



Minutes

Toronto Transit Commission Board

Meeting No.: 2087

Meeting Date: Thursday, June 20, 2024

A meeting of the TTC Board was held in Committee Room 1, City Hall, 100 Queen Street West, and by video conference on Thursday, June 20, 2024 commencing at 10:25 a.m. The meeting recessed at 11:04 a.m. to meet as the Committee of the Whole. The Board reconvened in public session at 1:56 p.m. The meeting recessed at 1:59 p.m. and reconvened at 2:40 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.

Staff: M. Atlas, S. Naraine, and C. Finnerty.

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

Staff for Item 15: R. Leary, K. Campbell, G. Downie, B. Hasserjian, J. La Vita, B. Macgregor, N. Poole-Moffatt, W. Reuter, J. Taylor, R. Wong, M. Hopkins, K. Thorburn, J. Montagnese, S. Green, L. Soto Maya and J. Ishak.

Staff for Item 16: J. Montagnese, S. Ambrozy and L. Soto Maya.

J. Myers was in the Chair.

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), 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), W. Reuter (Chief Strategy and Customer Officer (Acting)), J. Taylor (Special Advisor, CEO's Office), R. Wong (Chief Transportation and

Vehicles Officer), A. Gibson (Executive Director - Fare Technology & System Stewardship), M. Hopkins (Executive Director - Human Resources), J. Montagnese (Executive Director, Finance), K. Thorburn (Executive Director - Corporate Initiatives), S. Green (Senior Communications Specialist), C. Finnerty (Director - Commission Services), L. Soto Maya (Coordinator - Secretariat Services) and J. Ishak (Administrator - Secretariat Services) were present.

T. Anderson (Auditor General), and E. Lu (Acting Senior Auditor Manager) C. Alexander (Mayor's Office), and D. Jain (Chair's Office) were also present.

J. Myers was in the Chair.

Land Acknowledgement

Chair Myers 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. Chair Myers 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 Osborne moved that the TTC Board approve the Minutes of Meeting No. 2086 held on Thursday, May 16, 2024.

The motion by Commissioner Osborne carried.

Committee of the Whole

Chair Myers moved the following motion:

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

Information about labour relations or employee negotiations

15. TTC and ATU Local 113 – Collective Agreement Ratification

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

16. Large Litigation Matters

17. Receipt of Advice from External Counsel

The motion by Chair Myers carried.

Public Presentations

Item No. 11. Toronto Transit Commission 2024 Follow-up – Status of Previous Auditor General's Recommendations

Alan Yule

Colby Badhwar

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

Order of Business

Chair Myers moved a motion to change the order paper to consider that the Order of Business be altered, as follows:

First item to be considered:

7. Financial and Major Projects Update for the Period Ended April 27, 2024

Followed by in-camera items:

15. TTC and ATU Local 113 – Collective Agreement Ratification (Confidential Attachment – this report contains information about labour relations or employee negotiations)

16. Large Litigation Matters (Confidential Attachment - this report contains advice or communications that are subject to solicitor-client privilege, including communications necessary for that purpose)

17. Receipt of Advice from External Counsel (Confidential Attachment - this report contains information that is subject to solicitor-client privilege, including communications necessary for that purpose)

The motion by Chair Myers carried.

Presentations/Reports/Other Business

1. Chief Executives Officer's Report – June 2024

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

The TTC Board and TTC staff acknowledged Monique Blake, a Streetcar Operator, for her actions assisting a customer in distress.

Vice-Chair De Laurentiis moved a motion to receive the Chief Executive Officer's Report – June 2024.

The motion by Vice-Chair De Laurentiis carried.

Received

2. TTC's Anti-Racism Strategy and Anti-Racism Policy

K. Campbell, Chief Diversity and Culture Officer, delivered a verbal presentation on this item.

Chair Myers moved the following motion:

That Recommendations 2, 3 and 4 be amended as follows:

2. ~~Approve~~ Refer the Anti-Racism Policy (Attachment 2) to the Human Resources Committee for review. ~~for adoption across the TTC.~~
3. Request staff to report annually on the progress of the Anti-Racism Strategy. ~~and on a biennial basis on the impact of the Policy.~~
4. Request staff to forward the Strategy ~~and Policy~~ to the City of Toronto's Confronting Anti-Black Racism Unit, Indigenous Affairs Office and the Ombudsman Toronto.

The motion by Chair Myers carried.

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

It is recommended that the TTC Board:

1. Approve the Anti-Racism Strategy (Attachment 1) for adoption across the TTC.
2. Refer the Anti-Racism Policy (Attachment 2) to the Human Resources Committee for review.
3. Request staff to report annually on the progress of the Anti-Racism Strategy.
4. Request staff to forward the Strategy to the City of Toronto's Confronting Anti-Black Racism Unit, Indigenous Affairs Office and the Ombudsman Toronto.
5. Request staff to forward all progress reports to members of City Council.

