



Governance & Services Committee

TO: Governance and Services Committee

FROM: Brian Reardon, CAO

DATE: March 4, 2021

SUBJECT: First Nations Engagement Budget Considerations

Purpose: To provide advice to the Committee on how to further enhance and build strong working relationships with the Okanagan's First Nations.

Executive Summary:

At the Budget Workshop held on February 25, 2021 the Governance & Services Committee discussed ways in which the Regional District could enhance and improve indigenous relations with Okanagan First Nations. The Committee subsequently requested a staff report.

As stated at the February 25, 2021 Budget Workshop, the Regional District and Westbank First Nation has a history of collaborating and partnering on numerous initiatives in the traditional territory of the sylix/Okanagan peoples in the Central Okanagan. These efforts have been primarily project based and provided through existing programs and services such as Regional Parks, Emergency Management, and Economic Development, to name a few.

The foundation of the conversation at the February 25, 2021 Budget Workshop advanced the desire to do something more than just celebrating project successes. Members of the Committee spoke about wanting to engage in Reconciliation efforts in a more meaningful way through respectful dialogue, learning and relationship building. The Committee also expressed the need to include all sylix/Okanagan First Nations within the Central Okanagan region.

To be effective, these efforts must be sustained for years to come. In order to fund these ongoing efforts, the Regional District needs to establish a new regional service to deliver this program. Approval of the recommendation below will allow the Regional District to take the first step towards providing this new service.

RECOMMENDATION:

THAT the Governance & Services Committee recommend the Regional Board approve allocating \$50,000 from the RDCO *feasibility reserve fund* to undertake a feasibility study in consideration of establishing a Regional First Nations Engagement Service;

AND FURTHER THAT this expense be included in this years' 2021-2025 Financial Plan.

Respectfully Submitted:

A handwritten signature in black ink that reads "Brian Reardon".

Chief Administrative Officer

Implications of Recommendation:

Strategic Plan:	The Board's Vision Statement includes "The sylix/Okanagan people are true partners, helping to interpret the past, shape the present and define a common future." One of the Board's Values includes "We build relationships with our member municipalities, the sylix/Okanagan people and partners."
Organizational:	Should a new regional service be established, it would provide the Board and staff with added resources and a clear mandate going forward.
Financial:	Use of \$50,000 Feasibility Reserve Funds
Legal/Statutory Authority:	Part 10, Division 4 [Approval of Establishing Bylaws] of the Local Government Act

Background:

At the Budget Workshop held on February 25, 2021 the Governance & Services Committee discussed ways in which the Regional District could enhance and build indigenous relations with the Okanagan's First Nations. Through consensus the Committee requested a staff report on the matter.

The Committee made reference to a resolution adopted by the Board at the regular Board Meeting held on November 25th, 2019:

#215/19 THAT staff be directed to explore opportunities to enhance and build indigenous relationships with the Okanagan's First Nations either within existing services or potentially creation of a new service and report back to the Board.

The Regional District and Westbank First Nation has a history of collaborating and partnering on numerous initiatives in the traditional territory of the sylix/Okanagan peoples and more specifically, the Central Okanagan. These efforts have been primarily project or service based that are provided through existing programs such as Regional Parks, Emergency Management, and Economic Development, to name a few.

The foundation of the conversation at the February 25, 2021 Budget Workshop advanced the desire to do something more than just celebrating project successes. Members of the Committee spoke about wanting to engage in Reconciliation efforts in a more meaningful way through respectful dialogue, learning and relationship building.

The Committee also expressed the need to include all sylix/Okanagan First Nations within the Central Okanagan region. These would include Westbank First Nation, Okanagan Indian Band and the Okanagan Nation Alliance.

To be effective, these efforts must be sustained for years to come. Based on the scope of what the Committee has spoken about, the Regional District will need to establish a new regional service to fund and deliver this program. The process of establishing a new regional service is described on the following page.

