EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 3, Report No. 31, of the Committee of the Whole (Working Session), which was adopted, as amended, by the Council of the City of Vaughan on June 25, 2013, as follows:

By receiving Communication C3 from Mr. Frank Greco, dated June 17, 2013.

3 REGISTERED RATEPAYER/COMMUNITY ASSOCIATION POLICY REVIEW

The Committee of the Whole (Working Session) recommends:

 That consideration of this matter be deferred to a meeting of the Committee of the Whole (Working Session), prior to the end of the year, to allow for additional input from all interested parties;

That meeting space be provided to the deputants, as needed, for a maximum of 6 occasions for the purpose of facilitating the discussions of interested parties; and

That each Member of Council provide contact information to the City Clerk, by the week of July 2, 2013, respecting formerly functioning or currently non-registered community associations:

- 2) That the following report of the City Clerk, dated June 17, 2013, be received;
- 3) That the following deputations and Communication be received:
 - 1. Mr. Anthony Francescucci, Weston Downs Ratepayers' Association, Blackburn Boulevard, Woodbridge and Communication C7:
 - 2. Ms. Sonia Meucci, Weston Downs Ratepayers' Association;
 - 3. Ms. Rose Savage on behalf of Ms. Gila Martow; and
 - 4. Mr. Nick Pinto, Mapes Avenue, Woodbridge; and
- 4) That the following Communications be received;
 - C4. Presentation material entitled, "Registered Ratepayer/Community Association Policy Review";
 - C5. Ms. Gila Martow, dated June 17, 2013; and
 - C6. Woodbridge Core Ratepayers' Association, dated June 15, 2013.

Recommendation

The City Clerk, in consultation with the Commissioner of Legal and Administrative Services/ City Solicitor and the Director, Recreation & Culture recommends:

- That the attached report 'Registered Ratepayer/Community Association Policy Review, June 2013 be received; and
- 2) That the Ratepayer/Community Association Policy be revised to provide for:
 - a. a streamlined registration process;
 - b. removal of geographic exclusivity;
 - c. broadening of the definition of ratepayer/community association; and
 - d. a minimum membership of 10 households,

in accordance with Option 3 set out in the attached report.

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Contribution to Sustainability

The proposed registered ratepayer/community association policy will support active civic engagement by recognizing the role played by ratepayer and community groups.

Economic Impact

There will be minor impacts on the Recreation and Culture budget depending on the number of groups who choose to register under the policy and who wish to make use of City facilities for meeting space.

Communications Plan

Any revisions to the policy will be communicated to staff and ratepayer and community associations. The revised policy will also be posted on the City's website.

Background

The Registered Ratepayer/Community Association Policy has been in place since 1986. The original policy was limited in scope and focused on the requirement for groups to be registered with the City in order to receive hard copy agenda and minutes. Over the years, the policy has been amended to include additional registration requirements as part of an annual registration process. The last time the policy was amended was in 2004.

At the November 2012 Committee of the Whole meeting, Committee received a deputation from representatives of the Weston Downs Community Association regarding the Registered Ratepayer/Community Association policy. The deputation and committee's deliberations highlighted a number of concerns with the current policy.

Committee of the Whole recommended "that the City Clerk in consultation with interested parties, review and report on the City of Vaughan Registered Ratepayer/Community Association Policy." This recommendation was subsequently adopted by Council at its meeting held on December 11, 2012 (Committee of the Whole Report No. 48, Item 38).

Analysis and Options

As outlined in the attached report, staff undertook a public consultation process to obtain feedback on the policy and explore options for changes to the policy. The public consultation was comprised of a public survey and a public forum.

The public survey focused on three main elements of the current policy:

Geographic Exclusivity

The current policy of not allowing overlapping geographic boundaries has been a source of frustration for smaller communities and neighbourhoods wanting to form their own associations and be recognized by the City. One of the questions to be answered through the consultation process was whether geographic exclusivity is an essential component of recognizing ratepayer/community associations, or whether more than one association should be allowed to represent a geographic area.

Benefits of Registration

One of the benefits of registration stated in the current policy no longer applies - the provision of

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hard copy agendas and minutes to registered associations. Through the public consultation, staff sought feedback on whether to continue the benefit of providing one free meeting space per year to registered groups and on the broader topic of the perceived benefits of formal registration with the City.

City's Role

City staff have received complaints regarding the internal affairs of some ratepayer associations, and requests to become more actively involved in resolving these complaints. To explore this issue further, the consultation process included discussion of the City's role in registering associations, including the appropriate degree of involvement by the City.

The public forum, held on May 8, 2013, began with a presentation from the City Clerk that highlighted the main findings of the public survey. Forum participants were then divided into groups to discuss several questions designed to further explore some of the themes and issues identified from the public survey.

Based on the feedback obtained from the public survey, three policy options were identified. These policy options can be viewed as points on a continuum, with Option 1 being a more robust policy, Option 2 being the Status Quo, and Option 3 being a more streamlined version of the current policy.

The attached report includes a comparative analysis of these options, including the impact that each option would have on: perceived legitimacy and credibility of ratepayer/community associations; freedom of association/fostering civic engagement; access to city resources; and the City's Oversight Role.

Conclusion

It is clear that ratepayer and community associations, as do other associations, play an important role in the process of civic engagement. As heard through the public consultation process, these associations advocate for the community, build community capacity, help keep residents informed, and provide a community perspective on a wide range of issues. Also, while associations may be formed on a geographic basis, they may also be formed to represent a specific interest or issue.

A ratepayer/community association registration process may help facilitate the process of civic engagement by allowing the city to use the mechanisms of these groups to reach out to larger audiences for input on civic matters. A public listing of registered associations also increases public awareness of active groups within the community.

A key issue identified in the course of the review is the impact geographic exclusivity has on the ratepayer policy and indeed on the relationship the City has with its ratepayer groups. Geographic exclusivity necessarily distinguishes between registered and non-registered groups which creates either perceived or real differences in the formal interaction between the City and these groups. The preservation of geographic exclusivity will require:

- a more rigorous policy to administer the ongoing validity of an organization and its right to the exclusivity;
- greater engagement by staff to monitor and indeed adjudicate on internal association matters (e.g. compliance with its constitution, notice, quorum...);
- additional staff resources to carry out ratepayer monitoring; and
- an appeal mechanism which may involve Council as the final decision-maker.

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Though it was asserted by some that geographic exclusivity necessarily supports the credibility of ratepayer groups as they come before Council or participate on matters before the Ontario Municipal Board, there were no tangible indicators to support that view. The credibility of a ratepayer position before Council is based on a number of factors such as the level of engagement of the group and its leadership, and the contributions the association has made to

the debate either in written or oral form. Staff in reviewing the implications of removing geographic exclusivity from the ratepayer policy concluded that on balance the negative aspects arising from perceptions of bias in the administration of stringent rules by both staff and Council and the increased resources required to conduct that level of administration, did not outweigh any perceived advantages to the groups in terms of their credibility or authenticity.

Of the three options presented, staff recommend Option 3 – Public Register of Ratepayer and Community Associations. Option 3 provides:

- A strong framework for civic engagement, through broader registration criteria and the removal of geographic exclusivity;
- Transparency and recognition for associations, by maintaining a formal register which is publicly posted;
- An appropriate and sustainable level of staff oversight, by providing for administrative oversight and updating of the register, rather than enforcement and arbitration of disputes.

Attachments

Attachment 1 – Registered Ratepayer/Community Association Policy Review, June 2013

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council as set out in Vaughan Vision 2020, particularly:

MANAGEMENT EXCELLENCE -

Demonstrate Leadership and Promote Effective Governance

Regional Implications

Not applicable.

Report prepared by:

Barbara A. McEwan, Deputy City Clerk Ext. 8628

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Subject:

FW: Ratepayers Policy

C 3

Item # 3

Report No. 31 (WS)

Council - June 25//3

From: frank.greco@sympatico.ca
Sent: Monday, June 17, 2013 1:47 PM

To: Abrams, Jeffrey

Reply To: frank@heritagehill.ca

Cc: Iafrate, Marilyn; Schulte, Deb; Rosati, Gino; Di Biase, Michael; Bevilacqua, Maurizio

Subject: Ratepayers Policy

Mr. Abrams,

RE: COMMITTEE OF THE WHOLE (WORKING SESSION) - JUNE 17, 2013 REGISTERED RATEPAYER/COMMUNITY ASSOCIATION POLICY REVIEW

Please add me to the email and distribution list for this item.

The Kleinburg Village Core Ratepayers Group (commercial property owners within the Village Core) has tried to become a recognized community group in the past. Unfortunately, because of the City wide Ratepayers policy, exclusivity of boundaries has prevented our group from becoming a registered and recognized group. Former councillors Meffe, Frustaglio and Ferri have strongly supported KARA and prevented any other groups from forming within its exclusive boundary. The Nashville Ratepayers is just one example. That policy and in particular those former councillors have prevented our group and any other group from having ANY recognition/ status at the City. This has resulted in titanic clashes between KARA and individual commercial property owners for the last 2 decades. This has further lead to several very costly OMB hearings, supported by the city, at tremendous costs to the city and the commercial property owners. The city has lost every OMB hearing within the KARA's boundaries, when the city supports the "KARA Empire". This cannot be permitted to continue in the future. KARA's opposition to redevelopment and economic development within the core has held back economic propserity and commercial viability within the Kleinburg Village Core.

The issues in the Kleinburg Village core are vastly different from the issues in the rural or residential neighbourhoods around the core or in other areas as currently controlled within the KARA boundaries. This does not encourage civic engagement by Kleinburg Core ratepayers, because they know that KARA will say "that THEY represent EVERYONE within THEIR boundaries including the core". This is completely archaic and undemocratic. Empire Building leads to serious problems when it comes to ratepayers groups. The West Woodbridge Ratepayers conflict with Weston Downs is the tip of the iceburg.

Other groups, large AND small MUST have the right to represent their neighbourhood residents and/or businesses and/or commercial property owners. This is currently NOT possible because of the city's ratepayers policies around "exclusivity" of boundaries. This policy excludes the ability of smaller groups to legitamately represent a distinct area having distinct issues.

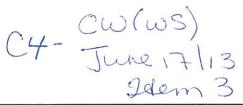
I would be more than happy to be part of the discussion around this issue/ item. Thank You.

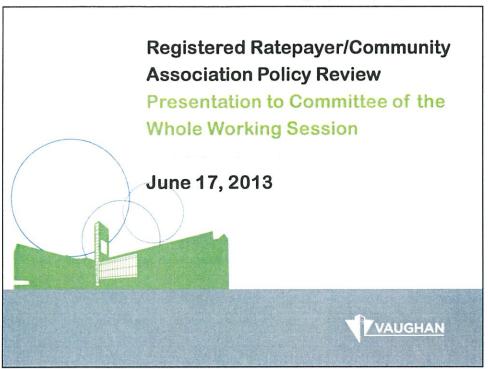
Regards,

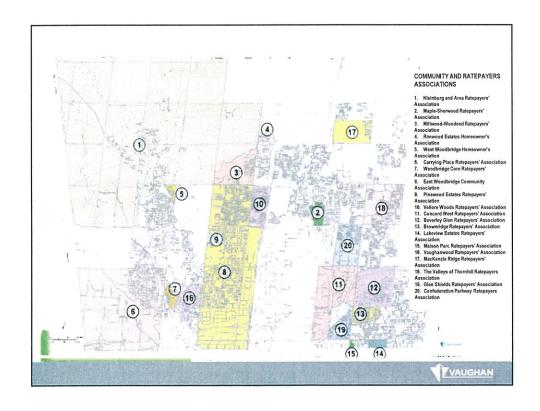
Frank Greco

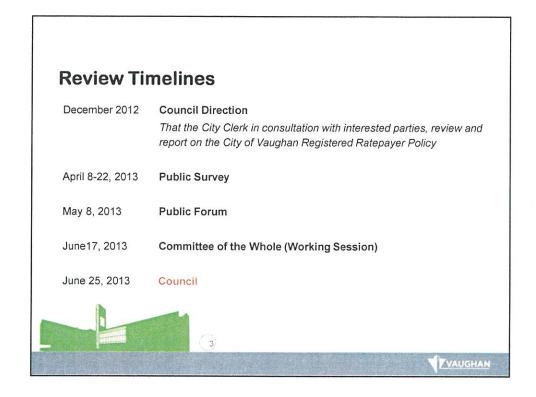
Tel: 416-346-7379

Email: frank.greco@sympatico.ca









Current Policy - Where Are We Now?

Registered Ratepayer/Community Association Policy

- · Main features of current policy:
 - Annual registration process
 - Geographic exclusivity (no overlapping boundaries)
 - Executive Officers elected at General Meeting no less than every three (3) years
 - · Notice of Meeting to elect officers provided in accordance with constitution
 - · Minutes of meeting to elect officers filed with City Clerk
- · Stated Benefits:
 - Free meeting space once per year to hold Annual General Meeting
 - · Hard copy agendas and minutes
 - · Consultation and Notice of issues



Public Consultation Process

- Public survey and notice of public forum distributed to all registered ratepayer associations, Members of Council
- · Advertised in Vaughan Citizen and Thornhill Liberal, and City's web site.
- · Public Survey April 8 to April 22, 2013
- · Public Forum May 8, 2013
- · Committee of the Whole Working Session June 17, 2013



Public Consultation and Policy Review

Key Objective - Facilitating Civic Engagement

- Strong civic engagement leads to an informed public and healthy, vibrant community – "A City of Choice" in keeping with Vaughan Vision 2020
- · Three (3) questions:
 - 1. What role do ratepayer/community associations plan in the process of civic engagement?
 - 2. Does a formal ratepayer/community association registration process help or hinder the goal of civic engagement?
 - 3. Is it appropriate for the City to regulate the affairs of ratepayer and community associations who participate in the political and decision-making process?



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Public Consultation and Policy Review

Staff identified specific aspects of the policy that merited further review during the public consultation:

Geographic Exclusivity

 Is geographic exclusivity an essential component of recognizing ratepayer/community associations?

City Role - Demands for City Oversight

· What degree of involvement by the City is appropriate?

Benefits of Registration Process

 Is registration with the City important for ratepayer/community associations? What are (or should be) the benefits of registration with the City?



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Public Consultation and Policy Review

Public Survey

- Anonymous survey completed by 38 respondents:
 - Member of Registered Ratepayer Association 35
 - · Member of Ratepayer Association (Non-Registered) 2
 - Not member of Ratepayer Association

Public Forum

- · Approximately 25 participants
- · Primarily representatives of registered ratepayer associations



TYVALICHA

Public Feedback

Four main themes emerged in relation to the ratepayer/community association policy:

- 1. Perceived Legitimacy and Credibility
- 2. Freedom of Association/Fostering Civic Engagement
- 3. Access to City Resources/Benefits
- 4. City's Oversight role



Perceived Legitimacy and Credibility

Public feedback indicates that there is perceived value in having formal recognition of ratepayer associations by the City.

Considerations:

- Procedure By-law does not distinguish between registered and non-registered associations – weight given to input is assessed in circumstances, not on whether group registered.
- Registration with the City does not qualify ratepayer groups for appellant status in front of OMB.



Freedom of Association/Fostering Civic Engagement

One of the more contentious elements of the current policy is the requirement that geographic areas of ratepayer associations cannot overlap.

Considerations:

- Policy which restricts ability of groups to register (eg. 'first in' principle) may be at odds with goal of fostering open civic engagement.
- Associations may form, not based on geographic boundaries, but based on specific issues. These associations may be time limited and issue specific, but are formed for the purpose of civic engagement.



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Access to City Resources

There was strong support from participants for a continuation of one free meeting space per year, and, in fact, expansion of this benefit.

Considerations:

- The suggestion of expanding the number of free meeting spaces cannot be looked at in isolation of the broader City policy governing Community Services Organizations (CSO)
- Registered ratepayer groups already receive significantly reduced rate for room rentals under CSO policy.



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City's Oversight Role

Many participants suggested that the City should take a more active role in regard to ratepayer associations.

Considerations:

- Is it appropriate for City staff to be actively monitoring and regulating the internal affairs of ratepayer and community associations when these associations are operating as participants in the broader political process?
- · More active staff oversight will have resource implications.



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Options

Three (3) Policy options can be viewed as points on a continuum:

- · Option 1 Robust Policy
- · Option 2 Status Quo
- · Option 3 Streamlined Public Register

Report includes comparative analysis of the following factors:

- Perceived Legitimacy/Credibility
- · Freedom of Association/Fostering Civic Engagement
- · Access to City Resources
- · City's Oversight Role



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Option 1 – Robust Policy

A more robust version of the current policy:

- Geographic exclusivity maintained; but formal application and appeal process for groups wanting to form new associations in existing area;
- Associations may register to represent geographic areas, or issue or issues which are not geographically organized;
- Minimum membership defined by number of households (25) rather than number of members;
- Increased registration requirements (mandatory AGM, copies of minutes, notices, statutory declarations)
- · Increased investigative authority for City Clerk
- · Appeal process for de-registration



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Option 2 - Current Policy

The current policy:

- · Annual registration process
- · Geographic exclusivity
- Minimum membership 25 members in urban area, 10 members in rural area
- · Executive Officers elected at General Meeting no less than every three (3) years
- · Notice of Meeting to elect officers provided in accordance with constitution
- · Minutes of meeting to elect officers filed with City Clerk



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Option 3 – Streamlined Public Register of Ratepayer and Community Associations

A streamlined version of the current policy:

- · Requirement for geographic exclusivity eliminated;
- Associations may register to represent geographic area, or to represent an issue or issues;
- Minimum membership defined by households (10) rather than by number of members;
- · Streamlined registration (no longer require constitution, AGM minutes);
- · Annual filing posted on-line for public transparency;
- · Mandatory email contact for organization posted online



Recommended Option

Option 3: Streamlined Public Register of Ratepayer and Community Associations

- Strong framework for civic engagement through broader registration criteria and removal of geographic exclusivity;
- Transparency and recognition for associations, by maintaining a formal register which is publicly posted;
- Appropriate and sustainable level of staff oversight, providing for administrative oversight and updating of register, rather than enforcement and arbitration of disputes.



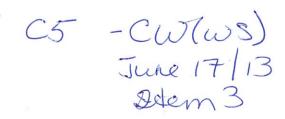
Policy Overview - Option 3

- 1. Upon initial formation, group to submit:
 - a) Registration Form
 - b) Membership List (Minimum of 10 households)
 - c) Statement of Purpose
 - d) Boundaries, if any
 - e) Contact name, number, e-mail
 - f) URL
 - g) Name of person representing/binding the Association
- 2. After initial registration, association to update information at least annually.
- 3. Association to immediate notify City Clerk of changes
- Once per year, for AGM, may use one City/Library facility at no cost, and may receive CSO rate for other rentals (subject to administrative restrictions imposed)
- Notification of City issues groups on register will receive notification of planning and other issues as applicable.



