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## MINUTES

### TORONTO TRANSIT COMMISSION

**Meeting No. 1907**

**Friday April 3, 2009**

A meeting of the Toronto Transit Commission was held in Committee Room 2, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Friday April 3, 2009 commencing at 1:15 p.m.

A. Giambrone (Chair), J. Mihevc (Vice-Chair), B. Saundercook, S. Hall, P. Milczyn, S. Bussin, M. Augimeri, R. Moeser and A. Perruzza (Commissioners), G. Webster (Chief General Manager), V. Rodo (General Manager – Executive & General Secretary), R. Cornacchia (General Manager – Operations), J. Sepulis (General Manager – Engineering & Construction), B. Leck (General Counsel), M. Roche (Chief Financial Officer), A. Smith (Chief Marketing Officer), S. Ghaly (Program Manager – Transit City), B. Ross (Director – Corporate Communications), S. MacDonald (Manager – Materials and Procurement), T. Clarke (Director – Compensation and Benefits), K. Lee (Assistant General Secretary) and F. Stanois (Coordinator – Secretariat Services) were present.

A. Giambrone was in the Chair.

D. Dixon (Deputy General Manager – Rail) and S. Bone (Superintendent – Stations and Building Maintenance) were present for Item 2(b).

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**DECLARATION OF INTEREST – MUNICIPAL CONFLICT OF INTEREST ACT**

NIL

**MINUTES OF PREVIOUS MEETINGS**

COMMISSIONER SAUNDERCOOK MOVED THAT THE COMMISSION APPROVE THE MINUTES FROM MEETING NO. 1906 AND THAT THE CHAIR AND GENERAL SECRETARY BE AUTHORIZED TO SIGN THE SAME.

THE MOTION BY COMMISSIONER SAUNDERCOOK CARRIED.

**BUSINESS ARISING OUT OF THE MINUTES**

NIL

**COMMITTEE OF THE WHOLE RESOLUTION**

- a) Committee of the Whole – Monday April 27, 2009

VICE-CHAIR MIHEVC MOVED THAT THE COMMISSION APPROVE A RESOLUTION TO MEET AS THE COMMITTEE OF THE WHOLE AT 9:00 A.M. OR LATER ON MONDAY APRIL 27, 2009 TO DEAL WITH LITIGATION OR POTENTIAL LITIGATION MATTERS, LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS AND TO RECEIVE ADVICE WHICH IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE.

THE MOTION BY VICE-CHAIR MIHEVC CARRIED.

**PUBLIC PRESENTATIONS**

- a) Smoke-free ban at TTC bus shelters and bus stops

Marlon Greene, Youth Advisor  
City of Toronto Public Health

Amulya Dakka  
T-DOT West Peer Leader

ON MOTION OF VICE-CHAIR MIHEVC, THE COMMISSION APPROVED, IN PRINCIPLE, THE GOALS OF T-DOT AND REQUESTED THAT STAFF CONSULT WITH THE APPROPRIATE AGENCIES AND REPORT BACK ON THE FEASIBILITY OF A 9-METRE SMOKE-FREE ZONE AROUND BUS STOPS AND SHELTERS.

**NOTICE OF MOTIONS**

NIL



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**MOTIONS WITHOUT NOTICE**

Nil

**ITEMS OF WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**

NIL

**ITEMS DEFERRED FROM LAST MEETING TO PERMIT DEBATE/PUBLIC PRESENTATIONS**

NIL

1. **REPORTS WITH CONFIDENTIAL ATTACHMENTS (COMMITTEE OF THE WHOLE)**

- a) Retail Sales Tax Appeals – Status Update

**THE COMMISSION:**

1. RECEIVED THE CONFIDENTIAL INFORMATION IN THE CONFIDENTIAL ATTACHMENT; AND
2. APPROVED THAT THE INFORMATION IN THE CONFIDENTIAL ATTACHMENT REMAINS CONFIDENTIAL IN ITS ENTIRETY AS IT CONTAINS ADVICE WHICH IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE.

