



For the Committee of the Whole Meeting July 25 2019

Date: July 17th 2019 **From:** Mayor Helps

Subject: City Family Process Improvements

Background

The City of Victoria is located on the homelands of the Lekwungen People, known today as the Songhees and Esquimalt Peoples. In addition, Victoria is home to a number of urban Indigenous Peoples originally from other parts of British Columbia or Canada. As a local government and the capital city of British Columbia, the City of Victoria has a special responsibility to work with Indigenous Peoples as part of the larger truth and reconciliation process to heal the relationships and address on-going legacies of colonialism. Council has made a commitment to do so in our 2019-2022 Strategic Plan under Objective #2 Reconciliation and Indigenous Relations.

In 2017, the City Council initiated a process to work together with the First Nations toward reconciliation between our communities. This was initially proposed to be a Truth and Reconciliation Commission's Calls to Action Task Force. However, it quickly became apparent that a task force structure – based on a European governance model – was inappropriate and ill-suited toward true reconciliation. As a consequence, the task force never became active. Following discussions with the First Nations, a "City Family" – a gathering of members from the City, the Songhees and the Esquimalt Nations, as well as urban Indigenous Peoples formed.

The City Family was always intended to follow an Indigenous-informed and Indigenous-led approach to relationship building and problem resolution. As such, the City Family gatherings do not have formal agendas, no meeting minutes are kept, and there is no formal decision making, such as motions or votes. Rather, the City Family gatherings involve sharing and witnessing of stories – a powerful means of gaining understanding and appreciation for each other's experience and worldview that is necessary for true relationship building. In accordance with Indigenous traditions, the City Family gathers over a shared meal rather than in a structured and formal meeting.

As a local government, the City of Victoria is governed by the *Community Charter* and, in most instances, City actions are subject to the governance rules set out in the *Community Charter*. It is natural, therefore, that when the City Family first formed, Council resolutions relating to the City Family followed the familiar form of decisions that are routinely made by local governments to establish committees and advisory bodies.

However, the City Family is not, and was never intended to be, an advisory body or a committee of Council. It does not conduct City business and does not exercise any delegated authority on behalf of the City. Simply put, it is a unique opportunity for City representatives to meet with representatives of the local Indigenous Peoples to improve understanding and relationships between our communities.

The Truth and Reconciliation Commission of Canada has recognized that respectful relationship involves dismantling a centuries-old political and bureaucratic culture in which, all too often, policies and programs are still based on notions of assimilation. If reconciliation is to mean anything, it has to include a willingness to do things differently, to learn from each other, and to embrace Indigenous traditions and practices when appropriate. With guidance from the Chiefs of the Songhees and Esquimalt Nations, the City Family represents the City's effort to connect with the Indigenous Peoples in a manner that is not Eurocentric. It is a process that is unfamiliar to us and, at times, uncomfortable because it does not fit within the traditional ways in which municipalities typically operate.

Although they do not prohibit it, neither the *Community Charter* nor the City's procedure bylaw has any provisions that expressly authorize a reconciliation process, such as the City Family. As a consequence, the initial Council resolutions in relation to the City Family may have created the unintended appearance that it is just another board or advisory body established and appointed by the City Council. This was a procedural mistake that has led to confusion about the nature and role of the City Family within the City and in the general public.

That confusion has obscured the true value of the City Family process and has led to questions about the role of the City Family within the City's governance structure. In fact, the City Family does not make formal decisions. Any actions that may arise out of the greater understanding gained through the City Family process, still have to follow the traditional local government process in accordance with the *Community Charter* and our procedural bylaws. This has not been made as clear as it should have been. Therefore, to ensure clarity and transparency of the City Family process and role, all past Council resolutions dealing with the City Family need to be replaced with a new set of motions that more clearly reflect the true nature of the City Family.

Reconciliation is an on-going process that will involve actions and initiatives on the part of the City beyond just the City Family. Some of those initiatives, like the City Family, will involve following Indigenous processes and practices. Greater procedural flexibility on the part of the City may be required in the future to allow for that in a clear and transparent manner. Therefore, the City's procedural bylaws should be amended to provide Council with procedural flexibility when dealing with reconciliation to depart from established procedures, provided that no City business is conducted or decisions made when these alternative procedures are in effect.

While the City Family, as originally intended, does not exercise any local government functions and is not, therefore, governed by the *Community Charter*, the initial confusion about its status has identified a gap in the provincial legislation in relation to local governments' role in reconciliation with First Nations. Therefore, the Provincial government should be asked to consider amending the *Community Charter* to expressly authorize local governments to engage in reconciliation initiatives with First Nations and utilize, when appropriate, Indigenous practices as part of reconciliation initiatives.

Resolutions

1. That all Council resolutions regarding the City Family be replaced with the following:
 - a. Victoria City Council recognizes the existence of the "City Family" – a gathering of members from the City of Victoria, the Esquimalt Nation, the Songhees Nation and urban Indigenous Peoples.
 - b. At this time, the City requests that Mayor Lisa Helps, Councillor Marianne Alto, Councillor Ben Isitt, Councillor Charlayne Thornton-Joe, Director Thomas Soulliere, and Manager Colleen Mycroft participate as members of the City Family.

- c. In accordance with the Indigenous custom of gift giving, the City's Director of Finance is authorized to pay the following honoraria to Indigenous members of the City Family:
 - i. \$200 for each meeting that is four hours or less;
 - ii. \$400 for each meeting that is more than four hours.

Funding to be from the Witness Reconciliation budget.

- d. A standing invitation is extended to the Indigenous members of the City Family to attend Victoria City Council meetings and provide a summary of City Family gatherings as deemed appropriate by them.
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- 2. That Council direct the City Solicitor to bring forward amendments to the City's *Council Procedure Bylaw*, and consequential amendments to any other City bylaws as he considers necessary, to give Council procedural flexibility as part of the reconciliation process, provided that no City business is conducted and no decisions made when alternative procedures are in effect; and
 - 3. That Council request the Mayor to write to the Ministers of Reconciliation and Indigenous Relations and the Minister of Municipal Affairs and Housing and request that the Province consider amending the *Community Charter* to expressly authorize local governments to engage in reconciliation dialogue with the First Nations and utilize, when appropriate, Indigenous practices as part of that process.

Respectfully Submitted,



Mayor Helps