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REPORT TO CAPITAL REGIONAL DISTRICT BOARD MEETING OF WEDNESDAY, MAY 12, 2021

SUBJECT **City of Langford Request to Withdraw; Bylaw No. 3854**

ISSUE SUMMARY

The City of Langford has requested to withdraw from participation in Bylaw No. 3854 which authorizes the emergency communication dispatch services specific to fire dispatch services contracted by the Capital Regional District (CRD).

BACKGROUND

Bylaw No. 3854, "Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012", was first established in December 2012 to guide the collaboration of City of Langford, the District of Highlands, the District of Metchosin, the District of Sooke, and the Directors of the Electoral Areas of Juan de Fuca, Salt Spring Island, and the Southern Gulf Islands for the delivery of fire dispatch services for the fire services of those areas.

On April 22, 2021, the City of Langford sent a letter to the CRD requesting a Service Review of the Regional Service established pursuant to Bylaw No. 3854. An attached letter to the Bylaw No. 3854 participants indicated that the City of Langford wished to withdraw from the service pursuant to section 349 of the *Local Government Act* as of December 31, 2021. These letters are attached as Appendix A.

Service withdrawal either requires two-thirds consent of the other service participants to amend the service establishment bylaw to let a participant out of a service, along with the approval of the Inspector of Municipalities; or the undertaking of a formal service review and withdrawal process. Clarification was sought from the City of Langford as to their intent and staff were informed that Langford wished to withdraw from the service and, if prevented from doing so, would then pursue the Service Review of the Regional Service consistent with Bylaw No. 3854.

For the City of Langford to withdraw from the service as a participant requires support from the participant councils in the form of a motion in conjunction with support from the CRD Board, a written notice to the Inspector of Municipalities seeking approval for the City's withdrawal, and that Bylaw No. 3854 be amended to reflect the departure of the participant.

In order to facilitate the withdrawal process, the CRD Board will have to amend the current Bylaw to reflect the change in participants (Appendix B).

ALTERNATIVES

Alternative 1

1. That Bylaw No. 4426, “Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 1, 2021”, be introduced and read a first, second, and third time; and
2. That elector approval for Bylaw No. 4426 be obtained via municipal consent and electoral area director consent, as applicable, and if successful, referred to the Inspector of Municipalities for approval.

Alternative 2

That the City of Langford Request to Withdraw from Bylaw No. 3854: A Bylaw to Establish an Emergency Communication Dispatch Service report be referred back to staff for additional information based on Capital Regional District Board direction.

IMPLICATIONS

Financial Implications

The CRD is required to follow approved procurement policies to contract a provider to deliver fire dispatch services to the participants of Bylaw No.3854. The CRD is currently undertaking a Request for Proposals (RFP) to procure Fire Dispatch services for the Bylaw participants at the end of the current contract which expires at the end of 2021. Based on a high level assessment of potential fire dispatch providers, it is expected that a new contractor can deliver Next Generation 911 (NG911) and National Fire Protection Association (NFPA) compliant fire dispatch services at half the cost of the present model and the departure of the City of Langford from the Bylaw will not negatively impact the financial health of the remaining participants.

Service Delivery Implications

The City of Langford currently provides Fire Dispatch services for the Bylaw participants under contract which expires on December 31, 2021. The City of Langford’s departure from the Bylaw will have no negative impact on the delivery of fire dispatch services to the remaining participants as they will be transitioning to the successful fire dispatch contractor that will be determined through the RFP process.

Legal Implications

A service establishing bylaw may be amended by two-thirds consent of the participants and approval of the Inspector of Municipalities. Consent for a municipality may be by municipal council approval, alternative approval process, or referendum; consent for an electoral area may be by Electoral Area Director consent on behalf, alternative approval process, or referendum. The most appropriate method in this case is consent on behalf by municipal councils and electoral area directors. Any other method would increase costs and complexity.

CONCLUSION

The City of Langford has requested to withdraw from participation in Bylaw No. 3854 as of December 31, 2021. This withdrawal will not produce a negative impact on the remaining participants from a financial or service delivery perspective.

RECOMMENDATION

1. That Bylaw No. 4426, “Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 1, 2021”, be introduced and read a first, second, and third time; and
2. That elector approval for Bylaw No. 4426 be obtained via municipal consent and electoral area director consent, as applicable, and if successful, referred to the Inspector of Municipalities for approval.

Submitted by:	Shawn Carby CD, BHSc, MAL Sr. Manager Protective Services
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENTS

- Appendix A: City of Langford Service Review and Withdrawal Letter of April 22, 2021
Appendix B: Bylaw No. 4426, “Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 1, 2021”