



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

September 13, 2010

Ms. Cheryl Brombolich
City of Collinsville
125 South Center Street
Collinsville, Illinois 62234

RE: FOIA Pre-Authorization Request – 2010 PAC 9497

Dear Ms. Brombolich:

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

On August 30, 2010, [REDACTED] submitted a FOIA request to the City seeking copies of records relating to the possible relocation of the City's special meetings.

On September 7, 2010, the City sent a pre-authorization request to this Office asserting that an August 5, 2010 e-mail sent by the City Manager to the Mayor and City Council 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 e-mail pursuant to Section 7(1)(f) is approved. The Section 7(1)(f) exemption is intended to encourage government officials to openly and frankly discuss matters of governmental concern in order to make informed policy decisions. See *N.L.R.B. v. Sears*, 421 U.S. 132 (1975), *Hoffman v. Ill. Dept. of Corrections*, 158 Ill.App.3d 473, 511 N.E.2d 759 (1st Dist. 1987).

This Office has reviewed the e-mail and has determined that it contains preliminary findings by the City Manager about the suitability of certain locations for council meetings.

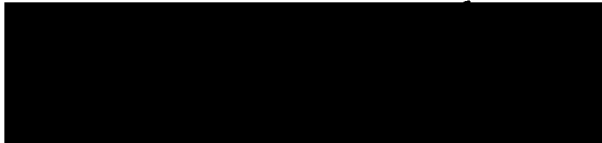
Moreover, there is no evidence that this information was cited or identified by the head of the public body.

Therefore, it is our determination that the City has met its burden under Section 7(1)(f) and may withhold the August 5, 2010 e-mail.

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

Sincerely,

Cara Smith
Public Access Counselor



Matthew C. Rogina
Assistant Public Access Counselor

cc:

