



Response to Request for Public Records

DENIED: **IN FULL** **IN PART**

On _____, the City received your request for inspection or copying of certain City public records ("**Request**"). The request number is _____.

I. Requested Records

Your Request sought the following records ("Records"):

II. Response to Request

The City's response to your Request is as follows:

Denial of the Request in full as set forth in Section III.

Partial Denial

Denied records as set forth in Section III:

Approved records for release:

Redacted records as set forth in Section III:

III. Justification for Denial of Records or Redactions

Your Request is being denied with respect to the Records outlined above, and/or are being redacted because the Records, or information therein, are exempt from disclosure pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, pursuant to the specific citation(s) below. The detailed factual basis for the application of any exemption claimed is as follows:

Citation to the specific section or sections of the Act containing the applicable exemption or exemptions is identified below:

The Records you have requested are not “public records” under the definition provided in Section 2(c) of the Act.

The Records do not exist and the City is not required to create public records or documents. §1

Contractors’ employees’ addresses, telephone numbers, and social security numbers have been redacted from certified payroll records. § 2.10

Your Request is unduly burdensome because you have repeatedly requested the same Specified Records that are unchanged or identical to previous requests provided or properly denied. § 3(g)

Your Request, couched in categorical terms, is unduly burdensome because the burden on the City of complying with your Request outweighs the public interest in providing the Records, and efforts to reduce your Request to manageable proportions have been unsuccessful. § 3(g)

The reason(s) the Request is unduly burdensome:

The burden(s) on the operations of the City are as follows:

- Disclosure of the Records is prohibited by Federal or State law, rule, or regulation. § 7(1)(a)
 - The applicable Federal or State law, rule or regulation is:

- The Records constitute “private information.” § 7(1)(b)

- The Records constitute “personal information,” the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. § 7(1)(c)

- The Records were created in the course of administrative enforcement proceedings, or any law enforcement or correctional agency for law enforcement purposes and disclosure would (i) interfere with a pending or actually and reasonably contemplated law enforcement proceedings; or (ii) interfere with active administrative enforcement proceedings; or (iii) create a substantial likelihood that a person would be deprived of a fair trial or impartial hearing; or (iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by a confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies, except for traffic accident and rescue reports, or (v) disclose unique or specialized investigative techniques and disclosure would result in demonstrable harm to the City ; or (vi) would endanger the life or safety of law enforcement personnel or other person; or (vii) obstruct an ongoing criminal investigation. § 7(1)(d)

- The Records are preliminary drafts, notes, recommendations, memoranda, or other records in which opinions are expressed or policies or actions are formulated. § 7(1)(f)

- The Records contain trade secrets or commercial or financial information that is furnished under a claim that they are proprietary or confidential and disclosure would cause competitive harm. § 7(1)(g)

- The Records constitute proposals or bids for a contract, grant, or agreement that has not been finally awarded and executed or would, if disclosed, frustrate or compromise the City ’s procurement procedures. § 7(1)(h)

- The Records are valuable formulae, computer geographic systems, designs, drawings, or research data if disclosure could reasonably be expected to produce private gain or public loss. § 7(1)(i)

- The Records are of educational data not required to be disclosed, including test data, evaluation information, student disciplinary information, and faculty course or research materials. § 7(1)(j)
- The Records are architects' plans, engineers' technical submissions, or other construction related technical documents not constructed in whole or in part with public funds, or where disclosure would or could compromise the security of a public building. § 7(1)(k)
- The Records are minutes of closed meetings of the City and are not subject to public inspection pursuant to the Open Meetings Act. § 7(1)(l)
- The Records constitute or reflect communications between the City and an attorney or auditor that are not subject to discovery in litigation or were prepared or compiled at the request of an attorney advising the City in anticipation of criminal, civil, or administrative proceedings or an internal audit of the City. § 7(1)(m)
- The Records relate to a City's adjudication of employee grievances or disciplinary cases. § 7(1)(n)
- Disclosure of the Records would jeopardize the security of a data processing system or the data contained therein. § 7(1)(o)
- The Records relate to employee collective bargaining matters and do not constitute a final collective bargaining agreement. § 7(1)(p)
- The Records are examination data used to determine the qualifications of an applicant for a license or employment. § 7(1)(q)
- The Records relate to pending negotiations for the purchase or sale of real estate or pending or contemplated eminent domain proceedings and are not subject to discovery pursuant to the rules of the Illinois Supreme Court. § 7(1)(r)
- The Records are proprietary information related to the operation of an intergovernmental risk management association, self-insurance pool, or jointly self-administered health and accident cooperative or pool, or are insurance or self-insurance claims, loss, or risk management information, records, data, or communications. § 7(1)(s)
- The Records are information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures. § 7(1)(u)
- The Records concern vulnerability assessments, security measures, or response policies or plans designed to identify, protect, or respond to potential attacks on a community's population or systems, facilities, or installations. § 7(1)(v)

- The Records are maps or other records regarding the location or security of utility facilities. § 7(1)(x)
- The Records relate to proposals, bids, or negotiations for electric power procurement. § 7(1)(y)

Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act. § 7.5(cc)

Other:

IV. **Responsible Official**

The City's FOIA Officer, named below, is the official responsible for this denial.

You have the right to have this decision reviewed by the Public Access Counselor, Sarah Pratt. Her contact information is: Sarah Pratt, Public Access Counselor, Office of the Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706, Phone: 312-814-5526 or 1-877-299-FOIA (1-877-299-3642), Fax: 217-782-1396 -- Email: publicaccess@atg.state.il.us

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

By: CITY OF BLOOMINGTON

Dated:

FOIA Officer