



**SPECIAL OTTAWA CITY COUNCIL  
14 JULY 2011  
ANDREW S. HAYDON HALL  
10:00 a.m.**

**MINUTES 17**

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Special Meeting Called by His Worship Mayor Watson to deal with matters related to Ottawa's Light Rail Transit (OLRT) Project – Cost and Design; and, Long Range Financial Plan - Transit, together with related reports.

The Council of the City of Ottawa met at Andrew S. Haydon Hall, 110 Laurier Avenue West, Ottawa on 14 July 2011.

The Mayor, Jim Watson, presided and led Council in prayer.

**Roll Call**

ALL MEMBERS WERE PRESENT.

**Declarations of pecuniary interest including those originally arising from prior meetings**

No declarations were received.

**Communications**

No communications were filed.

**Regrets**

No regrets were filed.

**Motion to Resolve Into Committee of the Whole**

**MOTION NO. 17/1**

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 Moved by Councillor J. Harder  
 Seconded by Councillor D. Chernushenko

**That City Council resolve to move into Committee of the Whole pursuant to Section 48 of the *Procedure By-law*.**

CARRIED

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**IN COMMITTEE OF THE WHOLE**

**Motion to Introduce Reports****MOTION NO. 17/2**

Moved by Councillor J. Harder  
 Seconded by Councillor D. Chernushenko

**That the reports from the Deputy City Manager, Infrastructure Services and Community Sustainability entitled “Implementation of the Ottawa Light Rail Transit Project” and the report from the City Treasurer entitled “Long Range Financial Plan Transit”, be received and considered.**

CARRIED

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**The following delegations addressed the Committee of the Whole on the Implementation of the Ottawa Light Rail Transit Project Report and the Long Range Financial Plan Transit Report. Those persons whose names are marked with an asterisk (\*) have provided written submissions and these documents are held on file with the City Clerk.**

Sharon Jeannotte, Vice Chair, Arts, Heritage and Culture Advisory Committee\*

Penny Leclair, Vice Chair, Accessibility Advisory Committee\*

Michael Ircha, Chair, Pedestrian and Transit Advisory Committee\*

Ivan Boulva, Vice President, Cadillac Fairview Corporation\*

David Jeanes, on behalf of Transport Action and Heritage Ottawa, expressed support for the proposed Queen Street route and the shallower tunnel.

Joseph Potvin, President and General Manager, Mobility Ottawa-Outaouais: Systems and Enterprises Inc.\*

Carl Martin, Communications Advisor and Project Lead, NAC-LRT Station Link, National Arts Centre\*

Claudio Brun Del Re, Director, Physical Resources Service, University of Ottawa, conveyed the University’s strong support for the OLRT project.

Hume Rogers, Downtown Coalition\*

David Glastonbury, Ottawa Chamber of Commerce, spoke of the importance of moving ahead with the OLRT project.

David Gladstone, conveyed concerns he had with the proposal and recommended Council defer its decision on this project.

Sunny James, Sunny Newswire, spoke to a number of aspects of the OLRT project.

David Armitage, spoke of various aspects of transit in Ottawa.

Andy Haydon, spoke against Light Rail Transit and in support of Bus Rapid Transit.

Peggy Ducharme, Downtown Rideau BIA, expressed support in theory for the OLRT but indicated the BIA still had concerns with respect to not knowing how the project would connect to the surface operations at the Rideau Station.

At this juncture, Committee of the Whole considered the following Reports.

## **REPORTS**

### **DEPUTY CITY MANAGER, INFRASTRUCTURE SERVICES AND COMMUNITY SUSTAINABILITY**

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| <p><b>1. IMPLEMENTATION OF THE OTTAWA LIGHT RAIL TRANSIT PROJECT</b></p> <p><b>MISE EN ŒUVRE DU PROJET DE TRAIN LÉGER D'OTTAWA</b></p> |
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## **REPORT RECOMMENDATIONS**

