



REQUEST FOR DECISION

MEETING DATE: February 3, 2025

TITLE: C-1371-25 - Policing Committee Bylaw - First and Second Reading

DIVISION: Community and Protective Services

SUMMARY:

On September 26, 2024, several provisions of the *Police Amendment Act* were given Royal Assent. This introduces, for Spring 2025, new changes to that act which affect the RCMP Governance models for contract policing agreements, and speaks to how the requirement to have a Community Safety Plan will be implemented.

Administration is providing Council with options on how the new Policing Committee can be structured.

PROPOSED MOTION:

THAT first reading be given to C-1371-25 - Policing Committee Bylaw.

THAT second reading be given to C-1371-25 - Policing Committee Bylaw.

BACKGROUND / ANALYSIS:

In spring 2022, the *Police Amendment Act* was passed, which made extensive changes to the *Police Act*, including changes to police governance for the RCMP as the Provincial Police Service and for communities which contract the RCMP as their Municipal Police Service. The changes include the mandatory requirement for communities to have a Policing Committee.

On September 26, 2024, those sections of the *Police Amendment Act* outlining police governance and community safety planning were put into place through Royal Assent. New regulations were put into place in November 2024, to provide guidance on the structure and

the role of the new Policing Committee. Implementation of these requirements is set for March 2025.

Administration researched the approach being taken or recommended in 11 municipalities in the region and in other parts of Alberta with RCMP contracts and a population over 15,000. These municipalities were Leduc, Stony Plain, Red Deer, Grande Prairie, Okotoks, Fort Saskatchewan, Airdrie, St. Albert, Strathcona, Cochrane, and Lloydminster.

On December 18, 2024, Administration was in touch with the Ministry of Public Safety and Emergency Services and it was determined that it was an oversight that the regulations failed to address Council participation limits. It is intended that the regulations will be updated accordingly. They will limit Council or municipal employee appointees to no more than 2 on Policing Committees.

Analysis of Regulation

In accordance with the changes to the *Police Act*, Spruce Grove, as a City over 15,000 in population which contracts the RCMP for policing, must put in place a municipal Policing Committee. The Regulations outline the duties and functions of the Committee. Those are:

- Overseeing the Administration of the Municipal Police Services Agreement.
- Representing the interests and concerns of the public and Council to the Officer In Charge (OIC).
- Developing a yearly plan of priorities and strategies for municipal policing in consultation with the OIC.
- Developing a Community Safety Plan in conjunction with the local detachment and Mayor / Council, including a plan for collaboration between the community and community agencies, and providing the plan annually (or as requested) to the Minister.
- Providing assistance and input within the RCMP selection process for the OIC on behalf of the community. A Senior Administration currently participates in the RCMP process.
- Reporting annually (or as requested) to the Minister on the implementation of and updates to the programs and services to achieve the priorities of the police service as developed.

It is important to note that the Committee has no role in relation to determining or recommending matters of budget or the overall strength of the Detachment. All financial authorities and anything not specifically noted above remains with Council and the City.

The Regulations provide some guidance on the structure of the committee. Specifically:

- It can be from 3 to 7 members in size;
- Not have any full time (paid) member of the Committee;
- Terms of office are 2 to 3 years;
- Appointees must pass an enhanced security check (RCMP Enhanced Reliability Check);
- Appointments cannot be revoked by Council without cause;

- If a Council member is appointed, that appointment ceases if they cease being a member of Council;
- The Mayor cannot be the Chair or Vice-Chair of the Committee;
- The Minister may appoint additional members to the Committee
 - 1 if there are 3 members, 2 if 4 - 6 members, and 3 if 7 members; and
- It is anticipated there will be a further change to the Regulations limiting Council or municipal employee appointments on the Committee to 2.

While it is not required under the Provincial Legislation or Regulations as yet, it is the expectation of the Ministry and common / best practice to establish such governance bodies through bylaw. Such a bylaw outlines the size and make-up of the Committee including ex-officio or non-voting members, number of Council members permitted on same, terms of appointment, frequency of meetings, reporting requirements to the City and Province, relationship with City Administration, etc. Most communities in the reference group are either enacting a specific bylaw for this committee or creating it by way of a modification to their existing Committees bylaw which speaks to all Committees of Council.