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From: gilagladstone

Sent: Monday, June 17, 2013 11:06 AM

To: Abrams, Jeffrey; Josie Fedele; Tim Kelly; Rose Savage

Reply To: gilagladstone

Subject: Agenda 3 June 17 Ratepayers

To Vaughan Clerk Jeff Abrams:

It looks as though the item on Ratepayer Associations will be too late in the day for me so I will email my main comments:

Presently, any group of residents of any size can form a neighbourhood or business association to address any issue they choose in whatever manner they want. The registered RA cannot, and should not, squash their voices but I would hope they would attempt a reasonable level of coordination.

Any suggestion to allow registration of RAs of overlapping boundaries may create an even more chaotic administrative situation for the City Clerk's office. I would expect the city to eventually decide to cancel all registrations if overwhelmed by too many applications.

I would prefer to sit down with my fellow RA representatives and city staff to pre-determine RA boundaries within communities. What could, and should, overlap are business or condo associations only.

When the present executive of the BGRA took over the running of the association, boundaries which had been registered with the City of Vaughan were respected and maintained with now issues. I was, in fact, surprised to learn that the boundaries weren't preset everywhere!

Gila Martow President BGRA

Sent from Samsung Mobile

C6- CW (WS) June 17/13

WOODBRIDGE CORE RATEPAYERS' ASSOCIATION

Item 3

c/o 128 Wallace Street, Woodbridge ON L4L 2P4 905 851 2808

DATE: June 15, 2013

TO: MAYOR AND MEMBERS OF COUNCIL

RE: Ratepayer Policy Review

It is our opinion that the present ratepayer policy is workable and should not be changed.

A new clause should be added to the present ratepayer policy allowing any group that has been usurped, a way to get back their association.

Yours truly,

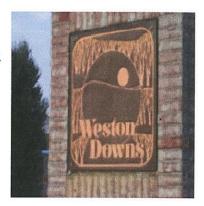
WOODBRIDGE CORE RATEPAYERS' ASSOCIATION

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CLERK'S DEPT.

C7 - CW (WS) June 17/13 Stem 3

Weston Down Ratepayers Association

81 Blackburn Blvd. Vaughan, Ontario, L4L 7J5 (905) 850-1767



Dear Members of Committee,

My name is Anthony Francescucci and I am here today to represent the Weston Downs Ratepayers Association (WDRA) and to bring forward our concerns with the staff report as well as provide you with alternative recommendations regarding the Ratepayer Policy Review.

I want to begin by expressing my extreme disappointment as to the timing of this meeting. I would suggest that many if not all of my counterparts in the other ratepayer associations would support my extreme disappointment as to the timing of this meeting. At this meeting, you have a major agenda item that affects the future of our associations. As you know we are volunteer associations, whose purpose is to hold the City accountable to its residents, which means most of us have to work another job to make ends meet. Therefore, the timing of this meeting makes it impossible for most to be here today to provide their input into this process. How is this a fair and open process for all? Shame on whoever made the decision to have this meeting at a time when proper input and representation is not possible. I have to wonder the true "agenda" of this meeting.

Now, on to the reasons why I'm here. Let me begin by stating that as an association who was once registered with the City, whose registration status was usurped by the "swallowing up effect" as outlined in the staff report, we believe the recommendations from staff moves us backwards instead of forward. That was not the purpose for requesting a review process.

I also want to state upfront that I do not believe it is the City's role to interfere with the business of ratepayer associations, but, because you provide legitimacy to registered associations, I do believe it is the role of the City to hold the associations accountable to their memberships.

What I'd like to do today is outline the problems in each of the categories outlined with option 3 that is being recommended by City staff.

Geographic Exclusivity

First is the issue of **Geographic Exclusivity**. Staff is recommending that it should be removed and that ratepayer associations should not have geographic exclusivity. This recommendation is in <u>direct contradiction to the feedback</u> that staff received during the public input process. Almost 90% of those surveyed (according to the staff report) said that the revised policy <u>SHOULD</u> include geographic exclusivity for registered ratepayer

associations. Further to this, the consensus at the public hearing where the policy was discussed was that geographic exclusivity should be maintained. In fact, in addition to geographic exclusivity the public input also indicated that there should be a mechanism to allow groups within a ratepayer association that has an extremely large geographic boundary, to form a new ratepayer association with smaller boundaries and be excluded from this larger association only if they meet the requirements required for registration. This mechanism to allow smaller groups to organize is important because if a ratepayer association's boundaries are too large, these large association will not be able to meet the needs of the smaller communities within it. Therefore if a smaller community is able to organize and meet registration requirements, they should be allowed to register with geographic exclusivity. The stipulation to this mechanism is that smaller group registration should be limited to "natural geographic boundaries" associated with subdivisions or major arterial roads. (e.g. the Weston Downs community, the Vellore Woods community, the Vellore Village community, etc.).

Let me explain why geographic exclusivity is important. In addition to the suggestions provided by staff that geographic exclusivity provides legitimacy and creditability at council and at the OMB, the piece they failed to include in their report, which they received as part of the public input process, is that geographic exclusivity is even more important because it enables residents who live within those boundaries to clearly identify who their ratepayer association is. With only one association for a geographic area, the community knows who is acting on their behalf and who can represent them on community issues. They know where to go for support and information to address community issues that aren't being addressed by the City. Furthermore, as these associations attempt to fundraise within their communities to secure funding to help support community issues, it is clear where they should put their support. If you allow more than one association to represent a geographic area, then there is opportunity to create confusion and discourage support (think door to door water heater or natural gas sales reps who imply they are from the utility company and are here to change your installation, when they are not). If you allow more than one association to represent a geographic area, then it creates confusion for residents and it discourages or impedes civic engagement. We believe this is exactly what the City is attempting to do by NOT allowing geographic exclusivity. This will make it easier for the City to push through issues like the Vaughan Mills Secondary Plan or the Casino, because they are making it more difficult for groups to organize.

Having made the case for geographic exclusivity for ratepayer associations with geographic boundaries, this does not preclude the city from establishing a second category of associations called "community associations" (separate and distinct from ratepayer associations). These so called community associations could be allowed to form on a particular issue (e.g. Casino, Hospital, etc.) without a geographic boundary associated with the group. Because community associations are based on an issue and not a ratepayer area, geographic exclusivity is not necessary to provide the same legitimacy or credibility needs for residents. Residents can easily decide whether or not they should support a "No Casino In Vaughan" community association. It's one issue.

Given the feedback from the public input process and the importance of geographic exclusivity to associations, HOW DOES STAFF THEN COME BACK AND RECOMMEND to committee or council, to remove geographic exclusivity when the consensus was that there should be geographic exclusivity. This is just wrong and should be rectified.

To summarize on the issue of geographic exclusivity, we believe the City Ratepayer Policy should provide for geographic exclusivity for ratepayer associations with the condition that if there is a ratepayer association which covers more than one natural boundary such as a subdivision or more than one set of arterial roads (with North, South, East West boundary), smaller groups based on natural boundaries or arterial roads should be allowed to register if they meet the minimum requirements for registration and be excluded from the boundary of the larger association. In addition, we support a second category of association that should be allowed to register based on a community issue and not a geographic boundary.

Threshold for Registration

On the issue of Threshold for registration, we believe the recommended changes are headed in the right direction. Use of households as a measure of membership is better. We do however think that 25 households may be an insufficient number for ratepayer associations that represent large geographic boundaries. A better measurement for membership for purposes of registration thresholds may be a percentage of the number of households within a geographic boundary. For example, an association that wanted to represent a geographic boundary from Steeles to Major MacKenzie and Pine Valley to Hwy 400, that could have upwards of 15,000 households, should have a higher threshold than for example an association that wanted to represent the Weston Downs community with only 1800 households. If an association truly wants to represent a geographic area, the measurement threshold for registration should be such that it encourages the associations to secure a broad cross-section of households throughout their area. Otherwise, it might require groups to select smaller boundaries that better represent their community interests and issues. You should think of the size of associations, not on the geography they cover, but on the number of households within that geography. Therefore, a more appropriate threshold for membership should be X percent of the number of households in the geographic boundary being registered. The percentage should be determined in consultation with the group of ratepayer associations.

Ongoing Registration Requirements

On the issue of **Ongoing registration requirements** we believe the new Policy should maintain the same annual requirements that are required with initial registration. The rationale to support this is NOT so the City can interfere with the business of these associations, but so the City can protect the interests of the membership of these associations. If associations risk the loss of registered status and the associated benefits, this creates motivation for the Executives of the board of directors to be responsive and accountable to their membership. Without accountability, you could have associations with Executives that run as a dictatorship rather than a democracy which results in less civic engagement from the residents.

We believe that the annual requirements for ongoing registration should continue as under the current policy. These annual requirements will ensure associations are active and engaged with their memberships; otherwise they risk losing registered status and the associated legitimacy, credibility and benefits that are afforded to an association.

We believe the membership threshold and annual registration requirements we propose are not designed to allow the City to interfere with the business of associations. They are designed to support memberships who are at odds with their Executives that think they can do what they want without the appropriate membership support. The only time City oversight would be necessary is if there is an issue and the membership of a registered association requires support to hold their Executive accountable. Staff suggests that this would add significant cost to the City if such an oversight role were implemented. We believe this isn't the case. The City already plays an oversight role when it comes to Community Service Organizations. In fact the City CSO policy provides the tools and the authority for staff to have oversight over community service organizations to ensure they are accountable to their memberships. Why can't the city do the same for registered ratepayer associations and the proposed category of "community associations". Clearly an infrastructure already exists for the oversight of CSO's registered with the City. The City has XX CSO's registered; adding another 20 ratepayer organizations to the list surely isn't going to add a significant cost to the city, especially when City involvement is only necessary when an association's executive is not accountable to their memberships.

