

**THE THUNDER BAY POLICE SERVICES BOARD
GOVERNANCE COMMITTEE**

DATE: MARCH 1, 2024

TIME: 1:05 P.M.

PLACE: VIRTUAL VIA ZOOM

CHAIR: MS. D. BAXTER

PRESENT:

Mr. D.P. Achneepineskum
Ms. D. Baxter
Mayor K. Boshcoff
Ms. C. McGuire-Cyrette

REGRETS:

Ms. D. Bain Smith
Ms. K. Machado

OFFICIALS:

Mr. D. Fleury, Chief of Police
Mr. M. Mercer, Administrator
Mr. J. S. Hannam, Secretary - Thunder Bay Police Services
Board
Ms. L. Douglas, Assistant to the Secretary

GUEST:

Ms. T. Todorovic, Odgers Berndtson
Mr. P. Stanley, Odgers Berndtson

1. DISCLOSURES OF INTEREST

There were no disclosures of interest declared at this time.

2. CONFIRMATION OF AGENDA

With respect to the meeting of the Governance Committee being held on March 1, 2024, it was the consensus of the Governance Committee to recommend that the agenda, as printed, including any additional information and new business, be confirmed.

3. CONFIRMATION OF MINUTES

The Minutes of the meeting of the Governance Committee held on January 17, 2024, as well as the Minutes of the January 30, 2024 meeting of the Governance Committee, to be confirmed.

MOVED BY: Ms. C. McGuire-Curette
SECONDED BY: Mr. D.P. Achneepineskum

THAT the Minutes of the meetings of the Governance Committee, held on January 17, 2024 and on January 30, 2024, respectively, be confirmed.

CARRIED

4. BOARD ROLE AND RESPONSIBILITIES POLICY

The following recommendation was included in the Senator Murray Sinclair Report:

3.2.2.1 Policy on Governance

“It is recommended that there be a clear statement of the role of the Board in governing the police service, defining the key instruments required to provide governance, and specifying the authorities and constraints on the Board.”

A draft policy in this regard has been developed for the Committee’s review. The draft will be circulated to members for review and comment, towards a recommendation to the Board, as per the Committee’s process.

5. ANNUAL EVALUATION OF BOARD PERFORMANCE

Draft policy on the Annual Evaluation of Board Performance was provided for the Committee’s information.

Mr. J. Hannam led a discussion on a process for evaluating board performance: self-evaluation versus an external 3rd party evaluation.

Ms. D. Baxter suggested that an RFP be issued for an external 3rd party to evaluate the Board, with a 3-year term.

An anonymous questionnaire was also suggested.

Administration to follow up with a draft RFP for review by the committee.

6. CHANGES TO THE PROCEDURAL BY-LAW

Memorandum to the TBPSB Governance Committee from John S. Hannam, Board Secretary, dated February 28, 2024, relative to the Board Procedural By-law, was provided for the Committee’s information.

A copy of the Procedural By-law with tracked changes of suggested edits was distributed separately to committee members on February 29, 2024.

Mr. J. Hannam provided an overview of the Board’s Procedural By-law that outlines the governance processes of the Board and its committees.

Mr. Hannam noted that the suggested edits fall into two (2) categories: housekeeping issues and new procedures arising from changes under the new *Community Safety and Policing Act, 2019* (CSPA).

New procedures under the CSPA, which will impact the Procedural By-law, include but are not limited to:

- reasons around closing meetings to the public;
- how the Board sets up committees and delegates authority to them.

Mr. Hannam provided an overview of the current legislation which sets out when a board may close the meeting to the public.

The new Act borrows heavily from the *Municipal Act*. There will now be twelve (12) specific reasons to close the meeting to the public. One of the more challenging requirements is that the Board must give at least one week's notice to the public that a closed meeting will be held, and the reasons for closing the meeting to the public.

Discussion was held around a possible delegation of authority to provide the public with notice of a closed meeting in a timely fashion.

Ms. C. McGuire-Cyrette suggested that the statement, purpose and intent of this by-law be included in Recitals.

Chair Baxter asked Mr. Hannam to draft a statement to ask for feedback from committee members that can be incorporated into the by-law.

Mr. Hannam noted that the new Act creates some favourable expansions on how the Board creates committees; however, it does impact our current committees. Board members have to hold a majority on each committee according to the new legislation. Discussion followed on the importance of having community members on the committee.

On the suggestion of Chair Baxter, it was the consensus of the Committee to recommend to the Board that the composition be changed to include 4 Board members on the committee. This would need to be incorporated into the Committee's Terms of Reference. Chair Baxter indicated she would ask Board member K. Etrani if she would like to join the committee, filling this additional spot.

