



AGENDA PACKAGE (Public Meeting)

Revised Version: February 14, 2017

Thursday, February 16, 2017, 9:00 a.m. – 11:00 a.m.
Room 427/428, TransLink Office, 287 Nelson’s Court, New Westminster, BC

9:00AM	1. Preliminary Matters	
	1.1 Call to Order	
	1.2 Adoption of Agenda.....	Page 1
	1.3 Approval of Minutes (January 26, 2017)	2
9:05AM	2. Report of the Funding Strategy Committee	8
9:20AM	3. Report of the Joint Mobility Pricing Committee	11
9:50AM	4. Transit Fare Policy Review: Phase Two Overview	25
10:30AM	5. Revisions to Mayors’ Council Rules of Procedure	39
10:50AM	6. Public Delegations	ORAL
Report added:	6.1 Written submission	65
11:00AM	TERMINATION	

MAYORS' COUNCIL ON REGIONAL TRANSPORTATION

PUBLIC MEETING MINUTES

Minutes of the Public Meeting of the Mayors' Council on Regional Transportation (Mayors' Council) held on **Thursday, January 26, 2017** at 9:01 a.m. in Rooms 427/428, TransLink Offices, 287 Nelson's Court, New Westminster, BC.

PRESENT:

Mayor Gregor Robertson, Vancouver, Chair	Councillor Linda MacPhail, Richmond (alternate)
Mayor Linda Hepner, Surrey, Vice-Chair	Mayor John McEwen, Anmore
Mayor John Becker, Pitt Meadows	Councillor Alison Morse, Bowen Island (alternate)
Mayor Karl Buhr, Lions Bay	Mayor Ted Schaffer, Langley City
Mayor Mike Clay, Port Moody	Mayor Michael Smith, West Vancouver
Mayor Derek Corrigan, Burnaby	Mayor Richard Stewart, Coquitlam
Mayor Jonathan Coté, New Westminster	Mayor Richard Walton, North Vancouver District
Councillor Bruce Drake, Belcarra (alternate)	Chief Bryce Williams, Tsawwassen First Nation
Mayor Jack Froese, Langley Township	
Maria Harris, Electoral Area A	
Mayor Lois Jackson, Delta	
Councillor Craig Keating, North Vancouver City (alternate)	

REGRETS:

Mayor Wayne Baldwin, White Rock
Mayor Greg Moore, Port Coquitlam
Mayor Nicole Read, Maple Ridge

ALSO PRESENT:

Michael Buda, Executive Director, Mayors' Council on Regional Transportation Secretariat

PREPARATION OF MINUTES:

Carol Lee, Recording Secretary, Raincoast Ventures Ltd.

1. Preliminary Matters

1.1 Call to Order

The Recording Secretary called the meeting to order at 9:02 a.m. Due notice having been given and a quorum being present, the meeting was properly constituted.

1.2 Adoption of Agenda

Draft Agenda for the January 26, 2017 Public Meeting of the Mayors' Council on Regional Transportation was provided with the agenda material.

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation adopts the agenda for its Public meeting scheduled January 26, 2017, as circulated.

CARRIED

- 1.3 Approval of Minutes – October 12, 2016**
Draft Minutes of the October 12, 2016 Public Meeting of the Mayors' Council on Regional Transportation was provided with the agenda material.

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation adopts the minutes of its Public meeting held October 12, 2016, as circulated.

CARRIED

- 1.4 Approval of Minutes – November 23, 2016**
Draft Minutes of the November 23, 2016 Public Meeting of the Mayors' Council on Regional Transportation was provided with the agenda material.

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation adopts the minutes of its Public meeting held November 23, 2016, as circulated.

CARRIED

2. Election of 2016 Mayors' Council Chair and Vice Chair

The Recording Secretary reviewed the process for the election of Chair and Vice Chair.

2.1 Election of the Chair

The Recording Secretary called for nominations for the position of Chair of the Mayors' Council on Regional Transportation for 2017.

Mayor Robertson was nominated for the position of Chair and consented to the nomination. The Recording Secretary made a second and third call for nominations. There were no further nominations.

The Recording Secretary declared Mayor Robertson acclaimed as Chair.

Mayor Robertson assumed the Chair.

2.2 Election of Vice Chair

Chair Robertson called for nominations for the position of Vice Chair of the Mayors' Council on Regional Transportation for 2017.

Mayor Hepner was nominated for the position of Vice Chair and consented to the nomination. The Chair made a second and third call for nominations. There were no further nominations.

Chair Robertson declared Mayor Hepner acclaimed as Vice Chair.

3. Report of the Funding Strategy Committee

Presentation titled "Report of the Funding Strategy Committee" was provided with the agenda material.

Mayor Jonathan Coté, Chair, Mayors' Council Funding Strategy Committee, provided an overview of the Committee's activities to develop the investment plan for Phase Two of

the 10-Year Vision. The Federal Government will confirm the amount of funding to be provided from the Public Transit Infrastructure Fund (PTIF) for Phase Two, following the release of the Federal Budget. TransLink will be required to enter into negotiations with Province during 2017 to secure the provincial contribution for Phase Two.

Mike Buda, Executive Director, Mayors' Council on Regional Transportation Secretariat, and Geoff Cross, Vice President, Vice-President, Transportation Planning and Policy, TransLink, jointly led the review of the presentation titled "Report of the Funding Strategy Committee" and provided commentary on:

- Committee composition and mandate
- 10-Year Vision investment dashboard:
 - 10-Year Vision investments
 - Status of the commitments included in Phase One of the 10-Year Vision (Phase One)
 - Investments being considered for the Phase Two of the 10-Year Vision (Phase Two)
- Working assumptions for development of the investment plan for Phase Two
- Pathways to develop Phase Two
- Next steps.

The following comments were provided:

- Request for a map showing the locations of investments in regional cycling infrastructure and the Major Road Network (MRN)
 - TransLink is working with municipal staff to develop priorities for the investments in the cycling infrastructure and the MRN
 - Maps will be developed and provided to the Mayors' Council when the investment decisions have been made
- Suggestion to include technological initiatives, such as transit priority upgrades and global positioning systems (GPS), in the list of candidate projects for Phase Two
- Recognition that the absence of the Provincial Government commitment to Phase Two funding is delaying the development of the Phase Two investment plan
- Suggestion to post the 10-Year Vision investment dashboard in a prominent place on the TransLink or Mayors' Council website
- Suggestion to include information on the funding requirements in the 10-Year Vision investment dashboard.

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation receives the report.

CARRIED

4. TransLink Update

Kevin Desmond, Chief Executive Officer, TransLink, and Mr. Cross jointly provided status reports on:

- Access transit:
 - Review of custom transit service delivery
 - Objective of the review is to provide a better product for HandyDART users
 - Challenge of balancing the needs for quantity and quality of service
 - Key findings of the review

- Transit Fare Review:
 - Options being considered: variation of fares by distance, time of travel, and type of service
 - Phase 2 consultation will commence in late January 2017
 - Broad public consultation will be undertaken during Phase 3
 - Expectation that a new transit fare policy will be implemented in 2018
- Commencement of operation of the Evergreen Line extension and associated bus changes:
 - The initial ridership data will be available in a few weeks and will be shared with the Mayors' Council and the public
 - Changes to bus routes are being monitored and further adjustments will be made, if necessary
- West Coast Express service schedule has returned to normal since the Mayors communicated their concern to CP Rail:
 - Need to balance the passenger and freight needs in the corridor
- An Accountability Centre has been posted on the TransLink website
- Transit ridership growth of 4.5% in 2016.

Discussion ensued on:

- Confirmation that the access transit review will compare Vancouver with other Canadian cities with respect to availability of services, cost, eligibility processes, etc.
- Request for information on Phase 1 of the Transit Fare Review
- Request for information on the number of seniors using custom transit services, by municipality
- Need for TransLink and municipalities to make investments (e.g. accessible bus stops, benches, elevators and escalators in transit stations, etc.) to improve the accessibility and attractiveness of the transit system to the seniors population in order to reduce the demand for custom transit
- Concerns from residents regarding the poor connectivity of the TrainBus to the Evergreen Line
- Whether the Accountability Centre includes information regarding bus pass-ups and delays
- Need for mechanisms to allow the public and bus drivers to provide data on the status of the system to enable real time information to be conveyed to passengers
- Suggestion that a graphical representation of the past performance of bus routes be provided, by municipality
- Whether a graphic representation of the location of traffic bottlenecks is available and an indication of solutions that could be implemented, with municipal cooperation, to address the bottlenecks.

***Action Item:** TransLink to provide a report regarding actions being taken to improve internal cost efficiencies to a future Mayors' Council meeting.*

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation receives the report.

CARRIED

5. Report of the Executive Director

5.1 **Revision to Mayors' Council Rules and Procedures**

Report dated January 19, 2017 from Michael Buda, Executive Director regarding "Revising the Mayors' Council Rules of Procedure" was provided with the agenda material.

Mr. Buda reviewed the report distributed with the agenda material.

It was requested that proposed changes to the Rules of Procedure be clearly indicated in the report to be provided at the February 16, 2017 meeting.

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation receives the report.

CARRIED

5.2 **2017 Mayors' Council Budget and Work Plan**

Report dated January 20, 2017 from Michael Buda, Executive Director regarding "2017 Mayors' Council Annual Budget" was provided with the agenda material.

Mr. Buda reviewed the report provided with the agenda material.

Discussion ensued on:

- Concern regarding the escalation in the 2017 budget for Mayors' Council per diem fees and the amount expended in 2016
 - Suggestion to consider placing caps on per diems to be paid to Mayors' Council members or eliminating the per diem fee for attending committee meetings
 - Suggestion that consultant services retained by the Mayors' Council, TransLink and the Provincial Government be coordinated in order to avoid duplication
- Suggestion to reduce the 2017 budget for consulting services to \$200,000
- The increase in the total per diem fees paid to Mayors' Council members is attributable to the change in the working relationship between the Mayors' Council and the TransLink Board:
 - Need to recognize the value of the funds expended
 - Need to recognize that the TransLink governance structure is complex and expensive

Action Item: *Request for details of consulting fees expended during 2016 and proposed for 2017.*

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation:

1. Approves the 2017 budget of \$686,100;
2. Directs the Chair and Vice Chair to oversee the 2017 Mayors' Council budget, and report back on plans and results as needed to the Mayors' Council; and
3. Ensures that all costs and expenses approved by the Mayors' Council Executive Director, Chair or Vice Chair are necessary for the Mayors' Council on Regional Transportation to perform its duties under the *South Coast British Columbia Transportation Authority Act*.

CARRIED

5.3 2017 Mayors' Council Meeting Calendar

Report dated January 17, 2017 from Michael Buda, Executive Director regarding "2017 Mayors' Council Annual Budget" was provided with the agenda material.

Mr. Buda reviewed the report provided with the agenda material.

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation:

1. Adopts the 2017 calendar of Mayors' Council meetings; and
2. Approves the publication of the 2017 calendar on the Mayors' Council webpage of the TransLink website.

CARRIED

6. Public Delegations

The Chair advised that no applications were received from eligible public delegations.

6.1 Written Submissions Received

Report dated November 18, 2016 from regarding "Written Submission to the Mayors' Council" was provided with the agenda material.

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation receives the written submission.

CARRIED

7. Termination

It was MOVED and SECONDED

That the Mayors' Council on Regional Transportation on Regional Transportation Public Meeting held January 26, 2017, be now terminated.

CARRIED

(Time: 10:46 a.m.)

Certified Correct:

Mayor Gregor Robertson, Chair
Raincoast Ventures Ltd.

Carol Lee, Recording Secretary

Item 2: Report of the Funding Strategy Committee

February 16, 2017
Public Meeting of the Mayors' Council

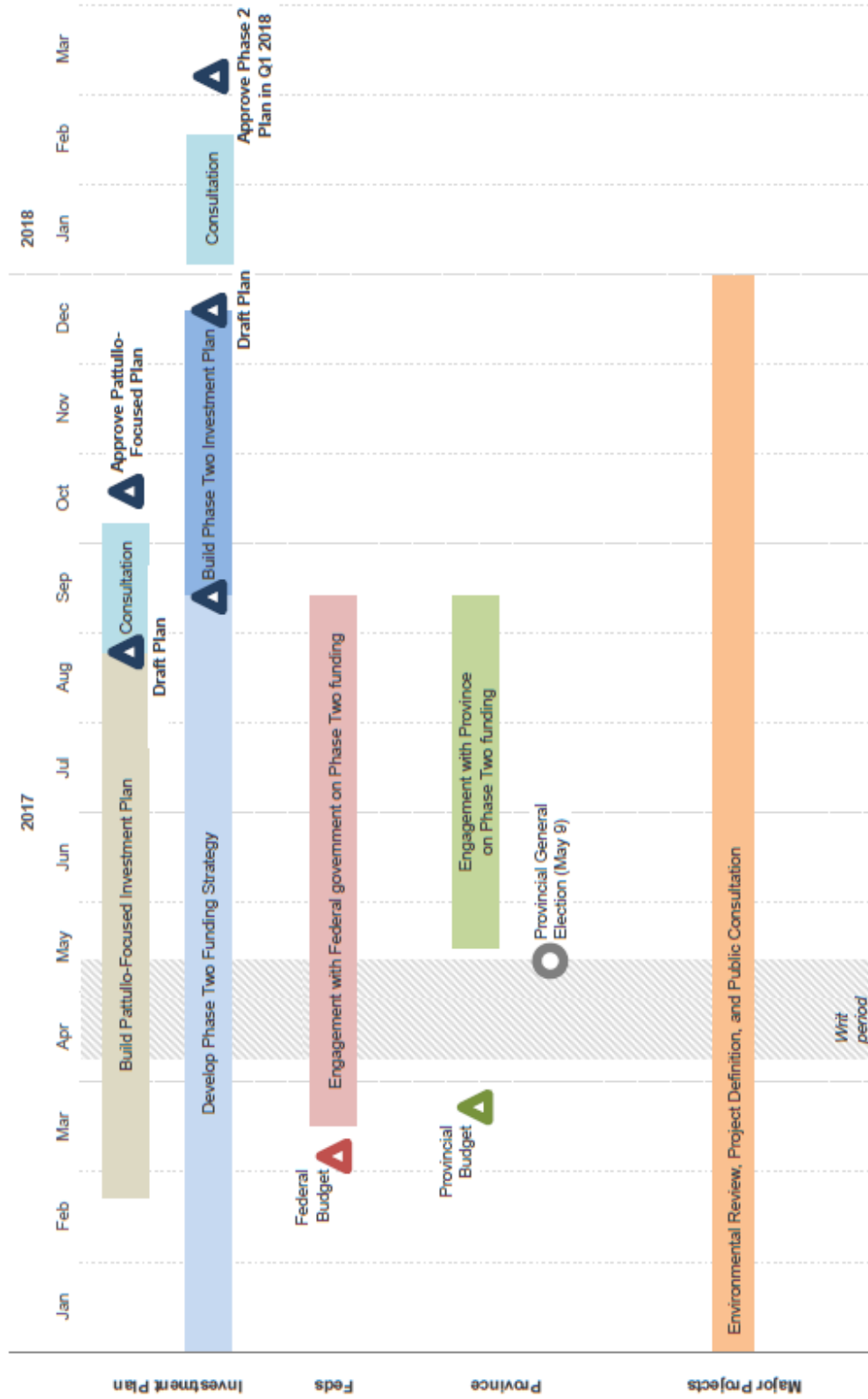
tenyearvision.translink.ca

DRAFT FOR DISCUSSION



Phase Two Funding Framework Development (Illustrative)

