



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

Item No. 14.2.1
Halifax Regional Council
August 15, 2017

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY: _____
Councillor Tim Outhit, Chair, Transportation Standing Committee

DATE: July 28, 2017

SUBJECT: Reporting Structure and Terms of Reference of the Accessibility Advisory Committee

ORIGIN

July 27, 2017 meeting of the Transportation Standing Committee, Item No. 12.1.1.

LEGISLATIVE AUTHORITY

Transportation Standing Committee Terms of Reference, section 14 which states: "The following Committees shall be advisory committee or liaison with the Transportation Standing Committee: Accessibility Advisory Committee (formerly Person with Disabilities)".

RECOMMENDATION

The Transportation Standing Committee recommends that Halifax Regional Council:

1. Adopt the amendments to Administrative Order 1 as set out in Attachment 2 of the staff report dated February 27, 2017, to direct that the Accessibility Advisory Committee report to the Executive Standing Committee; and
2. Adopt Administrative Order 2017-005-GOV, Respecting the Advisory Committee on Accessibility in the Halifax Regional Municipality as set out in Attachment 3 of the staff report dated February 27, 2017.

BACKGROUND

A staff report dated February 27, 2017 pertaining to the reporting structure and Terms of Reference of the Accessibility Advisory Committee was before the Transportation Standing Committee for consideration at its meeting held on July 27, 2017.

For further information, please refer to the attached staff report dated February 27, 2017.

DISCUSSION

The Transportation Standing Committee reviewed the staff report dated February 27, 2017 at its meeting held on July 27, 2017 and forwarded the recommendation to Halifax Regional Council as outlined in this report.

FINANCIAL IMPLICATIONS

No financial implications have been identified.

RISK CONSIDERATION

No risks have been identified.

COMMUNITY ENGAGEMENT

The Transportation Standing Committee meetings are open to public attendance, a live webcast is provided of the meeting, and members of the public are invited to address the Committee for up to five minutes at the end of each meeting during the Public Participation portion of the meeting. The agenda, reports, video, and minutes of the Transportation Standing Committee are posted on Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

Not applicable.

ALTERNATIVES

The Transportation Standing Committee did not discuss alternatives.

ATTACHMENTS

1. Staff report dated February 27, 2017.

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Liam MacSween, Legislative Assistant, 902.490.6521



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Attachment 1
Transportation Standing Committee
July 27, 2017

TO: Chair and Members of the Transportation Standing Committee
Original Signed

SUBMITTED BY: _____
Catherine Mullally, Director, Human Resources

DATE: February 27, 2017

SUBJECT: Reporting Structure and Terms of Reference of the Accessibility Advisory Committee

ORIGIN

A motion of Halifax Regional Council from the August 2, 2016 meeting.

THAT Halifax Regional Council request a staff report and recommendation on changes to the reporting structure of the Accessibility Advisory Committee as discussed at the Accessibility Advisory Committee meeting on May 16, 2016 and that this report be referred to the Transportation Standing Committee for review and comment prior to receipt by Regional Council.

A motion of the Transportation Standing Committee from the June 23, 2016 meeting.

That the Transportation Standing Committee request a staff report considering the suggested changes to the Terms of Reference provided in the discussion of the matter at the May 16, 2016 Committee meeting.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S., 2008, c. 39, including:

11(2) In the general exercise of its powers, the Council shall take into account the principle of accessibility for its citizens with disabilities.

21(1) The Council may establish standing, special and advisory committees.

Administrative Order 1, the Procedure of the Council Administrative Order, including:

Schedule 6, section 9:

9. The Executive Standing Committee shall:

(a) have strategic oversight of progress on the Municipality's Corporate Performance Objectives and priority areas of the Council; and

(b) perform other Administrative matters as may be determined and directed by the Council.

Schedule 7, Section 14:

14. The following Committees shall be advisory committee or liaison with the Transportation Standing Committee: Accessibility Advisory Committee (formerly Person with Disabilities)

RECOMMENDATION

That the Transportation Standing Committee recommend that Halifax Regional Council:

1. Adopt the amendments to Administrative Order 1 as set out in Attachment 2 of this report to direct that the Accessibility Advisory Committee report to the Executive Standing Committee; and
2. Adopt Administrative Order 2017-005-GOV, Respecting the Advisory Committee on Accessibility in the Halifax Regional Municipality as set out in Attachment 3 of this report.

