SUBJECT: Advisory Committee for Persons with Disabilities - Follow up Report (CM08015) (City Wide)

RECOMMENDATION:

(a) That the duties of the Deputy Mayor be amended to include membership on the Advisory Committee for Persons with Disabilities;

(b) That the Deputy Mayor attend the Advisory Committee for Persons with Disabilities meetings scheduled on the 2nd Tuesday of each month at 4:00 p.m.

(c) That Members of Senior Management Team upon receiving a written request by the Advisory Committee for assistance be directed to assign the most appropriate staff person within their department to work with the Advisory Committee to discuss next steps (i.e. type of information requested, scheduling of presentations etc.)

Glen Peace
City Manager

EXECUTIVE SUMMARY:

The Advisory Committee for Persons with Disabilities presented a set of recommendations to the April 10, 2007 meeting of Committee of the Whole.

Committee of the Whole supported the recommendations. Recommendations #1, #4, and #8 noted below required additional information and are addressed in this report.
BACKGROUND:

The recommendations endorsed by Committee of the Whole at its meeting of April 10, 2007 are as follows:

1. That Council appoint 1 to 2 members of Council to serve on the Advisory Committee as a direct link to Council
2. That the Advisory Committee submit recommendations for consideration directly to Committee of the Whole
3. That the Advisory Committee make annual presentations to Committee of the Whole on the Advisory Committee’s workplan
4. That the City Manager be requested to review and report back to Committee of the Whole on a process where each department within the city provides a staff resource to assist with the initiatives of the advisory committee as needed
5. That each department regularly report to council on the progress of their stated plans
6. That the advisory committee also be designated by council as the Accessible Transportation Services Advisory Committee as a dual responsibility.
7. That any outstanding business items which have not been addressed by staff and committee be addressed as expeditiously as possible.
8. Additional Information to be included in the follow up staff report:
   - A listing of reporting structure and council representation of the other city volunteer advisory committees.
   - Listing of those recommendations which were forwarded to Committee and Council but have yet to be responded to.
   - What is defined under the AODA as a disability – Ontario Human Rights Code determines definition. Staff to provide examples.

ANALYSIS/RATIONALE:

Recommendations #1, #4, and #8 required additional information to which staff have provided responses for committee’s consideration:
Recommendation #1
That Council appoint 1 to 2 members of Council to serve on the Advisory Committee as a direct link to Council

Staff Response:

It was suggested at the April Committee of the Whole meeting that Council may wish to consider having a different member of Council attend the Advisory Committee meetings on a rotating basis. The recommendation in this report concurs with this suggestion.

Should Committee wish to proceed with this recommendation, this may be added to the duties of the Deputy Mayor as the Deputy Mayor position is rotated on a monthly basis.

That having been said however while having a different member of Council attending on a monthly basis would provide each member of Council the opportunity to hear the issues being deliberated by the Advisory Committee, one constant member of Council attending on a regular basis may be in a better position to advocate on behalf of the Advisory Committee when required as he/she would be more familiar with the issues.

Since the initial adoption of the recommendations, staff corresponded with members of council soliciting interest to serve on the Advisory Committee. Councillor Bernie Morelli has participated in a number of Advisory Committee meetings to date. The Advisory Committee has found his participation very helpful in their deliberations and are very appreciative for his attendance.

Recommendation #4
That the City Manager be requested to review and report back to Committee of the Whole on a process where each department within the city provides a staff resource to assist with the initiatives of the advisory committee as needed

Staff Response:

Currently, a staff appointed liaison from Corporate Services assists with the ongoing workplan of the Advisory Committee and the Office of the Clerk provides legislative support.

The request to appoint permanent staff resources from each Department to the Advisory Committee may not be the most efficient means of addressing the Committee’s request as Departments are multi-faceted.

For example appointing a permanent staff resource from Public Works, who may have expertise/knowledge of transit issues but may not be the most appropriate to address issues relating to Traffic Operations.
Therefore, having the request filtered through the appropriate General Manager will allow the best suited staff member to attend or provide assistance on an issue related basis.

**Recommendation #8**

**Additional Information to be included in the follow up staff report:**

(a)  A listing of reporting structure and council representation of the other city volunteer advisory committees.

**Staff Response:**

Currently the City of Hamilton Volunteer Committees report to their respective Standing Committees. However, Council representation is not included in their committee membership. The Committees are made up of citizen members.

The Advisory Committee for Persons with Disabilities was once a Volunteer Committee but now is a Sub-Committee of Council and as such requested the Council representation.

(b)  Listing of those recommendations which were forwarded to Committee and Council but have yet to be responded to.

**Staff Response:**

Recommendations which have been forwarded to the various Standing Committees for consideration, and are pending staff reports, are noted on the Outstanding Business Lists with Due Dates on each Standing Committee Agenda. These dates are reviewed by Senior Management Team and updated as required.

The Advisory Committee for Persons with Disabilities will be notified by Clerk’s Staff when a follow-up staff report is slated on a Standing Committee Agenda for consideration to allow the opportunity for the Advisory Committee Chair or designate to be in attendance to speak to the report or simply be present for the debate on the issue.

(c)  What is defined under the AODA as a disability – Ontario Human Rights Code determines definition. Staff to provide examples.

**Staff Response:**

The definition in the Accessibility for Ontarians with Disabilities Act is quoted as follows:
“disability” means,

(i) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,

(ii) a condition of mental impairment or a developmental disability,

(iii) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,

(iv) a mental disorder, or

(v) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; (“handicap”)

**ALTERNATIVES FOR CONSIDERATION:**

Council may choose to appoint a permanent member of Council to the Advisory Committee rather than having it done through the Deputy Mayor on a rotation basis.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Requests for staff participation by the Advisory Committee will be in addition to the regular staff workload/assignments and will be reviewed and accommodated by the appropriate General Managers as required.

**POLICIES AFFECTING PROPOSAL:**

None

**RELEVANT CONSULTATION:**

Internal – Members of SMT
Councillor Bernie Morelli
City Clerks
Staff Liaison to the Advisory Committee for Persons with Disabilities
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes  ☐ No
Participation in community life is accessible to all Hamiltonians.

Environmental Well-Being is enhanced.  ☐ Yes  ☑ No

Economic Well-Being is enhanced.  ☐ Yes  ☑ No

Does the option you are recommending create value across all three bottom lines?
☐ Yes  ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants?
☐ Yes  ☑ No