

Minutes

Toronto Transit Commission

Meeting No. 1962

Wednesday, September 25, 2013

A meeting of the TTC Board was held in Committee Room 2, 2nd Floor, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Wednesday, September 25, 2013 commencing at 10:08 a.m. The meeting recessed at 10:09 a.m. and re-convened at 1:10 p.m.

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 (Board Members), A. Byford (Chief Executive Officer), J. Taylor (Chief of Staff), D. Dixon (Chief Operating Officer), S. Ghaly (Chief Capital Officer), B. Hughes (Acting Chief Customer 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), M. Roche (Head of Finance & Treasurer), J. Lee (Head of Materials & Procurement), J. Fraser (Head of Capital Programming), P. Manherz (Manager – Transit Enforcement Unit), 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 Board 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) – 1:10 p.m.
Committee Room 2, City Hall

Condolence Motions and Moment of Silence

Chair Stintz read condolence motions followed by a moment of silence in honour of Faye Fuerst of the Advisory Committee on Accessible Transit (ACAT) and the victims and families of the tragic OC Transpo bus and Via Rail train accident on September 18, 2013.

Minutes of Previous Meetings

Commissioner Colle moved that the Board approve the minutes from Meeting No. 1961 and that the Chair and Chief Financial & Administration Officer be authorized to sign the same.

The motion by Commissioner Colle carried.

Business Arising Out of the Minutes

Nil

Public Presentations

- a) Special Constable Designation for Transit Enforcement Officers at the TTC

Brian Boehlert

The Board received the deputation for information.
(See Item 8(a) for minute).

- b) TTC Hiring Practices in Support of the City of Toronto's "Working as One" Strategy

Mike Yorke
Carpenters Union
(Submitted brief)

The Board received the deputation for information.
(See Item 8(c) for minute).

c) Presentation: Scarborough Subway Options

Hamish Wilson

Peter Miasek and Karl Junkin
Transport Action Ontario
(Submitted brief)

Prior to commencing with the next public presentation Chair Stintz moved that the Commission waive Section 13(a) of the Procedures Bylaw relating to notice provisions for public presentations to permit a deputation from Councillor Josh Matlow on this item.

The motion by Chair Stintz carried on a two thirds vote of the members present.

Councillor Josh Matlow
City of Toronto
(Submitted brief)

The Board received the deputations for information.
(See Item 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

Nil

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

a) St. Clair West Station Easier Access Project - Update

The Board:

1. Received the information contained in the public report;
2. Received a confidential verbal update as requested at the TTC Board meeting of July 24, 2013; and
3. Noted that the information provided in the confidential verbal update, as amended, remain confidential until such time as the transaction discussed closes.

- b) Company Recommendation Reports – Contract G85-313 Construction Management Services and Contract G85-314 Design Services for McNicoll Bus Garage

The Board:

- 1. Received the confidential attachment for information.
- 2. Noted that the information as set out in the confidential attachment remain confidential in its entirety as it involves the security of property belonging to the Commission.

- c) Toronto-York Spadina Subway Extension – Contract A31-1 – Risk Management

The Board:

- 1. Received a confidential verbal update regarding risk management related to Contract A31-1;
- 2. Noted that the information provided in the confidential verbal update is to remain confidential in its entirety as it contains information that is subject to solicitor-client privilege.

Prior to commencing with the Presentations portion of the agenda, Chair Stintz read a number of commendation letters from TTC customers. The first letter from a new subway rider describes how impressed they were with the efficiency of the service, how clean the system was and how friendly the employees were during their trip. The next letter commends a subway operator who was extremely helpful and considerate when making on-board announcements during a subway delay. The third letter which was submitted by visitors from the United States describes how impressed they were with the friendly and helpful service they received from TTC employees during the planned subway closures for system maintenance. The fourth letter commends a collector who routinely demonstrates an extraordinary and positive attitude in the performance of his duties. The final letter describes the compassionate response of two TTC operating employees, one who left his bus, in coming to the aid of an elderly male pedestrian who had fallen while crossing the road.

The Board extended its appreciation to all of these employees for their excellent work and the positive image of the TTC they promote during the performance of their duties.

2. Presentations

- a) Customer Satisfaction Survey – 2013 Results

B. Hughes, Acting Chief Customer Officer, provided a PowerPoint presentation on this item.

The Board received the presentation for information.

- b) Advisory Committee on Accessible Transit (ACAT) – Providing Advice to the TTC Board for Over 25 Years

A. Marley, ACAT Chair, provided a PowerPoint presentation on this item.

The Board received the presentation for information.

c) Victoria Park Station – Toronto Urban Design Award

Chair Stintz congratulated the Victoria Park Station project team on winning the Toronto Urban Design Award and the Federation of Canadian Municipalities Sustainable Communities Award.

Councillor Janet Davis, City of Toronto, was also in attendance and spoke of the success of this project. Councillor Davis commended the project team for the beautiful new look of Victoria Park Station and the positive improvement it has made in the community.

