Court USB production (August 28, 2026) · thread T33

TPIA Request ? Ordinance 2025-24 (TPIA time limits/?vexatious? requests)

6 message(s), 2025-11-25 · 2025-12-12. Public copy: personal contact details and excluded-subject material boxed.

1. 2025-11-25 16:37 Kyle Moring · 0 att.
2. 2025-11-25 21:10 Candias Webster · 0 att.
3. 2025-11-25 23:58 Kyle Moring · 0 att.
4. 2025-11-26 22:56 Candias Webster · 1 att.
5. 2025-11-26 23:45 Kyle Moring · 1 att.
6. 2025-12-12 12:22 Kyle Moring · 1 att.

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>; rvine@mpcity.org; Wlyon@mpcity.org; [redacted]
Date:	2025-11-25 16:37:54+00:00
Subject:	**TPIA Request – Ordinance 2025-24 (TPIA time limits/“vexatious” requests)**
Attachments:	—
USB file:	TPIA Request – Ordinance 2025-24 (TPIA time limits“vexatious” requests).msg

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Under the Texas Public Information Act, please provide all records related to Ordinance 2025-24 on the December 02, 2025 agenda (“requests under the Texas Public Information Act and limitations governing such requests”), including:

1. The full text of proposed Ordinance 2025-24 and any prior drafts;
2. Any staff memoranda or explanatory notes you or the City Manager prepared for Council regarding this item;
3. Emails or other written communications (September 01, 2025–November 25, 2025) between you, the City Manager, department heads, the City Attorney, and Council members discussing “TPIA restrictions,” “vexatious requests,” “frequent requestors,” or similar limits; and
4. Any existing written policies, procedures, or tracking logs the City intends to use to implement Tex. Gov’t Code § 552.275 (including any records showing cumulative personnel time already attributed to my requests).

Please produce these records electronically (.pdf for documents, .eml/.msg for emails) via email. If estimated charges exceed $40, please provide an itemized estimate in compliance with § 552.2615. If any portion is withheld, please seek an Attorney General ruling and release all reasonably segregable portions.

With gratitude,

Kyle Moring
[redacted] | [redacted]

From:	Candias Webster <cwebster@mpcity.org>
To:	Kyle Moring <[redacted]>
Cc:	Austin Beck <abeck@dtrglaw.com>; Rob Vine <rvine@mpcity.org>; Wesley Lyon <wlyon@mpcity.org>; "[redacted]" <[redacted]>; "Lea Ream" <lream@dtrglaw.com>
Date:	2025-11-25 21:10:04+00:00
Subject:	**RE: TPIA Request – Ordinance 2025-24 (TPIA time limits/“vexatious” requests)**
Attachments:	—
USB file:	RE TPIA Request – Ordinance 2025-24 (TPIA time limits“vexatious” requests)_2.msg

Good afternoon, Kyle,

The City has no responsive records for this request, and we will seek the AG’s opinion on emails with the attorney.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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From: Kyle Moring <[redacted]>
Sent: Tuesday, November 25, 2025 10:38 AM
To: Candias Webster <cwebster@mpcity.org>
Cc: Austin Beck <abeck@dtrglaw.com>; Rob Vine <rvine@mpcity.org>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
Subject: TPIA Request – Ordinance 2025-24 (TPIA time limits/“vexatious” requests)

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Date:	2025-11-25 23:58:49+00:00
Subject:	**Re: TPIA Request – Ordinance 2025-24 (TPIA time limits/"vexatious" requests)**
Attachments:	—
USB file:	Re TPIA Request – Ordinance 2025-24 (TPIA time limits"vexatious" requests)_4.msg

CAUTION: [EXTERNAL EMAIL]

CC to Mayor and City Council is provided solely for transparency because Ordinance 2025-24 is currently before the Council. I am not requesting or expecting any "Reply All" responses or email deliberation among Council members.

Ms. Webster,

I am writing regarding my November 25, 2025 request for "**all records related to Ordinance 2025-24 on the December 02, 2025 agenda**" and your response the same day stating that "**The City has no responsive records for this request, and we will seek the AG's opinion on emails with the attorney."**

After receiving your email, I obtained the Agenda Item Report for the December 02, 2025 City Council meeting titled "**Discuss and consider Ordinance 2025-24 regarding requests under the Texas Public Information Act and limitations governing such requests**," which lists you as the staff contact. The Item Summary describes Ordinance 2025-24 and recommends approval.

By any ordinary reading, this Agenda Item Report is a record related to Ordinance 2025-24 and also fits squarely within category (2) of my request ("**staff memoranda or explanatory notes you or the City Manager prepared for Council regarding this item**"). It therefore appears that at least one responsive record exists in the City's possession.

In addition, your statement that the City has "**no responsive records**" is difficult to reconcile with your indication in the same sentence that the City will seek the Attorney General's opinion regarding "**emails with the attorney**," which would themselves be responsive records, even if you contend they are exempt in whole or in part.

