

Email: [REDACTED]

August 16, 2023

CONFIDENTIAL

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]:

Re: Access to Information Request #2023-098 Removal of Porta Potties from Pepsi Park

This is further to your access to information request received by the City on June 19, 2023, interpreted as follows:

Time period: June 1-16, 2023.

Any correspondence in any format from or to any person (includes corporations, sole proprietorships, and/or their directors, officers, or representatives) employed by or engaged by the City of Regina in respect of the removal of porta potties from Pepsi Park on or about June 10, 2023. Any directly or indirectly related correspondences of the city manager, mayor, and any city councilors are also hereby requested. This request includes any authorizations and/or any details of any contracts, including any compensation paid to any third party.

We have processed your access request and records relevant to the request are attached. 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 redaction is pursuant to:

- 16(1)(a)(b): Advice, proposals, recommendations, consultations, or deliberations involving officers or employees of the local authority.
- 16(1)(b): Consultations or deliberations involving officers or employees of the local authority.
- 21(a)(b)(c): Information that is solicitor-client privileged.
- 28(1): Personal Information of another person.
- Non-responsive: Information that is not relevant and does not reasonably relate to the request.

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

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 Jessee Cole at 306-777-7058 or by email at [lafoip@regina.ca](mailto:lafoip@regina.ca).

Yours truly,

A handwritten signature in black ink, appearing to read 'Jim Nicol', written over a light blue horizontal line.

Jim Nicol  
City Clerk

/jc

LOCAL AUTHORITY FREEDOM OF INFORMATION  
AND PROTECTION OF PRIVACY

7

c. 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;

12

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

- (l) reveal technical information relating to weapons or potential weapons; or
  - (m) reveal the security arrangements of particular vehicles, buildings or other structures or systems, including computer or communication systems, or methods employed to protect those vehicles, buildings, structures or systems.
- (2) Subsection (1) does not apply to a record that:
- (a) provides a general outline of the structure or programs of a law enforcement agency; or
  - (b) reports, by means of statistical analysis or otherwise, on the degree of success achieved in a law enforcement program.

1990-91, c.L-27.1, s.14; 2003, c.29, s.33 2017,  
c.17, s.8.

**Documents of a local authority**

- 15(1) A head may refuse to give access to a record that:
- (a) contains a draft of a resolution or bylaw; or
  - (b) discloses agendas or the substance of deliberations of meetings of a local authority if:
    - (i) an Act authorizes holding the meetings in the absence of the public; or
    - (ii) the matters discussed at the meetings are of such a nature that access to the records could be refused pursuant to this Part or Part IV.
- (2) Subject to section 29, a head shall not refuse to give access pursuant to subsection (1) to a record where the record has been in existence for more than 25 years.

1990-91, c.L-27.1, s.15.

**Advice from officials**

- 16(1) Subject to subsection (2), a head may refuse to give access to a record that could reasonably be expected to disclose:
- (a) advice, proposals, recommendations, analyses or policy options developed by or for the local authority;
  - (b) consultations or deliberations involving officers or employees of the local authority;
  - (c) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the local authority, or considerations that relate to those negotiations;
  - (d) plans that relate to the management of personnel or the administration of the local authority and that have not yet been implemented; or
  - (e) information, including the proposed plans, policies or projects of the local authority, the disclosure of which could reasonably be expected to result in disclosure of a pending policy or budgetary decision.

16

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

**Solicitor-client privilege**

**21** A head may refuse to give access to a record that:

- (a) contains any information that is subject to any privilege that is available at law, including solicitor-client privilege;
- (b) was prepared by or for legal counsel for the local authority in relation to a matter involving the provision of advice or other services by legal counsel; or
- (c) contains correspondence between legal counsel for the local authority and any other person in relation to a matter involving the provision of advice or other services by legal counsel.

1990-91, c.L-27.1, s.21; 2017, c.17, s.9.

**Confidentiality provisions in other enactments**

**22(1)** Where a provision of:

- (a) any other Act;
- (b) a regulation made pursuant to any other Act; or
- (c) a resolution or bylaw;

that restricts or prohibits access by any person to a record or information in the possession or under the control of a local authority conflicts with this Act or the regulations made pursuant to it, the provisions of this Act and the regulations made pursuant to it shall prevail.

(2) Subject to subsection (3), subsection (1) applies notwithstanding any provision in the other Act, regulation, resolution or bylaw that states that the provision is to apply notwithstanding any other Act or law.

(3) Subsection (1) does not apply to:

- (a) *The Health Information Protection Act*;
- (a.01) Part VIII of *The Vital Statistics Act, 2009*;
- (a.1) any prescribed Act or prescribed provisions of an Act; or
- (b) any prescribed regulation or prescribed provisions of a regulation;

and the provisions mentioned in clauses (a), (a.01), (a.1) and (b) shall prevail.

1990-91, c.L-27.1, s.22; 1999, c.H-0.021, s.68;  
2009, c.32, s.7.

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;