



## CITY OF ANN ARBOR, MICHIGAN

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July 18, 2018

Edward Vielmetti

Via Email: [edward.vielmetti@gmail.com](mailto:edward.vielmetti@gmail.com)

**Subject: Appeal of FOIA 1438**

Dear Mr. Vielmetti

This letter is in response to your appeal of the City's response to FOIA 1438.

The City denied your request for both the tentative bargaining agreement between the City and the Command Officers Association of Michigan and any correspondence between the City Administrator and any member of City Council regarding "5/21/18 COAM Resolution 2018-2020" because the City did not have documents that were responsive to either request. This was correct.

Further, any non-final version of the bargaining agreement between the City and the Command Officers Association of Michigan would be exempt from a request under Michigan's FOIA as "Communications and notes within a public body or between public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final agency determination of policy or action." MCL 15.243(1)(m). I find, in this instance, the public interest in encouraging frank communication between the City and the union clearly outweighs the public interest in disclosure. The appeal is therefore denied.

Sincerely,

Howard S. Lazarus  
City Administrator