



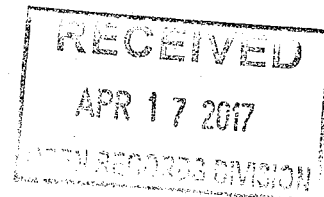
City of Austin

Law Department

City Hall, 301 West 2nd Street, P.O. Box 1088
Austin, Texas 78767-8828
(512) 974-2268

Writer's Direct Line
(512) 974-2154

Writer's Fax Line
(512) 974-2894



654196
663000

April 13, 2017

VIA FIRST CLASS MAIL

Honorable Ken Paxton
Attorney General
Open Records Division
MC-014
P.O. Box 12548
Austin, Texas 78711 2548

Re: Response to Cost Complaint ID# 654196 (PIR# 31437)

Dear Attorney General Paxton,

This letter responds to your inquires under section 552.269 of the Government Code concerning the above-referenced complaint received by your office. The requestor seeks information concerning the employment of 11 named individuals; e-mail communications to and from the named individuals during a specified period; and electronic communications to and from the named individuals during a specified period. The City provided a written itemized statement of estimated charges in the total amount of \$132,996.50. The requestor notified the City of his complaint on February 9, 2017. The City received notice from your office on March 30, 2017.

We note the City broke down its cost estimate based upon the response of three City departments: Public Works, Human Resources, and Transportation. Subsequent to the filing of this complaint, the requestor agreed to pay for the responsive information from the Public Works and Human Resources departments. The City received payment for that information in the amount of \$510.60 on March 27, 2017. Accordingly, we understand this complaint to now focus on only the estimate related to the Transportation department. That estimate totaled \$132,485.90. The following responses will relate only to that contested portion of the estimate:

- 1) The requestor has asked for all communications related to several employees for almost a full year. The City worked with its information technology department to estimate the amount of information that would be responsive to this request. For six

individuals, the City retrieved 68,081 e-mails. The City also estimates there are at least 11,446 attachments to those e-mails. Based on the number of e-mails and attachments retrieved, the City estimates 248,709 pages of responsive information. The City conducted a test on some of those e-mails in which it opened the e-mail, reviewed it for confidential information, redacted that information, and converted the redacted e-mail to a .pdf document that could be released to the requestor. Based on that test, and its experience dealing with similar requests, the City determined it will take about 2 minutes per page to locate, compile, redact, and reproduce the e-mails for release to the requestor. We note, based on that estimate, it would take more than 8,000 hours to locate, compile, redact, and reproduce the responsive e-mails, significantly more than the discounted 5,840 hours stated to the requestor.

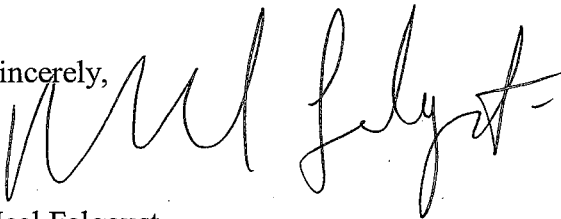
2) The responsive e-mails exist in electronic form. The departmental personnel files are maintained in paper form.

3) The responsive e-mails are stored on City servers. The responsive departmental personnel files are located in the department's offices.

4) The City's estimate is based on the redaction of confidential information that does not require a ruling from your office. This information includes private e-mail addresses subject to section 552.137 of the Government Code and personal information related to current and former employees subject to sections 552.024 and 552.117 of the Government Code. The City anticipates that additional confidential information will require a ruling from your office. This estimate does not include the time required to determine if a ruling is necessary or the time spent preparing a request for a ruling.

Thank you for the opportunity to respond to this complaint. If you have any questions concerning this matter, you may contact me at (512) 974-2154.

Sincerely,



Neal Falgoust
Assistant City Attorney

Enclosure

