

Corporate Services and Economic Development Committee
Disposition 38
Tuesday, 17 February 2009, 10:00 a.m.

Notes:

1. Underlining indicates a new or amended recommendation approved by Committee.
2. Reports requiring Council consideration will be presented to Council on 25 February 2009 in Corporate Services and Economic Development Committee Report 37.

POSTPONEMENTS AND DEFERRALS

1. MOTION – POLICY ON SEEKING COST AWARDS

(Deferred from CSEDC meeting of 3 February 2009) ACS2009-CMR-CSE-0001 city wide

That the Corporate Services and Economic Development Committee consider the following motion and forward its recommendation(s) to Council:

That Council confirm its policy on seeking cost awards after successfully defending its positions against community and resident public interest groups such that the City will not seek cost awards from community or resident groups before administrative tribunals and courts unless the case advanced by the community or resident group can reasonably be considered either frivolous, vexatious, in bad faith or an abuse of process under all of the circumstances of the case, subject to concurrence by CSEDC; and

That community or resident groups that challenge the City in court also be asked, as part of the litigation, to confirm that they will similarly not seek costs against the City unless the City has breached any of the above noted factors

CARRIED as amended