



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 25, 2011

Mr. Charlie Zech
Attorney for City of Jourdanton
Denton, Navarro, Rocha & Bernal, PC
2517 North Main Avenue
San Antonio, Texas 78212

OR2011-02859

Dear Mr. Zech:

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# 410218.

The City of Jourdanton (the "city"), which you represent, received two requests from the same requestor for (1) the city's annexation and zoning plan, (2) maps, agendas, minutes, and recordings regarding the plan, and (3) the applicable laws, codes, ordinances and guidelines of the state, county, and city that authorize named persons to take certain actions regarding the plan. You claim that the request requires the city to conduct legal research and answer questions. We have considered your argument.

Initially, we note that you have not submitted information responsive to the requests for the city's zoning and annexation plan, and related maps, agendas, minutes, and recordings, nor do you state you have released such information, or that it does not exist. To the extent information responsive to this portion of the requests existed on the date the city received the requests, we assume you have released it. *See* Open Records Decision No. 664 (2000) (if governmental body concludes that no exceptions apply to requested information, it must release information as soon as possible). If you have not released any such information, you must do so at this time. *See* Gov't Code §§ 552.301, .302.

As to the remainder of the requests, you assert that these portions of the requests would require the city to conduct legal research and answer questions. The Act does not require a

governmental body to answer general questions, perform legal research, or create information that did not exist when the request was received. See *Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266 (Tex. Civ. App.—San Antonio 1978, writ dismissed); *Open Records Decision Nos.* 605 at 2 (1992), 563 at 8 (1990), 555 at 1-2 (1990). However, a governmental body must make a good-faith effort to relate a request to any responsive information that is within its possession or control. *Open Records Decision No.* 561 at 8-9 (1990). Therefore, while the city is not required to create a document in response to any of the questions at issue, documents from which this information may be derived would be responsive to this request. We assume the city has made a good-faith effort to relate the requestor's questions to responsive 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.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,



Misty Haberer Barham
Assistant Attorney General
Open Records Division

MHB/eeg

Ref: ID # 410218

Enc. Submitted documents

c: Requestor
(w/o enclosures)