From: Kyle Moring <[redacted]>
Subject: Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)
Date: Fri, 19 Sep 2025 08:12:37 -0500
To: Candias Webster <cwebster@mpcity.org>
Cc: Austin Beck <abeck@dtrglaw.com>

Ms. Webster,

To avoid delay, I will accept paper copies of the 58 pages and will pick them up in person upon notification that they are ready.

Please provide an updated, itemized estimate/invoice reflecting paper production only, consistent with the Attorney General's charge schedule (1 TAC ch. 70), including:

- Per-page copy cost (standard rate) and any actual postage (if applicable);
- Any labor directly attributable to reproducing paper copies for a request exceeding 50 pages, itemized by task and minutes, along with the signed statement of total labor time;
- Any overhead (if applied) itemized and calculated as 20% of labor.

Because I am accepting paper copies, please remove any scanning-related time previously included.

This acceptance is without waiver. My prior request for IT documentation and confirmation of the City's electronic-production capability under Gov't Code §552.228 remains pending, including:

- the name/version of the records system used;
- any vendor or internal documentation showing export/download limitations or disabled functions;
- any policies or administrative settings that prevent export; and
- a brief administrator/custodian statement describing available export functions, any disabled functions (and why), and why direct electronic production (native export, direct-export searchable PDF, or SharePoint link) is not feasible without special programming (if special programming is required, please proceed under §552.231).

For pickup, please confirm:

- Pickup location and office hours,
- Total amount due and accepted payment methods (and whether a deposit is required), and
- The anticipated availability date. If the final charges will exceed the most recent estimate by 20% or more, please issue an updated itemized statement before work proceeds (see §552.2615).

Thank you for your continued attention to this matter.

With gratitude,

Kyle Moring

[redacted]

[redacted]

On Sep 18, 2025, at 3:36 PM, Candias Webster <cwebster@mpcity.org> wrote:

Mr. Moring,
I apologize for the mistake, but here is the corrected estimate. As stated before, our system does not allow for downloading as you requested, so we have to print and scan it in.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4154
Cell: [redacted]
Fax: 903-577-1828

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From: Kyle Moring <[redacted]>
Sent: Thursday, September 18, 2025 3:29 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Austin Beck <abeck@dtrglaw.com>
Subject: Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Thank you for the City's September 4, 2025 cost estimate. I need to correct two items under the Attorney General's cost rules:

1. **Copies:** 58 × $0.10 should be $5.80, not $58.00 (1 TAC §70.3(a)).

2. **Overhead**: 20% applies to labor only. On 3 hours × $15.00 = $45.00 labor, overhead is $9.00, not “20% of $103.00 = $20.00” (1 TAC §70.3(d)).

Please issue a corrected § 552.2615 estimate that (a) removes paper print/scan charges for born-digital records and (b) applies overhead only to labor, consistent with Tex. Gov’t Code § 552.228 and 1 TAC ch. 70. I elected electronic PDFs; where records exist electronically, printing/scanning is not the least-cost method.

Separately, on September 11, 2025, Mr. Beck stated the City has no additional responsive records for the August 20, 2025 follow-up “Complete Case File” and for “Documentation Standards” beyond the State retention schedule. If the City maintains that position, please provide a brief §552.232 certification of “no responsive records” for those items so the record is clear.

Date-certain (by Thursday, September 25, 2025):

- The corrected § 552.2615 estimate for the September 4, 2025 request (inspector authority/training/SOPs), and

- The August 20, 2025 complete case file in PDF (or) the § 552.232 “no-records” certification if truly none exist.

(For clarity, the “complete case file” means: intake/portal record & routing; inspector field notes/full narrative; temperature logs/measurements for any TCS foods/equipment checked; photos & attachments; violation list with code citations; corrective actions & compliance/follow-up dates; audit/history log; any City↔DSHS emails; and supervising RS approval/sign-off, if applicable.)

If the City contends the system cannot export or print-to-PDF, please provide vendor/IT documentation of that technical limitation. Otherwise, I expect electronic PDFs as required by § 552.228.

With gratitude,

Kyle Moring

[redacted]

[redacted]

> On Sep 18, 2025, at 2:49 PM, Candias Webster <cwebster@mpcity.org> wrote:
>
> Good afternoon, Mr. Moring,
>
> Attached please find an itemized statement of estimated charges associated with the public information request received by the City from you on September 4, 2025, as required by Chapter 552, Tex. Gov’t Code.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4154
Cell: [redacted]
Fax: 903-577-1828

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From: Kyle Moring <[redacted]>
Sent: Thursday, September 4, 2025 7:11 AM
To: Candias Webster <cwebster@mpcity.org>
Cc: Austin Beck <abeck@dtrglaw.com>
Subject: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)

CAUTION: [EXTERNAL EMAIL]

Good morning,

Pursuant to the Texas Public Information Act, Chapter 552, Government Code, I respectfully request the records listed below, preferably in electronic form (PDF or native format where available). This request concerns Juan Pedro Ramirez and his role performing inspections and related duties for the City of Mount Pleasant.

