

March 20, 2026

Matt Aitchison

VIA E-Mail:

**RE: Village of Briarcliff Public Information Act Request Dated March 2, 2026
AMENDED ITEMIZED ESTIMATE OF CHARGES**

Dear Mr. Aitchison,

This firm serves as legal counsel to the Village of Briarcliff, Texas (hereinafter, the "Village"). On March 2, 2026¹, the Village received a request from you seeking:

"CITIZEN COMMUNICATION POLICY

1. Supporting Research Materials -All records, research, notes, documents, and correspondence compiled or received by Village staff in connection with the development of Resolution No. 2026-02-25-07 (Citizen Communication Policy), including but not limited to:

- Research conducted across the 41 + municipalities referenced during the February 25, 2026 meeting
- Citizen communication policies, ordinances, or resolutions obtained from other municipalities, including but not limited to those named during the meeting
- Any model policies or templates obtained from the Texas Municipal League or other sources
- Any legal memoranda, guidance, or recommendations from legal counsel related to the resolution

2. Request-to-Speak Form Development - All records related to the development of the "Request to Speak at a Village Council Meeting" form, including any research, drafts, revisions, or correspondence regarding the 24-hour advance submission requirement, the personal information fields collected (phone number, email, residency status, topic disclosure), and the acknowledgement/signature requirement. I am also requesting documentation of which of the 41+ surveyed municipalities require similar advance registration, personal contact information collection, or topic pre-disclosure from speakers.

¹ Please note that Tuesday, March 3, 2026, is declared a state holiday by Tex. Gov't Code section 662.003(b)(8) and therefore, was not taken into consideration as a business day when calculating the deadline to your open records request.

3. Communications - All emails, text messages, and written correspondence between Village staff, members of the Board of Aldermen, and/or legal counsel related to the development, review, or adoption of the citizen communication resolution and the request-to-speak form.

ROAD TRANSFER & EXPENDITURES

4. Road Transfer & Maintenance Documentation - All records related to the transfer of roads from the Briarcliff Property Owners Association (BPOA) to the Village, including but not limited to:

- The deed or instrument of transfer filed with Travis County on or about August 11, 2023
- All agreements, resolutions, or ordinances authorizing or accepting the transfer
- Any road maintenance agreements between the Village and BPOA, whether current or expired, including any amendments or termination records
- Any road condition assessments, surveys, or engineering reports
- All grant applications submitted and/or received related to road maintenance or improvement since April 15, 2023
- Any correspondence with Travis County regarding road services and associated surcharges
- Any current or planned road maintenance budgets, schedules, or timelines

During the February 25, 2026 meeting, it was acknowledged that road transfer documentation exists but is not readily accessible on the Village website. I am requesting copies of these documents so that residents may review them.

5. Road Transfer Meeting Materials & Board Deliberations - All documents, packets, reports, memoranda, presentations, and supporting materials distributed to or made available to members of the Board of Aldermen in connection with the consideration, discussion, and authorization of the BPOA-to-Village road transfer, including but not limited to:

- All board packets, agenda materials, and supporting documents for the April 26, 2023 regular meeting and the June 28, 2023 regular meeting, at which the road transfer was discussed and the Mayor was authorized to execute transfer documents
- Any other meeting agendas, minutes, or materials from meetings between January 2023 and August 2023 at which the road transfer was discussed, whether in open session or executive session (for executive session, I request the certified agenda as permitted by law)
- Any road condition assessments, cost estimates, maintenance projections, or fiscal impact analyses presented to or available to the Board prior to authorizing the transfer
- Any legal opinions, counsel memoranda, or title reports provided to the Board in connection with the transfer
- Any correspondence between the Village and the BPOA regarding the terms, conditions, or logistics of the transfer

6. Road Maintenance Expenditure Details (FY 2026.1) - *The Village's 2026.1 financial statement reflects \$21,271.85 in road-related expenditures. I am requesting all records related to this expenditure, including but not limited to:*

- *Itemized invoices, receipts, and payment records comprising the \$21,271.85 total*
- *Names of all vendors, contractors, or service providers paid from this amount*
- *Descriptions of the specific work performed, materials purchased, or services rendered*
- *Dates on which the work was performed and/or payments were issued*
- *Any work orders, purchase orders, or contracts associated with these expenditures*
- *Any additional road maintenance or improvement expenditures during the same fiscal period not captured in the \$21,271.85 line item, including expenditures categorized under other budget lines*

FEBRUARY 25, 2026 MEETING MATERIALS

7. Board Packets & Dais Materials - *All documents, packets, reports, memoranda, presentations, and supporting materials distributed to or made available to members of the Board of Aldermen in connection with the February 25, 2026 regular meeting, for all agenda items”*

On March 18, 2026, we provided you with a cost estimate and you responded that same day stating:

“I am writing to formally accept the estimated charges of \$36 for electronic delivery of the responsive documents via email.

Regarding the items identified as "Available by Website," I have reviewed the Village's website and have been unable to locate several of the specific documents referenced. I would ask that if any of those documents are not readily accessible via the website, they be included in the electronic production rather than withheld on that basis.

