



**Committee of the Whole Report  
For the Meeting of February 11, 2016**

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**To:** Committee of the Whole **Date:** January 29, 2016  
**From:** Chris Coates, City Clerk  
**Subject:** Terms of Reference for the Truth and Reconciliation Commission's Calls to Action Task Force

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**RECOMMENDATION**

That Council direct staff to consult with the Esquimalt and Songhees Nations, through the Mayor's Office with assistance from Protocol staff, regarding their interest in participating in a Truth and Reconciliation task force and for any comments on the draft Terms of Reference.

**EXECUTIVE SUMMARY**

The purpose of this report is to present a draft Terms of Reference for a new task force that will focus on the Truth and Reconciliation Commission's Calls to Action that are within the City of Victoria's jurisdiction to act. The task force name shall be called the Truth and Reconciliation Commission's (TRC's) Calls to Action Task Force.

The Truth and Reconciliation Commission (TRC) was a component of the Indian Residential Schools Settlement Agreement. The TRC mandate was to inform all Canadians about what happened in Indian Residential Schools. The findings of the TRC investigations include 94 recommendations for action by all levels of government, including those that the TRC are within the jurisdiction of local governments.

Building on a December 10 report to Council, which resulted in a motion (below) requesting staff to bring back a Terms of Reference for a working group for the TRC Calls to Action, the draft Terms of Reference compiles ideas of reconciliation and partnership with First Nations and with Aboriginal residents of Victoria. Staff recommend that, after Council discusses the draft Terms of Reference, the draft Terms of Reference are sent/presented to the Esquimalt and Songhees Nations for comment, before the task force begins its recruitment and work. See Appendix A for the draft Terms of Reference which outline the mandate, guiding principles, specifics on proposed membership, goals (that may be beyond the initial discussions of the task force), and meetings protocols and details.

As cited in the December 10, 2015 report to Council, actions and motions have been presented and implemented in other Canadian cities. A brief update is provided in this report. The draft Terms of Reference for Council has been created as a result of a review of a variety of sources and adapted for what has been outlined as the initial focus for the task force.

## PURPOSE

The purpose of this report presents a draft Terms of Reference to Council for a task force that will advise Council on how the City of Victoria can move forward on the actions recommended by the TRC's Call to Action that are within the City's jurisdiction to act. After Council has discussed and provide input, staff recommend the draft Terms of Reference be sent/presented to the Esquimalt and Songhees Nations, through the Mayor's Office with assistance from Protocol staff, in order to gather input on the draft Terms of Reference, before task force membership recruitment.

## BACKGROUND

On October 8, 2015, Council approved the following motion:

*BE IT RESOLVED THAT Council ask the city manager to consider the 'calls to action' in the Truth and Reconciliation final report, and report back to Council, before December 17, 2015, with recommendations on how to move forward on the actions recommended by the Truth and Reconciliation Commission that are within the City's jurisdiction to act.*

The Truth and Reconciliation Commission was a component of the Indian Residential Schools Settlement Agreement. Its mandate was to inform all Canadians about what happened in Indian Residential Schools. The Commission documented the truth of survivors, families, communities and anyone personally affected by the Indian Residential Schools experience. As an independent body, the TRC provided a space for survivors of residential schools to share their experiences and participate in a process of truth, healing and reconciliation. This included First Nations, Inuit and Métis former Indian Residential School students, their families, communities, the Churches, former school employees, Government and other Canadians. The Commission had a five-year mandate and was supported by a TRC Secretariat, which is a federal government department.<sup>1</sup>

The TRC Mandate was:

- To tell Canadians what happened in the Indian Residential Schools
- To create a permanent record of what happened in the Indian Residential Schools
- To foster healing and reconciliation within Canada

The findings of the TRC investigations are summarized in the TRC's Final Report, released June 2, 2015, and include 94 recommendations for action by all levels of government. The TRC's Principles of Reconciliation are contained in Appendix B of this report.

The TRC "Calls to Action" for local governments, that the TRC believes are within the authority of a municipal government, are:

*#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*

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<sup>1</sup> Truth and Reconciliation Commission of Canada, <http://www.trc.ca/websites/trcinstitution/index.php?p=10>

*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.*

*#75: We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of appropriate memorial ceremonies and commemorative markers to honour the deceased children.*

*#77: We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.*

On December 10, 2015, Council approved the following motion:

*That Council direct staff to create a Terms of Reference for committee/working group that will take forward the TRC's Calls to Action that are within the City's jurisdiction to act, with membership including representatives from a variety of groups in Victoria, including the Songhees and Esquimalt Nations.*

## **ISSUES & ANALYSIS**

Please see Appendix A for a draft Terms of Reference for a new task force that will take forward the TRC's Calls to Action that are within the City's jurisdiction to act, with membership including representatives from a variety of groups in Victoria, including the Songhees and Esquimalt Nations.

The work of the task force will dig deeper into not only the five recommendations highlighted but also consider how the City of Victoria can work with partners to acknowledge any other TRC Calls to Action. Lessons and insight can be shared from city staff in other jurisdictions, as work moves forward around the same time. Staff encourage Council to consider the membership of this task force as Council continues discussion, other than the mandatory inclusion of representation from the Esquimalt and Songhees Nations.

The list of suggested participants/members of the task force include:

### Members

- Eight members of the public who reside or work in the City of Victoria, or within the boundaries of the Esquimalt and Songhees Nations (voting)
  - Representation from both the Esquimalt and Songhees Nations
  - Representation from Victoria's urban aboriginal community
  - Representation from service providers who work with urban Aboriginal residents

- Interested community members who have a passion and/or experience for aboriginal issues or have had involvement with the Truth and Reconciliation Commission's process

#### Non-members

- Council Liaisons: one appointed non-voting Council Liaison and an Alternate are recommended to be appointed to the task force.

#### Staff Support:

- Legislative Services: agenda content, recruitment process, ongoing liaison
- Citizen Engagement and Strategic Planning, Protocol
- Administrative Support (note taking)

This list of criteria/suggested persons who could be task force members is intentionally quite general. Since the recommended next step is to consult with the Esquimalt and Songhees Nations regarding the draft Terms of Reference, this list will change and have new ideas incorporated.

The draft Terms of Reference in Appendix A has been created as a result of a review of a variety of sources and adapted for what has been outlined as the initial focus for the task force. It is important to note that there is no other example of a City Council initiating a task force to move forward the TRC Calls to Action. The Terms of Reference gathered and cited in the appendices are from various cities' ongoing work with aboriginal communities and issues.

The draft Terms of Reference are specifically focused so as not to include more than the immediate Council Direction: that is, to move forward the Truth and Reconciliation Calls to Action which are within the City's jurisdiction to act. After discussion of the task force mandate and the draft Terms of Reference Council the task force mandate could be broadened to include ideas from some of the appendices of this report, and Victoria's context, if that was desired.

Because the work and creation of the Truth and Reconciliation Commission was in response to the Indian Residential School (IRS) agreement and ramifications, there are specific references to the Indian Residential Schools. The draft Terms of Reference outlines general mandate, suggested membership, guiding principles and goals of the task force. Additionally, meeting protocol details, reporting and procedures are included.

There are a variety of actions being taken in other Canadian cities. As cited in the report to Council on December 10, several cities in Western Canada have made similar motions as the motion Victoria City Council made on October 8, 2015. The staff report to Council on December 10, 2015 reported on the motions/actions related to the TRC in Calgary, Edmonton, Vancouver, Whitehorse and Yellowknife. Rather than repeating that information, here is a short update:

#### *Federation of Canadian Municipalities (FCM)*

- No new information since December 10, 2015.

#### *City of Calgary*

- No update since December 10, 2015.
- The City of Calgary's Aboriginal Urban Affairs Committee (CAUAC) was used as a reference for the draft Terms of Reference for Victoria. See Appendix C.

#### *City of Edmonton*

- No update since December 10, 2015.
- Edmonton's Aboriginal Advisory Group Terms of Reference was used as a reference for this report. See Appendix D.

#### *City of Vancouver*

- On January 19, 2016 Vancouver's City Council approved the following two recommendations that came from the City Manager's Office, and the Aboriginal Planning Department:
  1. That Council receive this report for information.
  2. That Council adopt in principle the City's response to 27 out of the 94 Truth and Reconciliation Commission Calls to Action with the identification of 41 City actions under 3 themes: Healthy Communities and Wellness; Achieving Indigenous Human Rights and Recognition; and, Advancing Awareness, Knowledge, and Capacity.

See Appendix E for the full report, as information. See page 4 for the Strategic Analysis and chart that correlates the TRC Calls to Action that are already being undertaken by the City of Vancouver.

- Metro Vancouver's Aboriginal executive Council's Terms of Reference was used as a reference for this report. See Appendix F.
- The City of Vancouver's Urban Aboriginal Peoples Advisory Committee's Terms of Reference was used as a reference for this report. See Appendix G.

#### *City of Whitehorse*

- No update since December 10, 2015

#### *City of Yellowknife*

- City Council approved \$75,000 for the provision of Article 57 training: skill-based training for all City staff to undergo that will provide a learning experience on the history of Aboriginal peoples relating to residential schools; UN Declaration on the Rights. Article 57 refers to #57 of the TRC Calls to Action.

Generally, the initial stage of the task force's considerations is the specific Calls to Action noted in this report. It is likely that addressing the matters contained within those Calls to Action may only be the beginning of a broader set of task force actions. This is why the Terms of Reference identify consideration of recommendations for next steps beyond the Calls to Action.

### **OPTIONS & IMPACTS**

#### *Option #1:*

- That Council direct staff to consult with the Esquimalt and Songhees Nations, through the Mayor's Office with assistance from Protocol staff, regarding their interest in participating in a Truth and Reconciliation task force and for their comments on the draft Terms of Reference.

#### *Impacts:*

- The recruitment process and scheduling of the first meeting of the task force may be delayed if Option #1 were enacted. However, Option #1 would further the City's ongoing relationship with the Esquimalt and Songhees Nations.

Option #2:

- That Council discuss the draft Terms of Reference, have staff make agreed upon changes and direct staff to begin the recruitment process for members of the TRC Calls to Action task force, which would include an invitation to the Esquimalt and Songhees Nations.

*Impacts:*

- Though the Esquimalt and Songhees Nations would still be invited to participating in the task force, the lack of consultation may be negative to the City's ongoing relationship with the two Nations.

*2015 – 2018 Strategic Plan*

Developing a Terms of Reference for a Task force which will move forward with the TRC Calls to Action supports the 2015-18 Strategic Plan's Objective #2: Engage and Empower the Community and Objective #7: Facilitate Social Inclusion and Community Wellness.

*Impacts to Financial Plan*

The work of the Truth and Reconciliation Task force is not in the current operational or financial plan as it came about as a result of a Council motion in December 2015. The staffing capacity needed for the work of the Task force will come from Legislative Services and the Citizen Engagement and Strategic Planning department within its function of Protocol. As outlined in the report, City Protocol staff will be crucial in establishing and creating communications with the Esquimalt and Songhees Nations, in conjunction with the Mayor's office.

In the 2015 Operational Plan, and under the Strategic Objective #2: Engage and Empower Community, there was an action outlined: "Create Councillor Liaison position to support the Mayor in reaching out and working with Esquimalt and Songhees Nations". One of the outcomes of this action was that a Protocol Workshop was held in February 2016. The work of the TRC Calls to Action Task force would further this relationship building and be a concrete initiative of how the City will continue to reach out and work with the Esquimalt and Songhees Nations.

