January 17, 2018

Re: Request for access to information under Part 2 of The Freedom of Information and Protection of Privacy Act: Application Number 17 12 1069

On December 18, 2017, the City of Winnipeg received your request for access to the following:

Please provide me with the following briefing materials presented to the CAO:
1. “Lease between Riverside Park Management Inc. and the City of Winnipeg” dated July 5, 2017
2. “Officer Involved Shooting” dated July 17, 2017
5. “Procedure for Setting Outstanding Expropriation Liabilities” dated Oct. 18 2017

Your request for access is partly granted to four of the five records requested, namely:

- “Lease between Riverside Park Management Inc. and the City of Winnipeg” dated July 5, 2017
- “Parker Lands Development” dated Aug. 2, 2017
- “Manitoba-Minnesota Hydro Transmission Project” dated Sept. 26, 2017
- “Procedure for Setting Outstanding Expropriation Liabilities” dated Oct. 18 2017

In “Lease between Riverside Park Management Inc. and the City of Winnipeg,” “Parker Lands Development,” and “Manitoba-Minnesota Hydro Transmission Project” we have severed information that could reveal the substance of advice, analysis and recommendations developed by the public body for ongoing matters, as per s.23(1)(a). This discretionary exception is intended to ensure that full, free and frank advice can be produced by employees of the City.

Advice to a public body
23(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to reveal
(a) advice, opinions, proposals, recommendations, analyses or policy options developed by or for the public body or a minister

In "Lease between Riverside Park Management Inc. and the City of Winnipeg," we have also applied severing under s.28(1)(c)(iii) which is intended to protect the City's negotiating position against interference or prejudice.

Disclosure harmful to economic and other interests of a public body
28(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to harm the economic or financial interests or negotiating position of a public body or the Government of Manitoba, including the following information:
In "Procedure for Setting Outstanding Expropriation Liabilities" we severed information that is subject to solicitor-client privilege, as per s.27(1)(a). The solicitor-client relationship is based on confidentiality and it is in the public interest that all persons have full and ready access to legal advice and that full and frank communication takes place in the solicitor-client relationship.

**Solicitor-client privilege**

27(1) The head of a public body may refuse to disclose to an applicant
(a) information that is subject to solicitor-client privilege

As per s.4(i), the remaining briefing note ("Officer Involved Shooting" dated July 17, 2017) is outside the scope of the Act as the matter discussed in it relates to a pending prosecution. Once this is no longer the case, you can submit a new application for access to the record. You can check with us on its status before submitting the application.

**Records to which this Act applies**

4 This Act applies to all records in the custody or under the control of a public body but does not apply to
(i) a record relating to a prosecution or an inquest under The Fatality Inquiries Act if all proceedings concerning the prosecution or inquest have not been completed;

As required by section 7(2) of the Act, we have severed information that is excepted from disclosure and have provided you with as much information as possible. In accordance with section 14(1)(a) of the Act, a copy of the records is enclosed.

Section 59(1) of the Act provides that you may make a complaint about this decision to the Manitoba Ombudsman. You have 60 days from the receipt of this letter to make a complaint on the prescribed form to the Manitoba Ombudsman (Mail: 750-500 Portage Avenue, Winnipeg MB R3C 3X1; Telephone 204-982-9130 or 1-800-665-0531).

If you have any questions, please call me at (204) 986-3141.

Sincerely,

Denise Jones
Access and Privacy Coordinator
Confidential Briefing Note

To:       Doug McNeil, Chief Administrative Officer  
From:   John Kiernan, Director of Planning, Property and Development  
Date:    July 5, 2017  
Re:       Lease between Riverside Park Management Inc. and the City of Winnipeg  

Summary
23(1)(a), 28(1)(c)(iii)

Recommendation
23(1)(a), 28(1)(c)(iii)

Background:

History:
• On July 23, 1997, Council approved the lease of City-owned property located at 1 Portage Avenue East to Riverside Park Management Inc. for the purpose of constructing a multi-purpose sports and recreational facility, commonly known as Shaw Park. This lease is known as the Master Lease Agreement.

23(1)(a), 28(1)(c)(iii)

• Riverside Park Management Inc. accepted full responsibility for the construction of the facility at its sole cost, effort, and expense.
• The approved lease term was for twenty five (25) years with no extension option, and for an annual rental rate of $1.00. The Master Lease Agreement has an expiry date of July 27, 2023.
• Council has approved a series of amending agreements which permitted for the expansion, including construction of a 2nd level restaurant, erection of a free-standing advertising sign and various parking locations on adjacent City-owned property and public rights of way.
• During the duration of this agreement, the structures and improvements are owned by Riverside, and the land is owned by the City.
• At the expiration of the Master Lease Agreement term, ownership of the structures and improvements will revert to the City of Winnipeg.

Request:
Due Diligence:

Key Issues:
- Riverside has requested an extension of the lease term for Shaw Park.

Cautionary Notes

Current Status/Next Steps:
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23(1)(a), 28(1)(c)(iii)
23(1)(a), 28(1)(c)(iii)
23(1)(a), 28(1)(c)(iii)
23(1)(a), 28(1)(c)(iii)
Summary

- A Secondary Plan is required in advance of development of the Parker Lands, which is identified as a Major Redevelopment Site in Complete Communities.

Recommendation

Background:
Secondary Plan Development
• July 22, 2009, Council concurred in the recommendation of the Standing Policy Committee on Property and Development, as amended, and adopted the following:
  the City of Winnipeg Public Service be directed to prepare a developer led secondary plan for the Fort Rouge lands and the Parker Lands, which secondary planning process shall incorporate appropriate public consultations.
23(1)(a)
Cautionary Notes

Current Status/Next Steps:

Attachments:
23(1)(a)
Confidential Briefing Note

To: Chief Administrative Officer and Chief Transportation and Utilities Officer
From: Moira L. Geer, Director, Water and Waste Department
Date: September 26, 2017
Re: Manitoba-Minnesota Hydro Transmission Project

Summary

Recommendation

Background:
- On December 16, 2016, Manitoba Hydro filed an application with the National Energy Board (NEB) requesting authorization to construct and operate an international transmission line.
- The NEB is initiating a federal environmental assessment process for the Manitoba-Minnesota Hydro Transmission Project.
- As part of the regulatory review process, the Manitoba Clean Environment Commission is reviewing the Manitoba-Minnesota Hydro Transmission Project.

Key Issues:

Cautionary Notes

Current Status/Next Steps:

Attachments:
- Map – Preferred project route
23(1)(a)
23(1)(a)
Confidential Briefing Note

To:       Chief Administrative Officer
From:   John Kiernan, Planning, Property and Development Department
        Krista Boryskavich, Legal Services Department
Date:   November 30, 2017
Re:      Procedure for Settling Outstanding Expropriation Liabilities

Summary

Recommendation

Background:
27(1)(a)
Key Issues:

Cautionary Notes

Current Status/Next Steps: