

REPORT TO COUNCIL



Date: February 15, 2011
File: 1340-40
To: City Manager
From: Planner Specialist, Urban Design
Subject: Accessibility Advisory Committee - Terms of Reference (SR#215945)

Recommendation:

THAT Council receives, for information, the Report from the Planner Specialist, Urban Design dated February 15, 2012 with respect to a revised Terms of Reference for the Accessibility Advisory Committee;

AND THAT Council approves the revised Terms of Reference for the Accessibility Advisory Committee attached as Schedule "A" to the Report of the Planner Specialist, Urban Design dated February 15, 2012;

AND FURTHER THAT Council directs staff to report back to Council with the recommended appointees to the Accessibility Advisory Committee.

Purpose:

COUNCIL RESOLUTION FROM THE JANUARY 16, 2012 P.M. REGULAR MEETING: (SR#215945) THAT Council directs staff to appoint the Accessibility Advisory Committee as a committee of Council for the term 2012-2014; AND THAT Council appoints Councillor Singh and Councillor Zimmermann as council representatives to the Accessibility Advisory Committee, with Councillor Given as the alternate for the term 2012-2014; AND THAT Council directs staff to report back with an updated 2012-2014 Terms of Reference for the Accessibility Advisory Committee along with recommended member appointments;

Background:

The City of Kelowna recognizes that communities thrive when all citizens can fully participate in all aspects of community life. Furthermore, the City recognizes that an accessible community takes action to support the independence, comfort, self-esteem, and security of its members, especially people with physical disabilities. To this end the City created the Accessibility Advisory Committee as an Advisory Committee of Council.

The committee came into effect as a stakeholder group with the knowledge to advise on accessibility-related matters within the community and has served many previous Councils.

Key Changes

In its recent deliberations on the role of advisory committees to Council, Council directed staff to update the Accessibility Advisory Committee's Terms of Reference.

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Staff recommends changes to the committee's Terms of Reference. These changes are intended to bring the committee's role into alignment with the City's multiple-bottom-line approach to City-initiated projects as well as to more accurately align with the City's organizational structure and the realities of project delivery.

The primary purpose of the committee would be to advise Council on accessibility issues related to City-initiated projects such as buildings, parks, and open spaces, as well as streets and other public spaces. This is a shift from the current Terms of Reference which are more policy and advocacy focused. A more project-focused role, however, would not preclude the Committee from advising on City policy directions, e.g., the OCP, Area Sector Plans, design guidelines, etc., or on making recommendations generally with respect to the existing City-owned built environment.

As a result of interdepartmental discussions among the Office of the City Clerk, Infrastructure Planning, Policy and Planning, and Design and Construction Services, the Committee will be transferred from the auspices of the City's Policy and Planning Department to its Infrastructure Planning Department. This change would more closely align the committee with City project initiation.

It is in early project planning that many of the details with respect to the accessibility-related issues of projects are identified. Early community input will facilitate least-cost resolution of accessibility-related issues.

Pending Council endorsement of the revised Terms of Reference, staff would return to Council in early March with the names of candidates recommended for appointment to the Committee.

The proposed Terms of Reference in its entirety is included as Attachment 1 to this report.

Existing Policy:

The current Terms of Reference were endorsed by Council on October 19, 2009.

Financial/Budgetary Considerations:

Funding for the Committee's activities would come from the Infrastructure Planning Department's annual operations budget.

Internal Circulation:

Office of the City Clerk
Policy and Planning
Design and Construction Services

Legal/Statutory Authority:

Committees of Council are created under the Community Charter and the Local Government Act to provide an opportunity for members of the community to collaboratively advise on matters referred to them by Council.

Personnel Implications:

The Accessibility Advisory Committee would be supported by staff including a liaison from the Infrastructure Planning Department, with oversight by the Manager, Parks and Public Spaces. Clerical support would be provided by the Office of the City Clerk.

Considerations not applicable to this report:

Legal/statutory Procedural Requirements:

Technical Requirements:

External Agency/Public Comments:

Communications Considerations:

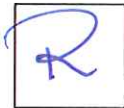
Alternate Recommendation:

Submitted by:



P. McCormick, Planner Specialist, Urban Design

Approved for inclusion:



R. Cleveland, Director, Infrastructure Planning

cc: Director, Community and Media Relations
Director, Infrastructure Planning
Director, Policy and Planning
Assistant City Clerk

Attach: 1



Terms of Reference



ACCESSIBILITY ADVISORY COMMITTEE
February, 2012

INTRODUCTION

The City of Kelowna (the City) recognizes that communities thrive when all citizens can fully participate in all aspects of community life. Furthermore, the City recognizes that an accessible community takes action to support the independence, comfort, self-esteem, and security of its members, especially people with physical disabilities.

To this end, the City has created the Accessibility Advisory Committee as an Advisory Committee of Council.

OBJECTIVE

In support of Kelowna being a livable city, the objective of the Committee is to advise Council on the prevention and removal of barriers which impede physical movement within the public realm, and which otherwise limit the ability of citizens to fully participate in urban life.

SCOPE OF WORK

To achieve these objectives, the Accessibility Advisory Committee will:

1) Review and provide comments and suggestions on:

- Major buildings and public space projects initiated by the City;
- City-initiated policy directions, and
- the existing City-owned built environment,

as they pertain to physical movement and accessibility within the public realm;

2) Receive input from members of the public, and organizations and agencies representing community interests regarding the mandate of the Committee as identified in section 1) above.

3) Make recommendations to Council regarding accessibility-related concerns.

MEMBERSHIP

To ensure representation from the community, the membership of the Committee will be as follows:

- Seven (7) citizens of Kelowna selected on the basis of their knowledge of, and interest in accessibility-related issues. Up to three (3) individuals may be appointed to represent accessibility-related organizations.
- Up to two (2) non-voting members of City Council.

APPOINTMENT AND TERM

- Committee members have a responsibility to make recommendations based on the best interests of the community-at-large.
- Members shall be appointed by Council for a three-year term, to run concurrently with the Council term.
- Members of the Committee shall serve without remuneration.
- Council may at any time remove any member of the Committee, and any member of the Committee may resign upon sending written notice to the Chair of the Committee.
- Committee members who are absent for three (3) consecutive meetings will forfeit their appointments, unless such absence is authorized by a ratified motion of the Committee.
- In the event of a vacancy occurring during a regular term of office, the vacancy may be filled for the remainder of that term upon resolution of Council.
- The Committee may appoint sub-committees to deal with any matters coming within the mandate of the Committee. Any sub-committee so created will report to the plenary Committee.

COMMITTEE EXECUTIVE

Unless appointed by Council, the Committee shall elect the Chair and the Vice-Chair at its first meeting of each year. The Chair and Vice Chair shall be the executive of the Committee. Councillors shall not serve on the executive of the Committee.

MEETINGS

The Committee shall meet on an as-needed basis as determined by City staff, in consultation with the Committee Chair, but not less than once each quarter of each year.

Unless otherwise authorized by the *Community Charter*, or by the City of Kelowna Council Procedure Bylaw No. 9200, all meetings will be held in open session and in a location accessible to the public.

The Committee will recognize that each meeting can require a significant commitment of staff resources including interpreter services. Meetings will therefore be held when there are substantive items of business in accordance with the Committee's Terms of Reference.

The order of business is to be set out in the agenda which will be determined by the staff liaison in conjunction with the Committee Chair and the Council Recording Secretary.

The agenda and any associated presentation materials will be forwarded electronically by the staff liaison to the Committee members at least five (5) full business days in advance of the meeting date. The agenda and any associated presentation materials must also be forwarded

electronically by the staff liaison to the Office of the City Clerk at least three (3) full business days prior to the meeting date for the purpose of giving public notice of the meeting.

The minutes of any Committee meeting will be forwarded electronically by the staff liaison to the committee members within thirty (30) days after the meeting date but no later than five (5) business days before the next Committee meeting. The minutes of any meeting will be ratified by the Committee members at the next Committee meeting. Originals of the minutes will be kept at the Office of the City Clerk as part of the official record of the meeting.

QUORUM

A majority of the Committee members shall constitute a quorum. A meeting shall not proceed if a quorum is not attained within 15 minutes of the time posted for the meeting.

Confirmation of attendance by Committee members is necessary to ensure a meeting quorum and allow staff to prepare for the meeting as appropriate. Members should therefore notify the staff liaison at least two (2) full business days before the meeting to confirm their attendance.

SPECIAL MEETINGS

A special meeting may be called by the Chair or at the request of at least three (3) members of the Committee. Notice of the date, hour, location, reason for the special meeting, and the names of the Committee members requesting the meeting shall be provided in writing at least seven (7) full business days prior to the requested meeting date.

PUBLIC IN ATTENDANCE

Unless otherwise authorized by a motion of the Committee, members of the public shall only address the Committee if they are a scheduled delegation on the meeting agenda. The request to be placed on a meeting agenda must be made in advance of the meeting, stating the name(s) of the individual(s) and /or any agency represented and the reason for the meeting request. If applicable, a meeting date and inclusion on the Committee's agenda will subsequently be assigned.

CONFLICT OF INTEREST

Committee members must abide by the conflict of interest provisions of the *Community Charter* and City of Kelowna Council Procedure Bylaw No. 9200, including the following:

- members with a direct or indirect pecuniary interest in a matter under discussion are not permitted to participate in the discussion of the matter or to vote on a question in respect of the matter;
- members must declare and state the general nature of their conflict of interest, and then leave the meeting or that part of the meeting when the matter is under discussion;
- any member's declaration must be recorded in the minutes, and the member must not attempt in any way, whether before, during, or after the meeting to influence the voting on any question in respect of the matter.

VOTING

All members of the committee including the Chair, vote on every motion unless they have declared a conflict of interest and excused themselves from the meeting. Members who do not indicate their vote with respect to any particular motion, or have left the meeting without declaring a conflict of interest, are deemed to have voted in favour of the motion.

If the votes are equal for and against any motion, the motion is defeated.

COMMENTS IN PUBLIC OR TO THE MEDIA

When speaking in public or to the media on an issue, Committee members must clearly distinguish whether they are speaking as a member of the Committee, a representative of another agency or community group, or as an individual. Ultimately, Committee members are responsible for representing the interests of the City of Kelowna. At all times, they must respect any formal Committee position regarding any issue or matter that has come before the Committee, as well as any contrary points of view held by fellow Committee members.

REPORTING TO COUNCIL

Recommendations of the Committee must be adopted by Committee resolution prior to presentation to Council. The Chair will work with the staff liaison to prepare the Report to Council which, where appropriate, will include an annex that provides staff comment on the Committee's recommendations.

The Committee will provide a status report to Council annually. This report should include a record of work conducted and an indication of the costs associated with the Committee's work, including staff resources.

The staff liaison accompanied by the Committee Chair will report to Council on behalf of the Committee.

BUDGET

The routine operations and any special initiatives of the Committee will be funded by allocations from the Infrastructure Planning Department's annual operations budget.

STAFF SUPPORT

The Infrastructure Planning Department will provide a staff liaison to undertake work assigned by Council within the Committee's Terms of Reference. Liaison functions include:

- conferring with City staff regarding City-related projects for the Committee's review and input, and arranging for staff and/or consultant presentations to the Committee as appropriate;
- presenting relevant policies, procedures, and/or associated considerations in support of Committee discussions for the purpose of informing the Committee's decisions on specific issues;
- organizing and preparing meeting agendas in conjunction with the Committee Chair and the Council Recording Secretary;

- distributing agenda packages to Committee members;
- preparing reports on behalf of the Committee;
- reviewing the draft minutes and returning them to the Office of the City Clerk to finalize prior to adoption by the Committee;
- providing at each meeting as required, an interpreter for individuals with hearing impairments; and
- maintaining a list of outstanding issues for Committee action in accordance with the Committee's Scope of Work and Council's direction.

The Office of the City Clerk will provide administrative support for the Committee. Support functions include:

- receiving and organizing agenda-related materials for inclusion in the agenda package;
- posting all meeting notices and agendas for the public in accordance with statutory timelines;
- recording and preparing draft minutes, and providing the final minutes to the Office of the City Clerk and Committee staff liaison;
- advising the Committee on procedural matters as they pertain to the Committee's Terms of Reference; and
- maintaining the official records of the Committee including posting of agendas and filing of minutes for the public record.

The Office of the City Clerk in consultation with the Infrastructure Planning Department, shall initiate recommendations to Council for committee appointments and maintain an updated list of appointees and the date new members were appointed whenever changes occur.

Endorsed by Council: February 6, 2006

Revised & Endorsed by Council: October 19, 2009