



REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

PUBLIC AGENDA

Thursday, September 24, 2020 at 9:00 am

ZOOM VIRTUAL MEETING

Due to the efforts to contain the spread of COVID-19, Niagara Regional Police Headquarters will not be open to the public to attend Board meetings until further notice. To view the Zoom live stream meeting proceedings, please visit: <https://calendar.niagarapolice.ca/meetings>

CALL TO ORDER

ROLL CALL

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

MINUTES OF THE PREVIOUS MEETINGS

135. Minutes of the Public Board Meeting held Thursday, July 23, 2020.

Moved by:

Seconded by:

That the Minutes of the Public Board Meeting held Thursday, July 23, 2020 be adopted as circulated.

REPORTS FROM THE BOARD CHAIR

REPORTS FROM THE CHIEF OF POLICE

PRESENTATIONS

CONSENT AGENDA

- 136. RMON - Regional Council - Items Approved/Received – July 23, 2020** - Letter dated July 27, 2020 from Ann-Marie Norio, Regional Clerk, Niagara Region, advising of the Budget Review Committee of the Whole recommendations that were approved by Regional Council at its meeting held July 23, 2020 respecting the 2021 budget planning process.
- 137. NRPS 1 District (St. Catharines) Project Status Report – July 2020** - Memo dated August 11, 2020 from Nicole Menard, Senior Project Manager, Facilities, Niagara Region, providing the Board with a Project Status Report on the NRPS 1 District facility for July 2020.
- 138. NRPS 1 District (St. Catharines) Project Status Report – August 2020** - Memo dated September 9, 2020 from Nicole Menard, Senior Project Manager, Facilities, Niagara Region, providing the Board with a Project Status Report on the NRPS 1 District facility for August 2020.

139. **Quarterly Report – Overtime Activities Incurred by the NRPS – April 1 to June 30, 2020** – Service report dated September 8, 2020 providing a five-year uniform and civilian trend analysis by quarter and year-to-date with explanation of the factors that influence the Service's requirement for overtime.
140. **Quarterly Report – Special Fund Administration – April 1 to June 30, 2020** – Service report dated September 4, 2020 submitted in accordance to the reporting requirements set out in Board By-law 376-2018.
141. **Quarterly Report – Administration of the Public Complaints System – April 1 to June 30, 2020** – Service dated July 21, 2020 submitted in accordance to the reporting requirements set out in Board By-law 301-2010.
142. **Annual Report – Bail and Violent Crime – January 1 to December 31, 2019** – Service report dated September 4, 2020 submitted in accordance to the reporting requirements set out in Board By-law 215-2000.
143. **Annual Report – Policing Aboriginal Occupations and Protests - January 1 to December 31, 2019** – Service report dated September 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 324-2012.
144. **Annual Report – Preliminary Perimeter Control and Containment - January 1 to December 31, 2019** – Service report dated September 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 345-2014.
145. **Annual Report – Property Offences (Including Break & Enter) – January 1 to December 31, 2019** – Service report dated September 4, 2020 submitted in accordance to the reporting requirements set out in Board By-law 222-2000.
146. **Annual Report – Speed Detection Devices – January 1 to December 31, 2019** – Service report dated September 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 321-2012.
147. **Annual Report – Traffic Management, Enforcement and Road Safety - January 1 to December 31, 2019** – Service report dated September 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 292-2009.
148. **NRPS Special Fund Donation – Acknowledgement – Ontario Association of Police Services Boards (OAPSB)** – Correspondence dated July 31, 2020 from Patrick Weaver, Chair, OAPSB, acknowledging the Board's sponsorship in support of the OAPSB's 2020 Spring Annual General Meeting held virtually on May 29, 2020.

Moved by:
Seconded by:

That the information be received.

NEW BUSINESS

149. **RMON - Regional Council – Motion – Niagara Regional Police Service – Diversity, Equity & Inclusion** - Correspondence dated August 17, 2020 from Ann-Marie Norio, Regional Clerk, Niagara Region, advising of the motion passed by Regional Council at its meeting held August 13, 2020 regarding the matter of the Niagara Regional Police Service – Diversity, Equity and Inclusion, as put forward by Councillor Sendzik.

Moved by:
Seconded by:

That the information be received;

And further, that the item be referred to the Chief of Police for a report back at the October 22, 2020 Board meeting to address each of the Region's requests as identified in the motion.

- 150. Town of Fort Erie – Town Council Motion – Niagara Regional Police Service – Diversity, Equity & Inclusion** - Copy of correspondence dated August 25, 2020 from Carol Schofield, Manager, Legal Services/Clerk, Town of Fort Erie, addressed to Ann-Marie Norio, Regional Clerk, Niagara Region, advising that the Municipal Council of the Town of Fort Erie supported the motion passed by Regional Council at its August 13, 2020 meeting regarding the matter of the Niagara Regional Police Service – Diversity, Equity and Inclusion.

Moved by:
Seconded by:

That the information be received.

- 151. NRPS Financial Variance Overview – Period Ending June 30, 2020** – Service report dated September 9, 2020 providing an analysis of the 2020 second quarter financial operating results for the Service and Board, as well as the year-end forecast based on current indicators.

Moved by:
Seconded by:

That the information be received.

- 152. Police Services Board – 2021 Proposed Meeting Schedule** – Memorandum dated September 9, 2020 from Deb Reid, Executive Director, Niagara Police Services Board, providing the proposed meeting schedule for the year 2021.

Moved by:
Seconded by:

That the Board approve the Schedule of Regular Meetings for the Niagara Regional Police Services Board and Committee meetings for the year 2021 as presented.

- 153. REVISED – 2021 Capital Budget** – Service report dated September 4, 2020 providing the Board with a revised 2021 Capital Budget to reduce the amount originally allocated to the 911 Communications Backup Centre by \$1.4 million as the costs associated with the construction or relocation of the 911 Backup Centre will be the responsibility of the Region, and the costs of specialized equipment and furniture will be included in the police capital budget. *(This matter was pre-approved by the Board via e-polling on September 21, 2020 and is provided for ratification and public reporting purposes).*

Moved by:
Seconded by:

That the Board approves an amendment to the 2021 Capital Budget Business Case for the construction of the 911 Communication Backup Centre facility as follows:

1. That the 2021 Capital Budget be reduced by \$1,400,000 to reflect the change of funding the construction of a 911 Communication Backup Centre facility for \$6,000,000 to funding the cost of the specialized equipment and furniture required for the new facility at a total estimated cost of \$4,600,000; and
2. That financing in the amount of \$4,600,000 be initiated upon approval of the 2021 Capital Budget and funded from debenture debt.

OTHER NEW BUSINESS

IN CAMERA REPORTS

(FOR PUBLIC RELEASE FROM THE JULY 23, 2020 CONFIDENTIAL MEETING)

154. **Special Investigations Unit (SIU) Public Reporting** – The following reports were provided to the Board at its July 23, 2020 Confidential Board Meeting and were approved for public release:

- C.143 Special Investigations Unit (SIU) - Case Number 19-OVI-196; and
- C.144 Special Investigations Unit (SIU) - Case Number 19-OCI-048.

Moved by:
Seconded by:

That, in accordance with Board direction, the above noted In Camera Reports be received for public information.

ADJOURNMENT

During the COVID-19 pandemic, the Board will conduct its meetings virtually, through videoconference. The audio recording will be posted to the Niagara Police Services Board YouTube Account for members of the public to access. If there are any questions or concerns, please contact the Executive Director to the Police Services Board at 905-688-4111, Extension 5170 or psb@niagarapolice.ca



REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

PUBLIC MINUTES

Thursday, July 23, 2020

VIA TELECONFERENCE

CALL TO ORDER

The Public Meeting of the Niagara Police Services Board commenced at 8:32 am.

ROLL CALL

PSB MEMBERS:

Mr. K. Gansel, Chair
Mr. B. Steele, Vice Chair
Mr. H. D'Angela
Mr. D. Eke
Mr. B. Gale
Mr. K. Gibson
Ms. T. McKendrick

Ms. D. Reid, Executive Director
Ms. D. Cichocki, Executive Assistant

NRPS MEMBERS:

Chief of Police B. MacCulloch
Deputy Chief B. Flynn, Operational Support
Deputy Chief B. Fordy, Support Services
Ms. W. Shreve, General Counsel
Superintendent B. Ash, Emergency & Investigative Services
Superintendent M. Giannico, District Operations
Superintendent R. Frayne, Operational Support
Superintendent D. Meade, Executive Services
Insp. D. Masotti, Executive Officer, Chief of Police
Mr. G. Holden, Records Manager
Ms. L. Rullo, Finance Manager
Ms. S. Sabourin, Media Relations Specialist

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

MINUTES OF THE PREVIOUS MEETINGS

118. Minutes of the Public Board Meeting held Thursday, June 25, 2020.

Moved by: H. D'Angela
Seconded by: D. Eke

That the Minutes of the Public Board Meeting held Thursday, June 25, 2020 be adopted as circulated.

Carried.

119. Minutes of the Public Finance Committee Meeting held Thursday, July 9, 2020.

Moved by: H. D'Angela
Seconded by: D. Eke

That the Minutes of the Public Finance Committee Meeting held Thursday, July 9, 2020 be adopted as circulated.

Carried.

120. Minutes of the Public Information Technology Committee Meeting held Thursday, July 9, 2020.

Moved by: H. D'Angela
Seconded by: D. Eke

That the Minutes of the Public Information Technology Committee Meeting held Thursday, July 9, 2020 be adopted as circulated.

Carried.

REPORTS FROM THE BOARD CHAIR

PSB Teleconference Meetings - Chair Gansel welcomed all participants to the teleconference Board meeting. He advised that during the COVID-19 pandemic, it is critically important that the Board is able to continue with its governance and oversight work. Since April, the Board has held its monthly meetings by teleconference and as Niagara moves into Stage 3 of the COVID-19 recovery phase, the Board looks forward to resuming its meetings in-person at the appropriate time. Chair Gansel took the opportunity to thank Chief MacCulloch, his Executive Leadership Team, and the Uniform and Civilian Members of the Niagara Regional Police Service, who have been working under difficult circumstances with rules and processes that are changing daily. He also thanked everyone for joining this meeting: Niagara Region residents, members of the media, and Niagara Regional Police staff for their support and staying connected.

Tribute to Indigenous Lands – Although this meeting is taking place on the phone, the Board acknowledges that the land on which the teleconference meeting is held is the traditional territory of First Nations peoples. In particular, the Board recognizes and thanks the Haudenosaunee and Anishinaabe peoples for their stewardship of these lands over the millennia, as well as the First Nations peoples in Canada for their ongoing and important roles in caretaking of the lands beneath our feet whenever we stand on Turtle Island.

Police Presentation to Regional Council – On July 23rd at 4:00 pm, Vice-Chair Steele, Member McKendrick and Chief MacCulloch will attend a Special Regional Council Meeting to provide a presentation in response to a request made by Regional Council. The meeting will provide an opportunity for Regional Council and members of the public to hear directly from the Board and Police Service to respond to matters and concerns that have been raised with respect to police accountability, reform, and community safety priorities. Interested participants are able to join the meeting being held virtually on the Niagara Region website at www.niagararegion.ca

K9 Graduation Ceremony - On July 16th, the Service hosted a virtual Canine Graduation Ceremony from the Community Room at Police Headquarters. Chair Gansel attended with Chief MacCulloch to welcome the newest members of the K9 Unit - Constable Robert Viger and Police Service Dog "Ranger" and Constable Dan Campbell and Police Service Dog "Atlas". In keeping with the guidelines of COVID-19 restrictions for social gatherings, there was only a very limited number of attendees at the ceremony; however, the event was live-streamed so that friends, family members and the public could watch the ceremony.

1 District Facility Project - On July 24th, Chair Gansel and Member Eke will be participating in the virtual Joint Region and Police Facilities Accommodations Steering Committee meeting. There is a full report on the progress made for the 1 District (St. Catharines) facility, which is included on this agenda, listed as Item #122. The Committee is also scheduled to meet on August 25th and on September 22nd and further updates will be provided as the project advances.

Upcoming PSB Meetings - In keeping with meeting schedule practices for Regional Council, local area municipalities and Agencies, Boards and Commissions; as well as other Police Services Boards, there are no Board or Committee meetings scheduled during the month of August. The Board meetings will reconvene in September. The next Committee Meeting will be held Thursday, September 10th and the next Board Meeting will be held Thursday, September 24th at 8:30 am.

REPORTS FROM THE CHIEF OF POLICE

Continuing COVID-19 Situation - The Niagara Regional Police Service continues to manage and adapt to the ever-changing reality of the COVID-19 pandemic and the impact it is having on the Niagara communities. The Government of Ontario has again extended most Emergency Orders currently in force until July 29, 2020 as a result of the enactment of the Emergency Management and Civil Protection Act (EMCPA). Also, as of July 17th, the Government moved many parts of the province to Stage 3 in its framework to recovery plan. Niagara was not included in this Stage 3 easing of restrictions. However on July 24th, the Niagara Region will itself enter Stage 3. The introduction of Stage 3 will allow for the easing of various Emergency Order restrictions in place. This will include the permitted increase from a maximum of 10 people at a social gathering to 50 people indoors and 100 people at outdoor settings along with the opening of indoor areas of restaurants, bars, libraries and gyms that will have physical distancing restrictions and requirements in place.

As of July 17, 2020, a new mandatory mask by-law in the City of St. Catharines came into effect. The by-law requires that all persons wear a mask or face covering in enclosed public spaces, and this includes members of the Niagara Regional Police Service. For greater clarity, enclosed public spaces means all, or any portion of a building that is located indoors and where the public is ordinarily invited or permitted access whether or not a fee is charged or a membership is required for entry. As a result of this by-law, there will be signage posted within the 1 District facility in St. Catharines advising members of the public of the mandatory mask requirement as per the by-law. At this time, the NRPS will not be providing masks to members of the public who enter 1 District without one. Since the City of St. Catharines enacted its mask by-law, the Town of Niagara-on-the-Lake has now enacted a similar mask wearing by-law as it pertains to public indoor spaces. The Service will continue to monitor the various mandatory wearing of masks debates within political forums throughout the Region, which is a topic slated for debate by the Regional Council at its July 23, 2020 Council meeting. The Service will adjust accordingly should any further by-laws be enacted.

Life within Niagara Region continues to be far from “normal” and the Province and Public Health authorities continue to stress physical distancing, frequent hand-washing and encouraging people to stay at home when ill. This Service continues to encourage its members to observe these safety measures, both in the workplace, as well as in their personal lives when off-duty. The NRPS Pandemic Business Continuity Committee continues to meet regularly to adapt its methods as needed. A Return to Work Sub-Committee was also created to develop a comprehensive strategy on how to return members safely back to the workplace who have been working remotely from home in the midst of COVID-19. The Service has and continues to be vigilant and methodical in its approach to ensure the safety of all its members. Police staff remain flexible and adaptable to changing circumstances based on a combination of government and public health direction and staff continue to closely monitor what is taking place within the community.

As of July 20, 2020, all sworn members and civilian managers of the Service who were working remotely have returned to the workplace. As of August 17, 2020, the Service will see the return of all identified members who are currently working remotely. Further, all workplaces throughout the Service have been assessed to ensure compliance with physical distancing recommendations and the safety of its members.

Where alterations were identified, those requirements have been/are being put in place prior to the return to work of members. The Service continues to work with stakeholders including all municipalities, the Region and Public Health. Police staff continue to participate in the Emergency Operations Centre (EOC) to help guide through these evolving times. Included within this cooperation framework, members of the Service continue to assist municipal by-law officers in ensuring the compliance of Emergency Orders through education and in some cases through being present when necessary enforcement action has been taken for offences committed. The Niagara Regional Police Service to date has itself issued five (5) Provincial Offence Notices for failing to comply with Emergency Orders and has received a total of 629 COVID-19 specific calls for service related to EMCPA Emergency Orders.

In terms of calls for service, currently the NRPS is trending at or above pre-pandemic levels. This has been the case for a little over two months. There has been no significant deviation of calls for service in respect of geographical area, as it pertains to any vulnerable group or any serious breaches of the peace related to the pandemic. The Service continues to maintain an adequate supply of personal protection equipment or PPE, including N95 masks, gloves, hand sanitizer and wipes. This supply of PPE's and the supply chains continues to be monitored and assessed to ensure the Service is well positioned for any future possibilities. Since the start of the pandemic back in March of this year, the Service has been able to maintain adequate staffing levels and has not had to cancel any scheduled time off for members. As of this date, the NRPS has not had any confirmed cases of COVID-19 affecting any of its members, which is obviously very good news and a testament its members are adhering to the safety precautions.

In an effort to safeguard and ensure that members have the most current and accurate information, Chief MacCulloch has issued 42 update mass email messages and continues to host virtual Town Hall meetings when necessary as another means to share information and provide an opportunity for members to ask questions related to COVID-19. These updates are forwarded to the Board to ensure its members are made aware of the developments as it pertains to the NRPS operating in the era of COVID-19. Chief MacCulloch stated that all members of the Service, sworn and civilian have done an outstanding job during this unprecedented challenge and he thanked them for their continued dedication and professionalism as they continue to serve the community. Chief MacCulloch reminded that as Niagara Region moves into Stage 3, all individuals must continue to be vigilant in practicing good hygiene, physical distancing and wearing masks when physical distancing is not possible.

NRPS Evidence Management Unit (EMU) Accreditation - In Spring of 2018, the Niagara Regional Police Service began the intensive process to be accredited by the International Association for Property and Evidence (IAPE). All EMU staff members were trained in accordance with IAPE standards, along with a 16 section checklist that had to be completed in full, with over 800 questions to be addressed. Documentary and photographic evidence of compliance was compiled and forwarded to the IAPE for their consideration.

In February 2020, an on-site accreditation inspection process commenced. Over a one-week period, every facet of EMU operations were scrutinized by the IAPE inspection team. Audits were conducted, the accreditation checklist was reviewed in detail and compliance claims were verified. At the conclusion of the on-site inspection, four (4) areas were identified as 'critical requirements', points to be addressed prior to accreditation being granted. Over the next two months, in addition to their regular duties and in the midst of the COVID-19 pandemic, the EMU staff worked diligently to elevate their operations to achieve the required standard.

On June 29, 2020, the IAPE informed that the Niagara Regional Police Service had met the required standard to become the first accredited Police Service in Canada and one of only 12 accredited agencies worldwide. Given the current climate and scrutiny that members and police services across the country face, it is critical that evidence collected throughout the course of an investigation is maintained and stored to the highest of standards of evidence management. As a result of receiving the IAPE accreditation, Niagara's officers, members of the public and the judiciary can have confidence in the professional manner in which evidence at the Niagara Regional Police Service is catalogued, stored and managed throughout the entirety of the investigative and court processes. Chief MacCulloch extended his sincere congratulations to all members of the Evidence Management Unit for their professionalism, dedication and attention to detail.

K9 Graduation Ceremony - Further to Chair Gansel's comment on the Canine Graduation Ceremony, Chief MacCulloch recognized the Canine Unit's supervisor, Sergeant Scott Johnstone who is recognized throughout North America as a model in police canine development and deployment. He welcomed Constable Robert Viger, Constable Dan Campbell, Police Service Dog "Ranger" and Police Service Dog "Atlas" to the Unit.

SIU Case Closure – Incident of December 29, 2019 - On December 29, 2019, a Niagara Regional Police Service officer was flagged down by a citizen who advised that a member of the public had been assaulted at a Tim Horton's located on Welland Avenue in St. Catharines. The suspect, a 32-year-old male, was subsequently located in the area by officers and detained for further investigation. However the victim could not be located and resultantly the suspect was to be released. During his release, he became confrontational and assaulted one of the officers. He was subsequently placed on the ground to affect an arrest for assault police. After the arrest, he complained of leg pain and was transported to the hospital for examination where he was diagnosed with a broken ankle. Given the injury, the SIU was notified and invoked their mandate to investigate. Two officers were designated as Witness Officers and one officer was designated as a Subject Officer. On July 3, 2020, the Service received notification from SIU Director Joseph Martino. In his closure letter he advised that the SIU has concluded their investigation and there are no grounds for criminal charges against any officer. No concerns were expressed by the SIU Director in his notification letter.

Operational Statistics:

Attempted Homicides

- 0 for this reporting period with a total of 2 for 2020 to-date compared to year-end totals of 2 in 2019, 7 in 2018, 3 in 2017 and 1 in 2016.

Homicides

- 0 for this reporting period with a total of 3 for 2020 to-date compared to year-end totals of 7 in 2019, 2 in 2018, 3 in 2017 and 1 in 2016.

Life-Threatening Motor Vehicle Collisions (MVC)

- 0 for this reporting period.

Fatal Motor Vehicle Collisions (MVC)

- 5 for this reporting period with a total of 11 for 2020 to-date compared to year-end totals of 13 in 2019, 13 in 2018, 16 in 2017 and 16 in 2016.

Fatal MCV - Incident of June 3, 2020 - Police responded to a report of a single motor vehicle collision on Sixteen Road, west of Shaw Road in the Town of West Lincoln. Investigation determined that a 29-year-old male driver was operating a Nissan Maxima at a high rate of speed eastbound on Sixteen Road. Also in the vehicle were two passengers. The driver lost control of the motor vehicle, which entered a field on the north side of the roadway causing the ejection of the driver and one of the passengers. The driver was pronounced deceased at the scene. The two passengers were transported to hospital with serious injuries. Both passengers are now out of the hospital recovering at home. The investigation into this matter continues.

Fatal MVC - Incident of June 7, 2020 - Police responded to a report of a single motor vehicle collision on Stanley Avenue near Livingstone Street in the City of Niagara Falls. Investigation determined that a group of motorcycle riders had been travelling northbound on Stanley Avenue near Livingstone Street when one of the riders lost control of their motorcycle for unknown reasons. The 52-year-old female operator became separated from her motorcycle and struck a sign. She was transported to a local hospital where she was pronounced deceased as a result of her injuries. This collision continues to be investigated.

Fatal MVC - Incident of June 8, 2020 - Police responded to a report of a single motor vehicle collision at the Allanburg Bridge in the City of Thorold. Investigation determined that a Jeep Grand Cherokee was being operated eastbound on Regional Road 20 at a high rate of speed when it crossed the centre line and left the roadway from the north side of the road. The vehicle passed through a fence and landed in the Welland Canal.

The 23-year-old male driver was pronounced deceased at the scene, a 28-year-old female passenger survived the collision with minor injuries. Both the vehicle and deceased driver were recovered by the Service's Underwater Search and Recovery Unit. The investigation into this matter continues.

Fatal MVC – Incident of June 12, 2020 - Police responded to a report of a single motor vehicle collision on the North Service Road, near Sann Road in the Town of Lincoln. Investigation determined that a Ford Focus was travelling eastbound on the North Service Road when it travelled onto the south shoulder of the roadway and struck a hydro pole. This collision redirected the vehicle into a chain link fence that separates the QEW and the North Service Road where it came to rest. The 18-year-old female driver was transported to hospital as a precaution, however a 20 year old male passenger was ejected from the vehicle and pronounced deceased at the scene. Speed and alcohol are not considered factors in this collision. The investigation into this matter continues.

Fatal MVC – Incident of June 20, 2020 - Police responded to a serious injury fail to remain collision that occurred on Lundy's Lane, west of Beaverdams Road in the City of Niagara Falls. Investigation determined that a 95-year-old female pedestrian was walking across Lundy's Lane northbound. Also at this time, a Mercedes motor vehicle was westbound on Lundy's Lane travelling at a high rate of speed. The pedestrian was struck by the Mercedes that failed to stop. The pedestrian was transported to a local hospital by EMS, then to an out of town hospital where she succumbed to her injuries. Further investigation into this matter led to the arrest of the driver of the Mercedes, a 23-year-old male, who has been charged with Dangerous Operation of a Motor Vehicle Causing Death and Failing to Remain at the Scene of an Accident. The investigation into this matter continues.

Enforcement Initiatives:

NRPS Investigating St. Catharines Sexual Assault in the Hydro Hill Area – Update 3 - On June 26, 2020, Detectives arrested a male in connection with a violent sexual assault that occurred on June 18, 2020, in the Hydro Hill area of St. Catharines. The 29-year-old male is facing a number of charges including Sexual Assault Causing Bodily Harm, Sexual Assault with a Weapon and Forcible Confinement. The male was also charged in connection with an earlier incident of alleged harassment on June 18, 2020, on Merritt Trail along 12 Mile Creek in St. Catharines.

Welland Male Facing Numerous Firearms Related Charges - On June 24, 2020, Welland uniform officers were called to the area of Nelles Road and McNaughton Road in the City of Welland following the report of an armed barricaded male inside a residence. As a result of the information initially received, and out of concern for public safety, the Emergency Task Unit was called for assistance. The situation was de-escalated and the male was taken into custody without incident by officers with the Welland Detective Office. A subsequent search warrant at the home on June 25, 2020, resulted in the seizure of six (6) firearms. A 28-year-old male is facing a number of charges including Uttering Death Threats, Assault with a Weapon and two counts of Careless Storage of a Firearm.

NRPS Amber Alert Results in Child Being Located Safe and an Arrest in St. Catharines - At approximately 9:00 am on June 28, 2020, St. Catharines uniform officers were contacted regarding a possible parental abduction. Further investigation by officers with the St. Catharines Detective Office led to concerns regarding the welfare of the 6-year-old child, leading to an Amber Alert. At approximately 1:10 pm, as a direct result of the Amber Alert issued at 12:30 pm, the suspect male and child attended the St. Catharines office of the Niagara Regional Police Service located at 68 Church Street. The suspect surrendered himself to officers and was arrested without incident. The child was safe and uninjured. The 44-year-old male is facing charges in relation to Abduction in Contravention of Custody or Parenting Order and Disobeying Order of the Court.

Eleven People Arrested in Relation to Drug Investigation in St. Catharines - In May 2020, members of the Niagara Regional Police Service, Guns, Gangs and Grows Unit and the Opioid Enforcement Unit, began an investigation into a large scale illegal cannabis grow operation in the area of Third Street Louth and Main Street in the City of St. Catharines. The investigation commenced as a result of complaints from members of the public. On June 30, 2020, police executed a search warrant at that address after obtaining authorization from a Justice of the Peace. Police entered the property and immediately observed a well-organized, large-scale cannabis growing operation. Police located 11 persons working and tending to the cannabis plants found within.

Upon searching the property, police found approximately 17,200 plants in various stages of growth. The estimated value of the marijuana is approximately \$34 million. This is the largest marijuana grow operation investigated by the Niagara Regional Police Service. Eleven people were arrested at the scene and charged. Illegal operations such as these pose several concerns and potential issues for the community and nearby residents; including offensive odour and the potential for violence. Should members of the public have questions surrounding cannabis production they can contact the Niagara Regional Police Guns, Gangs and Grows Unit or members of the Provincial Joint Forces Cannabis Enforcement Team.

