



## Minutes

### Toronto Transit Commission Board

**Meeting No.:** 2062

**Meeting Date:** Thursday, February 10, 2022

A meeting of the TTC Board was held by video conference on Thursday, February 10, 2022 commencing at 10:06 a.m. The meeting recessed at 10:18 a.m. to meet as the Committee of the Whole. The Board re-convened the public session at 12:57 p.m. The Board recessed for lunch at 12:58 p.m. and re-convened the public session at 1:32 p.m.

#### Present at Committee of the Whole

J. Robinson (Chair), J. De Laurentiis (Vice-Chair), B. Bradford, S. Carroll, F. Jagdeo, C. Lai, J. McKelvie, D. Minnan-Wong, J. Osborne (Commissioners), R. Leary, M. Atlas, K. Campbell, G. Downie, S. Haskill, B. Hasserjian, J. La Vita, M. Madigan-Lee, F. Monaco, N. Poole-Moffatt, J. Ross, J. Taylor, K. Watson, R. Wong, K. Thorburn, A. Cassar, S. Di Nicolantonio, C. Finnerty, J. Ishak and S. Parmar were present.

Item 3: D. Shanmuganayagam (Staff), B. Berg, S. Handa, N. LaMarche and K. Pulfer (Blakes)

Item 4: P. Bartz, M. Rogers (TTC Staff), B. Berg, S. Handa, N. LaMarche and K. Pulfer (Blakes)

Item 5: B. Case, A. Cassar, M. Del Vecchio, D. Mitchell and R. Wojteczko (Staff)

Item 8: A. Cassar, A. Prybyla and M. Rogers (Staff)

Item 11: A. Cassar, A. Gibson and M. Picard-Cousins (Staff)

T. Khan (Mayor's Office), R. Van Fraassen (Chair Robinson's Office) and A. Agudelo (Live Media) were also present.

J. Robinson was in the Chair.

## **Present at Public Session**

J. Robinson (Chair), J. De Laurentiis (Vice-Chair), B. Bradford, S. Carroll, F. Jagdeo, C. Lai, J. McKelvie, D. Minnan-Wong, J. Osborne (Commissioners), R. Leary (Chief Executive Officer), M. Atlas (General Counsel), K. Campbell (Chief Diversity & Culture Officer), G. Downie (Chief Capital Officer), S. Haskill (Chief Strategy and Customer Officer - Acting), B. Hasserjian (Chief Safety Officer - Acting), J. La Vita (Chief Financial Officer), M. Madigan-Lee (Chief People Officer), F. Monaco (Chief of Infrastructure and Engineering), N. Poole-Moffatt (Chief of Corporate Affairs), J. Ross (Chief Operating Officer), J. Taylor (Chief of Staff), K. Watson (Deputy Chief Executive Officer), R. Wong (Chief Vehicles Officer), S. Ambrozy (Solicitor), B. Case (Executive Director – Innovation and Sustainability), A. Cassar (Director - Budgets, Costing and Financial Reporting), M. Cosgrove (Risk Manager), M. Del Vecchio (Capital City Projects Coordinator), J. Eftekhari (Senior Planner -Transit Service), M. Fraser (Manager - Outreach and Diversity), A. Gibson (Head - Strategy & Foresight), P. Kraft (Head of Property, Planning and Development), P. Lagace (Head - Procurement and Category Management), M. Mis (Head - Service Planning and Schedules), D. Mitchell (Solicitor), M. Picard-Cousins (Manager - Emerging Systems), A. Prybyla (Director - Talent Management), W. Reuter (Head - Research and Analytics), M. Rogers (Director - Employee Relations), R. Rosati (Senior Project Manager), D. Shanmuganayagam (Chief Information Officer), E. Thomas (Director - Revenue Ridership Analytics), K. Thorburn (Head - Corporate Initiatives), R. Wojteczko (Director - Procurement), C. Finnerty (Director - Commission Services), J. Ishak (Coordinator - Secretariat Services) and S. Parmar (Administrator - Secretariat Services) were present.

