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The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Finance
Report: #2022-F-12
Date: May 10, 2022

Subject:

Modernization of the 9-1-1 Agreement with the Region of Durham, User Agencies and the Area Municipalities and Introduction of a Service Agreement between the Region of Durham and the Durham Region Police Services Board

Recommendation:

The Finance and Administration Committee recommend to Regional Council that the legacy 9-1-1 agreement be replaced and a new service agreement be established while maintaining Regional Council's responsibility for the 9-1-1 Emergency System with Durham Regional Police Services to continue to provide the 9-1-1 operations through the following actions:

- A) The draft modernized system agreement be circulated to the Area Municipal CAOs by the Regional CAO for their input and presentation to their Councils for execution as users of the 9-1-1 system through the fire services and the Regional CAO be authorized to negotiate the final language of the agreement, while maintaining the intent as outlined in this report;
- B) The Regional CAO be authorized to negotiate with the DRPS CAO to finalize the new service agreement and present to the DRPS Board for execution, while maintaining the intent as outlined in this report; and
- C) The Regional Chair and Clerk be authorized to execute the modernized system agreement between the Region, the Durham Regional Police Services Board and the Area Municipalities, and a new service agreement between the Region and the Durham Regional Police Services Board, in a form satisfactory to the Regional Treasurer and Solicitor.

Report:**1. Purpose**

- 1.1 The purpose of this report is to provide an update to the Finance and Administration Committee and Regional Council regarding the need to replace the legacy 9-1-1 Agreement between the Region of Durham (the Region), the Durham Regional Police Services Board (the DRPS Board) and the Area Municipalities and obtain authorization to enter into new agreements with the parties. It is proposed that the legacy agreement be replaced with a modern system agreement complimented by a service agreement between the Region and the DRPS Board and an updated Policy Manual. The modernized System Agreement would focus on the governance and responsibilities of the 9-1-1 system within Durham Region, while the new Service Agreement between the Region and the DRPS Board would set out the expectations for performance and delivery of such services and address financial matters. The Policy Manual would set out the operational and procedural aspects and continue to be approved by the 9-1-1 Board and used by DRPS and User Agencies (i.e. police, fire, ambulance services) in the provision of 9-1-1 services.

2. Background

- 2.1 In 1989, on the recommendations of an inter-municipal task force, an emergency 9-1-1 telephone dialing system was established as a separate organization (Report #A/15-89), with the commitment of 100% Regional funding. It was created using the existing DRPS emergency answering bureau under the direction of an implementation committee of police, fire, ambulance services and the Region.
- 2.2 On April 3, 1991, Regional Council approved the execution of the 1991 agreement with the DRPS Board and the Area Municipalities (Report #91-A-14), which established the current 9-1-1 Board, along with the following provisions:
- Regional Council is responsible for the 9-1-1 Emergency Telephone Reporting System within the Durham Region boundaries with the 9-1-1 operations to be within the DRPS' Communication Service; and
 - The voting representatives on the 9-1-1 Board were one Regional Councillor; one Regional staff member; the 9-1-1 Manager (from DRPS); and one each of DRPS, Fire and Ambulance (then Ministry of Health).
- 2.3 That agreement approved via Report #91-A-14 continues largely intact today including the statements of responsibility and funding for 9-1-1 as the following:
- “1.4 The 9-1-1 system shall be operated as a Durham function with the ultimate responsibility resting with the Council of the Regional Municipality of Durham and the 9-1-1 PPSAP [Primary Public Safety Answering Point] shall be, for budgetary

purposes, an entity of Durham and shall adhere to the financial management policies and practices thereof.”; and

“1.5 Durham shall pay to the Durham Regional Police Service the annual cost of those persons whose employment is necessary for the delivery of 9-1-1 service together with any Bell Canada charges related to the 9-1-1 service for which the Durham Regional Police Service is billed direct”.

- 2.4 The 9-1-1 Agreement has been updated over the years to add a board position for Region of Durham Paramedic Services (after transfer of those responsibilities from the Ministry of Health to the Region) and periodic updates for signing authorities and other technical updates.
- 2.5 A working group of senior Regional and DRPS staff have undertaken a comprehensive review of the existing agreement and current practices. As a result of that review, staff are recommending to the Regional Finance and Administration Committee and Council that these long standing arrangements be modernized. These modernized agreements will include an updated System Agreement between the Region (responsible for the provision and funding of 9-1-1 system as well as police and paramedic services), and the Area Municipalities (on behalf of the fire services and related dispatch services) as well as a Service Agreement between the Region and the DRPS Board as the service provider. The Ministry of Health (which still provides dispatch from the 9-1-1 system to the RDPS) would remain a Board member and participate in the oversight of the service but would continue not to be a signatory agency. Renewal of the legacy agreement is required to reflect modern service levels, incorporate best practice board governance practises; shift operational responsibilities to the service provider (DRPS) and define service delivery expectations and related funding through a new service agreement between the Region and the DRPS Board. This new service agreement will also more clearly set out the budget process and financial approvals for the 9-1-1 system to reflect appropriate roles, reporting responsibilities and accountability.

3. Proposed 9-1-1 System Agreement with the Region and the User Agencies of RDPS, DRPS and Area Municipalities

- 3.1 The proposed 9-1-1 System Agreement will preserve and clarify the following general terms and conditions:
- The parties agree to maintain a 9-1-1 Primary Public Safety Answering Point (the PPSAP) in the Communications Centre of the DRPS, subject to the terms of the separate Service Agreement between the Region and the DRPS Board.
 - Regional Council may alter the way the 9-1-1 System service is delivered or terminate the delivery of the service at its sole discretion.
 - The 9-1-1 Board would remain as currently constituted as three Regional representatives (one Councillor, one appointed by the Commissioner of Health

to represent Paramedics and one senior Finance staff); two DRPS representatives; a representative appointed by the local Fire Chiefs and a representative of the Ambulance Communication Centre appointed by the Ministry of Health;

- The 9-1-1 Board will remain responsible to oversee that the DRPS carries out its responsibilities for the operation of the PPSAP and 9-1-1 System including the development and training of 9-1-1 System personnel and the periodic updating of the 9-1-1 Policy Manual.
- The 9-1-1 Board would remain responsible for approval of the 9-1-1 System Policy Manual, which shall contain the full particulars of the performance expectations, together with all operational and administration considerations for the 9-1-1 System.
- The 9-1-1 Board would now be required to submit a written annual report as well as the existing annual operating budget and forecast to Regional Finance and Administration Committee and Council along with such other reports that maybe requested of it from time to time by Regional Council;
- The proposed agreement would more explicitly establish the responsibility of the DRPS Inspector of the DRPS Communications/9-1-1 Unit as the PPSAP Manager who is responsible to the 9-1-1 Board for the functioning of the PPSAP. The DRPS Inspector shall ensure that the PPSAP operates in accordance with the 9-1-1 System Policy Manual approved by the 9-1-1 Board.
- Sets out responsibility of each User Agency to participate in the operation and implementation of the 9-1-1 System and to promptly handle calls received on the 9-1-1 System as well as to provide annual reports to the 9-1-1 Board: and
- The proposed system agreement would also set out modern performance standards for the 9-1-1 system, ensure regular performance measurement reporting, provide for dispute resolution, and permit termination with notice.

4. Proposed Service Agreement with the DRPS Board

4.1 The proposed Service Agreement between the Region and the DRPS Board will establish the following general terms and conditions:

- The Region is retaining DRPS to staff and operate the PPSAP, as part of the DRPS Communications/9-1-1 Unit, with funding being provided by the Region through the annual Regional budget process.
- DRPS will provide 9-1-1 services within Durham Region, with service to be at the minimum (or greater) of the approved standards for call taking and record keeping.
- Sets out the formula for the sharing of capital, operating and administrative costs related to assets and services jointly used by DRPS Communications and 9-1-1.
- DRPS with the Regional Finance Department will prepare an annual budget for approval by the 9-1-1 Board and then presentation for approval by the Finance and Administration Committee and Regional Council.

- Provides that procurement shall be undertaken in accordance with the DRPS Board policies.
- DRPS will ensure that costs remain within the approved annual spending and any use of the 9-1-1 Regional Reserve will be on the recommendation of the Regional Treasurer and with the approval of Regional Council.
- Any non-staff related expenditure greater than \$100,000 must be pre-approved by the Regional Treasurer.
- Any unbudgeted expenditure greater than \$50,000 must be pre-approved by the Regional Treasurer.
- Any long-term financial obligations, including leases and maintenance agreements, will be pre-approved by the Regional Treasurer.
- The Region shall have a right to inspect the records of DRPS and the right to conduct an audit, by external and/or internal regional auditors, of DRPS' operation of the PPSAP, including the cost allocation.
- Sets out reporting requirements to the 9-1-1 Board regarding operating performance, system complaints, budget status and capital projects: and
- The proposed agreement also provides for indemnification causes, termination rights and prohibits the sub-contracting of the service.

5. Relationship to Strategic Plan

- 5.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

Service Excellence - to provide exceptional value to Durham taxpayers through responsive, effective, and fiscally sustainable service delivery.

6. Next Steps

- 6.1 An overview of this modernization initiative has been presented to the April meeting of the 9-1-1 Board for their information.
- 6.2 It is recommended that these two agreements be endorsed in principle and the Regional CAO be authorized to discuss the particulars with the local CAO's and then circulate the final agreement, assuming it is in keeping with those principles and the Regional Treasurer and Solicitor concur, to the Area Municipalities for execution.
- 6.3 The proposed service agreement between the Region and the DRPS Board has been agreed to in principle by senior management for both parties. It is recommended that the Regional CAO be authorized to finalize the agreement with the DRPS CAO and presentation to the DRPS Board for execution, while maintaining the intent outlined in this report and with the concurrence of the Regional Treasurer and Solicitor.

7. Conclusion

- 7.1 This report has been prepared with the assistance of the DRPS and Regional staff representative on the 9-1-1 Board and the Region's Corporate Services - Legal Services.

Respectfully submitted,

Original signed by

N. Taylor, BBA, CPA, CA
Commissioner of Finance

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer