



**City of Hamilton**  
**AUDIT, FINANCE AND ADMINISTRATION COMMITTEE**  
**AGENDA**

**Meeting #:** 21-008  
**Date:** May 20, 2021  
**Time:** 9:30 a.m.  
**Location:** Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:  
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:  
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

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**1. CEREMONIAL ACTIVITIES**

**2. APPROVAL OF AGENDA**

(Added Items, if applicable, will be noted with \*)

**3. DECLARATIONS OF INTEREST**

**4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1. May 6, 2021

**5. COMMUNICATIONS**

**6. DELEGATION REQUESTS**

6.1. Terri Johns, T Johns Consulting, respecting Surety Bonds (For a future meeting)

6.2. Sergio Manchia, Urbancore Group of Companies, respecting Surety of Bonds Report (For a future meeting)

## **7. CONSENT ITEMS**

- 7.1. Reserve / Revenue Fund Investment Performance Report - December 31, 2020 (FCS21042) (City Wide)
- 7.2. Hamilton Future Fund Investment Performance Report - December 31, 2020 (FCS21043) (City Wide)
- 7.3. Cemetery Trust Accounts Investment Performance Report - December 31, 2020 (FCS21044) (City Wide)
- 7.4. 2020 Provincial Offences Administration Annual Report (FSC21046) (City Wide)

## **8. STAFF PRESENTATIONS**

## **10. DISCUSSION ITEMS**

- 10.1. Proposed Write-off for Provincial Offences (FCS21040) (City Wide)
- 10.2. Information Security Policy Report (FCS21039) (City Wide)
- 10.3. Accessible Captioning for Advisory Committee Meetings (FCS21050) (City Wide) (Outstanding Business List Item)

## **11. MOTIONS**

## **12. NOTICES OF MOTION**

## **13. GENERAL INFORMATION / OTHER BUSINESS**

- 13.1. Amendment to the Outstanding Business List:

- 13.1.a. Item to be Removed:

Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Accessible Captioning for Meetings of the LGBTQ Advisory Committee

Item was referred to staff to report back with additional information, the financial implications, and other considerations.

Added: February 18, 2021 at AF&A - Item 10.1

Completed: May 20, 2021 at AF&A - Item 10.3

OBL Item: 21-C

## **14. PRIVATE AND CONFIDENTIAL**

## **15. ADJOURNMENT**



## AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 21-007

9:30 a.m.

May 6, 2021

Council Chambers

Hamilton City Hall

**Present:** Councillors L. Ferguson (Chair), B. Clark, C. Collins, B. Johnson, M. Pearson, A. VanderBeek, and M. Wilson

### THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

**1. Treasurer's Write-off of Taxes under Section 354 of the *Municipal Act, 2001* (FCS21035) (Ward 5) (Item 7.1)**

**(Collins/Johnson)**

That property taxes in the amount of **\$5,608.85** for 310 Beach Boulevard, Hamilton (Roll #2518 050 511 02440 0000) be written off under Section 354 of the *Municipal Act, 2001* and that Hamilton Beach Rescue Unit Inc., be refunded the property taxes paid in error.

**Result: Main Motion, As Amended CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
 YES - Ward 12 Councillor Lloyd Ferguson  
 YES - Ward 11 Councillor Brenda Johnson  
 YES - Ward 10 Councillor Maria Pearson  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 5 Councillor Chad Collins  
 YES - Ward 1 Councillor Maureen Wilson

**2. Development Charges Annual Indexing – Effective July 6, 2021 (FCS21033) (City Wide) (Item 7.2)**

**(Wilson/Johnson)**

That Report FCS21033, respecting Development Charges Annual Indexing – Effective July 6, 2021, be received.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
 YES - Ward 12 Councillor Lloyd Ferguson  
 YES - Ward 11 Councillor Brenda Johnson  
 YES - Ward 10 Councillor Maria Pearson  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 5 Councillor Chad Collins  
 YES - Ward 1 Councillor Maureen Wilson

**3. Archiving of City Council Videos (FCS21053 / CM21007) (City Wide) (Added Item 7.4)**

**(Pearson/Wilson)**

That Report FCS21053 / CM21007, respecting the Archiving of City Council Videos, be received.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 1 Councillor Maureen Wilson

**4. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Delegations regarding Citizen Committee Reports (Item 10.1)**

**(Pearson/VanderBeek)**

That the Citizen Committee Report from the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, respecting delegations regarding Citizen Committee Reports, be received.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 1 Councillor Maureen Wilson

**5. Governance Review Sub-Committee Report 21-003 - April 30, 2021 (Added Item 10.2)**

**(Pearson/Johnson)**

**(a) Council/Staff Relationship Policy (FCS21045 / CM21005) (City Wide) (Outstanding Business List Item) (Item 8.1)**

That the Council/Staff Relationship Policy attached as Appendix "A" as amended to Governance Review Sub-Committee Report 21-003 to include 'or unreasonable' after 'undue' to Item 5 under Principles, be approved.

**(b) Advisory Committee for Persons with Disabilities Logo (Item 10.1)**

That the secondary logo for the Advisory Committee for Persons with Disabilities (ACPD), be approved.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 1 Councillor Maureen Wilson

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

The Committee Clerk advised of the following changes to the agenda:

**6. DELEGATION REQUESTS**

- 6.1 Mike Collins-Williams, West End Homebuilders' Association, respecting Pay on Demand Modern Surety Bonds (For a future meeting)
- 6.2 Stephanie Kuntz, Marsh Canada, respecting Development Bonds as a Security for Development Agreements (For a future meeting)

**7. CONSENT ITEMS**

- 7.4 Archiving of City Council Videos (FCS21053 / CM21007) (City Wide) (Outstanding Business List Item)

**10. DISCUSSION ITEMS**

- 10.2 Governance Review Sub-Committee Report 21-003 - April 30, 2021

**13. GENERAL INFORMATION / OTHER BUSINESS**

- 13.1 Amendment to the Outstanding Business List

13.1(a) Item Considered Complete and Needing to be Removed:

Records Retention By-law Amendment (FCS21034)  
That staff be directed to report back outlining the City's current practice for the retention of the video recordings of Council, Sub-Committee, and Advisory Committee meetings.

Added: April 22, 2021 at AF&A - Item 7.3  
Completed: May 6, 2021 at AF&A - Item 7.4  
OBL Item: 21-F

**(Pearson/Johnson)**

That the agenda for the May 6, 2021 Audit, Finance and Administration Committee meeting be approved, as amended.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) April 22, 2021 (Item 4.1)**

**(Johnson/VanderBeek)**

That the Minutes of the April 22, 2021 meeting of the Audit, Finance and Administration Committee be approved, as presented.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

**(d) DELEGATION REQUESTS (Item 6)**

**(Clark/VanderBeek)**

That the following Delegation Requests, be approved for a future meeting:

- (i) Mike Collins-Williams, West End Homebuilders' Association, respecting Pay on Demand Modern Surety Bonds (Added Item 6.1)
- (ii) Stephanie Kuntz, Marsh Canada, respecting Development Bonds as a Security for Development Agreements (Added Item 6.2)

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

**(e) CONSENT ITEMS (Item 7)**

**(i) Treasurer's Write-off of Taxes under Section 354 of the *Municipal Act, 2001 (FCS21035) (Ward 5) (Item 7.1)***

**(Collins/Johnson)**

That the recommendation to Report FCS21035, respecting the Treasurer's Write-off of Taxes under Section 354 of the *Municipal Act, 2001* **be amended** by replacing \$5,422.18 with **\$5,608.85**, to read as follows:

That property taxes in the amount of ~~\$5,422.18~~ **\$5,608.85** for 310 Beach Boulevard, Hamilton (Roll #2518 050 511 02440 0000) be written off under Section 354 of the Municipal Act and that Hamilton Beach Rescue Unit Inc. be refunded the property taxes paid in error.

**Result: Amendment CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

For disposition of this matter, refer to Item 1.

**(ii) Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee Minutes - March 16, 2021 (Item 7.3)**

**(Pearson/VanderBeek)**

That the minutes of the March 16, 2021 meeting of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, be received.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

**(iii) Archiving of City Council Videos (FCS21053 / CM21007) (City Wide)  
(Added Item 7.4)**

**(Wilson/Clark)**

That Clerk's staff be directed to contact the City's Advisory Committee's to survey their membership as to whether they would be comfortable having their meetings recorded and retained, and report back to the Governance Review Sub-Committee.

**Result: Motion CARRIED by a vote of 6 to 1, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark  
NO - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

For further disposition of this matter, refer to Item 3.

**(f) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Amendment to the Outstanding Business List (Added Item 13.1)**

**(Pearson/Johnson)**

That the following amendment to the Audit, Finance & Administration Committee's Outstanding Business List, be approved:

**(a) Item Considered Complete and Needing to be Removed:**

Records Retention By-law Amendment (FCS21034)

That staff be directed to report back outlining the City's current practice for the retention of the video recordings of Council, Sub-Committee, and Advisory Committee meetings.

Added: April 22, 2021 at AF&A - Item 7.3

Completed: May 6, 2021 at AF&A - Item 7.4

OBL Item: 21-F

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark



YES - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

**(g) PRIVATE AND CONFIDENTIAL (Item 14)**

**(i) Closed Minutes – April 22, 2021**

**(Collins/VanderBeek)**

- (a) That the Closed Session Minutes of the April 22, 2021 Audit, Finance and Administration Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the April 22, 2021 Audit, Finance and Administration Committee meeting, remain confidential.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

**(h) ADJOURNMENT (Item 15)**

**(Johnson/Pearson)**

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 10:12 p.m.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Councillor Ferguson, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk



## Request to Speak to Committee of Council

Submitted on Wednesday, May 5, 2021 – 2:11 pm

==Committee Requested==

**Committee:** Audit, Finance and Administration Committee

==Requestor Information==

**Name of Individual:** Terri Johns

**Name of Organization:** T Johns Consulting

**Contact Number:** 905 531 0684

**Email Address:** [tjohns@tjohnsconsulting.com](mailto:tjohns@tjohnsconsulting.com)

**Mailing Address:** 310 Limeridge Rd. W. – Suite 6  
Hamilton, ON L9C 2V2

**Reason(s) for delegation request:** To speak to the Audit Finance and Administration Committee as the President of T. Johns Consulting with respect to Surety Bonds

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No



## Request to Speak to Committee of Council

Submitted on Friday, May 7, 2021 – 2:27 pm

==Committee Requested==

**Committee:** Audit, Finance and Administration Committee

==Requestor Information==

**Name of Individual:** Sergio Manchia

**Name of Organization:** Urbancore Group of Companies

**Contact Number:** 905-540-4280

**Email Address:** [sergio@urbancore.info](mailto:sergio@urbancore.info)

**Mailing Address:** 3 Studebaker Place, Unit 1  
Hamilton, ON L8L 0C8

**Reason(s) for delegation request:** Surety of Bonds Report

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No





## INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 20, 2021
<b>SUBJECT/REPORT NO:</b>	Reserve / Revenue Fund Investment Performance Report – December 31, 2020 (FCS21042) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Gerald T. Boychuk (905) 546-2424 Ext. 4321 Brandon A. Teglas (905) 546-2424 Ext. 4363
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

Not Applicable.

### INFORMATION

The investment portfolio for the City of Hamilton's (City's) Reserve / Revenue Fund (comprised of reserve / revenue funds, capital account balances and unused operating funds) had an earnings rate of 2.71% for the 12 months ending December 31, 2020 and had an average earnings rate of 2.79% over the past five years. The earnings rate includes interest and lending revenues but excludes realized and unrealized capital gains / losses.

The City's portfolio generated \$29,565,852 in bond interest, net realized capital gains / losses, lending revenue and bank interest over the 12 months ending December 31, 2020. The average dollar amount generated over the last five years is \$28.51M. The return of \$29,565,852 was realized on an average asset cost of \$1,272,582,265 (made up of \$948,005,433 for the investment portfolio plus \$288,005,317 for the City's bank account balance plus \$31,098,798 for the One Fund Equity and Universe Corporate Bond) giving a percentage return on cost of 2.32%. Bond lending revenues of \$262,239 are included in the earnings rate of 2.71%. Net unrealized capital gains were \$66,460,354 as at December 31, 2020.

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**SUBJECT: Reserve / Revenue Fund Investment Performance Report –  
December 31, 2020 (FCS21042) (City Wide) – Page 2 of 4**

For the 12 months ending December 31, 2020, the overall return (includes bond interest, bond lending revenues, realized capital gains / losses and unrealized capital gains / losses) was 7.16% and the return on the benchmark was 5.51%, resulting in an out-performance of 165 basis points. Over the past five years, the overall return has averaged 3.35% per annum, out-performing the average return on the benchmark over the same five-year period of 2.33% by 102 basis points. For the one-year period ending December 31, 2020, the out-performance of the investment portfolio relative to the benchmark is attributed to its longer duration, resulting in mid-term and long-term bonds outperforming short-term bonds.

By comparison, the overall returns for the One Fund portfolios (offered by the Association of Municipalities of Ontario and the Municipal Finance Officers' Association), over the 12-month period ending December 31, 2020 were 5.29% for bonds and 0.85% for money market. If the City's Policy had been used in these funds (i.e. 90% bonds and 10% money market), then the overall return would have been 2.32% less than the actual return of 7.16%, or 4.84%. On an average portfolio market value of \$1,006 M, (excluding One Fund Equity and bank account balances), the incremental return of 2.32% resulted in incremental revenue of approximately \$2.31 M. The One Fund's under-performance is attributed to its policy of investing in short-term bonds. The FTSE TMX All-Government Mid Index returned 9.69% and the FTSE TMX Short Government Index returned 4.85%.

Table 1 summarizes the investment return indicators.

**Table 1 - Investment Return Indicators (for information purposes only)**

	12 Months ended 12/31/2020	12 Months ended 12/31/2019	12 Months ended 12/31/2018	12 Months ended 12/31/2017	12 Months ended 12/31/2016
Policy Target	5.51%	3.42%	1.79%	0.42%	0.52%
City's Portfolio	7.16%	4.97%	1.82%	1.29%	1.49%
One Fund – Bonds	5.29%	2.61%	1.51%	-0.15%	0.68%
One Fund – Money Market	0.85%	1.68%	1.43%	0.60%	0.50%
FTSE TMX – Short Government	4.85%	2.40%	1.96%	-0.38%	0.35%
FTSE TMX – Mid Government	9.69%	4.92%	2.12%	0.46%	0.87%
Bond Lending Revenue	\$262,239	\$322,520	\$284,474	\$231,169	\$155,754
Earnings Rate (Excludes Capital Gains/Losses)	2.71%	2.80%	2.85%	2.79%	2.78%
City's Return One Fund Investment (Equity)	4.87%	2.98%	2.24%	9.85%	14.18%

Note: Some figures may have been restated from presentation in previous years.

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**SUBJECT: Reserve / Revenue Fund Investment Performance Report –  
December 31, 2020 (FCS21042) (City Wide) – Page 3 of 4**

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The investments in the portfolio, excluding the One Fund Equity investment, consist of 100% bonds and 0% money market. During the year ending December 31, 2020, the interest rate earned in the City's bank account was greater than the interest rate earned on Treasury Bills and Banker's Acceptances (with term to maturity less than five years) and therefore, funds that were earmarked for short-term expenses were held in the City's bank account. As at December 31, 2020, the duration of the portfolio was 4.04 years compared with 4.49 years as at December 31, 2019. This was due to the net decline in bond holdings (maturities) and increase in Bank holdings through the year.

On December 31, 2020, the market value of the investment portfolio was \$978,394,942 (excluding One Fund Equity and bank balances), a decrease of \$22,388,459 compared to \$1,000,783,401 as at December 31, 2019.

As at December 31, 2020, the One Fund equity holdings market value was \$47.688 M (or 4.87% of the market value of the Reserve Fund including the One Fund but excluding bank balances). Over the 12-month period ending December 31, 2020, the City's investment returned 19.56%.

Table 2 shows the changes in Canadian interest rates over the past 24 months.

**Table 2  
Canadian Interest Rates**

Canada Benchmark Bond	Interest Rate January 4, 2021	Interest Rate January 2, 2020	Interest Rate January 2, 2019
One Month (T-Bill)	0.04%	1.63%	1.63%
2 year	0.20%	1.66%	1.86%
5 year	0.39%	1.62%	1.85%
10 year	0.68%	1.62%	1.92%

As can be seen in Table 2, interest rates declined precipitously through 2020 for all terms up to 10 years. The decline in rates from the previous year ranged from 1.59% in the one month (T-bill) to a low of 0.94% in the 10-year bond. These are historically low rates and are expected to be the norm for a year or so depending upon recovery from the COVID-19 pandemic and international relations.

In the month of March, the Bank of Canada dropped the central bank rate four times to a low of 0.25%. The rates at year's end in all maturities were at historic lows. Currency values generally decline when rates decline but the exchange rate of US Dollars (USD) to Canadian Dollars (CAD) started 2020 at approximately \$1.29 and dropped to \$1.27 at year end 2020. Oil dropped to below \$40 US per barrel in May and moved to single digit lows in the period to early June, finishing the year at \$52 US per barrel.

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**SUBJECT: Reserve / Revenue Fund Investment Performance Report –  
December 31, 2020 (FCS21042) (City Wide) – Page 4 of 4**

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The Gross Domestic Product (GDP) rate growth forecast of 1.6% was not achieved for the year. It has been confirmed as an actual -5.4% for 2020 due to a poor last quarter, which is expected, at this time, to be rectified in the last half of 2021. GDP growth is forecast to improve about +4.0% if COVID-19 and variants are ultimately controlled. The expectation is for a significant boost in consumption.

