

**RULES AND REGULATIONS IN ACCORDANCE
WITH THE ILLINOIS FREEDOM OF INFORMATION ACT
5 ILCS 140/1 ET SEQ. FOR RESPONDING TO
REQUESTS FOR INSPECTION OR COPYING OF PUBLIC RECORDS**

Section 1: Introduction

The Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) (the “Act” or “FOIA”) requires all public bodies in the State of Illinois to make non-exempt public records available for inspection and copying. The Winnetka Park District not only strives to comply with the Act, but also endorses the fundamental concept that citizens are entitled to legally mandated information regarding the affairs of the Park District and the official acts and policies adopted by Park District officials and public employees. The Park District recognizes that its desire for active and informed participation of its citizens in the public policy process necessitates full and free access to information, subject to the Park District’s responsibility to protect certain information and privacy interests entitled to protection under the Act and to maintain the efficiency of its administrative operations.

Section 3 of the Act authorizes the Winnetka Park District Board of Park Commissioners (“Park Board”) to promulgate rules and regulations addressing the availability of records and establishing procedures for requesting and responding to requests for public records, consistent with the Act. These rules and regulations are intended to serve as procedural guidelines for requesters and Park District officials engaged in the Act’s document request process. In any instance in which these procedures conflict with language contained in the Illinois Freedom of Information Act as now existing or hereafter amended, the terms of the Act shall prevail.

Section 2: Procedures for Request for Inspection or Copying of Records

Requests for the inspection and copying of non-exempt public records pursuant to FOIA may be made in person at the Winnetka Park District Administrative Offices, 540 Hibbard Rd, Winnetka, Illinois 60093, Mondays through Fridays, between the hours of 8:30 am and 5:00 pm, except on holidays. The Winnetka Park District will also accept FOIA requests received by facsimile, electronic mail and through the United States mail. The Park District is only responsible for responding to requests that it actually receives and is not responsible for transmission or delivery errors. . Any requests received by the Park District after 5:00 pm shall be considered as received on the following business day.

Requests for inspection or copies of public records shall be made in writing. For the convenience of the requester, the Park District provides a form for use in submitting a written request. Use of this form is not required. All requests should state a physical address or email

address to which the Park District should send its response. The Park District will not accept or respond to oral requests for inspection or copies of public records.

To ensure that each FOIA request is acted upon in a complete and timely fashion, the requester should ensure that the public record being sought is clearly identified in his/her request. Requesters should provide as much known information about the requested record as possible (e.g., type of record, approximate date of record, department where record may be located, etc.). The request should indicate whether the records are to be inspected, copied and/or certified. Special rules apply to voluminous and unduly burdensome requests as those items are defined in the Freedom of Information Act. The Park District has the authority to deny any request for any lawful reason specified in the Freedom of Information Act. The Park District is not obligated to interpret or advise requesters as to the meaning or significance of public records that may be provided.

If the request is being made for a commercial purpose, the Park District asks that the requester disclose that fact to the Park District at the time the request is made. It is a violation of the Act to knowingly obtain a public record for a commercial purpose without such disclosure.

Section 3: Fee Schedule

Pursuant to Section 6 of the Act, the Winnetka Park District has the authority to charge reasonable fees for the duplication and/or certification of public records produced in compliance with FOIA requests. The FOIA Officer is given the authority to grant a waiver or reduction of fees for copying records if the requester's stated purpose is to obtain information regarding the health, safety, and welfare of the general public and is not for the principal purpose of personal or commercial benefit. In determining the amount of any such waiver or fee reduction the Park District will also consider the number of records requested and the actual costs of copying.

For each request form filed, citizens shall be furnished with the first fifty (50) pages of black and white, letter or legal sized copies at no charge. Fees will not be waived for the first fifty (50) pages of color copies or copies (either black and white or color) exceeding 8 ½ x 14" unless a waiver or fee reduction is granted by the FOIA officer as a means of furthering the public interest. The FOIA officer shall cause records maintained in electronic format to be furnished to a requester in the electronic format specified by the requester, if feasible. The FOIA Officer may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium.

Unless otherwise waived, copying fees must be paid in advance of the records being made available to the requester. Fees are as follows:

8.5” x 11 documents:	\$0.15/page
8.5” x 14” documents:	\$0.15/page
Certification:	\$1.00/document

Fees to copy blueprints, oversized documents, pamphlets, manuals and any other records which are to be copied by an outside service shall be based on the actual costs incurred by the Park District, which actual costs shall not be deemed to include “the costs of any search for and review of the records or other personnel costs associated with reproduction of the records.” *See* Section 6(b) of the Act). Information regarding these fees will be provided to the requester before copying. Additional fees for accident records may apply as permitted by law.

Section 4: Park District Response to Request for Inspection or Copying of Records

In accordance with the Act, the Winnetka Park District will respond to all non-commercial requests within five (5) working days of receipt unless extended as authorized by law. Responses will be provided to any commercial requests within twenty-one (21) working days of receipt unless extended as authorized by law. In processing requests for records made under the Act, the Park District shall give priority first to any non-commercial requests pending before it. The Park District will typically respond to a request in one of the following ways:

A. Approval of Request

If the requested records are available and determined to be non-exempt, the Park District will advise the requester which records are available and the cost to copy the records. For commercial requests, the Park District response will include an estimate of the time required to locate and compile the records requested, as well as the estimated fees to be assessed to the requester.

If the requester has asked to inspect the documents, the Park District will provide the requester with notice of a time and location in which the inspection will be conducted during normal business hours at the Park District’s administrative offices unless another location is otherwise agreed upon by the Park District and the requester. The Park District may require that an officer or employee of the Park District be present during any inspection of public records. A requester may be prohibited from bringing bags, brief cases, or other containers into the room in which the inspection takes place. Documents made available for inspection will be held for fourteen (14) working days from the date of the Park District’s response and thereafter will be re-filed.

Fees for copies of records, unless waived, must be paid prior to inspection and copying. All copying of documents shall be done by an officer or employee of the Park District or an outside service as designated by the Park District. Upon written

request, the Park District will mail copies of public records to the requester. Upon written request, the Park District will email or fax copies of public records to the requester unless emailing or faxing the records is not practical due to the number of pages being provided in response to the request.

B. Extensions of Time

i. Notice of Extension

Under certain circumstances, the Park District may provide notice of an extension of time for response to a request. This time period shall not exceed an additional five (5) working days or a total of ten (10) working days from receipt of the original request. Any notice of extension must cite the reason why the extension is necessary.

ii. Agreement by Requester and the Park District to an Extension of Time

The requester and the Park District may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the Park District agree to extend the period for compliance, a failure by the Park District to comply with any previous deadlines shall not be treated as a denial of the request for records.

C. Denial of Request

Any denial of any part of a request shall be made in writing and shall state the reason(s) for the denial in accordance with Section 3(g), or if the record is determined to be exempt, pursuant to Section 7 of the Freedom of Information Act.

Section 3(g) of the Act allows the Park District to deny a request for a category of records if compliance with the request would place an undue burden upon the Park District. Before denying a request on the basis of a Section 3 (g) exemption, the Park District will offer the requester an opportunity to confer with the Park District to reduce the scope of the request to a manageable proportion. Any denial pursuant to Section 3(g) shall specify the reason(s) why the request as amended is unduly burdensome to the Park District, and the extent to which the burden upon the operation of the Park District outweighs the public interest in the requested information. Repeated requests for the same public records by the same person shall be deemed unduly burdensome and shall be denied accordingly.

Section 7 of the Act describes records that are exempt from public disclosure and, therefore, need not be produced by the Park District.

All full or partial denials of a FOIA request shall include the itemized "Denial Information" set forth below in Section 6 of these Rules and Regulations in the

written response to the requester. In accordance with the provisions of the Act, copies of all denials shall be retained by the FOIA Officer and will be indexed according to the type of exemption asserted and, to the extent feasible, according to the type of records requested.

Section 5: Administrative and Judicial Review Procedures

Any requester whose request for information has been denied by the Park District may petition the Public Access Counselor (“PAC”) in the office of the Illinois Attorney General for review of said denial. A request for review must be filed with the Public Access Counselor not more than sixty (60) days after the date of the final denial. Any such request for review must be in writing, signed by the requester, and include copies of the original FOIA request and any responses received from the Park District.

Upon receipt of a request for review, the PAC shall determine whether further action is warranted. If the PAC determines that the alleged violation of the Act is unfounded, he/she shall so advise the requester and the Park District, and no further action will be taken with respect to the complaint. In all other cases, the PAC shall forward a copy of the request for review to the Park District within seven (7) working days after receipt and shall specify the records or other documents that the Park District shall furnish to facilitate the review. Within seven (7) working days after the Park District’s receipt of the request for review, the Park District FOIA Officer must provide the PAC with copies of any records requested by the PAC and shall otherwise cooperate with the PAC. To the extent that records produced by the Park District for the purposes of PAC review contain information that is claimed to be exempt, the PAC shall not further disclose that information.

Within seven (7) working days after the Park District’s receipt of the request for review and the request for production of records (if applicable) from the PAC, the Park District may respond to the allegations of the request for review in the form of a letter, brief, or memorandum. The PAC shall forward a copy of any such written answer to the requester and the requester may respond in writing to such answer within seven (7) working days. If the requester chooses to file a written reply to the Park District’s response to the allegations, the requester must provide a copy of that response to the PAC and the Park District.

The PAC shall examine the issues and records submitted in conjunction with any request for review and shall, within sixty (60) days, issue to the requester and the Park District an opinion in response to the request for review. The opinion shall be binding upon both the requester and the Park District, subject to administrative review under Section 11.5 of the Act. The PAC may opt to extend the 60-day time period by up to twenty-one (21) additional working days, provided that the PAC sends written notice of such extension to both the requester and the Park District. The Attorney General may exercise his/her discretion and

choose to resolve a request for review by mediation or by a means other than the issuance of a binding opinion.

Upon receipt of a binding opinion, concluding that a violation of the Act has occurred the FOIA Officer shall either take necessary action immediately to comply with the opinion's mandate, or shall initiate administrative review under Section 11.5 of the Act. If the opinion concludes that no violation occurred, the requester may initiate administrative review under Section 11.5 of the Act.

Any person denied access to inspect or copy any public record shall also have the right to file suit for injunctive or declaratory relief in the Circuit Court of Cook County.

Section 6: Winnetka Park District FOIA Administrative Procedures

In accordance with Section 3.5 of the Act, the Park Board will designate one or more Park District employees or officers to serve as a FOIA Officer (or Officers, as the case may be). A designated FOIA Officer shall have the authority to assign to other employees of the Park District tasks that must be performed to assist the FOIA Officer in preparing a response to the request in a timely manner. Any employee assigned a task by a FOIA Officer shall give the task priority over the performance of all other tasks, except other tasks that relate to the Park District's response to a public emergency. The FOIA Officer (or Officers) shall be responsible for implementing these policies and procedures and processing all FOIA requests and requests for information in accordance with the terms of the Act. Each individual designated as a FOIA Officer shall successfully complete an annual training curriculum through the State of Illinois, as provided in the Act.

All FOIA requests shall be date-stamped upon receipt. The FOIA Officer shall forward a copy of the request to the appropriate contact employee or official with potential knowledge and access to the requested records. Upon forwarding the request to the appropriate department, the FOIA Officer shall also indicate the date by which the request must be approved or denied (five working days from the date of receipt, in most instances).

The individual responsible for providing the information shall promptly either provide the requested records or indicate that no such records exist. If the employee responsible for providing the information on behalf of his/her department believes that the request should be denied, s/he shall advise the FOIA Officer of his/her opinion and provide facts in support of his/her assertion. The employee shall endeavor to notify the FOIA Officer of his/her recommendation on the request no later than three (3) working days after its receipt. The FOIA Officer shall then respond in writing to the requester accordingly. If denying the request, the FOIA Officer or other individual responsible for the denial must include, in writing, the following information (the "Denial Information"):

1. The statutory exemption used as the basis for the denial and the specific reasons for the denial, including a detailed factual basis and citation to supporting legal authority;
2. The names/titles of each person responsible for the denial;
3. The notice of the requester's statutory right to petition the Public Access Counselor for review of the denial; and
4. The notice of the requester's statutory right to judicial review under Section 11 of the Act.

If any public record exempt from disclosure contains material which is not exempt, the Park District shall delete the exempt information and make the remaining information available for inspection and copying.

If the responsible employee determines that there is not adequate time to gather the requested information, the time limit may be extended by an additional five (5) working days. Appropriate reasons for extension include:

1. The requested record is in a place other than the office at which the record is being requested.
2. The request requires the collection of a substantial number of specified records.
3. The request is couched in categorical terms and requires an extensive search for the records responsive to it.
4. The requested records have not been located in the course of routine search and additional efforts are being made to locate them.
5. The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if the records are exempt from disclosure under Section 7 of the Act or should be revealed only with appropriate deletions.
6. The request for records cannot be complied with by the public body within the time limits prescribed by Section 3 of the Act without unduly burdening or interfering with the operations of the Park District.
7. There is a need for consultation, which shall be conducted with all practicable speed with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.

When additional time is required for any of the reasons listed above, the responsible employee shall endeavor to notify the FOIA Officer as soon as possible, but no later than three (3) working days after receipt of the request. The FOIA Officer shall promptly send written notice of extension to the requester, stating the reason(s) for the extension and the date by which the records will be available or that a denial will be forthcoming. Typically,

extensions for a period exceeding five (5) working days are not permissible, except that an extension beyond the additional five (5) working days period for extension maybe agreed upon in writing by both the requester and the FOIA Officer.

All requests for public records made under the Act shall be maintained in a file in an office designated by the FOIA Officer and preserved in accordance with the provisions of the Local Records Act. Documents maintained in this file shall include, but not be limited to, the following: the original request, a copy of the written response, a record of written communications with the requester, and a copy of all other communications. Additionally all denials of FOIA requests shall by law, be indexed according to the statutory basis for the individual denial. To the extent practicable, these records should be further subdivided by type or category of record requested.

In accordance with the provisions of Section 4 of the Act, the FOIA Officer shall be responsible for publishing and maintaining a local FOIA manual, pamphlet or substantially similar document containing the following information:

1. A brief description of the Winnetka Park District, including but not limited to:
 - a. a short summary of its purpose
 - b. a block diagram of its functional subdivisions
 - c. the total amount of its operating budget
 - d. the number and location of each of its separate offices
 - e. the approximate number of full and part-time employees
 - f. the identification and membership of any board, commission, committee or council that operates in an advisory capacity relative to the operation of the public body, or which exercises control over its policies or procedures.
2. A brief description of the methods whereby the public may request information and public records.
3. A directory designating by titles and addresses those employees to whom requests for policy records should be directed.
4. A schedule of local fees, as allowable under Section 6 of the Act.
5. A reasonably current list of all types or categories of records maintained by the Winnetka Park District.
6. A listing of all documents or categories of records that the Park District shall immediately disclose upon request.
7. A description of the manner in which public records stored by means of electronic data processing may be obtained in a format comprehensible to persons lacking knowledge of computer language or printout format.

Section 7: Applicability

In the event of any conflict between this policy and applicable law, applicable law shall apply and control. These Rules and Regulations are intended to serve as general guidelines for the submittal of and response to FOIA requests. The Park District is not legally obligated to comply with these Rules and Regulations and may deviate from any of the terms hereof in any manner that is otherwise in compliance with applicable law. The Park District shall not be liable to any requester or other individual, group or organization for failure to strictly comply with these Rules and Regulations.

WINNETKA PARK DISTRICT CATEGORIES OF INFORMATION AVAILABLE THROUGH THE FREEDOM OF INFORMATION ACT

- I. ORDINANCES
 - A. Financial Ordinances
 - 1. Tax Levy
 - 2. Budget & Appropriations
 - 3. Abatement
 - 4. Bond
 - B. Other General Information
- II. RESOLUTIONS
 - A. Financial
 - B. Other
- III. BOARD MINUTES
- IV. BOARD MEETING NOTICE
- V. COMMITTEE MINUTES
- VI. APPROVED AND EXECUTED CONTRACTS
 - A. Leases (as lessee)
 - B. Leases (as lessor)
 - C. Maintenance/Service Contracts
 - D. Intergovernmental Agreements
 - E. Real Estate Contracts
 - F. Employment Contracts
- VII. FINANCIAL RECORDS

- A. Annual Audit Reports
 - B. Annual Treasurer's Reports
 - C. Voucher Lists
 - D. Receipt and Disbursement Ledgers
 - E. Bills (filed by vendor)
 - F. Other
- VIII. CORRESPONDENCE
- IX. ASSET RECORDS
- A. Fixed Assets Inventory
 - B. Maps, Aerial Photographs, Surveys
 - C. Exempt Property Affidavits
 - D. Tax Divisions
- X. PLANNING DOCUMENTS
- A. Long Range Plan
 - B. Master Plan
 - C. Strategic Plan
- XI. CAPITAL PROJECTS RECORDS
- A. Contracts
 - 1. Architect
 - 2. Contractor
 - 3. Engineer
- XV. LIST, NAME, SALARY, TITLE, DATE OF EMPLOYMENT OF EMPLOYEES
- XII. BOARD POLICY MANUAL
- XIII. GRANTS
- A. Agreements
- XIV. REPORTS
- A. Consultant Reports
- XV. ELECTION INFORMATION
- A. Oath of Office
- XVI. INSURANCE RECORDS

WINNETKA PARK DISTRICT COMPOSITION

DESCRIPTION

The Winnetka Park District is a special district of local government with its own financial and legal responsibilities, established in 1904 for the purpose of providing park and recreational opportunities to residents of the community and public at large. It is governed by seven Park Commissioners who serve a four-year term without compensation. Regular Board meetings are generally held on the fourth Thursday of each month at 6:00 PM. Please check with the main office for particulars 847-501-2040.

BOARD OF PARK COMMISSIONERS

Warren James, President
Mickey Archambault
Christine Codo
Eric Lussen
Cynthia Rapp
Colleen Root
David Seaman

Steven B. Adams, Park District Attorney
John Peterson, Secretary
Christine Berman, Treasurer

OPERATING BUDGET

The total operating budget for fiscal year 2021 is approximately \$10,023,170.

OFFICES OF THE PARK DISTRICT

Administration and Facilities Offices

1. Administrative Office
540 Hibbard Road 847-501-2040
2. A.C. Nielsen Tennis Center
530 Hibbard Road 847-501-2065

- 3. Winnetka Ice Arena
490 Hibbard Rd. 847-501-2060

- 4. Winnetka Golf Club
1300 Oak St. 847-501-2050

STAFF

The Park District employs approximately 33 full-time employees and 125-400 additional part-time employees, depending on the season. Full-time employees are those working at least 30 hours per week year-round.

WINNETKA PARK DISTRICT ORGANIZATION

MANAGING AUTHORITY

The Park District is an autonomous governmental agency, responsible directly to the people through the election and referendum process. The District receives its operating authority from the Illinois Park District Code, (-70 ILCS 1205/1-1 et seq.). Through the Code, the Park District is empowered to levy taxes, acquire and develop parks, build and operate recreation facilities, and conduct recreation programs.

PARK BOARD

The Park Board is made up of seven (7) elected commissioners who serve four (4) year terms. It is the responsibility of the Park Board to acquire, develop, maintain, and protect park and recreation areas in Winnetka and to provide leisure and recreational activities for the public. This is accomplished by the Park Board and Park District staff through a variety of activities pursuant to an operating budget. The Park Board meets on the second and fourth Thursday of every month at the Administrative Building, 540 Hibbard Rd., Winnetka. The Park Board employs an Executive Director to carry out the policies of the Board.

