



Subject: CAO Recommendation for Policing

Department: Administration

Report #: GA-2017-05

Meeting Date: May 29, 2017

Recommendations

For consideration on May 29:

That report GA-2017-05, dated May 29, 2017, with respect to the CAO's recommendation for policing in the Town of Orangeville, be received;

For consideration on June 12:

That Council of The Corporation of the Town of Orangeville accept the Ontario Provincial Police Costing Proposal for Municipal Policing proposal presented to Council on February 13, 2017;

And that a request be submitted to the Ministry of Community Safety and Correctional Services to approve a Police Service Delivery Proposal for policing of the Town of Orangeville by the Ontario Provincial Police;

And that Council direct that the appropriate actions be taken to enter into a transition contract with the Ontario Provincial Police, at the end of which the Town of Orangeville will be integrated into the Ontario Provincial Police Municipal Policing Billing Model;

And that the Chief Administrative Officer be directed to report to Council at the appropriate time with information about the required actions to be taken;

And that Council consider a by-law to confirm its acceptance of the Ontario Provincial Police Costing Proposal for Municipal Policing proposal presented to Council on February 13, 2017;

And that Council direct the Orangeville Police Services Board, Orangeville Police Service and staff to take the necessary steps to implement the transition and amalgamation of the Orangeville Police Service with the Ontario Provincial Police.

Background

The following provides a timeline of events in chronological order with respect to policing services in the Town, starting with the Town's request for a costing from the Ontario Provincial Police (OPP):

- January 2014: Council Resolution to request costing proposal from OPP.
- August 2014: Ministry Letter advising moratorium on all costing proposals.
- November 2015: Ministry Letter confirming lifting of moratorium/request to confirm Town's intent to pursue costing process.
- December 2015: Council Resolution confirming intent to pursue OPP costing process.
- April 3, 2017:
- Orangeville Police Service (OPS) presentation to Council.
 - Orangeville Police Association addressed Council.
 - OPP Costing Analysis presentation to Council.
 - Council Motion that OPP Costing Analysis be reviewed by Town's auditors, BDO Canada.
 - Council Motion to hold Structured Public Information Session on April 27 at ODSS.
- April 24, 2017: BDO Canada presentation of Costing Advisory Report.
- April 27, 2017: Policing Services Public Information Session.
- May 15, 2017:
- OPP presentation of the Billing Model.
 - CAO presentation of the Calls to Service Estimating Tool.
 - Council Motion for CAO to prepare a report to Council for its May 29, 2017 meeting with a recommendation for policing services to be considered at its June 12, 2017 meeting.

Analysis

As noted in the timeline above, Council directed the Chief Administrative Officer to prepare a report and provide his recommendation for policing services in the Town. As per Section 229 of the Ontario Municipal Act, which states the Chief Administrative Officer is responsible for "*exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality*", providing a recommendation to Council on policing services is within the Chief Administrative Officer's responsibilities.

By resolution, Council has indicated they will make a decision on policing services for the Town on June 12, 2017. There have been numerous discussions and debate on this subject since the Town started the OPP costing process. As Council reaches its final phase of deliberations on the OPP costing proposal, the following points were considered in preparation for the CAO's recommendation to Council for policing services in the Town.

Points of Consideration

General Policing

The OPS offers a stand-alone model of policing and has been policing Orangeville since 1864 (153 years). The OPP, formed in 1909, is one of the largest deployed police services in North America and provides policing services to 323 of the 444 municipalities in Ontario. The 323 municipalities policed by the OPP consist of both rural and urban communities. The OPP proposes an integrated model of policing where some resources are shared throughout its organization.

Both police services are professional and capable of policing the community. As the provincial police force, the OPP has resources and can provide special areas of policing that exceed some municipal police services in Ontario. However, municipal police services have access to the same OPP resources and assistances if required.

