

# CITY OF OAK FOREST

## FREEDOM OF INFORMATION ACT GUIDELINES

January 1, 2010

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# GUIDELINES

## I. Compliance

It is the policy of the City of Oak Forest to permit access to and copying of public records in accordance with the Illinois Freedom of Information Act, hereinafter referred to as the "Act", (5 ILCS 140/1 et. seq.). The City acknowledges its obligation to provide public records to requesters as expediently and efficiently as possible pursuant to the Act. All public records as defined in the Act are presumed to be open to inspection and copying and unless a requested record is believed to be exempt from disclosure under Section 7 or 7.5 of the Act, it shall be so made available in a prompt and efficient manner.

## II. Requesting Records

- A. A request for records must be in writing and directed to the City. Requests should be sent to the City Hall addressed to the City Freedom of Information Officer. However, all requests received by the City shall be processed. Upon receipt of a request for records, the request shall be immediately given to a City Freedom of Information Officer.

Any person requesting records for a commercial purpose must advise the City that the request is for a commercial purpose and such a request will be handled in the manner described in sub part D below.

Any person orally requesting records shall be advised to put the request in writing to the City directed to the attention of a City Freedom of Information Officer. Any person requesting records may, but shall not be required to use the "Request for Inspection or Copying of Records" form. This form shall be made available to any person upon request.

Records will be made available for inspection and copying during regular business hours at:

City of Oak Forest  
15440 South Central Avenue  
Oak Forest, Illinois 60452

- B. City Freedom of Information Officer.

The City has designated the following as Freedom of Information Officers:

<u>Name</u>	<u>Position</u>
Jack Janozik	City Clerk

Donna Besowshek	Counter Clerk
Susan Muller	Counter Clerk
Karen Hackel	Utility Billing Technician
Judy Nie	Finance Clerk
Jim Richmond	Executive Secretary
Rich Rinchich	Director – Public Works
Tim Moss	Deputy Fire Chief
Jason Reid	Deputy Police Chief
Dominic D'Ambrosio	Deputy Police Chief
Tim Kristin	Police Chief
Marilyn Morgan	Radio Room Supervisor
Travis Bandstra	Director – Economic Development
Melissa Peters	Comm. Dev. Office Manager
Chris Larson	Permit/Development Clerk
Lorna Stubbs	Code Enforcement Officer

All may be reached by dialing 708-687-4050. The mailing address is 15440 South Central Avenue, Oak Forest, Illinois 60452.

Upon receiving a request for a public record, the Freedom of Information Officer shall:

- (1) note the date the City received the written request;
- (2) compute the day on which the period for response will expire and make a notation of that date on the written request;
- (3) maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and
- (4) create a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications related to the request.

C. Content of Requests. All requests should, to the extent reasonably possible, specify with particularity, the records requested to be retrieved and copied. If any records are to be certified, it must be so indicated in the request, specifying which records are to be certified.

D. Requests for Commercial Purposes.

In accord with the requirement of the Act, any person requesting public records for a commercial purpose must inform the City that the requested records are to be used for a commercial purpose. The City's response to such a request shall be made within 21 days and shall otherwise be in accord with the applicable provisions of the Act. Section 2c-10 of the Act defines commercial purpose to mean:

the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

### ***III. Responses to Requests for Records***

Within five (5) working days after receipt of a written request for records the City Freedom of Information Officer will provide, one or more of the following responses to the person requesting the records:

1. Advise in writing that the records are available for inspection or copying at a designated location within the City. If copies have been requested, that the records are available for pickup at a designated location within the City along with a statement of the required fee if any. However, in the event that the fee for copying the requested records exceeds Ten Dollars, the records will not be copied unless the fee is paid in advance and the requesting party shall be advised of this requirement.
2. That the five-day limitation has been extended to not more than five (5) additional working days pursuant to Section VII below.
3. Advise in writing that the request is unduly burdensome due to its categorical nature or size and that the requesting party has the opportunity to meet and confer with a City Freedom of Information Officer to attempt to make the request manageable.
4. Deny, in whole or in part, the request in writing, stating the specific basis for denial to include a detailed factual basis for the application of the

claimed exemption. Any denial shall be made in writing and mailed or given personally within the five (5) day period or any extension thereof.

