

FORT BEND COUNTY FY 2010
 COMMISSIONERS COURT AGENDA REQUEST FORM

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted:	03/30/2010	Submitted By:	Michelle Rangel
Court Agenda Date:	04/06/2010	Department:	County Attorney
		Phone Number:	341-4551

SUMMARY OF ITEM:
 COUNTY ATTORNEY:
 Take all appropriate action on proposed Fort Bend County Public Information Act/Open Records Policy.

RENEWAL AGREEMENT/APPOINTMENT YES NO
REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES NO

List Supporting Documents Attached: Proposed policy, memorandum, records request form

FINANCIAL SUMMARY:BUDGETED ITEM: YES NO N/A

FUNDING SOURCE: Accounting Unit: _____ Account Number: N/A
 Activity (If Applicable): _____

DESCRIPTION OF LAWSOM ACCOUNT: _____

Instructions to submit Agenda Request Form:

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms should be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
- All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

DISTRIBUTION:
Original Form Submitted with back up to County Judge's Office (✓ when completed)
 If by E-Mail to ospindon@co.fort-bend.tx.us If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

Auditor	(281-341-3774)	<input checked="" type="checkbox"/>	Comm. Pct. 1	(281-342-0587)
Budget Officer	(281-344-3954)	<input checked="" type="checkbox"/>	Comm. Pct. 2	(281-403-8009)
Facilities/Planning	(281-633-7022)	<input checked="" type="checkbox"/>	Comm. Pct. 3	(281-242-9060)
Purchasing Agent	(281-341-8642)	<input checked="" type="checkbox"/>	Comm. Pct. 4	(281-980-9077)
Road & Bridge			County Clerk	(281-341-8697)
Engineering		<input checked="" type="checkbox"/>	County Atty	(281-341-4557)

RECOMMENDATION / ACTION REQUESTED:

Special Handling Requested (specify): _____

Purpose

Fort Bend County (“the County”) is committed to compliance with the Texas Public Information Act (“the Act”) (Texas Government Code Chapter 552). The purpose of this policy is to guide the County’s handling of and responses to requests for information under the Act.

1. Policy

- 1.1 All information and records held by the County are public unless they fall within a specific exception to the Texas Public Information Act. Each department is responsible for ensuring compliance with the Act.
- 1.2 Any County personnel receiving inquiries concerning disclosure of information should ask that the request be put in writing. If the department does not release the records to the Requestor, the request should be immediately forwarded to the Fort Bend County Attorney’s Office. That office will determine whether the information falls within an exception to the Act. If an exception is claimed, the Fort Bend County Attorney’s Office will request a ruling from the Attorney General of Texas. The request for a ruling from the Attorney General must be made within 10 business days of the receipt of the request by the County or the information is deemed public and may be subject to public disclosure.
- 1.3 The Fort Bend County Attorney’s Office may coordinate the release of any requested information and will determine the appropriate charges to the requestor for duplication of records using the guidelines of the Office of the Attorney General. The County Attorney’s Office may elect to waive charges if the cost of collecting the amount owed exceeds the actual amount charged.
- 1.4 Pursuant to Texas Government Code section 552.275, the County has established a time limit on the amount of time County personnel are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor without recovering its costs attributable to that personnel time. The time limit which has been established by the County shall be 36 hours per fiscal year. Requestors who exceed the 36 hour time limit will be required to pay costs attributable to cost of materials, overhead, and personnel time even when the requestor intends to only inspect the documents. This section does not apply to those requestors exempted by Texas Government Code section 552.275.

Effective: April 6, 2010

Agenda Item: 24