



The Regional Municipality of York Police Services Board

To Make a Difference in Our Community

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AGENDA PUBLIC SESSION

Tuesday, July 26, 2016, 8:30 a.m.

COMMITTEE ROOM "A"

ADMINISTRATIVE CENTRE

17250 YONGE STREET

NEWMARKET, ONTARIO

Pages

1. INTRODUCTION OF ADDENDUM ITEMS AND OTHER BUSINESS
2. DISCLOSURE OF INTEREST
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 - 3.1 Memorandum from Ms Mafalda Avellino, Executive Director, York Regional Police Services Board, July 26, 2016, regarding the nomination of Board Member Khlaid Usman to the CAPG Board of Directors. 1
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RECOMMENDATION

1. That during the summer recess period from June 23, 2016 to September 20, 2016, the Chair and the Chief of Police (or his delegate), or in the absence of the Chair, the Vice Chair and Chief of Police (or his delegate) be authorized to:

(a) Award and execute contracts and other forms of commitment where such matters are not otherwise currently delegated by the Board, including leases; and

(b) To approve the exercise of the Board's rights and remedies at law including termination of contracts and settlement of claims, appeals and other matters before the courts or administrative tribunals.

2. The exercise of this authority be subject to the following conditions:

(a) The Chair and the Chief of Police (or his designate) or in the absence of the Chair, the Vice Chair and Chief of Police (or his designate) being satisfied that the authorization is required to prevent interruption of service delivery or to avoid incurring unnecessary costs;

(b) A memorandum outlining the necessity of such requests be submitted to the Chair and the Chief of Police by the respective Officer in Charge;

(c) Any contracts or documentation be subject to review and approval by Legal Services as to form and content; and

(d) A report be submitted to the Board at its meeting on September 21, 2016 only to advise of the approval of any contracts under this authority.

(e) Reporting is only required if any commitments have been made under this authority.

3. That during the summer recess period from June 23, 2016 to September 20, 2016, the Board delegate to two or more of its members the authority conferred on it by the *Police Services Act* as provided for in section 34 of the *Act*.

5. ADDENDUM ITEMS

6. OTHER BUSINESS

7. CONSIDERATION OF MOTION TO MOVE INTO PRIVATE SESSION

Motion to resolve into Private Session.

That the York Regional Police Services Board adjourn the public portion of its meeting to move to private to discuss confidential items pertaining to legal and personnel matters in accordance with Section 35(4)(b) of the *Police Services Act*.

9. CONFIRMATORY BYLAW

10. ADJOURNMENT



MEMORANDUM

TO: The Regional Municipality of York Police Services Board

FROM: Mafalda Avellino, Executive Director

DATE: July 26, 2016

SUBJECT: Nomination to CAPG Board

The Canadian Association of Police Governance (CAPG) is the only national organization dedicated to excellence in police governance in Canada and represents seventy-five percent of municipal police service oversight bodies throughout Canada.

In accordance with CAPG By-laws, the Board of Directors is comprised of representatives of the geographic regions of Canada represented by its Members. The CAPG Directors are elected by the Members at each annual general meeting and are elected to hold office until the next annual meeting.

A vacancy in Ontario came up at the end of June and vacancies will be filled by nominations from the floor at the AGM on Sunday, August 14, 2016. Board Member Khalid Usman has indicated he would like to put his name forward, for consideration by the CAPG Members, to serve as one of the three seats for Ontario. Mr. Usman is seeking the York Regional Police Services Board's endorsement of his nomination.

The term of the appointment is for one year until the next annual meeting of the CAPG. Qualified candidates must meet the following criteria:

- Represent the geographical region of Canada represented by the Association's Members;
- Be in good standing of the association;
- The nominee resides in the province where our Board is located;
- The nominee is willing to commit to the association for the term;
- The nominee has the time to contribute fully in 3 face-to-face meetings a year (one in Ottawa, one board retreat, one at the annual conference);
- The nominee has the financial support of our Board to cover the cost of their attendance at the three meetings a year including airfare and accommodation (estimated financial commitment is \$5,000);
- The nominee is able to participate in a two-hour bi-monthly teleconference board meeting; and

- The nominee is willing to sit on at least one working committee and actively participate in the work of that committee.

FINANCIAL IMPLICATIONS

The York Regional Police Services Board must commit to financial support in the estimated amount of \$5,000 to cover the cost of attendance at three meetings a year including airfare and accommodation. Attached is the Notice from Nominations from the Floor from CAPG for your reference.