The Reserve Fund portfolio of securities has significant holdings of high-quality securities. The Fund out-performed its benchmark by 165 bps (1.65%) by returning 7.16% through 2020. As a strategy going forward, the assumptions are that the economy will recover, COVID-19 will be controlled, a new normal will arrive but not immediately and interest rates will rise.

GB/BT/dt



## INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 20, 2021
<b>SUBJECT/REPORT NO:</b>	Hamilton Future Fund Investment Performance Report – December 31, 2020 (FCS21043) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Gerald T. Boychuk (905) 546-2424 Ext. 4321 Brandon A. Teglas (905) 546-2424 Ext. 4363
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

Not Applicable.

### INFORMATION

The City of Hamilton Future Fund portfolio of investments had an earnings rate of 2.43% for the 12 months ending December 31, 2020 and an average earnings rate of 2.57% over the past five years. The earnings rate includes interest and lending revenues but excludes realized and unrealized capital gains / losses.

The City of Hamilton Future Fund's portfolio generated approximately \$1,231,573 in bond interest, net realized capital gains / losses and lending revenue over the last 12 months ending December 31, 2020. The total return of \$1,231,573 was realized on an investment at an average cost of \$48,693,441, giving a percentage return on cost of 2.53%. Bond lending revenues of \$10,738 are included in the earnings rate of 2.43%. Interest, net realized capital gains / losses and lending income over the last five years have averaged \$1.14 million annually.

As at December 31, 2020, net unrealized capital gain was \$3,646,858 and a net capital loss of \$7,567 was realized over the past 12 months. The duration of the portfolio of investments was 4.72 years as at December 31, 2020 compared with 5.41 years as at December 31, 2019.

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**SUBJECT: Hamilton Future Fund Investment Performance Report –  
December 31, 2020 (FCS21043) (City Wide) – Page 2 of 3**

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As of December 31, 2020, the market value of the portfolio was \$51,831,393 compared with \$48,113,985 as at December 31, 2019, an increase of \$3,717,408.

For the 12 months ending December 31, 2020, the overall return (includes interest, bond lending revenue, realized and unrealized capital gains / losses) was 7.75%, outperforming the benchmark return of 5.51% by 224 basis points. Over the past five years, the overall return has averaged 3.66% per annum, outperforming the average benchmark return over the same five-year period of 2.33% by 133 basis points. The outperformance of the Hamilton Future Fund relative to the benchmark over the last five years is attributed mostly to its overweight position over the last couple of years in longer term bonds.

The overall returns for the One Fund (offered by the Association of Municipalities of Ontario and the Municipal Finance Officers Association) for the year ending December 31, 2020 was 14.73% for the Equity Portfolio, 5.29% for bonds and 0.85% for money market. If the City's Policy had been used in these funds (i.e. 90% bonds and 10% money market), the overall return would have been 4.84% or 291 basis points less than the overall return of 7.75%. Using an average portfolio market value of \$50,772,109 for the past 12 months, an increase of 2.91% in overall return resulted in a revenue increase of approximately \$1,477,468. The FTSE TMX Mid-Government Index returned 9.69% and the FTSE TMX Short Government Index returned 4.85%.

Table 1 summarizes the investment return indicators.

**Table 1  
Investment Return Indicators (for information purposes only)**

	12 Months ended 12/31/2020	12 Months ended 12/31/2019	12 Months ended 12/31/2018	12 Months ended 12/31/2017	12 Months ended 12/31/2016
Policy Target	5.51%	3.42%	1.79%	0.42%	0.52%
Hamilton Future Fund Portfolio	7.75%	5.47%	1.95%	1.50%	1.61%
One Fund – Bonds	5.29%	1.68%	1.51%	-0.15%	0.68%
One Fund – Money Mkt.	0.85%	2.61%	1.43%	0.60%	0.50%
FTSE TMX – Short Government	4.85%	2.40%	1.96%	-0.38%	0.35%
FTSE TMX – Mid Government	9.69%	4.92%	2.12%	0.46%	0.87%
Bond Lending Revenue	\$10,738	\$18,094	\$14,128	\$9,479	\$6,071
Earnings Rate (Excludes Capital Gains / Losses)	2.43%	2.58%	2.62%	2.55%	2.66%

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**SUBJECT: Hamilton Future Fund Investment Performance Report –  
December 31, 2020 (FCS21043) (City Wide) – Page 3 of 3**

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Table 2 summarizes the changes in Canadian interest rates over the past 24 months.

**Table 2  
Canadian Interest Rates**

Canada Benchmark Bond	Interest Rate January 4, 2021	Interest Rate January 2, 2020	Interest Rate January 2, 2019
One Month (T-Bill)	0.04%	1.63%	1.63%
2 year	0.20%	1.66%	1.86%
5 year	0.39%	1.62%	1.85%
10 year	0.68%	1.62%	1.92%

As can be seen in Table 2, interest rates declined precipitously through 2020 for all terms up to 10 years. The decline in rates ranged from 1.59% in the one month (T-bill) to a low of 0.94% in the 10-year bond. These are historically low rates and are expected to be the norm for a year or so depending upon recovery from the COVID-19 pandemic and international relations.

In the month of March, the Bank of Canada dropped the central bank rate four times to a low of 0.25%. The rates at year's end in all maturities were at historic lows. Currency values generally decline when rates decline but the exchange rate of US Dollars (USD) to Canadian Dollars (CAD) started 2020 at approximately \$1.29 and dropped to \$1.27 at year end 2020. Oil dropped to below \$40 US per barrel in May and moved to single digit lows in the period to early June, finishing the year at \$52 US per barrel.

The Gross Domestic Product (GDP) rate growth forecast of 1.6% was not achieved for the year. It has been confirmed as an actual -5.4% for 2020 due to a bad last quarter, which is expected at this time to be rectified in the last half of 2021. GDP growth is forecast to improve about +4.0% if COVID-19 and variants are ultimately controlled. The expectation is for a significant boost in consumption.

The Future Fund portfolio of securities has significant holdings of high-quality securities. The Fund outperformed its benchmark by 224 bps (2.24%) by returning 7.75% through 2020. As a strategy going forward, the assumptions are that the economy will recover, COVID-19 will be controlled, a new normal will arrive but not immediately and interest rates will rise.

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## INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 20, 2021
<b>SUBJECT/REPORT NO:</b>	Cemetery Trust Accounts Investment Performance Report – December 31, 2020 (FCS21044) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Gerald T. Boychuk (905) 546-2424 Ext. 4321 Brandon A. Teglas (905) 546-2424 Ext. 4363
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

Not Applicable.

### INFORMATION

Over the 12-month period ending December 31, 2020, the earnings rates are 2.98% for the Cemetery Care and Maintenance Trust, 3.17% for the Cemetery Monument Care Trust and 3.01% for the Cemetery Pre-Need Assurance Trust. These earning rates include interest and lending revenue but exclude realized and unrealized capital gains / losses.

Over the same period, the overall returns based on market value (which include interest, lending revenue, realized and unrealized capital gains / losses) are 8.25% for the Cemetery Care and Maintenance, 9.55% for the Cemetery Monument Care and 9.03% for the Cemetery Pre-Need Assurance. The overall return for the benchmark (or Policy return) is 8.68%. As a result, the Cemetery Care and Maintenance under-performed the benchmark by 43 basis points, while the Cemetery Monument Care out-performed the benchmark by 87 basis points. The Cemetery Pre-Need Assurance out-performed the benchmark by 35 basis points.

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**SUBJECT: Cemetery Trust Accounts Investment Performance Report –  
December 31, 2020 (FCS21044) (City Wide) – Page 2 of 3**

As of December 31, 2020, the total portfolio market values are \$13,552,078 (with \$1,487,080 of net unrealized capital gains) for the Cemetery Care and Maintenance Trust, \$1,303,879 (with \$204,040 of net unrealized capital gains) for the Cemetery Monument Care Trust and \$3,441,730 (with \$431,400 of net unrealized capital gains) for the Cemetery Pre-Need Assurance Trust.

The following Table shows the investment return indicators.