2









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DRAFT FOR DISCUSSION



10-Year Vision Investment Dashboard

Investment	10-Year Vision	Phase One (Approved / Underway)	Phase Two Working Assumptions
 Bus service	<ul style="list-style-type: none"> 25% increase 11 new B-Lines 	<ul style="list-style-type: none"> 10% increase 5 new B-Lines 	<ul style="list-style-type: none"> 6% increase 2 new B-Lines
 SeaBus service	<ul style="list-style-type: none"> 1 new SeaBus 10 min peak frequency 	<ul style="list-style-type: none"> ✓ 1 new SeaBus ✓ 10 min peak frequency 	
HandyDART service	<ul style="list-style-type: none"> 30% increase 	<ul style="list-style-type: none"> 15% increase 	<ul style="list-style-type: none"> 7% increase
 Rail	<ul style="list-style-type: none"> 115 Expo/Millennium Lines cars 22 Canada Line cars 10 WCE cars 	<ul style="list-style-type: none"> 28 Expo/Millennium Lines cars ✓ 22 Canada Line cars 5 WCE cars + 1 new locomotive 	<ul style="list-style-type: none"> 86 Expo/Millennium Line cars (including Broadway Extension) Upgrades to Expo/Millennium & Canada Line stations
Major Projects	<ul style="list-style-type: none"> Millennium Line Broadway Extension SoF Rapid Transit Pattullo Bridge Replacement 	<ul style="list-style-type: none"> Pre-construction on Broadway Extension Pre-construction on Newton-Guildford Line Design for Pattullo Bridge Replacement 	<ul style="list-style-type: none"> Construction of Broadway Extension Construction of Newton-Guildford LRT Construction of Pattullo Replacement
 MRN	<ul style="list-style-type: none"> MRN expansion: 1% annual increase + one-time 10% increase MRN upgrades: \$200M MRN seismic: \$130M 	<ul style="list-style-type: none"> MRN expansion: 1% annual increase + one-time 10% increase \$50M (25% of Vision) \$32.5M (25% of Vision) 	<ul style="list-style-type: none"> \$40M (20%) \$26M (20%)
 Walking & Cycling	<ul style="list-style-type: none"> Regional Cycling: \$131M Walking Access to Transit: \$35M 	<ul style="list-style-type: none"> \$41.3M (30% of Vision) \$12.5M (35% of Vision) 	<ul style="list-style-type: none"> \$23.8M (18%) \$10M (29%)
 Transit Exchanges	13 new or expanded transit exchanges	3 upgraded transit exchanges, in addition to 2 exchanges part of Surrey pre-construction work	2 upgrades transit exchanges

Working assumptions revised Feb 02

tenyearvision.translink.ca

DRAFT FOR DISCUSSION



Item 3:

TO: Mayors' Council on Regional Transportation

FROM: Geoff Cross, Vice-President, Transportation Planning and Policy

DATE: February 10, 2017

SUBJECT: Report of the Joint Regional Mobility Pricing Steering Committee

RECOMMENDATIONS

It is recommended that the Mayors' Council on Regional Transportation:

1. Endorse the direction of the Joint Regional Mobility Pricing Steering Committee regarding: (1) mobility pricing definition, (2) mobility pricing objectives, (3) independent commission scope, and (4) independent commission composition, as outlined in the attached slide deck entitled "Report of the Joint Regional Mobility Pricing Steering Committee".
 2. Receive this report.
-

PURPOSE

This report and attached presentation provides an update on key direction and recommendations of the Joint Mobility Pricing Steering Committee to-date.

BACKGROUND

The Joint Steering Committee was established at the November 10, 2016 joint meeting of the Mayors' Council and TransLink Board of Directors and provided direction to develop regional objectives for mobility pricing and oversee the preparatory work to establish of a Mobility Pricing Independent Commission.

DISCUSSION

A summary of Steering Committee work and direction on the following items is summarized in the attached slide deck entitled "Report of the Joint Regional Mobility Pricing Steering Committee": (1) mobility pricing definition, (2) mobility pricing objectives, (3) independent commission scope, and (4) independent commission composition.

A similar report on these items will be provided to the TransLink Board of Directors.

Endorsement from the Mayors' Council and TransLink Board on this direction is a key milestone and will allow the Steering Committee to continue towards delivering a final proposal for the establishment of this Independent Commission to TransLink Board of Directors and Mayors' Council on Regional Transportation by spring 2017.

**Item 3:
Report of the Joint Regional Mobility
Pricing Steering Committee**

Mayors' Council on Regional Transportation
February 16, 2017 Public Meeting



translink.ca

Context

- 10-Year Vision includes commitment to explore and develop a comprehensive mobility pricing system for Metro Vancouver.
- An important first step is to set up an Independent Commission - at arm's length from governments - to undertake the research, public consultation and evaluation needed prior to making a recommendation on how a more coordinated and comprehensive approach to mobility pricing could work in this region.
- The Joint Steering Committee was established at the November 10, 2016 joint meeting of the Mayors' Council and TransLink Board of Directors and provided direction to oversee the preparatory work to establish a Mobility Pricing Independent Commission.

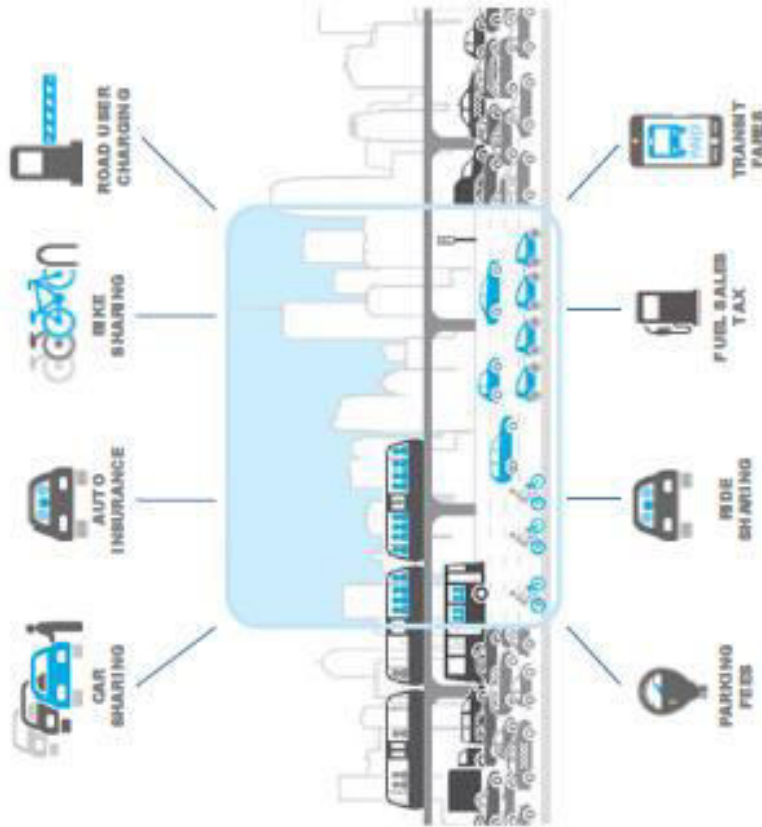
Steering Committee purpose

- Joint Committee of members of TransLink Board of Directors and Mayors' Council on Regional Transportation established to:
 - Confirm regional mobility pricing policy objectives
 - Oversee preparatory work to convene an Independent Commission that will consult, deliberate, and provide policy recommendations on matters of regional mobility pricing.
 - By spring 2017, deliver proposal for the establishment of this Independent Commission to TransLink Board of Directors and Mayors' Council on Regional Transportation.

Steering Committee work and direction to-date

1. Mobility pricing definition
2. Mobility pricing objectives
3. Independent Commission scope
4. Independent Commission composition

1. Mobility Pricing Definition



The Steering Committee has endorsed the following definition of mobility pricing:

Mobility pricing refers to the suite of public and private usage charges associated with using everyday transportation services, including: transit fares, road usage charges, parking fees, and shared mobility services such as ride-sourcing, car-sharing, and bike-sharing.

Regional mobility pricing: problem definition

In establishing objectives, the Steering Committee considered the following three key problems: .

- Traffic congestion is getting worse on roads across the region, wasting everyone's time and hurting our economic competitiveness and quality of life.
- Our current ad-hoc approach to tolling some but not all bridges in the region raises concerns around fairness and traffic diversion.
- Regional transportation investment is currently funded in large part by the fuel sales tax which is increasingly unreliable with the growth of more fuel efficient, hybrid and electric vehicles.

2. Regional mobility pricing: objectives

Building on direction in the Regional Transportation Strategy and 10-Year Vision, the Steering Committee proposes three key, and equally important, regional objectives for mobility pricing.

1. Manage congestion
2. Maximize fairness
3. Support investment

Current regional mobility pricing context

To define the scope for the Mobility Pricing Independent Commission the Steering Committee considered that:

- Our region currently has well-developed, but uncoordinated, systems in place to charge for usage of parking, transit, and shared mobility services like car- and bike-share.
- In contrast, our region's current approach to charging for usage of roads and bridges is undeveloped and ad-hoc (limited to point tolls on new bridges and mechanisms that indirectly price for road usage such as fuel sales tax, insurance premiums, vehicle permits).

3. Independent Commission Scope & Term

The Steering Committee proposes the following scope for the Independent Commission:

1. Recommend a coordinated approach for regional road usage charging in Metro Vancouver that considers all existing or potential charges (direct and indirect) associated with road usage by motor vehicles.
2. Assessment of the implications of the specific proposal outlined above in terms of consistency, compatibility, and coordination with other forms of mobility pricing in the region, including: transit fares, parking fees, and fees for shared mobility services.

The Commission shall be directed to undertake its work through a comprehensive and transparent public process that includes research, analysis, and comprehensive public and stakeholder education, dialogue, and engagement.

The Commission will aim to initiate its work in spring 2017 and submit its findings and recommendations to the Sponsor Authorities by early 2018.

3. Independent Commission Scope & Term



Phase 1:
Establish Independent
Commission
Dec '16 – May '16
(5 months)

Convene Steering
Committee

Scope and establish
Independent Commission

Phase 2:
Commission
Operates
Jun '17 – Feb '18
(9 months)

Liaise and engage with
Independent Commission

Study, consult and provide
recommendations on
mobility pricing

Phase 3:
Confirm Policy
Approach
Mar '18 – Sep '18
(6 months)

Confirm preferred
policy approach

Receive Commission
recommendations

4. Independent Commission Composition

The Steering Committee proposes the following:

1. That the Commission be comprised of eminent and unaffiliated local citizens and community leaders and represent the socioeconomic, demographic, and geographic diversity of Metro Vancouver.
2. That the Commission be supported by a Staff Secretariat and several advisory panels, including residents, stakeholders, and experts from peer regions.

Upcoming areas of Steering Committee work

1. Finalize Independent Commission terms of reference.
2. Recruit candidates for Independent Commission members.
3. Prepare final recommendations on Commission mandate, authority and members for TransLink Board of Directors and Mayors' Council by spring 2017.

Recommendation

It is recommended that the Mayors' Council on Regional Transportation:

Endorse the direction of the Joint Regional Mobility Pricing Steering Committee regarding:

- (1) mobility pricing definition
- (2) mobility pricing objectives
- (3) independent commission scope, and
- (4) independent commission composition.

Item 4: Transit Fare Review

Phase 2 Overview

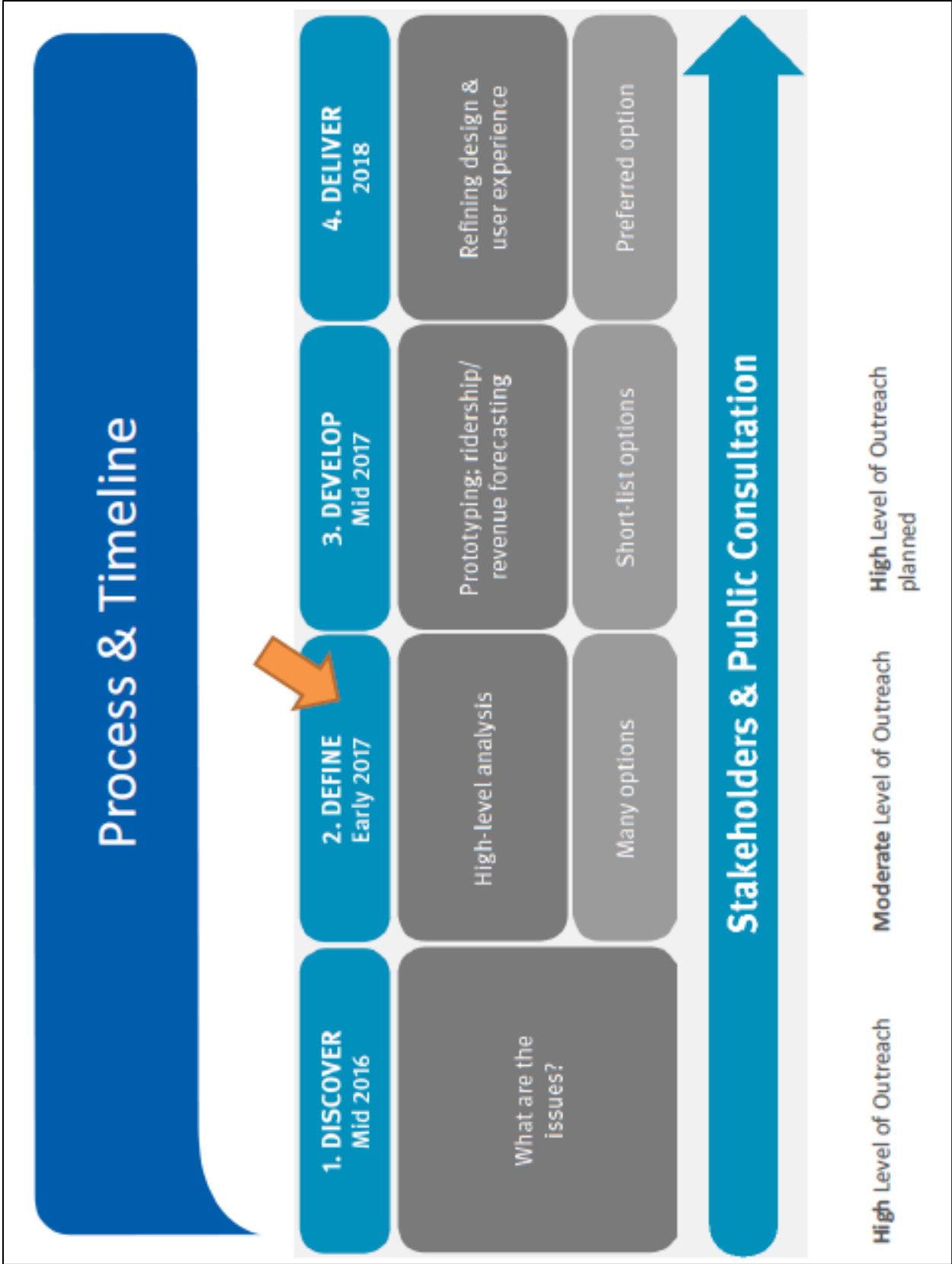
February 16, 2017



Goal of the Transit Fare Review

To recommend changes to the fare structure that **increase ridership** by delivering an **exceptional customer experience**.

www.translink.ca/farereview



Process & Mayors' Council engagement

MC Check-In	Technical Activities	
	Mar	Receive Phase 2 Consultation findings: <i>Which of the long list of fare structure options do you prefer?</i>
May 4	Apr-May	Develop preliminary shortlist
	May-Jun	Complete modelling work to confirm prices and ridership implications
July 27	Jun-Jul	Confirm shortlist and prices
	Aug-Sep	Develop consultation materials (priced shortlist of structure options + discussion of user discounts & products)
	Oct	Phase 3 Consultation: <i>Which of the shortlisted options do you prefer? Preferences around user discounts and product options?</i>
Late 2017	Nov-Dec	Receive and review Phase 3 Consultation findings
	Early 2018	Develop and refine preferred option (including user discounts, products, and transfer rules).
	Early-Mid 2018	Phase 4 Consultation: Any final refinements to the preferred option?
Mid-2018	Mid 2018	Confirm preferred option

Residents support taking a fresh look at the fare system

In your opinion, does the current zone-based fare structure work well?

TRANSLINK LISTENS MARKET RESEARCH PANEL SURVEY		PUBLIC QUESTIONNAIRE	
Agree/Strongly Agree	Disagree/Strongly Disagree	Agree/Strongly Agree	Disagree/Strongly Disagree
27%	59%	19%	64%

What we heard in Phase 1

	TRANSLINK LISTENS MARKET RESEARCH PANEL SURVEY		PUBLIC QUESTIONNAIRE	
	Agree/ Strongly Agree	Disagree/ Strongly Disagree	Agree/ Strongly Agree	Disagree/ Strongly Disagree
DISTANCE Fares should be lower for shorter distance trips and longer for longer distance trips	70%	17%	67%	19%
TIME OF TRAVEL Fares should be lower at less busy times of day than at busier times of day	62%	24%	48%	33%
SERVICE TYPE: QUALITY OF SERVICE Fares should be lower for slower and less direct services than for faster and more direct services	50%	31%	38%	38%



Phase 2: Overview

There are **six core components** that determine the fare you pay to use transit in Metro Vancouver.

1	DISTANCE TRAVELLED
2	TIME OF TRAVEL
3	SERVICE TYPE
4	PRODUCT TYPE
5	USER TYPE
6	JOURNEY TIME

How should the distance you travel affect the fare you pay?

Flat by Distance

All trips (short and long) are priced the same.

Simpler to predict fares

Also: more affordable for longer-distance.

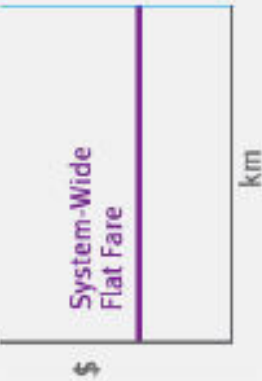
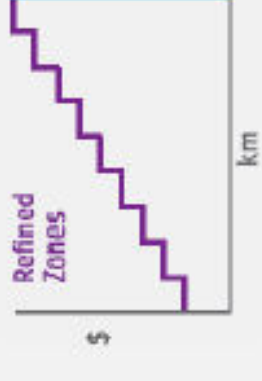
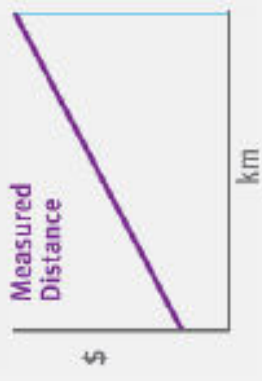
Pay closer to what you use

Also: lower price for shorter-distance trips which are the majority of trips made, especially by lower income riders.

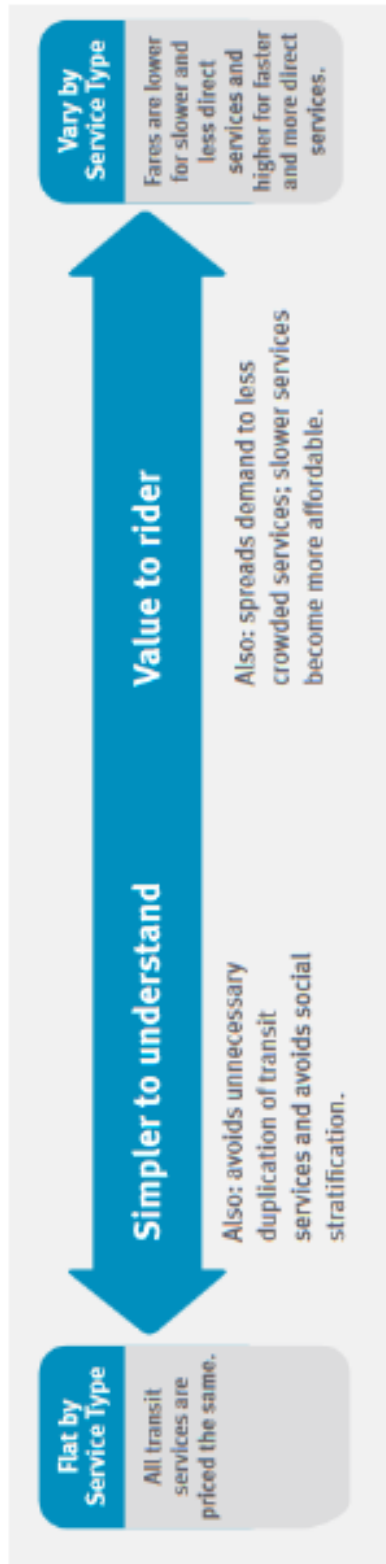
Vary by Distance

Fares are lower for shorter-distance trips than for longer-distance trips.



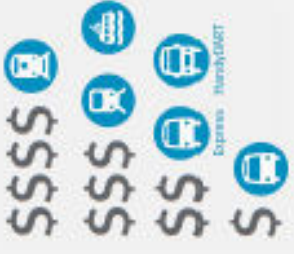
How should the distance you travel affect the fare you pay?

1. Flat by Distance	2. Refined Zones	3. Measured Distance
 <p>System-Wide Flat Fare</p> <p>\$</p> <p>km</p>	 <p>Refined Zones</p> <p>\$</p> <p>km</p>	 <p>Measured Distance</p> <p>\$</p> <p>km</p>
<p>Eliminate boundary issues altogether by pricing all trip distances the same.</p>	<p>Refine zone system to address boundary issues through:</p> <ul style="list-style-type: none"> a) overlapping zones to “soften” the sharp zone boundary edge; b) more zones so jump in price is gradual; c) 2-zone base fare where first zone boundary crossing is free. 	<p>Vary fares based on the measured distance between journey origin and destination using either:</p> <ul style="list-style-type: none"> a) Kilometers b) # of stops/stations

How should the service type you use affect the fare you pay?



How should the service type you use affect the fare you pay?

<p>S1. Fares differ for premium service</p>	<p>S2. Fares differ for some service types</p>	<p>S3. Fares differ for all service types</p>
<p>  </p>	<p>  </p>	<p>  </p>
<p>Fares are equal for all services with a premium fare only for West Coast Express, recognizing that it is a high-speed, limited stop service.</p>	<p>Higher fares for more fast and direct services.</p>	<p>Higher fares for more fast and direct services, including between local bus service and express bus service.</p>



How should the time of day you travel affect the fare you pay?

Flat by Time of Travel
All trips are priced the same no matter when you travel.

Simpler to understand


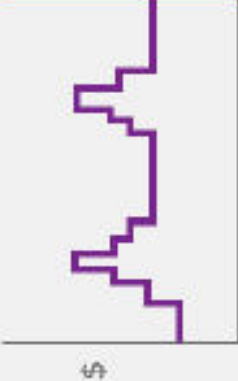
Also: avoids confusion regarding what fare to pay at price change times.

Less crowding

Also: lowers overall system cost from lower peak demand; travel at off-peak times becomes more affordable.

Vary by Time of Travel
Fares are lower at less busy times.

How should the time of day you travel affect the fare you pay?

<p>L1. No Time Variation</p>		<p>Eliminate the existing off-peak discount and make trips the same price throughout the day and week.</p>
<p>L2. Off-Peak Discount</p>		<p>Some or all of the three main off-peak periods - early bird, mid-day, evening - receive a percentage discount off the regular fare.</p>
<p>L3. Hourly Variation</p>		<p>Price each hour of the day differently to directly target the most overcrowded hours of the day, with higher prices during the most crowded times and lower prices during the least crowded times.</p>



How did we consult with the public in Phase 2?

Public Consultation runs from January 30 to February 17

- Learn more: Read the **Discussion Guide**
- Take the **Online Survey**
- Participate in the **Online Discussion Forum**
- Attend the **Stakeholder Forum** on January 30

www.translink.ca/farereview

NOTE: More information is available in the *Phase 2 Discussion Guide* [online](#) on TransLink's website.

Report to the Mayors' Council on Regional Transportation

ITEM 5.1: REVISING THE MAYORS' COUNCIL RULES OF PROCEDURE

Purpose

The purpose of this report is to submit proposed amendments to the Mayors' Council on Regional Transportation's *Rules of Procedure for the Conduct of Meetings* (Rules of Procedure) for discussion and consideration for approval.

Background

The Rules of Procedure were last amended in December 2010. In 2014, the Province of BC amended the *South Coast British Columbia Transportation Authority Act (Act)*, which resulted in significant changes to the roles and functions of the Mayors' Council and the manner in which it operates. The Mayors' Council has adapted the manner in which it conducts its affairs in order to fulfill these additional responsibilities. At its July 28, 2016 meeting, the Mayors' Council directed that the Rules of Procedure be amended to reflect these new practices. An overview of the changes proposed in this report were presented for feedback at the January 26, 2017 meeting of the Mayors' Council, with comments received integrated into this report.

Proposed Changes to the Rules of Procedure

An annotated version of the proposed Rules of Procedures, highlighting the major changes and the rationale for the proposed revisions, is attached as Annex 1. The original, 2010 version of the Rules of Procedure are attached as Annex 2.

Revisions are proposed in the following major thematic areas:

1. **Metro Vancouver precedent:** Where possible, rules reflect those used by Metro Vancouver, given the familiarity with those rules of most members.
2. **Definition of meetings:** The Council no longer meets solely in person as an entire body, and has used committees, workshops, teleconferences and has met jointly with the TransLink Board or Metro Vancouver Directors more and more frequently. The proposed Rules of Procedure include definitions of "Joint Meetings" and "Workshops" and specify the functioning and remuneration for Workshops and teleconferences. The functioning and remuneration for "Joint Meetings" with the TransLink Board have been established under a separate procedure.
3. **Elections:** At present, the election of Chair and Vice Chair traditionally occurs at the first meeting of each calendar year. However, under legislation, the term actually ends December 31, which leaves a gap of days or weeks in the official position until the election occurs. Before the 2014 legislative amendments, this did not have a significant real world impact. However, with the Chair and Vice Chair serving on the TransLink Board, this gap

affects Board participation, and other administrative tasks such as accounting approvals. It is proposed that elections be moved to the final meeting of each calendar year.

4. **Staff roles:** The existing Rules prescribe specific responsibilities to the Corporate Secretary, which are now mostly delivered by the Executive Director. Revisions are proposed to accommodate changing staff roles. For duties relative to the providing notices of meetings and calling urgent meetings, the proposed Rules of Procedure will allow for either the Executive Director or the Corporate Secretary to fulfill those functions to ensure that the Mayors' Council is not prevented from holding a meeting in the event of a vacancy in either position.
5. **Weighted voting:** The application and process of weighted votes has resulted in uncertainty from time to time, particularly given some of the new responsibilities under the 2014 amendments. The proposed Rules of Procedure clarify those items that must be decided by a weighted vote and those that must be decided on the basis of one vote per member.

In addition, numerous amendments have been made to reorganize and group items to increase the readability of the Rules of Procedure.

RECOMMENDATIONS:

It is recommended that the Mayors' Council on Regional Transportation:

1. Adopt the amended *Rules of Procedure for the Conduct of Meeting*, dated February 3, 2017 as presented in Annex 1 below; and
2. Receives the report.

Carol Lee
Recording Secretary

Michael Buda
Executive Director

**MAYORS' COUNCIL ON REGIONAL TRANSPORTATION
RULES OF PROCEDURE FOR THE CONDUCT OF MEETINGS**

Draft Dated: February 3, 2017

1. DEFINITIONS

In these Rules of Procedure for the Conduct of Meetings:

“Act” means the *South Coast British Columbia Transportation Authority Act*;

“Board” means the Board of Directors of TransLink;

“Board Chair” means the Chair of the Board, appointed by the Board;

“Chair” means a Council Member, elected as Chair by the Mayors’ Council;

“Chief Executive Officer” means the person appointed as Chief Executive Officer of TransLink, pursuant to the Act;

“Committee” means a committee of Council Members established by the Mayors’ Council;

“Committee Chair” means the Committee member appointed as chair by the Committee;

“Corporate Secretary” means the Corporate Secretary of TransLink or his/her designate;

“Council Member” means a member of the Mayors’ Council;

“Delegate” means a member of a mayor’s municipal council, governing body of a treaty first nation or an alternate representative of the electoral area appointed by the Council Member to attend and act on his/her behalf, in his/her absence, at a meeting of the Mayors’ Council, Committee of the Mayors’ Council, Joint Meeting or Workshop;

“Director” means a member of the Board;

“Executive Director” means the Executive Director of the Mayors’ Council on Regional Transportation Secretariat appointed by the Mayors’ Council to so act;

“In-Camera Meeting” means a meeting of the Mayors’ Council where attendance is restricted to Council Members, Delegates and invited attendees;

“Joint Meeting” means a meeting where the members of the Mayors’ Council or a committee of the Mayors’ Council and the Board or a committee of the Board agree to jointly attend;

NOTE: New term to reflect that the TransLink Board and Mayors’ Council have agreed to hold Joint Meetings, which are duly constituted meetings of the two separate bodies.

“Mayors’ Council” means the Mayors’ Council on Regional Transportation established under the Act;

“Public Meeting” means a meeting of the Mayors’ Council where the public is invited to attend;

“TransLink” means the South Coast British Columbia Transportation Authority;

“Vice-Chair” means a Council Member, elected as Vice-Chair by the Mayors’ Council; and

“Workshop” means a meeting of the Mayors’ Council convened for the purpose of sharing information or discussion but at which no decisions are permitted to be made.

NOTE: New term intended to ensure that Mayors’ Council members are remunerated for attendance at meetings required to discuss and share information with other entities in the governance structure i.e. the TransLink Board and Screening Panel.

2. ELECTION OF CHAIR AND VICE-CHAIR

2.1 The Chair and Vice-Chair are elected at the last meeting of each year of the Mayors’ Council.

NOTE: The election of the Chair and Vice-Chair will be held during the final Mayors’ Council meeting of each calendar year in order to eliminate the interval where these positions are vacant from January 1 to the first Mayors’ Council meeting of the year.

2.2 Any Council Member may be nominated for the positions of Chair and Vice-Chair at the Mayors’ Council meeting where the election of the Chair and Vice-Chair is to be considered. The nomination must be seconded by another Council Member and must be accepted by the Council Member so nominated.

2.3 If more than one person is nominated for the positions of Chair and Vice-Chair, a vote by secret ballot will be taken to determine the outcome at the meeting when the nominations are made. The person who receives the most votes, as determined by the Executive Director and Corporate Secretary, will be the Chair and Vice-Chair.

- 2.4 The election of Chair and Vice-Chair will be determined on the basis of one (1) vote per Council Member unless any Council Member requests that it be determined by a weighted vote.
- 2.5 The Chair and Vice-Chair shall hold office for a one (1) year term, commencing on January 1 and ending on December 31 of the ensuing year.
- 2.6 The Chair and Vice-Chair should declare their intention to seek re-election or to resign from the office by notifying the Council Members by email no later than November 15.

NOTE: The date for the Chair and Vice-Chair to declare their intention to stand for re-election or to resign has been changed from November 1 to November 15.

- 2.7 If the office of the Chair or Vice-Chair becomes vacant, the Mayors' Council will elect a new Chair or Vice-Chair at its next meeting, to hold office until such time as he/she is no longer a Council Member or until the Mayors' Council elects another Council Member as Chair or Vice-Chair.

3. REGULAR MEETINGS

- 3.1 Regularly scheduled meetings of the Mayors' Council shall be at the call of the Chair.
- 3.2 At the request of the Chair, the Executive Director or Corporate Secretary shall provide notice of the meeting to Council Members at least five (5) clear calendar days before the date of the meeting and:
- (a) The notice will state the general purpose of the meeting and the day, hour and place of the meeting; and
 - (b) Notice of the meeting will be delivered to the email address provided by the Council Member.
- 3.3 If the regular meeting is to be a Public Meeting, the Executive Director or Corporate Secretary shall provide public notice of the day, hour and place of the regular meeting, by way of notice posted on the TransLink website at least five (5) calendar days before the date of the meeting.

4. URGENT MEETINGS

- 4.1 In an emergency, the Chair, or any three (3) or more Council Members upon written request, may call a meeting with less than five (5) clear calendar days notice.

- 4.2 The notice of an urgent meeting will indicate the agenda items to be dealt with at the meeting and only those matters will be dealt with at the meeting except where a resolution to place an additional item on the agenda has been passed unanimously by those Council Members and Delegates present at the meeting.
- 4.3 The Executive Director or Corporate Secretary shall provided notice of the urgent meeting as soon as practicable and:
- (a) The notice will state the purpose of the urgent meeting and the day, hour and place of the meeting; and
 - (b) Notice of the urgent meeting will be delivered to the email address provided by the Council Member.
- 4.4 If the urgent meeting is to be a Public Meeting, the Executive Director or Corporate Secretary shall provide public notice of the day, hour and place of the urgent meeting, by way of notice posted on the TransLink website as soon as practicable.
- 4.5 Urgent In-Camera Meetings of the Mayors' Council may be held via teleconference and all resolutions shall be valid as if passed at an in-person meeting.

NOTE: Added to allow decisions to be made at meetings that are held via teleconference.

5. ATTENDANCE AT MEETINGS

- 5.1 A Council Member may appoint a Delegate to attend a meeting and to act on his/her behalf at that meeting.
- 5.2 The Chair and Vice-Chair may not appoint a Delegate to act as Chair or Vice-Chair, respectively.
- 5.3 Council Members and Delegates must attend regularly scheduled meetings in person.

NOTE: Added to clarify the requirement to attend regularly scheduled meetings in person.

- 5.4 The Corporate Secretary will attend all Mayors' Council meetings and record the business and proceedings thereof.
- 5.5 Attendance of individuals at In-Camera Meetings, with the exception of the Executive Director and Corporate Secretary, require the approval of a majority of the Council Members and Delegates present at the meeting.

6. IN-CAMERA MEETINGS

- 6.1 A part of a meeting must be closed to the public if the subject matter being considered relates to one or more of the following:
- (a) A request under the *Freedom of Information and Protection of Privacy Act*, if the Mayors' Council is designated as head of the local public body for the purposes of that Act in relation to the matter;
 - (b) The consideration of information received and held in confidence relating to negotiations between the Mayors' Council and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party; and
 - (c) A matter that under the provisions of another enactment where the public must be excluded from the meeting.
- 6.2 A part of a meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
- (a) Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the Mayors' Council or another position appointed by the Mayors' Council;
 - (b) The security of the property of the Mayors' Council;
 - (c) Labour relations or other employee relations;
 - (d) The acquisition, disposition or expropriation of land or improvements, if the Mayors' Council or Committee considers that disclosure could reasonably be expected to harm the interests of the Mayors' Council;
 - (e) Law enforcement, if the Mayors' Council or Committee considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
 - (f) Litigation or potential litigation affecting the Mayors' Council;
 - (g) An administrative tribunal hearing or potential administrative tribunal hearing affecting the Mayors' Council, other than a hearing to be conducted by the Mayors' Council or Committee or a Delegate of the Mayors' Council or Committee;
 - (h) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

- (i) Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
 - (j) Negotiations and related discussions respecting the proposed provision of a Mayors' Council service that are at their preliminary stages and that, in the view of the Mayors' Council or Committee, could reasonably be expected to harm the interests of the Mayors' Council if they were held in public;
 - (k) Relations or negotiations between the Mayors' Council and other levels of government and/or agencies;
 - (l) A matter that under the provisions of another enactment where the public may be excluded from the meeting;
 - (m) The consideration of whether a meeting should be closed under a provision of this Item; and
 - (n) The consideration of whether the authority under Item 6.1 should be exercised in relation to a meeting.
- 6.3 If the only subject matter being considered at a meeting is one or more matters referred to in Items 6.1 or 6.2, the applicable subsection applies to the entire meeting.
- 6.4 The Executive Director or Corporate Secretary will circulate the proposed agendas for the Public and In-Camera Meetings to all Council Members **seven (7) days** prior to the scheduled meeting date. Upon receipt of the proposed agendas, the Council Members may request the Chair to move items from the Public meeting agenda to the In-Camera meeting agenda and vice versa, prior to the agendas being finalized.

NOTE: Reduced from 10 days.

7. QUORUM

- 7.1 The quorum necessary for the transaction of the business of the Mayors' Council shall be a majority of the Council Members.
- 7.2 Delegates will be included in the determination of quorum.

8. PUBLIC DELEGATIONS

- 8.1 The Mayors' Council will allot a maximum of one (1) hour on the day of a Public Meeting to receive public delegations.

- 8.2 Each delegation will be given a maximum of five (5) minutes to address the Mayors' Council.
- 8.3 Any person or organization wishing to appear before the Mayors' Council must submit an application to the Executive Director no later than 8:00 a.m., two (2) business days prior to the scheduled meeting.
- 8.4 The application must indicate the agenda item or issue the applicant wishes to address, the name of the designated speaker and the specific action that is being requested of the Mayors' Council. The Mayors' Council will receive public delegations only on those matters that are within the authority of the Mayors' Council to decide.
- 8.5 The Mayors' Council will receive one representative from an organization at each meeting. If an organization wishes to appear as a delegation, one person should be selected as a designated speaker for the organization. If more than one individual from an organization submits an application, the individual who registered first with the Executive Director will be deemed to be the designated speaker for the organization. Additional representatives from the organizations will be received, time permitting within the time allotted to receiving public input, in accordance with Item 8.7(c).
- 8.6 The Executive Director shall, no later than noon on the business day prior to the scheduled meeting, advise the applicant whether he/she is scheduled to appear before the Mayors' Council.
- 8.7 Applications to appear as delegations will be prioritized in accordance with the following process:
 - (a) Those individuals or organizations (in accordance with Item 8.5) speaking on an agenda item to be considered at the meeting will be received first. Priority will be given to those individuals or organizations that have not previously addressed the Mayors' Council on the agenda item of interest.
 - (b) Those individuals or organizations (in accordance with Item 8.5) speaking on issues not included on the agenda for the meeting and on a matter that is within the authority of the Mayors' Council will be received next. Priority will be given to those individuals or organizations that have not previously addressed the Mayors' Council on the issue of interest.
 - (c) Representatives, other than the designated speaker of an organization that has already been heard at the meeting, will be received next in the order in which they register with the Executive Director (subject to Item 8.8), if time permits within the time allotted by the Mayors' Council to receive delegations.

- 8.8 Where the number of applications exceeds the time allotted by the Mayors' Council to receive delegations, a maximum of four (4) presentations on each agenda item or issue will be received. The Executive Director will attempt to provide a balance of perspectives on the action being requested of the Mayors' Council on a specific agenda item or issue.
- 8.9 Where the number of applicants exceeds the time allotted to receiving public input, the applicants that are not accepted will be invited to submit written input to the Mayors' Council.
- 8.10 Where circumstances warrant, the Mayors' Council, at its sole discretion, may extend the length of time allotted to receiving public input.
- 8.11 Meetings of the Mayors' Council may be held for the express purpose of receiving public input and Item 8.1 will not apply. The meeting will be called by the Executive Director or Corporate Secretary at the request of the Chair and notice of the meeting will be delivered to Council Members at least **ten (10) clear calendar days** before the date of the meeting.

NOTE: Reduced from 15 days.

9. RULES OF CONDUCT

- 9.1 The Chair will preside at all meetings. In the absence of the Chair, the Vice-Chair shall preside.
- 9.2 In the absence of the Chair and Vice-Chair, the Council Members and Delegates present shall elect a Council Member to act as chair for the meeting.
- 9.3 The Chair, Vice-Chair or the Council Member presiding over the meeting (referred to as "Presiding Member" in this Section) will preserve order and decide all points of order that may arise during the meeting.
- 9.4 The Presiding Member may expel or exclude any person from a meeting for improper conduct.
- 9.5 Any Council Member or Delegate may appeal a decision of the Presiding Member. On an appeal, the question "Will the Chair be sustained?", will be immediately put by the Presiding Member and decided without debate and:
- (a) The Presiding Member shall not be entitled to vote on an appeal;
 - (b) Each Council Member or Delegate will have one (1) vote;

(c) In the event of the votes being equal, the decision of the Presiding Member is sustained; and

(d) The Presiding Member will be governed by the vote of the majority of those present at the meeting.

9.6 If the Presiding Member refuses to put the question "Will the Chair be sustained?", the Council Members and Delegates will immediately appoint another Council Member to act as Presiding Member and to proceed in accordance with Item 9.5.

10. MOTIONS

10.1 A motion must be moved and seconded before the subject of the question is debated or determined.

10.2 A motion that has been moved and seconded may be withdrawn at any time by the mover, with the approval of a majority of those present at the meeting.

10.3 During the debate on a motion:

(a) The only motions that may be made are to refer, amend, table or defer it, adjourn the meeting, or call the question; and

(b) Motions to defer or refer the motion or to adjourn the meeting shall be decided without debate or amendment.

10.4 Any Council Member or Delegate may request that a motion that contains multiple parts be divided and that the question on each be called separately.

10.5 A motion to adjourn shall always be in order, but no second motion to the same effect shall be made until some intermediate proceeding shall have been taken.

11. RULES OF DEBATE

11.1 Where there is a motion under debate, a Council Member or Delegate shall not speak other than on that motion under debate and the matters relating to that motion as set out in Item 11.3.

11.2 No Council Member or Delegate shall speak on any question for longer than five (5) minutes without leave of the Mayors' Council.

11.3 No Council Member or Delegate, with the exception of the mover of the motion under debate, shall speak more than once to the same motion without leave of the Mayors' Council except in explanation of a material part of his or her speech

which may have been misconceived, and in doing so, the Council Member or Delegate is not to introduce any new matter.

