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Item No. 11.2.1

**Halifax Regional Council
April 28, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Helen McFadyen", written over a horizontal line.

Helen McFadyen, Chair
Advisory Committee for Persons with Disabilities

DATE: April 16, 2009

**SUBJECT: Advisory Committee for Persons with Disabilities - Amendment to
Terms of Reference**

ORIGIN

March 16, 2009 Meeting of the Advisory Committee for Persons with Disabilities

RECOMMENDATION

It is recommended that the Terms of Reference of the Advisory Committee for Persons with Disabilities, Section 9 (Appointments) be amended to add the following clause:

“9.3 When requested to provide representation on other Committees of Regional Council, the appointment will be for a one-year term”

BACKGROUND / DISCUSSION

Over the past several years, the Advisory Committee for Persons with Disabilities (ACPD) have been asked to provide representatives from their Committee to sit on other Committees of Regional Council. These include the Taxi and Limousine Advisory Committee; the Cultural Advisory Committee; and most recently, the Active Transportation Advisory Committee.

At ACPD's March 16, 2009 meeting, a discussion was held on this matter, and it was noted that the Committee never established a term of how long the representatives would serve on the other Committees, and that the Committee should establish a set term for such appointments, thus giving an opportunity for all Committee members to serve on the various committees. The ACPD passed a motion requesting Regional Council amend the Committee's Terms of Reference to reflect their desire to establish a one-year term when representatives from ACPD are asked to serve on other Committees of Council.

BUDGET IMPLICATIONS

None associated with this report.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

Regional Council could approve an alternate term for appointments of ACPD's representatives to other committees.

Regional Council could turn down the request for amendment to the Terms of Reference.

ATTACHMENTS

Attachment 'A': Advisory Committee for Persons with Disabilities Terms of Reference.

Attachment 'B': Extract from Minutes of March 16, 2009

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:

Sheilagh Edmonds, Legislative Assistant

HALIFAX REGIONAL MUNICIPALITY

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

TERMS OF REFERENCE

Revised December 13, 2005

Revised October 23, 2004

Revised February 24, 2004

The Advisory Committee for Persons with Disabilities was established pursuant to s.11(4) of the Halifax Regional Municipality Act S.N.S.1995, c.3 to advise and assist Council to facilitate and to promote the access and accessibility of all citizens to their community including municipal government, programs and services. Accessibility for this purpose meaning the removal of all barriers confronting citizens with disabilities, including attitudinal barriers.

1. OBJECTIVE

The main responsibility of the Committee is to advise Halifax Regional Municipal Council on the impact of Municipal policies, programs and services on persons with disabilities.

- 1.1 To facilitate the full participation of all citizens with disabilities in civic and community affairs by ensuring that policies, programs and services do not impose barriers to such participation.
- 1.2 To increase civic and community awareness regarding the disability communities within HRM by promoting effective communication.
- 1.3 To work towards the elimination of physical and attitudinal barriers facing persons with disability by advising Council on issues and concerns raised by citizens.
- 1.4 To ensure HRM's disability communities have an equitable opportunity to voice their views on disability and other issues affected by monitoring the effectiveness of HRM policies, programs and services.

2. RESPONSIBILITIES

- 2.1 To advise Council on matters related to the status of persons with disabilities.
- 2.2 To review and or monitor existing and proposed by-laws of Council to promote full participation of persons with disabilities in their community.

- 2.3 Act as a resource for all municipal departments in responding to issues and concerns of persons with disabilities.
- 2.4 Review and or monitor the accessibility of existing and proposed municipal services and facilities.
- 2.5 To advise Council and through Council municipal departments and the public about strategies designed to achieve the objectives of this Committee.
- 2.6 To receive and review information from Council or its committees and commissions and make recommendations.

3. **COMPOSITION**

- 3.1 Members of the Committee shall be appointed by Council and will consist 8 residents of HRM who shall come from the disability communities, including parents and advocates; and two members of Council.

4. **SUB-COMMITTEES**

- 4.1 The Committee may establish subcommittees to deal with specific issues, subject to the submission of a work plan (identifying issues, goals, time frame, scope of work and resources required), and Council approval. The ability of a committee to establish subcommittees, other than through the Council approval process is to identify specific subcommittees in the body of the objects of the committee whereby they can outline the role and scope of subcommittees and the number of subcommittees to be set.
- 4.2 The Committee shall develop terms of reference and time lines for any such sub-committees as referred to in 4.1.

5. **OFFICERS**

- 5.1 The Committee shall yearly elect a Chairperson from among its members at the first meeting of the year.
- 5.2 The Committee shall yearly elect a Vice-chairperson from among its members at the first meeting of the year.
- 5.3 The officers of the Committee shall be elected from among the 8 residents who serve as members.

6. **QUORUM**

- 6.1 Quorum shall consist of not less than 50% + 1 of the voting members.
- 6.2 Meetings can be held without a quorum present, however a quorum will be required for voting purposes.

7. **MEETINGS**

- 7.1 The Committee shall meet no less than ***six times per year***. The Council will provide Municipal Clerk resources ***for all regular and special meetings*** and additional support will be subject to the approved and/or revised work plans of the committee where the number of meetings and resources required are to be identified.
- 7.2 In case of emergency, the Chairperson or designate can call a meeting with reasonable notice.
- 7.3 Upon receipt of a written petition of the majority of the members of the Committee, the Chairperson shall summon a special meeting for the purpose and at the time mentioned in the petition, on at least three days' notice.

8. **RELATIONSHIP TO COUNCIL AND CAO**

- 8.1 The Committee shall make recommendations to Council and/or the Chief Administrative Officer solely in an advisory capacity.
- 8.2 Significant issues, plans and programs impacting on persons with disabilities and the disability community shall be referred to the Committee for its consideration and recommendations to Council and/or the Chief Administrative Officer.
- 8.3 Members of the committee and Council shall come together on a periodical basis to participate in a joint working session.
- 8.4 The CAO will appoint an advisor(s), with skills and knowledge appropriate to the subject matter, as recommended by Directors and General Managers, in consultation with the Committee.

9. **APPOINTMENTS**

- 9.1 A public appointment process encouraging representation from HRM's diverse communities be used with regard to appointments to this Committee.
- 9.2 All appointments shall be for a two-year term following Council's normal selection and appointment process. Members may be re-appointed for no more than three consecutive terms.

10. **RESIGNATIONS**

- 10.1 Any resignation from the Committee shall be tendered in writing to the Chairperson, who will advise Council through the Municipal Clerk.
- 10.2 The name of a replacement member shall be obtained through the most recent public appointment process from the list maintained by the Municipal Clerk
- 10.3 When approved by Council, the new appointee shall serve the remainder of the vacant term.

11. **ABSENTEEISM**

- 11.1 In the case of any member missing three meetings without the consent of the Committee, the member shall be deemed to have resigned.

12. **PROCEDURE**

The meeting shall follow the rules of order (Administrative Order #1) approved by Council as amended from time to time.

13. **REPORT TO COUNCIL**

- 13.1 The Committee shall submit a report of activities to Council during the first quarter of each year.
- 13.2 The Chairperson of the Committee, or a designate, may make reports to Council on the activities of the Committee as necessary, or as requested by Council, together with such other presentations that the Committee may deem advisable.

14. **AMENDMENTS**

14.1 The Committee may from time to time recommend to Council the amendment of these Terms of Reference following an appropriately voted resolution.

15. **REIMBURSEMENT FOR EXPENSES**

15.1 Each member of the committee shall serve without remuneration, but may be reimbursed by Council for any necessary expenses incurred while engaged in official duties, provided that such expenses are approved by Council in advance.

4.3 Terms of Reference (Joeanne Coffey)

Ms. Coffey advised that she brought this matter forward because the Committee has a representative on the Taxi and Limousine Advisory Committee but has not specified a timeline for the appointment.

A discussion ensued, and Mr. Russell noted that this Committee has been asked in the past to provide representatives to other Committees of Council. He suggested that if the Committee was going to establish a limited term for the Taxi and Limousine Advisory Committee, then it should do the same for any other Committee in which ACPD provides a representative.

The Chair suggested that when making appointments to other Committees, there should be a limited term.

Councillor Wile pointed out that usual practice with Regional Council when making Committee appointments is that they appoint for a two-year term.

MOVED by Ms. McFadyen, seconded by Mr. Boyd that the Committee's Terms of Reference be amended to reflect that any appointments of members of the Advisory Committee for Persons with Disabilities to other Committees of Regional Council, be for a one year term. MOTION PUT AND PASSED.

The motion was put and passed, with Mr. Russell opposing the motion.