Drug Investigation Leads to an Arrest in St. Catharines - Since March of 2020 members of the Guns, Gangs and Grows Unit and the Opioid Enforcement Unit of the Niagara Regional Police Service have been investigating the sale of cocaine from a St. Catharines residence, in the area of Weiden Street and Linwell Road. The investigation led Detectives to identify a male suspect, which resulted with an arrest on July 16, 2020, through assistance of members of the Emergency Task Unit. As a result, Detectives seized a loaded 40-caliber handgun, additional ammunition for the firearm including hollow point style bullets, powder cocaine, crack cocaine and \$15,840 in currency believed to be the proceeds of drug sales. In addition, a BMW that was part of the drug trafficking operation was seized as offence related property. The controlled substances carry an estimated street value of \$7,365. A 25-year-old male is facing a number of charges including Possession for the Purpose of Trafficking, Unauthorized Possession of a Prohibited Firearm and Tampering with Serial Number of a Firearm.

PRESENTATIONS

There were no presentations.

CONSENT AGENDA

121. Niagara College – Summary of Police Services Board's Bursary Fund

The Board considered letter dated June 2020 from Erica Walters, Development Officer, Niagara College, providing the Board with a financial summary of the Board's Bursary Fund for the 2019-2020 academic year.

122. NRPS 1 District (St. Catharines) Project Status Report

The Board considered memo dated July 6, 2020 from Nicole Menard, Senior Project Manager, Construction, Energy, & Facilities Management, Niagara Region, providing the Board with a Project Status Report on the NRPS 1 District facility for June 2020

123. Quarterly Report – Brock University Special Constables – April 1 to June 30, 2020

The Board considered report dated July 6, 2020 from Scott Johnstone, Senior Associate Vice President, Infrastructure and Operations, Brock University, providing information relating to the complaints, use of force, discipline and arrests associated to officers designated as Special Constables employed through Brock University Campus Security Services.

124. Quarterly Report – Authorized Strength as at July 1, 2020

The Board considered Service report dated July 1, 2020 providing a summary of the actual versus authorized strength by rank/salary band of the uniform and civilian complement of the Niagara Regional Police Service.

125. Annual Report – Domestic/Family Violence - January 1 to December 31, 2019

The Board considered Service report dated July 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 336-2013.

126. Annual Report – Homicide and Attempted Homicide Investigations - January 1 to December 31, 2019

The Board considered Service report dated July 6, 2020 submitted in accordance to the reporting requirements set out in Board By-law 231-2000.

127. Annual Report – Response to Emotionally Disturbed, Mental Illness or Developmental Disability - January 1 to December 31, 2019

The Board considered Service report dated July 8, 2020 submitted in accordance to the reporting requirements set out in Board By-law 205-2000.

128. Annual Report – Problem Oriented Policing and Community Patrol - January 1 to December 31, 2019

The Board considered Service report dated July 9, 2020 submitted in accordance to the reporting requirements set out in Board By-laws 191-2000 and 193-2000.

129. Annual Report – Victims' Assistance - January 1 to December 31, 2019

The Board considered Service report dated July 6, 2020 submitted in accordance to the reporting requirements set out in Board By-law 322-2012.

Moved by: B. Steele

Seconded by: T. McKendrick

That the information be received.

Carried.

NEW BUSINESS

130. Niagara Regional Police Service – 2021 Capital Budget and 9-Year Capital Forecast

The Board considered Service report dated July 10, 2020 requesting the Board approve the proposed 2021 Police Service Capital Budget and 9-Year Capital Forecast. (A copy of the Chief's PowerPoint presentation is included with the Service report).

Moved by: H. D'Angela

Seconded by: D. Eke

That, subject to approval by Regional Council of the consolidated Capital Budget, the Niagara Police Services Board approves the following with regards to the 2021 Police Service Capital Budget and Forecast:

- 1. That the 2021 Capital Budget of the Niagara Regional Police Service of \$8,838,500 as summarized in Appendix 1, be approved.**
- 2. That financing in the amount of \$8,825,000 be initiated upon approval of the 2021 Capital Budget and be allocated to the projects as summarized in Appendix 1. Financing for the 2021 Capital Budget is comprised of transfers from the Police Capital Levy Reserve in the amount of \$1,425,000; from the Vehicles and Equipment Replacement Reserve Fund in the amount of \$1,400,000 and from debenture debt in the amount of \$6,000,000.**
- 3. That the 9-Year Capital Forecast be received as a guideline for the development of future Capital Budgets.**

Carried.

131. NRPS 2019 Annual Report – January 1 - December 31, 2019

The Board considered Service report dated June 24, 2020 submitted in accordance to the reporting requirements set out in Board By-law 262-2003 providing a "draft" copy of the Niagara Regional Police Service's 2019 Annual Report and further requesting final approval of the 2019 Annual Report.

Moved by: K. Gibson
Seconded by: T. McKendrick

That the Board approve the Niagara Regional Police Service's 2019 Annual Report;

And further, that the document be posted on the NRPS website and that Regional Council be notified pursuant to Section 32(1) of Ontario Regulation 3/99, the Adequacy & Effectiveness of Police Services, and the Information Sharing Protocol between the Board and the Region.

Carried.

132. Niagara Region Sexual Violence Advocate Case Review Program – Memorandum of Understanding

The Board considered Service report dated July 2, 2020 advising the Board of the Service's intention to enter into a Memorandum of Understanding between the NRPS and the organizations listed as part of the "Niagara Sexual Violence Advocacy Group" to ensure best practice responses to sexual assault reports involving adult suspects.

Moved by: T. McKendrick
Seconded by: B. Steele

That the Board approve the Memorandum of Understanding respecting the Niagara Region Sexual Violence Advocate Case Review Program between the Niagara Region Sexual Assault Centre, CARSA Inc.; Centre de Santé Communautaire Hamilton/Niagara; Gillian's Place and Women's Place of South Niagara, collectively known as the "Niagara Sexual Violence Advocacy Group" and the Niagara Regional Police Service;

And further, that the Chief of Police be authorized to execute the required documentation.

Carried.

133. NRPS Records Classification and Retention Schedule

The Board considered Service report dated July 1, 2020 seeking Board approval for a revised Classification and Retention Schedule, Appendix "A", for Business Activities to Board By-law 291-2009 in compliance with the Ministry of the Solicitor General's Adequacy Standard AI-007.

Moved by: D. Eke
Seconded by: H. D'Angela

That the Board approve and append the revised Niagara Regional Police Service's Records Reclassification and Retention Schedule, Appendix "A" for Business Activities to Board By-law 291-2009, as attached to the report.

Carried.

134. Annual Report – Missing Persons Act

The Board considered Service report dated July 22, 2020 providing the Board with the Service's Annual Report under Section 8 of the *Missing Persons Act, 2018*.

Moved by: K. Gibson
Seconded by: B. Steele

That the information be received;

And further, that the report be provided to the Ministry of the Solicitor General and posted on the NRPS website pursuant to Section 8 of the *Missing Persons Act, 2018*.

Carried.

OTHER NEW BUSINESS

Ministry of Transportation – Extended Validation Period due to COVID-19 - Member Gale advised receiving inquiries about how police are addressing expired licence plate tags at this time. Chief MacCulloch confirmed that the Ministry of Transportation has extended the validity of government driver, vehicle and carrier products until further notice and that licence plate tags that have surpassed their expiry date continue to remain valid. He also advised that messaging for discretion by officers has been communicated and police will continue to use discretion once the Ministry announces an effective date to ensure everyone is well aware the Ministry's renewal directives. Chief MacCulloch reminded that MTO renewals can be done on-line as well.

IN CAMERA REPORTS

There were no in-camera reports from the June 25, 2020 Confidential Meeting.

ADJOURNMENT

The Public Meeting adjourned at 10:04 am.

Kenneth A.W. Gansel, Chair

Deb Reid, Executive Director

Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

July 27, 2020

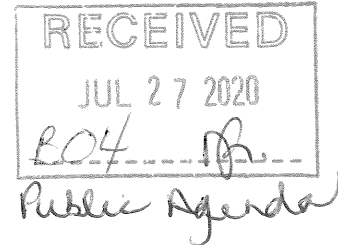
CL 12-2020, July 23, 2020

BRCOTW 1-2020, June 25, 2020

CSD 41-2020, June 25, 2020

DISTRIBUTION LIST**SENT ELECTRONICALLY**2021 Budget Planning

CSD 41-2020



Regional Council, at its meeting held on July 23, 2020, passed the following recommendation of its Budget Review Committee of the Whole:

That Report CSD 41-2020, dated June 25, 2020, respecting 2021 Budget Planning, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2021 budget timetable (option A) per Appendix 1 of Report CSD 41-2020 **BE APPROVED**; and
2. That Report CSD 41-2020 **BE CIRCULATED** to agencies, boards and commissions (ABC's) in accordance with By-Law 2017-63 Budget Control.

A copy of CSD 41-2020 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:kl

CLK-C 2020-176

Distribution List

Niagara Regional Housing
 Niagara Regional Police Services Board
 Niagara Peninsula Conservation Authority

cc:

T. Harrison, Commissioner, Corporate Services
 H. Chamberlain, Director, Financial Management & Planning, Deputy Treasurer
 M. Murphy, Associate Director, Budget Planning and Strategy

Subject: 2021 Budget Planning

Report to: Budget Review Committee of the Whole

Report date: Thursday, June 25, 2020

Recommendations

1. That the 2021 budget timetable (option A) per appendix 1 **BE APPROVED**.
2. That this report **BE CIRCULATED** to agencies, boards and commissions (ABC's) in accordance with By-Law 2017-63 Budget Control.

Key Facts

- The purpose of this report is to initiate the 2021 budget process, approve the Budget Review Committee of the Whole timetable, inform Council of the preliminary assessment of pressures and opportunities impacting service delivery, and to propose the strategy for the preparation and presentation of the 2021 Tax Levy, Water, Wastewater and Waste Management Operating and Capital Budgets.
- This planning report is a departure from previous reports as it is not seeking to approve direction on percentage increases for the components of the Budget Planning By-law but rather providing a framework for the process whereby Council will be able to make budget decisions when budget information is presented to Council throughout the fall.
- Recognizing the reality of the impact of COVID-19, staff are proposing a strategy for the 2021 budget that acknowledges the difficulties of job losses, need for economic recovery balanced with the needs of critical and essential services.
- Notwithstanding the budget pressures forecast, the proposed budget strategy will be to present a budget increase not to exceed Core Consumer Price Index target of 2%, before addressing impacts of COVID-19, in a transparent manner that will allow Council to understand the mitigation options proposed.
- The budget impact of COVID-19 will be identified explicitly throughout the budget process. There is a reasonable expectation of mitigation from upper levels of government that will also be identified in the monthly Financial Impact Update report. Should this funding be insufficient or not realized the net budget impact will be fully disclosed.

Financial Considerations

The Budget Planning By-law approved on October 17, 2019, provides the framework for preparing and presenting the budgets of the Niagara Region. The four areas of budget development included in the by-law are:

1. Base services: Ongoing costs and revenues that are influenced by multi-year contracts, collective agreements and inflationary pressures and funded through sustainable budget increases.
2. Capital program: requirements of the Asset Management Plan should be funded in accordance with the Capital Financing Strategy and with a separate operating budget increase
3. New programs: should be funded through separate increases so not to erode ability to delivery base services.
4. Assessment Growth: After Tax Increment Grants (TIGs) are funded, consideration is given to fund both growth operating and capital programs, for a net impact of zero

Following the by-law methodology, the following was the forecast for 2021 operations as prepared during the 2020 budget process.

Table 1: Multiyear Financial Plan Increase

	Levy Increase	Water & Wastewater Increase	Waste Management Increase
Base Services	3.0%	2.0%	9.9%
Capital Program	1.1%	3.2%	0.0%
New Programs	0.2%	0.0%	0.0%
Assessment Growth	Net 0%	N/A	N/A
Total	4.3%	5.2%	9.9%

Given the COVID-19 pandemic impact on the community, staff recognize the importance of proposing a budget with a more moderate impact on the taxpayer to allow for economic recovery. However, it must incorporate the new incremental costs associated with the 'new normal' and still be guided by the by-law principles of sustainability and transparency.

To that end the strategy for 2021 is to propose a budget with an all in cost of 2% in line with forecast inflation plus the increased cost of delivering services based on the new

COVID-19 protocols, which will be quantified over the coming months. Given the increasing demands of capital and the significant Asset Management Plan backlog that is described more fully in the Analysis section of this report, the strategy is that the 2% be shared equally with 1% to operating costs and 1% to support capital renewal costs. The final decisions, as always, will be made by Council through the budget deliberations and with receipt of full disclosure of pressures, mitigation strategies and associated risks. This treatment would apply to Levy and Rates, and be suggested as a consistent strategy to the ABCs.

Council will be informed of incremental COVID-19 pressures in the monthly COVID-19 financial updates and these will be incrementally identified with the budget.

Analysis

Proposed Budget Strategy

The Budget Planning By-law formalized best practices and principles for use in the preparation of the Region's annual budgets. The by-law has four main budget development areas that were to guide budget planning in a transparent and sustainable manner. While staff would typically follow the Budget Planning by-law in the development of the proposed annual budget strategy, it is recognized that the impacts of COVID-19 have driven the need to propose a different strategy for 2021. The strategy proposed in this report takes into consideration the negative impacts on the community resulting from the pandemic, as well the need to continue to focus on delivering municipal services in a safe and responsible manner. The strategy proposed is not to exceed the Core Consumer Price Index target of 2%, before addressing impacts of COVID-19.

To understand the limitation on operating and capital budgets of proposing only a 2% in light of the forecast noted above, staff analyzed the historical demands of both operating and capital budgets. As more asset management information became available the capital budget continued to grow with very limited funding in the operating budget to support those capital costs. Of the total tax levy only 13% goes to fund the capital program and on the water and wastewater program 42% goes to fund the capital program. The capital budget (net of growth projects) as a proportion of the total annual budgets has grown to over 40%, whereas the average share of the budget increase dedicated to funding capital is approximately 28%. As a result, we need to continue to defer capital and without the investments to sustain the Region's capital assets the risk of asset failure or reduced level of service will increase.

Based on the above trend it is proposed that the 2% strategy for 2021 budget increase be apportioned 1% to support operating programs and 1% to funding that supports the capital program. This direction is proposed as well for the rate programs and ABCs. Considerations for this approach are further explained below:

Base Services

Per the by-law, budgeting for operating costs of service delivery is generally influenced by inflation and collective agreements that are often tied to inflation. While these are generally not the same as CPI, it is recognized that CPI is more easily understood, the strategy for budgeting for these costs is to align to CPI and the impacts of this constraint on service levels is disclosed throughout the budget process.

The multiyear forecast prepared in the 2020 Budget identified a 2021 pressure to base services in the amount of 3% for levy programs, 2% for water and wastewater and 9.9% for waste management. Main factors driving the multi-year budget are:

- Levy: Labour related costs of \$10 million, development charge exemptions of \$2.4 million
- Water & Wastewater: Labour related costs of \$0.9 million, repairs and maintenance of \$0.6 million,
- Waste Management: Recently awarded curbside collection contract increase of \$8.1 million approved with 2020 budget

Achieving a 1% increase in operating budgets will be challenging as a result of a number of operating considerations including:

- KPMG Sustainability Review identified the Region's operating budget is lean therefore cost reductions will likely impact service levels. Additionally KPMG did identify a number of opportunities for service delivery changes that could be further investigated to provide budget mitigation options.
- Operating programs are not as easily deferred as capital (both result in reduced level of service)
- Inflationary pressures (union contracts, multiyear contractual obligations etc.) will continue to impact operating
- New normal of COVID-19, expense and revenue pressures (these will be discussed separately below)
- Water flows for 2020 are forecast to be down by 3% due to COVID-19 related business closures. Should this trend continue into 2021, this would put pressure

on the wholesale variable rate for water which would be based on the reduced consumption.

Capital Program

Per the by-law, financing to address the capital funding gap in the Asset Management Plan (AMP), Safe Drinking Water Act Financial Plan and capital budget reports is presented separately from the base budget. By doing so it allows for the transparent disclosure and separate request for sustainable funding of the infrastructure gap. Council approved a Capital Financing Policy in October 2019 that established additional guiding principles for the basis of the capital financing request in the operating budget.

In alignment with Council's priority of responsible growth and infrastructure planning a 10 year financing plan was created to support the Asset Management Plan and the elimination of the \$546 million capital backlog identified in 2016. Table 2 compares the 2020 10-year capital forecast of \$3 billion to the principles of the Capital Financing Policy. The principles apply funding based on project type i.e. pay-as-you-go/reserves for AMP, development charges (DCs) for growth and debt for strategic investment. The result is a gap in reserves to fund renewal projects of approximately \$1.2 billion over 10 years. Due to a lack of incremental operating budget for pay-as-you-go/reserves to fund capital, the backlog has grown as projects continue to be deferred. In addition the strategy requires additional financing to support \$37M of debt over 10 years for strategic investments.

Table 2: 2020 Consolidated 10 Year Capital Forecast vs Current Funding (\$millions)

Funding Source	AMP Expenditure	Growth Expenditure	Strategic Investment Expenditure	Total Expenditure	Current Funding available	Funding Strategy realignment
Reserves	1,870			1,870	722	1,148
Debt			362	362	325	37
DCs		564		564	564	
Other			52	52	52	
Gas Tax			147	147	147	
Total	1,870	564	561	2,995	1,810	1,185

The annual current contributions to Capital reserves is \$67 million. This is not sufficient when compared to either the annual amortization (annual consumption of assets based on useful life and historical cost) of \$87 million or the 10-year Average Annual Renewal Investment ("AARI") (annual investment needed to sustain existing assets based on

replacement value) of \$225 million (Levy \$78M, ABCs \$9M, Waste Management \$3M, Water and Wastewater \$135M).

Since Levy, Water and Wastewater make up the majority of the backlog funding gap, two capital strategies have been developed to address the gap and achieve financial sustainability.

For the Levy capital program excluding ABCs, using a strategy of an annual incremental capital levy contribution of 2.16%, provides \$85 million at the end of 10 years, which increases the annual contribution for Levy from \$17 million to \$102 million for asset sustainment. When compared to the 2016 Asset Management Plan 10-year Levy AARI of \$78 million indexed to 2028 using the Non-Residential Building Construction Index, the AARI required to sustain existing infrastructure is \$106 million; this aligns to the capital reserve contribution at the end of the 10-year plan.

For the Water and Wastewater capital program, a strategy was developed in accordance with O.Reg. 453/07 Water and Wastewater financial plan. Due to the need for increased sustainable funding, the plan identified a need for an annual increase of 5.15% for 10 years to support operating and capital budgets (2% for operating and 3.15% for capital). At the end of the 10 years the annual contribution to capital would be \$80 million for asset sustainment. When compared to the 2016 Asset Management Plan 10-year Water and Wastewater AARI of \$135 million indexed to 2028 using the Non-Residential Building Construction Index, the AARI required to sustain existing infrastructure is \$214 million. Until annual contributions to capital are sufficient to support the AARI, the strategic use of debt will be needed to transition the Water and Wastewater capital program to financial sustainability.

In order to continue to make progress towards a sustainable capital plan staff have proposed as part of the 2021 budget a 1% increase in operating contributions to support capital. Due to the 2.16% required for the levy and 3.15% increase needed for water and wastewater as identified above, a 1% increase dedicated to capital will still require project deferrals. The Asset Management Office has developed a capital asset management resource allocation model (CAMRA) to facilitate the prioritization of capital spending. All capital projects will be run through this model and those that are not included in the 2021 Budget due to funding constraints will be deferred into the 10 year forecast but will not reduce the 10 year funding gap.

New Programs

As per the by-law, new programs and services should be identified separately from the existing service pressures. Some examples of these types of initiatives include Council priorities, programs reflecting the changing needs of the taxpayer or changes in provincial funding methodologies. It is important that in offering these new programs the funding source should not erode funding of existing programs and the use of unsustainable funding should only be considered for time limited or transitional periods.

Acknowledging the impact of COVID-19 no new programs will be recommended for 2021. Programs that were deferred from the 2020 operating budget had been included in the multi-year budget as program changes for consideration in 2021. These program changes totaled \$646 thousand (0.2% of the levy) and included items such as sports tourism and external mass notification system. These may be reconsidered in the 2022 budget or beyond.

Assessment Growth

As per the by-law, use of assessment growth funding is prioritized first to tax increment grants (TIGs), operating growth costs and the development charge residual on growth capital projects (i.e. growth capital costs that are not eligible for development charge funding if necessary). Should there be any remaining assessment growth it would be used to help fund the capital financing gap and new programs, with any residual aimed at driving new growth or other Council priorities, however given the current environment of capital shortfalls this is unlikely.

Assessment growth has been forecasted for 2021 at 1.2% (\$4.5 million). The economic slow-down as a result of COVID-19 is not expected to have a significant impact to 2021 assessment growth as the growth experienced for 2021 is primarily representative of the development that occurred in 2019. In order to manage the risks involved with the estimate of assessment growth and needs of the Niagara Region, staff do not recommend allocating assessment growth to any costs other than those committed to TIGs and growth related capital costs at this time as we continue to monitor estimates and requirements.

COVID-19 Incremental Costs

Staff have been monitoring and assessing the financial impacts to the Region since the onset of the COVID-19 pandemic. Staff will continue to provide monthly updates to

Council for the remainder of the year and will begin to identify incremental COVID-19 costs that will form part of the new normal in the 2021 budget. As a result of the uncertainty surrounding these incremental costs and any potential new funding sources, staff will present these to Council separately from the 1% operating and 1% capital increases. It is recognized that there may be base budget and one-time costs in the budget to reflect the way the Region delivers particular services due to COVID-19 which may include costs such as personal protective equipment, extra cleaning disinfecting costs and supplies, modifications to work spaces to allow for physical distancing and executing a vaccination program.

The above impact will be presented net of any funding from upper levels of government which we expect to realize on an on-going basis for some of our services. Additionally, with the recovery plan (Open Niagara) may identify opportunities to realize savings from items such as reductions in required office space due to staff working remotely. The impact presented will be net of any savings related to costs that will not be incurred or savings that may be realized as a result of business changes brought on by COVID-19.

Budget Timetable

The proposed budget timetable (option A) is provided in appendix 1, with the objective of approving most of the 2021 budget before the end of the year. The operating budget deliberations have been delayed by one month each with the levy budget to be considered in January to accommodate a shift in recent priority given to dealing with the pandemic.

An alternative timetable (option B) is provided as well in the event that outstanding information regarding revenues and expenses related to COVID-19 create too much uncertainty in the budget process that can't be resolved with the regular schedule in mind. This alternative delays the rate operating budgets and levy operating into 2021.

Alternatives Reviewed

The purpose of this report is to inform Council of the 2021 proposed strategy to support the development of the operating and capital budget for 2021. Information will continue to be developed, analysed and summarized for the Budget Review Committee to facilitate decision making. As staff are not making any recommendations with respect to increases for the 2021 budget, Council will have the opportunity to consider all options throughout the budget process.

Relationship to Council Strategic Priorities

The 2021 Budget will provide the financial framework to achieve Council's Strategic Priorities.

Other Pertinent Reports

- 2021 budget forecast as presented in the 2020 multi-year budget (appendix 2)
- PW 4-2019 – Financial Plan for O.Reg 453/07 Safe Drinking Water Act financial plan
- CSD 51-2019 – Capital Financing Policy
- COVID-19 Monthly Financial updates to Council

Prepared by:

Helen Chamberlain, CPA, CA
Director Financial Management and
Planning, Deputy Treasurer
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner Corporate Services,
Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Tyler Potts, Senior Budget Analyst, and reviewed by Margaret Murphy, Associate Director Budget Planning and Strategy.

Appendices

Appendix 1	2021 Budget Timetable
Appendix 2	2021 Budget Multi-year Forecast

Appendix 1 – 2021 Budget Timetable

Option A

Meeting Type	Subject/Topic	Date
BRCOTW	Budget Planning	June 25, 2020, 4:00 p.m.
Budget Workshop	Capital	October 1, 2020, 4:00 p.m.
BRCOTW	Capital	October 15, 2020, 6:30 p.m.
Budget Workshop	Rate	November 19, 2020, 6:30 p.m.
Budget Workshop	Council Authority over ABCs	*November 26, 2020, 4:00 p.m.
BRCOTW	Rate	*November 26, 2020, 6:30 p.m.
BRCOTW	ABCs	December 10, 2020, 6:30 p.m.
Council	Rate By-laws	December 17, 2020, 6:30 p.m.
Budget Workshop	Levy	*January 7, 2021, 9:00 am
BRCOTW	Consolidated Levy	January 14, 2021, 6:30 p.m.
Council	Levy, Capital, User Fee By-laws	January 21, 2021, 6:30 p.m.

*all dates align with Council and Committee meeting weeks except November 26 and January 7

Option B

Meeting Type	Subject/Topic	Date
BRCOTW	Budget Planning	June 25, 2020, 4:00 p.m.
Budget Workshop	Capital	November 19, 2020, 4:00 p.m.
BRCOTW	Capital	*November 26, 2020, 6:30 p.m.
Budget Workshop	Rate	*January 7, 2021, 6:30 p.m.
BRCOTW	Rate	January 14, 2021, 6:30 p.m.
Budget Workshop	Council Authority over ABCs	January 14, 2021, 4:00 p.m.
Council	Rate By-laws	January 21, 2021, 6:30 p.m.
Budget Workshop	Levy	*January 28, 2021, 9:00 am
BRCOTW	ABCs	*January 28, 2021, 6:30 p.m.
BRCOTW	Consolidated Levy	February 11, 2021, 6:30 p.m.
Council	Levy, Capital, User Fee By-laws	February 18, 2021, 6:30 p.m.

