

**LOWER MAINLAND TREATY ADVISORY COMMITTEE
BOARD
REGULAR MEETING**

April 23, 2008

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Board** scheduled Wednesday, April 23, 2008 from 5:30 p.m. to 8:00 p.m. in the 2nd Floor Boardroom, Metro Vancouver Offices, 4330 Kingsway, Burnaby, British Columbia.

| ATTENDANCE: | | |
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| JURISDICTION: | ELECTED REPRESENTATIVES TO LMTAC: | STAFF REPRESENTATIVES TO LMTAC: |
| Metro Vancouver (RD) | Director Ralph Drew (Chair) | Marino Piombini |
| Anmore, Village of | Councillor Ken Juvik | |
| Belcarra, Village of | Councillor Colin Richardson | |
| Bowen Island, Municipality of | Councillor Lisa Barrett | |
| Burnaby, City of | Councillor Sav Dhaliwal | David Clutton |
| Coquitlam, City of | Councillor Lou Sekora (departed 6:50 p.m.) | |
| Langley, City of | Councillor Ted Shaffer | |
| Langley, Township of | Councillor Mel Kositsky | |
| Lions Bay, City of | Councillor Lisa Turpin | |
| Maple Ridge, District of | Councillor Craig Speirs | |
| New Westminster, City of | Councillor Bob Osterman | |
| North Vancouver, City of | Councillor Sam Schechter | |
| North Vancouver, District of | Councillor Alan Nixon | |
| Pitt Meadows, City of | Councillor Debra Eisel | |
| Squamish Lillooet RD | Director John Turner | |
| Squamish, District of | Councillor Corinne Lonsdale | |
| Sunshine Coast RD | Director Barry Janyk | |
| Surrey, City of | Councillor Barbara Steele | |
| Vancouver, City of | Councillor George Chow | |
| West Vancouver, City of | Councillor Jean Ferguson | Rick Beauchamp (departed 6:48 p.m.) |
| Whistler, Resort Municipality of | Councillor Ralph Forsyth | |
| White Rock, City of | Councillor Mary-Wade Anderson | |
| GUESTS: | | |
| John Harper, Director, Economic Initiatives, Partnerships & Community Renewal Division, MARR (departed 7:22 p.m.) | | |
| Jonathan Rayner, A/Director, Third Party engagement, Ministry of Aboriginal Relations and Reconciliation (departed 7:22 p.m.) | | |
| Juanita Berkhout, Manager, Aboriginal Housing (departed 7:22 p.m.) | | |
| Amy Jordan, Policy Analyst, Aboriginal Housing (departed 7:22 p.m.) | | |
| LMTAC STAFF ATTENDANCE: | | |
| Regan Schlecker, Managing Director | | |
| Mark Kirsop, Research and Communications Coordinator | | |
| PREPARATION OF MEETING MINUTES: | | |
| Vivian Guthrie, Recording Secretary, Raincoast Ventures Ltd. | | |

Chair Drew confirmed a quorum was in attendance and called the meeting to order at 5:44 p.m.

Chair Drew welcomed guests and members to the meeting. Jonathan Rayner, Ministry of Aboriginal Relations and Reconciliation (MARR), presented on behalf of Minister de Jong, a cheque in the amount of \$40,000 to LMTAC. Chair Drew requested that Mr. Rayner convey LMTAC's gratitude to the Minister.

1. AGENDA FOR ADOPTION

1.1 April 23, 2008

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Board scheduled April 23, 2008, be adopted as circulated.

CARRIED UNANIMOUSLY

2. MINUTES FOR ADOPTION

2.1 March 26, 2008 Board

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Board held March 26, 2008, be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

2.2 March 12, 2008 Executive Committee

It was MOVED and SECONDED

THAT the Minutes of the LMTAC Executive Committee meeting held March 12, 2008 be received for information.

