

Curt Borman

From: Borman Curt
Sent: Wednesday, September 23, 2020 12:14 PM
To: [REDACTED]
Subject: Final notice – FOIA request 2020-F-527

Dear Requester:

This is the City of Urbana's final request for you to provide complete contact information for the above FOIA request. We must verify your identity to enforce FOIA's recurrent requester and voluminous request provisions. If the City cannot confirm your identity, we may treat your request as one from a recurrent requester. Therefore, no later than the close of business today, please either provide the complete contact information we previously requested or send a copy of your state ID or driver's license to the City Clerk's Office by email to CityClerk@urbanailinois.us or by facsimile to 217-384-2301. If the City is unable to confirm your identity at this time, we may require you to present a government-issued photo identification document before we release any responsive records to you.

Thank you for your assistance.

Curt Borman
Assistant City Attorney
City of Urbana Legal Division
400 S. Vine Street
Urbana, IL 61801
217-384-2464

Curt Borman

From: Borman Curt
Sent: Tuesday, September 8, 2020 9:25 AM
To: [REDACTED]
Subject: FOIA request 2020-F-495

Dear Requester:

This is the City of Urbana's final request for you to provide complete contact information for the above FOIA request. We must verify your identity to enforce FOIA's recurrent requester and voluminous request provisions. If the City cannot confirm your identity, we may treat your request as one from a recurrent requester. Therefore, no later than close of business today, please either provide the complete contact information we previously requested or send a copy of your state ID or driver's license to the City Clerk's Office by email to CityClerk@urbanaillinois.us or by facsimile to 217-384-2301. If the City is unable to confirm your identity at this time, we will require you to present a government-issued photo identification document before we release any responsive records to you.

Thank you for your assistance.

Curt Borman
Assistant City Attorney
City of Urbana Legal Division
400 S. Vine Street
Urbana, IL 61801
217-384-2464

Curt Borman

From: Borman Curt
Sent: Wednesday, September 9, 2020 12:29 PM
To: [REDACTED]
Subject: Supplemental response to FOIA request 2020-F-391

Dear Requester:

The City of Urbana (City) hereby tenders its supplemental response to your FOIA request, dated July 20, 2020, and designated as number 2020-F-391.

The fee for the City's response to your request is \$7.97. This fee has been determined as follows:

2020-F-391: I am looking for all current submitted applications and related emails for the vacant Ward 2 Urbana City Council seat.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records	\$00
USB flash drive	\$7.97
Total	<u>\$7.97</u>

Total fee \$7.97

You must pay the fee before the City begins copying the requested records. Payment is due no later than Wednesday, September 16. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801, and include the City's FOIA request number with your payment. If you fail to remit the fee, the City may deny this request.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. When retrieving your records, you must present a government-issued photo identification document.

The City will respond to your FOIA request not more than 21 business days from the date the City receives your full payment of the fee.

Your request for a fee waiver is denied because you did not state the specific purpose for the request and indicate why a waiver of the fee is in the public interest. The City has placed the records responsive to your request on a flash drive because of the size of the response. Further, we cannot email the records to you because we must verify your identity to enforce FOIA's recurrent requester and voluminous request provisions.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

**Curt Borman
Assistant City Attorney
City of Urbana Legal Division
400 S. Vine Street
Urbana, IL 61801
217-384-2464**

Curt Borman

From: Borman Curt
Sent: Wednesday, September 9, 2020 11:57 AM
To: [REDACTED]
Subject: Supplemental response to FOIA request 2020-F-386

Dear [REDACTED]

The City of Urbana (City) hereby tenders its supplemental response to your FOIA request, dated July 17, 2020, and designated as number 2020-F-386.

The fee for the City's response to your request is \$7.97. This fee has been determined as follows:

FOIA Request 2020-F-386: Please supply the following records: 1) Any and all documents related investigations performed on police complaints submitted by [REDACTED] after December 1 2019. I do not need the original complaint submissions, receipt letters, or findings letters (essentially, I do not need the items that I sent or items which will have already been sent to me by certified mail). I am asking for the investigation documents/reports/emails for those complaints.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records, except emails: 11.38 megabytes in PDF format	\$0
USB flash drive	\$7.97
Total	<u>\$7.97</u>

Total fee \$7.97

You must pay the fee before the City begins copying the requested records. Payment is due no later than Wednesday, September 16. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801, and include the City's FOIA request number with your payment. If you fail to remit the fee, the City may deny this request.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. When retrieving your records, you must present a government-issued photo identification document.

Except as provided below, the City will respond to your FOIA request not more than 30 days from the date the City receives your full payment of the fee.

Section 3(g) of FOIA allows a public body to deny an unduly burdensome request. 5 ILCS 140/3(g). Your request for "emails for those complaints" is unduly burdensome because 34 complaints are responsive to your request, and your broad description of the emails you seek will yield so many responsive records that the burden on the City to examine each one for information exempt from disclosure would unduly burden City operations. Accordingly, we ask that you narrow the scope of this portion of your request to bring it within manageable proportions pursuant to section 3(g). For example, you may wish to limit your request to a particular complaint or provide specific search terms and date ranges for a smaller number of complaints. We are willing to help you narrow your request. If you are interested in doing so, please contact the City Clerk's Office. Your narrowed request is due no later than Wednesday, September 16. If you are unable to narrow the scope of this part of your request, we may deny it pursuant to 5 ILCS 140/3(g).

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

Curt Borman
Assistant City Attorney
City of Urbana Legal Division
400 S. Vine Street
Urbana, IL 61801
217-384-2464

Curt Borman

From: Borman Curt
Sent: Thursday, September 3, 2020 4:39 PM
To: [REDACTED]
Cc: !City Clerk
Subject: Supplemental response to FOIA request 2020-F-276

Dear [REDACTED]

The City of Urbana (City) hereby tenders its second supplemental response to your FOIA request, dated May 15, 2020, and designated as number 2020-F-276.

The fee for the City's response to your request is \$10.63. This fee has been determined as follows:

Part 1 of request: Any and all documents related to an incident that occurred on April 11, 2020 around 5:45pm involving a UPD response to individuals disturbing private property in the area of the 300 block of W Illinois St. Officers Kaufman, Jeffers, and Marquez initially responded. I called and spoke to Officer Osric Hayes about an additional related altercation that occurred immediately after the first group of officers had left. Then on April 13 around 6pm there was an additional related altercation wherein Officers Links and Hewkin (and other officers - I think Hale too) responded. All of these events were related to Daniel Weiskamp and his friends. I am requesting all documents, video, and audio related to this string of related events. I suspect, since all of these events were related, that UPD may have documented them as such.

<u>Item</u>	<u>Cost</u>
Dispatch tickets and report	\$0
Body worn camera video (Jeffers) on DVD	\$0.38
Body worn camera video (Kaufman) on DVD	\$0.38
Body worn camera video (Links) on DVD	\$0.38
Body worn camera video (Hewkin) on DVD	\$0.38
Body worn camera video (Hale) on DVD	\$0.38
Dashcam video (Jeffers/Kaufman) on DVD	\$0.38
Dashcam video (Hale) on DVD	\$0.38
USB flash drive	\$7.97
Part 1 total	<u>\$10.63</u>

Part 2 of request: All emails to/from Vacellia Clark from Sept 1, 2019 through Dec 31, 2019. Clark seems to have at least two email addresses (vpclark@urbanaininois.us and hro@urbanaininois.us).

On June 16, 2020, you narrowed this request to include only the month of December 2019.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records:	\$0
Part 2 total	<u>\$0</u>

Part 3 of request: A copy of the Urbana Police Department Policies. I understand there are versions posted on the City website. I am asking for unredacted versions. I see no reason why citizens would not be allowed to view the policies of their own police department.

<u>Item</u>	<u>Cost</u>
Police Department policies:	\$0
Part 3 total	<u>\$0</u>

Total fee \$10.63

You must pay the fee before the City begins copying the requested records. Payment is due no later than Friday, September 11, 2020. To make this payment, please mail a check or money order to the City Clerk' Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. When retrieving your records, you must present a government-issued photo identification document (ID).

The City will respond to parts 1, 2, and 3 of your FOIA request not more than 21 business days from the date the City receives your full payment of the fee.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

**Curt Borman
Assistant City Attorney
City of Urbana Legal Division
400 S. Vine Street
Urbana, IL 61801
217-384-2464**

Curt Borman

From: Borman Curt
Sent: Thursday, September 3, 2020 4:33 PM
To: [REDACTED]
Cc: !City Clerk
Subject: Supplemental response to FOIA request 2020-F-269

Dear [REDACTED]

The City of Urbana (City) hereby tenders its supplemental response to your FOIA request, dated May 14, 2020, and designated as number 2020-F-269.

The fee for the City's response to your request is \$13.73. This fee has been determined as follows:

Part 1 of request: Any and all documents related to an incident on May 12 around 10 pm involving a damaged van on the 500 block of W Illinois St. Please include all reports, emails, and audio/video.

<u>Item</u>	<u>Cost</u>
Accident report #U20-1986*	\$5
Dispatch ticket	\$0
Body worn camera video (Vogt) on DVD	\$0.38
Dashcam video (Vogt) on DVD	\$0.38
USB flash drive	\$7.97
Part 1 total	<u>\$13.73</u>

*The City has established a \$5.00 fee for an accident report. See <https://www.urbanailinois.us/departments/police/police-divisions/support-services/police-records>

Part 2 of request: Any and all documents related to the Urbana CPRB regarding the resignation of Grace Mitchell, the placement of Mikhail Lyubansky as chair, and the resulting vacant board seat which the City now seeks to fill (including documents about new applicants). Any related emails should be included.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records	\$0
Part 2 total	<u>\$0</u>

Part 3 of request: All emails to/from Council member Bill Brown from April 15 to May 15.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records	\$0
Part 3 total	<u>\$0</u>

Total fee \$13.73

You must pay the fee before the City begins copying the requested records. Payment is due no later than Friday, September 11, 2020. To make this payment, please mail a check or money order to the City Clerk' Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the fee, the City may deny this request.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. When retrieving your records, you must present a government-issued photo identification document (ID).

The City will respond to parts 1, 2, and 3 of your FOIA request not more than 21 business days from the date the City receives your payment of the fee.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

Curt Borman
Assistant City Attorney
City of Urbana Legal Division
400 S. Vine Street
Urbana, IL 61801
217-384-2464

Curt Borman

From: Meharry, Kay
Sent: Tuesday, August 18, 2020 2:21 PM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-391

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated July 20, 2020, and designated as number 2020-F-391.

The estimated fee for the City's response to your request is \$27.97. This fee has been determined as follows:

2020-F-391: I am looking for all current submitted applications and related emails for the vacant Ward 2 Urbana City Council seat.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 7.19 megabytes in PDF format	\$20
USB flash drive	\$7.97
Total	<u>\$27.97</u>

Estimated total fee \$27.97

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than August 26, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document. To receive your records by U.S. mail, please provide a legible photocopy of your photo identification and a stamped, self-addressed 5" x 7" or larger envelope along with your payment.

The City will respond to your FOIA request not more than 21 business days from the date the City receives your full payment of the estimated fee.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanailinois.us





City of Urbana
400 South Vine Street
Urbana, IL 61801

October 21, 2020

John Kraft
Edgar County Watchdogs
7060 Illinois Highway 1
Paris, IL 61944

Re: Freedom of Information Act Request
City of Urbana FOIA 2020-F-587

Dear Requester:

This letter is in response to your Freedom of Information Act (FOIA) request dated October 19, 2020. The Freedom of Information Officer received your request on October 19, 2020 and designated it as FOIA request number 2020-F-587.

Enclosed with this letter, please find the records responsive to your request pursuant to the Freedom of Information Act. Please note, some of the information contained in the requested records may have been withheld or redacted pursuant to one or more of the following statutory exemptions:

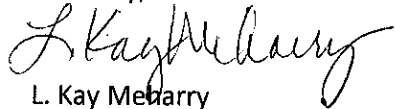
1. 5 ILCS 140/7(1)(b) exempts "private information" or rather, unique identifiers such as "an individual's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5).
2. 5 ILCS 140/7(1)(c) exempts "personal information" contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.
3. 5 ILCS 140/7(1)(d)(iv) which exempts "records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would...unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would



interfere with an active criminal investigation conducted by the agency that is the recipient of the request."

Please be advised that if you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to appeal this response. Such an appeal is a "Request for Review" and must be sent to the Public Access Counselor (PAC), at the Illinois Attorney General's Office at 500 South Second Street, Springfield, Illinois, 62706. The phone number is (217) 558-0486. If the PAC denies your appeal, you have the right to judicial review of this decision in the Champaign County Circuit Court. Additionally, I have included a copy of your rights under the Act for your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Kay Meharry", written in a cursive style.

L. Kay Meharry

Assistant City Clerk

Phone: 217-384-2362

E-mail: lkmeaharry@urbanailinois.us

§ 11. (a) Any person denied access to inspect or copy any public record by a public body may file suit for injunctive or declaratory relief.

(b) Where the denial is from a public body of the State, suit may be filed in the circuit court for the county where the public body has its principal office or where the person denied access resides.

(c) Where the denial is from a municipality or other public body, except as provided in subsection (b) of this Section, suit may be filed in the circuit court for the county where the public body is located.

(d) The circuit court shall have the jurisdiction to enjoin the public body from withholding public records and to order the production of any public records improperly withheld from the person seeking access. If the public body can show that exceptional circumstances exist, and that the body is exercising due diligence in responding to the request, the court may retain jurisdiction and allow the agency additional time to complete its review of the records.

(e) On motion of the plaintiff, prior to or after in camera inspection, the court shall order the public body to provide an index of the records to which access has been denied. The index shall include the following:

(i) A description of the nature or contents of each document withheld, or each deletion from a released document, provided, however, that the public body shall not be required to disclose the information which it asserts is exempt; and

(ii) A statement of the exemption or exemptions claimed for each such deletion or withheld document.

(f) In any action considered by the court, the court shall consider the matter de novo, and shall conduct such in camera examination of the requested records as it finds appropriate to determine if such records or any part thereof may be withheld under any provision of this Act. The burden shall be on the public body to establish that its refusal to permit public inspection or copying is in accordance with the provisions of this Act. Any public body that asserts that a record is exempt from disclosure has the burden of proving that it is exempt by clear and convincing evidence.

(g) In the event of noncompliance with an order of the court to disclose, the court may enforce its order against any public official or employee so ordered or primarily responsible for such noncompliance through the court's contempt powers.

(h) Except as to causes the court considers to be of greater importance, proceedings arising under this Section shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.

(i) If a person seeking the right to inspect or receive a copy of a public record prevails in a proceeding under this Section, the court shall award such person reasonable attorneys' fees and costs. In determining what amount of attorney's fees is reasonable, the court shall consider the degree to which the relief obtained relates to the relief sought. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

(j) If the court determines that a public body willfully and intentionally failed to comply with this Act, or otherwise acted in bad faith, the court shall also impose upon the public body a civil penalty of not less than \$2,500 nor more than \$5,000 for each occurrence. In assessing the civil penalty, the court shall consider in aggravation or mitigation the budget of the public body and whether the public body has previously been assessed penalties for violations of this Act. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Monday, August 17, 2020 11:23 AM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-386

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated July 17, 2020, and designated as number 2020-F-386.

The estimated fee for the City's response to your request is \$27.97. This fee has been determined as follows:

FOIA Request 2020-F-386: Please supply the following records: 1) Any and all documents related investigations performed on police complaints submitted by [REDACTED] after December 1 2019. I do not need the original complaint submissions, receipt letters, or findings letters (essentially, I do not need the items that I sent or items which will have already been sent to me by certified mail). I am asking for the investigation documents/reports/emails for those complaints.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records, except emails: 11.38 megabytes in PDF format	\$20
USB flash drive	\$7.97
Total	<u>\$27.97</u>

Estimated total fee **\$27.97**

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than August 21, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document. To receive your records by U.S. mail, please provide a legible photocopy of your photo identification and a stamped, self-addressed 5" x 7" or larger envelope along with your payment.

Except as provided below, the City will respond to your FOIA request not more than 30 days from the date the City receives your full payment of the estimated fee.

Section 3(g) of FOIA allows a public body to deny an unduly burdensome request. 5 ILCS 140/3(g). Your request for "emails for those complaints" is unduly burdensome because 34 complaints are responsive to your request, and your broad description of the emails you seek will yield so many responsive records that the burden on the City to examine each one for information exempt from disclosure would unduly burden City operations. Accordingly, we ask that you

Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanailinois.us



narrow the scope of this portion of your request to bring it within manageable proportions pursuant to section 3(g). For example, you may wish to limit your request to a particular complaint or provide specific search terms and date ranges for a smaller number of complaints. We are willing to help you narrow your request. If you are interested in doing so, please contact the City Clerk's Office. Your narrowed request is due no later than August 21, 2020. If you are unable to narrow the scope of this part of your request, we may deny it pursuant to 5 ILCS 140/3(g).

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanailinois.us



Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Monday, July 13, 2020 10:02 AM
To: [REDACTED]
Subject: Supplemental response to FOIA request 2020-F-300

Dear [REDACTED]

The City of Urbana (City) hereby tenders its supplemental response to your FOIA request, dated May 29, 2020, and designated as number 2020-F-300.

On June 26, 2020, the City notified you that producing records responsive to part 1 of your request would be unduly burdensome under section 3(g) of FOIA (5 ILCS 140/3(g)) and invited you to narrow the scope to bring this request within manageable proportions pursuant to section 3(g). The City received your response to that notice on July 3, 2020. After reviewing your response, the City has determined that part 1 is no longer an unduly burdensome request.

The estimated fee for the City's response to your request is \$87.97. This fee has been determined as follows:

Part 1 of request: All emails sent and received by Mayor Diane Marlin and Jason Liggett between March 18, 2020 and March 28, 2020. Subsequently, narrowed to include all emails sent by Mayor Marlin in which Jason Liggett is a recipient between March 18, 2020 and March 28, 2020, as well as all emails sent by Jason Liggett in which Mayor Marlin is a recipient between March 18, 2020 and March 28, 2020.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 0.475 megabytes in PDF format	\$20
Part 1 total	<u>\$20</u>

Part 2 of request: All Human Relations Committee complaints between May 29, 2018 and May 29, 2020.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 0.0938 megabytes in PDF format	\$20
USB flash drive	\$7.97
Part 2 total	<u>\$27.97</u>

Part 3 of request: All Urbana Civilian Police Review Board complaint forms submitted between May 29, 2018 and May 29, 2020.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 29.672 megabytes in PDF format	\$20
Part 3 total	<u>\$20</u>

Part 4 of request: All documents relating to injuries sustained by Urbana Police Officers between May 29, 2018 and May 29, 2020.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 8 megabytes in PDF format	\$20
Part 4 total	<u>\$20</u>

Curt Borman

From: Borman Curt
Sent: Tuesday, September 22, 2020 10:04 AM
To: [REDACTED]
Subject: FOIA request 2020-F-527

Dear Requester:

The City of Urbana must verify your identity to enforce FOIA's recurrent requester and voluminous request provisions. For this reason, the City requires FOIA requesters to provide complete contact information. Therefore, by the close of business today, please provide your address and phone number. If you decline to do so, the City will require you to present a government-issued photo identification document before we release any responsive records to you.

Thank you for your prompt attention to this matter.

Curt Borman
Assistant City Attorney
City of Urbana Legal Division
400 S. Vine Street
Urbana, IL 61801
217-384-2464

Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Wednesday, August 26, 2020 3:07 PM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-453

Dear Requester:

This message is in response to your Freedom of Information Act (FOIA) request, dated August 13, 2020. The Freedom of Information Officer received your request on August 13, 2020, and designated it as FOIA request number 2020-F-453. On August 20, 2020, the City of Urbana notified you that we extended the date of our response to August 27, 2020.

FOIA Request 2020-F-453: This is a request, pursuant to the Illinois Freedom of Information Act (5ILCS 140/1, et seq.), for the following information from the City of Urbana: Any and all information, communications, correspondence, memorandum, reports, and documentation related to the City of Urbana's hiring of Hillard Heintze, including, but not limited to, correspondence and materials sent and received between Mayor Diane Marlin, any member of the City of Urbana government, city administration and city staff, Urbana City Council, and any employee, member, or representative of Hillard Heintze.

We have reviewed all relevant records and have located a large number of responsive records. Please be advised that portions of the records you have requested are exempt from disclosure because of one or more of the FOIA exemptions listed below. Therefore, we have redacted these portions from the records being released to you. The person responsible for this partial denial is Freedom of Information Officer Curt Borman.

We have placed the responsive records on a flash drive, which will be available to you through Friday, September 11, 2020. The fee for the flash drive is \$7.97, which is the City's actual cost. You must pay the fee before the City releases the requested records. To retrieve the records in person, please phone the City Clerk's Office at 217-384-2362 for instructions. Alternatively, to receive the records by U.S. mail, please send a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number, a legible photocopy of a government-issued photo identification document, and a stamped, self-addressed 5" x 7" or larger envelope with your payment.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanailinois.us



Estimated total fee**\$87.97**

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than July 20, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document.

The City will respond to your FOIA request not more than 21 business days from the date the City receives your full payment of the estimated fee.

In answer to the questions you raised in your July 3 email, the above fees are consistent with section 6 of FOIA. The City will place the responsive records for all four parts of your request on a single flash drive and, therefore, is charging you only for one flash drive. The City will waive the per megabyte fees for the responsive records (\$80) if, no later than July 20, 2020, you will provide the City Clerk's Office with a copy of a government-issued photo identification document confirming that you are [REDACTED] along with your \$7.97 payment for the flash drive.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanailinois.us



Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Friday, June 26, 2020 4:11 PM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-300

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated May 29, 2020, and designated as number 2020-F-300.

The estimated fee for the City's response to your request is \$67.97. This fee has been determined as follows:

Part 2 of request: All Human Relations Committee complaints between May 29, 2018 and May 29, 2020.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 0.0938 megabytes in PDF format	\$20
USB flash drive	\$7.97
Part 2 total	<u>\$27.97</u>

Part 3 of request: All Urbana Civilian Police Review Board complaint forms submitted between May 29, 2018 and May 29, 2020.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 29.672 megabytes in PDF format	\$20
Part 3 total	<u>\$20</u>

Part 4 of request: All documents relating to injuries sustained by Urbana Police Officers between May 29, 2018 and May 29, 2020.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 8 megabytes in PDF format	\$20
Part 4 total	<u>\$20</u>

Estimated total fee **\$67.97**

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than July 7, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to Section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document (ID).

-
1. 5 ILCS 140/7(1)(b) exempts "private information" or rather, unique identifiers such as "an individual's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5).
 2. 5 ILCS 140/7(1)(c) exempts "personal information" contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.
 3. 5 ILCS 140/7 (g) exempts trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.
 4. 5 ILCS 140/7(1)(m) exempts communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Tuesday, June 23, 2020 10:09 AM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-295

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated April 10, 2020, and designated as number 2020-F-295.

On June 4, 2020, the City notified you that your request is a voluminous request and invited you to amend your request within 10 business days in such a way that it will no longer be a voluminous request, pursuant to subsections 3.6(a) and (b) of FOIA. The City received your response to that notice on June 18, 2020. In that response, you declined to amend your request. After reviewing your response, the City has determined that your request remains a voluminous request. The City's response follows.

The estimated fee for the City's response to parts 1 and 2 of your request is \$27.97. This fee has been determined as follows:

Part 1 of request: I am looking for any and all documentation of Jason Liggett's hire, employment, responsibilities/duties, projects, etc. This is to include any and all employment applications, reviews, letters of recommendation, CV, references, and salary information.

Part 2 of request: Additionally, I would like all documentation related to UPTV's "Can I Get Fries With That?" series.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 2.73 megabytes in PDF format	\$20
USB flash drive	\$7.97
Parts 1 and 2 total	<u>\$27.97</u>

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than June 30, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny part 1 of your request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to Section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document (ID).

The City will respond to parts 1 and 2 of your FOIA request not more than 10 business days from the date the City receives your full payment of the estimated fee.

The City will respond to your FOIA request not more than 21 business days from the date the City receives your full payment of the estimated fee.

Part 1 of request: All emails sent and received by Mayor Diane Marlin and Jason Liggett between March 18, 2020 and March 28, 2020.

Section 3(g) of FOIA allows a public body to deny an unduly burdensome request. 5 ILCS 140/3(g). Part 1 of your request is unduly burdensome because it asks for all records falling within two categories and will yield so many responsive records that the burden on the City to examine each one for information exempt from disclosure would unduly burden City operations. Accordingly, we ask that you narrow the scope of this portion of your request to bring it within manageable proportions pursuant to section 3(g). For example, you may wish to limit your request to a narrower timeframe or request records concerning only a particular matter or topic. We would be pleased to help you narrow your request. If you are interested in doing so, please contact the City Clerk's Office. Your narrowed request is due no later than July 7, 2020. If you are unable to narrow the scope of this part of your request, we may deny it pursuant to 5 ILCS 140/3(g).

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanaillinois.us



Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Tuesday, June 23, 2020 10:00 AM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-294

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated April 10, 2020, and designated as number 2020-F-294.

On June 4, 2020, the City notified you that your request is a voluminous request and invited you to amend your request within 10 business days in such a way that it will no longer be a voluminous request, pursuant to subsections 3.6(a) and (b) of FOIA. The City received your response to that notice on June 18, 2020. In that response, you declined to amend your request. After reviewing your response, the City has determined that your request remains a voluminous request. The City's response follows.

2020-F-294: I am looking for any and all documentation, videos, audio, files, correspondence, letters, emails, etc. relating to the 2018 arrests of Quintin Brown and Wayne Colson and their resulting respective criminal felony cases 2018CF000107 and 2018CF000108.

The estimated fee for the City's response to the video portion of your request is \$702.66. This fee has been determined as follows:

<u>Item</u>	<u>Cost</u>
Dashcam video (1): 5,700 megabytes in non-PDF format	\$100
Dashcam video (2): 19,400 megabytes in non-PDF format	\$100
Dashcam video (3): 4,000 megabytes in non-PDF format	\$100
Dashcam video (4): 2,630 megabytes in non-PDF format	\$100
Dashcam video (5): 3,620 megabytes in non-PDF format	\$100
Dashcam video (6): 3,630 megabytes in non-PDF format	\$100
Dashcam video (7): 4,090 megabytes in non-PDF format	\$100
DVD (7 at \$0.38 each)	\$2.66
Total	<hr/> \$702.66

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than June 30, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to Section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document (ID).

Part 3 of request: Lastly, I am looking for all emails to and from Jason Liggett dated from March 1, 2020 until now. Thank you.

