



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

March 16, 1990

Ms. Cathy Locke
City Attorney
City of College Station
P.O. Box 9960
College Station, Texas 77842-0960

OR90-109

Dear Ms. Locke:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 8774.

The City of College Station received two open records requests for various documents relating to the awarding of a contract for the purchase of electric power between College Station and Texas Municipal Power Agency. The requestor subsequently withdrew his first request and now seeks only an audio tape recording of a particular city counsel meeting that was open to the public. You contend that this information comes under the protection of section 3(a)(3). A previous determination of this office, Open Records Decision No. 221 (1979), a copy of which is enclosed, resolves your request. For the reasons expressed in that opinion, you must release the requested information. If, however, the tape recording covers any executive session deliberations, such portions would be excepted from disclosure by section 2A(h) of article 6252-17, V.T.C.S.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-109.

Yours very truly,

A handwritten signature in cursive script that reads "Susan Garrison".

Susan Garrison
Assistant Attorney General
Opinion Committee

SG/RWP/le

Ref.: ID# 8774

Enclosure: Open Records Decision No. 221
Tapes Sent