CARRIED UNANIMOUSLY

3. DELEGATION

Chair Drew advised that the two delegations were presented in response to requests from members to become familiarized with the *New Relationship*. Background information could be obtained in LMTAC's First Principle #32, Local Government and Urban Aboriginal Issues (available on the LMTAC website).

The Chair then welcomed and introduced presenters Jonathan Rayner, A/Director, Third Party Engagement, MARR; John Harper, Director, Economic Initiatives, Partnerships & Community Renewal Division; Juanita Berkhout, Manager, Aboriginal Housing; and Amy Jordan, Policy Analyst, Aboriginal Housing.

3.1 Ministry of Aboriginal Relations & Reconciliation

Documents:

- a) *Transformative Change Accord between Government of British Columbia and Government of Canada and The Leadership Council Representing the First Nations of British Columbia*
- b) *Transformative Change Accord Progress – Aboriginal Relations and Reconciliation (Progress made since the Transformative Change Accord)*
- c) *On-table document titled “New Relationships with Aboriginal People and Communities in B.C.*

Jonathan Rayner, A/Director, Third Party Engagement, MARR, provided an introduction to the *Transformative Change Accord* and *New Relationship* which were both initiated in 2005. He explained that senior levels of government recognize the need to close the socio-economic gap with the First Nations and take broader approaches to deal with housing infrastructure, health, education, and economic development issues for First Nations in British Columbia.

As part of an overview of the *Transformative Change Accord/New Relationship*, John Harper, Director, Economic Initiatives, Partnerships & Community Renewal Division presented a PowerPoint presentation entitled, "Transformative Change Accord: Closing The Gap" regarding programs monitored by the Ministry of Aboriginal Relations and Reconciliation and delivered by others.

Mr. Harper discussed the origins of the *Transformative Change Accord* (TCA) which was signed at the Kelowna First Ministers meeting in November 2005. The TCA commits the parties to establishing a new relationship based upon mutual respect and recognition, reconciling Aboriginal rights and title with those of the Crown by closing the gap in the areas of education, health, housing and infrastructure, and economic opportunities. In each case accomplishments to date, aims, and measurement of progress were presented.

Mr. Harper advised that for the 2nd anniversary of the signing of the TCA – November 25, 2007 – the BC Government has produced a report of accomplishments to date. The Federal government meanwhile has been finding mechanisms to work with the Province and First Nations of BC to assist in the issues outlined in the report. He summarized the government's commitment to maintain the momentum of the TCA and to continue to support efforts to close the gap and create economic opportunities for Aboriginal people in BC.

Chair Drew commented that the presentation did not address a local government concern regarding the delivery of services to a very large number of off-reserve aboriginals. He queried what the provincial government would do to alleviate what appeared to be downloading to local governments.

Mr. Harper responded that 75% of aboriginals do not live on-reserves and as such were considered as citizens of BC eligible to receive provincial programs and services. He continued that Provincial ministries responsible for social programs are primarily responsible for assisting the off-reserve Aboriginal population and that in general, the reserve-based population is the responsibility of the federal government. He assured those present that the provincial government interests were to see changes happen for those [Aboriginals] living off-reserve.

Mr. Harper offered the following additional comments and responses to LMTAC members' questions:

- the total budget of MARR for the fiscal year of 2008 is approximately \$55 million;
- global expenditures would be in the ministries dealing with Aboriginal issues;
- we would agree that the most successful [FN] communities have leaders of vision and that those leaders have been there a long time providing stable governance;
- if not unique, BC is a leader in its approach regarding the *Transformative Change Accord*;
- the measures under the TCA are not taking the place of treaty related measures, but TRM has a relatively small budget of \$500,000.00 for 2008 and the interim treaty arrangements might be seen as an expansion of TRMs;
- there is always some criticism to be expected from some non-Aboriginal people regarding programs targeted to Aboriginal people; and
- because of privacy and human rights issues, many ministries do not know how many clients are of Aboriginal ancestry and therefore there are only estimates of how much money is spent on Aboriginal services, etc. Ministries are working to improve data collection.

