



City Clerk's Department • Bureau du Greffier

February 26, 2018

**Re: Request for access to information under Part 2 of *The Freedom of Information and Protection of Privacy Act*. Application Number 18 01 124**

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On January 29, 2018, the City of Winnipeg received your application for access to the following:

*Please provide documentation on the balance of the "City Account" with "The Winnipeg Civic Employees' Pension Plan" and documentation on how the city will pay its share of annual pension obligations once the fund is out of funds.*

*Please provide all briefing notes, memos and other reports provided to members of council on this financial issue. The time frame for this request is January 1, 2016 to present.*

Your application contained two requests. The first request is for records that are outside the custody and control of the City of Winnipeg because The Winnipeg Civic Employees Benefits Program is a separate entity from the City. Therefore, under section 4 of the *Act* as it pertains to the City of Winnipeg, your request is outside of the scope of the *Act*. However, the information you have requested is publicly available on The Winnipeg Civic Employees Benefits Program website (<http://wcebp.ca/>) within their 2016 Annual Report (<http://wcebp.ca/Document.aspx?id=16280>). On page 24 of 52, you will note that the Statement of Financial Position discloses the City Account balance as being \$15.6 million as of December 31, 2016. This is the most recent audited financial statement available. Page 14 of 52 also discloses City Account balances for the past five years. On pages 5 to 7 of 52, there is a discussion of how the plan works which, I believe, relates to the information you are seeking.

Our search for the second request resulted in no records found. However, please note that briefing notes and memos are not routinely prepared by the administration for City Councillors. They receive Administrative Reports as part of council and committee meeting agendas, all of which are publicly available through the City's searchable Decision Making Information System (DMIS): <http://clkapps.winnipeg.ca/DMIS/DocExt/Search.asp>. Accordingly, your request for access is refused under section 12(1)(c)(i) of the *Act*.

- 12(1) *In a response under section 11, the head of the public body shall inform the applicant*
- (c) *if access to the record or part of the record is refused,*
    - (i) *in the case of a record that does not exist or cannot be located, that the record does not exist or cannot be located*

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