- 11.4 If, during debate on a motion, a motion to refer or defer that motion is put while there are Council Members or Delegates remaining who have indicated an intention to speak, the Chair shall, at his/her sole discretion, refuse to accept the seconding of such a motion of deferral or referral until those on the list of speakers for the first motion have been heard. No other names shall be added to the speakers list, and following the hearing of those entitled to speak, the Chair shall ask if there will be a seconder to the motion to defer or refer and, receiving an affirmative response, shall call the question on such motion without debate or amendment.
- 11.5 Item 11.4 does not apply to the mover of the motion under debate and the mover shall be permitted to speak a second time, for a maximum of five (5) minutes, immediately before the question is finally put by the Chair.
- 11.6 After the question is finally put by the Chair, no Council Member or Delegate shall speak to such question nor shall any other motion be made until after the result is declared.

12. VOTING

- 12.1 Questions arising at any meeting shall be decided by a majority of votes of those present.
- 12.2 Questions relating to the following items must be decided by a weighted vote:
 - (a) Approving or rejecting a long-term strategy;
 - (b) Approving or rejecting an investment plan; and
 - (c) Approving, rejecting or altering an application to establish a new fare or to increase an existing fare.

NOTE: Added to clarify the questions that are required under the Act to be decided by weighted vote.

- 12.3 Questions relating to the following items must be decided on the basis of one (1) vote per Council Member:
 - (a) Appointing Directors;

- (b) Varying Director remuneration, except that the Chair and Vice-Chair are not entitled to vote on resolutions regarding varying Director remuneration;
- (c) Amending the Executive compensation plan; and
- (d) Approving or rejecting a proposed fare collection bylaw or amendment.

NOTE: Added to clarify the questions that are required under the Act to be decided on the basis of one vote per Mayors' Council Member.

12.4 Except as provided in Item 9.5(a) and 12.3(b), the Chair shall vote on all business coming before a meeting.

12.5 In the case of an equal number of votes for and against a question, including the vote of the Chair, except as provided in Item 9.5(c), the question shall be defeated.

13. NOTICE OF MOTION

13.1 Any Council Member or Delegate desiring to bring a new matter before a meeting of the Mayors' Council, other than a point of order or a point of privilege, shall do so by way of motion.

13.2 Any new matter that requires further information than could or would normally be available to the Mayors' Council at a meeting, may be ruled by the Chair as a notice of motion and shall be dealt with as provided by Item 13.3(b).

13.3 A notice of motion may be introduced by a Council Member by:

- (a) Providing the Executive Director with a signed copy of such motion, no later than five (5) clear calendar days prior to the scheduled meeting, and the Executive Director shall add the motion to the agenda for said meeting; or
- (b) Providing the Executive Director with a signed copy of such motion during a meeting and the Corporate Secretary shall, upon the Council Member or Delegate being acknowledged by the Chair and the notice of motion being read to the meeting, include it in the minutes of that meeting as notice of motion and shall add the motion to the agenda of the next regular meeting of the Mayors' Council.

13.4 A motion may be introduced without previous notice having been given by a resolution waiving notice of motion passed by two-thirds (2/3) of those present at the meeting.

14. AMENDMENTS

- 14.1 An amendment must be moved and seconded before it is debated or determined.
- 14.2 Only two (2) amendments shall be allowed to the main question and only one (1) amendment shall be allowed to an amendment.
- 14.3 Every amendment must be determined before the main question is put to a vote.
- 14.4 Amendments shall be voted upon in the reverse order in which they were moved.
- 14.5 An amendment that has been moved and seconded may be withdrawn at any time by the mover.
- 14.6 A question of referral, until it is decided, shall preclude all amendments to the main question.

15. RECONSIDERATION

- 15.1 A motion to reconsider a matter that has previously been decided by the Mayors' Council may be moved at the same meeting or at a subsequent meeting by a Council Member or Delegate who previously voted with the prevailing side, provided that no steps have been taken to implement the matter previously decided.
- 15.2 A motion to reconsider may be seconded by any Council Member or Delegate.
- 15.3 After the motion to reconsider has been moved and seconded, the mover must state the justification for reconsidering the previous decision. The motion to reconsider shall be decided by a simple majority of those present, without debate or amendment.
- 15.4 If the motion to reconsider is carried, the original motion shall be reconsidered as the next item of business and all regular rules of debate and voting shall apply.

16. COMMITTEES

- 16.1 The Mayors' Council may establish Committees and delegate the powers and duties of the Mayors' Council to the Committee.
- 16.2 Sections 1, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14 and 15 shall apply to meetings of any committees except that, where applicable, the term "Committee Chair" will be

substituted for the term “Chair” and the term “committee meeting” will be substituted for the term “Mayors’ Council meeting”.

16.3 The Chair is an ex officio member of all Committees.

16.4 The quorum necessary for the transaction of business at a Committee meeting shall be a majority of the Committee members.

17. WORKSHOPS

NOTE: This section has been added to ensure that Mayors’ Council members can be remunerated for attendance at Workshops, which are necessary given the expanded scope of Mayors’ Council responsibilities under the amended legislation.

17.1 Workshops will be considered duly constituted meetings of the Mayors’ Council.

17.2 Workshops may be convened from time to time at the call of the Chair, upon written notice provided to Council Members.

17.3 In-person attendance by Council Members or Delegates at Workshops will constitute attendance at a meeting for the purposes of remuneration under s. 213(4)(b) of the Act.

17.4 The quorum necessary for the transaction of business at a Workshop shall be those Council Members and Delegates present.

18. SUPPLEMENTARY PROVISIONS

18.1 In the event of a situation that is not contemplated by the provisions of the Procedures for the Conduct of Meetings, the “Council Proceedings” sections of the *Community Charter* shall apply.

NOTE: The reference to the Community Charter has been added in recognition of the familiarity of the Mayors’ Council members with provisions under the Community Charter.

18.2 In the event of a situation that is neither contemplated by the provisions of the Procedures for the Conduct of Meetings nor the “Council Proceedings” sections of the *Community Charter*, Roberts Rules of Order shall apply.

**MAYORS' COUNCIL ON REGIONAL TRANSPORTATION
RULES OF PROCEDURE FOR THE CONDUCT OF MEETINGS**

1. DEFINITIONS

In these Rules of Procedure for the Conduct of Meetings:

"Act" means the *South Coast British Columbia Transportation Authority Act*;

"Board" means the Board of Directors of TransLink;

"Board Chair" means the Chair of the Board, appointed by the Board;

"Chair" means a Council Member, elected as Chair by the Mayors' Council;

"Chief Executive Officer" means the person appointed as Chief Executive Officer of TransLink, pursuant to the Act;

"Committee" means a committee of Council Members established by the Mayors' Council;

"Committee Chair" means the Committee member appointed as chair by the Committee;

"Corporate Secretary" means the Corporate Secretary of TransLink;

"Council Member" means a member of the Mayors' Council;

"Delegate" means a member of a mayor's municipal council appointed by the Council Member to attend and act on his/her behalf, in his/her absence, at a Mayors' Council meeting;

"Director" means a member of the Board;

"Mayors' Council" means the Mayors' Council on Regional Transportation established under the Act;

"TransLink" means the South Coast British Columbia Transportation Authority; and

"Vice Chair" means a Council Member, elected as Vice Chair by the Mayors' Council.

"Executive Director"
56992 771



Adopted: December 9, 2010

2. ELECTION OF CHAIR AND VICE CHAIR

- 2.1 Pursuant to the Act, the Mayors' Council must elect one of their number as Chair. The Mayors' Council will also elect one of their number as Vice Chair.
- 2.2 Any Council Member may be nominated for the positions of Chair and Vice Chair at the Mayors' Council meeting where the election of the Chair and Vice Chair is to be considered. The nomination must be seconded by another Council Member and must be accepted by the Council Member so nominated.
- 2.3 If more than one person is nominated for the positions of Chair and Vice Chair, a vote by secret ballot will be taken to determine the outcome at the meeting when the nominations are made. The person who receives the most votes, as determined by the Chief Executive Officer and Corporate Secretary, will be the Chair and Vice Chair.
- 2.4 The Chair and Vice Chair shall hold office for a one year term, commencing on January 1 and ending on December 31 of that same year. *2 years*
- 2.5 The Chair and Vice Chair should declare their intention to seek re-election or to resign from the office by notifying the Council Members by email, mail or facsimile no later than November 1.
- 2.6 If the office of the Chair or Vice Chair becomes vacant, the Mayors' Council will elect a new Chair or Vice Chair at its next meeting, to hold office until such time as he/she is no longer a Council Member or until the Mayors' Council elects another Council Member as Chair or Vice Chair.

3. SCHEDULING OF MEETINGS

- 3.1 The Chair will each decide from time to time where and when meetings will be held.

4. MEETINGS

- 4.1 The Chair will preside at all meetings. In the absence of the Chair, the Vice Chair shall preside.
- 4.2 A part of a meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
 - (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the Mayors' Council or another position appointed by the Mayors' Council;

Adopted: December 9, 2010

- (b) personal information about an identifiable individual who is being considered for a Mayors' Council award or honour, or who has offered to provide a gift to the Mayors' Council on condition of anonymity;
- (c) the security of the property of the Mayors' Council;
- (d) the acquisition, disposition or expropriation of land or improvements, if the Mayors' Council or Committee considers that disclosure could reasonably be expected to harm the interests of the Mayors' Council;
- (e) law enforcement, if the Mayors' Council or Committee considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (f) litigation or potential litigation affecting the Mayors' Council;
- (g) an administrative tribunal hearing or potential administrative tribunal hearing affecting the Mayors' Council, other than a hearing to be conducted by the Mayors' Council or Committee or a delegate of the Mayors' Council or Committee;
- (h) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (i) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;
- (j) negotiations and related discussions respecting the proposed provision of a Mayors' Council service that are at their preliminary stages and that, in the view of the Mayors' Council or Committee, could reasonably be expected to harm the interests of the Mayors' Council if they were held in public;
- (k) relations or negotiations between the Mayors' Council and other levels of government and/or agencies;
- (l) a matter that, under another enactment, is such that the public may be excluded from the meeting;
- (m) the consideration of whether a meeting should be closed under a provision of this Item or Item 4.2;

- (n) the consideration of whether the authority under Item 4.4 should be exercised in relation to a meeting.
- 4.3 A part of a meeting must be closed to the public if the subject matter being considered relates to one or more of the following:
- (a) a request under the *Freedom of Information and Protection of Privacy Act*, if the Mayors' Council is designated as head of the local public body for the purposes of that Act in relation to the matter;
 - (b) the consideration of information received and held in confidence relating to negotiations between the Mayors' Council and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
 - (c) a matter that is being investigated under the Ombudsman Act of which the Mayors' Council has been notified under section 14 [ombudsman to notify authority] of that Act;
 - (d) a matter that, under another enactment, is such that the public must be excluded from the meeting.
- 4.4 If the only subject matter being considered at a meeting is one or more matters referred to in Items 4.1 or 4.2, the applicable subsection applies to the entire meeting.
- 4.5 The Corporate Secretary will circulate the proposed agendas for the public and in camera meetings to all Council Members ten days prior to the scheduled meeting date. Upon receipt of the proposed agendas, the Council Members may request the Chair to move items from the public meeting agenda to the in camera meeting agenda and vice versa, prior to the agendas being finalized.
- 4.6 The Corporate Secretary or his/her designate will attend all Mayors' Council meetings and record the business and proceedings thereof.
- 4.7 The Chief Executive Officer, the Board Chair and those individuals whose attendance is deemed to be required by either the Chief Executive Officer or the Board Chair will attend all Mayors' Council meetings unless otherwise determined by the Mayors' Council.

Adopted: December 9, 2010

5. NOTICE OF MEETINGS

- 5.1 Meetings of the Mayors' Council will be called by the Corporate Secretary, at the request of the Chair, and notice of the meeting will be delivered to Council Members at least five clear calendar days before the date of the meeting and:
- (a) The notice will state the general purpose of the meeting and the day, hour and place of the meeting;
 - (b) The notice will be delivered to Council Members by mail, e-mail or facsimile or other means of transmitting legibly recorded messages to the address given to the Corporate Secretary for that purpose; and
 - (c) At least five calendar days before a meeting, the Secretary must give public notice of the day, hour and place of the meeting by way of a notice posted on the TransLink website.
- 5.2 In an emergency, the Chair, or any three or more Council Members upon written request, may call a meeting with less than five clear calendar days notice. The notice will indicate the agenda items to be dealt with at the meeting and only those matters will be dealt with at the meeting except where a resolution to place an additional item on the agenda has been passed unanimously by those Council Members and Delegates present at the meeting.
- 5.3 A Meeting of the Mayors' Council shall be called by the Corporate Secretary for a specified purpose, at the written request of three or more Council Members, and notice of the meeting will be delivered to Council Members at least five clear calendar days before the date of the meeting and:
- (a) The notice will state the purpose of the meeting and the day, hour and place of the meeting;
 - (b) The notice will be delivered to Council Members by mail, e-mail or facsimile or other means of transmitting legibly recorded messages to the address given to the Corporate Secretary for that purpose; and
 - (c) At least five calendar days before a meeting, the Secretary must give public notice of the day, hour and place of the meeting by way of a notice posted on the TransLink website.
- 5.4 Meetings of the Mayors' Council may be held for the express purpose of receiving public input. The meeting will be called by the Corporate Secretary, at the request of the Chair, and notice of the meeting will be delivered to Council Members at least fifteen clear calendar days before the date of the meeting.

Adopted: December 9, 2010

6. QUORUM

- 6.1 The quorum necessary for the transaction of the business of the Mayors' Council shall be a majority of the Council Members.
- 6.2 Delegates will be included in the determination of quorum.

7. PUBLIC DELEGATIONS

- 7.1 The Mayors' Council will allot a maximum of one hour on the day of a public meeting to receive public delegations.
- 7.2 Each delegation will be given a maximum of five minutes to address the Mayors' Council.
- 7.3 Any person or organization wishing to appear before the Mayors' Council must submit an application to the Corporate Secretary no later than 8:00 a.m., two business days prior to the scheduled meeting.
- 7.4 The application must indicate the agenda item or issue the applicant wishes to address, the name of the designated speaker and the specific action that is being requested of the Mayors' Council. The Mayors' Council will receive public delegations only on those matters that are within the authority of the Mayors' Council to decide.
- 7.5 The Mayors' Council will receive one representative from an organization at each meeting. If an organization wishes to appear as a delegation, one person should be selected as a designated speaker for the organization. If more than one individual from an organization submits an application, the individual who registered first with the Corporate Secretary will be deemed to be the designated speaker for the organization. Additional representatives from the organizations will be received, time permitting within the time allotted to receiving public input, in accordance with Item 7.7(c).
- 7.6 The Corporate Secretary shall, no later than noon on the business day prior to the scheduled meeting, advise the applicant whether he/she is scheduled to appear before the Mayors' Council.
- 7.7 Applications to appear as delegations will be prioritized in accordance with the following process:
 - (a) Those individuals or organizations (in accordance with Item 7.5) speaking on an agenda item to be considered at the meeting will be received first.

Adopted: December 9, 2010

Priority will be given to those individuals or organizations that have not previously addressed the Mayors' Council on the agenda item of interest.

- (b) Those individuals or organizations (in accordance with Item 7.5) speaking on issues not included on the agenda for the meeting and on a matter that is within the authority of the Mayors' Council will be received next. Priority will be given to those individuals or organizations that have not previously addressed the Mayors' Council on the issue of interest.
- (c) Representatives, other than the designated speaker of an organization that has already been heard at the meeting, will be received next in the order in which they register with the Corporate Secretary (subject to Item 7.8), if time permits within the time allotted by the Mayors' Council to receive delegations.

- 7.8 Where the number of applications exceeds the time allotted by the Mayors' Council to receive delegations, a maximum of four presentations on each agenda item or issue will be received. The Corporate Secretary will attempt to provide a balance of perspectives on the action being requested of the Mayors' Council on a specific agenda item or issue.
- 7.9 Where the number of applicants exceeds the time allotted to receiving public input, the applicants that are not accepted will be invited to submit written input to the Mayors' Council.
- 7.10 Where circumstances warrant, the Mayors' Council, may extend the length of time allotted to receiving public input.

B. RULES OF CONDUCT

- 8.1 The Chair will preserve order and decide all points of order that may arise.
- 8.2 The Chair may expel or exclude any person from a meeting for improper conduct.
- 8.3 Any decision of the Chair made under this Section may be appealed by a Council Member or Delegate. On an appeal, the question "Will the Chair be sustained?", will be immediately put by the Chair and decided without debate and the Chair will be governed by the vote of the majority of those present at the meeting and:
 - (a) The Chair shall not be entitled to vote on an appeal; and
 - (b) In the event of the votes being equal, the decision of the Chair will be upheld.

Adopted: December 9, 2010

- 8.4 If the Chair refuses to put the question "Will the Chair be sustained?", the Council Members and Delegates shall immediately appoint a Council Member or Delegate to preside temporarily to act as Chair and to proceed in accordance with Item 8.3.

9. VOTING

- 9.1 Questions arising at any meeting shall be decided by a majority of votes of those present.
- 9.2 Except as provided in Item 8.3(a), the Chair shall vote on all business coming before a meeting.
- 9.3 In the case of an equal number of votes for and against a question, including the vote of the Chair, except as provided in Item 8.3(a), the question shall be defeated.

10. RULES OF DEBATE

- 10.1 Where there is a motion under debate, a Council Member or Delegate shall not speak other than on that motion under debate and the matters relating to that motion as set out in Item 10.3.
- 10.2 No Council Member or Delegate shall speak on any question for longer than five minutes without leave of the Mayors' Council.
- 10.3 No Council Member or Delegate, with the exception of the mover of the motion under debate, shall speak more than once to the same motion without leave of the Mayors' Council except in explanation of a material part of his or her speech which may have been misconceived, and in doing so, the Council Member or Delegate is not to introduce any new matter.
- 10.4 If, during debate on a motion, a motion to refer or defer that motion is put while there are Council Members or Delegates remaining who have indicated an intention to speak, the Chair shall, at his/her sole discretion, refuse to accept the seconding of such a motion of deferral or referral until those on the list of speakers for the first motion have been heard. No other names shall be added to the speakers list, and following the hearing of those entitled to speak, the Chair shall ask if there will be a seconder to the motion to defer or refer and, receiving an affirmative response, shall call the question on such motion.
- 10.5 Item 10.4 does not apply to the mover of the motion under debate and the mover shall be permitted to speak a second time, for a maximum of five minutes, immediately before the question is finally put by the Chair.

Adopted: December 9, 2010

- 10.6 After the question is finally put by the Chair, no Council Member or Delegate shall speak to such question nor shall any other motion be made until after the result is declared.

11. MOTIONS

- 11.1 A motion must be made and seconded before the subject of the question is debated or voted upon.
- 11.2 After a motion is read, it may be withdrawn by the mover at any time before decision or amendment with the approval of those present at the meeting.
- 11.3 When a motion is being debated, the only motions that may be made are to refer it, amend it, lay it on the table, defer it, adjourn the meeting, or to move that the vote be taken.
- 11.4 Motions to defer or refer a decision or to adjourn the meeting shall be decided without debate or amendment.
- 11.5 A Council Member or Delegate may request that a motion that contains multiple parts be divided and a separate vote be taken on each part, subject to the approval of the Chair.
- 11.6 A motion to adjourn shall always be in order, but no second motion to the same effect shall be made until some intermediate proceeding shall have been taken.

12. NOTICE OF MOTION

- 12.1 Any Council Member or Delegate desiring to bring a new matter before a meeting of the Mayors' Council, other than a point of order or a point of privilege, shall do so by way of motion.
- 12.2 Any new matter that requires further information than could or would normally be available to the Mayors' Council at a meeting, may be ruled by the Chair as a notice of motion and shall be dealt with as provided by Item 12.3(b).
- 12.3 A notice of motion may be introduced by a Council Member:
- (a) Providing the Corporate Secretary with a signed copy of such motion, no later than five clear calendar days prior to the scheduled meeting, and the Corporate Secretary shall add the motion to the agenda for said meeting; or

- (b) Providing the Corporate Secretary with a signed copy of such motion during a meeting and the Corporate Secretary shall, upon the Council Member or Delegate being acknowledged by the Chair and the notice of motion being read to the meeting, include it in the minutes of that meeting as notice of motion and shall add the motion to the agenda of the next regular meeting of the Mayors' Council.

12.4 A motion may be introduced without previous notice having been given by a resolution waiving notice of motion passed by two-thirds of those present at the meeting.

13. AMENDMENTS

13.1 Amendments shall be voted on in the reverse order to that in which they are moved.

- (a) Every amendment submitted shall, when requested by any Council Member or Committee member, be reduced to writing and be decided upon or withdrawn before the main question is put to vote.

- (b) Only two amendments shall be allowed to the main motion and only one amendment shall be allowed to an amendment.

13.2 A question of referral, until it is decided, shall preclude all amendments to the main question.

14. RECONSIDERATION

14.1 A matter that has previously been decided by Mayors' Council may be returned to the Mayors' Council for reconsideration, provided that the motion to reconsider is made by a Council Member or Delegate who previously voted with the prevailing side. A motion to reconsider may be seconded by any Council Member or Delegate.

14.2 A matter being returned to the Mayors' Council for reconsideration shall be passed by a simple majority of those present.

15. ATTENDANCE

15.1 Council Members and Delegates are expected to attend meetings in person.

16. COMMITTEES

- 16.1 The Mayors' Council may establish Committees and delegate the powers and duties of the Mayors' Council to the Committee.
- 16.2 Sections 1, 2, 3, 4, 5, 8, 9 and 15 shall apply to meetings of any committees established by the board except that, where applicable, the term "Committee Chair" will be substituted for the term "Chair" and the term "committee meeting" will be substituted for the term "Mayors' Council meeting".
- 16.3 Section 6, 7, 10, 11, 12, 13, 14 and 17 shall not apply to Committee meetings.
- 16.4 The Chair is an ex officio member of all Committees.
- 16.5 The quorum necessary for the transaction of the business at a Committee meeting shall be a majority of the Committee members.

17. MISCELLANEOUS PROVISIONS

- 17.1 If the Procedures for the Conduct of Meetings do not apply to any situation, the proceedings of the Mayors' Council thereof shall be governed in accordance with Roberts Rules of Order.

Adopted: December 9, 2010

Item 6.1: Written Submission – Mr. Greg Felton

B.C. government engages 'Otto pilot'

gregfelton.com

(January 19, 2014)

A democracy can die in one of two ways: It can fall victim to foreign invasion, or it can be betrayed from within.

Here in British Columbia, democracy is dying its own particular slow death, thanks to successive Liberal provincial governments that have reverted to old-style autocracy. Perhaps the most conspicuous example is the government's treatment of TransLink, the public transit authority of Greater Vancouver.

In 2007, Transportation Minister Kevin Falcon, imperiously replaced TransLink's elected board with nine politically unaccountable, appointed "professionals"—lawyers, real estate developers, and the like. Why? Three years earlier, the board, consisting of GVRD staff and the 21 regional mayors, twice refused to endorse his pet project.

The board deemed a proposed Richmond-Airport-Vancouver SkyTrain line not to be in the public interest: overly costly, detrimental to other transit services, inconsistent with the priority of expanding rail service into the northeast, and founded on Falcon's insistence that it be built as a public/private sector partnership.

Whatever one may have thought of the board's decisions, it did precisely what it was supposed to do—rule in the public interest the way politicians should. Falcon, though, had other expectations and did not take defeat graciously. After the second refusal he [said](#): "I would be dishonest if I didn't tell you that my confidence in TransLink's ability to make regional transit decision [sic] has been severely shaken."

Falcon's fit of pique cannot be taken at face value since TransLink's *ability* to decide matters of public transit had never been in question. A plain-English translation uncovers Falcon's real message: "I would be dishonest if I didn't tell you that my confidence in TransLink's duty to do what I damned well tell it to do has been badly shaken."

At length, the pressure became too great and in December 2004 the board gave in, approving the now-named "Canada Line" after two opposition mayors switched votes. However, there is evidence that one of these swing votes was coerced. North Vancouver City Mayor Barbara Sharp, told the [Vancouver Sun](#) she found a threatening note on her car that summer after a contentious board meeting. Though she said she knew who left it, she took no action.

Despite the victory, the episode taught Falcon an important long-term lesson: if he expected to bring TransLink completely under his control he had to do away with its democratic, elected structure. What Falcon did amounted to a frontal assault on representative democracy, and cannot be defended according to any modern, political standard.



However, it *does* have a precedent of sorts, so please bear with me as I turn briefly to medieval Europe and the unique way that Otto I dealt with his political rivals.

Soon after being proclaimed Duke of Saxony and King of the Germans in 936, Otto I set about centralizing royal authority. As was the case throughout Europe at the time, real political and military power was wielded by regional nobles, and in north-central Europe these nobles were the dukes of Saxony, Swabia, Bavaria, Lotharingia and Franconia. Otto's campaign came at the expense of these other dukes, and time and again they resisted loss of political power.

After the first uprising in 939, Otto replaced rebellious dukes with relatives and allies to ensure loyalty and to break political links between the people and their local leadership. This solution would prove ineffective because Otto still had to govern through *political* authorities, and in 953 his own relatives put their dynastic ambitions ahead of royal loyalty. Otto found himself facing his son Liudorf (Duke of Swabia), brother Henry (Duke of Bavaria) and brother-in-law Conrad (Duke of Lotharingia) in a major war because of events in Italy.

In December 954, after putting down this second major rebellion, Otto hit upon a more permanent solution when he decided to make his other brother Bruno, Archbishop of Cologne, the new duke of Lotharingia. The difference *this* time was that, as a member of the clergy, Bruno could not generate a dynasty, had no political base, and owed allegiance to nobody but Otto. In short, Otto would bypass politicians altogether and turn the clergy into his policy enforcers. In 962, Otto was crowned the first Holy Roman Emperor, and the Ottonian system of imperial-church government lasted for centuries.

In this historical sketch, similarities to Falcon's handling of local political leaders are clear. Because the Greater Vancouver regional civic leaders stuck to their political guns to rebuff the RAV line not once but twice, Falcon condemned them for being parochial—he might as well have said “political”—and three years later replaced them with an appointed “clergy” of business types, whose loyalty to him and his public/private corporate ideology was pre-established.

Technically, this reduction of TransLink to a governmental fiefdom was effected in December 2007 when the legislature passed the *South Coast British Columbia Transportation Authority Act*, to replace the 1998 *Greater Vancouver Transportation Authority Act*. The fact of legislative passage did not mean the government acted democratically, though. Under the section “Structure and Administration of Authority” the new *act* declares that the SCBCTA continues the authority of the GVTA, which states, in part: “The [transit] authority is not an agent of the government.”

Since the elected board was fired because it would not do as the government wanted, and since the

appointed board is comprised of pre-screened, like-thinking loyalists that support government objectives, Falcon essentially *did* make TransLink a *de facto* agent of the government. That means that the new board's conduct and all of its decisions appear to violate its own terms of reference. (When asked to comment, Todd Stone, the new minister of transportation and infrastructure, refused to be interviewed.)

On Nov. 6, 2007, one month before the deed was done, opposition MLA Maurine Karagianis rose in the legislature to say the following:

"I believe that a larger discussion needs to take place in this province about this shift of allowing business interests and non-elected boards to do the business of government. In fact, if we allow this to happen here, we are not only on the slippery slope. We are over the edge and flying down the slope of losing governance and democracy here in the province."

In 1999, TransLink had an operating budget of about \$358 million and managed about \$100 million in *small* capital projects. [By November 2008](#), the renamed SCBCA had an operating budget of \$992 million and responsibility for about \$4 billion in *major* capital projects. TransLink, by whatever name, had become a subservient governmental fiefdom.

If people want to know the future, all they have to do is look into the past, because that's where we're headed. Autocracy, feudalism, mercantilism, imperialism, fascism—concepts once thought consigned to history in the name of progress—are now the present and the future. In B.C., Canada and elsewhere, the march of progress has doubled back on itself, trampling people underfoot.

In the next part, we'll look at the decision of TransLink's appointed board to impose a debit card/gated entry system (Compass Card/Faregate). The public didn't ask for it; the rationale behind it is wasteful and self-defeating; and it has so far cost nearly \$200 million of public money.



OTTO PILOT' PART II

New transit fare system railroads the public

gregfelton.com

(March 16, 2014)

Last time, I showed how and why B.C.'s ducal...er, provincial government went medieval on TransLink, Greater Vancouver's public transit authority. The elected governing board stood for public accountability and fiscal prudence, so in late 2007 Transportation Minister Kevin Falcon legislated it out of existence for twice refusing to sign off on a grandiose project.

