We acknowledge that the land on which we gather is the traditional territory of the Coast and Straits Salish Peoples, specifically we recognize the Lekwungen-speaking Peoples, known today as the Songhees and Esquimalt First Nations, and that their historic connections to these lands continue to this day.

NOTICE OF THE REGULAR MEETING OF THE OAK BAY POLICE BOARD
THIS MEETING IS AVAILABLE BY ZOOM VIDEO CONFERENCE
Meeting Link Meeting ID: 967 2661 9889

1. CALL TO ORDER:
2. APPROVAL OF AGENDA
3. ADOPTION OF MINUTES:
   3.1 Regular Meeting - September 28, 2021
       Minutes - 2021.28.09

4. STANDING ITEMS
   4.1 Strategic Plan Timeline - Chief Bernoties
       Strategic Plan Timeline
   4.2 Accountability Report - Deputy Chief Fisher
       Accountability Report October 2021

5. DEPARTMENT REPORTS:
   5.1 Chief Constable's Monthly Update - Chief Bernoties
   5.2 Q3 Budget Report - Chief Bernoties
       Q3 Expense Report
   5.3 Overtime Report - Deputy Chief Fisher
       OT report Sept. 2021

6. NEW BUSINESS:
   6.1 2022 Provisional Budget - Chief Bernoties
       2022 Provisional Budget
6.2 Major Crime Reserve Usage - Chief Bernoties

6.3 COVID Vaccinations - Chief Bernoties

6.4 Other New Business: New Issues Raise by Board Members - Chair Murdoch

7. ADJOURNMENT:

Recommendation:
That the open portion of the Police Board meeting be adjourned and that a closed session be convened to discuss personnel issues, which may be dealt with in private under the Police Act.
MINUTES of the open portion of the regular meeting of the OAK BAY POLICE BOARD held by Zoom Video Conference on Tuesday, September 28, 2021 at 4:00 p.m.

PRESENT: Board Members:
Kevin Murdoch, Chair
Blair Littler
Wendy Zink
Christine Hall

Chief Constable
Ray Bernoties

Deputy Chief Constable
Mark Fisher

Police Board Secretary
Paula Kully

REGrets: Board Member
Mary Kelly

1. CALL TO ORDER:

The Chair called the meeting to order at 4:03 p.m. and acknowledged that the land on which we gather is in the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen-speaking peoples, known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

2. APPROVAL OF AGENDA

MOVED and seconded: To adopt the agenda of the September 28, 2021 regular board meeting with the addition of item 5.4. Second Quarter Financial Overview.  
CARRIED

3. ADOPTION OF MINUTES:

MOVED and seconded: That the Minutes from the open portion of the regular meeting of the Oak Bay Police Board, held on June 22, 2021 be adopted as circulated.
CARRIED

4. STANDING ITEMS:

4.1. Strategic Plan

W. Zink confirmed that the Vision Statement was passed by the membership. Chief Bernoties and DC Fisher will bring the Vision Statement to the next All Staff meeting for review and comment. Discussion around the next Strategic Plan included preparing a three-year plan rather than a five-year plan.

MOVED and seconded: To bring forward a Strategic Plan Timeline at the next meeting of October 26.
CARRIED
4.2. **Accountability Report**
Deputy Chief Fisher presented the September Accountability Report to the Board. There were no questions from the Board.

*MOVED and seconded:* That the September 2021 Accountability Report be received.  
*CARRIED*

4.3. **BCAPB Update**
Chair Murdoch advised the Board that the BCAPB is tentatively planning an in-person conference for May of 2022 and will be looking for help to coordinate it. Ecomm issues with lags to respond as calls are at an all-time high time while recruitment is at an all-time low.

5. **DEPARTMENT REPORTS**

5.1. **Chief Constable’s Monthly Update**
Chief Constable Bernoties provided a verbal update on several ongoing topics.