2. **PRESENTATIONS**

- a) Award of Merit Presentation – Operator Enriqueito Dela Riva, Customers Dr. Emer Finan and Elena Roussakova

On October 15, 2008, at 9:35 a.m., Operator Enriqueito Dela Riva was operating a streetcar when he was advised by a customer that a fellow customer was ill. The Operator stopped the streetcar and went to investigate. The Operator found a customer who appeared to be suffering from a heart attack. The Operator immediately advised CIS and returned to the customer to offer further assistance. Two other customers also immediately assisted the ill male. Elena Roussakova assisted in making the male comfortable and Dr. Emer Finan recognized the seriousness of the male's condition and immediately began CPR. CPR was performed by Dr. Finan until the arrival of EMS who took over. Life saving efforts continued and the ill customer was transported to the hospital by EMS.

**ON BEHALF OF THE COMMISSION, CHAIR GIAMBRONE PRESENTED AN AWARD OF MERIT TO OPERATOR ENRIQUITO DELA RIVA, CUSTOMERS DR. EMER FINAN AND ELENA ROUSSAKOVA IN RECOGNITION OF THEIR ACTIONS ON OCTOBER 15, 2008.**



b) Subway Station Cleanliness Improvement Update

Dave Dixon Deputy General Manager – Rail, and Sharon Bone Superintendent – Stations and Building Maintenance gave an overhead presentation with respect to this matter.

**THE COMMISSION RECEIVED THE PRESENTATION FOR INFORMATION.**

3. **BUDGET MATTERS**

a) Chief General Manager's Report - Period 12 November 30 to December 31, 2008

**CHAIR GIAMBRONE MOVED THAT RECOMMENDATION NO. 1 BE AMENDED TO REMOVE THE REQUEST FOR THE CITY OF TORONTO TO ADD THIS SURPLUS TO THE TTC STABILIZATION RESERVE FUND FOR FUTURE USE, SO SUCH RECOMMENDATION NOW READS AS FOLLOWS:**

1. **"APPROVE THE OFFSETTING OF THE \$0.069 MILLION SUBSIDY SHORTFALL FOR THE 2008 TTC OPERATING BUDGET WITH THE \$0.424 MILLION SUBSIDY SURPLUS FOR THE 2008 WHEEL-TRANS OPERATING BUDGET, FOR A NET SUBSIDY SURPLUS OF \$0.355 MILLION."**

**THE COMMISSION ALSO APPROVED RECOMMENDATION NO. 2 AS FOLLOWS:**

2. **"FORWARD A COPY OF THIS REPORT TO EACH CITY OF TORONTO COUNCILLOR FOR INFORMATION NOTING THAT THE DETAILED CGM'S REPORT IS AVAILABLE UPON REQUEST FROM THE OFFICE OF THE GENERAL SECRETARY OF THE COMMISSION."**

**THE COMMISSION APPROVED THE REPORT AS AMENDED.**

4. **PROCUREMENT AUTHORIZATIONS**

a) Procurement Authorization – Kipling Station East Entrance Contract F7-25

It is recommended that the Commission authorize the construction of the Kipling Station Improvement – East Entrance and Passenger Pick Up and Drop Off (PPUDO) Project by approving:

1. acceptance of the tender submitted by Bondfield Construction Company Limited in the amount \$8,708,750.00 for Contract F7-25, Kipling Station East Entrance;
2. additional project budget in the amount of \$1.2M due to cost increase in the project 3.9 Buildings Structures, Kipling Station Improvement – East Entrance and PPUDO increasing the project budget from \$10.8M to \$12.0M;
3. forwarding this report to the City via the City Budget Committee requesting additional budget and project cost approval in the amount of \$1.2M for City Project CTT130-



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## Kipling

Station Improvement – East Entrance and PPUDO bringing the total to \$12.0M, to be accommodated by an increase of \$1.2 million in the Unspecified Budget Reduction for which TTC staff will subsequently identify project reductions to accommodate this increase;

4. forwarding this report to Metrolinx and the Province and direct staff to pursue the Province for additional \$6.5M for full project funding.

**APPROVED**

b) Procurement Authorization – Supply of Janitorial Products

It is recommended that the Commission approve the issuance of purchase orders for the supply of janitorial products for a five year period commencing on July 1, 2009 to June 30, 2014 as follows:

1. Mister Chemical Ltd. for the supply of General Janitorial Products in the upset limit amount of \$9,300,000; and
2. Morgan Scott for the supply of Toilet Paper and Hand Towels in the upset limit amount of \$2,000,000.

