

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

**JBM 4-2019
Monday, November 18, 2019
Committee Room 4
Niagara Region Headquarters
1815 Sir Isaac Brock Way, Thorold ON**

Committee: C. Genesse (Pelham), D. Gibbs (Niagara Region), S. Hanson (Port Colborne), H. Salter (Board Chair), J. Tosta (Vice-Chair)

Absent/Regrets: G. Stephenson (Fort Erie)

Staff: J. Foley, Acting Manager, Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, K. Lotimer, Legislative Coordinator, S. Mota, Program Financial Specialist, M. Trennum, Deputy Regional Clerk

1. CALL TO ORDER

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

H. Salter, Board Chair suggested that if there were no objections, that Item 6.5, JBM-C 12-2019, be moved up on the agenda for consideration immediately following the Court Services - 2020 Budget presentation.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

3.1 Vision Zero

Carolyn Ryall, Director, Transportation Services, provided information respecting Vision Zero Road Safety Program. Topics of the presentation included:

- Niagara Regional Transit Master Plan
- Vision Zero Overview
- Community Safety Zones
- Automated Speed Enforcement
- Red Light Cameras

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 Court Services - 2020 Budget Presentation

Jackie Foley, Acting Manager, Niagara Courts, provided information respecting Niagara Region Budget 2020 Joint Board of Management Court Services. Topics of the presentation included:

- 2020 Operating Budget
- Base Budget/Base Budget Changes
- 2020 Operating Budget Total with Vision Zero Program Change
- Risks and Opportunities

A copy of the presentation is attached to these minutes.

6. CONSENT ITEMS FOR INFORMATION

6.5 JBM-C 12-2019

Court Services 2020 Operating Budget

Moved by D. Gibbs

Seconded by C. Genesse

That Correspondence Item JBM-C 12-2019, being a memorandum from J. Foley, Acting Manager, Court Services, respecting Court Services 2020 Operating Budget, **BE RECEIVED** for information.

Carried

5. ITEMS FOR CONSIDERATION

5.1 JBM-C 9-2019

Court Services – 2020 Budget Report

Moved by D. Gibbs

Seconded by S. Hanson

That Report JBM-C 9-2019, dated November 18, 2019, respecting Court Services – 2020 Budget Report, **BE RECEIVED** and the following recommendations, **BE APPROVED**:

1. That the 2020 Court Services gross base operating budget of \$6,230,582 and net budgeted revenue of \$834,418, as outlined in Appendix 1, **BE APPROVED**;
2. That the 2020 Court Services gross operating budget of \$1,794,747 and net operating budget of \$0 for the program change related to the implementation of the Vision Zero Road Safety Program, as outlined in Appendix 2, **BE APPROVED**, subject to:

- a. Successful completion of an amendment to the Niagara Region Courts Inter-municipal Agreement with respect to the sharing of revenue and costs of the Vision Zero Road Safety Program; and
 - b. Regional Council approval of both the Vision Zero Road Safety Program and the related operating budget for 2020; and
3. That staff **BE DIRECTED** to report back to the Joint Board of Management following satisfaction of the conditions listed in Recommendation 2 on the implementation of the Vision Zero Road Safety Program.

Moved by S. Hanson
Seconded by C. Genesse

That Clause 1 of the motion, **BE AMENDED** to reflect an allocation for 2020 of \$200,000 to the Court Services Capital Reserve as follows:

1. That the 2020 Court Services gross base operating budget of ~~\$6,330,582~~ **\$6,230,582** and net budgeted revenue of ~~\$734,418~~ **\$834,418**, as outlined in Appendix 1, **BE APPROVED**.

