



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

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**Submitted By:** Andrea Cunningham, City Secretary

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**Council Meeting Date:** October 17, 2023

**Agenda Item Wording:** **Public hearing and consideration of approval of an Ordinance Amending Chapter 2 Administration and Personnel, Article 2.03 Records, Division 2 Public Information Policy; and approval of the City's Public Information Act Policy.**

- a. Staff Report
- b. Public Hearing
- c. Public Information Act Policy
- d. Ordinance

**Agenda Item Requestor:** Andrea Cunningham, City Secretary

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**Summary/Background:** *Policy*

After each meeting of the Texas Legislature, I compile all legislation relating the Public Information Act and review against our current policy for any updates. This session required updates to the policy regarding use of the Attorney General portal for submittals, allowed nonbusiness days and the ability of the city to charge fees for requests submitted via third-party subpoenas (subpoenas for the city is not a party to).

The last update to the policy was in 2017, so the document was also updated to reflect the new logo and changes to city processes such as using the JustFOIA records request software, processing of third party requests (non-subpoena requests) and municipal court records.

**Code of Ordinances**

The Code of Ordinances has also been amended for simplicity and to reflect the current policy. Changes include:

- Update to scope as reflected in policy
- Removal of definitions related to process and specific policy
- Removal of Charges of Information as those are reflected in the policy
- Addition of Sunset Provision for required updates

**Recommended  
Council Actions:**

The policy has been reviewed and approved by City Attorney Laura Mueller and outside counsel Erin Higginbotham with Bojorquez Law Firm.

Staff recommends approval of the ordinance which includes the policy.

**Attachments:**

1. Public Information Act Ordinance
2. Code Amendment, Attachment A
3. Public Information Act Policy, Attachment B

**Next Steps/Schedule:**

1. File ordinance with city record, send to Century News for publication and MuniCode for codification.
2. Upload to website and JustFOIA portal
3. Staff and city council training