From: Office of the Attorney General
To: OpenRecordsAssistance
Subject: Open Records Complaint
Date: Friday, February 10, 2023 10:52:16 AM

Submitted on Fri, 02/10/2023 - 10:35

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information
Jon Best
401 Sou h Main
Henderson, Texas. 75654

+1903 6463218

Governmental Body Information

Governmental Body Contact Information
Henderson Independent School Distric
David Chenault
300 Crosby St. Henderson, TX 75652
P.O. Box 728 Henderson, TX 75653
Henderson , Texas. 75652
dchenault@hendersonisd net
903-655-500

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?
Email

Date of your public information request:
11/28/2022

Did the governmental body ask you to pay for the requested information?
Yes

How much did the governmental body ask you to pay for the information?
$123.70

How much have you paid for the information at this time?
$123.70

Background Information about Complaint

Have you contacted the governmental body about your complaint?
Yes

When did you contact the governmental body about your complaint?
12*16*2022, 1-5-2023, 1-20-23

How did the governmental body respond to your complaint?
yes

Have you contacted another agency about your complaint?
No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?
The governmental body's response to my public information request is inadequate.

Open Government Hotline
Yes

Upload Initial Request

2022-best-002-(3.pdf

Supporting Document
{Empty}

December 12, 2022

Dear Mr. Best,

This letter is in response to your Open Records Requests of December 1, 2022. Below is summary of the your request:

- Request:

  "All text/emails Lamb/Duey
  " " " Lamb/Johnston
  " " " Johnston/Duey
  From June 1 2019 - 12-1-22"

  "1-1-21/12-1-22
  All text/emails Lamb/Sugg
  " " " Lamb/Butler
  " " " Lamb/Bennett
  " " " R.Sugg/J.Sugg"

  "All Admin/Central office,
  All principal, All assistant Principal,
  All discipline specialist salaries
  & and stipends"

You have requested a large number of records spanning more than three years, some of which are not maintained directly by the district. Additionally, most of the records will require a review and many may require manual redaction. We will redact information which is confidential by federal law or falls within the predetermined categories outlined by the Texas Attorney General (See Open Records Decision Nos. 563 at 8 (1990)). Manual redaction of electronic records requires us to print copies of the information for the process. Per your request and as required by section 552.2615 of the Texas Government Code, since the cost associated with gathering and manipulating the information is expected to exceed $40, I am including an estimate of the costs based upon a preliminary search of the records.

Itemized List of Charges:

Description	Qty x Price	Total
Standard sized copies (per page)	2,579 x $0.10	$257.90
Labor minutes ($15/hour)	2,579 x $0.25	$644.75
Overhead charges	20% of $644.75	$128.95
Client server minutes ($2.20/hour)	7 x $.0366	$0.26
	Total cost	**$1,031.86**

The estimated charges exceed $100.00; therefore, as allowed by section 552.263(a) of the Government Code, we require a deposit of 50% ($515.93) before starting work on your request. Please note, this is a preliminary estimate based on the number of records and not the actual number of pages. Since many of the records you requested are emails, they may include attachments which must also be redacted and some of them may be lengthy. During the process, if we determine the final cost will vary by more than 10% of this estimate, we will inform you of the change.

You may wish to modify your request to include a more specific criteria, thereby reducing the number of responsive records and the cost associated with providing them. If so, please let me know how you wish to modify your request.

Your request will be considered automatically withdrawn if you do not notify us in writing within ten business days from the date of this letter that you either:

(a) accept the charges;
(b) wish to modify your request; OR
(c) have sent to the Open Records Division of the Office of the Attorney General a complaint alleging that you are being overcharged for the information you have requested.

As you made the original request electronically, I am emailing a copy of this letter to you at Jon.Best@RaymondJames.com in addition to the letter sent by registered mail. Since you have not requested any specific documents or records, there were no other items found responsive to your request and I will consider this request closed at this time.

Should you have additional requests, or any questions or concerns, please feel free to contact my office at 903-655-5011 or email me at dchenault@hendersonisd.org.

Sincerely,

David Chenault
Director of Communication, HISD

From: OpenRecordsAssistance
To:
Subject: RE: Open Records Complaint; ID# OR-23-000225-CC
Date: Friday, March 31, 2023 12:16:36 PM

Dear Mr. Paschall:

Thank you for contacting the Open Government Hotline. Unfortunately, the Office of the Attorney General (the "OAG") was unable to reach a resolution with the Town of Westover Hills regarding your concerns that the town has failed to respond appropriately to a request for information. Your complaint was assigned ID# OR-23-000225-CC.

In order to further evaluate your complaint, we need a copy of your original request for information made to the town.

Your original request for information may be faxed to the Education and Enforcement Section of the Open Records Division at (512) 481-1992, submitted through our online form (https://www.texasattorneygeneral.gov/open-government/open-records-complaint), or mailed to P.O. Box 12548, Austin, Texas 78711.

Please note, if you are using the online form, you must include the full complaint ID number in order to submit your documentation.

Should you have any questions regarding this letter, please call the Open Government Hotline at (877) 673-6839.

Sincerely,

Education and Enforcement Section
Open Records Division

PLEASE NOTE: Any replies to this email will not be received.

OR-23-000298-CC

From: Office of the Attorney General
To: OpenRecordsAssistance
Subject: Open Records Complaint
Date: Tuesday, April 25, 2023 11:03:51 AM

Submitted on Tue, 04/25/2023 - 10:43

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information
Lourdes Roldan
188 Mustang Lane
Sandia, Texas. 78383

3613963392

Governmental Body Information

Governmental Body Contact Information
City of Corpus Christi
Daniel De Leon
1201 Leopard, 5th Floor
Corpus Christi, Texas. 78469
DanielDL@cctexas.com
3618263360

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?
Online form

Date of your public information request:
04/09/2023

Did the governmental body ask you to pay for the requested Information?
Yes

How much did the governmental body ask you to pay for the information?
$472.25

How much have you paid for the information at this time?
$0.00

Background Information about Complaint

Have you contacted the governmental body about your complaint?
Yes

When did you contact the governmental body about your complaint?
04/21/2023

How did the governmental body respond to your complaint?
No response

Have you contacted another agency about your complaint?
No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?
I think a governmental body is overcharging me for the information I requested.

Open Government Hotline
Yes

Upload Initial Request

initial-orr.pdf

Supporting Document

cost-estimate-orr.pdf

Gmail

Lourdes Roldan

Public Information Request - 723 - Roldan, Lourdes - Cost Estimate

2 messages

Daniel De Leon <DanielDL@cctexas.com> Fri, Apr 21, 2023 at 4:25 PM
To: Lourdes Roldan
Cc: Gabriel Rodriguez <GabrielRo@cctexas.com>, Josie Castillo <JosieE@cctexas.com>, Lauren Rickard <LaurenR2@cctexas.com>

Dear Ms. Roldan,

This email is in response to your request for information pursuant to the Texas Public Information Act (the "Act") received by the City of Corpus Christi (the "City") on April 9, 2023 (attached).

The information will take 20 hours to locate/compile/reproduce. The information will be provided to you upon payment of **$472.25.** The itemization of charges is:

Flash Drive (1 @ 3.50/each)	**$**	**3.50**
Locating/Compiling/Reproducing (20 hours @ 18.75/hour)	**$**	**375**
Overhead Charge (Total Labor Charges x 25%)	**$**	**93.25**
Total	**$**	**472.25**

Please note that the Legal Department only accepts payment by check or cash. **If paying cash, you must have exact change. Please call the phone number below or respond to this email to schedule an appointment for payment.** Please provide payment by mail or in person using the following contact information:

City of Corpus Christi, Texas

Corpus Christi City Hall

LEGAL DEPT – ATTN: Public Information Section

1201 Leopard, 5th Floor

Post Office Box 9277

Corpus Christi, Texas 78469-9277

Telephone: (361) 826-3360

Fax: (361) 826-3239 ATTN: Public Information Act (PIA) Request

Email: danieldl@cctexas.com

Failure to respond to this estimate letter within ten (10) days will result in the City deeming your Public Information Request to be withdrawn.

Thank you,

Daniel De Leon

Legal Assistant

City Attorney's Office

City of Corpus Christi

o: 361-826-3434

e: danieldl@cctexas.com

NEED HELP WITH
CITY SERVICES?
CALL 311 TO REACH OUR CUSTOMER CALL CENTER

---------- Forwarded message ----------
From: CityOpenRecords <CityOpenRecords@cctexas.com>
To: Daniel De Leon <DanielDL@cctexas.com>
Cc: Josie Castillo <JosieE@cctexas.com>, Gabriel Rodriguez <GabrielRo@cctexas.com>, Sarah Brunkenhoefer <sarahb@cctexas.com>, "Mary Ann Pena [CitySecOffice]" <MaryAP@cctexas.com>, Mariah Resendez <MariahM2@cctexas.com>
Bcc:
Date: Mon, 10 Apr 2023 14:50:52 +0000
Subject: Open Records Request- Lourdes Roldan

Pursuant to the Texas Public Information Act, attached is an open records request received on April 9, 2023, in the City Secretary's Office.

Please note that open records requests will no longer be hand delivered. By opening this e-mail, you are confirming receipt of the open record.

Thank you,

Norma Jean Duran

City of Corpus Christi | Police Department

Central Records | Customer Service Rep.

321 John Sartain | Corpus Christi, TX | 78401

Phone: 361-886-2736 | Fax: 361-826-2962

Email: NormaD2@cctexas.com

If God brought you to it he will bring you through it

From: Jotform <noreply@jotform.com>
Sent: Sunday, April 9, 2023 11:38 AM
To: CityOpenRecords <CityOpenRecords@cctexas.com>
Subject: Re: City of Corpus Christi City Secretary Public Information Request

[[**WARNING:** External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to SecurityAlert@cctexas.com.]]

City of Corpus Christi City Secretary Public Information Request

Name	Lourdes Roldan
Business/Agency:	Chiadan LLC
Date:	04/09/2023
Address	MAILING ADDRESS: 188 Mustang Lane CITY: Sandia STATE: Texas ZIP: 78383
Phone:	361-396-3392
E-mail:	
Preferred Method of Communication:	E-mail

DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I am requesting Joseph Gomez's work cell phone (361-288-9506) text messages and phone call logs. I want any and all text messages and phone call logs from dates: 03-19-2023 and 12-17-2022. Joseph Gomez is a Parks Compliance Officer under Parks and Recreation.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes

You can edit this submission and view all your submissions easily.

---

3 attachments

04-09-2023.pdf
240K

Open Records Request- Lourdes Roldan.eml
359K

Cost Estimate - 723 - Roldan, Lourdes.docx
21K

Lourdes Roldan Fri, Apr 21, 2023 at 4:42 PM
To: Daniel De Leon <DanielDL@cctexas.com>
Cc: Gabriel Rodriguez <GabrielRo@cctexas.com>, Josie Castillo <JosieE@cctexas.com>, Lauren Rickard <LaurenR2@cctexas.com>

This cost estimate is ridiculous based on the cost estimate that y'all gave me from my previous open records request. This time I requested only 1 person and 2days. I will be reporting this to the Texas Attorney General's Office.

[Quoted text hidden]

[Quoted text hidden]

---------- Forwarded message ---------
From: CityOpenRecords <CityOpenRecords@cctexas.com>
To: Daniel De Leon <DanielDL@cctexas.com>
Cc: Josie Castillo <JosieE@cctexas.com>, Gabriel Rodriguez <GabrielRo@cctexas.com>, Sarah Brunkenhoefer <sarahb@cctexas.com>, "Mary Ann Pena [CitySecOffice]" <MaryAP@cctexas.com>, Mariah Resendez

<MariahM2@cctexas.com>
Bcc:
Date: Mon, 10 Apr 2023 14:50:52 +0000
Subject: Open Records Request- Lourdes Roldan

Pursuant to the Texas Public Information Act, attached is an open records request received on April 9, 2023, in the City Secretary's Office.

Please note that open records requests will no longer be hand delivered. By opening this e-mail, you are confirming receipt of the open record.

Thank you,

Norma Jean Duran

City of Corpus Christi | Police Department

Central Records | Customer Service Rep.

321 John Sartain | Corpus Christi, TX | 78401

Phone: 361-886-2736 | Fax: 361-826-2962

Email: NormaD2@cctexas.com

If God brought you to it he will bring you through it

From: Jotform <noreply@jotform.com>
Sent: Sunday, April 9, 2023 11:38 AM
To: CityOpenRecords <CityOpenRecords@cctexas.com>
Subject: Re: City of Corpus Christi City Secretary Public Information Request

[[**WARNING:** External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to SecurityAlert@cctexas.com.]]

Image removed by sender. City of Corpus Christi City Secretary Public Information Request

Name	Lourdes Roldan
Business/Agency:	Chiadan LLC
Date:	04/09/2023
Address	MAILING ADDRESS: 188 Mustang Lane CITY: Sandia STATE: Texas ZIP: 78383
Phone:	361-396-3392
E-mail:	
Preferred Method of Communication:	E-mail
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I am requesting Joseph Gomez's work cell phone (361-288-9506) text messages and phone call logs. I want any and all text messages and phone call logs from dates: 03-19-2023 and 12-17-2022. Joseph Gomez is a Parks Compliance Officer under Parks and Recreation.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes

You can edit this submission and view all your submissions easily.

4 attachments

NEED HELP WITH
CITY SERVICES?
CALL 311 TO REACH OUR
CUSTOMER CALL CENTER

image001.png
59K

~WRD0002.jpg
1K

~WRD0002.jpg
1K

NEED HELP WITH
CITY SERVICES?
CALL 311 TO REACH OUR
CUSTOMER CALL CENTER

image001.png
59K

Gmail

Lourdes Roldan

We have received your Public Information Request

1 message

Jotform <noreply@jotform.com>
Reply-To: cityopenrecords@cctexas.com
To:

Sun, Apr 9, 2023 at 11:38 AM

Thank you for your submission. Below is a summary of your submission. A copy of the completed form is also attached for your records.

City of Corpus Christi City Secretary Public Information Request

Name	Lourdes Roldan
Business/Agency:	Chiadan LLC
Date:	04/09/2023
Address	MAILING ADDRESS: 188 Mustang Lane CITY: Sandia STATE: Texas ZIP: 78383
Phone:	361-396-3392
E-mail:	
Preferred Method of Communication:	E-mail
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I am requesting Joseph Gomez's work cell phone (361- 288-9506) text messages and phone call logs. I want any and all text messages and phone call logs from dates: 03-19-2023 and 12-17-2022. Joseph Gomez is a Parks Compliance Officer under Parks and Recreation.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes

04-09-2023.pdf
240K

From:	OpenRecordsAssistance
To:	"DanielDL@cctexas.com"
Bcc:	
Subject:	Office of the Attorney General, Open Records Complaint ID#OR-23-000298-CC
Date:	Friday, May 26, 2023 11:02:50 AM
Attachments:	OR-23-000298-CC.pdf cost-estimate-orr.pdf

Dear Mr. De Leon:

The Office of the Attorney General (the "OAG") has received a complaint from Lourdes Roldan alleging the City of Corpus Christi is overcharging for copies in response to a request for information. The complaint was assigned ID# OR-23-000298-CC. Please see the attached documents regarding the complaint.

A response may be submitted by fax to the Education and Enforcement Section of the Open Records Division at (512) 481-1992 or mail to P.O. Box 12548, Austin, Texas 78711.

To submit a response through the online form (https://oag.my.site.com/OpenRecords/s/), you must include the full complaint ID number provided above in order to submit your documentation.

Sincerely,

Education and Enforcement Section
Open Records Division

PLEASE NOTE: Any replies to this email will not be received.

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 26, 2023

Mr. Daniel De Leon
Legal Assistant
City Attorney's Office
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277
Sent via e-mail.

Dear Mr. De Leon:

The Office of the Attorney General ("OAG") received the enclosed complaint from Lourdes Roldan alleging City of Corpus Christi (the "city") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# OR-23-000298-CC (Request 723).

The city received a request for text messages and phone logs for a named employee for specified dates. The city provided the requestor an estimate in the amount of $472.25. The requestor believes the charges are excessive.

We note that pursuant to section 552.2615 of the Government Code, a governmental body that determines charges to provide public information will exceed $40 must provide the requestor a written itemized statement of estimated charges. *See* Gov't Code § 552.2615(a). If an alternative, less costly method of viewing the records is available, the statement must include a notice that the requestor may contact the governmental body regarding the alternative method. *Id.* In addition, the statement must include a notice that the request will be considered withdrawn if the requestor does not respond to the governmental body within ten business days of the statement that the requestor (a) accepts the charges, (b) modifies the request, or (c) has sent or is sending a complaint of overcharges to this office. *Id.* § 552.2615(b). A statement that does not contain all the required elements is considered deficient. Providing a deficient statement precludes a governmental body from considering the request withdrawn by operation of law, and may limit the amounts that can be recovered through allowable charges. The statement sent to this requestor is deficient because it does not include all of the required statements.

