



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

July 7, 2011

Ms. Maria Salinas Parker
Sanford Kuhl Hagan Kugle Parkler Kahn LLP
For Harris County Water Control and
Improvement District No. 110
1980 Post Oak Boulevard, Suite 1380
Houston, Texas 77056

OR2011-09651

Dear Ms. Parker:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 423532.

The Harris County Water Control and Improvement District No. 110 (the "district"), which you represent, received a request for: (1) all current employees, with the salaries of each employee employed by the district for the 2008, 2009 and 2010 tax years; (2) all current district board members pay and reimbursements for the 2008, 2009 and 2010 tax years; and (3) the current operating budget and capital expense budget for 2008, 2009, 2010, and 2011. You state information responsive to categories two and three of the request has been made available to the requestor. You also state that the district does not possess information fully responsive to category one of the request.¹ You state the district has made a good faith effort to relate the request to the information it holds, and has provided some information that may be responsive to category one. You explain the district has asked the requestor for clarification of this aspect of the request. *See* Gov't Code § 552.222 (if request for information is unclear, governmental body may ask requestor to clarify request). You state

¹The Act does not require a governmental body to make available information that did not exist when the request was received, nor does it require a governmental body to compile information or prepare new information. *See Economic Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision No. 452 at 3 (1986).

the requestor has not responded to this request for clarification; therefore, the district is not required to release any responsive information for which it sought clarification. If the requestor responds to the clarification request, the district must again seek a ruling from this office before withholding any responsive information from the requestor. *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or overbroad request for public information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free at (888) 672-6787.

Sincerely,



Kirsten Brew
Assistant Attorney General
Open Records Division

KB/em

Ref: ID# 423532

Enc: Submitted documents

cc: Requestor
(w/o enclosure)