



## Minutes

### Toronto Transit Commission Board

**Meeting No.:** 2070

**Meeting Date:** Tuesday, February 28, 2023

A hybrid meeting of the TTC Board was held in Committee Room 2, Toronto City Hall, 100 Queen Street West, Toronto, Ontario on Tuesday, February 28, 2023 commencing at 10:13 a.m. The meeting recessed at 1:41 p.m. and reconvened at 2:28 p.m. The meeting recessed at 4:40 p.m. to meet as the Committee of the Whole. The Board reconvened the public session at 5:08 p.m.

#### **Present at Committee of the Whole**

Commissioners:

J. De Laurentiis (Vice-Chair), P. Ainslie, S. Holyday, F. Jagdeo, R. Lalonde, N. Mantas, C. Moise and J. Osborne

Staff:

R. Leary (Chief Executive Officer), M. Atlas (General Counsel), K. Campbell (Chief Diversity and Culture Officer), G. Downie (Chief Capital Officer), B. Hasserjian (Chief Safety Officer), J. La Vita (Chief Financial Officer), F. Monaco (Chief Operations and Infrastructure Officer), N. Poole-Moffatt (Chief of Corporate Affairs), R. Wong (Chief Transportation and Vehicles Officer), A. Gibson (Head - Strategy and Foresight), M. Picard Cousins (Manager - Emerging Systems), C. Finnerty (Director - Commission Services) and J. Ishak (Administrator - Secretariat Services) were present.

J. Monk (Chair's Office) and T. Khan (Mayor's Office) were also present.

Vice-Chair De Laurentiis was in the Chair.

#### **Present at Public Session**

Commissioners:

J. Burnside (Chair), J. De Laurentiis, P. Ainslie, S. Holyday, F. Jagdeo, R. Lalonde, N. Mantas, C. Moise and J. Osborne

Staff:

R. Leary (Chief Executive Officer), M. Atlas (General Counsel), K. Campbell (Chief Diversity and Culture Officer), G. Downie (Chief Capital Officer), A. Gibson (Chief Strategy and Customer Officer (Acting)), B. Hasserjian (Chief Safety Officer), J. La Vita (Chief Financial

Officer), F. Monaco (Chief Operations and Infrastructure Officer), N. Poole-Moffatt (Chief of Corporate Affairs), R. Wong (Chief Transportation and Vehicles Officer), B. Case (Executive Director - Innovation and Sustainability), A. Cassar (Director - Budgets, Costing and Financial Reporting), E. Chu (Head - Project Development and Planning), S. Green (Senior Communications Specialist - Media & Issues Management), V. Guzzo (Director - Property), M. Hagshenas (Project Manager), M. Hopkins (Executive Director - Human Resources (Acting)), M. Kavanaugh (Manager - Development), P. Kraft (Head of Property, Planning and Development), D. Lovelace (Property and Agreements Coordinator), L. Lui (Manager - Service Planning), M. Mis (Head - Service Planning and Scheduling), M. Picard Cousins (Manager - Emerging Systems), W. Reuter (Head - Research and Analytics), J. Richardson (Head of Stations), L. Romano (Manager, Community and Stakeholder Relations), A. Sahota (Senior Community Liaison Officer), K. Thorburn (Executive Director, Corporate Initiatives), T. Timbrell (Head - Special Constable Service (Acting)), A. Van Dijk (Development Coordinator), R. Wojteczko (Director - Procurement), C. Finnerty (Director - Commission Services) and J. Ishak (Administrator - Secretariat Services) were present.

J. Monk (Chair's Office) and T. Khan (Mayor's Office) were also present.

P. Moreira (Toronto Police), D. Campbell, G. Tanner (City of Toronto) were present for Item 3.

A. Huggins (Koskie Minsky LLP) and A. Owusu-Bempah were present for Item 5.

P. Palmieri (City of Toronto) was present for Item 9.

J. Burnside was in the Chair from 10:13 a.m. to 12:51 p.m. J. De Laurentiis assumed the Chair at 12:51 p.m.

### **Land Acknowledgement**

Chair Burnside 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**

Nil

### **Minutes of the Previous Meeting**

Commissioner Moise moved that the TTC Board approve the Minutes of Meeting No. 2069 held on Thursday, January 19, 2023.

The motion by Commissioner Moise carried.

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

Nil

## **Committee of the Whole**

Vice Chair De Laurentiis moved the following motion:

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

Information that is subject to solicitor-client privilege, litigation or potential litigation, including matters before administrative tribunals and information about a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on, or to be carried on, by or on behalf of the TTC

### **4. Fare Modernization Update**

## **Order Paper**

Vice Chair De Laurentiis moved the following motion:

That the Order Paper be altered to consider Item 5 – Resumption of Ticketing as the third item of business following Item 2 - Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for November 24, 2022.

The motion by Vice-Chair De Laurentiis carried.

