

# MINUTES

## TORONTO TRANSIT COMMISSION

**Meeting No. 1934**

**Wednesday, April 6, 2011**

A meeting of the Toronto Transit Commission was held in Committee Room 2, 2<sup>nd</sup> Floor, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Wednesday, April 6, 2011 commencing at 10:00 a.m. The meeting recessed at 10:05 a.m. and re-convened at 1:05 p.m. The meeting recessed again at 1:40 p.m. to await the arrival of some registered deputants and reconvened at 2:00 p.m.

K. Stintz (Chair), P. Milczyn (Vice-Chair), M. Augimeri, V. Crisanti, F. Di Giorgio, N. Kelly, D. Minnan-Wong, C. Palacio, and J. Parker (Commissioners), G. Webster (Chief General Manager), V. Rodo (General Manager – Executive & General Secretary), J. Sepulis (General Manager – Engineering & Construction), D. Dixon (Acting General Manager – Operations), B. Leck (General Counsel - Legal), B. Ross (Director – Corporate Communications), M. Roche (Chief Financial Officer), S. MacDonald (Manager –Materials & Procurement), A. Smith (Chief Marketing Officer), M. Stambler, (Chief Service Planning Officer), T. Andrews (Chief Special Constable), D. Garisto (Chief Property Development Officer), K. Lee (Assistant General Secretary) and F. Stanois (Co-ordinator – Corporate Secretariat Services) were present.

K. Stintz was in the Chair.

C. Upfold, incoming TTC Chief Customer Service Officer was also present.

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

NIL

**MINUTES OF PREVIOUS MEETINGS**

COMMISSIONER PARKER MOVED THAT THE COMMISSION APPROVE THE MINUTES FROM MEETINGS NO. 1931, 1932 AND 1933 AND THAT THE CHAIR AND GENERAL SECRETARY BE AUTHORIZED TO SIGN THE SAME.

THE MOTION BY COMMISSIONER PARKER CARRIED.

**BUSINESS ARISING OUT OF THE MINUTES**

NIL

**COMMITTEE OF THE WHOLE RESOLUTION**

CHAIR STINTZ MOVED THAT THE COMMISSION RECESS TO MEET AS THE COMMITTEE OF THE WHOLE TO DEAL WITH:

1. LITIGATION OR POTENTIAL LITIGATION MATTERS, LABOUR RELATIONS, EMPLOYEE NEGOTIATIONS, AND TO RECEIVE ADVICE WHICH IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE; AND
2. EDUCATING AND/OR TRAINING MEMBERS ON THE FOLLOWING ITEMS:
  - TRANSIT PLAN
  - OPEN STANDARDS FARE SYSTEM: PROJECT OVERVIEW
  - NEGOTIATIONS UPDATE
  - CRISIS LINK – SUICIDE PREVENTION

THE MOTION BY CHAIR STINTZ CARRIED.

**PUBLIC PRESENTATIONS**

- a) Transit Service to Variety Village – Interim Update

Councillor Gary Crawford

THE COMMISSION RECEIVED THE DEPUTATION FOR INFORMATION.  
(SEE ITEM NO. 7B FOR MINUTE).

- b) 2010 TTC Special Constable Annual Report to the Toronto Transit Commission and the Toronto Police Services Board
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Brian Boehlert

**THE COMMISSION RECEIVED THE DEPUTATION FOR INFORMATION.  
(SEE ITEM NO. 8D FOR MINUTE).**

- c) Toronto Transit Infrastructure Limited

Councillor Joe Mihevc

Jamie Kirkpatrick

**THE COMMISSION RECEIVED THE DEPUTATIONS FOR INFORMATION.  
(SEE ITEM NO. 8G FOR MINUTE).**

**NOTICE OF MOTION**

**MOVED BY COMMISSIONER PALACIO:**

**FOR OVER SEVEN YEARS, THE CITY, THE TTC AND THE BOARD OF DIRECTORS OF THE TTC PENSION FUND SOCIETY HAVE BEEN WRITING AND REQUESTING THAT THE PROVINCIAL GOVERNMENT GRANT THE TTC PENSION FUND SOCIETY SOLVENCY FUNDING EXEMPTION. IN AUGUST, 2010 THE PROVINCE GRANTED SOLVENCY FUNDING EXEMPTIONS TO THE 5 EXISTING JOINTLY SPONSORED PENSION PLANS, OMERS, TEACHERS, HOOPP, CAAT AND OP TRUST. THE TTC PENSION FUND IS REQUESTING THE SAME EXEMPTION.**

