



August 17, 2012

Andrea Brandes Newsom
Chief Deputy Corporation Counsel
Public Access Counselor
City of Indianapolis
Indianapolis, Indiana 46204

Dear Ms. Newsom,

I received your e-mail and formal letter that you sent electronically late yesterday, after the close of business, August 16, 2012, stating the formal rejection of my Public Records Request of July 16, 2012 (original) and referred to your office on August 1, 2012.

I remain puzzled about the City's position in this matter. I'm extremely skeptical that the City of Indianapolis has "no records responsive" to my request for a breakdown of how much has been spent since 2008 with African-American-owned, Hispanic-owned and Asian-owned businesses.

In your letter you stated that "public entities are not obligated to create new records in response to public records requests". But that is not a prohibition.

A public entity can, if they feel it is in the public's interest, generate and create such records to meet a public information need.

From my point of view as a servant/leader in this community and one of the most senior members of the Indianapolis media, it seems that the City's denial of my request flies in the face of the repeated publicly stated policy of Mayor Greg Ballard, from Day One, that his Administration would practice Openness and Transparency in how they did business with the residents of Indianapolis/Marion County.

The 2007 Census Survey of Business Owners reports that 70.8% of all minority-owned businesses in Indianapolis/Marion County are African-American; 13.2% of minority businesses in the city/county are Hispanic, 14.3% are Asian. African-Americans comprise 28.8% of the city/county's population, Hispanics 9.6% and Asians 2.1% according to the 2011 Census population estimates.

It is a direct public policy question and concern as to how many dollars in City contracts have been received by businesses owned by those racial/ethnic minorities.

Given the strong interest about this data within the community I serve, I now submit a new Public Records Request, Pursuant to IC 5-14-3.

I'm requesting an itemization of all contracts that comprised the \$492,794,399.64 in business done with MBE's, WBE's and VBE's since 2008, referred to in the remarks by Mayor Ballard on July 16, 2012 (the \$500 million spent with minority businesses).

In that itemization, I'm requesting the name of the MBE, WBE or VBE receiving the contract; who or what agency awarded the contract; the dollar amount of the contract; the

name(s) of those owning 51% or more of the business receiving the contract as documented in their MBE, WBE, VBE certification form and what category (MBE, WBE, VBE) was used in computing the overall \$500 million total.

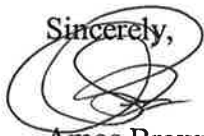
For ease, the data can be provided electronically either in the Microsoft Excel or Word format.

Since I'm now requesting records that were already used to compile the original "\$500 million" data, this should not be a problem for the City of Indianapolis to provide.

If you have any questions about this request, or you don't completely understand it, please don't hesitate to call or write me to receive any clarification.

Thank you in advance for your assistance and cooperation in keeping with Mayor Ballard's repeated, stated desire to have an Administration dedicated to openness and transparency.

Sincerely,



Amos Brown III

Host/Managing Editor, *Afternoons with Amos*, WTLC-AM

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Cc: Marc Lotter, Director of Communications, Office of the Mayor
The Honorable Maggie Lewis, President, City-County Council
The Honorable Vernon Brown, City-County Council
Shannon Williams, Vice-President/General Manager, Indianapolis Recorder
Charles Williams, Vice-President/General Manager, Radio One