Mafalda Avellino
Executive Director

/jk

Attach. (1)



NOTICE OF NOMINATIONS FROM THE FLOOR

**THE FOLLOWING VACANCIES
REQUIRE NOMINATIONS FROM THE FLOOR**

There are FOUR vacancies that must be filled by nominations from the floor at the Annual General Meeting in Ottawa on Sunday, August 14, 2016.

GEOGRAPHIC LOCATION	VACANCIES
First Nations (2 seats 1 VACANCY)	Vacancy –to replace Tammy White Quills- Knife Remainder of Ms. White Quills-Knife’s term: 2016 to July, 2017
British Columbia (2 seats 1 VACANCY)	Vacancy – to replace Karla Rockwell Remainder of Ms. Rockwell’s term: 2016 to July, 2017
Manitoba (2 seats 1 VACANCY)	Vacancy 2016 - 2018
Ontario (3 seats 1 VACANCY)	Vacancy – to replace Laurie Williamson Remainder of Mr. Williamson’s term: 2016 to July, 2017

AGM PROCESS FOR THE ELECTION OF SLATE AND NOMINATIONS FROM THE FLOOR

CAPG President (Chair) will introduce the slate of candidates for election by Members as circulated with the Nominations Report. The slate will need a mover and a seconder, and then it is voted on by the Members to elect for the terms as set out in the Nominations Report.

Once the motion is carried, the next order of business is to hold an election for the two remaining vacancies on the Board, First Nations (to fill the vacancy) and Manitoba (two years).

The process would proceed as follows:

- Each nomination from the floor requires a mover, a seconder and the consent of the person nominated. The residency of each nominee must be confirmed to ensure that the nominee is eligible to stand for election.
- **Each nominee must have the attached consent form signed confirming that he/she has the support of his/her Board to put his/her name forward as a director.**
- **The consent form must be provided to the Chair of the Annual General Meeting in advance of the elections.**
- If the person nominated is not present, a letter clearly stating that person's intention to seek office and that he/she has the support of his/her Board shall be sufficient consent.
- Each person nominated shall be given the opportunity to speak in support of their candidacy, subject to any regulations imposed by the Nominations Committee.
- The Nominations Committee has set a time limit for any remarks of each person nominated to three minutes.
- Should there be only one qualified candidate for one seat, the candidate will be elected by Members eligible to vote by acclamation. A resolution will be put forward (which has been moved and seconded) to elect the qualified candidate by acclamation. If there is only one candidate for each seat available, all elections can be held at the same time.

Should there be two or more qualified candidates for one seat, an election by Members eligible to vote by paper ballot will be held.

- Each Member eligible to vote shall receive a ballot listing the names of the candidates and will be asked to indicate on the ballot who they wish to vote for.
- Ballot counters shall collect the ballots, ensuring that only one ballot is received from each Member eligible to vote.
- The Chair shall inquire whether everyone eligible and wishing to vote has done so, and receiving an affirmative answer shall declare the polls closed.
- The counters shall then tally the votes and submit the results to the Chair.
- The Chair shall announce the results, declaring the candidate with the most votes for each seat available is elected.
- Ballots used in voting shall be destroyed once the meeting has been adjourned.

CONFIRMATION FORM

TO BE SIGNED BY BOARD/COMMISSION CHAIR AND NOMINEE:

We _____ being members in good standing
of CAPG, nominate _____ for the position _____.

We also confirm that:

- We represent the geographical region of Canada represented by the Association's Members (By-laws – Article 5.2);
- We are members in good standing of the association; (By-laws – Article 5.3(a));
- The nominee resides in the province where our Police Board/Commission is located (By-laws – Article 5.3(b));
- The nominee is willing to commit to the association for the term;
- The nominee has the time to contribute fully in 3 face-to-face meetings a year (one in Ottawa, one board retreat, one at the annual conference);
- The nominee has the financial support of our Police Board/Commission to cover the cost of their attendance at the three meetings a year including airfare and accommodation (estimated financial commitment is \$5,000);
- The nominee is able to participate in a two-hour bi-monthly teleconference board meeting; and
- The nominee is willing to sit on at least one working committee and actively participate in the work of that committee.

Signature:

Name: (please print)

Chair of Board/Commission

NOMINEE:

I _____ being a member of, _____ consent to this nomination.

I am currently a _____ (provincial, municipal, citizen appointment)
representative on my police board/commission and I have _____ years left to serve.

I am eligible for another reappointment for _____ years.