<b>Investment Return Indicators</b> (for information purposes only)			
	12 Months ended 12/31/2020	12 Months ended 12/31/2019	12 Months ended 12/31/2018
<b>Earnings Rate (Excluding Unrealized Capital Gains or Loss)</b>			
Cemetery Care and Maintenance	2.98%	3.12%	1.87%
Cemetery Monument Care	3.17%	3.39%	1.49%
Cemetery Pre-Need Assurance	3.01%	3.23%	1.59%
<b>Total Return</b>			
Cemetery Care and Maintenance	8.25%	5.93%	1.88%
Cemetery Monument Care	9.55%	7.10%	1.49%
Cemetery Pre-Need Assurance	9.03%	6.44%	1.59%
Policy Target (FTSE TMX Canada Universe Bond)	8.68%	6.87%	1.41%
<b>Bond Lending Revenue</b>			
Cemetery Care and Maintenance	\$ 3,397	\$ 3,045	\$ 3,033
Cemetery Monument Care	\$ 210	\$ 339	\$ 320
Cemetery Pre-Need Assurance	\$ 713	\$ 743	\$ 691
<b>Income Earned*</b>			
Cemetery Care and Maintenance	\$ 394,102	\$ 382,712	\$ 372,106
Cemetery Monument Care	\$ 39,365	\$ 38,259	\$ 37,591
Cemetery Pre-Need Assurance	\$ 98,499	\$ 98,135	\$ 93,537
<b>Ending Portfolio Market Value</b>			
Cemetery Care and Maintenance	\$ 13,552,078	\$ 13,224,970	\$ 10,833,356
Cemetery Monument Care	\$ 1,303,879	\$ 1,228,412	\$ 957,241
Cemetery Pre-Need Assurance	\$ 3,441,730	\$ 3,252,248	\$ 2,542,373

\*Does not include interest earned in the bank account on balances.



**SUBJECT: Cemetery Trust Accounts Investment Performance Report –  
December 31, 2020 (FCS21044) (City Wide) – Page 3 of 3**

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The year started with stable short-term interest rates, with all accounts holding longer-term higher coupon bonds. The previous year had ended with a softening economic environment due to international and domestic problems arising in all major economies. A new problem arose late in 2019 with the COVID-19 virus which was recognized in early 2021 as a pandemic, shutting down economies and interfering with trade relations, travel and inter-actions amongst countries.

In early March, the Bank of Canada realized that problems with slowing trade, income, and economic growth should be addressed by cutting rates and implemented short-term interest rate cuts of 0.25% on March 3<sup>rd</sup> with three more 0.50% cuts through the month, taking the bank rate down to 0.25% and remained there through the year end.

The drastic and quick response coupled with the layered COVID-19 conditions created a reduction in rates throughout all bond maturities, moving downward to historic low rates with unprecedented price changes which favoured all the Cemetery accounts.

Going forward, rates are being stable at these historically low levels and are forecast to increase marginally and slowly over time. With COVID-19 and variants acting as a block to recovering lost growth, the strategy will be to slowly add under 10-year terms depending upon conditions and outlook.

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# INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 20, 2021
<b>SUBJECT/REPORT NO:</b>	2020 Provincial Offences Administration Annual Report (FSC21046) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Denis Desrosiers (905) 546-2424 Ext. 5718
<b>SUBMITTED BY:</b>	Cindy Mercanti Director, Customer Service, POA and Financial Integration Corporate Services Department
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

Not Applicable

## INFORMATION

The 2020 Annual Report, attached to Report FCS21046 as Appendix “A”, is a summary that highlights the activities and operations of the Provincial Offences Administration (POA) throughout the year. It is provided every year and includes a performance snapshot, summary of financial results, overview of achievements for the previous year and insight into the coming year’s strategic initiatives.

## APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report FCS21046 – 2020 Provincial Offences Administration Annual Report

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# 2020 Provincial Offences Administration Annual Report

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# BACKGROUND

Provincial Offences Administration (POA) administers to charges from approximately 40 enforcement agencies for all acts and regulations under the *Provincial Offences Act*. A charge going to court can result in many different dispositions which do not result in a fine. A charge can be withdrawn, dismissed or suspended all of which result in zero revenue for the City. An Early Resolution meeting can result in an agreed upon plea to a reduced charge and / or a reduced fine. Charges filed are varied and cover a broad range of legislative enforcement from speeding to careless driving under the *Highway Traffic Act* (inclusive of Red Light Camera), charges under City of Hamilton By-laws (excluding parking offences), *Liquor License Act*, *Trespass to Property Act*, *Compulsory Automobile Insurance Act*, the *Environmental Protection Act* and *Occupational Health and Safety Act*, to name a few.

POA administers Part I and Part III offences under the *Provincial Offences Act* which are filed by Enforcement Agencies. Administrative Penalty System (APS) offences are not administered by POA.

A Part I offence is commonly referred to as a "ticket" and is most often issued at the time of the offence. When a Part I offence notice is issued, the defendant can either plead guilty and pay the fine, request an early resolution meeting with a prosecutor or request a trial. A Part III offence is considered a more serious offence and requires the defendant to appear before a Justice of the Peace.

POA is located at 50 Main Street East, which accommodates administrative offices and four courtrooms. POA is comprised of the following services: Court Administration, Court Support, Collections and Prosecution (reporting through Legal Services).

**Court Administration** responsibilities include:

- processing fine payments and requests for extension of time to pay
- scheduling early resolution meetings and trials
- updating court documents
- receiving and processing all new charges
- appeals and re-openings of charges

**Court Support** responsibilities include:

- ensuring courtroom decorum and capture of the official court record
- production of transcripts, as requested
- management of court documents and exhibits
- swearing in of witnesses and interpreters
- arraigning the defendant on charges

**Collections** responsibilities include:

- pursuit of the collection of overdue fines
- searching for current address and phone information to assist in contact with defendants
- updating database system for collection activity

Each year, POA solicits an independent audit of the financial statements for the Provincial Offences Office. As per the Memorandum of Understanding (MOU) between Her Majesty the Queen in Right of Ontario as represented by the Attorney General and the City of Hamilton, the completed audit is submitted annually to the Attorney General and the Ministry of Finance.

## POA SNAPSHOT

The following provides a 2020 snapshot of POA performance:



**\$9.7 M**  
in Revenue  
(net provincial transfers)



**\$70.4 M**  
Outstanding accounts receivable



**\$(-.3) M**  
Contribution  
to Net Levy

**\$2.6 M**

Revenue collected from  
defaulted accounts receivable



**1,051**  
Trials Requested



**9,764**  
Early Resolution (ER)  
Meetings Requested



**86,736**  
Charges Received

## 2020 KEY INITIATIVES

In 2020, several continuous improvement initiatives were implemented:

- Implemented COVID-19 protocols to support Public Health guidelines including social distancing, masking, hand washing / sanitizing and active screening
- In partnership with the Ministry of the Attorney General and identified stakeholders, prepared for the introduction of virtual trials
- Enhanced accessibility and usability of online POA electronic forms
- Implemented remote interpretations in the courtrooms
- Added pre-authorized payments to facilitate regular monthly payments resulting from Extension of Time to Pay applications



## 2021 KEY INITIATIVES

Several continuous improvement initiatives are being launched for 2021:

- Implement a virtual court platform to support remote proceedings and trials
- Initiate the electronic filing of automated enforcement charges
- Prepare for the download of responsibilities resulting from the proclamation of various sections of Bill 177 by supporting the examination of Fail to Respond dockets, re-opening applications and requests for extension of time to pay by the Clerk of the Court

## EMERGING TRENDS

The following changes to the legislative environment will impact POA:

- **Bill 177** sets out legislative reforms to the *Provincial Offences Act* that modernize and streamline processes. Bill 177 would amend two key areas of the POA Court process:
  - give the Province the authority to transfer Part III prosecutions from the Ministry of the Attorney General to municipal partners; and
  - give the Clerk of the Court additional powers and duties that are currently performed by Justices of the Peace.

There will be costs associated with the download of Part III prosecutions, as well as, additional duties of the Clerk of the Court. The timing of the download of Part III prosecutions is dependent on an amendment to the MOU. Duties of the Clerk of the Court are delayed until 2021. The financial impact of Bill 177 will need to be reflected in future operating budgets.

- **Administrative Penalty System (APS)** is an alternative process which allows the municipality to manage certain types of disputes rather than utilize the provincial court system. Municipal By-law disputes account for 1% of total charges filed. Electronic Speed Enforcement and Red Light Camera offences are being considered for inclusion in APS, however, no decision has been made.
- **Bill 197** the *COVID-19 Economic Recovery Act, 2019*, permits the electronic filing of court related documents, enhancing provisions for re-openings removing the need to have documents commissioned. The Act permits any party to a court proceeding to appear remotely in a virtual court environment. This Act has caused courts to pivot to a virtual environment resulting in significant equipment investments and additional staffing.

# CHARGES FILED

In 2020, POA received 86,736 charges of which, approximately 95% of the charges filed resulted from Hamilton Police Services, automated enforcement and the Ontario Provincial Police (OPP).