Benefits

Finally, on the issue of Benefits for registered associations, we believe that the recommendation of staff was a cop out. Public input was very clear through the survey and the public hearing process. Public input requested, in addition to the already provided one free meeting space for annual general meetings, that the City should provide one free meeting space per month for association executive or board meetings. If the City truly wants to foster civic engagement, they need to make it easier for ratepayer and community associations to organize and strategize on how to address community issues that affect them. For those associations who want to be engaged and active in community issues, they need to meet and discuss. Affording them the opportunity once per month will not be a significant burden on the city. We are talking about one free activity room per month for those associations who need to have a board/executive meeting to discuss issues. There is no cost to the city for these rooms, it's a lost opportunity costs to the City because it is unable to rent the space if it is being used by a ratepayer association. Not every association will take advantage of this opportunity so it is difficult to estimate the lost opportunity costs. If the City truly wants to foster civic engagement, the least they can do is create opportunities for associations to organize at no cost. These are volunteer organizations that have to fundraise to support their organizing efforts. Allowing them to meet once a month at no cost would alleviate some of that burden. Their efforts have significant benefit for large numbers of residents, which should outweigh an organization who may want to rent the room for profit or a private event. Furthermore, as I understand, some CSO organizations, such as seniors groups are provided free meeting space at community centres. If providing activity rooms at local community centres is too challenging for the

City, the alternative should be to dedicate one room/space at City Hall for ratepayer associations to book at no cost. Surely in the new grand City Hall, the allocation of a community room for ratepayer associations to book should not be onerous on the City.

Conclusion

We, the Weston Downs Ratepayer Association urge this committee to consider our concerns and our recommendations to modify the staff proposal for the new ratepayer policy.

If the City truly wants to foster Civic engagement, you must modify the proposed policy recommendation otherwise it will be perceived that the City is returning to its historical reputation as the "City above the Law" because it is impeding civic engagement.

If this committee is not prepared to modify the recommendation today, I urge you to develop a taskforce with representation from existing ratepayer associations, to revisit this proposed policy and come back to committee with a new recommendation.

Sincerely,

Anthony Francescucci Acting President

Weston Downs Ratepayer Association

COMMITTEE OF THE WHOLE (WORKING SESSION) - JUNE 17, 2013

REGISTERED RATEPAYER/COMMUNITY ASSOCIATION POLICY REVIEW

Recommendation

The City Clerk, in consultation with the Commissioner of Legal and Administrative Services/ City Solicitor and the Director, Recreation & Culture recommends:

- 1) That the attached report 'Registered Ratepayer/Community Association Policy Review, June 2013' be received; and
- 2) That the Ratepayer/Community Association Policy be revised to provide for:
 - a. a streamlined registration process;
 - b. removal of geographic exclusivity;
 - c. broadening of the definition of ratepayer/community association; and
 - d. a minimum membership of 10 households,

in accordance with Option 3 set out in the attached report.

Contribution to Sustainability

The proposed registered ratepayer/community association policy will support active civic engagement by recognizing the role played by ratepayer and community groups.

Economic Impact

There will be minor impacts on the Recreation and Culture budget depending on the number of groups who choose to register under the policy and who wish to make use of City facilities for meeting space.

Communications Plan

Any revisions to the policy will be communicated to staff and ratepayer and community associations. The revised policy will also be posted on the City's website.

Background

The Registered Ratepayer/Community Association Policy has been in place since 1986. The original policy was limited in scope and focused on the requirement for groups to be registered with the City in order to receive hard copy agenda and minutes. Over the years, the policy has been amended to include additional registration requirements as part of an annual registration process. The last time the policy was amended was in 2004.

At the November 2012 Committee of the Whole meeting, Committee received a deputation from representatives of the Weston Downs Community Association regarding the Registered Ratepayer/Community Association policy. The deputation and committee's deliberations highlighted a number of concerns with the current policy.

Committee of the Whole recommended "that the City Clerk in consultation with interested parties, review and report on the City of Vaughan Registered Ratepayer/Community Association Policy." This recommendation was subsequently adopted by Council at its meeting held on December 11, 2012 (Committee of the Whole Report No. 48, Item 38).

Analysis and Options

As outlined in the attached report, staff undertook a public consultation process to obtain feedback on the policy and explore options for changes to the policy. The public consultation was comprised of a public survey and a public forum.

The public survey focused on three main elements of the current policy:

Geographic Exclusivity

The current policy of not allowing overlapping geographic boundaries has been a source of frustration for smaller communities and neighbourhoods wanting to form their own associations and be recognized by the City. One of the questions to be answered through the consultation process was whether geographic exclusivity is an essential component of recognizing ratepayer/community associations, or whether more than one association should be allowed to represent a geographic area.

Benefits of Registration

One of the benefits of registration stated in the current policy no longer applies - the provision of hard copy agendas and minutes to registered associations. Through the public consultation, staff sought feedback on whether to continue the benefit of providing one free meeting space per year to registered groups and on the broader topic of the perceived benefits of formal registration with the City.

City's Role

City staff have received complaints regarding the internal affairs of some ratepayer associations, and requests to become more actively involved in resolving these complaints. To explore this issue further, the consultation process included discussion of the City's role in registering associations, including the appropriate degree of involvement by the City.

The public forum, held on May 8, 2013, began with a presentation from the City Clerk that highlighted the main findings of the public survey. Forum participants were then divided into groups to discuss several questions designed to further explore some of the themes and issues identified from the public survey.

Based on the feedback obtained from the public survey, three policy options were identified. These policy options can be viewed as points on a continuum, with Option 1 being a more robust policy, Option 2 being the Status Quo, and Option 3 being a more streamlined version of the current policy.

The attached report includes a comparative analysis of these options, including the impact that each option would have on: perceived legitimacy and credibility of ratepayer/community associations; freedom of association/fostering civic engagement; access to city resources; and the City's Oversight Role.

Conclusion

It is clear that ratepayer and community associations, as do other associations, play an important role in the process of civic engagement. As heard through the public consultation process, these associations advocate for the community, build community capacity, help keep residents informed, and provide a community perspective on a wide range of issues. Also, while associations may be formed on a geographic basis, they may also be formed to represent a specific interest or issue.

A ratepayer/community association registration process may help facilitate the process of civic engagement by allowing the city to use the mechanisms of these groups to reach out to larger audiences for input on civic matters. A public listing of registered associations also increases public awareness of active groups within the community.

A key issue identified in the course of the review is the impact geographic exclusivity has on the ratepayer policy and indeed on the relationship the City has with its ratepayer groups. Geographic exclusivity necessarily distinguishes between registered and non-registered groups which creates either perceived or real differences in the formal interaction between the City and these groups. The preservation of geographic exclusivity will require:

- a more rigorous policy to administer the ongoing validity of an organization and its right to the exclusivity;
- greater engagement by staff to monitor and indeed adjudicate on internal association matters (e.g. compliance with its constitution, notice, quorum...);
- additional staff resources to carry out ratepayer monitoring; and
- an appeal mechanism which may involve Council as the final decision-maker.

Though it was asserted by some that geographic exclusivity necessarily supports the credibility of ratepayer groups as they come before Council or participate on matters before the Ontario Municipal Board, there were no tangible indicators to support that view. The credibility of a ratepayer position before Council is based on a number of factors such as the level of engagement of the group and its leadership, and the contributions the association has made to the debate either in written or oral form. Staff in reviewing the implications of removing geographic exclusivity from the ratepayer policy concluded that on balance the negative aspects arising from perceptions of bias in the administration of stringent rules by both staff and Council and the increased resources required to conduct that level of administration, did not outweigh any perceived advantages to the groups in terms of their credibility or authenticity.

Of the three options presented, staff recommend Option 3 – Public Register of Ratepayer and Community Associations. Option 3 provides:

- A strong framework for civic engagement, through broader registration criteria and the removal of geographic exclusivity;
- Transparency and recognition for associations, by maintaining a formal register which is publicly posted;
- An appropriate and sustainable level of staff oversight, by providing for administrative oversight and updating of the register, rather than enforcement and arbitration of disputes.

Attachments

Attachment 1 – Registered Ratepayer/Community Association Policy Review, June 2013

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council as set out in Vaughan Vision 2020, particularly:

MANAGEMENT EXCELLENCE –
Demonstrate Leadership and Promote Effective Governance

Regional Implications

Not applicable.

Report prepared by:

Barbara A. McEwan, Deputy City Clerk Ext. 8628

Respectfully submitted,

Jeffrey A. Abrams City Clerk

ATTACHMENT 1

Registered Ratepayer/ Community Association Policy Review

June 2013

Presented to:

Committee of the Whole (Working Session)
June 17, 2013

Report prepared by:

Jeffrey A. Abrams City Clerk

Barbara A. McEwan Deputy City Clerk

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1.0 Introduction

The City of Vaughan Registered Ratepayer/Community Association Policy has been in effect since 1986 but has not undergone a detailed review since 2004. The City has grown and evolved since the policy was first introduced and it is therefore appropriate to revisit the policy to ensure it is still relevant in the current environment. For the purpose of this review, the terms 'ratepayer' and 'community' associations have the same meaning – being groups that form for the purpose of interacting with the municipality on matters which are or may come before Council. The terms are not to be confused with the term 'Community Service Organizations' ("C.S.O.") which are administered under a separate policy.

