

NICHOLS, JACKSON, DILLARD, HAGER & SMITH, L.L.P.

ATTORNEYS & COUNSELORS AT LAW
1800 Lincoln Plaza
500 North Akard
Dallas, Texas 75201
(214) 965-9900
Fax (214) 965-0010
Email NJDHS@NJDHS.COM

ROBERT L. DILLARD, JR. (1913-2000)
H. LOUIS NICHOLS
LAWRENCE JACKSON
OF COUNSEL

Alexis Allen
aallen@njdhs.com

May 9, 2011

Via Email & Certified Mail
RRR No. 7001 1140 0000 4704 4533
Aren Cambre
Southern Methodist University
PO Box 750262
Dallas, TX 75275-0262

RE: Public Information Request Received April 15, 2011 and Clarified May 6, 2011

Mr. Cambre:

Please be advised that our firm represents the City of Duncanville, Texas ("City"). This letter is intended to address your Public Information Request received by the City on April 15, 2011.

The responsive information includes information that is maintained for the City by RedFlex, an outside company. The information requested is not available in the requested format. Responding to this request will require programming or the manipulation of data and the information can be made available in the requested form only at a cost that covers the programming and manipulation of data. This letter is to provide you with a written estimate of charges for producing the reports responsive to your above-referenced request.

The information is maintained in electronic files. The City does not currently have the capability to run one report to include the data fields you have listed for all records maintained concerning the City's automatic red light system. Specifically, the City is able to compile a report that includes each offense captured and provides the location, or specific intersection, at which the offense occurred, the direction of travel, the citation number and the date and time of the offense. However, this report does not contain all of the information you have requested. Alternatively, RedFlex can program its system to run one report which would include the information you have requested for all offenses recorded since the City began its automated red light program. The following two options are available for providing the requested information:

Option 1: The City could run a report for every year the City had the automatic red camera program, from June 2006 through the date of the request. The information the City is currently able to provide will include a list of every citation issued under the program, containing the intersection, direction of travel, citation number and date and time of the offense. It is estimated that this report will take approximately 1 hour to compile, will contain approximately 650 pages of data and can be completed and provided to you within five business days. The cost for option 1, provided in an electronic format, is estimated as follows:

| | |
|-----------------------------------|----------|
| Labor 1 hour @ \$15.00/hour | \$ 15.00 |
| Overhead, 15 (Labor Charge) X .20 | \$ 3.00 |
| Total | \$ 18.00 |

Option 2: The City could provide one electronic report that includes all of the the requested information in a list format. However, RedFlex would have to write a program that would manipulate its system to produce a report to include only the requested information for the entire period of time that the City has maintained an automatic red camera system. RedFlex has estimated that programming would take approximately 4 man-hours over a span of three weeks. In accordance with the rules established by the attorney general under Section 552.262, the cost for this Option is estimated as follows:

Total outsourced cost for Programming 4 hours @175.00/hour \$700.00

Also, be advised that the City has submitted a letter to the Attorney General's office to consider whether the requested information constitutes the proprietary information of RedFlex and thus may be withheld. In the event the Attorney General rules that the information is subject to disclosure under the Act the City is also asserting that the license plate numbers are excepted from public disclosure under Chapter 552 of the TEXAS GOV'T. CODE, and that such information must be withheld. A copy of this letter has been forwarded to your attention under separate cover.

You must respond in writing to this estimate of charges within thirty (30) business days of your receipt of this estimate or your request will be deemed automatically withdrawn. You should address your response to the undersigned attorney by one of the following methods: mail, facsimile, electronic mail or in person by using the contact information provided in this letter. **You must state in your written response whether you accept the charges; want to modify the request to reduce the charges; or whether you want to protest the charges to Texas Attorney General's Office.**

Thank you for your attention to this matter. Please feel free to contact me if you have any questions.

Sincerely,

NICHOLS, JACKSON, DILLARD,
HAGER & SMITH, L.L.P.

By: Alexis G. Allen
ALEXIS G. ALLEN

cc: Dara Crabtree (*by email dcrabtree@ci.duncanville.tx.us*)
City Secretary
City of Duncanville, Texas

RedFlex Traffic Systems
23781 North 23rd Avenue, Ste. 150
Phoenix, AZ 85085