*all dates align with Council and Committee meeting weeks except November 26 and January 7 & 28

Appendix 2 – 2020 Budget Multi-year Forecast for 2021

Levy

	2020 Budget	2021 Forecast	\$ Increase	% Increase
Labour Related Costs	408,729	418,748	10,019	2.5%
Administrative	32,415	32,552	136	0.4%
Operational & Supply	47,303	49,171	1,869	4.0%
Occupancy & Infrastructure	29,839	30,996	1,157	3.9%
Equipment, Vehicles, Technology	15,894	16,587	694	4.4%
Community Assistance	196,142	200,243	4,100	2.1%
Partnership, Rebate, Exemption	20,300	22,194	1,894	9.3%
Financial Expenditures	69,373	67,107	(2,266)	-3.3%
Intercompany Charges	(1,907)	(1,947)	(40)	-2.0%
Transfers To Funds	30,204	29,928	(276)	-0.9%
Expense Allocations To Capital	(140)	(143)	(3)	-2.0%
Total Expenses	848,152	865,436	17,283	2.0%
Taxation	(17,064)	(17,344)	(280)	-1.6%
Federal & Provincial Grants	(319,544)	(322,752)	(3,208)	-1.0%
By-Law Charges & Sales	(22,085)	(22,302)	(216)	-1.0%
Other Revenue	(72,054)	(73,679)	(1,625)	-2.3%
Transfers From Funds	(6,648)	(3,216)	3,432	51.6%
Total Revenues	(437,396)	(439,293)	(1,896)	-0.4%
Net Budget Before Allocations	410,756	426,143	15,387	3.7%
Indirect Allocation	(6,321)	(6,754)	(433)	-6.8%
Capital Financing Allocation	(11,865)	(9,859)	2,006	16.9%
Total Allocations	(18,186)	(16,613)	1,573	8.6%
Net Budget After Allocation	392,570	409,530	16,960	4.3%

Water & Wastewater

	2020	2021	\$	%
	Budget	Forecast	Increase	Increase
Labour Related Costs	24,852	25,762	910	3.7%
Administrative	3,433	2,233	(1,200)	-34.9%
Operational & Supply	13,166	13,508	342	2.6%
Occupancy & Infrastructure	17,700	18,053	353	2.0%
Equipment, Vehicles, Technology	6,588	6,679	91	1.4%
Partnership, Rebate, Exemption	4,010	4,010	0	0.0%
Intercompany Charges	1,777	1,814	37	2.1%
Transfers To Funds	40,749	46,112	5,363	13.2%
Total Expenses	112,275	118,172	5,897	5.3%
By-Law Charges & Sales	(1,421)	(1,421)	0	0.0%
Other Revenue	(3,162)	(2,442)	720	22.8%
Transfers From Funds	(500)	0	500	100.0%
Total Revenues	(5,083)	(3,863)	1,220	24.0%
Net Budget Before Allocations	107,192	114,309	7,117	6.6%
Indirect Allocation	4,823	5,222	400	8.3%
Capital Financing Allocation	10,927	9,740	(1,187)	-10.9%
Total Allocations	15,750	14,962	(787)	-5.0%
Net Budget After Allocation	122,942	129,271	6,330	5.2%

Waste Management

	2020	2021	\$	%
	Budget	Forecast	Increase	Increase
Labour Related Costs	3,923	3,881	(42)	-1.1%
Administrative	1,296	990	(306)	-23.6%
Operational & Supply	42,448	50,912	8,465	19.9%
Occupancy & Infrastructure	1,453	1,490	37	2.5%
Equipment, Vehicles, Technology	1,214	1,233	19	1.6%
Partnership, Rebate, Exemption	189	193	4	2.0%
Intercompany Charges	130	133	3	2.3%
Transfers To Funds	4,136	4,136	0	0.0%
Total Expenses	54,789	62,967	8,179	14.9%
By-Law Charges & Sales	(11,609)	(12,150)	(541)	-4.7%
Other Revenue	(5,191)	(5,177)	14	0.3%
Transfers From Funds	(1,604)	(4,514)	(2,910)	-181.5%
Total Revenues	(18,404)	(21,840)	(3,437)	-18.7%
Net Budget Before Allocations	36,385	41,127	4,742	13.0%
Indirect Allocation	1,499	1,532	33	2.2%
Capital Financing Allocation	938	119	(819)	-87.3%
Total Allocations	2,437	1,651	(786)	-32.2%
Net Budget After Allocation	38,822	42,778	3,957	9.9%

137.



CORPORATE SERVICES

Construction, Energy and Facilities Management
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

Subject: Niagara Regional Police Service 1 District Project Status Update

Date: August 11th, 2020

To: Deb Reid, Executive Director, Police Services Board

From: Nicole Menard, Sr. Project Manager, Construction, Energy & Facilities Management, Niagara Region



public agenda

We are pleased to submit our July 2020 NRPS 1 District Project Status Report Update.

Please don't hesitate to contact the undersigned should you have any questions or require additional information.

Respectfully submitted and signed by

A handwritten signature in black ink that reads "Nicole Menard".

Nicole Menard
Senior Project Manager, Facilities
Construction, Energy, and Facilities Management



Project Status Report

Niagara Regional Police Service - 1 District

July 2020

Issued: August 10th, 2020

Executive Summary:

Information contained in this report summarizes project activities from June 2020 to July 2020.

- Construction of the NRPS 1 District facility awarded to Merit Contractors Niagara Ltd. for \$14,833,000.
- Merit Contractors mobilized on-site April 1, 2019, and substantial performance is anticipated to be achieved by December 14th, 2020.
- All facility superstructure is complete with approx. 60 % exterior finished cladding complete.
- All interior metal stud works are nearing completion with the finalization of drywall installs scheduled to finish August 2020.
- Exterior site works have commenced and will continue over the next 2 months.
- The project has achieved its “closed in” milestone.
- The project is tracking within the current revised project budget of \$20,495,519.

Key Accomplishments / Project Status:

Merit Contractors have been re-mobilized on-site, since May 5th, 2020:

- Continuation of mechanical & electrical rough-ins on both 2nd & ground floor levels.
- Installations of the curtain wall framing is approx. 95% complete with approx. 85% of new glazing panels installed. Plywood installed in areas still awaiting glazing installations.
- The majority of new mechanical equipment for the Mechanical Room has arrived and installations have begun (hot water tank, make-up air units, etc.)
- 95% of ground floor interior metal studs are complete and drywall taping has commenced.
- Installation of exterior zinc & aluminum composite panels to begin over the next month.
- West elevation lower limestone and upper stone panels are 90% complete, final completion expected by the 2nd week of August 2020.
- 2nd floor drywall is approx. 85% complete with first primer paint coats scheduled to begin.
- Exterior site works commenced the last week of July 2020 with the completion of granular base and compaction. Vibration consultant has two vibration monitoring units on-site and will review site vibration throughout the duration of site compactions.
- Millwork subcontractor has performed all site measurements and the commencement of millwork installations should begin late August 2020.
- Construction meetings continue via bi-weekly conference calls with representation from the contractor, consultant, NRPS, and Region to monitor construction progress and address any site issues. Region PM has now returned to on-site meetings with Merit, but all other meetings remain as teleconference calls.
- The prime consultant and related site inspections are still maintaining on a

monthly/weekly basis as required, but will attempt to perform site visits when site is quiet, to allow for better social distancing measures.

- Steering Committee meetings continue on a monthly basis to review overall project progress and to obtain approvals for any changes to the project scope.
- Monthly PSRs issued to ensure continued communication regarding projects status.

Current Issues & Project Risks:

As of the last issued PSR (June 2020), Merit Contractors continues to adhere to all necessary COVID-19 health and safety protocols and has not reported any COVID-19 related health matters as of July 28th, 2020. Upon arrival to the site, one must complete a COVID-19 health and screening form and sign in as a visitor.

The site appears to be respecting all new COVID-19 health and safety restrictions and maintains a clean and safe environment for their staff, trades and visitors to the jobsite.

The continued risk/challenge for this project will be continuing as an active construction project during the current COVID-19 pandemic. Even with all the health & safety protocols in place, the possibility of an outbreak on-site is always a possibility. The risk to construction related materials/supply chains, affected by the pandemic, continues to be an on-going concern as well.

As a result of, the site shut-down and the reduced efficiencies on site related to COVID-19 health and safety measures, the project schedule has been revised to reflect a substantial completion date of December 14th, 2020. Due to this delay, the PM identifies the risk of potential additional costs related to the project, both from the general contractor and the prime consultant. To date, no additional costs have been identified by either party.

The project team continues to work very closely together and holds bi-weekly conference calls to ensure continuation of communication and coordination of daily site activities is on-going. The project team's collective goal is to mitigate any further potential delays and to deal with on-site matters in a timely manner.

Budget / Cost Control:

The overall expenditures and commitments for the NRPS 1 District project are tracking within the revised \$20,495,519 budget, as of July 30th, 2020.

	Revised Council Approved Budget (as per CSD 13-2019)	Budget Decrease/ Reallocation	Revised Council Approved Budget	Expended & Committed as of 05/31/20	Contract Award/ Forecast	Budget Remaining
	(A)	(B)	(C) = (A) + (B)	(D)	(E)	(F) = (C) - (D) - (E)
Total Estimated Project Cost (20000805 & 10PR1420)*						
(a) Construction (including Construction Contingency and 1.76% non-refundable HST)	15,094,841	452,072	15,546,913	15,094,090	231,751	221,071
(b) Project Contingency	835,470	(778,423)	57,047	-	-	57,047
(c) Property Acquisition	1,359,321	-	1,359,321	1,359,321	-	-
(d) Consulting Services	1,199,505	117,373	1,316,878	1,314,059	130,000	(127,182)
(e) Permitting	54,369	(0)	54,369	54,369	-	-
(f) Furniture, Fixtures and Equipment	203,520	93,480	297,000	55,606	341,394	(100,000)
(g) Project Management (In-House) and Operations	306,735	(96,735)	210,000	110,283	150,653	(50,937)
(h) Property Remediation	1,962,072	(308,081)	1,653,991	1,653,991	-	-
Total Estimated Project Cost	21,015,833	(520,314)	20,495,519	19,641,720	853,798	0

Project Budget Summary:

The total forecasted construction cost as of July 30th, 2020 is \$14,820,132.10. Merit Contractors has submitted fifteen (15) progress draws totaling \$8,902,685.61 (excluding HST) for work completed to date, representing 60% of the construction contract. We are tracking within the projects 3% construction contingency; as we are still running in a credit status.

The total forecasted construction cost, excluding HST, to the end of the current reporting period summarized as follows:

Forecasted Construction Cost:

Original Contract Price:	\$14,833,000.00
Approved Changes to Date:	(\$-96,217.90) CR
Identified Risks & Proposed Changes:	\$83,350.00
Forecasted Construction Cost as of July 30 th , 2020	\$14,820,132.10
Value of Work Completed to July 30 th , 2020	\$8,902,685.61 (60%)

Tracking and maintaining the project budget remains a top priority of the project team.

Schedule:

The project schedule has been revised to reflect a new substantial completion date of December 14th, 2020, revised from the last noted substantial completion date of October 5th, 2020.

As of the last received schedule from Merit dated June 24th, 2020, the project remains tracking within the date of December 14th, 2020 for substantial completion.

The Region PM and consultant team remain committed to working with Merit Contractors by providing information in a timely manner to mitigate any further impacts to the construction schedule. Occupancy is now, anticipated to be achieved by early December 2020.

Objectives for Upcoming Reporting Period:

Great progress continues with the exterior finishes, with the west and south elevations nearing completion of all masonry works. The completion of the north elevation of exterior masonry works scheduled for completion by the end of August 2020.

The site has successfully relocated on-site storage and trade trailers to allow for the final grading of the exterior site works. During the next 3 weeks; final granular compaction will be completed and all new concrete curbs will be set. All site entrances (1 off Welland Ave. & 2 off North St.) will be fully installed allowing for new security gate rough-ins.

Interior works will continue with the mechanical/electrical rough-ins, along with taping and sanding of drywall. Commencement of primer paint coats will continue and installations of the new back painted glass will commence the 3rd week of August 2020.

The project PM and prime consultant will continue with on-site visits to review on-going works and to provide direction to Site Supervisor as needed.

Continuation of owner related items such as furniture, signage, waste management etc. are well on their way and the project PM anticipates the projects furniture order placed by the end of August 2020. The project PM continues to hold Stakeholder meetings allowing for proper communication required with the NRPS.

The project team continues to work together to mitigate and identify any potential risks and/or delays for the project.

Progress Photos:



Installation of new bottom course stone panels – East Elevation



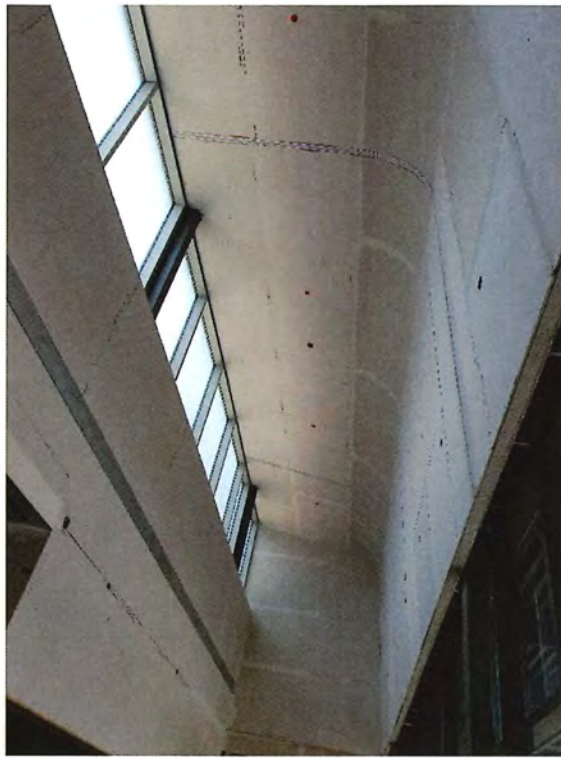
South Elevation – Completion of upper stone panels



West Elevation – 80% complete upper stone panels (removal of scaffolding)



South/West Elevation (looking east) – Installation of galvanized overhead door frame



Front Lobby (Public) – Drywall installations – 2-storey ceiling



Front Lobby (Public) – Front Counter Installations



2nd Floor Mechanical Rm. – Panel Make-Up Air Unit



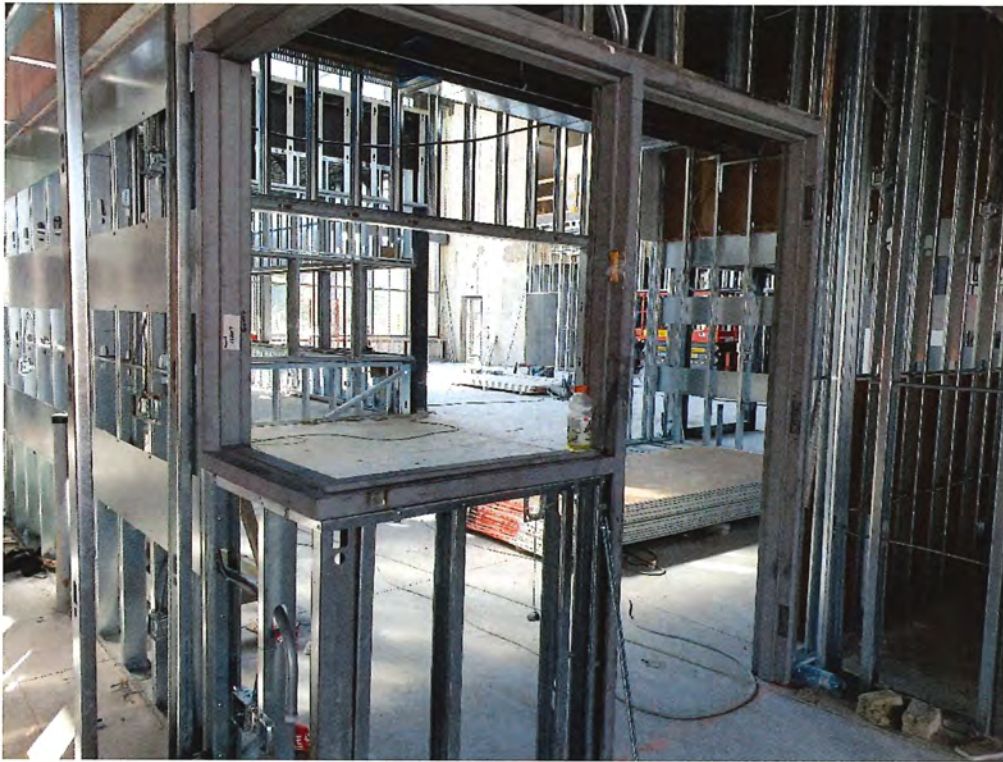
2nd Floor Mechanical Rm. – New Gas Fired Water Heaters



2-Storey Equipment Rm. – Final Prep to allow for Back Painted Glass



2nd Floor Corridor – View looking north



New Staff Sargent Rm. 104 – looking east



Ground Floor – Corridor leading from Sallyport



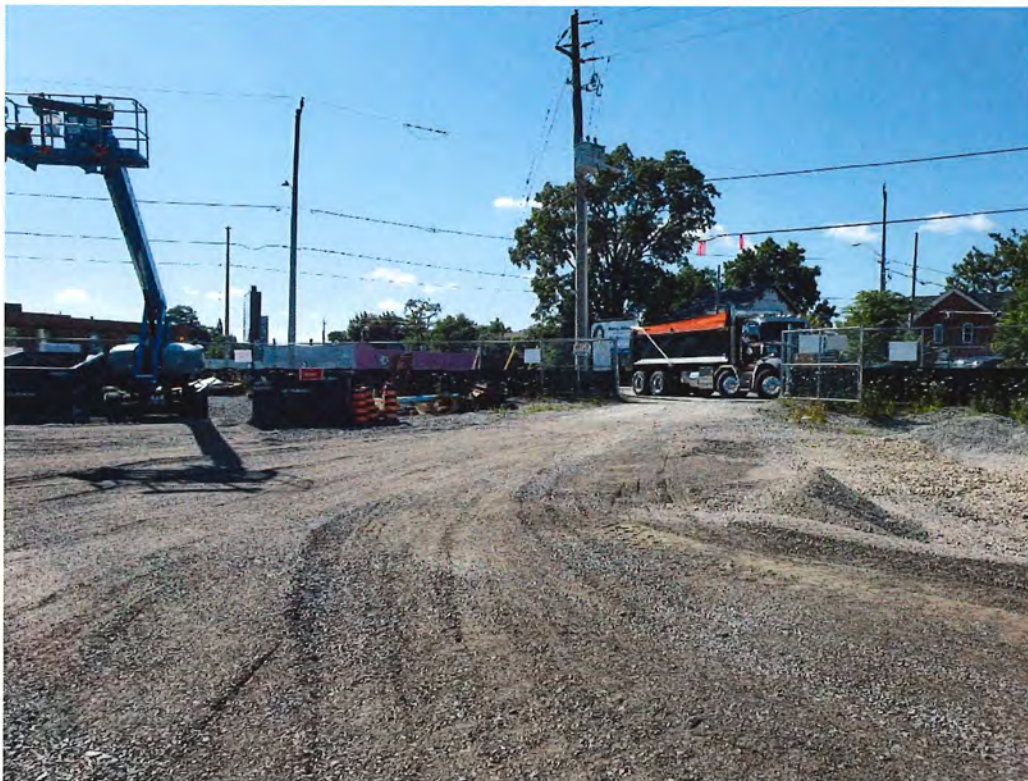
East Elevation (looking north) – Prep works for final site grading – July 28th, 2020



South Elevation – Final site grading – prep for curbs



Preparation to allow for new North St. Vehicular Entry/Exit (looking south)



Preparations for Vehicular Exit Only access to North St. – (looking south/east)



Final granular base installations complete (looking north) – July 30th, 2020



Exterior limestone half wall completed – (looking north)

APPENDIX I

NRPS HQ PARKING LOT UPDATE

- Mississauga of the Credit First Nations have completed their site review with nothing of archeological significance discovered. This is the last hurdle required for the Archeological Assessment and subsequent Lease Agreement.
- Region is now waiting for the First Nations to file their report with the Ministry of Heritage, Sport, Tourism and Culture. Once MHSTC signs off, Hydro One consultations are complete and they can move forward with the Lease Agreement.
- The Region has requested an expedited report submission and review process from First Nations, ARA (Archeological Assessment), and MHSTC. We are hopeful to have an agreement in place by October. Construction cannot proceed until the report submission/review process is complete and the Lease Agreement is in place.
- Region Procurement has agreed to tender the construction in parallel with the above report-review process, as there is now confidence that the Lease Agreement is imminent.
- Region expects to tender this project in August so that a contractor is in place by September.
- Construction is expected to take one month

APPENDIX II

911/COMMS BACKUP

- Electrical Engineering Firm, Seguin Engineering Inc. (SEI), has been retained. Project kick-off meeting held and subsequent follow-up and site audit completed. Expecting design brief and preliminary drawings to be submitted for review and approval. As part of this, a new, dedicated back-up power generator and UPS will be specified.
- Purchase Order issued to Motorola to relocate the dispatch radio equipment from 1 District to 3 District. Motorola joined the kick-off meeting with the Electrical Engineer and followed-up with grounding requirements for their equipment.
- Door Modifications, Building Alterations and General Patching and Painting Scope of Work at 3 District developed.
- Mechanical Cooling System for new IT Room specified.
- Working with NRPS IT team on network equipment and wiring requirements for the relocated CIB and new IT Room.

138.

MEMORANDUM

RECEIVED

SEP 09 2020

Subject: Niagara Regional Police Service 1 District Project Status Update

Date: September 9, 2020

To: Deb Reid, Executive Director, Police Services Board

From: Nicole Menard, Sr. Project Manager, Construction, Energy & Facilities Management, Niagara Region

A19 R.
Public Agenda

We are pleased to submit our August 2020 NRPS 1 District Project Status Report Update.

Please don't hesitate to contact the undersigned should you have any questions or require additional information.

Respectfully submitted and signed by

Nicole Menard

Nicole Menard
Senior Project Manager, Facilities
Construction, Energy, and Facilities Management



Project Status Report

Niagara Regional Police Service - 1 District

August 2020

Issued: September 9th, 2020

Executive Summary:

Information contained in this report summarizes project activities from July 2020 to August 2020.

- Construction of the NRPS 1 District facility awarded to Merit Contractors Niagara Ltd. for \$14,833,000.
- Merit Contractors mobilized on-site April 1, 2019 and substantial performance is anticipated by December 30, 2020.
- All facility superstructure is complete with approx. 60 % exterior finished cladding complete.
- All interior metal stud works are nearing completion with the finalization of drywall installs scheduled to finish August 2020.
- Exterior site works have commenced and will continue over the next 2 months.
- The project has achieved its “closed in” milestone.
- The project is tracking within the current revised project budget of \$20,495,519.

Key Accomplishments / Project Status:

Merit Contractors re-mobilized on-site since May 5, 2020:

- Continuation of mechanical & electrical rough-ins on both 2nd and ground floor levels.
- Site installations made great strides over the month of August 2020, with the completion of concrete curbs, site light standards, parking lot granular base and all needed reinforcement for new concrete sidewalks. Asphalt paving scheduled for the 1st week of September 2020.
- Painting and priming continuous on both floors, along with painting of all hollow metal doorframes.
- 2nd floor washroom/shower room installations starting.
- Installation of South West retaining wall between public and NRPS parking is now complete.
- Receipt of waste management bins (Earth Bins) on site for upcoming installations early September 2020.
- West Elevation limestone is 100% complete along with removal of masonry scaffolding
- Approx. 80% of limestone panels are complete along the North Elevation.
- Site is now functioning fully on permanent power and all temporary power panels removed.
- Completion of flat roof system installed at exterior maintenance shed.
- Ice melt at side staff entry and front public entry complete to allow for concrete

installations.

- Commencement of light posts to start last week of August 2020.
- Construction meetings continue via bi-weekly conference calls with representation from the contractor, consultant, NRPS, and Region to monitor construction progress and address any site issues. Region PM has now returned to on-site meetings with Merit, but all other meetings remain as teleconference calls.
- The prime consultant and related site inspections are still maintaining on a monthly/weekly basis as required, but will attempt to perform site visits when site is quiet, to allow for better social distancing measures.
- Steering Committee meetings continue on a monthly basis to review overall project progress and to obtain approvals for any changes to the project scope.
- Monthly PSR's issued to ensure continued communication regarding projects status.

Current Issues and Project Risks:

As of the last issued PSR (July 2020), Merit Contractors continues to adhere to all necessary COVID-19 health and safety protocols and has not reported any COVID-19 related health matters as of August 31, 2020. Upon arrival to the site, one must complete a COVID-19 health and screening form and sign in as a visitor.

The site appears to be respecting all new COVID-19 health and safety restrictions and maintains a clean and safe environment for their staff, trades and visitors to the jobsite.

The continued risk/challenge for this project will be continuing as an active construction project during the current COVID-19 pandemic. Even with all the health & safety protocols in place, the possibility of an outbreak on-site is always a possibility. The risk to construction related materials/supply chains, affected by the pandemic, continues to be an on-going concern as well.

As a result of, the site shut-down and the reduced efficiencies on site related to COVID-19 health and safety measures, the project schedule has been revised to reflect a substantial completion date of December 30, 2020. Due to this delay, the PM identifies the risk of potential additional costs related to the project, both from the general contractor and the prime consultant. No additional costs have been identified by the general contractor, to-date. However, the prime consultant has provided the PM a high level extra associated with remaining on the project for longer than anticipated due to COVID-19. Letter forwarded to the Region's legal team for review and comment. PM will report legal advisement to Steering Committee upon receipt of direction.

The project team continues to work very closely together and holds bi-weekly conference calls to ensure continuation of communication and coordination of daily site activities continues. The project team's collective goal is to mitigate any further potential delays and to deal with on-site matters in a timely manner.

Budget.Cost Control:

The overall expenditures and commitments for the NRPS 1 District project are tracking within the revised \$20,495,519 budget, as of August 31, 2020.

Niagara Regional Police Service - 1 District Total Estimated Project Cost						
	Revised Council Approved Budget (as per CSD 13-2019)	Budget Decrease/ Reallocation	Revised Council Approved Budget	Expended & Committed as of 05/31/20	Contract Award/ Forecast	Budget Remaining
	(A)	(B)	(C) = (A) + (B)	(D)	(E)	(F) = (C) - (D) - (E)
Total Estimated Project Cost (20000805 & 10PR1420)*						
(a) Construction (including Construction Contingency and 1.76% non-refundable HST)	15,094,841	452,072	15,546,913	15,094,090	231,751	221,071
(b) Project Contingency	835,470	(778,423)	57,047	-	-	57,047
(c) Property Acquisition	1,359,321	-	1,359,321	1,359,321	-	-
(d) Consulting Services	1,199,505	117,373	1,316,878	1,314,059	130,000	(127,182)
(e) Permitting	54,369	(0)	54,369	54,369	-	-
(f) Furniture, Fixtures and Equipment	203,520	93,480	297,000	55,606	341,394	(100,000)
(g) Project Management (In-House) and Operations	306,735	(96,735)	210,000	112,570	148,366	(50,937)
(h) Property Remediation	1,962,072	(308,081)	1,653,991	1,653,991	-	-
Total Estimated Project Cost	21,015,833	(520,314)	20,495,519	19,644,007	851,511	0

Project Budget Summary:

The total forecasted construction cost as of August 31, 2020 is \$14,837,231.19. Merit Contractors has submitted sixteen (16) progress draws totaling \$9,853,550.38 (excluding HST) for work completed to date, representing 66% of the construction contract. We are tracking within the projects 3% construction contingency as we are still running in a credit status.

The total forecasted construction cost, excluding HST, to the end of the current reporting period summarized as follows:

Forecasted Construction Cost:

Original Contract Price:	\$14,833,000.00
Approved Changes to Date:	(\$-77,318.81) CR
Identified Risks & Proposed Changes:	\$81,550.00
Forecasted Construction Cost as of July 30, 2020	\$14,837,231.19
Value of Work Completed to July 30, 2020	\$9,853,550.38 (66%)

Tracking and maintaining the project budget remains a top priority of the project team.

Schedule:

The project schedule has been revised to reflect a new substantial completion date of December 30, 2020, revised from the last noted substantial completion date of December 14, 2020.

As of the last received schedule from Merit dated July 31, 2020, the project schedule has seen a slight delay from December 14, 2020 to December 30, 2020 for substantial completion.

The Region PM and consultant team remain committed to working with Merit Contractors by providing information in a timely manner to mitigate any further impacts to the construction schedule. Occupancy is now, anticipated to be achieved by mid to late December 2020.

