Court USB production (August 28, 2026) · thread T57

TPIA Request ? Regulatory Agency Correspondence (May 1, 2025?Present)

6 message(s), 2026-02-09 · None. Public copy: personal contact details and excluded-subject material boxed.

1. 2026-02-09 01:59 Kyle Moring · 0 att.
2. 2026-02-23 21:27 Candias Webster · 1 att.
3. 2026-02-23 22:42 Kyle Moring · 0 att.
4. 2026-02-27 20:23 Candias Webster · 3 att.
5. 2026-02-27 23:46 Kyle Moring · 3 att.
6. None · 4 att.

From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <Wlyon@mpcity.org>; [redacted]
Date:	2026-02-09 01:59:48+00:00
Subject:	**TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)**
Attachments:	—
USB file:	TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present).msg (+3 identical copies)

Report This Email

Good evening,

Pursuant to the Texas Public Information Act ("TPIA"), Texas Government Code Chapter 552, I request access to and copies of the public information described below.

1. Records Requested

Please produce all written or electronic correspondence, communications, records, and documents (including emails, letters, text messages, notices, reports, memoranda, and attachments) between any officer, employee, elected official, appointed official, department head, or agent of the City of Mount Pleasant ("City") and any state or federal regulatory, enforcement, or investigative agency, for the period from May 01, 2025 through the date the City conducts its search for responsive records.

This request includes, but is not limited to, communications with the following agencies:

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- U.S. Occupational Safety and Health Administration (OSHA)
- U.S. Department of Labor (DOL)
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State agencies:

- Texas Commission on Environmental Quality (TCEQ), including the Environmental Crimes Unit
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- Office of the Texas Attorney General (OAG), including the Open Records Division
- Texas Department of Public Safety (DPS), including the Texas Rangers and Public Integrity Unit

2. City Departments Included

This request encompasses all City departments, divisions, and offices, including but not limited to: the City Manager's Office, City Attorney's Office, City Secretary's Office, Police Department, Fire Department, Public Works Department, Utilities Department, Wastewater Department, Code Enforcement, Building Inspections, Planning and Zoning, Finance Department, Human Resources, and any other City department or division.

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If responsive information exists in multiple identical copies, non-duplicative production is acceptable.

4. Production Format

Please provide responsive records in electronic format where available. If feasible, I request searchable PDF for documents and native format for emails and spreadsheets (with attachments). If the City uses an e-discovery export format (e.g., PST/MSG for email), that is acceptable.

5. Redactions/Withholding

If any portion of the requested information is withheld or redacted, please produce the non-exempt portions and identify the specific statutory basis for each withholding or redaction, including the applicable section(s) of Chapter 552 and any other law relied upon.

6. Costs

If the estimated cost to produce these records exceeds $40.00, please provide an itemized written cost estimate before proceeding, in accordance with Tex. Gov't Code § 552.2615. Please do not incur costs beyond $40.00 unless and until I provide written authorization.

7. Statutory Timing/Preservation

The TPIA requires that public information be produced "promptly" (Tex. Gov't Code § 552.221). If the City contends any responsive information is excepted from disclosure and intends to seek a ruling from the Office of the Attorney General, please comply with the applicable notice and deadline requirements, including Tex. Gov't Code § 552.301.

Please also take steps to preserve all potentially responsive records and ensure that no responsive records are destroyed, deleted, altered, or otherwise disposed of while this request is pending.

If you have questions, need to discuss search parameters, or believe a reasonable clarification would facilitate a more efficient search and production, please contact me.

Thank you for your attention.

With gratitude,

Kyle Moring

[redacted]

From:	Candias Webster <cwebster@mpcity.org>
To:	Kyle Moring <[redacted]>
Cc:	Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; "[redacted]" <[redacted]>
Date:	2026-02-23 21:27:12+00:00
Subject:	**RE: TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)**
Attachments:	Cost Estimate K.Moring 02082026.pdf
USB file:	RE TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)_1.msg (+2 identical copies)

Report This Email

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 February 8, 2026, 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: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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

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From: Kyle Moring <[redacted]>
Sent: Sunday, February 8, 2026 8:00 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
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Please also take steps to preserve all potentially responsive records and ensure that no responsive records are destroyed, deleted, altered, or otherwise disposed of while this request is pending.

If you have questions, need to discuss search parameters, or believe a reasonable clarification would facilitate a more efficient search and production, please contact me.

Thank you for your attention.

With gratitude,

Kyle Moring

[redacted] | [redacted]

City of MOUNT PLEASANT

February 23, 2026

VIA EMAIL TO: [redacted]

Mr. Kyle Douglas Moring
TPIA Requestor

RE: Cost Estimate for TPIA Request to City of Mount Pleasant, Texas (Rec'd February 8, 2026)

Dear Mr. Moring,

The City of Mount Pleasant, Texas (the "City") received a public information request from you on February 8, 2026, for "TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)." The City anticipates more than 13 hours of staff time to gather information responsive to your request; therefore, the City is entitled to reimbursement cost associated with labor that will be incurred by the City in processing your request. Charges for providing you with 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 accepted 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	0 x $0.10	$0
Personnel Time ($15/hour)	13 hour(s) x $15.00	$195.00
Overhead charges (20% of labor cost)	20% of $195	$39
Total cost		**$234.00**

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 that 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 **$234.00** 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 the 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:	Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; "[redacted]" <[redacted]>
Date:	2026-02-23 22:42:31+00:00
Subject:	**Re: TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)**
Attachments:	—
USB file:	Re TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)_4.msg

Report This Email

Ms. Webster,

I am writing in response to your cost estimate letter dated February 23, 2026, regarding my TPIA request for "Regulatory Agency Correspondence (May 1, 2025–Present)," which the City received on February 08, 2026.

Pursuant to §552.2615(a)(2) of the Texas Government Code, I hereby accept the estimated charges of $234.00 as set forth in your itemized cost estimate. Please contact me at your earliest convenience to coordinate the posting of the required bond in accordance with §552.263 of the Texas Government Code.

Please note that acceptance of this cost estimate does not constitute a waiver of any right to challenge the actual charges incurred, including the right to file a complaint with the Texas Attorney General under §552.269 of the Texas Government Code alleging overcharging, should the actual costs prove to be inconsistent with the estimate provided.

I also note for the record that the cost estimate letter did not offer a less costly alternative method of viewing the requested records, such as inspection in lieu of copies, as contemplated by §552.261(b) of the Texas Government Code.

To be clear regarding the scope of this request, the information sought consists of correspondence between the City of Mount Pleasant and federal, state, and local regulatory, enforcement, and investigative agencies, including but not limited to: the U.S. Environmental Protection Agency (EPA), including EPA Region 6; the U.S. Occupational Safety and Health Administration (OSHA); the U.S. Department of Labor (DOL); the U.S. Department of Agriculture (USDA); the U.S. Food and Drug Administration (FDA); the Texas Commission on Environmental Quality (TCEQ), including the Environmental Crimes Unit; the Texas Department of State Health Services (DSHS); the Texas Department of Agriculture (TDA); the Office of the Texas Attorney General (OAG), including the Open Records Division; and the Texas Department of Public Safety (DPS), including the Texas Rangers and Public Integrity Unit. This includes all letters, notices, inspection reports, findings, notices of violation, complaints, enforcement actions, corrective action requests, consent agreements, settlement communications, self-disclosures, permit-related correspondence, and any responses or communications from the City to those agencies.