Pursuant to section 552.269(a) of the Government Code, the city is required to respond to the following questions in writing within ten business days after the date you receive this letter:

1. How did the city determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.

2. Does the information requested exist in paper form, electronic form, or both? Please explain which records exist in paper form, and which exist in electronic form.

3. Where are the records physically located? If the records are in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.

4. Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to disclosure apply and if the city plans to seek a ruling for the requested information.

5. You have included a charge in the amount of $3.50 for a flash drive. How did the city determine this charge?

For your convenience, you may access the 2022 Public Information Handbook at https://www.texasattorneygeneral.gov/open-government.

Additionally, you may access the Public Information Cost Estimate Model at https://www.texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information to help you comply with section 552.2615 of the Act.

If you have any questions or need further assistance, please call the Open Government Hotline at (888) 672-6787.

Sincerely,

Tamara Smith
Assistant Attorney General
Education and Enforcement Section
Open Records Division

Ref: ID# OR-23-000298-CC

Enclosure

c: Lourdes Roldan
Sent via e-mail.

OR-23-000299-CC

From:	Office of the Attorney General
To:	OpenRecordsAssistance
Subject:	Open Records Complaint
Date:	Tuesday, April 25, 2023 11:15:12 AM

Submitted on Tue, 04/25/2023 - 11:10

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information
Lourdes Roldan
188 Mustang Lane
Sandia, Texas. 78383

3613963392

Governmental Body Information

Governmental Body Contact Information
City of Corpus Christi
Daniel De Leon
1201 Leopard, 5th Floor
Corpus Christi, Texas. 78469
DanielDL@cctexas.com
3618263360

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?
Online form

Date of your public information request:
03/21/2023

Did the governmental body ask you to pay for the requested Information?
Yes

How much did the governmental body ask you to pay for the information?
$4687.50

How much have you paid for the information at this time?
0

Background Information about Complaint

Have you contacted the governmental body about your complaint?
No

Have you contacted another agency about your complaint?
No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?
I think a governmental body is overcharging me for the information I requested.

Open Government Hotline
Yes

Upload Initial Request

phone-orr.pdf

Supporting Document

phone-orr-cost-estimate.pdf

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 10, 2023

Ms. Rebecca L. Huerta
City Secretary's Office - Open Records
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277
Sent via e-mail.

Dear Ms. Huerta:

The Office of the Attorney General ("OAG") received the enclosed complaint from Lourdes Roldan alleging the City of Corpus Christi (the "city") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# OR-23-000299-CC.

The city received a request on March 21, 2023. The city provided the requestor an estimate in the amount of $4,687.50. The requestor believes the charges are excessive.

Pursuant to section 552.269(a) of the Government Code, the city is required to respond to the following questions in writing within ten business days after the date you receive this letter:

1. How did the city determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.

2. Does the information requested exist in paper form, electronic form, or both? Please explain which records exist in paper form, and which exist in electronic form.

3. Where are the records physically located? If the records are in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.

4. Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to disclosure apply and if the city plans to seek a ruling for the requested information.

5. Please provide a copy of the cost estimate, including any notices provided to the requestor.

For your convenience, you may access the 2022 Public Information Handbook at https://www.texasattorneygeneral.gov/open-government.

Additionally, you may access the Public Information Cost Estimate Model at https://www.texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information to help you comply with section 552.2615 of the Act.

If you have any questions or need further assistance, please call the Open Government Hotline at (888) 672-6787.

Sincerely,

Education and Enforcement Section
Open Records Division

Ref: ID# OR-23-000299-IC

c: Lourdes Roldan
188 Mustang Lane
Sandia, Texas 78383

From:	OpenRecordsAssistance
To:	cityopenrecords@cctexas.com
Bcc:	
Subject:	Office of the Attorney General, Open Records Complaint # OR-23-000299-CC
Date:	Wednesday, May 10, 2023 10:08:38 AM
Attachments:	OR-23-000299-CC.pdf Attachment.pdf

Dear Ms. Huerta:

The Office of the Attorney General (the "OAG") has received a complaint from Lourdes Roldan alleging the City of Corpus Christi is overcharging for copies of public information under the Public Information Act (the "Act"). The complaint was assigned ID# OR-23-000299-CC. Please see the attached documents regarding the complaint.

A response may be submitted by fax to the Education and Enforcement Section of the Open Records Division at (512) 481-1992 or mail to P.O. Box 12548, Austin, Texas 78711.

To submit a response through the online form (https://oag.my.site.com/OpenRecords/s/), you must include the full complaint ID number provided above in order to submit your documentation.

Sincerely,

Education and Enforcement Section
Open Records Division

PLEASE NOTE: Any replies to this email will not be received.

From:	Office of the Attorney General
To:	OpenRecordsAssistance
Subject:	Open Records Complaint
Date:	Tuesday, April 25, 2023 11:15:12 AM

Submitted on Tue, 04/25/2023 - 11:10

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information
Lourdes Roldan
188 Mustang Lane
Sandia, Texas. 78383

3613963392

Governmental Body Information

Governmental Body Contact Information
City of Corpus Christi
Daniel De Leon
1201 Leopard, 5th Floor
Corpus Christi, Texas. 78469
DanielDL@cctexas.com
3618263360

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?
Online form

Date of your public information request:
03/21/2023

Did the governmental body ask you to pay for the requested Information?
Yes

How much did the governmental body ask you to pay for the information?
$4687.50

How much have you paid for the information at this time?
0

Background Information about Complaint

Have you contacted the governmental body about your complaint?
No

Have you contacted another agency about your complaint?
No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?
I think a governmental body is overcharging me for the information I requested.

Open Government Hotline
Yes

Upload Initial Request

phone-orr.pdf

Supporting Document

phone-orr-cost-estimate.pdf

LEGAL DEPARTMENT

1201 Leopard St
Corpus Christi
Texas 78401
Phone 361-826-3360
Fax 361-826-3239
www.cctexas.com

Municipal Court Prosecutor's Office
120 N. Chaparral
Corpus Christi
Texas 78401
Phone 361-886-2530
Fax 886-2567

Risk Management
1201 Leopard St
Corpus Christi
Texas 78401
Phone 361-826-3680
Fax 361-826-3697

Received by Open Records
MAY 26 2023
OR-23-299-CC
294-ATT

May 24, 2023

Assistant Attorney General
Office of the Attorney General of Texas
Education and Enforcement Section—
Open Records Division
Post Office Box 12548
Austin, Texas 78711-2548

Re: **Response to Correspondence, re: Overcharging Complaint**
City File Number: 605 (please reference in decision)
AG File Number: OR-23-000299-CC

Dear Sir or Ma'am:

On May 10, 2023, the City of Corpus Christi (the "City") received the enclosed letter pertaining to a complaint filed with the Office of the Attorney General of Texas (the "Attorney General"), alleging that the City is overcharging for copies of public information under the Public Information Act (the "Act"). **Exhibit A**.

Background

The underlying request for information was received by the City on March 22, 2023 (enclosed), seeking:

> "Date Range (Optional): 01-18-2022
> Date Range (Optional): 03-21-2023
>
> I am requesting Any and all text messages including deleted text messages, incoming and outgoing text messages, and phone logs for all incoming and outgoing calls made including deleted for the following city assigned work cell phone numbers:
>
> Jerry Muhamet (361-742-4947)
> Joseph Gomez (361-288-9506)
> Joe Elrod (361-696-1132)"

See **Exhibit B**.

On April 5, 2023, within ten (10) business days of receiving the original request, the Legal Department informed the requestor, via email, that a cost bond would need to be posted in the amount of $4,687.50 in order to process her request. *See* **Exhibit C**.

To date the requestor has not posted the Cost Bond.

Responses to Questions

Pursuant to section 552.269 of the Act, the City is providing its response to your specific questions. The City does so within ten (10) business days of receiving your letter.

Specifically, you ask:

1. **How did the city determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.**

The City determined the number of personnel hours required to reproduce the responsive material by contacting the individuals whose cell phone text messages and call logs were requested. *See* **Exhibit D**. This inquiry revealed for just one individual there were 62 separate text conversations and numerous call log entries and through discussions with these individuals, it was determined that it would take 200 hours for these individuals to locate, screenshot, export, and save these text messages and call log entries before review. The labor was calculated as such:

Every text message and call log entry on the phone for three separate individuals per the search query within a 14 month time period. A conservative estimate of 200 hours to scroll through, allow the phone to load, and screenshot every single text message and call log entry on each of three separate phones charged at a rate of $18.25 per hour resulted in a cost assessed to the Requestor for personnel labor in the amount of $3,750.

In accordance with the costing provisions of the Act and rules established by the Attorney General, an overhead fee (calculated at 25% of the labor charge), was added to the total amount due. The overhead charged was $937.50.

2. **Does the information requested exist in paper form, electronic form, or both? Please explain which documents exist in paper form, and which exist in electronic form.**

The text messages and call logs sought exist only in electronic form. To digitally redact, the text messages would need to be saved/converted to .pdf format and digitally redacted using the Adobe software. The redacted .pdf would then be provided to the requestor.

3. **Where are the records physically located? If the records are located in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.**

The records exist on the cellular phones of three city employees and may be found wherever those employees may be found.

4. **Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to disclosure apply and if the city plans to seek a ruling for the requested information.**

Yes. The City will redact dates of birth, account access numbers, and other information made confidential by law from the responsive material pursuant to previous determinations maintained by the City and as allowed by sections 552.101, 552.130, 552.136, and 552.137 of the Act which do not require the necessity of seeking an Attorney General ruling. The City will perform these redactions electronically to maximize time efficiency, and by extension, reduce the cost to the Requestor. Furthermore, as the City does not have the capability of directly redacting within the text message program or the photo screen shots of the texts, text messages requiring redaction will all be converted to .pdf format and redacted using the Adobe program.

5. **Please provide a copy of the cost estimate, including any notices provided to the requestor.**

Please see Cost Estimate attached as **Exhibit E.**

If you have any further questions, please contact please contact the City's Legal Department at (361) 826-3360.

Sincerely,

Lauren Rickard

Lauren Rickard
Assistant City Attorney
City of Corpus Christi

Enclosures

cc:
Ms. Lourdes Roldan
188 Mustang Lane
Sandia, TX 78383
Via electronic mail:

(w/o enclosures)

Lauren Rickard

From: CityOpenRecords
Sent: Wednesday, May 10, 2023 10:53 AM
To: Daniel De Leon
Cc: Josie Castillo; Gabriel Rodriguez; Lauren Rickard; Amanda Marcum; Sarah Brunkenhoefer; Mary Ann Pena [CitySecOffice]; Mariah Resendez
Subject: Open Records Request- Office of the Attorney General, Open Records Complaint # OR-23-000299-CC
Attachments: OR-23-000299-CC.pdf; Attachment.pdf

Pursuant to the Texas Public Information Act, attached is an open records request from Office of the Attorney General, Open Records Complaint # OR-23-000299-CC received on May 10, 2023, in the City Secretary's Office.

Please note that open records requests will no longer be hand delivered. By opening this e-mail, you are confirming receipt of the open record.

From: OpenRecordsAssistance <OpenRecordsAssistance@oag.texas.gov>
Sent: Wednesday, May 10, 2023 10:09 AM
To: CityOpenRecords <CityOpenRecords@cctexas.com>
Subject: Office of the Attorney General, Open Records Complaint # OR-23-000299-CC

[ ] WARNING: External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to security@cctexas.com. [ ]

Dear Ms. Huerta:

The Office of the Attorney General (the "OAG") has received a complaint from Lourdes Roldan alleging the City of Corpus Christi is overcharging for copies of public information under the Public Information Act (the "Act"). The complaint was assigned ID# OR-23-000299-CC. Please see the attached documents regarding the complaint.

A response may be submitted by fax to the Education and Enforcement Section of the Open Records Division at (512) 481-1992 or mail to P.O. Box 12548, Austin, Texas 78711.

To submit a response through the online form (https://oag.my.site.com/OpenRecords/s/), you must include the full complaint ID number provided above in order to submit your documentation.

Sincerely,

Education and Enforcement Section
Open Records Division

PLEASE NOTE: Any replies to this email will not be received.

EXHIBIT
A

From:	Office of the Attorney General
To:	OpenRecordsAssistance
Subject:	Open Records Complaint
Date:	Tuesday, April 25, 2023 11:15:12 AM

Submitted on Tue, 04/25/2023 - 11:10

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information
Lourdes Roldan
188 Mustang Lane
Sandia, Texas. 78383

3613963392

Governmental Body Information

Governmental Body Contact Information
City of Corpus Christi
Daniel De Leon
1201 Leopard, 5th Floor
Corpus Christi, Texas. 78469
DanielDL@cctexas.com
3618263360

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?
Online form

Date of your public information request:
03/21/2023

Did the governmental body ask you to pay for the requested information?
Yes

How much did the governmental body ask you to pay for the information?
$4687.50

How much have you paid for the information at this time?
0

Background Information about Complaint

Have you contacted the governmental body about your complaint?
No

Have you contacted another agency about your complaint?
No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?
I think a governmental body is overcharging me for the information I requested.

Open Government Hotline
Yes

Upload Initial Request

phone-orr.pdf

Supporting Document

phone-orr-cost-estimate.pdf

Lauren Rickard

From: CityOpenRecords
Sent: Wednesday, March 22, 2023 8:02 AM
To: Daniel De Leon
Cc: Josie Castillo; Gabriel Rodriguez; Sarah Brunkenhoefer; Mary Ann Pena [CitySecOffice]; Mariah Resendez
Subject: Open Records Request- Lourdes Roldan
Attachments: 03-21-2023.pdf

Pursuant to the Texas Public Information Act, attached is an open records request from Lourdes Roldan received on March 22, 2023, in the City Secretary's Office.

Please note that open records request will no longer be hand delivered. By opening this e-mail, you are confirming receipt of the open record.

From: Jotform <noreply@jotform.com>
Sent: Tuesday, March 21, 2023 7:38 PM
To: CityOpenRecords <CityOpenRecords@cctexas.com>
Subject: Re: City of Corpus Christi City Secretary Public Information Request

[[WARNING: External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to SecurityAlert@cctexas.com.]]

City of Corpus Christi City Secretary Public Information Request

Name	Lourdes Roldan
Date:	03/21/2023
Address	MAILING ADDRESS: 188 MUSTANG LN CITY: SANDIA STATE: TX ZIP: 78383-5631
Phone:	3613963392
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-18-2022
Date Range (Optional):	03-21-2023
DESCRIPTION OF INFORMATION	I am requesting Any and all text messages including deleted text messages, incoming and outgoing text

EXHIBIT B

REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	messages, and phone logs for all incoming and outgoing calls made including deleted for the following city assigned work cell phone numbers: Jerry Muhamet (361-742-4947) Joseph Gomez (361-288-9506) Joe Elrod (361-696-1132)
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes

You can edit this submission and view all your submissions easily.

Lauren Rickard

From:	Daniel De Leon
Sent:	Wednesday, April 5, 2023 3:07 PM
To:	Lourdes Roldan
Cc:	Gabriel Rodriguez; Josie Castillo
Subject:	Public Information Request - 605 - Roldan, Lourdes - Cost Estimate
Attachments:	Open Records Request- Lourdes Roldan; Cost Estimate - 605 - Roldan, Lourdes.docx

Dear Ms. Roldan,

This email is in response to your request for information pursuant to the Texas Public Information Act (the "Act") received by the City of Corpus Christi (the "City") on March 22, 2023 (attached).

The information will take 200 hours to locate/compile/reproduce. The information will be provided to you upon payment of **$4,687.50.** The itemization of charges is:

Locating/Compiling/Reproducing (200 hours @ $18.75/hour)	**$**	**3,750**
Overhead Charge (Total Labor Charges x 25%)	**$**	**937.50**
Total	**$**	**4,687.50**

Please note that the Legal Department only accepts payment by check or cash. **If paying cash, you must have exact change. Please call the number below or respond to this email to schedule an in-person payment.** Please provide payment by mail or in person using the following contact information:

City of Corpus Christi, Texas
Corpus Christi City Hall
LEGAL DEPT – ATTN: Public Information Section
1201 Leopard, 5th Floor
Post Office Box 9277
Corpus Christi, Texas 78469-9277
Telephone: (361) 826-3360
Fax: (361) 826-3239 ATTN: Public Information Act (PIA) Request
Email: LegalPublicInformation@cctexas.com

Failure to respond to this estimate letter within ten (10) days will result in the City deeming your Public Information Request to be withdrawn.