- **Training:**
  - Chief Bernoties, DC Fisher and the Chief and Deputy Chief from Central Saanich took part in a one-day training session with Dave Jones to enhance their understanding of the Police Act.
  - Two members have taken part in Less Lethal Bean Bag Shotgun training.
  - All members are now taking the online intimate partner violence training.
- **Traffic:** Increased, enhanced enforcement on speeding and drinking and driving.
- **School Liaison:** Constable Natalie Mishrigi has started in the role.
- **Fleet:** A new electric vehicle has been purchased and will be the first marked EV in BC. The department is moving towards replacing the fleet with Evs moving forward.
- **The men’s room has undergone much-needed renovations**
- **With COVID numbers on the raise, the department has stepped back to phase 2 protocols meaning masks are worn when moving about and in public spaces, and work from home shifts to minimize the number of people in the office.**

*MOVED and seconded:* That the Chief’s verbal Monthly Update be received.  
*CARRIED*

5.2. **Overtime Report**
Deputy Chief Fisher presented the Overtime Reports for June, July, and August. The largest contributor to overtime has been shift coverage. Two platoons were down to 3 people during the summer.

*MOVED and seconded:* That the Overtime Reports be received.  
*CARRIED*
5.3. **Special Municipal Constables Year to Date Overview**

Hired 2 saved approximately $20,000. One was hired as full-time member. Currently recruiting for more but it is very competitive. Retired member Sherry Lucas intends to come back as a SMC when she returns from holidays. The members are very positive about the program and it is estimated that annual savings of $60,000 could be realized.

MOVED and seconded: That the Special Municipal Constables Year to Date Overview be received.

CARRIED

5.4. **Second Quarter Financial Overview**

Chief Bernoties provided an overview of the Q2 report noting that the department’s budget is on track. There were no questions from the Board.

MOVED and seconded: That the Second Quarter Financial Overview be received.

CARRIED

6. **NEW BUSINESS**

(In order to accommodate Chair Murdock to leave early, the agenda was reordered with item 6.3 being 6.1)

6.1. **Integrated Units Governance Update**

Chair Murdock advised that Term of Reference for an Integrated Units governance model are complete. It will be a joint RCMP and Police with the first meeting being held in January 2022. A formal letter will be provided at the Board’s next meeting.

(Chair Murdock leaves at 4:50 pm. Blair Little takes the Chair)

6.2. **Provincial Policing Standards on the Promotion of Unbiased Policing**

Deputy Chief Constable Fisher provided an overview of the Provincial Policing Standards that would require police departments to adopt certain policies and training. Chief Bernoties noted that a BIPOC member is currently reviewing our policies. The board discussed cultural safety training that is available.

MOVED and seconded: That the overview on the Provincial Policing Standards on the Promotion of Unbiased Policing be received.

CARRIED

6.3. **PRIME CORP – Digital Evidence Management System**

Chief Bernoties advised that the new digital evidence management system is mandated by the Province. The cost to the department will be approximately $20,000 per year, which will be incorporated into the 2022 budget.
MOVED and seconded: That the overview on PRIME CORP – Digital Evidence Management System be received.

CARRIED

6.4. Recognition

Chief Bernoties advised that the Deputy Chief and he have discussed recognition of the members and the public who support the department and the community. They are seeking an additional $1,000 in the 2022 budget to enhance the Annual Block Watch Dinner. This would include handing out awards at the dinner to recognize members and individuals. The Board would be in attendance as well as members being recognized and their spouse, and Block Watch Captains.

MOVED and seconded: That the overview on PRIME CORP – Digital Evidence Management System be received.

CARRIED

6.5. Policy Updates

Deputy Chief Constable Fisher provided updates on the Sudden Death and Victim Services.

MOVED and seconded: That the Sudden Death and Victim Services Policies be approved as presented.

CARRIED

6.6. Police Foundation

Chief Bernoties presented an overview of the police foundation model - a non-profit organization that raises funds for community focused projects. VicPD is moving forward with this initiative and the Chief and DC feel Oak Bay should be involved. However, they feel a policy and guidelines of where the funds can be used is required. The Chief is seeking the board’s support of this initiative including the development of a policy.

MOVED and seconded: That the Oak Bay Police Board is supportive of Oak Bay participating in the development of a Police Foundation for the Greater Victoria Area with appropriate policies and comprehensive controls in place.

ADJOURNMENT:

MOVED and seconded: That the open portion of the meeting be adjourned and that a closed session be convened to discuss personnel issues, which may be deal with in private under the Police Act.

CARRIED

The open portion of the meeting adjourned at 5:14 p.m.

Certified Correct:

______________________________  ________________________________
Secretary, Oak Bay Police Board  Chair, Oak Bay Police Board
Background:
The Oak Bay Police Department’s current Strategic Plan was a five year plan from 2018–2022. The initiatives have been completed and a culture exists wherein the community priorities are consistent with OBPD’s priorities as it relates to initiatives and proactive enforcement. Those priorities are Road Safety, Property Crime, Community Engagement.

The OBPD Board discussed the need for a new Strategic Plan. It was agreed that it should be a three year plan and a timeline for its development was requested by the Board.

With the natural conclusion of the 2018-2022 Strategic Plan and the ‘heavy lifting’ involved in developing a comprehensive Strategic Plan, it is recommended that the new plan would start in January, 2023 as this would provide sufficient time for consultations, approvals and overall development. While it could be created more swiftly, it is believed that consultations and thoughtful development/buy-in of initiatives is a key part of the value of a Strategic Plan.

January, 2022 - March, 2022
Consultation on Strategic Priorities

External
- interviews with key stakeholders (Principals, Student Council, OB Directors, BIA, etc)
- comms to promote public engagement
- survey public (on-line survey)
- hard copies at key locations such as Monterey Center, Henderson Rec, District hall
- review of relevant docs such as OB District Strategic Priorities, provincial policing priorities, etc

Internal
- employees
- crime statistics/file review, etc

Consolidate results and identify the community’s top priorities

April, 2022
Report to Board on the results of the community consultation
Seek approval from Board on the Strategic Priorities
Determine measures and seek their approval from the Board

May, 2022
Internal consultation on initiatives (with specific ownership & diary dates assigned)
June, 2022
Create a template to be used to report to Board

September, 2022 - November, 2022
Seek approval from Board on the initiatives and reporting template
Advise Mayor & Council

January 1st, 2023
Launch 2023 – 2026 Strategic Plan (post to website)
Reporting to Board (quarterly)
Reporting to Public (annually)
# Oak Bay Police Department
1703 Monterey Ave, Victoria, B.C., V8R5V6   Ph (250) 592-2424  Fax (250) 592-9988

## ACCOUNTABILITY REPORT

### Reporting Period: October 2021

<table>
<thead>
<tr>
<th></th>
<th># new</th>
<th>#ongoing</th>
<th>YTD</th>
<th>Not accepted*</th>
<th>Unsub.</th>
<th>Substantiated</th>
<th>File numbers</th>
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<td>OPCC Complaints</td>
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<td></td>
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<td>OPCC 21-19098 (Concluded) OPCC 21-19289 (Concluded) OPCC 21-19281 (Monitor) OPCC 20-17320 (Not Substantiated) OPCC 20-18719 (ongoing) OPCC 20-18885 (Discontinued) OPCC 20-18899 (Not substantiated) OPCC 21-19911 (Monitor) OPCC 21-19916 (Inadmissible) OPCC 21-20119 (Inadmissible) OPPC 21 – 20318 (Inadmissible)</td>
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<td>IIO Notifications</td>
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<td>21-332 21-625 21-1509</td>
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*Not accepted by OPCC and/or IIO

