

# Public Information Act Request

Village of Briarcliff, Texas

**Date:** April 2, 2026

**To:** Village of Briarcliff Public Information Officer

**From:** Matt Aitchison

**Via:** Email

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Dear Public Information Officer,

Pursuant to the Texas Public Information Act, Texas Government Code Chapter 552, I am requesting copies of the following records. I am requesting these records in electronic format where available.

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## Category 1 — Request to Speak Forms (March 2026 Meeting)

All "Request to Speak" forms, sign-up sheets, cards, digital submissions, emails, text messages, or any equivalent mechanism — regardless of format — by which any individual requested an opportunity to address the Village Council at the March 2026 meeting, whether accepted or declined, including:

1. The first and last name of each individual who submitted a request to speak;
  2. The question, topic, or subject matter noted on each submission;
  3. For any request that was **denied or declined**: all communications (written, electronic, or verbal memorialized in notes) to the individual explaining why their request was denied, and any internal communications among Village officials, aldermen, or staff regarding the decision to deny their request to speak.
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## Category 2 — Legal Counsel Consultation: E-Bike / E-Motorcycle Ordinance

All records reflecting consultation with legal counsel (including but not limited to Bojorquez Law Firm or any other outside counsel) regarding an e-bike, e-motorcycle, or electric vehicle ordinance, **both before and after** the March 2026 meeting, including:

1. All billing records, invoices, and fee statements referencing this subject matter, including dates of service, hours billed, and general subject matter descriptions;
2. All communications — including emails, letters, text messages, and memoranda — between Village officials, aldermen, staff, or agents and legal counsel on this topic;
3. Draft ordinance language prepared, reviewed, or circulated in connection with this topic;
4. Any legal research, memoranda, or written opinions provided to the Village on this topic;
5. The dates on which any consultation occurred and the identities and capacities of all individuals involved.

To the extent the Village believes any responsive records are excepted from disclosure under attorney-client privilege, the Village is required to seek an Attorney General ruling within 10 business days per § 552.301, demonstrating each element of the privilege for each withheld record. The mere involvement of an attorney does not establish the privilege — the attorney must have been acting in a professional legal capacity, not an administrative or policy advisory role. See *In re Tex. Farmers Ins. Exch.*, 990 S.W.2d 337, 340 (Tex. App.—Texarkana 1999).

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### **Category 3 — Complaints Prompting the Ordinance**

All complaints, reports, incident logs, emails, letters, phone logs, voicemails, verbal complaints memorialized in notes, Facebook messages or comments directed to Village officials, and any other records — regardless of format — received by the Village from citizens, residents, or any other parties regarding e-bikes, e-motorcycles, electric scooters, Sur-Rons, or similar electric vehicles that may have prompted or contributed to the decision to pursue this ordinance.

This includes complaints received at any time prior to and including the March 2026 meeting, as well as any internal notes or memoranda documenting or summarizing such citizen concerns.

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### **Category 4 — Pre-Meeting Communications & Enforcement Plans**

All communications — including but not limited to emails, text messages, social media messages and posts, direct messages, and verbal communications memorialized in notes — between Village aldermen, officials, employees, contractors, or agents and any third party regarding the e-bike/e-motorcycle ordinance discussed or considered in connection with the March 2026 meeting, including:

1. **Communications with constables or law enforcement** regarding the ordinance, including any enforcement plans, strategies, jurisdictional discussions, or operational details about how the ordinance would be enforced;
2. **Communications with any individual or party** — including but not limited to constables, Facebook group administrators, community members, or other third parties — in which the substance, purpose, scope, or enforcement of the ordinance was discussed or shared **prior to the March 2026 Council meeting**, including any sharing of ordinance-related information on social media before the agenda was publicly available;
3. **Any communications** explaining or describing the substance of the ordinance to anyone outside the Village Council prior to the public meeting, and any records reflecting how and to whom this information was disseminated.

**Note regarding information disseminated before the meeting:** *Information about this ordinance was shared publicly on Facebook before the March 2026 meeting, indicating that someone with knowledge of the ordinance's content communicated it outside the agenda process. This factual predicate forms the basis of this category.*

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### Category 5 — "Exhibit A" Referenced at March 2026 Meeting

All documents, attachments, or exhibits referred to as "Exhibit A" (or any similar designation) in connection with the e-bike/e-motorcycle ordinance discussed at the March 2026 meeting, including:

1. The document itself in its entirety;
  2. Any communications regarding the distribution of Exhibit A to aldermen, including when and how it was provided;
  3. Any communications regarding Exhibit A's omission from the publicly posted agenda, despite its inclusion in the meeting packet.
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### Category 6 — Resolution 2026-03-25-06 (Annual Investment Policy)

All records related to the annual investment policy adopted by the Village Council at the March 25, 2026 meeting as Resolution 2026-03-25-06, including:

1. The resolution itself in its entirety;
  2. The investment policy document adopted or reaffirmed by the resolution;
  3. Any supporting materials, memoranda, or auditor recommendations provided to the Board of Aldermen in connection with this resolution;
  4. Any prior versions of the investment policy, if the current version reflects changes from the previously adopted policy.
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### Response, Format & Compliance

Per Texas Government Code § 552.221, I expect a response within **10 business days**. I am requesting records in **electronic format** (PDF, email export, or native format) where available.

**If no responsive records exist** for any category, the Village is required to provide **written notice** within 10 business days under § 552.221(f).

**If any portion of this request is believed to be excepted from disclosure**, I request that the Village:

1. Identify the specific records or portions withheld;
2. Cite the specific statutory exception(s) relied upon;
3. Submit the matter to the Texas Attorney General for a ruling within the required timeframe per § 552.301;
4. Provide all non-excepted portions of responsive records promptly, segregating public from excepted information.

**I note that failure to comply** with these requirements may result in a complaint to the Attorney General under § 552.328, which may result in mandatory open records training for the PIO, forfeiture of the right to charge for producing the requested records, and an expedited 5-business-day deadline for any AG ruling request.

**Fee waiver request:** Pursuant to § 552.267, I request a waiver of any charges associated with this request, as access to this information primarily benefits the general public by promoting transparency regarding the Village's legislative process, ordinance development, and compliance with the Texas Open Meetings Act. If a waiver is not granted and costs are expected to exceed \$40, please provide an itemized cost estimate before proceeding.

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Thank you for your prompt attention to this request.

Respectfully,

**Matt Aitchison**