Your cost estimate letter references the possible withholding of certain responsive information pending a decision by the Attorney General. I respectfully request that, in any submission to the Attorney General's Open Records Division, the City identify with specificity each document or category of documents it seeks to withhold, the particular exception(s) under Subchapter C of the TPIA upon which it relies for each, and a detailed explanation of how each claimed exception applies to the specific information at issue. Correspondence between a municipality and regulatory agencies regarding regulatory compliance, inspections, enforcement actions, and public health and safety matters is presumptively public information under the TPIA. *See Tex. Gov't Code §552.001* (stating that "the people's right of access to public information is to be liberally construed" and that "exceptions to disclosure are to be narrowly construed"). The City bears the burden of demonstrating that a specific exception applies to each withheld record. *See Tex. Gov't Code §552.301(e).*

To the extent the City may seek to invoke the attorney-client privilege under §552.107 or the deliberative process exception under §552.111, I note that these exceptions do not apply to factual information, including factual findings by regulatory agencies, notices of violation, inspection results, or the City's factual responses to regulatory inquiries. The mere involvement of an attorney in the transmittal or receipt of regulatory correspondence does not transform otherwise public records into privileged communications. *See In re City of Georgetown, 53 S.W.3d 328 (Tex. 2001).* Similarly, completed regulatory actions, final agency determinations, and communications that reflect decisions already made are not protected by the deliberative process exception. *See Open Records Decision No. 555 (1990).*

Likewise, to the extent the City may seek to invoke the law enforcement exception under §552.108, that exception is limited to information that, if released, would interfere with the detection, investigation, or prosecution of a crime. Routine regulatory correspondence and compliance-related communications do not fall within this exception, absent a specific, articulable showing that release would interfere with an active criminal investigation. *See Tex. Att'y Gen. OR2015-02734.*

Finally, the City may not invoke the third-party information exception under §552.110 or the privacy exception under §552.101 to withhold communications between the City and regulatory agencies, as these communications are governmental records reflecting the discharge of public functions and do not constitute private, commercial, or personal information. I expect all responsive records to be produced in full, with redactions limited to the narrowest scope justified by a specifically identified and applicable exception.

Please acknowledge receipt of this acceptance at your earliest convenience.

With gratitude,

Kyle Moring
[redacted] | [redacted]

> On Feb 23, 2026, at 3:27 PM, Candias Webster <cwebster@mpcity.org> wrote:
>
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Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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Sent: Sunday, February 8, 2026 8:00 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
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To:	Kyle Moring <[redacted]>
Cc:	Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; "[redacted]" <[redacted]>; Lea Ream <lream@dtrglaw.com>
Date:	2026-02-27 20:23:42+00:00
Subject:	**RE: TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)**
Attachments:	image001.png, image005.png, image006.png
USB file:	RE TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present).msg (+1 identical copies)

Report This Email

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I was asked to provide a query of the search we performed to get the total number of emails generated from this search. If you would like to modify your request, please let me know.

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Assistant City Manager/ City Secretary
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Sent: Monday, February 23, 2026 4:43 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
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and public health and safety matters is presumptively public information under the TPIA. *See Tex. Gov't Code §552.001* (stating that "the people's right of access to public information is to be liberally construed" and that "exceptions to disclosure are to be narrowly construed"). The City bears the burden of demonstrating that a specific exception applies to each withheld record. *See Tex. Gov't Code §552.301(e).*

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Cell: [redacted]
Fax: 903-577-1828

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From: Kyle Moring <[redacted]>
Sent: Sunday, February 8, 2026 8:00 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
Subject: TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)

Good evening,

Pursuant to the Texas Public Information Act ("TPIA"), Texas Government Code Chapter 552, I request access to and copies of the public information described below.

1. Records Requested

Please produce all written or electronic correspondence, communications, records, and documents (including emails, letters, text messages, notices, reports, memoranda, and attachments) between any officer, employee, elected official, appointed official, department head, or agent of the City of Mount Pleasant ("City") and any state or federal regulatory, enforcement, or investigative agency, for the period from May 01, 2025 through the date the City conducts its search for responsive records.

This request includes, but is not limited to, communications with the following agencies:

Federal agencies (including applicable regional offices):

- U.S. Environmental Protection Agency (EPA), including EPA Region 6
- U.S. Occupational Safety and Health Administration (OSHA)
- U.S. Department of Labor (DOL)
- U.S. Department of Agriculture (USDA)
- U.S. Food and Drug Administration (FDA)

State agencies:

- Texas Commission on Environmental Quality (TCEQ), including the Environmental Crimes Unit
- Texas Department of State Health Services (DSHS)
- Texas Department of Agriculture (TDA)
- Office of the Texas Attorney General (OAG), including the Open Records Division
- Texas Department of Public Safety (DPS), including the Texas Rangers and Public Integrity Unit

2. City Departments Included

This request encompasses all City departments, divisions, and offices, including but not limited to: the City Manager's Office, City Attorney's Office, City Secretary's Office, Police Department, Fire Department, Public Works Department, Utilities Department, Wastewater Department, Code Enforcement, Building Inspections, Planning and Zoning, Finance Department, Human Resources, and any other City department or division.

3. Communications/Formats Included

The scope of this request includes communications that were sent, received, drafted, forwarded, or maintained by the City, including but not limited to:

- emails (including attachments and embedded content)
- letters and other written correspondence
- text messages and other messaging platforms used for City business
- memoranda, reports, and notices
- notices of violation, inspection reports, compliance orders, enforcement actions
- consent agreements, settlement communications, and responses to agency inquiries
- self-disclosures, permit-related correspondence, and supporting materials
- any attachments, enclosures, or referenced documents maintained with the communication

If responsive information exists in multiple identical copies, non-duplicative production is acceptable.

4. Production Format

Please provide responsive records in electronic format where available. If feasible, I request searchable PDF for documents and native format for emails and spreadsheets (with attachments). If the City uses an e-discovery export format (e.g., PST/MSG for email), that is acceptable.

5. Redactions/Withholding

If any portion of the requested information is withheld or redacted, please produce the non-exempt portions and identify the specific statutory basis for each withholding or redaction, including the applicable section(s) of Chapter 552 and any other law relied upon.

6. Costs

If the estimated cost to produce these records exceeds $40.00, please provide an itemized written cost estimate before proceeding, in accordance with Tex. Gov't Code § 552.2615. Please do not incur costs beyond $40.00 unless and until I provide written authorization.

7. Statutory Timing/Preservation

The TPIA requires that public information be produced “promptly” (Tex. Gov’t Code § 552.221). If the City contends any responsive information is excepted from disclosure and intends to seek a ruling from the Office of the Attorney General, please comply with the applicable notice and deadline requirements, including Tex. Gov’t Code § 552.301.

Please also take steps to preserve all potentially responsive records and ensure that no responsive records are destroyed, deleted, altered, or otherwise disposed of while this request is pending.

If you have questions, need to discuss search parameters, or believe a reasonable clarification would facilitate a more efficient search and production, please contact me.

Thank you for your attention.