To avoid any misunderstanding and to ensure compliance with the Texas Public Information Act, I respectfully request that you:

1. **Correct the record** by withdrawing or amending the "**no responsive records**" statement with respect to my November 25, 2025 request
2. **Produce all non-privileged records** responsive to that request, including at a minimum:
    - The Agenda Item Report
    - The full text of Ordinance 2025-24 and any prior drafts
    - Any other staff memoranda, explanatory notes, or non-privileged communications about Ordinance 2025-24 and anticipated use of Gov't Code § 552.275
3. **Confirm whether the City has, in fact, requested an Attorney General ruling** as referenced in your email, and if so:
    - The date that the request was sent
    - The Office of the Attorney General tracking number
    - The specific Public Information Act exceptions you are asserting.

To the extent you contend that any responsive information is excepted from disclosure, please ensure that all reasonably segregable portions of the records are released.

Given that Ordinance 2025-24 has now been placed on the City Council agenda and is being justified in part by the burden of "vexatious" requests, it is especially important that the public be able to see how this proposal was developed and how the City intends to implement any time-limit provisions.

Thank you for your attention to this clarification. I am happy to work cooperatively to narrow or clarify any part of the request as needed, while preserving my rights under the Texas Public Information Act.

With gratitude,

Kyle Moring

[redacted] | [redacted]

On Nov 25, 2025, at 3:10 PM, Candias Webster <cwebster@mpcity.org> wrote:

Good afternoon, Kyle,

The City has no responsive records for this request, and we will seek the AG's opinion on emails with the attorney.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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Cc: Austin Beck <abeck@dtrglaw.com>; Rob Vine <rvine@mpcity.org>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
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Date:	2025-11-26 22:56:46+00:00
Subject:	**RE: TPIA Request – Ordinance 2025-24 (TPIA time limits/“vexatious” requests)**
Attachments:	DOCS1-#354983-v2-TPIA_Ordinance_(Mt__Pleasant).pdf
USB file:	RE TPIA Request – Ordinance 2025-24 (TPIA time limits“vexatious” requests)_7.msg

Mr. Moring,

Here is a copy of the Ordinance you requested.

We will consider this request closed 11/26/2025

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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With gratitude,

Kyle Moring
[redacted] | [redacted]

CITY OF MOUNT PLEASANT, TEXAS

ORDINANCE 2025-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOUNT PLEASANT, TEXAS TO ADD A NEW CHAPTER 38 – PUBLIC INFORMATION REQUESTS TO TITLE III – ADMINISTRATION OF THE CITY'S CODE OF ORDINANCES TO ESTABLISH A CHARGE AND REQUIRE PRIOR PAYMENT BEFORE THE CITY RESPONDS TO CERTAIN REQUESTS FOR THE PRODUCTION OF PUBLIC INFORMATION OR FOR COPIES OF PUBLIC INFORMATION IN ACCORDANCE WITH AND PURSUANT TO CHAPTER 552.275 OF THE TEXAS GOVERNMENT CODE; ESTABLISHING A REASONABLE LIMIT ON THE AMOUNT OF TIME PERSONNEL OF THE GOVERNMENTAL BODY ARE REQUIRED TO SPEND PRODUCING PUBLIC INFORMATION FOR INSPECTION OR DUPLICATION TO A REQUESTOR, AND/OR PROVIDE COPIES OF PUBLIC INFORMATION TO A REQUESTOR; ESTABLISHING COSTS TO BE PAID BY THE PUBLIC FOR REQUESTS THAT EXCEED THE REASONABLE LIMIT; PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, the City of Mount Pleasant, Texas, ("City") is a home-rule municipality that is subject to the requirements of the Chapter 552, Texas Government Code, also known as the Texas Public Information Act ("TPIA"); and

WHEREAS, the City is authorized under Sec. 552.275(a), Texas Government Code, to establish reasonable monthly and yearly limits on the amount of time that personnel of the governmental body are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time; and

WHEREAS, the City Council for the City has determined that adoption of this Ordinance pursuant to Sec. 552.275 of the TPIA is necessary and appropriate to maintain efficient use of limited City resources, including available personnel time, while also complying with all applicable requirements and obligations imposed upon the City under the TPIA; and

WHEREAS, the City Council finds that the minimum monthly and yearly time limits deemed reasonable under Sec. 552.275(b) of the TPIA are indeed adequate to meet the objectives of this Ordinance;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT PLEASANT, TEXAS, as follows:

Section 1. **Recitals.** The above caption and recitals are incorporated herein for all purposes.

Section 2. **Amendment of Code of Ordinances.** The City Code of Ordinances is hereby amended at Title III – Administration to add a new Chapter 38 – Public Information Requests, which shall hereafter read as follows:

TITLE III – ADMINISTRATION

…

CHAPTER 38: PUBLIC INFORMATION REQUESTS

§37.01 – Reasonable Time Limits Established.
The City shall adhere to all applicable requirements and procedures set forth in Section 552.275 of the Texas Public Information Act or "TPIA". In complying with the requirements imposed upon the City by Chapter 552, Tex. Gov't Code, also known as the TPIA, the City Council has determined that:

(1) Thirty-six hours (36 hours) per fiscal year; or
(2) Fifteen hours (15 hours) per calendar month;

are reasonable limits for the amount of time that City personnel are required to spend each year or month, respectively, producing information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering costs attributable to that personnel time.

§37.02 – Calculation of Personnel Time.

(a) Each time the City complies with a request for public information, the City shall provide the requestor with a written statement of the amount of personnel time spent complying with that request and the cumulative amount of time spent complying with requests for public information from that requestor during the applicable monthly or yearly period. The amount of time spent preparing the written statement may not be included in the amount of time included in the statement provided to the requestor under this subsection unless the requestor's time limit for the period has been exceeded. The amount of personnel time spent complying with a public information shall include the actual time spent locating, compiling, manipulating data, and/or reproducing the requested information, including time spent preparing a redacted version of existing documents if necessary.

(b) If, in connection with a request for public information, the cumulative amount of personnel time spent complying with requests for public information from the same requestor equals or exceeds the limit established by the City under §37.01 of this Chapter, the City shall provide the requestor with a written estimate of the total cost, including materials, personnel time, and overhead expenses, necessary to comply with the request. The written estimate must be provided to the requestor on or before the 10th day after the date on which the public information was requested. The amount of this charge relating to the cost of locating, compiling, and producing the public information shall be established by rules prescribed by the attorney general under Sections 552.262 (a) and (b) of the TPIA.
(c) This subsection applies only to a request made by a requestor who has made a previous request to the City that has not been withdrawn, for which the City has located and compiled documents in response, and for which the City has issued a statement under §37.02(b) of this Chapter that remains unpaid on the date the requestor submits the new request. The City is not required to locate, compile, produce, or provide copies of documents or prepare a statement under §37.02(b) in response to a new

request described by this subsection until the date the requestor pays each unpaid statement issued under §37.02(b) in connection with a previous request or withdraws the previous request to which the statement applies.

(d) If the City determines that additional time is required to prepare the written estimate under §37.02(b) and provides the requestor with a written statement of that determination, the City must provide the written statement under that subsection as soon as practicable, but on or before the 10th day after the date the City provided the statement under this subsection.

(e) If the City provides a requestor with a written statement under §37.02(b) and the time limits prescribed by §37.01 regarding the requestor have been exceeded, the City is not required to produce public information for inspection or duplication or to provide copies of public information in response to the requestor's request unless on or before the 10th day after the date the City provided the written statement under that subsection, the requestor submits payment of the amount stated in the written statement provided under §37.02(b). If the requestor fails or refuses to submit payment under this subsection, the requestor is considered to have withdrawn the requestor's pending request for public information.

§37.03 – Applicability.

The definitions provided by Sec. 552.275(m) of the TPIA are incorporated by reference herein.
This Chapter does not apply if the requestor:

(a) is an individual who, for a substantial portion of the individual's livelihood or for substantial financial gain, gathers, compiles, prepares, collects, photographs, records, writes, edits, reports, investigates, processes, or publishes news or information for and is seeking the information for:
    (1) dissemination by a news medium or communication service provider, including:
        (i) an individual who supervises or assists in gathering, preparing, and disseminating the news or information; or
        (ii) an individual who is or was a journalist, scholar, or researcher employed by an institution of higher education at the time the person made the request for information; or
    (2) creation or maintenance of an abstract plant as described by Section 2501.004, Insurance Code; or

(b) is an elected official of the United States, this state, or a political subdivision of this state; or

(c) is a representative of a publicly funded legal services organization that is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as amended, by being listed as an exempt entity under Section 501(c)(3) of that code.

Section 3. Severability. If any word, phrase, clause, paragraph, part or provision of this Ordinance or its subsections, or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of that subsection, and of this Ordinance, shall nevertheless be valid, and the City Council hereby declares that the subsection would have been enacted without such invalid, or unconstitutional word, phrase, clause, paragraph, part or provision, had the City Council known of the invalidity or unconstitutionality.

Section 4. Conflict. All other Ordinances and parts of other Ordinances directly conflicting with any part of this Ordinance are hereby repealed, only to the extent of such direct conflict.

Section 5. **Effective Date.** This Ordinance shall be effective immediately upon passage by the City Council.

Section 6. **Open Meeting.** It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

PASSED AND APPROVED the _____ day of _____ 2025.

_____
Wesley Lyon II
Mayor

ATTEST:

_____
Candias Webster
City Secretary

APPROVED AS TO FORM:

_____
Lea Ream
Attorney for the City

From:	Kyle Moring <[redacted]>
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Cc:	Austin Beck <abeck@dtrglaw.com>; Rob Vine <rvine@mpcity.org>; Wesley Lyon <wlyon@mpcity.org>; "[redacted]" <[redacted]>; Lea Ream <lream@dtrglaw.com>; dcorbell@mpcity.org; kredfearn@mpcity.org; chinton@mpcity.org; jhageman@mpcity.org; Melanie.knight@mpcity.org
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Attachments:	DOCS1-#354983-v2-TPIA_Ordinance_(Mt__Pleasant).pdf
USB file:	Re TPIA Request – Ordinance 2025-24 (TPIA time limits“vexatious” requests)_3.msg

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Thank you for providing a copy of Ordinance 2025-24 regarding requests under the Texas Public Information Act.

However, my original request expressly sought **more than the ordinance text**. As stated in my prior correspondence, I requested all records reflecting, discussing, or relating to Ordinance 2025-24, including but not limited to:

- Drafts, prior versions, or redlines of the ordinance
- Communications with the City Attorney and/or any outside counsel regarding Ordinance 2025-24
- Internal staff emails or memoranda related to this ordinance and the associated agenda item
- Any supporting materials relied upon in preparing the agenda item and the ordinance language

In your earlier email, you indicated that some responsive materials may involve attorney communications and that the City would seek an Attorney General's opinion regarding those records. In your most recent email, you attached only the ordinance and stated that the request would be considered “closed,” without addressing the remaining records requested or identifying any Attorney General ruling request.

Under Tex. Gov’t Code § 552.301, if the City intends to withhold any responsive records (such as attorney–client communications under § 552.107), it must:

1. Request a ruling from the Attorney General within the statutory deadline
2. Identify the exceptions being asserted, and
3. Provide the requestor a copy of the letter to the Attorney General.

Simply issuing the final ordinance and marking the request as closed does not address the full scope of my request.

Accordingly, please:

1. Confirm whether the City is **withholding any additional responsive records** (drafts, internal communications, attorney emails, or other materials) relating to Ordinance 2025-24, and
2. If responsive records are being withheld, either:
    - Confirm that the City has **submitted a request for an Attorney General ruling**, and provide the AG tracking/control number and the date of that submission; or
    - If no Attorney General request has been submitted, please either:
        - § Produce all remaining responsive records (with any redactions clearly marked and the exemptions cited), or
        - § Provide a written certification that **no additional responsive records exist** beyond the ordinance itself.

Until this clarification is provided, I do not consider my request for records relating to Ordinance 2025-24 to be fully resolved.

Council Members are copied on this message **for awareness only**; I am not asking them to deliberate or take action outside a properly posted meeting.

Thank you for your attention to this matter, and happy Thanksgiving!

With gratitude,

/s/ Kyle Douglas Moring

Kyle Douglas Moring, M.S., LPC-Associate

Former Asset Protection Investigator – Walmart Store #131

Designated Representative of Current Walmart Store #131 Employees

OSHA 11(c)/FSMA Whistleblower Complainant

On Nov 26, 2025, at 4:56 PM, Candias Webster <cwebster@mpcity.org> wrote:

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CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Under the Texas Public Information Act, please provide all records related to Ordinance 2025-24 on the December 02, 2025 agenda (“requests under the Texas Public Information Act and limitations governing such requests”), including:

1. The full text of proposed Ordinance 2025-24 and any prior drafts;
2. Any staff memoranda or explanatory notes you or the City Manager prepared for Council regarding this item;
3. Emails or other written communications (September 01, 2025–November 25, 2025) between you, the City Manager, department heads, the City Attorney, and Council members discussing “TPIA restrictions,” “vexatious requests,” “frequent requestors,” or similar limits; and
4. Any existing written policies, procedures, or tracking logs the City intends to use to implement Tex. Gov’t Code § 552.275 (including any records showing cumulative personnel time already attributed to my requests).

Please produce these records electronically (.pdf for documents, .eml/.msg for emails) via email. If estimated charges exceed $40, please provide an itemized estimate in compliance with § 552.2615. If any portion is withheld, please seek an Attorney General ruling and release all reasonably segregable portions.

With gratitude,

Kyle Moring
[redacted]

CITY OF MOUNT PLEASANT, TEXAS

ORDINANCE 2025-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOUNT PLEASANT, TEXAS TO ADD A NEW CHAPTER 38 – PUBLIC INFORMATION REQUESTS TO TITLE III – ADMINISTRATION OF THE CITY'S CODE OF ORDINANCES TO ESTABLISH A CHARGE AND REQUIRE PRIOR PAYMENT BEFORE THE CITY RESPONDS TO CERTAIN REQUESTS FOR THE PRODUCTION OF PUBLIC INFORMATION OR FOR COPIES OF PUBLIC INFORMATION IN ACCORDANCE WITH AND PURSUANT TO CHAPTER 552.275 OF THE TEXAS GOVERNMENT CODE; ESTABLISHING A REASONABLE LIMIT ON THE AMOUNT OF TIME PERSONNEL OF THE GOVERNMENTAL BODY ARE REQUIRED TO SPEND PRODUCING PUBLIC INFORMATION FOR INSPECTION OR DUPLICATION TO A REQUESTOR, AND/OR PROVIDE COPIES OF PUBLIC INFORMATION TO A REQUESTOR; ESTABLISHING COSTS TO BE PAID BY THE PUBLIC FOR REQUESTS THAT EXCEED THE REASONABLE LIMIT; PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, the City of Mount Pleasant, Texas, ("City") is a home-rule municipality that is subject to the requirements of the Chapter 552, Texas Government Code, also known as the Texas Public Information Act ("TPIA"); and

WHEREAS, the City is authorized under Sec. 552.275(a), Texas Government Code, to establish reasonable monthly and yearly limits on the amount of time that personnel of the governmental body are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time; and

WHEREAS, the City Council for the City has determined that adoption of this Ordinance pursuant to Sec. 552.275 of the TPIA is necessary and appropriate to maintain efficient use of limited City resources, including available personnel time, while also complying with all applicable requirements and obligations imposed upon the City under the TPIA; and

WHEREAS, the City Council finds that the minimum monthly and yearly time limits deemed reasonable under Sec. 552.275(b) of the TPIA are indeed adequate to meet the objectives of this Ordinance;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT PLEASANT, TEXAS, as follows:

Section 1. **Recitals.** The above caption and recitals are incorporated herein for all purposes.

Section 2. **Amendment of Code of Ordinances.** The City Code of Ordinances is hereby amended at Title III – Administration to add a new Chapter 38 – Public Information Requests, which shall hereafter read as follows:

TITLE III – ADMINISTRATION

…

CHAPTER 38: PUBLIC INFORMATION REQUESTS

§37.01 – Reasonable Time Limits Established.
The City shall adhere to all applicable requirements and procedures set forth in Section 552.275 of the Texas Public Information Act or "TPIA". In complying with the requirements imposed upon the City by Chapter 552, Tex. Gov't Code, also known as the TPIA, the City Council has determined that:

(1) Thirty-six hours (36 hours) per fiscal year; or
(2) Fifteen hours (15 hours) per calendar month;

are reasonable limits for the amount of time that City personnel are required to spend each year or month, respectively, producing information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering costs attributable to that personnel time.

§37.02 – Calculation of Personnel Time.

(a) Each time the City complies with a request for public information, the City shall provide the requestor with a written statement of the amount of personnel time spent complying with that request and the cumulative amount of time spent complying with requests for public information from that requestor during the applicable monthly or yearly period. The amount of time spent preparing the written statement may not be included in the amount of time included in the statement provided to the requestor under this subsection unless the requestor's time limit for the period has been exceeded. The amount of personnel time spent complying with a public information shall include the actual time spent locating, compiling, manipulating data, and/or reproducing the requested information, including time spent preparing a redacted version of existing documents if necessary.

(b) If, in connection with a request for public information, the cumulative amount of personnel time spent complying with requests for public information from the same requestor equals or exceeds the limit established by the City under §37.01 of this Chapter, the City shall provide the requestor with a written estimate of the total cost, including materials, personnel time, and overhead expenses, necessary to comply with the request. The written estimate must be provided to the requestor on or before the 10th day after the date on which the public information was requested. The amount of this charge relating to the cost of locating, compiling, and producing the public information shall be established by rules prescribed by the attorney general under Sections 552.262 (a) and (b) of the TPIA.
(c) This subsection applies only to a request made by a requestor who has made a previous request to the City that has not been withdrawn, for which the City has located and compiled documents in response, and for which the City has issued a statement under §37.02(b) of this Chapter that remains unpaid on the date the requestor submits the new request. The City is not required to locate, compile, produce, or provide copies of documents or prepare a statement under §37.02(b) in response to a new

request described by this subsection until the date the requestor pays each unpaid statement issued under §37.02(b) in connection with a previous request or withdraws the previous request to which the statement applies.

(d) If the City determines that additional time is required to prepare the written estimate under §37.02(b) and provides the requestor with a written statement of that determination, the City must provide the written statement under that subsection as soon as practicable, but on or before the 10th day after the date the City provided the statement under this subsection.

(e) If the City provides a requestor with a written statement under §37.02(b) and the time limits prescribed by §37.01 regarding the requestor have been exceeded, the City is not required to produce public information for inspection or duplication or to provide copies of public information in response to the requestor's request unless on or before the 10th day after the date the City provided the written statement under that subsection, the requestor submits payment of the amount stated in the written statement provided under §37.02(b). If the requestor fails or refuses to submit payment under this subsection, the requestor is considered to have withdrawn the requestor's pending request for public information.

§37.03 – Applicability.

The definitions provided by Sec. 552.275(m) of the TPIA are incorporated by reference herein.
This Chapter does not apply if the requestor:

(a) is an individual who, for a substantial portion of the individual's livelihood or for substantial financial gain, gathers, compiles, prepares, collects, photographs, records, writes, edits, reports, investigates, processes, or publishes news or information for and is seeking the information for:
    (1) dissemination by a news medium or communication service provider, including:
        (i) an individual who supervises or assists in gathering, preparing, and disseminating the news or information; or
        (ii) an individual who is or was a journalist, scholar, or researcher employed by an institution of higher education at the time the person made the request for information; or
    (2) creation or maintenance of an abstract plant as described by Section 2501.004, Insurance Code; or

(b) is an elected official of the United States, this state, or a political subdivision of this state; or

(c) is a representative of a publicly funded legal services organization that is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as amended, by being listed as an exempt entity under Section 501(c)(3) of that code.

