

COMMUNICATION FROM CITY SOLICITOR. Alicia A. McNeil
Procedure for Responding to Record Request
City Council Agenda 3.10.2026

The City's Records Access Officer is Joanne Perperian, and she is a Staff Employee in the Legal Department. Ms. Perperian has a method by which she tracks and responds to record requests to ensure that requestors are provided with the proper records and that information that is exempted from disclosure is redacted. This process maintains the integrity of transparency, while protecting the confidential, privileged and/or personal information of individuals.

On February 19th, Mr. Bruce Friedman sent a records request directly to Councillor Ryan O'Malley and cc'd the Public Records email address. Mr. Friedman requested Councillor O'Malley's OML Complaints dated February 17th and the amended OML Complaint dated February 19th. During my tenure and to my knowledge, Mr. Friedman has not sent requests for records directly to an individual besides the City Clerk, the City Records Access Officer, departmental RAO's and the Public Records email.

Before Ms. Perperian could log the request or check to determine whether any redactions were needed, Councillor O'Malley responded to this request by sending the two OML Complaints directly to Mr. Friedman. By responding to this request, Councillor O'Malley released confidential information that took place in executive session, that would not have been released had it gone through the proper channels.

This is concerning as there is a clear separation between the duties of a City Councillor and that of a City Staff Employee. Ms. Perperian's responsibility is to

manage all record requests that come into the City by assigning them to the correct department, redacting any exempt information, and responding to those requests. Councillor O'Malley's duty is not to manage the day-to-day responsibilities of my staff, nor of any City staff. That is the responsibility of the directors.

Councillor O'Malley's actions impacted the workflow of my department, leading to confusion and the release of confidential information.

This communication is twofold. Firstly, to reinforce the importance of maintaining clear boundaries with respect to the role of the City Councillors and City Staff Employees (in this case the City's Records Access Officer); and secondly, to provide clarity as to the correct procedure City Councillors should follow when any Councillor receives record requests.

Finally, when it comes to the day-to-day operations of the City, that should be left to the Department Heads under the direction of the Mayor.