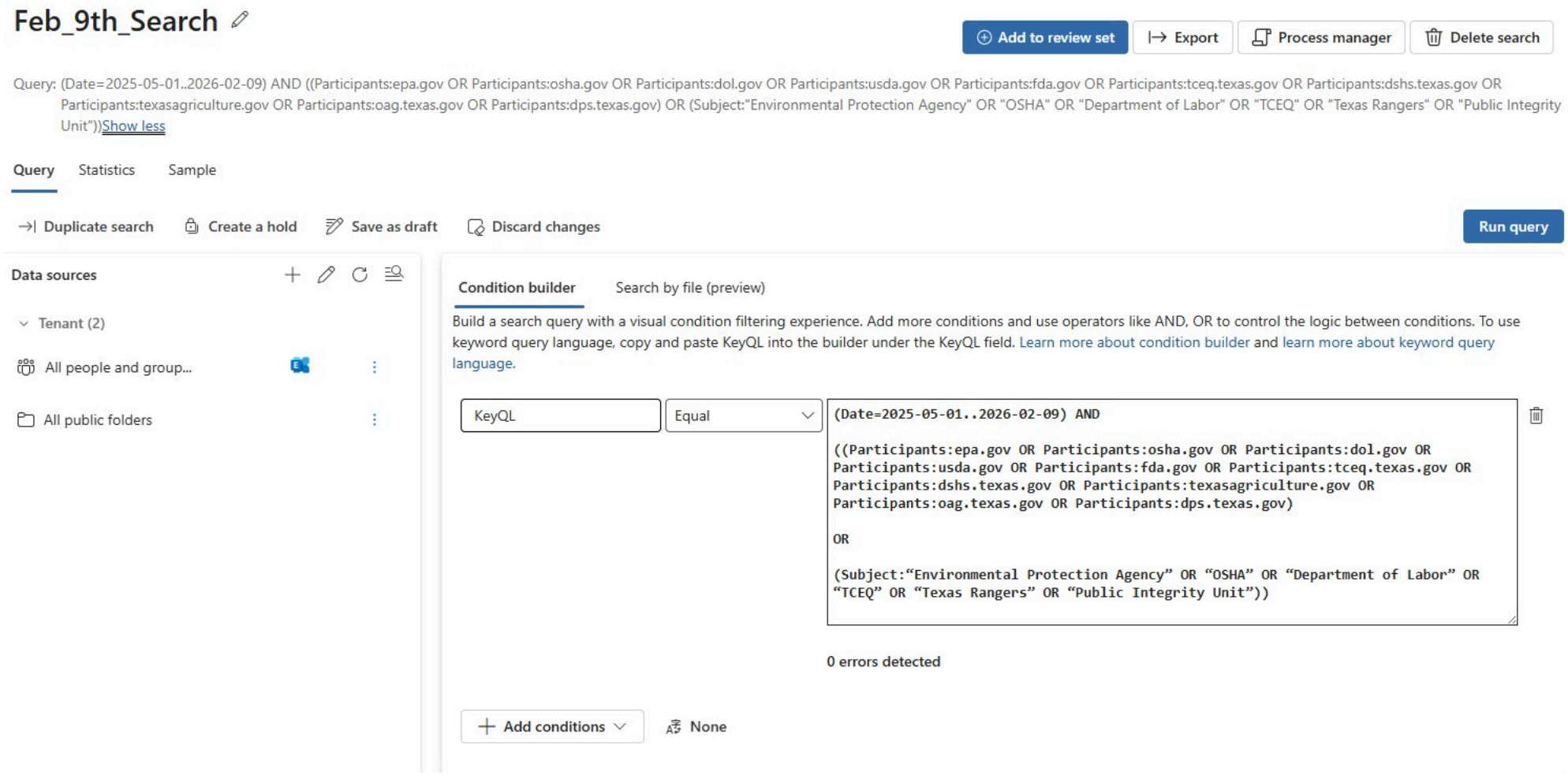
With gratitude,

Kyle Moring

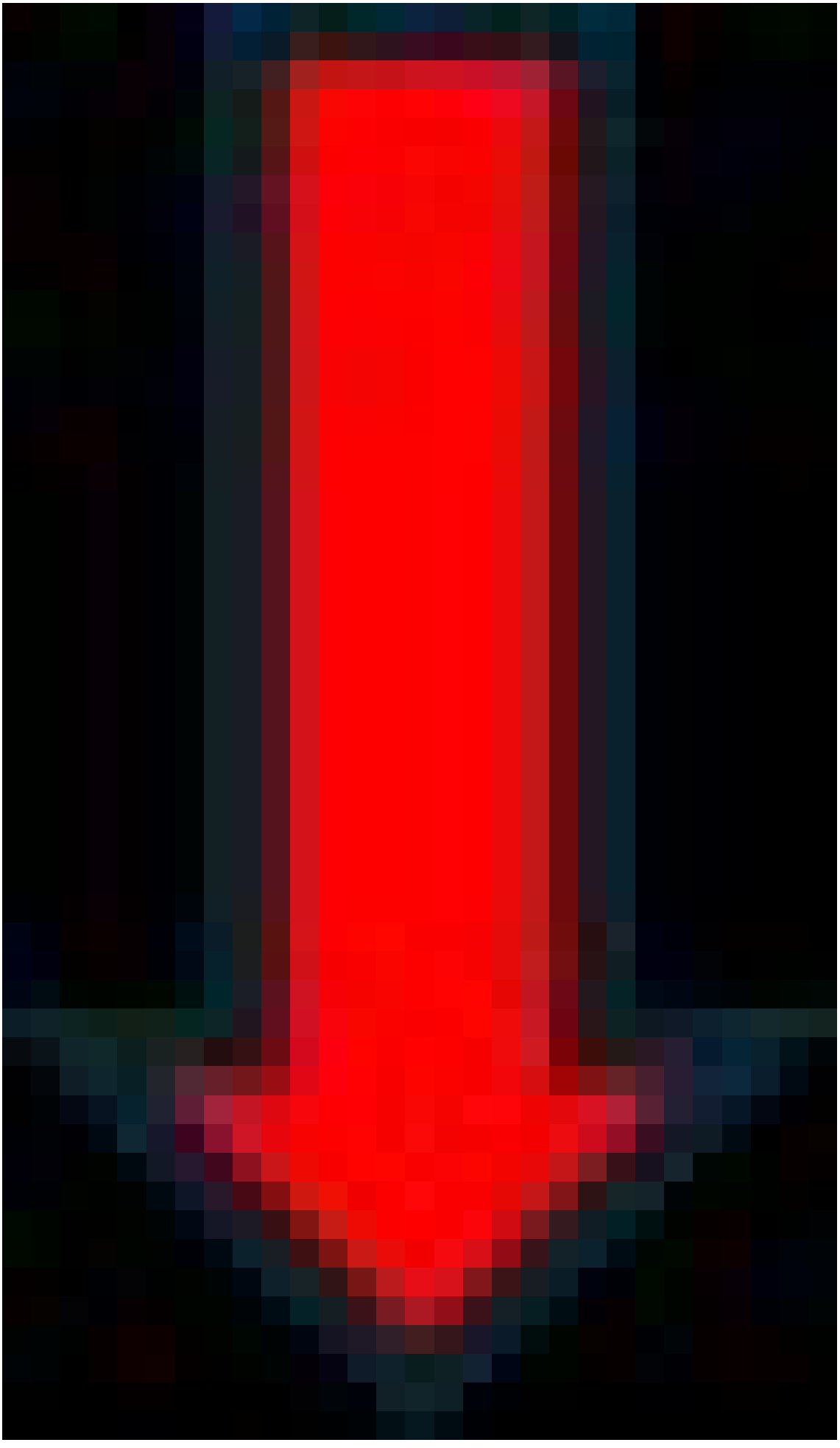
[redacted] | [redacted]

