



Minutes

Toronto Transit Commission Board

Meeting No.: 2063

Meeting Date: Thursday, April 14, 2022

A meeting of the TTC Board was held by video conference on Thursday, April 14, 2022 commencing at 10:00 a.m. The Board recessed for lunch at 12:21 p.m. and reconvened the public session at 12:54 p.m. The meeting recessed at 12:58 p.m. to meet as the Committee of the Whole. The Board reconvened the public session at 2:05 p.m.

Present at Committee of the Whole

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

Item 3: M. Atlas, M. MacRae, K. Watson and C. Finnerty

Item 5: A. Cassar, L. Millan (Staff) T. Khan (Mayor's Office), R. Van Fraassen (Chair Robinson's Office)

A. Agudelo (Live Media) was also present.

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, M. Atlas, K. Campbell, G. Downie, S. Haskill, B. Hasserjian, J. La Vita, F. Monaco, N. Poole-Moffatt, J. Ross, J. Taylor, K. Watson, R. Wong, B. Case, A. Cassar, M. Cernik, E. Chu, M. Del Vecchio, A. Dixon, G. Dubb, S. Fuller, A. Gibson, G. Giguere, M. Jones, P. Kraft, P. Lagace, M. MacRae, L. Millan, W. Reuter, E. Thomas, K. Thorburn, C. Finnerty, J. Ishak and S. Parmar were present.

A. Huggins (Koskie Minsky LLP), D. Toigo, S. Ali (City of Toronto) B. Romeo-Beehler (Auditor General), T. Khan (Mayor's Office), R. Van Fraassen (Chair Robinson's Office) and A. Agudelo (Live Media) was also present.

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

Nil

Minutes of the Previous Meeting

Commissioner Carroll moved that the Board approve the Minutes of Meeting No. 2062 held on Thursday, February 10, 2022.

The motion by Commissioner Carroll 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:

Information about labour relations or employee negotiations

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

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

4. Amendment to TTC's Advertising Contract

The motion by Chair Robinson carried.

Public Presentations

Item No. 8. Line 3 Bus Replacement Study Final Recommendations

Tima Shah
Cindy Dzib
Ian Male
Sugar Sugar
Rimsha Rahman
Thai Dillon Higashihara
Kashi Chandrasegar
Sarah Abdillahi

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

Item No. 10. TTC's Green Bus Program: Final Results of TTC's Head-to-Head eBus Evaluation

Alan Yule

The Board received the deputation for information.
(See Item No. 10 for minute)

Item No. 12. TTC Special Constable Service 2021 Annual Report

James Lambert
Desmond Cole
Merima Menzildzic
Joanna Aitcheson
Vic Wojciechowska
Matthew Higginson
Natalie Castellino
Sarah Dawson
Koubra Hagggar
Laura Katz
Rubaiat Hye
Becky Katz

The Board received the deputations for information.
(See Item No. 12 for minute)

Item No. 17. Notice of Motion – Working Together to Address Transit Worker Assaults – by Chair Jaye Robinson, seconded by Commissioner Jennifer McKelvie

Marvin Alfred

The Board received the deputation for information.
(See Item No. 17 for minute)

Presentations/Reports/Other Business

1. Chief Executive Officer's Report – April 2022

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

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

The motion by Commissioner Bradford carried.

Received

2. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for December 16, 2021, January 27 and February 24, 2022

ACAT Chair Jonathan Marriott introduced this item.

Commissioner Carroll moved receipt of the approved minutes from the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for December 16, 2021, January 27 and February 24, 2022

The motion by Commissioner Carroll carried.

Received

3. TTC Collective Bargaining and Non-Union Salary Updates

Chair Robinson moved the following motion:

That recommendation 2 be replaced with the following:

2. Authorize the CEO to apply compensation increases to levels 1 – 15 for 2022, consistent with the City of Toronto's compensation for management/non-union staff that comprises both Cost of Living Adjustment (CoLA) and pay for performance effective January 1; and
3. As part of the report back on the development of a pay for performance program for TTC, direct staff to include an executive performance program for levels 16 - 18 and report back by Q1, 2023.

And amend staff recommendation 3 to read as follows:

4. Adopt the action taken in-camera, noting that the information is to remain confidential as it relates to labour relations or employee negotiations.

The motion by Chair Robinson carried.

