TO: Mayor and Members
    Committee of the Whole

WARD(S) AFFECTED: CITY WIDE

COMMITTEE DATE: October 12, 2010

SUBJECT/REPORT NO: Stormwater Rate Study Phase 2 - Stormwater Advisory
    Committee Membership Criteria (PW10085) - (City Wide)

SUBMITTED BY:
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SIGNATURE:

RECOMMENDATION

(a) That the name of the Stormwater Advisory Committee be changed to the
    Stormwater Rate Sub-Review Committee;

(b) That the Stormwater Rate Sub-Review Committee be composed of the following:
    (i) Four members of Council
    (ii) representation from the following areas: industrial, commercial,
         institutional, residential (rural and urban), agricultural, environmental and
         citizens-at-large;

(c) That the Independent Community Panel participate in Phase 2 of the Stormwater
    Rate Study;

(d) That staff be authorized and directed to advertise for citizens and stakeholders
    interested in serving on the Stormwater Rate Sub-Review Committee;

(e) That staff be authorized and directed to report back to the Committee of the
    Whole with a Terms of Reference for the Stormwater Rate Sub-Review
    Committee.

EXECUTIVE SUMMARY

City Council, at its meeting held on December 9, 2009, approved Item 1 of Committee
of the Whole Report 09-034, which reads as follows:
1. **Stormwater Advisory Committee**

That Council determine the membership criteria for the Stormwater Advisory Committee.

Given the typically low profile and level of understanding of the municipal stormwater management program by the general public, the formation of a Stormwater Advisory Committee or SWAC (hereafter referred to as the Stormwater Rate Sub-Review Committee) is a critical undertaking in a stormwater rate study. The proposed Stormwater Rate Sub-Review Committee is an integral component of the Phase 2 Stormwater Rate Study process and should be a tripartite group comprised of 1) Stakeholders including members of Council, stakeholders from Industrial/Commercial/Institutional (ICI), Residential, Agricultural, Environmental Community and Citizens at Large, 2) The Independent Community Panel which includes experts along a range of stormwater related disciplines, and 3) the Project Team comprised of City Staff and Consultants.

This committee, facilitated by staff and the successful proponent of the Phase 2 Request for Proposal (RFP), will have the objective of forming a sounding board for stormwater rate issues and concerns including rate structure, area specific issues, credits and incentives, etc., and foster collaborative and informed dialogue.

**Vision:** To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

**Values:** Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
A maximum of three (3) individuals per category are to be selected. Candidate members in the ICI, Residential, Agricultural, Environmental and Citizens at Large categories will be solicited through advertisement in the Hamilton Spectator and Community Papers (Flamborough News, Stoney Creek News, Mountain News, Ancaster News, Dundas Star).

The following selection criteria will be applied to assemble the Stormwater Rate Sub-Review Committee.

1. Member must represent one of the following sectors:
   a) Residential (Urban)
   b) Residential (Rural)
   c) Agricultural
   d) Environmental
   e) Citizen(s) at Large
   f) Industrial
   g) Commercial
   h) Institutional

2. A maximum of three members per sector will be appointed with a minimum of at least one member per sector.

3. Candidates must commit to participation at all workshops.

The Request for Proposal (RFP) for Phase 2 of the Stormwater Rate Study closed on August 12, 2010 and a consulting team led by AMEC is the successful proponent. The Phase 2 scope consists of enhanced Public and ICI Stakeholder consultation with the provision for up to nine (9) Public Information Centres (PIC) and nine (9) Stormwater Rate Sub-Review Committee meetings/workshops.

**Alternatives for Consideration - See Page 5**

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS**

**Financial:** The establishment of membership criteria to form the Stormwater Rate Sub-Review Committee does not have financial implications.

**Staffing:** Existing staff resources will be utilized at this stage of the project. There are no long term staffing implications related to the recommendation.

**Legal:** N/A

**HISTORICAL BACKGROUND**

City Council, at its meeting held on December 10, 2008, approved Item 2(l) of Committee of the Whole Report 08-035, which reads as follows:

(l) That staff be directed to report to Council in 2009 on the feasibility of introducing a stormwater utility rate, effective January 2010, in an effort to try to capture associated user fees from all beneficiaries.
Phase 1 of the Stormwater Rate Feasibility Study began in June, 2009 and ended in January, 2010. The findings of the Phase 1 Study were presented to Committee of the Whole at its meeting of December 4, 2009. Council was not prepared to accept the recommendations contained in Report PW09099 to implement a Stormwater rate effective January 2010 as additional consultation was preferred and approved Item 2 of Committee of the Whole Report 09-034, as amended, as follows:

2. **Stormwater Rate Feasibility Study (PW09099)**

   (a) That the General Manager of Public Works be authorized and directed to proceed with a public consultation process to consider a draft Stormwater Rate By-law or other options;

   (b) That staff be authorized and directed to return to Council in June 2010 with a report for Council’s consideration;

   (c) That the Single Detached Unit rate of $6 per month be considered as the base unit rate for Stormwater billing City wide;

   (d) That the implementation component of the project, at an estimated cost of approximately $600,000, be funded as part of the 2010 Capital Budget (Project ID 5161057051);

   (e) That the Agricultural and Rural Affairs Committee be consulted.

Following Council's approval of the above, staff proceeded to tender a Request for Proposal (RFP) for Phase 2 of the study: Additional Public Consultation and the Implementation of a Preferred Funding Strategy for Stormwater Management Services. This tender closed on August 12th and a consulting team led by AMEC is the successful proponent.

**POLICY IMPLICATIONS**

**Public Works Business Plan**

Innovate Now - Communities - Services our communities connect with and trust.

Establishment of the Stormwater Rate Sub-Review Committee ensures this Vision is fulfilled through workshops and Public Information Centres to communicate with our residents and community partners.

Innovate Now - Processes - Smart process that match our needs

The Stormwater Rate Sub-Review Committee will ensure engagement of the right people in a transparent, user-friendly, information-sharing, and rigorous manner.

Innovate Now - Finances - Sound financial management for the long haul

The establishment of a Stormwater Rate is itself consistent with the Vision of the Finances driver. The tenants of this policy will guide the Stormwater Rate Sub-Review Committee as well as the development and implementation of the Stormwater Rate.
Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities. 

Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork

RELEVANT CONSULTATION

Through the Public Information Centres and Industrial/Commercial/Institutional Workshop consultation that were undertaken in the Phase 1 Study, the project team received many requests to participate in the Stormwater Rate Sub-Review Committee (consultation. Comments were received in Phase 1 from Citizens at Large, Agricultural, and Residential), and these stakeholders will have the opportunity to participate by responding to the public advertisements for Stormwater Rate Sub-Review Committee volunteers.

ANALYSIS / RATIONALE FOR RECOMMENDATION

The recommendation for membership criteria for the Stormwater Rate Sub-Review Committee is in response to specific direction from Council. Public and Stakeholder consultation was identified as a key success factor in the Phase 1 Study which identified the need for additional comprehensive consultation. Consultation with Stakeholders and the Independent Community Panel will provide valuable direction for the Study Team and ultimately recommendations to Council. The Stormwater Rate Sub-Review Committee will guide the study via a Triple Bottom Line approach to the development of a Stormwater Rate for Hamilton.

ALTERNATIVES FOR CONSIDERATION

The impact of not proceeding with the recommendations will prohibit the continuation of the Phase 2 Study as they are in the critical path. Not being able to undertake the Phase 2 Study will prohibit the development of a sustainable and equitable funding system for the provision of Stormwater Services as directed on December 5, 2008 (FCS08108/PW08135).

(I) That staff be directed to report to Council in 2009, on the feasibility of introducing a stormwater utility rate, effective January 2010, in an effort to try to capture associated user fees form all beneficiaries;

The addition or removal of membership criteria in the recommendation is welcome.

CORPORATE STRATEGIC PLAN


Skilled, Innovative & Respectful Organization

♦ More innovation, greater teamwork, better client focus

The Stormwater Rate Sub-Review Committee will ensure residents and stakeholders in the City can contribute to the development of the Stormwater Rate in a consultative team environment.

♦ Council and SMT are recognized for their leadership and integrity
Ensuring representation on the Stormwater Rate Sub-Review Committee is Council endorsed via the acceptance of the membership criteria meets this criteria.

Financial Sustainability
- Financially Sustainable City by 2020
- Effective and sustainable Growth Management
- Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative and cost effective manner
- Full life-cycle costing for capital
- Address infrastructure deficiencies and unfunded liabilities
- Generate assessment growth/non-tax revenues
- Sustainable Tri-parti Government Agreement

Intergovernmental Relationships
- Influence federal and provincial policy development to benefit Hamilton
- Acquire greater share of Provincial and Federal grants (including those that meet specific needs)
- Maintain effective relationships with other public agencies

Growing Our Economy
- A skilled and creative labour pool that supports new employers
- A visitor and convention destination

Environmental Stewardship
- Natural resources are protected and enhanced
- Reduced impact of City activities on the environment
- Remove Hamilton Harbour from Great Lakes area of concern list by 2015
- Reduce the impact of Hamilton’s industrial, commercial Private and Public operations on the environment
- Aspiring to the highest environmental standards

Healthy Community
- Plan and manage the built environment
- An engaged Citizenry

The Stormwater Rate Sub-Review Committee will ensure that Citizens and stakeholders are engaged in the development of the Stormwater Rate.

APPENDICES / SCHEDULES

N/A