



REPORT TO THE EDMONTON POLICE COMMISSION

DATE: March 8, 2019

AUTHOR: Bonnie Riddell, Policy & Research Analyst

SUBJECT: Policy Revisions

RECOMMENDATION(S):

That the Edmonton Police Commission approve revisions to the following EPC policies:

- 1) 4.1.1 Roles and Duties of Commission Members
- 2) 4.1.2 Roles and Duties of Chair and Vice Chair of Commission
- 3) 5.1.1 Establishing Rules of Order for Meetings
- 4) Appendix B – Meeting Procedures

(Attach)

1 ACHIEVING OUTCOMES: “WHAT DO WE EXPECT OF OURSELVES?”

(CURRENT)

Effective: November 30th, 2007

Repealed:

Revised: October 22, 2009

May 20, 2010

September 17, 2015

October 27, 2016

4.1 ROLES AND RESPONSIBILITIES

4.1.1 ROLES AND DUTIES OF COMMISSION MEMBERS

Edmonton Police Commissioners are to represent the public in carrying out their duties as described in the *Police Act*, the *Police Service Regulation*, *City of Edmonton Bylaw #14040* and this policy manual.

Commissioners should expect to spend a significant number of hours each month in performance of their duties as required by Commission business. They should also expect to be appointed to sub-committees of the Commission. These may include standing committees such as the Professional Standards Committee, Finance & Audit Committee, or Governance Committee; and, ad hoc committees that are formed to address specific matters for the Commission.

Individual Commissioners cannot direct the Executive Director or other Commission staff. All directions or recommendations adopted by the Commission will be put forward as a motion. Where a matter is identified as requiring approval of the Commission, such approval shall be by motion and reflected in the minutes.

References:

1. *Police Act*, RSA 2000, c P-17.
2. *Police Service Regulation*, Alta Reg 356/1990.
3. Appendix A – The City of Edmonton Bylaw, No 14040, Edmonton Police Commission Bylaw, (15 December 2015).
4. Appendix B – *Edmonton Police Commission Meeting Procedures*.

(REVISED)

Effective: Nov. 30, 2007	Revised: October 22, 2009 May 20, 2010 September 17, 2015 October 27, 2016
Repealed:	

4.1 ROLES AND RESPONSIBILITIES

4.1.1 ROLES AND DUTIES OF COMMISSION MEMBERS

Edmonton Police Commissioners (“Commissioners”) are expected to represent the public in carrying out their duties as prescribed in the Police Act, City of Edmonton Bylaw #14040 and this policy manual.

It is recognized that elected officials who are appointed to serve on the Edmonton Police Commission (the “Commission”) may, in making decisions or taking actions as a member of the Commission, take into account the broader interests of their constituents, stakeholders and the municipal corporation as a whole.

Guidelines:

1. Individual members of the Commission must exercise their official duties and functions and arrange their affairs in such a manner that public confidence and trust in the integrity, objectivity, and impartiality of the Commission are conserved and enhanced.
2. Commission member actions should be guided by the Commission’s Vision and Mission.
3. Commission members should expect to spend a significant number of hours each month in performance of their duties as required.
4. All members will attend meetings prepared to discuss items on the agenda and will have read all reports and background materials provided.
5. Commission members will focus their efforts and discussions on issues related to strategy, policy, and governance oversight.
6. Individual Commissioners will be appointed to any number of standing committees and/or ad hoc committees.
7. All Commission members are encouraged to attend functions throughout the community to maintain strong links with individuals and groups.

8. Each member of the Commission will avail themselves of training opportunities and will become knowledgeable on the practices of good governance and the policing profession.
9. No individual Commission member shall purport to speak on behalf of the Commission unless they are authorized to do so as outlined in EPC policy 5.3.3 – Communications and Media Relations.
10. All Commission members must observe the rules around confidentiality as outlined in the Code of Conduct and the FOIP Act.
11. Individual Commissioners cannot direct the Executive Director or any other Commission staff member and all directions or recommendations will follow the guidelines in EPC policy 2.3.1 – Information Requests.
12. Individual Commissioners have no direct authority over any member of the Edmonton Police Service and all authority flows through approved motions of the Commission.

References:

1. *Police Act, RSA 2000, c P-17*
2. *City of Edmonton Bylaw, No 14040, Edmonton Police Commission Bylaw*
3. *Freedom of Information and Protection of Privacy Act, RSA 2000, c F-25*
4. *EPC Policy 2.3.1 – Information Requests*
5. *EPC Policy 4.2.1 – Code of Conduct*
6. *EPC Policy 5.2.1 – Committees of the Commission*
7. *EPC Policy 5.2.6 – Ad Hoc Committees*
8. *EPC Policy 5.3.2 – Ongoing Education and Training*
9. *EPC Policy 5.3.3 – Communication & Media Relations*
10. *EPC Policy 5.10 – Attendance of Commissioners at Functions*

(CURRENT)

Effective: November 30 th , 2007 Repealed:	Revised: April, 2012 September 17, 2015 October 27, 2016
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4.1.2 ROLES AND DUTIES OF THE CHAIR OF THE COMMISSION

In addition to his/her role as a member of the Edmonton Police Commission, the Chair is also responsible for ensuring that the Commission is operating in accordance with its policies and procedures, and for ensuring the ongoing integrity of the Commission's processes.

In carrying out his/her duties, the Chair works with the Executive Director to set the agenda for Commission meetings and is empowered to chair Commission meetings. The Chair is the official spokesperson for the Commission.

The Chair is the liaison to Commission administration through the Executive Director. In the event that the Chair provides the Executive Director with a direction that the Executive Director is of the opinion requires a motion, the Executive Director shall bring the matter forward to the Commission for direction.

References:

1. *Police Act*, RSA 2000, c P-17.
2. Police Service Regulation, Alta Reg 356/1990.
3. Appendix A – The City of Edmonton Bylaw, No 14040, Edmonton Police Commission Bylaw (15 December 2015).
4. Appendix B – Edmonton Police Commission Meeting Procedures.
5. *EPC Policy 5.3.3 – Communication*.

(REVISED) #2

Effective: Nov. 30, 2007	Revised: April, 2012 September 17, 2015 October 27, 2016
Repealed:	

4.1.2 ROLES AND DUTIES OF CHAIR AND VICE CHAIR OF COMMISSION

Regulations under the Police Act and the Police Commission Bylaw require that both a Chair and Vice Chair are elected from among the membership of the Edmonton Police Commission (the “Commission”).

Definitions:

CHAIR: the person elected by members of the Commission annually to act as the head representative of the Commission and also means a person who has authority to preside over meetings.

VICE CHAIR: the person elected by the members of the Commission annually to act as Vice Chair and to preside over meetings and/or assume the responsibilities of the Chair in their absence.

EX-OFFICIO: the Chair holds a position as a member of all Commission appointed committees with full voting privileges.

Guidelines:

1. In addition to their role as a member of the Commission, the Chair is also responsible for ensuring that the Commission is operating in accordance with its policies and procedures, and for ensuring the ongoing integrity of the Commission’s processes.
2. The Chair will work with the Executive Director to set the agendas for Commission meetings.
3. The Chair will preside over Commission meetings and will determine the speaking order when two or more members wish to speak.
4. The Chair will endeavor to build consensus and build teamwork within the Commission; encourage an atmosphere of openness and trust, and maintain a cohesive group without losing diversity of opinion and independent points of view.
5. The Chair is an ex-officio member of all committees where the Chair is not appointed as a full member.

6. The Chair shall maintain a liaison and communication with all Commission members and committee Chairs.
7. The Chair is the liaison to Commission administration through the Executive Director.
8. The Chair is the official spokesperson of the Commission and is the only person authorized to speak to the media on behalf of the Commission.
9. The Chair may designate Committee Chairs, or other members of the Commission, to speak to the media on certain matters.
10. The Chair shall evaluate each Commissioner and submit recommendations to Council on the re-appointment of all Commissioners, other than the Chair.
11. The Chair ensures that the Commission is appropriately represented at official functions and meetings.

References:

1. *Police Act, RSA 2000, c P-17*
2. *City of Edmonton Bylaw, No 14040, Edmonton Police Commission Bylaw*
3. *Appendix B – Edmonton Police Commission Meeting Procedures*
4. *EPC Policy 4.3.2 – Evaluation and Re-Appointment of Commission Members*
5. *EPC Policy 5.3.3 Communications and Media Relations*

GOVERNANCE PROCESS: “HOW DO WE WORK?”

Effective: November 30 th , 2007	Revised: April 19, 2012
Repealed:	September 17, 2015
	October 27, 2016

(CURRENT)

COMMISSION MEETINGS AND ORGANIZATION

5.1.1 ESTABLISHING RULES OF ORDER FOR MEETINGS

The Edmonton Police Commission will adhere to meeting processes as outlined in Appendix B, in Commission bylaws, and in all other instances Roberts Rules of Order will inform the process. The Edmonton Police Commission adopts the rules of procedure in accordance with City of Edmonton Bylaw 14040 as amended.

This applies to all meetings, including Public, Closed, In Camera, and Committee meetings.

If a question relating to the procedures of the Commission or Committees is not answered by the Rules of Procedure, the answer to the question will be informed by referring to the most recent revision of Robert’s Rules of Order Newly Revised.

The Commission may suspend any provision of the Rules of Procedure.

The dates and times for the Commission’s regular public meetings will be established at the last Commission meeting of the year. This information will subsequently be posted on the Commission website.

Meetings of the Commission shall be open for the public however pursuant to Bylaw 14040 and section 18 of the *Freedom of Information and Protection of Privacy Regulation* the Commission may hold a meeting in the absence of the public if the subject matter of the meeting concerns the following:

- a. the security of the property of the Commission;
- b. personal information of an individual, including an employee of the Commission;
- c. a proposed or pending acquisition or disposition of property by or for the Commission;
- d. labour relations or employee negotiations;
- e. a law enforcement matter;
- f. litigation or potential litigation, including matters before administrative tribunals affecting the Commission; or
- g. the consideration of a request for access for information.

Commission meetings held in the absence of the public may, at the discretion of the Commission, be held with the Chief of Police and members of the Edmonton Police Service (this

is referred to as a Closed meeting), as required, or with the Commission alone (this is referred to as an In Camera meeting).

The Commission may change the time, date or location of any meeting.

The Commission may cancel any meeting.

Notification of a meeting cancellation or change in date, time or location shall be given to the public two weeks prior to the meeting.

Reference:

Appendix B – *Meeting Procedures*

(REVISED)

Effective: Nov. 30, 2007	Revised: April 19, 2012 September 17, 2015 October 27, 2016
Repealed:	

5.1.1 ESTABLISHING RULES OF ORDER FOR MEETINGS

The Edmonton Police Commission (the “Commission”) is governed by the City of Edmonton Bylaw 14040, Edmonton Police Commission Bylaw, which outlines meeting procedures and rules for the Commission.

In accordance with this requirement the Commission has adopted Appendix B – Edmonton Police Commission Meeting Procedures.

Guidelines:

1. All members of the Commission have a responsibility to attend meetings, participate in discussions and exercise their voting rights.
2. Should a Commission member be unable to attend a meeting then they are expected to advise the Commission office.
3. Commission members may attend and participate in meetings from a remote location via telephone or video conferencing.
4. The Commission’s schedule of regular meetings will be established annually at the last Commission meeting of the year and will be made available to the public.
5. The Chair or a majority of Commission members may call special meetings when they consider it expedient to do so.
6. The Commission may, by two-thirds vote of members present at a regular meeting, change the date, time or location of a subsequent meeting and/or cancel any meeting and will provide notice of this change to the public two weeks prior to the meeting.
7. Quorum for a meeting of the Commission will be a majority of the existing appointed Members, and Councillors who are Members shall be counted as existing appointed members for the purposes of determining quorum only if they are in attendance at that meeting.

