

Questions emailed to Mayor Helps and her responses. The mayor was given a week to respond. Some of Focus' questions and the mayor's responses did not appear in the final story due to space limitations.

**Q1.** Under which of the five TRC “Calls to Action for Municipal Government” did removal of the Macdonald statue fall?

**A:** Not every act of Reconciliation is specifically dictated by a single TRC Action. The entirety of the TRC Report suggests the complexities that will challenge government at every level as they strive to take actions that are meaningful and make a real difference in relationships between Indigenous and non-Indigenous communities.

That said, the opening lines of the TRC Report note:

*Canada’s residential school system for Aboriginal children was an education system in name only for much of its existence. These residential schools were created for the purpose of separating Aboriginal children from their families, in order to minimize and weaken family ties and cultural linkages, and to indoctrinate children into a new culture—the culture of the legally dominant Euro-Christian Canadian society, led by Canada’s first prime minister, Sir John A. Macdonald.*

And further:

*Getting to the truth was hard, but getting to reconciliation will be harder. It requires that the paternalistic and racist foundations of the residential school system be rejected as the basis for an ongoing relationship.*

And finally, the Truth and Reconciliation Commission's Principles of Reconciliation

*4. Reconciliation requires constructive action on addressing the ongoing legacies of colonialism that have had destructive impacts on Aboriginal peoples' education, cultures and languages, health, child welfare, the administration of justice, and economic opportunities and prosperity.*

*7. The perspectives and understandings of Aboriginal Elders and Traditional Knowledge Keepers of the ethics, concepts, and practices of reconciliation are vital to long-term reconciliation.*

*9. Reconciliation requires political will, joint leadership, trust building, accountability, and transparency, as well as a substantial investment of resources.*

These are some of the principles and sentiments on which the decision to relocate the statue from the steps of City Hall to a more appropriate public place and context were made.

**Q2.** #57 of the TRC's calls to action was an education program for municipal government public servants. Has such a program been instituted for City of Victoria staff? If not, at what stage is the development of such a program for City of Victoria staff?

**A:** Five employees from the Mayor/City Manager's office attended a seven hour learning event "Reconciliation – Journey of our Generation" in April 2018 presented by Dialogue and Resolution Services. Many staff also attended a City Hall Lunch Time Lecture Series on December 4, 2017: Speaking our Truth: A Journey of Reconciliation with Monique Gray Smith

Staff are considering how best to provide this education in a formal programmatic way, and are in touch with staff in other jurisdictions (including the CRD) to learn from and collaborate on best practices. This work will be ongoing, and will include learning options for current staff and become part of orientation for new staff.

In the meantime, through the reconciliation work the City has been involved in there have been many opportunities for staff to learn through the work they are doing on reconciliation. Some of these activities include:

- Quarterly dinners of City of Victoria staff and Council with Songhees Nations Chief, Council and staff
- Organizing and hosting Orange Shirt Day in Centennial Square
- Organizing the elders blessing of the downtown wayfinding signage, the sx<sup>w</sup>enx<sup>w</sup>en tənəx<sup>w</sup> Library Branch and the Johnson Street Bridge
- Preparations for and participation in Chief Thomas' funeral
- Hosting and supporting an Indigenous Artist in Residence
- Installation and celebration of Indigenous art in City Hall

**Q3.** Can you explain how the use of a closed meeting to establish the "City Family" process, and your own recommendation to have personal control over release of information about the process, is in keeping with the City's stated approach to Reconciliation ("This work will be done with integrity, an open heart, and a willingness to work in diverse ways and take the time needed.")?

**A:** Throughout this Program, we have tried not to constrain the conversation by requiring conventional processes to limit our progress. However to appoint individuals to the family we followed the City's process of appointments to committees which is that appointments are made in a closed meeting. Once that was done, that decision was immediately brought to the next open Council meeting, where all the materials on which the decision was made were made public.

The City Family was announced publicly with a press release and a "rise and report" on the closed report where the members has been appointed. At the same time, City Council and the

City Family took a further step and held a public Witness Ceremony at the Royal BC Museum as part of the Aboriginal Cultural Festival.