## **Public Presentations**

### **Item No. 3. Community Safety Issues and Response**

Edward Henry

Adam Cohoon

Ellen Peters

Colby Badhwar

Audrey Dwyer, Jane Finch Action Against Poverty

Monica Mason

The Board received the deputations for information  
(See Item No. 3 for minute)

### **Item No. 4. Fare Modernization Update**

Shelagh Pizey-Allen

Adam Cohoon

The Board received the deputations for information  
(See Item No. 4 for minute)

### **Item No. 5. Resumption of Ticketing**

Adam Cohoon

Colby Badhwar

The Board received the deputations for information  
(See Item No. 5 for minute)

Item No. 6. 2023 Service Adjustments – Phase 1  
Adam Cohoon  
Councillor Jamaal Myers  
Alan Yule  
Brendan Agnew-Iler and JJ Fueser  
Marvin Alfred

The Board received the deputations for information  
(See Item No. 6 for minute)

Item No. 9. TTC Customer Car Parking Lot Lease Renewal  
Alan Yule

The Board received the deputation for information  
(See Item No. 9 for minute)

Item No. 11. Declaration of Surplus Property - Main Street Station  
Alan Yule

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

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

#### 1. Chief Executive Officer's Report – February 2023

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

Commissioner Osborne moved receipt of the Chief Executive Officer's Report – February 2023 for information.

The motion by Commissioner Osborne carried.

Received

#### 2. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for November 24, 2022

Anita Dressler, ACAT Chair, delivered a verbal presentation on this item.

Commissioner Holyday moved receipt of the Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for November 24, 2022 for information

The motion by Commissioner Holyday carried.

Received

### 3. Community Safety Issues and Response

B. Hasserjian, Chief Safety Officer and W. Reuter, Head of Research and Analytics, delivered a presentation on this item.

Commissioner Moise moved the following motion:

Request that the Chief Executive Officer provide members of the Board with detailed updates on expenditures when they are made through the delegated expenditure authority, as defined in Recommendation 2, as well as providing a report on the expenditures at the next TTC Board Meeting.

The motion by Commissioner Moise carried.

Vice-Chair De Laurentiis moved to adopt the item, as amended, as follows:

It is recommended that the TTC Board:

1. Delegate authority to the Chief Executive Officer to respond to an emergency, defined as any situation of extreme urgency brought about by unforeseeable events that makes the procurement of goods and services necessary to address an immediate risk to health, safety, security, cybersecurity, property, the environment or other public interests of the TTC and/or City.
2. Increase the Chief Executive Officer's delegated expenditure authority to a cumulative \$15.0 million for the sole purpose of awarding or amending contracts for the procurement of goods or services to implement measures deemed necessary to respond to an emergency, as defined in Recommendation 1, and in this instance, for measures to address the health, safety and security of TTC employees, customers and the public on TTC's transit network.
3. Approve an amendment to the TTC's Authorization for Expenditures and Other Commitments Policy to reflect Recommendations 1 and 2 above.
4. Authority to utilize the TTC Stabilization Reserve, as the funding source for any unbudgeted expenditures.
5. Request that City Council authorize the withdrawal of up to \$15 million from the TTC Stabilization Reserve.

Amended

*Correspondence Submitted by: Adam Cohoon, Colby Badhwar, Redwan Mumish, Sheila Atkinson, Fay Danney, Miguel Avila-Velarde, Robina Brah, Shelagh Pizey-Allen and Councillor Alejandra Bravo*

#### 4. Fare Modernization Update

Commissioner Jagdeo moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Receive this report for information; and
2. Receive the Confidential Attachment and authorize that the information contained in the Confidential Attachment remain confidential as it is subject to solicitor-client privilege.

The motion by Commissioner Jagdeo carried.

Approved

*Correspondence Submitted by: Shelagh Pizey-Allen*

#### 5. Resumption of Ticketing

Commissioner Holyday moved the following motion:

That the TTC Board request the CEO to accurately measure and report the fare evasion rate against the achievement of targets within each CEO's Report.

The motion by Commissioner Holyday carried.

Vice-Chair J. De Laurentiis moved to adopt the item as amended, as follows:

It is recommended that the TTC Board:

1. Receive for this report for information.

Commissioner Ainslie requested a recorded vote.

In favour: J. Burnside, J. De Laurentiis, S. Holyday, F. Jagdeo, R. Lalonde and J. Osborne

Opposed: P. Ainslie and C. Moise

Absent: N. Mantas

The motion to adopt the item, as amended, carried on a vote of 6 to 2.

Amended

*Correspondence Submitted by: Colby Badhwar, Miguel Avila-Velarde and Councillor Alejandra Bravo*

6. 2023 Service Adjustments – Phase 1

Laurence Lui, Manager - Service Planning, delivered a presentation on this item.

Commissioner J. De Laurentiis moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Direct staff to forward a copy of this report to the City Manager, City of Toronto, Toronto City Council, GO Transit, MiWay, Brampton Transit, York Region Transit and Durham Region Transit for information.

Commissioner Ainslie requested a recorded vote.

In favour: J. De Laurentiis, S. Holyday, F. Jagdeo, R. Lalonde and J. Osborne

Opposed: P. Ainslie, N. Mantas and C. Moise

Absent: J. Burnside

The motion to adopt carried on a vote of 5 to 3.

