

February 25, 2005

Ron C. West
6304 Glenview Drive
North Richland Hills, TX 76180

Re: *Public Information Requests From Ron West, Received January 26, 2005*

Dear Mr. West:

The e-mail you submitted to the North Richland Hills city secretary on February 15, 2005 has been forwarded to me. As the City Attorney for the City of North Richland Hills, my office handled your original request and now your inquiry into our response to that request. You propose that the first two items in your request for public information were not addressed in our letter to the Attorney General, of which you received a copy. Specifically, on January 26 you sought the following:

- "1) A copy of any existing pending draft(s) of changes to existing ordinances that are planned to be submitted for council consideration in the next 45 days from the date of this request.
- 2) A copy of any existing pending draft(s) of any new ordinances that are planned to be submitted for council consideration in the next 45 days from the date of this request."

In response to your request, on January 28, 2005 we submitted a request for an opinion from the Attorney General's office, claiming the exemptions of Sections 552.111 and 552.106 of the Government Code.

As explained in our letter to the Attorney General, Section 552.111 provides for the exemption of agency memoranda and the deliberative process privilege. We believe that draft ordinances and drafts of new ordinances and changes to existing ordinances are part of the deliberative process and are exempt from disclosure under §552.111.

As also explained in our letter to the Attorney General, Section 552.106 exempts proposed legislation and working papers from disclosure under the Public Information Act. It specifically exempts draft legislation from disclosure. Your request seeks precisely the records which are made exempt by §552.106.

Based on the application of both of these exceptions to all the areas of your request, we believe that we have addressed your entire request for information and will provide no further documentation on this matter until instructed to do so by the Attorney General's office.

Yours truly,



George A. Staples

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cc: Ms. Patricia Hutson, City Secretary
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