8. The Chair will preside over Commission meetings and has full voting rights and privileges as other members.
9. As a general rule, the Commission will deal with matters in the order of business as shown on the agenda; however the Chair may, at their discretion, alter the order established to facilitate the business of the meeting.
10. Meetings of the Commission will be open to the public however pursuant to the *Freedom of Information and Protection of Privacy Regulation* the Commission may hold a meeting in the absence of the public if the subject matter being considered concerns:
 - a) the security of the property of the Commission;
 - b) personal information of an individual, including an employee of the Commission;
 - c) a proposed or pending acquisition or disposition of property by or for the Commission;
 - d) labour relations or employee negotiations;
 - e) a law enforcement matter
 - f) litigation or potential litigation, including matters before administrative tribunals affecting the Commission; or
 - g) the consideration of a request for access for information.
11. The Commission shall not exclude a member of the public from attending the public portion of a meeting except for improper conduct or safety.
12. Attendance at the closed in camera portion of the meeting is at the sole discretion of the Commission.
13. The Commission will abide by its adopted policy *Appendix B – Edmonton Police Commission Meeting Procedures* at all Commission and Committee meetings.
14. If there is a question relating to procedures of the Commission or one of its Committees which is not addressed in the Commission's Meeting Procedures then the question will be informed by referring to the most recent version of *Robert's Rules of Order*.
15. The Commission may suspend any provision of the rules of meeting procedures by a two-thirds vote of members present at a regular meeting provided that the proposal does not conflict with any of the Commission's policies or other applicable Act or regulation.

References:

1. *City of Edmonton Bylaw, No 14040, Edmonton Police Commission Bylaw*
2. *Freedom of Information and Protection of Privacy Act, RSA 2000, c F-25*
3. *Appendix B – Edmonton Police Commission Meeting Procedures*
4. *EPC Policy 4.1.2 – Roles and Duties of Chair and Vice Chair of Commission*

(CURRENT)

**APPENDIX B – EDMONTON POLICE
COMMISSION MEETING PROCEDURES**

DEFINITIONS

The following words and phrases mean:

- a. Chair – the person elected by the members of the Commission to act as Chair and to preside over meetings;
- b. Vice-Chair – the person elected by the members of the Commission to act as Vice-Chair and to preside over meetings in the absence of the Chair;
- c. Challenge – an appeal of a ruling of the Chair;
- d. Commission – the Edmonton Police Commission;
- e. Committee – any committee of the Commission;
- f. Executive Director – the person appointed by the Commission to provide executive management to the Commission;
- g. Member – means a member of the Commission;
- h. Municipal – the Municipal Government Act S.A. 1994, c. M-26-1, Government Act as amended, or any replacement legislation;
- i. Point of Order – a demand that the Chair enforce the rules of procedure;
- j. Point (or Question) of Privilege – a request made to the Chair or Commission member on any matter related to the rights and privileges of the Commission or individual members which include the:
 - i. comfort of members;
 - ii. conduct of members, employees or members of the public in attendance at the meeting; and,
 - iii. accuracy of the reports of the Commission’s proceedings;
- k. Executive Assistant – the person employed by the Commission to prepare the agenda material, circulate the agenda, and maintain minutes of the meetings;
- l. Public Complaint Director – the person designated by the Executive Director, on behalf of the Commission, to act in the capacity of Public Complaint Director under the provisions of the *Police Act*, R.S.A. 2000, c.P-17 as amended or any replacement legislation; and
- m. Table – a motion to delay consideration of any matter in order to deal with more pressing matters.
- n. Public Meeting: Meetings of the Commission open to members of the public.
- o. Closed Meeting: Meetings of the Commission not open to members of the public, but are open to Commission staff and members of the Edmonton Police Service, as approved by the Chair.
- p. In Camera Meeting: Meetings of the Commission not open to the public. All other attendees must be approved by the Chair.

5.1.2 MEETINGS OF THE COMMISSION (approved)

The Edmonton Police Commission will hold meetings throughout the year including Public, In Camera, Closed, and Committee meetings. The following processes have been set.

ELECTION OF OFFICERS: At its first meeting in January, the Commission shall elect a Chair and Vice-Chair for that year.

REGULAR PUBLIC MEETINGS: The dates, times and locations for the Commission's regular public meetings will be established at the last Commission meeting of the year. This information will subsequently be posted on the Commission website. Meetings will take place monthly, except in the month of August. The preferred meeting locations are the River Valley Room on the main floor of City Hall, or a designated community location. When the time or location is to be changed, notification shall be given to the public three weeks prior to the meeting in the changed location.

CRITERIA FOR MEETINGS IN THE ABSENCE OF THE PUBLIC: Meetings of the Commission shall be open for the public however pursuant to Bylaw 14040 and section 18 of the *Freedom of Information and Protection of Privacy Regulation* the Commission may hold a meeting in the absence of the public if the subject matter of the meeting concerns the following:

- a. the security of the property of the Commission;
- b. personal information of an individual, including an employee of the Commission;
- c. a proposed or pending acquisition or disposition of property by or for the Commission;
- d. labour relations or employee negotiations;
- e. a law enforcement matter;
- f. litigation or potential litigation, including matters before administrative tribunals affecting the Commission; or
- g. the consideration of a request for access for information.

MEETINGS IN THE ABSENCE OF THE PUBLIC: Commission meetings held in the absence of the public may, at the discretion of the Commission, be held with the Chief of Police and members of the Edmonton Police Service (this is referred to as a Closed meeting), as required, or with the Commission alone (this is referred to as an In Camera meeting). No motions will be made during an In Camera meeting without a recording secretary present who is not a member of the Commission, although discussions may take place.

CHANGING TIME, DATE and LOCATION: The Commission may change the time, date or location of any meeting.

CANCELLATION: The Commission may cancel any meeting.

ATTENDANCE AT MEETINGS FROM REMOTE LOCATIONS: A member may participate in commission meetings from remote locations via email, telephone or video conferencing if:

- a. The member is in a location outside Edmonton for any reason; or
- b. The member is in a location within Edmonton and has prior approval of the Chair by email or phone (followed up by email).

In this circumstance, the member participating in the meeting from a remote location shall be deemed to be present and in attendance at the meeting.