LMTAC members provided further comment in regard to expectations of senior government including the following:

- that urban First Nations are generally poor and that the province could help municipalities with assured funding for breakfast and lunch programs for children in inner city schools from kindergarten age to grade 6;
- that a day care strategy be put in place to meet the needs of over 700 new required spaces and to allow people who are receiving training to access day care and after care;
- in regard to data, the school district knows exactly how many FN are in the system – where we don't have more land build available, provide a budget to build day care facilities within existing schools;
- provide practical simple trade training, warehouse, word processing, etc.; and
- provincial money should be funneled into readiness programs; that after school care should have a homework component.

A member expressed concerns that there was no accounting for all the program funds at all levels of government and that the issues of homelessness have been relegated to the local communities to rectify. Another member recognized that addiction could be another indicator used within the report.

6:48 p.m.

Rick Beauchamp and Councillor Sekora departed the meeting.

Further comments were offered regarding: issues of capacity building; foster children; and recognition of the differences between the urban and rural issues. .

3.2 Housing Policy Branch

Related document dated January 2008 prepared by Housing Policy Branch, Office of Housing and Construction Standards, entitled "Developing an Off-Reserve Aboriginal Housing Action Plan for British Columbia, A Discussion Paper to Support Community Engagement; Aboriginal Housing Needs and Capacity Assessment report; and on-table documents:

- a) PowerPoint presentation, Aboriginal Housing Plan; and,*
- b) Housing Strategy: BC Housing Report.*

Jonathan Rayner, A/Director, Third Party Engagement, MARR, recommended that the housing presentation be postponed in the interest of time and to allow general discussion to continue.

Juanita Berkhout, Manager, Aboriginal Housing, concurred and added that comments that identified local government challenges and focused on possible solutions would be most welcomed.

LMTAC members contributed the following comments:

- there are two barriers for housing for First Nation, the ability to get mortgages and on-reserve ownership;
- neither the First Nation financing authority nor the federal government was alleviating problems;
- up grades to on-reserve housing are needed;
- ownership is exacerbated in the current market, especially for First Nation people without collateral; and
- there are training issues.

Ms. Berkhout noted that research conducted through the Aboriginal Housing Needs and Capacity Assessment Review indicated that some key challenges were

financing, coordination, training/capacity issues and homelessness. She commented that the province was looking at the issue and would encompass homelessness to home ownership as part of its off-reserve Aboriginal housing action plan.

Further discussion included the following:

- reference to the Canadian Economic Association regarding asset building (VanCity Savings Credit Union programs);
- look at housing on a more holistic basis: that there is a core housing need – 30% of gross income to meet housing costs. Ms. Berkhout responded that based on 2001 stats, 28.5% of the BC's Aboriginal population lived in core housing need compared to 16% of the non-aboriginal population. A goal of the Aboriginal housing action plan is to close this gap. Also, in terms of home ownership, Ms Berkhout advised that based on 2001 stats, almost 47% of Aboriginal people in BC owned their own homes compared to 66% of the non-aboriginal population. Again, another goal of the action plan is to develop strategies that support closing the gap in home ownership.
- there is a realization at the local level that the issue isn't just one of housing, education, crime rates, drop out, unemployment, but the delivery of a continuum of services, including culture and that there is more interest in having children succeed but not in an exclusive atmosphere. Ms. Berkhout advised that through the engagement process it has been learned that the housing situation could not be looked at in isolation and that many participants in the engagement process indicated that a holistic approach is needed.

It was queried whether aboriginal housing needs program would be one that will hand resources to First Nations for them to deliver the program or the province to deliver the program. It was clarified that this was an off-reserve plan that is in the process of being developed and that what the province heard through the engagement process was that any plan should take into consideration community interests and priorities as well as considerations from a regional perspective. It remained a question on the floor as to who provided urban off-reserve aboriginals with finances for such programs as housing. Another issue was that of aboriginals moving from other provinces into BC.

In response to questions Ms. Berkhout advised the following:

- 30% of the homeless in BC are aboriginal;
- participants in the engagement process indicated that there are problems inherent with on and off-reserve transitions, coordination of services, lack of coordination within provincial government, and between federal and provincial governments;
- through the engagement process, the province also heard that capacity is a huge issue and that a key part of the action plan should include initiatives to address capacity concerns in communities;
- through the engagement process, the province also learned that the level of capacity in terms of delivering Aboriginal housing varies across the province.

Jonathan Rayner advised that any further comment could be made by telephone to the Ministry. Chair Drew extended appreciation to the delegation and looked forward to their future participation with LMTAC.

7:22 p.m.

The delegation departed the meeting.

4. REPORTS

4.1 2008 Workplan Status Report

2008 Workplan Status Report dated April 14, 2008 from Regan Schlecker, Managing Director, with attached Workplan 2008

Regan Schlecker, Managing Director, advised of the status of the Workplan to date and discussed proposed amendments under Treaty Negotiation/Policy Items stemming from executive discussion on emerging issues.

Marino Piombini recommended that the Workplan include a review of the MARR service plan; specifically the concept of incremental treaty agreements.

It was MOVED and SECONDED

That the LMTAC Board:

- a. receive this report for information;
- b. consider the proposed amendments, as outlined in the discussion section of the report, to the 2008 Workplan; and
- c. endorse the amended 2008 Workplan as presented with additions as recommended from Marino Piombini to include the concept of incremental treaty agreements.

CARRIED UNANIMOUSLY

4.2 LMTAC Inventory of Relationship Agreements

LMTAC Inventory of Relationship Agreements Report dated April 14, 2008 from Mark Kirsop, Research/Communications Coordinator with attachment entitled, "LMTAC Inventory of Relationship Agreements between Lower Mainland Local Governments and Area First Nations"

Mark Kirsop, Research and Communications Coordinator, referred to the documents and provided an update on the listing of LMTAC's inventory of relationship agreements between Lower Mainland local governments and area First Nations.

Request for Action

It was requested that LMTAC members continue to update the LMTAC inventory of relationship agreements between Lower Mainland local governments and area First Nations.

It was MOVED and SECONDED

That LMTAC Board Members receive this report and LMTAC inventory of relationship agreements (attached) for information.

CARRIED UNANIMOUSLY

In discussion, a number of service agreements were noted. Councillor Janyk advised that Gibson's protocol agreement with Squamish First Nation is awaiting a signing ceremony.

It was queried whether LMTAC would consider a budget item for a legal review of relationship agreements on behalf of the wider membership. A concern was expressed that member municipalities needed to use due diligence when drafting these documents, and should procure legal advice. Director Janyk expressed appreciation to those municipalities who have created templates for relationship agreements.

Regan Schlecker, Managing Director, advised that service related agreements are on file and available to LMTAC members.

5. TABLE PROGRESS REPORTS

- a) **Katzie**
Councillor Mel Kositsky advised of his attendance at the swearing in ceremony held April 1, 2008. Councillor Eisel commented in regard to the occasion noting the many different sectors of the community in attendance, and the noticeable demonstrations of mutual respect.

The community meeting slated April 16, 2008 has been postponed.
- b) **Musqueam**
No items presented.
- c) **Squamish**
Councillor Corrine Lonsdale advised that Squamish and BC have formed a co-management agreement in regard to wildlife management.
- d) **Tsawwassen**
No items presented.
- e) **Tsleil-Waututh**
Director Alan Nixon reported on a meeting with Chief Leah George-Wilson and others at which there was evidence of cooperative management.
- f) **Other**
No items presented.