Objective for Upcoming Reporting Period:

The largest project stride we have seen over the month of August 2020 is the project associated site works. All new light-standards, concrete curbs and parking lot base are complete for our anticipated start of asphalt paving at the beginning of September 2020.

As we are moving closer to the final installations of interiors, we will be moving quickly with the installations of our final interior finishes. Installations of custom back-painted glass, wood veneer cladding and flooring will all commence over the month of September 2020. The prime consultant and PM will maintain a consistent review of these installations, ensuring that quality of these items are as per project specifications.

Commissioning schedule and review will commence during the month of September 2020, ensuring all has been reviewed and approved prior to our December 2020 substantial completion date. The PM and NRPS project stakeholder team has been working closely with NRBN to ensure networking connections are installed for mid-October 2020.

The project PM and prime consultant will continue with on-site visits to review on-going works and to provide direction to site supervisor as needed.

Continuation of owner related items such as furniture, signage, waste management etc. are well on their way and the project PM anticipates the projects furniture order placed by the end of 2nd week of September 2020. The signage award, through the general contractor's cash allowance, issued to The Brothers Markle. We anticipate receipt of final signage design package for stakeholder review by end of September 2020.

The project team continues to work together to mitigate and identify any potential risks and/or delays for the project.

PROGRESS PHOTOS:



Start of Concrete Curbs – East Elevation



East Elevation – Continuation of concrete curb installations



East Elevation (looking West) – Formwork for new security retaining wall



West Elevation (looking east) – Continued formwork for new security retaining wall



West Elevation (looking East) – poured concrete security retaining wall



SallyPort – East Entry Door – Installation of concrete floor slab



East Elevation (looking toward Niagara St.) – completed curbs and light standard bases



Typical sonotube light standard base



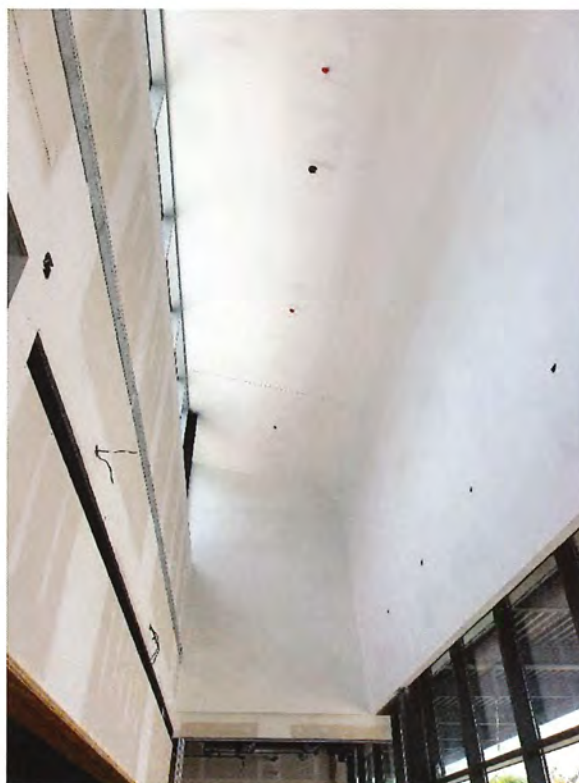
West Elevation (looking North) – complete retaining wall and removal of masonry scaffold



East Elevation (looking West) – completed structural for security retaining wall



Limestone interior installations – Public Main Entrance



Main Lobby space – 2 storey ceiling space – primed for paint



Community Mtg. Rm. – drywall complete – ready for taping & sanding



Criminal Investigations Room – Drywall taped and sanded – prepped for primer coat



Parade Rm. – Drywall prepped and sanded – ready for primer coat



South end corridor leading to Sallyport – Drywall install – prepped for taping & sanding



West Elevation – Commencement of Limestone install at security retaining wall



East Elevation – Installations of rebar and ice melt – prep for concrete pour

APPENDIX I

NRPS HQ – PARKING LOT EXPANSION

- Ministry of Heritage, Sport, Tourism and Culture has accepted the Archeological Assessment with no additional comments.
- Niagara Region Procurement and Legal is now in a position to form a lease agreement with Hydro One/Infrastructure Ontario
- Niagara Region Procurement is working toward tendering the construction of the parking lot with the intention of having the tender out for 3 weeks.
- Once closed, tender will be awarded and construction will begin as soon as a lease agreement is in place.

APPENDIX II

911/COMMS BACKUP

- Electrical engineering firm, Seguin Engineering Inc. (SEI) has provided preliminary design information, used as part of an RFQ to retain a construction management firm to execute the electrical work on this project. The RFQ submission date was Wednesday, September 2, 2020 with ECCO Electric Ltd. being the successful bidder. Continuing to work with ECCO to satisfy the preconditions to award and get them onboard as quickly as possible.
- RFQ for building modification and improvements closed August 21, 2020 and a purchase order has been issued to SA Construction Ltd. The building modifications and upgrades are associated with the relocation of the CIB at 3 District and the relocation of the Back-up 911 Operations to 3 District. Contractor anticipating mobilizing onsite the week of September 7, 2020. Targeting early-mid October to move the CIB at 3 District. SA Construction working with sub-contractors & suppliers to confirm material availability and lead-times.
- Purchase order issued to Pinders for the supply of specific door access hardware specified by the NRPS.
- Purchase order issued to Bell Canada to extend the new dedicated 911 analog phone lines from the basement Bell Room (demark) at 3 District up to the new IT Room that will service the Back-up 911 Operations.
- Purchase order issued to Motorola to relocate the dispatch radio equipment from 1 District to 3 District. Motorola joined the kick-off meeting with the electrical engineer and followed-up with grounding requirements for their equipment.
- Mechanical cooling system for new IT Room specified. Holding off on purchase order until electrical design is finalized.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

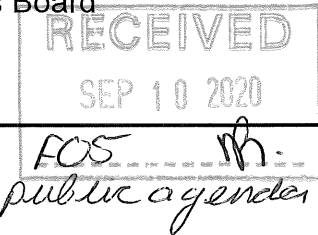
139.

PUBLIC AGENDA

Subject: Quarterly Report - Overtime Activities Incurred by the Niagara Regional Police Service, April 1 to June 30, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-09-08



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to provide a five-year uniform and civilian quarterly and year-to-date trend analysis.
- Overtime activity reports, included in the appendices, provide summaries of the overtime hours by activity categories. These categories were developed by the Executive Leadership Team and the hours are captured in the Service's time and attendance system.
- Overtime continues to be predominantly driven by the need to meet minimums resulting from occupational and non-occupational illness and injury and staffing shortages

Financial Considerations

There are no direct financial implications associated with the recommendation of this report.

Analysis

The overtime activity reports provide a summary of the overtime hours by activity categories. These categories were developed by the Executive Leadership Team and the hours are captured in the Service's time and attendance system.

Uniform Overtime Analysis:

As illustrated in Appendix 1, uniform members worked a total of 12,979 hours of overtime for the quarter ending June 30, 2020. For the same period in 2019, there were 19,372 hours of overtime; a decrease of 6,393 hours, or 33.0%. In March 2020, in response to

the growing COVID-19 crisis the Service incurred overtime to prepare and implement a pandemic plan to support the measures mandated by the federal and provincial governments and health agencies. For the quarter ended June 30th, the Service incurred 299 hours of uniform overtime related to the pandemic. Of this amount, almost half were a result of Ontario Police College expanding the new-recruit training week to six days instead of the normal five.

The Service experienced a 53.0% decrease in uniform overtime hours incurred for Meeting Minimums as compared to the same period in previous year. In addressing the operational requirements of the pandemic, frontline staffing experienced a sharp decline in overtime required for training, annual leave and other components which comprise the Meeting Minimums category. In addition, the Service responded to a number of major incidents including two homicides and a sexual assault involving a senior citizen.

Resulting from the pandemic, a majority of Administrative functions and Community events were suspended during the quarter. This further contributed to a decline in overtime over the same period in prior year.

Year to date, Uniform overtime hours decreased by 1,367 hours or 4.2% when compared to prior year. Appendix 2 illustrates this as primarily the result of decreased overtime hours utilized for Meeting Minimums and Administrative duties in the second quarter.

Civilian Overtime Analysis:

As illustrated in Appendix 3, civilian members worked a total of 3,489 hours of overtime for the quarter ending June 30th. This represents a decrease of 34.1% when compared with 5,298 hours incurred for the same period in 2019. For the quarter, civilian overtime incurred due to COVID-19 was 241 hours; 89% being attributable to meeting minimum staffing levels in operationally essential units. The remaining balance occurred predominantly in Information Technology Services and Quartermaster to implement the COVID-19 pandemic plan.

Despite a sharp decline in comparison to prior year, the main driver of civilian overtime continues to be meeting minimum staffing levels in operationally essential units. During the second quarter, the Records & Information Management unit experienced a significant reduction in overtime hours due to operating at minimal strength with a corresponding reduction in demand for services, such as CPIC requests.

Investigative overtime increased year-over-year due to on-scene attendance by civilian specialty personnel such as Forensics and media relations at major investigations, which included two homicides.

Appendix 4 provides a summary of the year to date hours as at June 30th for 2016 to 2020. The table illustrates the reduced overtime impact on the Service with regards to

meeting minimums for operationally essential positions as well as hours incurred due to Covid-19 activities.

As the year progresses, the Service continues to monitor overtime activity to address any areas of concern.

Alternatives Reviewed

Not applicable

Relationship to Police Service/Board Strategic Priorities

This report provides information required to monitor the Service's alignment with the 2019-2021 Business Plan goal to realize operational efficiencies and cost savings.

Relevant Policy Considerations

- Police Services Act
- Collective Agreements

Other Pertinent Reports

Not applicable

This report was prepared by Curtis Custers, Financial Analyst and reviewed by Laura Rullo, Manager, Finance.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

- Appendix 1 Uniform Overtime Hours Trend Analysis for the 2nd Quarter
- Appendix 2 Uniform Overtime 2016 - 2020 Hours Trend Analysis – Year to Date June 2020
- Appendix 3 Civilian Overtime Hours Trend Analysis for the 2nd Quarter
- Appendix 4 Civilian Overtime 2016 - 2020 Hours Trend Analysis – Year to Date June 2020

Appendix 1
Uniform Overtime by Activity Hours
Quarterly

	2016 Q2 Apr.-June	2017 Q2 Apr.-June	2018 Q2 Apr. - June	2019 Q2 Apr.-June	2020 Q2 Apr.-June
Meeting Minimums	8,321	8,183	9,176	10,627	4,996
Investigation Requirements:					
Major Investigation	2,983	1,955	3,698	3,812	4,519
Incident Follow Up	3,608	3,927	4,148	2,706	2,577
Follow Up Reports	203	107	124	29	29
SIU Investigations	54	1	13	-	27
Out of Service Deployment	9	-	-	-	-
	6,856	5,989	7,982	6,547	7,152
Administrative:					
Workload	1,467	1,116	914	624	167
Association Business	23	33	13	26	4
Meetings	255	204	185	195	90
Training and Special Events	232	345	395	767	189
Prisoner Transport	14	25	-	32	-
	1,990	1,722	1,507	1,645	450
Pro Active and Community Driven Events:					
Service Initiatives	470	696	467	288	48
Proactive Policing	65	147	41	106	28
Community Festivals or Events	74	34	52	160	6
Service Partnerships	4	24	-	-	-
	613	901	559	553	82
Sub-Total Before Unusual Activity	17,780	16,795	19,224	19,372	12,680
COVID-19	-	-	-	-	299
Total	17,780	16,795	19,224	19,372	12,979

Appendix 2
Uniform Overtime by Activity Hours
Year to Date

	2016 YTD June	2017 YTD June	2018 YTD June	2019 YTD June	2020 YTD June
Meeting Minimums	13,160	13,111	15,990	15,306	11,975
Investigation Requirements:					
Major Investigation	4,793	5,415	7,110	7,197	9,937
Incident Follow Up	8,367	8,386	7,465	6,188	6,571
Follow Up Reports	556	332	246	52	44
SIU Investigations	84	20	36	42	29
Out of Service Deployment	15	16	-	-	-
	13,814	14,168	14,858	13,478	16,581
Administrative:					
Workload	2,488	2,427	1,689	1,137	963
Association Business	42	109	18	41	7
Meetings	599	462	328	410	260
Training and Special Events	298	549	631	1,252	758
Prisoner Transport	39	43	9	49	26
	3,465	3,588	2,674	2,890	2,014
Pro Active and Community Driven Events:					
Service Initiatives	922	1,305	852	624	167
Proactive Policing	65	190	77	201	115
Community Festivals or Events	129	36	67	245	48
Service Partnerships	4	24	-	7	24
	1,120	1,554	996	1,077	354
Total - before Extraordinary Events	31,559	32,422	34,518	32,751	30,924
COVID-19	-	-	-	-	460
Total	31,559	32,422	34,518	32,751	31,384

Appendix 3
Civilian Overtime by Activity Hours
Quarterly

	2016 Q2 Apr.-June	2017 Q2 Apr.-June	2018 Q2 Apr.-June	2019 Q2 Apr.-June	2020 Q2 Apr.-June
Meeting Minimums:	3,887	2,085	2,762	4,180	2,455
Investigation Requirements:					
Major Investigation	20	4	72	68	223
Incident Follow Up	20	43	31	21	15
Follow Up Reports	-	-	-	-	-
SIU Investigations	-	-	8	-	3
	40	47	110	89	241
Administrative:					
Workload	2,343	1,012	556	920	470
Association Business	-	2	6	2	6
Meetings	14	21	38	19	26
Training and Special Events	211	253	73	82	40
	2,568	1,286	673	1,023	542
Pro Active and Community Driven Events:					
Service Initiatives	-	16	6	-	2
Proactive Policing	7	-	-	-	-
Community Festivals or Events	32	19	6	7	8
Service Partnerships	29	-	-	-	-
	67	35	12	7	10
Sub-Total Before Unusual Activity	6,561	3,453	3,557	5,298	3,248
COVID-19	-	-	-	-	241
Total	6,561	3,453	3,557	5,298	3,489

Appendix 4
Civilian Overtime by Activity Hours
Year to Date

	2016 YTD June	2017 YTD June	2018 YTD June	2019 YTD June	2020 YTD June
Meeting Minimums	6,614	3,697	4,967	7,132	5,927
Investigation Requirements:					
Major Investigation	46	30	107	119	338
Incident Follow Up	89	74	83	127	76
Follow Up Reports	-	-	-	-	-
SIU Investigations	-	-	8	-	3
	135	104	197	246	417
Administrative:					
Workload	3,870	1,979	1,054	1,651	1,373
Association Business	-	2	6	5	8
Meetings	26	44	72	102	54
Training and Special Events	267	683	132	120	99
	4,163	2,707	1,264	1,877	1,534
Pro Active and Community Driven Events:					
Service Initiatives	-	31	18	14	21
Proactive Policing	17	-	8	8	8
Community Festivals or Events	32	19	6	7	14
Service Partnerships	41	13	15	3	2
	89	63	47	32	45
Sub-Total Before Unusual Activity	11,001	6,571	6,475	9,287	7,923
COVID-19	-	-	-	-	635
Total	11,001	6,571	6,475	9,287	8,558



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

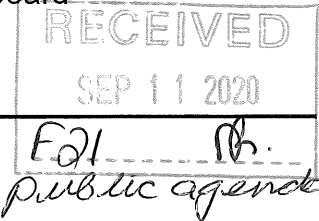
140.

PUBLIC AGENDA

Subject: Special Fund Quarterly Activity Report for the Period of April 1, 2020 to June 30, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-09-04



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to provide the Board with a detail listing of quarterly activity in the Special Fund as well as a bank reconciliation in accordance to the Special Fund Administration, Limitations and Guideline By-Law 376-2018.
- The report shall contain reports on any reward(s) offered/paid, revenue, disbursements and provide the balance and unrestricted balance available to the Board.
- This report summarizes the balances and details the activities of the Niagara Regional Police Special Funds Accounts for the period of April 1, 2020 to June 30, 2020.

Financial Considerations

There are no financial implications relating to the recommendations contained within this report.

Analysis

The balances of the Police Special Funds as at June 30, 2020 and detailed in Appendix 1 are as follows:

Special Fund – Special Operating Account - #125-255-0 – \$ 38,298.49
Special Fund – General Operating Account (Informant) #103-543-5 – \$ 254.44
Total Special Funds – Special and General (Informant) Accounts – \$ 38,552.93

The summary of activities for the period ended June 30, 2020 is provided in Appendix 2. Informant payments during the period totalled \$3,900, made up of 13 payments ranging from \$100 - \$450 with a median of \$300.

Alternatives Reviewed

No alternatives exist.

Relationship to Police Service/Board Strategic Priorities

To ensure compliance with the Special Fund Administration, Limitations and Guideline By-Law 376-2018.

Relevant Policy Considerations

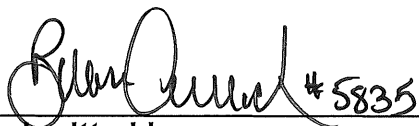
Section 132 and 133 of the Police Services Act governs the disposition of personal property that comes into the possession of the police service and where the board may use the proceeds for any purpose that it considers in the public interest.

Other Pertinent Reports

Minute No. 6/2020 Special Fund Administration - October 1, 2019 to December 31, 2019.

Minute No. 75/2020 Special Fund Administration – January 1, 2020 to March 31, 2020.

This report was prepared by Courtney Woods, Financial Analyst and reviewed by Laura Rullo, Finance Manager.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Appendix 1 Reconciliation of Balance of Special Funds

Appendix 2 Summary of Special Funds Activity

Appendix 1

Niagara Regional Police Service

Reconciliation of Balance of Special Funds as at:

June 30, 2020

	Special Operating Account #125-255-0	General Operating Account #103-543-5	Total Special Funds
Balance per Bank Statement	\$ 38,298.49	\$ 4,154.44	\$ 42,452.93
Outstanding Cheques:			
Description	Doc. #		
Informant	2020-36	\$ 450.00	\$ 450.00
Informant	2020-37	\$ 450.00	\$ 450.00
Informant	2020-38	\$ 400.00	\$ 400.00
Informant	2020-39	\$ 100.00	\$ 100.00
Informant	2020-40	\$ 100.00	\$ 100.00
Informant	2020-41	\$ 450.00	\$ 450.00
Informant	2020-42	\$ 300.00	\$ 300.00
Informant	2020-43	\$ 300.00	\$ 300.00
Informant	2020-44	\$ 150.00	\$ 150.00
Informant	2020-45	\$ 450.00	\$ 450.00
Informant	2020-46	\$ 150.00	\$ 150.00
Informant	2020-47	\$ 400.00	\$ 400.00
Informant	2020-48	\$ 200.00	\$ 200.00
Total Outstanding Cheques	\$ -	\$ 3,900.00	\$ 3,900.00
Available Bank Balance	\$ 38,298.49	\$ 254.44	\$ 38,552.93
Deposits not Recorded			
Bank Charges not Recorded			
Niagara Regional Police Service	38,298.49	254.44	38,552.93

Appendix 2: Niagara Regional Police Service: Summary of Special Funds Activity

Special Fund - Special Operating			Activity Period		Account Number
			04/01/2020 - 06/30/2020		125-255-0
Date	Description	Ref.	Withdrawals	Deposits	Balance
1/Apr/20	Previous Balance				43,926.23
9/Mar/20	OWLE 22nd Annual Awards Banquet - Returned	897		500.00	44,426.23
9/Mar/20	NRPS Cross Boarder Tug of War - Returned	898		1,400.00	45,826.23
6/Apr/20	Activity Fee		14.55		45,811.68
13/May/20	Niagara Regional Police Pipe Band	902	2,500.00		43,311.68
13/May/20	2020 Intl Hockey Tourn - Over 35 Division	903	700.00		42,611.68
27/May/20	Deloitte 2019 Audit Fee	904	5,088.01		37,523.67
27/May/20	Chiefs Honour Guard Equipment	905	4,690.26		32,833.41
4/Jun/20	Police Actions Canada			3,511.90	36,345.31
4/Jun/20	Activity Fee		0.16		36,345.15
11/Jun/20	Police Actions Canada			1,953.34	38,298.49
					38,298.49
					38,298.49
	Totals		12,992.98	7,365.24	
30/Jun/20	Closing Balance - General Fund				\$ 38,298.49

Special Fund - General Operating (Informant)			Activity Period		Account Number
			04/01/2020 - 06/30/2020		103-543-5
Date	Description	Ref.	Withdrawals	Deposits	Balance
1/Apr/20	Previous Balance				\$4,156.37
6/Apr/20	Activity Fee		1.04		\$4,155.33
6/May/20	Activity Fee		0.68		\$4,154.65
4/Jun/20	Activity Fee		0.21		\$4,154.44
	Informant		3,900.00		\$254.44
					\$254.44
					\$254.44
	Totals		3,901.93	-	
30/Jun/20	Closing Balance - Informant Fund				\$254.44

30/Jun/20	Total Special Funds Closing Balance				38,552.93
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NIAGARA REGIONAL POLICE SERVICE

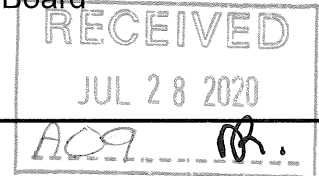
Police Services Board Report

PUBLIC AGENDA

Subject: Quarterly Report - Administration of the Public Complaints System
– April 1, 2020 to June 30, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-07-21



Recommendation(s)

That the Niagara Police Services Board receives the report for information.

Key Facts

- The purpose of this report is to provide the Board with statistics that represent public complaints received for the period of April 1, 2020 to June 30, 2020 (Q2), compared to Q2 of 2019.
- The public complaints process is administered by the Office of the Independent Police Review Director (OIPRD).
- Public complaints are received and reviewed by the OIPRD, and a determination is made regarding the complaint, including whether it is a Policy / Service Complaint or a Conduct Complaint and whether it is screened in for investigation, or screened out for a variety of reasons as determined by the OIPRD.
- Complaints can be retained for investigation by the OIPRD or referred to a Police Service for investigation.
- Public complaints that have been referred by the OIPRD to the Niagara Regional Police Service are investigated by the Professional Standards Unit.

Financial Considerations

There are no financial implications relating to the recommendations contained within this report.

Analysis

Policy / Service Complaints

There was a total of zero Policy / Service Complaints received in Q2, 2020, compared to three in Q2, 2019.

One Policy / Service Complaint investigation was concluded in Q2, 2020, including investigations from previous quarters. It was completed as "Withdrawn". Comparatively, three Policy / Service Complaint investigations were concluded in Q2 of 2019.

It took an average of 62 days to conclude a Policy / Service Complaint investigation in Q2, 2020, compared to 34 days in Q2, 2019. During Policy / Service Complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 60 days to complete. There were no time extensions requested in Q2, 2020, as well, there were no time extension requests in Q2 in 2019.

At the conclusion of Q2, 2020, there were no Policy / Service Complaints open for investigation, compared to none open for investigation at the conclusion of Q2, 2019.

Requests for Review by complainants regarding the conclusion of Policy / Service Complaint investigations are made to the Police Services Board, as opposed to the OIPRD. There were no Requests for Review filed with respect to a Policy / Service complaint investigation concluded in Q2, 2020. This compares to no Requests for Review in Q2, 2019.

Conduct Complaints

There were 37 new Conduct Complaints received in Q2, 2020. This compares to 19 complaints received in Q2, 2019.

Thirty Conduct Complaint investigations were concluded in Q2, 2020 (including investigations from previous quarters) compared to 21 complaint investigations concluded in Q2 in 2019.

It took an average of 53 days to conclude a Conduct Complaint investigation in Q2, 2020, compared to 74 days in Q2, 2019. During Conduct Complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 120 days to complete. There were no time extension requests in Q2, 2020 compared to no time extension requests in Q2, 2019.

At the end of Q2, 2020, there were 12 open Conduct Complaint investigations compared to 9 open Conduct Complaint investigations at the conclusion of Q2, 2019.

In Q2, 2020, three Conduct Complaints were classified by the OIPRD as frivolous, vexatious or made in bad faith and were screened out. This compares to one complaint screened out in this manner in Q2, 2019.

In Q2, 2020, zero Conduct Complaints were classified as being more than six months old and screened out. This compares to one screened out in this manner in Q2, 2019.

In Q2, 2020, 11 Conduct Complaints were screened out by the OIPRD for a variety of other reasons, including no misconduct alleged in the complaint, referral to the applicable court to dispute a charge, or an investigation was deemed not to be in the public interest by the OIPRD. This compares to 5 complaints screened out in this manner during Q2, 2019.

In Q2, 2020, a "Customer Service Resolution" was recommended by the OIPRD on two occasions prior to a complaint being screened in. In cases involving minor complaints, a Professional Standards Unit investigator attempts to resolve the complaint prior to a formal investigation. If successful, the matter is concluded. If unsuccessful, the matter is returned to the OIPRD for re-screening. The matter may then be concluded by the OIPRD or assigned for investigation. This compares to one Customer Service Resolution in Q2, 2019.

In Q2, 2020, six Conduct Complaints were withdrawn by complainants. This usually involves a Professional Standards Unit investigator meeting with a complainant at the commencement of a complaint investigation and providing answers to questions and explanations with respect to police procedures, officer safety concerns or charge processes and procedures that subsequently addressed the complainant's concerns. In Q2, 2019, Conduct Complaints were withdrawn on three occasions.

In Q2, 2020, five Conduct Complaint investigations were concluded as "Unsubstantiated" compared to eight in Q2, 2019. These numbers can include case closures carried over from the previous quarter / year.

In Q2, 2020, no complainants requested that the OIPRD conduct a review of the Professional Standards Inspector's decision regarding the conclusion of an investigation via the "Request for Review" process. This compares to three Requests for Review in Q2, 2019.

In Q2, 2020, the OIPRD concluded one review that had been initiated in a previous quarter, resulting in the OIPRD varying the Inspector's decision from "Not Serious" to "Serious", and a Police Services Act hearing being ordered. In Q2, 2019, the OIPRD concluded three reviews that had been initiated in previous quarters. There are currently no Requests for Review pending with the OIPRD.

In Q2, 2020, two Conduct Complaints resulted in an Informal Resolution before the completion of an investigation, compared to one complaint in Q2, 2019.

NR20-35 – *A public complainant alleged that she was treated poorly during her arrest for Impaired driving. A Professional Standards investigator had discussions with the complainant and provided her information to help her understand police authorities and protocols in dealing with intoxicated persons. The involved officer was provided complainant's perspective of the interaction and offered advice on how officers could*

become more effective in dealing with emotionally upset and intoxicated persons. The matter was satisfactorily resolved.

NR20-56 – *A public complainant alleged that an officer yelled and swore at him for walking in the middle of a road way at 2:55 a.m. Upon initial inquiries by a Professional Standards investigator, the complainant wished an apology letter be provided, regarding their interaction. The officer agreed and provided an apology letter. The complainant was satisfied with the apology and this matter was resolved.*

In Q2, 2020, three Conduct Complaints were concluded as less serious misconduct following an investigation. Two were resolved by way of Disposition without a Hearing and one was resolved by way of an Informal Resolution. This compares to one complaint resolved in this manner in Q2, 2019.

