



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 24, 1998

Ms. M. Bernadette McKay
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

OR98-0523

Dear Ms. McKay:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 113245.

The City of San Antonio (the "city") received an open records request for, among other things, "the data submitted by each City Department and cumulative summaries detailing the anticipated costs for providing services to the annexed areas and revenue projections for the next ten (10) years." You explain that the requested information was created by the various city departments for the city's planning department for the purpose of preparing a final service plan, "which is ultimately adopted by an annexation ordinance." You seek to withhold the requested documents pursuant to section 552.106 of the Government Code.

Section 552.106 of the Government Code protects drafts and working papers involved in the preparation of proposed legislation. The purpose of the exception is similar to that of section 552.111: to encourage frank discussion on policy matters between the subordinates or advisors of a legislative body and the legislative body; it protects the internal "deliberative" or policy-making processes of a governmental body. Open Records Decision No. 460 (1987). Section 552.106 does not except purely factual material; rather, it excepts only policy judgments, recommendations, and proposals involved in the preparation of proposed legislation. *Id.*

The records at issue do not contain any factual information. Rather, they consist solely of monetary projections of proposed revenue to be generated and the proposed costs of providing services to the areas proposed to be annexed. After reviewing the documents at issue, we conclude that the requested information may be withheld in its entirety pursuant to section 552.106.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Loretta R. DeHay
Assistant Attorney General
Open Records Division

LRD/RWP/rho

Ref.: ID# 113245

Enclosures: Submitted documents

cc: Mr. Frank B. Burney
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(w/o enclosures)