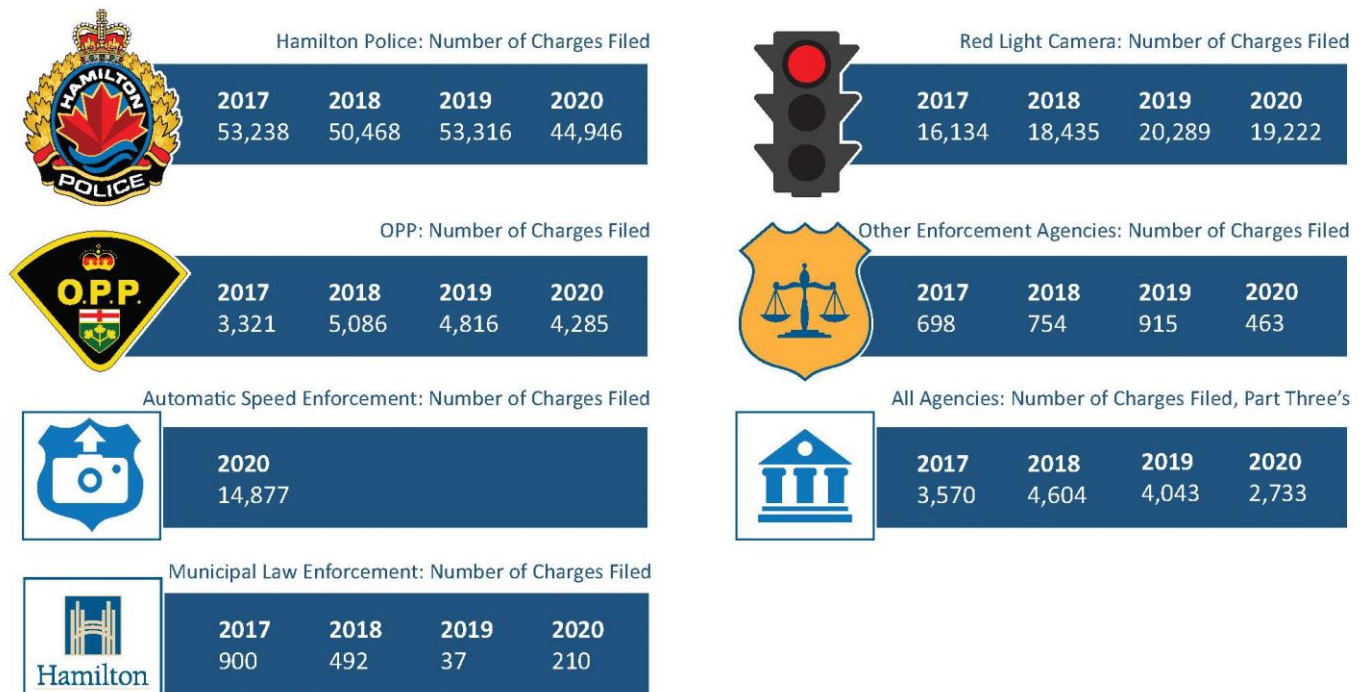
## Total Charges Filed

2016	2017	2018	2019	2020
83,818	77,861	79,839	83,416	86,736

The number of charges filed has been increasing over the three-year period from 2018 to 2020. The majority (95%) of charges filed relate to the *Highway Traffic Act*.

The table below depicts Part I's and Part III's, by enforcement agency, as a percentage of charges filed over a four-year period.

## % of Charges Filed by Agency (Part I and Part III)



\*Part One's only (volumes moved to APS)

For 2020, the proportion of charges filed are as follows:

- 52% Hamilton Police Services
- 39% automated enforcement
- 5% OPP
- 70% of Part III charges are filed by Hamilton Police Services

In 2018, Municipal Law Enforcement (MLE) charges commenced its transition to the Administrative Penalty System (APS) office, resulting in a decline of charges processed through POA. Part III's continue to be processed within POA.

## TRIALS

Trials and matters are scheduled five days a week in four courtrooms. No in-person trials were scheduled after March 17, 2020 due to public safety measures enacted due to COVID-19.

Courtroom Hours				
	2017	2018	2019	2020*
All	1,959	1,685	1,774	1,051

\* 2020 courtroom utilization only represents in-court hours until March 17, 2020 and the resumption of Early Resolution beginning September 7, 2020.

## EARLY RESOLUTION

This process is intended to provide resolution to court matters without a trial. Of all Part I's filed, 11% (approximately 9,764) result in a request for an Early Resolution meeting with a prosecutor. Early Resolution was suspended from March 17 to September 7, 2020.

% of Early Resolution Hearings Scheduled					
	2016	2017	2018	2019	2020
Part 1	17%	15%	14%	16%	11%

## FAIL TO RESPOND

In 2020, 4.6% of all Part I certificates of offence filed were placed on a Fail to Respond (failed to respond to any settlement or dispute options) docket. Administratively, this process takes more time as the tickets need to be reviewed by a Justice of the Peace before a conviction and notice can be issued. Under Bill 177, tasks associated with the Fail to Respond process would be downloaded to POA.

Fail to Respond					
	2016	2017	2018	2019	2020
Part 1	30%	29%	28%	28%	4.6%

Due to COVID-19 and the extension of court timelines ordered by the Chief Justice of the Ontario Court of Justice, resulted in no Fail to Respond convictions registered after March 17, 2020.

# REVENUES

POA administers and collects fines where revenue is disbursed to other City business units such as Animal Services, Building Division, Licensing and By-law Services and Traffic Engineering and Operations (Red Light Camera charges). Red Light Camera revenue is transferred to Public Works, less any Service Ontario fees and an administrative cost. Similarly, Licensing and By-law Services and Building Division revenue is transferred to Planning and Economic Development, less an administrative cost.

Dedicated Fines, Victim Fine Surcharge, expenses associated with Part III prosecutions prosecuted by the Province and any POA fines levied against the City are payable to the Ministry of the Attorney General. Fines collected for other POA sites (i.e. Brantford, Burlington, etc.) are paid quarterly to the appropriate municipality. The remaining revenue is used to offset administration costs and contribute to the net levy. Payments can be made at any POA court office, over the phone, online via Paytickets (third party vendor), at Hamilton Municipal Service Centers and at Service Ontario locations.

Revenues for 2020 declined over previous years due to the suspension of court processes because of COVID-19. An order suspending timelines was made March 17, 2020 by the Chief Justice of the Ontario Court of Justice, which effectively put Fail to Respond convictions on hold for the remainder of the year. Fewer convictions resulted in decreased revenues. The resumption of Early Resolution on September 7, 2020 did not have a significant impact on revenues. Revenues, post pandemic, are expected to recover.

	<b>Gross Revenue</b>	<b>Net Contribution</b>
2016	\$12,685,559	\$2,952,091
2017	\$12,153,945	\$2,872,089
2018	\$12,352,242	\$2,975,996
2019	\$13,597,869	\$3,052,708
2020	\$10,523,446	\$(328,234)

## COLLECTIONS

Internal collections were responsible for collecting \$1,532,213.77 and the external collection agencies collected \$1,058,012.43 for a total of \$2,590,226.20 in 2020. This represents a decrease in overall collections of \$3,152,436.80 over 2019. COVID-19 court closures and the order made by the Chief Justice of the Ontario Court of Justice extending timelines for all court processes have impacted collections efforts across the Province. In 2017, the Province introduced legislation to improve collection efforts (inability to renew plates and drivers' licenses for driving-based offences) to encourage payment. POA has leveraged this opportunity by redirecting defaulted Red Light Camera and Automated Speed Enforcement collections to plate denial (up to a two-year process) saving the cost of the external agency fee.

Fines that qualify are added to the defendant's property taxes (tax roll). Since the introduction of tax rolling by POA in 2017, \$553,268 in outstanding fines has been added to the tax roll. For a defaulted fine to be tax rolled, property ownership must be confirmed. Specific business units, such as Licensing and By-law Services have the authority to deny issuing or renewing a license if a fine is outstanding.

As of December 31, 2020, there were approximately 90,903 defaulted fine records for a total outstanding default amount of \$70,481,483.

Write-offs for Deceased Persons, which are an automatic write-off by the Ministry of the Attorney General, totaled \$423,593.





**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
**Customer Service and POA Division**

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 20, 2021
<b>SUBJECT/REPORT NO:</b>	Proposed Write-off for Provincial Offences (FCS21040) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Denis Desrosiers (905) 546-2424 Ext. 5718
<b>SUBMITTED BY:</b>	Cindy Mercanti Director, Customer Service, POA and Financial Integration Corporate Services Department
<b>SIGNATURE:</b>	

### RECOMMENDATION(S)

That staff be authorized to write-off the following outstanding Provincial Offences fines deemed uncollectible, in the total amount of \$1,626,850.61:

- (a) \$1,202,687.97 in uncollectible fines with a sentence date of December 31, 2013 and prior;
- (b) \$569.16 in underpayments from April 1, 2020 through March 31, 2021;
- (c) \$423,593.48 in fines held by persons deceased in 2020.

