

## **CITY OF NANAIMO**

### **BUSINESS CASE – Community Development: Indigenous Engagement and Relations Specialist**

#### **CURRENT OVERVIEW**

On September 28, 2020, Council passed a motion directing Staff *“to prepare a business case for an Indigenous Engagement Specialist for the purpose of better incorporating First Nations and urban indigenous perspectives and ways of knowing into our work and decisions.”*

The City of Nanaimo highly values having healthy and respectful relations with the governments of Snuneymuxw and Snaw-Naw-As (Nanoose First Nation), the First Nations whose Traditional Territories the City of Nanaimo was established upon. There is also the acknowledgement that other First Nations may have rights that are impacted by City activities, including Stz’uminus (Chemainus First Nation) and members of the Hul’qumi’num Treaty Group who have marine interests that include the shores and waters off Nanaimo. The attached Statements of Intent (SOIs) submitted to the BC Treaty Commission show *“the geographic area of the First Nation’s distinct traditional territory and identify any overlaps with other First Nations”*.

In addition to strong government-to-government relations, the City aspires to be a fully inclusive community that supports the equity, health, and well-being of community members of diverse cultural backgrounds, including those who are Indigenous of First Nations, Inuit, and Métis ancestry. This means ensuring that relations with Urban Indigenous communities are healthy while at the same time ensuring the precedence of government-to-government relations with Snuneymuxw and Snaw-Naw-As.

The importance of true and lasting reconciliation and relationship building between local governments and First Nations is a growing priority for local governments across Canada and British Columbia for over twenty years, symbolized by provincial resourcing of First Nations/Local Government meetings through Community to Community Forums since 1997. The need and desire for stronger relationships has been further reinforced since Canada committed to the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2016, and endorsed the Truth and Reconciliation Commission (TRC) of Canada’s Calls to Action. Most recently in 2019 the Government of British Columbia passed legislation through the *Declaration on the Rights of Indigenous Peoples Act* that aims to align all B.C.’s laws with UNDRIP. With this Act, local governments in BC can anticipate an ever increasing need to adapt to the implementation of this Act, that is intended to uphold existing human rights through the Constitution, UNDRIP and the TRC.

The City and Snuneymuxw’s relationship that has moved through the ebbs and flows of different leadership changes for both governments over several years. Starting in the early 2000s both governments began to formally recognize their government-to-government relationship through written agreements. A Memorandum of Understanding (MOU) signed in 2005 prioritized mutual respect and cooperation, and a commitment to a set of principles to guide the government to government relationship. This was followed by the 2009 signing of a government-to-government Protocol Agreement that was renewed on May 27, 2019. This confirmed the City’s commitment to working respectfully and effectively with Snuneymuxw. This most recent agreement re-established regular meetings of the Protocol Working Agreement Group (PAWG) to build relationships and discuss matters of strategic importance between the two levels of government. This includes working together to coordinate economic opportunities, service provision, land use planning, and establish a joint decision-making process.

PAWG meetings are held monthly with the Mayor and Chief, appointed Councilors and senior staff. Following efforts to develop a process for more effective staff to staff relations during 2019, the City and Snuneymuxw are currently developing a framework for staff to staff meetings.

While the City has previously focused on relations with Snuneymuxw, there is acknowledgement of the need to build relations with Snaw-Naw-As whose Traditional Territory overlaps Snuneymuxw starting in the Neck Point Area towards the North of Nanaimo. As well there are potentially other First Nations whose interests and rights may be impacted by City activities.

On June 17, 2019, Council supported implementing the Truth and Reconciliation Commission's (TRC) Call to Action #57, to support City of Nanaimo staff learning about local, provincial and national histories of Indigenous Peoples, and helping to ensure that employees are sensitive and responsive to the changing needs, expectations and rights of the City's Indigenous governments and community members.

#### **Current Staffing Related to Indigenous Relations – Community Planning**

- One Manager, Community Planning (responsible for long range planning through the Official Community Plan, Neighbourhood Planning, Social Planning)
- Two Social Planners
- Two Community Planners
- One Planning Assistant
- One Steno

#### **BUSINESS ISSUE**

Council has endorsed the implementation of TRC #57. Implementing the TRC and UNDRIP requires all City activities to be examined through an Indigenous lens.

In the immediate and near future, Council has a number of key strategic projects that require/would benefit from strengthening relations and effective engagement with SFN including the redevelopment of 1 Port Drive, the Departure Bay Waterfront Walkway, South Downtown Waterfront Secondary Access, redevelopment of the Department of National Defence lands on Fifth Street. The City together with School District 68 and BC Housing entered into a partnership through an MOU with SFN in November 2019 to develop a master plan and redevelop three jointly owned, adjacent properties on Fifth Street (Te'tuxwtun Project). Staff anticipate a similar project for the School District 68 Selby Street lands.

In addition, each year the City has a number of capital projects that would benefit from early and ongoing SFN/ Snaw-Naw-As involvement as the projects are designed and constructed. This will to ensure any potential negative impacts of a project are avoided or minimized, and opportunities for collaboration enhanced.