**GRANTING SOLVENCY FUNDING EXEMPTION CARRIES NO COST TO THE PROVINCE BUT WITHOUT SOLVENCY FUNDING EXEMPTION, BEGINNING IN 2012, THE COMMISSION AND THE EMPLOYEES WILL BE FORCED TO CONTRIBUTE AN EXTRA \$50-\$75 MILLION (TO BE SHARED EQUALLY) INTO THE PLAN FOR THE NEXT 10 YEARS. THESE EXTRA PAYMENTS ARE SOLELY FOR THE PURPOSE OF SOLVENCY FUNDING IN THE EVENT THAT THE PENSION PLAN IS WOUND-UP. IT SHOULD BE NOTED THAT THE SOCIETY IS WELL FUNDED ON A GOING CONCERN BASIS AND HAS A SURPLUS OF APPROXIMATELY \$100 MILLION.**

**I HEREBY MOVE THAT THE COMMISSION REQUEST THAT CITY COUNCIL FULLY SUPPORT THE TTC PENSION FUND IN ITS EFFORTS TO SEEK FULL SOLVENCY FUNDING EXEMPTION BY SUPPORTING THE SOCIETY'S CONVERSION TO A JOINTLY SPONSORED PENSION PLAN AND TO ENCOURAGE THE PROVINCIAL GOVERNMENT TO GRANT FULL SOLVENCY FUNDING EXEMPTION FOR THE TTC PENSION FUND SOCIETY.**

**THE MOTION BY COMMISSIONER PALACIO CARRIED.**

**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) Office Consolidation Plan

**THE COMMISSION:**

1. **APPROVED THE RECOMMENDATION AS SET OUT IN THE CONFIDENTIAL ATTACHMENT; AND**
2. **NOTED THAT THE INFORMATION IN THE CONFIDENTIAL ATTACHMENT REMAIN CONFIDENTIAL UNTIL SUCH TIME AS ANY AGREEMENTS ARISING OUT OF THIS APPROVAL ARE EXECUTED.**

**COMMISSIONER MINNAN-WONG IS NOTED IN OPPOSITION TO THE FOREGOING.**

- b) Water Seepage at 1577 Danforth Avenue

**THE COMMISSION:**

1. **APPROVED THE RECOMMENDATIONS AS SET OUT IN THE CONFIDENTIAL ATTACHMENT; AND**
2. **NOTED THAT THE INFORMATION IN THE CONFIDENTIAL ATTACHMENT REMAIN CONFIDENTIAL UNTIL SUCH TIME AS THE LITIGATION IS RESOLVED.**

2. **PRESENTATIONS**

NIL

3. **BUDGET MATTERS**

- a) Chief General Manager's Report – Periods 11 & 12 (October 31 to December 31, 2010)

It is recommended that the Commission:

1. Approve the offsetting of the \$0.892 million subsidy shortfall for the 2010 Wheel Trans Operating Budget with the \$60.044 million subsidy surplus for the 2010 TTC Operating Budget, for a net subsidy surplus of \$59.152 million; and

2. Forward a copy of this report to (1) each City of Toronto Councillor and (2) the City Deputy Manager and Chief Financial Officer, for information, noting that the detailed CGM's Report is available upon request from the Office of the General Secretary of the Commission.

**APPROVED**

- b) City Reports: Governance, Board Appointments, Service Review Program and Budget Process
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It is recommended that the Commission receive this report for information.

**RECEIVED**

#### 4. PROCUREMENT AUTHORIZATIONS

- a) Procurement Authorization – Toronto-York Spadina Subway Extension – Supply of Precast Concrete Double Ties and Elastomers – Contract No. A65-31

It is recommended that the Commission authorize the award of contract to Munro Concrete Products Ltd. (Munro) in the amount of \$20,457,834.00 for Contract A65-31, Supply of Concrete Double Ties and Elastomers.