Thank you,

Daniel De Leon

Legal Assistant
City Attorney's Office
City of Corpus Christi
o: 361-826-3434
e: danieldl@cctexas.com

EXHIBIT
C

NEED HELP WITH
CITY SERVICES?
CALL 311 TO REACH OUR
CUSTOMER CALL CENTER

Lauren Rickard

From: Jerry Muhamet
Sent: Monday, March 27, 2023 5:26 PM
To: Frank De Los Santos; Daniel De Leon
Cc: Gabriel Rodriguez; Josie Castillo; Romy Doherty; Jesus Hernandez; Sergio Gonzalez
Subject: RE: Public Information Request - 606 - Roldan, Lourdes - Request

Importance: High

Have included Superintendent Sergio Gonzales on this reply.
In my case alone, I have 62 separate text conversations. As for phone log, I delete from time to time based on past experience as I've had issues with memory/performance on personal iPhone.
I'm sure any deleted phone logs can be retrieved by IT, perhaps?
If in a case of screenshots for each of the 62 conversations, I could conservatively spend months doing it myself.
Please advise.
JM

From: Frank De Los Santos <FrankD@cctexas.com>
Sent: Monday, March 27, 2023 4:54 PM
To: Daniel De Leon <DanielDL@cctexas.com>; Jerry Muhamet <JerryM5@cctexas.com>; Joseph Gomez <josephg4@cctexas.com>; Joe Elrod <JoeEl@cctexas.com>
Cc: Gabriel Rodriguez <GabrielRo@cctexas.com>; Josie Castillo <JosieE@cctexas.com>; Romy Doherty <RomyG@cctexas.com>; Jesus Hernandez <jesush6@cctexas.com>
Subject: RE: Public Information Request - 606 - Roldan, Lourdes - Request

Looping in Jesus Hernandez and reattached the document.

Thanks,
Frank De Los Santos

From: Daniel De Leon <DanielDL@cctexas.com>
Sent: Monday, March 27, 2023 4:51 PM
To: Jerry Muhamet <JerryM5@cctexas.com>; Joseph Gomez <josephg4@cctexas.com>; Joe Elrod <JoeEl@cctexas.com>
Cc: Gabriel Rodriguez <GabrielRo@cctexas.com>; Josie Castillo <JosieE@cctexas.com>; Frank De Los Santos <FrankD@cctexas.com>; Romy Doherty <RomyG@cctexas.com>
Subject: FW: Public Information Request - 606 - Roldan, Lourdes - Request

Good afternoon,

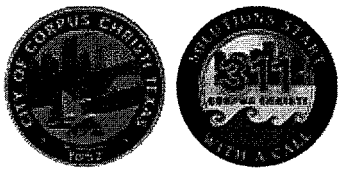
I am forwarding a request that asks for phone records concerning @Jerry Muhamet, @Joseph Gomez and @Joe Elrod. I am in the process of setting up a cost estimate to send to the requestor. Please advise me of the approximate amount of time that it would take to fulfill this request. This includes going into your City issued phone and screenshotting past messages/phone logs (dating back to January 18, 2022) and uploading them to a downloadable file.

Please **DO NOT** start on compiling these records. I am only needing an approximate time needed to fulfill this request.

Thank you,

EXHIBIT
D

Daniel De Leon
Legal Assistant
City Attorney's Office
City of Corpus Christi
o: 361-826-3434
e: danieldl@cctexas.com



NEED HELP WITH CITY SERVICES?
CALL 311 TO REACH OUR CUSTOMER CALL CENTER

From: Daniel De Leon
Sent: Wednesday, March 22, 2023 3:05 PM
To: Frank De Los Santos <FrankD@cctexas.com>; Romy Doherty <RomyG@cctexas.com>
Cc: Gabriel Rodriguez <GabrielRo@cctexas.com>; Josie Castillo <JosieE@cctexas.com>
Subject: Public Information Request - 606 - Roldan, Lourdes - Request

Departments: IT/Parks and Recreation

Please provide information directly to me. Do not release to the Requestor.

Please advise as to other departments that may have documents responsive to this request.

ID#606

Please review the attached request for information received by the City on **March 22, 2023**. Please provide a response to the request **on or before March 28, 2023**.

I. Initial Duties: Before you compile doc, coordinate with staff to determine extent to which your department maintains the info and complete the attached Cost Estimate Sheet (you may have to perform "test run").

II. Type of Response:

1. Info (or portions thereof) **doesn't exist**?: Provide statement that info (or portions thereof) doesn't exist. Multi-item requests: State items you don't have info for.
2. Estimated costs **less than $100**?: Locate, compile, and copy/scan info (if copies requested). For inspection requests, deliver originals to Legal. Label info so Legal will know which request items info is responsive to each portion of the request. Submit Cost Estimate Sheet.
3. Estimated costs **exceed $100**?: Submit Cost Estimate Sheet. **Do not locate, compile, or copy/scan info**.

III. Manner of Response: Provide response to Legal on or before deadline via hand-delivery, facsimile, or e-mail (Email is preferred response). Large files can be placed on shared network drive. **Interdepartmental mail delivery not acceptable given time constraints**. Include ID# listed on this email's Subject Line with response.

By opening this email, you confirm receipt of this request and responsibility to respond as department PIA Liaisons.

Thank you,

Daniel De Leon
Legal Assistant
City Attorney's Office
City of Corpus Christi
o: 361-826-3434
e: danieldl@cctexas.com

NEED HELP WITH
CITY SERVICES?
CALL 311 TO REACH OUR CUSTOMER CALL CENTER

CITY OF CORPUS CHRISTI
PUBLIC INFORMATION REQUEST

COST ESTIMATE SHEET

Requestor's Name: Lourdes Roldan Date: 04/05/2023

Submitting Department: Legal

Department Liaison: Daniel

	Number		Total
Copy Charges:			
-Standard PaperCopies (8" x 11")		@ $.12/page	
-CD (CD-R or CD-RW)		@ $1.25/each	
-DVD		@ $3.75/each	
-Oversized Paper Copies (11" x 17")		@ $.60/each	
-Specialty Paper Copies (e.g., Mylar, blueline, maps)		@ actual cost	
-Flash Drive		@ actual cost	

Labor Charges: (applies for 51 or more copies requested)
(Contact Legal if docs located in separate buildings)

-For Locating, Compiling, and Reproducing	200 hours	@ $18.75/hour	$3,750
-For Programming	0	@ $35.50/hour	0
Overhead Charge (Total Labor Charges x 25%)	$3,750	X 25%	$937.50

TOTAL CHARGES: $4,687.50

EXHIBIT
E

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 26, 2023

Ms. Lauren Rickard
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277
Sent via e-mail.

Dear Ms. Rickard:

The Office of the Attorney General ("OAG") received a complaint from John Weber alleging the City of Corpus Christi (the "city") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# OR-23-000384-CC.

The city received a request for e-mail communications and text messages between two named individuals during a defined period of time. The city provided the requestor an estimate in the amount of $117.19. The requestor believes the charges are excessive.

Pursuant to section 552.269(a) of the Government Code, the city is required to respond to the following questions in writing within ten business days after the date you receive this letter:

1. How did the city determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.

2. How did the city determine the number of programming hours necessary to produce the responsive information? Please describe the programming in a step-by-step manner, stating the time each step will take as well as the qualifications of the individual performing the programming.

3. Does the information requested exist in paper form, electronic form, or both? Please explain which records exist in paper form, and which exist in electronic form.

4. Where are the records physically located? If the records are in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.

5. Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to disclosure apply and if the city plans to seek a ruling for the requested information.

6. Please provide a complete copy of the cost estimate provided to the requestor, including any notices.

For your convenience, you may access the 2022 Public Information Handbook at https://www.texasattorneygeneral.gov/open-government.

Additionally, you may access the Public Information Cost Estimate Model at https://www.texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information to help you comply with section 552.2615 of the Act.

If you have any questions or need further assistance, please call the Open Government Hotline at (888) 672-6787.

Sincerely,

Education and Enforcement Section
Open Records Division

Ref: ID# OR-23-000384-CC

Enclosure

c: Mr. John Weber
sent via e-mail.

OR-23-384-CC
392-ATT

Received by Open Records
JUN 14 2023

June 12, 2023

Assistant Attorney General
Office of the Attorney General of Texas
Education and Enforcement Section—
Open Records Division
Post Office Box 12548
Austin, Texas 78711-2548

Re: **Response to Correspondence, re: Overcharging Complaint**
City File Number: 820 (please reference in decision)
AG File Number: OR-23-000384-CC

Dear Sir or Ma'am:

On May 26, 2023, the City of Corpus Christi (the "City") received the enclosed letter pertaining to a complaint filed with the Office of the Attorney General of Texas (the "Attorney General"), alleging that the City is overcharging for copies of public information under the Public Information Act (the "Act"). *See* **Exhibit A**. For purposes of the Act, City Hall was closed on May 29, 2023, in observance of Memorial Day.

Background

The underlying request for information was received by the City on April 25, 2023 (enclosed), seeking:

> "Date Range (Optional): 03-21-2023
> Date Range (Optional): 04-18-2023
>
> "For the date range requested about 3-21-23 until 4-18-23, I would like to see a copy of all emails and text messages between Peter Zanoni and Sean Strawbridge. Please call me with any questions. Thank you."

See **Exhibit B**.

On May 9, 2023, within 10 business days of receiving the original request, the Legal Department informed the requestor, via email, that a cost bond would need to be posted in the amount of $117.19 in order to process their request. *See* **Exhibit C**.

At the time of receiving this complaint, the requestor has not posted the Cost Bond. As a preliminary matter, it should be noted that the City has not *charged* Mr. Weber any amount. To date, only an estimate has been provided which has not been paid. No charge has actually occurred. As such, the City would like to state that this complaint and the questions presented are premature because Tex. Govt Code 552.269(a) limits

complaints to the Attorney General to "overcharges", not mere estimates.[1] Without waiving this argument, the City is voluntarily responding to the Attorney General's questions out of a good will attempt to cooperate.

Responses to Questions

1. **How did the city determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.**

   The City determined the number of personnel hours required to reproduce the responsive material by evaluating the request in detail and comparing it to previous requests processed by the City. The City evaluated the amount of time that particular past requests have required and also considered the nature of the types/frequency of email and text message correspondence typically exhibited for similarly situated individuals and employees. Additionally, the City reached out to staff members for affected areas for additional information regarding possibly responsive text messages to aid in estimating the amount of time collection of this data would require.

   Further, to create a comprehensive, tailored time/cost estimate for gathering, reviewing, and sorting the generated emails to determine responsive, nonresponsive, confidential, and redactable information, a sample test was run which required programming all of the steps listed below in response to question number 2. Next, after programming of all of the steps below was performed, the individual performing the sample test evaluated the full sum of emails generated by the Microsoft Purview system. Then, this individual analyzed the content of a randomly selected representative subset portion of these emails to estimate the nature of the content of the entirety of the emails generated by the Microsoft Purview system and extrapolated these findings and applied these findings to the entirety of the full set of emails to determine the estimate of the hours that would be required for review, redaction, and evaluation of the emails that

[1] "A person who believes the person has been overcharged for being provided with a copy of public information may complain to the attorney general in writing of the alleged overcharge, setting forth the reasons why the person believes the charges are excessive. The attorney general shall review the complaint and make a determination in writing as to the appropriate charge for providing the copy of the requested information. The governmental body shall respond to the attorney general to any written questions asked of the governmental body by the attorney general regarding the charges for providing the copy of the public information. The response must be made to the attorney general within 10 business days after the date the questions are received by the governmental body. If the attorney general determines that a governmental body has overcharged for providing the copy of requested public information, the governmental body shall promptly adjust its charges in accordance with the determination of the attorney general." TX Loc Govt Code §552.269(a).

would be required prior to release and/or submission to the Attorney General.

Additionally, an estimation was formed for the time to locate, compile, export, save, review, sort for confidentiality, sort for Attorney General submission and review, and sort for responsiveness/non-responsiveness, for all text messages that were sent and/or received during the time range in question. The time that will be needed to gather this information includes time it is estimated to access the cellular device, locate, screenshot, export, and save these text messages and call log entries before review. Depending on the quantity of messages/content existing on these devices, it may be necessary to scroll through several phone screens of data and allow the phone to load in order to sequentially screenshot every single text message. If the process is interrupted and must be restarted, the already captured messages must again be scrolled past on the phone in order to observe and capture earlier information. This process must be restarted every time the process is paused, if the text message application is exited, if the phone dies, if an incoming phone call comes into the phone, just as a few examples of things that can cause the process to need to be restarted. At times, seemingly without explanation, the phone will "jump" down to the most recent content in the conversation, and at this time the scrolling process must begin again anew in order to physically access and view the next screen of messages to capture.

2. **How did the city determine the number of programming hours necessary to produce the responsive information? Please describe the programming in a step-by-step manner, stating the time each step will take as well as the qualifications of the individual performing the programming.**

    a. Interpret request and begin the necessary actions to fulfill request.
    b. Once the request is established to be asking for an email search, a sample test is executed to determine the amount of responsive information. The steps for the sample test are as follows:
        i. Boot up computer and Microsoft Purview system.
        ii. Program the search parameters into Microsoft Purview system. Including:
            1. Program the name of the search and a description within the system. **(2.5 minutes)**
            2. Program the locations to which the search will be conducted (Exchange mailboxes, SharePoint sites, Exchange public folders, etc.) **(2.5 minutes)**
            3. Program the target user's mailbox to be searched. **(10 minutes)**

4. Program the date range into the search query (03-21-2023 to 04-18-2023). **(2.5 minutes)**
5. Program the participant mailboxes into the search query. **(5 minutes)**
6. Submit the search to be finalized. **(5 minutes)**
7. Once the search is finalized, the export output options are programmed. **(10 minutes)**
8. Program Microsoft Purview to export Exchange content into one .pst file containing all messages in a single folder. **(2.5 minutes)**
9. Program the de-duplication of Exchange content to be enabled. **(2.5 minutes)**
10. Program the export to be executed. A job is then created. **(10 minutes)**
11. Copy the export key to clipboard. **(2.5 minutes)**
12. Program the export results to be downloaded. **(10 minutes)**
13. Open Microsoft.Office.Client.Discovery.UnifiedExportToo.application from complianceclientsdf.blob.core.windows.net.**(10 minutes)**
14. Paste the export key (used to connect to the source) within the eDiscovery Export Tool. **(2.5 minutes)**
15. Program eDiscovery Export Tool to select the location that will be used to store downloaded files. **(5 minutes)**
16. Program the Export Tool to alter the .pst file name to be consistent with that of the request. **(2.5 minutes)**
17. Program the export to begin finalization and begin downloading. **(10 minutes)** (When using Microsoft Purview, the rate of a successful search/export are roughly at 50%. If either the search or export is unsuccessful, steps 1-17 must be repeated). **(Total programming time of steps 1-17 is estimated to be 95 minutes)**
18. If the export is determined to be successful, the programmer then navigates to Microsoft Outlook and selects "Open Outlook Data File" within the file tab.
19. The relevant .pst file is selected to be opened.

c. Once the .pst file is opened within Microsoft Outlook, the sample test may be conducted.

d. The number of produced emails/items are analyzed. The total number of produced emails/items help the programmer to anticipate how long the fulfillment of this request will take, using the completion of previous requests as a reference.

e. If the produced emails/items are determined to have confidential information, an additional sample test is conducted to determine the amount of time that the programmer will need to perform electronic redactions.
f. Once the emails/items have been analyzed/categorized, the programmer will then export the responsive emails/items into File Explorer.
g. The emails/items are then transported onto a physical disc that may be provided to the requestor.

The individuals performing the programming have bachelor's degrees from accredited four-year universities and extensive training in the Microsoft suite of programs and the proprietary Microsoft Purview program. Attorneys who assist have doctorates of jurisprudence and other extensive training.