SPECIAL MEETINGS: The rules governing special meetings of the Commission are as follows:

- a. The Chair may call special meetings of the Commission, whenever he or she considers it expedient to do so, but shall do so when required in writing by a majority of the members;
- b. Written notice shall be given via email of any special meeting, stating the time and place, and in general terms, the nature of the business to be transacted, not less than twenty four hours prior to the meeting;
- c. The Chair may call a special meeting, upon shorter verbal or email notice in cases of urgency (as determined by the Chair); or if all of the members give their verbal or email consent before or at the commencement of the meeting; or if all members are present and resolve to dispense with email consent.

Where a special meeting is called, no business other than the business indicated in the notice may be transacted without the consent of all members.

QUORUM REQUIREMENTS: Quorum for a meeting of the Commission is a majority of the existing appointed members. Councillors who are members shall be counted as “existing appointed members” for the purposes of determining quorum only if they are in attendance at that meeting.

WHEN NO QUORUM: If there is no quorum within half an hour after the time set for the meeting, the secretary will record the names of the members present, and the meeting will be adjourned to the time of the next regular meeting. The agenda for the adjourned meeting will be dealt with at the next regular meeting, unless a special meeting is called to deal with the business of the adjourned meeting.

ESTABLISHED TIMES FOR ITEMS: The Commission may establish a specific time for discussion on any matter.

5.1.3 AGENDAS AND RECORDS OF MEETINGS

AGENDA FORMAT: The agenda orders the business for a meeting unless otherwise determined by the Commission.

- (b) A Consent Agenda format will be used [previously said “may” be used]. This format brings together a series of reports under the heading of Consent Agenda. One motion is made to accept all of these reports for information, including those reports requiring a specific motion that does not require discussion. At the request of any member, an item that requires discussion will be exempted from the Consent Agenda.
- (c) The agenda will be formatted so that matters involving the Edmonton Police Service will be dealt with at one time.

ESTABLISHMENT OF AN AGENDA: The Executive Director is responsible for establishing the monthly agenda, including prioritizing items, and determining whether items should be placed on the open or closed portion of the meeting agenda, bearing in mind the Commission’s mandate of ensuring public accountability. The draft agenda shall be submitted to the Chair of the Commission for approval prior to its distribution to the Chief of Police and the members of the Commission.

DISTRIBUTION OF AGENDA: The agenda materials for the monthly meeting of the Commission shall be distributed five (5) days prior to the meeting date, requiring that the items to be included on the agenda must be submitted to the Commission Executive Assistant a minimum of seven (7) days in advance of the meeting. Additions to the agenda, after this deadline, shall be submitted to the Commission at the commencement of the Commission meeting, and the Commission shall vote on whether the item shall be approved for inclusion on the agenda.

ADOPTION OF AGENDA: The Commission must vote to adopt the agenda prior to transacting other business and may:

- a. add new items to the agenda; or
- b. delete any matter from the agenda by unanimous vote.

PREPARATION OF MINUTES: The secretary must prepare all Commission minutes which will include:

- a. all motions;
- b. the names of the members present at and absent from the meeting;
- c. the names of the members voting for and against all motions, and of those who are absent for the vote, and a brief outline of the issues being voted on.
- d. any declarations of pecuniary interest made under the Municipal Government Act, or any other legislation or bylaw by any member, or any resolutions excusing a member from voting.

ADOPTION OF MINUTES: The minutes of each meeting must be circulated prior to the meeting at which they are to be adopted. If there are errors or omissions, the Commission must:

- a. pass a motion to amend the minutes; and
- b. adopt the minutes as amended,

and if there are no errors or omissions, the Commission must adopt the minutes as circulated.

ACCESS TO MEETING DOCUMENTS: All agendas, minutes, and reports for public meetings will be posted on the Commission's website, www.edmontonpolicecommission.ca.

MINUTES ITEM DUE LIST AND DUE DATES: The Executive Assistant shall ensure that all outstanding items from the previous meeting are included on the following agendas at the appropriate time.

5.1.4 MOTIONS

MOTIONS: All directions or recommendations adopted by the Commission will be put forward as a motion.

NOTICE OF MOTION: A Commissioner may make a motion introducing any new matter only if

- a. notice is given at a Commission meeting held at least seven (7) clear days before the meeting and a copy of the content of the notice is made available to the Executive Director;
or

- b. the Commission passes a Special Resolution dispensing with notice.

DETAILED NOTICE OF MOTION: A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be made.

DELAY IN PRESENTING MOTION: If a motion is not made at the meeting indicated in the notice, it will appear on the agenda for, and may be made at any of, the next two regular meetings.

RECOMMENDATIONS ARE NOT MOTIONS: A recommendation in a report does not constitute a motion until a member has expressly moved it.

SECONDING AND STATING MOTIONS: All motions must be seconded prior to debate.

DEBATE ON A MOTION: Debate proceeds when a motion has a mover and seconder.

Commissioners may speak only twice on any motion, once in debate and once to ask questions. Each Commissioner may speak for only five minutes. No Commissioner may speak a second time until all Commissioners wishing to speak have had an opportunity. The Commission may give permission to speak again or to ask additional questions.

WITHDRAWAL: Once a motion has been moved, and seconded, it may not be withdrawn without unanimous consent of all the members present at the meeting.

AMENDMENTS: An amendment proposed to a motion must be relevant to its subject matter and must not propose a direct negative of the motion. Only one amendment to a motion may be before the meeting at any time.

MOTION TO TABLE: A motion may be tabled to enable the Commission to deal with it at a later time.

POINT OF ORDER: A Point of Order which requires immediate attention may interrupt a speaker. The Chair must rule on a Point of Order and no vote will be taken unless there is a Challenge.

DIVIDING MOTIONS INTO PARTS: A member may request that a motion be divided if it contains parts which stand as complete propositions. The Commission must then vote separately on each proposition.

5.1.5 VOTING

MOTION CARRIED: Each member has one vote. A motion will be carried when a majority of members present at a meeting vote in favor of the motion. The Chair must declare the result of the vote.