#### ***IV. Intent to Deny Request***

If the City receives a request for public records and asserts that the requested records are exempt from disclosure under either subsection (1)(c) or subsection (1)(f) of Section 7 of the Act, the City's Freedom of Information Officer shall, within the time limit for the response (five (5) working days), provide written notice to the requester and to the Public Access Counselor of the City's intent to deny the request in whole or in part. This notice shall include: (1) a copy of the request for the records; (2) the proposed response from the City; and (3) a detailed summary of the City's basis for asserting the exemption.

#### ***V. Right to Review by PAC and to Judicial Review***

Any denial of a request for public records shall include a statement that the person requesting the records has the right to a review of the denial by the Public Access Counselor and shall provide the address and phone number of the Public Access Counselor. The requester shall also be informed of the right to seek judicial review pursuant to Section 11 of the Act.

#### ***VI. Exempt Records***

Certain public records are exempt from copying and inspection pursuant to Sections 7 and 7.5 of the Act. If any public record exempt from disclosure under Section 7 of the Act contains any material which is not exempt, the City may elect to redact the information that is exempt and make the remaining information available for inspection and copying.

#### ***VII. Extension of Time to Comply***

The time limit of five (5) working days to comply with a request for records may be extended in each case for not more than five (5) additional working days for certain reasons noted in the Act. If the time is to be extended, Notice shall be given to the requester in writing, indicating the reason for the extension of time for disclosure.

The requester and the City may agree in writing to extend the time of compliance for an agreed upon period of time.

#### ***VIII. Retrieval and Copying***

Retrieval and copying of records is limited only to City Freedom of Information Officers or employees of the City designated by the City Administrator, Clerk or Chief of Police.

## ***IX. Inspection of Records***

Inspection of records shall only be permitted in the presence of a City Freedom of Information Officer or an employee of the City designated by the City Administrator, Clerk, or Chief of Police.

## ***X. Catalog of Records***

Records received or prepared beginning July 1, 1984, are catalogued by type as listed in these guidelines.

## ***XI. Central File for Denial Letters***

A central file of copies of all denial letters, indexed by the type of exception for the denial, will be maintained by the Office of the City Clerk.

## ***XII. Fees***

The fees for copies of records shall be as provided below or as otherwise determined by the City Council from time to time.

- A. No fee shall be charged for the first 50 pages of black and white copies requested.
- B. \$.15 per page, after 50 for black and white copies.
- C. Actual cost for color copies or electronic medium.
- D. \$1.00 per certificate if the copies are to be certified.

If the person making the request for records states that the purpose of the request is for health, safety and welfare or legal rights of the general public rather than for personal benefit or commercial gain and requests that the fee be waived or reduced, the City Administrator may, upon inquiry of the precise reason for the request, grant such waiver or reduction as he deems appropriate. Should any person wish to appeal a fee waiver or reduction decision of the City Administrator, such appeal is to be made to the City Council, in writing.

## ***XIII. Questions***

Should any person have any questions regarding access to public records of the City that are not answered in this Guide, those questions may be addressed to a City Freedom of Information Officer or to the City Administrator.



# CITY INFORMATION DIRECTORY

## ***XIV. MUNICIPAL COMPLEX***

The City of Oak Forest is an Illinois home rule municipality located in Cook County, Illinois. The City is organized under the laws of the State of Illinois. The City is governed by an elected Mayor and seven Aldermen. The offices of the City are located in the City Hall, 15440 South Central Avenue, Oak Forest, Illinois 60452

## ***XV. MAYOR AND ALDERMEN***

A. The Mayor and the Aldermen of the City are:

Hank Kuspa, Mayor  
Laura Gray, Alderman  
Rich Simon, Alderman  
Diane Wolf, Alderman  
Paul Selman, Alderman  
Jim Emmett, Alderman  
Jim Hortsman, Alderman  
Denise Danihel, Alderman

B. Other Elected Officials:

1. Jack Janozik, City Clerk
2. JoAnn Kelly, City Treasurer

C. Committees/Commissions/Boards. The City maintains the following standing committees, Commissions and or Boards:

<u>Name</u>	<u>Committee/Position</u>
Thomas McMahan	Cable Commission Chair
Sandy Chevalier	Citizens Advisory Commission Chair
Thomas Connolly	Civil Service Commission Chair
Howard Summerfeld	Consumer Protection Comm. Chair
Mark Judge	Crime Prevention Commission Chair
Ken Morrow	Economic Advisory Comm. Chair
David Nagel	Fire & Police Commission Chair
Jim Stuewe	Planning & Zoning Comm. Chair

Larry Standard	Senior Citizens Commission Chair
Jerry Styrsky	Veterans Commission Chair
Bob Small	911 Telephone Board Member

***XVI. Employees***

The City employs approximately 128 full-time employees and approximately 80 part-time employees.