Police Services Boards

Governances of the OPP and all municipal police services fall under the Police Services Act. The role and responsibility of police services boards as defined by the Police Services Act are listed below:

Role of Board (OPP)

10. (9) If one or more municipalities enters into an agreement under this section, the board or joint board shall advise the Ontario Provincial Police detachment commander assigned to the municipality or municipalities, or his or her designate, with respect to police services in the municipality or municipalities and shall,
- (a) participate in the selection of the detachment commander of the detachment assigned to the municipality or municipalities;
 - (b) generally determine objectives and priorities for police services, after consultation with the detachment commander or his or her designate;
 - (c) establish, after consultation with the detachment commander or his or her designate, any local policies with respect to police services (but the board or joint board shall not establish provincial policies of the Ontario Provincial Police with respect to police services);

- (d) monitor the performance of the detachment commander;
- (e) receive regular reports from the detachment commander or his or her designate on disclosures and decisions made under section 49 (secondary activities);
- (f) review the detachment commander's administration of the complaints system under Part V and receive regular reports from the detachment commander or his or her designate on his or her administration of the complaints system.

Responsibilities of Boards (Municipal)

31. (1) A board is responsible for the provision of adequate and effective police services in the municipality and shall,

- (a) appoint the members of the municipal police force;
- (b) generally determine, after consultation with the chief of police, objectives and priorities with respect to police services in the municipality;
- (c) establish policies for the effective management of the police force;
- (d) recruit and appoint the chief of police and any deputy chief of police, and annually determine their remuneration and working conditions, taking their submissions into account;
- (e) direct the chief of police and monitor his or her performance;
- (f) establish policies respecting the disclosure by chiefs of police of personal information about individuals;
- (g) receive regular reports from the chief of police on disclosures and decisions made under section 49 (secondary activities);
- (h) establish guidelines with respect to the indemnification of members of the police force for legal costs under section 50;
- (i) establish guidelines for dealing with complaints under Part V, subject to subsection (1.1);
- (j) review the chief of police's administration of the complaints system under Part V and receive regular reports from the chief of police on his or her administration of the complaints system.

31. (4) The board shall not direct the chief of police with respect to specific operational decisions or with respect to the day-to-day operation of the police force.

Although the roles and responsibilities of both boards differ slightly, both boards have the authority to set policy and oversee the general policing for the municipality.

OPP Policing Proposal for the Town

- The OPP proposal for policing to the Town of Orangeville includes 42.58 officers and 10 full time civilian positions (3 detachment administration clerks, 6 court security and 1 court administration).
 - As reported to OPP, OPS has 42 officers which includes 5 vacant positions (3 vacation and 2 on long term disability) and 27 civilian positions consisting of 14 full time and 13 part time (1 full time administration clerk, 3 full time and 6 part time court security, 1 full time court administration, 7 full time and 5 part time dispatchers, 3 full time and 1 part time data entry clerk).
- The OPP stated that they do not normally reduce staffing after the transition contract and do not see any reason to reduce staffing for the Town; however, the OPP reserves the right to reduce officers.
- The OPP will hire all uniform members in good standing currently with the OPS with the exception of those who decide not to serve due to the rank determination process or other reasons.
- The OPP will retain civilians in their present positions where possible and will conduct an internal competition for the existing staff for the new positions identified in their proposal.
- The OPP will conduct its policing operations for Orangeville in the existing police building at 390 C-Line.

The OPP proposal calls for an increase of a .58 uniform officer and a reduction of 4 full time civilian positions and 13 part time civilian positions.

Policing Response Time

The OPP have stated they believe the police response times will remain the same as the current OPS response times. This is a reasonable expectation as there is no reduction in the number of officers in the OPP proposal and the same officers will be responding.

Dispatch Services

Under the OPP proposal, dispatch services would be centralized to the OPP dispatch centre in the City of Orillia. It has been stated that staff working in a local dispatch service would have more knowledge of the community and provide a higher level of

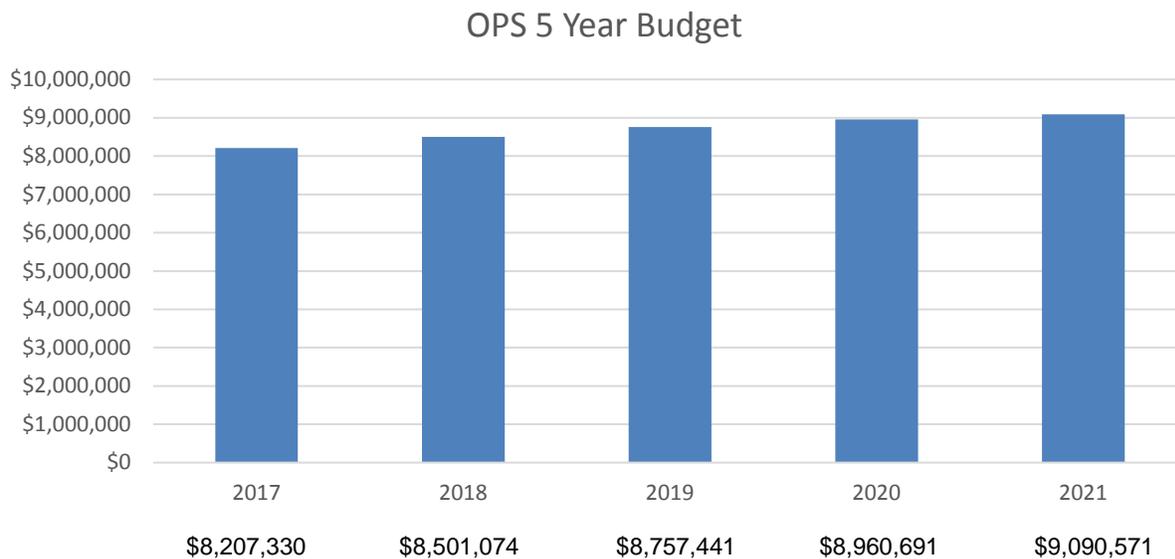
certainty when dispatching police officers. However, the OPP provides policing and dispatch services to 323 municipalities and a centralized dispatch model meets their requirements.

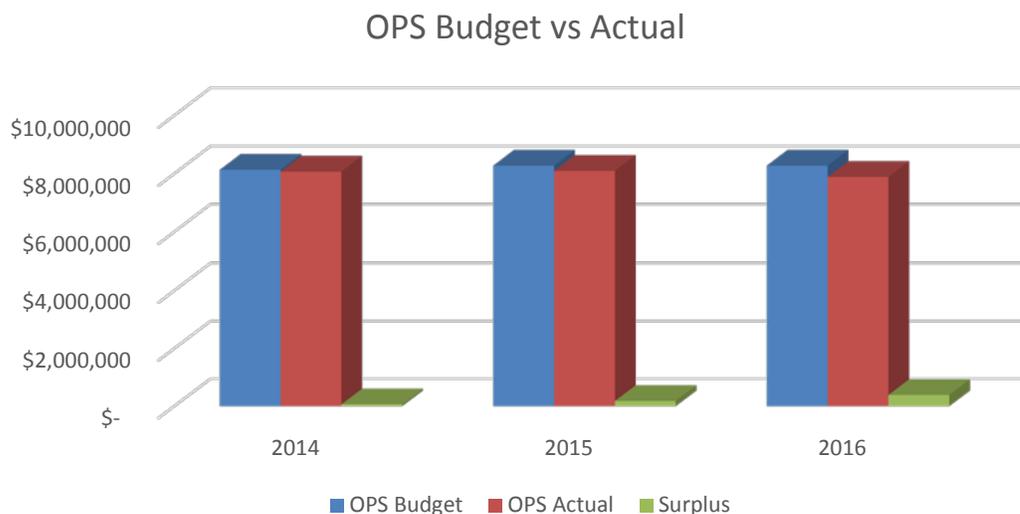
The OPS provides dispatch services to the Orangeville Fire and Public Works Departments at a cost \$146,000 per year. These services could be contracted out for an estimated cost of \$80,000 per year.

Hours of Operations – Police Service Building

The OPP proposed that the police services building would be open to the public from 8:30 a.m. to 4:30 p.m. daily. This represents a reduction in hours that the building will be accessible to the public. The OPP has stated there would be a telephone outside the building for use by members of the public who visit the police services building when it is closed. An enhancement would be required if Council decides the building is required to be open to the public for additional hours.

OPS Budget Projection





The OPS budget surpluses over recent years are largely attributed to vacant positions offset by expenditures for IT systems.

