

**Submission to
Corporate Services and Economic Development Committee
17 February 2009**

Agenda Item 1: Motion – Policy on Seeking Cost Awards

I wish to thank Councillors Chiarelli and Cullen for moving this motion and I urge you to pass it.

The city should not be seeking costs from community groups/residents associations or public interest groups when such groups of citizens are acting in the public interest as they see it. The City should not be seeking costs for legal actions brought against it when the community group is seeking to make this city a better place to live. You may differ with the group's opinions but to have a permanent threat of punitive court and other legal costs because of that difference sends a chill that threatens the willingness of citizens to even think of trying to contribute to public policy and to safeguard the environment.

Ned Lathrop, the former city General Manager called one of the Greenspace Alliance members his “environmental conscience”. If my memory is correct, on that day, the issue was the wetland conservation in Ottawa – possibly even with reference to the Leitrim Wetland. He clearly thought of the Alliance as a public interest group and so should you.

In my view, the staff report (on page 6 and 7 of the agenda document) is making this “personal”. But the motion before you will apply to all public groups and individuals, not just the Greenspace Alliance. What the Greenspace Alliance did or did not do should not really enter into your consideration of the motion.

If you reject the Chiarelli and Cullen motion, you are, in effect, telling volunteers with views on issues that differ from yours, that if they take the matter to a higher level and lose, you may or you will seek to break their pocketbooks to say nothing of their further interest in contributing to the dialogue on how to keep this city functioning for its citizens. And, forcing settlement before the issues and evidence are heard is disadvantageous to public policy and to the citizens involved.

Ottawa has a public participation policy. You encourage the citizens of this city to engage in dialogue with you. Should there be need to move the matter up a notch or two, we the citizens need to know that the city will act fairly. Rarity of potential to seek costs is not the issue – the issue is Potential. Failure to approve this motion both here and at Council means that you have abandoned your intent to treat us with fairness and respect.

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