To proceed this will be included into the 2016 work plan. In the future, when the TRC Task force may take on outreach and/or engagement strategies, there would be a necessary assessment regarding staffing, finances for these functions and capacity. Staff recommend that in fall 2016, once the Task force has had approximately 6 months to meet and get started (internal work and discussions as Task force), there be a report to Council recommending how this initiative may fit into the ongoing operational and financial plan moving forward into 2017.

At present, Legislative Services and Citizen Engagement/ Strategic Planning are able to provide staff liaisons and administrative capacity to the organizing and development of the TRC Calls to Action task force. As the task force begins it's activities, the resourcing requirements can be better assessed and decisions considered on the appropriate approach.

*Official Community Plan Consistency Statement*

The City of Victoria formally involved the Songhees and Esquimalt Nations in the process to form Victoria's draft Official Community Plan. This work is consistent with the policy direction of "Community Well Being" in the OCP and will continue to foster the relationship with the Songhees and Esquimalt Nations.

## CONCLUSION

As Council discusses and moves forward on the TRC Calls to Action which are within the city's jurisdiction to act, creating a Terms of Reference for a task force that will focus on this work will provide a framework for the Task force. Upon Council's direction, staff can begin a consultation with Esquimalt and Songhees Nations, through the Mayor's Office with assistance from Protocol staff. Staff will also continue to monitor and bring forward information of TRC Calls to Action implementation in other cities.

Respectfully submitted,



Mary Chudley  
Policy Analyst  
Legislative and Regulatory Services



Chris Coates  
City Clerk



Jocelyn Jenkyns  
Deputy City Manager

Report accepted and recommended by the City Manager: 

Date: Feb 5, 2016

## List of Attachments

- Appendix A – Draft Terms of Reference
- Appendix B – TRC Principles of Reconciliation
- Appendix C – Calgary Aboriginal Urban Affairs Committee
- Appendix D – Edmonton Aboriginal Advisory Group Terms of Reference
- Appendix E – Report to City of Vancouver Council January 19 2016
- Appendix F – Metro Vancouver Aboriginal Executive Council Terms of Reference
- Appendix G – Vancouver's Urban Aboriginal Peoples Advisory Committee Terms of Reference



## Victoria Commences its Witness Reconciliation Program

Date: Friday, June 16, 2017

For Immediate Release

VICTORIA, BC — On January 1, 2017 at the City of Victoria's annual New Year's Day Levee, and in the presence of local First Nations, City Council proclaimed 2017 a Year of Reconciliation. Since that time, Council has been in conversation with the Chiefs of the Songhees and Esquimalt Nations on how best to approach the work of Reconciliation.

Together, the City and the Esquimalt and Songhees Nations have created a program reflecting Indigenous family witness ceremonies. The City's Witness Reconciliation Program brings together Indigenous Witnesses from both the Songhees and Esquimalt Nations' Councils and a City Family. The Program is meant to be a fluid process -- one that is flexible, adaptable and evolves to foster a long-term relationship between the City and its Indigenous partners.

"We look forward to working together with the Songhees and Esquimalt Nations on a new path of Reconciliation," said Mayor Lisa Helps. "As we have learned from Esquimalt and Songhees Chiefs, Reconciliation begins with listening and deepening understanding, and is a living process of collaboration, imagination and action. Recognizing the depth of our work together, and the need to respect Indigenous traditions in doing that work, we understand that 2017 is the first of our years of Reconciliation."

The Witness Reconciliation Program will focus on building and nurturing the relationships needed to facilitate trust and demonstrate the City's ongoing commitment to doing the work for as long as it needs to be done.

"Reconciliation is a journey honouring the truth and reconciling the future. It is about respect, both self-respect for Aboriginal people and mutual respect among all Canadians. Reconciliation must become a way of life," said Songhees Nation Chief Ron Sam. "Songhees Nation welcomes the opportunity to work with the City through the time needed to nurture our current and future relationship, to take action, together, in the spirit of Reconciliation, and with respect for our traditional ways."

