



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 8, 2014

Ms. Michelle M. Kretz
Assistant City Attorney
Office of the City Attorney
City of Fort Worth
1000 Throckmorton Street, 3rd Floor
Fort Worth, Texas 76102

OR2014-07817

Dear Ms. Kretz:

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# 521872 (ORR# W032160).

The City of Fort Worth (the "city") received a request for meeting minutes for all Lancaster Tax Increment Reinvestment Zone Number Eight ("TIF 8") meetings during a specified time period. You state the city released some of the requested information. You claim the submitted information is excepted from disclosure under section 552.111 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

The submitted information consists of draft minutes of an open meeting of the board of directors (the "board") of TIF 8. Section 551.022 of the Open Meetings Act, chapter 551 of the Government Code, expressly provides the "minutes and tape recordings of an open meeting are public records and shall be available for public inspection and copying on request to the governmental body's chief administrative officer or the officer's designee." *Id.* § 551.022. In this instance, you state the submitted draft minutes have not been approved by the board. However, we note the minutes of a public meeting of a governmental body are public records when entered, are public in whatever form they exist, and public access may not be delayed until formal approval is obtained. Open Records Decision No. 225 (1979). Accordingly, we conclude section 551.022 is applicable to the submitted draft minutes. Further, although you raise section 552.111 of the Government Code as an exception to

disclosure of this information, we note as a general rule, the exceptions to disclosure found in the Act are not applicable to information other statutes make public. *See* Open Records Decision Nos. 623 at 3 (1994), 525 at 3 (1989). In addition, Open Records Decision No. 225 concluded section 552.111 is not applicable to notes of minutes because they do not contain advice or opinion and only reflect what in fact occurred. ORD 225 at 3. Therefore, the city must release the submitted 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,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/som

Ref: ID# 521872

Enc. Submitted documents

c: Requestor
(w/o enclosures)