Carried

The Board Chair called for a vote on the motion as follows:

That Report JBM-C 9-2019, dated November 18, 2019, respecting Court Services – 2020 Budget Report, **BE RECEIVED** and the following recommendations, **BE APPROVED**, as amended:

1. That the 2020 Court Services gross base operating budget of \$6,330,582 and net budgeted revenue of \$734,418, as outlined in Appendix 1, **BE APPROVED**;
2. That the 2020 Court Services gross operating budget of \$1,794,747 and net operating budget of \$0 for the program change related to the implementation of the Vision Zero Road Safety Program, as outlined in Appendix 2, **BE APPROVED**, subject to:
 - a. Successful completion of an amendment to the Niagara Region Courts Inter-municipal Agreement with respect to the sharing of revenue and costs of the Vision Zero Road Safety Program; and
 - b. Regional Council approval of both the Vision Zero Road Safety Program and the related operating budget for 2020; and

3. That staff **BE DIRECTED** to report back to the Joint Board of Management following satisfaction of the conditions listed in Recommendation 2 on the implementation of the Vision Zero Road Safety Program.

Carried

6. **CONSENT ITEMS FOR INFORMATION**

Moved by C. Genesse
Seconded by S. Hanson

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

JBM-C 8-2019
3rd Quarter Variance Analysis and Forecast to December 31, 2019

JBM-C 10-2019
Collection Agency RFP Results

JBM-C 11-2019
2020 Joint Board of Management Membership

JBM 03-2019
Joint Board of Management - Niagara Courts
Meeting Minutes
May 30, 2019

Carried

7. **OTHER BUSINESS**

7.1 **Closure of Provincial Offences Court Facility located at 71 King Street, St. Catharines**

Jackie Foley, Acting Manager, Court Services, provided information to Board members respecting the closure of the St. Catharines Provincial Offences Court Facility located at 71 King Street. The closure was completed on October 31, 2019, with all activities previously provided at this location being relocated to the Welland Provincial Offences Court location.

7.2 **Sale of Surplus Land**

Jackie Foley, Acting Manager, Court Services, advised Board Members that the sale of the surplus land located at 445 East Main Street, in the city of Welland, to Niagara Regional Housing closed on October 21, 2019. The balance paid on closing was \$215,163.60.

7.3 Court Services Manager Recruitment

Donna Gibbs, Director, Legal Court Services, provided an update to Board Members respecting the recruitment process for the position of Manager, Court Services. She noted first round interviews will be completed by November 22, 2019, with second round interviews scheduled shortly after.

8. **NEXT MEETING**

The next meeting will be held on Thursday, December 12, 2019 at 3:30 p.m. in CE 101.

9. **ADJOURNMENT**

There being no further business, the meeting adjourned at 5:03 p.m.

Heather Salter
Board Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk



NIAGARA REGION BUDGET

2020

Joint Board of Management
Court Services

November 18, 2019



Program/Service Definition

- 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%

Joint Board of Management

Membership – Municipal Staff Appointed (7 members)