Address: _____

Telephone: _____

Fax: _____

Email: _____ Date _____

Signature:

Name: (please print)

NOMINEE MUST PROVIDE A SIGNED FORM TO THE CHAIR OF THE AGM PRIOR TO THE ELECTIONS

THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

Report of the Executive Director – July 26, 2016

Approval of Matters During Summer Recess Report

RECOMMENDATIONS

1. That during the summer recess period from June 23, 2016 to September 20, 2016, the Chair and the Chief of Police (or his delegate), or in the absence of the Chair, the Vice Chair and Chief of Police (or his delegate) be authorized to:
 - (a) Award and execute contracts and other forms of commitment where such matters are not otherwise currently delegated by the Board, including leases; and
 - (b) To approve the exercise of the Board's rights and remedies at law including termination of contracts and settlement of claims, appeals and other matters before the courts or administrative tribunals.
2. The exercise of this authority be subject to the following conditions:
 - (a) The Chair and the Chief of Police (or his designate) or in the absence of the Chair, the Vice Chair and Chief of Police (or his designate) being satisfied that the authorization is required to prevent interruption of service delivery or to avoid incurring unnecessary costs;
 - (b) A memorandum outlining the necessity of such requests be submitted to the Chair and the Chief of Police by the respective Officer in Charge;
 - (c) Any contracts or documentation be subject to review and approval by Legal Services as to form and content; and
 - (d) A report be submitted to the Board at its meeting on September 21, 2016 only to advise of the approval of any contracts under this authority.
 - (e) Reporting is only required if any commitments have been made under this authority.
3. That during the summer recess period from June 23, 2016 to September 20, 2016, the Board delegate to two or more of its members the authority conferred on it by the Police Services Act as provided for in section 34 of the *Act*.

PURPOSE

The purpose of this report is to seek the Board's authorization to delegate approval of certain matters that are not already delegated to staff, in order to ensure the continuity of service delivery over the summer months.

The Board's Purchasing Bylaw delegates the authority to award and execute contracts for goods and services subject to certain conditions and expenditure limits. The Purchasing Bylaw also provides that the Chief may award any contract during any period that regular Board Meetings are suspended including the summer recess, provided a report is submitted when the Board resumes setting out the details of any contract awarded.

Although the Purchasing Bylaw assists in ensuring business continuity of procurement (sections 6.18, 6.19), there are some matters which are not governed by the bylaw and which would still require Board authority. For instance, leases are not governed by the bylaw. In addition, the extension of existing agreements which may not be the subject of a competitive process may also require Board authority. As well, matters before the courts or tribunals may need resolution during the summer recess.

The Board's Delegation of Signing Authority Policy authorizes the Chair or Vice-Chair to execute contracts and agreements but only where such agreements have been authorized by the Board. Such authorization cannot be obtained during the Board's summer recess.

ANALYSIS AND OPTIONS

During the recess period (June 23 to September 20, 2016) authorization may be required to approve contracts and authorize leases that are not currently authorized by the Purchasing Bylaw. Other matters that may require resolution include contract disputes, litigation matters and issues arising during hearings (for example, judicial review). In these circumstances, it is recommended that the authority to make such commitments be jointly delegated to the Chair and the Chief. It is also recommended that certain procedures be put in place as follows:

- That a memorandum be submitted by the respective Officer in Charge indicating the need for the approval;
- That any contract or other form of commitment be subject to review and approval by Legal Services; and
- That the authorization to approve the transaction or activity is required to prevent interruption of service delay or to avoid incurring extra costs.

A similar practice has been established in past years to ensure continuity of service delivery.

FINANCIAL IMPLICATIONS

Any commitment authorized under the approval process set out in this report will be subject to funds being available in the 2016 budget.

CONCLUSION

In order to ensure continuity of service delivery during the recess period, it is recommended that a process be adopted as set out in this report of matters not currently authorized by the Purchasing Bylaw or other delegated authorities. The authority would be exercised only where strictly essential and would be subject to a report to the Board at its meeting on September 21, 2016 to advise of any commitments made under this authority.



Mafalda Avellino
Executive Director

**THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD**

BY LAW NO. 08-16

**A By Law to Confirm
the Proceedings of the Board at its Meeting
held on July 26, 2016**

The Regional Municipality of York Police Services Board HEREBY ENACTS as follows:

1. The action of the Board in respect of each motion, resolution and other action passed and taken by the Board at its meeting is hereby adopted, ratified and confirmed.
2. The Chairman of the Board, the Chief of Police and Deputy Chiefs of Police are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman and Executive Director are hereby directed to execute all documents necessary in that behalf.

ENACTED AND PASSED this 26nd day of July, 2016

Mafalda Avellino, Executive Director

Mayor Frank Scarpitti, Chair