Based upon your response, the Village has determined that complying with your revised request will result in the imposition of a charge that exceeds \$40. Therefore, we are providing you with this amended cost estimate as required by section 552.2615 of the Texas Government Code. The following is an itemized estimate of the costs of making the non-confidential information available to you. If you accept this cost estimate, please contact us and let us know, in writing, how you'd like to receive the documents and we will begin copying and redacting the requested documents:

AMENDED ITEMIZED ESTIMATE OF CHARGES

For Paper Copies, Requestor Pick Up

Standard paper copy -- \$.10 per page at [76] pages:	(A)	\$7.60
Labor Charge:		
a. For locating, compiling, redacting and reproducing-- \$15 per hour at [4] hours:	(B)	\$60.00
b. Overhead charge--20% of labor charge:	(C)	\$ 12.00
TOTAL ITEMIZED ESTIMATE OF CHARGES:		<u>\$79.60</u>

For Electronic Copies, via Email:

Labor Charge:		
a. For locating, compiling, manipulating data, reproducing -- \$15 per hour at [4] hours:	(A)	\$60.00
b. Overhead charge--20% of labor charge:	(B)	\$12.00
TOTAL ITEMIZED ESTIMATE OF CHARGES:		<u>\$72.00</u>

There is a less expensive way for you to obtain this information. You may view the information in person at the Village's offices. If you choose to view the information in person, please provide our office with three dates and times when it will be convenient for you to come. Manipulation of data may be required prior to your inspection, if you choose to inspect the Village will provide you with an updated estimate of charges that will be imposed to make the information available for inspection.

No Responsive Documents:

Further, the Village found that it did not have any responsive documents for:

3. Communications - All emails, text messages, and written correspondence between Village staff, members of the Board of Aldermen, and/or legal counsel related to the development, review, or adoption of the citizen communication resolution and the request-to-speak form.

ROAD TRANSFER & EXPENDITURES

4. Road Transfer & Maintenance Documentation - All records related to the transfer of roads from the Briarcliff Property Owners Association (BPOA) to the Village, including but not limited to:

- Any road condition assessments, surveys, or engineering reports
- All grant applications submitted and/or received related to road maintenance or improvement since April 15, 2023

- *Any correspondence with Travis County regarding road services and associated surcharges*

5. Road Transfer Meeting Materials & Board Deliberations - *All documents, packets, reports, memoranda, presentations, and supporting materials distributed to or made available to members of the Board of Aldermen in connection with the consideration, discussion, and authorization of the BPOA-to-Village road transfer, including but not limited to:*

- *Any road condition assessments, cost estimates, maintenance projections, or fiscal impact analyses presented to or available to the Board prior to authorizing the transfer*
- *Any legal opinions, counsel memoranda, or title reports provided to the Board in connection with the transfer*
- *Any correspondence between the Village and the BPOA regarding the terms, conditions, or logistics of the transfer*

For the remaining responsive information, the Village has determined that complying with your request will result in the imposition of a charge that exceeds \$40. Therefore, we are providing you with this cost estimate as required by section 552.2615 of the Texas Government Code. The following is an itemized estimate of the costs of making the non-confidential information available to you. If you accept this cost estimate, please contact us and let us know, in writing, how you'd like to receive the documents and we will begin copying and redacting the requested documents.

Redacted Information:

The responsive documents contain information that may be redacted under the Texas Public Information Act (TPIA). Under the TPIA, some categories of information do not have to be released. Exceptions to disclosure fall into two general categories:

- (1) mandatory exceptions that make information confidential and require a governmental body to withhold information, and
- (2) discretionary exceptions that allow but do not require a governmental body to withhold information.

You may find information about mandatory and discretionary exceptions at:

<https://www.texasattorneygeneral.gov/open-government/members-public/confidential-information-under-public-information-act>

In most instances, a governmental body is required to request a decision from the Attorney General in order to withhold information from a requestor. However, a requestor may permit a governmental body to redact information without requesting an Attorney General's decision. You are not required to agree to the redaction of any information responsive to your request but doing so may streamline the handling of your request.

The information that has been redacted are for personal email addresses, account numbers and routing numbers. Said redactions are made pursuant to sections 552.137, 552.117, and 552.136 (respectively) of the Tex. Gov't Code, as well as information that was non-responsive to your request.

Your request will be considered automatically withdrawn if you do not notify us in writing within ten business days from the date of this letter that you either:

- (a) accept the charges;
- (b) wish to modify your request; OR
- (c) have sent to the Open Records Division of the Office of the Attorney General a complaint alleging that you are being overcharged for the information you have requested.

If you accept the estimated charges provided in this "Itemized Estimate of Charges," please respond as such in writing. After the Village receives your response and payment, it will make duplicates of the information, and you may pick them up or sent to you via email. If you wish for the Village to mail you the documents, please provide your mailing address and we will send you an updated cost estimate with the postage charges included.

Please direct all responses and payments for charges (*make checks payable to the Village of Briarcliff*) to:

Village of Briarcliff
Attn: Amber Rowe Village Secretary
302 Sleat Drive
Briarcliff, Texas 78669

Should you have any questions or concerns, please do not hesitate to contact me by telephone at (512) 250-0411 or by email at Erin@texasmunicipallawyers.com.

Very truly yours,



Erin A. Higginbotham
Village Attorney for Village of Briarcliff, Texas

EAH/ha
cc: Amber Rowe, Village Secretary