VOTING FROM A REMOTE LOCATION: When a vote is called on a motion, the member who is participating in the meeting from a remote location via phone will vote verbally. In the case of a vote by a show of hands, the member participating from a remote location will state his or her vote for all to hear after all of the other members have voted. In the case of a vote by email or ballot, the member participating from the remote location may request to state his or her vote to the Executive Director, or, in

his absence to the Public Complaint Director or, in his/her absence, to the Executive Assistant, who will record the vote confidentially.

TIE VOTE: A motion is lost when the vote is tied.

LOSS OF QUORUM: If a motion cannot be voted on because there would be no quorum due to:

- a. a member being excused from voting by the Commission; or
- b. any abstention allowed or required by statute,

then the matter will be dealt with as unfinished business and proceeded with at the next regular meeting of the Commission.

5.1.6 RULES GOVERNING DEBATE

ORDER OF SPEAKERS: The Chair will determine the speaking order when two or more members wish to speak.

ADDRESS PRESIDING OFFICER: Members must address the Chair when speaking.

INTERRUPTIONS: Members who have been assigned their turn to speak may only be interrupted by other members, including the Chair:

- a. when a member is discussing a subject and no motion is on the floor;
- b. by a Point of Order;
- c. by an objection to the consideration of a motion.

MEMBER CALLED TO ORDER: A member who is called to order must immediately stop talking.

PROHIBITED ACTS: Members must not:

- a. use offensive words in Commission meetings or against any member;
- b. discuss a vote of the Commission, unless to move to reconsider, renew, or rescind;
- c. break the rules of the Commission or disturb the proceedings; or
- d. disobey the decision of the Chair or of the Commission on any question of order, practice or interpretation.

OPPORTUNITY TO BE HEARD: Each member will be given an opportunity to speak to a motion before it is put to a vote, unless a motion is passed to limit or end debate.

i. DUTIES OF THE CHAIR

CHAIR TO MAINTAIN ORDER: The Chair must preserve order and decorum and decide all questions of procedure.

GRANTING PERMISSION TO MAKE FORMAL PRESENTATIONS TO THE COMMISSION: All requests to make presentations to the Commission shall be in writing and forwarded to the

Executive Director of the Commission. The Chair has the discretion to decide if the presentation will be heard and if so, the date at which it may be heard.

- (b) The Executive Director will notify the applicant of the date, time, and place of presentation or rejection of request.
- (c) Persons will be allowed 5 minutes to speak per presentation.
- (d) After the presentation, any member may ask the speaker(s) relevant questions.
- (e) Any member may then ask the Chief of Police relevant questions.
- (f) After the presentation and questions, the Commission will receive the presentation for information. No decision will be made with regard to any request in a presentation until a subsequent meeting.

CALLING MEMBER TO ORDER: The Chair may call to order any member who is out of order.

REQUEST FOR PUBLIC TO LEAVE MEETING ROOM: At the conclusion of the open meeting of the Commission, if the Commission requires to go to a closed session, or an in camera session, the Chair shall ask all members of the public to leave the meeting room. If members of the public refuse to leave, the Chair may request building security, the Chief of Police, or both, to remove the person(s).

DUTIES OF VICE-CHAIR: The Vice-Chair shall preside over meetings when the Chair is absent. In the absence of the Vice-Chair the Commission may elect one of its members to preside over the meeting.

5.1.8 PRESENTATIONS

INPUT FROM THE PUBLIC: During the Public Input Item of the Commission Meeting agenda members of the public may make a presentation to the Commission. Speakers must register in advance by filling out the “REQUEST TO SPEAK” form which will be made available at every public meeting. Public presentations must be relevant to matters within the Commission’s mandate; however complaints about officer conduct or any ongoing investigations are not topics for this forum. Information presented will relate only to the subject matter specified in the written request to speak. The maximum time allowed for any one presenter or spokesperson for a group of presenters is 5 minutes unless there is consent by the Commission to extend the allotted time. Presentations may be verbal and may include hardcopy materials. Personal information is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act and the name of the presenters will be reflected in the minutes. The Commission will not enter into discussion or debate on matters raised during the public input session.

Revisions when referred to as Appendix G:

Revised May 21, 2003

Revised September 24, 2008

Revised October 22, 2009

Revised December 17, 2009

Revised March 15, 2011

Revised April 19, 2012

Revised 5.1.2 July 27, 2017 Special Meeting

Revised 5.1.5 July 27, 2017 Special Meeting

Revised 5.1.8 June 21, 2018

References:

1. Appendix A – *The City of Edmonton Bylaw #14040 (Section 9(e))*.
2. *Freedom of Information and Protection of Privacy Act*.

(REVISED) #3

**APPENDIX B – EDMONTON POLICE
COMMISSION MEETING PROCEDURES**

DEFINITIONS:

ADMINISTRATION: means the Executive Director of the Commission or an employee accountable to the Executive Director.

AGENDA: is the order of items of business for a Meeting and the associated reports or other documents.

CHAIR: is the individual elected annually by the Commissioners as the head representative of the Commission and also means a person who has authority to preside over a Meeting.

CHALLENGE: means an appeal to a ruling of the Chair.

COMMISSIONER: is a Member duly appointed under the Police Act and the Edmonton Police Commission Bylaw.

COMMITTEE: means a Committee established by the Commission which reports directly to the Commission.

CONSENT AGENDA: is that portion of a Regular Business Meeting which contains reports for information or approval that do not require discussion or individual motions. These items can be accepted by unanimous consent.

CONFLICT OF INTEREST: can be potential, real or perceived conflict. A conflict of interest is any situation in which a Commissioner's personal interests (e.g. financial, occupational or political) may affect, or appear to affect, their objectivity, judgment or ability to act in the best interests of the Commission.

CORPORATE RECORD: is the record of Agendas, Minutes and other related material which is dealt with by the Commission or a Commission Committee.

EDMONTON POLICE COMMISSION: is the body, created by the Police Act, to oversee and govern the Edmonton Police Service in accordance with terms of the Act.

EXECUTIVE DIRECTOR: means the person, or delegate, appointed to the designated position of Executive Director by the Commission.

FRIENDLY AMENDMENT: used to describe an amendment offered by a member who is in sympathy with the purposes of the main motion, in the belief that the amendment will improve the statement or effect of the main motion.