The work of is about truth-telling and relationship building, first with the Songhees and Esquimalt Nations and then with the wider community. It is in this spirit that we are doing this with integrity, an open heart, and a willingness to work in diverse ways and take the time needed.

**Q4.** Between the June 15, 2017 meeting at which the “City Family” was appointed and the August 2018 CotW meeting at which the City Family made public its recommendation to remove the statue, did you release any information to the public about what the City Family was considering? If so, what information did you release?

**A:** What I can say is that I understand that this process didn't feel good to the public and that I wish we had known or thought to keep the public and Council more in the loop about the work of the City Family, in a way that also feels true to the Family's process. That is the big lesson learned from this - the hunger the community has to participate in reconciliation and the feeling that this process somehow took that away from them.

In 2017, in the wake of the Charlottesville tragedy, attention in Victoria turned to the Sir John A. MacDonald statue. An August 2017 *Times Colonist* headline reveals, “Victoria mulls future of Sir John A. MacDonald statue.” Councillor Thornton-Joe is quoted as saying, “We'll look at what should be considered and what the First Nations would like to see, whether it's removal, to a new location or adding a plaque to add more historical context.”

In September 2017 I wrote a *Times Colonist* op-ed on the statue once again outlining the purpose and scope of the City Family and the Witness Reconciliation Program and noted that whatever actions we take must be guided by the Songhees and Esquimalt witnesses.

As in the initial stages of any important relationship – and it is on relationships which Reconciliation is founded – a significant period of time was needed to develop trust, candor, safety, and an understanding that for this beginning time, Family members could be certain that what they shared – often personal, painful stories – would remain in the Family.

As the Program evolves and adapts, the Family will grow and learn how to continue to work within the framework of the Program, maintaining the integrity of the process, and also to enhance the Program to be more wide-ranging and observable. But it remains important to remember that the City has committed to respecting a new, different way of working on reconciliation, one that is in keeping with the principles of the TRC and developed with Songhees and Esquimalt Nations.

**Q5.** Your secrecy around this initiative may have resulted in real damage being done to the prospects for genuine reconciliation with First Nations locally, yet the removal of such a statue doesn't appear to be included in the recommendations of the TRC. If you are re-elected, will you resign from your position on the City Family?

**A:** If I am re-elected I am committed to continuing to facilitate the City's Reconciliation journey, within the Witness Reconciliation Program and in the many other ways we can act to reconcile with, and recognize the contributions and value of the Songhees and Esquimalt Nations on whose homeland the City is located. I also dispute the assertion that unconventional process that respects Indigenous values and history equals secrecy. The Truth and Reconciliation Commission report notes in its conclusion that "Reconciliation will be difficult to achieve until Indigenous peoples' own traditions for uncovering truth and enhancing reconciliation are embraced as an essential part ... of truth determination, dispute resolution and reconciliation."

Chief Elsner investigation

(The points I will raise are based on Police Complaint Commissioner Stan Lowe's Dec 18, 2015 report)

**Q1.** Why did you believe that the Police Board was not entitled to information about the Elsner situation?

**Short Answer:** We were advised by our lawyer that the Board was entitled to only limited and general information about the matter until after we as the discipline authority had completed the process when the Board should be fully briefed. We followed that advice.

**Longer Answer:** Immediately upon being made aware of potential discipline issues involving former Chief Constable Elsner and before we did anything at all, Mayor Desjardins and I sought legal advice. Our lawyer promptly consulted with the Police Complaint Commissioner on our behalf and sought his direction.

As you can no doubt appreciate, while this type of thing is the everyday business of the PCC, it is not for Mayor Desjardins and me. We were advised by our lawyer that we were to tell the Police Board in general terms about the matter at hand and we did so immediately. We were also advised by our lawyer that because we, and not the Board, were the discipline authority under the Police Act we were to proceed with the matter without further involving the Board.

We were told that involving the Board further in the process was not in accordance with the Act, would not be procedurally fair and would compromise the process.

We received written confirmation from our lawyer on November 11, 2015, that she had spoken with the Deputy PCC on October 30, 2015 and he had confirmed that all steps taken to that date, including the information provided to the Board, had been appropriate. Unfortunately in hindsight, we did not insist that either the PCC or his Deputy provide their instructions to our lawyer in written form. The PCC's press release of December 18, 2015 is obviously not consistent with what his Deputy advised our lawyer.

**Q2.** Why did you allow false and misleading information (as Lowe claims) to be provided to the VicPD member whose wife Elsner had exchanged tweets?

**Short Answer:** We did not permit false and misleading information to be provided to the VicPD member whose wife had exchanged tweets with Elsner.

**Longer Answer:** We did not provide false or misleading information to the VicPD member whose wife had exchanged tweets with Elsner.

We were instructed by our lawyer that PCC required us to do four things: meet with the VicPD member whose wife was involved in the matter and advise him generally of the investigation, meet with the Chief and advise him that there was going to be an investigation, advise the Board of the matter and hire an independent investigator. Although we were most uncomfortable meeting with the VicPD member who was impacted, we reluctantly agreed to meet with him after the PCC insisted that we do so. After we had done each of the four things we were directed to do the investigation proceeded without our interference.

It has now been determined by another discipline authority in an external discipline process that former Chief Elsner provided false information to the VicPD member whose wife was involved in the matter. That is very serious misconduct and worthy of significant discipline.

The apparent providing of false information to the VicPD member by former Chief Elsner was something completely beyond our control. Further, it was not part of what the PCC had authorized Mayor Desjardins and I to pursue through the internal discipline process. Our mandate as authorized by the PCC was very limited. We were authorized to deal only with the issues of whether Elsner had engaged in an inappropriate relationship with the wife of a VicPD member and whether he had improperly used police social media accounts.

## Your Chairpersonship of the CALWMC

**Q1.** While the CALWMC consideration of options to McLoughlin Point was under your political leadership, control of the process was seized from local government by the provincial government. There is no record that you objected to this seizure, even though an estimated \$2 million in consulting fees and various municipal governments' staff time—and over a year of broad community effort—had been invested in the consideration of options. Why did you not fight to keep local control of this project?

**A:** The first step I took when I was appointed as chairperson of the CALWMC in May 2015 was to bring a motion that laid out the costs of keeping the Seaterra staff and program in place even though we were clearly not building a sewage treatment plant at that time. Keeping the Seaterra staff on would have cost taxpayers approximately \$3 million over a 29 month period. The Committee agreed with my recommendation and the Seaterra program was disbanded, clearing the path for a new process and a new plan.

As Chair of the CALWMC I worked diligently with the community to set in place a process that would arrive at a solution that everyone could live with. We got to that solution in the fall of 2016 with an almost unanimous endorsement of a tertiary treatment plant at McLoughlin Point.

Because I had built a good relationship with the Provincial government, and in particular with Minister Fassbender and his staff, I helped bring to bring the Province to the table to “take over” the project from us as I could see the benefit of so doing and the significant expertise that would come along with it. Also I knew that if we were left to our own devices, there was a very large risk that we would lose the \$500 million in senior government funding.

## Your record on Victoria’s largest-ever infrastructure project

**Q1**In July, 2015, Jonathan Huggett told councillors that north-side fendering had not been included in the PCL contract, but that the bridge could be significantly damaged by a south-bound loaded barge. Three years later, the bridge remains unprotected and no plan or costs have been made public for this necessary work. What is your explanation for not ensuring that the huge investment made by Victoria taxpayers be protected from a risk that occurs several times a week?

**A:** The south side fendering and in-channel fendering is in place and fully protecting the bridge. The north side fendering requires careful consideration of options and costs and consultation with stakeholders. The City has ensured that its investment is adequately protected.