Part 10, Division 4 [Approval of Establishing Bylaws] of the *Local Government Act* is the legislation that applies to creation of a new regional district service. A simplified, generic process for establishing voluntary regional district services can be described in 4 steps:

1. **Raise Idea:** the idea for a new service emerges
2. **Study Feasibility:** to ensure the proposed service has:
 - a clear and understood purpose,
 - a defined and agreed-upon scope,
 - identified specific and measurable goals,
 - an agreed to method of cost apportionment,
 - an agreed to governance framework,
 - an agreed to service delivery model,
 - an agreed to service review process,
 - a developed start-up plan, AND
 - broad and sufficient support amongst elected officials
3. **Develop Bylaw:** if the service is deemed feasible, then a service establishment bylaw is drafted.
4. **Adopt Bylaw:** the adoption of all establishing bylaws must be voted on using the “unweighted corporate vote” rule – every Director present, one vote, simple majority.

This process usually takes four to six months to complete depending on the complexity of the service and how broad and sufficient the support for the new service is. For a service such as this, a robust engagement strategy will be needed to reach consensus on the purpose, scope and goals of the service.

From a timeline perspective, should the Committee support the staff recommendation in this report, the new establishment bylaw should be adopted in the third or fourth quarter of 2021 and funding for this new service would be put in place in 2022.

Financial Considerations:

By statute, the Regional District maintains a “*feasibility reserve fund*” for the purpose of studying the feasibility of establishing new services. This fund currently has a balance of \$100,374. In order to retain the services of a third party consultant to undertake a feasibility study for the potential establishment of a Regional First Nations Engagement Service it is recommended \$50,000 be allocated from the RDCO *feasibility reserve fund* in 2021.

If a regional service is established as a result of this process, the costs associated with its creation will be repaid/recovered from the newly established service and transferred back to the RDCO *feasibility reserve fund*. If a new service is not established through this process, the *feasibility reserve fund* will be replenished through the following years’ general government requisition.

In addition to the use of these reserve funds, staff time and associated resources will be required to advance this initiative.

Organizational Issues:

The Regional District values the strong working relationship it has developed with the Westbank First Nation. It is based on mutual respect and shared values on the protection of the environment and building sustainable communities through collaboration and partnerships.

This work started almost thirty years ago with the signing of a sanitary sewer service agreement in October, 1992 and then the signing of a “Statement of Political Relationship between the Westbank First Nation and the Regional District of Central Okanagan” in January 1999.

Then in January 2007 the Westbank First Nation and the Regional District of Central Okanagan signed a comprehensive “Local Services Agreement” for the provision of thirteen services to Mission Creek Indian Reserve No. 8, Tsinstikeptum Indian Reserves No. 9 and No. 10, Medicine Hill Indian Reserve No. 11, and Medicine Creek Indian Reserve No. 12. This agreement was amended in September 2014 adding three new services including Regional Air Quality, Crime Prevention and Economic Development.

Over the years the Regional District has collaborated and partnered with Westbank First Nation on numerous occasions including:

- Archeological Impact Assessment @ Black Mountain-sntsk'il'ntən Regional Park;
- Black Mountain / sntsk'il'ntən Regional Park Memorandum of Understanding (2014);
- WFN - RDCO MOU for the Protection and Conservation of Cultural Heritage Sites in Regional Parks (2017);
- Co-management agreements in a number of Regional Parks;
- Applying for numerous grant programs to support increased park information and wayfinding signs that incorporate the sylix language;
- Recruiting Westbank First Nation and sylix/Okanagan People in our Regional Parks and Regional Planning departments;
- Awarding fuel mitigation contracts in our Regional Parks to Okanagan Nation Alliance companies;
- Updating the Regional Growth Strategy
- Involving Westbank First Nation staff in the Emergency Operations Centre and the Regional Emergency Management Program;
- The list goes on.

The examples listed above have been provided on a project by project basis through an existing service. The Committee has expressed an interest in engaging in Reconciliation efforts in a more meaningful way with all sylix/Okanagan First Nations within the Central Okanagan.

In order to achieve this, a new regional service will be needed to clearly define the purpose, scope & objectives as well as provide the necessary financial resources to deliver the program.

Approving the staff recommendation in this report is the first step in establishing a new service.

Alternate Recommendation:

Allocate \$50,000 into General Government – 002 for First Nations Reconciliation Education and Programming in 2021.