Court USB production (August 28, 2026) · thread T10

TPIA Request ? Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)

15 message(s), 2025-09-04 · 2025-09-26. Public copy: personal contact details and excluded-subject material boxed.

1. 2025-09-04 12:10 Kyle Moring · 0 att.
2. 2025-09-04 18:03 Candias Webster · 0 att.
3. 2025-09-18 19:49 Candias Webster · 1 att.
4. 2025-09-18 20:29 Kyle Moring · 1 att.
5. 2025-09-18 20:36 Candias Webster · 1 att.
6. 2025-09-18 21:59 Kyle Moring · 1 att.
7. 2025-09-19 13:12 Kyle Moring · 1 att.
8. 2025-09-25 19:45 Kyle Moring · 1 att.
9. 2025-09-25 20:28 Candias Webster · 0 att.
10. 2025-09-26 16:13 Candias Webster · 0 att.
11. 2025-09-26 17:36 Candias Webster · 0 att.
12. 2025-09-26 18:02 Kyle Moring · 0 att.
13. 2025-09-26 18:06 Candias Webster · 1 att.
14. 2025-09-26 18:22 Kyle Moring · 1 att.
15. 2025-09-26 22:52 Kyle Moring · 2 att.

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-04 12:10:39+00:00
Subject:	**TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	—
USB file:	TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery).msg

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]

From:	Candias Webster
To:	Kyle Moring <[redacted]>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-04 18:03:42.148713+00:00
Subject:	**RE: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	—
USB file:	RE TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery).msg

Received

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

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

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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)

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    - 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

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5. **Inspection & Case Files Authored/Co-Authored by Mr. Ramirez**
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With gratitude,

Kyle Moring

[redacted]

[redacted]

From:	Candias Webster
To:	Kyle Moring <[redacted]>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-18 19:49:09.176251+00:00
Subject:	**RE: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	Cost Estimate 09-04-2025.pdf
USB file:	RE TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_8.msg

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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With gratitude,

Kyle Moring

[redacted]

[redacted]

City of MOUNT PLEASANT

September 18, 2025

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd September 4, 2025)

Dear Mr. Moring,

The City of Mount Pleasant, Texas (the "City") received a public information request from you on September 4, 2025, for "Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)." The City anticipates more than 50 pages of documents will be identified as being responsive to your request, and therefore the City is entitled to reimbursement for costs associated with materials, labor and overhead that will be incurred by the City in processing your request. Charges for providing copies of information responsive to your request will not be waived because the City has not determined that providing copies of responsive information will primarily benefit the general public.

The City has determined that fulfilling your request will result in the imposition of a charge that exceeds $40.00 for recovery of costs incurred by the City in order to process your request. Therefore, the City is providing you with an itemized cost estimate as required by §552.2615 of the Texas Government Code. If the City later determines, before making any copies of responsive information available to you, that actual charges for providing copies of responsive information will exceed the estimated amount stated herein by 20% or more, the City will provide you with an updated estimate of charges. Furthermore, please be advised that the City has identified certain responsive information that may be excepted from required public disclosure under the TPIA and which may be withheld following a decision on the matter by the Attorney General.

Itemized Statement of Estimated Charges:

Description	**Qty x Price**	**Total**
Copies	58 x $0.10	$58.00
Personnel Time ($15/hour)	3 hours x $15.00	$45.00
Overhead charges (20% of labor cost)	20% of $103.00	$20.00
Total cost		**$123.00**

An alternative, less costly method of viewing the records is available, and you may contact me regarding the alternative method. Your request will be considered automatically withdrawn if you do not respond in writing to this itemized cost estimate in the time and manner required by §552.2615 of the TPIA, and you may respond in writing to this itemized cost estimate by email to the City Secretary

at cwebster@mpcity.org. *See* §552.2615(a)(2) and (a)(3), Tex. Gov't Code. In accordance with §552.2615(b) of the TPIA, **your request will be considered to have been withdrawn** by you if you do not inform the City in writing within ten business days from the date this letter was sent to you:

(a) accept the charges;
(b) wish to modify your request; OR
(c) have sent to the Texas Attorney General a complaint alleging that you have been overcharged for being provided with a copy of the requested information.

Because the total estimated charges exceed $100.00, if you elect to accept the estimated charges, the City requires that you post a bond with the City, for payment of the anticipated costs for the preparation of copies of responsive information, in an amount equal to the entire estimated amount, which is **$123.00** for this request. The remainder of the actual, total cost incurred by the City must be paid in full before the responsive information will be made available to you. *See* §552.263, Tex. Gov't Code. Upon informing the City that you accept the estimated charges, should you choose to do so, please contact me by email to coordinate posting of the required bond. If you fail to post the required bond before the 10th business day after the date the bond is required, which is the date on which you inform the City that you accept the estimated charges, your request will be considered to have been withdrawn by you. *See id*, at §552.263(f).

Please contact me if you have any questions regarding this matter. If you have any questions regarding the TPIA process generally, please consult with the Open Records Division of the Office of the Attorney General of Texas.

Sincerely,
/s/ Candias Webster
Candias Webster
City Secretary
City of Mount Pleasant, Texas

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-18 20:29:00+00:00
Subject:	**Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	Cost Estimate 09-04-2025.pdf
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_9.msg

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:

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1. One addressing Juan Ramirez (designation, credentials, training, inspections, correspondence).
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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]

City of MOUNT PLEASANT

September 18, 2025

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd September 4, 2025)

Dear Mr. Moring,

The City of Mount Pleasant, Texas (the "City") received a public information request from you on September 4, 2025, for "Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)." The City anticipates more than 50 pages of documents will be identified as being responsive to your request, and therefore the City is entitled to reimbursement for costs associated with materials, labor and overhead that will be incurred by the City in processing your request. Charges for providing copies of information responsive to your request will not be waived because the City has not determined that providing copies of responsive information will primarily benefit the general public.

The City has determined that fulfilling your request will result in the imposition of a charge that exceeds $40.00 for recovery of costs incurred by the City in order to process your request. Therefore, the City is providing you with an itemized cost estimate as required by §552.2615 of the Texas Government Code. If the City later determines, before making any copies of responsive information available to you, that actual charges for providing copies of responsive information will exceed the estimated amount stated herein by 20% or more, the City will provide you with an updated estimate of charges. Furthermore, please be advised that the City has identified certain responsive information that may be excepted from required public disclosure under the TPIA and which may be withheld following a decision on the matter by the Attorney General.

Itemized Statement of Estimated Charges:

Description	**Qty x Price**	**Total**
Copies	58 x $0.10	$58.00
Personnel Time ($15/hour)	3 hours x $15.00	$45.00
Overhead charges (20% of labor cost)	20% of $103.00	$20.00
Total cost		**$123.00**

An alternative, less costly method of viewing the records is available, and you may contact me regarding the alternative method. Your request will be considered automatically withdrawn if you do not respond in writing to this itemized cost estimate in the time and manner required by §552.2615 of the TPIA, and you may respond in writing to this itemized cost estimate by email to the City Secretary

at cwebster@mpcity.org. *See* §552.2615(a)(2) and (a)(3), Tex. Gov't Code. In accordance with §552.2615(b) of the TPIA, **your request will be considered to have been withdrawn** by you if you do not inform the City in writing within ten business days from the date this letter was sent to you:

(a) accept the charges;
(b) wish to modify your request; OR
(c) have sent to the Texas Attorney General a complaint alleging that you have been overcharged for being provided with a copy of the requested information.

Because the total estimated charges exceed $100.00, if you elect to accept the estimated charges, the City requires that you post a bond with the City, for payment of the anticipated costs for the preparation of copies of responsive information, in an amount equal to the entire estimated amount, which is **$123.00** for this request. The remainder of the actual, total cost incurred by the City must be paid in full before the responsive information will be made available to you. *See* §552.263, Tex. Gov't Code. Upon informing the City that you accept the estimated charges, should you choose to do so, please contact me by email to coordinate posting of the required bond. If you fail to post the required bond before the 10th business day after the date the bond is required, which is the date on which you inform the City that you accept the estimated charges, your request will be considered to have been withdrawn by you. *See id*, at §552.263(f).

Please contact me if you have any questions regarding this matter. If you have any questions regarding the TPIA process generally, please consult with the Open Records Division of the Office of the Attorney General of Texas.

Sincerely,
/s/ Candias Webster
Candias Webster
City Secretary
City of Mount Pleasant, Texas

From:	Candias Webster
To:	Kyle Moring <[redacted]>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-18 20:36:40.363013+00:00
Subject:	**RE: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	Cost Estimate 09-04-2025.pdf
USB file:	RE TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_3.msg

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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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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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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]

City of MOUNT PLEASANT

September 18, 2025

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd September 4, 2025)

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The City has determined that fulfilling your request will result in the imposition of a charge that exceeds $40.00 for recovery of costs incurred by the City in order to process your request. Therefore, the City is providing you with an itemized cost estimate as required by §552.2615 of the Texas Government Code. If the City later determines, before making any copies of responsive information available to you, that actual charges for providing copies of responsive information will exceed the estimated amount stated herein by 20% or more, the City will provide you with an updated estimate of charges. Furthermore, please be advised that the City has identified certain responsive information that may be excepted from required public disclosure under the TPIA and which may be withheld following a decision on the matter by the Attorney General.

Itemized Statement of Estimated Charges:

Description	**Qty x Price**	**Total**
Copies	58 x $0.10	$5.80
Personnel Time ($15/hour)	3 hours x $15.00	$45.00
Overhead charges (20% of labor cost)	20% of $45.00	$9.00
Total cost		**$59.80**

An alternative, less costly method of viewing the records is available, and you may contact me regarding the alternative method. Your request will be considered automatically withdrawn if you do not respond in writing to this itemized cost estimate in the time and manner required by §552.2615 of the TPIA, and you may respond in writing to this itemized cost estimate by email to the City Secretary

at cwebster@mpcity.org. *See* §552.2615(a)(2) and (a)(3), Tex. Gov't Code. In accordance with §552.2615(b) of the TPIA, **your request will be considered to have been withdrawn** by you if you do not inform the City in writing within ten business days from the date this letter was sent to you:

(a) accept the charges;
(b) wish to modify your request; OR
(c) have sent to the Texas Attorney General a complaint alleging that you have been overcharged for being provided with a copy of the requested information.