Chair Robinson moved the staff recommendations, 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. Authorize the CEO to apply compensation increases to levels 1 - 15 for 2022, consistent with the City of Toronto's compensation for management/non-union staff that comprises both Cost of Living Adjustment (CoLA) and pay for performance effective January 1; and
3. As part of the report back on the development of a pay for performance program for TTC, direct staff to include an executive performance program for levels 16 - 18 and report back by Q1, 2023.
4. Adopt the action taken in-camera, noting that the information is to remain confidential as it relates to labour relations or employee negotiations.

Amended

4. Digital Connectivity Strategy

Commissioner Lai moved the recommendations as follows:

It is recommended that:

1. Endorse the principles and strategic objectives of the Digital Connectivity Strategy contained on pages 5, 6 and 7 of this report.

The motion by Commissioner Lai carried.

Approved

5. Amendment to TTC's Advertising Contract

Commissioner Carroll moved the recommendations as follows:

It is recommended that the TTC Board:

1. Approve the recommendations as set out in Confidential Attachment – Pattison Contract Negotiations; and
2. Authorize the release of the information within the Confidential Attachment subsequent to issuance of a Contract Amendment(s).

The motion by Commissioner Carroll carried.

Approved

6. Toronto Transit Commission Cybersecurity Audit Phase 1: Critical IT Assets and User Access Management

Commissioner Lalonde moved the recommendations as follows:

The Auditor General recommends that:

1. The Toronto Transit Commission Board adopt the confidential instructions to staff in Confidential Attachment 1 to this report from the Auditor General.
2. The Toronto Transit Commission Board forward this report to City Council for information through the City's Audit Committee.
3. The Toronto Transit Commission Board direct that Confidential Attachment 1 to this report from the Auditor General be released publicly at the discretion of the Auditor General, after discussions with the appropriate Toronto Transit Commission and City Officials.

The motion by Commissioner Lalonde carried.

Approved

7. 1 Yorkdale Road – Office Space Lease

Commissioner Osborne moved the recommendations as follows:

It is recommended that the TTC Board:

1. Authorize staff to request the City of Toronto, Corporate Real Estate Management, to negotiate and enter into a new lease agreement with Yorkdale Shopping Centre Holdings Inc., on TTC's behalf, for the use of Suite 201 at 1 Yorkdale Road, on terms and conditions summarized in this report, in a form acceptable to the TTC's General Counsel; and
2. Approve the confidential recommendation attached in Confidential Attachment 1; and authorize its public release when the new lease for 1 Yorkdale Road is executed.

The motion by Commissioner Osborne carried.

Approved

8. Line 3 Bus Replacement Study Final Recommendations

S. Haskill, Chief Strategy & Customer Officer (Acting) introduced the item. E. Chu, Head of Project Development and Planning delivered a presentation on this item.

Commissioner Carroll moved the following motion:

That TTC staff report back to the Board in July 2022 with an update on the progress of negotiations to fund the service replacement costs of the Line 3 project. The report should include a confidential attachment should legal opinion be required.

The motion by Commissioner Carroll carried.

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

It is recommended that the TTC Board:

1. Approve the replacement of Line 3 train service with an express bus service in Q4 2023;
2. Approve the conversion of the Line 3 right-of-way between Kennedy Station and Ellesmere Station to a bus roadway, with stops at Tara Avenue, Lawrence Avenue East, and Ellesmere Road;
3. Approve the operation of a temporary express bus service, as described in this report, until the conversion of the Line 3 right-of-way to a bus roadway is complete;
4. Report back through the 2023 budget process on the operating and capital funding required to advance the Line 3 bus replacement project;
5. Endorse the City of Toronto's efforts to develop adaptive reuse of the Line 3 infrastructure that will not be required for continued transit service; and,
6. Forward this report to the City Manager, City of Toronto, the President and CEO, Metrolinx, and the Deputy Minister, Ministry of Transportation, for their information.
7. That TTC staff report back to the Board in July 2022 with an update on the progress of negotiations to fund the service replacement costs of the Line 3 project. The report should include a confidential attachment should legal opinion be required.

| Amended

9. Line 5 Eglinton – Train Operating and Funding Agreement

Commissioner Osborne moved the recommendations as follows:

It is recommended that the TTC Board:

1. Authorize the Chief Executive Officer of the TTC to enter into and execute the Train Operating and Funding Agreement, and any other necessary agreements, which shall be consistent with the Terms contained in Attachment 1, whereby the final agreement will be subject to terms and conditions acceptable to the TTC General Counsel.