This part is denied. Section 3(g) of FOIA allows a public body to deny an unduly burdensome request. 5 ILCS 140/3(g). Part 3 of your request is unduly burdensome because it asks for all records falling within a category and will yield so many responsive records that the burden on the City to examine each one for information exempt from disclosure would unduly burden City operations. Accordingly, we ask that you narrow the scope of this portion of your request to bring it within manageable proportions pursuant to section 3(g). For example, you may wish to limit your request to a narrower timeframe or request records concerning only a particular matter or topic. We would be pleased to help you narrow your request. If you are interested in doing so, please contact the City Clerk' Office. Your narrowed request is due no later than June 30, 2020. If you are unable to narrow the scope of this part of your request, we may deny it pursuant to 5 ILCS 140/3(g).

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanailinois.us



Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Tuesday, June 23, 2020 1:04 PM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-286

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated May 25, 2020, and designated as number 2020-F-286.

The estimated fee for the City's response to your request is \$147.97. This fee has been determined as follows:

Part 1 of request: According to the ordinance - The human relations office (HRO) shall develop written standards for orientation and continuing education for all CPRB members. The written standards shall be subject to the approval of the mayor and council." I'm looking for documents/records related to these "written standards", CPBR training/ orientation/ education material, and minutes from CPRB meetings.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 0.325 megabytes in PDF format	\$20
USB flash drive	\$7.97
Part 1 total	<u>\$27.97</u>

Part 3 of request: Complete list of UPD officers - including their ranks and positions, email addresses, digital photographs, compensation, and badge numbers

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 0.533 megabytes in PDF format	\$20
Photos: 117.4 megabytes in non-PDF format	\$100
Part 3 total	<u>\$120</u>

Estimated total fee **\$147.97**

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than July 1, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to Section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document (ID).

The City will respond to parts 1 and 3 of your FOIA request not more than 21 business days from the date the City receives your full payment of the estimated fee.

The City will respond to the video portion of your FOIA request not more than 10 business days from the date the City receives your full payment of the estimated fee.

Section 3(g) of FOIA allows a public body to deny an unduly burdensome request. 5 ILCS 140/3(g). Except for the videos identified above, your request is unduly burdensome because it will yield so many responsive records that the burden on the City to examine each one for information exempt from disclosure would unduly burden City operations. Accordingly, we ask that you narrow the scope of this portion of your request to bring it within manageable proportions pursuant to section 3(g). For example, you may wish to limit your request to particular records. We would be pleased to help you narrow your request. If you are interested in doing so, please contact the City Clerk's Office. Your narrowed request is due no later than June 30, 2020. If you are unable to narrow the scope of this part of your request, we may deny it pursuant to 5 ILCS 140/3(g).

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanaillinois.us



Part 2 of request: The audio recording and minutes from the closed session of the CPRB meeting on 1/29/2020.

Part 2 of the request is denied. Section 7(1)(a) of FOIA exempts from inspection and copying information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law. 5 ILCS 140/7(1)(a). With respect to the requested audio recording from the closed session, the Illinois law prohibiting disclosure is the Open Meetings Act. Subsection 2.06(e) of the Open Meetings Act provides that the verbatim record of a meeting closed to the public shall not be open for public inspection unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure. 5 ILCS 120/2.06(e). Human Relations Officer Vacellia Clark informs me that the CPRB has not (1) made a determination that the verbatim recording of the closed session of the January 29 meeting no longer requires confidential treatment or (2) otherwise consented to disclosure. Therefore, the requested audio recording is exempt from release under section 7(1)(a).

Further, section 7(1)(l) of FOIA exempts from inspection and copying minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public. 5 ILCS 140/7(1)(l). With respect to the requested minutes from the closed session, Ms. Clark informs me that the CPRB has not made the minutes of the closed session of the January 29 meeting available to the public. Therefore, the requested minutes are exempt from release under section 7(1)(l).

The person responsible for these denials is Freedom of Information Officer Curt Borman.

Part 4 of request: UPD officer car assignments - a list of officers and their assigned vehicle(s) (with squad car identification numbers)

Part 4 of the request is denied. The Police Department informs me that it has no records responsive to your request. The records do not exist because they were never created. The person responsible for this denial is Freedom of Information Officer Curt Borman.

Part 5 of request: Any and all records including documents, reports, emails, video footage related to Urbana Police / City of Urbana requesting the taking down of witness filmed video footage of the Aleyah Lewis arrest incident on 4/10/2020.

Part 5 of the request is denied. The Police Department informs me that it has no records responsive to your request. The records do not exist because they were never created. The person responsible for this denial is Freedom of Information Officer Curt Borman.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanailinois.us

Curt Borman

From: Meharry, Kay <lkmeaharry@urbanaillinois.us>
Sent: Tuesday, June 16, 2020 12:59 PM
To: [REDACTED]
Subject: Response to FOIA Request 2020-F-276

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated May 15, 2020, and designated as number 2020-F-276.

The estimated fee for the City's response to your request is \$778.60. This fee has been determined as follows:

Part 1 of request: Any and all documents related to an incident that occurred on April 11, 2020 around 5:45pm involving a UPD response to individuals disturbing private property in the area of the 300 block of W Illinois St. Officers Kaufman, Jeffers, and Marquez initially responded. I called and spoke to Officer Osric Hayes about an additional related altercation that occurred immediately after the first group of officers had left. Then on April 13 around 6pm there was an additional related altercation wherein Officers Links and Hewkin (and other officers - I think Hale too) responded. All of these events were

related to Daniel Weiskamp and his friends. I am requesting all documents, video, and audio related to this string of related events. I suspect, since all of these events were related, that UPD may have documented them as such.