NR18-44 – *A public complainant alleged that officers who attended to investigate a threats complaint committed deceit for not accurately reporting the incident and neglect of duty for not investigating the complaint. The matter was investigated by the Professional Standards Unit and the allegations were initially determined to be unsubstantiated.*

The Complainant submitted a Request for Review of the findings to the OIPRD. The OIPRD determined that one allegation of Neglect of Duty against one Officer was Substantiated.

Through consultation with the Complainant, the OIPRD and the Officer, the matter was resolved by way of an Informal Resolution Agreement. The Officer and the Complainant agreed to the proposed penalty which consisted of the Officer being prohibited from being a Coach Officer for three years and submitting letters of apology to the complainant and the other involved officer.

NR19-45 – *A public complainant alleged that an Officer, who responded for a "belated" domestic violence call for service did not conduct a proper investigation of the incident.*

Following a Professional Standards Unit investigation, allegations of Neglect of Duty, and Insubordination were substantiated. It was determined that the officer did not comply with provisions of the General Orders related to Domestic Violence and Officer Note Taking. The matter was resolved by way of a Disposition without a Hearing with the agreement of both the complainant and the involved officer. The involved Officer forfeited 24 hours of time off, completed a personalized training session related to Domestic Violence investigations and also submitted a letter of apology to the complainants.

NR19-95 – *A public complainant alleged that Officers used excessive force during the arrest of her son who fled from a stolen vehicle after a brief vehicle pursuit and collision with another vehicle.*

Following a Professional Standards Unit investigation, one allegation of Unlawful or Unnecessary Exercise of Authority was substantiated against one officer. It was determined that the officer used unnecessary force against a prisoner which resulted in a minor facial injury. The matter was resolved by way of a Disposition without a Hearing. The involved Officer forfeited 18 hours of time off and also submitted a letter of apology to the complainants.

In Q2, 2020, there was one Conduct Complaint substantiated as serious misconduct and referred to a *Police Services Act* Part V Disciplinary Hearing. This compares to no Disciplinary Hearing referrals in Q2, 2019.

Alternatives Reviewed

Not applicable

Relationship to Police Service/Board Strategic Priorities

Not applicable

Relevant Policy Considerations

This report is submitted to provide the Board with necessary and required information pursuant to By-law 301-2010 respecting the administration of the public complaints system, and in compliance with Provincial Adequacy Standards Regulations.

Other Pertinent Reports

41.2020 – Quarterly Report – Administration of Public Complaints System – January 1 to March 31, 2020

This report was prepared by Inspector Luigi Greco, Professional Standards Unit and reviewed by Superintendent David Meade, Executive Services, recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police



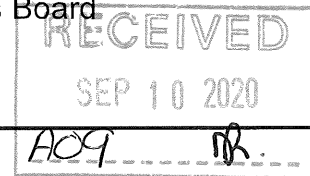
NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

142.

PUBLIC AGENDA

Subject: Annual Report – Bail and Violent Crime - January 1 to December 31, 2019
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-09-04



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- This report is submitted to the Niagara Regional Police Services Board pursuant to By-Law 215-2000, section 5 Bail and Violent Crime which states the Chief of Police shall make a written report to the Board on or before August 30 of each year.
- By-Law 215-2000, a by-law respecting bail and violent crime was enacted to meet the requirements of section 29 of the Adequacy Standards Regulation CP-002.
- A summary of written procedures concerning bail and violent Crime can be found in General Order 018.21 – Persons in Custody.

Financial Considerations

Not Applicable

Analysis

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on bail and violent crime. In addition, section 13(1)(k) requires the Chief of Police to establish procedures and processes with respect to bail and violent crime.

This report is submitted to provide the Board with the necessary and required information, pursuant to *By-Law 215-2000*, relating to issues with respect to bail and violent crime.

By-Law No. 215-2000, Bail and Violent Crime

By-law 215-2000, a by-law respecting bail and violent crime was enacted as a result of *Provincial Adequacy Standards Regulations (LE-023)*. This by-law details specific requirements as follows:

The Chief shall make a written report to the Board and the report shall include:

- a) A summary of the written procedures regarding bail, and
- b) Confirmation of the compliance with the procedures regarding bail.

The following is a detailed response to each of the above noted requirements.

- a) "...a summary of the written procedures regarding bail..."

On November 30, 2000, the Board adopted *Niagara Police Services Board By-law 215-2000*, a by-law respecting bail and violent crime. This by-law adopted the principals of *LE-023, Bail and Violent Crime* and also required a written report, by the Chief to the Board, to address a summary of written procedures regarding bail and confirmation of compliance.

The Niagara Regional Police Service currently operates under the authority of *General Order-019.08, Violent Crime Bail*. It was last updated October 25, 2016, and is currently under review. The General Order provides procedures to be considered by officers when opposing bail on "*secondary*" grounds (public interest or for the protection or safety of the public), the preparation of the bail hearing reports, and breach of conditions of release.

General Order-019.08 places responsibility on the investigating officer to determine the need for a bail hearing and outlines factors and information or documents to be considered. Upon review of the evidence gathered, the investigating officer will recommend release conditions and the reasoning for conditions. In the event that factors are present and the officer decides not to oppose release of the person in custody, the officer is required to document his rationale in the bail hearing template of the Versadex Records Management System. The officer's supervisor or central holding supervisor reviews this submission to determine if it is complete and appropriate under the circumstances. The Case Preparation Clerk later reviews all crown brief packages during the preparation of information documents for the court, serving as an extra layer of accountability. The Quality Assurance Unit conducts a further review of all report submissions to ensure compliance with General Orders.

The Niagara Regional Police Service utilizes a Central Holding Model that sees every person across the Region requiring further detention following arrest transported to one centralized facility located at 5700 Valley Way in Niagara Falls, ON. There, the Officer in Charge (OIC) Cell Sergeant and/or the Administrative Cell Sergeant, is responsible for authorizing release and/or detention of prisoners. The Administrative Cell Sergeant is responsible for reviewing and approving all criminal crown briefs to ensure quality, content and completeness of crown briefs and bail packages. Quality Assurance Constables are responsible to ensure crown briefs and general occurrences comply with the Service's General Orders.

General Order-019.08, Violent Crime Bail, section 3.4 subsection(s), directs the investigating officer to explain the bail hearing procedure to the victim and the right of the victim to attend the bail hearing. The officer preparing the brief should also consider whether it is necessary for the victim to attend the bail hearing to testify regarding any safety fears the victim may have.

Upon the arrival of the accused for a bail hearing, *General Order-019.08, Violent Crime Bail*, directs that a Court Services Bail Officer is present to record and report on the outcome. If an accused is released, the Bail Officer will notify the victim of the conditions of release (if not present in the courtroom). If the Bail Officer is unable to speak with the victim, the Bail Officer will contact the Communications Unit and generate a call for service. A uniform patrol officer would then attend the last known address of the victim to complete the notification process. The Bail Officer or uniform officer will document the notification on Versadex, by way of a post-bail report or supplementary report to the original incident.

The Bail Officer also ensures that release orders and release conditions are available for entry on to the Canadian Police Information System (CPIC).

General Order-019.08 Violent Crime Bail, further directs and outlines appropriate action be taken with regards to allegations of a breach of conditions on a release order. Finally, in the eventuality of an accused being outside the Niagara Regional Police Service jurisdiction, the General Order details procedures to be followed for their return.

b) “...confirmation of compliance with the procedures regarding bail...”

In 2019, between the Central Holding Facility at 5700 Valley Way, Niagara Falls, and the Robert S K Welch Courthouse at 59 Church Street, St. Catharines, approximately 6000 persons were processed specifically for bail hearings.

General Order-016.12 Crown Brief Submissions requires that Court Services provide a “Court Services Officer” and outlines duties and responsibilities regarding bail hearings. The Niagara Regional Police Services Court Unit has at least two Bail Officers assigned to the centralized Bail Court function, located at 59 Church St., St. Catharines on normal business days. On weekends and statutory holidays, the Court Services Officer function is assigned to one Bail Officer.

General Order-019.08 Violent Crime Bail directs the investigating officer as to the information or documentation required supporting the position to deny bail or not and direction to the investigator’s supervisors or Central Holding Sergeant to ensure complete crown brief preparation. Each stage is checked for quality, consistency and compliance. If problems are identified corrective action is taken.

The Officer in Charge (OIC) Cell Sergeant and/or the Administrative Cell Sergeant (Central Holding Sergeants) are responsible for authorizing release and/or detention of prisoners, reviewing and approving all criminal crown briefs where the accused is held within Central Holding, to ensure quality, content and completeness of crown briefs and bail packages.

There continues to be an exceptional rapport between the Ministry of the Attorney General (Crown Attorney's Office) and the Niagara Regional Police Service. In an effort to ensure that any complaints or concerns about the bail hearing process would be addressed in a timely fashion, the Service entered into a *Crown Protocol* on February 10, 2004, as provided for in the Provincial Adequacy Standard LE-006. Regular meetings have been held since that time to address any issues.

In March 2014, The Ministry of Community Safety and Correctional Services inspected Niagara Regional Police Service as part of their four-year inspection program to determine compliance with legislative and regulatory requirements set out in the *Police Services Act* and the Adequacy Standards articulated within the Act, regarding Bail and Violent Crime. No recommendations were made and Niagara Regional Police Service was found to be in compliance with all Adequacy Standards.

Justice on Target

Justice on Target, is the provincial strategy to address criminal court delay. Launched in 2008, Justice on Target, continues to support local court leaders as they identify, implement and sustain more effective practices. The need to improve bail processes has been identified as a priority by the Justice on Target and a Bail Experts Table was established in June 2012. The Bail Experts Table was established to be a forum for discussion, consultation and input into improving the bail process in Ontario. It is inclusive of representatives of all key criminal justice participant groups who have expert knowledge of the bail process. Their mandate is to provide expert advice regarding issues and potential improvements to the bail process in the form of recommendations.

Use of Technology

The committee recommended that each justice participant group make every reasonable effort to maximize the use of technology, including audio and especially video technology wherever possible and appropriate to improve the effectiveness and efficiency of the bail phase.

Video technology has been identified as a potential solution to several key challenges across the criminal justice system, including, but not limited to:

- Reducing the number of prisoners transported daily between our police facilities, correctional facilities and courthouses.
- Providing access to counsel for in-custody interviews.

- Allowing witnesses and sureties to testify from remote locations, eliminating travel expenses.

In an effort to remain in line with the recommendations made by the Bail Experts Table, the Court Services Unit installed audio/video technology in our Central Holding facility located at 5700 Valley Way, Niagara Falls, ON. The video equipment allows prisoners being held for bail hearings to appear in court by video. Members of the Court Services Unit have worked diligently with our local court stakeholders including the Judiciary, Ministry of the Attorney General, Crown Attorney's Office and with Local Defense Counsel and have developed a Weekend and Statutory Holiday (WASH Court) video bail protocol. The protocol was originally implemented in January 2016 where court proceedings were heard via video from the St. Catharines Courthouse. In January of 2017, that protocol was altered as all WASH Court matters are facilitated from the John Sopinka Courthouse in Hamilton, ON. All accused persons that are held for WASH Court Bail, appear by video. By having prisoners appear in court by video, it reduces the need for costly prisoner transportation, reduces the risk of liability of having a prisoner injured in a collision, reduces the number of personnel required to staff the courthouse on weekends and is in-line with best practices outlined by the Bail Experts Table.

Alternatives Reviewed

Not Applicable

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of the Niagara Regional Police Services Board By-Laws and to maintain compliance with the Provincial Adequacy Standards Regulation CP-002.

Relevant Policy Considerations


Police Services Board By-Law 215-2000, Bail and Violent Crime

General Order 018.21 – Persons in Custody

Other Pertinent Reports

172-2019 Annual Report - Bail and Violent Crime – January 1 to December 31, 2018

This report was prepared by James Davies, Staff Sergeant, Prisoner Management Unit in consultation with Patrick McCauley, Inspector Court Services and Prisoner Management Unit and reviewed by Richard Frayne, Superintendent, Operational Support and Special Projects.

 # 5835
Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not Applicable



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

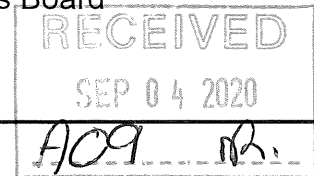
143.

PUBLIC AGENDA

Subject: Annual Report – Policing Aboriginal Occupations and Protests
January 1, 2019 – December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-09-01



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-law 324-2012 as it relates to policing Aboriginal occupations and protests.
- The Chief is required to make a written annual report to the Board with respect to policing Aboriginal occupations and protests.
- This report is submitted to provide the Board with the necessary and required information relating to the Service's written procedures and response to Aboriginal occupations and protests.

Financial Considerations

Not applicable.

Analysis

The Niagara Regional Police Service has written policies that establish procedures and responsibilities for all members of the Service in the policing and management of Aboriginal occupations and protests within the Region of Niagara. These policies appear in Niagara Regional Police General Order 230.03, entitled *Policing Aboriginal Occupations & Protests*.

It is the policy of the Niagara Regional Police Service to protect the individual rights guaranteed within federal and provincial laws, inclusive of those specifically respecting the rights of Aboriginal persons of Canada as set out in the Canadian Charter of Rights and Freedoms.

The Service recognizes that conflicts may arise as Aboriginal communities and the various levels of government work to resolve outstanding issues associated with matters such as land claims, self-determination and Aboriginal or treaty rights which may relate to education, hunting and fishing.

It is the role of the Niagara Regional Police Service, and all of its members, to make every effort prior to an event to understand the issues and to protect the rights of all involved parties throughout the incident.

Aboriginal occupation means: the seizure and control of an area of land arising from assertions of Aboriginal or treaty rights by members of an Aboriginal group (General Order 230.03)

Aboriginal trust means: a physical demonstration related to assertions of Aboriginal or treaty rights by members of an Aboriginal group. (General Order 230.03)

In accordance with By-law No. 324-2012, the Chief shall make a written report to the Board each year in respect to Policing Aboriginal Occupations and Protests, and that report shall include the following:

- a) a summary of the procedures as required by this By-law;**
- b) the status of Service compliance with the said procedures;**
- c) a summary of the training given to members with respect to policing Aboriginal occupations and protests;**
- d) a summary of any incidents of police response to Aboriginal occupations and protests; and**
- e) a summary of the steps taken by the Service to monitor and evaluate response to Aboriginal occupations and protests.**

The following is a detailed response to each of the above noted requirements.

- a) "... a summary of the procedures as required by the By-law..."**

General Order 230.03, entitled *Policing Aboriginal Occupations and Protests*, provides guidelines and procedures regarding the Niagara Regional Police Service's response to Aboriginal occupations and protests. This General Order was placed into effect on January 28, 2014 and was updated in May 2018.

General Order 230.03 includes the following information:

1. Policy (Section 1.0)
2. Definitions (Section 2.0)
3. Procedures (Section 3.0)
 - Role of Service members

The General Order places emphasis on officers to remain neutral, build trust, and use communication skills through negotiation, mediation, and dispute resolution.

With regard to Aboriginal communities, the Aboriginal Liaison Officer will: build trust, maintain contacts, remain current on issues, facilitate communications, and provide advice to the Service Executive and Incident Commanders.

Sections 3.5, 3.6 and 3.8 outline the directions for Incident Commanders in the event of an Aboriginal occupation or protest, which includes: multiple aspects of communication, mediation and arrangement of appropriate resources.

b) "... status of Service compliance with the said procedures ..."

The Niagara Regional Police Service maintains two Aboriginal Liaison Officers and two Provincial Liaison Team Officers. These officers fulfill the requirements of and maintain compliance with General Order 230.03, *Policing Aboriginal Occupations and Protests*.

The Ontario Provincial Police (OPP) developed and maintains a Provincial Liaison Team; currently the Niagara Regional Police has two members involved as part of this team. It is part of an important strategy in how police respond effectively and efficiently to major events involving First Nations. Provincial Liaison Team members work with all involved parties leading up to and during these events to facilitate safe and lawful environments for the exercise of the rights to freedom of speech and peaceful assembly.

c) "... summary of training given to members ..."

Aboriginal Liaison Officers receive training in: Aboriginal awareness (facilitated through the OPP), diversity and diversity related issues (facilitated through the Ontario Police College), and they attend the Fort Erie Native Centre for Aboriginal sensitization workshops. Training is periodically updated through courses, conferences, or workshops.

Provincial Liaison Team officers receive training through the OPP on Aboriginal issues, diversity, culture, and effective management of disputes and protests. Training is periodically updated through courses, conferences, or workshops.

d) "... summary of any incidents of police response to Aboriginal occupations and protests ..."

In 2019 there were no Aboriginal protests within the jurisdiction of the Niagara Regional Police Service. On October 22, 23, November 14, 15, 28, 29, December 5, and 6, 2019, the Ontario Government honoured the treaty rights of local Aboriginal communities (Haudenosaunee First Nations) by authorizing a traditional Aboriginal deer harvest at Short Hills Provincial Park in St. Catharines. As this location is a Provincial Park, the OPP retained primary jurisdiction over the event, assisted by the Ministry of Natural Resources (MNR).

The Niagara Regional Police Service assisted the OPP and MNR each day of the deer harvest to ensure that peace and safety was maintained during the entrance and exit of authorized people from the park. The deer harvest attracted non-Aboriginal demonstrators both in favour of and opposed to the harvest. The Niagara Regional Police Service provided support to the OPP and demonstrated respect for the rights of Aboriginal persons in accordance with the Canadian Charter of Rights and Freedoms.

e) "... summary of steps taken to monitor and evaluate police response..."

To ensure the Service continues to monitor and evaluate responses:

General Order 230.03, entitled *Policing Aboriginal Occupations and Protests*, is readily available and is the responsibility of all members to be cognizant of, and to comply with.

It is the responsibility of Aboriginal Liaison Officers, to monitor and evaluate police response and identify incidents and issues which will be reported through the Chain of Command. Each incident or issue will be assessed and the appropriate resources applied.

Alternatives Reviewed

Not applicable

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Police Services Board By-law 324-2012
General Order 230.03 Policing Aboriginal Occupations and Protests

Other Pertinent Reports

105.2019 Annual Report – Policing Aboriginal Occupations and Protests – January 1, 2017 to December 31, 2018.

This report was prepared by Staff Sergeant John Vujasic, 5 District Commander, reviewed by Acting Superintendent Mario Lagrotteria, District Operations, and Recommended by Marco Giannico, Acting Deputy Chief, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

None to report.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

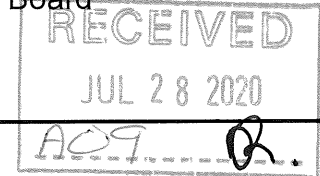
144.

PUBLIC AGENDA

Subject: Annual Report – Preliminary Perimeter Control and Containment – January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-09-01



Recommendation(s)

That the Niagara Regional Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with Board By-law 345-2014 – Preliminary Perimeter Control and Containment.
- The Chief is required to make an annual written report to the Board in respect to Preliminary Perimeter Control and Containment.
- The Service's Emergency Task Unit (ETU) is responsible for Preliminary Perimeter Control and Containment.

Financial Considerations

There are no financial implications relating to the recommendations contained within this report.

Analysis

In accordance with By-law 345-2014, the Chief shall make a written report to the Board of each year in respect to Preliminary Perimeter Control and Containment and must include the following:

- a) A summary of the procedures relating to preliminary perimeter control and containment as required by this By-law;
- b) The status of service compliance with the said procedures;
- c) Confirmation of the development and maintenance of the manual on containment team services;
- d) Confirmation that members are trained in accordance with Section 4.4.

The following is a detailed response to the above noted requirements:

a) *A summary of the procedures relating to preliminary perimeter control and containment as required by this By-law;*

Perimeter control and containment remains the responsibility of the ETU and the written procedures are set out in General Order 089.07 Emergency Task Unit. As required, the written procedures include:

- I. the circumstances in which preliminary control and containment will be established,*
- II. operational responsibility for an incident where preliminary perimeter control and containment is being established;*
- III. the deployment of other emergency response services, including receiving assistance from other agencies; and*
- IV. the duties of an officer involved in the establishment of preliminary perimeter control and containment, including compliance with the requirement of Section 22(3) of O. Reg. 3/99, pending the deployment of a tactical unit.*

b) *The status of service compliance with the said procedures;*

The Niagara Regional Police Service is in compliance with this By-law. Our Perimeter Control and Containment Team course training standards are accredited by the Ministry of the Solicitor General as required under Regulation 3/99 of the Police Services Act for Adequacy and Effectiveness of Police Services. Current accreditation is valid until July 31, 2021.

c) *Confirmation of the development and maintenance of the manual on containment team services; and*

The General Order along with written standard operating procedures and the Perimeter Control and Containment Team course training standards fulfills the obligation of a written manual and is available to each team member. Written copies of the procedures are presented to team members as they are taught. A central copy of updated procedures is available to all members. The Perimeter Control and Containment Team course training standards are reviewed on an ongoing basis and, as previously mentioned, have been accredited by the Ministry of the Solicitor General.

d) *Confirmation that Members are trained in accordance with Section 4.4;*

All members of ETU are trained as Perimeter Control and Containment Team officers (PCCT) within the guidelines of Provincial Adequacy Standards. In

addition, the Service has trained additional members of Emergency Services (USRU, TEU and K9) to PCCT standards. These officers form the Tactical Support Group (TSG) and are utilized for perimeter containment duties in support of the ETU during Tactical, or Hostage Rescue Team operations. The training of these PCCT officers takes place in addition to their primary duties. PCCT training is maintained semi-annually with training scenarios and exercises every spring and fall. The ETU conducted a PCCT course in the fall of 2018 in conjunction with the ETU selection process for the Unit. As such, six officers received PCCT credentials. One of those officers joined ETU in the fall of 2018, while the balance will serve as members of TSG.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

This report is for information purposes and has no immediate strategic priorities.

Relevant Policy Considerations

Board By-law 345-2014 – Preliminary Perimeter Control and Containment.

Other Pertinent Reports

129.2019 – Annual Report – Preliminary Perimeter Control and Containment – January 1 to December 31, 2018.

This report was prepared by A/Sgt Blair Palmer, Emergency Task Unit, in consultation with Inspector Joe Garvey, Emergency Services and reviewed by Superintendent Brian Ash, Emergency and Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

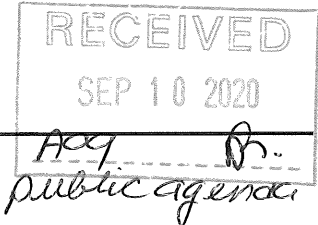
145.

PUBLIC AGENDA

Subject: Annual Report – Property Offences (including Break & Enter) - January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-09-04



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-Law 222-2000 – Property Offences.
- By-Law 222-2000 contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with legislative guidelines.
- This report is submitted to provide the Board with the necessary and required information pursuant to the investigations of Property Offences.

Financial Considerations

Not Applicable

Analysis

On November 30, 2000, the Regional Municipality of Niagara Police Services Board enacted several by-laws in response to Provincial Adequacy Standards regulation (O. Reg. 3/99). The by-laws contain provisions requiring the Chief of Police to report specific information to the Board that demonstrates the Service's compliance with the previously mentioned legislative guidelines.

The report that follows provides the Board with information concerning the investigation of property-related offences by Service members. The report addresses the reporting period of January 1, 2019 through to December 31, 2019.

By-Law 222 – 2000, Property Offences

Section 5.1 states, “The Chief shall make a written report to the Board on or before August 30 of each year. The report shall include:

- a. a summary of written procedures concerning property offence investigations.”

Written procedures regarding property offences are found in the following Niagara Regional Police Service General Orders:

- GO-095.10 – Major Incidents and Routine Criminal Investigations
- GO-121.12 – Forensic Services Unit
- GO-035.12 – Found, Seized or Received Property
- GO-037.08 – Fire Calls and Arson Investigations

These orders detail the responsibilities of officers when investigating property offences. They were prepared and approved to comply with Provincial Adequacy Standards Regulations LE-006, LE-020, LE-030, LE-042 and ER-004.

General Order 095.10 – Major Incidents and Routine Criminal Investigations identifies the duties and responsibilities of officers conducting routine criminal offences. It also outlines the process to be followed when involved in incidents deemed to be of a major nature. The Order outlines the duties and responsibilities of officers who respond to the scenes of crimes, as well as those who undertake follow-up investigations – particularly members assigned to investigative units. The provisions contained in the Order effectively address Section 5.1(a) of By-Law 222–2000, a summary of the written procedures concerning property offence investigations. This Order was subject to a review in 2019.

General Order 121.12 – Forensic Services Unit was written to assist with the investigation of most types of occurrences where the collection and preservation of physical evidence is appropriate. The Order emphasizes the responsibility of the first officer at the scene of an occurrence to ensure proper measures are taken to guard against the contamination of evidence. The Order reinforces the need for officers to determine whether a Scenes of Crime Officer or Forensic Services Officer, is required for a more detailed examination of evidence. Moreover, the Order provides a sequential list of considerations that should be entertained by officers undertaking investigations: criteria for examining stolen vehicles, preliminary examination at break and enter crime scenes, seizing exhibits, factors affecting the retrieval of crime scene fingerprints and footwear comparison and use of mug shots and lineups. This Order will be subject to a review in 2021.

General Order 035.12 – Found, Seized or Received Property expands on the duties and responsibilities of officers investigating property offences by establishing procedures for the control of evidence/property seized by members of the Service pursuant to the Police Services Act, peripheral regulations, and/or federal statutes. The Order directs members

to properly document and submit, without delay, seized items to the Service's Evidence Management Unit. This includes all evidence/property that is acquired, either directly or indirectly by reason of their duties unless otherwise permitted by this Order, with the exception of illicit drugs and motor vehicles, which are dealt with by way of other Service General Orders. This Order was subject to a review in 2019.

General Order 037.08 – Fire Calls and Arson Investigations identifies the structure, operation and responsibilities of detectives investigating arson. Additionally, the order establishes the requirement for Service members to liaise, and work in partnership, with the fire departments investigators, members of the Ontario Fire Marshal's Office, and where necessary, personnel from other police services. Last, the order directs members of District Detective Offices to monitor fire related occurrences and arson reports identifying similarities, patterns and suspects; coordinate, as required, any program or project to combat serial arsons; maintain files on all arson suspects; and monitor any identified high-risk individuals. This Order was subject to a review in 2019.

Effective June 1, 2019, all business licensing functions transferred from the Niagara Regional Police Service to Niagara Region By-Law 2018-75. Effective on that date, the collection of licence applications and fees, the issuance or denial of licences, and enforcement of the various by-laws and inspections became the responsibility of the Niagara Region's Business Licensing section.

Prior to the transfer of licensing functions on June 1, 2019, the Regional Municipality of Niagara, Police Services Board Licensing By-Law No. 361-2016 was in effect and was developed to license, regulate, and govern various trades, callings, businesses and occupations located within the Niagara Region including second hand goods stores. A second-hand-goods store means any premises used either wholly or in part for the purpose of buying and/or selling second-hand used goods and includes those stores known as "pawn shops."