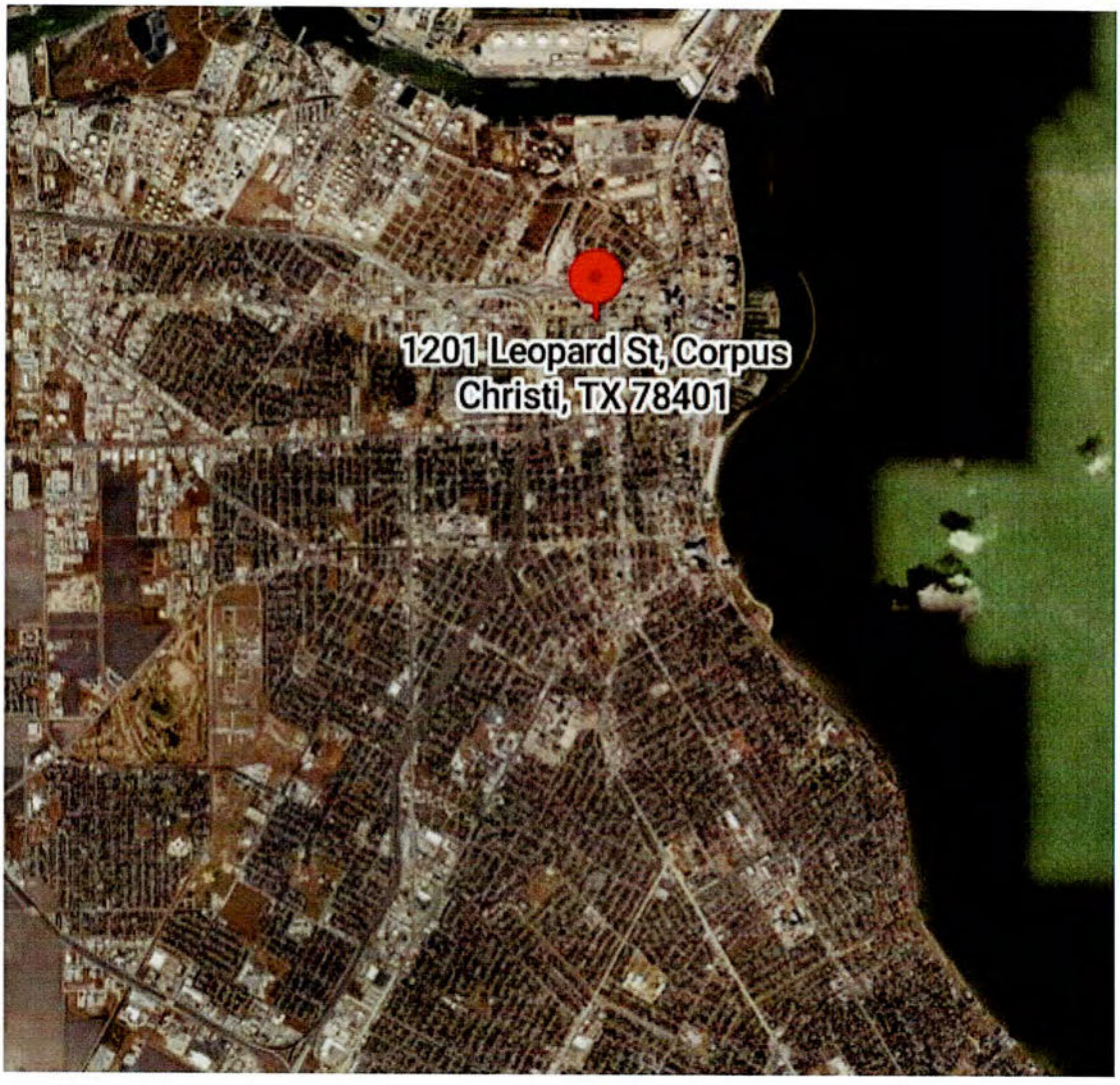
3. Does the information requested exist in paper form, electronic form, or both? Please explain which records exist in paper form, and which exist in electronic form.

Neither emails nor text messages are physically stored or accessible via tangible means at City Hall unless they are printed. Emails are not stored in a location accessible by all employees. The Microsoft Purview program is a limited access program for which particular employees are granted a license to use on a limited basis. All of these records are only accessible in electronic form.

Text messages are only available in electronic form on privately owned devices and are not archived, backed up, or saved by the City or at City Hall. Rather, the electronic information, as potentially accessible to the Legal Department, solely exists on employees' personally owned phones. The City does not own or have access to any third party programs or software for automatic backing up or saving of text messages or any other type of cellular phone device data or information. This information is only accessible while physically possessing the cellular phone device with any access codes logged into/removed by the operator of the phone.

4. Where are the records physically located? If the records are in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.

Emails are not stored in a location accessible by all employees. Emails are stored at City Hall in a server rack or on a hard drive there. See map below of City Hall's location in downtown Corpus Christi, Texas.


1201 Leopard St, Corpus
Christi, TX 78401

The Microsoft Purview program is a limited access program for which particular employees are granted a license to use on a limited basis. Backup server space is allotted for remote backup of information at an undisclosed safety-sensitive location. There is an additional secondary safety-sensitive backup location for the primary backup system which is located over 100 miles from City Hall, and the precise location of this backup system is not known to the majority of city employees, nor is the location known to the attorney writing this response letter.

Likewise, there are no physical text message records in the building or elsewhere. The messages exist solely on employees' privately owned phones and are available only upon meeting with the employee to access their cell phone device with their presence, permission, and typing in of access codes to allow viewing of their text messages. Going through the phone to physically capture screen shots of each text message is the only means by which the City of Corpus Christi has the technology to capture a record of any text messages.

5. Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to

disclosure apply and if the city plans to seek a ruling for the requested information.

Upon payment of the cost estimate, the City will perform a full review of the documents and program the redactable confidential information into the redaction software to apply the redactions. The City will redact dates of birth, account access numbers, and other information made confidential by law from the responsive material pursuant to previous determinations maintained by the City and as allowed by Texas Government Code §§552.101, 552.130, 552.136, and 552.137 and other applicable sections of the Act. The City will perform these redactions electronically to maximize time efficiency, and by extension, reduce the cost to the Requestor. Furthermore, as the City does not have the capability of directly redacting within the text message program or the photo screen shots of the texts, text messages requiring redaction will all first be converted to .pdf format and redacted using the Adobe program.

6. **Please provide a complete copy of the cost estimate provided to the requestor, including any notices.**

See **Exhibit D**.

If you have any further questions, please contact please contact the City's Legal Department at (361) 826-3360.

Sincerely,

Lauren Rickard

Lauren Rickard
Assistant City Attorney
City of Corpus Christi

Enclosures

cc:
John Weber
609 Naples St

Corpus Christi, TX 78404
Via electronic mail:

(w/o enclosures)

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 26, 2023

Ms. Lauren Rickard
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277
Sent via e-mail.

Dear Ms. Rickard:

The Office of the Attorney General ("OAG") received a complaint from John Weber alleging the City of Corpus Christi (the "city") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# OR-23-000384-CC.

The city received a request for e-mail communications and text messages between two named individuals during a defined period of time. The city provided the requestor an estimate in the amount of $117.19. The requestor believes the charges are excessive.

Pursuant to section 552.269(a) of the Government Code, the city is required to respond to the following questions in writing within ten business days after the date you receive this letter:

1. How did the city determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.

2. How did the city determine the number of programming hours necessary to produce the responsive information? Please describe the programming in a step-by-step manner, stating the time each step will take as well as the qualifications of the individual performing the programming.

3. Does the information requested exist in paper form, electronic form, or both? Please explain which records exist in paper form, and which exist in electronic form.

EXHIBIT
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4. Where are the records physically located? If the records are in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.

5. Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to disclosure apply and if the city plans to seek a ruling for the requested information.

6. Please provide a complete copy of the cost estimate provided to the requestor, including any notices.

For your convenience, you may access the 2022 Public Information Handbook at https://www.texasattorneygeneral.gov/open-government.

Additionally, you may access the Public Information Cost Estimate Model at https://www.texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information to help you comply with section 552.2615 of the Act.

If you have any questions or need further assistance, please call the Open Government Hotline at (888) 672-6787.

Sincerely,

Education and Enforcement Section
Open Records Division

Ref: ID# OR-23-000384-CC

Enclosure

c: Mr. John Weber
sent via e-mail.

CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 04/25/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 361-739-5691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

1. PLEASE SPECIFY A DATE RANGE TO SEARCH FOR DOCUMENTS.
2. PLEASE INCLUDE THE PHYSICAL ADDRESS IF REQUESTING RECORDS ON A PROPERTY.
3. IF YOU ARE REQUESTING E-MAILS:
   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 03-21-2023 TO: 04-18-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

For the date range requested about 3-21-23 until 4-18-23, I would like to see a copy of all emails and text messages between Peter Zanoni and Sean Strawbridge. Please call me with any questions. Thank you.

EXHIBIT B

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

Yes IF AVAILABLE, DO YOU WISH TO RECEIVE AN ELECTRONIC COPY OF THE INFORMATION?

LABOR CHARGES WILL BE IMPOSED FOR REQUESTS OF 51 OR MORE PAGES AT THE RATE OF $18.75 PER HOUR, PLUS OVERHEAD (25% OF LABOR). AN ITEMIZED STATEMENT OF ESTIMATED CHARGES WILL BE PROVIDED FOR ESTIMATED CHARGES EXCEEDING $40.00. A BOND/DEPOSIT MAY BE REQUIRED IF ESTIMATED CHARGES ARE $100 OR MORE. IF THE CHARGE FOR FULFILLING YOUR REQUEST IS $1 OR LESS, THE CITY WILL MAKE THE REQUESTED INFORMATION AVAILABLE TO YOU FOR PICKUP IN THE LEGAL DEPARTMENT AT CITY HALL FREE OF CHARGE.

Lauren Rickard

From: Daniel De Leon
Sent: Tuesday, May 9, 2023 4:46 PM
To: John W
Cc: Gabriel Rodriguez; Lauren Rickard; Lilia Castro
Subject: Public Information Request - 820 - Weber, John - Cost Estimate
Attachments: Open Records Request- John Weber; Cost Estimate - 820 - John Weber.docx

Dear Mr. Weber,

This email is in response to your request for information pursuant to the Texas Public Information Act (the "Act") received by the City of Corpus Christi (the "City") on April 25, 2023 (attached).

The information will take 30 mins to program and 4 hours to locate/compile/reproduce. The information will be provided to you upon payment of **$117.19.** The itemization of charges is:

CD (1 @ $1.25/each)	**$**	**1.25**
Locating/Compiling/Reproducing (4 hours @ $18.75/hour)	**$**	**75**
Programming (30 mins @ 35.50/hour)	**$**	**17.75**
Overhead Charge (Total Labor Charges x 25%)	**$**	**23.19**
Total	**$**	**117.19**

The City notes that processing and responding to your request will require programming and/or manipulation of data and complying with the request can only be fulfilled at a cost that covers the programming and/or manipulation of data. "Manipulation" of data is defined in the Act as "the process of modifying, reordering, or decoding of information with human intervention." Gov't Code § 552.003(2).The law defines "programming" as "the process of producing a sequence of coded instructions that can be executed by a computer." Gov't Code § 552.003(4). Be advised that section 552.272 allows charges for labor when providing access to electronic information requires programming and/or manipulation of data, regardless of whether or not the information is available directly on-line to the requestor.

Please note that the Legal Department only accepts payment by check or cash. **If paying cash, you must have exact change. Please call the phone number below or respond to this email to schedule an appointment for payment.** Please provide payment by mail or in person using the following contact information:

City of Corpus Christi, Texas
Corpus Christi City Hall
LEGAL DEPT – ATTN: Public Information Section
1201 Leopard, 5th Floor
Post Office Box 9277
Corpus Christi, Texas 78469-9277
Telephone: (361) 826-3360
Fax: (361) 826-3239 ATTN: Public Information Act (PIA) Request
Email: LegalPublicInformation@cctexas.com

Failure to respond to this estimate letter within ten (10) days will result in the City deeming your Public Information Request to be withdrawn.

Thank you,

EXHIBIT
C

Daniel De Leon
Legal Assistant
City Attorney's Office
City of Corpus Christi
o: 361-826-3434
e: danieldl@cctexas.com

NEED HELP WITH
CITY SERVICES?
CALL 311 TO REACH OUR CUSTOMER CALL CENTER

CITY OF CORPUS CHRISTI
PUBLIC INFORMATION REQUEST

COST ESTIMATE SHEET

Requestor's Name: John Weber Date: 05/09/2023

Submitting Department: Legal

Department Liaison: Lauren Rickard

	Number		Total
Copy Charges:			
-Standard Paper Copies (8" x 11")		@ $.12/page	
-CD (CD-R or CD-RW)	1	@ $1.25/each	$1.25
-DVD		@ $3.75/each	
-Oversized Paper Copies (11" x 17")		@ $.60/each	
-Specialty Paper Copies (e.g., Mylar, blueline, maps)		@ actual cost	
-Flash Drive		@ actual cost	

Labor Charges: (applies for 51 or more copies requested)
(Contact Legal if docs located in separate buildings)

-For Locating, Compiling, and Reproducing	4 hours	@ $18.75/hour	$75
-For Programming	.5 hour	@ $35.50/hour	$17.75
Overhead Charge (Total Labor Charges x 25%)	$92.75	X 25%	$23.19
TOTAL CHARGES:			$117.19

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CITY OF CORPUS CHRISTI
PUBLIC INFORMATION REQUEST

COST ESTIMATE SHEET

Requestor's Name: John Weber Date: 05/09/2023

Submitting Department: Legal

Department Liaison: Lauren Rickard

	Number		Total
Copy Charges:			
-Standard Paper Copies (8" x 11")		@ $.12/page	
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-Specialty Paper Copies (e.g., Mylar, blueline, maps)		@ actual cost	
-Flash Drive		@ actual cost	

Labor Charges: (applies for 51 or more copies requested)
(Contact Legal if docs located in separate buildings)

-For Locating, Compiling, and Reproducing	4 hours	@ $18.75/hour	$75
-For Programming	.5 hour	@ $35.50/hour	$17.75
Overhead Charge (Total Labor Charges x 25%)	$92.75	X 25%	$23.19

TOTAL CHARGES: $117.19

Dear Office of the Attorney General,

Regarding PIA Complaints:

OR-23-000384-CC

OR-23-000412-CC currently is being associated with OR-23-000413-CC

OR-23-000430-CC

OR-23-000431-CC

OR-23-000432-CC

OR-23-000433-CC

OR-23-000434-CC

I tried to attach further documentation to each of these complaints but was not able to online. That is why I am sending this letter. I would like the enclosed to be attached to each of these complaints for consideration. The enclosed cost estimate was from prior PIA requests I had paid for. It was for 5 requests over a 14-month time span and 1 request over a 1-week time span. The city had 7 requests listed but 1 was a duplicate. The cost request was provided by Daniel De Leon, an experienced cost estimator at the city. The total locating hours were 2 and the total programming hours were 1.5. Please use these times when comparing the new cost estimates.

I would also like to point out that on every request that I filed that is associated with each of the complaints above I ask to inspect them. From the PIA Handbook it states: “usually the governmental body may not impose a charge” (for inspection only requests). And “overhead is not allowed on request for inspection of electronic records”. I would prefer to inspect the records at the city office instead of picking up a CD.

On complaint OR-23-000384. I submitted the exact same request to the Port of Corpus Christi. They complied in 8 business days without any cost to me. They emailed me all the records.

It appears to me the city is charging me more now than they had in the past. It could be because of a newer inexperienced cost estimator or another reason. Either way, the cost estimates have gone up considerably since the one I paid for in March. It also seems on that one I was overcharged as well because there was an “overhead charge” for a “request for inspection of electronic records.”

I appreciate your review and consideration of the enclosed documents.

Sincerely,

John Weber

Please see below the cost estimate for the 6 records requests and the requests. This letter was delivered to the AG’s office on June 12th as shown be certified letter tracking.

70203160000086280407

Copy Add to Informed Delivery

Latest Update

Your item has been delivered and is available at a PO Box at 7:47 am on June 12, 2023 in AUSTIN, TX 78711.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, PO Box

AUSTIN, TX 78711
June 12, 2023, 7:47 am

See All Tracking History

Cost estimate for all 6 requests. This was the amount I paid.

CITY OF CORPUS CHRISTI PUBLIC INFORMATION REQUEST COST ESTIMATE SHEET Requestor's Name: John Weber Date: 03/13/2023 Submitting Department: Legal Department Liaison: Daniel De Leon Number Total Copy Charges: -Standard PaperCopies (8" x 11") @ $.12/page -CD (CD-R or CD-RW) 1 @ $1.25/each 1.25 -DVD @ $3.75/each -Oversized Paper Copies (11" x 17") @ $.60/each -Specialty Paper Copies (e.g., Mylar, blueline, maps) @ actual cost -Flash Drive @ actual cost Labor Charges: (applies for 51 or more copies requested) (Contact Legal if docs located in separate buildings) -For Locating, Compiling, and Reproducing 2 @ $18.75/hour 37.5 -For Programming 1.5 @ $35.50/hour 53.25 Overhead Charge (Total Labor Charges x 25%) 90.75 X 25% 22.68 TOTAL CHARGES: $114.68

City of Corpus Christi City Secretary Public Information Request

Name	John Weber
Date:	02/25/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-03-2022
Date Range (Optional):	02-25-2023

DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request a copy of all emails from Peter Zanoni to Bob Paulison and all emails from Bob Paulison to Peter Zanoni from 1-1-2022 until 2-25-2023. Please contact me with any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes
	City of Corpus Christi City Secretary Public Information Request
Name	John Weber
Date:	02/25/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-03-2022
Date Range (Optional):	02-25-2023
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request copies of all emails from Peter Zanoni to the Port Industries of Corpus Christi and all emails from the Port Industries of Corpus Christi to Peter Zanoni during the time period 1-3-2022 and 2-25-2023. Please contact me with any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.

