

**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

BY-LAW NO. 13-1162

Being a by-law to authorize the execution of an Amending Agreement between the Minister of Community Safety and Correctional Services and The Corporation of the Municipality of Temagami for Ontario Provincial Police Contract Policing for the year 2014.

WHEREAS under Section 8 of the Municipal Act, 2001, S.O., 2001 C.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other act;

AND WHEREAS under section 9. (1) (a) and (b) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami passed By-Law 09-853 on the 25th day of June, 2009, to authorize an agreement for Ontario Provincial Police (OPP) policing services until the 31st day of December 2013; pursuant to Section 32 of which, the Parties may amend the Agreement by written agreement;

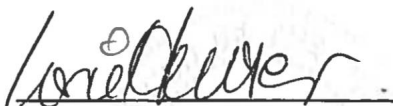
AND WHEREAS the Council of the Corporation of the Municipality of Temagami passed resolution number 13-557 on the 21st day of November 2013 to enter into an amending agreement, to extend said agreement for 2014 at the current FTE level on the new 2013 cost Recovery Formula;

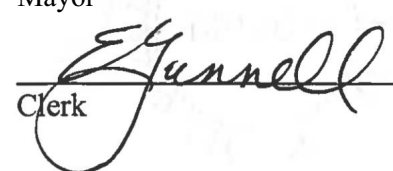
NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. That the Mayor and Clerk are hereby authorized and directed to execute an agreement as per the Amending Agreement attached hereto as Schedule "A" and forming part of this by-law;
2. That this by-law shall come into force and take effect on final passing thereof;
3. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

TAKEN AS READ a first time on this 4th day of December, 2013.

READ a second and third time and finally passed on this 4th day of December, 2013.


Mayor


Clerk

This AMENDING AGREEMENT, made in four (4) originally executed copies, is from the 1st day of January, 2014 to the 31st day of December 2014

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

as represented by

THE MINISTER OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES
("Ontario")

-and-

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
("the Municipality")

BACKGROUND

- A.** The Parties entered into the Agreement for the provision of Police Services under Section 10 of the *Police Services Act* (the "Agreement") which commenced on the 1st day of January, 2009.
- B.** The Agreement includes all the Schedules and Appendices to the Agreement.
- C.** Pursuant to Section 32, the Parties may amend the Agreement by written agreement.
- D.** The Parties wish to amend the Agreement as set out in this Amending Agreement, by extending the duration of the contract to conclude on the 31ST day of December 2014, and by applying the 2013 OPP municipal cost recovery formula to the period from the 1st day of January, 2014 to December 31st 2014, as supported by Bylaw # XXX - 20XX dated, the Xth day of XXXX 20XX, of the Council of the Corporation of the Municipality of Temagami, (attached as Schedule "A-2").

NOW THEREFORE, the Parties agree as follows:

1. Section 29 of the Agreement shall be replaced with the following:
 29. Notwithstanding the date upon which this Agreement is signed, the term of this Agreement shall commence on the 1st day of 2009, and shall conclude on the 31st day of December, 2014.

2. Effective the 1st day of January, 2014, the parties agree that the Annual Budget shall be adjusted as set out in Schedule "D-2" to account for the application of the 2013 cost formula.

Relevant terms and conditions of the Agreement, that are not specifically amended but that relate to the amendments set out in this Amending Agreement shall be deemed to be amended so as to give effect to the changes herein.

Except for the amendments set out herein, the terms and conditions of the Agreement remain in full force and effect and time shall remain of the essence.

Notwithstanding the date upon which this Amending Agreement is signed, this Amending Agreement is effective from the 1st day of January 2014 to the 31st day of December, 2014.

FOR ONTARIO

**The Minister of Community Safety and
Correctional Services**

FOR THE MUNICIPALITY

Mayor

Clerk

Date signed by the Municipality: _____

Schedule “A-2”

BY-LAW OF THE MUNICIPAL COUNCIL

DRAFT

Schedule "D-2" Revised Budget

O.P.P. COSTING SUMMARY

Estimated Policing Costs for the period

January 01, 2014 to December 31, 2014

(See Attached Notes)

MUNICIPALITY OF TEMAGAMI

2013 Cost Recovery Formula

Salaries and Benefits

Uniform Members	(Note i)	Positions	\$	
Inspector.....		0.03	4,291	
Staff Sergeant-Detachment Commander.....		-	-	
Staff Sergeant.....		0.03	3,602	
Sergeant.....		0.40	42,593	
Constables.....		2.00	<u>189,404</u>	
Total Uniform Salaries				239,891
Overtime..... (Prov. Avg)				15,550
Contractual Payout (Vacation & Statutory Holidays)...				9,118
Shift Premiums				1,620
Benefits (26.6% of Salaries; 2% of Overtime).....				<u>64,122</u>
Total Uniform Salaries & Benefits				330,298
Civilian Members	(Note 1)	Positions	\$	
Detachment Administrative Clerk.....	0.24		14,443	
Caretaker.....	0.28		14,274	
Communication Operators.....			12,703	
Prisoner Guards Salaries & Benefits.....			3,341	
Office Automation Support Salaries & Benefits.....			957	
Telephone Support Salaries & Benefits.....			288	
Operational Support Salaries & Benefits.....			<u>9,491</u>	
Sub-total Civilian				55,497
Benefits (25.5% of Detachment Staff Salaries; 19.1% Part-time)				<u>7,323</u>
Total Civilian Salaries & Benefits				<u>62,819</u>
Total Salaries & Benefits				393,118