**APPROVED**

- b) Procurement Authorization – Supply of Montgomery Escalator Rebuild Kits

It is recommended that the Commission approve the issuance of a purchase order for the supply of Montgomery Escalator Rebuild Kits to KONE Inc. in the upset limit amount of \$6,073,548.50 for the term commencing April 7, 2011 to December 31, 2014.

**APPROVED**

- c) Summary of Authorized Expenditures between \$1,000,000 to \$5,000,000 for the Period January 1, 2011 to January 31, 2011

It is recommended that the Commission receive this report for information. It lists an Expenditure (\$1,000,000 to \$5,000,000) for the period January 1, 2011 to January 31, 2011 which was approved by Senior Management.

**RECEIVED**

#### 5. PROCUREMENT AUTHORIZATION AMENDMENTS

- a) Procurement Authorization Amendment - Toronto-York Spadina Subway Extension Project – Contract No. A85-75A – Steeles West Station - Contract Amendment No. 5

It is recommended that the Commission authorize Contract Amendment No. 5 to The Spadina Group Associates (TSGA) in the amount of \$4,922,000.00 for the completion of detailed design and support during construction for the Steeles West Station, increasing the total upset limit amount to \$28,142,000.00 from \$23,220,000.00.

**APPROVED**

- b) Procurement Authorization Amendment: Automatic Train Control Project Contract No. C31PV08752 – Design & Supply Radio Based ATC/CBTC for YUS Subway Change Directive 7 No.

It is recommended that the Commission authorize Change Directive No. 7 to Alstom Transportation Canada Inc., in the upset limit amount of \$4,903,469.29, for the supply of 21 sets of Automatic Train Control (ATC) on-board equipment, as part of Contract C31PV08752.

**APPROVED**

- c) Procurement Authorization Amendment – Mount Dennis Bus Garage – TCE Contamination – Contract Amendment No. 15 – Contract G85-215 – Geotechnical and Geo-Environmental Engineering Services Triennial Contract

It is recommended that the Commission authorize the issuance of Contract Amendment No. 15 to Conestoga-Rovers & Associates Limited (CRA) for Geotechnical and Geo-Environmental Engineering Services Triennial Contract G85-215 (Contract), in the amount of \$610,000, increasing the total upset limit contract amount from \$1,990,000 to \$2,600,000.

**APPROVED**

6. **NOTICE OF AWARDS**

**NIL**

7. **SERVICE MATTERS**

- a) New Service on Fenmar Drive

It is recommended that the Commission:

1. Approve new service during the peak periods from Monday to Friday on Fenmar Drive, effective June 20, 2011, as described in this report; and
2. Forward this report to Councillors Crisanti, Filion, Ford, Pasternak, Perruzza, Mammoliti, Shiner, and the Emery Village Business Improvement Area.

b) Transit Service to Variety Village – Interim Update

**CHAIR STINTZ MOVED THAT, IN ACCORDANCE WITH THE LAST FIVE BULLETS IN THE STAFF RECOMMENDATION, THE 12 KINGSTON ROAD BUS ROUTE BE ALTERED, EFFECTIVE MAY 8, 2011, SO THAT EVERY SECOND BUS OPERATES VIA BIRCHMOUNT ROAD AND DANFORTH AVENUE TO SERVE VARIETY VILLAGE AND THAT, TO ENSURE A SMOOTH TRANSITION BETWEEN THE EXISTING COMMUNITY LINK BUS SERVICE AND THE NEW MODIFIED 12 KINGSTON ROAD SERVICE, THE COMMUNITY LINK SERVICE CONTINUE TO OPERATE UNTIL RIDERSHIP ON THE TWO SERVICES HAS STABILIZED.**

