



Minutes

Toronto Transit Commission Board

Meeting No.: 2088

Meeting Date: Wednesday, July 17, 2024

A meeting of the TTC Board was held in Council Chambers, City Hall, 100 Queen Street West, and by video conference on Wednesday, July 17, 2024 commencing at 10:15 a.m. The meeting recessed at 10:30 a.m. to meet as the Committee of the Whole. The Board reconvened in public session at 1:29 p.m. The meeting recessed at 1:34 p.m. and reconvened at 2:10 p.m.

Present at Committee of the Whole

Commissioners:

J. Myers (Chair), J. De Laurentiis (Vice-Chair), P. Ainslie, F. Jagdeo, S. Holyday, L. Kim, J. Matlow, C. Moise, J. Osborne, and D. Saxe.

C. Alexander (Mayor's Office) and D Jain (Chair's Office) were also present.

Staff for Item 5:

M. Atlas, K. Campbell, J. Colle, G. Downie, B. Hasserjian, J. La Vita, B. Macgregor, F. Monaco, S. Naraine, N. Poole-Moffatt, W. Reuter, A. Gibson, J. Taylor, M. Hopkins, M. Hagg, N. Kandiah, M. Youngs, C. Finnerty, L. Soto Maya and J. Ishak.

Staff for Item 17:

M. Atlas, K. Campbell, J. Colle, G. Downie, B. Hasserjian, J. La Vita, B. Macgregor, F. Monaco, S. Naraine, N. Poole-Moffatt, W. Reuter, J. Taylor, M. Hopkins, M. Youngs, C. Finnerty, L. Soto Maya and J. Ishak.

Staff for Item 19

M. Atlas, and C. Finnerty.

J. De Laurentiis was in the Chair from 10:30 a.m. to 12:50 p.m.

J. Myers was in the Chair from 12:50 p.m. to 1:29 p.m.

Present at Public Session

Commissioners: J. Myers (Chair), J. De Laurentiis (Vice-Chair), P. Ainslie, F. Jagdeo, S. Holyday, L. Kim, J. Matlow, C. Moise, J. Osborne, and D. Saxe

Staff: R. Leary (Chief Executive Officer), M. Atlas (General Counsel), K. Campbell (Chief Diversity and Culture Officer), J. Colle (Chief Strategy and Customer Officer), G. Downie (Chief Capital Officer), B. Hasserjian (Chief Safety Officer), J. La Vita (Chief Financial Officer), B. Macgregor (Deputy CEO), F. Monaco (Chief Operations and Infrastructure Officer), S. Naraine (Chief People Officer), N. Poole-Moffatt (Chief of Corporate Affairs), D. Shanmuganayagam (Chief Information Officer), J. Taylor (Special Advisor, CEO's Office), R. Wong (Chief Transportation and Vehicles Officer), B. Case (Executive Director - Innovation and Sustainability), E. Chu (Head, Project Development and Planning), N. Ehlers (Head, Special Constable Service), A. Gibson (Executive Director - Fare Technology & System Stewardship), M. Hopkins (Executive Director - Human Resources), T. Markandaier (Head, Procurement and Category Management), D. Metcalfe (Head, Business Management & Performance), J. Montagnese (Executive Director, Finance), L. Lui (Head, Service Planning & Scheduling), W. Reuter (Head – Research & Analytics), K. Thorburn (Executive Director - Corporate Initiatives), S. Green (Senior Communications Specialist), M. Hagg (Manager, Customer Policy and Planning), N. Kandiah (Manager, Fare Policy and Planning), K. Marrin (Manager, Government Relations and Policy), C. Finnerty (Director - Commission Services), L. Soto Maya (Coordinator - Secretariat Services) and J. Ishak (Administrator - Secretariat Services) were present.