Other Direct Operating Expenses

Communication Centre.....	625	
Operational Support.....	2,221	
RHQ Municipal Support.....	4,935	
Vehicle Usage.....	19,823	
Telephone.....	2,785	
Detachment Supplies & Equipment.....	1,304	
Accommodation.....	1,446	
Uniform & Equipment.....	2,888	
Mobile Radio Equipment Repairs & Maintenance.....	1,946	
Office Automation - Uniform.....	3,449	
Office Automation - Civilian.....	<u>405</u>	
Total Other Direct Operating Expenses		<u>41,826</u>
2014 Total Estimated Gross Policing Cost.....		434,944
Provincial Services Usage.....		<u>(8,431)</u>

TOTAL ESTIMATED POLICING COST**\$ 426,513****NOTES TO STATEMENT**

- 1) Uniform salaries are estimated 2014 salary rates. The civilian salaries (excluding Support Staff) are estimated 2014 salary rates. The formula rates applied for Support Staff salaries and benefits are based on fiscal 2012-13 costs.

2014 OPP Cost Schedule for Municipal Policing
Including 2013 Municipal Cost-Recovery Formula©

Uniform Staff Salary Rates © (Based on Estimated 2014 Salary Rates)	Inspector	\$143,047
	Staff Sergeant	\$129,124 (Detachment Commander)
	Staff Sergeant	\$ 120,077 (Program Manager)
	Sergeant	\$106,483
	Constable	\$94,702
	Part-time Constable	\$72,500
Overtime Rate ©	6.6% of uniform staff salaries	
Shift Premium 0	\$675 per uniform member (sergeant and below)	
Contractual Payouts Rate © (Vacation and Statutory Holidays)	3.8% of full-time uniformed staff salaries	
Civilian Staff Salary Rates © (Based on Estimated 2014 Salary Rates)	Court Officer	\$62,152
	Detachment Administrative Clerk	\$60,181
	Caretaker	\$50,977
Benefit Rates ©	26.6 % uniformed staff (part-time 20.6%)	
	25.5 % civilian staff (part-time 19.1%)	
	2 % overtime payments	
Support Salaries and Benefits Cost 0 (cost per uniform member)	Communication Operators	\$5,164
	Prisoner Guards	\$ 1,3 5 8
	Office Automation Support	\$389
	Telephone Support	\$ 117
	Operational Support	\$3,858
Other Direct Operating Expenses (ODOE) 0 (cost per uniform member, unless otherwise stated)	Communication Centre	\$254
	Operational Support	\$903
	RHQ Municipal Support	\$2,006
	Vehicle Usage	\$8,058
	Telephone	\$1,132
	Detachment Supplies & Equipment	\$530
	Accommodation	\$588
	Uniforms & Equipment	\$ 1,174
	Cleaning Contract	\$303
	Mobile Radio Maintenance	\$791
	Office Automation - Uniform	\$ 1,402
	-Civilian	\$1,687 (percivilian member)

0 The Municipal Cost-Recovery Formula rates are reviewed and updated annually

© Estimated annual rates

© Current rates

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BETWEEN:

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as represented by

**THE MINISTER OF COMMUNITY SAFETY AND CORRECTIONAL
SERVICES
("Ontario")**

-and-

**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
("the Municipality")**

BACKGROUND

- A. The Parties entered into the Agreement for the provision of Police Services under Section 10 of the *Police Services Act* (the "Agreement") which commenced on the 1st day of January 2009.
- B. The Agreement includes all the Schedules and Appendices to the Agreement.
- C. Pursuant to Section 32, the Parties may amend the Agreement by written agreement.
- D. The Parties wish to amend the Agreement as set out in this Amending Agreement, by extending the duration of the contract to conclude on the 31st day of December 2014, and by applying the 2013 OPP municipal cost recovery formula to the period from the 1st day of January 2014 to December 31st 2014, as supported by Bylaw # 13-1162, dated the 4th day of December 2013, of the Council of the Corporation of the Municipality of Temagami, (attached as Schedule "A-2").

NOW THEREFORE, the Parties agree as follows:

- 1. Section 29 of the Agreement shall be replaced with the following:
 - 29. Notwithstanding the date upon which this Agreement is signed, the term of this Agreement shall commence on the 1st day of January 2009, and shall conclude on the 31st day of December 2014.