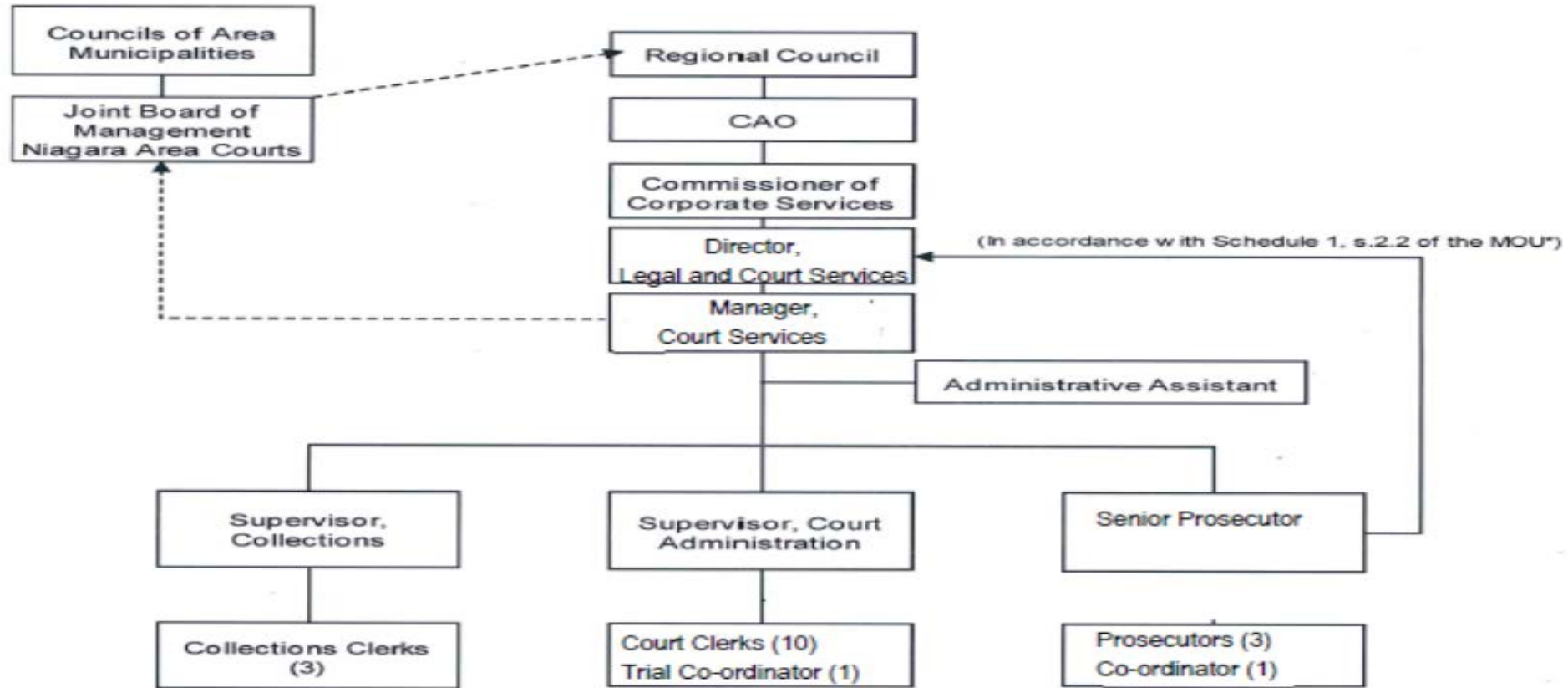
- 4 Permanent
 - Niagara Falls, Niagara Region, St. Catharines, and Welland
- 3 Rotate yearly
 - Fort Erie, Grimsby, Lincoln, Niagara-on-the lake, Pelham, Port Colborne, Thorold, Wainfleet, and West Lincoln

