



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 21, 2014

Via electronic mail

Ms. Rosalee Dodson
Assistant Corporation Counsel
City of Bloomington
109 E. Olive Street
Bloomington, Illinois 61701
rdodson@cityblm.org

RE: FOIA Request for Review – 2013 PAC 26939

Dear Ms. Dodson:

This is our second further inquiry letter concerning the above-referenced Request for Review pursuant to section 3.5(a) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(a) (West 2012)).

To briefly review, on November 13, 2013, Ms. Diane Benjamin, on behalf of the *Bloomington Normal News*, submitted a Request for Review to this office alleging the Bloomington City Council (Council) held meetings in October and November 2013 in violation of OMA.

On November 20, 2013, this office forwarded a copy of the Request for Review to the Council and requested that the Council respond in writing to the allegations in Ms. Benjamin's Request for Review. As of this date, the Council has not responded to the Public Access Bureau.

Section 3.5(b) of OMA (5 ILCS 120/3.5(b) (West 2012)) expressly provides that "[w]ithin 7 business days after receipt of the request for review, the public body shall provide copies of records requested and *shall otherwise fully cooperate with the Public Access Counselor.*" Substantially more than 7 business days have elapsed since we requested from the Council a written response to the allegations in the Request for Review, but the Council has not provided the requested response or otherwise cooperated with our inquiry of this matter.

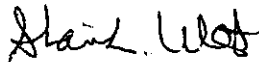
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Accordingly, the **Council should immediately provide this office with a written response.** If you believe that other documents or information would help us as we review this issue, you may submit additional records or affidavits with the requested response.

Please note that under the OMA, we are required to forward a copy of any response from a public body to the requester and provide the requester an opportunity to reply. 5 ILCS 120/3.5(c) (West 2012). The OMA also provides, however, that "[r]ecords that are obtained by the Public Access Counselor from a public body for purposes of addressing a request for review under this Section 3.5 may not be disclosed to the public, including the requester, by the Public Access Counselor. Those records, while in the possession of the Public Access Counselor, shall be exempt from disclosure by the Public Access Counselor under the Freedom of Information Act." 5 ILCS 120/3.5(g) (West 2012). **If your response contains information or documents you believe are confidential, you must clearly identify that specific information in your response.**

Please contact me at (217) 524-7958 if you have questions or would like to discuss this matter. Thank you.

Very truly yours,



Shari L. West
Assistant Attorney General
Public Access Bureau

cc: *Via electronic mail*
Ms. Diane Benjamin
Bloomington Normal News
blnnews@yahoo.com