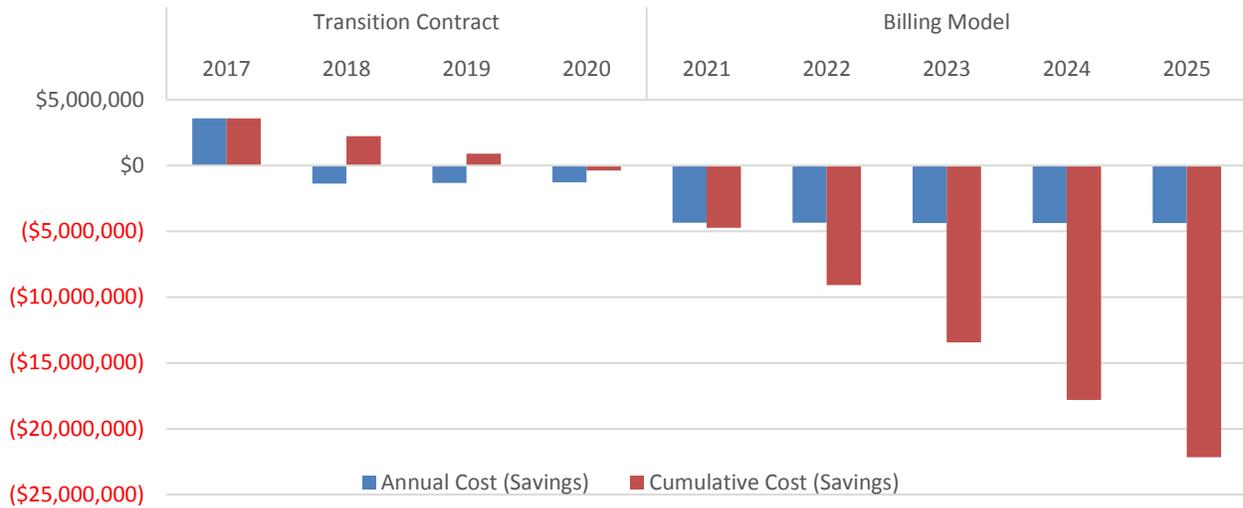
OPP Costing and Projected Saving

The OPP proposal included a three-plus year transition contract followed by a contract under the new OPP billing model. The OPP identified gross cost for the transition contract but did not provide cost estimates for the new billing model. Council directed staff to conduct a financial analysis on the OPP proposal to determine potential savings. The analysis projected potential modest savings (approximately \$350,000) during the transition contract and approximately \$4.5 million of annual savings under the new OPP billing model. BDO Canada conducted a peer review of the Treasurer's analysis and concluded, "*the assumptions utilized and analysis completed was reasonable*".

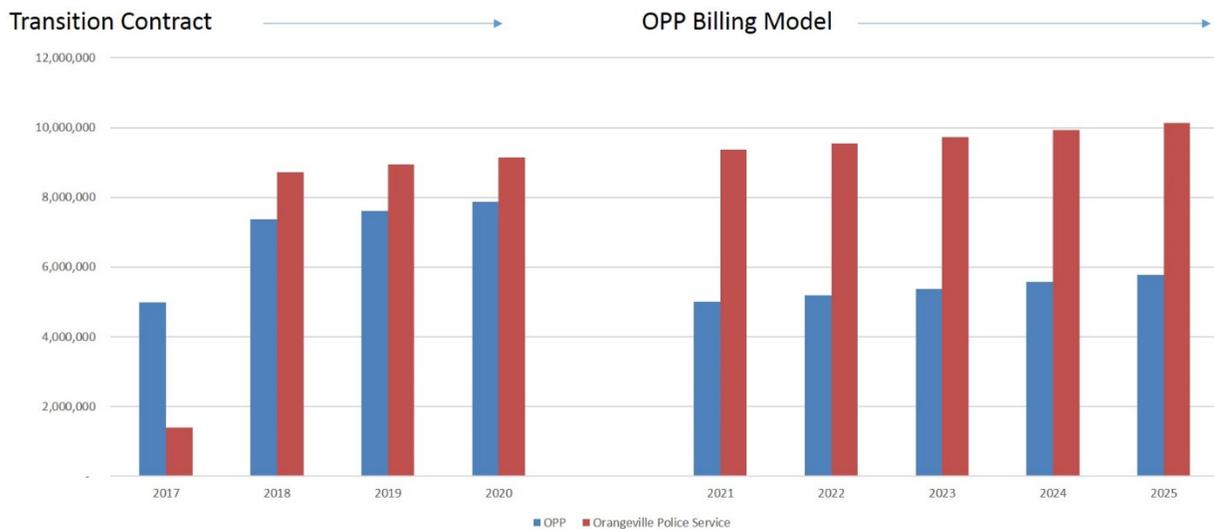
The OPP recently released the Calls for Service Estimator Tool to enable municipalities to project their cost for Calls for Service for the new billing model. The Estimating Tool was presented to Council on May 15, 2017 using calls for service data provided by the OPS from 2013-2016. Using this tool, an estimated saving of \$4.3 million was projected for year 2021 under the new billing model. It is expected that similar savings will be recognized going forward with this billing model. This \$4.3 million represents approximately 13% of the Town's annual tax levy.