IMPROPER CONDUCT: means any action by a member of the public at a Meeting which, in the opinion of the Chair of the Meeting, intimidates, threatens, harasses, obstructs, or physically injures any other person and includes the refusal to follow any directions of the Chair of the Meeting.

IN CAMERA: means in the absence of the public.

MEETING: means a Meeting of the Commission or Committee.

MEETING COORDINATOR: title given to Commission staff member who is responsible for the preparation and distribution of agendas and agenda materials, drafting meeting minutes and acting as recording secretary for Commission meetings.

MEMBER: is a Member of the Commission, duly appointed under the Police Act and Commission Bylaw.

MINUTES: the record of decisions of a Meeting recorded without note or comment.

NOTICE OF MOTION: is the means by which a Member of the Commission brings business before the Commission.

POINT OF INFORMATION: is a request to a Member or the Administration, for information relevant to the business at hand.

POINT OF ORDER: is a statement by a Member raising a departure from this policy or other parliamentary procedure.

POINT OF PRIVILEGE: refers to matters affecting the rights, safety, orderliness, comfort or well being of the Commission collectively or of individual Members.

POINT OF PROCEDURE: is a question to obtain information on the procedures of the Commission or Committee to assist a Member to understand the procedure.

PRECEDENCE: a motion has precedence when it can temporarily replace a motion on the floor and can only be superseded by a motion of higher rank.

PROXY VOTING: is a power of attorney given by one person to another to vote in their stead. In this policy it is not allowed.

QUORUM: is the minimum number of members who must be present at a meeting for business to be legally transacted. Councillors who are Members shall be counted as existing appointed members for the purposes of determining quorum only if they are in attendance at that meeting.

REGULAR MEETING: means a Meeting of the Commission scheduled and published in accordance with these Procedures.

SPECIAL MEETING: is a Meeting called by the Chair or the Commission in accordance with these Procedures.

STRAW POLL: an informal poll used to “test the water” on a particular matter. In this policy it is out of order.

TABLE: a motion to delay consideration of any matter in order to deal with more pressing matters.

TWO-THIRDS VOTE: is a vote requiring at least two-thirds of the Members who hold appointment, to vote in the affirmative. This number is eight (8) with eleven (11) Members of the Edmonton Police Commission.

VICE CHAIR: is the person who has the authority to preside at a Meeting in the absence of the Chair.

UNANIMOUS CONSENT: also known as “*general consent*” and is used to adopt an action without formal motion or vote.

MEETINGS OF THE COMMISSION:

ELECTION OF OFFICERS: At its first meeting in January, the Commission shall elect a Chair and Vice-Chair for that year.

REGULAR PUBLIC MEETINGS: The dates, times and locations for the Commission’s regular public meetings will be established at the last public Commission meeting of the year. This information will then be posted on the Commission website. Meetings will take place monthly, except in the month of August. The preferred meeting location will be the River Valley Room at City Hall, or other community location. When the time or location is to be changed or a meeting is to be cancelled then notification shall be given to the public two weeks prior to the meeting.

All regular meetings shall be held in public except when the criteria to go in camera has been met according to the *Freedom of Information and Protection of Privacy Regulation*.

CRITERIA FOR MEETINGS IN THE ABSENCE OF THE PUBLIC: Pursuant to Edmonton Police Commission Bylaw 14040 and section 18 of the Freedom of Information and Protection of Privacy Regulation, the Commission may hold a meeting in camera if the subject matter of the meeting concerns the following:

- a. the security of the property of the Commission;
- b. personal information of an individual, including an employee of the Commission;
- c. a proposed or pending acquisition or disposition of property by or for the Commission;
- d. labour relations or employee negotiations;
- e. a law enforcement matter;
- f. litigation or potential litigation, including matters before administrative tribunals affecting the Commission; or
- g. the consideration of a request for access for information.

MEETINGS IN THE ABSENCE OF THE PUBLIC: Commission meetings held in the absence of the public may, at the discretion of the Commission, be held with the Chief of Police and members of the Edmonton Police Service (“Closed” meeting), as required, or with the Commission only (“In Camera” meeting). No motions will be made during an In Camera meeting without a recording secretary present who is not a member of the Commission. In accordance with the *Freedom of Information and Protection of Privacy Act*, all Members are required to keep in confidence matters discussed In Camera and Closed until the item(s) are discussed at a public meeting.

ATTENDANCE AT MEETINGS FROM REMOTE LOCATIONS: A member may participate in commission meetings from remote locations via telephone or video conferencing if:

- a. The member is in a location outside Edmonton for any reason; or
- b. The member is in a location within Edmonton and has prior approval of the Chair by email.

In this circumstance, the member participating in the meeting from a remote location shall be deemed to be present and in attendance at the meeting.

SPECIAL MEETINGS: The rules governing special meetings of the Commission are as follows:

- a. The Chair may call special meetings of the Commission, whenever they considers it expedient to do so, but shall also do so when required in writing by a majority of the members;
- b. Written notice shall be given via email of any special meeting, stating the time and place, and in general terms, the nature of the business to be transacted, not less than twenty four hours prior to the meeting;
- c. The Chair may call a special meeting, upon shorter verbal or email notice in cases of urgency (as determined by the Chair); or if all of the members give their verbal or email consent before or at the commencement of the meeting; or if all members are present and resolve to dispense with email consent.

Where a special meeting is called only business mentioned in the call can be transacted at such a meeting.

QUORUM REQUIREMENTS: Quorum for a meeting of the Commission is a majority of the existing appointed members. Councillors who are members shall be counted as “existing appointed members” for the purposes of determining quorum only if they are in attendance at that meeting.

WHEN NO QUORUM: If there is no quorum within half an hour after the time set for the meeting, the secretary will record the names of the members present, and the meeting will be adjourned to the next regular meeting. The agenda for the adjourned meeting will be dealt with at the next regular meeting, unless a special meeting is called to deal with the business of the adjourned meeting.

ESTABLISHING A TIME CERTAIN FOR ITEMS: The Commission may establish a specific time for any discussion or presentation on any agenda.