In reviewing the policy, it is important to consider the role of ratepayer and community associations in the broader context of civic engagement. Civic engagement encompasses a variety of activities, including voting in municipal elections, resident input into Council issues, service on boards and committees, attendance at Council and community meetings, written input, and formal representation at Ontario Municipal Board (OMB) hearings. Strong civic engagement, where citizens voluntarily work together for the public good, leads to an informed public and a healthy, vibrant community - a concept that is well articulated in Vaughan Vision 2020:

"A city of choice that promotes diversity, innovation and opportunity for all citizens, fostering a vibrant community life that is inclusive, progressive, environmentally responsible and sustainable."

Any recommendations made in regard to the registered ratepayer/community association policy must support and be consistent with this vision. Indeed, in considering revisions to the policy, the following fundamental questions need to be answered:

- What role do ratepayer and community associations play in the process of civic engagement?
- Does a formal ratepayer/community association registration process help or hinder the goal of civic engagement?
- Is it appropriate for the City to regulate the affairs of ratepayer and community associations who operate as participants in the political and decision-making process and who may take opposition to City policies?

The analysis and recommendations contained in this report are presented with these fundamental questions in mind.

2.0 Background

2.1 History of the Policy

The Registered Ratepayer/Community Association Policy has been in place since 1986. The original policy was limited in scope and focused on the requirement for groups to be registered with the City in order to receive hard copy agenda and minutes.

Over the years, the policy has been amended to include additional registration requirements as part of an annual registration process. The last time the policy was amended was in 2004.

2.2 Council Direction for Review - December 2012

At the November 2012 Committee of the Whole meeting, Committee received a deputation from representatives of the Weston Downs Community Association regarding the Registered Ratepayer/Community Association policy. The deputation and committee's deliberations highlighted a number of concerns with the current policy.

Committee of the Whole recommended "that the City Clerk in consultation with interested parties, review and report on the City of Vaughan Registered Ratepayer/Community Association Policy." This recommendation was subsequently adopted by Council at its meeting held on December 11, 2012 (Committee of the Whole Report No. 48, Item 38)

3.0 Current Policy

3.1 Description of Policy

A copy of the current Registered Ratepayer/Community Association Policy is included as *Appendix A* to this report. The main elements of the current policy are outlined below.

Geographic Exclusivity

The current policy is based on geographic exclusivity. The City will not recognize groups wishing to form a new Registered Association within the boundaries of an existing association if it is in good standing.

Registration Requirements

Upon initial formation of the Association, the following information must be submitted to the City Clerk:

- Completed registration form;
- List of the Association's membership a minimum of 25 members in an urban area and 10 in a rural area, and that the list include names, addresses and signatures;
- A statement of purpose and a copy of the Association's Constitution and/or By-laws;
- The boundaries of the area that the Association represents

After initial registration, there is no requirement to provide updated membership lists to the City, with the exception of the names and contact information for the Executive Officers. There is also no requirement to provide amendments to the Association's Constitution and/or By-laws.

Annual Registration

Ratepayer/Community Associations are required to register on an annual basis and at that time provide any changes in Executive Officers. The City Clerk is to be notified within 30 calendar days of any changes to the contact information provided on the Registration Form (name of contact person/address/phone numbers).

Election of Executive Officers

The Association's Executive Officers are to be elected at a General Meeting in accordance with the respective Association's Constitution, but no less than once every three (3) years. All Executive Officers must reside within their Association's boundaries.

The minutes of the General Meeting at which Executive Officers have been elected must be filed with the City Clerk.

The notification of the General Meeting to elect Executive Officers is to be provided in accordance with the Association's respective Constitution. There is no requirement to file this notice with the City Clerk.

3.2 Benefits of Registration

The benefits of being recognized as a Registered Ratepayer/Community Association, as stated in the policy, are as follows:

Free meeting space for Annual General Meeting

Once per year, if required, and at the discretion of the Ratepayers' Association, and for the purpose of holding an annual General Meeting as required by the policy, registered associations are permitted to use a City/Library facility at no cost.

Consultation and Notice of Issues

Registered Ratepayer/Community Associations are consulted and receive notice of various issues within the boundaries represented by the Ratepayer/Community Association (eg. Land use, traffic, parks, planning, etc.)

Qualification for Discounted Room Rentals under Community Service Organization (C.S.O.) Policy

Registered Ratepayer/Community Associations also qualify under the City's Community Service Organization (CSO) policy for opportunities such as discounted room rental rates.

Agenda/Minute Delivery Service

The current policy refers to the delivery of hard copy agendas/minutes to Registered Ratepayer/Community Associations. When the policy was first introduced, registered groups were entitled to receive agendas and minutes at no cost. Now that all agendas and minutes are publicly available through Vaughan On Line (VOL), the hard copy agenda service is no longer provided.

3.3 Current Registered Ratepayer/Community Associations

There are currently 20 associations registered under the City's policy. A map and listing of these associations is provided in *Appendix B*.

Although the City does not formally track non-registered associations, it is known that there are a number of active associations that are not registered with the City under the current policy.

4.0 Public Consultation

4.1 Framework for Consultation

Based on the discussion at the November 2012 Committee of the Whole meeting, and other feedback received over the years, staff identified key aspects of the policy that merited detailed review through the public consultation process.

Geographic Exclusivity

The current policy of not allowing overlapping geographic boundaries has been a source of frustration for smaller communities and neighbourhoods wanting to form their own associations and be recognized by the City. One of the questions to be answered through the consultation process was whether geographic exclusivity is an essential component of recognizing ratepayer/community associations, or whether more than one association should be allowed to represent a geographic area.

Benefits of Registration

One of the benefits of registration stated in the current policy no longer applies - the provision hard copy agendas and minutes to registered associations. Through the public consultation, staff sought feedback on whether to continue the benefit of providing one free meeting space per year to registered groups and on the broader topic of the perceived benefits of formal registration with the City.

City's Role

City staff have received complaints regarding the internal affairs of some ratepayer associations, and requests to become more actively involved in resolving these complaints. To explore this issue further, the consultation process included discussion of the City's role in registering associations, including the appropriate degree of involvement by the City.

4.2 Consultation Process

Public input on the ratepayer/community association policy was sought through a public survey conducted from April 8, 2013 to April 22, 2013 and a public forum held on May 8, 2013 at Vaughan City Hall.

The public survey and notice of the public forum were distributed to all registered ratepayer associations and to individuals who had previously expressed an interest in the registered ratepayer/community association policy. Advertisements were placed in the *Vaughan Citizen* and *Thornhill Liberal* and on the City's Website, advising of the opportunity to provide input through the survey and the public forum. Members of Council were also invited to distribute information on the survey and consultation process to interested parties.

4.3 Public Survey

The anonymous survey was completed by 38 respondents. The breakdown of the respondents is as follows:

Member of Registered Ratepayer Association	35
Member of Ratepayer Association (Non-Registered)	2
Not member of Ratepayer Association	1

The following is a summary of the results of the public survey:

Question 1:

What are the purposes and benefits of Ratepayer/Community Associations?

Responses:

- Provide Input to Council
- Advocate for Community
- Hold Council accountable
- Communicate with Council
- Offer community perspective
- Facilitate community engagement
- Keep residents informed of issues
- Build community capacity
- Bring communities together through organized events

Question 2:

Does Registration with the City Impact Purposes and Benefits?

Responses: Yes: 33 No: 2

Yes:

- Recognized voice for community
- · Acknowledgement of our role
- Legitimacy, credibility
- · City can hold groups accountable
- Benefits: meeting space

No:

- Original benefits of registration outdated
- Legitimacy shouldn't be determined by registration
- Active groups are in place that are not registered

Question 3:

What other means do you use to communicate with public representatives?

Responses:

- Phone and email the primary means of communication
- Other: community events, meetings

Question 4:

If registration of ratepayer/community associations continues, should more than 1 association be permitted to represent a geographic area?

Responses: Yes: 4 No: 32

Yes:

- Should be mechanism for group to separate from larger group
- There are situations where issues are very important to small group but not important to majority of residents
- Look at natural boundaries and possibilities for new associations

No:

- Potential for misrepresentation if each group takes different view
- Multiple groups leads to confusion and mixed messages
- More than one group divides community

Question 5:

Should the City of Vaughan provide subsidized meeting space for ratepayer/community associations?

Responses:

- Minimum of 1 meeting subsidized, but should consider increasing number of meetings subsidized, perhaps 8 to 12 meetings
- City should be doing everything it can to facilitate democratic input and support civic engagement – subsidized meeting space and easier registration.
- There are advantages to City of having active, energetic associations
- Subsidized meeting space a huge help to associations

Question 6:

Do you have other comments or suggestions regarding the registered ratepayer/community association policy?

Civic Engagement

- It is important for villages and distinct communities to have a voice
- Input of ratepayers should be given more weight by Council
- Consider allowing longer (10 minute) deputation for registered groups.
- Timing of meetings with ratepayer groups must be considered by the City given that most people work during day.

Structure of Ratepayer/Community Associations

- Must be free of bias and political connection
- Member of Council or spouse should not be president of association
- Better to have smaller associations based on needs and specific issues
- Maximum size of ratepayer association should be limited to one planning block
- Look at natural boundaries
- Ratepayer associations should be encouraged to be incorporate

Registered Ratepayer/Community Association Policy

- City should implement a policy that makes ratepayer groups more accountable to their membership.
- Registration should not be obstructive or exclusionary purpose should be to inform Council and others about whom is representing whom
- Registration should not involve costs or workload to either City or registrants and any credible group should be able to organize
- Benefits of registering with City is weak under current system
- Ratepayer policy sets out requirements that are contrary to by-laws of associations.
- Original benefits (agenda delivery) outdated with online agenda delivery
- Groups are operating effectively outside the policy

4.4 Public Forum

The public forum was held on May 8, 2013 from 7:00 pm to 9:00 pm in the Multi-Purpose Room in Vaughan City Hall. Approximately 25 people, primarily representatives of registered ratepayer associations, attended the forum. Some groups had several people in attendance representing them.

