



Transit Commission

Minutes 2

Wednesday, 20 February 2019

Champlain Room, 110 Laurier Avenue West

- Notes:*
- 1. Please note that these Minutes are to be considered DRAFT until confirmed by the Commission*
 - 2. Underlining indicates a new or amended recommendation approved by Commission.*
 - 3. Except where otherwise indicated, reports requiring Council consideration will be presented to Council on 27 February 2019 in Transit Commission Report 1.*

Present:

Chair: Councillor A. Hublely
Vice-Chair: Councillor J. Cloutier

Councillors: R. Brockington, G. Gower, J. Sudds,
T. Kavanagh, C. McKenney and T. Tierney

Public Members: A. Carricato, M. Olsen, L. Williams,
and S. Wright-Gilbert

DECLARATIONS OF INTEREST

See specific agenda items for Declarations: Item 1 - Transit Commission - Terms of Reference and Item 3 - 2019 Draft Operating and Capital Budget - Transit Commission.

CONFIRMATION OF MINUTES

Minutes 31, of the Transit Commission meeting of Wednesday, 19 September 2018, and Minutes 1, of the Special Transit Commission meeting of Wednesday, 6 February 2019, were confirmed.

COMMUNICATIONS

Response to Inquiry

- OCC 18-18 – 2019 TRANSIT FARES

OFFICE OF THE CITY CLERK AND SOLICITOR

LEGISLATIVE SERVICES

1. TRANSIT COMMISSION - TERMS OF REFERENCE

ACS2019-CCS-GEN-0028

CITY-WIDE

REPORT RECOMMENDATION

That the Transit Commission recommend Council approve its Terms of Reference, as outlined in this report and attached at Document 1.

POINT OF PERSONAL PRIVILEGE

Commissioner Theresa Kavanagh declared a point of personal privilege, as the delegation representing the Federation of Citizens Associations is her spouse. She reported that she had communicated with the Integrity Commissioner on this matter, and she reported that no Conflict of Interest existed.

Commissioner Kavanagh then introduced the following Motion for the Commission's consideration:

MOTION N^o TTC 02/01

Moved by Commissioner T. Kavanagh:

WHEREAS during the recent municipal election many residents voiced concern over OC Transpo operations, in particular proposed changes to OC Transpo bus routes and schedules in anticipation of the opening of the Confederation LRT Line;

WHEREAS all of City Council is responsible for the operation of OC Transpo, its public transit provider, for which Ottawa residents contributed \$285 million in taxes in 2018;

WHEREAS providing regular reports on the operations of OC Transpo to the Commission provides the opportunity for public feedback on OC Transpo operations;

THEREFORE BE IT RESOLVED THAT:

- A. OC Transpo be directed to provide for the Transit Commission's consideration and approval the Fall Transit Service Schedule, the Winter Transit Service Schedule and the Summer Transit Service Schedule, to be recommended for approval by City Council; and**
- B. OC Transpo provide a schedule of regular accountability / performance reports (eg. quarterly) to the Transit Commission on the operations of OC Transpo and Para Transpo.**

Chair Hubley asked for legal advice as to whether the Motion was in order. Mr. Tim Marc, Senior Legal Council, City Clerk and Solicitor Department, offered that the matter before the Commission for consideration was the Commission's Terms of Reference, which deal with its jurisdiction. He suggested that both of the above clauses did not speak to jurisdiction, but to actions to be taken by staff in providing for approval of Transit Service Schedules and in providing accountability performance reports to the Commission. He suggested that as such, they did not deal with the Commission's jurisdiction and would not be in order.

With regard to the matter of the first clause (Clause “A”), Mr. Marc noted that this matter had been delegated to the General Manager, Transportation Services Department, by Council’s approval of the Delegation of Authority By-Law through its approval of the Governance Report, in December, 2018. As such, this would be revisiting a matter decided by Council; hence, further consideration of Clause “A” would require the concurrence of a three-quarters vote at the Commission, and at Council, of all members present and voting. With regard to the provision of regular accountability reports (Clause “B”), Mr. Marc offered that while not in order at the present time, the matter could be reintroduced as a Notice of Motion or as a Commissioner’s item for the Commission’s consideration at a future date. Commissioner Kavanagh opted to resubmit it as a *Notice of Motion*, to have it return for the Commission’s consideration at its next meeting.

The Commission then heard from Mr. Alex Cullen*, Vice-President, Federation of Citizens’ Associations, who offered that the current governance structure under which the Commission reports to City Council on its budget, fare structure, and labour negotiation mandate, was not sufficient, and that City Councillors should also be accountable for OC Transpo’s operations. *A copy of Mr. Cullen’s submission (under signature of the FCA President, Ms Sheila Perry) is held on file with the City Clerk.

Mr. John Manconi, General Manager, Transportation Services Department, responded to Commissioners’ questions regarding benchmarking initiatives and the rationale for having operational decisions delegated to the General Manager’s Office.

Discussions having concluded, the report recommendation was put before the Commission and was “CARRIED” as presented.

2. STATUS UPDATE - TRANSIT COMMISSION MOTIONS
AND INQUIRIES FOR THE PERIOD ENDING 8 FEBRUARY 2019

ACS2019-CCS-TRA-0001

CITY-WIDE

REPORT RECOMMENDATION

That the Transit Commission receive this report for information.

RECEIVED

CORPORATE SERVICES DEPARTMENT

CORPORATE FINANCE

3. 2019 DRAFT OPERATING AND CAPITAL BUDGET – TRANSIT COMMISSION
ACS2019-CCS-TRA-0002 CITY-WIDE
-

REPORT RECOMMENDATION

That the Transit Commission consider the relevant portions of the draft 2019 Operating and Capital Budgets and forward its recommendations to Council, sitting as Committee of the Whole, for consideration at the meeting of 6 March 2019.

POINT OF PERSONAL PRIVILEGE

Commissioner Theresa Kavanagh declared a point of personal privilege, as the delegation representing the Federation of Citizens Associations is her spouse. She reported that she had communicated with the Integrity Commissioner on this matter, and she reported that no Conflict of Interest existed.

At the outset, the Commission received a detailed PowerPoint slide presentation from Mr. John Manconi, General Manager, Transportation Services Department (TSD), which served as an overview of the Commission's portion of the 2019 Draft Operating and Capital City Budget. A copy of this presentation is held on file with the City Clerk.

Messrs. Pat Scrimgeour, Director, Transit Customer Systems and Planning, Troy Charter, Director, Transit Operations, Jim Hopkins, Chief Safety Officer and Ms Jocelyne Bégin, Manager and Special Advisor to the General Manager (all with TSD), were also present to respond to questions, along with Ms Isabelle Jasmin,

Deputy City Treasurer, Corporate Finance, Corporate Services Department, and Ms. Jennifer Pereira, Legal Counsel, City Clerk and Solicitor Department.

Councillors D. Deans, L. Dudas, K. Egli, M. Fleury and C.A. Meehan were also in attendance.

Commissioner Cloutier introduced the following 'Roadmap' Budget Motion:

MOTION N^o TTC 02/02

Moved by Commissioner J. Cloutier:

BE IT RESOLVED THAT the Transit Commission recommends that Council, sitting as Committee of the Whole, approve the Transit Commission 2019 Draft Operating and Capital Budget, as follows:

- 1. Transit Services as follows:**
 - a) User fees (pp. 4-6);**
 - b) Operating Resource Requirement (p. 3);**
- 2. Transit Commission Capital Budget (pp. 7 and 8, individual projects listed pp. 15-37).**

The Commission then heard from the following delegations offering their views and suggestions for the Transit Commission's portion of the Draft 2019 Operating and Capital City Budget:

- Ms Erin Andrews*
- Dr. Anu Bose*
- Mr. Alex Cullen*, FCA
- Ms Margaret Dunn*, and Messrs. Asaf Mitta and Alex Cullen, Seniors Transportation Committee of the Council on Aging
- Ms Marcelle Lafontaine*
- Mr. Stephen St. Denis*
- Mr. Donald Swartz, Free Transit Ottawa
- Ms Emma Coulter, Healthy Transportation Coalition
- Ms Heather Stecher

- Mr. John Redins
- Ms Kari Glynes Elliott*
- Mr. Peter Gaudet

Written correspondence was also received from Mr. Ian Mitchell*.

*[* Individuals / groups marked with an asterisk above either provided comments in writing or by e-mail; all submissions are held on file with the City Clerk.]*

The Commission's questions to the delegations and to staff were based upon the staff presentation and many of the points raised by the delegations, which included, but were not necessarily limited to: the correlation between rising fares and falling ridership; setting appropriate transit pass fare structures and strategies; improving service delivery, access, accessibility and affordability; giving seniors the ability to pick their 'ride free' day; increasing investment in public transit to lower infrastructure repair costs; ongoing issues with Para Transpo and the need for an on-line booking system; route change logistics; the need to apply a gender lens to all TSD decision-making; and, the need for greater inter-departmental cooperation to enhance productivity, service delivery, and to help achieve the goals of lowering greenhouse gas (GHG) emissions and shrinking the City's carbon footprint.

The Commission's discussions and deliberations centred on the points raised above, and included discussions on transit infrastructure and route reliability, customer satisfaction, opportunities to increase revenue through advertizing, fuel costs, user fee structures for 'Park & Rides', appropriate budgeting and planning based on anticipated LRT deliverables, risk assessments and financial implications for the City in the event of non-delivery of services.

Discussions having concluded, Councillor T. Kavanagh introduced the Motions listed below (being Motions N^{OS} TTC 02/03, 02/04 and 02/05). Chair Hubley consulted Mr. Tim Marc, Senior Legal Counsel, City Clerk and Solicitor Department, for advice regarding whether the above Motions were in order. Mr. Marc's responses are listed beneath each Motion for ease of reference:

MOTION N^o TTC 02/03

Moved by Commissioner T. Kavanagh:

WHEREAS the terms of reference for the Transit Commission includes, among its responsibilities:

Attract an increasing number of customers to transit (B, 4 (1));

WHEREAS the City's Transportation Master Plan has as one of its primary goals increasing transit modal share (i.e. share of all transportation trips in Ottawa) from 22% (2011) to 26% (2031);

Whereas since 2011 the number of transit rides in Ottawa has fallen from 103.5 million rides to 97 million rides in 2018, despite both population growth and employment growth;

WHEREAS OC Transpo fares have increased by over 24% over the same period while inflation has increased by only 11% during that period;

BE IT RESOLVED THAT OC Transpo staff bring forward to the Commission a report on possible fare strategies to increase transit ridership consistent with the City's Transportation Master Plan.

Mr. Marc suggested that Motion N^o TTC 02/03 should be considered outside of the Budget process, after the Commission had dealt with its portion of the 2019 City of Ottawa Operating and Capital Budget. Commissioner Kavanagh opted to resubmit it as a *Notice of Motion*, to have it return for the Commission's consideration at its next meeting.

MOTION N^o TTC 02/04

Moved by Commissioner T. Kavanagh:

WHEREAS the Ottawa Seniors Transportation Committee (OSTC) has submitted a proposal to Transit Commission entitled "Senior Pick Your Ride-Free Day";

BE IT RESOLVED THAT the OSTC proposal "Pick Your Ride-Free Day" be referred to OC Transpo staff for analysis and report back to the Transit Commission.

Mr. Marc suggested that Motion N^o TTC 02/04 should be considered outside of the Budget process. Commissioner Kavanagh opted to resubmit it as a *Notice of Motion*, to have it return for the Commission's consideration at its next meeting.

MOTION N^o TTC 02/05

Moved by Commissioner T. Kavanagh:

WHEREAS the EquiPass, Community Bus Pass and Access Pass are limited to persons on low incomes;

WHEREAS the proposed 2.5% fare increase in the 2019 City budget would provide hardship for these low-income persons;

BE IT RESOLVED THAT the fare structure proposed in the Transit Commission 2019 budget be amended so that the EquiPass, the Community Bus Pass and Access Pass remain at 2018 fare levels.

Mr. Marc offered that, as Motion N^o TTC 02/05 did not include any mention of offsetting revenues to balance what was being requested, as outlined in the recently-approved Governance report, it was not in order. He suggested that, with the addition of identified offsetting revenues, it would be appropriate to re-introduce it at the 6 March 2019 meeting of City Council, sitting as Committee-of-the-Whole. Commissioner Kavanagh opted to withdraw the Motion, with a view to resubmitting it at the meeting of Committee-of-the-Whole.

Discussions having concluded, the report recommendation was put before the Commission and was "CARRIED", as amended by Motion N^o TTC 02/02, on a division of ten "YEAS" to two "NAYS", as outlined below:

YEAS: (10) Commissioners R. Brockington, A. Carricato, G. Gower, M. Olsen, J. Sudds, T. Tierney, L. Williams, S. Wright-Gilbert, J. Cloutier and A. Hubley

NAYS: (2) Commissioners C. McKenney and T. Kavanagh

That the Transit Commission recommends that Council, sitting as Committee of the Whole, approve the Transit Commission 2019 Draft Operating and Capital Budget, as follows:

1. **Transit Services as follows:**
 - a) **User fees (pp. 4-6):**
 - b) **Operating Resource Requirement (p. 3):**
2. **Transit Commission Capital Budget (pp. 7 and 8, individual projects listed pp. 15-37).**

CARRIED, as amended

IN CAMERA ITEM

PRESENTATION AND VERBAL UPDATE

4. TENTATIVE COLLECTIVE AGREEMENT WITH THE CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 5500 (CUPE 5500) – *IN CAMERA* – REPORTING OUT DATE: UPON RATIFICATION BY COUNCIL OF THE AGREEMENT

ACS2019-CCS-TRA-0003

CITY-WIDE

MOTION N^o TTC 02/06

Moved by Commissioner J. Cloutier:

That, in accordance with Procedure By-law 2019-8, the Transit Commission resolve *In Camera* pursuant to Subsection 13(1)(d) – Labour relations or employee negotiations, and Subsection 13(1)(f) – The receiving of advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose.

