

Subject: Notice of Motion Jan. 5/04

Date: Mon, 9 Feb 2004 11:53:13 -0800

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Notice of Motion - Report Councillor Crist

That Council receive a legal opinion as to whether the motion made by Mayor Bell and seconded by Councillor Harris at the Regular meeting of Council on Monday Jan. 5, 2004 following the defeat of a motion submitted by Councillor Crist to seek legal clarification as to whether members of Council, who are appointed to the Rec Commission by Council and who receive free Recreation passes both for themselves and members of their families from the Rec Commission, as the case may be, are in violation of the conflict of interest policy as stipulated by both Council policy and/or the Municipal Charter, was not in itself in violation of the Conflict of Interest policies..

Rationale

A resolution submitted by Councillor Crist to seek a legal opinion as to whether members of Council who are appointed to the Rec Commission by Council and who receive free passes from the Rec Commission are in a potential conflict of interest situation and must subsequently either excuse themselves if and when matters pertaining to the Rec Commission come before Council and/or will have to forego such benefits was defeated at the request of Mayor Bell.

This "ersatz" motion by Mayor Bell may have been ultra vires since a request for a legal opinion on a potential conflict of interest matter pertaining to members of Council is not and should not be defeated at the request of a member of Council, including Mayor Bell, as was the case since such a motion is, in itself, a violation of the conflict of interest guidelines and reeks of bias and cover-up. Notwithstanding, Mayor Bell took it upon himself to request the defeat of the motion submitted by Councillor Crist to seek a legal opinion on the subject.

Mayor Bell, after urging defeat of the motion submitted by Councillor Crist, more or less substituted the motion with another motion calling on the Rec Commission to report back advising which District Council members had requested and received free NVRC passes which, of course, has nothing to do with the conflict of interest issue since to hand out promotional passes to potential clients on a very marginal scale has nothing whatsoever to do with the issue of free passes for members of Council and their families. In any case no such report from the Rec Commission, in line with the motion passed by Council, has been forthcoming either. A follow up in this regard is also long overdue.

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