



THE REGIONAL MUNICIPALITY OF NIAGARA  
JOINT BOARD OF MANAGEMENT - NIAGARA COURTS  
AGENDA

JBM 4-2020

Tuesday, November 17, 2020

3:30 p.m.

Meeting will be held by electronic participation only

Due to efforts to contain the spread of COVID-19 and to protect all individuals, there is no public access to Niagara Region Headquarters. If you are interested in viewing this meeting or would like to speak to an item listed on the agenda please contact the Office of the Regional Clerk at [clerk@niagararegion.ca](mailto:clerk@niagararegion.ca) no later than Monday, November 16, 2020 at 4:00 p.m.

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	Pages
1. <u>CALL TO ORDER</u>	
2. <u>DISCLOSURES OF PECUNIARY INTEREST</u>	
3. <u>PRESENTATIONS</u>	
4. <u>DELEGATIONS</u>	
5. <u>ITEMS FOR CONSIDERATION</u>	
5.1. <u>JBM-C 8-2020</u> 2021 Court Services - Budget Report	3 - 45
A presentation will precede the consideration of this item.	
6. <u>CONSENT ITEMS FOR INFORMATION</u>	
6.1. <u>JBM-C 9-2020</u> 3rd Quarter Variance Analysis and Forecast to December 31, 2020	46 - 52
6.2. <u>JBM-C 10-2020</u> Joint Board of Management 2021 Membership	53 - 54
6.3. <u>JBM-C 12-2020</u> Vision Zero Update	55 - 56

6.4. JBM 2-2020

57 - 59

Joint Board of Management - Niagara Courts Meeting Minutes - August  
13, 2020

7. OTHER BUSINESS

8. CLOSED SESSION

8.1. Confidential JBM-C 11-2020

A Matter of Labour Relations – Court Services - Staffing Model

9. NEXT MEETING

The next meeting will be held on Thursday, December 17, 2020 at 3:30 p.m.

10. ADJOURNMENT

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisor at 905-980-6000 ext. 3252 (office), 289-929-8376 (cellphone) or [accessibility@niagararegion.ca](mailto:accessibility@niagararegion.ca) (email).

# 2021 Court Services Budget Presentation

Joint Board of Management  
JBM-C 8-2020

November 5, 2020

Miranda Vink, Manager, Court Services

# Joint Board of Management

**Court Services**

November 5, 2020

**TWENTY21**  
NIAGARA REGION BUDGET

# Program/Service Definition

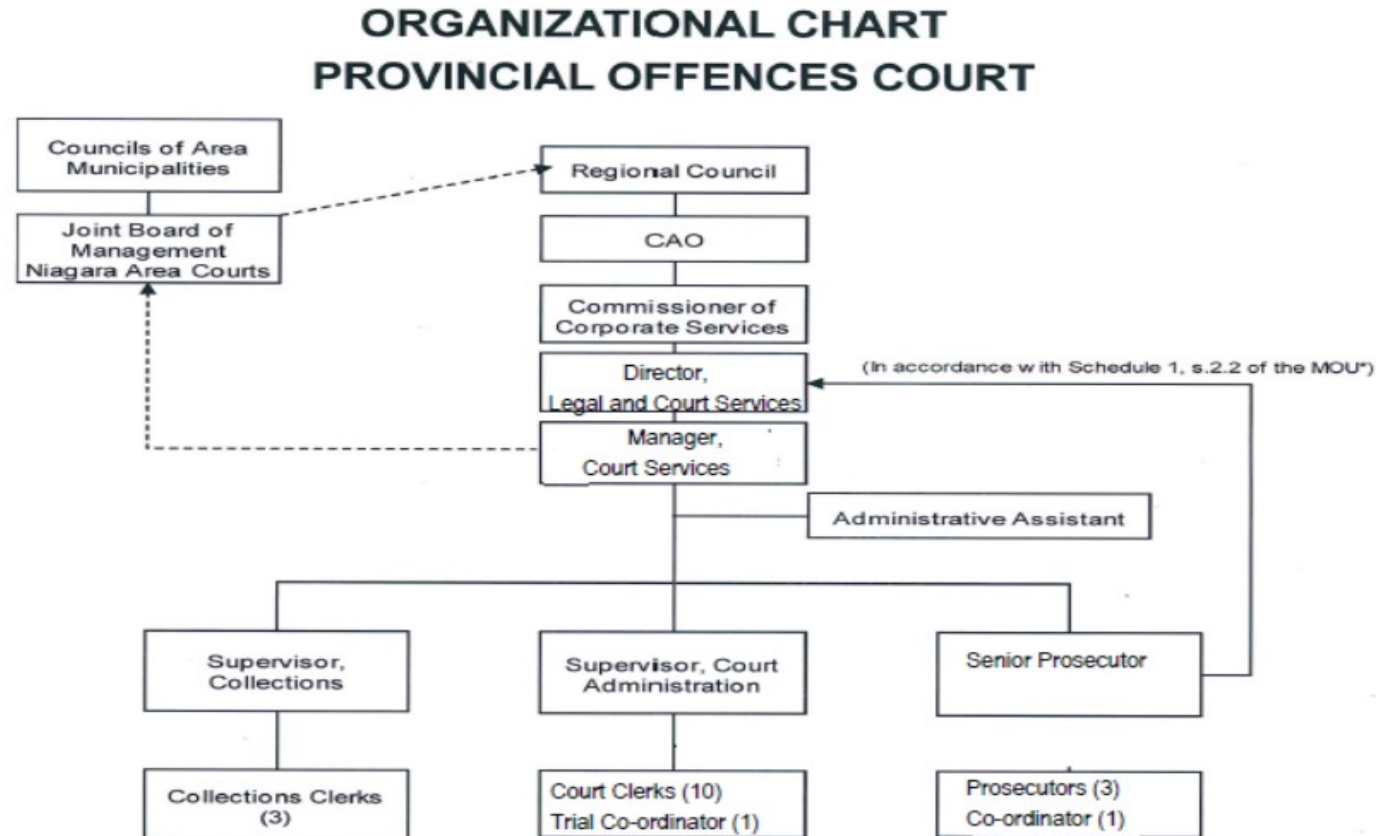
## Court Services

- POA Transferred on January 29, 2001
- Region is the Agent on behalf of Local Area Municipalities
- Responsible for administration of the POA program including Courts Administration, Prosecutions and Collections
- Pursuant to POA Transfer Agreements (MOU & LSA) and Inter-Municipal Agreement

### PROGRAM IS:

- Self-funding not reliant on Levy
- Net Revenue sharing Region 50% and LAMS 50%

# POA Organizational Chart



# Joint Board of Management

## Membership – Municipal Staff Appointed (7 Members)

- 4 Permanent
  - Niagara Falls, Niagara Region, St. Catharines, and Welland
- 3 Rotate yearly
  - Fort Erie, Grimsby, Lincoln, Niagara-on-the lake, Pelham, Port Colborne, Thorold, Wainfleet, and West Lincoln

## Role

- Co-ordinate performance of the Transfer Agreements
- Provide advice to the Agent
- Approve program

# 2021 Organization Overview

## **Court Services Goals:**

- To achieve excellence in leadership, collaboration & relationships working as One Team
- To foster engagement through open communication, empowerment and innovation, and
- To deliver fair, accessible & respectful customer service while preserving the integrity of the Judicial process.

## **2021 Objectives:**

- Leverage technology
- Streamline Court Services
- Build stakeholder relationships
- Enforce orders of the Court



# 2021 Organization Overview

## 2021 COVID-19 Impacts:

### Present & Future of Court Proceedings

- Remote court proceedings commenced July 6, 2020 for Early Resolution & Judicial Pre-Trial
- As of October 19, 2020 all court matters with the exception of trials are occurring remotely
- Continued emphasis on remote court matters where eligible, combined with the re-introduction of in-person court matters on or around January 25, 2021
  - Pending direction from the Ministry of the Attorney General regarding how to proceed with trials in-person and remotely
- Implementation of resources (technology, PPE, sanitization) to assist in hybrid service delivery

# 2021 Organization Overview

## 2021 COVID-19 Impacts (cont'd):

### Revenue Implications

- Infraction Revenue
  - The extension of time limitations and the pause on enforcement as a result of Provincial and Judicial Orders has resulted in **more than 4000 Part 1 charges** sitting on “Fail To Respond” (FTR) dockets awaiting conviction.
  - This pause is scheduled to be lifted on **December 2, 2020**
  - FTR convictions entered in December 2020 **will become due and payable in January 2021**
  - The current value **exceeds \$700K**

# 2021 Organization Overview

## 2021 COVID-19 Impacts (cont'd):

### Revenue Implications

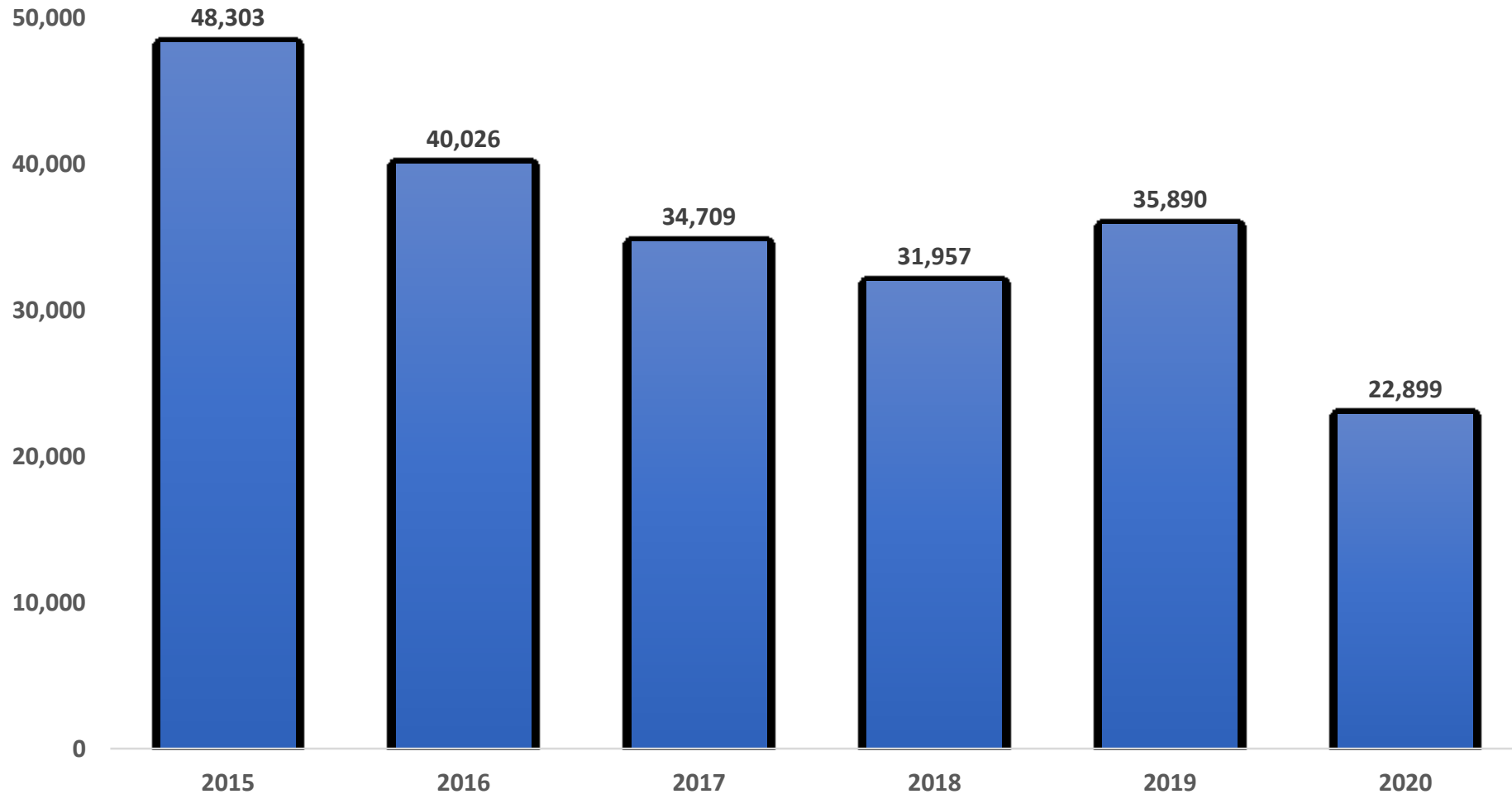
- Delinquent Revenue
  - **Over 3000 cases are pending suspension**
  - The pause on suspensions as a result of Provincial & Judicial Orders will be **lifted December 2, 2020**
  - The current value of the cases eligible for suspension **exceeds \$3.7 million dollars**
  - Historically 1/3 of defendants will pay once suspended = **\$1.9 million dollars**
  - Enforcement activities that were paused will **recommence in December 2020** with revenue realized in 2021.

# 2021 Organization Overview

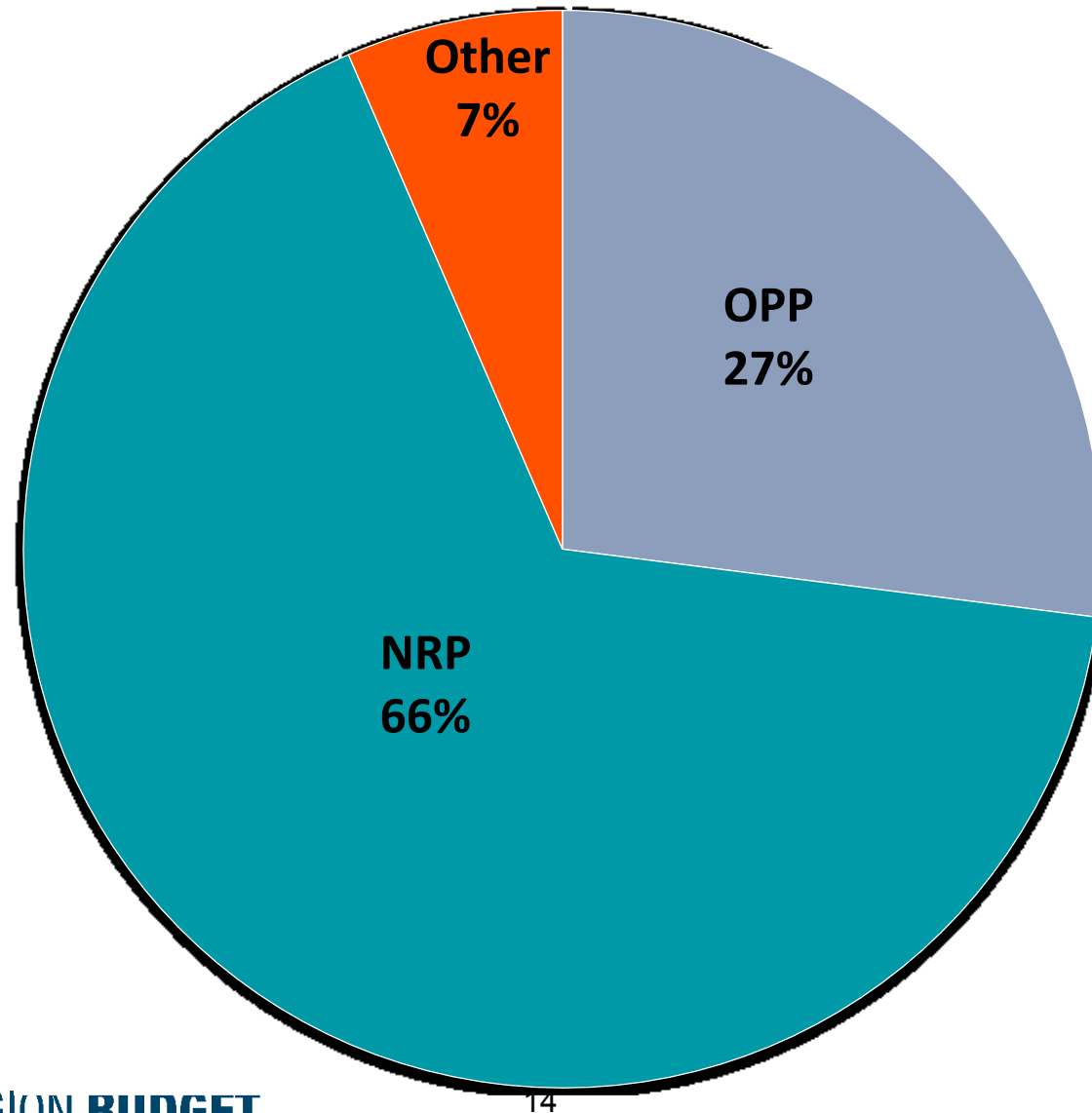
Vision Zero Road Safety Program - \$0 net revenue

- Program approved in 2020 contingent on amendments to the Inter-municipal Agreement
- Engagement with LAMs ongoing
- No changes to 2021 budget assumption as expect similar timelines for implementation as originally budgeted in 2020
- 2022 budget will be updated based on 2021 actual results

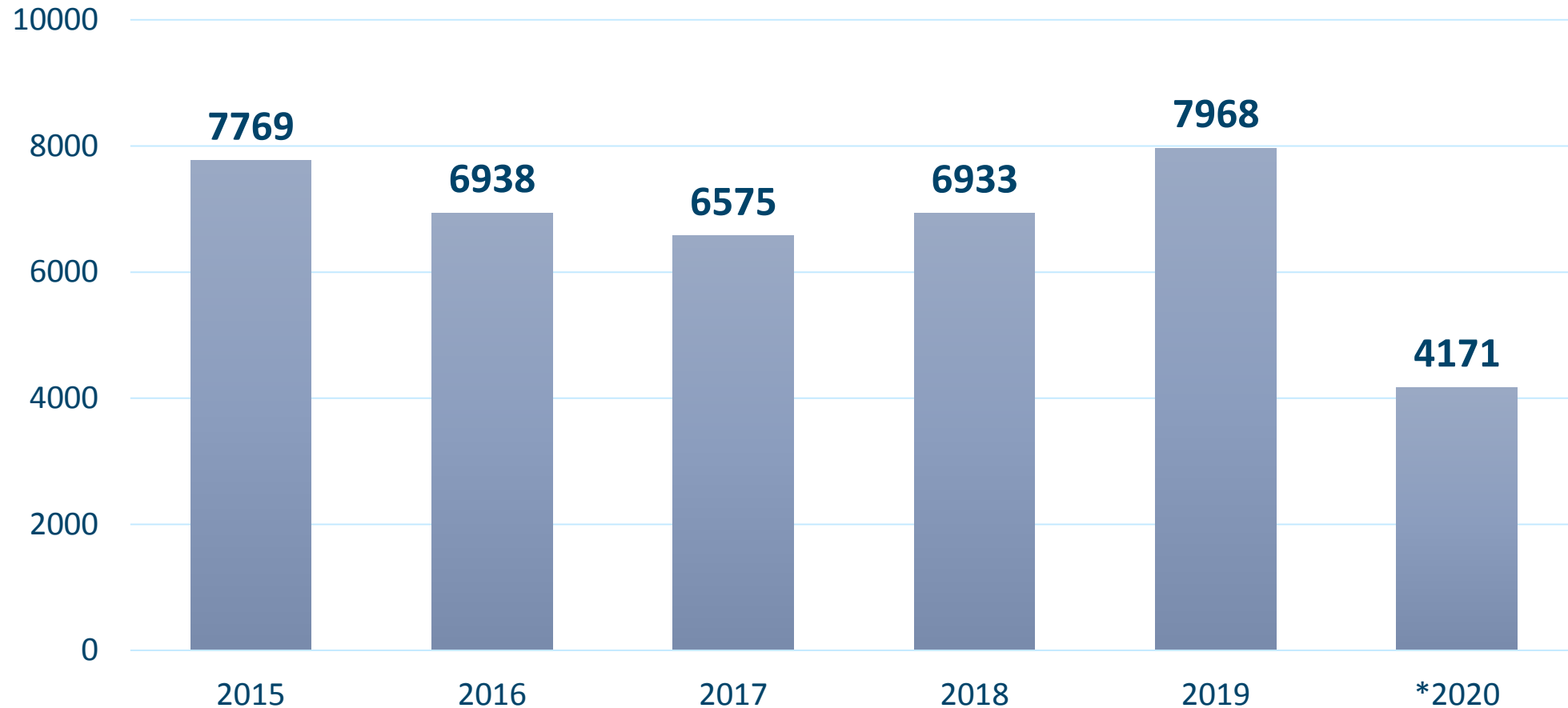
# Annual Charging Volumes (2020 Q3)



# 2020 Charges by Enforcement Agency (2020 Q3)



# New Delinquent Fines Volumes (2020 Q3)



\*Although noted as newly delinquent, as a result of the Chief Justice order, time to pay was extended and enforcement paused. The extension of time and pause on enforcement activities is scheduled to expire December 2, 2020 at which time all cases will be considered delinquent and enforcement may resume.

