

Accessibility Working Group

Meeting Minutes

May 6, 2019

1. Present:

AWG members - Linda Bartram (Chair), Robin Bayley by phone, Susan Gallagher, Paul Jones (by phone), Steve Bertrand, Chris Dobbie

Regrets: Chris Marks

Liaison - Doug Nutting, Admin Support – Barbara

Staff - Derrick Newman, Assistant Director Facilities Management,
Philip Bellefontaine – Assistant Director Transportation

Council Liaisons - Sarah Potts, Jeremy Loveday

2. Approval of agenda as circulated

Moved by Linda, seconded by Steve, carried

3. Approval of April 1, 2019 minutes as circulated

Moved by Linda, seconded by Susan, carried

4. Reports

The following reports were circulated by email and adopted as circulated.

a) Report on meetings between Recreation and Robin as of April 27, 2019

Robin has now met 3 times with Sarah Madelung, Supervisor of Recreation, and they will probably meet twice again before Sarah goes on leave and the AWG is disbanded. Their primary focus has been on accommodating allergies in recreational programs. To date the meetings have been collaborative, productive and satisfying. They have been sitting with a laptop and working through wording.

Sarah is maintaining a parking lot of accessibility issues arising during their discussions, for the possibility of being addressed in the future, called "Areas of Concern". All AWG members are encouraged to supply Robin with accessibility issues to do with recreation, they are aware of, by email, so that she can share them with Sarah. Robin would like to be able to share a description of accessibility issues at royal Athletic Park. Sarah and Robin worked on improving wording on the new Accessibility and Inclusion page of the Active Living Guide and referencing that page in the index. It had been overly ambitious in its claim to offer a scent and nut-free environment. Robin learned that Recreation cannot develop its own policy on these matters. Only the Human Resources department can write policy for Recreation. This may mean that Recreation may not be able to address factors affecting its own program accessibility without a central City policy on scents. However, they can do a lot with procedures and practices.

The Accessibility page points to registration medical forms, which Sarah and Robin have been working to improve. One example is adding the ability for parents to explain how anaphylaxis symptoms typically first present for their child. There is a detailed staff manual for responding to emergencies that contains a good deal of information and protocols. It will be available to parents, so they can understand how the City will respond, in case additional, individualized measures are required. Robin will help assemble other reference materials.

Robin has learned about and is more satisfied with the level of training of staff regarding first aid for allergies. Staff have to be re-certified regularly, and they review the City protocols annually at the start of the season. Robin will work to have their resource information identify the variety of sources of allergic risk and how to avoid or reduce them.

Robin has two concerns with the way the City accommodates allergies, one of which may be addressed by the end of her discussions with Sarah. The first is that the focus of the City's approach is primarily on medical response to allergic reactions and does not have sufficient focus on modifying programs to reduce risk and prevent exposure to allergens, where warranted (such as food restrictions). Avoidance is always the first medical advice. Further discussions and work may better balance this focus. Robin and Sarah have discussed a registration process that would provide a staff contact and the opportunity to ask questions about recreation programs in advance, and that person would be empowered to make program modifications.

The second concern, that is likely to be a major sticking point, is the City's position not to stock EpiPens and its reliance on self-administration of this life-saving medication. It has been described as a liability issue, similar to the reasons behind the City's refusal to let staff administer Naloxone, but Robin sees real differences in that children are entrusted to the care of the City while participating in recreational programs. People whose special needs can be met without administration of medication are accommodated better than those whose conditions may require medication. For instance, they will administer CPR. Further, the policy may be based on a misconception that everyone who has a serious allergic reaction knows that they are allergic and can be prepared in advance and also that one dose will be sufficient. If the "policy" has been in place for a long time, recent developments may warrant its reconsideration. Epinephrine is now available without a doctor's prescription, a greater variety of organizations are stocking it, and the percentage of people with allergies is steadily increasing.

In short, this model of collaboration seems to be working. However, it also seems to be taking place, not in response to AWG recommendations, but because an individual has an interest and is willing to take on this project "on the side of her desk".

b) Report on scramble crosswalk engagement – Linda

The AWG was not consulted as to accessibility implications before the City decided to install the scramble crosswalk. There are accessibility implications which AWG would have brought to such a discussion had they been asked. Staff requested a meeting with the AWG to inform members of the benefits to pedestrians of scramble crosswalks and to determine how best to inform persons with disabilities. AWG members decided not to schedule a meeting or put this request on an agenda for the following reasons.

