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P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
December 13, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

Stephanie Paus
for Patrick Harrington
Chair, Advisory Committee for Persons with Disabilities

DATE: December 2, 2005

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

ORIGIN

Advisory Committee for Persons with Disabilities meeting of November 21, 2005.

RECOMMENDATION

The Advisory Committee for Persons with Disabilities recommends that Regional Council amend the Advisory Committee for Persons with Disabilities Terms of Reference to set the membership to eight residents and two councillors for a maximum of 10 members.

BACKGROUND

Administrative Order 1, section 68. - Quorum Of Committee

- (1) A committee shall not consider any business if a quorum is not present.
- (2) A quorum for a committee having an even number of members, is one-half of all the members thereof.
- (3) A quorum for a committee having an uneven number of members, is a majority of the members thereof.
- (4) In determining the quorum, regard shall be had to the fact that the Mayor is ex officio a member of all committees.

DISCUSSION

The minimum membership for Advisory Committee for Persons with Disabilities is 8 voting members and two Councillors. The appointment of more than the minimum members has caused difficulties in achieving quorum because the calculation of quorum is based on the number of members appointed as outlined in Section 68. Of Administrative Order 1. Therefore the Committee is requesting that the membership of the Committee be set at 10 voting members.

BUDGET IMPLICATIONS - None.

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

1. Maintain the current membership.
2. Amend the terms of reference to increase/decrease the membership composition.

These alternatives are not recommended due the difficulties in achieving quorum which hinders the efficient decision making process of the committee.

ATTACHMENTS

1. Terms of Reference
2. Minute Extract November 21, 2005, August 15, 2005 , July 18, 2005

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Stephanie Parsons, Legislative Assistant 490-6519

HALIFAX REGIONAL MUNICIPALITY
ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

TERMS OF REFERENCE

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 of not less than 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 four 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.

(feb2000)

HALIFAX REGIONAL MUNICIPALITY
Advisory Committee For Persons
With Disabilities

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November 21, 2005

HALIFAX REGIONAL MUNICIPALITY

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

MINUTES EXTRACT

November 21, 2005

4.1.1 Terms of Reference

MOVED BY Ms. Coffey, seconded by Ms. Newcombe that the motion of August 18 is withdrawn: That the Advisory Committee for Persons with Disabilities recommends that Regional Council amend the Advisory Committee for Persons with Disabilities Terms of Reference to set the quorum for regular meetings at six (6). MOTION PUT AND PASSED UNANIMOUSLY.

MOVED BY Ms. Coffey, seconded by Mr. Myer that the Advisory Committees for Persons with Disabilities recommend that Regional Council amend the Advisory Committee for Persons with Disabilities Terms of Reference to set the membership to eight residents and two councillors for a maximum of 10 members. MOTION PUT AND PASSED UNANIMOUSLY.

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

MINUTE EXTRACT

August 15, 2005

5.3 Membership

MOVED BY Ms. Macdonald seconded by Mr. Myer that The Advisory Committee for Persons with Disabilities recommend that Regional Council amend the Advisory Committee for Persons with Disabilities Terms of Reference to set the quorum for regular meetings at six (6). MOTION PUT AND PASSED UNANIMOUSLY.

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

MINUTE EXTRACT

July 18, 2005

8.1.1.2 Membership

A discussion regarding the membership of the Committee and the calculation of quorum ensued.

The Legislative Assistant advised that the minimum membership for the Committee is eight residents and two councillors, there is no maximum. The Membership Selection Committee appointed more than the minimum required and therefore, the quorum is based on the number of persons appointed. She further advised that at the last meeting the Committee agreed to replace the Committee Members who resigned and which increases the quorum requirement. She further advised that unless otherwise specified in the Committee's Terms of Reference, quorum is fifty percent, plus one as per Administrative Order One.

Ms. Macdonald gave notice of motion that at the next regular scheduled meeting she will bring forward a motion to recommend that the terms of reference of the Committee be amended to provide that the quorum for the Committee be set at six.