The forum began with a presentation from the City Clerk that highlighted the main findings of the public survey. Forum participants were then divided into groups to discuss several questions designed to further explore some of the themes and issues identified from the public survey.

A summary of the discussion is set out below.

Discussion Question 1:

Why does registration with the City lead to legitimacy and credibility for a ratepayer/community association?

Responses:

Participants highlighted the following benefits of registration with the City:

Accountability

A formal registration process enables the City to hold registered associations accountable to their membership. The City can enforce requirements related to the associations' constitutions, membership, meeting notifications and conduct.

Commitment

Adhering to a registration process requires effort, which demonstrates dedication and commitment from associations. The additional rigor of a registration process produces benefits similar to those resulting from professional or business registration.

Transparency, Clarity

Registration removes the ambiguity about who is representing an area. Council, residents, developers and the media know that an association meets criteria and speaks for the area. It also improves the ability of new residents to access resources by providing a clear outlet to express their concerns.

External Recognition

Even though it is acknowledged that an association is required to be incorporated in order to have status as an association before the OMB, the OMB has asked in the past whether an association is also registered with the City. There is a perception that this gives extra credibility before the OMB.

Another viewpoint was that registration with the City is not the only means of providing legitimacy to a ratepayer/community association. For example, associations can apply for

incorporation as a not-for-profit group. The process of applying for and receiving incorporated status in and of itself provides legitimacy to the group.

Discussion Question 2:

If registration and geographic exclusivity continue, what can be done to address those situations where issues are very important to a small group but not important to a majority of residents?

Responses:

Permit Smaller Groups within Existing Association Boundaries to Register

It was suggested that smaller groups within existing associations should be able to register as ratepayer groups, especially if their needs aren't being met by the larger association. In other words, any group of citizens should be allowed to register as a new association if they meet the minimum requirements set out in the policy. These associations would only be allowed to speak for their signed membership within their geographic boundary. It was further suggested that the City's should define and enforce these boundaries and prevent the 'swallowing' effect of larger ratepayer associations taking over smaller communities.

Currently, there are a number of associations that represent large geographic areas. Within these areas, there may be a number of smaller neighbourhoods with distinct interests and concerns. It was suggested that these communities need to have their own voice, and should not necessarily be part of a large group with divergent interests. Under the current policy, these smaller groups are not able to register, unless they are released by the larger association and permitted to register. Some participants expressed concern about 'Empire Building' with some larger associations.

One participant noted that although the association he belongs to represents a large area, a large part of it is rural. He noted that as these areas grow, the residents of these areas should be able to form their own associations.

Another recommendation was that associations should be formed based on distinct communities, defined by geographic boundaries or names of subdivisions as these communities have specific interests that need to be recognized. These include issues such as traffic infiltration, tree replacement, maintenance and beautification of the area, residential density of rezoning, OMB issues, and maintaining identity.

Some participants noted that condominium boards represent a distinct community and should be permitted to register as a separate ratepayer association, even if located within an existing association.

Maintain Geographic Exclusivity but Accommodate Needs of Smaller Groups within the Association

An alternate viewpoint was that geographic exclusivity is important and that there are benefits of having a larger community association. Local, specific issues do not define the limitations of ratepayer/community associations. For example, a larger group might be perceived to have

more clout and would benefit from the strength of a larger membership and community. It was suggested that with a larger group there are more opportunities to have an impact – something that can't be done with a number of smaller splintered groups. In other words, Associations need to cooperate to present a unified position and rely on solidarity.

There were a number of ideas presented on how to accommodate the needs of smaller communities within the association. One option would be to allow the formation of a group under the umbrella of a larger group, but not allow them to register separately. A Director from the Association could head a sub-committee to work with the smaller group and ensure that their issues and concerns are addressed. If a group prefers not to have a director involved, they should try to keep the lines of communication open.

Finally, it was also noted that there was nothing preventing groups from organizing, even if they are not registered with the City, but that their status compared to registered organizations would need to be noted.

Discussion Question 3:

Where on the spectrum should the City's involvement be in administering ratepayer groups/community associations?

Describe what this would look like. What specific roles/powers would the City have?

Responses:

Many participants indicated that the existing policy could be enhanced or made more robust. Suggestions for changes to the policy are summarized below:

More Stringent Annual Registration Requirements

It was noted that under the current policy, associations are only required to provide membership lists and constitution upon initial registration. It was suggested that updated lists be required as part of the annual registration process and that ratepayer groups also provide the City with a summary of their Financial Statements.

Mandatory Annual General Meeting

It was also suggested that there should be annual elections for Boards of Directors, rather than a minimum of once every three years under the current policy. Associations should also be required to provide the City with a copy of their notice of the Annual General meeting so that the City can validate that proper notice has been given.

Increase Minimum Membership Requirements

Some participants recommended that the minimum number of members required to claim association status be increased. The current policy requires a minimum of 25 members in an urban area and 10 in a rural area. One suggestion was that membership should be based on a minimum number of households, rather than individual member, to avoid multiple members of the same household forming an association.

Review City Role in Enforcement of Policy

A number of recommendations focused on the City taking a more active role in enforcing the policy and the activities of associations. This could involve, for example, having the City send a staff representative to Annual General Meetings to serve as an independent witness to audit the meeting and ensure that policies governing the conduct of meetings and elections are being adhered to. Some participants also suggested that City staff should be provided with more tools to investigate association requirements, such as requiring additional documentation, and that staff should have authority to de-register an association when the policy is breached.

Another viewpoint was that the City doesn't want to "babysit" ratepayer associations and shouldn't be placed in that position. It was suggested that ratepayer groups should be able to govern themselves and deal with conduct issues, including conflicting views, within their own association.

Provide More Benefits to Ratepayer Associations

A number of participants indicated that the City should be providing more benefits in support of registered associations. Suggestions included: the provision of additional free meeting space in city facilities, allowing a representative of a registered association to have a 10 minute deputation at Committee, rather than the 5 minute limit under the current procedural by-law, and having the City provide a link on its website to the websites of registered ratepayer associations.

Follow Up Questions

After receiving feedback from participants and particularly the suggestion that the City should take a more active role in regulating associations, the City Clerk posed a series of follow up questions.

Discussion Question 4:

If the City becomes more actively involved in the registration of ratepayer associations, what would this look like?

For example:

- a. Should City staff be reviewing and vetting constitutions?
- b. What tools would the City use? Hearings? Investigations?
- c. Should there be an appeal process to de-register Ratepayer Associations?
- d. Doesn't this potentially put the City in conflict ie. By regulating those who may be appearing in opposition to the City?
- e. Is this the only way to ensure accountability?
- f. Is there an opportunity to have less than full registration? For example, instead of registering groups, the City could maintain a listing of groups with the number of members, geographic boundaries, and contact information.
 - Ratepayer/Community associations could be geographic based or issue based.

Responses:

Those who supported a more active role for the City suggested that more stringent registration requirements and investigative tools were the only way to create accountability and enforce the existing rules. For example, the risk of loss of registration would create an incentive to follow the rules and be accountable to members. If there is no registration, there is no risk of loss of registration and therefore no way to hold organizations accountable.

Others expressed concern that additional accountability measures (City staff attending ratepayer meetings, conducting investigations, etc.) would come at a cost and create another layer of administration over ratepayer groups. Ratepayer associations should be able to self-moderate and it is not the City's obligation to oversee ratepayer association performance or management. It might be preferable to have a policy that ratepayers have to be incorporated (and subject to the requirements of incorporation) in order to be registered with the City. Incorporation should provide enough authority and accountability for members.

In probing the question, the group was asked whether there should be a right of appeal from a decision by the City Clerk to de-register a ratepayer association; and if so, should that appeal be to Council? There was no resolution on the question although the group acknowledged that that kind of political oversight in circumstances where there may be political conflict, would be problematic.

Participants also noted that there was room for two different types of associations: ratepayer associations for geographic/physical areas, and community associations for city-wide, or issue-based or non-geographic issues. Another way to look at ratepayer associations is as a protection of investment in a given community.

5.0 Analysis

Staff have analyzed the survey results and input received from the public forum and other meetings with interested parties. The analysis focused on four main themes identified through the consultation process:

- 1. Perceived Legitimacy and Credibility
- 2. Freedom of Association/Fostering Civic Engagement
- 3. Access to City Resources/Benefits
- 4. City's Oversight Role

5.1 Perceived Legitimacy and Credibility

The public feedback indicates that there is perceived value in having some form of formal recognition of ratepayer associations by the City. The belief or assumption is that registration provides increased legitimacy in front of Council, City Staff, the community and the Ontario Municipal Board.

Countering this, Council's Procedure By-law affords any member of the public the opportunity to address Committee, subject to the specific provisions of the by-law. In fact, non-registered associations can be actively involved in community issues and are entitled to appear on deputation at Standing Committees of Council and / or submit written comments on behalf of the

residents the Association represents. The weight given to input provided by any person claiming to be a representative of a group is assessed in the circumstances and not merely based on the fact of registration.

City staff's involvement with registered ratepayer groups currently includes formal notification of development applications and consultation opportunities impacting their respective areas. The list of registered ratepayer/community associations is the source document used for this notification.

