



**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**Transportation Operations and Maintenance Division**

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	February 21, 2020
<b>SUBJECT/REPORT NO:</b>	MTO Signal Agreement (PW20011) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Lorraine Hagar (905) 546-2424 Ext. 2159
<b>SUBMITTED BY:</b>	Edward Soldo Director, Transportation Operations & Maintenance Public Works Department
<b>SIGNATURE:</b>	

### **RECOMMENDATION**

That the General Manager of Public Works or his designate be authorized and directed to negotiate/renegotiate, enter into, and execute an agreement with the Ministry of Transportation Ontario (MTO), and all amendments and ancillary documents, for the purpose of formalizing the City's ability to operate and maintain certain MTO-owned traffic control signals in the City of Hamilton (as attached to Report PW20011 as Appendices "A" and "B") in accordance with the principles contained in this Report PW20011, all in a form satisfactory to the City Solicitor.

### **EXECUTIVE SUMMARY**

The Ministry of Transportation Ontario (MTO) installs traffic signals along its corridors, and thereby owns 20 traffic signals within the City of Hamilton borders. The City has operated and maintained four of these signals since their installation (locations are as outlined in Appendices "A" and "B" of this report). The City undertakes the maintenance and operation of these signals in order to maintain signal coordination and to make timing adjustments to improve traffic flow during emergencies or high-volume traffic events. Maintenance costs incurred by the City relating to MTO-owned signals are fully recoverable from MTO. As a best practice, this informal arrangement between the City and the MTO regarding the maintenance and operation of MTO-owned traffic signals should be formalized in a legal agreement between the parties.

Through Report PW20011, Transportation Operations & Maintenance (TOM) staff is seeking Council authority to enter into a signal agreement with the MTO to formalize the current practice of operating and maintaining certain MTO-owned signal locations where it benefits the City.

**Alternatives for Consideration – See Page 4**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The gross cost to maintain the four MTO-owned traffic signals is approximately \$11,000 per year. These costs are charged against the Transportation Operations & Maintenance operating budget (DeptID 466105) and are 100% recovered from the MTO, resulting in no tax levy impact.

Staffing: N/A

Legal: N/A

**HISTORICAL BACKGROUND**

An informal provincial-municipal arrangement has been in place between the MTO and the City of Hamilton for the maintenance and operation of four MTO-owned signals for decades, with the earliest signals dating back to 1965.

The four signal locations that Transportation Operations currently maintain (including installation dates) are as follows:

- Aberdeen Avenue/ Highway 403 ramp & Longwood Road South (1965);
- Highway 403 ramp & Main Street West (1965);
- Centennial Parkway North & South Service Road (1993); and
- North Service Road (just east of Centennial Parkway) & QEW Toronto off ramp (1993).

Since May 2019, Transportation Operations & Maintenance staff have been in contact with the MTO regarding the formalization of this arrangement. An MTO template agreement has been prepared and staff is ready to negotiate the agreement pending approval of this report.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The proposed MTO signal agreement complies with the following:

- Minimum Maintenance Standards for Municipal Highways Regulation, O. Reg. 366/18; and

- Ontario Structure Inspection Manual (OSIM).

## **RELEVANT CONSULTATION**

The following groups have been consulted with respect to the development of this report and proposed signal agreement:

- City of Hamilton Corporate Services: Legal & Risk Management Services, Finance & Administration, and the Office of the City Clerk; and
- The Ministry of Transportation Ontario (MTO).

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

Transportation Operations staff determined that the benefits of operating the four MTO-owned signals proposed in the agreement outweighs any associated risks inherent in maintaining them. The City benefits from the ability to make signal timing adjustments and coordinate traffic control plans to optimize traffic flow. In this way, staff can re-route or adjust traffic patterns during an emergency or an unusual traffic situation and minimize disruption to motorists. Maintenance of these traffic control signals includes both regular maintenance and emergency works related to signal hardware, traffic signs, luminaires, and pavement markings.

The benefit of operating and maintaining MTO-owned signals increases when:

- The MTO signal is in close proximity to City-owned signals; and
- The MTO signal is on a City-coordinated signal corridor.

There is an element of risk associated with conducting the maintenance of MTO-owned traffic signals, as the potential exists for these signals to be involved in traffic accidents, resulting in claims against the City. However, Risk Management did not find any claims of major significance involving the four MTO-owned traffic signals that the City currently operates and maintains. Further, Transportation Operations staff maintain the signals according to the same Minimum Maintenance Standards (MMS) and specifications to which all City-owned signals are maintained.

The 16 MTO signal locations that are not currently operated and maintained by the City are generally isolated or along a segment of a provincial highway. Therefore, staff does not recommend including these signal locations in the agreement, as there is no perceived operational benefit. The City will have the opportunity to renegotiate or amend the proposed signal agreement in the event that staff determine that the benefit/risk profile of a particular location has changed, or where new MTO-owned signals are built and staff identify an operational need to make signal timing adjustments.

Transportation Operations & Maintenance has successfully recouped the full costs of maintenance for the four MTO-owned signals that the City currently maintains. These costs totalling approximately \$11,000 annually include labour, materials, vehicles, contracted services (e.g. Police services required to block off an intersection), and applicable administrative fees. All City operating costs incurred to maintain the MTO-owned signals will continue to be fully reimbursed by the Province following the formalization of the agreement. There is a well-defined process in place for the recovery of these costs.

## **ALTERNATIVES FOR CONSIDERATION**

The first alternative is to not enter into the MTO signal agreement and continue to operate and maintain the four proposed signal locations without a formal agreement in place. This course of action is not recommended, however, as the City maintains the current legal liability associated with operating and maintaining non-City assets without a legally binding document in place. Entering into a legal agreement further benefits the City by providing a formal record of departmental activities, clarifying signal locations and specifying the agreed upon duties of each party.

The second alternative is to not enter into the MTO signal agreement and discontinue the current practice of operating and maintaining the four proposed signal locations. This course of action, however, is not recommended as Transportation Operations staff have determined that the four proposed signal locations are key sites within the City's transportation network wherein the ability to operate/ make timing adjustments benefits the City significantly.

The third alternative is to enter into the MTO signal agreement and incorporate additional MTO-owned signal locations into the agreement (up to the total of 20 MTO-owned signal locations within the City). This course of action, however, is not recommended as Transportation Operations staff have determined that the ability to operate/ make timing adjustments to the 16 non-proposed signal locations is not outweighed by the requirement to maintain these signals. Although costs incurred by the City to maintain MTO-signals are fully recoverable, current staffing levels would have to be adjusted to maintain additional signals. Further, signal hardware at these locations would need to be assessed and likely changed to be compatible with City systems.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

**Built Environment and Infrastructure**

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

**Our People and Performance**

Hamiltonians have a high level of trust and confidence in their City government.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PW20011 – MTO Signal Locations Summary Table

Appendix “B” to Report PW20011 – MTO Signal Locations Map