T. Khan (Mayor's Office), R. Van Fraassen (Chair Robinson's Office) and A. Agudelo (Live Media) were also present.

J. Robinson was in the Chair.

## **Land Acknowledgement**

Chair Robinson requested C. Finnerty to acknowledge that the TTC Board was meeting on the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. C. Finnerty also acknowledged that Toronto is covered by Treaty 13 signed with the Mississaugas of the Credit.

## **Declaration of Interest – Municipal Conflict of Interest Act**

Commissioner McKelvie declared a conflict of interest for Item 17. TTC Purchasing Card Program Contract – Procurement, as her husband works for BMO, for which the contract was issued. Commissioner McKelvie also submitted to the Director – Commission Services the required written declaration on this item.

## **Minutes of the Previous Meeting**

Commissioner Lai moved that the Board approve the Minutes of Meeting No. 2060 held on Wednesday, December 8, 2021 and the Minutes of Meeting No. 2061 held on Monday, December 20, 2021.

The motion by Commissioner Lai carried.

## **Business Arising Out of the Minutes**

Nil

## **Committee of the Whole**

Chair Robinson moved the following motion:

That the TTC Board recess as the Committee of the Whole to consider the following confidential items:

Advice or communications that are subject to solicitor-client privilege, including communications necessary for that purpose

3. Cybersecurity – October 28, 2021 Incident and Response Update

Litigation or potential litigation, including matters before administrative tribunals and advice or communications that are subject to solicitor-client privilege, including communications necessary for that purpose

4. Fitness for Duty Policy: Litigation Update

Information about a position, plan, procedure, criterion or instruction to be applied to negotiations carried on or to be carried on by or on behalf of the TTC

5. Principal Agreement with PowerON Energy Solutions LP (OPG) to Decarbonize TTC Operations, Fleet, and Facilities

Information about labour relations or employee negotiations

8. TTC Collective Bargaining and Non-Union Salary Updates

Information about a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization

11. Fare Collection Modernization

The motion by Chair Robinson carried.

## **Public Presentations**

Item No. 6: Easier Access Phase III - Project Status Update February 2022

- Adam Cohoon

Item No. 9. 2022 Annual Service Plan

- Adam Cohoon

Item No. 10. Advancing the 5-Year Fare Policy

- Adam Cohoon
- Nawar Tarafdar
- Rifaat Ali
- Alan Yule
- Dan Hendry
- Sujata Thapa
- Sarah Abdillahi
- Omar Gharbiyeh
- Cindy Dzib
- Rodney Chan
- Beth Wilson
- Maëlis Barre
- Ketheesakumaran Navaratnam

Item No. 11. Fare Collection Modernization

- Adam Cohoon

Item No. 12. Status Update – Cross-Boundary Service Integration

- Marvin Alfred

## **Presentations/Reports/Other Business**

1. Chief Executive Officer's Report – February 2022

R. Leary, Chief Executive Officer, delivered a verbal presentation on this item.

Commissioner Osborne moved receipt of the Chief Executive Officer's Report – February 2022 for information.

The motion by Commissioner Osborne carried.

Received

2. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for October 28 and November 25, 2021

ACAT Vice Chair Debbie Gillespie introduced this item.

Commissioner Lalonde moved receipt of the approved minutes from the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for October 28 and November 25, 2021.

The motion by Commissioner Lalonde carried.

Received

3. Cybersecurity – October 28, 2021 Incident and Response Update

Chair Robinson moved the recommendation as follows:

It is recommended that the TTC Board:

1. Receive the in-camera presentation, noting that it is to remain confidential in its entirety as it contains information that is subject to solicitor-client privilege.

The motion by Chair Robinson carried.

Approved

4. Fitness for Duty Policy: Litigation Update

Commissioner Jagdeo moved the recommendations as follows:

It is recommended that:

1. The TTC Board adopt the confidential recommendations set out in Confidential Attachment 1.
2. Authorize that the information provided in Confidential Attachment 1 remain confidential in its entirety, as it contains information subject to solicitor-client privilege.