Approved

*Correspondence Submitted by: Councillor Alejandra Bravo*

7. Transit Network Expansion Update

Commissioner Ainslie moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Receive this report as a general update on transit expansion projects.

The motion by Commissioner Ainslie carried.

Approved

8. Gateway Market Canada Inc. and Tobmar Investments International Inc.

Commissioner Jagdeo moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Approve acceptance of the proposal under the Notice of Intention to Make a Proposal of Gateway Market Canada Inc. in respect of the outstanding rent payments owed to the TTC on conditions satisfactory to the TTC General Counsel and the City of Toronto.
2. Approve acceptance of the proposal under the Notice of Intention to Make a Proposal of Tobmar Investments International Inc. in respect of the outstanding rent

payments owed to the TTC on conditions satisfactory to the TTC General Counsel and the City of Toronto.

3. Authorize staff to request City of Toronto Corporate Real Estate Management, on behalf of TTC, to negotiate new lease agreements with Gateway Market Canada Inc. in respect of the cafés satisfactory to the TTC General Counsel, and report back to the TTC Board at its meeting in May.
4. Authorize staff to request City of Toronto Corporate Real Estate Management, on behalf of TTC and on conditions satisfactory to TTC, to negotiate new lease agreements with Tobmar Investments International Inc. in respect of the lotto booths and newsstands satisfactory to the TTC General Counsel, and report back to the TTC Board at its meeting in May.

The motion by Commissioner Jagdeo carried.

Approved

#### 9. TTC Customer Car Parking Lot Lease Renewal

Commissioner Holyday moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Authorize TTC staff to approve the renewal of Hydro One Networks Inc. and Ontario Infrastructure and Lands Corporation license agreements to be executed by the City of Toronto on the TTC's behalf.
2. Direct TTC staff to develop a strategy for customer car parking and report back to the Board on outcomes and recommendations in 2023.

Commissioner Ainslie requested a recorded vote.

In favour: J. De Laurentiis, S. Holyday, F. Jagdeo, R. Lalonde, N. Mantas and J. Osborne

Opposed: P. Ainslie

Absent: J. Burnside, C. Moise

The motion to adopt carried on a vote of 6 to 1

Approved



10. Dundas West Second Exit/Entrance and Metrolinx Bloor GO/UP Express Interconnection

Commissioner Moise moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Authorize the CEO or delegate to execute a Memorandum of Understanding with Metrolinx for the design and construction of a second exit at Dundas West Subway Station based on the terms and conditions as set out in Confidential Attachment 1 – Appendix A.
2. Approve the confidential recommendation attached in Confidential Attachment 1; and authorize its public release upon completion of the construction.

The motion by Commissioner Moise carried.

Approved

11. Declaration of Surplus Property - Main Street Station

Vice-Chair De Laurentiis moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Declare the strip of land along the southern property limit of Main Street Station currently used as a sidewalk and measuring approximately 220 square meters in area, as surplus to the operational needs of the TTC.
2. Authorize the release of the property to the City of Toronto on terms and conditions satisfactory to the TTC's General Counsel.

The motion by Vice-Chair De Laurentiis carried.

Approved

*Correspondence Submitted by: Alan Yule*

12. Procurement Authorization – Supply of 88 Cargo Vans for Non-Revenue Fleet

Commissioner Ainslie moved the following motion and requested a recorded vote:

That the item be referred to staff for additional information on opportunities to work with the City of Toronto to leverage buying power, with a report back at the April 13, 2023 TTC Board meeting.

In favour: P. Ainslie, C. Moise,

Opposed: J. De Laurentiis, S. Holyday, F. Jagdeo, R. Lalonde, N. Mantas and J. Osborne

Absent: J. Burnside

The motion to refer failed on a vote of 6 to 2.

Commissioner Holyday moved the following motion:

Request TTC staff to report to the TTC Board on potential opportunities or policy changes which could maximize procurement opportunities with the City of Toronto or Province of Ontario.

The motion by Commissioner Holyday carried.

Commissioner Osborne moved to adopt the item, as amended, as follows:

It is recommended that the TTC Board:

1. Authorize the contract award to 2281610 ONT INC O/A Ford Downtown/Lincoln Downtown (Downtown Automotive Group) in the total upset limit amount of \$7,740,900 (inclusive of HST) for the supply of up to 88 cargo vans on the basis of lowest total evaluated bid price, for a contract term of two years, commencing upon notification of award.

The motion by Commissioner Osborne carried.

Amended

### 13. Appointment to TTC Pension Plan Board of Directors

Commissioner Ainslie moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Appoint Steve Anderson, Solicitor, as a Director on the TTC Pension Plan Board of Directors.
2. Appoint Alex Cassar, Director – Budgets, Costing and Financial Reporting as an Observer on the TTC Pension Plan Board of Directors.

The motion by Commissioner Ainslie carried.

Approved

The meeting adjourned at 5:09 p.m.