AGENDAS AND RECORDS OF MEETINGS:

AGENDA FORMAT: The agenda sets the business for a meeting and follows a consistent order unless otherwise determined by the Commission.

ORDER OF BUSINESS AT MEETINGS: Subject to other provisions of this policy, the order of business for a meeting shall be dealt with in the following order:

REGULAR MEETING:

1. Call To Order
2. Protocol
3. Approval Of Agenda
4. Conflict of Interest Declaration
5. Consent Agenda
6. Presentation
7. Input From The Public
8. Chief Report
9. Chair Report
10. Executive Director Report
11. Committee Reports
12. Exemptions From Consent Agenda
13. Edmonton Police Commission Inquiries
14. Other Business
15. Commissioner Comments/Concerns/Commendations
16. Adjournment

CLOSED MEETING

1. Call To Order
2. Approval Of Agenda
3. Conflict of Interest Declaration
4. Consent Agenda
5. Chiefs Report
6. Chair Report
7. Executive Director Report
8. Committee Reports

9. Exemptions From Consent Agenda
10. Edmonton Police Commission Inquires
11. Other Business
12. "In Private" Meeting With Chief of Police
13. Adjournment

IN CAMERA MEETING:

1. Call To Order
2. Approval Of Agenda
3. Conflict of Interest Declaration
4. Consent Agenda
5. Public Complaints Director/Legal Council Report
6. Executive Director Report
7. Chief Internal Auditor Report
8. Committee Reports
9. Exemptions From Consent Agenda
10. Other Business
11. Adjournment

CONSENT AGENDA: Will be used to bring together a series of reports for information or approval that do not require discussion or individual motions and may be accepted by unanimous consent. At the request of any member, an item that requires discussion will be exempted from the Consent Agenda if the Executive Director is notified in advance by a minimum of two (2) business days.

ESTABLISHMENT OF AN AGENDA: The Executive Director is responsible for establishing the monthly agenda, including prioritizing items, and determining whether items should be placed on the open or closed portion of the meeting agenda. The draft agenda shall be submitted to the Chair of the Commission or Committee for approval prior to its distribution to the Chief of Police and members of the Commission.

DISTRIBUTION OF AGENDA: The agenda materials for the monthly meeting of the Commission shall be distributed five (5) days prior to the meeting date. Submissions to be included on the agenda must be received at the Commission a minimum of six (6) days in advance of the meeting. Additions to the agenda, after this deadline, shall be submitted to the Commission at the commencement of the Commission meeting, and the Commission shall vote on whether the item shall be approved for inclusion on the agenda. Notwithstanding this regulation, in exceptional circumstances, items may be sent out under "separate cover" if received after the deadline and are already on the agenda.

ADOPTION OF AGENDA: The Commission must vote to adopt the agenda prior to transacting other business and may:

- a. add new items as urgent business to the agenda; and/or
- b. delete any matter from the agenda by two-thirds majority vote.

URGENT BUSINESS: A Member may move to discuss a matter of urgent importance without prior notice as long as the matter proposed for discussion relates to a genuine emergency which requires immediate and urgent consideration.

PREPARATION OF MINUTES: The Meeting Coordinator will prepare all Commission minutes which include:

- a. all motions;
- b. the names of the members present and absent from the meeting;
- c. the name of the member who moves a motion and the seconder;
- d. declarations of pecuniary interest made under the Municipal Government Act, or any other legislation or bylaw by any member, or any resolutions excusing a member from voting.

ADOPTION OF MINUTES: The minutes of each meeting must be circulated prior to the meeting at which they are to be adopted. If there are no errors or omissions, the Commission may adopt the minutes by unanimous consent. If there are errors or omissions, the Commission must:

- a. pass a motion to amend the minutes; and
- b. adopt the minutes as amended;

ACCESS TO MEETING DOCUMENTS: All agendas, minutes, and reports for public meetings will be posted on the Commission's website.

ACTION ITEM TRACKING: The Meeting Coordinator shall ensure that all outstanding items from the previous meeting are included on a following agenda as appropriate.

MOTIONS:

MOTIONS: All directions or recommendations adopted by the Commission will be put forward as a motion.

NOTICE OF MOTION: A Commissioner may make a motion introducing any new matter only if

- a. notice is given at a Commission meeting held at least seven (7) clear days before the meeting and a copy of the content of the notice is made available to the Executive Director; or
- b. the Commission passes a Special Resolution dispensing with the notice.

DETAILED NOTICE OF MOTION: A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be made.

DELAY IN PRESENTING MOTION: If a motion is not made at the meeting indicated in the notice, it will appear on the agenda for, and may be made at any of, the next two regular meetings.

RECOMMENDATIONS: A recommendation in a report does not constitute a motion until a member has expressly moved it.

SECONDING AND STATING MOTIONS: All motions must be seconded prior to debate. The Meeting Coordinator shall, if requested, read the motion aloud for clarification, after it has been seconded.

WITHDRAWAL: If desired, a motion which has not been seconded may be withdrawn by the mover of the motion. Once a motion has been moved, and seconded, it is the property of the Commission and may not be withdrawn without unanimous consent of all the members present at the meeting.

AMENDMENTS: An amendment proposed to a motion must be relevant to its subject matter and must not propose a direct negative of the motion. Only one amendment to a motion may be before the meeting at any time.

FRIENDLY AMENDMENTS: Regardless of whether or not the maker of the main motion “accepts” the amendment, it must be open to debate and voted on formally (unless adopted by unanimous consent) and is handled under the same rules as for amendments generally.

MOTION TO TABLE: A motion may be tabled to enable the Commission to deal with it at a later time.

POINT OF ORDER, PROCEDURE OR PRIVILEGE: A Point of Order, Procedure or Privilege requires immediate attention and may interrupt a speaker. The Chair must rule on a Point of Order, Procedure or Privilege and no vote will be taken on the ruling unless there is a Challenge.

CHALLENGE TO CHAIR RULING: When a member wishes to challenge the ruling of the Chair, the motion, *“That the decision of the Chair be overruled”* shall be made and the question shall be put to a vote immediately without amendment or debate. A vote against the motion is a vote to uphold the ruling of the Chair.