Role

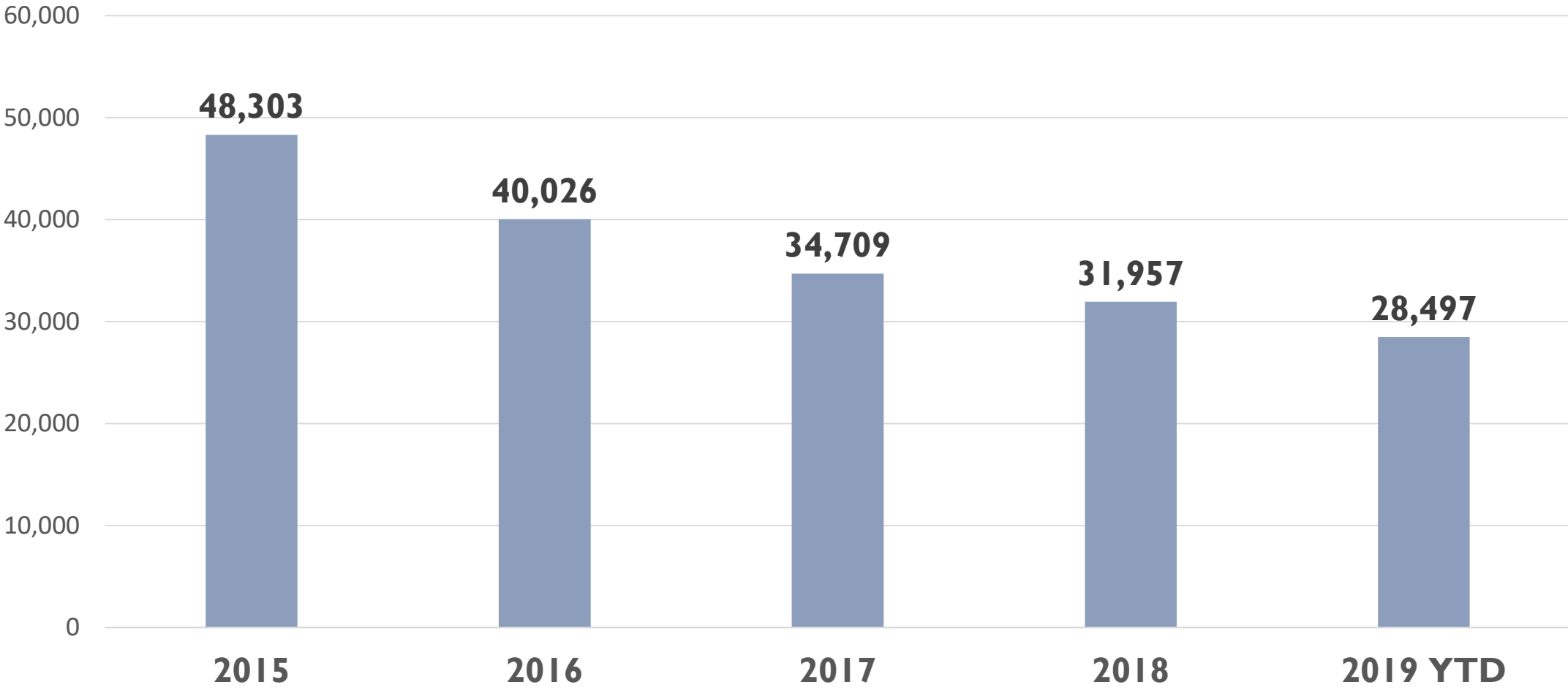
- Co-ordinate performance of the Transfer Agreements
- Provide advice to the Agent
- Approve program

POA Organizational Chart

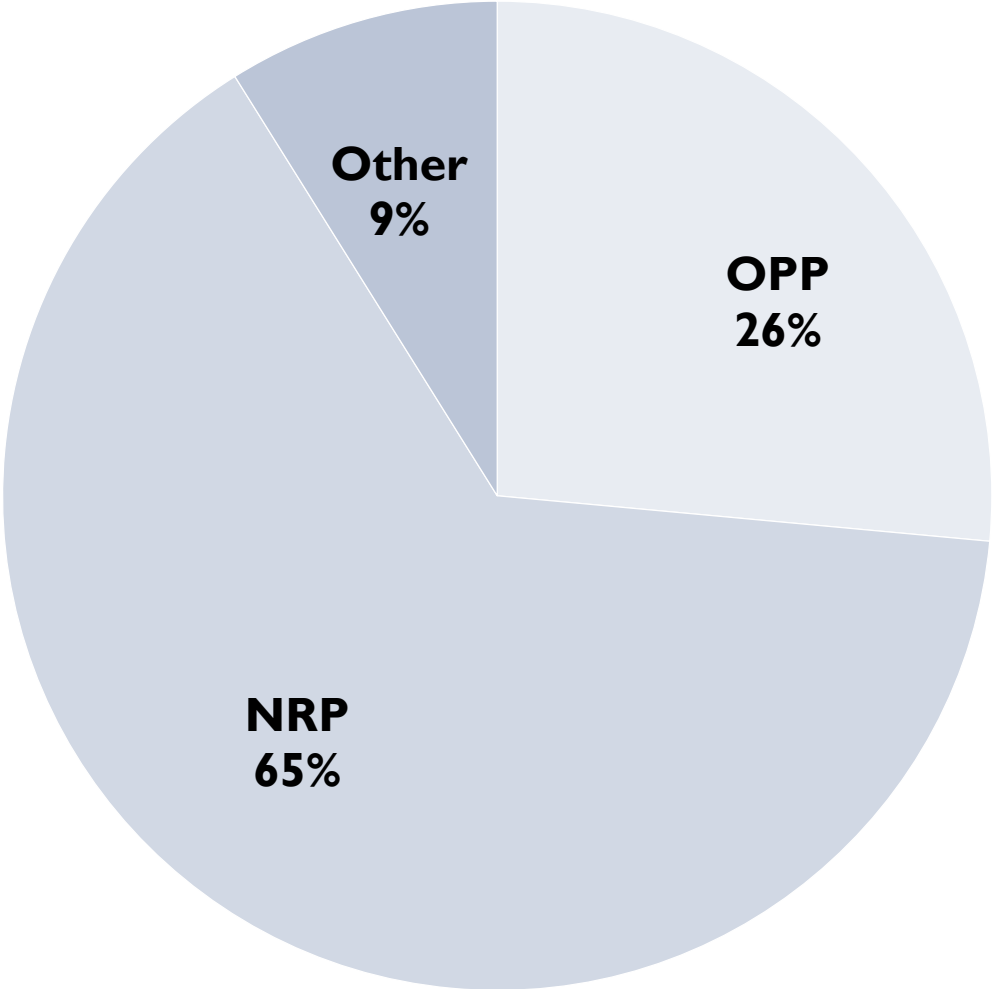
ORGANIZATIONAL CHART PROVINCIAL OFFENCES COURT



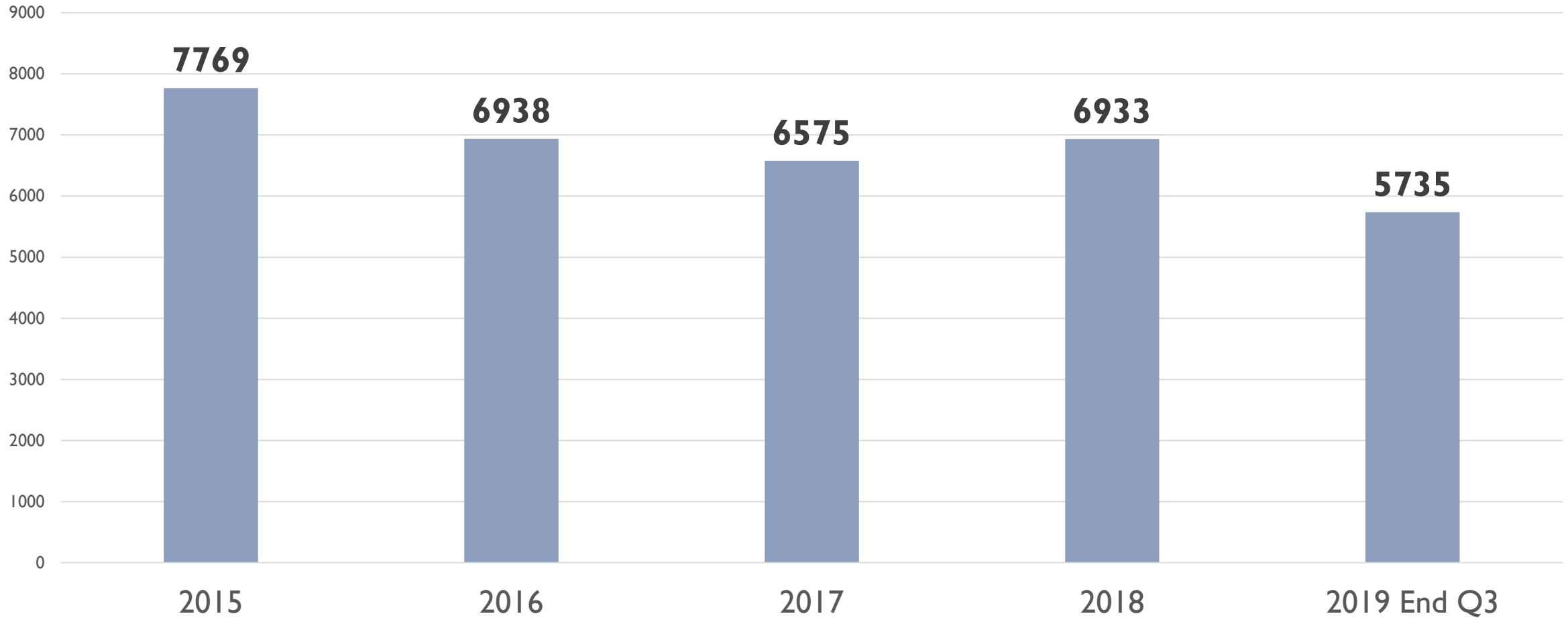
Annual Charging Volumes (2019 Q3)