Section 3. Severability. If any word, phrase, clause, paragraph, part or provision of this Ordinance or its subsections, or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of that subsection, and of this Ordinance, shall nevertheless be valid, and the City Council hereby declares that the subsection would have been enacted without such invalid, or unconstitutional word, phrase, clause, paragraph, part or provision, had the City Council known of the invalidity or unconstitutionality.

Section 4. Conflict. All other Ordinances and parts of other Ordinances directly conflicting with any part of this Ordinance are hereby repealed, only to the extent of such direct conflict.

Section 5. **Effective Date.** This Ordinance shall be effective immediately upon passage by the City Council.

Section 6. **Open Meeting.** It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

PASSED AND APPROVED the _____ day of _____ 2025.

_____
Wesley Lyon II
Mayor

ATTEST:

_____
Candias Webster
City Secretary

APPROVED AS TO FORM:

_____
Lea Ream
Attorney for the City

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>; Rob Vine <rvine@mpcity.org>; Wesley Lyon <wlyon@mpcity.org>; "[redacted]" <[redacted]>; Lea Ream <lream@dtrglaw.com>; dcorbell@mpcity.org; kredfearn@mpcity.org; chinton@mpcity.org; jhageman@mpcity.org; Melanie.knight@mpcity.org
Date:	2025-12-12 12:22:21+00:00
Subject:	**Re: TPIA Request – Ordinance 2025-24 (TPIA time limits/"vexatious" requests)**
Attachments:	DOCS1-#354983-v2-TPIA_Ordinance_(Mt__Pleasant).pdf
USB file:	Re TPIA Request – Ordinance 2025-24 (TPIA time limits"vexatious" requests).msg (+1 identical copies)

CAUTION: [EXTERNAL EMAIL]

Texas Open Meetings Act (TOMA) Notice: I am copying the Mayor and City Council for transparency and record purposes. I am **not**requesting that any Council Member reply to this email or deliberate about this matter outside of a properly posted public meeting. Please do not "Reply All."

Ms. Webster,

I am following up on my Texas Public Information Act request received by the City on **November 25, 2025**, and on my email of **November 26, 2025, at 5:46 PM**, concerning records related to **Ordinance 2025-24**.

On November 25, 2025, the City stated both that it had "no responsive records" and that it "**will seek the Attorney General's opinion on emails with the attorney**." On November 26, 2025, the City provided only a copy of the ordinance and stated it would consider the request closed, without addressing the remaining categories of records identified in my request (including drafts, staff memoranda, internal communications, and emails involving the City Attorney).

To ensure the record is clear and the City's Chapter 552 obligations are satisfied, please confirm in writing:

1. Whether the City submitted a request for an Attorney General decision regarding any portion of my November 25, 2025 request
2. If so, the date filed, the OAG tracking/control number, and the exceptions asserted
3. If no request was submitted, whether the City is withholding any responsive records (including attorney emails) or instead contends that no additional responsive records exist, together with a brief clarification to that effect.

As you know, if a governmental body seeks to withhold responsive information, Chapter 552 requires that the request for an Attorney General decision be made within the statutory deadline after receipt of the written request, and that the requestor be notified accordingly. This message is intended solely to obtain confirmation of the City's procedural posture and the status of any withheld records.

Thank you for your attention. I would appreciate a written response at your earliest convenience.

With gratitude,

Kyle Moring

[redacted] | [redacted]

> On Nov 26, 2025, at 5:45 PM, Kyle Moring <[redacted]> wrote:
>
> Ms. Webster,
>
> Thank you for providing a copy of Ordinance 2025-24 regarding requests under the Texas Public Information Act.
>
> However, my original request expressly sought **more than the ordinance text**. As stated in my prior correspondence, I requested all records reflecting, discussing, or relating to Ordinance 2025-24, including but not limited to:
>
> · Drafts, prior versions, or redlines of the ordinance
>
> · Communications with the City Attorney and/or any outside counsel regarding Ordinance 2025-24
>
> · Internal staff emails or memoranda related to this ordinance and the associated agenda item
>
> · Any supporting materials relied upon in preparing the agenda item and the ordinance language
>
> In your earlier email, you indicated that some responsive materials may involve attorney communications and that the City would seek an Attorney General's opinion regarding those records. In your most recent email, you attached only the ordinance and stated that the request would be considered "closed," without addressing the remaining records requested or identifying any Attorney General ruling request.
>
> Under Tex. Gov't Code § 552.301, if the City intends to withhold any responsive records (such as attorney–client communications under § 552.107), it must:

1. Request a ruling from the Attorney General within the statutory deadline
2. Identify the exceptions being asserted, and
3. Provide the requestor a copy of the letter to the Attorney General.

Simply issuing the final ordinance and marking the request as closed does not address the full scope of my request.