# 2021 Operating Budget

## Year-Over-Year Base Budget

**Recommended budget** – in alignment with Council’s budget planning direction of Base budget increases of 2% (to be shared equally with 1% to operating and 1% to support capital renewal costs), before addressing the impacts of COVID-19 for Regional Departments, ABC’s and Rate programs

- Base Operating Budget Increase of **1.0%** - Net revenue decrease for the Region of \$7,344 and \$7,344 to the LAMs
- Capital Financing Budget Increase of **1.0%** - Net expenditure increase for the Region of \$7,344 and \$7,344 to the LAMs

			Net Revenue			
	Gross Expense	Gross Revenue	to be allocated	50% Allocation	\$ Change	% Change
<b>2020 Budget</b>	<b>7,390,911</b>	<b>(8,859,747)</b>	<b>(1,468,836)</b>	<b>(734,418)</b>		
2021 Base	7,400,143	(8,924,747)	(1,524,604)	<b>(762,302)</b>	(27,884)	3.8%
2021 Mitigations	(79,544)	-	(79,544)	<b>(39,772)</b>	(39,772)	5.4%
2021 One-time	150,000	-	150,000	<b>75,000</b>	75,000	-10.2%
<b>Sub-total 2021 Base Services</b>	<b>7,470,599</b>	<b>(8,924,747)</b>	<b>(1,454,148)</b>	<b>(727,074)</b>	<b>7,344</b>	<b>-1.0%</b>
2021 COVID	79,112	-	79,112	<b>39,556</b>	39,556	-5.4%
2021 Capital financing	14,688	-	14,688	<b>7,344</b>	7,344	-1.0%
<b>Total 2021 Budget</b>	<b>7,564,399</b>	<b>(8,924,747)</b>	<b>(1,360,348)</b>	<b>(680,174)</b>	<b>54,244</b>	<b>-7.4%</b>



# 2021 Operating Budget

## Base budget changes

- Increase in gross revenue - \$65,000
  - Based on current trends, estimated increase in delinquent revenue
- Decrease in Personnel costs - \$1,205
  - No change in FTEs – decrease related to decrease in benefits cost allocations
- Increase in Administrative costs – \$4,355
  - Increase in office supplies and employee tuition/education materials offset by decrease in records storage.
- Decrease in Operational & Supply Costs - \$31,626
  - Decreased Distribution to LAMs resulting from decreased net revenue
- Increase in Collection Charges- \$65,000
  - Aligns with projected delinquent revenue increases – paid to collection agencies
- Decrease in Indirect Allocations - \$60,772
  - Cost savings in utilities and allocated IT
- No change in Transfer to Capital Reserve
  - **NOTE** – no change to base budget of \$200,000 – see further details regarding cost mitigation strategy

# 2021 Operating Budget

## One-Time Capital Reserve Transfer

- One-Time Capital Reserve Transfer of \$150,000
  - IT Scheduling Software Update
  - Transfer to Capital Levy Reserve (Approved Funding Source in 2021 Capital Budget)
  - Was approved by JBM for consideration as part of the 2021 Capital budget as outlined in JBM-C 6-2020

# 2021 Operating Budget

## Budget Mitigations

- Decrease in Transfer to Reserve from proposed \$200,000 base by **\$56,638**
  - This mitigation strategy will likely cause a budget pressure in 2022/2023
- A salary gapping estimate has been incorporated into the budget with an impact of **\$19,047** for 2021.
  - The salary gapping estimate is calculated as 1% of applicable compensation related accounts.
- Applicable business cases have been attached to the 2021 Budget Report

# 2021 Operating Budget

## COVID-19 Budget Changes

Net COVID related cost of **\$79,112 (5.4%)**

### **Additional Expenses \$84,112**

- Additional Part III Prosecution Time due to virtual court services - \$14,550
- Janitorial supplies, PPE, Mailing Services - \$6,562
- iPads to assist in screening building visitors, document cameras/scanners to support virtual court - \$13,000
- Welland Courthouse Cleaning (COVID) - \$50,000

### **Cost Savings - \$5,000**

- Reduced meals, mileage and travel - \$5,000

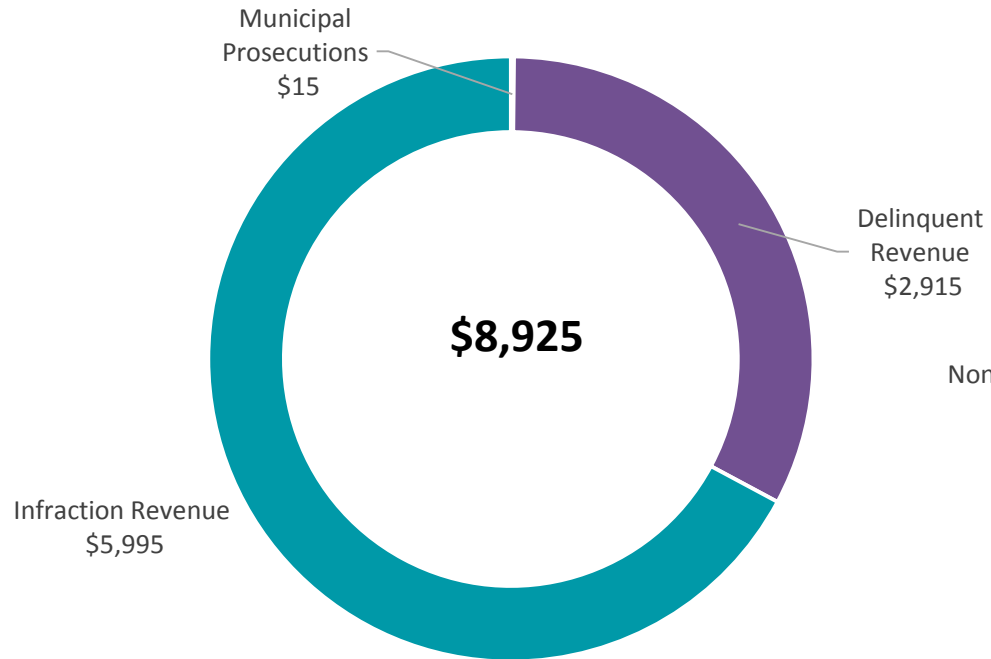
# 2021 Operating Budget

## Capital Financing

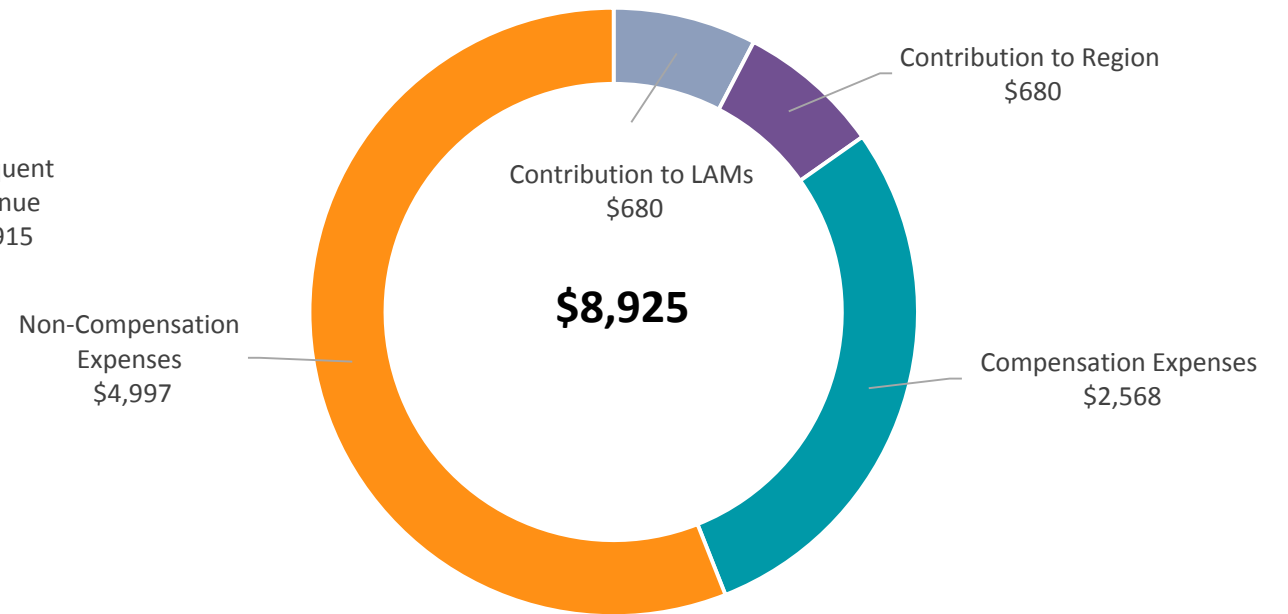
- Per CSD 41-2020 (2021 Budget Planning) the strategy for the 2021 budget was to present a budget at 2%.
  - 2% be shared equally with 1% to operating and 1% to support capital renewal costs
- Increase in the budget to account for increased funding to the capital program (increase transfer to the courts capital reserve) equal to **1% (\$14,688)**
- Business case has been attached to the 2021 Budget Report

# 2021 Budget Summary

Where the Money Comes From (in 000's)



Where the Money Goes (in 000s)



# Risks and Opportunities

- Charging volume decrease after March 16, 2020, however increase in charging volumes was noted throughout 2019 and in Jan-Feb 2020
- Volume of delinquent fines continuing to increase
- Impacts of COVID-19 pandemic on ability to conduct high volume of court matters
- Impact of pandemic-related courthouse building closure and adjournment of court matters, resulting in significant backlog
- Impacts of COVID-19 pandemic and local economy on ability to pay fines
- Unknown impacts of Vision Zero (VZ) implementation
- Manage operating costs/efficiency gains
- Utilize all methods to enforce the orders of the Court
- Leverage technology wherever possible to achieve hybrid in-person/remote service delivery

# Risks and Opportunities

- Impacts of ICON Modernization Project – software update planning announced by MAG. Consultations are currently underway, implementation timelines and full details/impact not yet known.
  - Updates to ICON will impact CAMs software, which is already under review for modernization, between municipal partners
- Potential changes to Administrative Monetary Penalty System (AMPS) – MTO looking at developing an AMPS regime potentially by mid-2022 for ASE, RLC and ASBC.
- Part III Prosecution Transfer - launch dates and business implications remain undetermined
- Bill 177 – Modernization related to Courts Administration - launch dates and business implications remain undetermined



**Questions?**

**Miranda Vink**

Manager, Court Services

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**Subject:** Court Services – 2021 Budget Report

**Report to:** The Joint Board of Management of the Niagara Region Courts

**Report date:** Thursday, November 5, 2020

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## Recommendations

1. That the 2021 Court Services gross operating budget of \$7,109,749 and net budgeted revenue of \$680,174 (decrease in revenue of \$54,244 or 7.4% over the 2020 operating budget) in accordance with the 2021 budget planning framework and as outlined in **Appendix 1, BE APPROVED** and;
2. That this report **BE REFERRED** to the Budget Review Committee of the Whole meeting on December 10, 2020, for consideration as part of the 2021 operating budget deliberations.

## Key Facts

- The purpose of the report is to seek approval for the proposed 2021 Operating budget as outlined in Appendix 1.
- The budget has been prepared in consideration with the budget requirements as outlined in the Niagara Region Courts Inter-Municipal agreement.
- Court Services staff administer a high volume of charges under *the Highway Traffic Act, the Trespass to Property Act, the Liquor License Act*, municipal by-laws, other provincial and federal offences and more serious matters such as charges under *the Compulsory Automobile Insurance Act, the Environmental Protection Act, the Fire Prevention and Protection Act and the Alcohol and Gaming Control Act*.
- Staff drafted the 2021 operating budget based on the guidance provided by Council at the June 25<sup>th</sup> BRCOTW meeting, which outlined that the 2% increase be shared equally with 1% to operating costs and 1% to support capital before addressing the impacts of COVID-19.
- If the Joint Board of Management (“JBM”) and Budget Review Committee of the Whole approves the Court Services 2021 operating budget, the benefits include a 2021 distribution level for net revenue forecasted at \$680,174 to the local area municipalities and \$680,174 to the Region.
- Operating budget guidance of 1% (before COVID-19 budget impacts) was achieved by reducing the annual transfer to the Courts capital reserve by \$56,638 in addition

to budgeting for 1% salary gapping of \$19,047 in alignment with corporate mitigation strategy.

- The 2021 Budget includes \$79,112 of costs related to COVID-19 and \$14,688 in support of Court Services capital program (within the 1% guidance for capital).

## Financial Considerations

The net revenue to be allocated, including indirect allocations, but excluding the distribution of net revenue to the LAMs, is budgeted with an overall decrease of 7.4% or \$54,244. This net decrease is in line with Regional Council's budget strategy to not exceed base budget increases of 2% (to be shared equally with 1% to operating and 1% to support capital renewal costs), before addressing the impacts of COVID-19 (as shown in **Table 1** below).

**Table 1 – 2021 Court Services Gross & Net Revenue Budget**

	Gross Expense	Gross Revenue	Net Revenue to be allocated	50% Allocation	\$ Change	% Change
<b>2020 Budget</b>	<b>7,390,911</b>	<b>(8,859,747)</b>	<b>(1,468,836)</b>	<b>(734,418)</b>		
2021 Base	7,400,143	(8,924,747)	(1,524,604)	<b>(762,302)</b>	(27,884)	3.8%
2021 Mitigations	(79,544)	-	(79,544)	<b>(39,772)</b>	(39,772)	5.4%
2021 One-time	150,000	-	150,000	<b>75,000</b>	75,000	-10.2%
<b>Sub-total 2021 Base Services</b>	<b>7,470,599</b>	<b>(8,924,747)</b>	<b>(1,454,148)</b>	<b>(727,074)</b>	<b>7,344</b>	<b>-1.0%</b>
2021 COVID	79,112	-	79,112	<b>39,556</b>	39,556	-5.4%
2021 Capital financing	14,688	-	14,688	<b>7,344</b>	7,344	-1.0%
<b>Total 2021 Budget</b>	<b>7,564,399</b>	<b>(8,924,747)</b>	<b>(1,360,348)</b>	<b>(680,174)</b>	<b>54,244</b>	<b>-7.4%</b>

## Base Operating Budget

The total base budget net revenue, including indirect allocations is budgeted with an overall net increase of 1.0% or \$7,334. The savings above are partially offset by increases in expenses related to the higher revenue projections, including increased Victim Fine Surcharge payments. The total budgeted revenue is proposed to increase by 0.7% or \$65,000. This is supported by the 2019 increase in both infraction and delinquent fine revenue and the increase in charges in January and February 2020 (pre-COVID-19). Staff have therefore estimated a corresponding increase in the budgeted revenue for 2021 based on this historical trending, as well as the following considerations;

- Mitigation options have been proposed for a total 2021 budget mitigation of \$79,544 as follows:
  - There is a decrease in the Transfer to Reserve proposed annual \$200,000 base amount by \$56,638 to support the 2021 budget guidance and other corporate pressures. This mitigation item will allow Court Services to maintain their operating budget within the 1% guidance. This mitigation strategy will likely cause a budget pressure in 2022/2023 based on the projected multi-year program and services changes expected by Court Services. A business case for this strategy is outlined in **Appendix 2**.
  - Indirect allocations have been mitigated with a resulting reduction of \$3,859 resulting from the Corporate Services Mitigation Strategy.
  - An estimate of salary gapping has been calculated as 1% of applicable compensation related accounts. This translates to an impact of \$19,047. Niagara Region departments have historically budgeted personnel related costs on the premise that positions will be filled for the entire year. This process includes budgeting the total estimated payroll related costs for a position for the entire year. When a position becomes vacant, there is a natural time lag involved to fill the vacancy. This time lag creates a favourable budget variance as the budgeted dollars associated with a position go unspent during the vacancy period. A business case for this strategy is outlined in **Appendix 2**.
- A one-time transfer to the Region's Capital Levy Reserve of \$150,000 is included in the 2021 operating budget to fund the 2021 Court Scheduling Tool Modernization capital project.

Court Services has leveraged the opportunity to collect on some of its delinquent fines through a partnership with all 12 LAMs through the "add to tax roll" initiative. A total of approximately \$1,254,214.51 in delinquent fines has been successfully collected since implementation of this initiative in 2014, which represents an 88% recovery rate. As set out in this report, these funds are split between Niagara Region and all local area municipalities.

### COVID-19

Projected increases in expenses related to cleaning supplies and services as well as protective equipment due to COVID-19 pandemic totalling \$79,112 (or a total budget increase of 5.4%) have been included in the 2021 operating budget. A business case for this strategy is outlined in **Appendix 2**.

### Capital Financing

Per CSD 41-2020 (2021 Budget Planning report approved by Regional Council) the strategy for the 2021 budget was to present a budget at 2%. Accordingly Staff have included in alignment with this a 1% (\$14,688) increase in the budget to account for increased funding to the capital program (increase transfer to the Courts capital reserve). A business case for this strategy is outlined in **Appendix 2**.

### **Analysis**

#### Base Operating Budget

The total budgeted net revenue for 2021 is \$1,360,348 to be split between the Niagara Region and the LAMs in accordance with the Inter-municipal Agreement. The amount of \$680,174 is budgeted to be distributed to the LAMs based on the 2021 proportionate share of assessment value for the municipalities.

#### Infraction Revenue

- The extension of time limitations and the pause on certain enforcement processes as a result of Provincial and Judicial Orders in response to the pandemic has resulted in more than 4000 Part 1 charges sitting on “Fail To Respond” (FTR) dockets awaiting conviction.
- This pause is scheduled to be lifted on December 2, 2020
- FTR convictions entered in December 2020 will become due and payable in January 2021
- The current value exceeds \$700K

#### Delinquent Revenue

- Over 3000 cases are pending suspension as a result of Provincial and Judicial Orders in response to the pandemic
- The pause on suspensions will be lifted December 2, 2020
- The current value of the cases eligible for suspension exceeds \$3.7 million dollars
- Historically 1/3 of defendants will pay once suspended = \$1.9 million dollars
- Enforcement activities that were mandated to be paused will recommence in December 2020 with revenue realized in 2021.

Under normal circumstances, the funds noted above would have been revenue realized in 2020. Due to the extension of time limitations and paused enforcement actions as a result of Provincial and Judicial Orders in response to the pandemic, Court Services anticipate the revenue will be realized in 2021 and add to the overall 2021 gross revenue figures.

It is important to note that Court Services generates revenue and continues to be self-funded, and therefore is not reliant on the levy budget. Pursuant to the Inter-Municipal agreement, net revenue is shared, with 50% going to the Region and 50% going to the LAMS. The 2021 budget as presented proposes a \$54,244 or 7.4% decrease in net Regional revenue and is within Regional Council's budget planning direction of 1% of the net 2020 base budget.

#### 2021 Capital Funding Request

A 2021 capital budget request of \$150,000 has been submitted in conjunction with IT Services' capital budget requests, with the intention to replace the current scheduling tool with an upgraded application. JBM-C 6-2020 - 2021 Capital Budget - Court Scheduling Tool Modernization Project was brought forward and subsequently approved by Joint Board of Management on August 13, 2020, to be funded as part of the 2021 Capital Budget for Court Services with recommended funding from the 2021 Court Services Operating Budget. The costs will not impact the base operating budget, however will be mitigated through the adjustment of the 2021 Transfer to Courts capital reserve, as outlined below.