**THE MOTION BY CHAIR STINTZ CARRIED.**

**CHAIR STINTZ MOVED ADOPTION OF THE RECOMMENDATION IN THE STAFF REPORT, AS AMENDED.**

**THE MOTION BY CHAIR STINTZ CARRIED ON UNANIMOUS VOTE OF THE MEMBERS IN ATTENDANCE.**

**8. OTHER BUSINESS**

a) TTC Commissioner Expenses 2003 -2009

**COMMISSIONER PALACIO MOVED REFERRAL OF THIS REPORT TO THE NEXT MEETING OF THE COMMISSION TO ALLOW STAFF THE OPPORTUNITY TO REPORT BACK ON COLLECTION EFFORTS PERTAINING TO THE FORMER CHAIR'S EXPENSES.**

**THE MOTION BY COMMISSIONER PALACIO CARRIED.**

b) Progress Report 3 – TTC Management Response to Customer Service Advisory Panel

Prior to dealing with this item Chair Stintz took the opportunity to introduce Chris Upfold, TTC Chief Customer Service Officer, who will be joining the TTC on May 30, 2011. Mr. Upfold spoke briefly about his new role and indicated that he is looking forward to helping the TTC make some changes.

Chair Stintz also took the opportunity to invite fellow members of the Commission to participate in the TTC component of the upcoming Toronto 20-minute Makeover event.

**FOLLOWING COMPLETION OF THE FOREGOING MATTERS CHAIR STINTZ MOVED THAT THE COMMISSION RECEIVE THE RECOMMENDATIONS IN THE STAFF REPORT, AS FOLLOWS:**

**"IT IS RECOMMENDED THAT THE COMMISSION:**

- 1. RECEIVE FOR INFORMATION THE ATTACHED MATRIX UPDATING THE STATUS OF THE RECOMMENDATIONS CONTAINED IN THE CUSTOMER SERVICE ADVISORY PANEL REPORT, DATED AUGUST 23, 2010; AND**

2. **NOTE THE NEWLY CREATED POSITION OF CHIEF CUSTOMER SERVICE OFFICER HAS BEEN FILLED BY MR. CHRISTOPHER UPFOLD, WITH AN EXPECTED START OF MAY 30".**

**THE MOTION BY CHAIR STINTZ CARRIED.**

- c) Parliament Loop Land Exchange

It is recommended that the Commission authorize staff to execute a Memorandum of Understanding (MOU) between Toronto Parking Authority (TPA), Toronto Transit Commission (TTC) and the City of Toronto (City), substantially on the terms contained in Appendix A, and in a form satisfactory to TTC's General Counsel, noting that TTC will obtain a transfer of Operational Management rather than acquire registered title to a replacement site as previously approved by the Committee of the Whole.

**APPROVED**

- d) 2010 TTC Special Constable Annual Report to the Toronto Transit Commission and the Toronto Police Services Board

It is recommended that the Commission:

1. Receive this report for information; and
2. Forward the attached report to the Toronto Police Services Board for information.

**APPROVED**

- e) 2008 APTA Rail Audit Updates

It is recommended that the Commission:

1. Receive for information, updates to the 2008 APTA Rail Safety Audit plus Toronto Transit Commission management actions; and
2. Forward this update to the Minister of Transportation, Province of Ontario and the Clerk of the City of Toronto for information.

**APPROVED**

- f) Outstanding Commission Items

It is recommended that the Commission receive for information, the updated list of outstanding Commission items for the period up to and including the meeting of March 1, 2011.



g) Toronto Transit Infrastructure Limited

**CHAIR STINTZ MOVED ADOPTION OF THE RECOMMENDATION IN THE STAFF REPORT, AS FOLLOWS:**

**"IT IS RECOMMENDED THAT THE COMMISSION:**

- 1. RECEIVE THIS REPORT FOR INFORMATION REGARDING DEVELOPMENTS AT THE MEETING OF SHAREHOLDERS AND MEETING OF DIRECTORS OF TORONTO TRANSIT INFRASTRUCTURE LIMITED ("TTIL"), FORMERLY TORONTO TRANSIT CONSULTANTS LIMITED ("TTCL") OF MARCH 8, 2011; AND**
- 2. DIRECT TTIL TO ADOPT PROCUREMENT POLICIES, FINANCIAL AUTHORIZATION POLICIES AND A BY-LAW TO GOVERN PROCEEDINGS CONSISTENT WITH THOSE OF THE TORONTO TRANSIT COMMISSION AND THAT TTIL NOT AWARD ANY CONTRACTS UNTIL THESE ITEMS HAVE BEEN ADOPTED AND FUNDING HAS BEEN SECURED".**