Esquimalt Nation Chief Andy Thomas acknowledged the City's commitment to an ongoing course of truth-telling, reconciliation and action, and the City's willingness to embrace a different way of working together. "Esquimalt Nation expresses their openness to continue working with the City on a meaningful reconciliation process," said Chief Andy Thomas.

The Indigenous Witnesses will be the Chief and Councillors of the Songhees and Esquimalt Nations, who have been chosen by their people as leaders. The Witnesses will provide guidance and oversight for the Program, coming together two to three times a year in a traditional Witness Ceremony to hear, reflect, comment and advise, witnessing and guiding how the Program moves forward.



The City Family will meet regularly to collaboratively generate ideas that lead to a program of actions. This program will be presented to the Witnesses through a Witness Ceremony. The City Family will initially be comprised of Songhees representative Brianna Dick, Esquimalt representative Katie Hooper, noted artist Carey Newman, Camosun College Indigenous Studies Chair Janice Simcoe, Mayor Lisa Helps, Councillor Charlayne Thornton-Joe and Councillor Marianne Alto. Staff support will vary as needed, starting initially with Director of Parks, Recreation and Facilities Thomas Soulliere and Manager of Executive Operations Colleen Mycroft.

After the advice of Witnesses is heard at each Witness Ceremony, the City Family will facilitate actions to realize the ideas endorsed by the Witnesses. Subsequent Witness Ceremonies will provide an opportunity for reflection and to look forward to future actions.

"As a corporation, we have not done this kind of work before," said City of Victoria Councillor Marianne Alto. "The work is new to us and so will be the way we do the work."

The first Witness Ceremony took place this morning at the Royal BC Museum, timed with the start of the Aboriginal Cultural Festival that runs until Sunday.

The Truth and Reconciliation Commission's (TRC's) Calls to Action, findings and materials will provide context and a framework for the City of Victoria's Witness Reconciliation Program, its participants and its work. The Program will consider how the City might respond to the five recommendations highlighted by the TRC for municipalities, and will also work to realize, on a local scale, the TRC's mandate to tell Canadians what happened in the Indian Residential Schools, create a permanent record of what happened in the Indian Residential Schools, and foster healing and reconciliation.

**ATTACHMENT: Councillor Motion**  
**Biographies of External Appointees**  
**Truth and Reconciliation Commission's Principles of Reconciliation**  
**Truth and Reconciliation Commission's Calls to Action for Municipal Governments**

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**For More Information:**

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City of Victoria  
Office: 250.361.0216  
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**Council Member Report**  
**For the Committee of the Whole Meeting of September 7, 2017**

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**To:** Committee of the Whole

**Date:** September 6, 2017

**From:** Councillor Alto

**Subject:** Q2 Witness Reconciliation Program Update

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**BACKGROUND**

After thoughtful conversation with local First Nations, and learning from the Nations' traditions, the City has embarked on a Witness Reconciliation Program. The Program's City Family (comprised of Songhees Nation members, Esquimalt Nation members, Indigenous community members, and members of Victoria City Council) has begun a deep conversation to initiate the agile and evolving process that is working to make the culture, history, and modern reality of local Indigenous Peoples present and apparent throughout the City, and valued in our residents' everyday lives. As a City, we are committed to this work, and, in collaboration with our Indigenous partners, we continue to take the time it needs.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "A. Alto".