POINT OF INFORMATION: When a Point of Information is raised, the Chair shall answer or direct the question to the appropriate member of Administration.

ADMINISTRATIVE INQUIRY: A Member making an administrative inquiry for answer at a subsequent meeting which will cause the Commission or Service to incur costs by reason of extra work it will cause staff and/or the necessity of obtaining or paying for that information from an outside source, then the inquiry shall be put forward as a formal motion

DIVIDING MOTIONS INTO PARTS: A member may request that a motion be divided if it contains parts which stand as complete propositions. The Commission must then vote separately on each proposition.

RULES GOVERNING DEBATE:

DEBATE ON A MOTION: Debate proceeds when a motion has a mover and seconder. Commissioners may speak only twice on any motion, once in debate and once to ask questions. Each Commissioner may speak for only five minutes. No Commissioner may speak a second time until all Commissioners wishing to speak have had an opportunity. The Commission may give permission to speak again or to ask additional questions.

ORDER OF SPEAKERS: The Chair will determine the speaking order when two or more members wish to speak.

CONFLICT OF INTEREST: Any Member who has a conflict of interest (pecuniary interest) on a matter before the Commission which is being debated must disclose that interest before debate begins and must leave the meeting room during the debate and shall return only after the vote is declared.

ADDRESS PRESIDING OFFICER: Members must address the Chair when speaking.

INTERRUPTIONS: Members who have been assigned their turn to speak may only be interrupted by other members, including the Chair:

- a. when a member is discussing a subject and no motion is on the floor;
- b. by a Point of Order, Procedure or Privilege; or
- c. an objection to the consideration of a motion.

MEMBER CALLED TO ORDER: A member who is called to order must immediately stop talking.

PROHIBITED ACTS: Members must not:

- a. use offensive words in Commission meetings or against any member;
- b. discuss a vote of the Commission, unless to move to reconsider, renew, or rescind;
- c. break the rules of the Commission or disturb the proceedings; or
- d. disobey the decision of the Chair or of the Commission on any question of order, practice or interpretation.

OPPORTUNITY TO BE HEARD: Each member will be given an opportunity to speak to a motion before it is put to a vote, unless a motion is passed to limit or end debate.

VOTING:

ABSTENTIONS: Abstentions from voting are not allowable unless a member must declare a conflict of interest.

PROXY VOTING: Is not allowed nor required by legislation or regulation.

STRAW POLL: is not allowed and is out of order.

MOTION CARRIED: Each member has one vote. A motion will be carried when a majority of members present at a meeting vote in favor of the motion. The Chair must declare the result of the vote.

MOTION LOST: A motion shall be declared lost when it does not receive the required number of votes or it receives a tie vote.

VOTING FROM A REMOTE LOCATION: When a vote is called on a motion, the member who is participating in a meeting from a remote location via phone or video conferencing will vote verbally.

LOSS OF QUORUM: If a motion cannot be voted on because there would be no quorum due to abstention(s) required by statute, then the matter will be dealt with as unfinished business and proceeded with at the next regular meeting of the Commission.

DECLARING THE VOTE: No Member shall leave their seat after a question is put to a vote until the vote is taken and declared.

DUTIES OF CHAIR:

ACT AS PRESIDING OFFICER: The Chair, when present, shall conduct all meetings of the Commission.

CHAIR TO MAINTAIN ORDER: The Chair must preserve order and decorum and will decide all questions of procedure. The Chair may call to order any Member who is out of order and will rule when a motion is out of order or contrary.

RIGHTS OF CHAIR: The Chair shall have the same rights and will be subject to the same restrictions as to participation in debate and voting.

REQUEST FOR PUBLIC TO LEAVE MEETING ROOM: At the conclusion of the open meeting of the Commission, if the Commission requires a closed or in camera session, the Chair shall ask all members of the public to leave the meeting room. If members of the public refuse to leave, the Chair may request building security and/or the Edmonton Police Service to remove the person(s).

CONDUCT OF PUBLIC: The Chair may order a member of the public, who disturbs or acts improperly at a meeting by words or actions, to be expelled. The Chair may request building security and/or the Edmonton Police Service, if required, to remove the person.

DUTIES OF VICE-CHAIR: The Vice-Chair shall preside over meetings when the Chair is absent. In the absence of the Vice-Chair the Commission may elect one of its members to preside over the meeting.

CONDUCT OF MEMBERS:

SPEAKING AT A MEETING: A Member wishing to speak shall obtain permission of the Chair before speaking. When a member is addressing the Chair, every other member shall remain seated and not interrupt the speaker (except on a Point of Order, Procedure or Privilege) nor carry on a private conversation, nor cross between the speaker and the Chair. A member addressing the meeting shall conduct themselves in a professional and courteous manner and not use offensive words or language.

PRESENTATIONS:

INPUT FROM THE PUBLIC: During the Public Input Item of the Commission Meeting agenda members of the public may make a presentation to the Commission. Speakers must register in advance by filling out the “*Request to Speak*” form which will be made available at every public meeting. Public presentations must be relevant to matters within the Commission’s mandate; however complaints about officer conduct or any ongoing investigations are not topics for this forum. Information presented will relate only to the subject matter specified in the written request to speak. The maximum time allowed for any one presenter or spokesperson for a group of presenters is 5 minutes unless there is consent by the Commission to extend the allotted time. Presentations may be verbal and may include hardcopy materials. Personal information is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act and the name of the presenters will be reflected in the minutes; however the speaker comments will not be recorded. The Commission will not enter into discussion or debate on matters raised during the public input session.

Revisions:

Revised May 21, 2003

Revised September 24, 2008

Revised October 22, 2009

Revised March 15, 2011

Revised April 19, 2012

Revised 5.1.2 July 27, 2017

Revised 5.1.5 July 27, 2017

Revised 5.1.8 June 21, 2018

References:

1. *Appendix A – City of Edmonton Bylaw #14040 – Edmonton Police Commission Bylaw*
2. *Freedom of Information and Protection of Privacy Act.*
3. *EPC Policy 5.1.1 Establishing Rules of Order For Meetings*