

Report to Council



Date: April 27, 2020

To: Council

From: City Manager

Subject: Regional Essential Services Agreement for COVID-19 Business Continuity

Department: Risk Management, Security & Business Continuity

Recommendation:

THAT Council receive, for information, the report from the Risk Management Department dated April 27, 2020, regarding the Central Okanagan Essential Services Agreement;

AND THAT Council approve the Central Okanagan Essential Services Agreement and authorize the Mayor and Clerk to execute this agreement on behalf of the City of Kelowna.

Purpose:

To recommend for adoption the Central Okanagan Essential Service Agreement; to improve regional emergency preparedness & in response to Ministerial Order No. Mo84 by the Minister of Public Safety and Solicitor General, pursuant to the B.C. Emergency Program Act.

Background:

On March 26th, 2020 the Minister of Public Safety and Solicitor General issued Ministerial Order Mo84, directing that local authorities exercise "best efforts" to enter into mutual aid agreements with neighbouring jurisdictions to ensure continuity of essential services during the COVID-19 pandemic that include: first responder, wastewater and drinking water services.

The attached agreement pertains to the essential services of water and wastewater. Additionally, solid waste infrastructure has been identified as a critical service within the region and is included.

First responder services are already captured within the *Emergency Mutual Aid Agreement* currently in effect for first responder and fire suppression services. Regional fire departments have already subscribed to mutual aid for the term of February 16, 2018 through to 2023.

A regional approach has been taken for the proposed aid agreement. Local Authorities within the Central Okanagan included are:

- District of Peachland
- District of Lake Country
- City of West Kelowna
- City of Kelowna
- Regional District of Central Okanagan
- Westbank First Nation *

It should be noted that Ministerial Order Mo84 does not over-ride First Nations jurisdiction nor the independent authority they have. For clarity, Westbank First Nation is recognized as a self-governing body as provided for in the *2005 Westbank First Nation Self-Governing Agreement with Canada*. This Agreement reflects a government-to-government relationship within the framework of the Canadian constitution.

Discussion:

Through the leadership of the Regional District, using the framework of the Regional Emergency Management Program, staff throughout the Central Okanagan have collaborated to understand what would be needed for an "Assistance Agreement" to be put in place. We are fortunate to have similar processes and technology used within the Region that will allow us to operationalize this initiative successfully. A draft Central Okanagan Essential Services Agreement was reviewed and approved by the Central Okanagan CAO Committee.

Emergency Management B.C. (EMBC) was consulted in the development of this agreement. EMBC confirmed that reasonable costs triggered by local governments requesting assistance from neighbouring partners in response to an emergency situation will be eligible for cost recovery through EMBC.

The agreement does not obligate any jurisdiction to provide support if they cannot or it would put their local service area at unreasonable risk.

Conclusion:

The use of aid agreements to bolster business continuity and ensure essential services are a best practice. The proposed 2-year term is expected to address the current crisis related to COVID-19. There will be an opportunity extend and expand this type of agreement after it expires.

This aid agreement is consistent with the regional approach to emergency management that is core to the way we respond to emergencies in the Central Okanagan. Much of what is addressed within the proposed agreement could already be supported through the Emergency Operations Center in a crisis. However, absent an aid agreement it would trigger administrative work and policy questions that we have now pre-planned for. This agreement outlines how to make a request for support, what the financial implications are for both parties and what the terms of engagement are. It will allow for smoother and more rapid support to sustain essential services during a crisis, including pandemic.

Internal Circulation:

J. Creron, Deputy City Manager
S. Leatherdale, Divisional Director, HR & Community Safety
T. Whiting, Chief, Kelowna Fire Department
K. Van Vliet, Utility Services Manager

Considerations applicable to this report:

Financial/Budgetary Considerations:

The "*Central Okanagan Essential Services Agreement*" is a hybrid mutual aid agreement with cost recovery provisions for the Responding Party to be paid by the Requesting Party who then remits a claim through EMBC for eligible costs.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

External Agency/Public Comments:

Communications Comments:

Submitted by:

L. Kayfish, Risk Manager

Approved for inclusion:



CC:

B. Reardon, CAO, Regional District Central Okanagan