2019 Charges by Enforcement Agency



New Delinquent Fines Volumes (2019 Q3)



2020 Operating Budget

Year-Over-Year Base Budget

- Recommended budget - below Council's budget planning direction of 2% increase
 - Decrease of 21.4% - Net revenue increase for Region of \$130,000 and \$130,000 to the Local Area Municipalities

	(in 000's)	2019 Approved Budget	2020 Budget	Change
Gross Expenditure (including indirect allocations and debt charges)*	\$	6,135	\$ 6,331	\$ 195
Gross Revenue		(6,740)	(7,065)	(325)
Net Revenue	\$	(605)	\$ (734)	\$ (130)
Permanent FTE		26.0	23.0	(3.0)

* Gross expenditures include LAMs portion of surplus net revenue

Full-time Equivalent (FTE) Summary–Base Budget

Reduction of 3 Court Clerk FTEs for 2020

- Re-distribution of workloads and streamlined processes
 - E-ticketing
 - Consolidation of POA court services in one location

Base Permanent FTEs	
	FTE
2019 Total	26.0
Change Base	(3.0)
2020 Total	23.0
% Change	-11.5%

2020 Operating Budget Summary

Base budget changes- \$129,632 (21.4%) net revenue increase

- **Increase in gross revenue - \$325,000**

- Based on current trends, implementation of new contracts with collection agencies

- **Decrease in personnel costs - \$121,334**

- Reduction of 3 FTEs due to streamlining of processes through e-ticketing and consolidation of services in one location