Mark Fisher
Deputy Chief Constable
### Quarter 3 - July 1 to September 30, 2021

Expense Report prepared for the Oak Bay Police Board

#### 75%

<table>
<thead>
<tr>
<th>Account</th>
<th>Percentage Used</th>
<th>YTD</th>
<th>Budget</th>
<th>Notes</th>
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<tr>
<td>POLICE BOARD</td>
<td>42.7%</td>
<td>$5,127</td>
<td>$12,000</td>
<td>No travel-related expenses due to Covid-19</td>
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<tr>
<td>ADMINISTRATION</td>
<td>69.1%</td>
<td>$398,670</td>
<td>$577,100</td>
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<td>PROTECTIVE SERVICES</td>
<td>71.6%</td>
<td>$3,213,831</td>
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<td>BUILDING EXPENSES</td>
<td>60.3%</td>
<td>$36,290</td>
<td>$60,200</td>
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<td>VEHICLE MAINTENANCE</td>
<td>67.7%</td>
<td>$38,941</td>
<td>$57,500</td>
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<td>COMMUNITY PROGRAM</td>
<td>5.8%</td>
<td>$1,100</td>
<td>$18,900</td>
<td>Few community programs due to Covid-19</td>
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<tr>
<td>OTHER EXPENSES (Intigrated units)</td>
<td>28.8%</td>
<td>$43,933</td>
<td>$152,500</td>
<td>Integrated units are primarily invoiced at the end of the year</td>
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<td>CAPITAL PROJECTS</td>
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<td>BUILDING ALTERATIONS</td>
<td>17.4%</td>
<td>$1,735</td>
<td>$10,000</td>
<td>Training room equipment</td>
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<td>POLICE EQUIPMENT - AUTO</td>
<td>87.0%</td>
<td>$64,829</td>
<td>$74,500</td>
<td>New Kia purchased</td>
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<td>POLICE EQUIPMENT - COMPUTER</td>
<td>98.9%</td>
<td>$29,659</td>
<td>$30,000</td>
<td>CCTV system</td>
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<td>TOTAL OPERATING EXPENSES</td>
<td>70.0%</td>
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<td>$5,481,100</td>
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<td>Overtime Type</td>
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<td>Overtime Paid Out</td>
<td>Overtime Hours Banked</td>
<td>Year to Date Hours worked</td>
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<td>-------------------</td>
<td>-----------------------</td>
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<td>Investigation</td>
<td>4.5</td>
<td>4.5</td>
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<td>71.8</td>
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<td>Court</td>
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<td>13.0</td>
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<td>29.0</td>
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<tr>
<td>Sick Relief</td>
<td>11.0</td>
<td>9.0</td>
<td>2.0</td>
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<td>Shift Coverage</td>
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<td>Worksafe Coverage</td>
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<tr>
<td>COVID-19 Related</td>
<td>-</td>
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<td></td>
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<tr>
<td>TOTAL</td>
<td>197.5</td>
<td>131.0</td>
<td>66.5</td>
<td>1,598.8</td>
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</table>
OAK BAY POLICE DEPARTMENT
MEMORANDUM

DATE: October 20, 2021
TO: Oak Bay Police Board
FROM: Chief Constable Bernoties
RE: Oak Bay Police Department Provisional 2022 Budget

The variations or points of interest within each Account are summarized here.

OPERATIONAL FUND

Administration

An increase of $21,000 is requested to cover inflation, increases to benefits & management salaries and re-fund a leadership conference which was not funded last year due to Covid.

Protective Services

A new statutory holiday has been added: The National Day for Truth and Reconciliation at an increase of $11,160.

A contingency of $15,000, as per Director of Finance.

An overall decrease of $73,300 is noted due to an estimate by the Director of Finance being made last year, during bargaining, which turned out to be higher than necessary.

Computer Equipment Replacement -

Replacing Mobile Data Terminals requires an increase of $42,500.
An Increase of $20,150 to acquire Digital Evidence Management system (as mandated by the Provincial Government).

New Equipment

Purchase two E-bikes (including fit up) at an increase of $10,000.

SUMMARY

Operations: OBPD is currently at full staff and measures, such as the Special Municipal Constable program, have been implemented to both improve member wellness and reduce overtime costs.

Capital: OBPD is pleased to have completed the larger capital projects such as various office renovations, over the last few years. Additionally, OBPD does not require a new vehicle purchase this year and is optimistic that the next purchase, in 2023, will be an EV as we continue to transition the fleet to EV.

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2021</th>
<th>%Change</th>
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</thead>
<tbody>
<tr>
<td>Operating Fund</td>
<td>$5,639,650</td>
<td>$5,633,200</td>
<td>0.10% increase</td>
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<tr>
<td>Capital Purchases</td>
<td>$84,640</td>
<td>$105,000</td>
<td>19.4% decrease</td>
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<tr>
<td>Overall Budget</td>
<td>$5,724,290</td>
<td>$5,738,200</td>
<td>0.24% increase</td>
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</table>

Note: The Oak Bay Police Collective Agreement expired on December 31, 2021. Accounts linked to pay rates may be affected in the future.