If available, do you wish to receive an electronic copy of the information?	Yes
	City of Corpus Christi City Secretary Public Information Request
Name	John Weber
Date:	02/25/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-03-2022
Date Range (Optional):	02-25-2023
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request all emails from Peter Zanoni to the Coastal Bend Industry Association and all emails from the Coastal Bend Industry Association to Peter Zanoni from the time period 1-3-2022 until 2-25-2023. Please contact me with any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes
	City of Corpus Christi City Secretary Public Information Request
Name	John Weber
Date:	02/26/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi

	STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-02-2023
Date Range (Optional):	02-26-2023
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request all the emails from Peter Zanoni to Mike Pusley and from Mike Pusley to Peter Zanoni for the dates requested. Please let me know if you have any questions. Thank you!
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes

City of Corpus Christi City Secretary Public Information Request

Name	John Weber
Date:	02/26/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-02-2023
Date Range (Optional):	02-26-2023

DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request all emails from Mike Pusley to Mike Murphy and from Mike Murphy to Mike Pusley for the dates requested. Please let me know if you have any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	

Image removed by sender.

City of Corpus Christi City Secretary Public Information Request

Name	John Weber
Date:	02/25/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	361-739-5691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	02-17-2023
Date Range (Optional):	02-25-2023
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request all emails from Peter Zanoni to Mike Murphy and all emails from Mike Murphy to Peter Zanoni during the time period of 2-17-2023 and 2-25-2023. Please contact me with any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.

If available, do you wish to receive an electronic copy of the information?	Ye

CITY OF CORPUS CHRISTI
PUBLIC INFORMATION REQUEST

COST ESTIMATE SHEET

Requestor's Name: John Weber Date: 05/09/2023

Submitting Department: Legal

Department Liaison: Lauren Rickard

	Number		Total
Copy Charges:			
-Standard Paper Copies (8" x 11")		@ $.12/page	
-CD (CD-R or CD-RW)	1	@ $1.25/each	$1.25
-DVD		@ $3.75/each	
-Oversized Paper Copies (11" x 17")		@ $.60/each	
-Specialty Paper Copies (e.g., Mylar, blueline, maps)		@ actual cost	
-Flash Drive		@ actual cost	

Labor Charges: (applies for 51 or more copies requested)
(Contact Legal if docs located in separate buildings)

-For Locating, Compiling, and Reproducing	4 hours	@ $18.75/hour	$75
-For Programming	.5 hour	@ $35.50/hour	$17.75
Overhead Charge (Total Labor Charges x 25%)	$92.75	X 25%	$23.19

TOTAL CHARGES: $117.19

CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 04/25/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 361-739-5691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

1. PLEASE SPECIFY A DATE RANGE TO SEARCH FOR DOCUMENTS.
2. PLEASE INCLUDE THE PHYSICAL ADDRESS IF REQUESTING RECORDS ON A PROPERTY.
3. IF YOU ARE REQUESTING E-MAILS:
   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 03-21-2023 TO: 04-18-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

For the date range requested about 3-21-23 until 4-18-23, I would like to see a copy of all emails and text messages between Peter Zanoni and Sean Strawbridge. Please call me with any questions. Thank you.

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

Yes IF AVAILABLE, DO YOU WISH TO RECEIVE AN ELECTRONIC COPY OF THE INFORMATION?

LABOR CHARGES WILL BE IMPOSED FOR REQUESTS OF 51 OR MORE PAGES AT THE RATE OF $18.75 PER HOUR, PLUS OVERHEAD (25% OF LABOR). AN ITEMIZED STATEMENT OF ESTIMATED CHARGES WILL BE PROVIDED FOR ESTIMATED CHARGES EXCEEDING $40.00. A BOND/DEPOSIT MAY BE REQUIRED IF ESTIMATED CHARGES ARE $100 OR MORE. IF THE CHARGE FOR FULFILLING YOUR REQUEST IS $1 OR LESS, THE CITY WILL MAKE THE REQUESTED INFORMATION AVAILABLE TO YOU FOR PICKUP IN THE LEGAL DEPARTMENT AT CITY HALL FREE OF CHARGE.

OR-23-384-CC
410-ATT

Received by Open Records
JUN 12 2023

Dear Office of the Attorney General,

Regarding PIA Comlaints:

OR-23-000384-CC

OR-23-000412-CC

OR-23-000430-CC

OR-23-000431-CC

OR-23-000432-CC

OR-23-000433-CC

OR-23-000434-CC

I tried to attach further documentation to each of these complaints but was not able to online. That is why I am sending this letter. I would like the enclosed to be attached to each of these complaints for consideration. The enclosed cost estimate was from prior PIA requests I had paid for. It was for 5 requests over a 14-month time span and 1 request over a 1-week time span. The city had 7 requests listed but 1 was a duplicate. The cost request was provided by Daniel De Leon, an experienced cost estimator at the city. The total locating hours were 2 and the total programming hours were 1.5. Please use these times when comparing the new cost estimates.

I would also like to point out that on every request that I filed that is associated with each of the complaints above I ask to inspect them. From the PIA Handbook it states: "usually the governmental body may not impose a charge" (for inspection only requests). And "overhead is not allowed on request for inspection of electronic records". I would prefer to inspect the records at the city office instead of picking up a CD.

On complaint OR-23-000384. I submitted the exact same request to the Port of Corpus Christi. They complied in 8 business days without any cost to me. They emailed me all the records.

It appears to me the city is charging me more now than they had in the past. It could be because of a newer inexperienced cost estimator or another reason. Either way, the cost estimates have gone up considerably since the one I paid for in March. It also seems on that one I was overcharged as well because there was an "overhead charge" for a "request for inspection of electronic records."

I appreciate your review and consideration of the enclosed documents.

Sincerely,

Jak Weber

Fw: Public Information Request - 430, 431, 432, 433, 434, 435, 436 - Weber, John - Request

John W

Thu 6/8/2023 2:10 PM

[redacted]

8 attachments (1 MB)

Open Records Request- John Weber; Open Records Request- John Weber; Open Records Request- John Weber; Open Records Request- John Weber; Open Records Request- John Weber; Open Records Request- John Weber; Open Records Request- John Weber; Cost Estimate - Weber, John - (Requests 430,431,432,433,434,435,436).docx;

From: Daniel De Leon <DanielDL@cctexas.com>
Sent: Monday, March 13, 2023 11:46 AM
To: John W
Cc: Gabriel Rodriguez <GabrielRo@cctexas.com>; Josie Castillo <JosieE@cctexas.com>
Subject: Public Information Request - 430, 431, 432, 433, 434, 435, 436 - Weber, John - Request

Dear Mr. Weber,

This email is in response to your Texas Public Information Act (the "Act") request(s) received by the City of Corpus Christi (the "City") on February 27, 2023 (attached).

Section 552.261 of the Act allows all requests received in one calendar day from an individual to be treated as a single request for purposes of calculating costs.

Therefore, for all 7 requests, the information will take 1.5 hours to program and 2 hours to locate/compile /reproduce. The information will be provided to you upon payment of **$114.68.** The itemization of charges is:

CD (1 @ $1.25/each)	**$**	**1.25**
Locating/Compiling/Reproducing (2 @ 18.75/hour)	**$**	**37.5**
Programming (1.5 @ 35.50/hour)	**$**	**53.25**
Overhead Charge (Total Labor Charges x 25%)	**$**	**22.68**
Total	**$**	**114.68**

The City notes that processing and responding to your request will require programming and/or manipulation of data and complying with the request can only be fulfilled at a cost that covers the programming and/or manipulation of data. "Manipulation" of data is defined in the Act as "the process of modifying, reordering, or decoding of information with human intervention." Gov't Code § 552.003(2).The law defines "programming" as "the process of producing a sequence of coded instructions that can be executed by a computer." Gov't Code § 552.003(4). Be advised that section 552.272 allows charges for labor when providing access to electronic information requires programming and/or manipulation of data, regardless of whether or not the information is available directly on-line to the requestor.

Please note that the Legal Department only accepts payment by check or cash. **If paying cash, you must have exact change. Please call the phone number below or respond to this email to schedule an appointment for payment.** Please provide payment by mail or in person using the following contact information:

CITY OF CORPUS CHRISTI
PUBLIC INFORMATION REQUEST

COST ESTIMATE SHEET

Requestor's Name: John Weber Date: 03/13/2023

Submitting Department: Legal

Department Liaison: Daniel De Leon

	Number		Total
Copy Charges:			
-Standard PaperCopies (8" x 11")		@ $.12/page	
-CD (CD-R or CD-RW)	1	@ $1.25/each	1.25
-DVD		@ $3.75/each	
-Oversized Paper Copies (11" x 17")		@ $.60/each	
-Specialty Paper Copies (e.g., Mylar, blueline, maps)		@ actual cost	
-Flash Drive		@ actual cost	
Labor Charges: (applies for 51 or more copies requested) (Contact Legal if docs located in separate buildings)			
-For Locating, Compiling, and Reproducing	2	@ $18.75/hour	37.5
-For Programming	1.5	@ $35.50/hour	53.25
Overhead Charge (Total Labor Charges x 25%)	90.75	X 25%	22.68
TOTAL CHARGES:			$114.68

CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 02/25/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 361-739-5691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

1. PLEASE SPECIFY A DATE RANGE TO SEARCH FOR DOCUMENTS.
2. PLEASE INCLUDE THE PHYSICAL ADDRESS IF REQUESTING RECORDS ON A PROPERTY.
3. IF YOU ARE REQUESTING E-MAILS:
   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 02-17-2023 TO: 02-25-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

I request all emails from Peter Zanoni to Mike Murphy and all emails from Mike Murphy to Peter Zanoni during the time period of 2-17-2023 and 2-25-2023. Please contact me with any questions. Thank you.

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

Yes IF AVAILABLE, DO YOU WISH TO RECEIVE AN ELECTRONIC COPY OF THE INFORMATION?

LABOR CHARGES WILL BE IMPOSED FOR REQUESTS OF 51 OR MORE PAGES AT THE RATE OF $18.75 PER HOUR, PLUS OVERHEAD (25% OF LABOR). AN ITEMIZED STATEMENT OF ESTIMATED CHARGES WILL BE PROVIDED FOR ESTIMATED CHARGES EXCEEDING $40.00. A BOND/DEPOSIT MAY BE REQUIRED IF ESTIMATED CHARGES ARE $100 OR MORE. IF THE CHARGE FOR FULFILLING YOUR REQUEST IS $1 OR LESS, THE CITY WILL MAKE THE REQUESTED INFORMATION AVAILABLE TO YOU FOR PICKUP IN THE LEGAL DEPARTMENT AT CITY HALL FREE OF CHARGE.

CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 02/25/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 3617395691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

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3. IF YOU ARE REQUESTING E-MAILS:
   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 01-03-2022 TO: 02-25-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

I request a copy of all emails from Peter Zanoni to Bob Paulison and all emails from Bob Paulison to Peter Zanoni from 1-1-2022 until 2-25-2023. Please contact me with any questions. Thank you.

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

Yes IF AVAILABLE, DO YOU WISH TO RECEIVE AN ELECTRONIC COPY OF THE INFORMATION?

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CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 02/25/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 3617395691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

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   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 01-03-2022 TO: 02-25-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

I request copies of all emails from Peter Zanoni to the Port Industries of Corpus Christi and all emails from the Port Industries of Corpus Christi to Peter Zanoni during the time period 1-3-2022 and 2-25-2023. Please contact me with any questions. Thank you.

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

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CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 02/25/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 3617395691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

1. PLEASE SPECIFY A DATE RANGE TO SEARCH FOR DOCUMENTS.
2. PLEASE INCLUDE THE PHYSICAL ADDRESS IF REQUESTING RECORDS ON A PROPERTY.
3. IF YOU ARE REQUESTING E-MAILS:
   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 01-03-2022 TO: 02-25-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

I request all emails from Peter Zanoni to the Coastal Bend Industry Association and all emails from the Coastal Bend Industry Association to Peter Zanoni from the time period 1-3-2022 until 2-25-2023. Please contact me with any questions. Thank you.

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

Yes IF AVAILABLE, DO YOU WISH TO RECEIVE AN ELECTRONIC COPY OF THE INFORMATION?

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CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 02/26/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 3617395691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

1. PLEASE SPECIFY A DATE RANGE TO SEARCH FOR DOCUMENTS.
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3. IF YOU ARE REQUESTING E-MAILS:
   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 01-02-2023 TO: 02-26-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

I request all the emails from Peter Zanoni to Mike Pusley and from Mike Pusley to Peter Zanoni for the dates requested. Please let me know if you have any questions. Thank you!

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

Yes IF AVAILABLE, DO YOU WISH TO RECEIVE AN ELECTRONIC COPY OF THE INFORMATION?

LABOR CHARGES WILL BE IMPOSED FOR REQUESTS OF 51 OR MORE PAGES AT THE RATE OF $18.75 PER HOUR, PLUS OVERHEAD (25% OF LABOR). AN ITEMIZED STATEMENT OF ESTIMATED CHARGES WILL BE PROVIDED FOR ESTIMATED CHARGES EXCEEDING $40.00. A BOND/DEPOSIT MAY BE REQUIRED IF ESTIMATED CHARGES ARE $100 OR MORE. IF THE CHARGE FOR FULFILLING YOUR REQUEST IS $1 OR LESS, THE CITY WILL MAKE THE REQUESTED INFORMATION AVAILABLE TO YOU FOR PICKUP IN THE LEGAL DEPARTMENT AT CITY HALL FREE OF CHARGE.

CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 02/26/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 3617395691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

1. PLEASE SPECIFY A DATE RANGE TO SEARCH FOR DOCUMENTS.
2. PLEASE INCLUDE THE PHYSICAL ADDRESS IF REQUESTING RECORDS ON A PROPERTY.
3. IF YOU ARE REQUESTING E-MAILS:
   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 01-02-2023 TO: 02-26-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

I request all emails from Mike Pusley to Mike Murphy and from Mike Murphy to Mike Pusley for the dates requested. Please let me know if you have any questions. Thank you.

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

Yes IF AVAILABLE, DO YOU WISH TO RECEIVE AN ELECTRONIC COPY OF THE INFORMATION?

LABOR CHARGES WILL BE IMPOSED FOR REQUESTS OF 51 OR MORE PAGES AT THE RATE OF $18.75 PER HOUR, PLUS OVERHEAD (25% OF LABOR). AN ITEMIZED STATEMENT OF ESTIMATED CHARGES WILL BE PROVIDED FOR ESTIMATED CHARGES EXCEEDING $40.00. A BOND/DEPOSIT MAY BE REQUIRED IF ESTIMATED CHARGES ARE $100 OR MORE. IF THE CHARGE FOR FULFILLING YOUR REQUEST IS $1 OR LESS, THE CITY WILL MAKE THE REQUESTED INFORMATION AVAILABLE TO YOU FOR PICKUP IN THE LEGAL DEPARTMENT AT CITY HALL FREE OF CHARGE.

THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS

June 28, 2023

Mr. Jesus Salazar
Interim City Secretary
City of Denton
601 East Hickory Street
Denton, Texas 76205
Sent via e-mail.

Dear Mr. Salazar:

The Office of the Attorney General ("OAG") received the enclosed complaint from Joseph Welch alleging the City of Denton (the "city") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# OR-23-000428-CC.

The city received a request for certain communications sent or received by a named individual during a defined period of time. The city provided the requestor an estimate in the amount of $5,166.00. The requestor believes the charges are excessive.

Pursuant to section 552.269(a) of the Government Code, the city is required to respond to the following questions in writing within ten business days after the date you receive this letter:

1. How did the city determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.

2. Does the information requested exist in paper form, electronic form, or both? Please explain which records exist in paper form, and which exist in electronic form.

3. Where are the records physically located? If the records are in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.

4. Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to disclosure apply and if the city plans to seek a ruling for the requested information.

For your convenience, you may access the 2022 Public Information Handbook at https://www.texasattorneygeneral.gov/open-government.

Additionally, you may access the Public Information Cost Estimate Model at https://www.texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information to help you comply with section 552.2615 of the Act.

If you have any questions or need further assistance, please call the Open Government Hotline at (888) 672-6787.

Sincerely,

Education and Enforcement Section
Open Records Division

Ref: ID# OR-23-000428-CC

Enclosure

c: Mr. Joseph Welch
Sent via e-mail.