- **Increase in administrative costs - \$18,669**

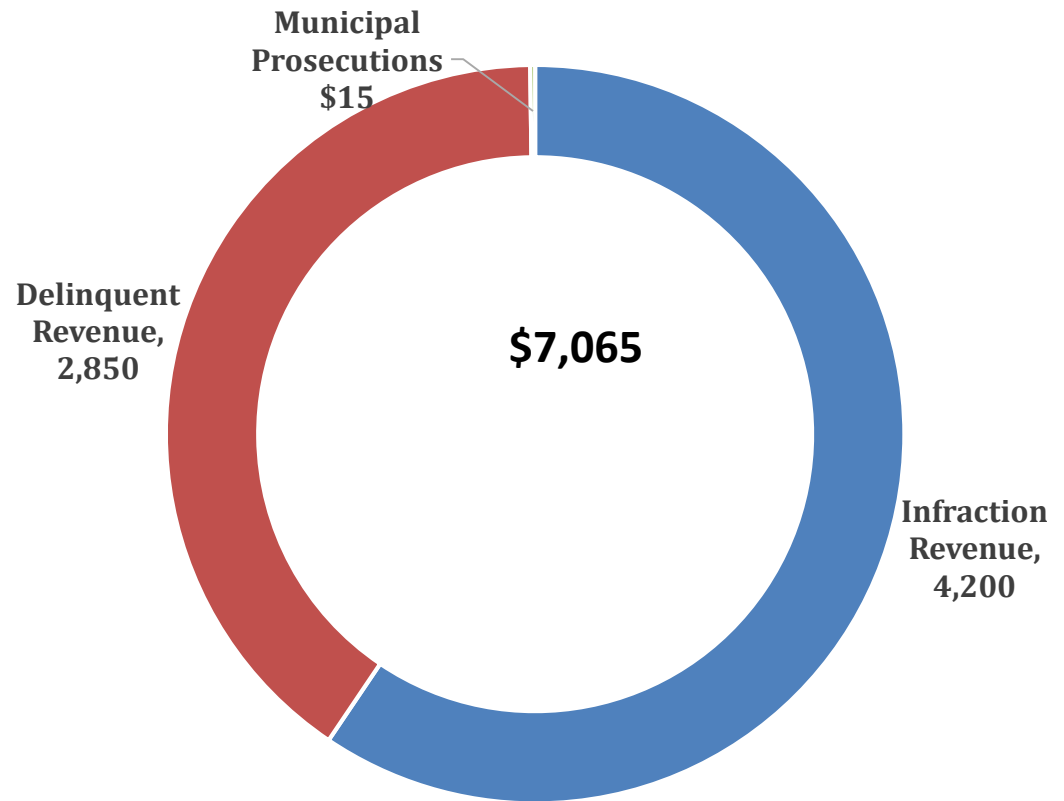
- Increase in Victim Fine Surcharge costs and credit card fees (aligns with increased revenue), offset by reductions in adjudication and interpreter costs

2020 Operating Budget Summary

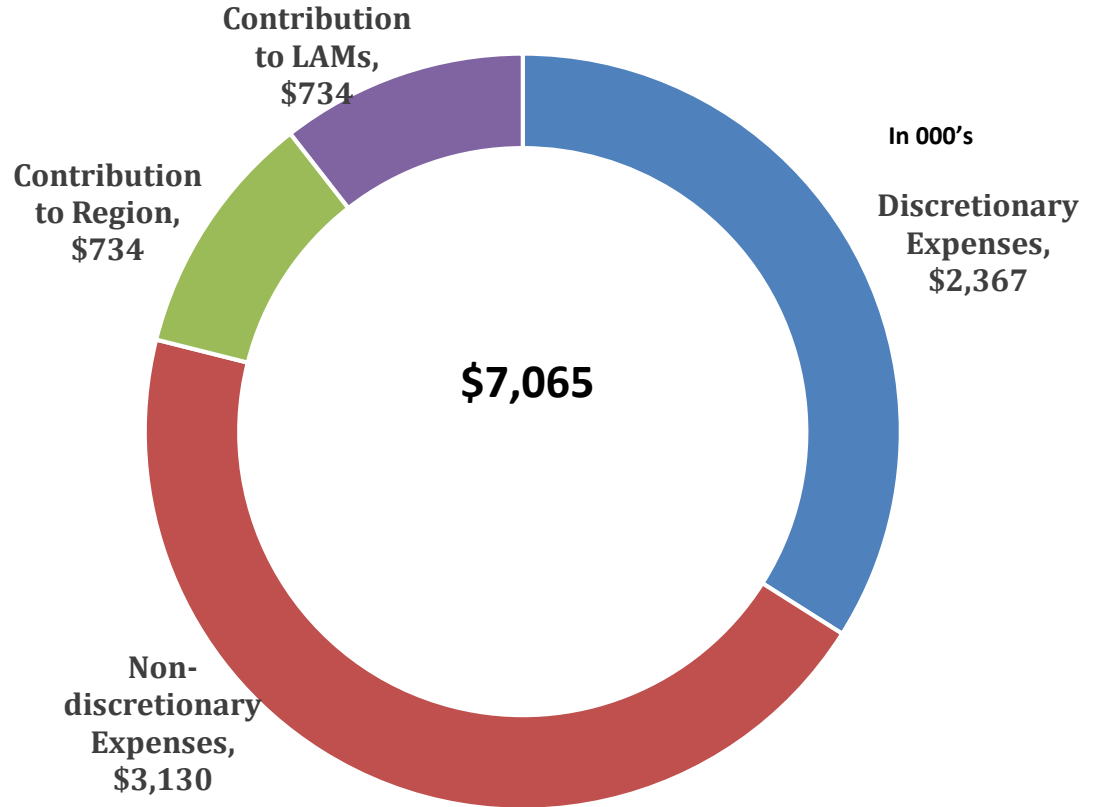
- **Increase in operational and supply expenses - \$128,132**
 - Increased distribution to LAMS resulting from increased net revenue
- **Increase in collection charges - \$50,000**
 - Aligns with projected delinquent revenue increases – paid to collection agencies
- **Decrease in indirect allocations - \$82,380**
 - Building cost savings – closure of St. Catharines courthouse
- **Transfer to Capital Reserve - \$200,000**
 - Recommended for future capital requirements