The motion by Commissioner Osborne carried.

Approved

10. TTC's Green Bus Program: Final Results of TTC's Head-to-Head eBus Evaluation

B. Case, Executive Director of Innovation and Sustainability delivered a presentation on this item.

Chair Robinson moved the recommendations as follows:

It is recommended that the Board:

1. Receive for information the results of the TTC's eBus Head-to-Head Evaluation as outlined in this report; and
2. Delegate authority to the TTC Chief Executive Officer to:
 - a. Enter into contribution agreement(s), where required, with government partners to receive any net new funding / financing for the TTC's Green Bus program; and
 - b. Subject to commitment of matching funds from provincial and/or federal government partners, amend existing and pending contract(s) to increase the eBus procurement quantity and associated infrastructure works in proportion to the additional funds committed.

The motion by Chair Robinson carried.

Approved

11. Diversity and Culture 2021 Annual Report

A. Huggins, Partner, Koskie Minsky LLP delivered a verbal presentation on this item.

Chair Robinson moved receipt of the Diversity and Culture 2021 Annual Report for information.

The motion by Chair Robinson carried.

Received

12. TTC Special Constable Service 2021 Annual Report

Chair Robinson moved the recommendations as follows:

It is recommended that the Board:

1. Approve the transmittal of the attached Appendix 1 – Special Constable Service 2021 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 Chair Robinson carried.

Received

13. Making Museum Station Accessible, Second Exit/Entrance and Structural Rehabilitation

Commissioner Jagdeo moved the recommendations as follows:

It is recommended that the Board:

1. Authorize the award of Contract U3-16, Museum Station – Second Exit/Entrance, Structural Paving Rehabilitation and Easier Access III to Duron Ontario Ltd. in the amount of \$25,925,138.14, inclusive of all taxes, on the basis of lowest-priced acceptable bid.

The motion by Commissioner Jagdeo carried.

Approved

14. Making High Park Station Accessible

Commissioner Jagdeo moved the recommendations as follows:

It is recommended that the Board:

1. Authorize the award of Contract W45-7, High Park Station – Easier Access III to EllisDon Civil Limited in the amount of \$18,183,195.15, inclusive of all taxes, on the basis of lowest-priced acceptable bid.

The motion by Commissioner Jagdeo carried.

Approved

15. Financial and Major Projects Update for the Period Ended December 31, 2021

Commissioner Carroll moved receipt of the Financial and Major Projects Update for the Period Ended December 31, 2021 Report for information.

The motion by Commissioner Carroll carried.

Received

16. City Council Transmittal – MM41.4 – Conversion of Toronto Transit Commission Roe Bus Loop into Much Needed Park – by Councillor Mike Colle, seconded by Councillor John Filion

Chair Robinson moved the following motion:

It is recommended that the Board:

That this matter be referred to staff to work with the local Councillor and community on non-scheduled routing and impacts that may result from the transfer of the Roe Loop property.

The motion by Chair Robinson carried.

Referred

17. Notice of Motion – Working Together to Address Transit Worker Assaults – by Chair Jaye Robinson, seconded by Commissioner Jennifer McKelvie

Chair Robinson moved the recommendations as follows:

It is recommended that the Board:

1. Request the Government of Canada to amend subsection 269.01 of the Criminal Code to include all transit workers in these provisions, not just operators.

2. Direct TTC staff to coordinate a table with representatives from all three levels of government to work with ATU Local 113 on a national framework aimed at eliminating transit worker assaults.
3. Request TTC staff to explore options, in consultation with ATU Local 113, to continue to raise public awareness of transit worker safety and respect for TTC employees, as soon as possible.

The motion by Chair Robinson carried.

Approved

18. Update on Delegated Authority to Award Future Easier Access III Contracts

Commissioner Lai moved the recommendations as follows:

It is recommended that the Board:

1. Revise the delegated authority to the TTC Chief Executive Officer to award future Easier Access III construction contracts provided the contract award values are within the latest TTC Construction Estimate.
2. Authorize that the information in the confidential attachment remain confidential until such time as the Easier Access III construction contracts are awarded.

The motion by Commissioner Lai carried

Approved

The meeting adjourned at 4:49 p.m.