The by-law required those who deal in second-hand goods record all transactions, with the exception of designated items, in a register, and make that register available for inspection by police and/or by-law officers. The by-law requires dealers to make all reasonable efforts to identify persons offering goods or articles, which they believe may have been stolen, or otherwise unlawfully obtained, and report all known facts concerning such persons and attempted transactions to the nearest police station or police officer, forthwith. Furthermore, owners of second-hand stores are required to report any apparent removal, or defacement, of a serial number or model numbers from any good or article offered in exchange for monetary compensation.

Last, the by-law obliged operators of second-hand stores to furnish copies of the previously-mentioned registers to the District Detective Office of the corresponding police district within, which the store is located. In turn, the registers are scrutinized by investigators and, where necessary, investigations are commenced into any transaction that appears suspicious.

Status of Service Compliance with the Previously-mentioned Procedures:

Numerous systems have been implemented to ensure Service members' compliance with the previously-mentioned orders. General Order 034.10 - Report Submissions, requires officers to submit a report when a criminal offence has been committed or alleged to have been committed. Officers will also report any incidents identified by the Service, or any member, as being worthy of documentation for future reference. The criteria for reporting include property offence investigations.

Section 3.10 stipulates that each submitted report must be reviewed by a supervisor in order to ensure accuracy of information contained within the report; as well as adherence to the Service's standard of information conveyance.

General Order 095.10 – Major Incidents and Routine Criminal Investigations obliges the District Detective Staff Sergeant or Detective Sergeant to review all occurrence reports submitted by members under their command and return occurrence reports to officers for follow-up investigation, where required. The Order also requires the above-referenced supervisory member to review all occurrence reports pertaining to criminal investigations and return them to the original investigating officer or re-assign as necessary, to a Detective for follow-up investigation.

The Order also identifies supervisor's guidelines for case management. Supervisors are required to review each incident and determine whether further resources are appropriate. Each incident is assigned a priority between one and three based on criteria identified in the Order. Priority one investigations shall take precedence over priority two occurrences, and so on. The priority system ensures that all occurrence reports are reviewed and receive the required attention and follow-up. The Niagara Regional Police Service, Quality Assurance Unit, ensures that property offence calls are properly coded so that statistical data may be accurately captured.

Alternatives Reviewed

To not accept this report.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of Police Services By-Laws and to maintain compliance with Provincial Adequacy Standards Regulations.

Relevant Policy Considerations

Police Services By-Law No. 222-2000 – Property Offences (including Break & Enter)

GO-095.10 – Major Incidents and Routine Criminal Investigations

GO-121.12 – Forensic Services Unit

GO-035.12 – Found, Seized or Received Property

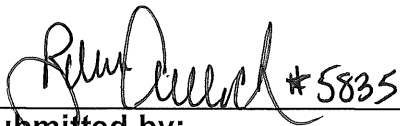
GO-037.08 – Fire Calls and Arson Investigations

Regional Municipality of Niagara, Police Services Board Licensing By-Law No. 361-2016

Other Pertinent Reports

Not Applicable

This report was prepared by Sergeant Bruce Mair, Evidence Management Unit in consultation with Inspector James Mackay, Operational Support Services and reviewed by Superintendent Richard Frayne, Operational Support and Special Projects.

A handwritten signature in black ink, appearing to read "Bryan MacCulloch", followed by the number "#5835". The signature is written over a horizontal line.

Submitted by:

Bryan MacCulloch, M.O.M. #5835

Chief of Police

Appendices

Not Applicable



NIAGARA REGIONAL POLICE SERVICE

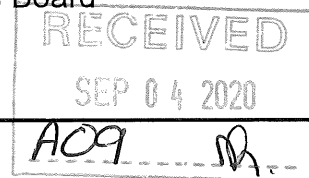
Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Speed Detection Devices – January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-09-01



Recommendation(s)

That the Niagara Police Services Board receive this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-law 321-2012 as it relates to Speed Detection Devices.
- The Chief is required to make a written annual report to the Board with respect to Speed Detection Devices.
- This report will set out the particulars with respect to the procedures required under the By-law and compliance with those procedures.

Financial Considerations

There are no financial implications related to the recommendation in this report.

Analysis

As required by the Provincial Adequacy Standard AI-013 the Police Services Board enacted a by-law respecting Speed Measuring Devices By-Law 321-2012. This by-law requires the Chief of Police to make a written report to the Board in respect speed detection devices and must include the following:

- a) A summary of the proceedings as required by this by-law
- b) The status of Service compliance with the said procedures; and
- c) A summary of the training given to members with respect to speed detection devices and confirmation that members have been trained in accordance with section 4.2.

The following is a detailed response to the above noted requirements:

a) A summary of the proceedings as required by this By-law;

The Niagara Regional Police Service is required by the Police Services Act to establish policies and procedures on the use, maintenance and training with respect to speed measuring devices. Speed measuring devices are governed by the written procedures as set out in General Order 124.06 Speed Measuring Devices. These written procedures are in accordance with the Ministry of the Solicitor General Policing Standards Manual and Adequacy Standard AI-013. General Order 124.06 defines the procedures in relation to operators, equipment specifications, maintenance, records, training enforcement and safety requirements.

b) The status of Service compliance with the said procedures;

It has been the policy of the Niagara Regional Police Service to assign an officer as the Speed Management Coordinator (SMC). The SMC oversees the Service inventory of speed detection devices, repairs and the training of all personnel pertaining to speed measuring devices. Reporting to the Traffic Services Staff Sergeant, the SMC must be a subject matter expert in the field of speed management and possess the knowledge, skills and ability to perform the required duties. Sergeant Josh Klop of the Traffic Enforcement Unit manages the Speed Management Training Program for the Service and is responsible for repair and maintenance, purchasing and inventory of the existing speed measuring devices used by the Service. The SMC is a members of the Ontario Speed Management Advisory Group which is made up of subject experts from around the province in the area of speed management that are responsible for making recommendations to the Ontario Association of Chiefs of Police Traffic Committee.

Constable Brian James and Constable Tim Farr are the certified Master Radar and Lidar instructors for the Service. They assist the SMC when it comes to developing and administering speed measuring device courses for the Service.

Radar devices acquired and used by Service members are required to be tested and certified initially by the manufacturer to be in accordance with the current National Highway Safety Administration current radar device performance standards adopted by the International Association of Chiefs of Police which is entitled "Speed Measuring Device Performance Specifications: Down-the-Road Radar Module." The following speed measuring devices are currently in use by the Service. All of these devices fall within the safety guidelines of Health Canada's Safety Code 6 as adopted by the Ontario Ministry of Labour. All of these devices are purchased, repaired and certified by an approved Canadian distributor:

- 1) Genesis VPD Handheld Radar
- 2) Genesis Scout Handheld Radar
- 3) Genesis II Mobile Radar
- 4) Genesis II Select- Directional Mobile Radar
- 5) MPH BEE II Mobile Radar
- 6) LTI Ultralyte LRB Handheld Lidar.

c) A summary of the training given to members with respect to speed detection devices and confirmation that members have been trained in accordance with section 4.2;

In 2012 the Provincial Adequacy Standard that governs Speed Measuring Devices was amended. The changes to the Adequacy Standard prompted changes to the Provincial Course Training Standard and was introduced to the Province through the Ontario Police College in the spring of 2013.

Constable Brian James from the Traffic Enforcement Unit was a member of the advisory group that helped develop the new course training standard. There are minimum training requirements for the course content as well as the time spent during radar and lidar training that is prescribed within the Provincial Adequacy Standards and recommendations from the Ontario Police College. The Service is in compliance with the Provincial Adequacy Standard. All recruits, upon returning from the Ontario Police College Basic Recruit course, are given a one day 10 hour lidar certification training course. Every officer that is certified on lidar is required to take a four-hour re-certification course every 36-month period in order to remain qualified as a lidar operator. Officers that have shown an interest in traffic enforcement and speed measuring devices can then request to take the 16-hour radar operator certification course. The following are the prescribed training guidelines that are met by the Service:

- Radar Operator Certification Course – 16 hours
- Lidar (laser) Operator Certification Course – 10 hours
- Radar Operator Re-Certification Course – 4 hours
- Lidar (laser) Operator Re-Certification Course – 4 hours
- Radar Instructor Certification Course – 45 hours
- Radar Instructor Re-Certification Course – 8 hours

The SMC is responsible for the co-ordination of radar/lidar training and ensures that all radar/lidar instructors are provided with the current course training standard and teaching material to ensure compliance with the Adequacy Standards. Currently the Service has the following number of instructors with various speed measuring devices:

- 23 Lidar Instructors – qualified to teach and certify lidar operators
- 40 Radar Instructors – qualified to teach and certify radar operators
- 2 Master Radar Instructor Trainers – qualified to teach the Radar Instructor Certification Course

2017-2019 Speed Measuring Device Instructors

Lidar and Radar Speed Measuring Device Instructors	2017	2018	2019
Lidar Instructors	18	24	23
Radar Instructors	37	41	40
Master Radar Instructor Trainers	2	2	2

The SMC advises that front line officers have been receiving the required mandated lidar training. Uniform districts along with the Traffic Enforcement Unit have demonstrated a commitment to traffic enforcement. The majority of front line uniform personnel have received the prescribed training and for this reporting period there are approximately 260 members that are qualified to operate speed detection devices.

The Niagara Regional Police Service continues to make traffic enforcement and road safety a priority. The membership continues to receive the necessary training required to operate speed detection devices and the inventory of speed management devices has been maintained to ensure equipment is available for operational use. The Niagara Regional Police Service is in compliance with By-law 321-2012 regarding speed detection devices as well as all aspects of the provincial adequacy standard in relation to speed measuring devices.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

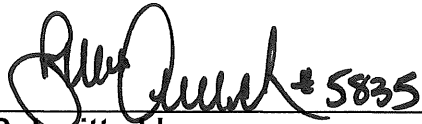
Relevant Policy Considerations

Board By-law 321-2012 – Speed Detection Devices.

Other Pertinent Reports

128.2019 – Annual Report – Speed Detection Devices – January 1 to December 31, 2018.

This report was prepared by Paul Webb, Staff Sergeant, Traffic Management and Road Safety, Emergency Services Unit, in consultation with Joe Garvey, Inspector, Emergency Services Unit. Reviewed by Brian Ash, Superintendent, Emergency and Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

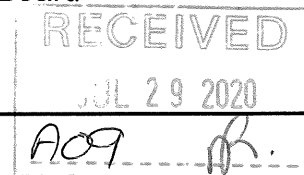
147.

PUBLIC AGENDA

Subject: Annual Report – Traffic Management, Enforcement and Road Safety – January 1 to December 31, 2019.

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-09-01



Recommendation(s)

That the Niagara Police Services Board receive this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-law 292-2009 – Traffic Management, Enforcement and Road Safety.
- The Chief is required to make a written annual report to the Board with respect to Traffic Management, Enforcement and Road Safety.
- This report will set out the particulars with respect to the procedures required under the By-law and compliance with those procedures.

Financial Considerations

There are no financial implications relating to the recommendation in this report.

Analysis

By-law 292-2009, Traffic Management, Enforcement & Road Safety was enacted on December 17, 2009 as a result of Provincial Adequacy Standard AI-013. This By-law details specific requirements as follows:

- a) A summary of the traffic management plan;
- b) A summary of traffic law enforcement and the road safety plan;
- c) The status of service compliance with a. and b.

a) A summary of the traffic management plan;

Traffic Management, Traffic Law, Enforcement & Road Safety Plan

The Service has made road safety and traffic enforcement the responsibility of every police officer in the Service. Provincial Adequacy Standard LE-017 also calls for the Service to have a Traffic Management, Traffic Law, Enforcement and Road Safety

Plan. The plan itself, which is supplemented by a number of General Orders that relate directly to traffic enforcement, ensures that members understand and appreciate the importance of effective enforcement. Further, the plan makes clear the objectives of traffic enforcement and provides information on effective enforcement strategies. The current plan was updated during this reporting period in order to ensure that it addressed recent trends experienced in our communities.

The Traffic Management, Traffic Law, Enforcement and Road Safety Plan has evolved to include the following:

- The legislation and guidelines that call for the creation of such a plan.
- References to Service policies that directly affect traffic enforcement and road safety (example: General Orders 58 entitled "Traffic Collision Investigations," 60 entitled "Traffic Enforcement," 61 entitled "Impaired Driving Offences" 62 entitled "Traffic Management" and 124 entitled "Speed Measuring Devices").
- Identification of the four main casual factors of collisions (in general – by the Canadian Association of Chiefs of Police) as impaired driving, failure or improper use of seatbelts, distracted driving and aggressive driving.
- The identification of key stakeholders within the community who also play a role in road safety and police interaction on related committees.
- A review of the trends identified by Dr. Paul Divers.
- A further depiction of the most recent five-year trend by members of the Collision Reconstruction Unit.
- The plan speaks to the responsibilities of members assigned to frontline patrol duties, the Traffic Enforcement Unit and the Collision Reconstruction Unit. Also stressed is the fact that traffic enforcement is a core policing responsibility.
- The requirements to develop intelligence-led traffic enforcement initiatives while providing examples of initiatives or projects that remain in effect.
- Equipment available to support traffic initiatives, and
- The importance of working with stakeholders including the media and in particular, the Regional Niagara Road Safety Committee which at the current time is targeting distracted driving through the "Think and Drive" program with support from both the Niagara Regional Police and the Ontario Provincial Police.
- The creation of a new Niagara Regional Police Road Safety Twitter account. Each day messages are sent through social media advising followers of road safety information and updates and details on enforcement initiatives.

It is recognized that traffic related issues are constantly evolving as our community changes through development, technological advancement, demographics, road design and population. As we grow as a society our needs change. As a police service we are responsible for adapting to these changes and have to make certain that the Traffic Management, Traffic Law, Enforcement and Road Safety Plan evolves accordingly. Members of the Traffic Enforcement Unit and the Collision Reconstruction Unit will ensure that the traffic enforcement strategies outlined within the plan remain relevant.

Collision Reconstruction Unit

Section 5(1)(d) of Ontario Regulation 3/99 of the Police Services Act prescribes that a police service have a Collision Reconstruction Unit. The Service is in compliance with this regulation.

There are six detective constables assigned to the Collision Reconstruction Unit who receive extensive specialized training in forensic surveying as well as the collection and interpretation of collision scene evidence.

Collision reconstruction officers receive training at the Ontario Police College and at minimum must be trained to a Level IV certification. Once this is achieved, detectives assigned to this Unit continue to attend training courses to increase and enhance their expertise in the numerous areas of collision reconstruction.

A review of the 2019 year reveals the Collision Reconstruction Unit investigated 13 fatal collisions (resulting in 13 deaths) and 12 life threatening/serious injury collisions. In addition, these officers assisted Uniform Patrol with 11 collisions, assisted at 6 major crime scenes, attended 10 RPA (drone) assist calls, and also assisted with 6 blood warrants for the Traffic Enforcement Unit.

2017-2019 Summary–Collisions Involving Fatalities or Life-Threatening Injuries

Classification of Serious Collison	2017	2018	2019
Collisions resulting in Fatalities	18	16	13
Collisions resulting in Life-Threatening Injuries	8	16	12
Number of Serious Collisions	26	32	25

Traffic Enforcement Unit/Breath Analysis Support

As prescribed by Section 5(1)(d) of Ontario Regulation 3/99 of the Police Services Act, a police service must be able to provide breath analysis support. The Niagara Regional Police Service is in compliance with the Act and this directive falls under the mandate of the Traffic Enforcement Unit.

The Traffic Enforcement Unit was formed in 2007 and has an authorized strength of four sergeants and 15 patrol officers. Part of the mandate of this Unit is to conduct enforcement through various traffic initiatives in problem areas throughout the Region. In 2019, officers from this Unit were responsible for issuing 5,851 Provincial Offence

Notices and summonses. Officers assigned to the Traffic Enforcement Unit receive additional training in the areas of Breath Analysis, Drug Recognition, Level II Collision Investigation and Radar and Lidar speed detection equipment. Officers trained as Qualified Breath Technicians (BAT) and Drug Recognition Experts (DRE) are responsible for providing breath analysis across the Region and are available 24 hours a day.

During the reporting period of 2019, 22 officers were certified BATs and 10 officers were certified DREs. The majority of Traffic Enforcement Unit officers have completed the Level II Traffic Investigation and all are Radar and Lidar trained including two members who are certified as Master Radar/Lidar Instructors. Traffic Enforcement Unit members also conducted 474 breath analysis tests and performed 50 drug recognition evaluations.

2017-2019 Summary Test for Impairment

Tests for Impairment	2017	2018	2019
Performed by BAT	531	431	474
Performed by DRE	54	34	50
Number of Test for Impairment	585	465	524

b) A summary of traffic law enforcement and the road safety plan;

The sections that follow provide additional detail in regard to some of the law enforcement actions detailed within the Traffic Management, Traffic Law, Enforcement and Road Safety Plan.

Directed Enforcement Initiatives

Directed Enforcement Initiatives are meant to target specific Highway Traffic Act matters, including locations associated to serious motor vehicle collisions. Using data from public complaints, calls from the traffic hotline and information about locations involving frequent motor vehicle collisions, officers assigned to the directed enforcement duties are better equipped to make the most of their time spent on enforcement. Many of these initiatives are generated at the district level and are supported by the Traffic Enforcement Unit that address issues specific to the municipality. The Canada Road Safety Week Campaign was conducted from May 14 to May 20, 2019. During this national campaign, officers were encouraged to pay special attention to the "big four killers" – impaired operation by alcohol or drug, failure or improper use of seatbelts, distracted driving and aggressive driving. The following enforcement initiatives have been conducted by members of the Traffic Enforcement Unit in 2019:

-
- Large truck enforcement along the Welland Canal
 - Effingham Road speed enforcement
 - Back 2 School Children & Road Safety Day
 - Operation High Flyer
 - Commercial Motor Vehicle Inspection Blitz

All of these enforcement initiatives are directed towards enhancing road safety and public education through enforcement. Members of the Traffic Enforcement Unit have successfully formed partnerships with District uniform officers to address local safety concerns while demonstrating compliance with the By-law.

ALPR – Automated Licence Plate Recognition

In 2017, the Traffic Enforcement Unit was successful in applying for a Civil Remedies Grant and received funding to purchase an ALPR – Automated Licence Plate Recognition equipment to affix to a new vehicle. The ALPR is a series of three cameras affixed to the roof of a vehicle that takes photos of licence plates, capturing the date, time and GPS coordinates of the detection and displaying an image of the plate and vehicle. Each plate image is then compared with a database (hot-list) which is updated and downloaded each morning. This list is provided by the MTO and CPIC. If the plate is recognized as being on this list (hit) an alert is given, indicating which camera captured the image and the potential violation. In 2018, the Traffic Enforcement Unit added a second ALPR vehicle to its fleet.

This system became operational in July 2017. In 2019 the ALPR assisted officers in laying 2055 Provincial Offence Notices. Many of these offences were issued to suspended and unlicensed drivers. Since the program's inception, a total of 5546 Provincial Offence Notices have been issued.

Enhanced R.I.D.E Program

Impaired driving has been identified as one of the "Big Four Killers" on our roadways. As part of our continuing commitment to road safety the Enhanced R.I.D.E Program is conducted during peak periods including festival and holiday seasons. Every year the Service makes application for a R.I.D.E grant that is administered by the Policing Division of the Ministry of the Solicitor General. The fiscal cycle for this grant runs for one year beginning in mid-March with statistical reporting submitted at the end of the fiscal year. For the 2019 R.I.D.E season, which ran from March 18, 2019 to March 17, 2020, the Service was allocated \$44,885 in provincial grant money. As a result of the 2019 R.I.D.E program, 6196 vehicles were stopped and checked, 196 roadside tests were conducted, 13 people had their licences suspended for three days, six people were charged criminally with impaired driving, two Liquor Licence Act charges were laid, 98 Provincial Act charges were issued and an additional person was charged with other Criminal Code offences.

2017-2019 R.I.D.E Program Statistics

R.I.D.E. Program	2017	2018	2019
Vehicle Stopped	11,887	6,285	6,196
Administered Roadside Tests	150	167	196
Issued 3-Day Suspensions	22	10	13
Impaired Driving Arrest	12	10	6
Liquor Licence Act Charges	2	2	2
Highway Traffic Act Charges	138	92	98
Other Criminal Code Charges	1	1	1

Traffic Safety and Enforcement Day

On Tuesday September 3, 2019 the Niagara Regional Police Service conducted its 19th annual Back to School Traffic Safety and Awareness Day. The project coincides with the return to school for most of the Region's school children. In addition to the usual speed and distracted driving enforcement, members of the Service also focused on school bus and crossing guard compliance. A total of 57 officers including Executive Staff, detectives and officers from several specialty units, assisted with this initiative. Officers stopped 145 vehicles for various Highway Traffic Act offences of which 73 Provincial Offence Notices and 89 warnings were issued. Two drivers were charged with driving while operating a hand-held communication device and two were ticketed for not wearing their seatbelt.

Educational Traffic Initiatives

Regional Niagara Road Safety Committee

As the result of a symposium held with community stakeholders in April 2003 regarding the serious collision problem in Niagara, the Regional Niagara Road Safety Committee (RNRSC) was formed with a clear mandate of making the Region's roadways safer for Niagara's citizens and visitors.

The group has representation from:

- Regional Niagara Public Health Department
- Regional Niagara Public Works and Utilities Department
- Niagara Regional Police Service
- Ministry of Transportation
- Niagara Parks Police
- Regional Niagara EMS
- Canadian Automobile Association (CAA Niagara)
- Ontario Provincial Police

With considerable consultation and planning, the Committee developed a strategic plan to address the main causes of the area's most serious collisions using a multi-disciplined approach in the areas of road safety:

- Education (Public Health)
- Engineering (Public Works)
- Enforcement (Police)
- Advocacy and Communication (CAA)

This year, the RNRSC has identified distracted driving as their primary road safety hazard and are developing educational strategies focusing on young drivers with a goal to reduce collisions caused by cell phone and use of other electronic devices while driving.

c) The status of service compliance;

The Service is in compliance with By-law 292-2009 pertaining to Traffic Management, Enforcement and Road Safety.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Board By-law 292-2009 – Traffic Management, Enforcement and Road Safety.

Other Pertinent Reports

175.2019 – Annual Report – Traffic Management, Enforcement and Road Safety – January 1 to December 31, 2018.

This report was prepared by Paul Webb, Staff Sergeant, Traffic Management and Road Safety, Emergency Services Unit, in consultation with Joe Garvey, Inspector, Emergency Services Unit. Reviewed by Brian Ash, Superintendent, Emergency and Investigative Services recommended by recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.

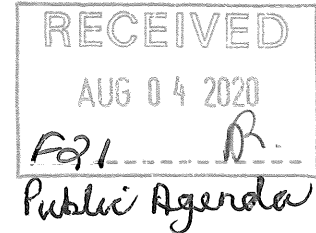


Ontario
Association of
Police Services
Boards

148.

July 31, 2020

Deb Reid
ZONE 4 & Niagara Police Service Board
Deb.Reid@niagarapolice.ca



Dear Deb,

Thank you for supporting **The Ontario Association of Police Services Boards' 2020 Spring AGM**. The Ontario Association of Police Service Boards' 2020 AGM was held May 29, 2020 virtually.

Your partnership is appreciated and valued. Each year the conference assists us to continue our mission to deliver education, training and governance support to all of our members, with that event being lost due to COVID19, your support meant so much. . By supporting us this year you have assisted us to continue our mission to service membership.

In 2020 the funding received was used to:

- Provide access of the virtual AGM for all members at no cost.
- Offset the expenses related to delivering the virtual event and training
- Purchase of virtual technology
- Support the marketing and outreach required to inform and communicate with members
- Provide your organization recognition on our website, eblasts and at the virtual event.
- Deliver upgrades to our education & training to membership

We thank you so much for providing your partnership and hope you will return in 2021 when we are able to launch the Spring Conference & AGM in Niagara Falls.

Kind regards,

Yours truly,

Patrick Weaver
Chair

Fred Kaustinen
Executive Director

Cc Holly Doty
Ontario Association of Police Services Boards
180 Simcoe St, London, ON N6B 1H9
T: 1-800-831-7727 | C: 519.636.7707

149.



Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

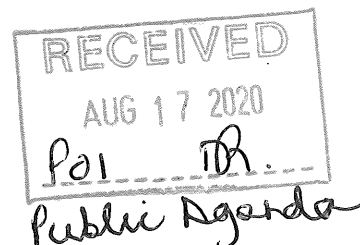
www.niagararegion.ca

August 17, 2020

Special Regional Council, August 13, 2020

Councillor Sendzik Motion re NRPS

Deb Reid, Executive Director
Niagara Regional Police Services Board
5700 Valley Way
Niagara Falls, ON L2E 1X8



SENT ELECTRONICALLY

RE: Councillor Sendzik – Motion re Niagara Regional Police Service - Diversity, Equity & Inclusion
Minute Item 6.1 CL 14-2020, August 13, 2020

Dear Ms. Reid,

Regional Council, at its Special meeting held on August 13, 2020, passed the following motion put forward by Councillor Sendzik regarding Niagara Regional Police Service - Diversity, Equity & Inclusion:

Whereas systemic racism against Black people, Indigenous people and other people of colour (BIPOC) exists in Niagara;

Whereas the tragic deaths of Black people and Indigenous people in Canada and United States by police has created an urgency to challenge and change systems of policing in communities across Canada;

Whereas the Regional Municipality of Niagara is the funding body for the Niagara Regional Police Services;

Whereas the Niagara Regional Police Services Board is an oversight body of the Niagara Regional Police Services, and includes members of Niagara Regional Council;

Whereas the Niagara Regional Police Services Board approved its NRPS 2020-2022 Diversity, Equity & Inclusion Strategic Plan that includes aspects of working with the BIPOC communities;

Whereas more work must be undertaken by the Niagara Police Services Board and Chief of Police to engage with our BIPOC community with an objective to better understand, address and eliminate any prejudice, racism and bias in our Police Service; and

Whereas the Niagara Regional Police Services Board has established a partnership with the Canadian Mental Health Association Niagara Branch to provide mental health emergency support through the Mobile Crisis Rapid Response Team.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region Council **REQUESTS** the Niagara Regional Police Services Board direct the Chief of Police to undertake the following:

- a. Prepare a report outlining all training, (pre-badge and during badge) on de-escalation techniques, diversity, cultural sensitivity and anti-racism training (both internal and external facing from the membership) and that the Chief include any recommendations for furthering this training to the Niagara Regional Police Services Board for further consideration, and that the Niagara Regional Police Services Board members commit to training on these issues on an annual basis;
- b. That a report outlining the public complaint process be brought forward for information with any recommendations as to provide ease of access to any methods of submitting complaints including but not limited to a communications campaign that makes this process better understood;
- c. That seeing that Statistics Canada just announced it will start collecting race-based crime data, that the Chief also work to bring back a report with metrics and/or data over the last five (5) years (or appropriate time horizon) on various crime statistics including but not limited to anything that further provides information on/or a picture of police interactions with racialized communities;
- d. That information on data entry, including how calls for service are entered into the record management system be examined with any recommendations for further expansion of data entry to identify interactions with anyone from the Black, Indigenous, ethno-cultural or people of colour community to further transparency;
- e. That an independent, third party survey be undertaken to gain a better understanding and receive feedback on interactions between the Niagara Regional Police Service and Niagara residents;

- f. That the Chief of Police examine opportunities to work with TOES Niagara, Niagara Multicultural Centre, YWCA, Welland Heritage Council and Multicultural Centre and any other group working with newcomers and recently arrived immigrants;
- g. That the Police Services Board direct the Chief of Police, alongside the Senior Leadership Team to provide an analysis on the implications of directing dollars towards further social service and community outreach initiatives as part of the 2021 budget, versus increases to operational and capital budgets unless deemed essential;
- h. That the Police Services Board develop a diversity plan for board appointees that reflect the diversity of the Niagara community; and
- i. That a report on the number and specific types of calls related to mental health and addictions, be brought forward and that the report include an actionable plan, including options for both an extension of the current MCRRT but also an alternate NRP led plan funded by the Niagara Region, developed in partnership with Niagara EMS and local mental health, addictions, and crisis agencies, to respond to these calls in line with guidance and recommendations from the Canadian Mental Health Association; and

2. That the correspondence from the City of St. Catharines Council, dated August 11, 2020, containing the recommendations of the City of St. Catharines Anti-Racism Committee, **BE FORWARDED** to the Niagara Regional Police Services Board for consideration.

A copy of the correspondence from the City of St. Catharines Council referenced in recommendation 2 is attached for your reference.

Yours truly,

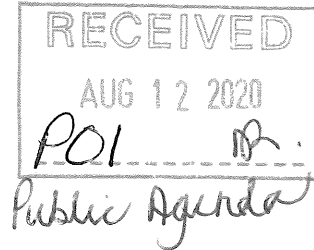


Ann-Marie Norio
Regional Clerk



August 11, 2020

Deb Reid
Executive Director
Niagara Regional Police Service Board
5700 Valley Way
Niagara Falls, ON L2E 1X8



Sent via email: Deb.Reid@niagarapolice.ca

**Re: Motion regarding Body Cameras for Police Officers - Comments from City of St. Catharines Anti-Racism Advisory Committee
Our File 35.65.75**

Dear Ms. Reid,

At its meeting held on August 10, 2020, St. Catharines City Council approved the following motion:

WHEREAS St. Catharines City Council asked for advice from the Anti-Racism Advisory Committee on body cameras for police and other reforms;

THEREFORE BE IT RESOLVED that City Council endorse the following recommendations from the Anti-Racism Advisory Committee:

Training

- Increase Crisis Intervention Training to being offered at least 4 times a year or until as close to 100% of front line officers as possible at any given time would have completed the training;
- Add cross-cultural mental health training to its Crisis Intervention Training;
- Add implicit bias and anti-racism trainings in its refresher trainings and that these trainings be led by experts from equity seeking groups, along the lines of the African Canadian Legal Clinic's recommendations to the Ipperwash Inquiry: "That police forces develop an anti-racism curriculum and training program to be incorporated into any existing training programs on use of force and which will be mandatory for recruits, new officers, and serving officers. The training should be designed and delivered by independent experts in anti-racism to ensure a full understanding of racially biased policing, racial discrimination and the racialized communities police serve, particularly with respect to use of force. This training should be provided as a refresher on a regular basis. The training program should be independently and regularly evaluated to assess its efficacy with respect to effecting anti-racist behavioral and attitudinal change."

PO Box 3012, 50 Church St., St. Catharines, ON L2R 7C2

Tel: 905.688.5600 | TTY: 905.688.4889 | www.stcatharines.ca

Re-assessing police service standards to shift its budget

- The NRPS Chief and Board re-assess “adequate policing” requirements based on removing welfare checks, mental health, and suicide threat calls, as well as foot patrols that are only demanded because of perception;
- That the Niagara Regional municipality shift these funds from the reduction of the NRPS budget to a dispatched civilian service such as the EMS;

Civilian Review

- The establishment of a local purely civilian (no former police officers) body including members from equity seeking groups with oversight, disciplinary powers, and the power to refer charges for prosecution over police officers;
- Establish the office of a purely civilian (no former police officers) Ombudsperson with full access to police records and data;

Releasing Statistics

- Publish online details of police-reported hate crimes for each incident including location, date and time, the protected group which was attacked, and the nature of the crime;
- Publish online the use of force by race data required to be submitted to the Ministry of the Solicitor General under the Anti-Racism Act;
- Extend the collection of race data to traffic stops and publish online these statistics as well as the outcome (any charges) for traffic stops;

Hiring

- Increase diversity hiring to at least 15% of the recruiting class over three years, and further as per the African Canadian Legal Clinics recommendation to the Ipperwash Inquiry:
“That police recruits be screened for prejudicial and racially discriminatory attitudes, similar to screening already being done for personality attributes, criminal record, and family background. That police forces be encouraged to retain independent employment equity experts to develop concrete, measurable and attainable goals to increase the number of racialized people, particularly African Canadians and Aboriginals, especially in positions of responsibility, in order to achieve a “critical mass” of representation and diversity to promote cultural and organizational change”;
- That these independent employment equity experts undertake a comprehensive review of the hiring, recruitment, selection, and management practices of the NRPS;

8 Can't Wait Campaign

- Require all officers to have a duty to intervene against excessive use of force or abuse;
- Prohibit shooting at moving vehicles;

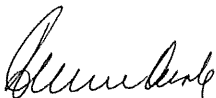
Performance Reviews

- As per the African Canadian Legal Clinic's recommendation to the Ipperwash Inquiry:
"That police forces ensure that complaints and concerns against police officers relating to use of force, particularly when the complainant is racialized, are reflected and factored into the assessment of each officer's performance review and or promotions."; and

BE IT FURTHER RESOLVED that St. Catharines City Council call on the Niagara Region, through the Police Services Board, to immediately begin the process of implementing the above recommendations; and

BE IT FURTHER RESOLVED that this motion be forwarded to all local municipalities; the offices of all Niagara-area MPPs and MPs; the offices of the Attorney General of Ontario Doug Downey, the Attorney General of Canada David Lametti and Federal Public Safety Minister Bill Blair; and request comment from the Solicitor General of Ontario Sylvia Jones. FORTHWITH"

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:em

Cc. Hon. Bill Blair, Minister of Public Safety and Emergency Preparedness, Bill.Blair@parl.gc.ca
Hon. David Lametti, Minister of Justice and Attorney General of Canada, David.Lametti@parl.gc.ca
Hon. Doug Downey, Attorney General, doug.downey@pc.ola.org
Chris Bittle, MP - St. Catharines, Chris.Bittle@parl.gc.ca
Dean Allison, MP - Niagara West, Dean.Allison@parl.gc.ca
Vance Badawey, MP - Niagara Centre, Vance.Badawey@parl.gc.ca
Tony Baldinelli, MP - Niagara Falls, Tony.Baldinelli@parl.gc.ca
Jennifer Stevens, MPP - St. Catharines, JStevens-CO@ndp.on.ca
Jeff Burch, MPP - Niagara Centre, JBurch-QP@ndp.on.ca
Wayne Gates, MPP - Niagara Falls, wgates-co@ndp.on.ca
Sam Oosterhoff, MPP - Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
Kenneth Gansel, Chair, Niagara Regional Police Service Board
Ann-Marie Norio, Regional Clerk, Ann-Marie.Norio@niagararegion.ca
Niagara Area Municipalities



150.

Community Services

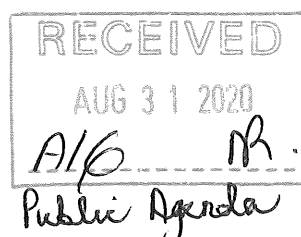
Legislative Services

August 25, 2020

File #120203

Sent via email: Ann-Marie.Norio@niagararegion.ca

Ann-Marie Morio, Regional Clerk
Niagara Region
1815 Sir Issac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7



Dear Ms. Norio

Re: Councillor Sendzik – Motion Re: Niagara Regional Police Service – Diversity, Equity and Inclusion

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of August 24, 2020 received your correspondence dated August 17, 2020 and supported the motion passed by Regional Council supporting Councillor Sendzik's motion regarding the Niagara Regional Police Service – Diversity, Equity and Inclusion.

Trusting this information will be of assistance to you.

Yours very truly,

Carol Schofield, Dip. M.A.
Manager, Legislative Services/Clerk
cschofield@forterie.ca

c.c.

Sent via email

Deb Reid, Executive Director, NRPSB deb.reid@niagarapolice.ca

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca



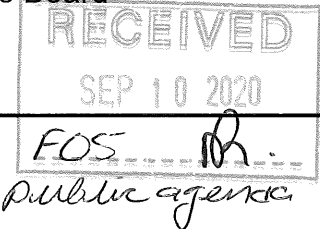
NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

151.

PUBLIC AGENDA

Subject: NRPS Financial Variance Overview for the Period Ending June 30 2020
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-09-09



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of the report is to provide an analysis of the 2020 Q2 financial results of the Service and Board as per the Service's Financial Reporting, Control and Procurement of Goods and Services By-Law 384-2019.
- For the period ending June 30, 2020, the Service and Board have a combined net expenditure before indirect allocations surplus of \$265,811.
- Based on the results for the six month period and the estimated financial impact of the COVID-19 emergency measures, the Service is forecasting a deficit of \$920,214 by the end of this fiscal year.
- To date, the most significant risk to the year-end financial position is the impact of the mandated measures by government and health agencies in response to the COVID-19 pandemic. The forecasted incremental net cost resulting from the COVID-19 pandemic is \$3,483,170.

Financial Considerations

There are no direct financial implications from receipt of this report.

Analysis

The year-end variance summary (Appendix 1) provides a synopsis of the combined financial operations for the Police Service and the Board for the period ending June 30, 2020. The variance compares the result for 2020, including the impact of the COVID-19 pandemic, to the budget approved by the Police Service Board and Regional Council.

In March 2020, in response to the growing COVID-19 pandemic, the Service initiated the emergency response plan to support the measures mandated by government and health agencies. Activities included the purchase of additional and alternative infection control supplies and personal protective equipment (PPE), introduction of social distancing protocols, and the introduction of administrative leave for identified members out of the workplace due to COVID-19 related restrictions. A financial impact summary is provided as Appendix 2.

For the period ending June 30, 2020 gross costs related to COVID-19 totalled \$2,484,321. Included in this total is \$1,028,580 related to permanent members on administrative leave or rotating shifts. These costs represent a loss of productive time, however the expense is supported by the base budget. As such, the net incremental costs related to COVID-19 as of June 30, 2020 are \$1,455,741. At this time, the Service is forecasting total gross costs to year-end to be \$4.6M, with \$1.1M supported by the based budget, leaving a forecasted net incremental cost of \$3.5M. The net incremental costs are included in the below variance analysis.

As detailed in Appendix 1, for the period ending June 30, 2020 the Service and Board have a combined net expenditure before indirect allocations surplus of \$265,811. At this time, the Service is forecasting a deficit position of \$0.9 million by the end of this fiscal year, which includes the projected net cost impact of \$3.5 million resulting from the impact of the COVID-19 emergency measures. This projected net impact assumes emergency measures will be in effect to year end. The Service anticipates the mitigation of these extraordinary costs mainly from uniform hiring lags, favourable fuel rates, staff development savings and provincial funding received by the Region.

A detailed discussion of the actual performance to budget by major expense category follows:

Personnel Costs:

For the period ending June 30, personnel costs were below the approved budget by \$1,208,627 which represents 1.6% of the total personnel budget to date. This favorable variance is the net result of savings realized within uniform salaries, partially offset by increased spending of civilian salaries to backfill operationally essential civilian positions and sick leave payouts from greater than budgeted retirements. The incremental unbudgeted cost impact to date on personnel costs that are attributed to the pandemic total \$124,608. These costs were incurred at the onset of the pandemic when staff were assigned to assist in the implementation of the emergency measures or to replace members off on administrative leave due to contact with (a)symptomatic person.

Based on year-to-date results, the Service is forecasting personnel costs to be under budget by approximately \$2.2 million by year-end inclusive of COVID costs. This forecasted favorable position is anticipated from uniform salary savings due to lags in the replacement of vacant positions and savings in special duty expenses as a result of COVID-19 restrictions, offset by the expected continued trend in civilian salaries spent for

the backfilling of operationally essential positions. The forecasted unbudgeted cost impact of COVID-19 pandemic to year-end on personnel costs is \$0.2 million. As explained, most of the personnel costs incurred during the pandemic were incurred during the first few weeks to assist in the implementation of the emergency measures or as replacement staff for members on administrative leave.

Other Operational Expenditures:

Other operational expenditures are comprised of all other operating expenditures excluding personnel costs. For the period ending June 30, the other operational expenditures resulted in a net surplus of \$218,644 inclusive of COVID costs. To date the Service has incurred \$332,043 from the implementation of the emergency measures mainly for the purchase of personal protective equipment. These expenses are partially offset by savings in staff development, fuel and administrative travel expenses realized as a result of COVID-19 restrictions. Further savings have been realized in fuel costs due to lower than budgeted fuel rates in the first half of the year.

The projected year-end position for other operational expenditures is anticipated to be favorable by approximately \$0.3 million. The projected cost of COVID-19 emergency measures is \$0.4 million, which is offset by a projected savings related to COVID-19 in staff development, fuel and travel expenses. In addition, the Service anticipates favourable fuel rates will continue to year-end.

Recoveries & Revenues:

For the period ending June 30, gross revenues and recoveries were below budgeted levels by \$1,206,630. This is mainly the result of a shortfall from third party revenue sources received from the City of Niagara Falls as well as minor reductions in fees for service, special duty and secondment revenues due to COVID-19 emergency measures.

The year-end forecast includes a \$3.5 million shortfall in revenues and recoveries. This forecast is based on the assumption that the COVID-19 emergency measures will continue until year-end impacting the re-opening of the Niagara casinos. At this time, the Service has not been informed of any significant impacts to provincial grant programs however this remains a risk that Staff is monitoring.

The forecast does not include any federal or provincial relief funding related to COVID-19 emergency measures. The total COVID-19 costs to the Region, net of other confirmed funding is forecasted to be \$36.7 million, which includes \$4.6 million of NRPS costs. The Region has received \$12.185 million in phase 1 municipal Safe Re-start funding from the Province of Ontario. The funding will be used to cover the overall forecasted deficit of \$7 million in the Regions levy departments and programs including ABC's. Region Staff is recommending that any excess Safe Restart funding at December 31, 2020 be allocated to the Taxpayer Relief Reserve to then be utilized to offset COVID-19 related pressures

in the 2021 budget in accordance with the parameters of the funding. The Region has advised that the NRPS will not be directly receiving any apportioned funding.

Conclusion:

The detailed variance analysis has been prepared based on results of operations at June 30, 2020. At this time, the Service is closely monitoring the potential impact of COVID-19 pandemic on its financial position and assessing mitigation opportunities.

Alternatives Reviewed

The only alternative is for the Board not to receive this report.

Relationship to Police Service/Board Strategic Priorities

To ensure compliance to the Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service By-Law 384-2019.

Relevant Policy Considerations

- Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service By-Law 384-2019
- Municipal Act

Other Pertinent Reports

- Finance Committee Minute No. 3/2019 – 2020 Niagara Regional Police Service and Board Approved Operating Budget
- Minute No. 91/2020 - NRPS Financial Variance Overview – Year Ending March 31, 2020

This report was prepared by Courtney Woods, Financial Analysis and reviewed by Laura Rullo, Finance Manager.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

- Appendix 1 Niagara Regional Police Service and Board Variance Summary
Appendix 2 Financial Impact of COVID-19 ending June 30, 2020

Appendix 1
Niagara Regional Police Service and Board
June 2020 Variance Summary

	2019 Actual	2020 Budget	YTD June 2019 Actual	YTD June 2020 Budget	YTD June 2020 Actual	% Budget Spent	Act vs. Budget Surplus/(Deficit)	2020 Forecast	Forecasted Variance	
									\$	%
Police Service										
Uniform Salaries	77,091,676	82,170,354	38,182,099	39,749,473	38,354,813	47%	1,394,661	76,557,754	5,612,600	6.8%
Uniform Overtime	5,932,873	3,134,747	2,272,750	1,659,412	2,172,087	69%	(512,675)	6,263,288	(3,128,541)	-99.8%
Total Uniform	83,024,549	85,305,101	40,454,848	41,408,885	40,526,900	48%	881,986	82,821,042	2,484,059	2.9%
Civilian Salaries and Wages	28,939,606	29,713,875	13,841,872	14,754,169	14,680,895	49%	73,274	29,836,157	(122,282)	-0.4%
Civilian Overtime	1,147,548	535,965	415,682	244,717	476,991	89%	(232,273)	1,147,548	(611,582)	-114.1%
Total Civilian	30,087,154	30,249,840	14,257,554	14,998,887	15,157,886	50%	(158,999)	30,983,704	(733,864)	-2.4%
Other Salaries and Wages	2,431,858	2,372,884	1,170,349	1,084,282	1,007,004	42%	77,277	2,292,977	79,907	3.4%
Total Salaries and Wages	115,543,561	117,927,825	55,882,751	57,492,054	56,691,790	48%	800,264	116,097,723	1,830,102	1.6%
Employee Benefits	28,675,253	30,375,014	15,007,793	16,535,299	15,660,393	52%	874,905	29,841,855	533,159	1.8%
WSIB	1,754,524	1,700,000	934,444	850,002	978,329	58%	(128,327)	1,828,327	(128,327)	-7.5%
Sick Leave Payouts	1,206,490	700,000	813,021	350,000	694,789	99%	(344,789)	700,000	-	0.0%
Specialty Allowance	1,691,779	1,841,822	2,861	13,032	26,870	1%	(13,838)	1,841,822	-	0.0%
Other Allowances and Benefits	735,335	3,875,175	339,129	1,851,472	1,831,060	47%	20,412	3,883,675	(8,500)	-0.2%
Total Benefits and Allowances	34,063,382	38,492,010	17,097,247	19,599,804	19,191,441	50%	408,363	38,995,679	396,332	1.0%
Total Personnel Costs	149,606,943	156,419,835	72,979,998	77,091,858	75,883,231	49%	1,208,627	154,193,402	2,226,433	1.4%
Telephone & Communications	882,143	930,180	443,973	465,100	449,471	48%	15,628	896,611	33,569	3.6%
Other Administrative Expenses	2,943,530	3,282,796	1,615,713	1,641,458	1,278,745	39%	362,713	2,907,786	375,010	11.4%
Total Administrative Expenses	3,825,672	4,212,976	2,059,686	2,106,558	1,728,216	41%	378,341	3,804,397	408,579	9.7%
Total Operational & Supply	2,476,288	2,273,188	1,060,567	1,136,691	1,420,602	62%	(283,911)	2,556,392	(283,204)	-12.5%
Total Occupancy & Infrastructure	311,149	360,720	132,446	180,358	133,755	37%	46,603	358,540	2,180	0.6%
Fuel	1,380,156	1,469,542	678,213	734,775	573,783	39%	160,992	1,224,897	244,645	16.6%
Maintenance Contracts	3,014,733	3,343,957	1,552,939	1,693,942	1,735,680	52%	(41,738)	3,343,957	-	0.0%
Other Equipment, Vehicles and Technology	1,804,598	2,108,182	963,729	1,081,373	1,146,560	54%	(65,188)	2,236,723	(128,541)	-6.1%
Total Equipment, Vehicles and Technology	6,199,488	6,921,681	3,194,881	3,510,089	3,456,023	50%	54,066	6,805,576	116,104	1.7%
Transfer to Capital Levy Reserve	1,200,000	1,200,000	600,000	1,200,000	1,200,000	100%	-	1,200,000	-	0.0%
Transfer to Benefits Liabilities Reserve	-	-	-	-	-	0%	-	-	-	0.0%
Transfer to Vehicle & Eq'm Repl. Reserve	1,500,000	1,500,000	750,000	1,500,000	1,500,000	100%	-	1,500,000	-	0.0%
Transfer to Contingency Reserve	250,000	250,000	125,000	125,000	125,000	50%	-	250,000	-	0.0%
Transfer to WSIB Reserve	200,000	200,000	100,000	100,000	100,000	50%	-	200,000	-	0.0%
Total - Transfers to Reserve Fund	3,150,000	3,150,000	1,575,000	2,925,000	2,925,000	93%	-	3,150,000	-	0.0%
Financial Expenditures	6,118	1,000	2,437	500	1,498	150%	(998)	1,998	(998)	-99.8%
Intercompany Chargebacks	145,905	177,533	74,773	88,767	64,224	36%	24,542	152,991	24,542	13.8%
Total - Financial Expenditures and Chargebacks	152,024	178,533	77,210	89,267	65,722	37%	23,544	154,989	23,544	13.2%
Total Gross Expenditures	165,721,563	173,516,933	81,079,788	87,039,821	85,612,549	49%	1,427,272	171,023,297	2,493,636	1.4%
Total Recoveries	(1,568,469)	(1,557,991)	(798,304)	(778,995)	(824,165)	53%	45,170	(1,605,976)	47,985	-3.1%
Grants	(9,651,756)	(9,636,917)	(4,881,944)	(4,867,699)	(4,888,683)	51%	20,984	(9,561,604)	(75,313)	0.8%
Fees	(5,800,277)	(5,428,043)	(3,085,839)	(2,695,968)	(1,448,014)	27%	(1,247,954)	(2,069,829)	(3,358,214)	61.9%
Other Revenues	(2,328,766)	(2,185,763)	(1,201,982)	(1,092,883)	(1,113,223)	51%	20,341	(2,157,455)	(28,308)	1.3%
Transfer From Accum. Sick Lv. Res. Fund.	-	(250,000)	-	(125,000)	(125,000)	50%	-	(250,000)	-	0.0%
Total Revenues	(17,780,799)	(17,500,722)	(9,169,765)	(8,781,550)	(7,574,920)	43%	(1,206,630)	(14,038,888)	(3,461,835)	19.8%
Net Exp. before Indirect Allocations	146,372,295	154,458,220	71,111,719	77,479,276	77,213,464	50%	265,811	155,378,433	(920,214)	-0.6%

Appendix 2: COVID-19 Pandemic Financial Impact Summary for Period Ending June 30, 2020

	Note	Expenses as of Date	Expenses Incurred to Date	Forecast
Direct Costs Supported by Approved Operating Budget				
Permanent Members on Administrative Leave		Jun 27	729,819	829,819
Members on Rotating Shifts		Jun 27	127,331	127,331
Associated Benefit Costs		Jun 27	171,430	191,430
Direct Costs Supported by Approved Operating Budget			1,028,580	1,148,580
Incremental Direct Costs related to COVID-19				
Personnel Costs Specific to COVID-19 Activities		Jun 27	124,608	168,377
Other Supply Costs		Jun 30	332,043	416,323
Lost Revenue		Jun 30	1,433,173	3,649,861
Total - Incremental Direct Costs related to COVID-19			1,889,824	4,234,561
Savings Related to COVID-19			(434,083)	(751,391)
Total Gross Costs related to COVID-19			2,484,321	4,631,750
Less Direct Costs Supported by Approved Operating Budget			(1,028,580)	(1,148,580)
Net Incremental Costs related to COVID-19			1,455,741	3,483,170



152.

INTERNAL CORRESPONDENCE

To: Acting Chair and Members
From: Deb Reid
Dept: Niagara Police Services Board
Dept: Executive Director
Niagara Police Services Board

Date: September 9, 2020

Re: Police Services Board – 2021 Proposed Meeting Schedule

Objective:

To establish the Niagara Police Services Board monthly Board and Committee meeting schedule for the year 2021.

Background and Discussion:

In accordance with the Board's Procedural By-law No. 365-2017, the Police Services Board is required to adopt an annual meeting schedule. The Board holds its regular monthly meetings on the fourth Thursday of each month and the Board Committees meet on regularly scheduled days, normally the second Thursday of the month.

The proposed schedule maintains the monthly meeting cycle as established by the Procedural By-law with some exceptions. The Board meeting dates for May have been scheduled one week earlier due to the Ontario Association of Police Services Boards (OAPSB) Annual Conference; and the two off-site meetings will be tentatively rescheduled in April/May and September/October with the 2020 host municipal council locations, being the Town of Lincoln and City of Thorold, which were cancelled due to the COVID-19 pandemic. The offsite meeting dates will be confirmed with the Board in early 2021 as part of a separate report.

In keeping with Board direction and with meeting schedule practices for Regional Council, local area municipalities and Agencies, Boards and Commissions as well as other Police Services Boards, there are no Board or Committee meetings scheduled during the month of August. The Committee meeting date in November has been cancelled due to Remembrance Day; and the December meetings have been reduced to one Board meeting that month to better accommodate holiday schedules, monthly workflow demands and allow staff to make the most effective use of resources before year-end.

The proposed schedule is attached for the Board's consideration.

Recommendation:

That the Board approve the Schedule of Regular Meetings for the Niagara Police Services Board and Committee meetings for the year 2021 as presented.

Deb Reid
Executive Director

Encl.

NIAGARA POLICE SERVICES BOARD
2021 SCHEDULE OF REGULAR BOARD AND COMMITTEE MEETINGS

JANUARY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

APRIL						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

JUNE						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

JULY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

AUGUST						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

SEPTEMBER						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

*There are no Board/Committee meetings

OCTOBER						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

NOVEMBER						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

DECEMBER						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

*One Board meeting due to holiday season

	Board Committee Meetings
	Regular Monthly Board Meeting
	OAPSB Conference
	CAPG Conference

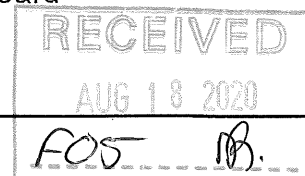
	Scheduled from 8:30 am - 4:30 pm
	Scheduled from 8:30 am - 4:30 pm
	May 26-29, 2021 - Niagara Falls, ON
	August 19-22, 2021 - Ottawa, ON



NIAGARA REGIONAL POLICE SERVICE **Police Services Board Report**

PUBLIC AGENDA

Subject: 2021 Capital Budget - Revised 911 Back Up Centre Business Case
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-09-04



Recommendations

That, the Niagara Police Services Board approves an amendment to the 2021 Capital Budget Business Case for the construction of a 911 Communication Backup Centre facility as follows:

1. That the 2021 Capital Budget be reduced by \$1,400,000 to reflect the change of funding the construction of a 911 Communication Backup Centre facility for \$6,000,000 to funding the cost of the specialized equipment and furniture required for the new facility at a total estimated cost of \$4,600,000
2. That financing in the amount of \$4,600,000 be initiated upon approval of the 2021 Capital Budget and funded from debenture debt.

Key Facts

- The purpose of this report is to seek the Board's approval for the revised 2021 Capital Project to fund the 911 Backup Centre specialized equipment and furniture estimated to cost \$4,600,000.
- Upon consultation with Region Corporate Services staff, any costs associated with the construction or relocation of the 911 Backup Centre will be the responsibility of the Region and only the cost of the specialized equipment and furniture required to furnish the back up centre be included in the NRPS 2021 Capital Budget.
- The estimated project cost for the construction or relocation of the 911 Backup Centre including specialized equipment and furnishings is \$14.61M; \$7.76M under 2021 Capital project 20001271 to be managed by Region Facilities, \$4.6M under 2021 Capital project 20001462 to be managed by the Service and \$2.25M from Capital Project 1ZPO0411 and 10PO1514 approved in 2004 and 2011 respectively.
- Source of funding will be from the issuance of debentures and all debt charges for the facility and equipment will be allocated to the NRPS within the indirect allocation portion of the Operating Budget.