Committee members were encouraged to contact Mr. J. Hannam with any questions, comments and/or feedback on the by-law

7. INDIGENOUS ADVISORY COMMITTEE

Proposal from the Ontario Native Women's Association for the establishment of an Indigenous Advisory Committee for the Thunder Bay Police Service, was provided for the Committee's information.

Ms. C. McGuire-Cyrette provided an overview of the proposal and noted that it had been developed prior to Chief D. Fleury Darcy building his first Indigenous Advisory Table. A link was provided for committee members to view discussions on an Aboriginal Community Safety Planning Initiative. Ms. McGuire-Cyrette noted that she would be happy to have her team take the lead on this initiative, but wants the endorsement of leadership, particularly the Mayor, in order to build on the plan. Mayor K. Boshcoff confirmed that he absolutely endorses the work of ONWA.

Chief Fleury noted that his committee is made up of government leadership and service providers, and noted the names of the committee members. He is waiting to see if NAN is going to come back to the table. The committee had their first meeting in February. The first orders of business were to draft terms of reference and have discussions on cultural and procedural matters. A brief overview of the first meeting was provided. Chief Fleury will have further discussions with Ms. McGuire-Cyrette about her proposal.

Mr. Hannam noted that the Chief's committee could be called the Policing Advisory Group.

Administrator M. Mercer suggested that a PSB Board member also participate on that committee in order to avoid duplication of issues. Accordingly, a Board member will be invited to participate.

8. TERMS OF REFERENCE

Further to suggestions made at the June 27, 2023 Committee meeting, draft Terms of Reference to be re-presented by Mr. J. Hannam.

Due to the *Community Safety and Policing Act* coming into force on April 1, 2024, further changes to the Committee's Terms of Reference are required. The Board will have to decide on the number of Board members to sit on this committee.

A brief discussion was held on the wording in the Terms of Reference regarding the number of Board members – whether it should be specific or general.

9. UPDATES FROM WORKING GROUPS

Brief updates were provided by each Working Group.

10. NEW BUSINESS

a) 2024 CSPA Summit

Ms. D. Baxter provided an overview of her attendance at the CSPA summit, as well as an overview of the content of the email she sent to committee members. She asked that committee members download the information and then review it at their earliest opportunity.

b) CSPA Transition Subcommittee

Mr. J. Hannam provided an overview of what the CSPA Transition Subcommittee is working on.

A report to the Board will be shared with the Governance Committee.

Mr. Hannam advised that one of the changes in the CSPA will be the Municipality's ability to change the size of the Board. Accordingly, once the CSPA is in force, the Board will be asked if they want to approach the City to change the size of the Board. He noted that one of the recommendations of the Expert Panel was to expand the Board from 5 to 7 members. If such an increase occurred it would mean another member of City Council on the board and another appointee from the Province would be added to the Board.

11. DEPUTY CHIEF OF POLICE – ADMINISTRATION

The Governance Committee provided their comments on the advertisement and job description. Ms. C. McGuire-Cyrette provided several suggested edits, which will be passed on to Odgers Berndtson.

At 2:42 p.m. Mr. P. Stanley, Odgers Berndtson (OB), joined meeting. He noted that all feedback is welcomed. In the ad and job description, OB tried to reflect the challenges that have faced the service with a sense of new beginnings. Material from the Chief's search, as well as feedback from Committee members, were incorporated into the candidate brief. It addresses the lack of confidence from the community, and a commitment that the Service will be responsive to the needs of the community.

Once finalized, OB will start to reach out to potential candidates; the posting will go on a variety of sites.

Regarding the ad, Mr. D.P. Achneepineskum noted that there should be more emphasis on working with Thunder Bay's Indigenous population.

Mr. Stanley provided the next steps and timelines. Chair D. Baxter requested that the Committee see revisions before the ad goes out to the public. Accordingly, it was the consensus of the Committee that feedback on both documents should be submitted to OB by the end of the day, Monday, March 4, 2024. Once the final version of the documents is confirmed by the Governance Committee, OB will then begin outreach. Mr. Stanley estimated that OB should be ready to present candidates to the Governance Committee in about 3 to 4 weeks.

Ms. T. Todorovic joined the meeting, and was provided with a brief overview of the above discussions.

12. NEXT MEETING

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Next meeting of the Governance Committee to be determined.

13. ADJOURNMENT

The meeting adjourned at 2:57 p.m.