Ray Bernoties,
Chief Constable
<table>
<thead>
<tr>
<th>Operating Expenses</th>
<th>2021 Budget</th>
<th>2022 Budget</th>
<th>Change %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Board</td>
<td>12,000</td>
<td>12,000</td>
<td>0.0%</td>
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<tr>
<td>Police Administration</td>
<td>577,100</td>
<td>598,100</td>
<td>3.6%</td>
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<td>Protective Services</td>
<td>4,597,200</td>
<td>4,563,400</td>
<td>-0.7%</td>
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<tr>
<td>Community Programs</td>
<td>18,900</td>
<td>19,800</td>
<td>4.8%</td>
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<tr>
<td>Integrated Units</td>
<td>152,700</td>
<td>165,900</td>
<td>8.6%</td>
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<tr>
<td>Police Building Maintenance</td>
<td>60,200</td>
<td>63,600</td>
<td>5.6%</td>
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<tr>
<td>Vehicle Maintenance</td>
<td>57,500</td>
<td>59,300</td>
<td>3.1%</td>
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<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>5,475,600</td>
<td>5,482,100</td>
<td>0.1%</td>
</tr>
<tr>
<td>Transfer to reserve for retirement</td>
<td>8,200</td>
<td>8,200</td>
<td>0.0%</td>
</tr>
<tr>
<td>Transfer to Capital reserve</td>
<td>20,600</td>
<td>20,600</td>
<td>0.0%</td>
</tr>
<tr>
<td>Transfer to Major Crimes Reserve</td>
<td>82,400</td>
<td>82,400</td>
<td>0.0%</td>
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<tr>
<td>Transfer to Police Vehicle Reserve</td>
<td>46,400</td>
<td>46,350</td>
<td>-0.1%</td>
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<tr>
<td><strong>Total Reserve Transfers</strong></td>
<td>157,600</td>
<td>157,550</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Total Police</strong></td>
<td>5,633,200</td>
<td>5,639,650</td>
<td>0.1%</td>
</tr>
</tbody>
</table>
6.2 2021 Annual Bonfire Celebrations - Council Discussion

6.3 Christopher Paine, Director of Financial Services - Reserves and Surplus Policy Amendment, Major Crimes Reserve

Recommendation:
THAT the report titled “Reserves and Surplus Policy Amendment, Major Crimes Reserve”, authored by Christopher Paine, Director of Financial Services, dated October 12, 2021 be received.

THAT Council approve the amended Reserves and Surplus Policy;

Alternatively, staff await another direction from Council.

Report - Reserves and Surplus Policy Amendment, Major Crimes Reserve - 2021-10-12

6.4 Chris Hyde-Lay, Manager of Parks Services - Leyland Cypress Tree Removal Reconsideration - 880 Island Road

Recommendation:
THAT the report titled Leyland Cypress Tree Removal Reconsideration authored by Chris Hyde-Lay dated October 12, 2021 be received;

AND THAT Council reconsider the the decision made by the Manager of Parks Services with regard to the issuance and refusal of a tree permit for the removal of a Leyland Cypress tree located at 880 Transit road as per Section 13 of the Tree Bylaw;

AND FURTHER, THAT, the decision resulting from Councils reconsideration be communicated to the applicant in writing.

Alternatively, staff await another direction from Council.

Report - Leyland Cypress tree removal reconsideration - 880 Island Road - Pdf

6.5 Christopher Paine, Director of Financial Services - 2021-2022 Earthquake Insurance Deductible

Recommendation:
THAT the report titled “2021-2022 Earthquake Insurance Deductible”, authored by Christopher Paine, Director of Financial Services, dated October 12, 2021 be received.
RECOMMENDATION(S)

THAT the report titled “Reserves and Surplus Policy Amendment, Major Crimes Reserve”, authored by Christopher Paine, Director of Financial Services, dated October 12, 2021 be received.

