



GENERAL ISSUES COMMITTEE REPORT 14-020

1:30 p.m.

Tuesday, September 23, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Deputy Mayor C. Collins (Chair)
Councillors B. McHattie, J. Farr, B. Morrow, S. Merulla,
T. Jackson, S. Duvall, T. Whitehead, B. Clark, M. Pearson,
B. Johnson, L. Ferguson, R. Powers, R. Pasuta

**Absent with
Regrets:** Mayor R. Bratina – City Business
J. Partridge - City Business

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 14-020 AND RESPECTFULLY RECOMMENDS:

1. Audit Report 2014-11 – DARTS Review (AUD14025) (City Wide) (Item 8.1)

That Report AUD14025, respecting Audit Report 2014-11 – DARTS Review be received.

2. DARTS Deficit Funding (PW14064) (City Wide) (Item 8.2)

- (a) That the General Manager of Public Works be authorized to pay D.A.R.T.S. an additional \$225,993 from account 12607-006100 for services provided for the year 2013, over and above those funds approved within the 2013 City budget;
- (b) That Staff be authorized and directed to provide interim direction to D.A.R.T.S. to schedule client pickups and on board trip times within contractual targets to the greatest reasonable extent with the understanding that there will be current and future year budget implications;

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- (c) That Staff assess the cost and quality impacts and report back within the 2015 budget process;
- (d) That an immediate moratorium be implemented on any fleet purchases by D.A.R.T.S. until operational issues at D.A.R.T.S. are addressed with the condition that the moratorium remain in place only if passenger services are not disrupted nor passenger trips cancelled;
- (e) That Staff be directed to take immediate action to reduce the number of complaints received by D.A.R.T.S.;
- (f) That Staff be directed to work collaboratively with D.A.R.T.S. and report to the Accessible Transit Services Review Committee with a proposed Terms of Reference for undertaking an independent, third-party survey of D.A.R.T.S. passengers to examine ways to improve service.

3. Advisory Committee for Persons with Disabilities Report 14-004, July 4, 2014 (Item 8.3)

That the Mayor correspond with the Premier of Ontario, the Minister of Transportation and the Minister of Community and Social Services expressing the need for a provincial transportation funding strategy.

4. Advisory Committee for Persons with Disabilities Report 14-005, July 8, 2014 (Item 8.4)

(a) Outdoor Handrails at Hamilton City Hall

- (i) That staff be directed to examine, in a timely manner, a re-design and re-construction of handrails outside of Hamilton City Hall, adjacent to or part of any stairway, ramp or walkway, so they do not pose a safety hazard and report to the Accessibility Committee for Persons with Disabilities; and
- (ii) That staff consult members of the Accessibility Committee for Persons with Disabilities in this examination.

(b) Revision of Disabled and Regional Transit System (DARTS) Policies respecting Length of Trip/On Board Time and Call Returns

- (i) That the Disabled and Regional Transit System (DARTS) current Length of Trip/On Board Time policy be amended to reflect the following:

A passenger might potentially expect to be on a vehicle or up to sixty (60) minutes, depending on trip length, time of day and other factors, under normal conditions. In any instance where a passenger is on a vehicle for more than sixty (60) minutes, then these “hostage” trips must be reported to the Accessibility Committee for Persons with Disabilities (ACPD) Transportation Subcommittee through Accessible Transportation Services on a quarterly basis.

- (ii) That the Disabled and Regional Transit System (DARTS) Call Returns Policy be amended to reflect the following:

Required by passengers for medical trips, where the duration of the appointment may not be readily known to the passenger at the time of trip reservation. DARTS will provide the passenger with a call return booking number at the time of trip booking. The passenger calls dispatch when the return trip is required, and the Contractor responds as soon as possible within a guaranteed one hour time frame. In any instance where a call return is more than sixty (60) minutes, these delinquent trips must be reported to the ACPD Transportation Subcommittee through ATS on a quarterly basis.