### **That Council:**

- 1. Approve the implementation plan for the Ottawa Light Rail Transit project as described in this report.**
- 2. Approve the public-private Design-Build-Finance-Maintain procurement model as the basis for the selection of a private sector partner as established in this report.**
- 3. Approve the Request for Qualifications/Request for Proposals process for the selection of the preferred proponent as outlined in the report.**
- 4. Engage Infrastructure Ontario (IO) as the Commercial Procurement Lead for the OLRT Project as described in this report.**
- 5. Approve the updated Business Case for the OLRT project as outlined in the report.**

## **MOTION NO. 17/3**

Moved by Councillor M. McRae

Seconded by Councillor P. Hume

**WHEREAS Council directed staff to undertake an assessment of Infrastructure Ontario (IO) as the potential Commercial Procurement Lead for the OLRT project; and,**

**WHEREAS City staff and IO officials have met several times to examine and evaluate the procurement model and potential role of IO; and,**

**WHEREAS IO has extensive experience in procuring large infrastructure projects as well as preparing Value for Money assessments and possesses significant project financing expertise, including experience with institutional lenders that is particularly valuable in a private finance procurement model, such as the one being recommended to Council; and,**

**WHEREAS staff is recommending that the City engage IO as the Commercial Procurement Lead for the OLRT project; and**

**WHEREAS there are aggressive timelines attached to this project that must be met in order to achieve Council's objectives;**

**THEREFORE BE IT RESOLVED that Council delegate authority to the City Manager to negotiate the agreement with Infrastructure Ontario on behalf of the City of Ottawa and that Council further delegate the authority to execute the final agreement to the Mayor.**

CARRIED

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**MOTION NO. 17/4**

Moved by Councillor E. El-Chantiry  
Seconded by Councillor S. Qadri

**WHEREAS the City has secured approval in-principle from each of the Federal and Provincial governments for their respective \$600 million contributions to the OLRT project; and**

**WHEREAS the City Treasurer has affirmed in the Long Range Financial Plan for Transit, the City's share of the OLRT project cost, \$900 million, is affordable; and**

**WHEREAS City staff, as part of the on-going work for this project, has been negotiating the terms and conditions of contribution agreements with Federal and Provincial government officials; and**

**WHEREAS staff have been directed to ensure that maximum benefits are accrued through this joint investment with Ottawa's public transit infrastructure; and**

**WHEREAS there are aggressive timelines attached to this project that must be met in order to achieve Council's objectives;**

**THEREFORE BE IT RESOLVED that Council delegate authority to the City Manager to conclude negotiations on the contribution agreements with the Federal and Provincial**

**governments on behalf of the City of Ottawa and that Council further delegate the authority to execute the final agreements to the Mayor.**

CARRIED

**MOTION NO. 17/5**

Moved by Councillor K. Egli  
Seconded by Councillor D. Deans

**WHEREAS the City is planning to proceed with the construction and operation of a passenger service light rail system; and**

**WHEREAS the City's light rail system will be considered in law to be a federal railway undertaking because it will form part of the fully integrated OC Transpo transportation system, which includes cross border bus transportation service; and**

**WHEREAS Section 158 of the federal *Canada Transportation Act* provides the Federal Minister of Transport with the "authority to enter into an agreement with a provincial authority to authorize that provincial authority to regulate the construction, operation and safety of a federal railway as well as establish the rates and conditions of service in the same manner and to the same extent as the provincial authority may regulate a railway within its jurisdictions"; and**

**WHEREAS the City is considered a provincial authority for these purposes; and**

**WHEREAS pursuant to the provincial *City of Ottawa Act, 1999* and the *Municipal Act, 2001* the City has the authority to regulate and manage the construction, operation, and safety of transportation undertakings, including light rail systems; and**

**WHEREAS City staff, as part of the on-going work for this project, have been negotiating with Transport Canada the terms and conditions of an agreement for the authorization of the City to regulate the construction, operation and safety of a railway as well as the rates and conditions of service for the current LRT project and future light rail segments; and**

**WHEREAS Transport Canada currently does not regulate the construction, operation and safety of municipal passenger light rail systems in Canada; and**

**WHEREAS Transport Canada, with the City's agreement, has determined that it would be prudent, more expedient and in the public's interest for the City to utilize its resources and expertise to regulate the municipal passenger light rail system;**

