

Minutes

Toronto Transit Commission

Meeting No. 1956

Monday, February 25, 2013

A meeting of the Toronto Transit Commission was held in Committee Room 3, 2nd Floor, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Monday, February 25, 2013 commencing at 10:08 a.m. The meeting recessed at 10:10 a.m. and re-convened at 1:05 p.m. in Council Chambers.

K. Stintz (Chair), M. Adamson (Vice-Chair), M. Augimeri, R. Cho, J. Colle, G. De Baeremaeker, N. Di Donato, A. Heisey, P. Milczyn, J. Parker and A. Virmani (Commissioners), A. Byford (Chief Executive Officer), J. Taylor (Chief of Staff), D. Dixon (Chief Operating Officer), S. Ghaly (Chief Capital Officer), V. Rodo (Chief Financial & Administration Officer), C. Upfold (Acting Chief Service Officer), B. Leck (Head of Legal & General Counsel), B. Ross (Executive Director of Corporate Communications), A. Pace (Head of Strategic Partnerships – Engineering, Construction & Expansion), J. Lee, (Head of Materials and Procurement), K. Lee (Head of Commission Services) and D. McDonald (Co-ordinator – Corporate Secretariat Services) were present.

K. Stintz was in the Chair.

Declarations of Interest – Municipal Conflict of Interest Act

Nil

Committee of the Whole Resolution

Chair Stintz moved that the Commission recess to meet as the Committee of the Whole to deal with litigation or potential litigation matters, labour relations, employee negotiations, and to receive advice which is subject to solicitor-client privilege.

The motion by Chair Stintz carried.

Reconvened
Meeting (open to the public) – 1:05 p.m.
Council Chambers, City Hall

Minutes of Previous Meetings

Commissioner Augimeri moved that the Commission approve the minutes from Meeting No. 1955 and that the Chair and Chief Financial & Administration Officer be authorized to sign the same.

The motion by Commissioner Augimeri carried.

Business Arising Out of the Minutes

Chair Stintz spoke of her intent to introduce the following Notice of Motion at the March 27, 2013 Commission Meeting:

“Notice of Motion to reconsider the Gateway Lease matter, originally decided on October 21, 2012 and previously reconsidered on January 21, 2013.

The Motion to reconsider will require consent of a 2/3's vote of the members present.

I also make a motion returnable at the March 27, 2013 meeting directing staff to issue an RFP for the 65 newsstand locations and distribution of free newspapers within the TTC, and for staff to identify how any loss of revenue as a result of this direction will be accounted.

With respect to the above motion, I make a motion for waiver of the Procedures By-Law at the March 27th meeting, to allow this motion to proceed at this time. The waiver motion will require 2/3's vote of the members present”.

Public Presentations

Prior to commencing with Public Presentations, Chair Stintz read a number of customer communications describing specific examples of employees who have provided exceptional service to TTC customers. These communications were particularly complimentary of the professionalism and helpfulness of employees during the difficult conditions of winter storms and scheduled subway closures for priority system maintenance.

Chair Stintz and the rest of the Commission thanked the subject employees for their excellent customer service contributions.

a) **Non-Union Workers Bidding/Competing for TTC Work**

Phil Bessling and Steve Bernardo
Merit OpenShop Contractors Association of Ontario

The Commission received the deputation for information.

Commissioner Milczyn moved the following motion:

“That staff be requested to report back to the next meeting on the items presented in the subject deputation and whether the matter of open shop contracting can be incorporated into the TTC Procurement Policy”.

Commissioner Milczyn requested a recorded vote on the foregoing motion.

In Favour: Chair Stintz, Vice-Chair Adamson, Commissioners Cho, Colle, Di Donato, Heisey, Milczyn, Parker and Virmani.

Opposed: Commissioners Augimeri and De Baeremaeker.

The motion by Commissioner Milczyn carried on a vote of 9 to 2.

b) **Chief Executive Officer’s Report – February 2013 Update**

Alan Yule

The Commission received the deputation for information.
(See Item No. 3(a) for minute).

c) **Procurement Authorization Amendment – Purchase of 126 Sixty Foot Low Floor Clean Diesel Articulated Buses**

Alan Yule

The Commission received the deputation for information.
(See Item No. 11 for minute).

Notice of Motions

Nil

Motions without Notice

Nil

Items of Which Notice has Previously Been Given

Nil

Items Deferred from Last Meeting to Permit Debate/Public Presentations

(a) Update – Bus Servicing and Cleaning

It is recommended that the Commission receive this report for information.

Received

1. Reports with Confidential Attachments (Committee of the Whole)

a) Mount Dennis Bus Garage – TCE Contamination

The Commission:

1. Received this report for information; and
2. Authorized that the confidential information in the Confidential Attachment remains confidential in its entirety, as it contains information that is subject to solicitor client privilege.

2. Presentations

a) “Working as One”: A City of Toronto Workforce Development Strategy

Councillor Michael Thompson, Heather MacVicar and Karen Wilson, City of Toronto, provided the Commission with a PowerPoint presentation on this item.

The Commission received the presentation for information.

Commissioner Di Donato moved the following motion:

“That staff be requested to report back by September 2013 on how we can incorporate this program in both TTC hiring practice and contractor engagement on this initiative”.

The motion by Commissioner Di Donato carried.

b) Federation of Canadian Municipalities Sustainable Communities Award

On behalf of the TTC, Chair Stintz received the Federation of Canadian Municipalities Sustainable Communities Award for its modernization of Victoria Park Station. The project included the rehabilitation and upgrading of the station which serves more than 25,000 passengers per day. The design improved connections within the station itself and to the surrounding community, making Victoria Park Station an integral part of the neighbourhood.

A video highlighting the features of the station will reside on both the TTC and FCM websites.

c) New Shelter Maps and Stop Poles

Chris Upfold, Acting Chief Service Officer, provided the Commission with a PowerPoint presentation on this item.

The Commission received the presentation for information.

3. Budget Matters

a) Chief Executive Officer's Report – February 2013 Update

It is recommended that the Commission 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.

Approved

4. Procurement Authorizations

a) Procurement Authorization – Supply of Surface Special Trackwork For Up To A Five-Year Term – Proposal No. P31CA12184

It is recommended that the Commission authorize the award of a contract for the Supply of Special Trackwork, for approximately a five-year term commencing March 1, 2013 until December 31, 2018 to Voestalpine Nortrak Ltd. (Nortrak), in the total upset limit amount of \$23,500,000 including applicable taxes.

Approved

5. Procurement Authorization Amendments

Nil

6. Notice of Awards

Nil

7. Service Matters

a) 2012 Year-End Status Report on TTC Accessible Transit Services

It is recommended that the Commission forward this report to the City of Toronto, Metrolinx, the Ontario Ministries of Community and Social Services, Transportation, Energy, Infrastructure, and the Ontario Human Rights Commission, noting that:

- this report fulfils the provincially-legislated requirements in the *Ontarians with Disabilities Act, 2001* for annual documentation of the TTC's accessibility plan;

- Appendix 1 is a report entitled 2012 Year-end Status Report on TTC Accessible Transit Services, which provides a detailed description of the status of the TTC's current activities to improve the accessibility of its facilities and services;
- the TTC is making progress on its commitment to have all TTC services accessible: all conventional bus services provided by the TTC are now accessible and major initiatives are underway to make all streetcar and rapid transit modes accessible;
- all subway trains and 45% of all stations are accessible and, starting in 2014, new accessible streetcars will begin operation;
- the TTC's Easier Access program calls for retrofitting every rapid transit station in the system with elevators and accessibility features, however, due to funding constraints, the program will not be completed until 2025;
- Provincial regulations under the *Accessibility for Ontarians with Disabilities, 2005* (AODA) have been enacted which apply to the TTC and other public sector agencies. Staff continue to monitor progress of the *Accessibility Standard for the Built Environment*, which is the final standard being developed under the AODA. The TTC is in compliance with most of the clauses in the regulations enacted to date, however the full implications for the TTC of a number of the standards remain unclear. As more information is obtained, staff will report to the Commission on the requirements contained in the standards, along with the associated funding implications;
- the Commission has requested that the Province take the lead on implementing some elements of the standards rather than down-loading the responsibility and costs onto service providers. This issue remains unresolved and could become problematic for the TTC; and
- the Province has not made a commitment to fund the costs of complying with the AODA regulations. Additional, unfunded costs resulting from the Provincial requirements may result in increased TTC subsidy requirements from the City, service reductions, and/or fare increases.

