Regional Board Report
Information

To: Regional Board
From: Chief Administrtive Officer
Date: February 20, 2025

Subject: Inclusive Regional Governance Update

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

Purpose: To provide the Regional Board with an update on the progress of the Inclusive Regional Governance strategic priority of the RDCO Board of Directors and the work of the Intergovernmental Working Group to define a governance model empowering Westbank First Nation (WFN) with the rights of a voting member on the Regional Board

Executive Summary:

This update follows the Regional Board and Westbank First Nation (WFN) Chief and Council approval of the Inclusive Regional Governance Summary and Recommendations report on June 13, 2024, which included a decision-making model and Joint Working Group composition for future exploration of Inclusive Regional Governance.

An Intergovernmental Working Group has been formed with a Terms of Reference endorsed by WFN and RDCO staff. The Intergovernmental Working Group has been actively reviewing topics highlighted in the Inclusive Regional Governance Summary and Recommendations document (attached) with support from the Ministry of Housing and Municipal Affairs.

The Intergovernmental Working Group will continue to research in the focus areas, with monthly meetings scheduled through 2025.

Recommendation(s):

THAT the Regional Board receives the Inclusive Governance Update from the Chief Administrative Officer dated February 20, 2025 for information.

Respectfully submitted by: Jodie Foster, Director of Communications and Infomration Services

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Strategic Plan Alignment:

☐ Emergency preparedness   √ Truth and reconciliation
☐ Health and wellness   ☐ Environment and climate – Regional priority only
☐ Regional transportation   ☐ Growth and development – Electoral Area priority only

Background:

The Regional Board at a Special Board Meeting on June 13, 2024, approved the following recommendations:

> THAT the Regional Board receive the report **Inclusive Regional Governance Summary and Recommendations** from the Director of Communication and Information Services, dated June 13, 2024, for information;
>
> **AND THAT** the Regional Board endorses and supports seeking Westbank First Nation approval for the proposed decision making model and Joint Working Group composition as described in the "RDCO WFN Inclusive Regional Governance Initiative March 13, 2024 - Working Session Summary Report", Appendices A and B, as attached to the report.

The full report and accompanying documents can be reviewed at rdco.com/agenda.

This Inclusive Regional Governance update was also provided to the Electoral Area Services Committee on January 30, 2025.

Intergovernmental Working Group Terms of Reference

As outlined in the June 13, 2024 Board report, an Intergovernmental Working Group was formed under the Terms of Reference attached to this report. The Terms of Reference was created and endorsed by WFN and RDCO staff.

Intergovernmental Working Group Activities

The Intergovernmental Working Group agreed on a methodology to start work. Each topic identified as a Key Consideration (section 2.3) in the RDCO WFN Inclusive Regional Governance Initiative March 13, 2024, Working Session Summary Report (attached) drafted by JWR Group will be reviewed. Recognizing the complexity of the topics, additional research will be identified as required for a "deeper dive" which may include Ministry of Municipal Affairs or legal review.

The topics highlighted in the March 13, 2024 Summary Report include:
1. Scope of Decision-Making
2. Service Participation
3. Voting Structure and Strength
4. Non-member Representation on WFN Lands
5. Financial Considerations
6. Engaging with the Province
7. WFN's Powers, Authorities and Traditional Territory
8. Central Okanagan Regional Hospital District
9. Emergency Management

The Intergovernmental Working Group has started with the following topics:

Meeting date	Topics	Additional Research Required	Outcomes
Oct 29, 2024	- Working Group Terms of Reference - Service Participation - Emergency Management - Engaging with the Province	Mandatory services under the Local Government Act RDCO mandatory services and additional available services that WFN could choose to participate in Emergency Disaster Management Act requirements	Ministry of Municipal Affairs ex-officio role will act as liaison between Province's policy group and the Working Group. List of RDCO services and establishment Local Government Act sections which list Mandatory Services required by Regional Districts
Nov 22, 2024	- Scope of Decision Making - WFN Powers, Authorities and Traditional Territory	Explore how/if the "regional content statement" would be dealt with in WFN's Comprehensive Community Plan Explore taxation process implications for both RDCO and WFN	Terms of Reference approved Need to keep a line of sight on federal powers held by WFN under Self Government Agreement Recognized that WFN's traditional territory expands beyond the Central Okanagan region boundary RDCO staff reviewed WFN Self Government agreement
Dec 17, 2024	- Voting Structure and Strength - Non-member Representation on WFN Lands	Explore participation and withdrawal from RDCO services Taxation process and how RDCO service costs would be shared with WFN Provincial direction needed on how voting structure would work at the Board table Explore how non-members on WFN lands would be represented at RDCO since they cannot vote for WFN Chief and Council WFN to explore delegating authority outside of Chief and Council	

| Jan 17, 2025 | • Financial Considerations
• RDCO / WFN requisitions
• Implications on taxation
• Municipal Finance Authority and borrowing | Review difference in converted and unconverted assessed values used for requisitioning.

Seek information on whether WFN could participate in Municipal Finance Authority borrowing either with or without changes in the Local Government Act.
Seek examples of how voting works for other treaty Nations. | |

Provincial update on Inclusive Regional Governance

The provincial government passed the [Declaration on the Rights of Indigenous Peoples Act](#) (Declaration Act) into law in November 2019. Under section 4 of the Declaration Act, the Province is required to develop and implement an Action Plan. An [Action Plan](#) was adopted by the Province in 2022 with 4 key themes, including self-determination and the inherent right of self-government for First Nations. Under the Action Plan, and this theme, the Ministry of Housing and Municipal Affairs (Ministry) is responsible for Action 1.11, which is to "support inclusive regional governance by advancing First Nations participation in regional district boards."

A critical part of this has been providing inclusive regional governance grants and working collaboratively with several regional districts and local area First Nations (including the Regional District of Central Okanagan and Westbank First Nation) to gather information and discuss what participation on regional district boards could look like, including becoming a voting member. As part of that work, the Intergovernmental Working Group was established by Westbank First Nation and the Regional District of Central Okanagan and includes a Ministry staff liaison in an ongoing and ex-officio capacity. The Ministry continues to work with JWR consultancy and will use the study grant reports and learnings from the Intergovernmental Working Group to understand next steps and future engagement.

Next Steps:

As outlined in the decision-making model agreed upon by Westbank First Nation Chief and Council and the Regional Board, the information provided today will also be shared with Westbank First Nation.

The Intergovernmental Working Group will continue research into the focus areas. Meetings have been scheduled monthly through 2025.

Attachment(s):
1. Intergovernmental Working Group Terms of reference
2. RDCO WFN Inclusive Regional Governance Initiative March 13, 2024, Working Session Summary Report
3. PowerPoint Presentation