

Email: [REDACTED]

April 27, 2021

CONFIDENTIAL

[REDACTED]

Dear [REDACTED]:

Re: Access to Information Request #2021-010 – Fossil Fuel

This is further to your access to information request received by the City on February 16, 2021, revised as follows:

All correspondence (letter and e-mail) to Councillor LeBlanc, Councillor Shaw and the Mayor regarding Councillor Dan LeBlanc's January 20, 2021 motion proposing to ban fossil fuel companies from sponsorship, naming rights and advertising policies for city operations. Between the dates of January 20, 2021 to January 28, 2021. Service request emails are not required.

Copies of the same types of emails are not required. One copy of the email with a number count of how many of each of emails were received by each of the recipients outlined in the paragraph above will be required.

The City is providing a partial release of the records. Pursuant to section 8 of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP), some of the information contained in the attached has been redacted. The redactions are pursuant to

- 18(1)(c)(i) – information that could be harmful to a third party resulting in financial loss.
- S8(1) - personal information of another individual.
- Non-responsive records – information that is non-responsive to the request.

I have included a copy of all above noted sections of the Act.

Access to the records will be provided to you in One Drive. An email will be sent with further instructions regarding accessing the records.

Instead of receiving a copy of multiple redacted emails containing the same subject line, you requested a count of the quantity of emails received by the City for these subject lines. Below is a table outlining this information:

Subject Line:	Mayor	Councillor Leblanc	Councillor Shaw
Canadian Energy is Responsible Energy	72	51	58
Don't Attack Canadian Jobs	96	57	64
Extreme Disappointment	69	50	50
I Support Canadian Energy	96		77
Municipal Politics Should be Free of Provincial Interference	154		
No Sponsorship by Fossil Fuel Companies	1		
Please Reconsider	73		40
Recent Energy Company Sponsorship		1	
Regarding the Oil & Gas Motion	64		47
Support Canadian Energy Families	154	79	
Support Our Employers	76		51
Support Saskatchewan Families	76		64
Vote to Support Oil & Gas Families	145	1	13
We Need Canadian Energy	85		40

This is also further to my letter March 12, 2021 in which you were advised that pursuant to Section 33(1) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP), third party notification was required.

As noted in section 35 of LA FOIP, any third party has 20 days following that notification, to agree to release or make representations to the City as to why access should not be provided to a record or part of a record.

In the event any third party provides representations the City disagrees with, or if any third party does not respond to the notification, section 36(1)(a) states that the City is required to make a decision on whether to give access to the record(s). Any third party, and the applicant must be advised of that decision.

The City disagreed with the representations from multiple third parties regarding the records in question. The City's decision is to release the records with redactions applied.

You will be given access to the records in accordance with the decision after 20 days have elapsed unless you or any third party requests a review under section 38 of LA

FOIP. If a review is requested, the records will be withheld until after the review is complete.

This is also to acknowledge receipt of your \$1,031 processing fee deposit received by the City on March 11, 2021.

The estimate exceeded the total time spent processing your access to information request. The City will be issuing you a refund of \$252.50 as outlined in the table below. You will be contacted by an employee in our administration area to arrange for your refund.

Fee Type	# of Staff	Fee Calculations				Fees
Paper & Electronic records - Time to search for and retrieve responsive information.	3	9.75	hr(s)	\$30	/hr	\$292.50
Electronic - Email Conversion from .msg to pdf	3	1948	pg(s)	0.25	/pg	\$487.00
Time required to prepare records for disclosure	1	3.3	hr(s)	\$30	/hr	\$99.00
Subtotal:						\$878.50
Fees waived						-\$100.00
USB Drive		0	USB	\$14	/ea	\$0.00
Total Actual Fees:						\$778.50
Less Deposit - (50% of Estimate):						\$1,031.00
Final Amount Owing						-\$252.50

If you wish to exercise your right to request a review of this decision, you may complete a Request for Review form and forward it to the Saskatchewan Information and Privacy Commissioner within one year of this notice. You may contact the Saskatchewan Information and Privacy Commissioner at 306-787-8350.

Responses to requests may be published on the Regina Open Data website at the City's discretion. All information/data is handled in accordance with LA FOIP. Your identity as the applicant is protected. Published requests will be available on the Open Data website at <http://open.regina.ca/> a minimum of three business days following release to you.

If you have any questions, please contact Cindy Howden at 306-777-7263 or by email at lafoip@regina.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'Jim Nicol', with a stylized flourish at the end.

Jim Nicol
City Clerk

/ch

Enclosure(s)

LOCAL AUTHORITY FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY

7
e. L-27.1

(4) Where an application is made with respect to a record that is exempt from access pursuant to this Act, the head may refuse to confirm or deny that the record exists or ever did exist.

(5) A head who fails to give notice pursuant to subsection (2) is deemed to have given notice, on the last day of the period set out in that subsection, of a decision to refuse to give access to the record.

1990-91, c.L-27.1, s.7.

Severability

8 Where a record contains information to which an applicant is refused access, the head shall give access to as much of the record as can reasonably be severed without disclosing the information to which the applicant is refused access.

1990-91, c.L-27.1, s.8.

Fee

9(1) An applicant who is given notice pursuant to clause 7(2)(a) is entitled to obtain access to the record on payment of the prescribed fee.

(2) Where the amount of fees to be paid by an applicant for access to records is greater than a prescribed amount, the head shall give the applicant a reasonable estimate of the amount, and the applicant shall not be required to pay an amount greater than the estimated amount.

(3) Where an estimate is provided pursuant to subsection (2), the time within which the head is required to give written notice to the applicant pursuant to subsection 7(2) is suspended until the applicant notifies the head that the applicant wishes to proceed with the application.

(4) Where an estimate is provided pursuant to subsection (2), the head may require the applicant to pay a deposit of an amount that does not exceed one-half of the estimated amount before a search is commenced for the records for which access is sought.

(5) Where a prescribed circumstance exists, the head may waive payment of all or any part of the prescribed fee.

1990-91, c.L-27.1, s.9.

Manner of access

10(1) Where an applicant is entitled to access pursuant to subsection 9(1), the head shall provide the applicant with access to the record in accordance with this section.

(2) A head may give access to a record:

- (a) by providing the applicant with a copy of the record; or
- (b) where it is not reasonable to reproduce the record, by giving the applicant an opportunity to examine the record.

(3) A head may give access to a record that is a microfilm, film, sound recording, machine-readable record or other record of information stored by electronic means:

- (a) by permitting the applicant to examine a transcript of the record;

**LOCAL AUTHORITY FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY**

23

c. L-27.1

Waiver of notice

34(1) A third party to whom a notice is required to be given pursuant to subsection 33(1) may waive the requirement for notice.

(2) A third party who consents to the giving of access to a record containing information described in subsection 33(1) is deemed to have waived the requirement for notice.

1990-91, c.L-27.1, s.34.

Right to make representations

35(1) A third party who is given notice pursuant to subsection 33(1):

(a) is entitled to make representations to the head as to why access to the record or part of the record should not be given; and

(b) within 20 days after the notice is given, shall be given the opportunity to make those representations.

(2) Representations made by a third party pursuant to clause (1)(b) shall be made in writing unless the head waives that requirement, in which case they may be made orally.

1990-91, c.L-27.1, s.35.

Decision

36(1) After a third party has been given an opportunity to make representations pursuant to clause 35(1)(b), the head shall, within 30 days after the notice is given:

(a) decide whether or not to give access to the record or part of the record; and

(b) give written notice of the decision to the third party and the applicant.

(2) A notice given pursuant to clause (1)(b) is to include:

(a) a statement that the third party and applicant are entitled to request a review pursuant to section 38 within 20 days after the notice is given; and

(b) in the case of a decision to give access, a statement that the applicant will be given access to the record or to the part of it specified unless, within 20 days after the notice is given, the third party requests a review pursuant to section 38.

(3) Where, pursuant to clause (1)(a), the head decides to give access to the record or a specified part of it, the head shall give the applicant access to the record or the specified part unless, within 20 days after a notice is given pursuant to clause (1)(b), a third party requests a review pursuant to section 38.

(4) A head who fails to give notice pursuant to clause (1)(b) is deemed to have given notice, on the last day of the period set out in subsection (1), of a decision to refuse to give access to the record.

1990-91, c.L-27.1, s.36.

LOCAL AUTHORITY FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY

15

c. L-27.1

- (c) information, the disclosure of which could reasonably be expected to:
 - (i) result in financial loss or gain to;
 - (ii) prejudice the competitive position of; or
 - (iii) interfere with the contractual or other negotiations of;
 a third party; or
 - (d) a statement of a financial account relating to a third party with respect to the provision of routine services from a local authority.
- (2) A head may give access to a record that contains information described in subsection (1) with the written consent of the third party to whom the information relates.
- (3) Subject to Part V, a head may give access to a record that contains information described in clauses (1)(b) to (d) if:
- (a) disclosure of that information could reasonably be expected to be in the public interest as it relates to public health, public safety or protection of the environment; and
 - (b) the public interest in disclosure could reasonably be expected to clearly outweigh in importance any:
 - (i) financial loss or gain to;
 - (ii) prejudice to the competitive position of; or
 - (iii) interference with contractual or other negotiations of;
 a third party.

1990-91, c.L-27.1, s.18.

Testing procedures, tests and audits

19 A head may refuse to give access to a record that contains information relating to:

- (a) testing or auditing procedures or techniques; or
- (b) details of specific tests to be given or audits to be conducted;

if disclosure could reasonably be expected to prejudice the use or results of particular tests or audits.

1990-91, c.L-27.1, s.19.

Danger to health or safety

20 A head may refuse to give access to a record if the disclosure could threaten the safety or the physical or mental health of an individual.

1990-91, c.L-27.1, s.20.

20

c. L-27.1 LOCAL AUTHORITY FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY

Standard of accuracy

26 A local authority shall ensure that personal information being used by the local authority for an administrative purpose is as accurate and complete as is reasonably possible.

1990-91, c.L-27.1, s.26.

Use of personal information

27 No local authority shall use personal information under its control without the consent, given in the prescribed manner, of the individual to whom the information relates, except:

- (a) for the purpose for which the information was obtained or compiled, or for a use that is consistent with that purpose; or
- (b) for a purpose for which the information may be disclosed to the local authority pursuant to subsection 28(2).

1990-91, c.L-27.1, s.27.

Disclosure of personal information

28(1) No local authority shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, of the individual to whom the information relates except in accordance with this section or section 29.

(2) Subject to any other Act or regulation, personal information in the possession or under the control of a local authority may be disclosed:

- (a) for the purpose for which the information was obtained or compiled by the local authority or for a use that is consistent with that purpose;
- (b) for the purpose of complying with:
 - (i) a subpoena or warrant issued or order made by a court, person or body that has the authority to compel the production of information; or
 - (ii) rules of court that relate to the production of information;
- (c) to the Attorney General for Saskatchewan or to his or her legal counsel for use in providing legal services to the Government of Saskatchewan or a government institution;
- (d) to legal counsel for a local authority for use in providing legal services to the local authority;
- (e) for the purpose of enforcing any legal right that the local authority has against any individual;
- (f) for the purpose of locating an individual in order to collect a debt owing to the local authority by that individual or make a payment owing to that individual by the local authority;