Because the total estimated charges exceed $100.00, if you elect to accept the estimated charges, the City requires that you post a bond with the City, for payment of the anticipated costs for the preparation of copies of responsive information, in an amount equal to the entire estimated amount, which is **$59.80** for this request. The remainder of the actual, total cost incurred by the City must be paid in full before the responsive information will be made available to you. *See* §552.263, Tex. Gov't Code. Upon informing the City that you accept the estimated charges, should you choose to do so, please contact me by email to coordinate posting of the required bond. If you fail to post the required bond before the 10th business day after the date the bond is required, which is the date on which you inform the City that you accept the estimated charges, your request will be considered to have been withdrawn by you. *See id*, at §552.263(f).

Please contact me if you have any questions regarding this matter. If you have any questions regarding the TPIA process generally, please consult with the Open Records Division of the Office of the Attorney General of Texas.

Sincerely,
/s/ Candias Webster
Candias Webster
City Secretary
City of Mount Pleasant, Texas

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-18 21:59:49+00:00
Subject:	**Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	Cost Estimate 09-04-2025.pdf
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_2.msg

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Thank you for the corrected estimate. To ensure compliance with the Texas Public Information Act and the Attorney General's cost rules (1 TAC ch. 70), I respectfully request the following clarifications:

1. **Scanning Labor for 58 Pages**

   The estimate reflects three (3) hours of labor to scan 58 pages (~3 minutes per page). Please provide an itemized explanation of this time (tasks and minutes per task) and, pursuant to Gov't Code §552.261(b), the required signed statement showing the total labor time charged. Kindly confirm whether the City's scanner(s) include an automatic document feeder (ADF) and, if so, why an ADF cannot be used for this production. If overhead is included, please itemize it and confirm it is calculated at 20% of any labor charge consistent with 1 TAC §70.3(e).

2. **Electronic Production & IT Documentation**

   You indicated the City's "system does not allow for downloading," requiring print-and-scan. However, the City has previously produced records to me electronically via SharePoint on multiple occasions (recent 2025 productions). Under Gov't Code §552.228 and 1 TAC §70.6, if information exists electronically and the City has the capability to provide it in the requested medium without greater expense or time, it should be produced electronically. To evaluate feasibility and costs, please provide:

   - The name and version of the records system used for these files;
   - Any vendor/internal documentation stating that export/download functions are unavailable or disabled;
   - Any policies or administrative settings preventing electronic export; and
   - A brief written statement from the system administrator or records custodian describing: (a) available export functions; (b) any disabled functions and why; and (c) why direct electronic production (native, PDF export, or SharePoint link) is not feasible without programming or manipulation (if programming/manipulation is required, please proceed under §552.231 with the written statement of cost/time).

3. **Method of Delivery & Revised Estimate**

   I elect electronic delivery (email, SharePoint, or comparable secure link). If any time in the estimate is attributed to redaction, please itemize redaction minutes separately and identify the legal basis. If electronic production is feasible—as the City's past SharePoint deliveries suggest—please issue a revised cost estimate reflecting electronic production rather than print-and-scan. If the City maintains born-digital responsive records, please produce them in native format or direct-export searchable PDF rather than images created by printing and rescanning. Please also confirm the $15/hour labor rate and any overhead applied, consistent with 1 TAC ch. 70.

Finally, consistent with Gov't Code §552.268, please make reasonably efficient use of supplies and resources to avoid excessive reproduction costs. If the current estimate exceeds the proper components or changes by ≥20%, please provide an updated itemized estimate pursuant to 1 TAC §70.7 before work proceeds.

I appreciate your prompt clarification so we can proceed efficiently and in accordance with TPIA.

With gratitude,

Kyle Moring

[redacted]

[redacted]

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

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

1. One addressing Juan Ramirez (designation, credentials, training, inspections, correspondence).
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With gratitude,

Kyle Moring

[redacted]

[redacted]

City of MOUNT PLEASANT

September 18, 2025

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd September 4, 2025)

Dear Mr. Moring,

The City of Mount Pleasant, Texas (the "City") received a public information request from you on September 4, 2025, for "Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)." The City anticipates more than 50 pages of documents will be identified as being responsive to your request, and therefore the City is entitled to reimbursement for costs associated with materials, labor and overhead that will be incurred by the City in processing your request. Charges for providing copies of information responsive to your request will not be waived because the City has not determined that providing copies of responsive information will primarily benefit the general public.

The City has determined that fulfilling your request will result in the imposition of a charge that exceeds $40.00 for recovery of costs incurred by the City in order to process your request. Therefore, the City is providing you with an itemized cost estimate as required by §552.2615 of the Texas Government Code. If the City later determines, before making any copies of responsive information available to you, that actual charges for providing copies of responsive information will exceed the estimated amount stated herein by 20% or more, the City will provide you with an updated estimate of charges. Furthermore, please be advised that the City has identified certain responsive information that may be excepted from required public disclosure under the TPIA and which may be withheld following a decision on the matter by the Attorney General.

Itemized Statement of Estimated Charges:

Description	**Qty x Price**	**Total**
Copies	58 x $0.10	$5.80
Personnel Time ($15/hour)	3 hours x $15.00	$45.00
Overhead charges (20% of labor cost)	20% of $45.00	$9.00
Total cost		**$59.80**

An alternative, less costly method of viewing the records is available, and you may contact me regarding the alternative method. Your request will be considered automatically withdrawn if you do not respond in writing to this itemized cost estimate in the time and manner required by §552.2615 of the TPIA, and you may respond in writing to this itemized cost estimate by email to the City Secretary

at cwebster@mpcity.org. *See* §552.2615(a)(2) and (a)(3), Tex. Gov't Code. In accordance with §552.2615(b) of the TPIA, **your request will be considered to have been withdrawn** by you if you do not inform the City in writing within ten business days from the date this letter was sent to you:

(a) accept the charges;
(b) wish to modify your request; OR
(c) have sent to the Texas Attorney General a complaint alleging that you have been overcharged for being provided with a copy of the requested information.

Because the total estimated charges exceed $100.00, if you elect to accept the estimated charges, the City requires that you post a bond with the City, for payment of the anticipated costs for the preparation of copies of responsive information, in an amount equal to the entire estimated amount, which is **$59.80** for this request. The remainder of the actual, total cost incurred by the City must be paid in full before the responsive information will be made available to you. *See* §552.263, Tex. Gov't Code. Upon informing the City that you accept the estimated charges, should you choose to do so, please contact me by email to coordinate posting of the required bond. If you fail to post the required bond before the 10th business day after the date the bond is required, which is the date on which you inform the City that you accept the estimated charges, your request will be considered to have been withdrawn by you. *See id*, at §552.263(f).

Please contact me if you have any questions regarding this matter. If you have any questions regarding the TPIA process generally, please consult with the Open Records Division of the Office of the Attorney General of Texas.

Sincerely,
/s/ Candias Webster
Candias Webster
City Secretary
City of Mount Pleasant, Texas

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-19 13:12:37+00:00
Subject:	**Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	Cost Estimate 09-04-2025.pdf
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_12.msg

CAUTION: [EXTERNAL EMAIL]

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:

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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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Subject: Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)

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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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Sent: Thursday, September 4, 2025 7:11 AM
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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]

City of MOUNT PLEASANT

September 18, 2025

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd September 4, 2025)

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Please contact me if you have any questions regarding this matter. If you have any questions regarding the TPIA process generally, please consult with the Open Records Division of the Office of the Attorney General of Texas.

Sincerely,
/s/ Candias Webster
Candias Webster
City Secretary
City of Mount Pleasant, Texas

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-25 19:45:53+00:00
Subject:	**Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	Cost Estimate 09-04-2025.pdf
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_5.msg

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

I plan on stopping by to pick up the 58 pages responsive to my PIA request today before end of day tomorrow. Please have them ready; I'll pay at pickup. If any portion is not ready, please provide a §552.221(d) written date/time when it will be available. Kindly confirm pickup location and time.

With gratitude,

Kyle Moring
[redacted]

On Sep 19, 2025, at 8:13 AM, Kyle Moring <[redacted]> wrote:

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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).
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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]

City of MOUNT PLEASANT

September 18, 2025

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd September 4, 2025)

Dear Mr. Moring,

The City of Mount Pleasant, Texas (the "City") received a public information request from you on September 4, 2025, for "Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)." The City anticipates more than 50 pages of documents will be identified as being responsive to your request, and therefore the City is entitled to reimbursement for costs associated with materials, labor and overhead that will be incurred by the City in processing your request. Charges for providing copies of information responsive to your request will not be waived because the City has not determined that providing copies of responsive information will primarily benefit the general public.

The City has determined that fulfilling your request will result in the imposition of a charge that exceeds $40.00 for recovery of costs incurred by the City in order to process your request. Therefore, the City is providing you with an itemized cost estimate as required by §552.2615 of the Texas Government Code. If the City later determines, before making any copies of responsive information available to you, that actual charges for providing copies of responsive information will exceed the estimated amount stated herein by 20% or more, the City will provide you with an updated estimate of charges. Furthermore, please be advised that the City has identified certain responsive information that may be excepted from required public disclosure under the TPIA and which may be withheld following a decision on the matter by the Attorney General.

Itemized Statement of Estimated Charges:

Description	**Qty x Price**	**Total**
Copies	58 x $0.10	$5.80
Personnel Time ($15/hour)	3 hours x $15.00	$45.00
Overhead charges (20% of labor cost)	20% of $45.00	$9.00
Total cost		**$59.80**

An alternative, less costly method of viewing the records is available, and you may contact me regarding the alternative method. Your request will be considered automatically withdrawn if you do not respond in writing to this itemized cost estimate in the time and manner required by §552.2615 of the TPIA, and you may respond in writing to this itemized cost estimate by email to the City Secretary

at cwebster@mpcity.org. *See* §552.2615(a)(2) and (a)(3), Tex. Gov't Code. In accordance with §552.2615(b) of the TPIA, **your request will be considered to have been withdrawn** by you if you do not inform the City in writing within ten business days from the date this letter was sent to you:

(a) accept the charges;
(b) wish to modify your request; OR
(c) have sent to the Texas Attorney General a complaint alleging that you have been overcharged for being provided with a copy of the requested information.

Because the total estimated charges exceed $100.00, if you elect to accept the estimated charges, the City requires that you post a bond with the City, for payment of the anticipated costs for the preparation of copies of responsive information, in an amount equal to the entire estimated amount, which is **$59.80** for this request. The remainder of the actual, total cost incurred by the City must be paid in full before the responsive information will be made available to you. *See* §552.263, Tex. Gov't Code. Upon informing the City that you accept the estimated charges, should you choose to do so, please contact me by email to coordinate posting of the required bond. If you fail to post the required bond before the 10th business day after the date the bond is required, which is the date on which you inform the City that you accept the estimated charges, your request will be considered to have been withdrawn by you. *See id*, at §552.263(f).

Please contact me if you have any questions regarding this matter. If you have any questions regarding the TPIA process generally, please consult with the Open Records Division of the Office of the Attorney General of Texas.

Sincerely,
/s/ Candias Webster
Candias Webster
City Secretary
City of Mount Pleasant, Texas

From:	Candias Webster
To:	Kyle Moring <[redacted]>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-25 20:28:00.065760+00:00
Subject:	**RE: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	—
USB file:	RE TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_15.msg

Kyle,
This will be ready for pick up at 4 PM. We close our day at 4:30, so pickup will need to be before then.

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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Ms. Webster,

I plan on stopping by to pick up the 58 pages responsive to my PIA request today before end of day tomorrow. Please have them ready; I'll pay at pickup. If any portion is not ready, please provide a §552.221(d) written date/time when it will be available. Kindly confirm pickup location and time.

With gratitude,

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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.

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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
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Sent: Thursday, September 4, 2025 7:11 AM
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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.

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From:	Candias Webster
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Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-26 16:13:12.314389+00:00
Subject:	**RE: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	—
USB file:	RE TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_10.msg

Good morning, Kyle,
I will be out of the office for the rest of the day and all next week.

If you can let me know when you plan to come by today, I can have someone gather the documents for you. Could you let me know when you plan to stop by? Sundi, who will be covering for me leaves at 3 PM today and she will return on Monday.

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

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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]

From:	Candias Webster <cwebster@mpcity.org>
To:	Kyle Moring <[redacted]>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-26 17:36:57.490163+00:00
Subject:	**Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	—
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_13.msg

Mr. Morning,
I ask that you please keep the request separated. This is only about the 58 pages you agreed to pay and pickup today at 2 PM. I have put the address below for you and you will ask for Sundi once you arrive.

If you could respond to the email, you're requesting clarification on that would be much appreciated.

501 North Madison

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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To: Candias Webster <cwebster@mpcity.org>
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Subject: Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

I will arrive at 2:00 p.m. to pick up the 58 pages. Please let me know the exact location where I can pick up the records. This email also restates the items from my September 25 communication that remain unanswered and outlines my public interest fee waiver request.

Public-interest fee-waiver request (Tex. Gov't Code § 552.267)

I request a waiver or reduction of copy charges because the release of these records will primarily benefit the general public (non-commercial):

- **Retail Food Safety/DSHS Oversight:** The records relate to an ongoing retail food safety matter and materials I have provided to DSHS as part of oversight/enforcement substantiation. I intend to share the results publicly (community groups, media, and DSHS), not for commercial gain.
- **Inspector competency & program integrity:** The public has a strong interest in whether City inspection staff are properly qualified and trained (e.g., FDA Program Standard 2/RS-SIT pathways), whether sign-offs were appropriate, and whether the City maintains adequate SOPs/policies.
- **Fiscal transparency:** Records concerning permit fees and valuations directly affect tax revenues, budget decisions, and employee compensation (e.g., COLA/benefits). Public access informs taxpayers' understanding of the City's rate-setting and budget priorities.

Accordingly, a § 552.267 fee waiver (or substantial reduction) is warranted. For clarity: my use is non-commercial; the primary beneficiaries are residents and City employees.

Cost posture & inspection (law, in brief)

Paper inspection: A governmental body may not impose a charge to make records available for inspection; only narrow, enumerated labor charges apply in limited scenarios *(Tex. Gov't Code § 552.271(a), (c)–(d)).*

- **Electronic inspection:** "In response to a request to inspect information that exists in an electronic medium… a charge may not be imposed for access… unless complying requires programming or manipulation of data," in which case the City must first issue the written statement required by § 552.231 *(Tex. Gov't Code § 552.272(a); § 552.231).*

  Texas PIA Handbook: "§ 552.272 allows labor charges only when access to electronic information requires programming and/or manipulation of data. No other charges are allowed. Printing electronic records is neither programming nor manipulation. Overhead is not allowed on requests to inspect electronic records."

Outstanding statutory items (please answer today)

1. **Withdraw pay-to-inspect (or justify):** Please withdraw the pay-to-inspect demand in your September 25, 2025email ("Once we receive your payment, we can set up a time for you to review"), **or** provide the § 552.231programming/manipulation statement if you contend it applies *(Tex. Gov't Code §§ 552.271, 552.272, 552.231).*

2. **Correct, itemized estimate for any copies (if I elect additional copies):** Apply 1 TAC § 70.3 (e.g., $0.10/page, labor only when permitted, overhead = 20% of labor only) and issue a § 552.2615-compliant estimate when > $40.

3. **Electronic export claim:** If the City's system truly cannot export, please provide vendor/IT documentation or a custodian statement (including the system name/version and available export functions/settings) so we can determine whether § 552.228 electronic production or § 552.231 applies.

4. **Date-certain certification:** For any items not promptly available, provide the § 552.221(d) written certification stating the date and hour they will be available.

5. **§ 552.267 decision:** Please issue a written public-interest determination granting the waiver (or reduction). If denied, state the specific reasons and provide a revised, compliant estimate reflecting no-cost inspection where applicable.

Please acknowledge that this is not a new request. I will pick up the 58 pages at 2:00 p.m. today and remain available for rolling production.

If these statutory items remain unresolved, I will supplement my OAG Open Government Hotline complaint and seek local enforcement under § 552.3215.

With gratitude,

Kyle Moring

(972)[redacted] | [redacted]

On Sep 26, 2025, at 11:13 AM, Candias Webster <cwebster@mpcity.org> wrote:

Good morning, Kyle,
I will be out of the office for the rest of the day and all next week.

If you can let me know when you plan to come by today, I can have someone gather the documents for you. Could you let me know when you plan to stop by? Sundi, who will be covering for me leaves at 3 PM today and she will return on Monday.

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Sent: Thursday, September 25, 2025 2:46 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,

I plan on stopping by to pick up the 58 pages responsive to my PIA request today before end of day tomorrow. Please have them ready; I'll pay at pickup. If any portion is not ready, please provide a §552.221(d) written date/time when it will be available. Kindly confirm pickup location and time.

With gratitude,

Kyle Moring
[redacted]

On Sep 19, 2025, at 8:13 AM, Kyle Moring <[redacted]> wrote:

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
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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.

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To:	Candias Webster <cwebster@mpcity.org>
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Date:	2025-09-26 18:02:32+00:00
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Attachments:	—
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_1.msg

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Thank you for the pickup details.

Before I leave, please email the total due today and an itemized charge calculated under the Attorney General's cost rules:

- **Standard paper copies:** $0.10 per page (1 TAC § 70.3).
- **Labor/overhead:** Chargeable only when permitted; overhead = 20% of labor only (1 TAC § 70.3).
- **Estimates:** If the amount would exceed $40, a § 552.2615 itemized estimate is required before work; deposits under § 552.263 apply to copies only after a compliant estimate.

Given 58 pages, and absent any authorized labor, the total should be $5.80. If you intend to assess labor or overhead, please identify the legal basis and provide the task/minutes used to compute it.

Per your request to keep threads separate, this email addresses only the 58 pages for pickup. I look forward to a written response on my July 31, 2025 records request thread.

With gratitude,

Kyle Moring

[redacted] | [redacted]

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> **Subject:** Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment

Inspections (Wal-Mart Bakery, Deli, Grocery)

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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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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]

From:	Candias Webster <cwebster@mpcity.org>
To:	Kyle Moring <[redacted]>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-26 18:06:23.395841+00:00
Subject:	**Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	Cost Estimate 09-04-2025.pdf
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_11.msg

Mr. Moring,
I have attached the estimate again for you.

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: Friday, September 26, 2025 1:02:52 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 pickup details.

Before I leave, please email the total due today and an itemized charge calculated under the Attorney General's cost rules:

- **Standard paper copies:** $0.10 per page (1 TAC § 70.3).
- **Labor/overhead:** Chargeable only when permitted; overhead = 20% of labor only (1 TAC § 70.3).
- **Estimates:** If the amount would exceed $40, a § 552.2615 itemized estimate is required before work; deposits under § 552.263 apply to copies only after a compliant estimate.

Given 58 pages, and absent any authorized labor, the total should be $5.80. If you intend to assess labor or overhead, please identify the legal basis and provide the task/minutes used to compute it.

Per your request to keep threads separate, this email addresses only the 58 pages for pickup. I look forward to a written response on my July 31, 2025 records request thread.

With gratitude,

Kyle Moring

[redacted] | [redacted]

> On Sep 26, 2025, at 12:36 PM, Candias Webster <cwebster@mpcity.org> wrote:
>
> Mr. Morning,
> I ask that you please keep the request separated. This is only about the 58 pages you agreed to pay and pickup today at 2 PM. I have put the address below for you and you will ask for Sundi once you arrive.

If you could respond to the email, you're requesting clarification on that would be much appreciated.

501 North Madison

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: Friday, September 26, 2025 12:11:07 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,

I will arrive at 2:00 p.m. to pick up the 58 pages. Please let me know the exact location where I can pick up the records. This email also restates the items from my September 25 communication that remain unanswered and outlines my public interest fee waiver request.

Public-interest fee-waiver request (Tex. Gov't Code § 552.267)

I request a waiver or reduction of copy charges because the release of these records will primarily benefit the general public (non-commercial):

- **Retail Food Safety/DSHS Oversight:** The records relate to an ongoing retail food safety matter and materials I have provided to DSHS as part of oversight/enforcement substantiation. I intend to share the results publicly (community groups, media, and DSHS), not for commercial gain.
- **Inspector competency & program integrity:** The public has a strong interest in whether City inspection staff are properly qualified and trained (e.g., FDA Program Standard 2/RS-SIT pathways), whether sign-offs were appropriate, and whether the City maintains adequate SOPs/policies.
- **Fiscal transparency:** Records concerning permit fees and valuations directly affect tax revenues, budget decisions, and employee compensation (e.g., COLA/benefits). Public access informs taxpayers' understanding of the City's rate-setting and budget priorities.

Accordingly, a § 552.267 fee waiver (or substantial reduction) is warranted. For clarity: my use is non-commercial; the primary beneficiaries are residents and City employees.

Cost posture & inspection (law, in brief)

Paper inspection: A governmental body may not impose a charge to make records available for inspection; only narrow, enumerated labor charges apply in limited scenarios *(Tex. Gov't Code § 552.271(a), (c)–(d)).*

- **Electronic inspection:** "In response to a request to inspect information that exists in an electronic medium... a charge may not be imposed for access... unless complying requires programming or manipulation of data," in which case the City must first issue the written statement required by § 552.231 *(Tex. Gov't Code § 552.272(a); § 552.231).*

  Texas PIA Handbook: "§ 552.272 allows labor charges only when access to electronic information requires programming and/or manipulation of data. No other charges are allowed. Printing electronic records is neither programming nor manipulation. Overhead is not allowed on requests to inspect electronic records."

