



Minutes

Toronto Transit Commission Board

Meeting No.: 2078

Meeting Date: Thursday, December 7, 2023

A meeting of the TTC Board was held in Committee Room 2, City Hall, 100 Queen Street West, and by video conference on Thursday, December 7, 2023 commencing at 10:03 a.m. The meeting recessed at 12:38 p.m. and reconvened at 1:33 p.m. The meeting recessed at 3:20 p.m. to meet as the Committee of the Whole. The Board reconvened the public session at 4:53 p.m.

Present at Committee of the Whole

Commissioners:

J. Myers (Chair), J. De Laurentiis (Vice-Chair), S. Holyday, F. Jagdeo, R. Lalonde, J. Matlow, C. Moise, J. Osborne and D. Saxe

Staff:

R. Leary, M. Atlas, K. Campbell, G. Downie, B. Hasserjian, J. La Vita, B. Macgregor, F. Monaco, S. Naraine, N. Poole-Moffatt, W. Reuter, J. Taylor, R. Wong, M. Hopkins, D. Marshall, J. Montagnese, M. Youngs, C. Finnerty, L. Soto Maya and J. Ishak were present.

J. Myers was in the Chair.

Present at Public Session

Commissioners:

J. Myers (Chair), J. De Laurentiis (Vice-Chair), P. Ainslie, S. Holyday, F. Jagdeo, R. Lalonde, 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), B. Case (Executive Director - Innovation and Sustainability), N. Ehlers (Head - Special Constable Service (Acting)), A. Gibson (Executive Director - Fare Technology and System Stewardship (Acting)), M. Hopkins (Executive Director - Human Resources), L. Lui (Head - Service Planning & Scheduling (Acting)), D. Marshall (Interim Head - Procurement and Category Management), M. Mis (Head - Strategy and Foresight (Acting)), J. Montagnese (Executive Director - Finance), D. Shanmuganayagam (Head - Information Technology Services), A. Sidhu (Head - Revenue Protection), K. Thorburn (Executive Director - Corporate Initiatives), M. Youngs (Director - Employee Relations), C. Finnerty (Director - Commission Services), L. Soto Maya (Coordinator - Secretariat Services) and J. Ishak (Administrator - Secretariat Services) were present.

D. Jain, M. Mason (Chair's Office) and C. Alexander (Mayor'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. He 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. 2077 held on Thursday, November 22, 2023.

The motion by Commissioner Jagdeo carried.

Business Arising Out of the Minutes

Nil

Committee of the Whole

Chair Myers moved the following motion:

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

Information that is subject to solicitor-client privilege

6. Procurement Authorization – Bus and Streetcar Servicing and Cleaning

This report contains information about labour relations or employee negotiations

13. Collective Bargaining Update

The motion by Chair Myers carried.

Public Presentations

Item No. 1. Policies to Support the Revenue Protection and Special Constable Service Culture Change Program

Miguel Avila-Velarde

Rebeena Subadar

Tima Shah

Derek Moran

The Board received the deputations for information (See Item No. 1 for minute)

Item No. 6. Procurement Authorization - Bus and Streetcar Servicing and Cleaning

Marvin Alfred, ATU Local 113

Ian Fellows

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

Presentations/Reports/Other Business

1. Policies to Support the Revenue Protection and Special Constable Service Culture Change Program

R. Leary, Chief Executive Officer introduced this item. A. Gibson, Executive Director - Fare Technology and System Stewardship, and K. Campbell, Chief Diversity and Culture Officer delivered a presentation on this item.

Commissioner Myers moved the following motion:

That consideration of the item be deferred until the February 22, 2024 TTC Board meeting, at earliest, subject to the following:

- a. Incorporation of all feedback received by the Board at its December 7, 2023 meeting into the Use of Force, Use of Discretion, and Body-Worn and Special Constable In-Car Camera Systems; and
- b. Full and robust consultation on the Use of Force, Use of Discretion, and Body-Worn and Special Constable In-Car Camera Systems policies, to begin no later than December 15, 2023 with Special Constables and Fare Inspectors, as represented by CUPE Local 5089; and
- c. Full and robust public consultation on the Use of Force, Use of Discretion, and Body-Worn and Special Constable In-Car Camera Systems policies, to begin no later than December 15, 2023; and
- d. Preparation of a report to the TTC Board detailing the feedback received through a. b. and c. above, whether the feedback was incorporated into the policies, and if not, an explanation as to why the feedback was not incorporated.

The motion by Commissioner Myers carried.

Deferred

Correspondence submitted by: TTC Riders and M. Avila-Velarde

2. Chief Executive Officer's Report – December 2023

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

B. Case, Executive Director - Innovation and Sustainability and A. Falotico, Amalgamated Transit Union - Health and Safety Director delivered a presentation on the Green Fleet Program Update.

Chair Myers and R. Leary, Chief Executive Officer acknowledged the following employees for achieving Long Service milestones with the TTC:

40 years of service: Salvatore Ciociola, Frank Cosentino and Cosimo Lacaria

45 years of service: Joseph Desario

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

The motion by Commissioner Moise carried.

Received

3. Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting October 26, 2023

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

Commissioner Saxe moved receipt of the Approved Minutes of the Advisory Committee on Accessible Transit (ACAT) General Monthly Meeting for October 26, 2023

The motion by Commissioner Saxe carried.

Received

4. Presentation to Retiring Members and Appointment of New Members to the Advisory Committee on Accessible Transit (ACAT)

Chair Myers acknowledged the following retiring members of ACAT: Gwyneth Dalzell, Craig Nicol, Lauri-Sue Robertson, Rob Lackie and Valdo Tammark

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

It is recommended that the TTC Board:

1. Approve the appointment of the five candidates named in the Confidential Attachment, for a term starting on January 1, 2024 to December 31, 2026.
2. Approve the appointment of the five candidates named in the Confidential Attachment for a term starting on January 1, 2024 to December 31, 2024, to reestablish a pool to draw from in the event a member does not accept or complete their term.
3. Authorize the public release of the names of the appointed candidates upon approval of the confidential recommendations.

The motion by Chair Myers carried.

Approved

Chair Myers announced the following new members of ACAT: Angela Marley, Chau Sheung Wong, Debbie Gillespie, Lori Bailey and Tammy Adams

Chair Myers announced the following new ACAT Pool Members: Michelle Pena Escobar, Renate Bradley, Roberta Butler, Oda Al-Anizi and Paul Manna

5. TTC's Partnership Approach to Community Safety, Security, and Well-Being on Public Transit - Response to TTC Board Motions

B. Hasserjian, Chief Safety Officer, provided a verbal presentation on this item.

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

It is recommended that the TTC Board:

1. Receive this report for information.

The motion by Commissioner Matlow carried.

Approved

6. Procurement Authorization – Bus and Streetcar Servicing and Cleaning

Commissioner Saxe moved the following motion and requested that the TTC Board vote separately on each Part of the motion.

Chair Myers ruled that the Board would vote separately on each Part of the motion.

1. Authorize the award of a contract to TBM Service Group Inc. with an upset limit amount of \$107.0 million, inclusive of HST, for bus servicing and cleaning services at nine TTC city bus garage facilities for two-year period, commencing January 1, 2024, with three additional option years. After the initial two years, subject to the competitive bid process as set out in 3, provide ATU Local 113 the opportunity to bid on the bus servicing and cleaning services contract.

Part 1 of the Motion by Commissioner Saxe lost.

2. Authorize the contract option with TBM Service Group Inc. for a one-year period, from January 1, 2024 to December 31, 2024 for streetcar daily servicing, midday and detailed cleaning and increase the contract value by up to \$4 million, inclusive of HST.

Part 2 of the Motion by Commissioner Saxe carried.

3. Before December 2024, ensure that:
 - a. ATU Local 113 is given a fair opportunity to make a complete, competitive bid for bringing the same work in house, and to present that bid to the Board.
 - b. After consulting with ATU Local 113, staff provide a complete financial comparison of in-house and out-sourced bus and streetcar servicing, including all TTC resources that support or liaise with the contractor, are related to the contract or that otherwise would not be incurred if the work were done in-house, and
 - c. Staff provide a comparison of in-house and out-sourced options in terms of:
 1. Work quality;
 2. Worker training and qualifications;
 3. Worker recruitment, especially for women and disadvantaged groups;
 4. Workflow coordination and efficiency, and
 5. Toronto's Fair Wage policy.
 - d. That the process and analysis contemplated in item 3 be conducted under the guidance of a Fairness Monitor.