Financial Considerations

The approval of this recommendation will reduce the 2021 Capital Budget request approved at the July 23 Police Service Board meeting by \$1,400,000. The original 2021 Capital Budget request for \$8,838,500 has been amended to \$7,438,500. Appendix 1 provides a summary of the amended 2021 Capital Budget request.

Analysis

Subsequent to the approval of the 2021 Capital Budget and 9 year forecast by the Board on July 23, Niagara Regional Police Service (Service) staff were advised by Region Corporate Services of a 2021 Capital Project submitted by Region Facilities in the amount of \$7.76M for the construction of the 911 Backup Centre facility. The submission by Region Facility results from a change in strategy by the Region to consolidate all facility budgets, including Agencies, Boards and Commissions (ABCs), within the Region Facilities capital projects. This strategy is in keeping with section 4(3) of the Police Services Act which states *"the responsibility of the Niagara Region to provide the infrastructure and administration needs of the Service"*; this would include the provision for Police facilities. This strategy change is supported by the Service as it will ensure greater accountability for the facility project development and fiscal management under the leadership of the Region Facilities and Project team.

Region Facilities Project 20001271, Backup 911 Call Centre Relocation, includes costs associated with planning, consulting, including energy, site feasibility, building condition, archeological assessment and other, construction hard costs, HVAC, soundproofing, security systems, alarms and fire suppression. The total cost of construction is estimated to be \$7.76M exclusive of land costs. Land costs will be the responsibility of the Region to purchase if required.

In consultation with Region, it was decided that the Service would be accountable to develop and manage the capital project for the specialized equipment and furnishings required to accommodate the 911/Communications unit and Real Time Operation Centre (RTOC) at the backup facility. This equipment would need to be NG911 compatible, include all IT infrastructure and furniture requirements for the 911 Backup Centre facility that is not included in the Region Facilities project, 20001271.

As a result of these discussions, the Service is submitting a revised Capital Business Case, Project id 20001462, for the specialized equipment and furniture request outlined in Appendix 2.

To summarize, the combined total capital project request for the 911 Backup Centre facility and infrastructure equipment and furniture is as follows:

	Estimated Project Costs	Project IDs
911 Backup Centre Facilities	\$7,760,000	20001271
Specialized Equipment & Furnishings:		1ZPO0411, 10PO1514 and 20001462
Furniture, including fixtures	\$1,059,100	
Dispatch Equipment	1,217,600	
Operational Equipment incl AV	608,800	
Generator incl UPS & Battery back up	910,600	
IT equipment & infrastructure	1,865,000	
Contingency @ 20%	1,188,900	
Sub-Total Specialized Equipment	\$6,850,000	
Total	\$14,610,000	

Proposed Sources of Funds

According to report, CSD 40-2015, funds for a 911 Backup Centre were approved in 2004 (\$0.25M) and 2011 (\$2.0M) under capital project id 1ZPO0411 where \$1.0M of the \$2.25M was initiated under project id 10PO1514; the remaining \$1.25M is uninitiated under project 1ZPO1514. The \$1.0M is available to the Service however the uninitiated portion will require Regional Council approval. This capital project for \$2.25M was approved to be funded from the issuance of debt.

Based on the projected \$6.85M costs to purchase the specialized equipment and furnishings for the 911 Centre, communications dispatch and RTOC, there remains a shortfall of \$4.6M (\$6.85M-2.25M). Therefore, the Service has submitted a revised 2021 Capital Project business case (Appendix 2) to fund the shortfall.

The 2021 capital budget proposed for the revised 911 Backup Centre Specialized Equipment and Furniture capital project will remain financed from the issuance of debt however the original amount of \$6,000,000 is reduced to \$4,600,000.

Despite the move to recognize the Backup Centre facility capital project within the Region Facility, it is still expected that the Service will be allocated any debenture costs related to the facility and specialized equipment. Debenture costs are allocated to the Service as part of the indirect allocation budget that is not within the scope of the Net Operating Expenditure before Indirect Allocations Budget approved annually by the Board.

Alternatives Reviewed

The Service has considered alternative funding strategies that provide for continuity of services within a sustainable funding strategy. The financing strategy recommended is the optimal strategy using conventional funding resources.

Relationship to Police Service/Board Strategic Priorities

The budget preparation process is conducted in consideration of Regional objectives, with efforts to balance the information requirements of the Region as outlined in the Municipal Act with the accountabilities of the Police Services Board under the Police Services Act.

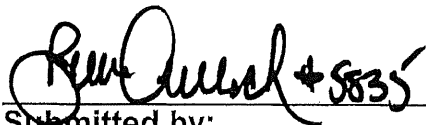
Relevant Policy Considerations

- By-Law 384-2019 - Financial Reporting, Control and Procurement of Goods and Service
- Police Services Act

Other Pertinent Reports

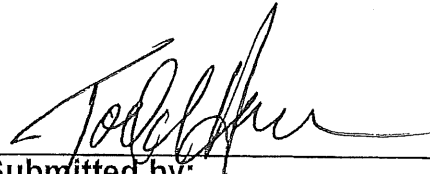
- CSD 40-2015 Initiation of Capital Budgets – Niagara Regional Police Service.
- 60.2015 New 1 District (St Catharines) Facility –Police 911 Communications Back-Up Centre

This report was prepared by Laura Rullo, Manager, Finance in consultation with Richard Frayne, Superintendent, Operational Support, Akram Askoul, Director, Technology Services, Nicole Wolfe Director, Regional Facilities, and recommended by Bill Fordy.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police



Submitted by:

Todd Harrison,
Commissioner of Corporate Services/
Regional Treasurer

Appendices

- | | |
|------------|--|
| Appendix 1 | Revised 2021 Capital Budget Summary |
| Appendix 2 | Revised Capital Business Case –Backup 911 Centre Specialized Equipment and furniture |

Revised APPENDIX 1 -
Preliminary 2021 Capital Budget

Year: 2021

	2020	2021	2021	2021	Capital Financing		
	Forecast for	Program	Capital	Capital	Vehicles &	Debt	Total
Project Description	2021	Changes	Budget	Levy	Eq'm Repl. Fund	Approvals	2021 Financing
Capital Asset Acquisitions	250,000	(250,000)	-	-	-	-	-
Hydraulic Gun Chopper	15,000	(15,000)	-	-	-	-	-
Forms Process Automation and Email Mgmt	300,000	(300,000)	-	-	-	-	-
Mobile Communications Unit	400,000	(400,000)	-	-	-	-	-
Vehicles	1,600,000	(200,000)	1,400,000	-	1,400,000	-	1,400,000
IT & Network Equipment Replacement	800,000	-	800,000	800,000	-	-	800,000
Voice Radio System	1,000,000	(1,000,000)	-	-	-	-	-
Automated Fingerprint Records Check	-	125,000	125,000	125,000	-	-	125,000
Money Room Safes for Evidence Management Unit	-	45,000	45,000	45,000	-	-	45,000
Scissor Lift for Evidence Management Unit	-	7,500	7,500	7,500	-	-	7,500
CEW Replacements	175,000	(100,000)	75,000	75,000	-	-	75,000
Range Target System	-	60,000	60,000	60,000	-	-	60,000
Speed Detection Devices	14,000	-	14,000	14,000	-	-	14,000
Binocular Night Vision Devices	-	61,000	61,000	61,000	-	-	61,000
Diver's Umbilical Breathing Hose	-	13,000	13,000	13,000	-	-	13,000
Portable X-Ray System	-	87,000	87,000	87,000	-	-	87,000
4 Self Contained Breathing Apparatus	-	47,000	47,000	47,000	-	-	47,000
10 CBRN Non-Encapsulating Protection Suits	-	20,000	20,000	20,000	-	-	20,000
InfraRed (FLIR)- Marine	-	36,000	36,000	36,000	-	-	36,000
Towable Underwater Video/Light System	-	18,000	18,000	18,000	-	-	18,000
Automated Licence Plate Reader	-	30,000	30,000	30,000	-	-	30,000
Communications Back Up Centre	6,000,000	(1,400,000)	4,600,000	-	-	4,600,000	4,600,000
	-	-	-	-	-	-	-
TOTAL	10,554,000	(3,115,500)	7,438,500	1,438,500	1,400,000	4,600,000	7,438,500
				19.3%	18.8%	61.8%	100.0%

CAPITAL PROJECT BUSINESS CASE

GENERAL INFORMATION			
BUDGET YEAR:	2021	DEPT ID:	46124 Communications
PROJECT NAME:			
Project ID: 2001462 -Back-Up Dispatch/911 Communication Centre Specialized Equipment and Furnishings			
PRIORITY NEED:		Urgent	Priority
	x	High Priority	Non-Priority
PROJECT IS:		Annual Program	Recurring/Multi Year
	x	New/One-time	Existing/Addition
ASSET IS:	x	New/Net New Asset being Created	
		Replacement of Existing with Same	
		Replacement of Existing with Upgrade/Improvements	
ESTIMATED USEFUL LIFE:			

PROJECT BUDGET EXPENDITURES				
Detail capital project expenditures.				
	YEAR 1 (2021)	YEAR 2 (2022)	YEAR 3 (2023)	YEAR 4 (2024)
EQUIPMENT	\$4.6 million			
CONSULTING				
CONSTRUCTION				
OTHER				
TOTAL	\$4.6 million			
Provide any additional expenditure details below.				

OPERATING BUDGET IMPACT				
Detail any expected operating budget impact including anticipated future costs or savings.				
	YEAR 1 (2021)	YEAR 2 (2022)	YEAR 3 (2023)	YEAR 4 (2024)
Provide any additional expenditure details below.				

CAPITAL PROJECT BUSINESS CASE

PROJECT DESCRIPTION

Provide a brief description of the asset that is being developed or provided.

The project request includes the specialized equipment and furnishings to replicate the primary 911 call taker/communication centre and real-time operations centre (RTOC). The facility will need to accommodate a main call taking centre as well as RTOC, inclusive of computer server rooms, administration offices, break rooms, a briefing room, and other amenities.

BUSINESS REASON FOR PROJECT

Provide a rationale for conducting the project/purchasing asset.

The Service provides and operates the 911 emergency telephone services as the Primary Public Safety Answering Point (PPSAP) on behalf of RMON. In addition, the NRPS operates a Communication Centre in accordance with Ontario Regulation 3/99, Adequacy and Effectiveness of Police Services, which requires police services to operate a communication centre 24-hours a day with one or more communications operators/dispatchers to answer emergency calls for service and maintain a constant two-way voice communication capability with police officers who are on patrol responding to emergency calls.

The NRPS provides the staff, equipment, and infrastructure to act as the PPSAP for the Region. The primary 911/Communication Centre is currently operates out of 2D/HQ facility, 5700 Valley Way, Niagara Falls. Any 911 calls that require primary police initiated response are retained and processed by PPSAP operators and NRPS Communications staff. Non-police emergency 911 calls are down-streamed to the respective Emergency Medical Services and Fire Services which functions as Secondary Public Safety Answering Points.

In 2014, the Region and Police Service Board signed the Primary Public Safety Answering Point (PPSAP) Agreement to identify a second venue (back-up facility), subject to Region approval, from which the PPSAP can be fully operated in the event of the failure or unavailability of the primary systems or venue.

Since this agreement, the Service and Region have engaged in a number of discussions regarding the housing of the 911/Communication back-up Centre including a recommendation to locate it within the new NRPS 1D building in St. Catharines.

In 2017, the Region and PSB agreed that in order to meet budget guidance from the Region the new facility would not contain a back-up Centre for the combined 911 call answering, and the NRPS Communication unit.

In 2020, The Region and Board agreed to temporarily house the 911/Communications back up Centre at the NRPS 3D facilities as an interim solution until such time as a permanent back-up Centre is established. Further, Region Facilities submitted a 2021 Capital Project request for \$7.76M to construct a Back up 911 Call Centre facility that would include the NRPS Communication and RTOC.

With the transition to next generation 911 (NG911) required to be completed by March 31 2024, the back-up centre will be used as a secondary site for the 911 calls and police dispatch centre while the primary site, at 5700 Valley Way, is upgraded. This requirement has necessitated the need to identify and plan for this project as early as 2021.



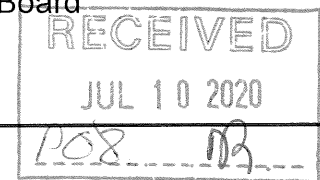
NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

154.

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 19-OVD-196
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-07-05



Recommendation(s)

1. That the Niagara Police Services Board receives this report for information, and
2. That the Niagara Police Services Board makes the report available to the public.

Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU).
- Ontario Regulation 267/10 S. 11 made under the *Police Services Act* requires that the Chief of Police initiate an investigation following a notification by the SIU.
- The purpose of the Chief's investigation is to review the policies of, or services provided by, the police force and the conduct of its police officers.
- On April 20, 2020, the SIU notified the Niagara Regional Police Service (NRPS) that their investigation had concluded and advised that there were no grounds for criminal charges against any police officer.
- The subsequent S.11 investigation by the Professional Standards Unit determined there were no issues with respect to officer conduct, policies or services provided by the NRPS.

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On Friday August 16, 2019 Constable A.B. was working a day shift from 6:00 am to 6:00 pm in the City of Welland.

At approximately 12:04 pm Constable A.B. was travelling westbound on Woodlawn Road and approached Niagara Street. Constable A.B. observed a motorcycle travelling eastbound on Woodlawn Road and proceeded through the intersection at a high rate of speed against a red traffic light. For public safety reasons Constable A.B. activated his roof lights and initiated a U-turn. Upon completion of the turn Constable A.B. lost sight of the motorcycle and determined that there were no grounds for a pursuit and he deactivated his emergency lighting.

At approximately 12:05 pm the Service's Communications Unit received information that a person was struck by a vehicle at Woodlawn Road and River Road and the person was absent of vital signs.

Constable A.B. proceeded eastbound on Woodlawn Road toward Highway 406 when he came across the motor vehicle accident at River Road at approximately 12:06 pm.

Constable A.B. immediately commenced C.P.R. on the victim that appeared to have been thrown from a motorcycle after striking another vehicle.

Constable C.D. arrived at the scene at approximately 12:11 pm and took over the task of C.P.R. from Constable A.B. until the arrival of paramedics. The operator of the motorcycle was pronounced deceased at the scene. The deceased male was later positively identified by members of the Forensic Services Unit.

On August 16, 2019 at 1:00 p.m., The NRPS notified the SIU regarding this collision, and the SIU invoked their mandate.

On August 20, 2019 the SIU designated five officers as Witness Officers. Constable A.B. was designated as the only Subject Officer. The SIU also identified nine Civilian Witnesses.

On April 20, 2020 the SIU concluded its investigation into this matter. In his decision letter SIU Director Mr. Joseph Martino wrote *"In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

Within the SIU investigative report, Director Martino commented that the conduct of Constable A.B., appeared at all times to have been prudent, well-considered, and in the best interests of the public and the safety of all users of the roadway.

In accordance with Ontario Regulation 267/10 Section 11, the Service's Professional Standards Unit conducted an investigation and review of this incident which considered the following three (3) areas:

1. The policies of the Police Service,
2. The services provided by the Police Service, and
3. The conduct of its police officers.

The Section 11 investigation encompassed a compliance review of applicable Provincial legislation which governs members of the NRPS, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communications recordings, NRPS occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU and all duty book notes, SIU documentation including the Director's conclusion letter and investigative report, statements of civilian witnesses gathered and released by the SIU at the conclusion of their investigation upon the consent of the civilian witnesses, and any other information and evidence available on a case by case basis.

1. The Policies of the Niagara Regional Police Service

Professional Standards Unit investigators determined that the following General Orders had primary relevance in this matter and they have also been reviewed accordingly in the context of this incident.

1. General Order 079.09 – Special Investigations Unit
2. General Order 058.08 – Traffic Collision Investigations
3. General Order 042.11 – Suspect Apprehension Pursuits
4. General Order 168.06 – Officer Note-taking

Upon review, it was determined that the involved officers were fully compliant with the listed General Orders and no issues were identified.

2. Services Provided by the Niagara Regional Police Service

There were no issues identified relating to the services provided by the NRPS during this incident.

3. Conduct of Niagara Regional Police Officers

There were no officer conduct issues identified during the SIU investigation or the Professional Standards Unit investigation and review of this incident with regard to compliance with General Orders or legislation. On behalf of the SIU, Mr. Martino thanked the members of the Police Service for their cooperation during the investigation.

The Professional Standards Unit investigation and review of this incident was undertaken in compliance with S. 11 of Ontario Regulation 267/10 made under the *Police Services Act*. The relevant policies of the Police Service, the services provided, and the conduct of the involved Service members was the focus of this review and investigation.

In conclusion, there were no issues identified regarding compliance with governing General Orders, the services provided or the conduct of the involved Police Service members that required corrective action, and no changes are required to existing General Orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

Subsection 11(4) of Ontario Regulation 267/10 made under the *Police Services Act* provides that, upon receiving this report, the Board may make it available to the public.

The *Police Services Act* provides that meetings of the Police Services Board shall be open to the public subject to exceptions that are set out in Subsection 35(4). The applicable exception to be considered in this case is whether or not "the desirability of avoiding disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public."

In considering whether or not to make this report available to the public, it is respectfully submitted that the Board consider the following factors:

1. There are no public security matters revealed in this report.
2. This report does not reveal any intimate financial or personal matters.

Relationship to Police Service/Board Strategic Priorities

Not applicable.


Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

C.122.2020 – Legal Indemnification – SIU Case 19-OVD-196 – Incident of August 16, 2019

This report was prepared by Inspector Luigi Greco, Professional Standards Unit and reviewed by A/Superintendent Todd Waselovich and recommended by Bill Fordy, Deputy Chief of Police, Support Services.


Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

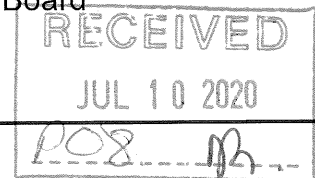
Not applicable.



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 19-OCI-048
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-07-05



Recommendation(s)

1. That the Niagara Police Services Board receives this report for information, and
2. That the Niagara Police Services Board makes the report available to the public.

Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU).
- Ontario Regulation 267/10 S. 11 made under the *Police Services Act* requires that the Chief of Police initiate an investigation following a notification to the SIU.
- The purpose of the Chief's investigation is to review the policies of, or services provided by the police force and the conduct of its police officers.
- On April 21, 2020, the SIU notified the Niagara Regional Police Service (NRPS) that their investigation had concluded and advised that there were no grounds for criminal charges against any police officer.
- The subsequent S.11 investigation by the Professional Standards Unit determined there were no issues with respect to officer conduct, policies or services provided by the NRPS.

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On March 3, 2019, at 2:44 pm, a male victim called 911 to report that he had been stabbed and that the suspect was standing outside of his house in the City of Niagara Falls. Shortly after the initial 911 call, the accused male called 911 to say that he had just been attacked and had a broken leg.

Officers arrived on scene at 2:48 pm and began their investigation. The officers quickly formed reasonable grounds to believe that the accused male had broken into the victim's house and stabbed the victim.

When officers attempted to arrest the accused, he began to violently resist arrest, grabbing onto two of the officers' pistols, trying to disarm them. In addition to trying to disarm Constables A.B. and C.D., the accused struggled violently, kicking and punching officers who were trying to get him under control. Out of necessity, in order to free Constable A.B.'s pistol from the grip of the accused, Constable E.F. used the butt of his C8 rifle to strike the wrist of the accused who then released his grip from the pistol.

In order to try and end the struggle, Constable C.D. deployed his Conducted Energy Weapon (CEW) twice, expending two cartridges. Constable C.D. then deployed his CEW in a drive stun mode; all efforts to gain compliance using the CEW were ineffective. Constable G.H. also deployed his CEW twice in drive stun mode. Both of these techniques were ineffective.

In trying to gain control of the accused, the officers employed numerous empty hand strikes and kicks and after several minutes, they were finally able to place handcuffs on the accused.

The violent struggle was captured on video by a neighbor and continued for over three minutes. The struggle involved Constable A.B., Constable C.D, Constable E.F and Constable G.H.

Once handcuffed, paramedics attended and gave the accused male two doses of sedative in order to calm him down. The accused was transported to the Greater Niagara General Hospital to be treated for his injuries. The accused had sustained a fractured nose and admitted to an overdose of cocaine, crystal methamphetamine and opiates.

The SIU was notified of the accused male's injuries on March 3rd 2019 at 7:15 p.m.

The SIU designated four officers as Witness Officers. Three officers were designated as Subject Officers. The S.I.U. also identified six Civilian Witnesses.

On April 21, 2020, the SIU concluded its investigation into this matter. In his decision letter SIU Director Mr. Joseph MARTINO wrote "*In my view, there were no grounds in the evidence to proceed with criminal charges against the three subject officers*".

Within the SIU investigative report, Director Martino commented "*The Complainant's proclivity for violence was clearly on display, as was his ability to effect his purpose. He had just stabbed a man, a fact the officers would have all appreciated, and was now on the ground attempting to disarm one officer, and possibly another, of their guns. For whatever reason, the Complainant exhibited incredible strength and seemed impervious to pain during the altercation with police officers. Multiple CEWs discharges and forceful strikes did little to quell his fight. It was only with the passage of time and the arrival on scene of other officers that the Complainant was sufficiently controlled and handcuffed. On this record, I am unable to reasonably conclude that the force here in question fell outside the range of what was reasonably necessary in the circumstances to arrest the Complainant.*"

Director Martino further noted for the record an area of the evidence that the SIU investigation was unable to resolve. The cell phone video of the altercation clearly depicts Constable C.D. discharging his CEW in a fashion that lines up with the data downloaded from his CEW. The first such discharge, according to the CEW data, began at 14:54:44 hours, and the last one at 14:56:13 hours. The video suggests that the accused was handcuffed right around the time of the final discharge or shortly thereafter. At no point in the video is Constable G.H. shown to be using his CEW. And yet, his notes of the incident suggest he discharged his CEW at least once for about one minute. It is conceivable that his CEW discharge or discharges occurred during the struggle with the accused before the video recording commenced. That scenario, however, is at odds with the data downloaded from his CEW, which indicates he discharged his CEW three times. The first of these discharges started at 14:59:39 hours. Assuming the clock in the CEWs wielded by Constables C.D. and G.H. were synchronized, then the first of Constable G.H.'s discharges may have occurred after the accused was presumably under control and possibly handcuffed. None of the witness officers, however, indicate that this occurred, nor did the paramedics on scene say they saw any such CEW deployments.

While it would be potentially problematic if Constable G.H. discharged his weapon after the accused was in handcuffs. Director Martino was in no position to make a finding to that effect with any degree of confidence given the discrepancies in the evidence and the possibility that the CEW clocks were not in sync. On the other hand, if Constable G.H. discharged his CEW before Constable C.D., Director Martino would have a difficult time finding this use of force excessive given the accused's continued and strenuous struggle thereafter. In either event, Director Martino was satisfied that there remained no basis to proceed with charges against Constable G.H.

In accordance with Ontario Regulation 267/10 Section 11, the Service's Professional Standards Unit conducted an investigation and review of this incident which considered the following three areas:

1. The policies of the Police Service,

2. The services provided by the Police Service, and
3. The conduct of its police officers.

The Section 11 investigation encompassed a compliance review of applicable Provincial legislation which governs members of the NRPS, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communications recordings, NRPS occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU and all duty book notes, SIU documentation including the Director's conclusion letter and investigative report, statements of civilian witnesses gathered and released by the SIU at the conclusion of their investigation upon the consent of the civilian witnesses and any other information and evidence available on a case by case basis.

1. The Policies of the Niagara Regional Police Service

Professional Standards Unit investigators determined that the following General Orders had primary relevance in this matter and they have also been reviewed accordingly in the context of this incident.

1. General Order 079.09 – Special Investigations Unit
2. General Order 100.09 – Powers of Arrest
3. General Order 053.20 – Use of Force

Upon review, it was determined that the involved officers were fully compliant with General Orders 079.09 – Special Investigations Unit and 100.09 – Powers of Arrest and no issues were identified with those General Orders.

In Relation to General Order 053.20 – Use of Force, the Professional Standards Unit investigation sought to reconcile the discrepancy in the data downloads that were found to be unreliable and at odds with all witness and officer accounts. Furthermore, based on the SIU investigation and analysis, no allegation of a CEW discharge post handcuffing was indicated by the complainant.

It was learned that on November 6, 2019, a 2 District Staff Sergeant identified, by way of a memorandum to the District Commander, issues surrounding the inventory and record keeping of 2 District's CEW compliment. He detailed clerical errors that he noted in the final version of the Use of Conducted Energy Weapon Reports completed by Constables C.D. and G.H. The reports indicated that both officers were issued the same CEW bearing the same serial number. It was also determined that since the time of this incident, the CEW inventory and sign-out protocols of 2 District had been restructured and he was unable to determine with any degree of certainty what the actual serial number of Constable G.H's CEW was on the date of the incident.

On June 16, 2020 the Professional Standards Unit Investigator spoke with the District Commander of 2 District and learned that an electronic smart card sign-out system for police equipment is forthcoming, which would alleviate the potential for the clerical errors as detailed above from re-occurring.

2. Services Provided by the Niagara Regional Police Service

There were no issues identified relating to the services provided by the NRPS during this incident.

3. Conduct of Niagara Regional Police Officers

There were no officer conduct issues identified during the SIU investigation or the Professional Standards Unit investigation and review of this incident with regard to compliance with General Orders or legislation. On behalf of the SIU, Mr. Martino thanked the members of the Police Service for their cooperation during the investigation.

The Professional Standards Unit investigation and review of this incident was undertaken in compliance with Section 11 of Ontario Regulation 267/10 made under the *Police Services Act*. The relevant policies of the Police Service, the services provided, and the conduct of the involved Service members was the focus of this review and investigation.

In conclusion, there were no issues identified regarding compliance with governing General Orders, the services provided or the conduct of the involved Police Service members that required corrective action, and no changes are required to existing General Orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

Subsection 11(4) of Ontario Regulation 267/10 made under the *Police Services Act* provides that, upon receiving this report, the Board may make it available to the public.

The *Police Services Act* provides that meetings of the Police Services Board shall be open to the public subject to exceptions that are set out in Subsection 35(4). The applicable exception to be considered in this case is whether or not "the desirability of avoiding disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public."

In considering whether or not to make this report available to the public, it is respectfully submitted that the Board consider the following factors:

1. There are no public security matters revealed in this report.
2. This report does not reveal any intimate financial or personal matters.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

C121.2020 – Legal Indemnification – SIU Case 19-OCI-048

This report was prepared by Inspector Luigi Greco, Professional Standards Unit and reviewed by A/Superintendent Todd Waselovich, Executive Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835

Chief of Police

Appendices

Not applicable.