The motion by Commissioner Jagdeo carried.

Approved

5. Principal Agreement with PowerON Energy Solutions LP (OPG) to Decarbonize TTC Operations, Fleet, and Facilities

Chair Robinson moved the recommendations as follows:

It is recommended that the TTC Board:

1. Approve the proposed negotiated terms with PowerON Energy Solutions LP (a subsidiary of Ontario Power Generation Inc.) for the co-investment, ownership, design, build, operation, and maintenance of electrification infrastructure as set out in the confidential attachment.
2. Delegate authority to the CEO to enter into the TTC-PowerON Principal Agreement with PowerON Energy Solutions LP (a subsidiary of Ontario Power Generation Inc.),
  - i) with an upset limit amount of \$69.8 million in Canadian funds, inclusive of all taxes, for implementation of fleet electrification infrastructure;
  - ii) subject to the receipt of further funding commitments by TTC towards remaining fleet electrification infrastructure, to amend the TTC-PowerON Principal Agreement upset limit up to \$591 million in Canadian funds, inclusive of all taxes; and
  - iii) subject to terms and conditions satisfactory to the TTC's General Counsel.
3. Request regular reporting back to the Board on the performance of PowerON Energy Solutions LP through staff's updates on the TTC's Green Bus Program.
4. Subject to the mutual agreement of TTC and PowerON Energy Solutions LP (a subsidiary of Ontario Power Generation Inc.), TTC to make public the executed TTC-PowerON Principal Agreement.

The motion by Chair Robinson carried.

Approved

6. Easier Access Phase III - Project Status Update February 2022

Chair Robinson moved the recommendations as follows:

It is recommended that the TTC Board:

1. Receive the current EAIII Program schedule noting the acceleration efforts presently underway, and that staff will continue to seek opportunities for schedule improvement.
2. Endorse the management recommendations outlined in the confidential attachment; and

3. Authorize the information contained in the confidential attachment to remain confidential as it contains commercial and technical information that is supplied in confidence; and if disclosed could reasonably be expected to prejudice significantly the commercial interests of the TTC in the ongoing management of current third party contracts.

The motion by Chair Robinson carried.

Approved

7. Toronto-York Spadina Subway Extension – Litigation Status Update

Commissioner Lalonde moved the recommendations as follows:

It is recommended that the TTC Board:

1. Approve a contract amendment to Contract A85-70 Project Control Services, increasing the upset limit amount by \$400,000.00 (including taxes), bringing the total upset limit amount to \$63.235 million (including taxes) and extending the contract expiry from March 31, 2022 to December 31, 2022.
2. Approve the recommendation outlined in the confidential attachment; and
3. Authorize the information contained in the confidential attachment to remain confidential as it contains advice that is subject to solicitor-client privilege and is about litigation or potential litigation, including matters before administrative tribunals.

The motion by Commissioner Lalonde carried.

Approved

8. TTC Collective Bargaining and Non-Union Salary Updates

Commissioner Carroll moved the following motion:

That recommendation 2 be replaced with the following:

2. Approve an economic adjustment of 2.17% for Non-Union staff levels 1 through 15 effective April 1, 2021 and 2% effective April 1, 2022, and that staff work with the Toronto City Manager's Office to determine a recommended course of action for levels 16 through 18 in parity to the City of Toronto's policy for Non-Union management staff.

The motion by Commissioner Carroll carried.

Chair Robinson moved the item, as amended, as follows:

It is recommended that the TTC Board:

1. Direct staff to report back on outcomes of ongoing interest arbitrations and upcoming bargaining.
2. Approve an economic adjustment of 2.17% for Non-Union staff levels 1 through 15 effective April 1, 2021 and 2% effective April 1, 2022, and that staff work with the Toronto City Manager's Office to determine a recommended course of action for levels 16 through 18 in parity to the City of Toronto's policy for Non-Union management staff.
3. Receive the confidential attachment and staff presentation for information, noting that the information is to remain confidential in its entirety as it relates to labour relations or employee negotiations.

Amended

Chair Robinson moved a motion to reconsider the item.

The motion by Chair Robinson carried.

Chair Robinson moved a motion to defer this item to the next regular TTC Board meeting.

The motion by Chair Robinson carried.

Deferred

9. 2022 Annual Service Plan

Chair Robinson moved the recommendations as follows:

It is recommended that the TTC Board:

1. Approve the 2022 ASP and the 20-point action plan that identifies 25 initiatives, including:
  - a) Optimizing capacity on all routes, at all times of day, to accommodate demand by continuing to apply COVID-19 modified capacity thresholds of 80% capacity (e.g. 40 customers per 12m bus) and incrementally increasing up to 100% capacity (e.g. 50 customers per 12m bus) potentially by year end, should ridership increase.
  - b) Routing changes on 27 bus routes to improve connections to Line 5, as described in Attachment 3, including:
    - i) The introduction of the 179 Castlefield.
    - ii) Routing changes resulting in service introduced on the following roadways:



- Castlefield Ave (from Kincort St to Salinas Ct and from Danesbury Ave to Marlee Ave), Kincort St from Castlefield Ave to Ingram Dr, Roselawn Ave (from Salinas Ct to Marlee Ave) and Danesbury Ave (from Roselawn Ave to Castlefield Ave) required to operate 179 Castlefield;
  - Photography Dr, Keelesdale Rd and Black Creek Dr (from Photography Dr to Weston Rd) required to connect to Line 5 at Mount Dennis Station; and,
  - Avenue Rd (from Chaplin Cres to Eglinton Ave) required to connect to Line 5 at Avenue Station.
- iii) Routing changes resulting in service removed on the following roadways:
- Oriole Pkwy (from Chaplin Cr to Eglinton Ave West) required to connect to Line 5 at Avenue Station.
  - Wicksteed Ave (from Laird Dr to Brentcliffe Rd) and Brentcliffe Rd (from Vanderhoof Ave to Wicksteed Ave) required to connect to Laird Station on Line 5.
- c) Routing changes on 5 bus routes to support customer travel patterns as described in Attachment 3, including:
- i) Routing changes required to operate route 150 Eastern Avenue resulting in service introduced on Eastern Ave from Front St to Adelaide St East/Richmond St East.
  - ii) Routing changes required to extend route 8 Broadview to Coxwell Station resulting in service removed on Plains Rd and Lankin Blvd.
2. Direct staff to forward the 2022 ASP to all City Councillors, the Deputy City Manager, Infrastructure and Development Services, General Manager of Transportation Services, Chief Planner, all members of the City Mobility Table, as well as the General Managers of Brampton Transit, Durham Region Transit, Metrolinx, Mississauga Transit (MiWay) and York Region Transit.

The motion by Chair Robinson carried.

Approved

## 10. Advancing the 5-Year Fare Policy

S. Haskill, Chief Strategy & Customer Officer (Acting) introduced the item. A. Gibson, Head of Strategy and Foresight delivered a verbal presentation on this item.

Chair Robinson moved the following motion:

2. Refer recommendation 2 back to staff for further due diligence and detailed financial analysis to inform the final fare policy recommendations that will be presented to the Board for approval.

The motion by Chair Robinson carried.

Chair Robinson moved the recommendations, as amended, as follows:

It is recommended that the TTC Board:

1. Continue to support the TTC's existing fare structure, which includes the flat fare, free two-hour transfer across all modes and the Fair Pass and age-based discounts as the hallmarks of the TTC's fare policy;
2. Refer recommendation 2 back to staff for further due diligence and detailed financial analysis to inform the final fare policy recommendations that will be presented to the Board for approval.  
  
"2. Endorse in principle the opportunities related to fare capping and aligning concessions across Fair Pass, Seniors and Youth as detailed in the Comments section of this report to inform the final fare policy recommendations that will be presented to the Board for approval in May 2022; and"
3. Direct staff to forward a copy of this report to the Ministry of Transportation to restart discussions on reintroducing the Discount Double Fare (DDF), the TTC-GO Transit co-fare to offset Line 3 closures.