C. Alexander (Mayor's Office), D. Jain (Chair's Office), R. Caracciolo (Toronto Police Service), E. Tanny (ACAT Vice-Chair), D. A. Campbell (City of Toronto - Executive Director, Social Development, Finance and Administration), G. Tanner (City of Toronto - General Manager, Toronto Shelter and Support Services), and D. Toigo (City of Toronto – Executive Director, Transit Expansion) were also present.

J. De Laurentiis was in the Chair from 10:15 a.m. to 12:50 p.m.

J. Myers was in the Chair from 12:50 p.m. to 5:47 p.m.

Land Acknowledgement

Vice-Chair De Laurentiis acknowledged 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. Vice-Chair De Laurentiis also acknowledged that Toronto is covered by Treaty 13 with the Mississaugas of the Credit.

Declaration of Interest – Municipal Conflict of Interest Act

Nil

Minutes of the Previous Meeting

Commissioner Jagdeo moved that the TTC Board approve the Minutes of Meeting No. 2087 held on Thursday, June 20, 2024.

The motion by Commissioner Jagdeo carried.

Committee of the Whole

Vice-Chair De Laurentiis moved the following motion:

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

5. Fare Modernization Annual Update (**Confidential Attachment - this report contains 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 City or local board**)

17. Collective Bargaining Update (**Confidential Attachment – this report contains information about labour relations or employee negotiations**)

The motion by Vice-Chair De Laurentiis carried.

Public Presentations

Item No. 4. Update on TTC's Partnership Approach to Community Safety, Security and Well-being on Public Transit
Colby Badhwar

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

Item No. 5. Fare Modernization Annual Update
Alan Yule

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

Item No. 6. Fare Compliance Action Plan
Alan Yule
Colby Badhwar
Shelagh Pizey-Allen
Chloe Tangpongprush

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

Order of Business

Vice-Chair De Laurentiis moved a motion to alter the Order of Business to consider in-camera (confidential) matters as the first order of business.

The motion by Vice-Chair De Laurentiis carried.

Presentations/Reports/Other Business

1. Chief Executives Officer's Report – July 2024

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

B. Case, Executive Director, Innovation and Sustainability, delivered a verbal presentation on New Subway Train Procurement.

Commissioner Saxe moved a motion to receive the Chief Executive Officer's Report – July 2024.

The motion by Commissioner Saxe carried.

Received

2. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meetings for April 25 and May 30, 2024

E. Tanny, ACAT Vice-Chair, delivered a verbal presentation on this item.

Commissioner Matlow moved receipt of the Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meetings for April 25 and May 30, 2024.

The motion by Commissioner Matlow carried.

Received

3. Prioritizing TTC Asset State of Good Repair to Keep the System Moving Reliably – 2025 Capital Budget Outlook

R. Leary, Chief Executive Officer, provided a verbal presentation on the item.

Commissioner Holyday moved the following motion:

The TTC Board request the CEO to report to the Board by Q1 2025 on:

- a. An update on identified current and long-term plans to harden infrastructure from risks associated with heavy rain events.
- b. Details and lessons learned from the July 16, 2024 storm and other heavy rain and flooding events, including identification of the highest risk locations.

- c. An update on the TTC's emergency plans for heavy rain and flooding events, including decision-making, actions, communications, and temporary redeployment of resources.
- d. Information for consideration on the latest climatic data and trends to help inform planning.
- e. Integration with City of Toronto plans and processes, the City of Toronto Office of Emergency Management, Toronto Water, and other transit agencies that connect with the TTC.

The motion by Commissioner Holyday carried.

Chair Myers moved to adopt the recommendations as amended, as follows:

It is recommended that the TTC Board:

1. Endorse the state-of good-repair unfunded capital requirements as outlined in Attachment 1, as the first priority for investment utilizing new funding made available to the TTC by any order of government.
2. Forward this report to members of City Council, Government of Canada, and Province of Ontario to provide insight into the immediate critical capital priorities for the TTC.
3. Request the CEO to report to the Board by Q1 2025 on:
 - a. An update on identified current and long-term plans to harden infrastructure from risks associated with heavy rain events.
 - b. Details and lessons learned from the July 16, 2024 storm and other heavy rain and flooding events, including identification of the highest risk locations.
 - c. An update on the TTC's emergency plans for heavy rain and flooding events, including decision-making, actions, communications, and temporary redeployment of resources.
 - d. Information for consideration on the latest climatic data and trends to help inform planning.
 - e. Integration with City of Toronto plans and processes, the City of Toronto Office of Emergency Management, Toronto Water, and other transit agencies that connect with the TTC.

The motion by Chair Myers carried.

Amended

4. Update on TTC's Partnership Approach to Community Safety, Security and Well-being on Public Transit Commissioner Name moved to adopt the report recommendations, as follows:

Commissioner Ainslie moved the following motion:

That recommendation 2 be amended to include 'by October 2024', so that the recommendation reads:

Request TTC staff in consultation with the City's Toronto Shelter and Support Services to report back by October 2024 on options to reduce dependence on the TTC transit network for shelter during the 2024/2025 winter season.

The motion by Commissioner Ainslie carried

Chair Myers moved the following motion:

Direct TTC staff to:

- a. Establish, in consultation with City of Toronto staff, by the end of Q4 2024 a permanent System Safety and Wellbeing Advisory Committee, which includes residents with current or recent lived experience using public transit, advocates, representatives from the TTC's labour unions, and experts to advise on the development, implementation, evaluation, and on-going performance monitoring of the 5-year Community Safety, Security and Wellbeing Plan.
- b. Develop, as part of the TTC's 5-year Community Safety and Security Plan, as per City Council Transmittal – EX3.13 Community Safety Issues and Response, dated June 12, 2023, a comprehensive 5-year Wellbeing Strategy, which thereafter shall be referred as the 5-year Community Safety, Security and Wellbeing Plan that includes actions, targets and measureable impacts and an integrated model of customer safety and wellbeing functions performed by Fare Inspectors, Special Constables, Community Safety Ambassadors and Customer Service Agents.
- c. Develop and implement a campaign by the end of Q3 2024 that educates Torontonians about the improvements to safety on the TTC.
- d. Forward a copy of the report "Update on TTC's Partnership Approach to Community Safety, Security and Well-being on Public Transit" to City Council to highlight the safety improvements on the TTC.

The motion by Chair Myers carried.

Chair Myers moved to adopt the recommendations as amended, as follows:

It is recommended that the TTC Board:

1. Reaffirm its support for the TTC's multidisciplinary approach to manage ongoing community safety, security, and well-being issues on the system, as outlined in this report; and
2. Request TTC staff in consultation with the City's Toronto Shelter and Support Services to report back by October 2024 on options to reduce dependence on the TTC transit network for shelter during the 2024/2025 winter season.
3. Direct TTC staff to:
 - a. Establish, in consultation with City of Toronto staff, by the end of Q4 2024 a permanent System Safety and Wellbeing Advisory Committee, which includes residents with current or recent lived experience using public transit, advocates, representatives from the TTC's labour unions, and experts to advise on the development, implementation, evaluation, and on-going performance monitoring of the 5-year Community Safety, Security and Wellbeing Plan.
 - b. Develop, as part of the TTC's 5-year Community Safety and Security Plan, as per City Council Transmittal – EX3.13 Community Safety Issues and Response, dated June 12, 2023, a comprehensive 5-year Wellbeing Strategy, which thereafter shall be referred as the 5-year Community Safety, Security and Wellbeing Plan that includes actions, targets and measureable impacts and an integrated model of customer safety and wellbeing functions performed by Fare Inspectors, Special Constables, Community Safety Ambassadors and Customer Service Agents.
 - c. Develop and implement a campaign by the end of Q3 2024 that educates Torontonians about the improvements to safety on the TTC.
 - d. Forward a copy of the report "Update on TTC's Partnership Approach to Community Safety, Security and Well-being on Public Transit" to City Council to highlight the safety improvements on the TTC.

The motion by Chair Myers carried.

Amended

5. Fare Modernization Annual Update

Vice-Chair De Laurentiis moved to adopt the report recommendations, 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 contains 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 City or local board.

The motion by Vice-Chair De Laurentiis carried.

Adopted

6. Fare Compliance Action Plan

Chair Myers moved the following motion:

Direct TTC staff to:

- a. Report back to the TTC Board in Q1 2025 on the development of a system that includes first-pay and the issuance of cautions, a progressive fine schedule, and, in consultation with CUPE Local 5089 and ATU Local 113, a strategy to respond to customers who are non-compliant.
- b. Develop and implement education and advertisement campaigns by the end of Q3 2024 on:
 - the benefits of the PRESTO mobile application, such as the ability to load funds in the application; and
 - “Tap to Transfer”.

The motion by Chair Myers carried.

Chair Myers moved to adopt the report recommendations as amended, as follows:

It is recommended that the TTC Board:

1. Endorse the Fare Compliance Action Plan as outlined in this report, comprising of the following areas of focus: Education, Environment. Enforcement and Equity.
2. Direct TTC staff report back to the Audit & Risk Management Committee with a status update on the Fare Compliance Strategy and key directions by Q1 2025, and the broader Fare Compliance Strategy and key directions by Q4 2025.

3. Receive for information, the TTC staff report on the status of the recommendations from the 2019 Auditor General's Phase One Fare Evasion Report, as outlined in Attachment 2, with the expectation of receiving further progress semi-annually.
4. That TTC staff report back to the September TTC Board meeting with an action plan to, by the end of 2024:
 - a. keep crash gates closed, except when they are opened by a Collector for a patron who has paid their fare, which will save \$14.2 million/year and requires those who want to pay a reduced/concession fare to get a PRESTO card, which can be done online, and will allow them the two hour transfers;
 - b. phase out cash fares at stations and legacy fare media on all modes;
 - c. strategies to count cash fares on buses; and
 - d. phase out acceptance of undated child cards, which the audit showed are almost always used fraudulently.
5. Direct TTC staff to:
 - a. Report back to the TTC Board in Q1 2025 on the development of a system that includes first-pay and the issuance of cautions, a progressive fine schedule, and, in consultation with CUPE Local 5089 and ATU Local 113, a strategy to respond to customers who are non-compliant.
 - b. Develop and implement education and advertisement campaigns by the end of Q3 2024 on:
 - the benefits of the PRESTO mobile application, such as the ability to load funds in the application; and
 - "Tap to Transfer".

The motion by Chair Myers carried.

Amended

7. Transit Network Expansion Update

Commissioner Ainslie moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Receive this report as a general update on transit expansion projects.
2. Subject to the City of Toronto entering into the Subway Program Agreement in Principle, the Board authorize the TTC Chief Executive Officer, or designate, to negotiate and execute any such necessary ancillary or related agreements,

amendments and renewals with any other relevant parties, including a Subway Main Agreement, for the implementation of the Subway Program, all substantially in accordance with the Subway Program Agreement in Principle, in a form satisfactory to TTC General Counsel.

3. Subject to the City of Toronto entering into the Subway Program Agreement in Principle, the Board authorize the TTC Chief Executive Officer to negotiate the Operations and Maintenance Agreement(s) for the Subway Program with any other relevant parties and report back to the Board on recommended terms and conditions for Board approval.

The motion by Commissioner Ainslie carried.

Adopted

8. Contract Amendment – Design and Supply of Low-Floor Light Rail Vehicles

Commissioner Ainslie moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Authorize a contract amendment to Alstom Transportation Canada Inc. for contract C32PD08863, Design and Supply of Low-Floor Light Rail Vehicles to increase the total contract amount by \$47,043,759.01, inclusive of HST, to a revised total of \$1,703,764,902.69, inclusive of HST, to cover estimated escalation adjustment costs for 60 accessible streetcars.