BACKGROUND

On May 9, 2016, the Accessibility Advisory Committee engaged in a facilitated work plan session. During the session, the Committee identified that a review of the Terms of Reference, including the reporting structure, was an area requiring focus. The Committee sought a clear and concise Terms of Reference that accurately reflects the work of the Committee and that enables the Committee to effectively implement their work plan. The Committee felt that any change in the reporting structure should reflect the horizontal nature of accessibility concerns, allow for increased engagement with business units and provide the opportunity to develop a holistic approach to accessibility across HRM.

At the May 16, 2016 meeting, the Committee suggested possible revisions to the Terms of Reference that may better represent the work of the Committee. In summary, that:

- a section be added to acknowledge and potentially expand upon the role of the Committee in public consultation;
- the terms of reference set out a more proactive approach for the Committee, one that involves more interaction with the business units on plans and programs for which accessibility is a consideration; and
- the reporting structure be changed.

DISCUSSION

Reporting Structure

The Committee noted that reporting to the Transportation Standing Committee limits the ability of the Accessibility Advisory Committee to provide recommendations on the wide variety of issues, plans and programs that impact persons with different abilities in HRM. Considering the far-reaching scope of accessibility concerns, the Committee suggested that a pan-reporting structure would be appropriate in which the Accessibility Advisory Committee is able to report to the Standing Committee that best aligns with the focus of a given recommendation. As pan-reporting would be difficult at best under the present governance structure, the Committee suggested that the Executive Standing Committee may be the most appropriate Standing Committee to which the Accessibility Advisory Committee should report. Accessibility Coordination is an element of the Healthy Communities Council Priority and the Executive Standing Committee's mandate includes overseeing Council's priority areas.

Consideration was also given to the Community Planning and Development Committee as the governing body. However, concern was expressed that, similar to the current reporting structure, the mandate of the Community Planning and Economic Development Standing Committee may not be broad enough to align fully with the work of the Accessibility Advisory Committee.

This report recommends that the Accessibility Advisory Committee report to the Executive Standing Committee. The Executive Standing Committee's purpose includes "to fulfil the self-governance functions of the Council including... overseeing the Municipality's Volunteer Awards, By-law Rationalization, Corporate Performance Objective, and the Council's priority areas" (section 1(d), Schedule 6, Administrative Order #1). As such, the Executive Standing Committee could provide an opportunity for the Accessibility Advisory Committee to bring forward advice on a wider range of issues that affect accessibility. This aligns with Council's priority area Social Development with the outcome of: *ACCESSIBLE COMMUNITY - HRM is a leader in building an accessible community where everyone can participate fully in life, including persons with disabilities and seniors.*

The composition of the Executive Committee also supports the Accessibility Advisory Committee's ability to provide advice to other committees in that its membership includes the Mayor, Deputy Mayor, and a representative of all Standing Committees. Staff carried out a jurisdictional scan to determine the reporting structure for similar committees in other municipalities (attachment 4). Although no consistent approach was identified, the scan did bear out the committee's opinion that a broader reporting structure is desirable. In none of the jurisdictions reviewed did the equivalent committee report to a transportation committee. Most reported to a general issues or executive committee.

Additional Changes to the Terms of Reference

Staff reviewed the Terms of Reference in light of the concerns of the Accessibility Advisory Committee, pertinent municipal legislation (i.e. Public Appointment Policy, Administrative Order 1, and the new provincial Accessibility Act). In keeping with Administrative Order 54, Respecting the Procedures for the Development of Administrative Orders, attached is proposed administrative order that substantially aligns with the original Terms of Reference of the committee. The key change establishes the Executive Committee as the body to which the committee reports for the reasons described above.

Additional proposed changes include definitions to support the understanding of the community(ies) represented in the administrative order and wording changes to enhance interaction with the business units (*identify and advise vs monitor and review*). Changes provide a vehicle for the Committee to report to Council in the form of an annual report. Other significant revisions clarify that 50% of members are persons with disabilities and bring the rules around meetings and the length of appointment in line with municipal policy. Importantly, changes recognize and enhance the committee's public consultation role.

