



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 14, 2011

Mr. Lisa Leonteos
Freedom of Information Officer
Village of Wheeling
2 Community Blvd.
Wheeling, IL 60090

Dear Ms. Leonteos:

RE: FOIA Pre-Approval Request – 2011 PAC 12148

We have received and reviewed the written notice from the Village of Wheeling of its intention to deny disclosure of some of the records requested by [REDACTED] under the Illinois Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.* Among other things, [REDACTED] requested copies of correspondence and other records regarding an amended agreement executed between the Village and RedSpeed Illinois, LLC, for the installation and operation of an automated traffic law enforcement system. The Village and RedSpeed originally entered into an agreement in 2008, and they entered into an amended agreement in 2010.

The Village states that it has provided a copy of the amended agreement to [REDACTED] but it asserts that the records he requested about attempts to have the amended agreement executed are exempt under Section 7(1)(f) of FOIA (5 ILCS 140/7(1)(f)), which exempts from disclosure “[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies and actions are formulated.”

As a result of our review, we have determined that it is appropriate to decline to disclose the documents in question under Section 7(1)(f). Any documents the Village has regarding attempts to negotiate the amended agreement would be documents in which the action of reaching the agreement was formulated. Therefore, the request to assert the exemption under Section 7(1)(f) for the documents in question is hereby approved and further inquiry into this matter is not warranted.

If you have any questions, please feel free to contact me at 312-814-2770. This correspondence

will serve to close the matter.

Sincerely,


John Schmidt
Assistant Public Access Counselor

cc:


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