

RESOLUTION NO. 2026-3028

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, APPROVING METHODS FOR MAKING WRITTEN REQUESTS FOR PUBLIC INFORMATION; ADOPTING PUBLIC INFORMATION REQUEST PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Freeport, Texas ("City") is a home-rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the Texas Public Information Act, Texas Government Code, Chapter 552 ("TPIA") provides public access to information maintained by governmental bodies; and

WHEREAS, Section 552.234 of the Texas Government Code allows a governmental body to adopt reasonable procedures for making written requests for public information; and

WHEREAS, the City desires to designate approved methods for submitting written requests for public information and to adopt procedures for processing requests in a manner that promotes transparency and efficient City operations, consistent with state law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, THAT:

SECTION 1. INCORPORATION OF RECITALS.

All the above premises are true and correct and are hereby approved, ratified, and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2. APPROVED METHODS FOR WRITTEN REQUESTS.

Pursuant to Texas Government Code Section 552.234, the City Council designates the following approved methods by which a person may submit a written request for public information to the City's officer for public information or the officer's designee:

General City Records:

1. **By mail or in person:**
City of Freeport
Attn: City Secretary's Office
1201 North Avenue H
Freeport, Texas 77541

2. **By electronic mail:**
openrecords@freeporttx.gov

3. **By Internet portal:**
<https://freeporttx.justfoia.com/publicportal/home/newrequest>

Police Department Records:

1. **By mail or in person:**
Freeport Police Department
Attn: Records Division
430 North Brazosport Blvd
Freeport, Texas 77541

2. **By electronic mail:**
FPDRecords@freeporttx.gov

3. **By Internet portal:**
<https://freeporttx.justfoia.com/publicportal/home/newrequest>

SECTION 3. NOTICE ON WEBSITE AND SIGN.

The City Council hereby adopts the "City of Freeport Public Information Act Request Procedures," attached hereto as Exhibit A and incorporated herein by reference, to guide City departments and staff in processing requests under the TPIA.

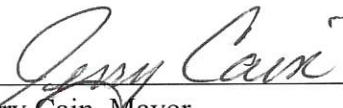
SECTION 4. NOTICE ON WEBSITE AND SIGN.

The City website and the sign required to be displayed under Texas Government Code Section 552.205 (commonly referred to as the Public Information Act/Open Records sign) shall be updated to reflect the approved methods designated in Section 2, in accordance with Texas Government Code Section 552.234(d).

SECTION 5. EFFECTIVE DATE.

This Resolution shall take effect immediately upon its passage and approval.

PASSED AND APPROVED this 2nd day of February, 2026.



Jerry Cain, Mayor
City of Freeport, Texas



Clarisa Fernandez, City Secretary
City of Freeport, Texas



Christopher Duncan, City Attorney
City of Freeport, Texas

EXHIBIT A

CITY OF FREEPORT PUBLIC INFORMATION ACT REQUEST PROCEDURES

Pursuant to the Texas Public Information Act (Texas Government Code, Chapter 552).

1. Purpose

These procedures establish a Citywide process for receiving and responding to requests for public information under the TPIA (Texas Public Information Act). The procedures are intended to promote transparency and ensure statutory deadlines are met while supporting efficient City operations.

2. Scope

These procedures apply to all City departments, City Council, boards, commissions, and employees, as well as contractors or third parties acting on behalf of the City who possess City records or other information responsive to a request for public information.

3. Definitions

Official business: Any matter over which the City has authority, administrative duties, or advisory duties. See Texas Government Code Section 552.003(2-a).

Public information: Information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by or for the City. See Texas Government Code Section 552.002(a).

Promptly: As soon as possible under the circumstances, that is, within a reasonable time, without delay. See Texas Government Code Section 552.221(a).

Request: A written request to access information already in existence, submitted using an approved method in Section 2 of this Resolution.

Requestor: A person who submits a written request to the City for inspection or copies of public information using an approved method.

Record: Any record in any form created or received by or on behalf of the City that documents activities in the conduct of City business or use of City resources. Records may include (as applicable) emails, text messages, call logs, photographs, and electronic messages and recordings. See Texas Government Code Section 552.002(b)–(c).

