



MEMORANDUM

To: Mayor and Members of Council

From: Morgan Jones, Director of Operations

Prepared by: Alice Lam, Sr. Manager, Roads, Survey and Utility Division, Operations
David Plant, Sr. Manager, Parks, Horticulture and Forestry Division, Operations

Date: November 2, 2020

Re: **Maintenance of Regional Roads and Boulevards**

RECOMMENDATIONS

1. That the memorandum entitled “Maintenance of Regional Roads and Boulevards” dated November 2, 2020 be received; and,
2. That staff recommend winter maintenance service provision remain as is at this time; and,
3. That staff recommend improved coordination in the operating field amongst front line supervisors to enhance winter maintenance service provision; and,
4. That staff recommend City residents and Council continue to utilize the City’s Contact Centre to generate work orders for both the City and the Region for the following issues:
 - a. Dead animal removal
 - b. Pot hole repair
 - c. Fallen tree removal
 - d. Debris removal
 - e. Grass cutting; and,
5. That staff recommend further investigation of the City’s and the Region’s contracts to explore possible options in grass cutting download or upload; and,
6. That staff recommend requesting the Region to consider increasing their cutting cycles to align to the City’s; and further,
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE

The purpose of this memorandum to Mayor and Council is a follow up to the General Committee meeting of July 6, 2020 in which Councillor Karen Rea issued a motion seconded by Councillor Andrew Keyes requesting staff to investigate a list of potential services the City of Markham may consider taking over from the Region of York. Potential services discussed at the July 6, 2020 meeting centred on boulevard grass cutting, winter snow removal, pothole repair, debris and dead animal removal, with the Region being responsible for all costs incurred by the City to undertake these activities.

BACKGROUND

Over the past four months, staff connected with their colleagues at the Region as well as internal City of Markham staff to consider all impacts of potential downloading of service provision. Discussions considered identified issues of current service delivery, opportunity for service level improvements, logistical impacts of both downloading and uploading services, staffing level impacts, legal and financial implications.

Within the Operations Department, the identified services are primarily undertaken by two divisions; Operations Roads, Survey and Utility and Operations Parks, Horticulture and Forestry. Generally, all hard surface issues reside with the Roads, Survey and Utility Division and all soft surfaces or often called 'Green' surfaces reside with the Parks, Horticulture and Forestry Division.

HARD SURFACE ISSUES

Council identified their dissatisfaction with an apparent lack of response from the Region for many calls such as dead animals, potholes, winter maintenance on Regional roads as well as sidewalks plowed in during winter operations. When calls are directed to the Region either by residents or Council it often takes more time to address issues versus the response times provided by City staff.

Standards for roadway maintenance activities such as pothole repair and winter maintenance are regulated by the Province and set out in O. Reg. 239/02: Minimum Maintenance Standard Act. Road classification and service levels currently differ between both agencies. The majority of the Regional roads require higher levels of service related to response time due to traffic volume and speed limit, while the majority of the City roads have lower traffic volumes and speed resulting in different service levels and response times. The City currently has one operations yard with a new east yard expected to be operational in early 2021. In order to manage the Regional road network, additional yard space, staff, and resources such as winter material will need to be increased significantly.

The Region and the City have existing contracts with different vendors. These contracts contain different specifications including standby and operating pricing as well as liquidated damages all based on meeting the respective Council approved service levels in both agencies. Such contracts may need to be renegotiated or terminated if the proposed changes in responsibilities are implemented. Contract negotiations with each existing vendors will pose significant challenges for each agency and could have a significant financial consequences. If such contracts need to be terminated, there may be legal challenges. Staff at the Region and the City would need to conduct a fulsome review of the existing contracts to determine the parties' position, which will require much more time and discussion between staff from both the Region and the City.