Part 3 of the Motion by Commissioner Saxe carried.

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

It is recommended that the TTC Board:

1. Authorize the award of a contract to TBM Service Group Inc. with an upset limit amount of \$107.0 million, inclusive of HST, for bus servicing and cleaning services at nine TTC city bus garage facilities for a five-year term commencing January 1, 2024 on the basis that it was the only qualified bid received.
2. Authorize the contract option with TBM Service Group Inc. for a one-year period, from January 1, 2024 to December 31, 2024 for streetcar daily servicing, midday and detailed cleaning and increase the contract value by up to \$4 million, inclusive of HST.
3. Before December 2024, ensure that:
 - a. ATU Local 113 is given a fair opportunity to make a complete, competitive bid for bringing the same work in house, and to present that bid to the Board.
 - b. After consulting with ATU Local 113, staff provide a complete financial comparison of in-house and out-sourced bus and streetcar servicing, including all TTC resources that support or liaise with the contractor, are related to the contract or that otherwise would not be incurred if the work were done in-house, and

- c. Staff provide a comparison of in-house and out-sourced options in terms of:
 - 1. Work quality;
 - 2. Worker training and qualifications;
 - 3. Worker recruitment, especially for women and disadvantaged groups;
 - 4. Workflow coordination and efficiency, and
 - 5. Toronto's Fair Wage policy.

- d. That the process and analysis contemplated in item 3 be conducted under the guidance of a Fairness Monitor.

The motion by Chair Myers carried.

Amended

7. Financial and Major Projects Update for the Period Ended September 30, 2023

Chair Myers moved to defer consideration of the Financial and Major Projects Update for the Period Ended September 30, 2023 to the December 20, 2023, TTC Board meeting.

The motion by Chair Myers carried.

Deferred

8. Contract Amendment – Engineering Support and Design Standards Consultant

Commissioner Osborne moved to adopt the item, as follows:

It is recommended that the TTC Board:

- 1. Authorize a contract amendment to WSP Canada Inc. for Contract TC85-5 – Engineering Support and Design Standards Consultant – Toronto Transit City LRT Program, increasing the upset limit amount by \$10,000,000 to \$66,000,000 (inclusive of HST), and extend the contract expiry date from December 31, 2024 to December 31, 2026.

The motion by Commissioner Osborne carried.

Approved

9. Automatic Train Control Contract Amendment

Commissioner Ainslie moved to adopt the item, as follows:

It is recommended that the TTC Board:

1. Authorize the execution of the Design and Construction Management Agreement and any other agreements required, including but not limited to the property agreements, to enable a new chiller plant to be located at 2 Bloor Street East.
2. Adopt the recommendation set out in Attachment 1 – Confidential Information and authorize that the information contained in the Confidential Attachment remain confidential until such time as a final agreement is executed.

The motion by Commissioner Ainslie carried.

Approved

10. Declaration of Surplus Property – 21 Pleasant Boulevard

Chair Myers moved to defer consideration of the Declaration of Surplus Property – 21 Pleasant Boulevard to the December 20, 2023 TTC Board meeting.

The motion by Chair Myers carried.

Deferred

11. Procurement Authorization – Sale and Removal of TTC Buses

Chair Myers moved to defer consideration of the the item Procurement Authorization – Sale and Removal of TTC Buses to the December 20, 2023 TTC Board meeting.

The motion by Chair Myers carried.

Deferred

Correspondence Submitted by: Adam Cohoon

12. Proxy to Vote TTC Shares in Toronto Coach Terminal Inc.

Chair Myers moved to defer consideration of the Proxy to Vote TTC Shares in Toronto Coach Terminal Inc. to the December 20, 2023 TTC Board meeting.

The motion by Chair Myers carried.

Deferred

13. Collective Bargaining Update

Chair Myers moved to adopt the item, 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 Chair Myers carried.

Approved

On a motion by Vice-Chair De Laurentiis, the meeting adjourned at 4:57 p.m.