***XVII. Operating Budget***

The operating budget of the City is approximately \$14.7 Million dollars.

***XVIII. Organizational Chart***

A block diagram of the functional subdivisions of the City is set forth on page 8 of these Guidelines.

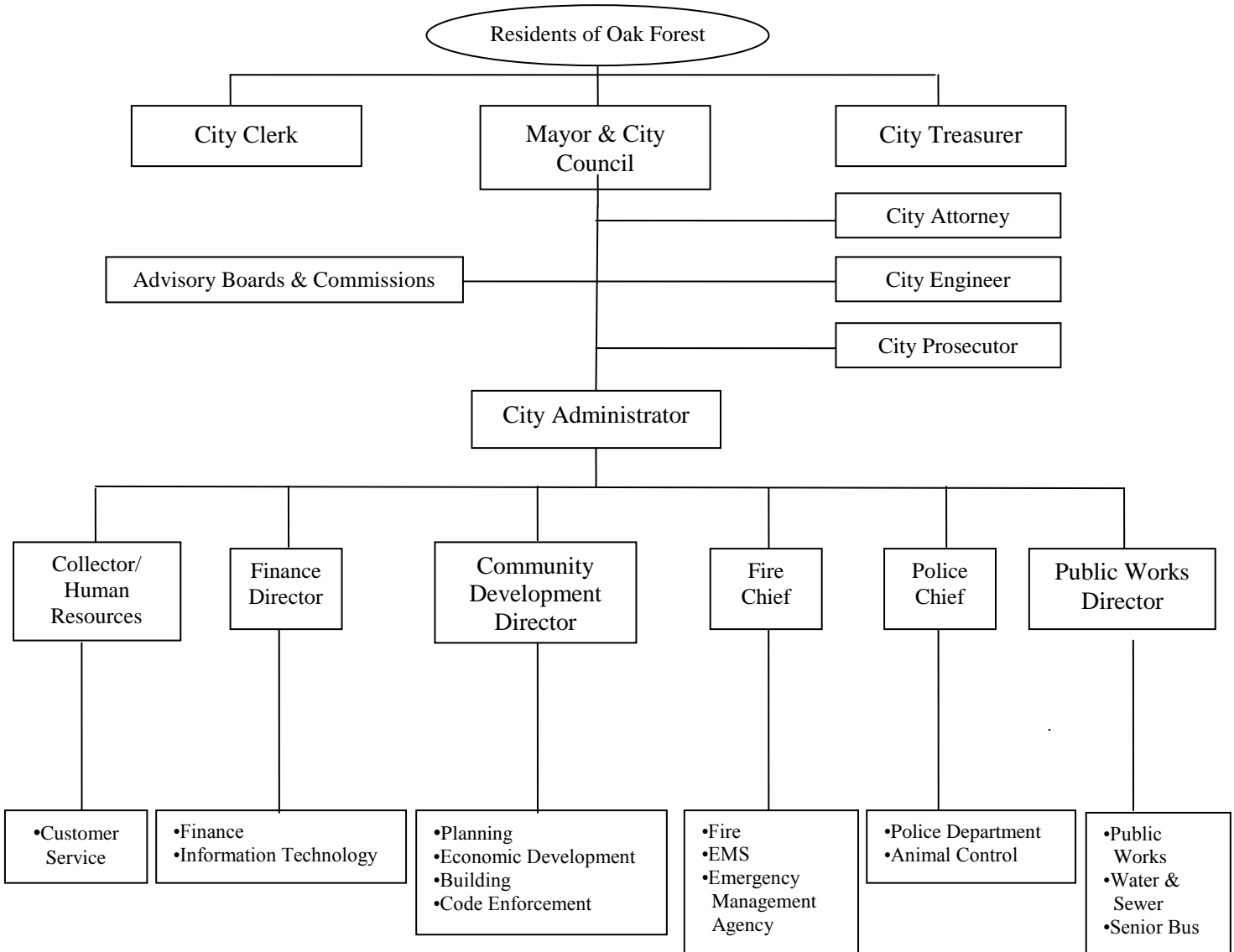
***XIX. List of Records***

A records list of the types or categories of records maintained by the City is set forth on page 9 of these Guidelines.

# ORGANIZATIONAL CHART

The following block diagram of the functional subdivisions of the City.

## City of Oak Forest 2009-2010 Organizational Chart



## **LIST OF RECORDS**

The types of public records maintained by the City and available for inspection include the following:

### **GENERAL**

- Board meeting schedules
- Board minutes, resolutions and ordinances
- Board policies and administrative procedures
- Legal notices
- Employee names, titles, and dates of employment
- Official bonds
- Records of City ownership of real or personal property
- Contracts
- Contractors' records of their employees on public works of the City

### **FINANCIAL**

- Annual budgets
- Tax levies
- Audit reports
- Bills or invoices issued and received by Village
- Receipts for revenue

**Note:**

Exemptions under the Illinois Freedom of Information Act may allow non-disclosure of some parts of public records maintained by the Village.

# **APPENDIX A**

## **CITY Forms**

### **Relating to the Release of Records Under the Illinois Freedom of Information Act**

# WRITTEN REQUEST FOR INSPECTION OR COPYING OF PUBLIC RECORDS

To: The City of Oak Forest  
ATTENTION: Freedom of Information Officer

1. Name of person making request: \_\_\_\_\_
2. Address of person making request: \_\_\_\_\_
3. Telephone number of person making request: \_\_\_\_\_
4. Email address of person making request: \_\_\_\_\_
5. Date of request: \_\_\_\_\_
6. Is this a request for records to be used for a commercial purpose?  Yes  No

Describe in detail below the public records you are requesting and state whether you wish to inspect and/or copy such records. Also, please state whether such public records are to be certified.

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The City will respond to the above request within five (5) business days from the above date unless one or more of the reasons for an extension of time provided for in Section 3(d) of the Act are invoked by the City.

\_\_\_\_\_  
Signature of person making request

**LETTER OF RECORDS AVAILABLE FOR INSPECTION OR COPYING**

Dear \_\_\_\_\_ :  
(individual involved)

Pursuant to your written request for disclosure of record(s), please be advised that you may inspect or obtain copies of the requested records at the City Hall Building, 15440 South Central Avenue, Oak Forest, Illinois 60452 during regular business hours. The fee for black and white copies is \$.15 per page after the first 50 pages. We ask that you call the City at \_\_\_\_\_ prior to the time you wish to inspect or copy the records as this will assist us in serving you.

S  
A  
M

City of Oak Forest

P  
\_\_\_\_\_  
SIGNATURE

TITLE: Freedom of Information Officer

L  
E

# LETTER OF DISCLOSURE

Dear \_\_\_\_\_ :  
(individual involved)

Pursuant to your written request for disclosure of record(s), enclosed you will find copies of the record(s) you have requested. The fee for the records is \_\_\_\_\_. Please make any check payable to The City of Oak Forest

City of Oak Forest  
BY: \_\_\_\_\_  
SIGNATURE

TITLE: Freedom of Information Officer

P

L

E



**LETTER OF DISCLOSURE WITH DELETION OF  
EXEMPT MATERIAL PURSUANT TO SECTION 7 OF  
THE FREEDOM OF INFORMATION ACT**

Dear \_\_\_\_\_:  
(individual involved)

Pursuant to your written request for disclosure of record(s), enclosed you will find copies of the record(s) you have requested. Please note that pursuant to Section 7 of the Freedom of Information Act, certain material originally contained in such records has been deleted because such material is exempt material under Section 7 of the Freedom of Information Act. The reason for the denial of access to the deleted material is \_\_\_\_\_ (insert reason with a factual basis for the noted exemption).

The fee for the records is \_\_\_\_\_. Please make any check payable to The City of Oak Forest.

As to the deletion of the exempt materials, you are advised that you have the right to a review of this decision by the Public Access Counselor in the office of the Illinois Attorney General by filing a request for such review with the Public Access Counselor within sixty (60) days of this denial. The Public Access Counselor may be contacted at 217-558-0486. The address of the Public Access Counselor is:

500 S. 2<sup>nd</sup> Street  
Springfield, IL 62706  
Email: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

You are further advised that you have the right to appeal this decision to the Circuit Court of this County under Section 11 of the Freedom of Information Act.