Maintaining Regional roads will have further legal implications for the City. The City would be exposed to additional claims relating to the failure to complete pothole repairs, removal of dead animals and winter maintenance on Regional roads in accordance with applicable standards. The Regional roads are also a higher class of roads with higher volume and speed limitations which is associated with more claims often related to more severe automobile accidents. The City could ask the Region to provide an indemnity to the City relating to such claims but it is unlikely that the Region would agree. The Region would not want to be responsible for claims caused by the City's own failure to carry out its obligations. Any claims naming the City relating to Regional roads would increase the City's insurance premiums.

SOFT SURFACE ISSUES

Council has identified their dissatisfaction with an apparent lack of response from the Region for calls such as grass cutting on regional roads, fallen trees, debris and litter. When calls are directed to the Region either by residents or Council it often takes more time to address versus the response times provided by City staff.

Grass cutting service levels currently differ between both agencies. The Region reduced their service level from 14 cuts to 12 cuts yearly, compared to the City service level of 15 cuts. The Region pays their contractor \$185.00/ha for cutting 106 ha in Markham and \$24.00/ha for litter picking for a combined rate of \$209.00/ha. The City has 87 ha to maintain and pays our contractor \$165.00/ha which is cutting and litter picking combined.

The City service level of 15 cuts (every 2 weeks) exceeds the Regional level by 3 cuts making coordination and timing of cutting extremely challenging. Combining services with the Region's contractor is cost prohibitive at this time and it appears to be in the City's best interest to renew the contract with the City's existing vendor to continue to leverage the existing pricing.

IMMEDIATE IMPROVMENTS TO SERVICE DELIVERY

In the past four months, staff from both the Region and the City initiated a process which shares on-call rotations and contact numbers amongst front line supervisory and 24/7 patrol staff. While early in the process staff are observing much timelier and coordinated responses from the Region of York for after hour calls for summer and fall related issues. Debris, dead animal, grass cutting and tree issues have been promptly dealt with including those raised by City Ward Councillors. Staff will continue to monitor and will further observe winter maintenance issues commencing Q4 2020 through to spring 2021.

RECOMMENDATIONS

Issue Description	Recommendation	Comments
Winter maintenance download	• Staff recommend winter service provision remain as is at this time • Staff recommend improved coordination in the operating field amongst front line supervisors to enhance service provision	• Increased liability relating to claims, lack of facilities required to stage equipment and staffing increases impact this issue • On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Dead animal removal	• Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region.	• On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Pot hole repair	• Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region.	• On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Fallen tree removal	• Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region	• On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Debris removal	• Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region	• On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Grass cutting download/upload	• Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region • Staff recommends further investigation of both contracts to explore possible options	• On call standby staff rotations have been shared amongst Supervisory staff for both agencies • Engage Finance and Purchasing staff in both agencies to explore this issue for possible implementation in 2021

Align grass cutting schedules and service levels	Staff recommend requesting the Region consider increasing their cutting cycles to align to the City's	Staff have requested the Region explore this issue and will report back Q1 2021
Differing service levels between both agencies	- Service levels for both the Region and the City are dictated by Provincial Regulation ON. 239/02 specific to winter maintenance, pothole repair, streetlights and sidewalks - Service levels for grass cutting, dead animal removal, debris and fallen trees are typically respective Council driven.	City of Markham service levels are outlined in the chart below.

CITY OF MARKHAM SERVICE LEVELS

Winter Maintenance	2 – 16 hours
Dead Animals	Within 24 hours
Pot Holes	1 – 30 days per MMS requirement based on highway class
Grass Cutting	Boulevard grass cutting-15 cuts/year
Fallen Trees	Within 24 hours
Debris	Mobilization is dictated by severity, quantity and location

24/7 CONTACT INFORMATION

	City of Markham	York Region	City of Toronto	Ministry of Transportation
Contact Number	905.477.5530	1.877.464.9675	311	511
Email Address	customerservice@markham.ca	accessyork@york.ca	311@toronto.ca	mtinfo@ontario.ca
Afterhours Emergency	905.477.7000	1.877.464.9675 Ext. 75200	311	511

APPENDIX

Attachment A – “Roads Map by Owner” PDF