Zealous requestor: A requestor described by Texas Government Code Section 552.275 (e.g., a person who submits more than 15 requests in a calendar month or more than 36 requests in a 12-month period).

4. General Procedures for Responding to Requests

4.1 Submission of Requests

Requests must be in writing and must be submitted using one of the approved methods adopted by this Resolution. Requests submitted by other methods (including social media) are not

required to be treated as TPIA requests unless received by the officer for public information or the officer's designee.

4.2 Response Timeline

The City will respond to requests promptly. If the City cannot produce the requested information within 10 business days after receiving the request, the City will provide written notice to the requestor with a reasonable date and time when the information will be available, consistent with Texas Government Code Section 552.221(d).

4.3 Requests for Attorney General Decision

If the City seeks to withhold requested information, the City must request a decision from the Office of the Attorney General within the deadlines established by Texas Government Code Section 552.301. Failure to meet applicable deadlines may result in a presumption that the information is public under Texas Government Code Section 552.302, subject to any compelling reason for withholding.

4.4 Requests for Clarification or Narrowing

If a request is unclear or overly broad, the City may ask the requestor to clarify the request or discuss how to narrow the scope. See Texas Government Code Section 552.222(b). When the City, acting in good faith, requests clarification or narrowing of an unclear or overbroad request, applicable deadlines are measured from the date the City receives the requestor's written response. If the City does not receive a written response by the 61st day after the date the City sends a written request for clarification, the request is considered withdrawn. See Texas Government Code Section 552.222(d).

4.5 Fees and Charges

The City may charge for providing copies of public information in accordance with Texas Government Code Section 552.261 and the cost rules in Texas Administrative Code Chapter 70. If estimated charges will exceed \$40, the City will provide the requestor with an itemized written statement of estimated charges before the work is undertaken, consistent with Texas Government Code Section 552.2615.

Failure to respond to a cost estimate, accept charges, or timely pay may result in the request being treated as withdrawn or the information being withheld as permitted by law and applicable cost rules.

5. Requests Requiring a Large Amount of Personnel Time (Texas Government Code Section 552.275)

To manage frequent or repetitive requests, the City establishes the following time limits for personnel time that the City will devote to producing public information for inspection or duplication or providing copies of public information to any one requestor without recovering the costs attributed to personnel time:

- Monthly limit: 15 hours of personnel time per requestor per calendar month.

- Annual limit: 36 hours of personnel time per requestor per 12-month period. The 12-month period is measured by the City's fiscal year unless otherwise required by law.

When the time limits are exceeded, the City will provide a written statement and a written estimate of the total cost to comply, as required by Texas Government Code Section 552.275. The City is not obligated to provide additional public information to that requestor unless payment is received as provided by statute.

5.1 Media and Other Exemptions

The time limits under Texas Government Code Section 552.275 do not apply to certain requestors, including elected officials, members of the media, and others identified by statute. See Texas Government Code Section 552.275(j)–(l).

6. Roles and Responsibilities

Officer for public information: The City Secretary is designated as the officer for public information for the city, unless otherwise designated by the City Manager.

Department liaisons: Each department director may designate a liaison to coordinate searches for responsive records; track time spent and assist in meeting deadlines. *The Police Department maintains its own records function; the Police Department Records Clerk serves as the primary point of contact for police department records and coordinates searches and responses for those records consistent with the TPIA and applicable law.*

Legal review: The City Attorney provides legal guidance on exceptions to disclosure, requests for Attorney General decisions, and other matters under the TPIA. The City Attorney also reviews and sends clarification requests, cost estimates, and formal responses to requestors.

7. Records Retention and Documentation

The City will retain requests, responses, and related documentation in accordance with applicable records retention schedules established by the Texas State Library and Archives Commission and any City records management policies.

8. Training

City employees involved in processing public information requests must complete training on the TPIA as required by law and as directed by the City. Training may include resources provided by the Office of the Attorney General and internal City procedures.