<u>Item</u>	<u>Cost</u>
Dispatch tickets and report: 0.0656 megabytes in PDF format	\$20
Body worn camera video (Jeffers): 1,810 megabytes in non-PDF format	\$100
Body worn camera video (Kaufman): 2,400 megabytes in non-PDF format	\$100
Body worn camera video (Links): 755,210 megabytes in non-PDF format	\$100
Body worn camera video (Hewkin): 701,870 megabytes in non-PDF format	\$100
Body worn camera video (Hale): 1,100 megabytes in non-PDF format	\$100
Dashcam video (Jeffers/Kaufman): 298 megabytes in non-PDF format	\$100
Dashcam video (Hale): 1, 110 megabytes in non-PDF format	\$100
USB flash drive	\$7.97
DVD (7 at \$0.38 each)	\$2.66
Part 1 total	<u>\$730.63</u>

Part 2 of request: All emails to/from Vacellia Clark from Sept 1, 2019 through Dec 31, 2019. Clark seems to have at least two email addresses (vpclark@urbanaillinois.us and hro@urbanaillinois.us).

On June 16, 2020, you narrowed this request to include only the month of December 2019.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 5 megabytes in PDF format	\$20
Part 2 total	<u>\$20</u>

Part 3 of request: A copy of the Urbana Police Department Policies. I understand there are versions posted on the City website. I am asking for unredacted versions. I see no reason why citizens would not be allowed to view the policies of their own police department.

<u>Item</u>	<u>Cost</u>
Police Department policies: 4.98 megabytes in PDF format	\$20
USB flash drive	\$7.97
Part 3 total	<u>\$27.97</u>

Estimated total fee

\$778.60

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than Tuesday, June 23, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to Section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document (ID).

The City will respond to parts 1, 2, and 3 of your FOIA request not more than 21 business days from the date the City receives your full payment of the estimated fee.

Part 4 of request: Any and all documents related to an incident that occurred on May 14, 2020 around 2:50pm involving UPD (Vogt and Rich were on scene, and I think there were others) response to W Elm & S Cedar. I am requesting all documents, video, and audio. I am requesting all documents be provided in digital format.

Part 4 of your request is denied. Section 7(1)(d)(iii) of FOIA exempts from inspection and copying law enforcement records to the extent that disclosure would "create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing." 5 ILCS 140/7(d)(iii). The records you have requested in part 4 are law enforcement records for a case currently pending in the Champaign County Circuit Court. Premature public disclosure of the records may taint any potential juror and create a significant potential for witness intimidation, expose actual or prospective witnesses to undue influence or retaliation, and deter their cooperation, thereby depriving the defendant of a fair trial. Therefore, these records are exempt from disclosure. The person responsible for the denial is Freedom of Information Officer Curt Borman.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanaininois.us

Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Monday, June 15, 2020 3:25 PM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-271

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated May 14, 2020, and designated as number 2020-F-271.

The estimated fee for the City's response to your request is \$87.97. This fee has been determined as follows:

Part 1 of request: All documents and data related to: During City Council meeting on 5/11/2020, Mayor Marlin mentioned a City meeting attended by herself, Chief Seraphin, Minnie Pearson, Carol Spindel, Tracy Parsons, Robert Moore, Florence Kaplow, Vacellia Clark, Joel Sanders. Please provide all documents from that meeting including the full recording of the meeting.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 9.02 megabytes in PDF format	\$20
USB flash drive	\$7.97
Part 1 total	<u>\$27.97</u>

Part 3 of request: All documents and data related to: During City Council meeting on 4/6/2020, James Simon announced that ""You'll be please to know that the PAC has blessed exactly what we've been doing all along, with emailing public input to Charlie ...". Please provide all documents and communication between the PAC/city staff/officials that support Simon's claim.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 4.11 megabytes in PDF format	\$20
Part 3 total	<u>\$20</u>

Part 4 of request: All documents and data related to: Emails sent and received by Charlie Smyth from to 3/16/2020 to 3/29/2020.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 17.5 megabytes in PDF format	\$20
Part 4 total	<u>\$20</u>

Part 5 of request: All documents and data related to: The central registry of complaints maintained by CPRB, and the central registry of complaints maintained by HRC

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 0.1756 megabytes in PDF format	\$20
Part 5 total	<u>\$20</u>

Estimated total fee **\$87.97**

Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Monday, June 15, 2020 3:53 PM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-269

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated May 14, 2020, and designated as number 2020-F-269.

The estimated fee for the City's response to your request is \$168.35. This fee has been determined as follows:

Part 1 of request: Any and all documents related to an incident on May 12 around 10 pm involving a damaged van on the 500 block of W Illinois St. Please include all reports, emails, and audio/video.

<u>Item</u>	<u>Cost</u>
Accident report #U20-1986: 0.619 megabytes in PDF format	\$20
Dispatch ticket: 0.00345 megabytes in PDF format	\$0
Dashcam video (Vogt): 509 megabytes in non-PDF format	\$100
USB flash drive	\$7.97
DVD	\$0.38
Part 1 total	<u>\$128.35</u>

Part 2 of request: Any and all documents related to the Urbana CPRB regarding the resignation of Grace Mitchell, the placement of Mikhail Lyubansky as chair, and the resulting vacant board seat which the City now seeks to fill (including documents about new applicants). Any related emails should be included.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 5.74 megabytes in PDF format	\$20
Part 2 total	<u>\$20</u>

Part 3 of request: All emails to/from Council member Bill Brown from April 15 to May 15.