The recommended changes will better support the Accessibility Advisory Committee achieve its objective of providing sound advice to Regional Council on facilitating and promoting the access of all citizens to their community, including municipal government programs and services.

FINANCIAL IMPLICATIONS

No financial implications have been identified.

RISK CONSIDERATION

No risks have been identified.

COMMUNITY ENGAGEMENT

The meetings of both the Accessibility Advisory Committee and the Transportation Standing Committee are open to the public. Additionally, a live webcast is provided of the Transportation Standing Committee meeting and members of the public are invited to address the Committee for up to five minutes during the Public Participation portion of the meeting. The agenda, reports and minutes of both Committees are posted on Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified

ALTERNATIVES

1. Council may choose to amend the reporting structure of the Accessibility Advisory Committee by having it report to a Standing Committee other than the Executive Committee. This would necessitate additional amendments to the proposed Administrative Order 2017-005-GOV.
2. Council may choose to make only some of the proposed changes to Terms of Reference of the Accessibility Advisory Committee. This would necessitate amendments to the proposed Administrative Order 2017-005-GOV.
3. Council may choose to make none of the proposed changes and to not adopt the proposed Administrative Order 2017-005-GOV.

ATTACHMENTS

1. Showing proposed changes to Administrative Order One, the Procedure of the Council Administrative Order.
2. Amending Administrative Order One, the Procedure of the Council Administrative Order
3. Proposed Administrative Order 2017-005-GOV, Respecting the Advisory Committee on Accessibility in the Halifax Regional Municipal
4. Jurisdictional Scan – Reporting Structure of Accessibility Committees

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Tracey Jones-Grant, Manager Diversity and Inclusion 902.490.3677
Sherryll Murphy, Deputy Clerk, 902.490.4211

**ATTACHMENT 1
(Showing Proposed Changes)**

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 1
THE PROCEDURE OF THE COUNCIL ADMINISTRATIVE ORDER**

SCHEDULE 7: TRANSPORTATION STANDING COMMITTEE TERMS OF REFERENCE

Standing and Advisory Committees

14. The following Committees shall be advisory committee or liaison with the Transportation Standing Committee:

COMMITTEE	TYPE	APPOINTMENT
Active Transportation Advisory Committee	Advisory	Recommend Members to the Council.
Accessibility Advisory Committee (formerly Person with Disabilities)	Advisory	Recommend Members to the Council.
Halifax-Dartmouth Bridge Commission	Liaison only.	Recommend Members to the Council.

SCHEDULE 6: EXECUTIVE STANDING COMMITTEE TERMS OF REFERENCE

Standing and Advisory Committee

15. ~~None.~~ The following Committees shall be advisory committee or liaison with the Executive Standing Committee:

COMMITTEE	TYPE	APPOINTMENT
Accessibility Advisory Committee (formerly Person with Disabilities)	Advisory	Recommend Members to the Council.

**ATTACHMENT 2
(Amending Administrative Order)**

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 1
THE PROCEDURE OF THE COUNCIL ADMINISTRATIVE ORDER**

BE IT RESOLVED as an Administrative Order of the Council of the Halifax Regional Municipality that Administrative Order 1, the Procedure of the Council Administrative Order is further amended as follows:

1. Section 14 of Schedule 7 is amended by striking out the row in the table:

Accessibility Advisory Committee (formerly Person with Disabilities)	Advisory	Recommend Members to the Council.
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after the row starting "Active Transportation Advisory Committee" and before the row starting "Halifax-Dartmouth Bridge Commission".

2. Section 15 of Schedule 6 is amended by:

- (a) striking out the word "None" and the period;
- (b) adding the words, colon and table, "The following Committees shall be advisory committee or liaison with the Executive Standing Committee:

COMMITTEE	TYPE	APPOINTMENT
Accessibility Advisory Committee (formerly Person with Disabilities)	Advisory	Recommend Members to the Council.

Done and passed in Council this day of A.D. 2017

Mayor

Municipal Clerk

Attachment 3

ADMINISTRATIVE ORDER NUMBER 2017-005-GOV RESPECTING THE ADVISORY COMMITTEE ON ACCESSIBILITY IN THE HALIFAX REGIONAL MUNICIPALITY

WHEREAS the Advisory Committee on Accessibility in HRM (formerly called the Advisory Committee for Persons with Disabilities) was established by the Council of the Halifax Regional Municipality in July 1996 in accordance with section 11(4) of the *Halifax Regional Municipality Act*, S.N.S. 1995, c. 3 (now repealed), which directed the Council to take into account the principle of accessibility for its disabled citizens in the general exercise of its authority;

AND WHEREAS the Committee was formed to provide advice to Regional Council on facilitating and promoting the access of all residents to their community, including municipal government, programs and services;

AND WHEREAS section 11(2) of the *Halifax Regional Municipality Charter*, S.N.S. 2008, c. 39 directs the Council to take into account the principle of accessibility for its citizens with disabilities in the general exercise of its powers;

AND WHEREAS the Committee has been reporting to the Transportation Standing Committee of Regional Council since October 12, 2010;

AND WHEREAS in recognition of the broader implications of accessibility to the Municipality, Regional Council has determined that the Committee would be better positioned in reporting to the Executive Standing Committee;

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

Short Title

1. This Administrative Order may be known as the *Advisory Committee on Accessibility Administrative Order*.

Interpretation

2. In this Administrative Order,

(a) “barrier” means anything that hinders or challenges the full and effective participation in society of persons with disabilities including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technology barrier, a policy or a practice;

(b) “business unit” means an administrative unit of the Municipality responsible for the delivery of those services assigned to the unit from time to time by the Chief Administrative Officer;

(c) “Committee” means the Advisory Committee on Accessibility;

(d) “Council” means the Council of the Halifax Regional Municipality;

(e) “disability” includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability, that, in interaction with a barrier, hinders an individual’s full and effective participation in society;

(f) “diversity” means understanding and utilizing different views, ideas, life experiences, skills and knowledge;

(g) “inclusion” means community actions intended to eliminate barriers so that all members of the community can fully participate and contribute, and can be supported and valued within the community and the organization; and

(h) “Municipality” means the Halifax Regional Municipality.

Purpose

3. The purpose of this Administrative Order is to establish the terms of reference under which the Advisory Committee on Accessibility will advise the Municipality on the impact of municipal policies, programs and services on persons with disabilities.

The Advisory Committee on Accessibility

4. There is hereby established an Advisory Committee on Accessibility.

Objectives

5. The advice provided by the Committee will be guided by the following objectives:

(a) 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;

(b) increased civic and community awareness regarding the disability communities within the Municipality by promoting effective communication;

(c) the elimination of barriers facing persons with disabilities; and

(d) the provision of an equitable opportunity for the Municipality’s disability communities to voice their views on disability and other issues affected by monitoring the effectiveness of the Municipality’s policies, programs and services.

Duties of the Committee

6. The Committee shall advise Council, through the Executive Standing Committee, on matters related to persons with disabilities as follows:

(a) review and monitor existing and proposed Municipal by-laws to promote full participation of persons with disabilities;

(b) identify and advise on the accessibility of existing and proposed municipal services and facilities;

(c) advise and make recommendations about strategies designed to achieve the objectives of the Committee;

(d) receive and review information directed to it by Council and its committees, and to make recommendations as requested; and

(e) advise Council on disability issues that may have an impact on the budget planning process through the Budget Committee of the Whole process.

7. To advise business units in responding to issues and concerns of persons with disabilities, when requested to do so by the Chief Administrative Officer.

8. To host community consultations related to accessibility in the Municipality, including an annual Town Hall Meeting, and report to the Executive Standing Committee on the issues identified through such community consultations.

9. Significant municipal matters, plans and programs having an impact on persons with disabilities and the disability community shall be referred to the Committee for its consideration and recommendations to Regional Council through the Executive Standing Committee

Administrative Order One

10. Except as herein provided, the provisions of Administrative Order One, Respecting the Procedures of Council, shall apply to the Committee.

Public Appointment Policy

11. Except as herein provided, the provisions of the Public Appointment Policy shall apply to the Committee.

Membership

12. The nominating body for membership on the Committee shall be the Executive Standing Committee, which shall make recommendations to Regional Council.

13. The Committee shall be comprised of up to eleven (11) members as follows:

- (a) six (6) persons with disabilities;
- (b) two (2) community members, including parents and advocates; and
- (c) up to three (3) members of Council.

14. The Committee shall elect annually a Chair and Vice-Chair from among the eight members of the Committee who are not Councillors.

Reporting

15. The Committee shall submit a written report of activities to the Executive Standing Committee during the first quarter of each year.

16. The Chair, or designate, may present the annual report to a meeting of the Executive Standing Committee.

17. The Committee may make reports to the Executive Standing Committee on the activities of the Committee as necessary, or as requested, together with such other presentations that the Committee may deem advisable.

Sub-Committees

18. (1) Subject to (2), the Committee may appoint sub-committees, consisting of members of the Committee, to report to the Committee on matters that the Committee determines require further investigation.

(2) A work plan, identifying issues, goals, time frame, scope of work and resources required, shall be submitted by the Committee to the Executive Standing Committee for approval by Council prior to the Committee establishing a sub-committee.

19. The Committee shall appoint one of its members to chair the sub-committee at the time it constitutes the sub-committee.

20. Sub-committees shall report directly to the Committee.

Meetings

21. The Committee shall meet no less than six times per year, or otherwise as required to fulfill the duties as outlined.

22. The Chair, in consultation with staff of the Office of the Municipal Clerk, shall be responsible for calling all meetings of the Committee and for setting the agenda.

23. In the absence of the Chair or Vice-Chair, the members of the Committee may select a member to chair the meeting.

General

24. 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.

25. The Chief Administrative Officer shall assign Municipal staff with the required expertise to advise the Committee as required.

Repeal

26. The Halifax Regional Municipality Advisory Committee on Accessibility in HRM Terms of Reference, adopted by Council on March 21, 2000, and all amendments thereto are repealed.

Done and passed in Council this day of , 2017.

Mayor

Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council held on XXXXXXX, 2017.

Kevin Arjoon, Municipal Clerk

Notice of Motion: -----, 2017

Approval: -----, 2017

Attachment 4 - Benchmarking Study –Accessibility Advisory Committee Standing Committee Alignment- Comparable Cities/ Municipalities

Municipality/ City	Name of Committee	Standing Committee Alignment
Toronto	Disability, Access and Inclusion Advisory Committee	<p>The Disability Access and Inclusion Advisory Committee provides advice to Council through the Executive Committee.</p> <p>Terms of Reference (TOR) - http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-45089.pdf</p>
Mississauga	Accessibility Advisory Committee	<p>The Accessibility Advisory Committee shall act in an advisory capacity to Council through reports to General Committee (Committee of the Whole).</p> <p>TOR - http://www7.mississauga.ca/documents/Agendas/committees/accessibility/2016/Terms_of_Reference_for_AAC.pdf</p>
Guelph	Accessibility Advisory Committee	<p>Reports to Council through “the appropriate Standing Committee.</p> <p>TOR- http://guelph.ca/city-hall/council-and-committees/advisory-committees/accessibility-advisory-committee/</p>

Hamilton	Advisory Committee for Persons with Disabilities	<p>Reports to the General Issues Committee</p> <p>Mandate AAC – https://www.hamilton.ca/council-committee/council-committee-meetings/advisory-committee-persons-disabilities</p> <p>Mandate General Issues Committee - https://www.hamilton.ca/council-committee/council-committee-meetings/general-issues-committee</p>
Victoria	Accessibility Working Group	<p>Provides policy recommendations, expertise and experiential knowledge to Victoria City Council – Reports to Council</p> <p>The Working Group will meet monthly for a year, engage the public and stakeholder groups as appropriate to develop recommendations, and then be convened semi-annually until the approval of a new Strategic Plan in 2018. Special meetings of the Working Group after the first year may also be convened at the call of the chair.</p> <p>TOR - https://victoria.civicweb.net/FileStorage/6A0C77EFCC794B0EBD711655D3309557-Motion%20-%20Accessibility%20Working%20Group.pdf</p>

Edmonton	Accessibility Advisory Committee	Reports to Council through its designated Standing Committee TOR - https://www.edmonton.ca/city_government/documents/17002.pdf
Winnipeg	Access Advisory Committee	Reports to Council through Executive Standing Committee Committee Information - http://winnipeg.ca/clerks/boards/pdfs/AccessAdvisoryCommittee.pdf
Calgary	Accessibility Advisory Committee	Reports to Standing Policy Committee on Community & Protective Services