

MEMORANDUM OF UNDERSTANDING WITH BIGSTONE CREE NATION

RECOMMENDATION

That Community and Public Services Committee recommend to City Council:

That the Mayor, on behalf of City Council, sign a Memorandum of Understanding between the City of Edmonton and Bigstone Cree Nation, as outlined in Attachment 1 of the April 25, 2022, Community Services report CS01151.

Report Purpose

Council decision required.

Council is being asked to approve the Memorandum of Understanding to support implementation of the Urban Reserve Strategy with Bigstone Cree Nation.

Executive Summary

- Bigstone Cree Nation is a First Nation in northern Alberta, Treaty 8 territory, with a significant population living in Edmonton and urban land holdings within the city.
- Urban Reserves are developed through the Addition-to-Reserve/Reserve Creation policy at Indigenous Services Canada. This is primarily a federal government and First Nation process; however, there are specific roles for municipalities to play.
- Bigstone Cree Nation is seeking to enter into a memorandum of understanding with the City to formally advance conversations to establish urban reserve(s) through the federal policy for its existing or potential future land holdings.
- On July 5, 2021, City Council approved the Urban Reserve Strategy, which emphasizes the importance of early relationship building between the City and First Nations and includes Memoranda of Understanding as potential tools.
- A draft Memorandum of Understanding has been developed jointly with Bigstone Cree Nation and the City of Edmonton. Bigstone Cree Nation Chief and Council have reviewed and approved the draft agreement.

REPORT

Bigstone Cree Nation is a First Nation in Treaty 8 territory, located approximately 325 km north of Edmonton. The Nation is governed by a chief and a 10-member council. The Nation has 8,470

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registered members; 5,194 of those members live off-reserve. A large number of its members live in Edmonton and Bigstone Cree Nation owns properties in the city which are used to administer corporate functions and deliver programs and services to off-reserve members.

In May 2021, officials from Bigstone Cree Nation contacted Administration to inquire about the urban reserve development process and to express its interest in the establishment of urban reserves for some of its urban landholdings in Edmonton and other goals for future property acquisition within Edmonton. In July 2021, City Council approved the CS00349 Urban Reserve Strategy, outlining the City's approach to working with First Nations interested in developing urban reserves in Edmonton. In line with the principles and direction provided by the strategy, including the pursuit of long-term relationships with First Nations, Bigstone Cree Nation and Administration have agreed that an important next step is the formalization of a working relationship through a memorandum of understanding.

As urban reserves are created by the federal government, the City would focus on creating a mutually beneficial relationship with Bigstone Cree Nation and the arrangements necessary to bring it to fruition should the federal government proceed with establishing an urban reserve. The proposed memorandum of understanding (Attachment 1) establishes a series of guidelines and principles shared by both parties.

Following the signing of the memorandum of understanding, Administration will continue to work closely with Bigstone Cree Nation to advance discussions on urban reserve and/or other developments by Bigstone Cree Nation within Edmonton.

Alignment with Urban Reserve Strategy

Administration's approach of engaging with a First Nation early in the process is aligned with the guidance provided in the Urban Reserve Strategy. Establishing a formal relationship with Bigstone Cree Nation may help support a successful identification and resolution of the many points of interaction that would be necessary in the establishment of an urban reserve.

Alignment with City of Edmonton Indigenous Framework

The City of Edmonton Indigenous Framework provides guidance to all City employees outlining four roles and seven commitments in supporting Indigenous peoples in Edmonton. Building formal relationships with First Nation governments allows the City of Edmonton to fulfill the roles of partner, advocate and connector as urban reserves have the potential to support Indigenous led businesses and service provision in Edmonton.

Budget/Financial Implications

Any work associated with finalizing, signing or activating the memorandum of understanding can be accomplished within existing program budgets. Potential costs of establishing or servicing an urban reserve would be determined through the negotiation process and would be put through the appropriate budget approval process. Any future service agreements would proceed through appropriate City approval processes.

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Legal Implications

Memorandums of understanding are legally non-binding documents that provide guidance to Administration and can assist with the allocation of existing resources and implementation plans.

COMMUNITY INSIGHT

The proposed memorandum of understanding was developed in collaboration between Administration and Bigstone Cree Nation. The Urban Reserve Strategy was co-created with and included input from the City's First Nation memorandum of understanding partners: the Confederacy of Treaty Six First Nations and Enoch Cree Nation.

GBA+

Addition-to-Reserve/Reserve Creation is a federal policy that provides a pathway for the Government of Canada to set apart lands designated as reserves for the use and benefit of federally-recognized First Nations and the addition of lands to existing reserves. Despite the fact that urban reserves are located in municipalities, municipal governments play a comparatively minor role in the development of urban reserves, with First Nations and the Government of Canada playing major roles.

Urban reserves, while limited to federally recognized First Nations, offer a new opportunity for First Nations to access federal funds to deliver services in urban settings and may have a positive impact on the quality of life for members of the First Nation and other First Nations people in Edmonton. Urban reserves can help advance reconciliation and respond to the recommendations of the Truth and Reconciliation Commission.

In this context, it is appropriate for the City to play a role as a partner for First Nations intending to develop urban reserves in Edmonton through the Addition-to-Reserve/Reserve Creation policy. Fostering relationships, such as through the proposed Memorandum of Understanding, helps the City to play this role.

ATTACHMENT

1. Proposed Memorandum of Understanding with Bigstone Cree Nation