

Bill No. 336
2023

By-law No. A.-_____

A by-law to establish the London Police Service Reserve Fund and to repeal By-Law No. A.-6390-236 being "A by-law to establish the London Police Service Recruitment Reserve Fund".

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish reserve funds to provide for Contingencies/Stabilization & Risk Management of The Corporation of the City of London and its Agencies, Boards and Commissions, as required;

NOW THEREFORE the Municipal Council of The Corporation of the City of London, enacts the following:

1. A reserve fund is hereby established entitled the "London Police Service Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by the London Police Service Board to fund any initiatives that support Police Services, including tax supported budget contingencies to mitigate unforeseen events or one-time unanticipated revenue losses and expenses resulting in budgetary deficits or fluctuations in the Police budget. This Fund may also be utilized for operating or capital expenditures related to:
 - a. One-time initiatives/projects; or
 - b. Initiatives/projects that require a temporary source of financing not to exceed four years. Should the London Police Service Board wish to deliver an initiative/project on a permanent basis, transition plans must identify permanent sources of financing to commence no later than the fifth year.
3. Contributions to the Fund shall be deposited by the City Treasurer, Police Chief or designate and consist of:
 - i. Approved tax supported multi-year budget contributions;
 - ii. Approved annual surplus contributions, if any;
 - iii. Other non-tax supported contributions as approved by The London Police Service Board, or The City Treasurer, or Municipal Council.
4. The balance in the London Police Service Reserve Fund shall not exceed the established target. The target balance of this reserve fund, established by the City Treasurer in consultation London Police Services, is updated periodically as the City

updates its other reserve / reserve fund targets. London Police Services will consult with the City on appropriate action should the balance exceed the established target for this reserve fund.

5. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approvals of the Police Chief or their designate shall be given for expenses less than \$100,000 and, the approval of the London Police Service Board shall be given for expenses equal to or greater than \$100,000.

6. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are deposited the monies raised for other funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.

7. The City Treasurer or designate, may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the *Municipal Act*, 2001, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies standing in the Fund with other funds that the City may hold from time to time provided that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the *Municipal Act*, 2001, S.O. 2001, C.25, as amended.

8. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

9. By-Law No. A.-6390-236 being “A by-law to establish the London Police Service Recruitment Reserve Fund”, passed by Municipal Council on July 27, 2009, is hereby repealed.

10. This By-law shall come into force and effect on the date it is passed subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

PASSED in Open Council on September 26, 2023, subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – September 26, 2023
Second Reading – September 26, 2023
Third Reading – September 26, 2023