#### Vision Zero Road Safety Program Change

In 2020, the Vision Zero program on certain Regional roads was approved and is planned to launch in early 2021. The Vision Zero program is comprised of a number of traffic safety initiatives led by the Region's Transportation Services department including red light cameras ("RLC") and automated speed enforcement ("ASE"). Authorization was received to implement the RLC and ASE initiatives under Vision Zero, subject to successful negotiations with the LAMs to amend the Inter-Municipal Agreement with respect to the sharing of both the revenues and the costs associated with the implementation and operation of the Vision Zero program to ensure that the program is financially sustainable to the Region. Infractions issued under Vision Zero will be processed through the Niagara Region Provincial Offences Court.

As a result of COVID-19, discussions with LAMs in relation to the program and requested amendments to the Inter-Municipal agreement were delayed. An update on the status of the program is provided in Report JBM-C 12-2020 dated November 5, 2020.

The 2020 budget was based on 6 months of operations for RLC and 9 months for ASE. Based on the estimated timelines for 2021 staff do not foresee operations exceeding the timelines used to estimate 2020 budget and as a result, the 2021 base budget includes the budget as approved in 2020 (budgeted as cost neutral, meaning revenue = expenses). Staff expect to update the 2022 budget based on actuals operating results in 2021.

#### Niagara Region Courts Inter-Municipal Agreement

The budget has been prepared in consideration with the budget requirements as outlined in the Niagara Region Courts Inter-Municipal agreement. The Niagara Region Courts Inter-municipal Agreement (the “Inter-municipal Agreement”) provides that:

##### *Section 7 – Budget*

7.1 The Manager, on behalf of the Agent, shall prepare an annual budget for the Program setting out estimated operating and capital costs, and projected revenue from fines, fees, applicable grants, subsidies and other revenues. The budget shall be submitted to the Board for approval. Following Board endorsement, the budget shall be submitted to Regional Council for approval.

##### *Section 8 – Apportionment of Costs and Revenue*

8.1 The Agent shall be entitled to recover its costs from the gross revenues generated by the transfer of POA administration. Gross revenues shall not include Part II Parking revenues, as otherwise provided for in Section 6 of this Agreement.

8.2 The Region shall receive 50% of the net revenues.

8.3 All Municipalities, with the exception of the Region, shall receive 50% of net revenues, and it shall be distributed on the basis of assessment.

## **Alternatives Reviewed**

Further reduction in discretionary expenses would result in the Niagara Region not being able to meet its obligations under the Memorandum of Understanding with the Ministry of the Attorney General to properly administer the Provincial Offences Court in Niagara.

## **Relationship to Council Strategic Priorities**

The 2021 Budget was prepared in alignment with Regional Council guidance and Strategic Priorities.

## **Other Pertinent Reports**

JBM-C 9-2019 Court Services – 2020 Budget Report  
PW 64-2019 Public Works – Vision Zero Road Safety Program  
JBM-C 6-2020 - 2021 Capital Budget - Court Scheduling Tool Modernization Project  
CSD 41-2020 – Budget Planning

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### **Prepared by:**

Miranda Vink  
Manager, Court Services  
Corporate Services

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### **Recommended by:**

Todd Harrison, CPA, CMA  
Commissioner  
Corporate Services

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### **Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with Blair Hutchings, Program Financial Analyst and Beth Brens, Manager, Financial Support. Reviewed by Donna Gibbs, Director, Legal and Court Services and Helen Chamberlain, Director of Financial Management and Planning.*



## **Appendices**

Appendix I	Schedule of Expenditures and Revenue; Courts 2019 Actuals; 2020 budget and Q3 Forecast and 2021 budget
Appendix II	Operating Business Case – COVID-19 Operating Business Case – Mitigation Operating Business Case – Salary Gapping Operating Business Case – Capital Financing

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	2019 Actual	2020		2021						
	Total	Q3 Forecast Total	Budget Total	Total Base Services	Base Variance	Base Variance %	Budget Total Program Changes	Total	Total Variance	Total Variance %
A_40000AB Compensation	1,615,203	1,596,440	2,569,704	2,549,452	(20,252)	(0.8%)	-	2,549,452	(20,252)	(0.8%)
A_41000AB Administrative	1,753,147	1,357,164	2,891,177	2,899,274	8,097	0.3%	9,550	2,908,824	17,647	0.6%
A_44000AB Operational & Supply	1,419,809	410,356	1,162,564	1,155,220	(7,343)	(0.6%)	(41,338)	1,113,882	(48,681)	(4.2%)
A_50000AB Occupancy & Infrastructure	-	1,498	-	-	-	-	1,000	1,000	1,000	-
A_52000AB Equipment, Vehicles,Technology	8,334	9,980	500	500	-	-	13,000	13,500	13,000	2,600.0%
A_58000AB Financial Expenditures	241,425	199,099	158,000	223,000	65,000	41.1%	-	223,000	65,000	41.1%
A_75100AC Transfers To Funds	-	200,000	200,000	293,362	93,362	46.7%	14,688	308,050	108,050	54.0%
A_60000AC Allocation Between Departments	(4,780)	(105,783)	(6,890)	(7,960)	(1,070)	15.5%	-	(7,960)	(1,070)	15.5%
<b>Gross Expenditure Subtotal</b>	<b>5,033,138</b>	<b>3,668,753</b>	<b>6,975,055</b>	<b>7,112,849</b>	<b>137,794</b>	<b>2.0%</b>	<b>(3,100)</b>	<b>7,109,749</b>	<b>134,694</b>	<b>1.9%</b>
A_34950AB Other Revenue	(7,240,347)	(5,040,000)	(8,859,747)	(8,924,747)	(65,000)	0.7%	-	(8,924,747)	(65,000)	0.7%
<b>Gross Revenue Subtotal</b>	<b>(7,240,347)</b>	<b>(5,040,000)</b>	<b>(8,859,747)</b>	<b>(8,924,747)</b>	<b>(65,000)</b>	<b>0.7%</b>	<b>-</b>	<b>(8,924,747)</b>	<b>(65,000)</b>	<b>0.7%</b>
<b>Net Expenditure (revenue) before indirect allocations</b>	<b>(2,207,209)</b>	<b>(1,371,247)</b>	<b>(1,884,692)</b>	<b>(1,811,898)</b>	<b>72,794</b>	<b>(3.9%)</b>	<b>(3,100)</b>	<b>(1,814,998)</b>	<b>69,694</b>	<b>(3.7%)</b>
A_70000AC Indirect Allocation	605,873	540,922	595,044	539,774	(55,270)	(9.3%)	50,000	589,774	(5,270)	(0.9%)
A_70200AC Capital Financing Allocation	552,316	554,343	555,230	545,049	(10,181)	(1.8%)	-	545,049	(10,181)	(1.8%)
<b>Allocation Subtotal</b>	<b>1,158,189</b>	<b>1,095,264</b>	<b>1,150,274</b>	<b>1,084,824</b>	<b>(65,451)</b>	<b>(5.7%)</b>	<b>50,000</b>	<b>1,134,824</b>	<b>(15,451)</b>	<b>(1.3%)</b>
<b>Net Expenditure (revenue) after indirect allocations</b>	<b>(1,049,020)</b>	<b>(275,983)</b>	<b>(734,418)</b>	<b>(727,074)</b>	<b>7,344</b>	<b>(1.0%)</b>	<b>46,900</b>	<b>(680,174)</b>	<b>54,244</b>	<b>(7.4%)</b>
FTE - Reg			35.0	35.0	-	-	-	35.0	-	-
FTE - Temp			-	-	-	-	-	-	-	-

**Court Services COVID-19 Costs - 2021 Operating Budget Business Case**

Court Services, POA-01

Initiative Start Date: 01-01-2021

**Reason for Business Case: Program Changes - COVID-19**

**Description of program change:**

Due to COVID-19, the Court Services Division has had to increase spending related to PPE (\$2,862), janitorial supplies (\$1,000) and additional minor IT to assist with the COVID screening process and support the transition to virtual court operations during the pandemic (\$13,000). Increased spending will be required as a result of additional mailing services due to a backlog in convictions requiring notice of fine and due date (\$2,700) and additional Part III prosecution time due to increased time required for virtual court services(\$14,300). These expense increases have been offset by several decreases as a result of savings expected due to a decrease in conferences and required in-person meals/travel expenses for staff (\$5,000). In addition a total of \$50,000 is being charged through indirect allocations (Building Maintenance) to Court Services related to additional cleaning fees at the Welland Courthouse. This amount is being fully allocated to Court Services in 2021 to allow for this cost to be split 50/50 with the LAMs and therefore not absorbed fully by the Region. These changes are required to provide a safe working environment for staff and the public during the COVID-19 pandemic. Additionally, these changes are required to continue meeting the Ministry of the Attorney General Guidelines to which the Court Services division is subject to.

**Business Reasons for Program Change:**

It is a Ministry as well as Regional requirement that certain COVID-19 guidelines be implemented with regards to screening, PPE, and sanitation upon opening of facilities to the public. Court Services was required to shut down to the public for a portion of 2020 as a result of the pandemic which has resulted in several backlogs that will continue to require support into 2021. Additionally, Court Services will be required to modify their services to meet the changing rules and regulations of in-person services, thus leading to changes required to support additional virtual options. Additionally, as a result of a backlog of convictions resulting from the pandemic additional expenses are required as a result of additional mailing to ensure notice of fine and due date are sent out. Without these additional mailing services the court would be at a reduced ability to collect revenue. In order to meet these guidelines and protect the health and safety of the Regional Employees who work in this facility and the public upon entering the facility additional costs will be incurred.

**Supports Council's Strategic Priorities: Healthy and Vibrant Community**

**Court Services COVID-19 Costs - 2021 Operating Budget Business Case**

This ask supports Council's Strategic Priority of Healthy and Vibrant Community by supporting the fostering of a safe and inclusive neighbourhood and community tied to a larger strategic Community Safety and Wellbeing strategy.

**Risk Assessment: High-priority**

If funding is not approved, Regional staff and the public who attend the POA Court to perform their work duties and use the court services respectively will be put at risk of contracting COVID-19 because surfaces will not be properly cleaned/sanitized and employees will not have proper PPE when dealing with the public. Without additional funding support this would result in a failure to meet the Ministry's requirements for operation during the COVID-19 pandemic therefore prohibiting the Court facilities from being open to the public resulting in a decrease in in-person services being offered and a decrease in revenue seen in this division. Additionally, to continue to modify services offered, Court Services is required to increase the capacity to offer virtual services, thus requires adequate funding to support these changing needs as the nature of their services offered change alongside the pandemic.

**Staffing Impact:**

None

Total Cost of Staffing Position:

Staffing Implementation Date: 01-01-2021

No staffing impact.

**Court Services COVID-19 Costs - 2021 Operating Budget Business Case**

<b>Financial Impact Summary</b>	<b>Current Year Impact</b>	<b>Multi Year Impact</b>		
	<b><u>2021</u></b>	<b><u>2022</u></b>	<b><u>2023</u></b>	<b><u>Beyond</u></b>
Gross Expenditures	79,112	-	-	-
Gross Revenues	-	-	-	-
Net Impact to levy	79,112	-	-	-
<b>% Change over prior year</b>	<b>5.400%</b>			

Prepared by Division Manager:	Miranda Vink
Reviewed by Program Financial Specialist:	Blair Hutchings
Approved by Director / Commissioner:	

**Court Services Cost Mitigation - 2021 Operating Budget Business Case**

Court Services, POA-02

Initiative Start Date: 01-01-2021

**Reason for Business Case: Mitigation**

**Description of program change:**

To support the 2021 budget guidance and other corporate pressures this mitigation item will allow Court Services to maintain their distribution to the LAMs within the 2% guidance. As a result of ensuring the variance in this distribution does not exceed 2%, Court Services is required to decrease the amount transferred to their capital reserve fund as a mitigation to fund the distribution instead. The impact of this mitigation to Court Services will be a \$56,638 decrease in the transfer to the Court Services Capital Reserve.

**Business Reasons for Program Change:**

Court Services is not recommending this mitigation, but must fit costs within the guidance provided. In order to maintain the distribution to the LAMs within the 2% guidance, Court Services cannot contribute the capital reserve fund at the previously recommended amount level.

**Supports Council's Strategic Priorities: Sustainable and Engaging Government**

This ask is related to Council's Strategic Priority of Sustainable and Engaging Government in that by allowing this mitigation, it does not build an adaptive environment that employs leading business practices for fostering the ongoing capital requirements of Court Services into the future.

**Risk Assessment: High-priority**

This mitigation strategy will likely cause a budget pressure in 2022/2023 based on the projected multi-year program and services changes expected by Court Services. By reducing the amount contributed to the Court Services Capital Reserve by 50% this will affect Court Services ability to fund ongoing capital requirements of their facility and/or subsequent replacement in accordance with best practice in asset management. This represents a one-time mitigation as a result of the scheduling software ask and it is expected that Court Services will be able to reinstate the transfer to the reserve in the full amount in 2022.

**Staffing Impact:**

None

Total Cost of Staffing Position:

Staffing Implementation Date: 01-01-2021

No staffing implication.

**Court Services Cost Mitigation - 2021 Operating Budget Business Case**

Financial Impact Summary	Current Year Impact	Multi Year Impact		
	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>Beyond</u>
Gross Expenditures	(56,638)	-	-	-
Gross Revenues	-	-	-	-
Net Impact to levy	(56,638)	-	-	-
<b>% Change over prior year</b>	<b>0.000%</b>			

Prepared by Division Manager:	Miranda Vink
Reviewed by Program Financial Specialist:	Blair Hutchings
Approved by Director / Commissioner:	

**Court Services Capital Financing - 2021 Operating Budget Business Case**

Court Services, POA-03

Initiative Start Date: 01-01-2021

**Reason for Business Case: Capital Financing**

**Description of program change:**

This business case is for Court Services to increase its transfer to capital reserves by 1% or \$14,688 which will help Court Services fund future capital program needs and reduce reliance on in year funding and/or debt financing. This request is consistent with the strategy as approved at BRCOTW on June 25th to allow for 2% increase to the 2021 budget share to be shared equally with 1% to operating costs and 1% to support capital renewal costs to better meet the demands of capital and the significant capital levy funding gap for 2021.

**Business Reasons for Program Change:**

Increasing the annual contribution to capital through an increase in transfer to the Courts Capital Reserve Fund as proposed in this business case will reduce reliance on in year funding and/or debt funding. Additionally, this strategy will reduce capital budget pressure for the future by smoothing the multi-year impact of capital impacts on the operating budget, in particular the distribution to the LAMs. Specifically, Court Services has identified the Courts Administration Management Software (CAMS) modernization project has been identified as a project possibly having an impact on the Court Services Multi-Year Capital Budget. At this time the total costs of this project are unknown, however planning for this now will reduce in year asks in future years and thus through increasing the Capital Reserve this will reduce budget pressure moving forward.

**Supports Council's Strategic Priorities: Sustainable and Engaging Government**

Increasing funding available for capital reserves supports Council's strategic priorities of Responsible Growth and Infrastructure planning. Having capital funding available is important to preserve and maintain the Courts Facility Capital Reserve.

**Risk Assessment: Priority**



**Court Services Capital Financing - 2021 Operating Budget Business Case**

Court Services has identified future capital projects required to support their systems modernization through the CAMs project. Therefore, increasing the 2021 budgeted transfer to the capital reserve supports this project and reduces multi-year budget pressure impacts.

Additionally, it is important for Court Services to continue to contribute to their capital reserve to fund future capital requirements of their facility. Although the facility is currently in good condition maintaining the good condition is highly dependent on building components being replaced once they reach the end of their useful life. Failure to do so would lead to more expensive capital costs, increased risk to health and safety and additional operating costs.

**Staffing Impact:**

None

Total Cost of Staffing Position:

Staffing Implementation Date: 01-01-2021

No staffing implication.

**Court Services Capital Financing - 2021 Operating Budget Business Case**

Financial Impact Summary	Current Year Impact	Multi Year Impact		
	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>Beyond</u>
Gross Expenditures	14,688	-	-	-
Gross Revenues	-	-	-	-
Net Impact to levy	14,688	-	-	-
<b>% Change over prior year</b>	<b>0.000%</b>			

Prepared by Division Manager:	Miranda Vink
Reviewed by Program Financial Specialist:	Blair Hutchings
Approved by Director / Commissioner:	

**Court Services Cost Mitigation - 2021 Operating Budget Business Case**

Court Services, POA-04

Initiative Start Date: 01-01-2021

**Reason for Business Case: Mitigation**

**Description of program change:**

This mitigation option presents incorporating a salary gapping estimate in the 2021 operating budget to assist with offsetting budget pressures. The salary gapping estimate is calculated as 1% of applicable compensation related accounts. This translates to an impact of \$19,047 for the Court Services 2021 budget which is being used to mitigate budget pressures in the Courts Services 2021 budget.

**Business Reasons for Program Change:**

Niagara Region departments have historically budgeted personnel related costs on the premise that positions will be filled for the entire year. This process includes budgeting the total estimated payroll related costs for a position for the entire year. When a position becomes vacant, there is a natural time lag involved to fill the vacancy. This time lag creates a favourable budget variance as the budgeted dollars associated with a position go unspent during the vacancy period.

Staff recognizes that budget savings associated with gapping has historically been realized year over year in Regional departments and ABCs. A gapping estimate has been prepared for consideration by Council as part of 2021 operating budgets to help mitigate ongoing budget pressures. Each department/division within Niagara Region calculated a gapping provision of 1% of base budget payroll related costs. The use of 1% is a conservative estimate based on past historical trending of actual gapping realized each year. The gapping estimate will show as a reduction to payroll related costs in the respective departments. Staff have ensure that departments that receive external funding are not impacted by this calculation. Staff have also ensured that 24 hour operations that require backfilled staff for vacancies/absences have been excluded from the analysis.

The risks associated with this proposal are noted below

**Supports Council's Strategic Priorities: Sustainable and Engaging Government**

This business case is intended to support the principals of sustainable and engaging government. Incorporating salary gapping in the budget is a proposal to assist with keeping tax increases at tolerable rates for taxpayers/ratepayers in a sustainable fashion

**Risk Assessment: Priority**

**Court Services Cost Mitigation - 2021 Operating Budget Business Case**

There are several risks associated with this strategy as per below:

-if the department operates at a full staffing compliment for the year, there is a budget risk that the dollars associated with the estimated gapping assumption will not be realized. If this is the case, the department will have an unfavourable budget variance in their personnel related costs which will need to be offset with another funding source.

-gapping savings have historically been used to offset other corporate related budget pressures (labour relations, legal claims, development charge exemptions). By including a gapping estimate in the budget, this creates risk that these corporate pressures may not be fully offset/funded

-once a gapping estimate is incorporated in the budget, it is difficult to reverse in a subsequent budget year without requesting a levy/rate increase in order to fund

-gapping contributes to the overall corporate surplus to help fund stabilization reserves

**Staffing Impact:**

None

Total Cost of Staffing Position:

Staffing Implementation Date: 01-01-2021

No staffing implication.

**Court Services Cost Mitigation - 2021 Operating Budget Business Case**

Financial Impact Summary	Current Year Impact	Multi Year Impact		
	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>Beyond</u>
Gross Expenditures	(19,047)	(21,213)	(21,919)	-
Gross Revenues	-	-	-	-
Net Impact to levy	(19,047)	(21,213)	(21,919)	-
<b>% Change over prior year</b>	<b>0.000%</b>			

Prepared by Division Manager:	Miranda Vink
Reviewed by Program Financial Specialist:	Blair Hutchings
Approved by Director / Commissioner:	

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**MEMORANDUM**

**JBM-C 9-2020**

**Subject:** 3<sup>rd</sup> Quarter Variance Analysis and Forecast to December 31, 2020

**Date:** November 5, 2020

**To:** Joint Board of Management, Niagara Region Courts

**From:** Miranda Vink, Manager, Court Services

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As a result of a recent forecasting exercise undertaken, the following is a summary of the status of the 2020 Court Services budget as at September 30, 2020. The year-to-date variance analysis is attached as **Appendix 1**.