Outstanding statutory items (please answer today)

1. **Withdraw pay-to-inspect (or justify):** Please withdraw the pay-to-inspect demand in your September 25, 2025email ("Once we receive your payment, we can set up a time for you to review"), **or** provide the § 552.231programming/manipulation statement if you contend it applies *(Tex. Gov't Code §§ 552.271, 552.272, 552.231).*

2. **Correct, itemized estimate for any copies (if I elect additional copies):** Apply 1 TAC § 70.3 (e.g., $0.10/page, labor only when permitted, overhead = 20% of labor only) and issue a § 552.2615-compliant estimate when > $40.

3. **Electronic export claim:** If the City's system truly cannot export, please provide vendor/IT documentation or a custodian statement (including the system name/version and available export functions/settings) so we can determine whether § 552.228 electronic production or § 552.231 applies.

4. **Date-certain certification:** For any items not promptly available, provide the § 552.221(d) written certification stating the date and hour they will be available.

5. **§ 552.267 decision:** Please issue a written public-interest determination granting the waiver (or reduction). If denied, state the specific reasons and provide a revised, compliant estimate reflecting no-cost inspection where applicable.

Please acknowledge that this is not a new request. I will pick up the 58 pages at 2:00 p.m. today and remain available for rolling production.

If these statutory items remain unresolved, I will supplement my OAG Open Government Hotline complaint and seek local enforcement under § 552.3215.

With gratitude,

Kyle Moring

(972)[redacted] | [redacted]

On Sep 26, 2025, at 11:13 AM, Candias Webster <cwebster@mpcity.org> wrote:

Good morning, Kyle,
I will be out of the office for the rest of the day and all next week.

If you can let me know when you plan to come by today, I can have someone gather the documents for you. Could you let me know when you plan to stop by? Sundi, who will be covering for me leaves at 3 PM today and she will return on Monday.

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 25, 2025 2:46 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,

I plan on stopping by to pick up the 58 pages responsive to my PIA request today before end of day tomorrow. Please have them ready; I'll pay at pickup. If any portion is not ready, please provide a §552.221(d) written date/time when it will be available. Kindly confirm pickup location

and time.

With gratitude,

Kyle Moring
[redacted]

On Sep 19, 2025, at 8:13 AM, Kyle Moring <[redacted]> wrote:

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]

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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
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(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.)

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[redacted]

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City of Mt. Pleasant
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    - 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).
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    - 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.
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    - 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,
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5. Corrective action or enforcement steps, and
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- If estimated charges will exceed $40, please provide an itemized written estimate before proceeding.
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- I consent to rolling production as records become available.

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

1. One addressing Juan Ramirez (designation, credentials, training, inspections, correspondence).
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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]

City of MOUNT PLEASANT

September 18, 2025

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd September 4, 2025)

Dear Mr. Moring,

The City of Mount Pleasant, Texas (the "City") received a public information request from you on September 4, 2025, for "Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)." The City anticipates more than 50 pages of documents will be identified as being responsive to your request, and therefore the City is entitled to reimbursement for costs associated with materials, labor and overhead that will be incurred by the City in processing your request. Charges for providing copies of information responsive to your request will not be waived because the City has not determined that providing copies of responsive information will primarily benefit the general public.

The City has determined that fulfilling your request will result in the imposition of a charge that exceeds $40.00 for recovery of costs incurred by the City in order to process your request. Therefore, the City is providing you with an itemized cost estimate as required by §552.2615 of the Texas Government Code. If the City later determines, before making any copies of responsive information available to you, that actual charges for providing copies of responsive information will exceed the estimated amount stated herein by 20% or more, the City will provide you with an updated estimate of charges. Furthermore, please be advised that the City has identified certain responsive information that may be excepted from required public disclosure under the TPIA and which may be withheld following a decision on the matter by the Attorney General.

Itemized Statement of Estimated Charges:

Description	**Qty x Price**	**Total**
Copies	58 x $0.10	$5.80
Personnel Time ($15/hour)	3 hours x $15.00	$45.00
Overhead charges (20% of labor cost)	20% of $45.00	$9.00
Total cost		**$59.80**

An alternative, less costly method of viewing the records is available, and you may contact me regarding the alternative method. Your request will be considered automatically withdrawn if you do not respond in writing to this itemized cost estimate in the time and manner required by §552.2615 of the TPIA, and you may respond in writing to this itemized cost estimate by email to the City Secretary

at cwebster@mpcity.org. *See* §552.2615(a)(2) and (a)(3), Tex. Gov't Code. In accordance with §552.2615(b) of the TPIA, **your request will be considered to have been withdrawn** by you if you do not inform the City in writing within ten business days from the date this letter was sent to you:

(a) accept the charges;
(b) wish to modify your request; OR
(c) have sent to the Texas Attorney General a complaint alleging that you have been overcharged for being provided with a copy of the requested information.

Because the total estimated charges exceed $100.00, if you elect to accept the estimated charges, the City requires that you post a bond with the City, for payment of the anticipated costs for the preparation of copies of responsive information, in an amount equal to the entire estimated amount, which is **$59.80** for this request. The remainder of the actual, total cost incurred by the City must be paid in full before the responsive information will be made available to you. *See* §552.263, Tex. Gov't Code. Upon informing the City that you accept the estimated charges, should you choose to do so, please contact me by email to coordinate posting of the required bond. If you fail to post the required bond before the 10th business day after the date the bond is required, which is the date on which you inform the City that you accept the estimated charges, your request will be considered to have been withdrawn by you. *See id*, at §552.263(f).

Please contact me if you have any questions regarding this matter. If you have any questions regarding the TPIA process generally, please consult with the Open Records Division of the Office of the Attorney General of Texas.

Sincerely,
/s/ Candias Webster
Candias Webster
City Secretary
City of Mount Pleasant, Texas

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-26 18:22:38+00:00
Subject:	**Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	Cost Estimate 09-04-2025.pdf
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_14.msg

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

I have already received your September 18, 2025 cost estimate for 58 paper pages, totaling $59.80. Please reissue a compliant estimate/invoice today for the 58 pages only. Two problems:

1. **Labor not itemized:** The estimate lists “3 hours” of labor with no task-level detail. A § 552.2615/1 TAC-compliant itemized statement must detail all estimated charges, including labor, and state whether a less-costly or no-cost access method is available. Please itemize labor by task and minutes (e.g., locate, compile, redact, reproduce), apply the $15/hour rate, and calculate overhead as 20% of the labor cost only. Also, confirm that no attorney/legal-assistant review time is included, as such time is not chargeable. *(Tex. Gov’t Code § 552.2615; 1 TAC § 70.7(a)(1)–(3); 1 TAC § 70.3(d)(1)–(3)).*
2. **Deposit demand is unlawful on these numbers:** Your letter states, “Because the total estimated charges exceed $100.00 … the City requires that you post a bond equal to $59.80.” The estimate does not exceed $100, so a deposit is not permitted for a governmental body with 16+ FTEs. (Even for bodies with <16 FTEs, deposits are tied to ≥ $50 estimated charges under 1 TAC § 70.7(d), but your letter expressly relies on an “exceeds $100” rationale, which is incorrect.) Please withdraw the deposit/bond requirement. *(1 TAC § 70.7(d); Tex. Gov’t Code § 552.263).*

For clarity, this thread concerns **only** the **58 paper pages**. Please email **today**:

- A corrected, itemized estimate/invoice showing: 58 × $0.10 = $5.80 (1 TAC § 70.3), any lawful labor itemized by task/minutes (no attorney review), and overhead = 20% of labor only; and
- Written confirmation that no deposit is required on a $59.80 estimate.

If the City wishes to rely on the “less-costly/no-cost” access statement referenced in your estimate, please identify the specific method (e.g., on-site inspection) as required by 1 TAC § 70.7(a)(2).

Absent a compliant estimate, I will pay **$5.80** at pickup for the **58 pages** when I pick them up today, and I will file a Cost Rules complaint with the Attorney General’s Open Government Cost Rules unit regarding the non-itemized labor and improper deposit. *(1 TAC § 70.8).*

With gratitude,

Kyle Moring

(972)[redacted] | [redacted]

> On Sep 26, 2025, at 1:06 PM, Candias Webster <cwebster@mpcity.org> wrote:
>
> Mr. Moring,
> I have attached the estimate again for you.
>
> **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**
>
> **ATTENTION OFFICIALS**: A "Reply to All" on this e-mail or reply or forward to one other official could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.
>
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From: Kyle Moring <[redacted]>

Sent: Friday, September 26, 2025 1:02:52 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 pickup details.

Before I leave, please email the total due today and an itemized charge calculated under the Attorney General's cost rules:

- **Standard paper copies:** $0.10 per page (1 TAC § 70.3).
- **Labor/overhead:** Chargeable only when permitted; overhead = 20% of labor only (1 TAC § 70.3).
- **Estimates:** If the amount would exceed $40, a § 552.2615 itemized estimate is required before work; deposits under § 552.263 apply to copies only after a compliant estimate.

Given 58 pages, and absent any authorized labor, the total should be $5.80. If you intend to assess labor or overhead, please identify the legal basis and provide the task/minutes used to compute it.

Per your request to keep threads separate, this email addresses only the 58 pages for pickup. I look forward to a written response on my July 31, 2025 records request thread.

With gratitude,

Kyle Moring

[redacted] | [redacted]

> On Sep 26, 2025, at 12:36 PM, Candias Webster <cwebster@mpcity.org> wrote:
>
> Mr. Morning,
> I ask that you please keep the request separated. This is only about the 58 pages you agreed to pay and pickup today at 2 PM. I have put the address below for you and you will ask for Sundi once you arrive.
>
> If you could respond to the email, you're requesting clarification on that would be much appreciated.
>
> 501 North Madison
>
> **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:** Friday, September 26, 2025 12:11:07 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,

I will arrive at 2:00 p.m. to pick up the 58 pages. Please let me know the exact location where I can pick up the records. This email also restates the items from my September 25 communication that remain unanswered and outlines my public interest fee waiver request.

