



CITY OF ST. ALBERT
ADMINISTRATIVE BACKGROUNDER

TITLE: Amendments to Bylaw 28/2017 Policing Committee Bylaw

On May 1, 2017 and May 3, 2017 Council Members provided notice in accordance with Section 23 of Procedure Bylaw 22/2016 that they intended to bring forward the proposed motion below.

In order for Council to debate the motion, the motion must be formally moved.

Moved by Councillor Osborne

That Bylaw 28/2017 section 12.1(b) be amended by removing “at least six (6) consecutive months” and replacing it with “at least 12 consecutive months”.

Moved by Councillor Russell

That Bylaw 28/2017 be amended by deleting Section 12(e)

Moved by Councillor Russell

That Bylaw 28/2017 Section 23 be amended that the publication requirement be 7 days notice.

Moved by Councillor Hughes

That Bylaw 28/2017 Section 23 is amended to have the meeting agenda available to the committee members at least five (5) days prior to a meeting, and have it available to public on the same day as it is available to committee members.

Moved by Councillor Hughes

That bylaw 28/2017 is amended to include a provision that a review is completed at a minimum of every 24 months of the city council, a sampling of the RCMP, the committee members and the public to determine the effectiveness of the committee and to provide any recommendations to council to improve the committee.

BACKGROUND:

Motion 1 Background

Moved by Councillor Osborne

“That Bylaw 28/2017 section 12.1(b) be amended by removing “at least six (6) consecutive months” and replacing it with “at least 12 consecutive months”.

Administration does not have any background information to add to this motion. Increasing from 6 to 12 months’ residency would not cause any concerns for Administration.

Motion 2 Background

Moved by Councillor Russell

“That Bylaw 28/2017 be amended by deleting Section 12(e)”

Section 12(e) of the proposed Bylaw currently states “To be eligible for appointment to the Committee as a voting member, an individual must undertake and present a favorable suitability screening assessment through the St. Albert RCMP”

Administration has included this provision in the proposed Bylaw to ensure that the Municipality complies with the mandatory Alberta Justice and Solicitor General Policing Committee Standards on member selection.

The standards state:

RR 2.3 Security checks

The municipality shall conduct a background check/security clearance of each successful candidate (including those council-appointed members and employees of the municipality) before confirmation of his/her appointment to the policing committee, including at a minimum:

- a. Criminal record check;*
- b. Reference checks;*
- c. Interview of applicant (including an assessment of overall suitability);*
- d. PCD shall successfully complete a RCMP Enhanced Security Clearance.*

By requiring applicants to undertake suitability screening with the RCMP, it would allow the Municipality to ensure that there are no adverse matters that the police are aware of that would cause an applicant to be deemed unsuitable. One example would include things such as ties to organized crime. Administration would like to highlight that it is not uncommon for Police Committee or even a Police Commission members to go through this level of suitability screening. The Edmonton Police Commission membership, as an example, requires applicants that are short listed for interviews to undergo a successful enhanced security clearance process, criminal records check and reference investigation.

However, should Council feel the current provision is too broad and provides too much in terms of RCMP selection influence then Administration would offer the below provision as an alternative to consider.

“That Bylaw 28/2017 be amended by:

- deleting Section 12(e), and*
- adding 12(3.1) All committee voting members shall obtain and maintain a RCMP facility access security clearance for the duration of their term(s).*

The RCMP facility access security clearance process is the minimum level of security clearance that is used for contractors and other people who have escorted

access to the RCMP building beyond the public space. It is more in-depth than the standard criminal record check, however, it is not as intrusive as the Enhanced Reliability Security Clearance that staff members go through. This level of screening would capture any of the security concerns that the RCMP may have.

Motion 3 Background

Moved by Councillor Russell

“That Bylaw 28/2017 Section 23 be amended that the publication requirement be 7 days notice.”

Section 23 of the proposed Bylaw currently reads, “Meeting Agenda shall be made available to the Committee members at least three (3) days prior to a meeting, and made available to the public at least one (1) day prior to a meeting.”

Administration would like to offer alternative wording to ensure there is clarity on the direction as Section 23 makes reference to two different agenda release dates.

The recommended alternative wording is:

“That Bylaw 28/2017 Section 23 be amended by replacing the current wording with, Meeting Agenda shall be made available to the Committee members at least ten (10) days prior to a meeting, and made available to the public at least seven (7) days prior to a meeting”.

Administration would like to advise Council that the current wording in the Bylaw is a minimum requirement only and should this motion fail and a Committee still be established, the Committee could discuss this matter on their own and exceed the minimum requirement if they believe that the Committee Chair has the means and resources to do so.

Motion 4 Background

Moved by Councillor Hughes

“That Bylaw 28/2017 Section 23 is amended to have the meeting agenda available to the committee members at least five (5) days prior to a meeting, and have it available to public on the same day as it is available to committee members.”

Please see background information provided on Motion 3.

Motion 5 Background

Moved by Councillor Hughes

“That bylaw 28/2017 is amended to include a provision that a review is completed at a minimum of every 24 months of the city council, a sampling of the RCMP, the committee members and the public to determine the effectiveness of the committee and to provide any recommendations to council to improve the committee.”

Sections 33-35 of the proposed Bylaw outline the reporting requirements placed upon the Committee. The Committee is required to prepare a work plan and share that work plan with Council and the Community at large. In addition, the Committee will be required to report to Council annually on the progress of its activities and accomplishments.

Administration recommends that should Council desire that a newly established Policing Committee be reviewed that it is coordinated by Administration directed through a separate Council motion rather than an amendment to the Bylaw itself. Administration would present a future Agenda Report to Council providing review options for consideration such as an independent third party, forming a citizens review committee or for Administration to undertake the review.

An alternative motion for consideration is:

“That after the end of Q2 2019 and prior to the end of Q4 2020, Administration coordinate a review of the Policing Committee and Bylaw and report to Council on the results of the review including any recommendations it may have.”

The above motion would ensure that the new governance structure is reviewed for effectiveness and would allow for the new Council to decide if ongoing regular reviews would be desirable.

Report Date: May 23, 2017
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City Manager: Kevin Scoble