



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 4, 2011

Ms. Cindy Smiley
City of Woodstock
121 W. Calhoun St.
Woodstock, IL 60098

Re: Pre-Authorization Request – 2011 PAC 12604
FOIA Requester: [REDACTED]

Dear Ms. Smiley:

We have received and reviewed the written notice from the City of Woodstock of its intention to deny disclosure of a certain information contained in requested documents as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On January 19, 2011, [REDACTED] submitted a FOIA request to the City for:

1. From January 1, 2008 to present, all communications regarding wireless radio alarm monitoring with
 - a. Chicago Metropolitan Fire Prevention;
 - b. Fox Valley Fire & Safety;
 - c. Fire & Security Systems;
 - d. Inner Security Systems, Inc.;
 - e. Crosspoint Security, Inc.;
 - f. Keltron;
 - g. Fire Safety Consultants, Inc.;
 - h. Contax Communications;
 - i. Jeff Binninger; and/or Warren Olsen.
2. From January 1, 2008 to present, all communications about
 - a. Chicago Metropolitan Fire Prevention;
 - b. Fox Valley Fire & Safety;
 - c. Fire & Security Systems;
 - d. Inner Security Systems, Inc.;
 - e. Crosspoint Security, Inc.;
 - f. Keltron;
 - g. Fire Safety Consultants, Inc.;
 - h. Contax Communications;
 - i. Jeff Binninger; and/or Warren Olsen
3. From January 1, 2008 to present, all communications about fire alarm signal monitoring, including any communications regarding your evaluation of same.

12604 preauth at 71f prelim mun

4. From January 1, 2008 to present, all communications about establishing an alarm board to receive radio transmissions of alarm signals, revenue from alarm monitoring, and/or creating a wireless fire alarm network.
5. From January 1, 2008 to present, all communication about creating, implementing, and/or amending Woodstock's ordinances related to monitoring fire alarms.
6. From January 1, 2008 to present, all budget, cash flow, and financial information.
7. From January 1, 2008 to present, all communications regarding the specifications of alarm monitoring equipment.
8. From January 1, 2008 to present, all communications regarding AES radios, Keltron radios, AES receivers, Ketron receivers, and any other devices used to communicate or receive fire alarm signals.
9. From January 1, 2008 to present, all communications that relate to Woodstock's request for proposal (RFP) to establish a new fire board/alarm monitoring network, including the creation and implementation of the RFP.
10. A copy of Woodstock RFP for alarm monitoring equipment issued.
11. All proposals and communications submitted to Woodstock in response to its RFP to purchase wireless alarm monitoring network.
12. Since January 1, 2008, all agreements, contracts, and/or intergovernmental agreements that Woodstock has executed related to alarm monitoring, including those executed with vendors, consultants, or experts.
13. A copy of any agreement with Fire Safety Consultants, Inc., for the purpose of assisting the City with developing a RFP for wireless alarm monitoring.
14. All communications including scope of work documents, payments to and any reports from Fire Safety Consultants, Inc.
15. From January 1, 2008 to present, all Woodstock meeting minutes in which alarm monitoring was discussed.
16. From January 1, 2008 to present, all videos or recordings of Woodstock meetings, including council, in which alarm monitoring was discussed.
17. All communication surrounding the negotiations of any contract to provide alarm monitoring equipment for Woodstock.
18. From January 1, 2008 to present, all certified payroll records related to wireless alarm monitoring.

██████████ sought "all letters, reports, contracts, emails, electronic documents, spreadsheets, quotations, requests for proposals, bid documents, and internal or external communications on each subject matter."

In its written notice, the City asserts that e-mail discussions within the requested records contain opinions and recommendations and have been withheld from disclosure under Section 7(1)(f) of FOIA. The City indicates that it has already provided ██████████ with 268 pages of documents, including "the RFP, all responses to the RFP, and the evaluation and report to Council, as well as all documents, including e-mails, which the City does not consider 'preliminary.'"

Determination

Section 7(1)(f) of FOIA exempts from inspection and copying "[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions 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."

The City's use of the Section 7(1)(f) exemption with regard to the withheld information is **approved**. After review of the information provided, our office has determined that the withheld documents contain opinions and recommendations and are documents in which policies or actions were being formulated. Further, the City has indicated that the documents have not been publicly cited by the head of the public

body. Accordingly, the City has met its initial burden of demonstrating that the withheld information is exempt from disclosure under Section 7(1)(f) of FOIA.

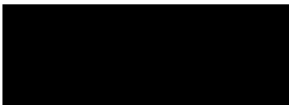
If you have any questions or concerns, please feel free to contact our office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

A solid black rectangular redaction box covering the signature of Rebecca Riddick.

Rebecca Riddick
Assistant Public Access Counselor

cc:

A solid black rectangular redaction box covering the name of the recipient in the cc field.