Considering the projected savings under the OPP billing model, calls for service would have to triple in volume (approximately) before the Town would reach the present 2016 cost for policing in Orangeville. Such a significant upsurge in calls for service would also increase the projected costs for OPS.

Estimated Cost (Savings) if transition to OPP



Estimated Net Tax Levy OPP vs OPS



Other areas of saving and risk reduction under the OPP

In addition to the savings presented under the OPP proposal, additional savings will be recognized in the following areas:

Legal Costs: Over the past five years, the OPS incurred legal cost slightly over 2 million dollars (approximately \$400,000/year). Under an OPP contract, the OPP will assume responsibility for such legal fees and any potential lawsuits or claims brought against them. The Town would remain responsible for legal fees required by its Police Services Board.

Staff: OPP would use their own support staff for IT, finance, payroll, HR, and health and safety. This would result reduce the workload for Town staff and the need for additional support staff in these areas.

Policing Revenue

The OPS currently receives revenue through several sources e.g. parking tickets and grants. The OPP has stated the Town will continue to receive these revenues.

Economic Impact

The economic impact loss of 4 full time and 13 part time jobs is difficult to assess accurately based on numerous factors including: place of residency of employee, average income of employee, other income sources in place, level of disposable income created by dwelling status and family status (i.e. own home or not, number of dependent children, etc.).

The economic impact of savings of approximately 4 million dollars per year could have a significant impact on the local economy and residents. Council could deliver other projects and programs including a multi-year property tax freeze or tax reduction. The opportunity to address the infrastructure deficit including roads, trails, facilities, Tony Rose Memorial Sports Centre pool and rink upgrades, sports fields, high speed internet, etc., would be achievable with the projected savings. Full implementation of several plans and studies, including the Age-Friendly Community Action Plan, the Fire Master Plan (recommending construction of a new fire hall and hiring of an additional 8 full time firefighters to provide 24/7 coverage), the Cultural Plan, the Trails Master Plan, Facilities Study, etc., would be attainable. Council could provide additional programs and events for youth, seniors, persons with disabilities, etc.

Improvements in such areas will increase the Town's economic competitiveness, increase capacity and investment by the Town to improve its infrastructure, cultural, and recreational assets.

Conclusion

Policing service is one of the services provided to the community by the municipality. I would never undervalue. This report and recommendation are not intended to reflect negatively on any member of the OPS or ability to deliver policing to the Town. This recommendation is based on the best policing option for the Town, considering cost and the overall impact to economy and community.

Through review of all the information provided during this costing proposal process, it is apparent the OPP would provide excellent policing services to the community. The OPP provides policing services to 323 of the 444 municipalities in Ontario, both rural and urban communities. Their policing model is proven. The Police Services Act provides

ample authority to both a municipal and OPP police services board. Both the OPP and municipal police services are governed by the Police Services Act and are subject to change by the provincial government.

As stated in Section 229 of the Municipal Act, the CAO is responsible to “exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality”. To do so, the CAO relies on estimates to determine future revenues and expenditures, as do Councils in establishing annual budgets. Staff have diligently reviewed all information available and believe the projected savings under the OPP proposal are reasonable and will be recognized by the Town.

The acceptance of the OPP proposal provides an opportunity for the Town to realize significant savings, reduce its liability associated with municipal policing, and enable Council to address many projects and programs that would benefit the Town now and an in the future.

Financial Impact

Accepting the OPP proposal for policing in the Town would result in significant savings for the Town.

Vision and Values

This recommendation recognizes the Town vision and values in that it supports spending taxpayers’ money wisely and respectfully.

Respectfully submitted

Ed Brennan
Chief Administrative Officer