1. The AWG does not necessarily condone the installation of scramble crosswalks based on its research of such projects in other jurisdictions and believes it should have been consulted before the decision was made.
2. AWG's feedback would have no influence on the City's plans
3. AWG has provided contacts for disability organizations to the City in the past which the City could use for publicity purposes
4. AWG is working on many other issues where their input may affect decisions and needs to dedicate its time and efforts to such issues

c) Report on floating bus stops, bike lanes and blind pedestrian safety - Linda

It has come to AWG's attention that Council is under the impression that AWG is OK with how the safety of blind pedestrians crossing over the bike lane from bus stops on Pandora is being addressed by the City. This is definitely not the case. AWG first raised "red flags" in January of 2017, five months prior to the official opening of the Pandora bike lane. They were informed at that time that it was too late to do anything about the design or even to introduce additional features such as an audible signal as this was not in the budget. After the bike lane opened, AWG's safety concerns became a reality and blind persons stopped using bus stops on Pandora for fear of being hit by cyclists when crossing from the

bus stop to the safety of the sidewalk. In August 2019 the problem was demonstrated to staff by AWG and staff agreed to monitor the situation. Over the following months, AWG suggested several mitigation measures including cyclist education. In January 2018, Linda attended a public consultation on the proposed bike lane on Cook Street. She reiterated AWG's concern that the City not repeat the same design as on Pandora. She was assured that the City was taking AWG's concerns very seriously and that the Pandora bike lane design would not be repeated. For several months no mitigation measures for Pandora were implemented and to date, the only measure that has been taken is the painting of an X in the bike lane which staff has admitted has not been effective. Finally, in December 2018, AWG was informed that the City was planning to trial an audible signal for the problematic crossings. At the March 2019 AWG meeting, AWG learned that this trial would not take place at a Pandora crossing but at the Wharf Street location where the bus stop would require pedestrians to cross over the bike lane to the sidewalk. The AWG is shocked that the City would proceed with the construction of another such bus stop when there is a Human Rights complaint about this issue for the Pandora bus stops. AWG is also very upset that the assurance given to AWG not to repeat the design has not been honored. This latest decision demonstrates that the City is not concerned about the rights of blind persons to be able to travel wherever the general public can travel and to travel safely.

Comments at the meeting: Paul expressed how disappointed he is that this issue still hasn't been addressed and that there is a crosswalk sign on Fort near the Dutch Bakery which cannot be seen and therefore serves no purpose and should be removed.

Robin is concerned that AWG has not been consulted about the bike lanes since the one on Fort Street (i.e. Wharf, Humboldt and Vancouver) and that Council needs to know this. The next bike lane update from staff should include, in the Accessibility Impact Statement, which bike lane segments have and have not sought AWG input. To date, the only one has been Fort.

Jeremy committed to presenting these reports to Council.

d) Doug reported on the following:

I) Accessibility Awareness Training of Council and senior staff:

Fraser Work wrote: "This is currently under discussion at the staff level and staff will report back to AWG with additional information in the coming weeks."

AWG questions why this is just under discussion when we have been advocating for such training since 2017 and funds have now been allocated.

II) Issues List updating - who will do what and how, existing project tracking system?

Action: Doug to ask Nav Sidhu to share excel spreadsheet templates with Linda to determine if they are accessible.

III) Requested notes from COTW meeting where staff gave a verbal update on AWG issues – no report

IV) Communicating about APS

Action: Engagement to communicate with Engineering (Philip)

V) Reporting a bylaw infraction

Although this is possible using the Connect Victoria ap, it is not obvious as to how to do this (no menu item labelled "report a bylaw infraction").

Action: Doug to speak to staff about creating a concrete action plan to make the process more explicit and user friendly (e.g. a menu item for "other").

VI) Examples of past cyclist education regarding pedestrians (blind) conducted by the City

Action: Doug to follow up with Sarah Webb

VII) Engagement and survey – no report

Action: Doug to ensure that copies of reports etc. will be provided in large print to Susan in the future and that the distribution list includes all AWG members.

VIII) Review of the drawing plans for the West Songhees park expansion pathway – Priority 2, Level of Engagement Consult – Derrick Newman, Assistant Director of Facilities.

Derrick presented the concept drawings and was seeking general feedback. The City is in the process of hiring a designer. The area in question is the reclaimed land from the Johnson Street Bridge rebuild S” curve, south west quadrant near the Delta Hotel. Goal is to make all aspects of the park accessible despite the severe grade change including the terraced seating area.

AWG’s feedback:

1. Ensure there are “way-finding” features at nodes of connection and along the edges of pathways which are tactile but do not impede wheelchair movement.
2. Concerns about the potential for food traces accumulating, attracting stinging insects, on concrete tiers in the terraced seating area as well as any wooden benches due to the porosity of their surfaces. Need to be treated or sealed.
3. All but one of the proposed trees for the site rate high on the OPALS scale for allergenicity and the grasses are unspecified so could also be problematic.

