

REPORT

Legislative Services

To: Mayor Johnstone and Members of Council
Date: August 28, 2023

From: Peter DeJong
Corporate Officer
File: 05.1035.10

Item #: 2023-549

Subject: Repealing Public Works Mutual Aid Agreement of 2000

RECOMMENDATION

THAT Council direct staff to terminate the City of New Westminster's rights and responsibilities under Clause 5 of the Greater Vancouver Regional District Public Works Mutual Aid Agreement of 2000.

PURPOSE

The purpose of this report is to provide an update to Council with respect to our ongoing participation in the new Regional Public Works Mutual Aid Agreement of 2022 (Agreement) and termination requirements of the now redundant but still active GVRD Public Works Mutual Aid Agreement of 2000 (previous Agreement).

SUMMARY

The Metro Vancouver region has had a mutual aid agreement with respect to public works in the event of a major emergency or serious incident since February of 2000. In December of 2022 a new Agreement was ratified in order to modernize terms, improve indemnification language and include municipalities not included in the previous Agreement. The previous Agreement is still in force until formally terminated by individual signatories under Clause 5. The City of New Westminster must terminate its rights and responsibilities under the previous Agreement by giving to the Corporate Officer of the other parties, thirty days notice in writing of its intention to do so.

BACKGROUND

A report was presented to Mayor and Council in 2000 (Attachment 1) recommending Mayor and Council authorize staff to enter into a Mutual Aid Agreement (Attachment 2) with other participating Lower Mainland Municipalities.

This was the first cross-jurisdictional framework for coordination of emergency assistance in the Lower Mainland. The Agreement stipulates that in an emergency, emergency resources will be promptly shared, and at a later date, an actual cost may be involved for the purpose of recovering costs without overhead charged.

The new Agreement (Attachment 3) has undergone extensive consultation through a number of municipal advisory committees, most notably, the Regional Administrators Advisory Committee. The new Agreement is currently in force and necessitates the termination of the previous 2000 Agreement via Clause 5.

ANALYSIS

The new Agreement is a continuation of the vision in 1999 which established the framework for local resources to be shared on a cost-recovery basis in the case of a major emergency.

On March 26, 2020, the Minister of Public Safety and Solicitor General issued Ministerial Order No. 084, which requires that local authorities use their best efforts to enter into mutual aid agreements with neighbouring jurisdictions to ensure the continuity of local authority services. The new Agreement answers that order and potentially preempts any further provincial requirements which may be enacted in the future.

NEXT STEPS

The City of New Westminster Corporate Officer will send a letter notifying local municipalities and regional districts of the termination of the previous Agreement by The City of New Westminster and that any future request of mutual aid will be interpreted through the lens of the new Agreement ratified in 2022.

FINANCIAL IMPLICATIONS

The new Agreement does not have any financial implications beyond the typical costs associated with emergency aid provided for or received by other municipalities or Regional Districts.

INTERDEPARTMENTAL LIAISON

This report was reviewed by the Acting Director of Engineering Services.

OPTIONS

1. THAT Council direct staff to terminate the City of New Westminster's rights and responsibilities under the GVRD Public Works Mutual Aid Agreement of 2000;
or
2. Provide staff with alternate direction.

Staff recommend option 1.

CONCLUSION

Due to the language of the previous Agreement, the endorsement and adoption of the new Agreement does not automatically rescind the previous Agreement and therefore it must be terminated by giving notice to the other signatories. The language of both Agreements allows for both Agreements to exist in perpetuity unless terminated by members individually.

ATTACHMENTS

- Attachment 1 – Regular Council Report, 2000 June 21, Mutual Aid Between Municipalities
- Attachment 2 – Greater Vancouver Regional District Public Works Mutual Aid Agreement (2000)
- Attachment 3 – Regional Public Works Mutual Aid Agreement (2022)

APPROVALS

This report was prepared by:
Marius Miklea, Assistant Corporate Officer

This report was reviewed by:
Peter DeJong, Corporate Officer; and
Kwaku Agyere-Manu, Acting Director of Engineering Services

This report was approved by:
Lisa Spitale, Chief Administrative Officer