The motion by Chair Myers carried.

Amended

3. Extension of Drug and Alcohol Testing Contract

Commissioner Jagdeo moved to adopt the report recommendations:

It is recommended that the TTC Board:

1. Authorize an amendment to increase the contract amount with Driver Check Inc. by \$1,699,000, from \$6,210,000 to \$7,909,000 inclusive of HST, to cover

projected costs to March 18, 2025 for the provision of lab, sample collection, and third party administration services for TTC's Fitness for Duty Program.

2. Authorize an amendment to exercise a contract extension option from March 18, 2025 to March 18, 2026 and increase the contract amount with Driver Check Inc. by \$3,150,300, from \$7,909,000 to \$11,059,300, inclusive of HST, to cover projected costs during this option year.
3. Delegate authority to the TTC's Chief Executive Officer to execute the final optional extension year from March 18, 2026 to March 18, 2027 and increase the contract amount with Driver Check Inc. by \$3,467,000, from \$11,059,300 to \$14,526,300 inclusive of HST, to cover projected costs during the final option year.

The motion by Commissioner Jagdeo carried.

Approved

4. Wilson Bus Garage – Bus Hoist Replacement in Bus Repair Area

Commissioner Jagdeo moved to adopt the report recommendations:

It is recommended that the TTC Board:

1. Authorize the award of Contract C60-21 Wilson Bus Garage – Bus Hoist Replacement in Bus Repair Area to Maystar General Contractors Inc. in the amount of \$12,622,100.00, inclusive of HST, on the basis of the lowest total compliant bid price.

The motion by Commissioner Jagdeo carried.

Approved

5. Procurement Authorization – Supply of Mobile Climate Control Bus Parts

Vice-Chair De Laurentiis 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 MCC parts for a three-year term commencing July 2, 2024, with a cumulative upset limit of \$17,294,000, inclusive of HST, to the following five companies:
 - a. Reefer Sales and Service for the supply of 134 parts in the total upset limit amount of \$6,147,000 USD (equivalent to \$8,277,000 CAD).
 - b. North American Transit Supply Corporation for the supply of 16 parts in the total upset limit amount of \$3,524,000 USD (equivalent to \$4,745,000 CAD).

- c. CBM N.A. Inc. for the supply of 11 parts in the total upset limit amount of \$3,906,000 CAD.
- d. Ashcon International Inc. for the supply of 12 parts in the total upset limit amount of \$265,000 USD (equivalent to \$357,000 CAD).
- e. Baker Transit Parts Inc. for the supply of six parts in the total upset limit amount of \$9,000 CAD.

The motion by Vice-Chair De Laurentiis carried.

Approved

6. Procurement Authorization – Supply of Vapor Bus Parts

Commissioner Kim 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 Vapor bus parts for a two-year period commencing November 1, 2024, with a cumulative upset limit amount of \$11,757,000 CAD, inclusive of HST, to the following four companies:
 1. North American Transit Supply Corporation (NATSCO) for the supply of 71 parts in the total upset limit amount of \$7,240,000 USD (equivalent to \$9,872,000 CAD).
 2. The Aftermarket Parts Company, LLC DBA New Flyer Parts (New Flyer) for the supply of 46 parts in the total upset limit amount of \$1,506,000 CAD.
 3. Neopart Transit LLC (Neopart) for the supply of 25 parts in the total upset limit amount of \$230,000 USD (equivalent to \$314,000 CAD).
 4. Prevost, A Division of Volvo (Prevost) for the supply of three parts in the total upset limit amount of \$65,000 CAD.
2. Delegate authority to the Chief Executive Officer to exercise the extension options in the four contracts by up to a period of 12 months (November 1, 2026 to October 31, 2027) and to increase the contract values among the four contracts in the total amount of up to \$6,790,000 CAD, inclusive of HST.

The motion by Commissioner Kim carried.

Approved

7. Financial and Major Projects Update for the Period Ended April 27, 2024

Karen Thorburn, Executive Director – Corporate Initiatives, delivered a presentation on this item.

Commissioner Saxe moved the following motion:

The TTC Board requests that TTC staff develop a media campaign recommending that TTC customers contact their MP to advocate for funding for Line 2 trains if Federal funding for the project is not announced by September 29, 2024.

The motion by Commissioner Saxe carried.

