



Regional Board Report

TO: Regional Board

FROM: Brian Reardon, CAO

DATE: October 30, 2019

SUBJECT: Proposed Emergency Management Program Memorandum of Understanding
Voting Entitlement: All Directors - Weighted Corporate Vote – Simple Majority - LGA Section 210.2

Purpose: To seek Board approval to enter an intra-regional service agreement with the City of Kelowna for the provision of the Regional Emergency Management Program.

Executive Summary:

On July 18, 2019 the Regional Board gave three readings and adopted the “Regional District of Central Okanagan Emergency Management Program Bylaw No. 1444, 2019”. This bylaw establishes the operational parameters under which the Regional District of Central Okanagan (RDCO) provides a regional emergency management program.

In order to operationalize Bylaw No. 1444 each participating municipality needed to approve a Council resolution that creates the necessary linkages to the Regional District Emergency Management Program and formalize Council’s delegation of duties and powers to the Emergency Management Organization. All four Municipalities completed this task on or before October 7, 2019.

Additionally, for reasons of added transparency and accountability Regional District staff are recommending we formalize our current operational practice through an intra-regional Memorandum of Understanding (MOU) with the City of Kelowna. This MOU will provide a framework that will enable both organizations to better plan, monitor and manage the Program.

Following a review by our legal counsel, staff are pleased to present a draft Emergency Management Program Memorandum of Understanding for the Board’s consideration and approval.

RECOMMENDATION:

THAT the Regional Board approve the terms of the Emergency Management Program Memorandum of Understanding with the City of Kelowna, and direct the corporations’ duly authorized officers to enter this agreement on behalf of the Regional District of Central Okanagan.

Respectfully submitted:

A handwritten signature in black ink that reads "Brian Reardon".

Background:

Further to the staff reports presented to the Board on July 18th, 2019 pertaining to the Regional District of Central Okanagan Emergency Management Service and Program bylaws, staff would like to take the “Next Steps” in operationalizing and formalizing this regional service.

Included in the July 5th, 2019 staff report under “**External Implications**” was the following:

“In order to legitimize the adoption of this Emergency Program Bylaw all municipal participants in the RDCO Emergency Preparedness Service must adopt a Council resolution worded as follows:

“Whereas council wishes to establish an emergency management organization, as required by the Emergency Program Act and to provide a framework for the municipality to develop its own operational emergency response protocols, Council hereby resolves that:

- 1. Pursuant to the Emergency Program Act (British Columbia), the emergency management organization established by under Regional District of Central Okanagan Emergency Management Program Bylaw No. 1444, 2019 is hereby established as the emergency management organization for the whole of the municipality and.*
- 2. All of council’s duties and powers under the Emergency Program Act (British Columbia) are hereby delegated to that emergency management organization, except for the power to make a declaration of a state of local emergency under that Act.”*

The wording of the resolution was provided by our solicitors at Young Anderson and has been reviewed and approved by myself and our Emergency Program Coordinator. It provides the necessary linkages to the Regional District Emergency Management Program and formalizes council’s delegation of duties and powers, except for the power to make a declaration of a state of local emergency under the Emergency Program Act.”

We are pleased to report this task was completed by all four municipalities on or before October 7th, 2019.

There now remains’ two outstanding tasks associated with the RDCO emergency management program update.

1. Firstly, the RDCO Emergency Preparedness Service Establishment Amendment Bylaw No. 1443, 2019 needs approval from the Inspector of Municipalities before being reconsidered and adopted by the Regional Board.
2. Secondly, for reasons of added transparency and accountability Regional District staff are recommending we formalize our current operational practice through an intra-regional Memorandum of Understanding (MOU) with the City of Kelowna. This MOU will provide a framework that will enable both organizations to better plan, monitor and manage the Program.

Bylaw No. 1443 has been forwarded to the Inspector of Municipalities for approval, is in process and we anticipate a positive response in due course.

Following a collaborative effort with the City of Kelowna and a review by our legal counsel, staff are pleased to present a draft Emergency Management Program Memorandum of Understanding for the Board’s consideration and approval.

Financial Considerations:

Historically, the RDCO Emergency Management Program has been provided by the City of Kelowna pursuant to the Emergency Program Bylaw No. 635 and in accordance with the annual budget approved by the Regional Board.

Historically, managers from the RDCO and the City of Kelowna have met on a regular basis to review prior years' accomplishments, program needs for the next year and developed budgets and work plans accordingly. These budgets were then presented to the Regional Board for consideration and approval. Over the years this operational practice has been refined and improved. Both organizations are comfortable with this approach and wish to formalize our current practice.

For reasons of added transparency and accountability, these annual budgets and work plans will be presented to the Emergency Management Organization which has CAO representation from all four municipalities, Westbank First Nation and the Regional District prior to being presented to the Regional Board for consideration and approval.

The new Memorandum of Understanding (*attached to this report*) was developed in collaboration with our Emergency Program Coordinator, Travis Whiting and led by the RDCO Chief Administrative Officer, with assistance from senior Finance/Purchasing staff and our solicitors at Young Anderson.

Organizational Issues:

It has been an objective for a number of years to enter an agreement with the City of Kelowna for the provision of emergency management services that provides the necessary tools for both organizations to effectively plan, monitor, and manage all aspects of the program. The proposed Memorandum of Understanding provides that much needed framework and formalizes, in writing, what has been an operational best practice.

External Implications:

Should the Board approve the staff recommendation in this report, the Memorandum of Understanding will provide transparency on how the Emergency Management Service is delivered, administered and funded. It will also complete and integrate the provisions of Emergency Management Program Bylaw No. 1444 which all four Municipalities and the Regional District have agreed too. Westbank First Nation, as a contracted partner in the service has administratively indicated support for the proposed changes as well.

Alternative Recommendation:

As the recommendation in this report is intrinsically linked with the Emergency Management Program Bylaw No. 1444, 2019 staff have no alternate recommendation to offer. If the Board requires further information prior to making an informed decision, a tabling motion to that affect would be in order along with direction to staff on what needs to be brought back for deliberation.

Attachment(s): Draft Emergency Management Program Memorandum of Understanding