City of Oak Forest  
BY: \_\_\_\_\_  
SIGNATURE

TITLE: Freedom of Information Officer

## EXTENDING TIME FOR DISCLOSURE

Dear \_\_\_\_\_ :  
(individual involved)

We are unable to fill your request for disclosure, dated \_\_\_\_\_, for the following records:

\_\_\_\_\_

\_\_\_\_\_

for the following reason(s):

- The requested record(s) are stored in another location.
- The request requires the collection of a large number of records.
- The request is categorical in nature and requires an extensive search
- We have failed to locate the requested record(s) in our initial attempt and the search is continuing.
- The requested record(s) require examination by a competent person in order to determine which, if any, are exempt under Section 7 of the Freedom of Information Act.
- It would unduly burden or interfere with the operations of this City to fill the request within the initial five (5) working days.
- There is a need for consultation with another public body which has a substantial interest in the determination or in the subject matter of the request.

With respect to the record(s) you have requested, such record(s) will be available to you by \_\_\_\_\_, or we will make a decision denying your request in whole or part by such date. Such date will be within five (5) additional working days from \_\_\_\_\_ (the date of the fifth (5<sup>th</sup>) working day after the original request was received).

\_\_\_\_\_  
City of Oak Forest

BY: \_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
TITLE: Freedom of Information Officer

**NOTICE TO MEET AND CONFER TO REDUCE CATEGORICAL  
REQUEST TO MANAGEABLE PROPORTIONS**

Dear \_\_\_\_\_:  
(individual involved)

You are hereby notified that your written request dated  
\_\_\_\_\_ calling for all records falling within

\_\_\_\_\_ (category of records requested) has been determined to be unduly burdensome pursuant to Section 3(f) of the Freedom of Information Act, that there is no way to narrow your request and the burden on the City outweighs the public interest in the information requested.

We hereby extend to you an opportunity to meet and confer with the undersigned in an attempt to reduce your request to manageable proportions. Please call me at \_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_ in order to schedule a conference.

L

City of Oak Forest

E

\_\_\_\_\_  
Freedom of Information Officer

## DENIAL LETTER - UNDULY BURDENSOME

Dear \_\_\_\_\_:  
(individual involved)

You are hereby notified that your request for all the City's \_\_\_\_\_ (insert as appropriate e.g., financial) records is hereby denied because to comply with your request would be unduly burdensome for the following reason(s):

(set forth why it would be unduly burdensome, such as this is a repeated request for the same records by the same person).

After meeting and conferring with you on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, we were unable to reduce your request to manageable proportions and it appears from your explanation as to why you are requesting these records, that the burden on the City outweighs the public interest in the information being sought.

You are hereby further notified that you have the right to a review of this decision by the Public Access Counselor in the office of the Illinois Attorney General by filing a request for such review with the Public Access Counselor within sixty (60) days of this denial. The Public Access Counselor may be contacted at 217-558-0486. The address of the Public Access Counselor is:

500 S. 2<sup>nd</sup> Street  
Springfield, IL 62706  
Email: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

You are further advised that you have the right to appeal this decision to the Circuit Court of this County under Section 11 of the Freedom of Information Act.

City of Oak Forest

By: \_\_\_\_\_  
Freedom of Information Officer

**DENIAL LETTER**

Dear \_\_\_\_\_:  
(individual involved)

You are hereby notified that your request for disclosure, dated \_\_\_\_\_, for the following record(s):

\_\_\_\_\_  
\_\_\_\_\_  
is hereby denied for the following reason(s):

(insert reference to the claimed exemption and factual basis for the application of the claimed exemption)

The person or persons making this decision to deny and their title or titles are set forth below:

NAME:

M

TITLE:

You are hereby further notified that you have the right to a review of this decision by the Public Access Counselor in the office of the Illinois Attorney General by filing a request for such review with the Public Access Counselor within sixty (60) days of this denial. The Public Access Counselor may be contacted at 217-558-0486. The address of the Public Access Counselor is:

500 S. 2<sup>nd</sup> Street  
Springfield, IL 62706  
Email: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

L

You are further advised that you have the right to appeal this decision to the Circuit Court of this County under Section 11 of the Freedom of Information Act.

BY: \_\_\_\_\_  
City of Oak Forest

Freedom of Information Officer

**INTENT TO DENY**  
Under Subsection (1)(c) or (1)(f) of FOIA

Name / Address of Requester

Name / Address of Public Access Counselor

The City of Oak Forest, Cook County, Illinois intends to deny the request for the disclosure of public records submitted by § (insert name) on (insert date), a copy of which request is enclosed herewith.

The City's proposed response denying the request pursuant to either subsection (1)(c) or (1)(f) of Section 7 of the Freedom of Information Act is also enclosed.

The City asserts the exemption based upon the following facts: (insert facts)

M

P  
City of Oak Forest

BY: \_\_\_\_\_  
L Freedom of Information Officer

E