The motion by Chair Robinson carried.

Amended

1,174 signatures forming a petition were received from TTC Riders.

Correspondence submitted by: Shelagh Pizey-Allen, Dan Hendry, Omar Gharbiyeh, Rodney Chan, Taranjeet Singh, Alan Yule, Beth Wilson and David Danyluk

## 11. Fare Collection Modernization

A. Gibson, Head of Strategy and Foresight delivered a verbal presentation on this item.

Chair Robinson moved the following motion:

That the information contained in the confidential attachment remain confidential in its entirety as it contains information about a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization.

The motion by Chair Robinson carried.

Chair Robinson moved the recommendations, as follows:

It is recommended that the TTC Board:

1. Endorse in principle the technology and operations fare collection options, including Open Payments and account-based architecture detailed in the Comments section of this report to develop and inform the implementation plan that will be presented to the Board for approval in May 2022; and
2. Authorize a sole source contract with Scheidt & Bachmann GmbH for the purchase and installation of the required hardware to enable Open Payments on the fare gates to an upset limit of \$4.3 million, inclusive of applicable taxes.

The motion by Chair Robinson carried.

Amended

Correspondence submitted by: Marvin Alfred

## 12. Status Update – Cross-Boundary Service Integration

M. Mis, Head of Service Planning and Schedules delivered a verbal presentation on this item.

Commissioner Carroll moved the following motion:

Direct the CEO to report back to the TTC Board before entering Phase 2 of the Cross-Boundary Pilot on the details of interagency revenue sharing, a plan for the reinvestment of savings, and a plan for ensuring consistent customer service and support.

The motion by Commissioner Carroll carried.

Chair Robinson moved the recommendations, as follows:

It is recommended that the TTC Board:

1. Approve the Cross-Boundary Service Integration Plan in principle, including a phased implementation starting with a pilot on the Burnhamthorpe and Dufferin North corridors to evaluate customer experience before proceeding to full rollout.
2. Forward the Cross-Boundary Service Integration Plan to the City Manager, City of Toronto, and Deputy Minister, Ministry of Transportation in order to:
  - a) Inform them of the possible benefits of the Plan; and
  - b) Advise of the current legislative barriers within the City of Toronto Act, that prevent the TTC from entering into agreements to coordinate operations within the City of Toronto with other public passenger transportation services.
3. Request the Province to fund incremental capital and operating costs incurred by 905 transit agencies to implement service integration and PRESTO costs to develop a fare collection solution.

The motion by Chair Robinson carried.

Amended

## 13. Transit Network Expansion Update

- a. Supplementary Item: City Council Transmittal – EX28.14 Ontario Line Downtown Stations – Temporary Road Closures and Community Impacts

Commissioner Carroll moved the following motion:

That the TTC request Metrolinx clarify the anticipated scope and provide a high level timeline for the extension of Line 4, and that the TTC advise the Board of the response.

The motion by Commissioner Carroll carried.

Commissioner Carroll moved the recommendations, as amended, as follows:

It is recommended that the TTC Board:

1. Receive this general update on transit expansion projects.
2. Authorize the Chief Executive Officer to enter into an agreement to receive funding from Metrolinx for the “Infrastructure Works Required for Queen Street Road Closures to Enable Metrolinx Delivery of the Ontario Line Project”.
3. Subject to Recommendation 2, approve an increase to the TTC’s 2022 – 2031 Capital Budget and Plan to reflect the updated cost required to undertake the Queen Streetcar Infrastructure work for the Ontario Line Project from \$15 million to \$19.3 million and an increase in the number of temporary capital positions from 4 to 16 positions to perform the capital work, with the total cost to be fully recovered from Metrolinx.
4. Subject to Recommendation 2, staff submit the capital budget adjustment in the City’s first 2022 capital variance report for City Council approval.
5. Authorize the Chief Executive Officer to enter into the Subway Program Real Estate Protocol Agreement with Metrolinx and the City of Toronto for the Provincial Priority Subway Program based upon the key principles summarized in Appendix B of this report, to the satisfaction of the TTC’s General Counsel.