From:	OpenRecordsAssistance
To:	"jesus.salazar@cityofdenton.com"
Bcc:	
Subject:	Office of the Attorney General, Open Records Division ID# OR-23-000428-CC
Date:	Wednesday, June 28, 2023 3:04:29 PM
Attachments:	OR-23-000428-CC.pdf Attachment.pdf

Dear Mr. Salazar:

The Office of the Attorney General (the "OAG") has received a complaint from Joseph Welch alleging the City of Denton is overcharging for copies of public information under the Public Information Act (the "Act"). The complaint was assigned ID# OR-23-000428-CC. Please see the attached documents regarding the complaint.

A response may be submitted by fax to the Education and Enforcement Section of the Open Records Division at (512) 481-1992 or mail to P.O. Box 12548, Austin, Texas 78711.

To submit a response through the online form (https://oag.my.site.com/OpenRecords/s/), you must include the full complaint ID number provided above in order to submit your documentation.

Sincerely,

Education and Enforcement Section
Open Records Division

PLEASE NOTE: Any replies to this email will not be received.

C000402-032823 - Public Information Request to the City

Message History (8)

On 5/22/2023 12:42:09 PM, joseph welch wrote:

TO: "Denton TX Public Information Act Request Center"[dentontx@mycusthelp.net]
I am not privy to the exact process the city uses to extract the information and data I am requesting however using the same price cost calculation charged to me when I am asking for information and data to be excluded and then the city continues to tell me if I narrow down my requested information that might help the cost makes no sense. This leaves me with the same cost still, so how narrowed down do you need it to be before the cost goes down a dollar or a penny? And to tell me the cost is more substantial even if I have it narrowed down worries me that if I narrow the request down you will demand more money stating the process will be even more difficult and time consuming. The real statement here is that the city is choosing to charge the amount stated. Texas law allows cities to provide the information I requested for inspection if it is deemed by the entity the city to be beneficial to release for the common good of the citizens. Who do I have to talk to that can make such a judgment call? If your unwilling to work with me at all as it seems now then I am left at reporting this to the Texas Attorney Generals office in a complaint that an overcharge for public records is occurring, and the city is clearly contradictory in their statements on cost.Also if you can not answer the following in some reasonable detail : What is your criteria in determining whether or not records being released for inspection at no cost will benefit the public or not? If you just give me a generic answer and rubber stamp a response then I am reporting the city of Denton records department to the state of Texas Secretary of State in a complaint form for abuse of official capacity and for official oppression. My request asked for a trimmed down cost making sense asking for less information and a bill of data to be excluded. Now I am requesting the city release the information for inspection at no cost as it's beneficial for the public to review the information that the community improvement services director and director of fair housing is communicating within the office and out to the public. I could elaborate more but I want a review for the information request to be provided to the public for inspection at no cost. I have the names and contact information of other citizens who want to review the information as well.
Joseph Welch

Sent from my iPhone
On May 22, 2023, at 11:46 AM, Denton TX Public Information Act Request Center wrote:

On 5/22/2023 11:45:55 AM, Denton TX Public Information Act Request Center wrote:

Subject: [Records Center] Public Information Request to the City :: C000402-032823
Body:
RE: PUBLIC RECORDS REQUEST of March 28, 2023
Reference # C000402-032823

Dear Mr./Ms. Welch,

This response is in regard to your request for information dated April 14, 2023 regarding:

IF I INSPECT THE INFORMATION IN PERSON WILL ANY OF THE COST GO DOWN?
ALSO IF WE TRIM DOWN ON SOME OF THE INFORMATION THAT I DO NOT NECESSARILY NEED & EXCLUDE:
SUCH AS EMAILS, TEXT - CHATS-EMAILS REGARDING THINGS LIKE EMPLOYEE EVENTS- TOWN HALL MEETINGS- POTLUCKS ETC., EMPLOYEE OR CITY NEWS LETTERS OR MAGAZINE TYPE BROCHURE PLEASE EXCLUDE, HEALTH INSURANCE ENROLLMENT-EMPLOYEE BENEFITS INFORMATION- ETC EXCLUDE, TRAINING COURSE RELATED EMAILS & CHATS EXCLUDE, ANY SPAM EMAILS OR CONTENT RELATED TO SPAM TYPE CORRESPONDENCE EXCLUDE, ANY TYPE OF MARKETING/ADVERTISING EMAILS-TEXT OR CHATS EXCLUDE, ANTIVIRUS WARNINGS, MALWARE MESSAGES, OBVIOUS FRAUDS AND SCAMS PHISHING EMAILS, MAILBOX OR STORAGE SPACE INFORMATION BE EXCLUDED, ANTIVIRUS WARNINGS, PASSWORD RESET OR PROFILE MAINTENANCE TYPE EMAILS-TEXT-CHAT. ANY TEXT-EMAIL-CHAT REGARDING CLOCK IN AND CLOCK OUT TIME AND OR VACATION TIME REQUEST OF MAINTENANCE OF STATED EMPLOYEE DANI SHAW OR ANY OF HER REPORTS. ANY HAPPY BIRTHDAY OR HOLIDAY RELATED MESSAGES ON ANY PLATFORM BE EXCLUDED. ANY EXPENSE REPORTS OR RECEIPTS GIVEN OR ATTACHED TO ANY PLATFORM BE EXCLUDED. ANY UNSUBSCRIBE EMAILS OR RECEIPTS OF UNSUBSCRIBE BE EXCLUDED.
WHAT IS THE ESTIMATE OF COST IF I INSPECT RECORDS IN PERSON AND THE ABOVE INFORMATION IS LISTED IS LEFT OUT?

RE: PUBLIC RECORDS REQUEST of March 28, 2023, Reference # C000402-032823.

Dear Mr./Ms. Welch,

Due to the time and expense involved in collecting the data you requested originally, we will require a very specific clarification as to the items you are still interested in obtaining. The time and expense involved in gathering the information you originally requested was considerable. A request to review these records again and edit them might well be even more prohibitively expensive than your original request.

We will be happy to review a clarified and specific list of records you require if you intend to meet the cost of the request. The cost of the records you requested would be the same whether you picked them up in person or received them via email through the portal. The cost of the records is for the research and accumulation of the records.

Section 552.222(d) of the Texas Government Code indicates that if a written clarification is not received within 61 days after 05/22/2023, your request will be considered withdrawn.
You may choose to respond by email, fax, regular mail, or by dropping your written response in person at our office or through our online open records portal. Contact information is as follows:

By email: via message button for Denton TX Public Information Act Request Center Reference Number C000402-032823
By fax: 940-349-8596
By mail/In Person: 215 E. McKinney, Denton, TX 76201

Upon receipt of your clarification, your request will be forwarded to the proper department(s) for processing.

If you have any questions, please contact the City Secretary's Office through our online open records portal or

by telephone at 940-349-8303.

We look forward to your response.
Sincerely,
City of Denton

On 4/14/2023 2:01:42 PM, joseph welch wrote:

TO: "Denton TX Public Information Act Request Center"[dentontx@mycusthelp.net]
IF I INSPECT THE INFORMATION IN PERSON WILL ANY OF THE COST GO DOWN?
ALSO IF WE TRIM DOWN ON SOME OF THE INFORMATION THAT I DO NOT NECESSARILY NEED & EXCLUDE:
SUCH AS EMAILS, TEXT - CHATS-EMAILS REGARDING THINGS LIKE EMPLOYEE EVENTS-TOWN HALL MEETINGS- POTLUCKS ETC., EMPLOYEE OR CITY NEWS LETTERS OR MAGAZINE TYPE BROCHURE PLEASE EXCLUDE, HEALTH INSURANCE ENROLLMENT-EMPLOYEE BENEFITS INFORMATION- ETC EXCLUDE, TRAINING COURSE RELATED EMAILS & CHATS EXCLUDE, ANY SPAM EMAILS OR CONTENT RELATED TO SPAM TYPE CORRESPONDENCE EXCLUDE, ANY TYPE OF MARKETING/ADVERTISING EMAILS-TEXT OR CHATS EXCLUDE, ANTIVIRUS WARNINGS, MALWARE MESSAGES, OBVIOUS FRAUDS AND SCAMS PHISHING EMAILS,MAILBOX OR STORAGE SPACE INFORMATION BE EXCLUDED, ANTIVIRUS WARNINGS, PASSWORD RESET OR PROFILE MAINTENANCE TYPE EMAILS-TEXT-CHAT. ANY TEXT-EMAIL-CHAT REGARDING CLOCK IN AND CLOCK OUT TIME AND OR VACATION TIME REQUEST OF MAINTENANCE OF STATED EMPLOYEE DANI SHAW OR ANY OF HER REPORTS. ANY HAPPY BIRTHDAY OR HOLIDAY RELATED MESSAGES ON ANY PLATFORM BE EXCLUDED. ANY EXPENSE REPORTS OR RECEIPTS GIVEN OR ATTACHED TO ANY PLATFORM BE EXCLUDED. ANY UNSUBSCRIBE EMAILS OR RECEIPTS OF UNSUBSCRIBE BE EXCLUDED.
WHAT IS THE ESTIMATE OF COST IF I INSPECT RECORDS IN PERSON AND THE ABOVE INFORMATION IS LISTED IS LEFT OUT?
On Fri, Apr 14, 2023 at 9:49 AM Denton TX Public Information Act Request Center wrote:

On 4/14/2023 9:48:18 AM, Denton TX Public Information Act Request Center wrote:

Subject: [Records Center] Public Information Request to the City :: C000402-032823
Body:
RE: PUBLIC RECORDS REQUEST of March 28, 2023, Reference # C000402-032823.

Dear Mr./Ms. welch,

The City of Denton received a public information request from you on March 28, 2023. You requested:

"TIME FRAME 10/20/2022 THROUGH 3/29/2023

PERSON/EMPLOYEE: DANIELLE(DANI) SHAW

ALL EMAILS SENT & RECEIVED , ALL MEMOS,COMMENTS & CONTENTS OF INSTANT CHAT TYPE PROGRAMS USED BY THE CITY, ALL TEXT MESSAGES SENT AND RECEIVED BY EMPLOYEE ON CITY SPONSORED/CITY PAID CELL PHONES. PLEASE DO NOT REDACT THE NAME OR INFORMATION RELATING OR REFERRING TO THE REQUESTOR MYSELF JOSEPH WELCH."

It has been determined the charge for complying with your request for public information will result in the imposition of a charge that exceeds $40. Therefore, the following itemized estimate is provided pursuant to the Texas Government Code, Chapter 552, § 552.2615.

1. Itemized Statement of Estimated Charges:

287 hours of labor @ $15.00 per hour	$	4305.00
Overhead charge @ 20% for labor $4305.00 x 20% = $861.00	$	861.00
Estimated total cost	$	5166.00

2. We anticipate the work to be completed within two (2) weeks after we receive notice that you accept the charges and we receive your deposit/payment; if there are no applicable exceptions per the Texas Government Code.

3. Your request will be considered automatically withdrawn if you do not notify us in writing within 10 (ten) business days from the date of this statement and advise that you:

a. Accept the charges and agree to pay;
b. Modify your request; or
c. Have sent to the Office of the Attorney General (OAG) a complaint alleging that you have been overcharged for being provided with a copy of the public information.

You may choose to respond by email, fax, regular mail, or by dropping your written response in person at our offices or through our online open records portal. Contact information is as follows:

By email: https://dentontx.mycusthelp.com/WEBAPP/_rs/SupportHome.aspx
By fax: 940-349-8596
By mail/In Person: 215 E. McKinney, Denton, TX 76201

4. No work will be undertaken until we receive your written response accepting the estimated charges and payment is made in full.

5. The responsive information may not be available for immediate release and will need to be reviewed for any possible exceptions which may apply.

6. If the actual amount is more than the estimate noted above, you will receive a final cost invoice which will need to be paid prior to releasing any responsive information.

7. There may be a less expensive way for you to obtain this information. If you would like to consider this alternative or view the information in person, please contact us at (940) 349-8303, and we will advise if inspection is a less costly option.

We look forward to your response. If you have any questions, you may contact us through the online open records portal or by telephone at 940-349-8303.

Sincerely,

City of Denton

On 4/8/2023 12:54:07 PM, joseph welch wrote:

TO: "Denton TX Public Information Act Request Center"[dentontx@mycusthelp.net]
Please prepare the cost estimate for the items I requested at your earliest convenience. Thanks Joseph Welch
On Wed, Apr 5, 2023 at 12:28 PM Denton TX Public Information Act Request Center wrote:

On 4/5/2023 12:27:19 PM, Denton TX Public Information Act Request Center wrote:

Subject: [Records Center] Public Information Request to the City :: C000402-032823
Body:
RE: PUBLIC RECORDS REQUEST of March 28, 2023
Reference # C000402-032823

Dear Mr./Ms.Welch,

This response is in regard to your request for information dated March 28, 2023 for "TIME FRAME 10/20/2022 THROUGH 3/29/2023:

PERSON/EMPLOYEE: DANIELLE(DANI) SHAW

ALL EMAILS SENT & RECEIVED , ALL MEMOS,COMMENTS & CONTENTS OF INSTANT CHAT TYPE PROGRAMS USED BY THE CITY, ALL TEXT MESSAGES SENT AND RECEIVED BY EMPLOYEE ON CITY SPONSORED/CITY PAID CELL PHONES. PLEASE DO NOT REDACT THE NAME OR INFORMATION RELATING OR REFERRING TO THE REQUESTOR MYSELF JOSEPH WELCH.."

Mr. Welch:

As written your request is voluminous and contains over 23,000 items which must be compiled and redacted. This request will result in a substantial cost estimate. If possible, please clarify your request by providing a subject matter, narrowing the date range, or otherwise narrowing the request. If you are unable to narrow this request, please clarify that you want us to proceed with preparing the cost estimate.

Section 552.222(d) of the Texas Government Code indicates that if a written clarification is not received within 61 days after 04/05/2023, your request will be considered withdrawn.

You may choose to respond by email, fax, regular mail, or by dropping your written response in person at our office or through our online open records portal. Contact information is as follows:

By email: via message button for Denton TX Public Information Act Request Center Reference Number C000402-032823
By fax: 940-349-8596
By mail/In Person: 215 E. McKinney, Denton, TX 76201

Upon receipt of your clarification, your request will be forwarded to the proper department(s) for processing.

If you have any questions, please contact the City Secretary's Office through our online open records portal or by telephone at 940-349-8303.

We look forward to your response.

Sincerely,

City of Denton

On 3/28/2023 5:19:13 PM, Denton TX Public Information Act Request Center wrote:

Dear Requester:
Thank you for your interest in public records of the City of Denton. Your request has been received and is being processed in accordance with Chapter 552 of Texas Government Code, the Public Information Act. Your request was received in this office on 3/28/2023 and given the reference number C000402-032823 for tracking purposes.

Records Requested:

TIME FRAME 10/20/2022 THROUGH 3/29/2023

PERSON/EMPLOYEE: DANIELLE(DANI) SHAW

ALL EMAILS SENT & RECEIVED , ALL MEMOS,COMMENTS & CONTENTS OF INSTANT CHAT TYPE PROGRAMS USED BY THE CITY, ALL TEXT MESSAGES SENT AND RECEIVED BY EMPLOYEE ON CITY SPONSORED/CITY PAID CELL PHONES. PLEASE DO NOT REDACT THE NAME OR INFORMATION RELATING OR REFERRING TO THE REQUESTOR MYSELF JOSEPH

WELCH.

Your request will be forwarded to the relevant City department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question. PLEASE NOTE: The Texas Public Information Act does not require a governmental body to create new information, to do legal research, or to answer questions.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Again, thank you for using the Public Records Center.

City of Denton

To monitor the progress or update this request please log into the Public Records Center.