6. SUB-COMMITTEE REPORTS

6.1 Finance and Administration Sub-Committee (FASC)

Memorandum dated April 14, 2008, from Regan Schlecker, Managing Director with attachment titled, Draft LMTAC 'Board-in-Brief'

Councillor Corinne Lonsdale reported in regard to the Board-in-Brief publication to assist elected representatives to inform councils of what happens at LMTAC meetings, which was not meant to take the place of the existing Update Bulletin. The brief will be marked in-camera, and circulated electronically only to LMTAC Board members.

It was MOVED and SECONDED

That further to the FASC recommendation of March 13, 2008, Board Members:

- a. consider the (attached) draft template in fulfillment of the 2008 Workplan Finance, Organizational Communications specific project #3 – Explore creation of an in-camera 'Board-in-Brief'; and
- b. recommend that staff implement the 'Board-in-Brief' for a three-month trial period and report back to FASC on Board member feedback.

CARRIED UNANIMOUSLY

7. CHAIR AND STAFF REPORTS

7.1 Chair's Report

Related document: LMTAC Response – Canadian Geographic features Tsawwassen Final Agreement

Chair Drew advised that a co-op student had interviewed Harold Steves, Regan Schlecker, Mark Kirsop and the Chair on the lessons learned from the Tsawwassen Final Agreement as part of a UBCM project. Further, an article regarding the Tsawwassen Final Agreement (with interviews with Harold Steves and Mayor Lois

Jackson) had been published in the Canadian Geographic magazine. A response letter had been submitted to the editor.

7.2 Staff Report

Managing Director Report dated March 18, 2008 regarding "Activities from March 19 – April 16, 2008".

Regan Schlecker, Managing Director, advised that the provincial Archeological Branch would provide a presentation at the May Board meeting. It was announced that staff is confirmed to participate in LMLGA AGM with a LMTAC information booth.

8. MISCELLANEOUS REPORTS

8.1 Metro Vancouver Aboriginal Relations Committee

Marino Piombini advised that the next Aboriginal Relations Committee Meeting was scheduled May 2, 2008, at which the key topic would be the corporate priority issued in regard to Aboriginal interests.

Chair Drew commented concerning press articles regarding Bill 12 and expropriation of Pacific Spirit parklands.

8.2 Fraser Valley Treaty Advisory Committee (FVTAC)

Councillor Mel Kositsky reported on the FVTAC meeting held April 22, 2008 at which there was a presentation regarding seven bands of the Sto:lo Nation (of 23 bands) that have formed a treaty association to open discussions with federal and provincial governments about re-entering the treaty process, and governance issues.

8.3 Union of British Columbia Municipalities (UBCM)

Chair Drew reported in regard to the meeting of the UBCM First Nation Relations Committee held April 10, 2008. A key component was the presentation of \$300,000 from the Minister de Jong. The Minister is very aware that local governments in the Lower Mainland want participation and input to the process of building new relationships with First Nations.

8.4 Federation of Municipalities (FCM)

Councilor Kositsky advised that in a news conference regarding public (Canadian) opinion on local governments, it had been revealed that only health care is considered more important than cities, municipalities and local infrastructure (including transit, policing and housing).

The FCM conference is scheduled in May-June 2008 in Quebec City and will include a discussion on housing.

Request for Action

Staff was requested to take under advisement that May 28, 2008 was a travel date for a number of LMTAC members and would conflict with the scheduled LMTAC Board meeting.

9. OTHER BUSINESS

No items were presented.

10. INFORMATION

It was MOVED and SECONDED

The LMTAC Board received for information the following items:

10.1 Correspondence

- 10.2 LMTAC Letter to the Editor – Canadian Geographic Feature on the Tsawwassen Final Agreement
- 10.3 News Release: *Province Supports Strong First Nations Governance*
- 10.4 2008 Meeting Schedule
- 10.5 Honorarium and Expense / Feedback Form

CARRIED UNANIMOUSLY

11. CONCLUSION

It was MOVED and SECONDED

That the Regular Meeting of the LMTAC Board held April 23, 2008 be concluded.

CARRIED UNANIMOUSLY

(Time: 8:05 p.m.)