



## Administrative Report

### Office of the County Solicitor

**To:** Warden MacDonald and Members of Essex County Council

**From:** David Sundin, BA (Hons), LL.B.  
County Solicitor

**Date:** Wednesday, August 16, 2023

**Subject:** Next Generation 9-1-1 and Tendering for PPSAP Services

**Report #:** 2023-0816-LCS-R16-DS

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#### Purpose

The purpose of this Administrative Report (the "**Report**") is to provide Council for the Corporation of the County of Essex (the "**County**") with the necessary background information for Council to provide direction and a decision with respect to the County continuing to contract on behalf of the local municipalities for 9-1-1 Services.

#### Background

In the 1990s, when 9-1-1 was initially being rolled out to rural communities, amalgamation had not yet occurred and the County was comprised of 21 local municipalities. The then 21 local municipalities decided that the County should take the lead in contracting for 9-1-1 Services rather than each of the local municipalities doing so themselves. This decision was formalized by the County, the then 21 local municipalities, and the Province entering into a Joint Powers Agreement specifically authorizing the County to contract for 9-1-1 Services on behalf of the local municipalities, with the associated costs to be charged back to the participating municipalities.

For ease of reference, County By-law 3141-94 and the associated Joint Powers Agreement is appended to this Report as **Appendix "A"**. Although the Joint Powers Agreement is now quite dated, it does provide the essential terms. Now that there are only 7 local municipalities, it would be wise to explore signing an updated Joint Powers Agreement. But at this time, no

discussions with the Province or the 7 local municipalities have been held regarding an update to the Joint Powers Agreement.

In or about 1994, the County, pursuant to the provisions of the Joint Powers Agreement, entered into (1) an agreement with Bell Canada for the necessary infrastructure for the 9-1-1 Services and (2) an agreement with a service provider to answer the calls and direct the calls to the correct dispatch location (the "**Dispatch Services**"). The agreements for Dispatch Services were previously known as Central Emergency Reporting Bureau ("**CERB**") agreements and are now known as Primary Public Safety Answering Point ("**PPSAP**") agreements.

The most recent PPSAP agreement is from 2020, and was entered into between the County and the OPP for the provision of Dispatch Services to all local municipalities, with the exception of the Town of Amherstburg. When the Town of Amherstburg transitioned their police services from their own force to the Windsor Police Service, their Dispatch Services were provided by the City of Windsor. At that time, an amendment to the County's PPSAP Agreement was signed excluding the Town of Amherstburg.

The County's most recent PPSAP agreement was set to expire in 2020, but, because of COVID this did not happen, and the County renewed on the basis that it could terminate at any time by providing 90 days written notice.

Bell Canada has confirmed that the existing 9-1-1 network is set to be decommissioned by March 4, 2025. Given the upcoming deadline, County administration requires direction to enter into fresh contracts on behalf of the local municipalities that continue to want to participate.

The Technical Advisory Committee has been having discussions on this topic for some time now, and the area CAOs have also been consulted (as further detailed below). Further, as the County does not have its own PPSAP, both the OPP and the Windsor Police Service were invited to provide demonstrations that they have the capability to provide PPSAP service to the County as part of the soon to be updated 9-1-1 Services.

## **Discussion**

In July of 2022, a presentation was made to the area CAOs seeking their input as to whether they wanted the County to continue contracting 9-1-1 Services on their behalf, or they intended to procure and contract 9-1-1 services for their own respective local municipalities. A number of subsequent conversations were held with the CAOs, which has resulted in the CAOs for the Town of Essex, the Town of Kingsville, the Municipality of Lakeshore, the Town of LaSalle, the Municipality of Leamington, and the

Town of Tecumseh all indicating that the preference of each of their respective administrations is that the County continue to contract on their behalf for the provision of 9-1-1 Service. The Town of Amherstburg has confirmed that it does not require the County to contract on its behalf at this time, due to its ongoing use of the Windsor Police Service for its both its policing requirements and PPSAP services.

In order to meet the March 2025 deadline, the County will need:

- (1) to execute the necessary agreement with Bell Canada to get the required infrastructure in place. A copy of the draft Next Generation 9-1-1 Authority Service Agreement is appended to this Report as **Appendix "B"**; and
- (2) procure the necessary PPSAP services.

It is the intention of the Procurement Services Group at the County that the OPP and the Windsor Police Service will be invited to participate in the procurements process related to the provision of PPSAP services, and the RFT also being publicly posted for any other interested PPSAP service provider to submit a bid. Once the County has gone through the procurement process with respect to the provision of PPSAP services, a further Administrative Report will be provided to County Council prior to the County entering into a Contract for same.

## **Financial Implications**

There are no direct financial costs to the County, but there will be costs to the local municipalities. The Joint Powers Agreement makes it clear that funding related to 9-1-1 "shall be recovered by a County levy as against the participating municipalities on a per capita basis." Given the language of the Joint Powers Agreement, the County will continue to pay for the 9-1-1 Services, and bill back the participating municipalities. However, until the County procures the necessary 9-1-1 services, the exact amount that will be charged back remains unclear.

## **Consultations**

The Technical Advisory Committee and the area CAOs were consulted prior to the drafting of this Report. Further, in dealing with the 9-1-1 transition to date and in drafting this Report, the County Solicitor has worked with both Ryan Lemay (EMS Deputy Chief, Operations) and Dan Metcalfe (EMS –

Emergency Measures Coordinator, who have reviewed and provided their comments on this Report prior to it being finalized.

## **Recommendation**

That Essex County Council authorize the County of Essex to contract with Bell Canada for the provision of Next Generation 9-1-1 Services for all local municipalities, except for the Town of Amherstburg, authorize the Warden and the County Clerk to execute any and all necessary agreements between the County and Bell Canada regarding same, and direct Administration to procure the services required for the provision of PPSAP Services.

## **Approvals**

Respectfully Submitted,

*David M. Sundin*

David Sundin, BA (Hons), LL.B., County Solicitor

Concurred With,

*Ryan Lemay*

Ryan Lemay, Deputy Chief, Essex-Windsor Emergency Medical Services

Concurred With,

*Sandra Zwiers*

Sandra Zwiers, MAcc, CPA, CA, Chief Administrative Officer and Director, Financial Services/Treasurer

<b>Appendix Number</b>	<b>Title</b>
Appendix "A"	By-law 3141-94 – Joint Powers Agreement
Appendix "B"	Draft Next Generation 9-1-1 Authority Service Agreement