On 3/28/2023 5:19:11 PM, joseph welch wrote:

Request Created on Public Portal

Gmail

Joseph Welch

Fwd: [Records Center] Public Information Request to the City :: C000402-032823

Joseph Welch Tue, May 30, 2023 at 2:11 PM
To: Jesus.Salazar@cityofdenton.com

Mr. Salazar the below message I am forwarding to you that I sent to dentontx@mycusthelp.net about 7 days ago. I have not received any responses yet.if the city is going to continue to not respond or keep the original response to charge me the same amount then in this Friday I will forward what I have received from the city and file a complaint with the e attorney general's office and the Texas state secretary office. I am hoping to resolve this issue without filing a complaint with those agencies. Joseph Welch

Sent from my iPhone

Begin forwarded message:

From: Joseph Welch
Date: May 22, 2023 at 12:40:22 PM CDT
To: Denton TX Public Information Act Request Center <dentontx@mycusthelp.net>
Subject: Re: [Records Center] Public Information Request to the City :: C000402-032823

I am not privy to the exact process the city uses to extract the information and data I am requesting however using the same price cost calculation charged to me when I am asking for information and data to be excluded and then the city continues to tell me if I narrow down my requested information that might help the cost makes no sense.
This leaves me with the same cost still, so how narrowed down do you need it to be before the cost goes down a dollar or a penny? And to tell me the cost is more substantial even if I have it narrowed down worries me that if I narrow the request down you will demand more money stating the process will be even more difficult and time consuming. The real statement here is that the city is choosing to charge the amount stated. Texas law allows cities to provide the information I requested for inspection if it is deemed by the entity the city to be beneficial to release for the common good of the citizens. Who do I have to talk to that can make such a judgment call? If your unwilling to work with me at all as it seems now then I am left at reporting this to the Texas Attorney Generals office in a complaint that an overcharge for public records is occurring, and the city is clearly contradictory in their statements on cost.Also if you can not answer the following in some reasonable detail :
What is your criteria in determining whether or not records being released for inspection at no cost will benefit the public or not?
If you just give me a generic answer and rubber stamp a response then I am reporting the city of Denton records department to the state of Texas Secretary of State in a complaint form for abuse of official capacity and for official oppression. My request asked for a trimmed down cost making sense asking for less information and a bill of data to be excluded. Now I am requesting the city release the information for inspection at no cost as it's beneficial for the public to review the information that the community improvement services director and director of fair housing is communicating within the office and out to the public. I could elaborate more but I want a review for the information request to be provided to the public for inspection at no cost. I have the names and contact information of other citizens who want to review the information as well.

Joseph Welch

Sent from my iPhone

On May 22, 2023, at 11:46 AM, Denton TX Public Information Act Request Center <dentontx@mycusthelp.net> wrote:

--- Please respond above this line ---

DENTON

RE: PUBLIC RECORDS REQUEST of March 28, 2023
Reference # C000402-032823

Dear Mr./Ms. Welch,

This response is in regard to your request for information dated April 14, 2023 regarding:

IF I INSPECT THE INFORMATION IN PERSON WILL ANY OF THE COST GO DOWN?
ALSO IF WE TRIM DOWN ON SOME OF THE INFORMATION THAT I DO NOT NECESSARILY NEED & EXCLUDE:
SUCH AS EMAILS, TEXT - CHATS-EMAILS REGARDING THINGS LIKE EMPLOYEE EVENTS- TOWN HALL MEETINGS- POTLUCKS ETC., EMPLOYEE OR CITY NEWS LETTERS OR MAGAZINE TYPE BROCHURE PLEASE EXCLUDE, HEALTH INSURANCE ENROLLMENT-EMPLOYEE BENEFITS INFORMATION- ETC EXCLUDE, TRAINING COURSE RELATED EMAILS & CHATS EXCLUDE, ANY SPAM EMAILS OR CONTENT RELATED TO SPAM TYPE CORRESPONDENCE EXCLUDE, ANY TYPE OF MARKETING/ADVERTISING EMAILS-TEXT OR CHATS EXCLUDE, ANTIVIRUS WARNINGS, MALWARE MESSAGES, OBVIOUS FRAUDS AND SCAMS PHISHING EMAILS, MAILBOX OR STORAGE SPACE INFORMATION BE EXCLUDED, ANTIVIRUS WARNINGS, PASSWORD RESET OR PROFILE MAINTENANCE TYPE EMAILS-TEXT-CHAT. ANY TEXT-EMAIL-CHAT REGARDING CLOCK IN AND CLOCK OUT TIME AND OR VACATION TIME REQUEST OF MAINTENANCE OF STATED EMPLOYEE DANI SHAW OR ANY OF HER REPORTS. ANY HAPPY BIRTHDAY OR HOLIDAY RELATED MESSAGES ON ANY PLATFORM BE EXCLUDED. ANY EXPENSE REPORTS OR RECEIPTS GIVEN OR ATTACHED TO ANY PLATFORM BE EXCLUDED. ANY UNSUBSCRIBE EMAILS OR RECEIPTS OF UNSUBSCRIBE BE EXCLUDED.
WHAT IS THE ESTIMATE OF COST IF I INSPECT RECORDS IN PERSON AND THE ABOVE INFORMATION IS LISTED IS LEFT OUT?

RE: PUBLIC RECORDS REQUEST of March 28, 2023, Reference # C000402-032823.

Dear Mr./Ms. Welch,

Due to the time and expense involved in collecting the data you requested originally, we will require a very specific clarification as to the items you are still interested in obtaining. The time and expense involved in gathering the information you originally requested was considerable. A request to review these records again and edit them might well be even more prohibitively expensive than your original request.

We will be happy to review a clarified and specific list of records you require if you intend to meet the cost of the request. The cost of the records you requested would be the same whether you picked them up in person or received them via email through the portal. The cost of the records is for the research and accumulation of the records.

Section 552.222(d) of the Texas Government Code indicates that if a written clarification is not received within 61 days after 05/22/2023, your request will be considered withdrawn.
You may choose to respond by email, fax, regular mail, or by dropping your written response in person at our office or through our online open records portal. Contact information is as follows:

By email: via message button for Denton TX Public Information Act Request Center
Reference Number C000402-032823

By fax: 940-349-8596
By mail/In Person: 215 E. McKinney, Denton, TX 76201

Upon receipt of your clarification, your request will be forwarded to the proper department(s) for processing.

If you have any questions, please contact the City Secretary's Office through our online open records portal or by telephone at 940-349-8303.

We look forward to your response.
Sincerely,
City of Denton

To monitor the progress or update this request please log into the Public Records Center.

Gmail

Joseph Welch

RE: [Records Center] Public Information Request to the City :: C000402-032823

Salazar, Jesus <Jesus.Salazar@cityofdenton.com> Wed, May 17, 2023 at 12:31 PM
To: Joseph Welch

Mr. Welch,

Let me contact our Open Records Specialist and I will get back with you soon.

Jesse

Jesus J. Salazar Interim City Secretary

City Secretary's Office

215 E. McKinney Street

Denton, Texas 76201

Office: (940) 349-7735

ATTENTION: All correspondence may be considered a public record and made available upon a Public Information Request.

PUBLIC OFFICIALS: A "Reply to All" of this e-mail may lead to violations of the Texas Open Meetings Act.

NOTE: This electronic message is confidential and is intended only for the use of the individual to whom it is addressed. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, you are hereby notified that any use, dissemination, distribution or reproduction of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify me by electronic message or telephone at 940.349.7735, and delete the message from your system.

From: Joseph Welch
Sent: Wednesday, May 17, 2023 12:22 PM
To: Salazar, Jesus <Jesus.Salazar@cityofdenton.com>
Subject: Fwd: [Records Center] Public Information Request to the City :: C000402-032823

This message has originated from an **External Source**. Please be cautious regarding links and attachments.

Mr. Salazar below is an email I sent to dentontx@mycusthelp.net on April 14th regarding open records request C000402-032823. Can you please look into this for me and respond back with a resolution I have not received back any answer as far as I am aware of.

---------- Forwarded message ---------
From: **Joseph Welch**
Date: Fri, Apr 14, 2023 at 2:00 PM
Subject: Re: [Records Center] Public Information Request to the City :: C000402-032823
To: Denton TX Public Information Act Request Center <dentontx@mycusthelp.net>

IF I INSPECT THE INFORMATION IN PERSON WILL ANY OF THE COST GO DOWN?

ALSO IF WE TRIM DOWN ON SOME OF THE INFORMATION THAT I DO NOT NECESSARILY NEED & EXCLUDE:

SUCH AS EMAILS, TEXT - CHATS-EMAILS REGARDING THINGS LIKE EMPLOYEE EVENTS- TOWN HALL MEETINGS-POTLUCKS ETC., EMPLOYEE OR CITY NEWS LETTERS OR MAGAZINE TYPE BROCHURE PLEASE EXCLUDE, HEALTH INSURANCE ENROLLMENT-EMPLOYEE BENEFITS INFORMATION- ETC EXCLUDE, TRAINING COURSE RELATED EMAILS & CHATS EXCLUDE, ANY SPAM EMAILS OR CONTENT RELATED TO SPAM TYPE CORRESPONDENCE EXCLUDE, ANY TYPE OF MARKETING/ADVERTISING EMAILS-TEXT OR CHATS EXCLUDE, ANTIVIRUS WARNINGS, MALWARE MESSAGES, OBVIOUS FRAUDS AND SCAMS PHISHING EMAILS,MAILBOX OR STORAGE SPACE INFORMATION BE EXCLUDED, ANTIVIRUS WARNINGS, PASSWORD RESET OR PROFILE MAINTENANCE TYPE EMAILS-TEXT-CHAT. ANY TEXT-EMAIL-

CHAT REGARDING CLOCK IN AND CLOCK OUT TIME AND OR VACATION TIME REQUEST OF MAINTENANCE OF STATED EMPLOYEE DANI SHAW OR ANY OF HER REPORTS. ANY HAPPY BIRTHDAY OR HOLIDAY RELATED MESSAGES ON ANY PLATFORM BE EXCLUDED. ANY EXPENSE REPORTS OR RECEIPTS GIVEN OR ATTACHED TO ANY PLATFORM BE EXCLUDED. ANY UNSUBSCRIBE EMAILS OR RECEIPTS OF UNSUBSCRIBE BE EXCLUDED.

WHAT IS THE ESTIMATE OF COST IF I INSPECT RECORDS IN PERSON AND THE ABOVE INFORMATION IS LISTED IS LEFT OUT?

On Fri, Apr 14, 2023 at 9:49 AM Denton TX Public Information Act Request Center <dentontx@mycusthelp.net> wrote:

--- Please respond above this line ---

DENTON

RE: PUBLIC RECORDS REQUEST of March 28, 2023, Reference # C000402-032823.

Dear Mr./Ms. welch,

The City of Denton received a public information request from you on March 28, 2023. You requested:

"TIME FRAME 10/20/2022 THROUGH 3/29/2023

PERSON/EMPLOYEE: DANIELLE(DANI) SHAW

ALL EMAILS SENT & RECEIVED , ALL MEMOS,COMMENTS & CONTENTS OF INSTANT CHAT TYPE PROGRAMS USED BY THE CITY, ALL TEXT MESSAGES SENT AND RECEIVED BY EMPLOYEE ON CITY SPONSORED/CITY PAID CELL PHONES. PLEASE DO NOT REDACT THE NAME OR INFORMATION RELATING OR REFERRING TO THE REQUESTOR MYSELF JOSEPH WELCH."

It has been determined the charge for complying with your request for public information will result in the imposition of a charge that exceeds $40. Therefore, the following itemized estimate is provided pursuant to the Texas Government Code, Chapter 552, § 552.2615.

1. Itemized Statement of Estimated Charges:

287 hours of labor @ $15.00 per hour	$	4305.00
Overhead charge @ 20% for labor $4305.00 x 20% = $861.00	$	861.00
Estimated total cost	$	5166.00

2. We anticipate the work to be completed within two (2) weeks after we receive notice that you accept the charges and we receive your deposit/payment; if there are no applicable exceptions per the Texas Government Code.

3. Your request will be considered automatically withdrawn if you do not notify us in writing within 10 (ten) business days from the date of this statement and advise that you:

a. Accept the charges and agree to pay;
b. Modify your request; or
c. Have sent to the Office of the Attorney General (OAG) a complaint alleging that you have been overcharged for being provided with a copy of the public information.

You may choose to respond by email, fax, regular mail, or by dropping your written response in person at our offices or through our online open records portal. Contact information is as follows:

By email: https://dentontx.mycusthelp.com/WEBAPP/_rs/SupportHome.aspx
By fax: 940-349-8596
By mail/In Person: 215 E. McKinney, Denton, TX 76201

4. No work will be undertaken until we receive your written response accepting the estimated charges and payment is made in full.

5. The responsive information may not be available for immediate release and will need to be reviewed for any possible exceptions which may apply.

6. If the actual amount is more than the estimate noted above, you will receive a final cost invoice which will need to be paid prior to releasing any responsive information.

7. There may be a less expensive way for you to obtain this information. If you would like to consider this alternative or view the information in person, please contact us at (940) 349-8303, and we will advise if inspection is a less costly option.

We look forward to your response. If you have any questions, you may contact us through the online open records portal or by telephone at 940-349-8303.

Sincerely,

City of Denton

To monitor the progress or update this request please log into the Public Records Center.

OR-23-428-CC
486-ATT

City Attorney's Office
215 E. McKinney St., Denton, TX 76201 • (940) 349-8333

July 10, 2023

Received by Open Record
JUL 12 2023

The Honorable Ken Paxton
Texas Attorney General
c/o Open Records Division-014
P.O. Box 12548
Austin, Texas 78711

RE: OAG assigned ID# OR-23-000428-CC
Complaint filed by Joseph Welch

Dear Attorney General Paxton:

This office represents the City of Denton ("City"). The City is in receipt of your letter dated June 28, 2023, regarding a complaint filed by Joseph Welch (our file number C000402-032823) for charges associated with copies of public information under Public Information Act ("Act"), Chapter 552 of the Government Code. This letter follows your requirement the City respond within 10 business days to your letter.

The City (City Secretary's Office) utilizes the Cost Estimate Model from the Texas Attorney General's website each time an estimate is necessary.

1 T.A.C. Section 70.8(b) requires that a complaint must be filed with the Attorney General within 10 business days after the requestor knows of the alleged overcharge. On April 5, 2023, the City informed the requestor his request was voluminous and contained over 23,000 items. His response was received on April 8, 2023, to please prepare the cost estimate for the items he requested. The cost estimate was provided to the requestor on April 14, 2023.

The City did not receive a copy of the requestor's complaint sent to the Attorney General. However, on June 1, 2023, the requestor messaged the City indicating he filed a complaint "yesterday" meaning May 31, 2023. There were 32 business days from April 14th to May 31st when the requestor filed a complaint with your office. May 31st is past the 10-day deadline required under Section 70.8 (b) for the requestor to submit a complaint. The City requests this complaint be dismissed based on failure to comply with Section 70.8 (b).

If you have any additional questions do not hesitate to contact me at (940) 349-8333.

Sincerely,

Jesus Salazar,
Interim City Secretary

Enclosures

cc: Joseph Welch (w/o enclosures)
Via email:

THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS

June 28, 2023

Ms. Lauren Rickard
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277
Sent via e-mail.

Dear Ms. Rickard:

The Office of the Attorney General ("OAG") received a complaint from John Weber alleging the City of Corpus Christi (the "city") is overcharging for inspection of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# OR-23-000431-CC.

The city received a request for e-mail communications and text messages between two named individuals during a defined period of time. The city provided the requestor an estimate in the amount of $319.38 to inspect the requested information. The requestor believes the charges are excessive.

Pursuant to section 552.269(a) of the Government Code, the city is required to respond to the following questions in writing within ten business days after the date you receive this letter:

> 1. How did the city determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.
>
> 2. How did the city determine the number of programming hours necessary to produce the responsive information? Please describe the programming in a step-by-step manner, stating the time each step will take as well as the qualifications of the individual performing the programming.

3. Does the information requested exist in paper form, electronic form, or both? Please explain which records exist in paper form, and which exist in electronic form.

4. Where are the records physically located? If the records are in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.

5. Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to disclosure apply and if the city plans to seek a ruling for the requested information.

6. Please provide a complete copy of the cost estimate provided to the requestor, including any notices.

For your convenience, you may access the 2022 Public Information Handbook at https://www.texasattorneygeneral.gov/open-government.

Additionally, you may access the Public Information Cost Estimate Model at https://www.texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information to help you comply with section 552.2615 of the Act.

If you have any questions or need further assistance, please call the Open Government Hotline at (888) 672-6787.

Sincerely,

Education and Enforcement Section
Open Records Division

Ref: ID# OR-23-000431-CC

Enclosure

c: Mr. John Weber
sent via e-mail.

From:	OpenRecordsAssistance
To:	cityopenrecords@cctexas.com
Bcc:	
Subject:	Office of the Attorney General, Open Records Division ID# OR-23-000431-CC
Date:	Wednesday, June 28, 2023 3:36:13 PM
Attachments:	23-000431-CC.pdf Attachment.pdf

Dear City of Corpus Christi:

The Office of the Attorney General (the "OAG") has received a complaint from John Weber alleging the city is overcharging for copies of public information under the Public Information Act (the "Act"). The complaint was assigned ID# OR-23-000431-CC. Please see the attached documents regarding the complaint.

A response may be submitted by fax to the Education and Enforcement Section of the Open Records Division at (512) 481-1992 or mail to P.O. Box 12548, Austin, Texas 78711.

To submit a response through the online form (https://oag.my.site.com/OpenRecords/s/), you must include the full complaint ID number provided above in order to submit your documentation.

Sincerely,

Education and Enforcement Section
Open Records Division

PLEASE NOTE: Any replies to this email will not be received.

Dear Office of the Attorney General,

Regarding PIA Complaints:

OR-23-000384-CC

OR-23-000412-CC currently is being associated with OR-23-000413-CC

OR-23-000430-CC

OR-23-000431-CC

OR-23-000432-CC

OR-23-000433-CC

OR-23-000434-CC

I tried to attach further documentation to each of these complaints but was not able to online. That is why I am sending this letter. I would like the enclosed to be attached to each of these complaints for consideration. The enclosed cost estimate was from prior PIA requests I had paid for. It was for 5 requests over a 14-month time span and 1 request over a 1-week time span. The city had 7 requests listed but 1 was a duplicate. The cost request was provided by Daniel De Leon, an experienced cost estimator at the city. The total locating hours were 2 and the total programming hours were 1.5. Please use these times when comparing the new cost estimates.

I would also like to point out that on every request that I filed that is associated with each of the complaints above I ask to inspect them. From the PIA Handbook it states: “usually the governmental body may not impose a charge” (for inspection only requests). And “overhead is not allowed on request for inspection of electronic records”. I would prefer to inspect the records at the city office instead of picking up a CD.

On complaint OR-23-000384. I submitted the exact same request to the Port of Corpus Christi. They complied in 8 business days without any cost to me. They emailed me all the records.

It appears to me the city is charging me more now than they had in the past. It could be because of a newer inexperienced cost estimator or another reason. Either way, the cost estimates have gone up considerably since the one I paid for in March. It also seems on that one I was overcharged as well because there was an “overhead charge” for a “request for inspection of electronic records.”

I appreciate your review and consideration of the enclosed documents.

Sincerely,

John Weber

Please see below the cost estimate for the 6 records requests and the requests. This letter was delivered to the AG’s office on June 12th as shown be certified letter tracking.

70203160000086280407

Copy Add to Informed Delivery

Latest Update

Your item has been delivered and is available at a PO Box at 7:47 am on June 12, 2023 in AUSTIN, TX 78711.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, PO Box

AUSTIN, TX 78711
June 12, 2023, 7:47 am

See All Tracking History

Cost estimate for all 6 requests. This was the amount I paid.

CITY OF CORPUS CHRISTI PUBLIC INFORMATION REQUEST COST ESTIMATE SHEET Requestor's Name: John Weber Date: 03/13/2023 Submitting Department: Legal Department Liaison: Daniel De Leon Number Total Copy Charges: -Standard PaperCopies (8" x 11") @ $.12/page -CD (CD-R or CD-RW) 1 @ $1.25/each 1.25 -DVD @ $3.75/each -Oversized Paper Copies (11" x 17") @ $.60/each -Specialty Paper Copies (e.g., Mylar, blueline, maps) @ actual cost -Flash Drive @ actual cost Labor Charges: (applies for 51 or more copies requested) (Contact Legal if docs located in separate buildings) -For Locating, Compiling, and Reproducing 2 @ $18.75/hour 37.5 -For Programming 1.5 @ $35.50/hour 53.25 Overhead Charge (Total Labor Charges x 25%) 90.75 X 25% 22.68 TOTAL CHARGES: $114.68

City of Corpus Christi City Secretary Public Information Request

Name	John Weber
Date:	02/25/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-03-2022
Date Range (Optional):	02-25-2023

DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request a copy of all emails from Peter Zanoni to Bob Paulison and all emails from Bob Paulison to Peter Zanoni from 1-1-2022 until 2-25-2023. Please contact me with any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes
	City of Corpus Christi City Secretary Public Information Request
Name	John Weber
Date:	02/25/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-03-2022
Date Range (Optional):	02-25-2023
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request copies of all emails from Peter Zanoni to the Port Industries of Corpus Christi and all emails from the Port Industries of Corpus Christi to Peter Zanoni during the time period 1-3-2022 and 2-25-2023. Please contact me with any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.

If available, do you wish to receive an electronic copy of the information?	Yes
	City of Corpus Christi City Secretary Public Information Request
Name	John Weber
Date:	02/25/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-03-2022
Date Range (Optional):	02-25-2023
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request all emails from Peter Zanoni to the Coastal Bend Industry Association and all emails from the Coastal Bend Industry Association to Peter Zanoni from the time period 1-3-2022 until 2-25-2023. Please contact me with any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes
	City of Corpus Christi City Secretary Public Information Request
Name	John Weber
Date:	02/26/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi

	STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-02-2023
Date Range (Optional):	02-26-2023
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request all the emails from Peter Zanoni to Mike Pusley and from Mike Pusley to Peter Zanoni for the dates requested. Please let me know if you have any questions. Thank you!
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	Yes

City of Corpus Christi City Secretary Public Information Request

Name	John Weber
Date:	02/26/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	3617395691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	01-02-2023
Date Range (Optional):	02-26-2023

DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request all emails from Mike Pusley to Mike Murphy and from Mike Murphy to Mike Pusley for the dates requested. Please let me know if you have any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.
If available, do you wish to receive an electronic copy of the information?	

Image removed by sender.

City of Corpus Christi City Secretary Public Information Request

Name	John Weber
Date:	02/25/2023
Address	MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404
Phone:	361-739-5691
E-mail:	
Preferred Method of Communication:	E-mail
Date Range (Optional):	02-17-2023
Date Range (Optional):	02-25-2023
DESCRIPTION OF INFORMATION REQUESTED: (Please describe in detail. If your request is unclear, the City will contact you to clarify.)	I request all emails from Peter Zanoni to Mike Murphy and all emails from Mike Murphy to Peter Zanoni during the time period of 2-17-2023 and 2-25-2023. Please contact me with any questions. Thank you.
Please check:	I agree to the redaction of information that may be confidential by law.
Please check one:	I wish to inspect.

If available, do you wish to receive an electronic copy of the information?	Ye

CITY OF CORPUS CHRISTI
CITY SECRETARY
PUBLIC INFORMATION REQUEST

POST OFFICE BOX 9277 PHONE: (361) 826-3105
CORPUS CHRISTI, TEXAS 78469 FACSIMILE: (361) 826-3113
E-MAIL: cityopenrecords@cctexas.com

FIRST NAME: John LAST NAME: Weber DATE: 05/17/2023

BUSINESS/AGENCY: _____

MAILING ADDRESS: 609 Naples St CITY: Corpus Christi STATE: Texas ZIP: 78404

PHONE: 3617395691 FACSIMILE: _____ E-MAIL: _____

PREFERRED METHOD OF COMMUNICATION: E-mail

PLEASE NOTE THAT A BROAD REQUEST WILL INCUR HIGHER CHARGES REQUIRED BY LAW. IT IS TO YOUR ADVANTAGE TO CLEARLY STATE THE DOCUMENTS YOU ARE SEEKING AS SPECIFICALLY AND NARROWLY AS POSSIBLE.

1. PLEASE SPECIFY A DATE RANGE TO SEARCH FOR DOCUMENTS.
2. PLEASE INCLUDE THE PHYSICAL ADDRESS IF REQUESTING RECORDS ON A PROPERTY.
3. IF YOU ARE REQUESTING E-MAILS:
   a. SPECIFY DATE RANGE.
   b. SPECIFY EMPLOYEE NAME/EMAIL ADDRESS OR THE DEPARTMENT TO SEARCH.
   c. THE REQUESTOR MUST INCLUDE THE SEARCH WORD(S) OR PHRASE(S) SO E-MAIL RECORDS CAN BE SEARCHED.

DATE RANGE (OPTIONAL): FROM: 04-25-2023 TO: 05-16-2023

DESCRIPTION OF INFORMATION REQUESTED (PLEASE DESCRIBE IN DETAIL. IF YOUR REQUEST IS UNCLEAR, THE CITY WILL CONTACT YOU IN ORDER TO CLARIFY):

I would like to see a copy of all text messages and emails between Gabriel Rodriguez and Daniel De Leon for the period of time listed above. Please let me know if you have any questions. Thank you.

I AGREE TO THE REDACTION OF INFORMATION THAT MAY BE CONFIDENTIAL BY LAW: ☑ (PLEASE CHECK)

PLEASE CHECK ONE: I WISH TO INSPECT: ◎ I WISH COPIES TO BE MADE: _____ (.12 CENTS PER PAGE)

Yes IF AVAILABLE, DO YOU WISH TO RECEIVE AN ELECTRONIC COPY OF THE INFORMATION?

LABOR CHARGES WILL BE IMPOSED FOR REQUESTS OF 51 OR MORE PAGES AT THE RATE OF $18.75 PER HOUR, PLUS OVERHEAD (25% OF LABOR). AN ITEMIZED STATEMENT OF ESTIMATED CHARGES WILL BE PROVIDED FOR ESTIMATED CHARGES EXCEEDING $40.00. A BOND/DEPOSIT MAY BE REQUIRED IF ESTIMATED CHARGES ARE $100 OR MORE. IF THE CHARGE FOR FULFILLING YOUR REQUEST IS $1 OR LESS, THE CITY WILL MAKE THE REQUESTED INFORMATION AVAILABLE TO YOU FOR PICKUP IN THE LEGAL DEPARTMENT AT CITY HALL FREE OF CHARGE.

CITY OF CORPUS CHRISTI
PUBLIC INFORMATION REQUEST

COST ESTIMATE SHEET

Requestor's Name: John Weber Date: 05/31/2023

Submitting Department: Legal

Department Liaison: Lauren Rickard

	Number		Total
Copy Charges:			
-Standard Paper Copies (8" x 11")		@ $.12/page	
-CD (CD-R or CD-RW)	1	@ $1.25/each	$1.25
-DVD		@ $3.75/each	
-Oversized Paper Copies (11" x 17")		@ $.60/each	
-Specialty Paper Copies (e.g., Mylar, blueline, maps)		@ actual cost	
-Flash Drive		@ actual cost	

Labor Charges: (applies for 51 or more copies requested)
(Contact Legal if docs located in separate buildings)

-For Locating, Compiling, and Reproducing	6 hour	@ $18.75/hour	$112.50
-For Programming	4 hours	@ $35.50/hour	$142
Overhead Charge (Total Labor Charges x 25%)	$254.50	X 25%	$63.63

TOTAL CHARGES: $319.38

055278

From: Office of the Attorney General
To: OpenRecordsAssistance
Subject: Open Records Complaint
Date: Monday, November 14, 2022 2:03:44 PM

Submitted on Mon, 11/14/2022 - 13:59

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information
Kery O'Bryan
9401 Trailway Dr
Oak Point, Texas. 75068

9038181815

Governmental Body Information

Governmental Body Contact Information
City of Pilot Point
Lenette Cox
102 E Main St
Pilot Point, Texas. 76258
lcox@cityofpilotpoint.org
(940) 324-5027

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?
Online form

Date of your public information request:
10/06/2022

Did the governmental body ask you to pay for the requested Information?
Yes

How much did the governmental body ask you to pay for the information?
$120.60

How much have you paid for the information at this time?
$0

Background Information about Complaint

Have you contacted the governmental body about your complaint?
No

Have you contacted another agency about your complaint?
No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?
I think a governmental body is overcharging me for the information I requested.

Open Government Hotline
Yes

Upload Initial Request
{Empty}

Supporting Document

10.20.22-rqr-cost-estimate-letter---pp100622ko.pdf

MESSER ★ FORT ★ McDONALD
THE MUNICIPAL LAW FIRM
FRISCO | DALLAS | AUSTIN | ABILENE

October 20, 2022

Via Email:
Kery O'Bryan

RE: Cost Estimate Letter in Response to the Request for Public Information Submitted by Kery O'Bryan (10.6.22) ORR ID: PP100622KO

Dear Mr. O'Bryan:

This letter is in reference to the public information request ("Request") submitted by you under the Texas Public Information Act ("Act"), Chapter 552, Government Code. The City of Pilot Point ("City") received your Request on October 6, 2022, in which you requested:

1. A copy of the text message between David Tatsak and me where I addressed his use of a racial slur and he acknowledged his use of it by replying to that text message.
2. Additionally, any and all written communications, emails, and/or text messages between the former police chief Tim Conner and Greg Wilkerson regarding Justin Hull. Greg's email account used would've been bluelinesvcs@gmail.com or alresources@gmail.com, and the time frame for the emails would've been approximately late 2018 into 2019.

In response to Item no. 1, the City has already provided this information to you and your attorney through previous discovery and open records requests. In response to Item no. 2, the City will be glad to make copies of the requested documents available to you along with any redactions or withholding of information authorized by the Texas Attorney General's Office. ***The estimated costs to produce and copy all the records requested are as follows***:

STATEMENT OF CHARGES

1. 60 minutes of personnel time @ $15.00 per hour based on the time associated with manipulation of data [1 TAC 70.3(d)(1)];	$15.00
1. 180 minutes of programming time @ $28.50 per hour based on the time associated with creating and running a computer query with specific perimeters [1 TAC 70.3(c)(1)]; and	$85.50
2. 20% overhead charge [$100.50 x .20]	$20.10

Total Estimated Charges **$120.60**

Pursuant to Section 552.263(a)(1) of the Act, you are hereby required to submit a deposit in the amount of **$120.60** to the City for anticipated costs to process your Request. *Please submit this amount by cashier's check, business check or money order payable to "City of Pilot Point" to the attention of the "City of Pilot Point, City Secretary" by mail or in person at 102 E. Main St., Pilot Point, Texas 76258.* If applicable, you will be refunded any portion of the required deposit not used to pay the actual cost of retrieving, redacting, and copying documents responsive to the Request.

Please be advised that the City can submit an updated itemized statement to you if it later determines, before it makes the records available, that the estimated charges will exceed the charges detailed in the written itemized statement by twenty percent (20%) or more. V.T.C.A. GOVERNMENT CODE § 552.2615(c). In such an event, the City will send you a written updated itemized statement that details all estimated charges that will be imposed for providing copies of the requested public information, including allowable charges for labor or personnel costs. There is not a less costly way to review the requested information because your Request requires labor time associated with programming and manipulation of data allowed under Section 552.272 of the Act. Reducing the scope of your Request may reduce the costs associated with responding to your Request. Please contact me if you would like to reduce the scope of your Request. You will not be charged for the labor costs of an attorney conducting legal review of the documents to determine applicable Public Information Act exceptions.

Please be reminded that for purposes of Chapter 552, Subchapters F and G of the Act, a request for copies of public information is not considered to have been received by a governmental body until the governmental body receives the deposit for payment of anticipated costs. V.T.C.A. GOVERNMENT CODE § 552.263(e). The City is not required to send copies of the public information to you until you pay the postage and any other applicable charges, including deposits that have accrued under Chapter 552 of the Act. V.T.C.A. GOVERNMENT CODE § 552.221(b)(2).

Due to the amount of personnel time required to respond to your Request, we reasonably estimate that it will take ten business days to respond to your Request following receipt of the payment. Ten business days is reasonably necessary because the City will schedule an employee or agent to spend four hour(s) to program and manipulate the records responsive to your Request in lieu of performing their other designated job duties. Please be advised that the City has ten business days to seek an Attorney General determination as to whether the records you request are subject to disclosure under the Public Information Act.

Section 552.2615 of the Act imposes the following duties on you as the requestor of the concerned public information and requires that I inform you of these duties:

1. You must provide me with a mailing, facsimile transmission, or electronic mail address to receive the information requested. It is your choice as to which type of address to provide, however please be aware that some responsive documents may not be available in electronic format.

2. Your Request will be considered **automatically withdrawn** if you do not provide a **written** response, either by mail, in person, by facsimile or by electronic mail, to this itemized statement and any updated statement in the time and manner prescribed by Section 552.2615 of the Act. Section 552.2615 requires that you respond **within ten business days** after the date that this statement was sent to you. My address, facsimile number and email address are noted above on the letterhead. Your response must inform me that either: (1) you will accept the estimated charges; (2) that you are modifying your Request in response to the itemized statement; or (3) that you have sent to the Attorney General a complaint alleging that you have been overcharged for being provided with a copy of the requested information.

Section 552.2615 provides that an itemized statement or updated itemized statement will be considered to have been sent to you on the date that: (1) the statement is delivered to you in person; (2) on the date that it is deposited the properly addressed statement in the United States mail; or (3) on the date the statement is transmitted to you by electronic mail or facsimile transmission. V.T.C.A. GOVERNMENT CODE § 552.2615(e)(1)-(3). You will be considered to have responded to the itemized statement or updated itemized statement on the date that you: (1) deliver the response to me in person; (2) deposit the properly addressed response in the United States mail; or (3) the date that you transmit the properly addressed response to me by electronic mail or facsimile transmission. V.T.C.A. GOVERNMENT CODE § 552.2615(f). If you have any questions, please feel free to contact me.

Very truly yours,
MESSER, FORT & MCDONALD, PLLC

TESSA K. MEREDITH
ASSISTANT CITY ATTORNEY

TM/SA

cc: Lenette Cox
City Secretary
City of Pilot Point