



**Information and Privacy  
Commissioner/Ontario**  
**Commissaire à l'information  
et à la protection de la vie privée/Ontario**

# **FINAL ORDER M-1073**

**Appeal M-9700219**

**City of Orillia**



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## **NATURE OF THE APPEAL:**

This order represents my final order in respect of the outstanding issues from Interim Order M-1040.

## **BACKGROUND:**

Interim Order M-1040 dealt with the issue of whether the search by the City of Orillia (the City) for records responsive to the appellant's request was reasonable. Specifically, the appellant sought information relating to the names of the individuals on the "Mayor's Action Committee" (the Committee), the projects reviewed by that Committee, and the funding provided for these projects.

In response to the request, the City provided the appellant with copies of a press release and an excerpt from the minutes of a City Council Committee meeting. The press release listed 12 Committee members and described certain Committee activities, and the excerpt identified a project undertaken by the Committee. The City's decision letter also referred to the amount spent on room rentals and lunches for the Committee.

The appellant appealed on the basis that further responsive records exist.

A Notice of Inquiry was sent to both parties prior to the issuance of Interim Order M-1040, requesting representations on the issue concerning the "reasonableness of search" for responsive records. The City did not provide representations.

As a result, I ordered the City to conduct a further search for additional records responsive to all three parts of the appellant's request, and to provide me with a detailed affidavit sworn by the employee of the City who had specific knowledge of the subject matter of the request. If further searches identified additional responsive records, I ordered the City to provide the appellant with an access decision in accordance with sections 19, 21 and 22 of the Act.

## **DISCUSSION:**

### **REASONABLENESS OF SEARCH**

In response to Interim Order M-1040, the City conducted a further search and provided me with an affidavit sworn by the City's Freedom of Information Co-ordinator (the Co-ordinator) who conducted the search.

The affidavit details the steps taken in the search, which included contact with the Mayor's office and the City Manager regarding a review of all relevant files.

As a result of this search, more invoices and purchase requisitions were located, as well as an undated "Suggested Projects" list. The City issued a new decision, formally advising the appellant of the names of all 15 Committee members, and disclosing all newly identified records in their entirety.

Having reviewed the City's affidavit and the new decision letter, I am satisfied that the City has taken all reasonable steps to locate responsive records.

Original signed by: \_\_\_\_\_

\_\_\_\_\_ February 4, 1998

Tom Mitchinson  
Assistant Commissioner