



City of  
**Peterborough**

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**To:** **Members of the General Committee**

**From:** **Richard Freymond**  
**Commissioner of Corporate and Legislative Services**

**Meeting Date:** **July 20, 2020**

**Subject:** **CLSFS20-038**  
**City of Peterborough/Cavan Monaghan Township – Contract**  
**Police Service Amendment and Extension Agreement - Update**

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## **Purpose**

A report to recommend the City amend and extend the agreement for contract Policing Services with the Township of Cavan Monaghan for a one year period and that notice be provided to the Township that the City is not prepared to extend the existing agreement beyond the one year term.

## **Recommendations**

That Council approve the recommendations outlined in Report CLSFS20-038, dated July 20, 2020, of the Commissioner of Corporate and Legislative Services, as follows:

- a) That the Mayor and City Clerk be authorized to execute an amendment and extension to the Contract Police Services Agreement with the Township of Cavan Monaghan and the Peterborough Police Services for a one year term from October 1, 2020 to September 30, 2021 and in a form acceptable to the Commissioner of Corporate and Legislative Services and the City Solicitor and substantially in the form attached as Appendix A to Report CLSFS20-038; and
- b) That notice be provided to the Township of Cavan Monaghan that the City is not prepared to extend the existing agreement beyond the one-year term.

## **Budget and Financial Implications**

For October 1, 2020 to December 31, 2020, the Township would pay approximately \$324,200, adjusted for inflationary factors, for the base services to be provided plus the

cost of liability insurance. An amount of \$40,000 for overtime is included in the annual contract however a reconciliation will occur to actual overtime costs at year end.

For January 1, 2021 to September 30, 2021, the annual policing increase for the contract with Cavan Monaghan will be based on negotiations with staff for salaries and inflationary factors for other expenses.

If the contract is not extended beyond September 30, 2021, estimated contract revenues in the amount of \$156,600 that offset fixed overhead costs in the Police Services budget will be forfeited.

## Background

The existing Agreement, attached as Appendix B, expires on September 30, 2020. City staff including representatives from Police Services, met with Township staff several times to negotiate a renewal of the contract. However, these discussions took place prior to the COVID-19 pandemic. At the present time, both the City and the Township are operating under Declared States of Emergency and although the situation is changing, it remains unclear at this time as to when as to how long the state of emergency will last.

As approved by Council through Report CPFS20-027 dated May 11, 2020, the City offered to extend the the current agreement for contract policing services. The amendment and extension to the contract contained the following four key elements:

- 1) That during the term of the contract extension, the City/Police ask to upgrade the radio infrastructure in the Township be postponed. The request would be revisited during discussions related to future contract renewals, should these discussions occur. This also allows more time for the radio coverage issue to potentially be resolved in a more cost-effective manner than previously thought.
- 2) An amendment to Schedule A (8) of the 2015 Agreement to provide Police Services additional operational and deployment flexibility, as follows:
  8. The Township acknowledges that the dedicated officers may be called upon to attend another incident outside the Township, **or be deployed outside the Township**, as the case may be, as required to protect officer and public safety and where all other officer re-assignments have been explored. **When such circumstances occur, normal policing activities in the Township will resume as soon as the incident or deployment has been addressed.**
- 3) Extension of the term for two years – until 12:00 midnight on the 30<sup>th</sup> day September 2022.

In extending the term for two years, clause 10(i) of the agreement will be deleted.

- 4) All other terms of the 2015 Agreement to remain the same.

On June 15, 2020, the Township discussed the City's offer and requested that the extension of the Agreement be for a one-year term only. Correspondence dated June 17, 2020 from the Township is attached as Appendix C.

At their meeting on June 23, 2020 the Police Services Board discussed the Township request and approved the following resolutions:

a) June 17<sup>th</sup> Letter from Elana Arthurs

That the Board receive the June 17th letter from Elana Arthurs, Clerk for Cavan Monaghan Township, informing the City and Board of their intent to renew the contract for one year and the request that the Agreement include:

- Assurances that the township will not be requested to contribute financially to upgrade the communication infrastructure.
- A provision be added requiring the Service to report quarterly on the frequency and duration that officers are deployed outside the township.
- That a maximum time be established as to how long the township will be without police coverage.

b) Request from the City

That the Chair inform Sandra Clancy and Richard Freymond that the Board is agreeable to the one-year extension. Further, that the City is notified that there are health and safety issues in regards to communications and a one-year renewal presents budget concerns.

In recognition of the request from the Township and the notice from the Police Services Board that they are agreeable to the one year extension, staff recommend amending the offer to extend the renewal for one additional year. The amendment and extension to the agreement is attached as Appendix A.

**2015 Agreement - 2-year notice provision**

The 2015 Agreement included a 2-year notice provision that was discussed at length by the parties at the time due to the 6 dedicated officers required for the contract. It was felt that this was the proper length of notice that would allow Police Services to respond appropriately through natural attrition and normal hiring cycles should the City no longer have the contract to service.

Considering that a portion of the contract revenues of approximately \$156,600 provide for a recovery of fixed overhead costs, there is a net budget implication should the City no longer have the contract with the Township. All of this becomes more challenging if the notice period is shortened.

As such, staff recommend that notice be given now to the Township that the City is not interested in extending the existing agreement beyond the one-year term. This will effectively provide 14 months of notice, and although is much less than the desired 24 months, will allow both the Police Services Board and the City to begin to plan now, knowing the outcome. There is also risk that should natural staff attrition and hiring cycles not permit achieving the appropriate authorized strength without the Cavan contract, additional financial impacts may occur.

Giving notice would not preclude providing contracted policing services at some point in the future should Council wish to respond in such a way to a future request from the Township but would be under a new agreement.

## Summary

Extending the agreement for one year and providing notice for the period beyond September 2021 will allow the City, Cavan Monaghan Township and Peterborough Police Services to focus on the needs of the pandemic in the short term and provide certainty beyond September 2021 for staff and budget planning.

Submitted by,

Richard Freymond  
Commissioner of Corporate and Legislative Services

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Attachments:

Appendix A - Amendment and Extension Agreement Between the City of Peterborough,  
the Township of Cavan Monaghan and Peterborough Police Services

Appendix B - 2015 Policing Services Agreement

Appendix C - Correspondence dated June 17, 2020 from the Township of Cavan  
Monaghan