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

It is recommended that the TTC Board:

1. Approve the 2024 Capital Budget in-year budget adjustments to offset projects that have had accelerated spending by \$54.5 million with projects that have experienced delays and lower spending by \$54.5 million with no debt impact, as outlined in Appendix 3 of this report.
2. Authorize the recommended budget adjustments noted in Recommendation 1 above, and in the TTC's 2024-2033 Capital Budget and Plan, be included in the TTC's Capital Variance Report submission for the four months ended April 30, 2024 for City Council consideration and approval.
3. The TTC Board requests that TTC staff develop a media campaign recommending that TTC customers contact their MP to advocate for funding for Line 2 trains if Federal funding for the project is not announced by September 29, 2024.

The motion by Chair Myers carried.

Amended

8. Amendments to TTC Special Constable Service 2023 Annual Report

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

It is recommended that the TTC Board:

1. Approve the transmittal of the attached Appendix 1 – Revised tables for Special Constable Service 2023 Annual Report to the Toronto Police Services Board as per Section 8.9 of the Special Constable Agreement between the Toronto Police Services Board and the TTC.

The motion by Commissioner Osborne carried.

Approved

9. KPMG LLP Audit Findings Report on the Toronto Transit Commission Consolidated Financial Statements for the Year Ended December 31, 2023

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

It is recommended that the TTC Board:

1. Receive the KPMG LLP Audit Findings Report on the Toronto Transit Commission Consolidated Financial Statements for the Year Ended December 31, 2023 in Attachment 1; and
2. Forward a copy of this report to the City Clerk for appropriate handling to the next City Audit Committee meeting.

The motion by Commissioner Saxe carried.

Approved

10. Draft Consolidated Financial Statements of Toronto Transit Commission for the Year Ended December 31, 2023

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

It is recommended that the TTC Board:

1. Approve the Draft Consolidated Financial Statements of Toronto Transit Commission for the Year Ended December 31, 2023.
2. Forward a copy of this report to the City Clerk for submission to the City of Toronto Audit Committee.

The motion by Commissioner Saxe carried.

Approved

11. Toronto Transit Commission 2024 Follow-up – Status of Previous Auditor General's Recommendations

T. Anderson, Auditor General, and E. Lu, Acting Senior Audit Manager, provided a verbal presentation on the item.

Commissioner Saxe moved the following motion:

That an action plan addressing the outstanding recommendations contained in the Auditor General's Report - Review of Toronto Transit Commission's Revenue Operations: Phase One – Fare Evasion and Fare Inspection, 2019 be presented to the Audit & Risk Management Committee prior to the July 17 TTC Board meeting.

The motion by Commissioner Saxe carried.

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

It is recommended that the TTC Board:

1. Receive this report for information and forward this report to City Council for information through the City's Audit Committee.
2. Direct that the confidential information contained in Confidential Attachment 1 remain confidential in its entirety, as it involves the security of property belonging to the TTC.
3. That an action plan addressing the outstanding recommendations contained in the Auditor General's Report - Review of Toronto Transit Commission's Revenue Operations: Phase One – Fare Evasion and Fare Inspection, 2019 be presented to the Audit & Risk Management Committee prior to the July 17 TTC Board meeting.

The motion by Chair Myers carried.

Amended

12. Annual Review of TTC's Safety, Health & Environment (SH&E) Management System

Commissioner Saxe moved to receive the report.

The motion by Commissioner Saxe carried.

Received

13. TTC Pension Plan Bylaw Amendments

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

It is recommended that the TTC Board:

1. Approve the recommended changes to the TTC Pension Plan Bylaw, included as Attachment 1 to the TTC Pension Plan Bylaw Amendments report.

The motion by Chair Myers carried.

Approved

14. TTC Pension Plan Annual Report

Commissioner Ainslie moved to receive the report.

The motion by Commissioner Ainslie carried.

Received

15. TTC and ATU Local 113 – Collective Agreement Ratification

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

It is recommended that the TTC Board:

1. Adopt the recommendations as set out in the Confidential Attachment; and
2. Authorize that the information set out in the Confidential Attachment be released upon the ratification of the tentative agreement by both the TTC and the ATU, Local 113.

Chair Myers requested a recorded vote.

In favour: J. De Laurentiis, F. Jagdeo, L. Kim, C. Moise, J. Myers, J. Osborne, and D. Saxe

Opposed: S. Holyday

Absent: J. Matlow, P. Ainslie,

The motion carried on a vote of 7 to 1.

Approved

16. Large Litigation Matters

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

It is recommended that the TTC Board:

1. Approve the Confidential Recommendations as set out in the Confidential Attachment 1; and
2. Authorize that the information and recommendation provided in the Confidential Attachment 1 is to remain confidential in its entirety as it contains advice which is subject to client-solicitor privilege.

The motion by Commissioner Saxe carried.

Approved

17. Receipt of Advice from External Counsel

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

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 solicitor-client privilege.

The motion by Commissioner Moise carried.

Approved

On a motion by Commissioner Saxe the meeting adjourned at 4:44 p.m.