The motion by Commissioner Ainslie carried.

Adopted

9. Procurement Authorization – Supply of Cummins Factory-Manufactured Engines for the 2025 Bus Rebuild Program

Commissioner Osborne moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Authorize the contract award to City View Bus Sales and Service Ltd. in the amount of \$11,822,868.09 (inclusive of HST and core charges) for the supply of 170 Cummins factory-manufactured engines for the TTC's Nova 12-metre (40-foot) buses on the basis of the lowest-priced compliant bid received.

The motion by Commissioner Osborne carried.

Adopted

10. Procurement Authorization – Supply of Graham White Bus Parts

Commissioner Holyday moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

- 1. Authorize the award of contracts for the supply of Graham White bus parts for a two-year term commencing on November 1, 2024, for the total upset limit of \$7,601,000, inclusive of HST, to the following three companies, on the basis of lowest-priced compliant bids received.
 - a. The Aftermarket Parts Company, LLC for the supply of seven parts in the total upset limit amount of \$6,251,000 CAD.
 - b. Ashcon International Inc. for the supply of three parts in the total upset limit amount of \$647,000 USD (equivalent to \$882,000 CAD).
 - c. North American Transit Supply Corporation for the supply of four parts in the total upset limit amount of \$343,000 USD (equivalent to \$468,000 CAD).
- 2. Delegate authority to the TTC’s Chief Executive Officer to exercise the extension options in the three contracts by up to a period of 12 months (November 1, 2026 to October 31, 2027) and to increase the values among the three contracts by up to a total amount of \$3,620,000, inclusive of HST, for a total contract value of up to \$11,221,000.

The motion by Commissioner Holyday carried.

Adopted

11. Procurement Authorization – Inglis Building Roofing Rehabilitation

Commissioner Osborne moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

- 1. Authorize the award of Contract N1-24 for Inglis Building Roofing Rehabilitation to EllisDon Civil Ltd. in the amount of \$8,520,553.13, inclusive of HST, on the basis of the lowest total compliant bid price

The motion by Commissioner Osborne carried.

Adopted

12. Procurement Authorization – Wilson Yard Fire Route – On- Grade Pavement Rehabilitation

Commissioner Osborne moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Authorize the award of Contract C60-25 for Wilson Yard Fire Route On-Grade Paving Rehabilitation to Maystar General Contractors Inc. in the amount of \$9,639,465.00, inclusive of HST, on the basis of the lowest total compliant bid price.

The motion by Commissioner Osborne carried.

Adopted

13. Procurement Authorization – Telecommunication and Network Connectivity Services

Commissioner Jagdeo moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Authorize the award of a contract for Telecommunication and Network Connectivity Services to Bell Canada in the amount of \$18,159,000, inclusive of HST, on a sole source basis, for a five-year term, commencing on September 27, 2024, with two optional, one-year extensions terms at the TTC's sole discretion.
2. Delegate authority to the TTC's Chief Executive Officer to execute the first one-year term extension option valued at \$3,681,000, inclusive of HST, and the second one-year term extension valued at \$3,691,000, inclusive of HST.

The motion by Commissioner Jagdeo carried.

Adopted

14. Procurement Authorization – Supply of Various Safety Products

Commissioner Kim moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Authorize the award of a contract for the supply of safety products for a period of three years commencing upon notification of award, to Hansler Smith Ltd., in the total upset limit amount of \$15,000,000, inclusive of HST, on the basis of lowest-priced compliant bid.
2. Delegate authority to the TTC's Chief Executive Officer to execute the first one-year term extension option valued at \$5,283,600, inclusive of HST, and the second one-year term extension option valued at \$5,389,272, inclusive of HST, for a total contract value of \$25,672,872.