**THE MOTION BY CHAIR STINTZ CARRIED.**

**COMMISSIONER AUGIMERI TOOK CARRIAGE OF THE FOLLOWING MOTION ON BEHALF OF COUNCILLOR MIHEVC:**

**THAT STAFF BE REQUESTED TO UNDERTAKE THE FOLLOWING IN PREPARATION FOR TTC AND COUNCIL DELIBERATIONS ON THE MEMORANDUM OF UNDERSTANDING:**

- 1. INVESTIGATE SOLUTIONS FOR PASSENGERS ON FINCH AVENUE WEST AND SHEPPARD AVENUE EAST, EAST OF SCARBOROUGH TOWN CENTRE, WHO ARE LOSING AN LRT.**
- 2. A COST-BENEFIT ANALYSIS OF THE SHEPPARD SUBWAY PROPOSAL THAT INCLUDES THE LOST OPPORTUNITY COSTS.**
- 3. OPERATING COSTS AND SUBSIDY REQUIREMENTS AFTER THE SHEPPARD LINE IS BUILT.**
- 4. A STRATEGY TO PAY FOR THE SUNK COSTS AND CANCELLATION FEES.**
- 5. PUBLIC CONSULTATION.**

**COMMISSIONER AUGIMERI REQUESTED A RECORDED VOTE:**

**IN FAVOUR: COMMISSIONER AUGIMERI**

**OPPOSED: CHAIR STINTZ, VICE-CHAIR MILCZYN, COMMISSIONER CRISANTI, COMMISSIONER DI GIORGIO, COMMISSIONER KELLY, COMMISSIONER MINNAN-WONG AND COMMISSIONER PALACIO.**

**THE MOTION BY COMMISSIONER AUGIMERI LOST ON A VOTE OF 1 TO 7.**

**NOT PRESENT FOR THE RECORDED VOTE: COMMISSIONER PARKER.**

**CHAIR STINTZ MOVED THAT THE TTC PROCESS INVOICES FROM TTIL SUBJECT TO THE CITY OF TORONTO CONFIRMING AN APPROPRIATE FUNDING MECHANISM TO COVER COSTS INCURRED BY TTIL FOR THIS WORK AND THAT ALL COSTS FOR THIS WORK WILL BE REPORTED OUT THROUGH THE PERIODIC CHIEF GENERAL MANAGER'S REPORTS TO FUTURE COMMISSION MEETINGS.**

**THE MOTION BY CHAIR STINTZ CARRIED.**

**9. NEW BUSINESS**

**NIL**

**10. CORRESPONDENCE**

C1 – Alok Mukerjee, Chair, Toronto Police Services Board regarding a Special Constables Agreement with the Commission.

**THE COMMISSION RECEIVED THE COMMUNICATION FOR INFORMATION.**

C2 – Greta Fearman regarding the new transit plan announcement.

**THE COMMISSION RECEIVED THE COMMUNICATION AND REFERRED THE CORRESPONDENCE TO STAFF FOR INFORMATION.**

C3 – Sharon Yetman regarding bus flow technology.

**THE COMMISSION RECEIVED THE COMMUNICATION AND REFERRED THE CORRESPONDENCE TO STAFF FOR INFORMATION.**

C4 – Christopher Field regarding 510 Spadina service.

**THE COMMISSION RECEIVED THE COMMUNICATION AND REFERRED THE CORRESPONDENCE TO STAFF FOR INFORMATION.**

C5 - Andrew Bourgeois regarding the new transit plan announcement.

**THE COMMISSION RECEIVED THE COMMUNICATION AND REFERRED THE CORRESPONDENCE TO STAFF FOR INFORMATION.**

C6 - Jacob L. regarding the exclusion of Finch Avenue West rapid transit.

**THE COMMISSION RECEIVED THE COMMUNICATION FOR INFORMATION.**

The meeting adjourned at 2:40 p.m.

