


CITY OF HAMILTON

CITY MANAGER'S OFFICE

TO: Mayor and Members Committee of the Whole	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: February 8, 2010	
SUBJECT/REPORT NO: Citizens' Forum Recommendations CM10002 (City Wide)	
SUBMITTED BY: Chris Murray 905.540.5420	PREPARED BY: Mike Kirkopoulos 905.546.2424 ext. 5598
SIGNATURE: 	

RECOMMENDATION:

- (a) That the Terms of Reference, attached as **Appendix 'A'** to Report CM10002 for the Citizens' Forum Recommendations be approved.
- (b) That costs for a citizen's forum in the amount of \$95,000 be funded from tax stabilization reserve #110046 and approved.

EXECUTIVE SUMMARY

During the November 24th CoW, Committee directed that staff report back on the Terms of Reference, selection criteria for membership and costs associated with a Citizen Forum process.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: It is projected that a Citizens' Forum public engagement exercise will cost approximately \$ 95,000. It is recommended that this be funded through the Tax Stabilization Reserve # 110046. (See Appendix A for costing breakdown)

Staffing: No increase or request for additional staff. Some staff time will be required in terms of administrative aspects of the Citizen's Forum process.

Legal: None identified

HISTORICAL BACKGROUND (Chronology of events)

Area rating for property taxes has been a divisive issue. City Council is interested in input from the citizens of Hamilton prior to making a decision on how to approach area rating. The goal of the Citizens' Forum initiative is to engage citizens in a manner that fosters greater appreciation for each others needs.

In order to provide citizens of Hamilton with an opportunity to better understand the issue as well as the options and associated trade-offs, Committee approved a motion that directs staff to report back on the Terms of Reference, selection criteria for membership and costs associated with this initiative.

POLICY IMPLICATIONS

Staff recommendations as per report FCS09087 "Area Rating Options" were as follows:

(a) That the following proposed amendments to the current method of area rating, constituting an "Urban / Rural" model of area rating, be referred to a public consultation process:

- (i) Elimination of Culture & Recreation (including Parkland purchases) from area rating,
- (ii) Area rating of Transit services based on an urban/rural model to align to the service area (attached map in Appendix D1 of Area Rating Options (FCS09087)),

(iii) Area rating of Fire services based on an urban/rural model to align to the Fire primary response areas (attached map in Appendix D2 of Area Rating Options (FCS09087)),

(iv) Continuation of area rating Sidewalk Snow Clearing within the transit area of Ward 12,

(v) Area rating of Sidewalks and Street Lighting based on an urban/rural model to align to the service area (attached map in Appendix D1 Area Rating Options (FCS09087));

(b) That the proposed urban/rural method of area rating, as identified in recommendation (a) to report FCS09087 “Area Rating Options”, be staged and phased-in, as follows:

(i) Stage 1: Culture & Recreation, Fire, Sidewalks and Streetlights be phased-in equally over four years commencing in 2011;

(ii) Stage 2: Transit be phased-in equally over three years commencing in 2015;

and that this proposal be referred to a public consultation process;

(c) That the alternative area rating scenarios as described in report FCS09087 “Area Rating Options” also be referred to a public consultation process, as directed by Council, and;

(d) That following a public consultation / information sharing process, the proposed urban/rural method of area rating and related phase-in plan be referred to Council in 2009/10 or 2011, as directed by Council.

RELEVANT CONSULTATION

A working group has formed to develop an implementation plan for this project as well as to conduct the preliminary research associated with this report. The working group will be formalized once we receive council/committee approval. The group is comprised of representatives from the City Manager’s Office, Communications, and Corporate Services - Finance. Resources from Clerks and Customer Service/Access & Equity and specific program areas most impacted by area rating: Recreation, Transit and Fire will also be called on to be part of working team.

Staff also sought external expertise and consulted various agencies and organizations with previous experience in citizens’ forum type exercises both in terms of development and execution.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

The Citizens' Forum is an innovative method of incorporating citizen participation in decisions affecting all residents of Hamilton.

Inviting citizens to deliberate and advise on complex issues such as area rating takes the City in the direction of fulfilling the City's Strategic Plan – in particular citizen engagement.

Such efforts can invigorate citizen engagement in a positive way and build citizen capacity to respond to the complex and difficult decisions that politicians must make. It is designed to bring people together to listen to divergent viewpoints without judging and to problem solve in a more community-minded way. In going down this road, our community's capacity to address complex and controversial issues in a systematic and healthy way will be enhanced.

Undertaking an open, transparent and inclusive process will also create confidence from the broader public that the decision City Council makes on area rating reform is fair and that the communities concerns have been taken into account. An unbiased neutral process is essential for the success of this process.

The general public will also have the opportunity to be involved in one of three ways:

- they can review the same materials as the Panel via website
- they can hear the expert/community presentations to the Panel
- they will receive a presentation from the Panel on their recommendations.

Council will consider the recommendations of the Citizens' Forum Panel as part of their deliberation but are not bound by the recommendations of the panel.

ALTERNATIVES FOR CONSIDERATION:

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Staff was directed to come back with a Terms of Reference, Selection Criteria, and reporting mechanisms as per Council's approved recommendation relating to report FCS09087 - Area Rating Options. The method for consultation was already specific and as such staff have not presented alternatives for consideration.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Skilled, Innovative & Respectful Organization

- ◆ More innovation, greater teamwork, better client focus
- ◆ Council and SMT are recognized for their leadership and integrity

Financial Sustainability

- ◆ Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative and cost effective manner

Intergovernmental Relationships

- ◆ Maintain effective relationships with other public agencies

Growing Our Economy

- ◆ An improved customer service

Healthy Community

- ◆ An engaged Citizenry

**TERMS OF REFERENCE
CITIZENS' FORUM**

City of Hamilton

February 2010

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PREAMBLE

Participatory democracy, specifically, the Citizens' Forum idea, is a relatively new concept which has not been undertaken previously by the City of Hamilton. While some other municipal governments are currently undertaking such exercises (e.g.: the City of Edmonton has engaged a citizen forum type group for the establishment of a new strategic plan and priority setting goals), the City of Hamilton is introducing a new form of citizen engagement through the issue of Area Rating. This method will be evaluated as a potential future corporate citizen engagement initiative.

Inviting citizens to deliberate and advise on complex issues such as area rating would assist the City in fulfilling Vision 2020 while achieving the City Mission Statement's objective of public engagement. Such efforts can invigorate citizen engagement in a positive manner and build citizen capacity to understand and respond to the complex and difficult decisions that politicians must make.

Such processes are designed to bring people together to foster a dialogue complete with divergent viewpoints in the absence of judgment and to solve problems in a more community-minded way. This approach would help to enhance our community's capacity to address complex and controversial issues in a systematic and healthy manner.

By ensuring that this process respects the qualities of an open, transparent and inclusive process, engaging the broader public will also create confidence from the that the decision City Council makes on area rating reform is fair and that the communities concerns have been taken into account.

The process being recommended is mindful of the need for a strong communications strategy which would provide opportunities for input from City Staff so that citizens, municipal politicians and city staff go down this road together working towards a common goal.

The prerequisites or principles for any community-based, deliberative process are as follows:

Transparency – the public and the politicians have access to the same information and can see the rationale that informs the recommendation. Communication is proactive in providing information in a fulsome and timely fashion.

Inclusiveness – the process must be representative of the city both geographically and demographically. Input should be sought from citizens and organizations across the city to inform the deliberative process, again ensuring that diverse perspectives are solicited

and embedded in the discussions.

Accountability – Participants and those managing the project will be accountable for their work to City Council and the citizens of Hamilton, committing to putting aside their personal preferences on the issue while, at the same time, acting in service to the community as a whole.

Similarly, in accepting this process, City Council is accountable to the Citizens' Forum and to the entire community to be respectful of the process and the recommendations that come forward.

Resources - Appropriate resources are allocated to ensure the success of the process.

PURPOSE

To hear from the citizens of Hamilton prior to making a decision on how to approach area rating for property taxes. This will be facilitated through a Citizens' Forum process whereby ordinary citizens will be asked to make an informed consensus recommendation to Council on the options associated with this issue.

PROJECT DELIVERABLES

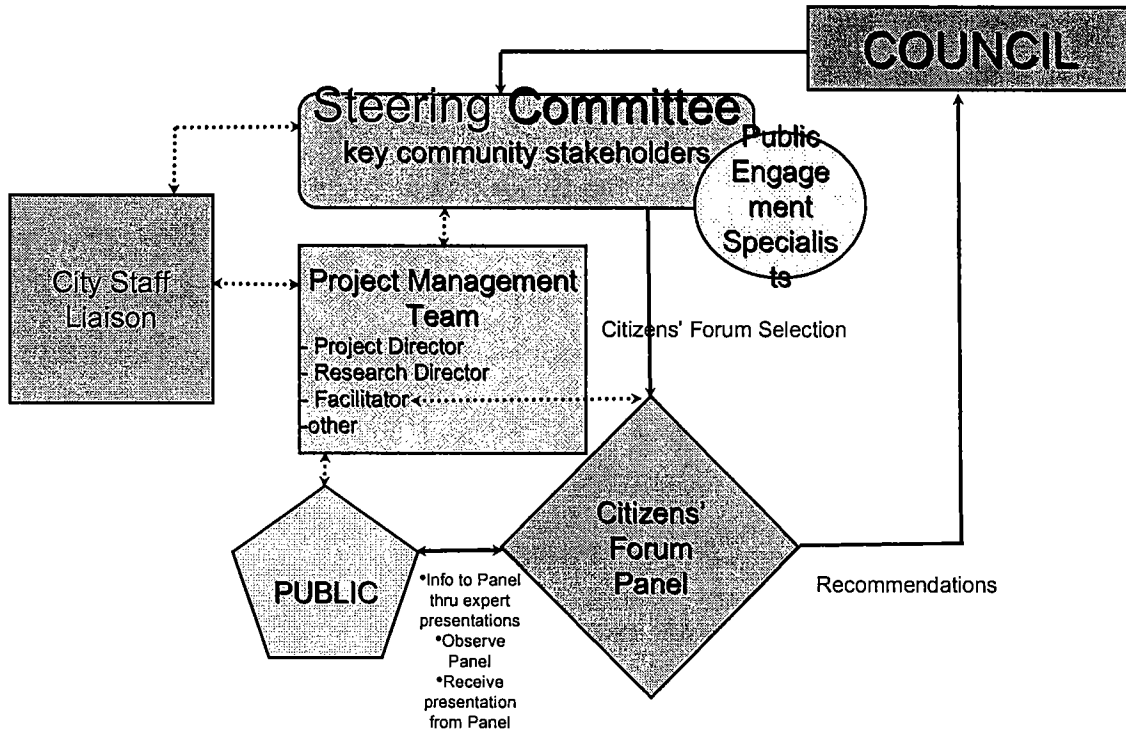
Overall, such a public engagement process should achieve the following outcomes:

- An area rating recommendation for Council based on a rich dialogue of engaged citizens
- A better-informed public. A transparent and inclusive process will help build consensus across the community and with opinion leaders; they will better understand the final decision, even if it is not their preference
- A framework of values and principles to guide the policy decision
- An analysis of why citizens think what they do, and what sticking points prevent progress

4. GOVERNANCE

The Governance structure and associated resources needed would include the following:

Organization Chart



1. An Independent Steering Committee

Selection of Independent Steering Committee: Members would be selected by an external expert (agency) that is hired to facilitate this process in conjunction with the City Manager's Office.

The City Manager's Office will oversee the request for proposals and hire the external resource.

Purpose: An independent steering committee will provide oversight for the entire process, which would include choosing a transparent "citizen forum panel" and overseeing the selection process as well as any relevant consultation.

Membership: The Steering Committee would be comprised of:

- Chair
- Community Representatives as per Vision 20/20 (Business, Social, Environment),
- One representative of the City Manager's Office (appointed by CM)
- Civic Engagement Expert(s),
- Project Director
- Research Director

2. Project Management Team

Selection of Project Management Team: Members would be selected based on external expertise (agency) that would be hired to facilitate this process. This will occur in conjunction with the City Manager's Office.

The City Manager's Office will oversee the request for proposals and hire the external resource.

Purpose: The project team is anticipated to handle the majority of the work. The team would work closely with City Staff but would have to be neutral, objective and unbiased. The team would carry out the majority of the organization and implementation responsibilities and facilitate the receipt and dissemination of information.

Membership: This would include:

- Project Director
- Research Director
- Lead Facilitator

- Logistics support
- Website/communications liaison

The Projector Director would also work with the Steering Committee and participate in those meetings.

The cost could be reduced if some of these functions could be seconded from City Staff.

3. Citizens' Forum

RECOMMENDATION FOR RANDOM CITIZENS' FORUM PANEL SELECTION

The Independent Steering Committee would oversee the Selection Process, this is imperative to ensure the process is independent and neutral.

Membership Recommendation: Jury to be composed of 1 person from each ward for a total of 15 members.

Process: Randomly generate 2000 names from the tax rolls and other methods currently used for random selection processes/committees and send a letter to these households asking homeowners to complete a short questionnaire indicating their interest in participating in this process as any of:

- Citizen Forum Panel member
- Part of the public consultation
- Not interested at this time but possibly in the future for another consultation.

Assuming a 10% response rate, we should generate 200 names, and collecting demographics.

The Citizens' Forum Panel should aim to best reflect the community at large in terms of its composition - i.e. gender, age, family composition, etc.

A shortlist from that list would be created and interviews conducted designed to provide in greater detail the duties and commitment, various answers to questions to assess willingness to participate.

Then, a short-list of potential panel members – as suggested 1 from each ward and 5 spares (as back up) – be selected, contacted and confirmed.

Key Assumptions:

- Letter to ratepayers would clearly define the process, explain the proposition and include a postage-paid envelope/questionnaire.

- City staff would generate random names, conduct mail-out and collect responses via tax roll, finance department and City Manager's Office.
- External consultant would compile list of potential panel members and conduct interviews.
- Steering Committee to work with project team to do short listing and selection of names.

5. SCHEDULE & ESTIMATED COST

Task	Schedule	Estimated Cost
Initiate the Project		
Report to Council for approval of Approach, Budget, a preliminary Terms of Reference for the Steering Committee and project process and citizen selection criteria.	February 8, 2010	
2. Appoint/retain external expertise – this also includes Project and Research Directors Required are: <ul style="list-style-type: none"> ○ External expertise to facilitate Citizens' Forum Process i.e. responsible for steering committee and project team establishment ○ A Project Director ○ A Research Director (to advise on panel selection process, oversee the development of the Issues Book (summary of staff report on area rating, public consultation, focus groups), analyze feedback, other materials, ads, etc. for public forums) 	Completed by early to mid-March	\$55,000 (depends on how much work is done by City staff versus Project and Research Directors) Assumes that administrative and logistics work is provided by the City.
Set Up the Project		
1. Define roles and terms for all parties 2. Retain a Lead Facilitator 3. Begin panel selection	Mid-March to end of March	\$10,000 - facilitation for the Citizen Forum Panel
Citizens' Forum Panel Selection Process		

Task	Schedule	Estimated Cost
1. Steering Committee confirms panel selection process	Early to mid-April	Up to \$5000 to compensate 8-10 Steering Committee members for expenses (i.e. mileage, transportation, etc.)
2. Carry out selection process & confirm panel members and alternatives with Steering Committee	Mid-April to mid-May	
Issues Book & Public Sessions		\$10,000
1. Survey 200-300 Hamiltonians	Completed by mid-April	
2. Conduct Focus Groups	Completed by end of April	
3. Analyse and integrate staff Options Report into Issues Book	End of April – Mid May	
4. Develop and Test Issues Book	Mid-May	
5. Final Issues Book (and analysis of focus group findings)	End of May	
6. Post Issues Book on website and provide for the public to use the issues book and submit comments to Citizens' Forum Panel	First two weeks in June	
Citizen's Forum Panel Process		
1. Convene for orientation	mid – late May	
2. Provide information in advance of their deliberation (includes issues book, other data collected via survey, issues book)	early June – late June	

Task	Schedule	Estimated Cost
3. Hold the deliberation <ul style="list-style-type: none"> - 2-3 days of discussion on the Issues Book, background information (also open to the public to observe) - 3-5 days of community/public submissions (also open to the public to observe) - 3-4 days to hold facilitated deliberation on the options - 1-2 day to write recommendations and finalize report 	Beginning to end of July Beginning August – mid September Mid-September – mid October Mid October - early November	Up to \$5000 to compensate 15-20 panel members for expenses only (i.e. Mileage, transportation, etc.) Up to \$5000 for expert presenters (this will be for necessary expenses and depends on the need for external experts)
4. Presentation to Council & Pubic	November 30, 2010	
Disbursements:		
meeting space, refreshments, printing, materials for sessions		\$5000
Total		\$95,000

The cost of the project as per the breakdown \$95,000 and will be funded from the Tax Stabilization Reserve # 110046.