2020 Budget Summary

Where the Money Comes From (in 000's)



Where the Money Goes



2020 Operating Budget

Total With Vision Zero Program Change

- Recommended budget - below Council's budget planning direction of 2% increase
 - Decrease of 21.4% - Net revenue increase for Region of \$130,000 and \$130,000 to the Local Area Municipalities

	(in 000's)	2019 Approved Budget	2020 Budget	Change
Gross Expenditure (including indirect allocations and debt charges)*		\$ 6,135	\$ 8,125	\$ 1,990
Gross Revenue		(6,740)	(8,860)	(2,120)
Net Revenue		\$ (605)	\$ (734)	\$ (130)
Permanent FTE		26.0	35.0	9.0

* Gross expenditures include LAMs portion of surplus net revenue

2020 Operating Budget

Vision Zero Road Safety Program - \$0 net revenue

- Red Light Cameras (RLC) and Automated Speed Enforcement (ASE)
- Total Estimated Program Costs (annual) - \$5 - \$5.8 million
 - Program operated by Transportation Services division - \$2.3 million
 - Equipment, ticket processing charges, MTO charges, program evaluation
 - Business Licensing division – acting as Provincial Offences Officer - \$34,000
 - Processing & delivery of tickets between Joint Processing Centre & Courts
 - Court Services – infractions issued will be processed through Niagara Region Provincial Offences Court - \$2.7 - \$3.5 million (including VFS)
 - Court administration, prosecution, adjudication, collections
- Court Services – would require the addition of 12 FTEs to support the Vision Zero program

2020 Operating Budget

Vision Zero Road Safety Program - \$0 net revenue

- Under current Inter-municipal Agreement, program would result in negative cash flow to Region
- Council has authorized staff to engage and negotiate with LAMs to amend the Agreement to be financially sustainable to Region
- Program will not proceed unless Inter-municipal Agreement can be amended
- Therefore, no net revenue has been proposed for this program
- If program proceeds, infraction revenue expected to offset total program costs of \$5 - \$5.8 million

Risks and Opportunities

- Charging volume trending higher for 2019 over 2018
 - Leverage technology and external partnership (i.e. e-ticketing)
- Increasing Volume of delinquent fines
 - New Collection Agency partnerships and placement strategies
 - Add to Tax now with all 12 LAMs
 - Focus on Civil Enforcement
- Unknown timing of POA Modernization and Part 3 Prosecution
 - Network with MCMA and PAO and Crown's office
 - Gathering statistical data to assist with future implementation
- Unknown impacts of ASE and RCL
 - Monitor program closely and develop processes focus on efficiency and leverage technology and external partnerships

Questions?

Jackie Foley

Acting Manager, Court Services

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