Some committees and Police Commissions have stipulations directing specific diverse groups be reflected in appointments, be that geographic areas, youth, business community or some other form of representation.

The RCMP Enhanced Reliability Check will take a considerable period of time to complete. The Ministry indicated they understood that would likely extend beyond the March 1, 2025 date for implementation, but that if municipalities have passed their establishing bylaws and are showing progress by then they will be looked upon as compliant or on route to the same.

Highlights of the Proposed Bylaw for Discussion

In regard to City representatives, the proposed bylaw identifies that these be members of Council and that other Administrative subject matter expertise be provided as support to the committee vs. official voting members (see below). Council may choose to not appoint members of Council to the Committee; however, this is not recommended, especially in the initial implementation.

Administration is seeking additional feedback on several other aspects of the proposed bylaw.

Overall Size of the Committee

- It can range from 3 to 7 in size, inclusive of all appointees from the local level.
- Any provincial appointees would be above those numbers.
- It is recommended the bylaw indicate there be a range of between 5 and 7 members allowing for flexibility in the event a member is no longer qualified and there is a short-term vacancy.

- It is recommended that 1 to 2 of those members be Council members. This would likely be 2 in most cases, especially initially; however, it allows for flexibility.

Diversity of Representation

As it stands now, there are no diversity or representation requirements in the bylaw in relation to these appointments.

- Would Council like to specify specific groups or representatives be included in the appointment (youth, business community, etc.)?

In terms of non-voting participation, it is recommended that the Officer In Charge of the RCMP sit with the Committee as a non-voting participant to provide advice and subject matter expertise. They bring with them the requisite knowledge and expertise to inform the Committee on the operations of the police, as well as routinely discuss progress on the established priorities and initiatives of the police service that flow from the work of the Committee.

The Manager of Enforcement Services is charged as the primary liaison between the City's Administration and the RCMP and functions in an oversight role for the City in relation to the RCMP Municipal Police Services Agreement. Given that role and expertise, it is recommended that this position also sit as a non-voting participant on the Committee to provide advice and subject matter expertise.

As will be noted below, one of the roles of the Committee will be to develop a Community Safety Plan. The Community and Social Development area is currently engaged in a significant amount of work in this area involving the RCMP and a number of other public and private sector partners. They have developed the Social Sustainability Plan for the City which also speaks to much of this. In order to ensure harmonization of efforts and avoid duplication, it is recommended that the Director of Community and Social Development also sit with the Committee as a non-voting participant to provide advice and subject matter expertise.

OPTIONS / ALTERNATIVES:

Based on review of the bylaw and the options noted above, Council may choose to make amendments to the bylaw.

CONSULTATION / ENGAGEMENT:

At this point, the OIC of the RCMP Detachment has been consulted on their preferred model and the potential impacts of the options available. No other external consultation has taken place.

IMPLEMENTATION / COMMUNICATION:

Upon direction from Council on options available, the bylaw may be amended and will be brought to Council for third reading at the February 24, 2025 Council meeting.

Once the bylaw is in place, Administration will begin the appointment selection process. Enhanced Reliability Security Checks (RCMP) will need to follow in due course.

IMPACTS:

The bylaw establishes a Policing Committee ensuring compliance with the amended *Police Act* and associated regulations.

FINANCIAL IMPLICATIONS:

As the positions are not salaried or paid positions on the Committee, it is expected that there will be very modest costs associated to the running of the Committee. Those costs will include Alberta Association of Police Governance membership fees (\$200 per year), some travel / training costs for the Committee members (\$800 per member estimated, per year), and if so desired, a per diem rate per meeting for the members of the Committee (as determined by Council).

The cost of obtaining an enhanced security clearance is currently not known, as the province is still working to determine what this will entail and how it will be obtained.