The motion by Commissioner Kim carried.

15. Declaration of Surplus Property – Warden Station

Chair Myers moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Approve the declaration of a strip of land, measuring approximately 244m² in area, across the westerly frontage of the Warden Station property and currently used as landscaping (the “Strip of Land”), surplus to the operational needs of the TTC and authorize the release of the property to the City of Toronto for the purpose of expanding the Warden Avenue right-of-way, on terms and conditions satisfactory to the TTC’s General Counsel.
2. Approve the declaration of a portion of the Warden Station property, measuring approximately 7,350m² in area, within the northwest section of the property (the “City Building Lands”) surplus to the operational needs of the TTC and authorize the release of the property to the City of Toronto for redevelopment for City of Toronto building objectives, subject to the following conditions:
 - a. The lands be released to the City of Toronto for future City building initiatives only when they are no longer required for construction of the Warden Station Bus Terminal Redevelopment project and once the Warden Station Bus Terminal Redevelopment project E4-13 is completed.
 - b. The TTC is not responsible for the cost of maintenance, security or any other costs associated with the future redevelopment on the City Building Lands;
 - c. Any future development on the City Building Lands shall be subject to the TTC Technical Review process and all requirements arising from this process, including obligations to protect existing TTC infrastructure;
 - d. That, as part of any future development of the City Building Lands, the TTC and CreateTO jointly assess the feasibility, requirements and integration of a future installation of on-route charging to support the TTC’s bus electrification at the adjacent terminal station or any other deemed future TTC uses that may be required; and
 - e. All terms and conditions are satisfactory to the TTC’s General Counsel.

The motion by Chair Myers carried.

16. Decommissioned Buses – Responses to TTC Board Motions

Commissioner Ainslie moved to receive the report for information.

The motion by Commissioner Ainslie carried.

Received

17. Collective Bargaining Update

Commissioner Jagdeo moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Authorize that the information contained in Confidential Attachment 1 remain confidential in its entirety as it contains information pertaining to labour relations or employee negotiations.

The motion by Commissioner Jagdeo carried.

Adopted

18. Notice of Motion: TTC Board Committee Mandates

Vice Chair De Laurentiis moved to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. That TTC staff review, in consultation with Committee members, the City Manager and City of Toronto staff, the Terms of Reference for the Audit & Risk Management Committee, including comparative reviews of audit and risk management committees at other public transit and City of Toronto agencies, and report back to the Audit & Risk Management Committee on the results of the review before Q1 2025.
2. That TTC staff review, in consultation with Committee members, the City Manager and City of Toronto staff, the Terms of Reference for the Human Resources Committee, including comparative review of human resources committees at other public transit and City of Toronto agencies and report back to the Human Resources Committee on the results of the review before Q1 2025.

The motion by Vice Chair De Laurentiis carried.

Adopted

19. External Counsel Update

Commissioner Jagdeo moved to to adopt the report recommendations, as follows:

It is recommended that the TTC Board:

1. Adopt the recommendations contained in the Confidential Attachment 1, noting that the information is to remain confidential as it is subject to subject to solicitor-client privilege.

The motion by Commissioner Jagdeo carried.

Commissioner Saxe moved a motion to reconsider Item 19 – External Counsel Update.

The motion to reconsider carried on a two-thirds vote of the members present.

Chair Myers moved the following motion:

It is recommended that the TTC Board:

1. Adopt the action taken in-camera, noting that the information is to remain confidential as it is subject to subject to solicitor-client privilege.

Commissioner Saxe requested a recorded vote.

In favour: P. Ainslie, J. De Laurentiis, F. Jagdeo, S. Holyday, L. Kim, J. Matlow, C. Moise, J. Myers, J. Osborne

Opposed: D. Saxe

Absent: None

The motion by Chair Myers carried.

Amended

On a motion by Vice-Chair De Laurentiis the meeting adjourned at 5:47 p.m.