

MEMORANDUM

To: RDCO Chair and Board of Directors
From: Anna Warwick Sears
Date: February 8, 2022
Subject: **Okanagan Nation Alliance Voting Powers on OBWB**

Background

The Okanagan Basin Water Board (OBWB) was established in 1970 as a partnership of the three Okanagan regional districts. The OBWB's structure currently includes three directors from each Okanagan regional district, and one director each from the Okanagan Nation Alliance, the Water Supply Association of B.C., and the Okanagan Water Stewardship Council. The three external directors were added to the original nine-seat board after the Okanagan regional districts approved the change in 2005 as one of the recommendations in a "*Proposal to enhance the effectiveness of the OBWB*," put forward by the OBWB.

In the OBWB's 2005 proposal, these new positions were restricted, allowing them to "vote on all matters except financial decisions." Once approved by the regional districts, the request to add new OBWB board directors was forwarded to the Ministry of Municipal Affairs, to amend the OBWB's supplementary letters patent. The request to the province did not mention the restriction on voting powers, and the update to the supplementary letters patent added the new directors in 2006 without any limits on voting.

Since 2005, the OBWB has followed the terms of the proposal, as bound by the resolutions, and limited the new directors to non-financial voting. *The OBWB now recommends that the regional districts remove limitations to the ONA representative's voting powers.*

Okanagan Nation Alliance Voting Powers

In April 2021, representatives from the OBWB and ONA met to discuss ways to advance their relationship. This led to the ONA's Chiefs Executive Council and the OBWB to adopt the following course of action.

- (a) Establish a working group to implement the spirit of UNDRIP and Syilx rights and responsibilities into the OBWB;
- (b) OBWB and ONA continue co-led partnerships that are meaningful to the Nation and align with the Syilx Water Declaration; and
- (c) OBWB Board and staff undertake UNDRIP and Syilx cultural awareness training, as committed in the OBWB's strategic plan.

- (d) And, that the OBWB endorsed a change to their structure to ensure that the Syilx Nation's seat has equal voting power to the local government representatives.

The change in the ONA's voting powers requires resolutions of approval by the three Okanagan regional districts. The Ministry of Municipal Affairs has reviewed the OBWB's supplementary letters patent, and has verified that there is no barrier to this change in provincial legislation, and that it only requires approval by resolution by the three Okanagan regional districts.

Request to RDCO

The OBWB requests the RDCO make the following change to the Okanagan Nation Alliance's voting powers on the OBWB.

Recommended motion:

"THAT the Regional Board approve the voting change proposed by the Okanagan Basin Water Board to remove the restriction on the Okanagan Nation Alliance representative that limits the Board member to 'vote on all matters except financial decisions' to allow the Okanagan Nation Alliance representative to vote on all matters, including financial decisions."