In its place was put a board of nine like-minded, pro-business appointees who could be trusted not to think critically or put political considerations ahead of economic determinism. To all intents and purposes, TransLink had become a *de facto* agency of the government with unfettered power to borrow and spend money beyond the supervision of the legislature or the auditor general.

Soon, the full effect of Falcon's harebrained medievalism will be inflicted on the transit-riding public. TransLink will eventually unveil a new Faregate system for which riders will have to use electronic smart cards (Compass Cards) to ride public transit, especially on SkyTrain. Initially budgeted at \$171 million (of which \$70 million came from the federal and provincial governments) the cost has so far risen to \$194.2 million, but the real question is why so much public money had to be spent to replace a paper-based fare system that already worked fairly well.

As we will see, the Faregate/Compass Card system is a boondoggle of mind boggling expense and stupidity.

The Security Justification

In mid-January 2008, one month after the appointed TransLink board was installed, the provincial government spelled out the official need for the Faregate/Compass Card:

Currently, our transit options are *fully accessible and ungated*, covering large distances to serve as many riders as possible. In some cases, payment is based on



Delays in implementing TransLink's Compass Card system are adding millions to a project that has never been economically or politically defensible. *Russell Scott photo*

an honour system. As a result, transit is difficult to monitor closely, making it susceptible to criminal activity.

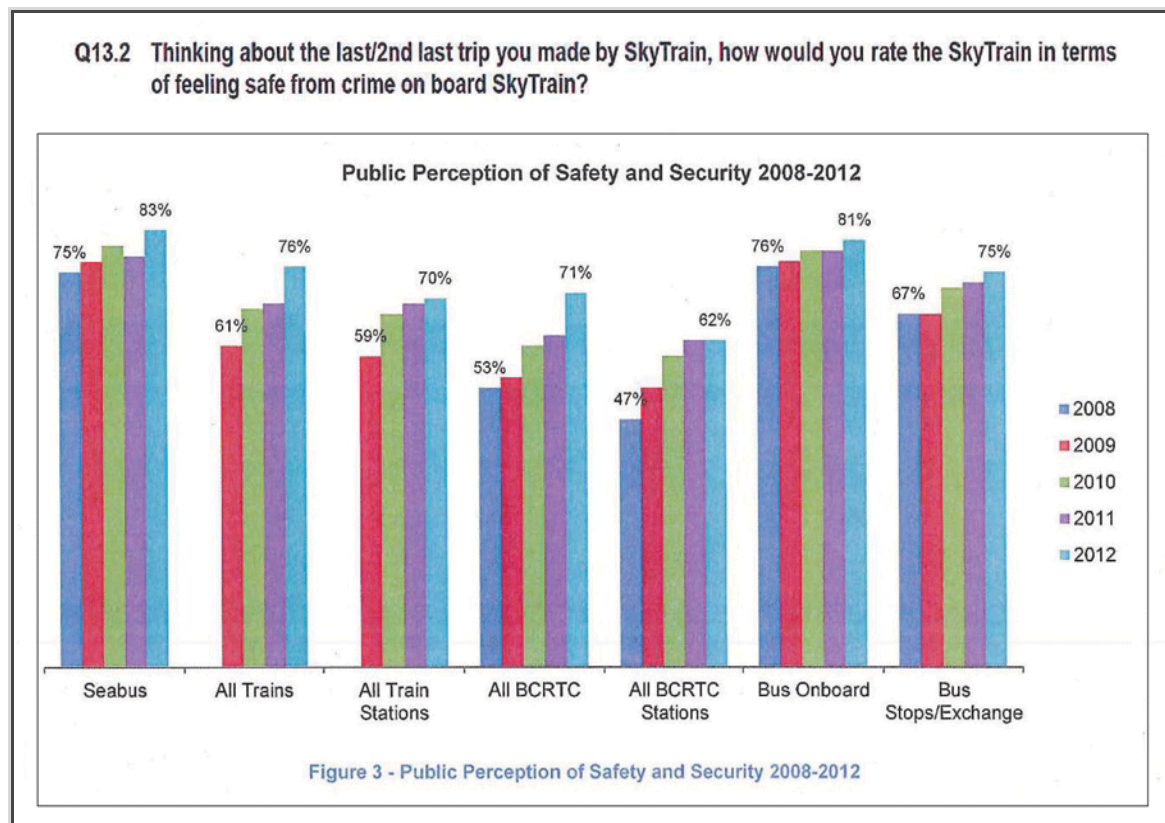
“The Provincial Transit Plan includes strong measures to keep transit riders safe and encourage greater transit use through the creation of secure zones for paying transit users. By controlling access to transit facilities and monitoring transit use, we can help ensure fares are paid and passengers are protected. (p.8) (my emphases).

The last line in the first paragraph is clearly nonsensical. It’s a *non sequitur*: a type of faulty reasoning where one statement is logically unrelated to anything said before it. We can agree that monitoring people closely in a free society is difficult, but the absence of monitoring does not imply criminal activity. By the government’s (Falcon’s) reasoning, a “fully accessible and ungated” public park is susceptible to criminal activity because people’s movements aren’t rigidly monitored. In other words, the security threat presented by the government is empty rhetoric. Even if safety were an issue, Falcon offered no proof that a gated system would make any difference.

In fact, safety is *not* an issue, at least not as far as riders are concerned. On March 1, 2013, the transit police issued *The Five-Year Trend Report 2008–2012*, in response to a freedom of information request, The report, among other things, evaluated transit safety:

Indications from TransLink-sponsored surveys indicate that the public perception of safety on all modes of transit and at the load and off-load points for all transit has consistently improved since 2008. Based on the average for 2009 and 2012, there has been a 10-point increase from approximately 64% to 74%. The role of the Transit Police is significantly influential in these results.

The following graph, taken from pages 8 of the report, refutes any notion that security was a major concern.



The Revenue Justification

Fearmongering also factored into Falcon's flogging of Faregate for financial reasons. As Miro Cernetig wrote in the *Vancouver Sun* on Jan. 15, 2008:

After the announcement [of *The Provincial Transit Plan*], Falcon said he believes these security measures will also help to greatly boost revenue for TransLink. "Frankly, they are losing a lot more in fare evasion than they believe they are," he said.

First, the causal link between increased security and reduced fare evasion is another *non sequitur*. Second, Falcon's claim about the underestimation of lost revenue is unsupported. Since TransLink had just been made a government fiefdom beyond the reach of legislative accountability, Falcon's second-guessing of TransLink appears gratuitous and cannot be taken at face value. Nevertheless, the claim that Faregate will recoup lost revenue deserves to be assessed.

To begin with, official TransLink estimates of annual underpayment of SkyTrain fares seem to be deliberately vague. In [24hrs Vancouver](#) on Oct. 10, 2013, TransLink gave a broad range of \$7 million to \$10 million, but the 2011 figure was right near the low end, \$7.7 million. Bearing that figure in mind, TransLink Vice-President Bob Paddon said the long-term annual operating costs of the Faregate system would be \$12 million, which will go to Cubic, the U.S.-based contractor. The net revenue effect of the Faregate/Compass Card program, therefore, will not "greatly boost revenue for TransLink," as Falcon claimed, but nearly

double the amount of money lost, and that assumes the underpayments will stop.

That last point invites questions about the system's usefulness. A loophole was discovered last year whereby a rider could "tap in" at one station or on one bus and immediately "tap out," thereby avoiding paying a multiple-zone fare. TransLink claimed that it had been aware that this problem might arise, but that raises further questions of why it came to light only *after* a beta-tester discovered it, and why TransLink didn't do something about it earlier. [Burnaby Mayor Derrick Corrigan](#) gives the most likely explanation:

Kevin Falcon went on holiday to London with his future wife, and they pointed out...the faregates in the London system. They then gathered up the contribution of federal dollars and then pushed TransLink into doing it, despite the fact they weren't able to produce any business case to justify it.

The argument that Faregate is the product of political capriciousness, not rational planning, is consistent with the behaviour of an autocrat and a compliant transit authority. There is no evidence that Falcon consulted the Transit Police about security or that he ordered a cost/benefit analysis before imposing Faregate on TransLink. Since neither of the government's rationales has turned out to be defensible, the Faregate/Compass Card system serves no rational purpose and therefore must be considered an abuse of public funds.

In the next part, we look at Translink and the way it justifies Faregate to the public.

'OTTO PILOT' PART III

Never Trust a Smiling Corporation

gregfelton.com

(June 7, 2014)

As reinvented in 2007, the South Coast British Columbia Transit Authority (“TransLink”) is an autonomous political entity with the *de facto* authority of a ministry to make and execute public transit policy. Its appointed board can levy taxes and borrow money, yet it is unaccountable to the provincial legislature or the auditor general. This authority is contrary to any known provincial structure as defined by the *Constitution Act 1982*:

VI. DISTRIBUTION OF LEGISLATIVE POWERS

Powers of the Parliament

Exclusive Powers of Provincial Legislatures

92. In each Province the Legislature may exclusively make Laws in relation to...
2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial Purposes.
 3. The borrowing of Money on the sole Credit of the Province....

The legislature may use its exclusivity to extend revenue-raising authority to civic governments and Crown corporations, but in each case legislative and public accountability is maintained. This condition does not apply to the new TransLink, which does not even appear in the list of provincial Crown corporations. Consequently, TransLink does not appear to have any constitutional basis from which to raise taxes or incur public debt for provincial purposes.

The fact that the B.C. government wrote legislation granting TransLink such authority is beside the point. Elected politicians, not appointed functionaries, make laws and raise money on the public’s behalf, so the alienation of legislative authority over any area of public policy amounts to disenfranchising the public and undermining the legislature. TransLink’s appointed governing structure, therefore, is unconstitutional.

Calls to the ministry of transportation to explain TransLink’s structure or transit policy were met mostly with cheerleading, obfuscation, and professions of political impotence, such as: “TransLink is responsible for Compass Cards so best for you to speak to them about the project”; and “TransLink is an independent regional transportation authority.”

The fact that I was told to talk to TransLink about transit *policy* confirmed that it is a governmental fiefdom. It also told me that whatever answers I might get would be little more than apologies and boilerplate designed to make a \$171 million (now close to \$200 million) economically wasteful, politically capricious boondoggle sound noble.

The cover story/advertising campaign that TransLink settled on ignores the government’s

specious reasoning and reinvents Faregate/Compass Card as an act of corporate benevolence. Of course, the idea that a corporate entity would spend \$171 million of public funds for any reason other than its own self interest is implausible on its face, so TransLink needs to co-opt the public into not questioning press releases and official utterances. When TransLink spokesmen *are* forced to explain themselves, though, the disconnect between fact and fabrication becomes embarrassingly obvious.

In this score, the well-scripted dissembling I received from Vice-President Mike Madill exceeded expectations. The more he was pressed to defend the official TransLink cover story, the less defensible and more fraudulent the new TransLink proved to be.

For our own good

According to Madill, the rationale for imposing Faregate/Compass Card on the public amounts to this:

“The compass card system provides much more convenient ways to pay. Right now, you have to go down to a fare dealer store to acquire either your monthly pass or your faresavers, and with compass you’ll be able to do a lot of that online in terms of adding stored value to your card, and you can set it up to autoload. You can hook it up to your bank account, or your credit card. You can set it so that it automatically reloads your fare card so that when it gets down below a certain level.”

Is our transit payment system so user unfriendly that we had to allocate \$171 million for a new, more convenient one? As it is, a person can simply buy a book of tickets or a monthly pass from a retailer. Why should people have to carry around a prepaid debit card that costs \$6? Madill said it’s no big deal:

“You have to buy a monthly pass in advance, so that’s the same and the same thing with faresavers.”

He’s right, of course, but if this new payment system comes to pretty much the same thing as we have now, the great boast of improved convenience is hollow. So, again, why spend \$171 million for a marginal improvement?

Technical difficulties

At this point, Madill realizes the convenience argument isn’t working so he takes the Faregate/Compass Card story in a new direction:

“The [paper] tickets get wet and jam in the [fare]box. This is a way to alleviate those types of problems. It’s a pretty decent-sized problem, but the benefits of going to a smart-card system is not limited to that. The bigger benefits are more to do with data about how some of our customers move around and better allocate resources and also it provides huge benefits to the customer in terms of

convenience.”

Rider convenience, that great benevolent motive, is now shown to be an afterthought behind solving a mechanical problem, which in turn is minor compared to the need to co-opt the public into making TransLink’s life easier. Public convenience, far from being the prime motive, is really a derivative benefit of TransLink’s need to track transit users:

“We see saving money through using aggregated and anonymized data...to find where customers are getting on and off, and then better planning the system using our existing resources, like adding buses to deal with demands.”

On this score, Madill said that the public should not be concerned about invasion of privacy both because the information collected is anonymous and because TransLink must abide by the *Freedom of Information and Protection of Privacy Act*. Micheal Vonn, policy director of the B.C. Civil Liberties Association, recognizes the truth of Madill’s statement and TransLink’s legal obligations, but the idea of people leaving a digitized trail, especially when paying by credit card, still raises concerns. As Vonn said:

“We are concerned about the track record of the government. Regarding the *Freedom of Information and Protection of Privacy Act*, the government could pass amendments to make the impermissible legal. Privacy concerns have been flagged for some time.”

A federal example can serve to show just how impermanent legislative safeguards can be. In February 2013, public outrage forced Justice Minister Rob Nicholson to remove a section of a communications security bill that would have given numerous agencies the power to conduct warrantless surveillance of private communications. But Vonn and Steve Anderson, executive director for OpenMedia.ca, still have concerns that Harper could try to reintroduce this unconstitutional provision. “They have been pushing this agenda for a very long time,” [Vonn told the Georgia Straight](#). “Every indication of political reality suggests that they’re simply going to try this through another track.”

Although there is no reason to disbelieve Madill when he says the data collected will be used anonymously, the Faregate/Compass Card system does have the potential for abuse, yet it’s a danger that need not exist. How many students, say, could have been hired for something less than \$171 million to compile the data that TransLink claims it so desperately needs?

Money for what?

The subject of how much money TransLink borrowed and for what purpose led Madill to add yet another plot twist:

“Overall, the Compass Card and Faregate together are \$171 million, and that includes renovations to the stations... We get funding from the B.C. government Ministry of Transportation for infrastructure and also the

Government of Canada... \$70 million altogether 40 from the province and 30 from the federal government.”

Madill’s inclusion of station renovations is exceedingly odd. If renovations are necessary—and they are—why not talk about it separately and borrow money for it separately? Slipping it in casually like this gives the appearance of using the fact of renovation to mitigate the system’s exorbitant expense and questionable ethics, as if to say, “Well, we had to spend much of the money anyway.” Unfortunately, the construction argument impedes.

On March 1, 2013, TranLink issued a [press release](#) about planned renovations to seven over-crowded, high-traffic stations due to be completed by 2016. The total cost is pegged at \$164 million, a figure that includes \$41 million from the federal government, \$83 million from the provincial government, and \$40 million from TransLink, itself. Clearly, these renovation costs are *not* part of the \$171 million allocated for Faregate/Compass Card, where the federal and provincial contributions are \$30 million and \$40 million, respectively. (The Ministry of Transportation is only funding a portion of the Faregates but provides no funding for the Compass Card.)

You asked for it!

Because defensible political and financial reasons for Faregate/Compass Card don’t exist, TransLink needs “public convenience” to serve as rhetorical cover for its data-mining operation, as can be seen in this exchange:

MADILL: “The public has been asking for this kind of thing for some time. In terms of Faregate, there has been a debate that’s been ongoing over the years, but many of our customers have been asking for the system to be gated.”

ME: “How many, exactly? Do you have a figure? Do you have a percentage?”

MADILL: “I can’t...I haven’t surveyed all of our customers. I can’t tell you exactly how many, but I can tell you we have done focus groups and got feedback over the course of a number of years, and that’s all a matter of public record.”

Leaving aside the specifics of Madill’s claim for the moment, let’s consider the idea of focus groups determining provincial policy. Some people might not have a problem with it and might even praise it, but pandering to the masses in this way is subversive and an abdication of responsibility. Only members of the legislature, as the collective voice of the public, are empowered to make provincial policy, so by this cynical end-run TransLink shows itself to be undemocratic.

Madill’s inability to defend the claim of broad public support is understandable. Even granting that these focus groups took place, the idea that the public would ask for gated access to SkyTrain is refuted by publicly expressed opinion. The best example of this

concerns the new double charging of bus riders.

The Faregates at SkyTrain stations and the SeaBus will not have the ability to accept paper bus transfers, so an estimated 6,000 cash-paying riders will have to pay twice. A groundswell of public anger exploded in TransLink's face. Transit rider Glyn Lewis started a petition at change.org demanding that TransLink CEO Ian Jarvis put an end to the double transit fee. By the latest count, Lewis had registered 7,156 signatures, more than TransLink's apocryphal 6,000, and Lewis's is not the only petition.

Instead of rectifying the error, though, TransLink refuses to do anything about it. For his part, Madill again took cover behind a focus group:

“To put machines in the SkyTrain stations to accommodate this would cost \$10-15 million. We did some research and we found that about 6,000 people each day pay cash on a bus and then transfer from bus to rail. We did a focus group with a sample of those folks and we asked them about that problem and they said, ‘Hey, don’t spend all that money on expensive machinery on us. Just give us lots of notice, and we’ll make the adjustment.’”

TransLink's Aug. 14, 2013, [press release](#) tells a rather different story: “We determined that converting bus fare boxes to issue passes that would access the Faregates would cost about \$25 million, is not a cost-effective solution, and would take a long time to implement.”

This sentence is comprehensive and self-explanatory. What follows next is clearly a *non sequitur* designed to mislead:

“In focus groups, our customers told us they would prefer we not spend the money on replacing the fare boxes and instead focus on significant rider education in advance of the change being made in order to give customers plenty of time to get a Compass Card (that will facilitate the transfer to the rail system).”

The two citations have nothing to do with each other, and juxtaposing them in this way serves no purpose other than to delude the public into thinking that its opinion matters when no cause-and-effect relation exists.

This is not the only place where TransLink shows that its embrace of public opinion is instrumental, not genuine. For example, TransLink will not offer refunds or exchanges on previously bought passes, and it terminated employee discount passes and free family Sunday rides on a monthly pass. Madill said the cancellation is meant to “spread equity” because the idea that giving some people a benefit could be perceived as unfair to others.

In an interview, media spokesman Derek Zabel effectively undercut Madill when he admitted that these benefits were cut for financial reasons: they were incentives that were no longer needed to encourage people to use transit. public convenience notwithstanding.

Madill and Zabel both agree on one thing, though: these cuts have nothing to do with

Faregates or the Compass Card. Despite this denial a connection does exist since Falcon used the same equality excuse to justify Faregates.

“Falcon engaged in populist pandering,” said Burnaby Mayor Derek Corrigan in an interview. “He claimed Faregates were needed because people who bought tickets could see others getting on transit and think they didn’t pay.” However, a [Dec. 1, 2005, technical report](#) on fare evasion, co-authored by TranLink CEO Ian Jarvis, determined that public perceptions of fare evasion are unreliable and exaggerated when compared to the actual fare evasion rate as determined by eNRG Research, which carried out a survey of 1600 local residents:

“Respondents estimate that 27% of SkyTrain riders are fare evaders, compared to 18% for bus and 22% for SeaBus, despite the significantly higher levels of fare inspection on these modes. When asked how they formulated their estimates, just under half (47%) of respondents indicated that they base their estimate on things they have seen while riding transit; 25% attribute it to media and 16% to family and friends.

“The public’s perception of fare evasion is clearly at odds with the results from the Fare Audit Survey... which shows fare evasion rates (as percentage of riders) for SkyTrain, Bus and SeaBus at 6.3%, 2.6% and 3.9% respectively, for a total system-wide evasion rate of 4.8%.”

Since he had to have known about Jarvis’s report, Falcon’s claim is bogus, and since TransLink is a self-governing, loyal governmental fiefdom, it is expected that Madill would play the same, lame, public-perception game.

But how serious is a fare evasion rate of 4.8%, anyway? Not very, as it turns out. [A June 24, 2002, report](#) to the TransLink board on the matter prepared by Jarvis when he was vice president for finance and administration, determined that even automated gating allowed for revenue losses of up to 4%. In short, Madill is in the position of having to justify the expenditure of nearly \$200 million of public money to save a mere 0.8% in fare evasion and serve the farcical cause of “rider equity.”

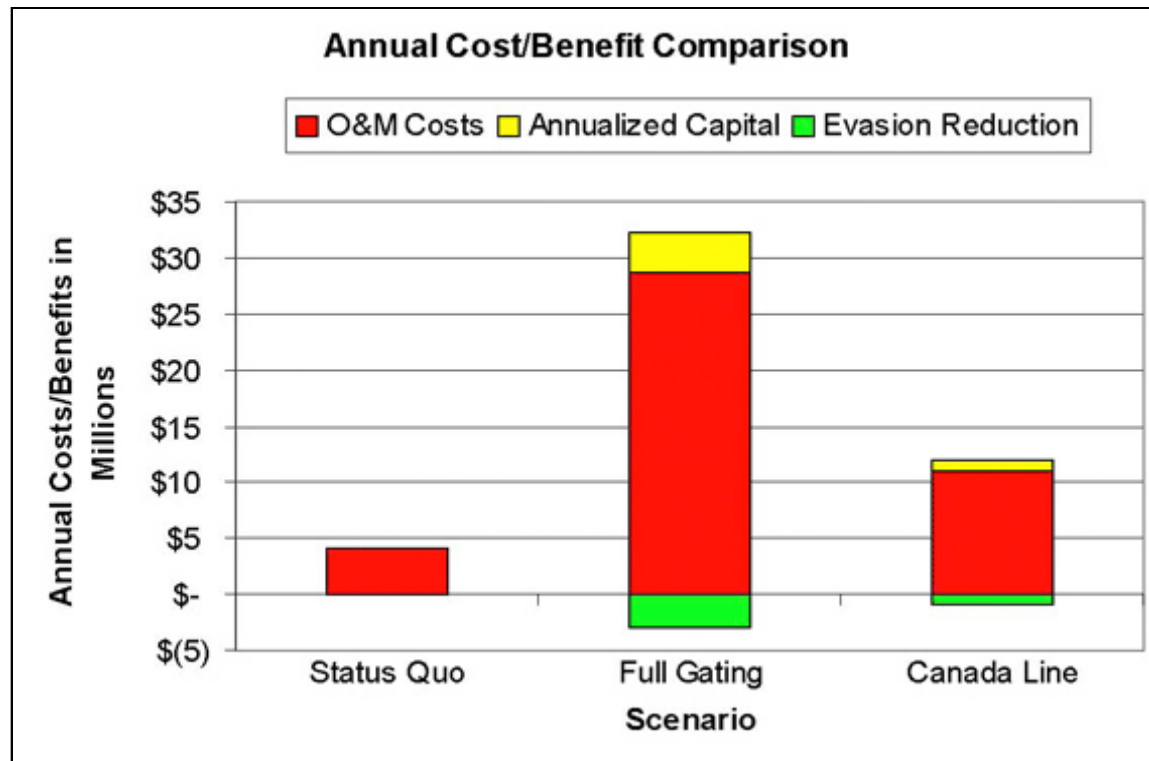
End of the Line

When it began in 1986, SkyTrain had no passenger barriers of any kind because its designers did not want to impede the movement of passengers. In other words, gated access was expressly rejected, an attitude that persisted until December 2007, when the elected TransLink board was ousted in favour of nine pro-government appointees. Suddenly, fact became fiction, fiction became fact, and impeding access to SkyTrain became official policy. This about-face came about despite no refutation of the data that showed the installation of Faregates to be economically disastrous and counterproductive. In the [Dec. 1, 2005, technical report](#), we find TransLink making the following observation:

“During the presentation on November 8, 2005, stakeholders came to the

realization that **the costs** of installing faregates on the existing Expo and Millennium SkyTrain Lines and the Canada Line **would not be recovered by an increase in revenue from lower fare evasion rates**. The majority of stakeholders preferred an approach that looked for best value solutions. The majority of stakeholders felt that increasing staff would be effective at addressing both the fare evasion and safety and security issues and felt this would provide the best value solution. [Furthermore], the majority of stakeholders supported an increase in uniformed staff on the transit system to respond to safety and security concerns. They were not convinced that gates alone would be an effective deterrent.” (pp. 21, 14-15; my emphasis)

The following image gives graphic proof of why Faregates were rejected.



Two years before Minister of Transportation Kevin Falcon imposed Faregates on TransLink, it was widely known that the idea was financially ruinous, and counterproductive. (O&M = Operation and Maintenance.)

Source: [Canada Line Controlled Access, Safety & Security and Fare Evasion Technical Report Summary, TransLink, Dec. 1, 2005, p.27](#)

Nevertheless, Mike Madill, who joined TransLink in 2008 after the new regime was installed, makes no mention of these findings; in fact, he ignores them. Since it had been known for more than 10 years that gated transit access had no defensible economic or security rationale, the only one left to explain its sudden imposition is political. A wilfull disconnect exists between rhetoric and reality and between theory and practice, and all parties to this deceit—including Kevin Falcon, Ian Jarvis and Mike Madill—must be investigated for criminal fraud.

The Unconstitutionality of TransLink

The following excerpts from the *Constitution* of Canada and the *South Coast British Columbia Transportation Authority Act* are submitted in support of my recommendation that the Mayors' Council take immediate legal action against TransLink, in that TransLink spends money and incurs public debt without constitutional authority. In other words, the legislation that created the current version of TransLink is *ultra vires* and must be declared unconstitutional.

First, I cite the *Constitution* to show that the powers of provincial legislatures devolve from the federal parliament, which assigns legislatures the **exclusive** authority to incur public debt.

VI. DISTRIBUTION OF LEGISLATIVE POWERS

Legislative Authority of Parliament of Canada

91. It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons, to make Laws for the Peace, Order, and good Government of Canada, in relation to all Matters not coming within the Classes of Subjects by this Act **assigned exclusively to the Legislatures of the Provinces**; and for greater Certainty, but not so as to restrict the Generality of the foregoing Terms of this Section, it is hereby declared that (notwithstanding anything in this Act) **the exclusive Legislative Authority of the Parliament of Canada** extends to all Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say,

- 1A. The Public Debt and Property.
- 3. The raising of Money by any Mode or System of Taxation.
- 4. **The borrowing of Money on the Public Credit.**

The following is important for showing that, notwithstanding whatever may be written in the *SCBCTA*, *TransLink* has no authority to raise and spend money since it does not report to the Legislature or the auditor general.

Exclusive Powers of Provincial Legislatures

Subjects of **exclusive** Provincial Legislation

92. In each Province the Legislature may **exclusively** make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say,

- 2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial Purposes.
- 3. **The borrowing of Money on the sole Credit of the Province.**

The following excerpt shows that the *SCBCTA* borrowing authority is merely asserted without any regard for the legislature's exclusivity. Just because the Liberal government passed an act to give the SCBCTA borrowing authority does not in and of itself make that authority legitimate.

South Coast British Columbia Transportation Authority Act [SBC 1998] CHAPTER 30

Borrowing by authority

31 (1) The outstanding debt obligations of the authority arising from borrowings, calculated in accordance with a regulation made under section 46 (1), must not be greater than the greatest of

- (a) \$1 billion 50 million,
- (b) an amount proposed by a resolution of the board and ratified by a resolution of the Greater Vancouver Regional District board of directors,
- (c) an amount proposed in a supplement, if the supplement was
 - (i) provided to the mayors' council on regional transportation under section 202 (2) before its repeal, and
 - (ii) approved by the mayors' council on regional transportation under section 204 (b) before its repeal, and
- (d) an amount proposed in an investment plan, if the investment plan was
 - (i) provided to the mayors' council on regional transportation under section 202.1, and
 - (ii) approved by the mayors' council on regional transportation under section 204.1.

(1.1) Before the mayors' council on regional transportation approves an investment plan that proposes an increase in the amount **the authority may borrow**, the mayors' council on regional transportation must consult with the Greater Vancouver Regional District board of directors.

(1.2) The following are jointly and severally liable for obligations arising under a security issued by the authority to the Municipal Finance Authority of British Columbia:

- (a) the authority;
 - (b) the Greater Vancouver Regional District;
 - (c) the municipalities in the transportation service region.
- (2) The *Municipal Finance Authority of British Columbia* may provide **financing for and on behalf of the authority for borrowing authorized under this Act**.