(c) Accessibility Issues with Hamilton Street Railway (HSR) Bus Stops at Hamilton Health Sciences (HHS) Properties

- (i) That staff consult with Hamilton Health Sciences on how best to address issues of accessibility for persons with disabilities when travelling to Hamilton Health Sciences facilities via public transportation; and,
- (ii) That staff report to the Advisory Committee for Persons with Disabilities on the outcome of discussions with HHS and any actions or recommendations to be taken.

5. Advisory Committee for Persons with Disabilities Report 14-006, September 9, 2014 (Item 8.5)

(a) Improving Accessibility in Municipal Elections

- (i) That the Elections Manager for the City of Hamilton be directed to examine ways to increase the number of accessible polling stations, as part of the 2014-2018 Ward Boundaries Study, and report the findings to the Accessibility Committee for Persons with Disabilities.

(b) Student Employment for the 2018 Municipal Election

- (i) That the Elections Manager for the City of Hamilton be directed to communicate with student associations and Political Science and/or Social Sciences Faculties at McMaster University, Mohawk College and Redeemer University College to examine ways to increase the employment of students in the 2018 Municipal Election.

(c) Disabled and Aged Regional Transportation Service (DARTS) on Municipal Election Day

- (i) That staff be directed to examine how DARTS service can be made available from 9 a.m. to 6 p.m. (the entire time that polling stations are open) in the 2014 municipal election and in all future municipal elections.

(d) HSR Complaint Mechanism for Persons with Disabilities

- (i) That staff be directed to develop a comprehensive complaint mechanism for persons with disabilities, apart from any other complaint system in place by the HSR; and,
- (ii) That quarterly reports on service complaints be provided to Council and shared with the Advisory Committee for Persons with Disabilities; and
- (iii) That staff be directed to work with the McMaster academic community to undertake comprehensive research on the overall practice of driver behaviour as it relates to supporting passengers with disabilities and assess the operator's obligation to comply with the Accessibility for Ontarians with Disabilities Act (AODA) and Human Rights regulations in their service provision.

(e) Access to Voting

- (i) That the Mayor correspond with the following individuals and tribunals to ask for an evaluation of the practices used by all levels of government to ensure that persons with disabilities receive equal access to accessible transportation when voting:
 - (i) Ontario Ombudsman
 - (ii) Human Rights Tribunal of Ontario
 - (iii) Federal Ombudsman
 - (iv) Canadian Human Rights Tribunal

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that there were no changes to the agenda.

The agenda for the September 23, 2014 General Issues Committee meeting was approved as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from the Advisory Committee for Persons with Disabilities (Added Item 4.1)

The delegation request from the Advisory Committee for Persons with Disabilities respecting the DARTS Review was approved for today's meeting.

(ii) Delegation Request from Fay Booker, Booker and Associates, representing the DARTS Board (Added Item 4.2)

The delegation request from Fay Booker, Booker and Associates, respecting the DARTS Review was approved for today's meeting.

(d) DELEGATIONS (Item 6)

(i) Delegation from the Advisory Committee for Persons with Disabilities (Added Item 6.1)

Ms. Paula Kilburn, Member, Advisory Committee for Persons with Disabilities (ACPD), addressed the Committee respecting concerns with the Disabled and Regional Transportation System (DARTS). Ms. Kilburn indicated that the current DARTS system is outdated and does not meet the needs of persons with disabilities. Ms. Kilburn reported that DARTS passengers often become anxious because they do not know if they will be able to arrive at their destination on time. Ms. Kilburn indicated that persons with disabilities are not able to fully participate in the workforce, attend school, take part in volunteer activities nor attend to their healthcare needs because transit is unreliable.

The delegation from the Advisory Committee for Persons with Disabilities respecting DARTS was received.

(ii) Delegation from Fay Booker, Booker and Associates, representing the DARTS Board (Added Item 6.2)

Ms. Madelaine Steller-Cain, Chair of the Board of Directors, Disabled and Regional Transportation System (DARTS), introduced Ms. Booker's presentation and provided a brief overview of the Board's concerns.