3. Budget Matters

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

It is recommended that the TTC Board 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 – Toronto-York Spadina Subway Extension – Wilson Yard Modifications - Supply of Special Trackwork – Contract A65-42

It is recommended that the Board authorize the award of contract to Voestalpine Nortrak Ltd (Nortrak) in the amount of \$10,259,894.89 for Contract A65-42 – Toronto-York Spadina Subway Extension – Wilson Yard Modifications – Supply of Special Trackwork.

Approved

b) Procurement Authorization – Supply of Various March Network Parts

It is recommended that the Board authorize the award of a two-year inventory supply contract for the supply of various March Networks parts for the period October 2013 to October 2015 to March Networks Corporation in the upset limit amount of \$8,301,200 including applicable taxes.

Approved

c) Procurement Authorization – Supply of Genuine OEM Cummins Parts

It is recommended that the Board authorize the award of three-year inventory supply contracts for the supply of genuine OEM Cummins parts for the period of approximately October 2013 to October 2016 in the upset limit amount (including all applicable taxes) to the following companies:

- Ashcon International Inc. for \$1,749,000 CDN (\$1,691,000 USD).
- Baker Transit Parts Inc. for \$1,090,000.
- New Flyer Industries Canada ULC for \$95,000.
- Elreg Distributors Ltd. for \$138,000
- Cummins Eastern Canada LP for \$12,373,000.
- Mohawk Mfg. & Supply Co. for \$59,000
- Mississauga Bus, Coach for \$138,000.

Approved

- d) Procurement Authorization – Toronto-York Spadina Subway Extension – Supply of Signal Layouts – Contract A70-15

It is recommended that the Board authorize the award of a contract to Ansaldo STS Canada Inc. (Ansaldo) in the amount of \$9,519,404.00 for Contract A70-15, Supply of Signal Layouts.

Approved

5. Procurement Authorization Amendments

Nil

6. Notice of Awards

- a) Notice of Award – Procurement Authorization Amendment – Union Subway Station Second Platform and Concourse Improvements – Contract Change U2-7-190 Contract U2-7

It is recommended that the Board receive the notice of award of Chair Stintz, Commissioner Parker and the Chief Executive Officer authorizing Contract Change U2-7-190 to EllisDon Corporation Ltd., (EllisDon) in the amount of \$9,718,000.00 for the implementation streetscape improvement of Front Street West between Bay Street and York Street as requested by the City of Toronto.

Received

- b) Notice of Approval – Procurement Authorization Amendment – Supply of Cummins Engine Parts

It is recommended that the Board receive the notice of approval of Chair Stintz, Commissioner Parker and the Chief Executive Officer authorizing an increase in the amount of \$400,000 to Cummins Eastern Canada LP for the additional supply of Cummins engine parts for the period ending October 11, 2013, until the new contracts commence, resulting in a revised upset limit of \$6,478,000.00.

Received

- c) Notice of Approval – Procurement Authorization Amendment – Increase for Demutualization Services

It is recommended that the Board receive the notice of approval of Chair Stintz, Commissioner Parker and the Chief Executive Officer authorizing an increase to the contract with Osler by \$250,000 increasing the total to \$631,000 on the basis of sole source in order to maintain consistency/knowledge of work.

Received

7. Service Matters

Nil

8. Other Business

- a) Special Constable Designation for Transit Enforcement Officers at the TTC

It is recommended that the Board receive, approve and forward the attached business case to the Toronto Police Services Board (TPSB) to initiate a new Special Constable agreement between the two agencies.

Approved

- b) New Second Exit Planning and Consultation Process – Expert Panel

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

Received

- c) TTC Hiring Practices in Support of the City of Toronto’s “Working as One” Strategy

It is recommended that the Board endorse the TTC’s proposal that supports and incorporates the City of Toronto’s “Working as One” program into its hiring practice.

Approved

- d) 2014 Board Meeting Schedule

It is recommended that the Board approve the following 2014 meeting schedule dates, and that the published schedule serve as notice for these meetings:

Tuesday, January 28, 2014
Monday, February 24, 2014
Wednesday, March 26, 2014
Wednesday, April 30, 2014
Wednesday, May 28, 2014

Tuesday, June 24, 2014
Wednesday, July 23, 2014
Tuesday, August 19, 2014
Tuesday, December 9, 2014

Approved

- e) Appointments – TTC Audit Committee

The Board re-appointed J. Parker (Chair) and M. Adamson and A. Heisey as new Members of the TTC Audit Committee.

- f) PRESTO Consultation with ACAT

It is recommended that the Board receive this correspondence in response to the memorandum received from the ACAT Chair dated February 19, 2013 (attached).

Received

9. New Business

Nil

10. Correspondence

C1 – Angela Marley, ACAT Chair forwarding approved minutes of the June 27 and July 25, 2013 General Monthly meetings.

The Board received the communication for information.

C2 – ACAT letter to the Disability Issues Committee regarding improved access to transit stops for people with disabilities.

The Board recognized the concerns of ACAT as set out in this communication and referred the correspondence to the Disability Issues Committee for further consideration.

C3 – Joe Clark regarding emergency evacuation plans for passengers with disabilities.

The Board received the communication and referred the correspondence to staff and ACAT for information.

C4 – Stephen Wickens regarding the new second exit planning and consultation process.

