

MOTION ON NOTICE

3. Investigation Regarding Leak of Confidential Information

MOVER: Councillor Peter Ladner

SECONDER: Councillor

WHEREAS Council met in camera Oct 14, 2008.

WHEREAS it has become public knowledge that confidential information relating to the Athlete's Village in Southeast False Creek presented at that meeting was wrongfully taken at the end of that meeting;

AND WHEREAS that information was leaked to the media;

AND WHEREAS the leak of that information undermined the City's negotiating ability, potentially damaged sales in the Southeast False Creek project, generally causing financial damage to the City;

WHEREAS Sec. 176 of the Vancouver Charter says Council may engage a barrister to investigate and report upon:

- (a) any alleged misfeasance, breach of trust, or other misconduct by:
 - (i) any member of the Council;
 - (ii) any member of any other administrative body;
 - (iii) any employee of the City;
 - (iv) any person having a contract with the City;
- (b) any matter connected with the good government of the City or the conduct of any part of its business, including any business conducted by any other administrative body;

AND WHEREAS Sec. 177 says the barrister so engaged shall without delay make the investigation and report thereon to the Council, and for those purposes shall have full powers of enquiry as set out in the Vancouver Charter;

THEREFORE BE IT RESOLVED

THAT Council engage a barrister to investigate the source of the leak and report back to Council, without delay, in an open meeting, the results of the investigation;

FURTHER THAT Council give authority to the city manager, in consultation with the director of legal services, to appoint an appropriate barrister; and

FURTHER THAT the barrister work in collaboration with the Vancouver Police internal theft investigation, if appropriate.