<Cost Estimate K.Moring 02082026.pdf>

Attachment: image001.png



Attachment: image005.png



Attachment: image006.png



From:	Kyle Moring <[redacted]>
To:	Candias Webster <cwebster@mpcity.org>
Cc:	Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; "[redacted]" <[redacted]>; Lea Ream <lream@dtrglaw.com>
Date:	2026-02-27 23:46:58+00:00
Subject:	**Re: TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)**
Attachments:	image001.png, image005.png, image006.png
USB file:	Re TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)_7.msg

Report This Email

Ms. Webster,

I am writing as a follow-up to my February 23, 2026 acceptance of the City's cost estimate for my February 08, 2026 TPIA request for "Regulatory Agency Correspondence (May 01, 2025–Present)." I appreciate you providing the search query identified as "Feb_9th_Search" and indicating that the associated review set contains 12,963 items.

For avoidance of doubt, my acceptance of the estimate remains in effect, and this email does not modify or withdraw my request. Rather, it seeks clarification and requests that the City structure its search and collection process in a manner reasonably calculated to capture responsive correspondence while avoiding unnecessary review of non-responsive material.

1. Confirm whether the "Feb_9th_Search" / 12,963 items are the basis for the 13-hour estimate

Please confirm whether the February 23, 2026 cost estimate (13 hours / $234) was calculated based on this specific query and the 12,963-item review set. If it was, please explain the City's intended workflow for identifying responsive records within that set (e.g., deduplication, threading, filtering, or other culling steps before document-by-document review). If it was not, please identify the query and hit count that were used to generate the estimate.

2. Provide the complete query in text form and confirm the sources searched

The screenshot appears to show a KeyQL/KQL query. Please provide the complete query in copy/paste text form as executed (including any parameters not visible in the screenshot) and confirm:

- What tool/platform was used to run the search (e.g., Microsoft Purview/eDiscovery or similar)
- Which data sources were included (e.g., all user mailboxes, shared mailboxes, group mailboxes, public folders, archives/journal/retention locations, etc.)
- Whether the search included attachments and embedded/forwarded content
- Whether the search was tenant-wide (as the screenshot suggests), and whether MPPD/public safety mailboxes and shared/public safety mailboxes were included, given that my request encompasses all City departments

3. The current query architecture is overbroad for "between the City and agencies" and should be separated into two sets

My request seeks correspondence "between" the City and the listed regulatory/enforcement/investigative agencies. The query shown combines **(A)** a participant-domain filter and **(B)** subject-keyword terms using an OR operator. This structure predictably inflates the review set with internal City-only emails that reference an agency in the subject line but are not correspondence with an agency.

To align the search with my request and reduce unnecessary review cost, please implement the following two-set approach:

Set A – Direct agency correspondence (participant-based; primary responsive universe)

Run the date-range filter with the participant/domain criteria only (i.e., messages where an agency domain/address appears in sender/recipient participants). Please provide the hit count for Set A and proceed with collection/review/production of Set A as the primary responsive set.

Set B – Subject-keyword-only hits (segregated/optional)

Separately provide the hit count for items captured only by the subject-keyword clause. Unless the City contends these items are responsive to my request as written, please exclude Set B from the responsive review (or treat it as an optional add-on that I may elect to request with a separate estimate).

If the City contends Set B is responsive to my request as written, please state the basis for that position and identify what portion of Set B is considered responsive.

3.1 Proposed copy/paste queries (for convenience only; not a request modification)

For ease of implementation, below are copy/paste queries that reflect the two-set approach above. The City may use equivalent syntax, but please provide separate hit counts for Set A and Set B. Please replace "[END_DATE]" with the date the City actually runs/exports the search for production.

Set A – Direct agency correspondence (participant-based)

(Date=2025-05-01..[END_DATE]) AND

(

Participants:epa.gov OR Participants:osha.gov OR Participants:dol.gov OR

Participants:usda.gov OR Participants:fda.gov OR Participants:tceq.texas.gov OR

Participants:dshs.texas.gov OR Participants:texasagriculture.gov OR

Participants:oag.texas.gov OR Participants:texasattorneygeneral.gov OR

Participants:dps.texas.gov

)

Set B – Keyword-only hits excluding agency participants (segregated/optional)

(Date=2025-05-01..[END_DATE]) AND

(

"Environmental Protection Agency" OR "EPA" OR "EPA Region 6" OR

"OSHA" OR "Occupational Safety and Health" OR

"Department of Labor" OR "DOL" OR

"USDA" OR "Department of Agriculture" OR

"Food and Drug Administration" OR "FDA" OR

"TCEQ" OR "Texas Commission on Environmental Quality" OR

"DSHS" OR "Texas Department of State Health Services" OR

"TDA" OR "Texas Department of Agriculture" OR

"Texas Attorney General" OR "OAG" OR "Open Records Division" OR

"DPS" OR "Texas Department of Public Safety" OR

"Texas Rangers" OR "Public Integrity Unit"

)

AND NOT

(

Participants:epa.gov OR Participants:osha.gov OR Participants:dol.gov OR

Participants:usda.gov OR Participants:fda.gov OR Participants:tceq.texas.gov OR

Participants:dshs.texas.gov OR Participants:texasagriculture.gov OR

Participants:oag.texas.gov OR Participants:texasattorneygeneral.gov OR

Participants:dps.texas.gov

)

Optional supplemental capture for forwarded/embedded agency correspondence (if needed)

If the City believes participant-based searching may miss agency-originating correspondence that is embedded in forwarded messages or attached letters (e.g., a forwarded agency email where the agency address appears only in the message body/headers, or a scanned letter attached to an internal email), please advise whether the City's tool indexes and searches forwarded headers/body text and attachment content. If a supplemental search is needed to capture those agency-originating communications, please provide a separate hit count and (if additional labor beyond the accepted estimate would be incurred) a separate, itemized estimate before incurring additional charges.

4. Date range must run through the date the City conducts its search/collection for production

The query shown ends on February 09, 2026. My request seeks records from May 01, 2025 "through the date the City conducts its search for responsive records." Please confirm the date the City is treating as the "search date" for this request and that the City will update the end date through the date of collection/export for production (or, at minimum, through the date the search is finalized for production).

5. Non-email records and other repositories

My request is not limited to email and expressly includes letters, notices, inspection reports, findings, complaints, enforcement actions, corrective action requests, and other documents, including attachments and messaging used for City business. Please confirm what repositories/systems outside the email platform (if any) are being searched for responsive records (e.g., shared

drives/OneDrive/SharePoint, departmental systems, scanned correspondence repositories, physical files, and any City-used messaging/text platforms), and the general method used to locate responsive records in those repositories.

Bond/coordination

As stated in my February 23, 2026 acceptance, I remain prepared to post the bond required under § 552.263. Please provide instructions for submitting the bond so the City can proceed. Nothing in this email waives any rights, including the right to challenge the estimate and/or actual charges and to file a complaint under § 552.269.

Preservation

Please preserve the saved search ("Feb_9th_Search"), the review set, and any associated export reports, logs, or other system-generated artifacts created in the ordinary course for this request.

With gratitude,

Kyle Moring

[redacted] | [redacted]

On Feb 27, 2026, at 2:23 PM, Candias Webster <cwebster@mpcity.org> wrote:

Mr. Moring,

I was asked to provide a query of the search we performed to get the total number of emails generated from this search. If you would like to modify your request, please let me know.

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

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From: Kyle Moring <[redacted]>
Sent: Monday, February 23, 2026 4:43 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
Subject: Re: TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)

Ms. Webster,

I am writing in response to your cost estimate letter dated February 23, 2026, regarding my TPIA request for "Regulatory Agency Correspondence (May 1, 2025–Present)," which the City received on February 08, 2026.

Pursuant to §552.2615(a)(2) of the Texas Government Code, I hereby accept the estimated charges of $234.00 as set forth in your itemized cost estimate. Please contact me at your earliest convenience to coordinate the posting of the required bond in accordance with §552.263 of the Texas Government Code.

Please note that acceptance of this cost estimate does not constitute a waiver of any right to challenge the actual charges incurred, including the right to file a complaint with the Texas Attorney General under §552.269 of the Texas Government Code alleging overcharging, should the actual costs prove to be inconsistent with the estimate provided.

I also note for the record that the cost estimate letter did not offer a less costly alternative method of viewing the requested records, such as inspection in lieu of copies, as contemplated by §552.261(b) of the Texas Government Code.

To be clear regarding the scope of this request, the information sought consists of correspondence between the City of Mount Pleasant and federal, state, and local regulatory, enforcement, and investigative agencies, including but not limited to: the U.S. Environmental Protection Agency (EPA), including EPA Region 6; the U.S. Occupational Safety and Health

Administration (OSHA); the U.S. Department of Labor (DOL); the U.S. Department of Agriculture (USDA); the U.S. Food and Drug Administration (FDA); the Texas Commission on Environmental Quality (TCEQ), including the Environmental Crimes Unit; the Texas Department of State Health Services (DSHS); the Texas Department of Agriculture (TDA); the Office of the Texas Attorney General (OAG), including the Open Records Division; and the Texas Department of Public Safety (DPS), including the Texas Rangers and Public Integrity Unit. This includes all letters, notices, inspection reports, findings, notices of violation, complaints, enforcement actions, corrective action requests, consent agreements, settlement communications, self-disclosures, permit-related correspondence, and any responses or communications from the City to those agencies.

Your cost estimate letter references the possible withholding of certain responsive information pending a decision by the Attorney General. I respectfully request that, in any submission to the Attorney General's Open Records Division, the City identify with specificity each document or category of documents it seeks to withhold, the particular exception(s) under Subchapter C of the TPIA upon which it relies for each, and a detailed explanation of how each claimed exception applies to the specific information at issue. Correspondence between a municipality and regulatory agencies regarding regulatory compliance, inspections, enforcement actions, and public health and safety matters is presumptively public information under the TPIA. *See Tex. Gov't Code §552.001* (stating that "the people's right of access to public information is to be liberally construed" and that "exceptions to disclosure are to be narrowly construed"). The City bears the burden of demonstrating that a specific exception applies to each withheld record. *See Tex. Gov't Code §552.301(e).*

To the extent the City may seek to invoke the attorney-client privilege under §552.107 or the deliberative process exception under §552.111, I note that these exceptions do not apply to factual information, including factual findings by regulatory agencies, notices of violation, inspection results, or the City's factual responses to regulatory inquiries. The mere involvement of an attorney in the transmittal or receipt of regulatory correspondence does not transform otherwise public records into privileged communications. *See In re City of Georgetown, 53 S.W.3d 328 (Tex. 2001).* Similarly, completed regulatory actions, final agency determinations, and communications that reflect decisions already made are not protected by the deliberative process exception. *See Open Records Decision No. 555 (1990).*

Likewise, to the extent the City may seek to invoke the law enforcement exception under §552.108, that exception is limited to information that, if released, would interfere with the detection, investigation, or prosecution of a crime. Routine regulatory correspondence and compliance-related communications do not fall within this exception, absent a specific, articulable showing that release would interfere with an active criminal investigation. *See Tex. Att'y Gen. OR2015-02734.*

Finally, the City may not invoke the third-party information exception under §552.110 or the privacy exception under §552.101 to withhold communications between the City and regulatory agencies, as these communications are governmental records reflecting the discharge of public functions and do not constitute private, commercial, or personal information. I expect all responsive records to be produced in full, with redactions limited to the narrowest scope justified by a specifically identified and applicable exception.

Please acknowledge receipt of this acceptance at your earliest convenience.

With gratitude,

Kyle Moring
[redacted] | [redacted]

On Feb 23, 2026, at 3:27 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 February 8, 2026, 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: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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If any portion of the requested information is withheld or redacted, please produce the non-exempt portions and identify the specific statutory basis for each withholding or redaction, including the applicable section(s) of Chapter 552 and any other law relied upon.

6. Costs

If the estimated cost to produce these records exceeds $40.00, please provide an itemized written cost estimate before proceeding, in accordance with Tex. Gov't Code § 552.2615. Please do not incur costs beyond $40.00 unless and until I provide written authorization.

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If you have questions, need to discuss search parameters, or believe a reasonable clarification would facilitate a more efficient search and production, please contact me.

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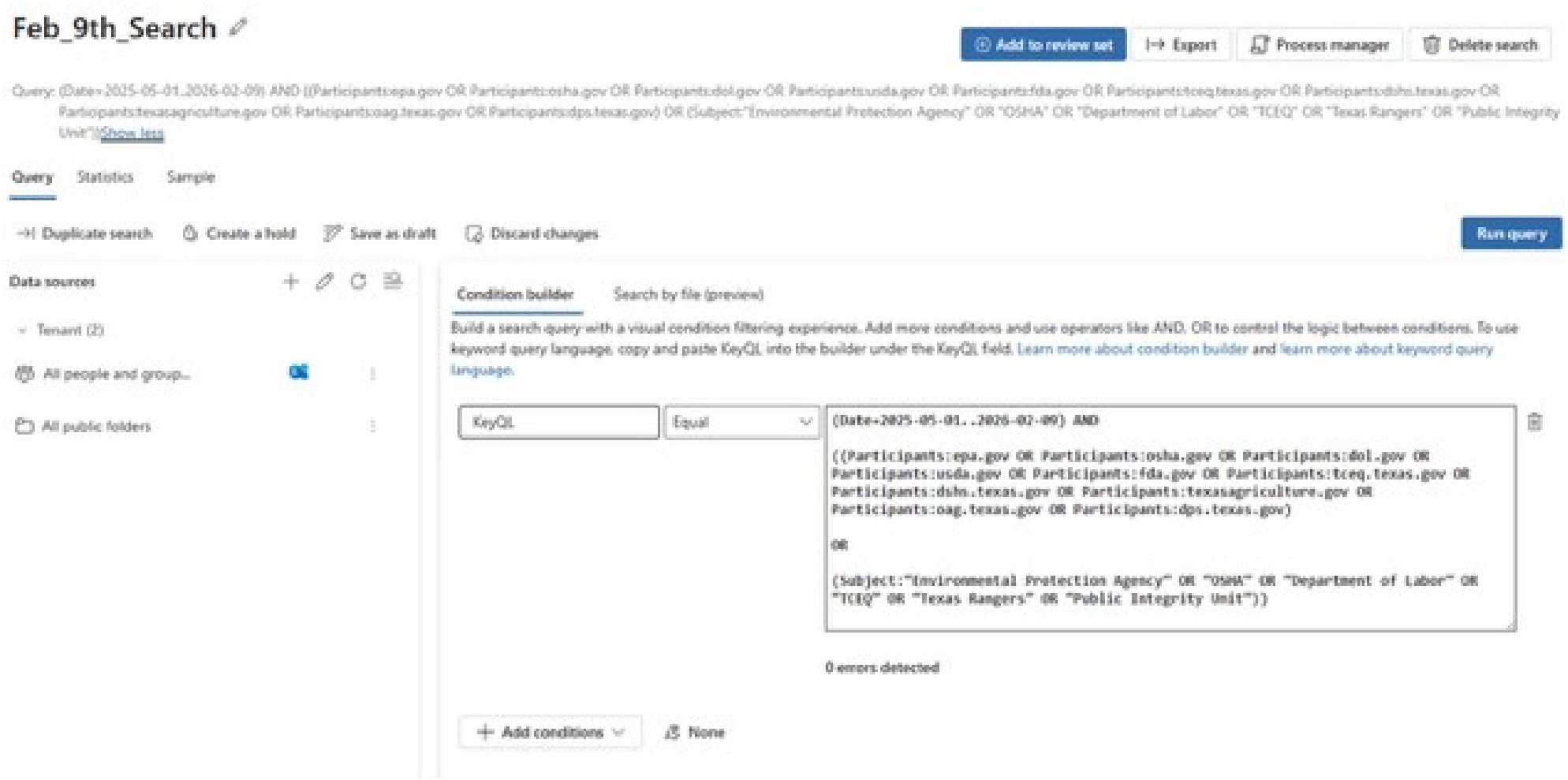
With gratitude,

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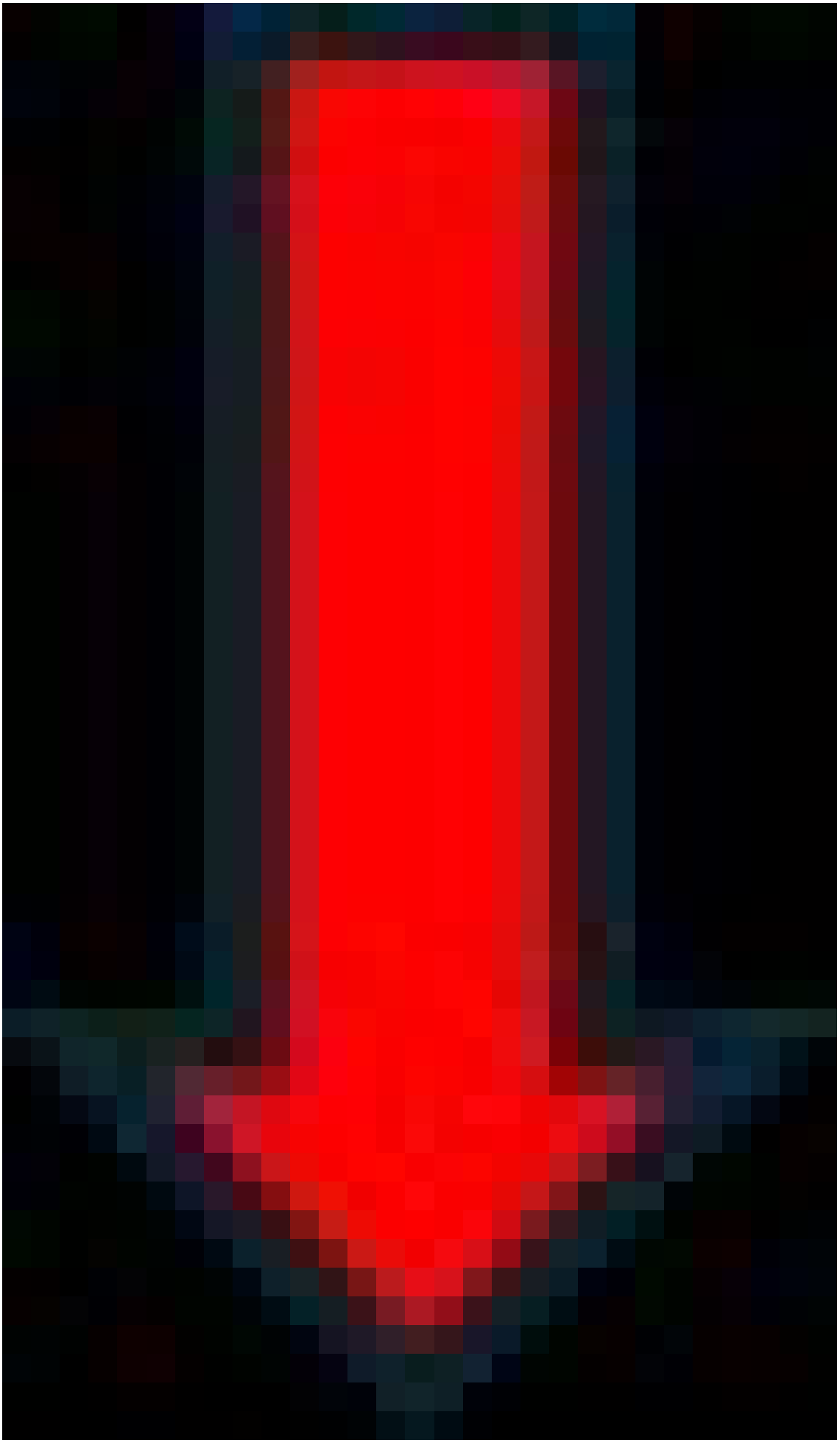
[redacted] | [redacted]

<Cost Estimate K.Moring 02082026.pdf>

Attachment: image001.png



Attachment: image005.png



Attachment: image006.png



From:
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Date: (blank in exported .msg)
Subject: **RE: TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)**
Attachments: image001.png, image003.png, image002.png, image004.png
USB file: RE TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)_6.msg

---

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I was asked to provide a query of the search we performed to get the total number of emails generated from this search. If you would like to narrow down your search, you are welcome to

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

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Your cost estimate letter references the possible withholding of certain responsive information pending a decision by the Attorney General. I respectfully request that, in any submission to the Attorney General's Open Records Division, the City identify with specificity each document or category of documents it seeks to withhold, the particular exception(s) under Subchapter C of the TPIA upon which it relies for each, and a detailed explanation of how each claimed exception applies to the specific information at issue. Correspondence between a municipality and regulatory agencies regarding regulatory compliance, inspections, enforcement actions, and public health and safety matters is presumptively public information under the TPIA. *See Tex. Gov't Code §552.001* (stating that

“the people’s right of access to public information is to be liberally construed” and that “exceptions to disclosure are to be narrowly construed”). The City bears the burden of demonstrating that a specific exception applies to each withheld record. *See Tex. Gov’t Code §552.301(e).*

To the extent the City may seek to invoke the attorney-client privilege under §552.107 or the deliberative process exception under §552.111, I note that these exceptions do not apply to factual information, including factual findings by regulatory agencies, notices of violation, inspection results, or the City’s factual responses to regulatory inquiries. The mere involvement of an attorney in the transmittal or receipt of regulatory correspondence does not transform otherwise public records into privileged communications. *See In re City of Georgetown, 53 S.W.3d 328 (Tex. 2001).* Similarly, completed regulatory actions, final agency determinations, and communications that reflect decisions already made are not protected by the deliberative process exception. *See Open Records Decision No. 555 (1990).*

Likewise, to the extent the City may seek to invoke the law enforcement exception under §552.108, that exception is limited to information that, if released, would interfere with the detection, investigation, or prosecution of a crime. Routine regulatory correspondence and compliance-related communications do not fall within this exception, absent a specific, articulable showing that release would interfere with an active criminal investigation. *See Tex. Att’y Gen. OR2015-02734.*

Finally, the City may not invoke the third-party information exception under §552.110 or the privacy exception under §552.101 to withhold communications between the City and regulatory agencies, as these communications are governmental records reflecting the discharge of public functions and do not constitute private, commercial, or personal information. I expect all responsive records to be produced in full, with redactions limited to the narrowest scope justified by a specifically identified and applicable exception.

Please acknowledge receipt of this acceptance at your earliest convenience.

With gratitude,

Kyle Moring
[redacted] | [redacted]

On Feb 23, 2026, at 3:27 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 February 8, 2026, 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: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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

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From: Kyle Moring <[redacted]>
Sent: Sunday, February 8, 2026 8:00 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Rob Vine <rvine@mpcity.org>; Austin Beck <abeck@dtrglaw.com>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
Subject: TPIA Request – Regulatory Agency Correspondence (May 1, 2025–Present)

Good evening,

Pursuant to the Texas Public Information Act (“TPIA”), Texas Government Code Chapter 552, I request access to and copies of the public information described below.

1. Records Requested

Please produce all written or electronic correspondence, communications, records, and documents (including emails, letters, text messages, notices, reports, memoranda, and attachments) between any officer, employee, elected official, appointed official, department head, or agent of the City of Mount Pleasant (“City”) and any state or federal regulatory, enforcement, or investigative agency, for the period from May 01, 2025 through the date the City conducts its search for responsive records.

This request includes, but is not limited to, communications with the following agencies:

Federal agencies (including applicable regional offices):

- U.S. Environmental Protection Agency (EPA), including EPA Region 6
- U.S. Occupational Safety and Health Administration (OSHA)
- U.S. Department of Labor (DOL)
- U.S. Department of Agriculture (USDA)
- U.S. Food and Drug Administration (FDA)

State agencies:

- Texas Commission on Environmental Quality (TCEQ), including the Environmental Crimes Unit
- Texas Department of State Health Services (DSHS)
- Texas Department of Agriculture (TDA)
- Office of the Texas Attorney General (OAG), including the Open Records Division
- Texas Department of Public Safety (DPS), including the Texas Rangers and Public Integrity Unit

2. City Departments Included

This request encompasses all City departments, divisions, and offices, including but not limited to: the City Manager’s Office, City Attorney’s Office, City Secretary’s Office, Police Department, Fire Department, Public Works Department, Utilities Department, Wastewater Department, Code Enforcement, Building Inspections, Planning and Zoning, Finance Department, Human Resources, and any other City department or division.

3. Communications/Formats Included

The scope of this request includes communications that were sent, received, drafted, forwarded, or maintained by the City, including but not limited to:

- emails (including attachments and embedded content)
- letters and other written correspondence
- text messages and other messaging platforms used for City business
- memoranda, reports, and notices
- notices of violation, inspection reports, compliance orders, enforcement actions
- consent agreements, settlement communications, and responses to agency inquiries
- self-disclosures, permit-related correspondence, and supporting materials
- any attachments, enclosures, or referenced documents maintained with the communication

If responsive information exists in multiple identical copies, non-duplicative production is acceptable.

4. Production Format

Please provide responsive records in electronic format where available. If feasible, I request searchable PDF for documents and native format for emails and spreadsheets (with attachments). If the City uses an e-discovery export format (e.g., PST/MSG for email), that is acceptable.

5. Redactions/Withholding

If any portion of the requested information is withheld or redacted, please produce the non-exempt portions and identify the specific statutory basis for each withholding or redaction, including the applicable section(s) of Chapter 552 and any other law relied upon.

6. Costs

If the estimated cost to produce these records exceeds $40.00, please provide an itemized written cost estimate before proceeding, in accordance with Tex. Gov’t Code § 552.2615. Please do not incur costs beyond $40.00 unless and until I provide written authorization.

7. Statutory Timing/Preservation

The TPIA requires that public information be produced “promptly” (Tex. Gov’t Code § 552.221). If the City contends any responsive information is excepted from disclosure and intends to seek a ruling from the Office of the Attorney General, please comply with the applicable notice and deadline requirements, including Tex. Gov’t Code § 552.301.

Please also take steps to preserve all potentially responsive records and ensure that no responsive records are destroyed, deleted, altered, or otherwise disposed of while this request is pending.

If you have questions, need to discuss search parameters, or believe a reasonable clarification would facilitate a more efficient search and production, please contact me.

Thank you for your attention.