**Q2:** Based on information in emails obtained by Focus through FOI, the City of Victoria was misled by professional engineers Jonathan Huggett and Keith Griesing regarding the circumstances that led to repairs (bolted-on plates) that needed to be made to the new bridge during construction. Professional engineers are required by their professional code of ethics not to mislead their clients. Has the City of Victoria lodged a complaint with EGBC? If not, why not?

**A:** The Engineer of Record carried out a full top-to-bottom inspection of the bridge and provided a certificate of assurance to the City that all work has been performed in accordance with the contract. To suggest anything else is misrepresenting the facts.

**Q3:** When Focus first raised the bolted-on plates repair issue, you refused to answer our questions. Then, following publication of our story, you tried to publicly discredit the validity of our story. The record of communications with Mr Huggett at that time, since obtained by FOI, shows you had been provided with no evidence to support your adamant stance, yet when questioned further you again refused to answer our questions on the basis that we could not be trusted. The records we obtained from Mr Huggett's record of communications on this issue show that you put your trust in the wrong place. Do you disagree with this summary of how you responded to this issue?

**A:** I disagree with your assessment that I put my trust in the wrong place. Jonathan Huggett was brought onto this project in the spring of 2015, just after I was elected, to do an independent assessment of the bridge project, which was – to put it in the best possible light – struggling significantly at the time. From the moment that Jonathan Huggett came to the project he talked straight with both Council and the public. He told us when things weren't going well, for example, rejecting the original bridge steel, and he told us when things were going well. Based on his work on the project for the past three years I put my trust in him. And now I put my trust in what the records show, which is that the City received a certificate of assurance for the bridge that it is complete and safe and meets all of the contract requirements.

Question for the article on CRD Origin Destination Travel survey and Mayor Helps' public statement on cycling infrastructure

1. In the April 28, 2018 Times Colonist you were quoted as saying: “The bike counter on Harbour Road at the beginning of the Galloping Goose [trail] has gone from 1,500 people per day to 2,500 people per day since the bridge opened...Obviously I can’t even speak...that’s so staggering. I think we knew it would have some impact, but to see that much more traffic because there’s now a safe way to get Downtown is really something.”

That level of increase in participation in cycling between the end of March and the end of April is a predictable annual event. Data collected by the GVCC in 2010 shows the number of cyclists crossing the Johnson Street Bridge and observes a similar increase between March and April. The numbers of cyclists using the bridge now appears to be less than what former Councillor John Luton claimed (4000 per day, on average) in 2010. Your statement, published by the Times Colonist, is, in effect, public misinformation. Do you disagree with that characterization of your public statement?

**A:** My statement was enthusiasm to see so many people on their bicycles. There is no doubt that the new bridge is safer for people riding bikes than the old bridge; my statement reflects that. We don’t have up-to-date numbers on the bridge itself and it’s important to remind people that the Eco-counter on Harbour Road does not account for all the bike traffic using the Johnson Street Bridge – Esquimalt Road/E&N carry significant bike volumes. We will put sensors on the bridge going forward as part of the City’s Smart City focus. But in the meantime, here are some numbers that your readers will find interesting.

Between March 31/18 and August 22<sup>nd</sup> , average weekday, weekly, and monthly counts at the Eco counter are up, in comparison to similar time periods from previous years:

Time Period	Average weekday	Average weekly	Average monthly
March 31-August 22, 2018	2826 (+16% from 2017)	16890 (+15% from 2017)	61928 (+15% from 2017)
March 31-August 22, 2017	2421	14717	53962
March 31-August 22, 2016	2390	14573	53433
March 31-August 22, 2015	2297	14688	51407

Finally, some annual comparisons for the Harbour Road Eco-counter for the period between January 1<sup>st</sup> and August 22:

Time Period	Total counts
January 1 - August 22, 2018	476370 (+17% from 2017)
January 1 - August 22,	408715

2017	
January 1 - August 22, 2016	426167
January 1 - August 22, 2015	412019

The initial Pandora bike lane ridership numbers were approximately 1500 riders per day after it opened in 2017, which is reflected on the City's websites. GVCC and CRD routinely do counts at different parts of the City, and have additional statistics for those samples.