

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, ADOPTING FEES FOR RESPONSES TO PUBLIC INFORMATION ACT REQUESTS PURSUANT TO TEXAS GOVERNMENT CODE, CHAPTER 552, SECTION 2-270 OF THE KELLER CODE OF ORDINANCES, AND THE COST RULES PRESCRIBED BY THE TEXAS ATTORNEY GENERAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Public Information Act, Texas Government Code, Chapter 552, requires governmental bodies to promptly produce public information, and authorizes the recovery of certain costs in accordance with rules adopted by the Office of the Attorney General; and

WHEREAS, the Attorney General has adopted cost rules codified in 1 Texas Administrative Code, Chapter 70, prescribing allowable charges for copies, electronic media, personnel time, overhead, and mailing; and

WHEREAS, Section 2-270 of the Keller Code of Ordinances authorizes the City Council to establish administrative fees by resolution; and

WHEREAS, the City Council finds it necessary and appropriate to adopt fees for responses to Public Information Act requests that are consistent with the Attorney General's prescribed cost rules.

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

Section 1: THAT Fees for responses to Public Information Act requests shall be assessed in accordance with the cost rules prescribed by the Texas Attorney General in 1 Texas Administrative Code, Chapter 70, as amended from time to time.

Section 2: THAT Such fees include, but are not limited to:

- Paper copies: \$0.10 per page (letter/legal, black and white);
- Oversized copies: actual cost;
- Electronic media (CD, DVD, USB drive, etc.): actual cost of medium;
- Labor: \$15.00 per hour for tasks as defined by Attorney General cost rules;
- Overhead: 20% of applicable labor charges;
- Postage/shipping: actual cost; and
- Other charges specifically authorized by Attorney General cost rules.

Section 3: THAT in accordance with state law:

- An itemized written cost estimate will be provided to the requestor if estimated charges exceed \$40;
- A deposit or bond may be required if estimated charges exceed \$100;
- Fees may be waived or reduced if the City determines the release of information primarily benefits the general public

Section 4: THAT all provisions of resolutions of the City of Keller, Texas, in conflict with the provisions of this resolution are hereby repealed, and all other provisions not in conflict shall remain in full force and effect.

Section 5: THAT it is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this resolution are severable, and if any phrase, clause, sentence, paragraph, or section of this resolution shall be declared unconstitutional or invalid by the judgment of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this resolution.

Section 6: THAT this resolution shall become effective immediately upon its adoption.

AND IT IS SO RESOLVED.

Passed by a vote of 6 to 0 on this the 7th day of October, 2025.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

Attest:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney