



TO: GENERAL COMMITTEE

SUBJECT: STATUS UPDATE CONCERNING CONSULTATION WITH INDIGENOUS COMMUNITIES

PREPARED BY AND KEY CONTACT: L. FORESTIERI, LEARNING AND DIVERSITY SPECIALIST
S. LEE-YOUNG, MANAGER OF RECREATION AND CULTURE PROGRAMS
D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES, EXT. 4421

SUBMITTED BY: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

GENERAL MANAGER APPROVAL: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

CHIEF ADMINISTRATIVE OFFICER APPROVAL: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That Staff Report CCS006-21 regarding a Status Update concerning Consultation with Indigenous Communities, be received.
2. That \$40,000 be included in the base budget of the Chief Administrative Officer, for costs related to:
 - a) Ongoing Indigenous cultural competency and safety training for staff and Council;
 - b) Expenditures associated with ongoing collaboration with the Indigenous communities related to community events, City projects and the Truth and Reconciliation Commission's Calls to Action including the preparation of surveys, analysis of results as well as hosting of workshops; and
 - c) As an allocation for awareness and recognition projects/initiatives resulting from the above collaboration, examples of which could include but may not be limited to:
 - i) A more permanent means of acknowledging and recognizing the memorial of shoes at the Spirit Catcher given the deterioration due to weather; and
 - ii) Enhancements to the area that has recently been used for a Sacred Fire to improve the safety of and accessibility for participants.
3. That staff report back to General Committee with the results of the consultation with representatives of the Barrie Native Friendship Centre and Barrie Area Native Advisory Circle with respect to potential dedication of 0.2% of 2022 Budgeted water and waste water rate revenues to Water First.

PURPOSE & BACKGROUND

4. The purpose of this staff report is to provide an update concerning the status of consultation with Indigenous Communities and Organizations regarding a number of matters. It includes an update on July 1st activities and educational/awareness opportunities and training provided to City of Barrie staff and the status of consultation regarding the possibility of dedicating 0.2 per cent of its water and wastewater revenue forecast in the 2022 Business Plan toward Water First and that organization's efforts to improve water services in Indigenous communities.
5. In response to the efforts to date, staff are recommending that \$40,000 be included in the Chief Administrative Officer's base budget for costs related to ongoing training and collaboration, as well as an allocation for projects/initiatives resulting from such collaboration.
6. As additional time is required to obtain feedback from local Indigenous organizations concerning the potential dedication of 0.2 per cent of the 2022 water and wastewater revenue forecast in the 2022 Business Plan towards Water First, a separate report back on this matter is recommended.

Background

7. On August 9, 2021, City Council adopted
“21-G-203 SUGGESTIONS TO CANCEL CANADA DAY - ANNUAL ACTIVITIES TO INCLUDE LOCAL HISTORIES AND CULTURAL CELEBRATIONS
 1. That staff in the Recreation and Culture Services Department be directed to engage on an annual basis with partners such as Beausoleil First Nation, Rama First Nation, Georgina Island First Nation, and other local First Nations, Métis, and Inuit peoples and organizations, including the Barrie Native Friendship Centre and Barrie Area Native Advisory Circle, to explore and implement July 1st activities that include local oral histories, cultural celebrations and any other educational elements as recommended by the Indigenous community.
 2. That the General Manager of Community and Corporate Services and staff in the Human Resources Department engage with local Indigenous Nations, peoples, and organizations on the implementation of the Truth and Reconciliation Commission's Calls to Action that fall under Municipal responsibility, namely Calls to Action #43, #47, and #57, and report back to General Committee by the end of 2021.
 3. That staff in the Recreation and Culture Services Department be requested to ask the Downtown Barrie Business Improvement Association (BIA) to include indigenous history and acknowledgement education for future Canada Day applications for funding.”
8. The Truth and Reconciliation Commission made its report regarding the history and legacy of Canada's residential school system public in December of 2015. The report identifies 94 calls to action urging all levels of government to work together to change policies and programs in a concerted effort to repair the harm caused by residential schools and move forward with reconciliation.
9. Calls to Action that specifically identify municipal responsibility are Calls to Action #43, #47, and #57, as follows:
 - “43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

47. We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and *terra nullius*, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.
 57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.”
10. On October 4, 2021, City Council adopted motion 21-G-225 concerning Support for Water First Organization, as follows:

“21-G-225 SUPPORT FOR WATER FIRST ORGANIZATION

1. That the City of Barrie consult with Indigenous communities, including the Barrie Native Friendship Centre and the Barrie Area Native Advisory Circle, on the possibility of dedicating 0.2 per cent of its water and wastewater revenue forecast in the 2022 Business Plan toward Water First and that organization’s efforts to improve water services in Indigenous communities.
2. That staff in the Finance Department investigate an option that would provide residents the opportunity to make a donation to the Water First organization on their water bill.
3. That representatives of the Indigenous communities, as noted above, be invited to attend a Finance and Corporate Services Committee meeting before December 2021, to provide their feedback on the proposal.
4. That staff in Access Barrie be directed to enter into a 3-year partnership with Water First for the purpose of marketing their organization in future signage along the waterfront, on the Canada day website section, and in appropriate marketing resources as decided by the Executive Director of Access Barrie
5. That Water First be asked to consult with its First Nations Advisory Council and other partners on the proposal and report back to the City of Barrie before December 2021.”

ANALYSIS

National Indigenous History Month, National Indigenous Peoples Day and Canada Day 2021

11. Each year, Canada acknowledges National Indigenous History Month in June and National Indigenous Peoples Day on June 21st. In 2021, the City of Barrie implemented virtual programming in collaboration with Mamaway Wiidokdaadwin Primary Care Team from the Barrie Area Native Advisory Circle and Red Quills – a local consultant providing services to non-Indigenous sectors to build meaningful relationships with the Indigenous population by sharing knowledge about culture and traditions.

12. The programming celebrated the heritage, diverse cultures, and significant contributions of First Nations, Inuit, and Métis peoples through cultural sharing, including an honour song, hoop dance, fiddling, and a special virtual ceremony. A flag was raised at City Hall in honour of the local Indigenous community, and on the morning of June 21st, Eagle Flight Singers went out on Kempenfelt Bay by boat to bring healing songs to the community. Online programming and resources were also shared, with support from community partners including the Barrie Public Library's virtual hub that featured reading lists and educational programming for all ages.
13. Subsequently, Barrie's Canada Day programming was altered as part of the City's continued efforts towards reconciliation and to express solidarity with local members of the Indigenous community. Plans were developed in consultation with Mamaway Wiidokdaadwin Primary Care Team from the Barrie Area Native Advisory Circle (BANAC) and Red Quills.
14. The activities focused on education, reconciliation and reflection. In partnership with Red Quills, a Sacred Fire was held at the Spirit Catcher in honour of all who have been impacted by residential schools. It was an opportunity for all members of the Indigenous and non-Indigenous community to heal together.
15. The lights at Meridian Place and the Five Points Theatre were illuminated in orange in support of residential school survivors, their families, and Indigenous communities across Canada for the month of June and continued through July 1st.

National Day of Truth and Reconciliation and Orange Shirt Day – September 30

16. In 2020, the Canadian Government introduced legislation to establish a National Day for Truth and Reconciliation. On June 3, 2021 the legislation received Royal Assent. The day honours the lost children and survivors of residential schools, their families and communities. It was created as public commemoration of the tragic and painful history and ongoing impacts of residential schools and forms a vital component of the reconciliation process.
17. September 30, 2021 was the first National Day for Truth and Reconciliation, and it takes place on the same day as Orange Shirt Day. Orange Shirt Day is an Indigenous-led grassroots commemorative day that honours the children who survived residential schools and remembers those who did not. The day relates to the experience of Phyllis Webstad, a Northern Secwepemc (Shuswap) from the Stswecem'c Xgat'tem First Nation, on her first day of school, where she arrived dressed in a new orange shirt, which was taken from her. It is now a symbol of the stripping away of culture, freedom and self-esteem experienced by Indigenous children over generations.
18. To recognize and commemorate the National Day for Truth and Reconciliation, the City supported activities to promote education and awareness to staff and community members leading up to and on the day, in collaboration with the Mamaway Wiidokdaadwin Primary Care Team from BANAC and the Barrie Native Friendship Centre (BNFC).
19. A flag raising ceremony kicked off the week on September 27, 2021 and, on September 30, 2021 a Sacred Fire was once again lit at the Spirit Catcher to provide opportunities for the Indigenous and non-Indigenous community to heal together. The Barrie Public Library and BNFC were on-hand with resources and kids activities featuring a Story Walk of The Orange Shirt Story by Phyllis Webstad. Resources from the Truth and Reconciliation Commission of Canada as well as the Barrie Public Library were shared on the City's website.
20. Given current staffing levels and the timing of the direction from Council, the City has not yet been in a position to expand its collaboration and engagement related to community events beyond the Mamaway Wiidokdaadwin Primary Care Team of BANAC, Red Quills, and BNFC.

Efforts and Activities to address Call to Action #57 – Education to Public Servants

21. In advance of and on September 30, 2021, various events and programming were offered for municipal staff to educate individuals unfamiliar with the legacy of the residential school system and to build a new relationship with Indigenous peoples.
22. Information and resources regarding the Truth and Reconciliation Commission, the United Nations Declaration of the Rights of Indigenous Peoples and the residential school system were made available in advance of September 30.
23. An Orange Shirt Auction in support of residential school survivors was held between September 22 and 24 with money raised directed to the Indian Residential School Survivors Society (IRSS). Staff participated in the Flag Raising Ceremony held on September 27, a virtual lunch and learn concerning the history of Orange Shirt Day held on September 28 and the Sacred Fire on September 30.
24. Truth and Reconciliation/Indigenous Education and Awareness resources and programming made available through the Mamaway Wiidokdaadwin Primary Care Team continues to be available to City staff on the City's internal website.
25. Leading Together started as an annual training and development workshop for management staff of the City of Barrie held at least once per year. In 2020 the format was changed to virtual sessions.
26. This year, the City of Barrie, the County of Simcoe and the Town of Innisfil partnered together to expand the leadership series and maximize each organization's limited training and development budgets. A series of virtual sessions were held between November 8 to November 12, 2021. Two of the five sessions included Leading with Inclusion, a focus on inclusive and equitable leadership principles and the Secret Path, the importance of reconciliation with history and the need for a collaborative way forward.
27. In November and December, BANAC will be providing a 2 -part Introduction to Cultural Competency Training course for City staff. The sessions provide a historical perspective on Indigenous awareness with topics including:
 - Pre-Contact
 - Land usage
 - Governance structures
 - Family dynamics
 - Spirituality
 - Contact and Post Contact
 - Colonization of Canada
 - 1763 Royal Proclamation
 - Gradual Civilization Act of 1857
 - Gradual Enfranchisement Act of 1869
 - Assimilative practices
 - 1969 White Paper
 - 1985 Bill C-31
28. Staff are continuing to explore an online learning module/program about Indigenous history, culture, and colonization that could be made available to current staff and incorporated into our new hire onboarding. Training in this area will continue to be required as new members join the City to replace staff who have retired or accepted positions elsewhere and as the staff team grows with the community.

Efforts and Activities to address Call to Action #43 and 47 – UNDRIP and Doctrine of Discovery

29. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly on Thursday, 13 September 2007, by a majority of 144 states in favour, 4 votes against (Australia, Canada, New Zealand and the United States) and 11 abstentions (Azerbaijan, Bangladesh, Bhutan, Burundi, Colombia, Georgia, Kenya, Nigeria, Russian Federation, Samoa and Ukraine). After a number of years, the four countries that voted against UNDRIP have reversed their position and now support the Declaration.
30. The Declaration is deemed to be the most comprehensive international instrument on the rights of indigenous peoples. It establishes a universal framework of minimum standards for the survival, dignity and well-being of the indigenous peoples of the world and it elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of indigenous peoples. It includes 46 Articles required to establish a framework for reconciliation with Indigenous Peoples.
31. The Doctrine of Discovery and the related concept of *Terra Nullius*, are a legal framework that has been used to justify European ventures around the world including the colonization of North America. The Doctrine of Discovery asserted that lands belonged to the Christian powers that “discovered” them. *Terra Nullis* held that the peoples on the lands prior to European arrival merely occupied it without any rights or title. The Doctrine of Discovery has been cited in decisions of the Supreme Court of Canada as recently as the 1990s and in the mid-2000s in the United States of America’s court system.
32. Staff are recommending that a collaborative process with Indigenous communities be undertaken to determine the City’s actions related to this framework for reconciliation and the Doctrine of Discovery.
33. It is expected that this ongoing collaboration with the Indigenous communities will require expenditures related to community events, City projects and the Truth and Reconciliation Commission’s Calls to Action including the preparation of surveys, analysis of results as well as hosting of workshops.

Water First – Potential 0.2% of 2022 water and wastewater revenues

34. Water First is a non-government organization with a mandate to address water challenges in Indigenous communities in Canada through education, training and meaningful collaboration.
35. Water First has partnered with over 60 Indigenous communities in Ontario, Quebec, Labrador & Manitoba on various water education and training projects. It offers Drinking Water Internships with a purpose of supporting local recruitment of young Indigenous adults to the water field. This is intended to help participants obtain certification in water systems operation and help Indigenous communities meet the demand for water operators.
36. With the assistance of Red Quills, the Barrie Native Friendship Centre and Barrie Area Native Advisory Circle have been consulted about the on the possibility of dedicating 0.2 per cent of the City’s water and wastewater revenue forecast in the 2022 Business Plan toward Water First. The two organizations have indicated that they will require additional time to complete their own research into Water First and consider the proposal. There has not been sufficient time to conduct broader consultation with Indigenous communities regarding this proposal.

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37. The staff report regarding the 2022 Business Plan and Budget is to be presented to General Committee on November 29th, 2021. If supported by the Indigenous organizations and communities a dedication would be addressed through a reduction to the contribution to the water and waste water rate reserves of \$56, 558 and \$74,809 respectively. As a result, a dedication could be dealt with separately from the 2022 Business Plan and Budget report. Staff will provide a report and/or memorandum regarding the response that is received with respect to this matter.

Water First – Facilitating resident donations

38. Canada Revenue Agency recognizes municipalities as a qualified entities that can issue charitable donation receipts to donors who donate to a particular program undertaken by the municipality itself. As donations would relate specifically to the Water First organization and their programs, and the receipt of any monies would be funnelled to them, donation receipts would be required to be issued from that entity. The Water First website offers a variety of programs to which donated funds can be directed and provides the capability for online donations.
39. The City's water/wastewater billing system is not configured to be able to automatically apply payments to a balance owing for services versus a different account utilized for another purpose. In order to record a donation amount on the bill, customers would either need to reach out to Finance in advance of a bill being issued stating intent to make a donation, so that it could be added to the next bill; or conversely, the receipt of a payment in excess of the bill amount would require confirmation by the payor of the reason for the overpayment, which would then need to be manually applied to the proper account. As the City issues approximately 48,000 bills every two-month billing cycle, manual intervention could result in workload that could not be accomplished in a reasonable time by existing staff.
40. Instead, the City may be able to provide commentary utilizing a section on the water/wastewater bill to encourage ratepayers to donate directly to the Water First organization, for the duration of one complete billing cycle.
41. Proceeding with encouraging ratepayers to donate directly to Water First and entering into a partnership to market Water First will be subject to the response from the Indigenous communities. Further reports and/or memorandums will be provided once that response has been received.
42. Access Barrie met with Water First staff to discuss this partnership and opportunities for marketing and promotion of their organization within Barrie.