### EXECUTIVE SUMMARY

In accordance with the Provincial Offences Administration (POA) Write-off Procedure and the Memorandum of Understanding, POA is requesting that 6,068 files amounting to \$1,626,850.61 be written off. Fines are written off based on the age of the accounts receivable and ability to collect. Files which are seven years or older are identified for write-off consideration. If a fine is written off, it does not absolve a convicted offender from the requirement to pay the fine as debts to the Crown are not forgiven. Reasons that accounts become uncollectible include debtor cannot be located and bankruptcy or business closure.

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**SUBJECT: Proposed Write-off for Provincial Offences (FCS21040) (City Wide) –  
Page 2 of 4**

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The approval to write-off these fines will reduce the accounts receivables owing to the City of Hamilton and allow our collection staff to concentrate their efforts in pursuing more recent fines for which there is a higher probable rate of collection.

**Alternatives for Consideration – See Page 4**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Accounts Receivable write-offs are reflected as a decrease in Accounts Receivable and an increase in Bad Debt.

Staffing: None

Legal: If approved by Council, staff will advise the Ministry of the Attorney General of this recommendation and request that they be authorized to purge these files from the Ministry database (ICON).

**HISTORICAL BACKGROUND**

POA utilizes several collection methods which include internal collection efforts, external collection agencies, tax rolling, garnishments and writs. The value of the receivable falls rapidly as a function of time and the longer the debt has been owed, the less likely POA is to collect.

In 2018, the Province introduced legislation to improve collection efforts (inability to renew plates and drivers' licenses for driving-based offences) that has helped encourage payment.

Internal collections were responsible for collecting \$1,532,213.77 and the external collection agencies collected \$1,058,012.43 in 2020. This represents a decrease in overall collections by the internal staff and the collection agencies of \$1,735,073.80 over 2019. In response to the pandemic, collections efforts were amended due to a court order extending timelines, thereby resulting in lower in-year collection revenues.

The year-end outstanding receivables balance, including the 2020 proposed write-off, totalled \$70,481,483.00. Outstanding receivables include new charges (convicted fines) plus defaulted fines.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The recommendation follows existing corporate, provincial policies, procedures and standard accounting practices respecting the write-off of uncollectible monies.



**SUBJECT: Proposed Write-off for Provincial Offences (FCS21040) (City Wide) –  
Page 3 of 4**

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**RELEVANT CONSULTATION**

Internal stakeholders consulted include staff in the departments of Corporate Services and Planning and Economic Development.

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

Staff anticipates the amount of the write-offs to be \$1,626,850.61 in uncollectible fines with a due date of December 31, 2013 and prior and underpayments (pay less than is due) of \$569.16 from April 1, 2020 through March 31, 2021. An example of an underpayment would be the \$5 fee added to the balance associated with the fail to respond docket. However, in the meantime, the fine was paid. There is an additional amount of \$423,593.48, representing persons that were deceased in 2020, that held unpaid fines. The total amount of \$1,626,850.61 includes the Victim Fine Surcharge which is payable to the Province of Ontario.

All offences filed with POA are pursued by way of enforcement if they are not paid by their due date. Enforcement includes suspension of a driver's licence, denial of licence plate renewal, referral to our external collection agency and civil enforcement. Outstanding fines are tracked through our collections database, wherein chronic offenders can be identified, based upon criteria that anyone with more than three offences in a one-year period is classified as chronic.

The approval to write-off these fines will reduce the accounts receivables owing to the City of Hamilton and allow our collection staff to concentrate their efforts in pursuing more recent fines for which there is a higher probable rate of collection. After writing off the proposed amount of \$1,626,850.61, the remaining outstanding accounts receivables balance will be \$68,854,632.39.

POA is requesting that 6,068 files amounting to \$1,626,850.61 be written off. Fines are written off based on the age of the accounts receivable and ability to collect. If a fine is written off, it does not absolve a convicted offender from the requirement to pay the fine as debts to the Crown are not forgiven. Files can be re-activated in ICON if a payment is received.

**Write Off History**

	# of Files	\$ Written Off	Year End Outstanding Balance
2016	3,924	\$1,541,755	\$61,636,843
2017	5,870	\$1,200,569	\$64,740,574
2018	5,581	\$1,173,573	\$69,937,030
2019	5,739	\$1,385,639	\$71,744,079
2020	6,068	\$1,626,850	\$68,854,632

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**SUBJECT: Proposed Write-off for Provincial Offences (FCS21040) (City Wide) –  
Page 4 of 4**

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**ALTERNATIVES FOR CONSIDERATION**

The Ministry of the Attorney General has issued a directive to all POA offices in the Province to establish and maintain write-off policies and procedures. Given the Council approved write-off procedure, there are no alternatives for consideration.

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

**Our People and Performance**

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

**APPENDICES AND SCHEDULES ATTACHED**

None.

DD/dt



**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
**Information Technology Division**

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 20, 2021
<b>SUBJECT/REPORT NO:</b>	Information Security Policy Report (FCS21039) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Emilia Jasnic (905) 546-2424 Ext. 5704
<b>SUBMITTED BY:</b>	Maria McChesney Director, Information Technology Corporate Services
<b>SIGNATURE:</b>	

### RECOMMENDATION

That the Information Security Policy, attached as Appendix “A” to Report # FCS21039 be approved.

### EXECUTIVE SUMMARY

The City is responsible to protect confidentiality, integrity and availability of information systems and data in order to provision and manage city services. Staff are obligated to protect personal information under the Municipal Freedom of Information & Protection of Privacy Act (MFIPPA) and the Personal Health Information Protection Act (PHIPA). The Information Security Policy, attached as Appendix A, establishes accountability, roles and responsibilities and direction to support staff through legislated requirements and guidelines. In addition, the Information Security Policy is required to ensure compliance to industry standards such as the Payment Card Industry Data Security Standard (PCI DSS).

The City is committed to protecting the security of information systems and data and the Information Security Policy, attached as Appendix A, establishes accountability, roles and responsibilities, and provides direction for information security management at the City of Hamilton modelled after *ISO/IEC 27001:2013 - Information Technology — Security Techniques — Information Security Management Systems — Requirements* (the “ISO Standard”).

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

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**SUBJECT: Information Security Policy Report (FCS21039) (City Wide)**  
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ISO/IEC 27000 Series Standards are dedicated to the Information Security. The ISO Standard is an Information Security Program Framework that provides requirements for establishing, implementing, maintaining and continually improving Information Security Management Systems. The Framework defines areas of focus in building an Information Security Program. This consists of policies, procedures, processes, and activities that organizations should implement in order to have a robust Information Security Program.

*ISO/IEC 27002 Information Technology – Security techniques – Code of practice for information security controls* provides guidance for implementing ISO/IEC 27001. The Information Technology (IT) Division of the Corporate Services Department is committed to implementing the City's Information Security Program by following the guidance from this Program Framework.

Once the Information Security Policy is approved, operational support documentation and processes will be developed, and training will be provided to all impacted city staff and elected officials.

#### **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: The Information Technology (IT) Division of the Corporate Services Department will work on aligning Standard Operating Procedures to the Information Security Policy. The IT Security Team will develop role-based information security awareness training for all city staff and elected officials.

Legal: N/A

#### **HISTORICAL BACKGROUND**

In 2020, the Information Technology (IT) Division of the Corporate Services Department in partnership with the Clerk's Office, Legal, Risk Management, Procurement Divisions in the Corporate Services Department, the Privacy Officer from the Public Health Division of Healthy and Safe Communities Department and Corporate Communications of the City Manager's Office, formed the Information Privacy and Security Committee. The Information Privacy and Security Committee and its membership were endorsed by Senior Leadership Team (SLT) in October 2020.

The IT Security Team has reviewed and updated existing Information Security Policies and created a new comprehensive suite of Policies that together make up the Information Security Policy. The Information Security Policy will be the overarching Policy.

**SUBJECT: Information Security Policy Report (FCS21039) (City Wide)**  
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## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Information Technology (IT) Division of the Corporate Services Department will work on aligning Standard Operating Procedures with the PHIPA. Policy – Section 12:

Security - 12 (1) A Health Information Custodian shall take steps that are reasonable in the circumstances to ensure that personal health information in the Custodian's custody or control is protected against theft, loss and unauthorized use or disclosure and to ensure that the records containing the information are protected against unauthorized copying, modification or disposal. 2004, c. 3, Sched. A, s. 12 (1).

The City of Hamilton holds a Health Information Custodian status under PHIPA legislations for the purposes of Hamilton Paramedic Services and Long-Term Care homes and the Medical Officer of Health holds this status with respect to public health.

Payment Card Industry Data Security Standard (PCI DSS):  
Requirement 12: Maintain a Policy that addresses information security for all personnel.

## **RELEVANT CONSULTATION**

This Policy has been approved by the Information Privacy and Security Committee and Senior Leadership Team in March and April 2021.