Ms. Fay Booker, Booker and Associates, representing the DARTS Boards of Directors, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record. Ms. Booker's presentation included, but was not limited to the following:

- Outline of Services
 - Nature of Operations and Basis of Service
 - History of Trips
 - Day to Day Impacts on Service
- Current Context
 - Costs and Staffing
 - Comparison to Other Municipalities
 - Performance Metrics
 - Cost Recovery Model
- Recommendations to Better Serve the Community
 - Registrants and In Take Process
 - Handling of Complaints
 - Budget Relationship
 - Recalibration of Metrics

The delegation from Fay Booker, Booker and Associates, representing the DARTS Board was received.

(e) PRESENTATIONS (Item 7)

(i) Ann Pekaruk, Director, Audit Services, respecting Report AUD14025 (City Wide) (Item 7.1)

Ann Pekaruk, Director, Audit Services, addressed the Committee respecting Audit Report 2014-11 – DARTS Review (AUD14025) with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included, but was not limited, to the following:

- Background and Structure of DARTS
- Overview of the Responses to the 7 Questions (as per Council Direction provided on September 11, 2013)

- Consultation with Stakeholder Groups
- Consideration of an On-Demand Service Delivery Model

The presentation by Ann Pekaruk, Director, Audit Services, respecting Report AUD14025 was received.

(f) DISCUSSION ITEMS (Item 8)

(i) DARTS 2013 Deficit Funding (PW14064) (City Wide) (Item 8.2)

The recommendations contained in Report PW14064 respecting DARTS 2013 Deficit Funding were amended by adding new sub-sections (d), (e) and (f) as follows:

- (d) That an immediate moratorium be implemented on any fleet purchases by D.A.R.T.S. until operational issues at D.A.R.T.S. are addressed with the condition that the moratorium remain in place only if passenger services are not disrupted nor passenger trips cancelled;
- (e) That Staff be directed to take immediate action to reduce the number of complaints received by D.A.R.T.S.;
- (f) That Staff be directed to work collaboratively with D.A.R.T.S. and report to the Accessible Transit Services Review Committee with a proposed Terms of Reference for undertaking an independent, third-party survey of D.A.R.T.S. passengers to examine ways to improve service.

For disposition of this matter refer to Item 2.

(ii) Revision of Disabled and Regional Transit System (DARTS) Policies respecting Length of Trip/On Board Time and Call Returns (Item 8.4)

- (a) That the Disabled and Regional Transit System (DARTS) current Length of Trip/On Board Time policy be deleted in its entirety:

~~The service delivered by DARTS involves shared rides, where the passenger might reasonably expect to be on a vehicle for up to sixty (60) minutes, depending on trip length, time of day and many other factors. Passenger trips shall be scheduled such that a passenger is not on a vehicle for more than the greater of seventy-five (75) minutes or two times the direct driving time, under normal conditions. In any instance where a passenger is on a vehicle for more than ninety (90) minutes, for any reason, the driver shall submit a report, noting the reason, and a summary report of incidents shall be provided to the City at the end of each month.~~

- (b) That the Disabled and Regional Transit System (DARTS) Call Returns policy be deleted in its entirety:

~~Required by passengers for medical trips, where the duration of the appointment may not be readily known to the passenger at the time of trip reservation. The passenger calls dispatch when the return trip is required, and the Contractor responds as soon as possible within a one-hour time frame.~~

For disposition of this matter refer to Item 4 (b) (i) and (ii).

- (iii) **Advisory Committee for Persons with Disabilities Report 14-006, September 9, 2014 (Item 8.5)**

- (a) **Delegation Request for the September 23, 2014 Special Meeting of the General Issues Committee respecting DARTS (Added Item 7.4)**

The delegation request from the Accessibility Committee for Persons with Disabilities to appear at the September 23, 2014 Special Meeting of the General Issues Committee respecting DARTS was approved.

For disposition of this matter refer to Item 5.

- (g) **ADJOURNMENT (Item 13)**

There being no further business the General Issues Committee adjourned at 6:09 p.m.

Respectfully submitted,

Deputy Mayor C. Collins, Chair
General Issues Committee

Lauri Leduc
Legislative Co-ordinator
Office of the City Clerk