THAT Council approve the amended Reserves and Surplus Policy;

Alternatively, staff await another direction from Council.

EXECUTIVE SUMMARY OF REPORT

Beginning in 2020, the District included a 'Major Crimes Contingency' budget line item in its Financial Plan. This budget line was funded by the Major Crimes Reserve and equal to the reserve balance. The contingency expenditure was placed in the Financial Plan so that the reserve funds could be used if needed, without enacting a Financial Plan bylaw amendment.

Although the Financial Plan bylaw provides expenditure authority for use of the funds, there was no policy that outlined in what circumstances these funds could be accessed.

Launching a major criminal investigation is sensitive and requires confidentiality and the ability to make timely decisions. For these reasons, prior approval from Council for specific major crime expenditures is not practical. The proposed policy amendments sets out parameters for when the Oak Bay Police department may use the major crime reserve funds.

Use of the reserve funds will always be contingent on Council approved expenditure authorized via the annual Financial Plan Bylaw.

Alternatively, the Oak Bay Police Department (OBPD) could request a contingency budget in their annual police department budget allocation request. However, once a police department budget allocation is approved, Council's ability to set parameters for use of allocated funds is significantly diminished.

The OBPD supports this accountability framework and has assisted in the development of the recommended Reserves and Surplus policy amendments.

STRATEGIC PRIORITY SUPPORTED

- October 12, 2021
Achieve sustainable service

FINANCIAL IMPACT
There is no financial impact associated with adopting the recommended policy amendments.

IAP2 FRAMEWORK ENGAGEMENT
☒ INFORM ☐ CONSULT ☐ INVOLVE ☐ COLLABORATE

TIMELINE/PROCESS/NEXT STEPS
The policy amendments, if approved, would become effective immediately. As at quarter 2, the Police department is forecasted to return a budget surplus of approximately $300,000. As such, use of the reserve is not anticipated at this time.

OPTIONS
Council may choose from the following options:
   1. (Recommended) Approve amended Reserves and Surplus Policy;
   2. Direct staff to adjust the amended Reserves and Surplus Policy;
   3. Do not approve the recommended amended Reserves and Surplus Policy.

Respectfully submitted,

Christopher Paine, Director of Financial Services

I have read and consider staff's recommendation to be supportable for Council's consideration.

Lou Varela

Lou Varela, Chief Administrative Officer

ATTACHMENTS(S):
Oak Bay Reserves and Surplus Policy - October 2021
minimum working capital levels eliminates or reduces the need to borrow externally and/or internally for operations.

The District may also require emergency funds from time to time, from any one of its Unappropriated Surplus balances, for unforeseen costs. When this occurs, the District needs to rely upon sufficient balances being available in the applicable Unappropriated Surplus area (general operating, water or sewer).

Subject to the aforementioned, operating surplus will be allocated to municipal Reserves for the purpose of funding one-time items.

6.1 Major Crimes Reserve

The District maintains a Major Crime Reserve. These funds are solely intended to be used for costs associated to major crime investigations and costs which stem from those investigations.

It is not practical for specific use of these funds to be approved by Council in advance due to the timeliness, confidentiality and sensitivity of the investigations. The Oak Bay Police department may utilize the major crime reserve under the following circumstances:

a. Use of the Major Crimes Reserve has been approved in the financial plan bylaw or amendments thereto;

b. The scope and/or complexity of the investigation is sufficiently large that it was not contemplated within the annual police budget;

c. There is not sufficient budget remaining in the current year police operating budget to cover the extraordinary costs; and

d. The extraordinary costs relate to:
   i. Undercover operations,
   ii. Wiretap,
   iii. Surveillance,
   iv. Forensic specialists,
   v. Tech analysis,
   vi. Underwater recovery team,
   vii. Emergency response team
   viii. Tactical team,
   ix. Scene security
   x. Other costs related to major crimes investigation in the opinion of the Oak Bay Chief Constable.

The Chief or Deputy Chief Constable will provide the Director of Financial Services with the police file number. This file number will be confidential and not available for public release or release under freedom of information.