Timeframe

Please search from January 1, 2024, to the present.

Offices/Systems to Search

Please search the records of Code Compliance (Health/Environmental), the City Manager's Office, Human Resources, City Secretary/PIO, City Attorney, and IT (email systems, shared drives, inspection databases, and document management systems).

Records Requested

1. **Designation & Authority**
    - Any memorandum, resolution, delegation, job action, or other writing that designates Juan Ramirez to conduct retail food/public health inspections or to sign inspection reports/certificates, including any temporary or interim designations and effective dates.
    - Any policy or SOP describing who may sign retail food inspection reports or post certificates.
2. **Training/Competency (TFER/FDA Standard 2/RS SIT)**
    - Records of training, standardization, or field competency for Mr. Ramirez (e.g., FDA Program Standard 2 standardization records, field training logs, checklists, certificates, re-standardization, and any supervisor/ standardized officer documentation).
    - Any Registered Sanitarian (RS) or Sanitarian in Training (SIT) credentials (if any), or written confirmation that none exist.
3. **Code Enforcement Credential/Supervision**
    - City records reflecting Mr. Ramirez's code enforcement registration status and any required CIT supervision arrangements (e.g., supervisor of record forms, supervision plans), onboarding, and continuing education acknowledgments.
4. **Personnel/Position Records (non-confidential portions)**
    - Position description(s), minimum qualifications, offer/acceptance letters, start date(s), title changes, and organizational charts showing reporting lines for the inspector role. (Sensitive PII may be redacted consistent with the TPIA.)
5. **Inspection & Case Files Authored/Co-Authored by Mr. Ramirez**
    - Copies of all retail food inspection reports, field notes/measurements, temperature logs, photos, re-inspection notices, enforcement/ administrative actions, and posting certificates he prepared or signed.
    - Please include, at minimum, the complete files for the inspections and correspondence reflected for Wal-Mart, 2311 S Jefferson Ave, including 01/30/2025 (multiple reports), 07/09/2025, and 08/20/2025.
6. **Correspondence (Email/Letters/Texts/IM)**
    - All correspondence to/from or about Juan Ramirez that references inspections, inspection authority, credentials (RS/SIT/CIT), FDA "Standard 2," or Wal Mart (2311 S Jefferson).
    - Please include email metadata (From/To/Subject/Date/Time) and bodies/ attachments.
7. **Standard Operating Procedures (SOPs) and Policies**

- All current and prior SOPs, policies, internal manuals, inspection forms, and guidance documents used by the City of Mount Pleasant for inspecting retail food establishments.

- This specifically includes policies for Bakery, Deli, and Grocery departments at retail stores such as Wal-Mart, and any guidance that dictates:

    1. How inspections are conducted,
    2. Frequency of inspections,
    3. Documentation requirements,
    4. Criteria for passing/failing scores,
    5. Corrective action or enforcement steps, and
    6. Posting of grades/certificates.

8. **Public Notices or Reports**

    - Any policies or notices describing how inspection results (including bakery, deli, and grocery inspections) are reported to the public.

Production & Cost

- Electronic delivery by email is preferred.
- If estimated charges will exceed $40, please provide an itemized written estimate before proceeding.
- If portions of records are withheld, please segregate and release all non-exempt material and cite the specific statutory basis for each redaction or withholding.
- I consent to rolling production as records become available.

Special Instruction on Scope

If this request is considered too broad, please separate it into two narrower requests:

1. One addressing Juan Ramirez (designation, credentials, training, inspections, correspondence).
2. One addressing City SOPs and policies for inspecting retail food establishments, including Wal-Mart Bakery, Deli, and Grocery.

Clarification: These requests (whether treated as a single request or two narrower requests as described above) are to be processed separately and independently from any other Public Information Act requests I currently have pending with the City of Mount Pleasant. This ensures timely compliance with the TPIA while preserving my right of access.

Please confirm receipt, assign a TPIA tracking number, and provide an estimated date for completion. I appreciate your continued support with this matter.

With gratitude,

Kyle Moring

[redacted]

[redacted]