

**City Clerk's Office Report to  
Combined Meeting of Council  
2020 March 16**

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C2020-0299  
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**Calgary Police Commission – Resignation and Appointment**

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**EXECUTIVE SUMMARY**

Two vacancies exist on the Calgary Police Commission (CPC) as a result of recent resignations. This report fulfills the requirement to make appointments which align with the composition and quorum guidelines defined in Bylaw 25M97, the Police Commission Bylaw.

During preparation of this resignation and appointment report, it was determined that the existing Council Policy CC045, *Code of Conduct for Citizen Members Appointed to Council Established Boards, Commissions and Committees* (the Code of Conduct policy), may not expressly apply to citizen members of the Calgary Police Commission. The report recommends a course of action to address this potential governance gap.

**ADMINISTRATION RECOMMENDATIONS:**

**Review By: 2045 March 15, Attachments 2 and 3**

That Council:

1. Thank Kathy Bolton and Jennifer Forrest for their service on the Calgary Police Commission;
2. Appoint the individuals recommended in Attachment 2 as public members to the Calgary Police Commission, subject to the successful mandatory Calgary Police Service enhanced security clearance, each for the completion of a two-year term expiring on 2021 October 31;
3. Direct that Administration return to Council as soon as possible to announce the appointments, pending the results of the Calgary Police Service enhanced security clearances. Further, if the results of the security clearances are not received by the 2020 April 06 meeting of Council, authorize the Police Commission to announce Council's appointments;
4. Expressly include current and future citizen members of the Police Commission in the requirement to sign a declaration and abide by CC045, the Code of Conduct for Citizen Members;
5. Direct that Administration bring forward amendments as soon as possible to Council Policy CC045 (Code of Conduct for Citizen Members Appointed to Council-established Boards, Commissions and Committees) to expressly include the Police Commission in the policy's applicability; and
6. Direct that Attachments 2 and 3 remain confidential pursuant to Sections 17 (Disclosure harmful to personal privacy) and 19 (Confidential evaluations) of the *Freedom of Information and Protection of Privacy Act*, to be reviewed by 2045 March 15.

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### PREVIOUS COUNCIL DIRECTION / POLICY

The *Police Act*, R.S.A. 2000, c. P-17, provides that a Council which has a municipal police service shall establish a police commission. Sections 28(2)(a) and (b) of the *Police Act* state that a Council that has established a commission shall, subject to the regulations, prescribe the rules governing the operations of the commission and appoint the members of the commission.

### BACKGROUND

Section 4 of Bylaw 25M97, the Police Commission Bylaw, states:

- “(1) Where a vacancy occurs in the membership of the Commission by any reason other than the expiration of the term for which the Member was appointed, Council shall appoint a successor to fill the vacancy for the remainder of the vacating Member's term.  
(2) Where, for any reason, a vacancy occurs Council shall fill the vacancy within 60 days from the date Council is notified that the vacancy has occurred.”

On January 13, 2020, Council was notified of the following resignations from the Calgary Police Commission:

- Kathy Bolton, effective date January 13, 2020; and
- Jennifer Forrest, effective date February 10, 2020.

Both terms were set to expire on October 31, 2021.

No Reserve List exists for the Calgary Police Commission. CPC, in consultation with the City Clerk's Office, determined what gaps in Member qualifications would exist as a result of the resignations. There were insufficient applicants remaining from the 2019 summer recruitment, with the specific skills and experience identified, and it was determined that a short recruitment and advertising campaign would be conducted to fill the vacancies. The recruitment campaign was launched from 2020 February 4 -18 and was successful in generating a qualified candidate pool. Applications received in the recruitment were forwarded to the CPC, along with remaining qualified applicants from the Summer 2019 recruitment campaign. The Commission conducted interviews and Attachment 2 of this report contains the recommendations of the Police Commission to fill both vacancies.

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

#### Resignation and Appointment

The February recruitment strategy was designed to reach a targeted audience of residents of Calgary with proven professional experience in the following areas: executive level expertise in finance/accounting/financial stewardship; expertise in criminal justice or criminal law; board governance through a designation or other training experience. The campaign included various free online recruitment channels (Calgary.ca, CFA Institute, CPA Alberta, Women Get on Board, Volunteer Connector, Institute of Corporate Directors and Women on Boards), paid social media ads (LinkedIn) and organic methods (targeted emails, word-of-mouth). Video, print, and out-of-home ads were not utilized given the timeframe for this recruitment.

The February recruitment campaign met its objectives, and leveraged opportunities to reduce costs. The campaign generated a total of 1,634 pageviews and 39 applications for two

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vacancies. The cost of the targeted LinkedIn ads was \$500 and it delivered 17,719 impressions and 928 clicks, resulting in over 90% of all ad impressions for the campaign.

### **Code of Conduct for Citizen Members**

The Code of Conduct policy for citizen members came into effect in December 2014. Since creation of the policy, the City Clerk's Office has requested that new citizen members (including Police Commission members) receive the code of conduct and sign a form which acknowledges they have read, understood and agree to adhere to the standards in the code of conduct (A "declaration" form). However, the definition for BCCs in the Code of Conduct policy is "a Council Board, Commission, Committee or other body established by The City of Calgary Council under the *Municipal Government Act* RSA 2000, c M-26 (MGA)". The Calgary Police Commission may not meet this definition, as the authority to form a police commission is granted under the *Police Act*, not the MGA.

To address this gap, Administration is recommending that the Calgary Police Commission be expressly included in the Code of Conduct policy.

### **Stakeholder Engagement, Research and Communication**

The City Clerk's Office worked closely with Customer Service and Communications and the Calgary Police Commission in the preparation of a campaign intended to fill existing skill gaps in membership.

### **Strategic Alignment**

This report aligns with One Calgary's citizen priority: A Well-Run City (*One Calgary* 2019-2022).

### **Social, Environmental, Economic (External)**

This recruitment campaign considered gender equity and inclusion strategies while complying with legislated timeframe for filling vacancies.

No environmental or external economic impacts were identified.

### **Financial Capacity**

#### ***Current and Future Operating Budget:***

The cost of running the described recruitment campaign advertising was \$500.

#### ***Current and Future Capital Budget:***

There are no current and future capital budget impacts.

### **Risk Assessment**

Bylaw 25M97, the Calgary Police Commission Bylaw, provides that "Where, for any reason, a vacancy occurs Council shall fill the vacancy within 60 days from the date Council is notified that the vacancy has occurred." 60 days for the first vacancy would occur on 2020 March 13, and on 2020 April 9 for the second vacancy. Vacancies remaining longer than 60 days oblige the Commission to operate with nine members, which may impact performance over time.

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A code of conduct establishes minimum standards of conduct expected of all citizen members, and provides guidance with respect to conflicts of the interest, confidentiality, conduct during meetings, political activity and elections, acceptance/disclosure of gifts, and reporting of breaches. Without an code of conduct, citizen members and the Police Commission may experience lack of clarity in expectations and authority.

### **REASON FOR RECOMMENDATION:**

Membership on the Calgary Police Commission of up to 11 citizens is required to align with the composition and quorum requirements defined in Bylaw 25M97, the Calgary Police Commission Bylaw.

Amending the Code of Conduct policy will provide clarity with regard to policy applicability, authority and processes related to conduct.

### **ATTACHMENTS**

1. Calgary Police Commission Composition
2. Candidate Recommendations of the Calgary Police Commission (confidential)
3. Public Members Applications (confidential)