2. Effective the 1st day of January 2014, the parties agree that the Annual Budget shall be adjusted as set out in Schedule "D-2" to account for the application of the 2013 cost formula.

Relevant terms and conditions of the Agreement, that are not specifically amended but that relate to the amendments set out in this Amending Agreement shall be deemed to be amended so as to give effect to the changes herein.

Except for the amendments set out herein, the terms and conditions of the Agreement remain in full force and effect and time shall remain of the essence.

Notwithstanding the date upon which this Amending Agreement is signed, this Amending Agreement is effective from the 1st day of January 2014 to the 31st day of December 2014.

FOR ONTARIO

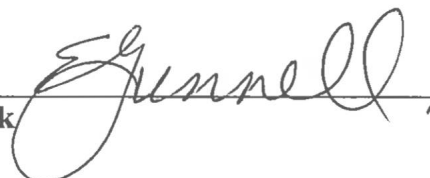


**The Minister of Community Safety and
Correctional Services**

FOR THE MUNICIPALITY



Mayor



Clerk

Date signed by the Municipality: March 7, 2014.

Schedule “A-2”

BY-LAW OF THE MUNICIPAL COUNCIL

**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

BY-LAW NO. 13-1162

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WHEREAS under Section 8 of the Municipal Act, 2001, S.O., 2001 C.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other act;

AND WHEREAS under section 9. (1) (a) and (b) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami passed By-Law 09-853 on the 25th day of June, 2009, to authorize an agreement for Ontario Provincial Police (OPP) policing services until the 31st day of December 2013; pursuant to Section 32 of which, the Parties may amend the Agreement by written agreement;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami passed resolution number 13-557 on the 21st day of November 2013 to enter into an amending agreement, to extend said agreement for 2014 at the current FTE level on the new 2013 cost Recovery Formula;

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

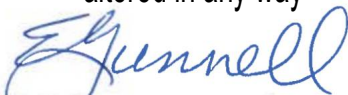
1. That the Mayor and Clerk are hereby authorized and directed to execute an agreement as per the Amending Agreement attached hereto as Schedule "A" and forming part of this by-law;
2. That this by-law shall come into force and take effect on final passing thereof;
3. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

TAKEN AS READ a first time on this 4th day of December, 2013.

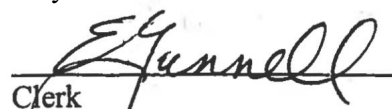
READ a second and third time and finally passed on this 4th day of December, 2013.

This photocopy is a true copy of the
original document which has not been

altered in any way



Elaine Gunnell, Commissioner, etc.,
Clerk of the
Municipality of Temagami


Mayor
Clerk

Schedule “D-2”

REVISED BUDGET

O.P.P. COSTING SUMMARY		MUNICIPALITY OF TEMAGAMI	
Estimated Policing Costs for the period		Amending Agreement Option	
January 01, 2014 to December 31, 2014		Updated to 2013 Formula	
<u>Salaries and Benefits</u>		(Note 1)	
Uniform Members	<u>Positions</u>	<u>\$</u>	
Inspector.....	0.03	4,291	
Staff Sergeant-Detachment Commander.....	-	-	
Staff Sergeant.....	0.03	3,602	
Sergeant.....	0.40	42,593	
Constables.....	2.00	189,404	
Total Uniform Salaries			239,891
Overtime..... (ProvAvg)			15,550
Contractual Payout (Vacation & Statutory Holidays).....			9,116
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Benefits (26.6% of Salaries; 2% of Overtime).....			64,122
<i>Total Uniform Salaries & Benefits</i>			330,298
Civilian Members	<u>Positions</u>	<u>\$</u>	
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Total Salaries & Benefits			393,118
<u>Other Direct Operating Expenses</u>			
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Accommodation.....			1,446
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Mobile Radio Equipment Repairs & Maintenance.....			1,946
Office Automation - Uniform.....			3,449
Office Automation - Civilian.....			405
<i>Total Other Direct Operating Expenses</i>			41,826
2014 Total Estimated Gross Policing Cost.....		\$	434,944
<i>Provincial Services Usage..... (Note 2)</i>			(8,431)
TOTAL ESTIMATED POLICING COST		\$	426,513

O.P.P. COSTING SUMMARY -**MUNICIPALITY OF TEMAGAMI****Estimated Policing Costs for the period****January 01, 2014 to December 31, 2014****NOTES TO STATEMENT**

- 1) Uniform salaries are estimated 2014 salary rates. The civilian salaries are estimated 2014 salary rates.
- 2) A Provincial Services Usage (PSU) reduction of the estimated 2014 policing cost is given to the municipality. It is based on a calculation of 50% of the municipality's 3 Year average of actual PSU experience to a maximum of 5 %. A PSU credit of 1.94 % has been applied to this costing.