger, Councillors Bratina, Ferguson, McCarthy, Pasuta, Mitchell, Pearson, Powers  
Total: 8  
Nays: Councillors Collins, Duvall, Jackson, McHattie, Merulla, Morelli, Whitehead  
Total: 7  
Absent: Councillor Clark  
Total: 1  

(e) NOTICE OF MOTION  

A motion moved by Councillor Whitehead and Seconded by Councillor Duvall was put but then subsequently withdrawn by Councillor Whitehead on the understanding he would bring the motion forward at the November 25, 2009 Council meeting.  

There being no further business, the meeting adjourned at 3:15 p.m.  

Respectfully submitted,  

Mayor F. Eisenberger  

M. Gallagher, Co-ordinator  
Committee of the Whole, Council and Budgets  
November 24, 2009
Citizens’ Jury
A Consensus Approach to Area-Rating

City Council has asked that options be developed for updating the current area-rating system to reflect the changes in our community since amalgamation.

Area-rating is a complex issue and any changes to the current structure require significant community involvement. Given the nature of the issue, its meaning to community unity, and the potential emotional element it raises, a Citizens’ Jury approach to finding a community solution is appropriate.

A Citizens’ Jury is an innovative approach to community based decision-making that invites citizens to have direct involvement in the major decisions that will impact their lives.

More specifically, a Citizens’ Jury is a group of citizens that are chosen to deliberate on a particular topic, with the aid of all needed information, and provide recommendations to government on how to move forward on the issue, blending competing interests to create a community solution.

This approach seeks to move beyond the basic public meeting approach to consultation which can too easily be dominated by well-organized interest groups. Upon completion, the Citizens’ Jury would report back to City Council to help the elected representatives make the ultimate decision on the issue.

The process has proven that a group of informed, representative citizens will develop informed and reasonable recommendations.

Jury Selection

Given the geographic nature of area-rating, selecting the jury could be achieved in the following manner: Random invitations are sent out in a geographically balanced manner across the City. The responses received are grouped by geography and demographics and a final selection is made that reflects the make-up of the overall community. The process is not like traditional committee-of-councils in Hamilton whereby people with areas of interest and expertise apply for specific committees. This is a more random process to ensure a level impartiality and representation from across the community.

Council would approve the process, selection criteria, and budget for a Citizens’ Jury process, as well as approve the final staff selected jury.

Reporting Mechanism

After deliberations are completed, the jury releases the findings in a public forum and the recommendations are presented to City Council in the form of a report.
## Roles within a Citizens’ Jury

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<thead>
<tr>
<th>Position</th>
<th>Role</th>
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<tr>
<td><strong>Project Manager</strong></td>
<td>Organizes the entire public participation process.</td>
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<tr>
<td><strong>Facilitator</strong></td>
<td>Supports the jury and manages group dynamics.</td>
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<tr>
<td><strong>Chair</strong></td>
<td>Manages the expert presentation and discussion sessions (timekeeping, keeping presenters focused on the key issues, etc.).</td>
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<tr>
<td><strong>Jury Members</strong></td>
<td>Typical size is 12-20 persons who listen to presentations, debate issues, respond to questions set in a terms of reference and presents recommendations at the end of the process. For Hamilton, 15 participants based on the current ward structure could be used.</td>
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<tr>
<td><strong>Expert Presenters</strong></td>
<td>Gives presentations to the jury and answers questions.</td>
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<td><strong>Public Outreach</strong></td>
<td>That the process include extensive public outreach activities such as a web site, updates and public delegations.</td>
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<tr>
<td><strong>Observers</strong></td>
<td>The process is open and transparent to the public and media interested in the process and observing the jury at work.</td>
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