Next Steps: Ongoing Collaboration

43. To be meaningful and sustainable, collaboration and consultation with Indigenous communities should be ongoing. As such, staff are seeking feedback from local Indigenous community representatives concerning the formation of a group with a focus on Indigenous relationship building and reconciliation. The group could take the form of a reconciliation advisory circle, and include staff from several departments and Indigenous community representatives. The objective of the group could include the ongoing review of upcoming events, projects of interest, and training of City staff.

ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS

44. There are no environmental and/or climate change impact matters directly related to the recommendation.

ALTERNATIVES

45. The following alternatives are available for General Committee's consideration:

Alternative #1 General Committee could recommend that the proposed \$40,000 for expenditures associated with ongoing collaboration and education, not be approved.

This alternative is not recommended. Meaningful ongoing collaboration with Indigenous communities as well as education and training, can't be supported without additional expenditures.

Alternative #2 General Committee could recommend that the potential dedication of 0.2% of the 2022 water and waste water rate revenues to Water First be addressed prior to the results of the consultation with the local Indigenous communities' representatives.

This alternative is not recommended. Additional time to obtain feedback from local Indigenous community representatives concerning this proposal is required. A decision on this matter without the feedback would not be aligned with the goal of reconciliation.

Alternative #3 General Committee could recommend that staff establish a manual system to facilitate donations to Water First through water and waste water bills.

This alternative is not recommended. The City's current water and waste water billing system is not configured to address this additional donation. Significant staff resources would be required for the manual intervention that would be required to facilitate the donations.

FINANCIAL

46. In 2021, the expenditures associated with collaboration and consultation related to the City's community events and staff training initiatives have been undertaken by re-allocating funds from existing departmental budgets and by not completing other planned projects and necessary training. This is not sustainable.

47. As a result, staff are recommending that funds be included in the base budget starting in 2022 to address the ongoing training requirements.

48. Staff are recommending that \$40,000 be included in the base budget base budget of the Chief Administrative Officer, for costs related to:

- Ongoing cultural competency training for staff;
- Expenditures associated with ongoing collaboration with the Indigenous communities related to community events, City projects and the Truth and Reconciliation Commission's Calls to Action including the preparation of surveys, analysis of results as well as hosting of workshops; and

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- As an allocation for awareness and recognition projects/initiatives resulting from the above collaboration, examples of which could include but may not be limited to:
 - i) A more permanent means of acknowledging and recognizing the memorial of shoes at the Spirit Catcher given the deterioration due to weather; and
 - ii) Enhancements to the area that has recently been used for a Sacred Fire to improve the safety of and accessibility for participants.
49. As noted earlier in the report, it is also recommended that staff report back once the Barrie Native Friendship Centre and Barrie Area Native Advisory Circle have provided their feedback on the concept of dedicating 0.2% of the 2022 Budgeted water and waste water rate revenues to Water First. The contribution to the water and waste water reserve would need to be reduced by \$56,558 and \$74,809 respectively to allow for the potential dedication of 0.2% of the 2022 Budgeted water and waste water rate revenues to Water First.

LINKAGE TO 2018-2022 STRATEGIC PLAN

50. The recommendations included in this Staff Report are related to the following goals contained in 2018-2022 Strategic Plan:
- ✓ Fostering a Safe and Healthy City
 - ✓ Offering Innovative and Citizen-Driven Services
51. Meaningful and ongoing efforts by the City in collaboration towards reconciliation with Indigenous communities will assist in promoting gender and racial equity and improve community participation.