**THEREFORE BE IT RESOLVED that Council delegate the authority to the Deputy City Manager of Infrastructure Services and Community Sustainability to finalize the regulatory agreement described above with the Federal Government on behalf of the City of Ottawa; and that Council further delegate the authority to execute the final agreement and to take any further steps and carry out any further acts as may be necessary to give effect to the foregoing to the Mayor.**

## CARRIED

The report from the Deputy City Manager, Infrastructure Services and Community Sustainability, entitled "Implementation of the Ottawa Light Rail Transit Project", as amended by Motion Nos. 17/3, 17/4, and 17/5 and set out in full below for ease of reference, was then put to Council.

**That Council:**

- 1. Approve the implementation plan for the Ottawa Light Rail Transit project as described in this report.**
- 2. Approve the public-private Design-Build-Finance-Maintain procurement model as the basis for the selection of a private sector partner as established in this report.**
- 3. Approve the Request for Qualifications/Request for Proposals process for the selection of the preferred proponent as outlined in the report.**
- 4. Engage Infrastructure Ontario (IO) as the Commercial Procurement Lead for the OLRT Project as described in this report and amended by the following;**
  - a) That Council delegate authority to the City Manager to negotiate the agreement with Infrastructure Ontario on behalf of the City of Ottawa and that Council further delegate the authority to execute the final agreement to the Mayor.**
- 5. Approve the updated Business Case for the OLRT project as outlined in the report and amended by the following:**
  - a) That Council delegate authority to the City Manager to conclude negotiations on the contribution agreements with the Federal and Provincial governments on behalf of the City of Ottawa and that Council further delegate the authority to execute the final agreements to the Mayor.**
  - b) That Council delegate the authority to the Deputy City Manager of Infrastructure Services and Community Sustainability to finalize the regulatory agreement described in Motion 17/5 with the Federal Government on behalf of the City of Ottawa; and that Council further delegate the authority to execute the final agreement and to take any further steps and carry out any further acts as may be necessary to give effect to the foregoing to the Mayor.**

CARRIED on a on a division of 20 YEAS to 0 NAYS as follows:

YEAS (20): Councillors M. Taylor, A. Hublely, T. Tierney, E. El-Chantiry, S. Qadri, S. Moffatt, D. Chernushenko, M. Fleury, D. Holmes, P. Hume, D. Deans, B. Monette, R. Bloess, R. Chiarelli, M. McRae, M. Wilkinson, K. Hobbs, S. Blais, K. Egli and Mayor Jim Watson.

NAYS (0):

**CITY TREASURER'S REPORT**

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| <p><b>1. LONG RANGE FINANCIAL PLAN TRANSIT</b></p> <p><b>PLAN FINANCIER À LONG TERME DU TRANSPORT EN COMMUN</b></p> |
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**REPORT RECOMMENDATION**

**That Council receive this report for information.**

RECEIVED

**Motion to Rise and Report to City Council**

**MOTION NO. 17/6**

Moved by Councillor D. Chernushenko  
Seconded by Councillor M. McRae

**That the Committee of the Whole rise and report to City Council.**

CARRIED

**Motion to Adopt Reports**

**MOTION NO. 17/7**

Moved by Councillor D. Chernushenko  
Seconded by Councillor M. McRae

**That the reports from the Deputy City Manager, Infrastructure Services and Community Sustainability entitled "Implementation of the Ottawa Light Rail Transit Project" and the report from the City Treasurer entitled "Long Range Financial Plan Transit", be received and adopted as amended.**

**And that any dissents and declarations of interest recorded during the Committee of the Whole session be deemed to be recorded in the Council session.**

CARRIED

### **Confirmation By-law**

#### **MOTION NO. 17/8**

Moved by Councillor D. Chernushenko  
Seconded by Councillor M. McRae

**THAT By-law 2011-284 to confirm the proceedings of Council be enacted and passed.**

CARRIED

### **Adjournment**

Council adjourned the meeting at 3:45 p.m.

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**CITY CLERK**

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**MAYOR**