As the details of the tentative collective agreement with the Canadian Union of Public Employees, Local 5500 (CUPE 5500) are considered confidential prior to ratification of the agreement by Council, the material falls within the exceptions contemplated by subsections 13(1)(d) and 13(1)(f) of City Council's Procedure By-law.

The details of the collective agreement will be reported out publicly upon ratification of the agreement by Council.

CARRIED

The Transit Commission resolved *In Camera* at 1:19 p.m.

The Commission adjourned the *In Camera* session at 1:33 p.m. and resumed in open session.

Chair Hubley read aloud the following statement:

For the benefit of those returning to the meeting room, the Transit Commission just met In-Camera to receive verbal updates from Mr. David White, Deputy City Solicitor, City Clerk and Solicitor Department, regarding the tentative collective agreement with the Canadian Union of Public Employees (CUPE), Local 5500. Mr. White also answered questions from the Commission and from Members of Council.

No votes were taken and no motions were moved except for the procedural motion to rise from the *In-Camera* session [MOTION N^o TTC 02/07].

As noted in the Motion to proceed *In-Camera*, as the details of the tentative collective agreement with the Canadian Union of Public Employees, Local 5500 (CUPE 5500) are considered confidential prior to ratification of the agreement by Council, the material falls within the exceptions contemplated by subsections 13(1)(d) and 13(1)(f) of City Council's Procedure By-law.

The details of the collective agreement will be reported out publicly upon ratification of the agreement by Council.

Having Risen and Reported, the Commission directed that the matter be referred to Council for consideration:

MOTION N^o TTC 02/08

Moved by Commissioner J. Cloutier:

WHEREAS the City of Ottawa (the City) and the Canadian Union of Public Employees, Local 5500 (CUPE 5500) have committed to working collaboratively to resolve issues of mutual concern in the workplace; and

WHEREAS the collective agreements between the City and the CUPE 5500 expired on March 31, 2018; and

WHEREAS the bargaining teams for the City and the CUPE 5500 have been in negotiations in an effort to conclude a renewal of the collective agreements on mutually-agreeable terms; and

WHEREAS the City and CUPE 5500 bargaining teams concluded tentative agreements on January 21, 2019, subject to ratification by the CUPE 5500 membership and City Council; and

WHEREAS the CUPE 5500 membership has ratified the tentative agreements; and

WHEREAS the tentative agreements are affordable and fair to taxpayers and our employees;

THEREFORE BE IT RESOLVED that the Transit Commission refer the following Motion to Council for consideration at its meeting of Wednesday, 27 February 2019:

That Council approve the ratification of the tentative agreements reached with CUPE 5500, and that the terms of the tentative agreements be made public, following Council ratification.

CARRIED

**NOTICES OF MOTIONS
(FOR CONSIDERATION AT A SUBSEQUENT MEETING)**

COUNCILLOR T. KAVANAGH

NOTICE OF MOTION

Moved by Commissioner T. Kavanagh:

WHEREAS during the recent municipal election many residents voiced concern over OC Transpo operations, in particular proposed changes to OC Transpo bus routes and schedules in anticipation of the opening of the Confederation LRT Line;

WHEREAS all of City Council is responsible for the operation of OC Transpo, its public transit provider, for which Ottawa residents contributed \$285 million in taxes in 2018;

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(to return to Transit Commission at its meeting of Wed., 20 March 2019)

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(to return to Committee-of-the-Whole, at its meeting of Wed., 6 March 2019)

INQUIRIES

TTC 01-19

FEASIBILITY OF EXPANDING FAMILY PASS (Commissioner R. Brockington)

Would staff please outline the feasibility of expanding the Family Pass to include the March Break, Christmas Break and the months of July and August.

TTC 02-19

OC TRANSPRO – EMERGENCY WEATHER SITUATIONS (Commissioner G. Gower)

What formal or informal policies and procedures does OC Transpo have in place to respond to emergency weather situations, for example; extreme cold, extreme heat or major snowfalls?

TTC 03-19

ZERO-EMISSION ELECTRIC BUS PILOT PROJECT (Commissioner C. McKenney)

In keeping with the City's commitment to reducing greenhouse gas emissions, and with the knowledge that OC Transpo's diesel buses create the majority of the City's greenhouse gas, what would be the environmental and fiscal impact of a pilot project to introduce electric zero-emission buses to the fleet in 2020?

ADJOURNMENT

The meeting was adjourned at 1:38 p.m.

Committee Coordinator

Chair