



Regional Board Report

Request for Decision

To: Regional Board
From: Director of Communication and Information Services
Date: January 25, 2024
Subject: Inclusive Regional Governance Report

Voting Entitlement: *All Directors - Unweighted Corporate Vote - Simple Majority (LGA s.208)*

Purpose: To provide the Regional Board with the Regional District of Central Okanagan / Westbank First Nation Inclusive Regional Governance Initiative discussion paper prepared by JWR Business Group and to inform the Board of next steps.

Executive Summary:

In March 2023, the RDCO was provided \$45,000 in provincial funding through the Ministry of Municipal Affairs to explore the advancement of First Nation participation on regional district boards. This funding was provided to five regional districts in British Columbia.

The RDCO also received a letter from Westbank First Nation (WFN) Office of Council in February 2023, citing Article 5 of the Declaration on the Rights of Indigenous Peoples Act (DRIPA), and requesting exploration of inclusive governance.

The RDCO and WFN jointly agreed to hire JWR Business Group to assist in this initiative providing insight on both governments. JWR Business group has significant expertise working on WFN's Self Government Agreement, as well as regional government topics.

The information gathered has been used to draft the RDCO/WFN Inclusive Regional Governance Initiative discussion paper, which will be used to guide a consultation process for both the RDCO and WFN to review and consider governance models for a shared path toward inclusive governance.

Recommendation(s):

THAT the Regional Board receive the Inclusive Regional Governance report from the Director of Communication and Information Services, dated January 25, 2024, for information.

Respectfully submitted by: Lisa Pastro, Indigenous Advisor

Report Approved by:

Handwritten signature of Jodie Foster in black ink.

Jodie Foster, Director of Communication and Information Services

Approved for Agenda:

Handwritten signature of Sally Ginter in black ink.

Sally Ginter, Chief Administrative Officer

Strategic Plan Alignment:

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| <input type="checkbox"/> Emergency preparedness | <input checked="" type="checkbox"/> Truth and reconciliation |
| <input type="checkbox"/> Health and wellness | <input type="checkbox"/> Environment and climate – Regional priority only |
| <input type="checkbox"/> Regional transportation | <input type="checkbox"/> Growth and development – Electoral Area priority only |
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Background:

In March 2023, the Regional District of the Central Okanagan (RDCO) received \$45,000 from the Ministry of Municipal Affairs for the Inclusive Regional Governance project. The RDCO was one of five regional districts in the province to receive this funding. The grant stipulations were as follows:

1. The RDCO must use the grant funding solely for the purposes outlined in the project Terms of Reference;
2. The grant funding must be used only for reasonable costs and expenses related to engagement activities incurred from the time the grant was received to March 31, 2024;
3. The RDCO must provide the Ministry with an Interim Progress Report, Final Project Report, and Account of Study Expenses as outlined in the Terms of Reference; and
4. Unused grant funding should be returned in the form of a cheque made payable to the Minister of Finance no later than May 1, 2024.

This grant coincided with a letter sent by the Office of Council at Westbank First Nation which was received as correspondence by the Regional Board on February 23, 2023, requesting the RDCO explore options for making regional governance more inclusive of Indigenous peoples.

WFN cited Article 5 of the Declaration on the Rights of Indigenous Peoples Act (DRIPA) that reads, “Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.”

The RDCO and WFN jointly agreed to engage JWR Business Group to investigate models for inclusive regional governance. JWR Business group developed a discussion paper that outlines five potential models for inclusive regional governance, including WFN becoming a full participant of the RDCO through shared governance. The models outlined include:

- **Model One**
 - Continue with WFN participation through the WFN/RDCO Local Services Agreement
- **Model Two**
 - WFN to participate as a non-voting member of the RDCO through a mechanism separate and apart from the Local Services Agreement.
- **Model Three**
 - WFN to become a full member of the RDCO and for this purpose be deemed a “Municipality” like a Treaty First Nation under the *Local Government Act*.

- **Model Four**
 - The establishment of a separate WFN (Local) Government District as a quasi-municipal government to participate fully in the RDCO.
- **Model Five**
 - WFN to become a full member of the RDCO and to participate as a “Municipality” through new arrangements to be negotiated with BC.

The models are not meant to be exhaustive but rather illustrative and other models, or a combination of models could be developed before final options are finalized.

Regardless of the decision on how to move forward with inclusive governance, it is in the best interest for both the RDCO and WFN to continue to strengthen their relationship and provide essential and quality services in the Central Okanagan.

Next Steps

The JWR Business group recommended several activities before the final report is delivered to the province at the end of March. The next steps and actions are as follows:

1. January 25, 2024, RDCO Board and senior leadership initial review of the discussion paper as the basis for ongoing engagement and planning.
2. January 29, 2024, WFN Council and senior leadership initial review of the discussion paper scheduled as the basis for ongoing engagement and planning.
3. February 1, 2024, joint meeting scheduled between the Ministry of Municipal Affairs, RDCO, WFN, and JWR Group as a high-level review of the discussion paper and for the Ministry of Municipal Affairs to provide an update from a provincial level on next steps.
4. Early to mid-March, 2024 JWR Group to work with WFN and the RDCO elected officials and senior leadership teams to design and deliver a facilitated session between the WFN and the RDCO leadership to consider governance models for a shared path toward inclusive governance. Details and agenda to be confirmed.
5. Mid to late March, 2024 document the facilitated session and develop of the final report for Ministry of Municipal Affairs.
6. March 31, 2024, The RDCO will submit a final report to the Ministry of Municipal Affairs.

It is anticipated that the Province will continue to support ongoing exploration of inclusive governance options for the RDCO and WFN. If this is the case, the RDCO and WFN will need to decide together which steps will be taken next. The activities will be dependent on resources and funding availability.

Considerations:

Organizational/External:

The Board and Electoral Areas Strategic Priorities include Truth & Reconciliation as a key priority. The priorities outline continuing work already underway to explore full representation for Westbank First Nation on the Regional District Board.

Considerations not applicable:

- Financial
- Legal/Statutory Authority
- Alternate Recommendation

Attachment(s): 1. The Regional District of Central Okanagan / Westbank First Nation Inclusive Regional Governance Initiative Discussion Paper
 2. RDCO Board Presentation - Inclusive Governance Discussion Paper
