

Bill No. 600
2017

By-law No. A.-_____

A by-law to approve an agreement with the London Transit Commission for the establishment of a Low Income Bus Pass, and to authorize a grant to the London Transit Commission, and to authorize the Mayor and City Clerk to execute the agreement.

WHEREAS By-law No. A.-6377-206, being, "A By-law to continue the London Transit Commission", provides:

- in Section 2 that the London Transit Commission is a body corporate;
- in Section 7 that the London Transit Commission possesses and may exercise all the powers, rights, authorities and privileges with respect to the operation, extension, alteration, repair, control and management of the local transportation system of the City of London;
- in Subsection 7(a) that such powers, rights, authorities and privileges include "to manage, operate, establish, equip, alter, extend and maintain a bus system over the streets and public places of the City of London.., and in subsection 7(f) "to enter into agreements with the Corporation for all or any of the following: ...the performance of services by the Commission to the Corporation";
- in Subsection 13 that, "with the intent that the transportation system shall be self-sustaining and shall not operate with a deficit, the Commission shall so regulate and fix all tolls and fares for the carriage of passengers that a revenue shall be produced which, together with the application of an appropriate part of any annual approved operating subsidy from the City of London, other operating revenues and funding from reserves and/or senior levels of government shall be in each year sufficient to provide the cost of operating the transportation system....";
- in Section 14 that the Council may by by-law enter into an arrangement with the London Transit Commission to provide, either at all times, or within specified times, free transportation or transportation at reduced fares, to any class of residents of the City of London and to provide in such by-law or by-laws for the making of grants to the Commission to cover the cost of providing such transportation;

AND WHEREAS Municipal Council resolved at its Meeting of December 19, 2016, that the following actions be taken with respect to public transportation:

- a) the current budget allocation for transit subsidy for the visually impaired to receive a monthly bus pass BE REMOVED from the proposed subsidy program, resulting in no change to the current program for the visually impaired in London;
- b) the income-related subsidy program for public transit in the City of London BE ENHANCED to a level that would enable qualified Londoners to take advantage of such a subsidy program and the City Treasurer BE DIRECTED to identify a source of financing for the enhanced program, above and beyond the funding already identified to cover the costs for approximately 1,200 qualified Londoners, as well as to explore creative business cases to provide greater access; it being understood that the City Treasurer will report back to the Community and Protective Services Committee with a source of financing for the enhanced program, prior to the exhaustion of the funding originally allocated to the program; it being noted that this enhancement would not be in effect until 2018, as proposed in the related staff report dated November 15, 2016;
- c) the federal and provincial governments BE LOBBIED to provide funding for public transportation subsidy for those in financial needs;
- d) the London Transit Commission BE REQUESTED to consider steps that it can take to assist Londoners in need of subsidy for public transit;
- e) [omitted]
- f) [omitted]
- g) [omitted]
- h) the Civic Administration BE DIRECTED to bring forward a 2019 budget amendment in the multi-year budget process regarding ongoing financing for the low-income subsidy for transit; and,
- i) the price for the low-income monthly pass BE SET at \$52/month; it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made submissions in connection therewith.

AND WHEREAS Section 107 of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipality may make grants, on such terms as to security and otherwise as the council considers appropriate, to any person, group or body, including a fund, within or outside the boundaries of the municipality for any purpose that council considers to be in the interests of the municipality;

AND WHEREAS Municipal Council considers it to be in the interests of the municipality to provide a grant to London Transit Commission to cover the cost of providing transportation at reduced fares to the class of City of London adult residents whose income equals or is less than the Statistics Canada LICO After Tax amounts based on both family size and the size of the London Census Metropolitan Area, at the time of determination of eligibility;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The agreement attached as Schedule "A" between The Corporation of the City of London and the London Transit Commission, with respect to:

- (a) bus transportation at reduced fares (Low Income Bus Pass), commencing January 1, 2018 for the class of adult residents whose income equals or is less than the Statistics Canada LICO After Tax amounts based on both family size and the size of the London Census Metropolitan Area, at the time of determination of eligibility; and
- (b) the provision of a grant by the City to the London Transit Commission for such purpose

is approved and authorized.

2. The Mayor and City Clerk are authorized and directed to execute the agreement approved in paragraph 1 above on behalf of The Corporation of the City of London.

3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on October 17, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "A"

AGREEMENT (Establishment of Monthly Low Income Bus Pass / Grant to the Commission)

THIS AGREEMENT made with effect as of January 1, 2018

B E T W E E N:

LONDON TRANSIT COMMISSION

(the "Commission")

OF THE FIRST PART

- AND -

THE CORPORATION OF THE CITY OF LONDON

(the "City")

OF THE SECOND PART

WHEREAS the City has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority pursuant to the provisions of section 9 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended;

AND WHEREAS section 107 of the *Municipal Act, 2001* provides that a municipality may make grants, on such terms as to security and otherwise as the council considers appropriate, to any person, group or body, including a fund, within or outside the boundaries of the municipality for any purpose that council considers to be in the interests of the municipality;

AND WHEREAS the Commission is a body corporate and a local board continued under By-law No. A.-6377-206;

AND WHEREAS pursuant to the provisions of Section 14 of By-law No. A.-6377-206, the parties desire to enter into an arrangement for the Commission to provide transportation at reduced fares in the form of a reduced cost bus pass to a class of residents who meet a low income threshold, and for the City to provide grants to the Commission to cover the costs of providing such transportation at reduced fares in the form of a reduced cost bus pass.