Accordingly, please:

1. Confirm whether the City is **withholding any additional responsive records** (drafts, internal communications, attorney emails, or other materials) relating to Ordinance 2025-24, and
2. If responsive records are being withheld, either:
    - Confirm that the City has **submitted a request for an Attorney General ruling**, and provide the AG tracking/control number and the date of that submission; or
    - If no Attorney General request has been submitted, please either:
        - § Produce all remaining responsive records (with any redactions clearly marked and the exemptions cited), or
        - § Provide a written certification that **no additional responsive records exist** beyond the ordinance itself.

Until this clarification is provided, I do not consider my request for records relating to Ordinance 2025-24 to be fully resolved.

Council Members are copied on this message **for awareness only**; I am not asking them to deliberate or take action outside a properly posted meeting.

Thank you for your attention to this matter, and happy Thanksgiving!

With gratitude,

/s/ Kyle Douglas Moring

Kyle Douglas Moring, M.S., LPC-Associate

Former Asset Protection Investigator – Walmart Store #131

Designated Representative of Current Walmart Store #131 Employees

OSHA 11(c)/FSMA Whistleblower Complainant

On Nov 26, 2025, at 4:56 PM, Candias Webster <cwebster@mpcity.org> wrote:

Mr. Moring,

Here is a copy of the Ordinance you requested.

We will consider this request closed 11/26/2025

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

ATTENTION OFFICIALS: A "Reply to All" on this e-mail or reply or forward to one other official could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

CONFIDENTIALITY NOTICE: This e-mail is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing, or other use of this e-mail by persons or entities other than the addressee is prohibited. If you have received this e-mail in error, please contact the

sender immediately and delete the material from your computer.

From: Candias Webster
Sent: Tuesday, November 25, 2025 3:10 PM
To: 'Kyle Moring' <[redacted]>
Cc: Austin Beck <abeck@dtrglaw.com>; Rob Vine <rvine@mpcity.org>; Wesley Lyon <wlyon@mpcity.org>; [redacted]; Lea Ream <lream@dtrglaw.com>
Subject: RE: TPIA Request – Ordinance 2025-24 (TPIA time limits/“vexatious” requests)

Good afternoon, Kyle,

The City has no responsive records for this request, and we will seek the AG’s opinion on emails with the attorney.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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From: Kyle Moring <[redacted]>
Sent: Tuesday, November 25, 2025 10:38 AM
To: Candias Webster <cwebster@mpcity.org>
Cc: Austin Beck <abeck@dtrglaw.com>; Rob Vine <rvine@mpcity.org>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
Subject: TPIA Request – Ordinance 2025-24 (TPIA time limits/“vexatious” requests)

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Under the Texas Public Information Act, please provide all records related to Ordinance 2025-24 on the December 02, 2025 agenda (“requests under the Texas Public Information Act and limitations governing such requests”), including:

1. The full text of proposed Ordinance 2025-24 and any prior drafts;
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4. Any existing written policies, procedures, or tracking logs the City intends to use to implement Tex. Gov’t Code § 552.275 (including any records showing cumulative personnel time already attributed to my requests).

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With gratitude,

Kyle Moring
[redacted] | [redacted]

CITY OF MOUNT PLEASANT, TEXAS

ORDINANCE 2025-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOUNT PLEASANT, TEXAS TO ADD A NEW CHAPTER 38 – PUBLIC INFORMATION REQUESTS TO TITLE III – ADMINISTRATION OF THE CITY'S CODE OF ORDINANCES TO ESTABLISH A CHARGE AND REQUIRE PRIOR PAYMENT BEFORE THE CITY RESPONDS TO CERTAIN REQUESTS FOR THE PRODUCTION OF PUBLIC INFORMATION OR FOR COPIES OF PUBLIC INFORMATION IN ACCORDANCE WITH AND PURSUANT TO CHAPTER 552.275 OF THE TEXAS GOVERNMENT CODE; ESTABLISHING A REASONABLE LIMIT ON THE AMOUNT OF TIME PERSONNEL OF THE GOVERNMENTAL BODY ARE REQUIRED TO SPEND PRODUCING PUBLIC INFORMATION FOR INSPECTION OR DUPLICATION TO A REQUESTOR, AND/OR PROVIDE COPIES OF PUBLIC INFORMATION TO A REQUESTOR; ESTABLISHING COSTS TO BE PAID BY THE PUBLIC FOR REQUESTS THAT EXCEED THE REASONABLE LIMIT; PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, the City of Mount Pleasant, Texas, ("City") is a home-rule municipality that is subject to the requirements of the Chapter 552, Texas Government Code, also known as the Texas Public Information Act ("TPIA"); and

WHEREAS, the City is authorized under Sec. 552.275(a), Texas Government Code, to establish reasonable monthly and yearly limits on the amount of time that personnel of the governmental body are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time; and

WHEREAS, the City Council for the City has determined that adoption of this Ordinance pursuant to Sec. 552.275 of the TPIA is necessary and appropriate to maintain efficient use of limited City resources, including available personnel time, while also complying with all applicable requirements and obligations imposed upon the City under the TPIA; and

WHEREAS, the City Council finds that the minimum monthly and yearly time limits deemed reasonable under Sec. 552.275(b) of the TPIA are indeed adequate to meet the objectives of this Ordinance;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT PLEASANT, TEXAS, as follows:

Section 1. **Recitals.** The above caption and recitals are incorporated herein for all purposes.

Section 2. **Amendment of Code of Ordinances.** The City Code of Ordinances is hereby amended at Title III – Administration to add a new Chapter 38 – Public Information Requests, which shall hereafter read as follows:

TITLE III – ADMINISTRATION

…

CHAPTER 38: PUBLIC INFORMATION REQUESTS

§37.01 – Reasonable Time Limits Established.
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(1) Thirty-six hours (36 hours) per fiscal year; or
(2) Fifteen hours (15 hours) per calendar month;

are reasonable limits for the amount of time that City personnel are required to spend each year or month, respectively, producing information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering costs attributable to that personnel time.

§37.02 – Calculation of Personnel Time.

(a) Each time the City complies with a request for public information, the City shall provide the requestor with a written statement of the amount of personnel time spent complying with that request and the cumulative amount of time spent complying with requests for public information from that requestor during the applicable monthly or yearly period. The amount of time spent preparing the written statement may not be included in the amount of time included in the statement provided to the requestor under this subsection unless the requestor's time limit for the period has been exceeded. The amount of personnel time spent complying with a public information shall include the actual time spent locating, compiling, manipulating data, and/or reproducing the requested information, including time spent preparing a redacted version of existing documents if necessary.

(b) If, in connection with a request for public information, the cumulative amount of personnel time spent complying with requests for public information from the same requestor equals or exceeds the limit established by the City under §37.01 of this Chapter, the City shall provide the requestor with a written estimate of the total cost, including materials, personnel time, and overhead expenses, necessary to comply with the request. The written estimate must be provided to the requestor on or before the 10th day after the date on which the public information was requested. The amount of this charge relating to the cost of locating, compiling, and producing the public information shall be established by rules prescribed by the attorney general under Sections 552.262 (a) and (b) of the TPIA.
(c) This subsection applies only to a request made by a requestor who has made a previous request to the City that has not been withdrawn, for which the City has located and compiled documents in response, and for which the City has issued a statement under §37.02(b) of this Chapter that remains unpaid on the date the requestor submits the new request. The City is not required to locate, compile, produce, or provide copies of documents or prepare a statement under §37.02(b) in response to a new

request described by this subsection until the date the requestor pays each unpaid statement issued under §37.02(b) in connection with a previous request or withdraws the previous request to which the statement applies.

(d) If the City determines that additional time is required to prepare the written estimate under §37.02(b) and provides the requestor with a written statement of that determination, the City must provide the written statement under that subsection as soon as practicable, but on or before the 10th day after the date the City provided the statement under this subsection.

(e) If the City provides a requestor with a written statement under §37.02(b) and the time limits prescribed by §37.01 regarding the requestor have been exceeded, the City is not required to produce public information for inspection or duplication or to provide copies of public information in response to the requestor's request unless on or before the 10th day after the date the City provided the written statement under that subsection, the requestor submits payment of the amount stated in the written statement provided under §37.02(b). If the requestor fails or refuses to submit payment under this subsection, the requestor is considered to have withdrawn the requestor's pending request for public information.

§37.03 – Applicability.

The definitions provided by Sec. 552.275(m) of the TPIA are incorporated by reference herein.
This Chapter does not apply if the requestor:

(a) is an individual who, for a substantial portion of the individual's livelihood or for substantial financial gain, gathers, compiles, prepares, collects, photographs, records, writes, edits, reports, investigates, processes, or publishes news or information for and is seeking the information for:
    (1) dissemination by a news medium or communication service provider, including:
        (i) an individual who supervises or assists in gathering, preparing, and disseminating the news or information; or
        (ii) an individual who is or was a journalist, scholar, or researcher employed by an institution of higher education at the time the person made the request for information; or
    (2) creation or maintenance of an abstract plant as described by Section 2501.004, Insurance Code; or

(b) is an elected official of the United States, this state, or a political subdivision of this state; or

(c) is a representative of a publicly funded legal services organization that is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as amended, by being listed as an exempt entity under Section 501(c)(3) of that code.

Section 3. Severability. If any word, phrase, clause, paragraph, part or provision of this Ordinance or its subsections, or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of that subsection, and of this Ordinance, shall nevertheless be valid, and the City Council hereby declares that the subsection would have been enacted without such invalid, or unconstitutional word, phrase, clause, paragraph, part or provision, had the City Council known of the invalidity or unconstitutionality.

Section 4. Conflict. All other Ordinances and parts of other Ordinances directly conflicting with any part of this Ordinance are hereby repealed, only to the extent of such direct conflict.

Section 5. **Effective Date.** This Ordinance shall be effective immediately upon passage by the City Council.

Section 6. **Open Meeting.** It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

PASSED AND APPROVED the _____ day of _____ 2025.

_____
Wesley Lyon II
Mayor

ATTEST:

_____
Candias Webster
City Secretary

APPROVED AS TO FORM:

_____
Lea Ream
Attorney for the City