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

### **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 FCS21039 - Information Security Policy**

**EJ/sn**





## **Information Security Policy**

<p><b>POLICY STATEMENT</b></p>	<p>The main goals of information security are to preserve:</p> <ol style="list-style-type: none"> <li>1. <i>Confidentiality</i>: ensuring that information is accessible only to those who are authorized to have access.</li> <li>2. <i>Integrity</i>: safeguarding the accuracy and completeness of information and processing methods.</li> <li>3. <i>Availability</i>: ensuring that authorized users have access to information when needed.</li> </ol> <p>This document follows the guidelines given in <i>ISO/IEC 27002</i>, the international standard on <i>Security techniques, Code of practice for information security controls</i> and it provides Information Technology (IT) security policy direction to all Authorized Users through the following:</p> <ol style="list-style-type: none"> <li>1. IT security solutions that are based on risk management principles for selecting, verifying, maintaining, monitoring and adjusting safeguards from the inception of any program, application, system or digital service;</li> <li>2. A Management Framework that will ensure accountability, responsibility and support for the protection of digital information, information systems, process control systems, information services and process control assets;</li> <li>3. Processes that will permit the management of IT Security to support maintenance of system security profiles that include the confidentiality, integrity and availability of IT and Process Control Systems for all users and partners;</li> <li>4. Development, implementation and maintenance of appropriate controls, guidelines and procedures to address the confidentiality, integrity and availability of digital information, process control and information systems and information services;</li> <li>5. Direction and guidance to system developers, analysts, external IT contractors and verification authorities for their tasks so that stipulated IT security requirements are met on an on-going basis;</li> <li>6. Development of programs and resources to support the implementation and maintenance of a balanced security program.</li> </ol>
<p><b>PURPOSE</b></p>	<p>The purpose of this Policy is to provide management direction and support for information security at the City of Hamilton in accordance with business requirements and relevant laws and regulations.</p> <p>To define the Policies and Procedures for any individual or</p>

	<p>organization that connects to the City of Hamilton's information technology and process control systems or services.</p> <p>Establishing the roles and responsibilities for ensuring the principles in this Policy are implemented and maintained.</p>
<b>SCOPE</b>	<p>This Policy applies to all City of Hamilton employees, staff of elected officials, and all other organizations and individuals who are authorized by the City to use IT Resources.</p>
<b>DEFINITIONS</b>	<p>The following terms referenced in this Policy are defined as:</p>
<b>Authorized Users</b>	<p><b>Authorized Users:</b> includes all persons who are authorized by City of Hamilton to access and use the City's Process Control and IT Resources for legitimate business purposes.</p> <p><b>IT Resources</b> includes all:</p> <ul style="list-style-type: none"> <li>• Computer software, hardware and equipment owned or issued by the City, including desktops, laptops, tablets, notebooks, servers, process control devices or smart phones (such as iPhone or Android devices);</li> <li>• Telephones (including IP, cellular or traditional phones), and other audio/voice devices and networks, including voicemail;</li> <li>• Video conferencing systems and equipment;</li> <li>• Scanners, printers and fax machines and peripheral devices and removable media associated with the computer (such as USB drives, CDs, DVDs, etc.);</li> <li>• Transmission methods and services employed by the City's computer hardware and equipment, including wired, wireless and cellular networks, whether accessed from within the City's premises or elsewhere;</li> <li>• Internet and e-mail systems;</li> <li>• Data, information and other work products such as computer programs, databases, spreadsheets, etc., created and/or maintained in using these IT resources; and</li> <li>• City related data and information that is accessed, stored, created, processed, transmitted or filed in an electronic device.</li> </ul> <p><b>Availability:</b> Information is available to authorized persons as agreed.</p> <p><b>Integrity:</b> Ensuring information has not been altered accidentally or deliberately, and it is accurate and complete.</p> <p><b>Information Security:</b> Maintaining confidentiality, integrity and availability of information, process control facilities and data processing facilities.</p>



	<p><b>ISO/IEC 27000 Series Standards:</b> Defined Standards by the International Organization for Standardization (ISO) and by the International Electrotechnical Commission (IEC) to manage information security.</p> <p><b>Malware:</b> A generic term for several different types of malicious code.</p> <p><b>Threat:</b> Potential cause of an unwanted incident, which may result in harm to the business.</p> <p><b>Vulnerability:</b> The weakness of an asset that can be exploited by one or more threats.</p> <p><b>Risk:</b> A combination of the likelihood of an event and its consequence.</p> <p><b>Storage media:</b> Devices or other media that store data, application and user information.</p> <p><b>Non-public Information:</b> means information that is exempt or is potentially exempt from disclosure under the <i>Municipal Freedom of Information and Protection of Privacy Act</i>, R.S.O. 1990, c. M.56 or the <i>Personal Health Information Protection Act, 2004</i>, S.O. 2004, c. 3, Schedule A, or that is otherwise deemed confidential. (Refer to Policy IT-04 “Data Classification” for further information about the classification and use of City data.)</p> <p><b>Confidential Information</b> includes, but is not limited to, Cardholder Data as defined in the <i>Payment Card Industry Data Security Standard</i>, Personal Health Information as defined in the <i>Personal Health Information Protection Act, 2004</i>, S.O. 2004, c. 3, Sched. A or Personal Information as defined in the <i>Municipal Freedom of Information and Protection of Privacy Act</i>, R.S.O. 1990, c. M.56.</p>
<p><b>TERMS &amp; CONDITIONS</b></p>	<p>The Director of Information Technology Division is responsible for maintaining IT Security Policies, Standards and Practices that will put this Information Technology Security Policy into practice and provide direction for those charged with security program implementation and management.</p> <p>In compliance with ISO/IEC 27002, the City’s information security procedures will include, but not be limited to the following security standards and objectives:</p> <ol style="list-style-type: none"> <li>1. <b>Computer and Technology Acceptable Use Policy</b>  This Policy defines the requirements regarding the use of information and the City’s IT Resources. These requirements are intended to help protect the</li> </ol>

confidentiality, integrity and availability of the City's systems and data.

2. **Mobile Devices Policy**

This Policy defines the guidelines to ensure the security of mobile devices.

3. **Remote Work Security Policy**

This Policy defines the requirements to ensure the security teleworking.

4. **Human Resources Security Policy**

This Policy defines the requirements to ensure that employees and contingent workers understand their responsibilities and are suitable for the roles for which they are hired and to protect the City of Hamilton information as part of the process of changing or terminating employment.

5. **Information Asset Management Policy**

This Policy provides the guidelines to ensure proper record maintenance and asset tagging of all IT equipment; to classify and define protection requirements for the City's data; to ensure that information receives an appropriate level of protection in accordance with its importance to the City of Hamilton.

6. **Access Management Policy**

This Policy defines a standard to limit access to information and information processing facilities according to the business and security requirements, to ensure authorized user access, to prevent unauthorized access to systems and services and to make Authorized Users accountable to safeguard their authentication information.

7. **Cryptography Policy**

This Policy defines the information security controls that are required to implement and manage cryptographic solutions according to the business and security requirements.

8. **Physical and Environmental Security Policy**

This Policy defines the requirements for the physical security of the City of Hamilton's information technology systems and to ensure that physical security of all City of Hamilton's information processing facilities is built and maintained.

9. **Operations Security Policy**

This Policy defines the requirements for implementing

	<p>correct and secure operations of information processing facilities, protection from malware, protection against the loss of data, appropriate recording of events that generate evidence and vulnerability management.</p> <p><b>10. Network and Communications Security Policy</b>  This policy defines the requirements to ensure the protection of information in networks and to maintain the security of information transferred within the City of Hamilton and with any external entities.</p> <p><b>11. System Acquisition, Development and Maintenance Policy</b>  The procedures in this section outline the security requirements for the procurement of information and process control systems, software development and maintenance, and use of test data.</p> <p><b>12. Technology Service Provider Policy</b>  This Policy defines the guidelines to ensure that access to City of Hamilton facilities, systems and information assets by Technology Service Providers is appropriately controlled so that confidentiality, integrity, availability and accountability of information and assets remain intact.</p> <p><b>13. Information Security Incident Management Policy</b>  To implement an information security incident management process to identify and resolve information security incidents related to the City of Hamilton quickly and effectively, while minimizing their impact and reducing the risk of similar information security incidents from occurring.</p> <p><b>14. Information Security Aspects of Business Continuity Management Policy</b>  This Policy defines the requirements and recommendations to embed the information security continuity into business continuity plans to ensure availability of all information systems and assets supporting the City of Hamilton business functions.</p> <p><b>15. Security Compliance Policy</b>  This section identifies and documents information security obligations including business records, intellectual property, and privacy. This security procedure describes the legal and contractual commitments, security reviews and audits requirements.</p>
<p><b>RESPONSIBILITIES (if applicable)</b></p>	<p>Within the City of Hamilton, Security is everyone’s responsibility. The City of Hamilton, as a contracting authority, is legally responsible for ensuring contractors and</p>