NOW THEREFORE IN CONSIDERATION of the premises and the covenants and agreements hereinafter contained, the parties agree as follows:

1. **Commencement of Agreement**

This Agreement shall commence on January 1, 2018.

2. **Monthly Low Income Bus Pass - Fee**

Commencing January 1, 2018, the Commission shall create a new monthly low income bus pass ("LI Bus Pass") with a fee of:

- (a) \$52 for a LI Bus Pass for 2018;
- (b) \$52 or such other amount as determined by Council by resolution or by-law for a LI Bus Pass for 2019 and subsequent years.

3. **Eligibility**

The LI Bus Pass shall be available for individuals of a class who the City determines are eligible. The City's determination of eligibility is based on the following:

- 18 years of age and older;
- City of London resident; and
- income equals or is less than the Statistics Canada LICO After Tax amounts based on both family size and the size of the London Census Metropolitan Area.

Individuals who the City has determined to be eligible for a LI Bus Pass shall be entitled to purchase a LI Bus Pass for transportation on buses operated by the Commission in the City of London, for the fee set out in 2(a) or 2(b) above.

3. **LI Bus Pass – Limited Locations for Sale – City and the Commission**

The Commission will at its own expense provide the LI Bus Pass only to the City or the Commission for direct sale only by the City or the Commission, and only at the following locations:

- Canada Aquatic Games Centre;
- Citi Plaza;
- City Hall;
- Kiwanis Seniors' Centre;
- LTC Downtown Information Office;
- Carling Heights Optimist Community Centre;
- North London Optimist Community Centre;
- LTC Head Office;
- South London Community Pool;
- South West London Community Centre (commencing on or after this location opens);
- or at such other location as the City approves in writing and advises the Commission in writing.

4. **LI Bus Pass – Cancellable if Lost/Stolen**

The Commission shall ensure that the LI Bus Passes can be cancelled at any time. The Commission shall cancel a LI Bus Passes if it is advised by the holder or by the City that the LI Bus Pass has been lost, stolen, or transferred, noting the cancellation will be for only the monthly pass stored currently on the smart card

5. **LI Bus Pass - Statistics**

The Commission will provide the City with ridership statistics for the LI Bus Passes on a monthly basis as part of the monthly invoicing.

6. **Invoice**

The Commission will provide a monthly invoice to the City based on the actual sale of LI Bus Passes in the preceding month multiplied by:

- (a) \$29 - for LI Bus Passes for 2018;
- (b) the difference between the cost of an adult full-month pass and the cost of the LI Bus Pass - for LI Bus Passes for 2019 and subsequent years.

The City shall not be responsible for any costs (including any administration fee) associated with replacement of LI Bus Passes that have been lost or stolen.

7. **Grant to Commission**

The City will pay monthly by way of grant to the Commission the amount in the preceding month as determined in paragraph 6. Such grant represents the cost to the Commission of providing the subsidized LI Bus Pass.

8. **Sale of LI Bus Passes By Commission**

Training – Commission Staff – Personal Information

(a) The Commission shall ensure that its staff are appropriately trained with respect to confidentiality of any personal information it receives in relation to the sale of LI Bus Passes. The Commission shall ensure that personal information it accesses in relation to the sale of LI Bus Passes is accessed in compliance with the *Municipal Freedom of Information and Protection of Privacy Act*.

(b) The Commission shall ensure that it sells LI Bus Passes only to individuals who the City has determined are eligible. The City will provide training to the Commission on the use of the City's system to determine whether an individual has been determined by the City to be eligible.

9. **Termination – Agreements – Seniors Fare – Seniors Passes**
- (a) Any and all agreements entered into between the Commission and the City with respect to the provision of transportation at reduced fares to residents of the City of London on the basis of advanced age and for the City to provide grants to the Commission to cover the costs of providing such transportation, are hereby terminated, including the agreement dated March 24, 1976.
- (b) Any and all agreements entered into between the Commission and the City with respect to recipients of benefits under the *Old Age Security Act* and their spouses over 60 for transportation at reduced rates and for the City to provide grants to the Commission to cover the costs of providing such transportation, are hereby terminated, including the agreement dated May 12th, 1978.
- (c) Any and all agreements between the Commission and the City with respect to monthly passes for seniors at a reduced fare and for the City to provide grants to the Commission to cover the costs of providing such transportation, are hereby terminated.
10. The City may terminate any or all provisions of this agreement at any time on providing 60 days' advance notice to the Commission.

IN WITNESS WHEREOF the Parties have duly executed this Agreement.

SIGNED, SEALED, AND DELIVERED

LONDON TRANSIT COMMISSION

Per: _____

Print Name: _____

General Manager*

*I have authority to bind the Commission.

Per: _____

Print Name: _____

Secretary-Treasurer*

*I have authority to bind the Commission.

THE CORPORATION OF THE CITY OF LONDON

Per: _____

Matt Brown, Mayor

Per: _____

Catharine Saunders, City Clerk