

March 18, 2009

Edward Vielmetti
1210 Brooklyn Avenue
Ann Arbor, MI 48104

RE: FREEDOM OF INFORMATION ACT REQUEST

Dear Mr. Vielmetti:

A Freedom of Information Act (FOIA) request was received from you by the Ann Arbor Downtown Development Authority on Monday, March 16, 2009. In this request you sought "access to and copies of the continuously updated information about the current availability of parking structure occupancy and free spaces, as currently provided to the general public on the web page."

FOIA was intended to cover all "records" as defined by the statute in the possession or control of a government agency like the DDA. In this instance no such records are kept of the continuous changes to the parking data that is being displayed on the DDA website. At the end of the month, Republic Parking produces a summary report of activity. Therefore we are unable to provide you with information in response to your FOIA request.

On a related note, the DDA is aware of your request to have access to the parking vacancy data displayed on its website and is agreeable to that request. The DDA is managing a public resource and stipulated parameters must be established. First, a statement will be placed on the DDA's website acknowledging that the DDA will not be responsible for a third party use of its parking data. Second, the DDA reserves the right to eliminate parking vacancy data from its website at any time, regardless of the impact to others who may be using this data. Third, the DDA reserves the right to provide parking vacancy data by telephone to interested patrons either through its parking operator or through its own automated telephone system, or any other distribution method, separate from your initiative. And finally, you must attribute the source of the data to the DDA, and state that the DDA makes no claim of accuracy with its data.

I hope this response has been helpful.

Sincerely yours,



Susan Pollay, Executive Director and FOIA Coordinator
Ann Arbor Downtown Development Authority



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