Councillor Alto



## **Council Member Motion**

**For the Committee of the Whole Meeting of December 14, 2017**

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**To:** Committee of the Whole

**Date:** December 7, 2017

**From:** Councillor Alto

**Subject:** Witness Reconciliation Program 2018 Budget allocation

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### **Motion:**

That the following Motion be forwarded to and considered at the January 4, 2018, Committee of the Whole:

Whereas Reconciliation with First Peoples remains a priority for the City of Victoria,

Whereas the City of Victoria is actively engaged in a Witness Reconciliation Program in partnership with the Songhees and Esquimalt Nations,

Whereas the Witness Reconciliation Program will proceed through 2018 and beyond, and its work will require financial commitment and support,

Be it thus resolved that any funds unspent from the 2017 budget allocation to the Witness Reconciliation Program be rolled over into 2018, and

Be it further resolved that the 2018 city budget include an additional \$50,000 allocation for the Witness Reconciliation Program, funded from the 2017 surplus.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Alto".

Councillor Alto



## **Minutes with Motions regarding the Witness Reconciliation Program**

From the February 11, 2016 Council Meeting:

### **1. Terms of Reference for the Truth and Reconciliation Commission's Call to Action Task Force**

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council direct staff to consult with the Esquimalt and Songhees Nations, through the Mayor's Office with assistance from Protocol staff, regarding their interest in participating in a Truth and Reconciliation task force and for any comments on the draft Terms of Reference.

That Council approve an amendment to the Terms of Reference to have two Council Liaisons appointed to the task force.

That Council consult with the First Nations and receive their advice and recommendations regarding the Truth and Reconciliation report, and then deliver a packaged report to the Capital Regional District, all Capital Regional District municipalities, and the Electoral Areas for their consideration.

**Carried Unanimously**

From the June 22, 2017 Council Meeting – Rise and Report:

### **a. From the June 15, 2017 Closed Council Meeting**

1. That the City Task Force formerly called the Truth and Reconciliation Commission's (TRC's) Calls to Action Task Force be now called the Witness Reconciliation Program.
2. That the draft Terms of Reference previously associated with the former Truth and Reconciliation Commission's (TRC's) Calls to Action Task Force be replaced with the concepts outlined in this Report as the Witness Reconciliation Program.
3. That Council approves the concepts expressed herein as the Witness Reconciliation Program, and directs the Mayor in collaboration with the City Family and Witnesses, and such others as may be needed throughout the Program, to carry out the Program.
4. That updates on the progress of the Witness Reconciliation Program be presented to Council as part of the City's quarterly report.
5. That Council appoint the following individuals to the City Family at this time:
  - Mayor Lisa Helps
  - Councillor Marianne Alto
  - Councillor Charlayne Thornton-Joe
  - Brianna Dick (Songhees Nation)
  - Katie Hooper (Esquimalt Nation)
  - Carey Newman (Community)
  - Janice Simcoe (Community/Academic)
6. That Council rise and report on this Reconciliation Witness Program at the discretion of the Mayor.

**Carried Unanimously**

From the December 14, 2017 Council Meeting:

### **Main motion as amended:**

That the following motion be forwarded to and considered at the January 4, 2018, Committee of the Whole:

Whereas Reconciliation with First Peoples remains a priority for the City of Victoria,

Whereas the City of Victoria is actively engaged in a Witness Reconciliation Program in partnership with the Songhees and Esquimalt Nations,

Whereas the Witness Reconciliation Program will proceed through 2018 and beyond, and its work will require financial commitment and support,

Be it thus resolved that any funds unspent from the 2017 budget allocation to the Witness Reconciliation Program be rolled over into 2018, and

Be it further resolved that the 2018 city budget include an additional \$50,000 allocation for the Witness Reconciliation Program, funded from the 2017 surplus.

That Council request that the three council members of the city family provide a short summary for Council on the work undertaken in 2017.

**On the main motion as amended:**  
**Carried Unanimously**

From the January 11, 2018 Council Meeting:

**1. Witness Reconciliation Program**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Isitt:

Be it resolved that any funds unspent from the 2017 budget allocation to the Witness Reconciliation Program be rolled over into 2018, and

Be it further resolved that the 2018 city budget include an additional \$50,000 allocation for the Witness Reconciliation Program, funded from the 2017 surplus, subject to any expenditures, beyond meeting expenditures, be reported to Council for approval.

**Carried Unanimously**