**APPROVED**

c) Summary of Authorized Expenditures Between \$1,000,000 up to \$5,000,000 for the Period January 1, 2009 to January 31, 2009

It is recommended that the Commission receive this report for information. It lists expenditures (\$1,000,000 up to \$5,000,000) for the period January 1, 2009 to January 31, 2009 which were approved by the Chief General Manager.

**RECEIVED**

## 5. PROCUREMENT AUTHORIZATION AMENDMENTS

a) Procurement Authorization Amendment – Supply of Orion Bus Parts

It is recommended that the Commission approve for inventory, additional funds in the amount of \$9,845,000 for the purchase order with Daimler Buses North America Limited for the supply of various Orion bus parts resulting in a revised total upset limit of \$18,895,000.

**APPROVED**



- b) Procurement Authorization Transit City Light Rail Program – Sheppard East LRT Consultant Services

It is recommended that the Commission authorize an amendment to URS Canada Inc., in the upset limit amount of \$4,409,832.00 so the design work can continue to progress until further Provincial funding is secured for Transit City Sheppard East LRT, Contract C02PC07884.

**APPROVED**

6. **NOTICE OF AWARDS**

- a) Notice of Award – Procurement Authorization Amendment – Inglis Building Flood – Mould Remediation

It is recommended that the Commission receive the notice of award of the Chair, Vice-Chair and the Chief General Manager:

- 1) The amendment of a contract to I&I Construction Ltd., in the upset limit amount of \$770,000.00, resulting in a revised upset limit amount of \$1,020,000.00 for the completion of the emergency flood and mould remediation and restoration work required in the Inglis Building basement; and
- 2) Unbudgeted expenditures up to \$1,020,000.00.

**RECEIVED**

7. **SERVICE MATTERS**

**NIL**

8. **OTHER BUSINESS**

- a) Appointments – TTC Audit Committee

**VICE-CHAIR MIHEVC MOVED THAT THE CURRENT AUDIT COMMITTEE MEMBERSHIP OF COMMISSIONERS ADAM GIAMBRONE, ANTHONY PERUZZA AND BILL SAUNDERCOOK BE RE-APPOINTED.**

**THE MOTION BY VICE-CHAIR MIHEVC CARRIED**

- b) TTC Corporate Policy Review – Policy 6.14.0 Visitors and Tours

It is recommended that the Commission approve the following TTC Corporate Policy, as



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amended, which is attached hereto as Appendix 'A'.

- Policy 6.14.0 Visitors and Tours

**APPROVED**

- c) 2008 TTC Special Constable Annual Report to the Toronto Transit Commission and the Toronto Police Services Board

It is recommended that the Commission:

- 1) Receive the attached report for information noting that this Toronto Police Service mandated report is not a replacement, but an addition to the annual TTC Security Statistical Report; and
- 2) Forward the attached report to the Toronto Police Services Board in accordance with Section 54 of the Special Constable Agreement between the Toronto Police Services Board and the Toronto Transit Commission.

**APPROVED**

- d) Power Outage January 15 and 16, 2009 – Lessons Learned

It is recommended that this report be received for information noting that lessons were learned and action is being taken in the following three areas:

- 1) Redundancy of Utility Electrical Supply
- 2) Backup Generation
- 3) Loss of Radio Communication

**RECEIVED**

9. **NEW BUSINESS**

**NIL**

10. **CORRESPONDENCE**

C-1 Councillor A. Heaps, dated February 25, 2009 entitled "Bicycle Station – Victoria Park Subway Station Rehabilitation Project".

**THE COMMISSION REFERRED THE COMMUNICATION TO STAFF FOR APPROPRIATE ACTION.**



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## **SUPPLEMENTARY AGENDA**

### **11. REPORTS WITH CONFIDENTIAL ATTACHMENTS (COMMITTEE OF THE WHOLE)**

#### **a) Staff Compensation**

- 1. THE COMMISSION APPROVED THE CONFIDENTIAL INSTRUCTIONS TO STAFF, AS AMENDED, IN ATTACHMENT 1; AND**
- 2. APPROVED THAT THE CONTENTS OF CONFIDENTIAL ATTACHMENT 1 REMAIN CONFIDENTIAL IN THEIR ENTIRETY AS IT CONTAINS ADVICE WHICH IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE.**

Commissioner Milczyn noted his opposition to the foregoing.

The meeting adjourned at 2:15 p.m.







