



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 7, 2016

Ms. Erica E. Valladares
Counsel for City of Eagle Pass
Langley & Banack, Inc.
745 East Mulberry, Suite 900
San Antonio, Texas 78212-3166

OR2016-05189

Dear Ms. Valladares:

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# 600700 (PIR No. 2015-134).

The City of Eagle Pass (the "city"), which you represent, received a request for information regarding a compensation agreement between the city and a named individual from January 1, 2010 to the date of the request and information regarding the real property site of the proposed new Public Safety Headquarters during the same time period. You claim some of the submitted information is excepted from disclosure under section 552.117 of the Government Code. You also state you have notified the named individual of her right to submit comments under section 552.304 of the Government Code.¹ Gov't Code § 552.304(a). We have considered the exception you claim and reviewed the submitted information.

Section 552.117(a)(1) of the Government Code excepts from disclosure the home addresses and telephone numbers, emergency contact information, social security numbers, and family member information of current or former officials or employees of a governmental body who request that this information be kept confidential under section 552.024 of the Government Code. Gov't Code § 552.117(a)(1). Whether a particular piece of information is protected by section 552.117 must be determined at the time the request for it is made.

¹As of the date of this letter, we have not received any comments from the named individual.

See Open Records Decision No. 530 at 5 (1989). Therefore, the city may only withhold information under section 552.117(a)(1) on behalf of a current or former official or employee who made a request for confidentiality under section 552.024 prior to the date on which the request for this information was made. You have submitted the election form completed by the individual whose information is at issue and it reflects the individual timely elected to keep some of her information confidential. Accordingly, the city must withhold the information you have marked under section 552.117(a)(1) of the Government Code. As no further exceptions to disclosure have been raised, the city must release the remaining information.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Britni Ramirez
Assistant Attorney General
Open Records Division

BR/bhf

Ref: ID# 600700

Enc. Submitted documents

c: Requestor
(w/o enclosures)