Motion: The AWG recommends that Council direct staff to make the Songhees Park Expansion a demonstration pilot for low allergen planting and to collaborate with experts and the AWG in development of the planting plan from the ground cover to trees.

Moved by Robin, seconded by Linda, carried.

4. All stairs need railings and the edges of steps need to contrast highly with the rest of the step.

IX) Plan for sharing the Accessibility Framework draft report with AWG

a) Level of engagement

The AWG members feel since they live with disabilities, that they have worked on this committee with the City for four years now, they have offered invaluable feedback at every opportunity, they have skills and knowledge which go beyond their disabilities and they initiated the Accessibility Framework concept in the first place, they deserve to be engaged at a collaborative level when it comes to the Accessibility Framework report.

Mr. Work wrote: “Staff will work with AWG to consult on the complete framework elements and content, and in some cases, we will need to go deeper into involve or collaborate”.

AWG feels the whole process should be collaborative and that staff should not determine which “cases” require collaboration. Philip assured AWG that no decisions have been made as to which parts of the report require consultation vs collaboration. Philip inferred that such decisions will be made collaboratively.

AWG is questioning why they were not brought into the process as soon as the consultant’s report was received. AWG does not trust that the City genuinely intends to allow AWG feedback to influence the report. Historically, AWG feedback has been virtually discounted

or sought too late in the process to influence decisions. AWG is seeking reassurance that staff recognize how things have been done in the past and that this time; things will be done in a more collaborative way. AWG expressed a need to have the opportunity to review both the staff draft report and the consultant's original report, prior to meeting with staff. Philip indicated that he believed that both AWG and Council would receive the consultant's report.

b) Reporting to Council

AWG suggests that we use the established protocol accepted by Council, where an AWG consultation report is appended to the staff report being presented to COTW with key points referenced in the body of the staff report. In addition, the AWG chair would be invited to present to Council alongside staff. After Linda presented at the January 26, 2017 COTW meeting, Mayor Helps invited her to do the same on "matters of importance". AWG also recommends that a representative of the consultant be present at COTW to answer any questions as staff awareness training may not have taken place.

AWG also recommends that there be a COTW workshop on the Accessibility Framework. Jeremy agreed and indicated that this could be arranged. Jeremy also committed to ensuring that the chair would be invited to present at COTW. He also requested that Council receive the AWG consultation report well in advance of the COTW meeting.

c) Staff and Council awareness training

Fraser work wrote: "This is currently under discussion at the staff level and staff will report back to AWG with additional information in the coming weeks."

AWG questions why this is still under discussion and not being scheduled, as AWG has been recommending such training since January 2017 and that Council has now allocated \$30,000 funding for the training. AWG has provided delivery-ready resources and staff and Council need to get some basic training in principles of

accommodation and Human Rights law before they make decisions about a framework that will potentially affect accessibility in the City for decades. AWG recommends that awareness training take place, even if it holds up the final delivery of the framework to Council.

d) Accessibility Town Hall

This is scheduled for Thursday July 4.

Action: Engagement to be invited to attend June 3 AWG meeting to discuss how this event could be organized.

e) Public input on the Accessibility Framework report

Philip and Jeremy stated that it is standard practice to seek public input on such reports and others with disabilities need to have the opportunity to weigh in. Robin wonders how interested the public will be in commenting on internal City policies and procedures and building capacity in City Hall.

Action: Engagement to be consulted as to how best to present the Accessibility Framework to the public and what feedback is desired.

f) Timeline:

- I) Framework draft and original consultant's report provided to AWG (mid June)
- II) Accessibility awareness training scheduled for staff and Council (before July 15)
- III) Accessibility Town Hall (July 4)
- IV) AWG meet alone to discuss these documents (2 – 3 weeks after draft provided to AWG, July 8 AWG meeting)
- V) Staff/AWG meeting where staff address questions regarding their draft, determine next steps, process, ground rules etc. (July 15)

- VI) Framework Workshop - review and collaboration between staff / AWG (mid/end of July).
- VII) Improved draft presented to COTW by staff and AWG (mid Aug).
- VIII) COTW workshop on the Accessibility Framework (end of Aug)
- IX) Release draft for public comment and input (September - based on Council approvals)
- X) Final Framework Presentation by staff and AWG to COTW (October).

5. Business arising – deferred to next meeting

- a) Paws in Parks – Robin
- b) Food at public engagement sessions – Robin
- c) Options for a landing zone for bus stop at City Hall
- d) Balancing accessibility concerns with pollinator habitat – Council Liaisons
- e) Truncated Domes at mid-block bus stops – Susan
- f) Accessible voting

6. Next Meeting – Monday June 3 – Robin to chair in Linda’s absence.

Action: Doug to book Cook Street Activity Centre

7. Adjournment 6:40