Work associated with First Nation's/Indigenous relations and reconciliation activities (which includes implementing TRC#57) currently falls to the Manager of Community Planning who supports strengthening strategic relations between the City and SFN, building new relationships with Snaw-Naw-As, implementing Council's commitment to TRC #57, as well as providing advice on First Nations relations files with the Province and Canada.

The Manager of Community Planning has a broad portfolio of high profile files including leading the REIMAGINE Nanaimo integrated planning process, addressing the City's role in social issues including leading the work of the Health and Housing Task Force, supporting the implementation of a major MOU with B.C. Housing and other partners, and involvement in other projects like the Te'tuxwtun project.

Indigenous relations is one small component of the Manager of Community Planning's portfolio of responsibilities. In order to enhance the level of engagement and coordination with First Nation governments, address the needs of Urban Indigenous Peoples, build capacity internally to understand and implement the TRC and UNDRIP, and the Province of B.C.'s *Declaration on the Rights of Indigenous Peoples Act*, then additional resourcing is required.

### **EXPECTED OUTCOME**

Resourcing Indigenous Relations and Engagement is anticipated to:

- Fulfill Council's commitments to implement TRC Action item #57 through staff learning opportunities that support building knowledge, understanding of Canada's historical relationship with Indigenous Peoples and supporting cultural sensitivity;
- Facilitate *"better incorporating First Nations and urban indigenous perspectives and ways of knowing into [the City's] work and decisions"*.
- Provide expertise and assist the City and SFN in navigating key issues at PAWG meetings;
- Build new relations with Snaw-Naw-As and other First Nations with overlapping rights and interests related to City activities;
- Coordinate an effective and collaborative process for the City and First Nation governments to deal with referrals and engagement.
- Maintain and develop new relationships with Urban Indigenous community members and groups;
- Maintain and develop new relationships with staff at the Province and Federal Government with regard to Truth and Reconciliation, including the implementation of UNDRIP and the BC Declaration on the Rights of Indigenous Peoples;
- Work with Council to help deliver priority projects requiring First Nations Government engagement;
- Help manage staff to staff relationships and meetings between SFN and Snaw-Naw-As ; and
- Ensure Council decisions are made with an appropriate reconciliation lens.

### **OPTIONS**

**Option #1 – Formalize the responsibilities of Indigenous Relations under the Manager of Community Planning while at the same time removing Social Planning from that position**

Benefits:

- Increase capacity/availability to build relationships with Snuneymuxw, Snaw-Naw-As and provincial and federal governments;
- Ability to facilitate and support City Departments on key files such as TRC Item 57, 1 Port Drive, Waterfront Walkway, Te'tuxwtun and the City's other capital projects;
- Coordination through REIMAGINE Nanaimo project and long range planning implementation by adding capacity under Community Planning.
- Provide increased support for PAWG and the City's Senior Leadership Team on First Nation engagement;

- Build on already established relationships with SFN and Snaw-Naw-As and can spend additional time nurturing these relationships;
- Build on existing Provincial government relations with Ministry of Indigenous Relations and Reconciliations and Ministry of Municipal Affairs and Housing;
- Existing understanding of the key priorities of Council and can have immediate impact;
- Ability to incorporate Reconciliation through the REIMAGINE Nanaimo process.
- Does not require a new position standalone position to be created.

Weaknesses:

- The Manager of Community Planning has other responsibilities and duties which would be shared with Indigenous relations and engagement.

Financial Analysis:

- Would require resources to be added elsewhere in the organization to manage Social Planning.

**Option #2 – Add a new Indigenous Engagement Specialist position**

Create a new management position reporting to the Manager of Community Planning to oversee the implementation of the City's Indigenous engagement program.

Benefits:

- Increased capacity/availability;
- Ability to advance key files such as TRC Item 57, 1 Port Drive, Waterfront Walkway, Te'tuxwtun and the City's other capital projects requiring First Nations engagement;
- Provides increased support for PAWG;
- Will increase the City's ability to build relationships with Snuneymuxw and Snaw-Naw-As and the provincial and federal government.
- Coordination through REIMAGINE Nanaimo project and long range planning implementation by adding capacity under Community Planning.
- Enables the Manager, Community Planning to continue to focus on key strategic initiatives such as REIMAGINE Nanaimo and Health and Housing Task Force.

Weaknesses:

- Permanent increase to the operating budget of Community Development

Financial Analysis:

- The position is anticipated to be a management level 7, with an annual salary of \$127,948 plus benefits for an estimated total of \$158,774.
- Additional annual costs are anticipated at \$5,600 for membership, professional development, smart phone, mileage and computer charges.
- One-time cost upon the creation of the position is projected at \$2,700. This includes the purchase of phones (smart and desk), and computer.

### **Option #3 – Maintain Status Quo**

#### Benefits:

- No increase to operating budgets

#### Weaknesses:

- There will be ongoing capacity issues in implementing TRC Item 57, supporting PAWG and Strengthening/ building relationships with Snuneymxuw and Snaw-Naw-As, Urban Indigenous and provincial and federal governments. .
- The delivery of REIMAGINE Nanaimo and the Health and Housing Task Force could also be impacted as the Manager of Community Planning will need to continue to share their time between the three high priority files.

#### Financial Analysis:

N/A

### **RECOMMENDATION**

Option #1 is recommended