Public-interest fee-waiver request (Tex. Gov't Code § 552.267)

I request a waiver or reduction of copy charges because the release of these records will primarily benefit the general public (non-commercial):

- **Retail Food Safety/DSHS Oversight:** The records relate to an ongoing retail food safety matter and materials I have provided to DSHS as part of oversight/enforcement substantiation. I intend to share the results publicly (community groups, media, and DSHS), not for commercial gain.
- **Inspector competency & program integrity:** The public has a strong interest in whether City inspection staff are properly qualified and trained (e.g., FDA Program Standard 2/RS-SIT pathways), whether sign-offs were appropriate, and whether the City maintains adequate SOPs/policies.
- **Fiscal transparency:** Records concerning permit fees and valuations directly affect tax revenues, budget decisions, and employee compensation (e.g., COLA/benefits). Public access informs taxpayers' understanding of the City's rate-setting and budget priorities.

Accordingly, a § 552.267 fee waiver (or substantial reduction) is warranted. For clarity: my use is non-commercial; the primary beneficiaries are residents and City employees.

Cost posture & inspection (law, in brief)

Paper inspection: A governmental body may not impose a charge to make records available for inspection; only narrow, enumerated labor charges apply in limited scenarios *(Tex. Gov't Code § 552.271(a), (c)–(d)).*

- **Electronic inspection:** "In response to a request to inspect information that exists in an electronic medium… a charge may not be imposed for access… unless complying requires programming or manipulation of data," in which case the City must first issue the written statement required by § 552.231 *(Tex. Gov't Code § 552.272(a); § 552.231).*

  Texas PIA Handbook: "§ 552.272 allows labor charges only when access to electronic information requires programming and/or manipulation of data. No other charges are allowed. Printing electronic records is neither programming nor manipulation. Overhead is not allowed on requests to inspect electronic records."

Outstanding statutory items (please answer today)

1. **Withdraw pay-to-inspect (or justify):** Please withdraw the pay-to-inspect demand in your September 25, 2025email ("Once we receive your payment, we can set up a time for you to review"), **or** provide the § 552.231programming/manipulation statement if you contend it applies *(Tex. Gov't Code §§ 552.271, 552.272, 552.231).*

2. **Correct, itemized estimate for any copies (if I elect additional copies):** Apply 1 TAC § 70.3 (e.g., $0.10/page, labor only when permitted, overhead = 20% of labor only) and issue a § 552.2615-compliant estimate when > $40.

3. **Electronic export claim:** If the City's system truly cannot export, please provide vendor/IT documentation or a custodian statement (including the system name/version and available export functions/settings) so we can determine whether § 552.228 electronic production or § 552.231 applies.

4. **Date-certain certification:** For any items not promptly available, provide the § 552.221(d) written certification stating the date and hour they will be available.

5. **§ 552.267 decision:** Please issue a written public-interest determination granting the waiver (or reduction). If denied, state the specific reasons and provide a revised, compliant estimate reflecting no-cost inspection where applicable.

Please acknowledge that this is not a new request. I will pick up the 58 pages at 2:00 p.m. today and remain available for rolling production.

If these statutory items remain unresolved, I will supplement my OAG Open Government Hotline complaint and seek local enforcement under § 552.3215.

With gratitude,

Kyle Moring

(972)[redacted] | [redacted]

On Sep 26, 2025, at 11:13 AM, Candias Webster <cwebster@mpcity.org> wrote:

Good morning, Kyle,
I will be out of the office for the rest of the day and all next week.

If you can let me know when you plan to come by today, I can have someone gather the documents for you. Could you let me know when you plan to stop by? Sundi, who will be covering for me leaves at 3 PM today and she will return on Monday.

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

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

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From: Kyle Moring <[redacted]>
Sent: Thursday, September 25, 2025 2:46 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,

I plan on stopping by to pick up the 58 pages responsive to my PIA request today before end of day tomorrow. Please have them ready; I'll pay at pickup. If any portion is not ready, please provide a §552.221(d) written date/time when it will be available. Kindly confirm pickup location and time.

With gratitude,

Kyle Moring
[redacted]

> On Sep 19, 2025, at 8:13 AM, Kyle Moring <[redacted]> wrote:
>
> 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]

City of MOUNT PLEASANT

September 18, 2025

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd September 4, 2025)

Dear Mr. Moring,

The City of Mount Pleasant, Texas (the "City") received a public information request from you on September 4, 2025, for "Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)." The City anticipates more than 50 pages of documents will be identified as being responsive to your request, and therefore the City is entitled to reimbursement for costs associated with materials, labor and overhead that will be incurred by the City in processing your request. Charges for providing copies of information responsive to your request will not be waived because the City has not determined that providing copies of responsive information will primarily benefit the general public.

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An alternative, less costly method of viewing the records is available, and you may contact me regarding the alternative method. Your request will be considered automatically withdrawn if you do not respond in writing to this itemized cost estimate in the time and manner required by §552.2615 of the TPIA, and you may respond in writing to this itemized cost estimate by email to the City Secretary

at cwebster@mpcity.org. *See* §552.2615(a)(2) and (a)(3), Tex. Gov't Code. In accordance with §552.2615(b) of the TPIA, **your request will be considered to have been withdrawn** by you if you do not inform the City in writing within ten business days from the date this letter was sent to you:

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(b) wish to modify your request; OR
(c) have sent to the Texas Attorney General a complaint alleging that you have been overcharged for being provided with a copy of the requested information.

Because the total estimated charges exceed $100.00, if you elect to accept the estimated charges, the City requires that you post a bond with the City, for payment of the anticipated costs for the preparation of copies of responsive information, in an amount equal to the entire estimated amount, which is **$59.80** for this request. The remainder of the actual, total cost incurred by the City must be paid in full before the responsive information will be made available to you. *See* §552.263, Tex. Gov't Code. Upon informing the City that you accept the estimated charges, should you choose to do so, please contact me by email to coordinate posting of the required bond. If you fail to post the required bond before the 10th business day after the date the bond is required, which is the date on which you inform the City that you accept the estimated charges, your request will be considered to have been withdrawn by you. *See id*, at §552.263(f).

Please contact me if you have any questions regarding this matter. If you have any questions regarding the TPIA process generally, please consult with the Open Records Division of the Office of the Attorney General of Texas.

Sincerely,
/s/ Candias Webster
Candias Webster
City Secretary
City of Mount Pleasant, Texas

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Austin Beck <abeck@dtrglaw.com>
Date:	2025-09-26 22:52:11+00:00
Subject:	**Re: TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)**
Attachments:	CODE ENFORCEMENT SOP.docx, Email from Juan o Walmart.pdf
USB file:	Re TPIA Request — Inspector Authority, Training, and SOPs for Retail Food Establishment Inspections (Wal-Mart Bakery, Deli, Grocery)_6.msg

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Please process this under my existing PIA (this is not a new request). I am requesting HR-maintained and related City records regarding Juan Ramirez that bear on qualifications, supervision, authority to inspect/sign, role history, and training as they pertain to retail-food inspections.

A. Licenses & Verifications

1. Copies of all licenses/certificates on file (TDLR RS/SIT, CEO/CEO-IT, any FDA/DSHS Standard 2, ServSafe/CFPM/HACCP).
2. Hire-time and periodic license verifications (date-stamped TDLR lookups; HR verification memos/emails).
3. For any “Sanitarian-in-Training” claim in the job application, HR’s verification result, and any follow-up/correction.

B. Supervision

4. Supervisor-of-record documentation for any CEO-IT period (supervisor name/title/license; effective dates; supervision/training plan).
5. Any delegation of duties and working-title memos (e.g., “Health Inspector”), with date ranges and issuing authority.

C. Authority to Inspect & Sign (Retail Food)

6. Written delegation/authorization (City Manager/Health Authority/Department Director) identifying employees authorized to conduct and sign retail-food inspections in 2024–2025 (please indicate whether Mr. Ramirez is included; list effective dates).
7. Job descriptions and minimum qualification screens for Code Compliance Officer I, Pretreatment Operator, and any Health Inspector classification.

D. Employment History

8. All Personnel Action Forms and reclass/pay-grade change documents from hire to present (including 10/01/2024).
9. Organization charts showing Mr. Ramirez’s reporting chain for 2023–2025.

E. Training & Competency

10. Onboarding/training checklists, field-training/ride-along logs, and probationary reviews relevant to retail-food work.
11. Continuing-education (CEU) logs with course names/providers/dates.
12. Any performance reviews/counseling that reference retail food inspections or use of the “Health Inspector” title.

F. Assignment & Time Records

13. Time sheets/assignment logs (Jan–Aug 2025) sufficient to show assignments on 1/30/2025, 7/09/2025, and 8/20/2025 (Walmart Store #131).
14. Any call-out/after-hours approvals or direction to inspect Walmart #131.

G. Policy Confirmations

15. Any HR/department policy specifying required credentials for retail-food inspections, and whether Mr. Ramirez met those requirements on each inspection date.
16. If the City has no written retail food SOPs, please confirm that in writing and identify the department custodian (or state that the City relies solely on TFER).

If you are not the custodian of any item above, please forward internally to the appropriate custodian (e.g., HR, Code Compliance/Health, City Manager) and identify who that is so everything remains under one tracking number.

I request electronic copies where available *(Tex. Gov’t Code § 552.228)*. If no responsive items exist, please provide a brief custodian statement identifying the systems searched and the date ranges.

If records cannot be produced promptly, please issue a written certification under § 552.221(d) stating the date and time when they will be available.

With gratitude,

Kyle Moring

[redacted] | [redacted]

On Sep 26, 2025, at 2:11 PM, Candias Webster <cwebster@mpcity.org> wrote:

Kyle,
Here is the link to the ordinance and the Code Enforcement SOP that you requested.
https://codelibrary.amlegal.com/codes/mtpleasanttx/latest/mtpleasant_tx/0-0-0-780#JD_96.01

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 25, 2025 2:46 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,

I plan on stopping by to pick up the 58 pages responsive to my PIA request today before end of day tomorrow. Please have them ready; I'll pay at pickup. If any portion is not ready, please provide a §552.221(d) written date/time when it will be available. Kindly confirm pickup location and time.

With gratitude,

Kyle Moring
[redacted]

On Sep 19, 2025, at 8:13 AM, Kyle Moring <[redacted]> wrote:

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]

CITY OF Mount Pleasant
Code Enforcement
SOP Manual

The mission of the Code Enforcement Department is to ensure the ordinances of the City of Mount Pleasant, as set forth by the City Council, are complied with by all citizens.

These ordinances are in place to maintain health, safety, and order, to ensure property rights and values, and to maintain the aesthetic quality of life that exists in Mount Pleasant. Code Enforcement Officers are actively enforcing city codes and ordinances by informing and educating the public of the standards set forth by their elected representatives. This is accomplished by working side by side with other departments such as Police, Fire, and, Planning & Zoning, Building & Development, Engineering, and Solid Waste, and through the cooperation of the citizens of the City of Mount Pleasant.

OBJECTIVE OF CODE ENFORCEMENT

Code Enforcement today addresses a wide range of issues which affect our environment, health, safety, property values, and general wellbeing. Community preservation and improvement are now recognized by government leaders as necessary to halt or reverse the deterioration of our surroundings.

The objective of code enforcement is to obtain voluntary compliance. Prosecuting a code violation is the least efficient way to guarantee an improved community. Therefore, *education and guidance* are the primary services by a CEO (Code Enforcement Officer). Punitive action should only be taken as a last resort, and then only with reason and restraint. The inspection and enforcement process should be focused on assisting the violator to come into compliance with the law. On many occasions, because the local regulations may be complex, violations may be unintentional as opposed to deliberate. It is in these situations where a CEO's discretion in whether or not to issue a citation will come into play. If a violation was clearly unintentional and is quickly remedied by the violator, then it may be in the best interest of all concerned to simply document the violation using the proper protocol for that violation and give the person an adequate opportunity to correct the violation and proceed on without imposing any penalty. Repeated and deliberate violations should be of more concern to a CEO and should, of course be prosecuted vigorously.

The type of code enforcement which is commonly practiced is not inexpensive, but the benefits to the community represent tax dollars well spent. Code enforcement programs achieve not only their primary goals of improved health, safety and welfare of the community, but are utilized to enhance other programs and efforts such as historic preservation, rehabilitation and revitalization.

In order to establish an efficient system of code enforcement, a CEO should operate under set guidelines for the receipt of complaints, investigation and inspection procedures, and citation issuance. Absent a formalized system for handling code enforcement, there is a possibility the system will breakdown-CEO's may not conduct their investigations in an efficient manner, complaints may go unanswered, some

individuals may be prosecuted while others go untouched, and penalties may be unevenly imposed.

The following are recommended ways of handling the enforcement process. Of course, as you begin enforcing your codes you will undoubtedly discover more practical and efficient ways of dealing with certain issues than are set out here. Therefore, you should expect to change and improve on these guidelines as you gain experience in the process.

General Conduct

The Code Compliance Department and the public expect all personnel to maintain high standards of appearance and conduct.

CEO's whether on-duty or off-duty shall follow the ordinary and reasonable rules of good conduct and behavior and shall not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to their profession or the department. CEO shall follow established procedures in carrying out their duties as code enforcement officers and/or employees of the department and shall at all times use sound judgment.

The CEO should always follow the chain of command in place. All CEO's report to the ~~Code Compliance Supervisor~~ Building Official. The CEO should speak with the ~~Code Compliance Supervisor~~ Building Official first with any case of concerns or questions relating to the department or fellow co-workers before any other actions taken. The ~~Code Compliance Supervisor~~ Building Official will address each issue to determine what action should be taken.

~~The Code Compliance Supervisor will report to the Building Official.~~

CEO shall be attentive to their duties at all times, and shall perform all duties assigned to them, even if such duties are not specifically assigned to them in any departmental rules or procedures manual.

CEO shall be truthful in all official verbal and written communications and reports. CEO will be truthful in any court related testimony or agency investigations.

CEO shall be courteous, civil and respectful of their superiors, subordinates, and associates, and shall not use threatening or insulting language.

CEO shall not interfere with cases assigned to others unless directed by a supervisor.

It will be the CEO responsibility to follow up and maintain all their cases and complaints.

CEO shall respect the rights of individuals, and shall not engage in discrimination, oppression, or favoritism. Employees shall maintain a strictly impartial attitude toward all persons with whom they come in to contact with in an official capacity.

The department maintains the right to establish oral and written orders to govern and control the efficiency, effectiveness, and safe operation of code enforcement. CEO shall be trained in the rules and expectations of professional conduct prior to assuming code enforcement duties.

Uniforms: The CEO will be dressed in a professional manner. The CEO shall wear issued uniform shirts with a city logo issued by the department. The shirt should be clean and pressed. The CEO pants should be clean and press with no tears or holes visible. Uniforms will be kept neat, clean, pressed, and in good repair always. An extreme or shabby appearance may lead to loss of confidence or hostility by the public, and erosion of the respect needed by the CEO to be effective in their work.

INITIATING ENFORCEMENT

In order to make enforcement proceedings more efficient and consistent, guidelines or procedures should be established for the resolution of complaints. This will allow CEO's, city officials, and city employees to know exactly how the process works. All interested parties will know how a complaint is initiated, who initiates it, who is responsible for what, and what the stages of the enforcement process are. In essence, everyone from the city will be operating from the same page.

Receipt of Complaints. In addition to regular inspections, the receipt of complaints will be a common method of becoming aware of code violations. In fact, once it becomes publicly known that the city will be "taking care" of dilapidated buildings, junk vehicles, and all other eyesores in the community, CEO's may become inundated with complaints. Most will be serious complaints made in good faith, while others may be nothing more than a personal vendetta against a neighbor. When complaints or requests for investigations are received, the local government should have a policy as to how to handle them. *The name of the complaining party* ***must be kept confidential*** *by city personnel. All complaints, email, or concerns will be directed correctly to each CEO assigned area. All CEO will be responsible for any issues in their assigned area unless directed by the Code Compliance Supervisor*

Complaint Priority Levels. In order to streamline the investigation process, certain response priorities should be established. Categories of violations should be created based on seriousness, number of occurrences, and time of occurrence. Obviously, if a situation arose whereby the health and safety of the general public was in danger, immediate action must be taken. It would be unwise to proceed as normal and investigate the situation in a routine manner. Additionally, if a violation has occurred, it is much easier to investigate and prosecute if action were taken as soon as practical

after the violation becomes known. Otherwise, evidence becomes stale and other duties soon take precedence.

Definitions of Conditions

- Existing. An act or condition that is presently occurring that is harmful to persons or property; completed illegal structures; evidence of blight conditions (visual blight, offensive odor, or unlawful noise); or other conditions or situations that are in violation of local ordinances.

- In-Progress. An act or condition recently initiated that is harmful to persons or properties; illegal structures during the construction phase; the initiation of blight conditions; or other in-progress violations.

- Imminent. An illegal activity which is predictably about to happen based on physical evidence or other information gathered by the CEO.

- Potential. A possibility that an illegal act will result.

Prioritization. A differentiation between "existing" and "in-progress" needs to be made. Existing violations require a response, but the priority of response may not be as urgent as an item in-progress. Items in-progress usually denotes a situation that will get worse if not corrected. Relative hardship as well as the need to minimize damages comes into play for violations in-progress.

"Imminent" and "potential" are similar in that the violation is yet to have happened, but an imminent violation would require a quicker response time because it is almost certain to occur while a potential violation may not. Additionally, "imminent' violations should be divided into two separate categories: **a) imminent, but not life threatening** and **b) imminent and life threatening.** Based on those distinctions, the CEO will be in the position to take the correct action in the timeliest fashion. For example, it may be imminent that an individual will park in a "no parking" zone, it is not imminent, however, that lives will be threatened as a result. On the other hand, if an individual is preparing to unlawfully burn his trash near a large quantity of flammable liquids, a violation is imminent and lives are threatened. In that case immediate action is needed.

CODE ENFORCEMENT

FUNDAMENTALS OF INSPECTION

In order to make the inspection process as efficient and comprehensive as possible, it is best to set out procedures to follow and to follow those procedures. Items to include are methods of detecting violations; complaint evaluation; site inspection; evidence gathering; enforcement strategy; and follow-up.

Detecting Violations. Discovering or detecting code violations may be accomplished in several ways.

- Complaints. The CEO may receive complaints from any source and should always investigate unless it can be determined from the complainant's description that no violation exists. The ability to make this determination will come with time and experience. Until that time, it would be advisable to make a cursory investigation into all complaints.
- Inspector observation. The most common way of discovering violations are through observation of the CEO on a regular area patrol or while visiting sites of other reported violations.
- Chosen. Depending upon the immediate goals of the City of Mount Pleasant, certain geographical areas are chosen from time to time to specific certain types of violations. When areas are chosen for code violations, close inspection is required by CEO's.
- Referrals. Referrals or tips from other city employees give Mount Pleasant Code Enforcement an edge by giving a greater observation reach to Code Enforcement efforts.
- Public Involvement. Like the referral system just mentioned. It builds support for the concept of code enforcement. Participation encouraged by the citizens of Mount Pleasant through public awareness.

Complaint Evaluation. Upon receipt by the CEO, complaints should be reviewed and evaluated. If referral to another agency or department is more appropriate, the complainant should be advised. If a complaint is referred to another department within the city, a written record should be kept (Case in Mygov)

noting the complaint and the referral. This will protect the CEO from allegations of neglect or selective enforcement.

Site Inspection. The CEO may observe the site conditions from outside the property and determine if a violation is visible. At that point, the CEO should attempt to make contact with the owner or occupant of the property in form of a notification. If a violation exists, a case should be opened, and violation resolution guidelines should be followed.

Evidence Gathering. CEO's should at all times have a city issued shirt with logo on in view of any citizen, with their badge ready to present upon view of citizen's request. If the reported violation is not visible from off the property, ask for permission to inspect. If a neighbor is the complaint and requests, you enter their property to view the violation, make sure to inform the responsible party of the property they must accompany you on their property during the investigation. Verbal Consent is not enough. Use of the CEO's issued portable digital recorder is recommended ~~required~~ during your investigation If any point during the investigation the responsible party request you to leave, the investigation must cease, and the CEO is required to leave the private property.

Use of the CEO's issued portable digital recorder is required when making contact with or attempting to gain voluntary consent to inspect a citizen's property or contact with. Do not force your way onto property or otherwise cause a disturbance.

After your inspection, enter narrative of your observations and findings regarding the violation or violations found on the property, and notable comments made by the owner or occupant of the property. Entry of information made as soon as practicable will improve accuracy and can be used for future reference to confirm any agreements with the violator regarding what is required to comply with the law.

In order to "reinforce" your case during an investigation of a property, you should document violations with photographs and body camera recording noted on the property. As the saying goes, "a picture is worth a thousand words". This is especially true when a case goes to prosecution in court. If you have photographs or video of the violations, you will likely win the argument when it comes down to your word against a defendant's.

Remember that neighbors are sometimes an excellent source of information when attempting to determine for example who may have dumped trash in a particular area especially in an ongoing violation situation.

Implementation of Enforcement Strategy. Communication with a citizen is the best way to achieve compliance. The goal of code enforcement is to have the citizen come into voluntary compliance with city ordinances. Work with the citizen to achieve compliance and document every contact. If the violation ends with a complaint being issued, the CEO's documentation with proof of attempt to work with

the citizen to gain compliance will give greater credibility to the case if a prosecution of the violation should occur.

Follow-Up. In the same way that documenting each follow-up strengthens your case, failure to follow-up weakens it. Follow-up should be done on a regular basis and documented for potential prosecution.

Warning Citation. Issuing a warning citation will often lead to compliance by the violator when a deadline for compliance is given. A warning citation often applies enough pressure without penalty to bring the desired compliance.

Issuing A Citation. When a case leads to the need for a citation to be issued, **the supervisor must be notified**. All citations require supervisor approval prior to filing with Municipal Court. The CEO should make a photocopy of the citation for the case file. ***NOTE***: *When a summons is being issued a photo documenting the continuing violation should be taken at the time of the final re-inspection.*

The following process must be used on all court summons issued by Code Enforcement.

1) **CODE ENFORCEMENT CASES**.

Code Enforcement Officers must verbally explain the Complaint Summons Form and State the following:

This Is Not a Plea of Guilt, just a promise to contact Municipal court. You will have 10 Business Days to do so. Official Summons will be sent by Court.

This is not a plea of guilt, but I hereby acknowledge receipt of the above notification and I will appear as directed above. I am the person named and identified in this summons.

Complaint Form. When forwarding a complaint form to the Mount Pleasant Municipal Court, a completed copy of the entire case including water record, appraisal district, property history, documented evidence is required to accompany it. There should be photos of the violations on the day the case started up till the day the violation was filed on. The evidence needs to be submitted with the court complaint.

Day Before Court. The CEO should go back to the location of the violation to take pictures of the violation if the violation still exists. The judge or prosecutor will likely require that information. Having photographs of the still existing violation is stronger evidence than verbal testimony alone. If the violation no longer exists, then compliance has been achieved and that is important to your testimony as well.

Reminder: Code Enforcement personnel must keep the names of persons reporting code violations confidential.

Day of Court: The CEO will be dressed in a professional manner. The CEO shall wear only issued uniform shirts with a city logo. The shirt should be clean and pressed. The CEO trousers should be clean and press with no tears or holes visible. Uniforms will be kept neat, clean, pressed, and in good repair at all times. The CEO will have a file and all necessary paperwork ready to be presented the court.

When upon inspection of a complaint the Code Enforcement Officer finds that the complaint is founded, the officer doing the inspection becomes the complainant in the matter. Any subsequent summons and complaints filed with the Municipal Court will be filed on behalf of the City of Mount Pleasant/State of Texas by the investigating officer.

UPLOADING PHOTOS OF CODE VIOLATIONS

Photos taken during the workday shall be uploaded on the day in which they are taken.

Photos will be uploaded in the following manner:

1. Create a folder for the year, for example 2015, 2016, etc.
2. Create within the year folder a separate file folder for each month of the year.
3. Photos will be attached to the case file.
4. When uploading the photos, open the applicable month folder and open a new folder for the applicable date. Example: 2015-02-05 and copy the photos in the folder for that day.

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DOOR HANGERS

It has been proven that the use of door hangers is very cost effective in gaining compliance for various Code Violations. At your discretion you are encouraged to use a door hanger prior to sending a certified letter.

DOOR HANGERS (cont.)

The procedure for the use of door hangers is to open the case and place the date, time, and the owner or occupants name and address on the door hanger. Check the violation box and place your name legibly at the bottom.

Make sure to add the action "**Door Hanger**" as well as schedule a re-inspection within 13th days.

~~After the re-inspection if the violation has not been corrected then a letter to the owner of the property will need to be sent requiring that the violation be corrected. Follow the progression outlined in the SOP for abatement~~.

HIGH WEEDS, GRASS, Unsightly Vegetation and all other violations

Subject:

High weeds, grass, growth over curb, accumulations of trash, junk, debris, open storage, zoning, etc.

Offense:
Inspection reveals the presence of:

High weeds, grass, and other accumulations of uncultivated / unsightly vegetation over 12 inches, and/or the presence of rubbish including newspapers, refrigerators, stoves, furniture, tires, cans, appliances, trash garbage, refuse, junk, or debris on the property. The presence of fallen tree limbs and branches on the property also constitutes trash / rubbish.

Growth Over the Curb

Grass / unsightly vegetation growing over the concrete curbing in an unsightly manner.

Procedures:

1. Identify the owner/occupant of property, prior cases, permits, work orders, water records, etc. by use of GIS (Titus County Appraisal District Website).
2. Notify the property owner and/or the occupant thru USPS mail (Regular / Certified)
3. If the property is a residence and no one is at home, CEO may choose to leave a door hanger describing the violation and request a call from the occupant of the residence. If you know a responsible party for the property. You may contact them by phone, email, or personal visit. A case must be added to Mygov. It must also be documented by using departmental issued equipment. (Body Camera, Digital Cameras, Audio Recording Devices, or City Issued Email) . (ALWAYS TAKE A PHOTO OF THE VIOLATION ON THE DAY OF INSPECTION AND A PHOTO WITH THE DOOR HANGING TAG PLACED IN NOTICEBLE AREA NEAR THE ENTRANCE.)
4. Post a ten (10) day placard/notice on the property to abate. If an annual letter exists, post a no day notice to abate the violation.
5. Take a photograph of the placard/notice and take a photograph of the violation. In the case of high vegetation, use of the 12-inch mark device is required in the photographic documentation.

6. Enter all information into Mygov if one does not exist.
7. At the officer's discretion, if an annual letter exists, the violation may be forwarded to contractor for abatement.
8. (ALWAYS TAKE A PHOTO OF THE VIOLATION ON THE DAY OF INSPECTION & ATTACH TO THE CASE) (A PHOTO OF THE NOTIFCATION IS REQUIRED ALSO)
9. If you know a responsible party for the property. You may contact them by phone, email, or personal visit. A case must be added to Mygov. It must also be documented by using departmental issued equipment. (Body Camera, Digital Cameras, Audio Recording Devices, or City Issued Email)
10. Place the case file in the follow-up file for pending check-back.
11. Re-inspect after 12 full days. Follow up on the 13th day.
12. Do your re-inspection and record re-inspection findings in Mygov. Follow-up as needed for abatement, citation or the case is closed out.
13. If a complaint is being issued, take a photograph on the day of re-inspection. (Time Stamp Photo's Required. 1st Photo up till date of complaint filed.
14. If the CEO receives any kind of complaint. A case must be open in Mygov.The CEO will follow up and determine if a violation exist. The CEO must document the complaint by adding it in the notes. WHO, WHAT, WHEN, WHERE, WHY, HOW? If no violation exists close the case out as no further action required.

Abatement by City

If a case is turned over to Contractor for abatement, the following steps are required.

1. Make a copy of the aerial photography of the address on GIS.
2. Turn information in for a work order to be turned over to for abatement. Include the case number, and property owner in the work order request and a brief description of the work requested. Also list how many hours of work for each item.
3. Follow all steps through on Mygov as needed or required.

   NOTE: A picture of the violation with the stake / measuring device must be taken and attached of the same date the violation is assigned to the contractor.

4. Close case as Force Compliance (FC) after all steps of Mygov are completed and documentation / picture of the abated violation has been taken and attached to the case.

Public Notice / Staked Property

1. The CEO will completely fill out the Notice of Violation Card with the most current owner information available.

~~2. The CEO will have another CEO accompany them when staking a public notice on the property for officer safety.~~

3. The CEO will involve Law Enforcement Officers if needed. The CEO will contact the Police Department Dispatch, identified themselves as city employees and request LEO if needed.
4. The CEO will remain in the vehicle if dealing with a dangerous / vicious pet-animal. The CEO will contact dispatch and request an Animal Control Officer if needed.
5. ***If the CEO is approached by the property owner and they appear agitated. The needs to remain calm and attempt to explain their action and violation. The CEO should attempt to de-escalate the situation as much as possible. At anytime the CEO is unsure or fears for their safety they need to retreat to safety and leave the area. The ~~Code Compliance Supervisor~~ Building Official should be notified. The CEO should never create or contribute to unsafe actions / situation. The CEO safety is to remain highest priority. In all cases there are other forms of notification for the violations***.

JUNK VEHICLES

Junked vehicle or vehicle part means a motor vehicle, aircraft, or watercraft that is self-propelled and:

1. displays an expired license plate or does not display a license plate; or
2. an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under the Federal Aviation Administration aircraft

regulations in 14 CFR Part 47; or

3. a watercraft that does not have lawfully on board an unexpired certificate of number; and is not a watercraft described by Section 31.055, Texas Parks and Wildlife Code;

and that

a. is wrecked, dismantled, partially dismantled, or discarded; or

b. is inoperable and has remained inoperable for more than seventy-two (72) consecutive hours if the vehicle is on public property or

c. is inoperable and has remained inoperable for more than thirty (30) consecutive days if the vehicle is on private property.

Procedures:

Inspection(s)

1. Determine if vehicle meets JMV criteria.
2. Someone on active military duty is exempt.
3. Start documentation of all necessary information for file.

    a. Type, color and make of vehicle, license place and/or VIN number. (Remember to check front and rear plate to make sure they match if allowable by law for CEO, if not have a police officer from the police department accompany you and obtain required information needed to process the case.)
4. Complete and place JV notification sticker above registration and inspection sticker and place door hanger, if possible, at the front door of the residence.
5. Take photograph of city sticker with registration and inspection sticker.
6. Take photograph of license plate.
7. Take photograph of vehicle making sure to get entire vehicle in the photograph.
8. If the vehicle is wrecked, dismantled, partially dismantled, or discarded and has no registration or inspection stickers have a Law Enforcement Office retrieve VIN# information (Vehicle Information) if possible. If no LEO is available or no other options are available work the vehicle as Trash / Rubbish or Property Maintenance. Whichever category best fits the description for the violation should determine how the violations is worked or abated. Remember the goal is abatement. The CEO will have to justify the reasoning behind what category they those chose if question.
9. Complete all paperwork and enter all information into Mygov
10. Send *certified* JV letters to owner of property, registered owner of vehicle, occupant of property, and lien holder of vehicle. (send letters even if contact is made)
11. Place JV folder or paperwork in check-back file.
12. Re-inspect in 30 calendar days unless letters were sent immediately due to description in step 8. If letters are sent immediately, due to a dismantled vehicle, follow **Notification** steps 3-5.
13. If the vehicle only has an expired registration and flat tires. Open a case in Mygov. Document the vehicle with a time stamp photograph. Attached photograph to Mygov case. Re visit case 31 days later to check vehicle status. If no change proceeds with JV case.
14. For any reason, the city or vehicle owner are unable to abate the violation. A court complaint will be filed in the appropriate court system against the listed property owner(s) on file with the Titus County Appraisal District.

