

September 19, 2016

Ty Clevenger
21 Bennett Avenue #62
New York, NY 10033

Via Email: tyclevenger@yahoo.com
and First Class Mail

Re: ITEMIZED ESTIMATE OF CHARGES/MANIPULATION OF DATA
Requestor: Ty Clevenger
Entity: City of Hearne (hereinafter, the "City")
Date received: July 25, 2016
Date clarifications received: July 27, 2016, August 4, 2016 and August 26, 2016

Dear Mr. Clevenger:

With regards to the above-referenced Texas Public Information Act ("Act") request, the City performed a search based on criteria set out by you in your original request and subsequent clarification responses. The City is making available to you the information¹ that it believes meets said criteria. The remaining information is being submitted to the Office of the Attorney General of Texas for a ruling as to whether said information is excepted from public disclosure. A copy of our firm's 15-day brief is being provided to you under separate cover.

Pursuant to charging guidelines promulgated by the Office of the Attorney General (formerly the Texas Building and Procurement Commission) under Title 1, Sections 70.3, 70.5, and 70.10 of the Texas Administrative Code for the production of public information and section 552.2615 of the Texas Government Code, copies of the responsive documents we are required to release to you in accordance with the ruling from the Attorney General will result in the imposition of a charge.

¹Some of the available information appears to be copyrighted. The City must allow the inspection of copyrighted material unless an exception to the information applies according to the Texas Attorney General. If you wish to make copies of copyrighted material, you must do so unassisted by the City. In making copies, you assume the duty to comply with the copyright law and the risk of a copyright infringement suit. See Open Records Decision No. 550 (1990). Accordingly, the requested information may only be released in accordance with copyright law.

Pursuant to section 552.2615 of the Government Code, you have duties imposed on you as the requestor in this matter. Your request will be considered to have been automatically withdrawn if you do not respond in writing to this cost estimate by informing the City, either by mail, in person, facsimile transmission, or electronic mail, **within ten (10) business days** after the date that this Statement has been sent to you. In your response you must inform the City that you will either accept the estimated charges, you are modifying your request in response to this Statement, or you have sent the Office of the Attorney General (formerly the Texas Building and Procurement Commission) a complaint alleging that you have been overcharged for being provided with a copy of the information that we are required to release to you.

ITEMIZED ESTIMATE OF CHARGES

For Copies, with Requestor Pick Up

Standard copy -- \$.10 per page at 1,191 pages:	(A)	\$119.10
Approximate other costs/at actual cost (Envelope):	(B)	\$ 0.10
Labor Charge:		
a. For locating, compiling, manipulating data ² , and reproducing—\$15 per hour @ 12.5 hours:	(C)	\$187.50
b. Overhead charge--20% of labor charge:	(D)	\$ 37.50

**TOTAL ITEMIZED ESTIMATE OF CHARGES
FOR COPIES WITH REQUESTOR PICKUP: \$344.20**

For Copies, with Electronic Delivery:

Standard copy -- \$.10 per page at 1,191 pages:	(A)	\$119.10
Labor Charge:		
a. For locating, compiling, manipulating data ³ , and reproducing—\$15 per hour @ 12.5 hours:	(B)	\$187.50
b. Overhead charge--20% of labor charge:	(C)	\$ 37.50

**TOTAL ITEMIZED ESTIMATE OF CHARGES
FOR COPIES WITH ELECTRONIC DELIVERY: \$344.10
(A+B+C)**

²With the request at hand, 0.50 hours [for compiling responsive information] + 12.00 hours [for 'manipulating data' i.e. converting emails and attachments into PDF documents] = 12.5 hours.

³With the request at hand, 0.50 hours [for compiling responsive information] + 12.00 hours [for 'manipulating data' i.e. converting emails and attachments into PDF documents] = 12.5 hours.

For Requested Copies, with City Mailing Documents:

Standard copy -- \$.10 per page at 1,191 pages: (A) \$119.10

Labor Charge:

b. For locating, compiling, manipulating data⁴, and reproducing—\$15 per hour @ 12.5 hours: (B) \$187.50

b. Overhead charge--20% of labor charge: (C) \$ 37.50

Postage and shipping charges -- at approximate cost
Via First Class Mail⁵ (D) \$ 18.75

TOTAL ESTIMATE OF CHARGES

**FOR REQUESTED COPIES WITH CITY MAILING DOCUMENTS: \$362.85
(A+B+C+D)**

If you accept the estimated charges provided for in this "Itemized Estimate of Charges," you may attach to your response to this Statement your payment for the responsive documents to be released to you. After we receive your response and payment, we will make duplicates of the information at issue and deliver by mail or you can pick them up – at your choosing.

If you chose to inspect the documents, please note that there is a prepayment as redactions must be made to the responsive documents prior to your inspection of same. Please contact our office for said cost and to make arrangements for your inspection at the City upon a mutually agreeable date and time.

Please direct all responses and payments for charges (make checks payable to the **City of Hearne**) to:

Sarah M. Griffin
Denton Navarro Rocha Bernal Hyde & Zech, P.C.
2500 W. William Cannon Drive, Suite 609
Austin, Texas 78745

⁴With the request at hand, 0.50 hours [for compiling responsive information] + 12.00 hours [for 'manipulating data' i.e. converting emails and attachments into PDF documents] = 12.5 hours.

⁵Per U.S.P.S website, Priority Mail 2-Day Large Flat Rate Box = \$18.75

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Should you have any questions or concerns, please do not hesitate to contact me by telephone at (512) 279-6431.

Very truly yours,

Denton Navarro Rocha Bernal Hyde & Zech, P.C.
attorneys & counselors at law • rampagelaw.com



SARAH M. GRIFFIN
Assistant City Attorney for City of Hearne

SMG/ha