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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** March 25, 2004  
**File No.:** 0550-06  
**To:** City Manager  
**From:** City Clerk  
**Subject:** Conflict of Interest – Draft Council Policy No. 313

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**RECOMMENDATION:**

THAT Council approve Policy No. 313 (Conflict of Interest).

**BACKGROUND:**

At its January 26<sup>th</sup>, 2004 regular meeting (morning open session), Council requested that a policy be drafted which outlined the procedure to be followed if a question of possible conflict of interest of a member of council were raised to the City Manager. The attached draft policy was circulated by memo to all members of council for comment on March 1<sup>st</sup>, 2004. To date no comments have been received from any member.

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City Clerk

Cc: City Manager  
Deputy City Clerk



# CITY OF KELOWNA

## COUNCIL POLICY MANUAL

POLICY: 313  
PAGE: 1 of 1  
APPROVAL DATE:  
RESOLUTION #:  
REPLACING #: N/A  
DATE OF LAST REVIEW: March 2004

SUBJECT: CONFLICT OF INTEREST

1. In accordance with the *Community Charter*, it is the personal responsibility of each member of Council to be aware in good faith of his or her conflicts of interest and to make the decision to declare them and to conduct him or herself in accordance with that legislation.
2. If a question as to a possible conflict of interest of a member of Council is raised to the City Manager by someone other than that particular member of Council, the City Manager shall notify the member in writing as soon as possible, not including the name of the person raising the question.
3. The City Manager and the member in question shall determine whether it is in the City's best interest to seek legal advice as to the possible conflict of interest from the City's legal service provider.
4. In any event, the member in question may at any time obtain his or her own legal advice as to the possible conflict of interest from his or her own legal advisor.
5. If legal advice is sought by the City Manager from the City's legal service provider as to a possible conflict of interest, the cost of such advice shall be paid for by the City.
6. If legal advice is sought by a member of Council from his or her own legal advisor as to a possible conflict of interest, the cost of such advice shall be paid for by the member.
7. If legal advice is sought by the City Manager from the City's legal service provider as to a possible conflict of interest, the solicitor-client privilege pertaining to that advice is the City's.
8. If legal advice is sought by a member of Council from his or her own legal advisor as to a possible conflict of interest, the solicitor-client privilege pertaining to that advice is the member's.

REASON FOR POLICY: For clarification purposes.

LEGISLATIVE AUTHORITY: Community Charter (Sec. 100)

PROCEDURE FOR IMPLEMENTATION: As outlined in policy.

DRAFT