Revenue is under budget year-to-date by 27% due to a decrease in infraction revenue and delinquent revenue collected, primarily linked to the following COVID-19 business impacts:

Infraction Revenue

- Overall decrease of charges laid (26%) from Q1-Q3 2020, compared to the same time period in 2019
- The extension of time limitations and the pause on enforcement arising from Provincial and Judicial Orders issued in response to the COVID-19 pandemic has resulted in more than 4000 Part 1 charges sitting on “Fail To Respond” (FTR) dockets awaiting conviction.
- This pause is scheduled to be lifted on December 2, 2020
- FTR convictions entered in December 2020 will become due and payable in January 2021
- The current value exceeds \$700,000

Delinquent Revenue

- Over 3000 cases are pending suspension
- The pandemic-related pause on suspensions due to Provincial and Judicial Orders in response to the COVID-19 pandemic will be lifted December 2, 2020
- The current value of the cases eligible for suspension exceeds \$3.7 million dollars

- Enforcement activities that were paused will recommence in December 2020 with revenue realized in 2021

Operational expenditures are under budget by 30.8%, due to a reduction in adjudication expenses related to the pause of court matters from March to July 2020, a decrease in Victim Fine Surcharge payments due to a reduction in charges filed, in addition to the redeployment of Court Services employees to Community Services during Q2 - Q3, a number of team members who were out of the workplace on Infectious Disease Leave (unpaid), and the vacancy management of one position in Q1 – Q3.

**Appendix 2** to this memo is a spreadsheet illustrating the forecast of Court Services' revenue and expenses to the end of 2020. At this time, revenue is forecasted to be under budget by 28.7% or \$2.0Million by year-end. Total expenditures are anticipated to come in under budget by 28.3% or \$1.4Million, resulting in a net revenue of \$551,966 (\$275,983 for the local area municipalities and \$275,983 for the Region). The final net revenue distribution share to the area municipalities will be dependent on the audited year-end results, which is forecasted to be unfavourable by approximately \$458,435 to the local area municipalities and to the Niagara Region by the same amount.

**Appendix 3** to this memo is a spreadsheet illustrating the forecast of our distribution to the area municipalities to the end of 2020.

Respectfully submitted and signed by

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Miranda Vink  
Manager, Court Services

COURT SERVICES  
Variance Analysis:  
January to September 2020

Percentage of Year Elapsed: 75 %

	Year To Date							Annual			
	Total Approved Budget	Vision Zero Budget	Base Program Budget	Actual	Base Program Budget vs Actual Variance		Total Approved Budget	% of Annual Budget Expended	% Over/Under Annual Budget	Analysis of Year to Date Revenue & Expenditure Variance	
Expenses											
Compensation	\$ 1,874,818	\$ 433,912	\$ 1,440,906	\$ 1,196,639	\$ 244,267	17.0%	\$ 2,569,704	47%	-28%	Under budget due to vacancy management and impacts of COVID-19 pandemic re: staff who have chosen to take Infectious Disease Leave	
Administrative	2,056,951	665,841	1,391,110	830,146	560,964	40.3%	2,891,177	29%	-46%	Under budget due to lower Adjudication costs, Interpreter Fees and External Legal Expenses as a result of court closures due to COVID-19 pandemic, as well as lower Victim Fine Surcharge costs due to reduced revenue	
Operational & Supply	825,758	32,882	792,876	404,118	388,758	49.0%	1,162,564	35%	-40%	Under budget due to a decrease in the fines collected on behalf of other POA offices, offset through lower revenue below, as well as a decrease in the anticipated distribution to area municipalities due to lower net revenues	
Equipment, Vehicles & Technology	375	-	375	9,855	(9,480)	- 2528.0%	500	1971%	1896%	Over budget due to unanticipated computer infrastructure costs	
Financial Expenditures	118,500	-	118,500	149,599	(31,099)	-26.2%	158,000	95%	20%	Over budget due to an increase in Collection Charges paid to third party collection agencies as a result of increased cases sent to collection agencies for third placement, at an increased commission rate	
Total Expenses	4,876,402	1,132,635	3,743,767	2,590,357	1,153,410	30.8%	6,781,945	38%	-37%		
Revenue											
Other Revenue	(6,443,047)	(1,144,297)	(5,298,750)	(3,861,326)	(1,437,424)	27.1%	(8,859,747)	44%	-31%	Under budget due to lower infraction revenue & delinquent fine revenue collected as a result	



							of the impacts of the COVID-19 pandemic, including court closure and reduced charges		
Total Revenue	(6,443,047)	(1,144,297)	(5,298,750)	(3,861,326)	(1,437,424)	27.1%	(8,859,747)	44%	-31%
Intercompany Charges									
Intercompany Charges	(5,168)	-	(5,168)	(81,404)	76,236	- 1475.2%	(6,890)	1181%	1106%  Over budget due to the reallocation of redeployed staffing costs to other Niagara Region departments in need of support during the COVID-19 pandemic
Net Expenditure/(Revenue) before Transfers & Indirect Allocations	(1,571,813)	(11,662)	(1,560,151)	(1,352,373)	(207,778)	13.3%	(2,084,692)	65%	-10%
Transfers									
Transfer to Reserve Fund	150,000	-	150,000	150,000	-	0.0%	200,000	75%	0%  Transfer of funds to the Court Services facility reserve to fund future facility needs
Total Transfers	150,000	-	150,000	150,000	-	0.0%	200,000	75%	0%
Net Expenditure/(Revenue) before Indirect Allocations	\$ (1,421,813)	\$ (11,662)	\$ (1,410,151)	\$ (1,202,373)	\$ (207,778)	14.7%	\$ (1,884,692)	64%	-11%
Indirect Allocations & Debt									
Indirect Allocations & Debt	911,068	-	911,068	877,646	33,422	3.7%	1,150,274	76%	1%  Under budget due to lower than budgeted corporate cost allocations, including real estate and procurement costs
Total Indirect Allocations & Debt	911,068	-	911,068	877,646	33,422	3.7%	1,150,274	76%	1%
Net Expenditure/(Revenue) after Indirect Allocations	\$ (510,745)	\$ (11,662)	\$ (499,083)	\$ (324,727)	\$ (174,356)	34.9%	\$ (734,418)	44%	-31%

COURT SERVICES  
2020 Third Quarter Forecast: October to December

	Total Approved Budget	Vision Zero Budget	Base Program Budget	Year to Date Actual (as of September 30/20)	Forecast October to December	Total Forecast for 2020	Base Program Budget vs. Forecast Variance Surplus (Deficit)
Expenses							
Compensation	\$ 2,569,704	\$ 650,403	\$ 1,919,301	\$ 1,196,639	\$ 399,801	\$ 1,596,440	\$ 322,861 16.8%
Administrative	2,891,177	1,038,448	1,852,729	830,146	527,018	1,357,164	495,565 26.8%
Operational & Supply*	1,162,564	105,896	1,056,668	404,118	7,735	411,853	644,815 61.0%
Equipment, Vehicles & Technology	500	-	500	9,855	125	9,980	(9,480) 1896. 0%
Financial Expenditures	158,000	-	158,000	149,599	49,500	199,099	(41,099) - 26.0%
Total Expenses	6,781,945	1,794,747	4,987,198	2,590,357	984,179	3,574,536	1,412,662 28.3%
Revenue							
Other Revenue	(8,859,747)	(1,794,747)	(7,065,000)	(3,861,326)	(1,178,674)	(5,040,000)	(2,025,000) 28.7%
Transfers from Reserves	-				-	-	- 0.0%
Total Revenue	(8,859,747)	(1,794,747)	(7,065,000)	(3,861,326)	(1,178,674)	(5,040,000)	(2,025,000) 28.7%
Intercompany Charges							
Intercompany Charges	(6,890)	-	(6,890)	(81,404)	(24,379)	(105,783)	98,893 1435. 3%

Net Expenditure/(Revenue) before Transfers & Indirect Allocations	(2,084,692)	-	(2,084,692)	(1,352,373)	(218,874)	(1,571,247)	(513,445)	24.6%
Transfers								
Transfer to Reserve Fund	200,000	-	200,000	150,000	50,000	200,000	-	0.0%
Total Transfers	200,000	-	200,000	150,000	50,000	200,000	-	0.0%
Net Expenditure/(Revenue) before Indirect Allocations	\$ (1,884,692)	\$ -	\$ (1,884,692)	\$ (1,202,373)	\$ (168,874)	\$ (1,371,247)	(513,445)	27.2%
Indirect Allocations & Debt								
Indirect Allocations & Debt	1,150,274	-	1,150,274	877,646	217,618	1,095,264	55,010	4.8%
Total Indirect Allocations & Debt	1,150,274	-	1,150,274	877,646	217,618	1,095,264	55,010	4.8%
Net Expenditure/(Revenue) after Indirect Allocations	\$ (734,418)	\$ -	\$ (734,418)	\$ (324,727)	\$ 48,744	\$ (275,983)	(458,435)	62.4%

\* Operational & Supply Expenses include the forecasted amount to be distributed to the LAMs of \$275,983, which is 50% of the total net revenue of \$551,966

2020 Court Distribution to Area Municipalities

2020 Budget					
Estimates versus Actual	Total	March	June	September	December
Budgeted POA Revenues to be distributed:	\$734,417.84	\$183,604.46	\$183,604.46	\$183,604.46	\$183,604.46
Forecasted POA Revenues to be distributed:	\$275,983.00	\$183,604.46	\$183,604.46	\$0.00	\$0.00
Favourable/(Unfavourable) Variance	(\$458,434.84)	\$0.00	\$0.00	(\$183,604.46)	(\$183,604.46)

2020 Year-to-Date  
Distributions (Recoveries)  
over Forecasted  
Distributions

(\$91,225.92)

