



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

September 7, 2010

Mr. Peter Scales  
City of Chicago Office of Budget and Management  
121 North LaSalle Street  
City Hall, Room 604  
Chicago, Illinois 60602

RE: FOIA Pre-Authorization Request – 2010 PAC 9281

Dear Mr. Scales:

We have received and reviewed the written notice from the City of Chicago Office of Budget and Management (City) of its intention to withhold certain information as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et. seq.*, as amended.

Specifically, on August 6, 2010, [REDACTED] submitted a FOIA request to the City seeking a copy of the Chicago Fire Department's 2011 personnel budget for its Management Information Services, Research and Planning Division, Homeland Security Division, or any other Information Technology related division. [REDACTED] also asked for the Department's 2011 personnel budget request for the following positions: (1) a descriptive job title or descriptive position title, (2) the level of the position, and (3) the number of budgeted positions.

On August 9, 2010, [REDACTED] submitted a FOIA request to the City seeking a list of the Information Technology (IT) positions to be included in the newly consolidated City's Public Safety Technology function. [REDACTED] sought copies of (1) a descriptive job title or descriptive position title, (2) the level of position (I, II, III, Senior, Principal, Chief), (3) the number of budgeted positions, and (4) the actual safety-related department or division the position is allocated to (fire, police, health or other department division).

On August 20, 2010, the City sent a pre-authorization request to this Office asserting that the information requested by [REDACTED] is exempt from disclosure pursuant to Section 7(1)(f), which exempts from inspection and copying "preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body." 5 ILCS 140 7(1)(f).

**Determinations**

The City's request for approval of its decision to withhold the information relating to the Chicago Fire Department's 2011 budget and the proposed "Public Safety Technology function" consolidation pursuant to Section 7(1)(f) is approved. In its letter, the City explains that it seeks to withhold the information requested because the 2011 budget has not been finalized and is subject to revision. Additionally, the City informed a representative of this Office during an August 31, 2010 conversation that the Public Safety Technology function is a proposed consolidation and is being considered for the 2011 budget.

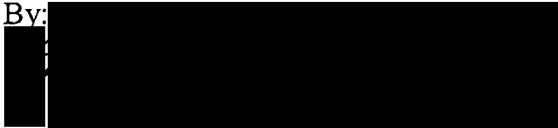
Moreover, there is no evidence that this information was cited or identified by the head of the public body. 5 ILCS 140/7(1)(f).

Should you have any questions or concerns, please feel free to contact me at (312) 814- 5383.

Sincerely,

Cara Smith  
Public Access Counselor

By:

  
Matthew C. Rogina  
Assistant Public Access Counselor

cc: