



November 21, 2016

**VIA EMAIL**

Mr. Curtis A. James  
Baum, Ruffolo & Marzal, Ltd.  
Attorneys at Law  
Email: [curtjames@brmlaw.org](mailto:curtjames@brmlaw.org)

RE: 16-FOIA-281 Info - Metra Parking Facilities

Dear Mr. James:

We are in receipt of your request under the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA”).

**I. Background**

On November 3, 2016, we received your request for:

- 1) All contracts and other agreements over the last five years with any contractor, firm, or other entity relating to the operation of the ticket / pay stations at Metra parking facilities;
- 2) All records and other documents establishing the disposition or division, between Metra and the contractor(s), of monies collected at the parking ticket/pay stations;
- 3) a) All records and other documents showing the total dollar amount collected in cash from the parking ticket/pay stations for 2015;  
b) All records and other documents showing the total dollar amount of tickets paid for by cash at the parking ticket/pay stations for 2015; and  
c) all records and other documents showing the total dollar amount listed on receipts for tickets issued for payments by cash at the parking ticket/pay stations for 2015; and
- 4) All materials showing any laws, rules or regulations, including under the RTA Act, governing the amount of money which may be charged or which may be collected for a ticket at a Metra parking facility

(“Request”).

I contacted you by email on November 16, to advise that we were still reviewing many documents that may be responsive to your Request, but that we would not be able to meet the deadline to respond as scheduled. I asked if you would grant us a short extension to November 21 in order to finalize your Request. You responded that same day granting the extension.

**II. Responsive Documents**

In response to your Request, Metra is providing you with:

- 1) The Parking Facilities Operation and Maintenance Agreement No. M30496, between Metra and CPS Chicago Parking, LLC, dated October 1, 2011, and expiring on September 30, 2016, with Exhibits and Supplemental Agreement dated May 15, 2015;  
  
The Operation and Maintenance Contract No. S61409, between Metra and CPS Chicago Parking, LLC, dated September 22, 2016, and expiring on September 30, 2023, with Exhibits and Addendum No. 1; Commencement Date Modification; and Change Order No. 1; and  
  
The Notice of Award, the Management of Metra LaSalle Street Parking Facility Contract No. S61408, dated September 22, 2016, between Metra and CPS Chicago Parking, LLC, expiring on September 30, 2023, with Addendum No. 1; Exhibits; Commencement Date Modification; and Change Order No. 1
- 2) See Section 5 of the Parking Facilities Operation and Maintenance Agreement No. M30496, dated October 1, 2011 and Exhibit 1-H; and See Section 6 of the Operation and Maintenance Contract No. S61409, dated September 22, 2016 and Exhibit 1-F; and See Sections 7 - 9 of Metra LaSalle Street Parking Facility Contract No. S61408 and Exhibit 1-E;
- 3) The Systemwide Revenue Statements for Y2015; and Revenue Statements for the LaSalle Street Station for July 2015 – December 2015; and
- 4) Please refer to the Regional Transportation Authority Act that can be located at <http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=984&ChapterID=0>. After performing a diligent search of Metra's records, we have been unable to locate any additional records responsive to that portion of your Request for all materials showing any laws, rules or regulations, including under the RTA Act, governing the amount of money which may be charged or which may be collected for a ticket at a Metra parking facility. Metra is free to negotiate parking rates with its vendor.

Please note that with the addition of the LaSalle Street Station in July 2015, Metra owns/controls a total of thirty-eight (38) parking facilities. As for those parking facilities not listed in Exhibit 1-D, Rev. 1/7/2015 Lot Listing, Metra does not own/control these lots, and therefore, would not have agreements concerning those parking facilities. You may wish to contact the various cities, villages or municipalities for information regarding their parking facilities.

### **III. Partial Denial**

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Jamie Harrmann has determined that the following portions of the Responsive Documents are exempt from disclosure under certain provisions of FOIA:

1. The personal financial information of the party mentioned in the Responsive Documents is being redacted because it is exempt from disclosure under Section 7(1)(b) of FOIA, which exempts "private information." "Private information" is defined as unique identifiers, including a person'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.

2. Insurance information contained within the Responsive Documents is being redacted because it is exempt from disclosure under Section 7(1)(s) of FOIA, which exempts “[a]ny and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool Insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications.” 5 ILCS 140/7(1)(s). Accordingly, per Attorney Jamie Harrmann, all information regarding insurance within the Responsive Documents has been redacted.

#### **IV. Right of Review**

You have the right to have the partial denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor  
Office of the Attorney General  
500 South 2nd Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us).

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Kathleen E. Haton  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)  
FOIA Hotline #312-663-3642

Attachments