Notification:

1. If the vehicle is still on property after 30 days,
2. Send *certified* JV letters to owner of property, registered owner of vehicle, occupant of property, and lien holder of vehicle. (Send letters even if contact is made)
3. In the letter include a complete description of the vehicle including year model, color, license plate number and VIN number. A Request of Hearing form and

Voluntary Consent Junk Vehicle Abatement form will be sent with the certified notice.

4. If any notice letter is returned undelivered, action to abate the nuisance shall be continued to a date no earlier than the 11th day after notice is returned undelivered.
5. If certified delivery is achieved, action to abate the nuisance shall be continued to a date no earlier than the 11th day after notice (green card) is returned.
6. Delivery or attempted delivery of certified notices must be confirmed by the returned notice or the returned undelivered notice letter.

Voluntary Consent Forms

1. The register vehicle owner can completely fill out the voluntary consent form with a Notary Public signature and CEO will move forward with towing procedures. It will be the suspected vehicle owner(s) to prove ownership of the vehicle and accept responsibility. The CEO will give a two-day notice prior for the towing company. Attach any addition paperwork for proof of ownership to the case if available. CEO departmental issued recording device will be active.

2. The vehicle owner is required to provide a valid state issue identification card with photo.

3. Property Owners will be required to make their own arrangements with Local Law Enforcement or Towing Companies to have any sort of vehicles removed from their property.

Towing of Junk Vehicles

1. Before towing any vehicle, all paperwork must be checked by the ~~Code Enforcement Supervisor~~ Building Official, or Officer in Charge.
2. A copy of the entire case will be available for the judges viewing.
3. A court order signed by the judge shall be provided to the towing company two days prior to the towing. A copy shall be placed in the JV file.
4. Contact the police dispatch prior of towing (Email / Phone). Request a Law Enforcement Officer to be present on scene at the time of removal. Have a copy of the court order with you.
5. Take a photo of the Registration Sticker.
6. Take a photo of vehicle on tow truck for documentation of the tow.
7. After towing/removal of the vehicle an email shall be sent to the Mt Pleasant Police Department Dispatchers advising of the vehicle being towed and detailed information on the description of the vehicle. The name of the towing company and the tow destination shall also be included in the email. (The register vehicle owner will have 30 days to work out arrangements with the towing company.)

8. An Application for Certificate of Authority to Dispose of an Abated Public Nuisance Vehicle (Form VTR-71-4) shall be completed and mailed on the 31st day after the removal of the JV:
   Texas Department of Motor Vehicles
   Vehicle Titles and Registration Division
   ATTN: Title Control Systems
   Austin, Texas 78779-0001

9. Upon receipt of the (COA) and transfer of the public nuisance vehicle stamp the front and back of it using the department's mailing address stamp, make a copy of it and give it to the tow service in possession of the vehicle who will in turn assign the COA to the metal recycler. After destroying the vehicle, the metal recycler will notify the TDMV to mark the vehicle record as crushed.

10. Upon receipt of the check from the tow service the CEO will place the file in the Tow Files.

Temporary signs / Off Site Advertisement

No offsite advertisement/signage is allowed.

Food Establishments

If CEO receive any questions call, or email dealing with temporary food / code violations etc. The CEO should attempt to handle any questions, or comments in the most professional manner to the best of their ability. **In any questions dealing within any topic in the Code Enforcement / Compliance department. If you do not know the answer "tell them I do not know, but I will try to obtain the correct answer. Get with the appropriate personal to obtain the best answer." If the subject or person is a city council member all question should be directed to the director / building official of the department.** The director / building official will give further direction on any question, concerns, or comments from city council members / governing body.

1.If a CEO receives a complaint, questions, or concerns about any food establishment. The complaint will be directed to the CEO in charge of that establishment health inspection. The assigned CEO will start a case in HSGov and will completed a follow-up investigation of the complaint. All information gathered in the investigation should be documented in the case until it is closed out. (Pictures, Body Camera Video, Audio Recording, Emails etc.)

2. Food Establishments Inspections will be assigned to the CEO by the ~~Code Compliance Supervisor~~ Building Official and divided between the CEO's as equally / fairly as possible. The CEO's may trade out inspections with other CEO's as long everyone agrees. The CEO wanting to trade with another CEO must send the request through email. Each month the CEO will enter their upcoming inspections for the month and close each case out when the inspection is completed.

3. All health permits except temporary event permits will be created and printed by the ~~Code Compliance Supervisor~~.Building Official

5. A permit application must be completed for all health permits and must have all the correct documentation with it depending on which type of permit to be issued. Copies must be made and placed in the correct file folder.
6. CEO's can team up to complete food establishments inspections unless directed by the supervisor. This can be more efficient and effective way in accomplishing task assigned.
7. All food establishment inspections will require a case open and closed with the correct information in HSGov
8. All CEO will complete a certified food manger course.

Departmental Issued Equipment

1.The CEO should never demonstrate or present themselves as Law Enforcement Officers. The CEO badge should never be displayed or in public view other than during work time hours or official duties of the city. The CEO's badge should only be displayed during the CEO'S assigned work hours. CEO's may wear or display their assigned badge while completing their official duties.

2. CEOs should never abuse their privileges with any city issued equipment such as Computers, Printers, Tablets, Badges, Body Cameras, Digital Cameras, Internet access, Vehicles etc. See chapter 10 of city policies handbook (L,Y)

BODY CAMERAS / Issued portable digital recorder device.

If any CEO is dealing with a citizen, property owner or business owner about any cases, questions, concerns, or complaints. The CEO is required to have their portable issued recording device on an activated during the entire time frame.

It is the CEO responsibility to ensure there issued equipment is ready and prepared at begging of each shift.

The inside of department issued vehicle / patrol units shall be kept in clean and sanitize manner. All CEOs are responsible for maintain the departments vehicles.

Swimming Pool Inspection

1.The CEO will be responsible to coordinate and schedule their assigned pool inspections with the business.

2.The CEO will be responsible for delivery of the pool permits to the business upon completing the pool inspection for opening.

3. Any complaints or issues will be assigned to the CEO responsible for that pool / spa inspection

4.All CEO’s will complete a pool / spa inspector course.

John Ankrum

From: Juan Ramirez
Sent: Monday, September 15, 2025 7:57 AM
To: John Ankrum
Subject: Fw: Walmart 8-20 Inspection
Attachments: Code Enforcement Inspection.pdf

Juan Ramirez

Health Inspector

Pretreatment Operator

500 N Madison

Mt. pleasant, TX 75455

Email: JRamirez@mpcity.org

City of MOUNT PLEASANT

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From: Juan Ramirez <JRamirez@mpcity.org>
Sent: Thursday, September 11, 2025 5:21 PM
To: Mari.Anguiano@dshs.texas.gov <Mari.Anguiano@dshs.texas.gov>

Cc: Candias Webster <cwebster@mpcity.org>; John Ankrum <jankrum@mpcity.org>
Subject: Fw: Walmart 8-20 Inspection

Good afternoon,

Here is the outcome from the Walmart inspection conducted on 8/20/25. I was going through my emails and did not cc you on them. Please reach out if you have any questions about the outcome and I will be glad to answer them.

Thank you,

Juan Ramirez

Health Inspector

Pretreatment Operator

500 N Madison

Mt. pleasant, TX 75455

Email: JRamirez@mpcity.org

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From: Juan Ramirez
Sent: Monday, August 25, 2025 8:39 AM

To: Devin Wallace - drwalla.s00131 <drwalla.s00131.us@wal-mart.com>
Cc: Starr Leyva <Starr.Leyva@walmart.com>; Trey Mullins <Trey.Mullins@walmart.com>
Subject: RE: 8-20 Inspection

Good morning all,

Attached is my inspection report for that day 8/20/2025. If you have any further questions do not hesitate to reach out.

Thank you,

Juan Ramirez
Health Inspector
Pretreatment Operator
500 N Madison
Mt. pleasant, TX 75455

Email: JRamirez@mpcity.org

City of MOUNT PLEASANT

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From: Devin Wallace - drwalla.s00131 <drwalla.s00131.us@wal-mart.com>
Sent: Saturday, August 23, 2025 11:43 AM
To: Juan Ramirez <JRamirez@mpcity.org>
Cc: Starr Leyva <Starr.Leyva@walmart.com>; Trey Mullins <Trey.Mullins@walmart.com>
Subject: 8-20 Inspection

CAUTION: [EXTERNAL EMAIL]

Hello Sir,

Do you have any paperwork from your visit on 8-20 with Wal-Mart in Mount. Pleasant?

Thanks,

Devin Wallace,
Store Lead-WM
drwalla.s00131.us@wal-mart.com
Store: 903-572-0018

Walmart 131
2311 S Jefferson Ave.
Mt. Pleasant, Tx 75455
Save money. Live better.

John Ankrum

From: Juan Ramirez
Sent: Monday, September 15, 2025 7:58 AM
To: John Ankrum
Subject: Fw: 8-20 Inspection

Juan Ramirez

Health Inspector

Pretreatment Operator

500 N Madison

Mt. pleasant, TX 75455

Email: JRamirez@mpcity.org

City of MOUNT PLEASANT

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From: Devin Wallace - drwalla.s00131 <drwalla.s00131.us@wal-mart.com>
Sent: Monday, August 25, 2025 9:37 AM
To: Juan Ramirez <JRamirez@mpcity.org>
Subject: Re: 8-20 Inspection

CAUTION: [EXTERNAL EMAIL]

Thank you sir!

Thanks,

Devin Wallace,
Store Lead-WM
drwalla.s00131.us@wal-mart.com
Store: 903-572-0018

Walmart 131
2311 S Jefferson Ave.
Mt. Pleasant, Tx 75455
Save money. Live better.

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Cc: Starr Leyva <Starr.Leyva@walmart.com>; Trey Mullins <Trey.Mullins@walmart.com>
Subject: EXT: RE: 8-20 Inspection

EXTERNAL: Report suspicious emails to **Email Abuse.**

Good morning all,

Attached is my inspection report for that day 8/20/2025. If you have any further questions do not hesitate to reach out.

Thank you,

Juan Ramirez
Health Inspector
Pretreatment Operator
500 N Madison
Mt. pleasant, TX 75455

Email: JRamirez@mpcity.org

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Thanks,

Devin Wallace,
Store Lead-WM
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Store: 903-572-0018

Walmart 131
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Mt. Pleasant, Tx 75455
Save money. Live better.