Finally, in regard to OMB matters, it should be noted that registration with the City does not qualify ratepayer groups for status in front of the Ontario Municipal Board (OMB). The status of ratepayer groups is clearly defined under the Rules of Practice and Procedure set out Section 91 of the Ontario Municipal Board Act, and Section 25.1 of the Statutory Powers Procedure Act., which stipulate that a ratepayers group must be incorporated to be an appellant, or must appeal through an individual. Registration with the City does not satisfy this requirement.

5.2 Freedom of Association/Fostering Civic Engagement

One of the more contentious elements of the current policy is the requirement that geographic areas of ratepayer associations cannot overlap. A policy which restricts the ability of groups to formally register or otherwise be recognized by the City may be at odds with the goal of fostering open civic engagement.

The current registration process is based on the 'first in' principle, whereby a group is entitled to maintain its geographic area, no matter what the size, provided they remain registered in good standing with the City. Under these circumstances, a group wanting to form its own association would require permission from the larger association in order to form their own group and register with the City. In fact, this situation exists today and the City is being asked to intervene in the dispute. Although there may be certain benefits to having large ratepayer/community associations, there is a strong argument to be made that communities should be free to form their own associations, based on the specific interests they represent.

Some participants in the policy review process have suggested that the City should establish and enforce specific requirements relating to the minimum size of ratepayer associations, as well as criteria for establishing associations, such as physical neighbourhood boundaries. It was also noted however that associations may form, not based on geographic boundaries, but based on specific issues. These associations may be time limited and issue specific, but are nevertheless formed for the purpose of civic engagement.

5.3 Access to City Resources

Almost all participants in the public consultation process agreed that the City should continue its practice of providing one free meeting space per year to registered groups for annual general meetings. In fact, many felt that the City should expand this benefit to provide more than one free meeting space per year.

The suggestion of expanding the number of free meeting spaces available to registered ratepayer groups cannot be looked at in isolation of the broader City policy governing Community Service Organizations (CSO). It should be noted that registered ratepayer groups already receive a significantly reduced rate for room rentals under the CSO policy. Expanding the number of free room rentals would create inequity with other Community Service

Organizations and could impact the Recreation and Culture Department's annual operating budget as it relates to room rental revenue targets.

5.4 City's Oversight Role

There was a strongly-held view amongst some participants that the City should take a more active oversight role in regard to ratepayer associations. For example, it was suggested that City staff should attend and audit ratepayer annual general meetings and be assigned additional investigative powers to ensure that proper meetings and elections are being conducted. Arising out of this more stringent registration process would be expanded criteria for de-registering groups who do not comply with the policy requirements.

The issue to be considered is whether it is appropriate for City staff to be actively monitoring and regulating the internal affairs of ratepayer and community associations when these associations are operating as participants in the broader political process. In other words, is it the City's role to ensure that ratepayer groups are held accountable to their membership, or does this responsibility lie with the ratepayer group itself?

If a more involved staff oversight role is implemented, the question of resourcing the function will also have to be addressed.

6.0 Comparison with Other Municipalities

A survey of other municipalities provides an additional reference point for considering options for the ratepayer/community association policy. A survey of municipalities of comparable size shows that, with the exception of the City of Markham and Town of Oakville, most do not have a formal ratepayer policy or ratepayer registration process.

The City of Markham policy is very similar to the City of Vaughan policy, except that the City of Markham permits overlapping geographic boundaries. At the other end of the policy spectrum, the Town of Oakville has a very basic policy which provides for a voluntary public listing of ratepayer and community associations.

	Ratepayer Registration Policy?	Permit Overlapping Boundaries?	Public Listing of Ratepayer Groups ?	Registration Requirements
Vaughan	Yes	No	Yes	
Markham	Yes	Yes	Yes	Similar to Vaughan, except overlapping geographic boundaries are permitted.
Richmond Hill	No			
Brampton	No			
Mississauga	No			
Oakville	Yes	Yes	Yes	Streamlined Policy With Minimal Registration Requirements – Public Listing of Ratepayer and Community Associations
Hamilton	No			

Source: City of Markham Clerk's Office, 2013

7.0 Options

Three potential options for the ratepayer/community association policy are presented for Council's consideration.

These policy options can be viewed as points on a continuum, with Option 1 being a more robust policy, Option 2 being the Status Quo, and Option 3 being a more streamlined version of the current policy.

The presentation of each option includes a comparative analysis of the previously discussed factors of: Perceived Legitimacy and Credibility; Freedom of Association/Fostering Civic Engagement; Access to City Resources; City's Oversight Role.

Option 1 – Robust Ratepayer/Community Association Policy

A public register of ratepayer and community associations is maintained and listed on the City's web site. The main features that distinguish this from the current policy are:

- Geographic exclusivity is maintained, but there is a formal application and appeal process for groups wishing to form new associations within an existing geographic area;
- Associations may register to represent an issue or issues which may not be geographically organized by neighbourhood or ward (eg. Green Initiatives);
- Minimum membership is defined by number of households (25) rather than by number of members (25 in urban area, 10 in rural area, under the current policy);
- Increased registration requirements: (Mandatory Annual General Meeting, copies of annual meeting minutes, copies of notices of annual meetings, statutory declarations as part of initial registration and renewals, rules of procedure to be followed at ratepayer meetings, membership lists submitted on annual basis)
- Increased investigative authority for City Clerk (Demands for supporting information, production and inspection of documents, audits, verification of appointments, adjudication process, authority to de-register groups that do not comply with requirements) This could include a potential appeal to Council of the Clerk's decision on de-registration.

A more detailed description and analysis is set out below.

Option 1 – Robust Ratepayer/Community Association Policy			
Threshold for Registration	 Completed registration form; including Executive contact members List of the Association's membership – a minimum of 25 households and the list include names, addresses and signatures; Association may be geographically organized or organized to represent a specific issue or issues (as stated on registration form) A statement of purpose and a copy of the Association's Constitution and/or By-laws; The boundaries of the area that the Association represents (if applicable); and Mandatory Annual General Meeting 		
Geographic Exclusivity	 Geographic exclusivity - groups wishing to register within an existing geographic area must meet minimum registration requirements and current registered group must agree to release area to new group; if consent is not granted, an appeal process is administered by City Clerk's Office. 		
Ongoing Registration Requirements	 Annual Updated Membership List, including names, addresses and signatures Annual Updated Copies of Association's Constitution and/or By-laws Investigative Authority for City Clerk's Office: affidavits, documentation, audit of meetings, Notification of Annual General Meeting to be conducted in accordance with Association's constitution; proof of notification to be filed with the City Clerk's office. City Clerk authority to de-register group for non-compliance with policy (missing documentation, improper procedure); and De-registration appeal process 		
Benefits of Registration	 One free meeting space at City/Library facility per year for Annual General Meeting(AGM) Consultation and Notice of Issues within boundaries represented by Ratepayer/Community Association; and Qualification under the City's Community Service Organization (CSO) policy for opportunities such as discounted room rental rates. 		

Option 1 Analysis

City's Oversight Role	Perceived Legitimacy and Credibility	Freedom of Association/ Fostering Civic Engagement	Access to City Resources/Benefits
High City's takes active role in oversight of ratepayer registration. More stringent registration requirements, investigative powers and appeal process will equate to additional staff resources in administration of the policy.	Medium Maintaining public register ensures that Council, public and other stakeholders are aware of active groups. More stringent registration requirements may increase perceived legitimacy and credibility. Changing the membership threshold to minimum number of households (rather than members) enhances legitimacy by raising the threshold for membership. Geographic exclusivity means that other groups may not be able to register, unless permission is granted by existing group or as a result of appeal process. Active groups that aren't recognized under current policy may be perceived to be less credible, even though they may represent community interests.	Medium "First In" geographic exclusivity limits registration and opportunities for groups to be formally recognized by the City. More stringent registration requirements may discourage some groups from forming.	Medium Groups will be eligible for one free meeting space per year for AGM and will be eligible for reduced rental rates under CSO policy. Notification of City issues – groups on register will receive notification of planning and other issues as applicable.

Option 2 – Status Quo

Option 2 is the current policy.

A more detailed description and analysis is set out below.

Option 2 – Status Quo				
Threshold for Registration	 Completed registration form; including Executive contact members List of the Association's membership – a minimum of 25 members an urban area and 10 in a rural area, and the list to include nam addresses and signatures; A statement of purpose and a copy of the Association's Constitut and/or By-laws; and The boundaries of the area that the Association represents 			
Geographic Exclusivity	No overlapping geographic boundaries			
Ongoing Registration Requirements	 Complete annual registration renewal form Provide update of Executive Officers within 30 calendar days of any changes Minutes of Annual General Meeting (AGM) to elect Executive Officers, at a minimum of once every 3 years; and Notification of Annual General Meeting to be conducted in accordance with Association's constitution 			
Benefits of Registration	 One free meeting space at City/Library facility per year for Annual General Meeting(AGM) Consultation and Notice of Issues within boundaries represented by Ratepayer/Community Association; and Qualification under the City's Community Service Organization (CSO) policy for opportunities such as discounted room rental rates. 			