The motion by Commissioner Carroll carried.

Amended

14. Subway Closures - 2021 Review and 2022 Forecast

Chair Robinson moved the recommendations as follows:

It is recommended that the TTC Board:

1. Endorse the 2022 Subway Closure Forecast and direct staff to report on changes through the Chief Executive Officer’s Report; and
2. Direct staff to forward this report to the General Manager, Transportation Services, City of Toronto for their information.

The motion by Chair Robinson carried.

Approved

15. 2022 Talent Management Outreach Plan

Commissioner Lalonde moved the staff recommendations as follows:

It is recommended that the TTC Board:

1. Receive the 2022 Outreach Plan for information.

The motion by Commissioner Lalonde carried.

Approved

16. Procurement Authorization - Supply of Special Trackwork for Up to a Five-Year Term

Commissioner Jagdeo moved the staff recommendation as follows:

It is recommended that the TTC Board:

1. Authorize the award of contract to Voestalpine Railway Systems Nortrak Ltd., in the amount of \$20,000,000 USD, including applicable taxes (which is equivalent to \$25,106,000 CDN), for the supply of subway special trackwork, for a term of five years, commencing upon notification of award, with options to extend the contract term for up to an additional two years at the TTC's sole discretion, subject to satisfactory performance and price negotiations.

The motion by Commissioner Jagdeo carried.

Approved

17. TTC Purchasing Card Program Contract – Procurement Amendment Authorization

Commissioner McKelvie was moved out of the video conference meeting space to acknowledge her declaration of interest on the Item (see Declaration of Interest for detail).

Chair Robinson moved the recommendations, as follows:

It is recommended that the TTC Board:

1. Authorize a contract amendment to the Bank of Montreal for Contract PU-370753 - Purchasing Card Program, to increase the upset limit amount by \$7.368 million (including taxes) that will bring the total upset limit amount to \$23.368 million to the end of the contract term on March 31, 2023.

C. Finnerty conducted a recorded vote on the motion by Chair Robinson.

In favour: Chair Robinson, Vice-Chair De Laurentiis, Commissioners Bradford, Carroll, Jagdeo, Lai, Lalonde, Minnan-Wong, Osborne.

The motion by Chair Robinson carried on a unanimous vote.

Approved

18. City Council Transmittal – EX28.18 Accessibility Impacts on the Closure of Essential Bus Stops in Our Communities

Commissioner Carroll moved the recommendation as follows:

It is recommended that the TTC Board:

1. Request that the Chief Executive Officer arrange a presentation to the Toronto Accessibility Advisory Committee in the first quarter of 2022 on the removal of the two Market Street bus stops on the 121 route, including an explanation of how an equity and accessibility analysis was used to consider the potential impacts of cancelling or moving bus stop locations in general and these stops in particular.

The motion by Commissioner Carroll carried.

Approved

19. City Council Transmittal – IE26.16 TransformTO – Critical Steps for Net Zero by 2040

Commissioner Carroll moved the recommendation as follows:

1. Request that staff identify opportunities to accelerate the Green Bus Program and report back in the second quarter of 2022 on these opportunities.

The motion by Commissioner Carroll carried.

Approved

20. Notice of Motion – West Rouge Automated Shuttle Trial – by Commissioner Jennifer McKelvie, seconded by Chair Robinson

Commissioner McKelvie moved the recommendations as follows:

It is recommended that the TTC Board:

1. That TTC staff, in collaboration with City of Toronto transportation staff, provide a presentation at the May 2022 Board meeting on the lessons learned from the West Rouge Autonomous Vehicle trial;
2. That TTC staff report back to the Board by July 2022 on the feasibility of micro-transit to increase ridership and decrease greenhouse gas emissions; and
3. That the TTC's new Innovation and Sustainability Program develop an Autonomous Vehicle (AV) Strategy aimed at further evaluating and deploying AV technology.

The motion by Commissioner McKelvie carried.

Approved

The meeting adjourned at 5:01 p.m.