	<p>partners are acting in accordance with these policies while executing work in the City of Hamilton’s name.</p> <p>This policy will be reviewed on a regular basis and updated as needed by the IT Security Manager. Reviews will consider:</p> <ul style="list-style-type: none"> <li>• Its effectiveness, as demonstrated by the nature, number and impact of security incidents.</li> <li>• The cost and impact of controls on business efficiency.</li> <li>• The effects of changes in risk; technology; available controls; regulatory and legal requirements; and industry best practice.</li> </ul> <p>The City Manager and the Senior Management Team will be required to approve significant changes to the policy.</p> <p>The Director of Information Technology Division is responsible for establishing, monitoring and ensuring compliance with Information Technology Security Policies and Standards.</p> <p>The Information Technology Division has the authority to implement the Information Technology Security Policy, oversees threat and vulnerability assessments and advises on safeguards and other elements of risk management throughout the life cycle of process control and information systems.</p> <p>The Clerk’s Division and Privacy Officers ensure that input is provided for privacy assessments, as part of risk management.</p> <p>All City of Hamilton Authorized Users are required to complete the training provided by the IT Division Security Awareness Program and notify management of actual or suspected policy breaches. These notifications should be sent to the Service Desk so that appropriate IT Security resources can be engaged.</p> <p>The Information Technology Division will designate auditors to undertake broad-based IT security audits on a periodic basis to ensure an objective third party view on the success of the security program.</p> <p>Manager, IT Security is responsible for ensuring the conduct of IT security reviews and reporting to the Information Technology Leadership Team about the findings of the IT security program.</p>
<p><b>COMPLIANCE</b></p>	<p>All requirements specific in Information Security Policies are mandatory. Any deviation from a mandatory requirement in Information Security Policy must be approved by the IT Security Team.</p> <p>All process control and information security exemption requests</p>

	<p>must be assessed by the IT Security Team and then reviewed by the Information Technology Leadership team for approval.</p> <p>All process control and information security exemptions requests and approvals must be logged by the IT Security Team.</p> <p>Information security exemptions may be requested and granted for any length of time. However, all approved exemptions must be reviewed by the IT Security Team at a minimum, every two years, to ensure that the level of risk has not increased or that new risks have not appeared.</p>
<b>RELATED</b>	<p>The following related documents are referenced in this Policy:</p> <ol style="list-style-type: none"> <li>1. <i>ISO/IEC - 27002:2013 Security techniques, Code of practice for information security controls</i></li> <li>2. <i>Computer and Technology Acceptable Use Policy</i></li> <li>3. <i>Mobile Devices Security Policy</i></li> <li>4. <i>Remote Work Security Policy</i></li> <li>5. <i>Human Resources Security Policy</i></li> <li>6. <i>Information Asset Management Policy</i></li> <li>7. <i>Access Management Policy</i></li> <li>8. <i>Cryptography Policy</i></li> <li>9. <i>Physical and Environmental Security Policy</i></li> <li>10. <i>Operations Security Policy</i></li> <li>11. <i>Network and Communications Security Policy</i></li> <li>12. <i>System Acquisition, Development and Maintenance Policy</i></li> <li>13. <i>Technology Service Provider Policy</i></li> <li>14. <i>Information Security Incident Management Policy</i></li> <li>15. <i>Information Security Aspects of Business Continuity Management Policy</i></li> <li>16. <i>Security Compliance Policy</i></li> </ol>
<b>HISTORY</b>	<p>The following stakeholders were consulted in the creation or revisions made to this Policy:  Information Technology Leadership Team  Information Privacy and Security Committee</p> <p>This policy is dated &lt;&lt;Insert Date here, if available&gt;&gt;</p>





**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
**City Clerk's Office**

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 20, 2021
<b>SUBJECT/REPORT NO:</b>	Accessible Captioning for Advisory Committee Meetings (FCS21050)
<b>WARD(S) AFFECTED:</b>	(City Wide)
<b>PREPARED BY:</b>	Janet Pilon Manager, Legislative Services / Deputy Clerk Ext. 4304
<b>SUBMITTED BY:</b>	Andrea Holland City Clerk
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That staff be directed to implement closed captioning and live streaming through the City's website for all Advisory Committee meetings through the acquisition of an encoder from eSCRIBE Software Ltd., in the amount of \$87,450 + applicable HST, for a three (3) year term, be approved, to be funded as follows:
- (i) Year One - \$32,750 + applicable HST (includes one-time implementation fees of \$5,400 + applicable HST from June 2021 to June 2022) from Account Number 56132 300100 (Operating Budget); and,
  - (ii) Years Two and Three - \$27,350 + applicable HST (annually) from Account Number 56132 300100 (Operating Budget);
- (b) That the General Manager of Finance and Corporate Services be authorized to enter into and execute any required Contract and any ancillary documents required to give effect thereto with eSCRIBE Software Ltd., in a form satisfactory to the City Solicitor.

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**SUBJECT: Accessible Captioning for Advisory Committee Meetings (FCS21050)  
(City Wide)**

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**EXECUTIVE SUMMARY**

Staff as directed by the Audit, Finance & Administration Committee on February 18, 2021 have considered the accessible captioning for Advisory Committee meetings, and are recommending as per the Multi-Year Accessibility Plan that all Advisory Committee meetings be closed captioned in order to provide persons with disabilities the means to access Advisory Committee meetings as they do the City's Council, Standing Committee and Sub-Committee meetings.

The closed captioning of the Advisory Committee meetings through an encoder will enable the live streaming of these meetings through the City's website.

The additional encoder will also be available for the live streaming of City events on the City's website, when it is not in use for the Advisory Committee meetings.

**Alternatives for Consideration – See Page X or Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** An additional encoder has one-time implementation costs in the amount of \$5,400 + applicable HST (Live streaming and Closed Captioning setup and training) to be funded from the operating budget and the annual subscription fees of \$27,350 + applicable HST (Live streaming and Closed Captioning) to be funded from the operating budget.

**Staffing:** Advisory Committee agendas are currently prepared and published through eSCRIBE, therefore, there will be minimal training required for the staff liaisons in order for their Advisory Committee meetings to be live streamed through the eSCRIBE encoder on the City's website.

**Legal:** There are no legal implications.

**HISTORICAL BACKGROUND**

At the February 18, 2021, Audit, Finance & Administration Committee meeting Committee received and referred the Citizen Committee Report from the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee respecting Accessible Captioning for Meetings of the LGBTQ Advisory Committee to staff to report back to the Audit, Finance and Administration Committee with additional information, the financial implications, and other considerations.

The recommendation within the Citizen Committee Report, reads as follows:

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**SUBJECT: Accessible Captioning for Advisory Committee Meetings (FCS21050)**  
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That the City of Hamilton (City) provide accessible captioning as part of its virtual meeting software either through Cisco Webex or through another software provider for all future meetings of the LGBTQ Advisory Committee (LGBTQAC), and that the City, if it has not done so already, consult with the Advisory Committee for Persons with Disabilities (ACPD) to get their input and feedback about this as soon as possible and before implementing this recommendation.

The City currently close captions all of its Council, Standing Committee and Sub-Committee meetings through eSCRIBE.

### **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Multi-Year Accessibility Plan contains six strategic goals demonstrating the City's commitment to fulfilling the requirements of the Integrated Accessibility Standards Regulation. Each strategic goal addresses a key aspect of how we are designing, delivering and implementing policies, programs, services, resources and opportunities to persons with disabilities in an equitable manner that respects their dignity and independence, as well as takes into account the person's disability.

As per Strategic Goal Three which states that the City of Hamilton is committed to ensuring that information and communication and supports including the City's website and self-service kiosks are fully accessible and available in accessible formats, staff are committed to providing persons with disabilities access to meeting proceedings in an alternate format that respects their dignity and independence, as well as takes into account the person's disability.

### **RELEVANT CONSULTATION**

As per the direction, consultation with the the Advisory Committee for Persons with Disabilities (ACPD) was based on the Committee's input to the Multi-Year Accessibility Plan, which supports the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee's recommendation.

Information Technology was consulted with respect the proposed configuration from eSCRIBE for the live streaming of the Advisory Committee meetings and other events when the encoder is not in use, through WebEx to the City's website. Information Technology found the configuration acceptable.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Based on staff's commitment to providing persons with disabilities access to meeting proceedings in an alternate format that respects their dignity and independence, as well

**SUBJECT: Accessible Captioning for Advisory Committee Meetings (FCS21050)**  
**(City Wide) Page 4 of 4**

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as takes into account the person's disability, staff are recommending the close captioning of all Advisory Committee meetings.

**ALTERNATIVES FOR CONSIDERATION**

None

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

Community Engagement and Participation - Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

**APPENDICES AND SCHEDULES ATTACHED**

None