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 18.5 megabytes in PDF format	\$20
Part 3 total	<u>\$20</u>

Estimated total fee **\$168.35**

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than Monday, June 22, 2020. To make this payment, please mail a check or money order to the City Clerk' Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to Section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than Monday, June 22, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to Section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document (ID).

The City will respond to your FOIA request not more than 15 business days from the date the City receives your payment of the estimated fee.

Part 2 of request: All documents and data related to: During City Council meeting on 5/11/2020, Mayor Marlin mentioned "a bullet that went over the heads of bystanders...". Please provide all documents that support her claim.

The City has no responsive documents to this request. Further, this request is denied with respect to officer-worn body camera videos. Section 7.5(cc) of FOIA exempts from inspection and copying recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act. 5 ILCS 140/7.5(cc). The Act provides that recordings made with an officer-worn body camera are not subject to disclosure under FOIA unless the recordings are "flagged," as this term is defined in the Act, or the request comes from the subject of the encounter captured on the recording, the subject's attorney, or the subject's legal representative. 50 ILCS 706/10-20(b). The Urbana Police Department informs me that the responsive body camera recording is not flagged and that the department does not possess information indicating that you are the subject of the encounter captured on the recording or the subject's attorney, or legal representative. Therefore, this recording is exempt from disclosure. The person responsible for the denial is Freedom of Information Officer Curt Borman.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
400 S. Vine St, Urbana, IL 61801
217-384-2362
cityclerk@urbanaindinois.us



Curt Borman

From: Meharry, Kay <lkmeaharry@urbanailinois.us>
Sent: Tuesday, July 14, 2020 11:43 AM
To: [REDACTED]
Subject: Response to FOIA request 2020-F-321

Dear [REDACTED]

The City of Urbana (City) hereby tenders its response to your FOIA request, dated June 13, 2020, and designated as number 2020-F-321.

2020-F-321: I am requesting all documents relating to previous FOIA requests that the City of Urbana has determined I have submitted.

The estimated fee for the City's response to your request is \$27.97. This fee has been determined as follows:

<u>Item</u>	<u>Cost</u>
Miscellaneous responsive records: 1.85 megabytes in PDF format	\$20
USB flash drive	\$7.97
Total	<u>\$27.97</u>

You must pay the estimated fee before the City begins copying the requested records. Payment is due no later than July 21, 2020. To make this payment, please mail a check or money order to the City Clerk's Office, 400 S. Vine Street, Urbana, Illinois 61801 and include the City's FOIA request number with your payment. If you fail to remit the estimated fee, the City may deny this request. However, if the City processes this request and you subsequently fail to accept or collect the responsive records, the City may still charge you for its response pursuant to Section 6 of FOIA. Further, your failure to pay will be considered a debt due and owing to the City and may be collected in accordance with applicable law.

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document.

The City will respond to your FOIA request not more than 21 business days from the date the City receives your full payment of the estimated fee.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry

Portions of the records you have requested may be exempt from disclosure under FOIA. These portions will be redacted from the records being released to you. The redactions will increase the size of electronic records, which may result in an additional fee. In this case, the City will provide you with an accounting of the final fee. You must pay the final fee before the City will release the records. When retrieving your records, you must present a government-issued photo identification document (ID).

The City will respond to parts 1, 2, and 3 of your FOIA request not more than 21 business days from the date the City receives your payment of the estimated fee.

Part 1 of request: Part 1 of your request is denied with respect to officer-worn body camera videos. Section 7.5(cc) of FOIA exempts from inspection and copying recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act. 5 ILCS 140/7.5(cc). The Act provides that recordings made with an officer-worn body camera are not subject to disclosure under FOIA unless the recordings are "flagged," as this term is defined in the Act, or the request comes from the subject of the encounter captured on the recording, the subject's attorney, or the subject's legal representative. 50 ILCS 706/10-20(b). The Urbana Police Department informs me that the responsive body camera recordings are not flagged and that it does not possess information indicating that you are the subject of the encounter captured on the recording or the subject's attorney, or legal representative. Therefore, these recordings are exempt from disclosure. The person responsible for the denial is Freedom of Information Officer Curt Borman.

Parts 3, 4, and 5 of request: On May 30, 2020, the City notified you that producing records responsive to parts 3, 4, and 5 of your request would be unduly burdensome under section 3(g) of FOIA (5 ILCS 140/3(g)) and invited you to narrow the scope to bring these requests within manageable proportions pursuant to section 3(g). The City received your response to that notice on June 4, 2020. In that response, you asked for guidance on reducing the size of your requests. On June 8, 2020, the City provided you with guidance. The City has not received any further response from you. Because you did not narrow parts 4 and 5 of your request, the City has determined that these parts remain unduly burdensome requests. Therefore, parts 4 and 5 of your request are denied. However, the City will produce records responsive to part 3 after you pay the estimated fee, as described above. The person responsible for this denial is Freedom of Information Officer Curt Borman.

If you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to a review of this decision by the Public Access Counselor of the Office of the Illinois Attorney General. To file a "request for review," you may write to the Public Access Bureau at 500 S. Second Street, Springfield, Illinois 62701, or you may phone 877-299-FOIA (877-299-3642). Any person denied access to inspect or copy any public record also may file suit for injunctive or declaratory relief, in accordance with 5 ILCS 140/11.

Sincerely,

L. Kay Meharry
Assistant City Clerk
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