

# REPORT TO COUNCIL



**Date:** June 7, 2012  
**File:** 1340-40  
**To:** City Manager  
**From:** Planner Specialist, Urban Design  
**Subject:** Accessibility Advisory Committee - Terms of Reference

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**Recommendation:**

THAT Council receives, for information, the Report from the Planner Specialist, Urban Design dated June 7, 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 Attachment 1 to the Report of the Planner Specialist, Urban Design dated June 7, 2012;

AND FURTHER THAT Council appoints Mr. Paul Landry to the Accessibility Advisory Committee.

**Purpose:**

To update the Accessibility Committee Terms of Reference and to fill the current vacancy on the Committee.

**Background:**

On February 20, 2012, Council approved an updated Terms of Reference for the Accessibility Advisory Committee.

These changes to the Terms of Reference were intended to bring the Committee's role into alignment with the 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 is now 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.

At the April 15, 2012 meeting, Council also approved seven candidates recommended by staff to sit on the Committee. However, one Committee member withdrew prior to the Committee's first meeting of 2012.

Discussion

At the Committee's first meeting, the issue of representation on the Committee was discussed. The fact that the hearing-impaired community was not represented was highlighted. A discussion among staff subsequent to the Committee meeting acknowledged that a requirement for a majority of individuals on the Committee to have a disability would help assure that input was

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received from individuals with direct, hands-on experience in navigating the urban environment. As proposed by staff, membership would still be open for people without disabilities who have high levels of expertise to contribute.

The Social Planning and Research Council of BC (SPARC; [www.sparc.bc.ca](http://www.sparc.bc.ca)), is an independent, non-partisan agency that advances the cause of accessibility in British Columbia. That organization's *Accessible Community Bylaws Guide*, with regard to the creation of municipal advisory committees, emphasizes the need for majority representation by individuals with disabilities, as well as the value of representation across a broad range of disabilities. The proposed Committee membership requirements as proposed by staff, are consistent with SPARC's recommendations.

The revised Terms of Reference, with the proposed changes highlighted is included as Attachment 1 to this report.

**Committee Vacancy**

Pending Council's endorsement of a revised Terms of Reference as set out in this report, staff is recommending that the current Committee vacancy be filled. In this regard, staff is recommending that the position be filled by Mr. Paul Landry. Mr. Landry is hearing-impaired and is the president of The Okanagan Valley Association of the Deaf. Mr. Landry would bring strong representation of the hearing-impaired community.

**Existing Policy:**

The current Terms of Reference were endorsed by Council on February 20, 2012.

**Internal Circulation:**

Deputy City Clerk

**Considerations not applicable to this report:**

Financial/Budgetary Considerations:

Personnel Implications: 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

Attach: 1

cc: Director, Communications  
Director, Infrastructure Planning  
Director, Design and Construction Services  
Director, Policy and Planning  
Deputy City Clerk

# Terms of Reference



ACCESSIBILITY ADVISORY COMMITTEE  
June 11, 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, and security of its citizens.

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 and/or staff regarding accessibility-related concerns.

## MEMBERSHIP

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

The membership of the Committee will be as follows:

- Seven (7) individuals appointed on the basis of their knowledge of accessibility-related issues as they pertain to the built environment;
- The majority of the members of the Committee shall be individuals with disabilities;
- The members will represent a broad range of physical disabilities;
- Preference will be given to individuals that reside within the municipal boundaries of Kelowna;
- In addition to the seven individuals appointed as per the above terms, up to two (2) non-voting Committee members will be members of City Council; and
- In the event that candidates with the qualifications necessary to meet the above terms are not forthcoming, Committee vacancies will be filled at the discretion of Council with consideration for recommendations by staff.

#### **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**

All meetings are open to the public for general observation, but 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 20, 2006

Revised & Endorsed by Council: October 19, 2009

Revised & Endorsed by Council: February 20, 2012