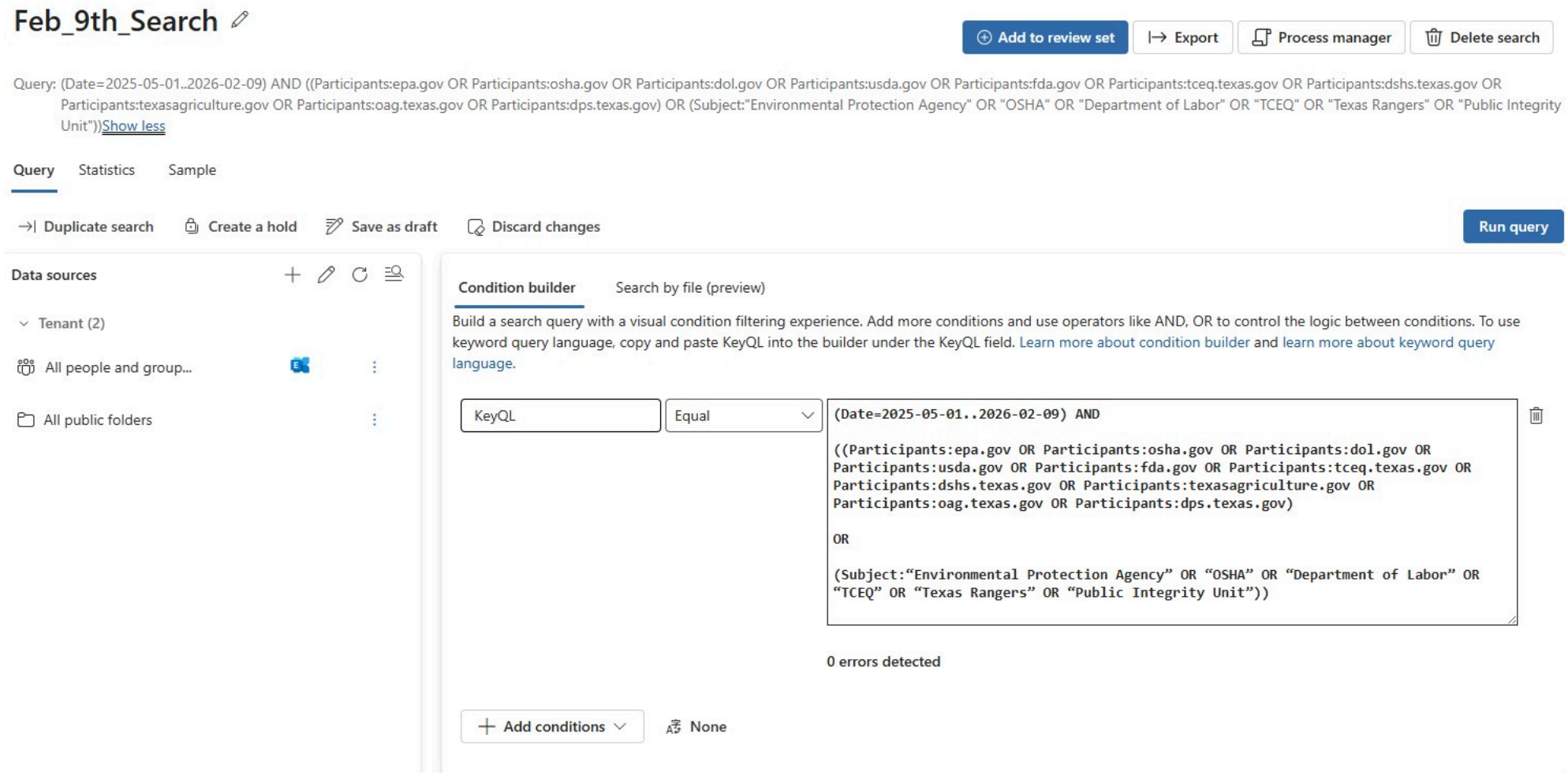
With gratitude,

Kyle Moring

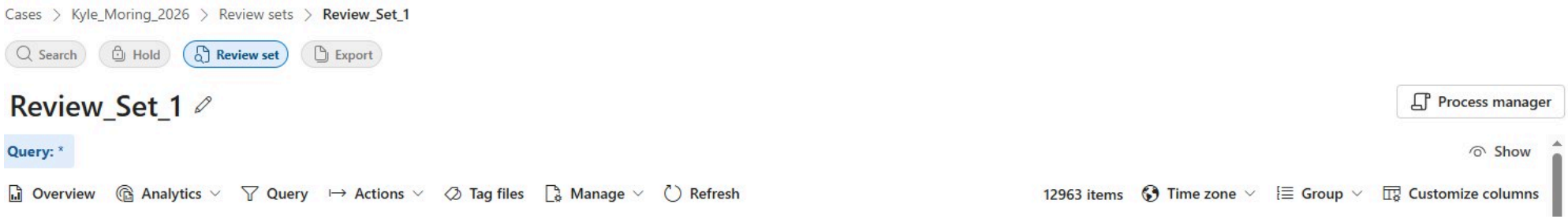
[redacted] | [redacted]

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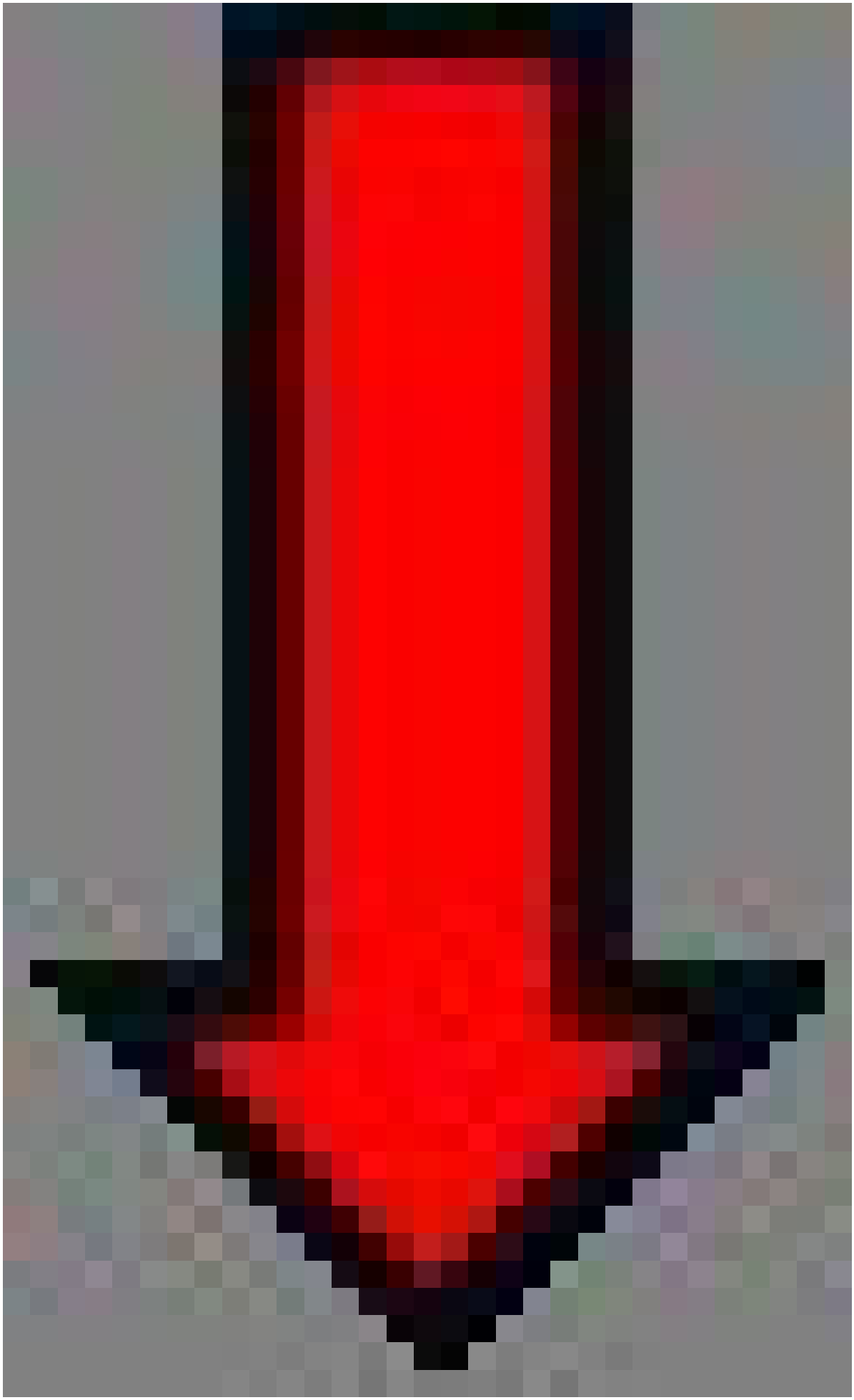
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Attachment: image002.png



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