The Board received the communication for information.
(See Item No. 8(b) for minute)

C5 – Joe Clark regarding the Ombudsman report on TTC's use of video surveillance on Wheel-Trans vehicles.

The Board received the communication and referred the correspondence to staff for information.

Supplementary Agenda

11. Presentation: Scarborough Subway Options

Sameh Ghaly, Chief Capital Officer, provided a PowerPoint presentation on this item.

The Board received the presentation for information.

Commissioner Augimeri moved that each of the three recommendations in the staff report be voted on separately.

The motion by Commissioner Augimeri carried.

Commissioner De Baeremaeker requested a recorded vote.

Recommendation No. 1

In favour: Chair Stintz, Vice-Chair Adamson, Commissioners Colle, De Baeremaeker, Cho and Di Donato

Opposed: Commissioners Augimeri, Heisey, Milczyn and Virmani

Commissioner Parker was not present for the vote on Recommendation No. 1

Recommendation No. 1 carried on a vote of 6 to 4.

Recommendation No. 2

The recommendation carried.

Commissioner Augimeri noted in opposition.

Recommendation No. 3

The recommendation carried.

Commissioner Augimeri noted in opposition.

Chair Stintz moved the following motion:

- i) That the TTC Board acknowledge, and convey its thanks, for the Province's substantial financial contribution to the construction of new transit in Toronto, including the Toronto-York-Spadina Subway Extension and the Eglinton-Crosstown LRT.
- ii) That the TTC Board re-affirm its support for the alignment of the Eglinton-Crosstown LRT, Sheppard East LRT and Finch West LRT, as agreed to in the Master Agreement signed by Metrolinx, City of Toronto, and the Toronto Transit Commission and as approved in the Transit Project Assessments.
- iii) That the TTC Board request that the Metrolinx Board of Directors, at its next Board meeting, separate from and in parallel with the consideration of the "Scarborough Subway Options" Report:
 - a) Publicly re-affirm its full financial and technical support of its Eglinton-Crosstown LRT, Sheppard East LRT and Finch West LRT, as per the Master Agreement and as approved in the Transit Project Assessments;
 - b) Publicly commit to the project known as the Relief Line (also known as the Downtown Relief Line) as Metrolinx's next heavy rail priority for the City of Toronto.

Commissioner Parker moved the following amendment to the Chair's motion:

That the words "and to replace the SRT with an LRT" be added to the end of Paragraphs 1 and 2, and in Paragraph 3(a) after the words "Finch West LRT".

The motion by Commissioner Parker lost.

Chair Stintz Motion

In favour: Chair Stintz, Vice-Chair Adamson, Commissioners Colle, Virmani, Augimeri, Milczyn, De Baeremaeker, Cho, Heisey and Di Donato

Opposed: Commissioner Parker

The Motion carried on a vote of 10 to 1.

Commissioner Heisey moved the following motion:

Whereas the TTC and Metrolinx Boards are responsible for transit planning in the City of Toronto;

Whereas the TTC is a party to the Master Agreement with Metrolinx and the City of Toronto; and

Whereas the TTC Board's current position for the replacement of the SRT is the LRT as proposed in the Master Agreement; and

Whereas the TTC Board on May, 24 2013 supported the decision by City Council on May 9, 2013 that a subway to Sheppard was the preferred technology for replacement of the SRT without debate or presentation by TTC Staff; and

Whereas the TTC Board has not reviewed the alignment and subway extension proposal adopted by Toronto City Council at its meeting on July 17, 2013 nor the proposed alignment and subway extension proposal made by the Government of Ontario on September 4, 2013; and

Whereas it appears the Metrolinx Board may not have had an opportunity to consider the July 17, 2013 Toronto City Council Scarborough Subway extension proposal or the Government of Ontario September 4, 2013 subway extension proposal either; and

Whereas the Government of Canada announced on September 23, 2013 the contribution of \$660 million to the construction of the Scarborough Subway extension; and

Whereas Toronto City Council, the Government of Ontario and the Government of Canada would benefit from the advice of the bodies responsible for transit planning in Toronto, the TTC and Metrolinx Boards, to inform any funding decisions to support either of the following options for the replacement of the Scarborough SRT:

1. LRT;
2. The TTC staff /Toronto City Council July 17, 2013 Bloor Danforth Subway Extension proposal;
3. The September 4, 2013 Province of Ontario Bloor Danforth Subway Extension proposal;
4. The necessity or advisability of a Downtown Relief line being a precondition to or a part of any of the foregoing alternatives.

And whereas the TTC Board has before it a report from TTC Staff analyzing the September 4, 2013 Government of Ontario Bloor Danforth Subway Extension proposal

- a) Be it resolved that the Chair of the TTC write to the Chair of the Board of Metrolinx, subsequent to the Oct. 8 City Council meeting, proposing a joint Board meeting be held by the Metrolinx and TTC Boards to consider the options and determine if a consensus is possible after receiving presentations from the TTC and Metrolinx staff.

The motion by Commissioner Heisey carried.

Chair Stintz moved adoption of the item, as amended.

The motion by Chair Stintz carried.

The meeting adjourned at 4:45 p.m.