Approved

8. Other Business

a) The New Second Exit Planning and Consultation Process

It is recommended that the Commission:

1. Endorse the Second Exit Planning and Consultation Program as described in this report and direct staff to initiate the program;
2. Direct staff to report back on the Evaluation Framework to be developed by the third party expert panel; and

3. Direct staff to report back on the results of the consultation and planning at each of the eight stations in the second exit program.

Approved

b) **Follow-Up to Ombudsman's Report**

It is recommended that the Commission endorse the attached Construction Projects Community Relations Management Plan including the TTC Good Neighbour Policy for Construction Projects and the TTC Councillor Relations Policy for Construction Projects.

Approved

c) **Leslie Barns – Leslie Street Connection Track Contract No.: ABYS1-1 Bidding Strategy Update**

It is recommended that the Commission receive this report for information.

Received

d) **1910 Yonge Street – Lease Renewal**

It is recommended that the Commission approve:

1. The agreement to extend the term of the lease dated April 25, 2006, between 1910 Davisville Centre Inc. (the "Landlord") and the Toronto Transit Commission (the "Tenant") for the 2nd and 3rd floors at 1910 Yonge Street; and
2. Funds for tenant improvements to the leased space at 1910 Yonge Street in the amount of \$270,000.00.

Approved

e) **Accommodating Strollers**

It is recommended that the Commission receive this report outlining the staff position that strollers continue to be accommodated on all TTC vehicles, as is the case today, with no change to set policy.

Received

9. **New Business**

Nil

10. Correspondence

C1 – Angela Marley, ACAT Chair, forwarding for information the approved minutes of the ACAT December 13, 2012 General Monthly Meeting.

The Commission received the communication for information.

C2 – Angela Marley, ACAT Chair, indicating the ACAT members are concerned about having proper input in the development of the PRESTO equipment and its implementation due to short timelines for testing and design review.

The Commission received the communication for information and referred the correspondence to staff for report back to the Commission.

C3 – Brian Magee requesting an opportunity to speak at a future meeting regarding the TTC's method of handling customer complaints.

The Commission received the communication for information and referred the correspondence to staff for inclusion on the speakers list at a future meeting.

C4 – Alan Yule requesting an opportunity to speak at a future meeting regarding alternate funding streams to increase service in southeast Etobicoke.

The Commission received the communication for information and referred the communication to staff for inclusion on the speakers list at a future meeting.

C5 – Charlene Nolan regarding strollers and related matters of system accessibility.

The Commission received the communication for information and referred the matter to staff to provide Ms. Nolan with direct written follow-up on these matters.

Supplementary Agenda

11. Procurement Authorization Amendment – Purchase of 126 Sixty Foot Low Floor Clean Diesel Articulated Buses

The Commission deferred this report to the next meeting and requested staff to bring forward background material and background approval documents as additional information on this item.

12. Procurement Authorization Amendment – Design & Supply Radio Based Automatic Train Control for YUS Subway – Contract Change No. 16

The Commission approved the recommendation in the staff report as follows:

"It is recommended that the Commission authorize staff to award a total authorized expenditure of \$19,051,649.88 consisting of:

1. Amending the contract for the procurement of the Design and Supply of Radio Based Automatic Train Control – Communications Based Train Control (ATC-CBTC) for the Yonge-University-Spadina (YUS) Subway by including the work for implementing ATC on the Toronto-York Spadina Subway Extension (TYSSE) in the amount of \$18,436,649.88 (including taxes and shipping); and
2. The expenditure of funds up to a total allowance of \$615,000.00 for currency exchange increase to the quoted price”.

Commissioner Milczyn moved the following ancillary motion.

“That a letter signed by the Chair and the CEO be forwarded to the Province of Ontario regarding the funding aspect of this project”.

The motion by Commissioner Milczyn carried.

The meeting adjourned at 4:15 p.m.