Option 2 Analysis

City's Oversight Role	Perceived Legitimacy and Credibility	Freedom of Association/ Fostering Civic Engagement	Access to City Resources/Benefits
Medium City's role limited to maintaining public register and managing annual filing.	Low-Medium Maintaining public register ensures that Council, public and other stakeholders are aware of active groups. The membership threshold of number of members (as opposed to number of households) leads to possibility of membership being concentrated in only a few households, which may not be representative Geographic exclusivity and narrow definition of association mean that others are not able to be register. Active groups that aren't recognized under current policy may be perceived to be less credible, even though they may represent community interests.	Low-Medium "First In" geographic exclusivity limits registration and opportunities for groups to be formally recognized by the City.	Medium Groups will be eligible for one free meeting space per year for AGM and will be eligible for reduced rental rates under CSO policy. Notification of City issues – groups on register will receive notification of planning and other issues as applicable. Other groups will have to first indicate their interest in being kept informed on a matter.

Option 3 – Public Register of Ratepayer and Community Associations

A public register of ratepayer and community associations is maintained and listed on the City's web site. The main features that distinguish this from the current policy are:

- Requirement for geographic exclusivity is eliminated;
- Associations may register to represent geographic areas (eg. Neighbourhood, ward, condominium association) or to represent an issue or issues which may not be geographically organized by neighbourhood or ward (eg. Green Initiatives);
- Minimum membership is defined by number of households (10) rather than by number of members (25 in urban area, 10 in rural area, under the current policy);
- Streamlined registration (no longer require constitution, AGM minutes);
- Annual registration filing is posted on-line for public transparency; and
- Mandatory e-mail contact for organization to be public posted online

A more detailed description and analysis is set out below.

Option 3 – Public Register of Ratepayer and Community Associations			
Threshold for Registration	 Completed registration form, including Executive contact members (minimum of one E-mail contact address to be posted publicly and used for all communications) Minimum membership: 10 households (Member listing to be submitted) Association may be geographically organized or organized to represent a specific issue or issues (as stated on registration form) Include boundaries of geographic area (if applicable); and Description of purpose of Association (to be posted publicly on City's web site) 		
Geographic Exclusivity	Overlapping geographic boundaries permitted		
Ongoing Registration Requirements	 Complete annual filing with updated Executive Officer contacts; and Filing to be publicly posted 		
Benefits of Registration	 One free meeting space at City/Library facility per year for Annual General Meeting(AGM) Consultation and Notice of Issues within boundaries represented by Ratepayer/Community Association; or on City wide issues, as applicable; and Qualification under the City's Community Service Organization (CSO) policy for opportunities such as discounted room rental rates. 		

Option 3 Analysis

City's Oversight Role	Perceived Legitimacy and Credibility	Freedom of Association/ Fostering Civic Engagement	Access to City Resources/Benefits
Low-Medium City's role limited to maintaining public register and managing annual filing.	Medium Maintaining public register ensures that Council, public and other stakeholders are aware of active groups. On-line posting of annual filing provides transparency and awareness of active associations. Changing the membership threshold to minimum number of households (rather than members) broadens the membership	High Removing the requirement for geographic exclusivity and broadening the definition of association to include issue-based groups expands opportunities for civic engagement	Medium Groups eligible for one free meeting space per year for AGM and reduced rental rates under CSO policy. Notification of City issues – groups on register will receive notification of planning and other issues as applicable. Removal of geographic exclusivity and broadening criteria for forming associations will make meeting space available to
	base, enhances legitimacy.		larger number of groups.

8.0 Conclusion

Staff have identified three potential options for the ratepayer/community association policy for Council's consideration. These options represent different points on a continuum.

In the introduction to this report, the following questions were posed:

- What role do ratepayer and community associations play in the process of civic engagement?
- Does a formal ratepayer/community association registration process help or hinder the goal of civic engagement?
- Is it appropriate for the City to regulate the affairs of ratepayer and community associations who operate as participants in the political and decision-making process and who may take opposition to City policies?

In response to these questions, it is clear that ratepayer and community associations, as do other associations, play an important role in the process of civic engagement. As heard through the public consultation process, these associations advocate for the community, build community capacity, help keep residents informed, and provide a community perspective on a

wide range of issues. Also, while associations may be formed on a geographic basis, they may also be formed to represent a specific interest or issue.

A ratepayer/community association registration process may help facilitate the process of civic engagement by allowing the city to use the mechanisms of these groups to reach out to larger audiences for input on civic matters. A public listing of registered associations also increases public awareness of active groups within the community.

A key issue identified in the course of the review is the impact geographic exclusivity has on the ratepayer policy and indeed on the relationship the City has with its ratepayer groups. Geographic exclusivity necessarily distinguishes between registered and non-registered groups which creates either perceived or real differences in the formal interaction between the City and these groups. The preservation of geographic exclusivity will require:

- a more rigorous policy to administer the ongoing validity of an organization and its right to the exclusivity;
- greater engagement by staff to monitor and indeed adjudicate on internal association matters (e.g. compliance with its constitution, notice, quorum...);
- additional staff resources to carry out ratepayer monitoring; and
- an appeal mechanism which may involve Council as the final decision-maker.

Though it was asserted by some that geographic exclusivity necessarily supports the credibility of ratepayer groups as they come before Council or participate on matters before the Ontario Municipal Board, there were no tangible indicators to support that view. The credibility of a ratepayer position before Council is based on a number of factors such as the level of engagement of the group and its leadership, and the contributions the association has made to the debate either in written or oral form. Staff in reviewing the implications of removing geographic exclusivity from the ratepayer policy concluded that on balance the negative aspects arising from perceptions of bias in the administration of stringent rules by both staff and Council and the increased resources required to conduct that level of administration, did not outweigh any perceived advantages to the groups in terms of their credibility or authenticity.

9.0 Recommendation

Of the three options presented, staff recommend Option 3 – Public Register of Ratepayer and Community Associations. Option 3 provides:

- A strong framework for civic engagement, through broader registration criteria and the removal of geographic exclusivity;
- Transparency and recognition for associations, by maintaining a formal register which is publicly posted;
- An appropriate and sustainable level of staff oversight, by providing for administrative oversight and updating of the register, rather than enforcement and arbitration of disputes.

Appendix A - City of Vaughan Registered Ratepayer/Community Association Policy

Every member of the public has the right to address Council on his/her own behalf (or in the case of an agent, on behalf of his/her principal) at Committee of the Whole meetings and with unanimous consent at Council meetings, however duly elected representatives of groups of citizens registered with the City of Vaughan as Ratepayer or Community Associations may address Council as spokespersons on behalf of such associations.

- 1) That upon initial formation of the Association, the following be submitted to the City Clerk:
 - a) A completed Ratepayer/Community Associations Registration Form;
 - b) A list of the Association's membership showing a minimum of 25 members in an urban area and 10 in a rural area and that the list include names, addresses and signatures;
 - c) A statement of purpose and a copy of the Association's Constitution and/or By-laws; and
 - d) The boundaries of the area that the Association represents;
- 2) That all Ratepayer/Community Associations register on an annual basis and at that time any changes in Executive Officers be provided;
- 3) That the City Clerk be notified within 30 calendar days of any changes to the contact information provided on the Registration Form (name of contact person/address/phone numbers);
- 4) That the Association's Executive Officers be duly elected at a General Meeting in accordance with the respective Association's Constitution, but no less than once every three (3) years, and that all executive officers reside within their Association's boundaries;
- 5) That minutes of the General Meeting at which the Executive Officers have been elected be filed with the City Clerk;
- That notification of the General Meeting to elect Executive Officers be provided in accordance with the Association's respective Constitution;
- 7) That once a year, if required, at the discretion of the Ratepayers' Association, and for the purpose of holding an annual General Meeting, that they be permitted to use a City/Library facility at no cost to the Association;
- 8) That the City will not recognize groups wishing to form a new Registered Association within the boundaries of an existing Association that is in good standing;
- 9) That Associations who have requested the Agenda/Minute delivery service and do not pick-up the documents for three (3) consecutive weeks will have this service suspended without further notice and the service will only be resumed upon written request to the City Clerk;
- 10) That the City Clerk shall be authorized to delete from the City of Vaughan's Official Registry of Ratepayer/Community Associations those Associations that do not comply with the Policy outlined in this report; and
- 11) That this Policy replace the current policy effective immediately.

The City of Vaughan recognizes and supports Registered Ratepayer / Community Associations by the provision of various services.

The benefits of being recognized as a Registered Ratepayer / Community Association in the City of Vaughan, are as follows:

- 1) Consultation and Notice of various issues within the boundaries being represented by the Ratepayer / Community Association (e.g. land use, traffic, parks, planning, etc.)
- 2) Qualification as a Community Service Organization (C.S.O.) under the category "Ratepayers Association" with resulting services-in-kind opportunities.
- 3) Ability to use City and Library public meeting rooms at the C.S.O. preferred rate.
- 4) Deputation status before Council as an Association rather than an individual or group of individuals.
- 5) Hard copies of Agendas / Minutes free of charge for pick-up at a Library or Community Centre if a written request is received by the City Clerk.

Appendix B - List of Registered Ratepayer Associations

Beverley Glen Ratepayers' Association

Brownridge Ratepayers' Association

Carrying Place Ratepayers' Association

Concord West Ratepayers' Association

Confederation Parkway Ratepayers Association

East Woodbridge Community Association

Glen Shields Ratepayers' Association

Kleinburg and Area Ratepayers' Association

Lakeview Estates Ratepayers' Association

MacKenzie Ridge Ratepayers' Association

Maison Parc Ratepayers' Association

Maple-Sherwood Ratepayers' Association

Millwood-Woodend Ratepayers' Association

Pinewood Estates Ratepayers' Association

Rimwood Estates Homeowner's Association

The Valleys of Thornhill Ratepayers Association

Vaughanwood Ratepayers' Association

Vellore Woods Ratepayers' Association

West Woodbridge Homeowner's Association

Woodbridge Core Ratepayers' Association