Area Municipality	2020 Assessment	Apportioned	Budget Total	Budgeted Distribution by Quarter			
				March	June	September	December
Niagara Falls	\$12,037,144,139	19.49%	\$ 143,138.08	\$ 35,784.52	\$ 35,784.52	\$ 35,784.52	\$ 35,784.52
Port Colborne	\$1,948,437,936	3.16%	\$ 23,207.60	\$ 5,801.90	\$ 5,801.90	\$ 5,801.90	\$ 5,801.90
St. Catharines	\$15,419,992,362	24.97%	\$ 183,384.12	\$ 45,846.03	\$ 45,846.03	\$ 45,846.03	\$ 45,846.03
Thorold	\$2,467,584,400	4.00%	\$ 29,376.72	\$ 7,344.18	\$ 7,344.18	\$ 7,344.18	\$ 7,344.18
Welland	\$4,976,922,336	8.06%	\$ 59,194.08	\$ 14,798.52	\$ 14,798.52	\$ 14,798.52	\$ 14,798.52
Fort Erie	\$3,927,800,572	6.36%	\$ 46,708.96	\$ 11,677.24	\$ 11,677.24	\$ 11,677.24	\$ 11,677.24
Grimsby	\$4,899,981,053	7.94%	\$ 58,312.76	\$ 14,578.19	\$ 14,578.19	\$ 14,578.19	\$ 14,578.19
Lincoln	\$4,068,471,913	6.59%	\$ 48,398.12	\$ 12,099.53	\$ 12,099.53	\$ 12,099.53	\$ 12,099.53
NOTL	\$5,616,327,811	9.10%	\$ 66,832.04	\$ 16,708.01	\$ 16,708.01	\$ 16,708.01	\$ 16,708.01
Pelham	\$2,859,921,900	4.63%	\$ 34,003.56	\$ 8,500.89	\$ 8,500.89	\$ 8,500.89	\$ 8,500.89
Wainfleet	\$1,156,512,014	1.87%	\$ 13,733.60	\$ 3,433.40	\$ 3,433.40	\$ 3,433.40	\$ 3,433.40
West Lincoln	\$2,366,755,775	3.83%	\$ 28,128.20	\$ 7,032.05	\$ 7,032.05	\$ 7,032.05	\$ 7,032.05
Total	\$61,745,852,211	100.00%	\$ 734,417.84	\$ 183,604.46	\$ 183,604.46	\$ 183,604.46	\$ 183,604.46

2020 Forecasted Variance  
to be applied to 2021  
Distribution Payments

\$	(17,779.93)
\$	(2,882.74)
\$	(22,779.11)
\$	(3,649.04)
\$	(7,352.81)
\$	(5,801.97)
\$	(7,243.34)
\$	(6,011.79)
\$	(8,301.56)
\$	(4,223.76)
\$	(1,705.92)
\$	(3,493.95)
\$	(91,225.92)

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**MEMORANDUM**

**JBM-C 10-2020**

**Subject:** Joint Board of Management 2021 Membership  
**Date:** November 5, 2020  
**To:** Joint Board of Management, Niagara Region Courts  
**From:** Miranda Vink, Manager Court Services

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Pursuant to Section 1.3 of the Niagara Region Courts Inter-Municipal Agreement, "The Joint Board of Management (JBM) has 7 members in total composed of one (1) staff person to be determined by respective municipalities to represent each of the following municipalities: The Region, Niagara Falls, Welland and St. Catharines. Further, there will be three appointed from the nine area municipalities (Wainfleet, Fort Erie, Port Colborne, West Lincoln, Lincoln, Grimsby, Thorold, Niagara on the Lake and Pelham) who have membership on JBM on a revolving basis. Each municipality in this group has one representative for one year in a 3 year period."

At its meeting of October 31, 2000, the Joint Board of Management, Niagara Region Courts, established a three-year rotation schedule (attached as Appendix A) for municipal representation of the Board. As such for 2021, members from Thorold, Wainfleet and West Lincoln will replace current members from Grimsby, Lincoln and Niagara on the Lake.

A letter from the Manager, Court Services dated October 14, 2020 was sent to the Clerks in Thorold, Wainfleet and West Lincoln asking that a representative be identified to sit on the Board in 2020 by December 11, 2020.

Respectfully submitted and signed by

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Miranda Vink  
Manager, Court Services

## JOINT BOARD OF MANAGEMENT – NIAGARA REGION COURTS

### Rotation Schedule

YEAR	PERMANENT MEMBERS	ROTATING MEMBERS
2020	<ul style="list-style-type: none"><li>• St. Catharines</li><li>• Niagara Falls</li><li>• Welland</li><li>• Region of Niagara</li></ul>	<ul style="list-style-type: none"><li>• Grimsby</li><li>• Lincoln</li><li>• N-O-T-L</li></ul>
2021	<ul style="list-style-type: none"><li>• St. Catharines</li><li>• Niagara Falls</li><li>• Welland</li><li>• Region of Niagara</li></ul>	<ul style="list-style-type: none"><li>• Thorold</li><li>• Wainfleet</li><li>• West Lincoln</li></ul>
2022	<ul style="list-style-type: none"><li>• St. Catharines</li><li>• Niagara Falls</li><li>• Welland</li><li>• Region of Niagara</li></ul>	<ul style="list-style-type: none"><li>• Port Colborne</li><li>• Pelham</li><li>• Fort Erie</li></ul>

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**MEMORANDUM**

**JBM-C 12-2020**

**Subject:** Vision Zero Update  
**Date:** November 5, 2020  
**To:** Joint Board of Management  
**From:** Beth Brens, Manager of Program Financial Support and Carolyn Ryall, Director of Transportation

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The purpose of this memorandum is to provide JBM with an update related to the status of the Vision Zero Program implementation and next steps.

To date, staff have attended consultation meetings with the local area treasurer group and CAO group with the goal of educating on the program, providing details on the requested amendments to the inter-municipal agreement (IMA), as well as an overview of financial implications.

There has been unanimous support for the program and dialogue with the CAO group around how to implement changes to the IMA is ongoing.

Overview of Changes to the IMA

Amendments to the IMA are proposed to define the Vision Zero Program and Vision Zero Program Court Costs. In addition, the revisions address the apportionment of Costs and Revenue related to the Vision Zero Program to allow for 100% of net Vision Zero Program revenue to be transferred to the Niagara Region's Transportation division for re-investment into the Program. The discussions have resulted in a proposed term of three-years for the agreement.

2021 Budget Implications

Through the 2020 budget process, Regional Council approved the Vision Zero program contingent on approval of the required revisions to the inter-municipal agreement. The 2020 budget was based on 6 months of operations for Red Light Cameras and 9 months for Automatic Speed Enforcement. Based on estimated timelines for 2021, staff

do not foresee operations exceeding these timelines and as a result, the 2021 base budget includes the budget as approved in 2020. Staff expect to update 2022 budget based on actuals operating results in 2021. Note that it is expected that the program will be cost neutral in a full year of operations.

#### Staffing/Operations

Once implementation plan and related timelines are more established, the Court Services management team will work with Transportation staff to better understand impact on resources to ensure staffing within Court Services is resourced in alignment with planned implementation and anticipated volumes.

#### Next Steps

Staff plan to attend local area municipal councils and Regional Council by the end of Q1 2021 to present an overview of the program, provide final proposed details of amendments to the inter-municipal agreement as well financial implications for approval.

Upon the revisions to the IMA being approved by all LAMs, Transportation staff will bring forward a report to PWC and Council to authorize entering into agreements with suppliers and related to parties to acquire equipment and services. It is estimated that it will take 120 business days to receive the equipment.

Respectfully submitted and signed by

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Beth Brens, CPA, CA  
Manager of Program Financial Support

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Carolyn Ryall  
Director, Transportation Services



**THE REGIONAL MUNICIPALITY OF NIAGARA  
JOINT BOARD OF MANAGEMENT - NIAGARA COURTS  
OPEN SESSION**

**JBM 2-2020  
Thursday, August 13, 2020  
Video Conference**

Committee Members present via Video Conference: D. Gibbs (Niagara Region), E. Lustig (Niagara Falls), S. McWilliams (Grimsby), J. Pidgen (Lincoln), H. Salter (Board Vice-Chair, St. Catharines), J. Tosta (Welland)

Absent/Regrets: C. Lamour (N.O.T.L.)

Staff present via Video Conference: K. Lotimer, Legislative Coordinator, M. Van Dyke, Manager, Court Services. S. Mota, Program Financial Specialist

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**1. CALL TO ORDER**

H. Salter, Board Vice-Chair, called the meeting to order at 3:35 p.m.

**2. DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**3. PRESENTATIONS**

There were no presentations.

**4. DELEGATIONS**

There were no delegations.

**5. ITEMS FOR CONSIDERATION**

**5.1 JBM-C 3-2020**

Approval of Court Services 2019 Audited Schedule of Revenue, Expenses and Funds Available for Distribution

Moved by J. Tosta  
Seconded by D. Gibbs

That Report JBM-C 3-2020, dated August 13, 2020, respecting Approval of Court Services 2019 Audited Schedule of Revenue, Expenses and Funds Available for Distribution, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That approval of the final audited schedule of revenue, expenses and funds available for distribution for the year ended December 31, 2019 for The Regional Municipality of Niagara Court Services (“Court Services”) (Appendix 1), as issued to the Joint Board of Management via email on May 11, 2020, **BE CONFIRMED**; and
2. That this report **BE FORWARDED** to the Region’s Audit Committee and to The Ministry of the Attorney General as per the Memorandum of Understanding, for information as required.

**Carried**

5.2 JBM-C 6-2020

2021 Capital Budget - Court Scheduling Tool Modernization Project

Moved by D. Gibbs

Seconded by J. Tosta

That Report JBM-C 6-2020, dated August 13, 2020, respecting 2020 Capital Budget - Court Scheduling Tool Modernization Project, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Court Scheduling Tool Modernization Project **BE REFERRED** for consideration by the Joint Board of Management as part of the 2021 Capital Budget for Court Services with recommended funding from the 2021 Court Services Operating Budget.

**Carried**

6. **CONSENT ITEMS FOR INFORMATION**

Moved by J. Tosta

Seconded by J. Pidgen

That the following items **BE RECEIVED** for information:

JBM-C 4-2020

Initiation of 2018 Capital Project Funds for Court Administration Management System Replacement

JBM-C 5-2020

2nd Quarter Variance Analysis and Forecast to December 31, 2020

JBM-C 7-2020

Court Services COVID-19 Update

JBM 1-2020  
Joint Board of Management Committee - Niagara Courts Meeting Minutes -  
March 5, 2020

**Carried**

**7. OTHER BUSINESS**

There were no items of other business.

**8. NEXT MEETING**

The next meeting will be held on Thursday, November 5, 2020, at 3:30 p.m.

**9. ADJOURNMENT**

There being no further business, the meeting adjourned at 3:55 p.m.

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Heather Salter  
Board Vice-Chair

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Kelly Lotimer  
Legislative Coordinator

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Ann-Marie Norio  
Regional Clerk