



CITY ATTORNEY'S OFFICE
ONE CITY SQUARE, SUITE 400
WARREN, MI 48093-5285
(586) 574-4671
FAX (586) 574-4530
www.cityofwarren.org

January 29, 2021

Mr. Jarrett Skorup
Mackinac Center for Public Policy
140 W. Main Street
Midland, Michigan 48640

SENT VIA EMAIL TO:
skorup@mackinac.org

Re: *Freedom of Information Act Request*

Dear Mr. Skorup:

On or about January 7, 2021, this office received the Freedom of Information Act (FOIA) request you submitted for the following records:

"The total gross salaries (salary, OT, bonuses, etc.) for every city employee for the 2019 and 2020 calendar years."

On January 7, 2021, an extension was issued for the purposes of researching your request. Please be advised that your request is granted to the extent records exist, are public records, can be identified, and are not exempt from disclosure. Any information not subject to disclosure shall be redacted from the public document. Please contact the keeper of the records to obtain your requested information. The keeper of the records is:

**City Attorney's Office
One City Square, Suite 400
Warren, MI 48093
(586) 574-4671**

Please be advised that a fee may be charged for providing copies of any public record requested pursuant to the Freedom of Information Act, MCL 15.234. If the fee will exceed \$50.00, a good faith deposit of up to one-half the total fee may be required by the public body. **In this case, the charge is \$27.05. Please make check payable to the City of Warren and mail to the keeper of the records, listed above. Once payment is received, responsive documents will be produced. A cost itemization sheet is attached.**

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The City of Warren's FOIA Procedures and Guidelines along with a Written Public Summary can be found online at www.cityofwarren.org.

Respectfully,

/s/ Ethan Vinson
Ethan Vinson
City Attorney

EV/sd-Skorup-grant-attorney – EV ID 78610

City Staff: Keep original and provide copies of both sides of each sheet, to requestor at no charge.

CITY OF WARREN
COUNTY OF MACOMB

Detailed Cost Itemization

Cost Estimate
 Bill

Freedom of Information Act Request Detailed Cost Itemization

Date: 1/29/2021 Prepared for Request No.: _____ Date Request Received: 1/7/2021

GOOD FAITH DEPOSIT REQUIRED \$ 0.00
(Deposit of 50% of the Total Cost maybe required if the total exceeds \$50.00)

<p>The following costs are being charged/estimated in compliance with Section 4 of the Michigan Freedom of Information Act, MCL 15.234, according to the City's FOIA Policies and Guidelines. If the City is seeking a 50% deposit prior to providing the public records sought, the estimate is itemized on this form, lines 2-7 below.</p>			
<p>1. If all or a portion of the requested information is available on the City's website, the City is required to tell you it is available on the website and, where practicable, include a specific webpage address where the information is available. In this case</p> <p><input checked="" type="checkbox"/> None <input type="checkbox"/> Some <input type="checkbox"/> All</p> <p>of the requested material can be found at the following webpage(s):</p> <p>_____</p> <p>If the webpage is all the information you need, it is provided without charge. If, however, you still wish to receive a copy of material from the webpage, please let us know. The usual charge will apply if the City is required to produce copies of material from the webpage.</p>			
<p>2. Labor Cost to Locate Records Not on City Website: This is the cost of labor directly associated with the necessary searching for, locating, and examining public records in conjunction with receiving and fulfilling a granted written request. This fee is being charged because failure to do so will result in unreasonably high costs to the City because of the nature of the request in this particular instance, specifically: _____</p> <p>The City will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor.</p> <p>These costs will be estimated and charged in 15 minute time increments; all partial time increments must be rounded down. <i>If the number of minutes is less than 15, there is no charge.</i></p> <p><input checked="" type="checkbox"/> Hourly Wage Charged: \$ <u>27.05</u> Charge per Increment: \$ <u>6.763</u></p> <p style="text-align: center;">OR</p> <p><input type="checkbox"/> Hourly Wage with Fringe Benefit Cost: \$ <u>0.00</u> Charge per Increment: \$ <u>0.000</u> Multiply the hourly wage by the percentage multiplier: <u>0.00</u> % <i>(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.</i></p> <p><input type="checkbox"/> Overtime rate charged as stipulated by Requestor <i>(overtime is not used to calculate the fringe benefit cost)</i></p>		<p>To figure the number of increments, take the number of minutes:</p> <p><u>60</u> divide by 15 and round down. Enter below:</p> <p>Number of increments <u>2</u> Labor Cost</p> <p>x <u>4</u> = \$ <u>27.05</u></p>	

3. Labor Cost for Copying / Duplication of Records

This is the cost of labor directly associated with duplication of publications, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on non-paper physical media or through the Internet or other electronic means as stipulated by the requestor.

This shall not be more than the hourly wage of the City's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in 15 minute time increments; all partial time increments must be rounded down. *If the number of minutes is less than one increment, there is no charge.*

Hourly Wage Charged: \$ 27.05 Charge per ¼ hour: \$ 6.763

OR

Hourly Wage with Fringe Benefit Cost: \$ 0.00 Charge per ¼ hour: \$ 0.000

Multiply the hourly wage by the percentage multiplier: 0.00 %
(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Overtime rate charged as stipulated by Requestor (*overtime is not used to calculate the fringe benefit cost*)

4. Labor Cost for Copying/Duplicating Records Already on City's Website:

This shall not be more than the hourly wage of the City's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in 15 minute time increments; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: \$ 27.05 Charge per Increment: \$ 6.763

OR

Hourly Wage with Fringe Benefit Cost: \$ 0.00 Charge per Increment: \$ 0.000

Multiply the hourly wage by the percentage multiplier: 0.00 %
(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Requestor has stipulated that some / all of the requested records that are already available on the City's website be provided in a paper or non-paper physical digital medium.

Overtime rate charged as stipulated by Requestor

To figure the number of increments, take the number of minutes:

divide by 15, and round down.
Enter below:

Number of increments	3.	Labor Cost
x <u>0</u>	=	\$ <u>0.00</u>

To figure the number of increments, take the number of minutes:

divide By 15, and round down.
Enter below:

Number of increments	4. Web	Labor Cost
x <u>0</u>	=	\$ <u>0.00</u>

5. Labor Cost for Separating Exempt from Non-Exempt (Redacting): Material Not on City Website

The City will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the City that are excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests, because of the nature of the request in this particular instance, specifically: _____

This is the cost of labor of a City employee, including necessary review, directly associated with separating and deleting exempt from nonexempt information. This shall not be more than the hourly wage of the City's lowest-paid employee capable of separating and deleting exempt from nonexempt information in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in 15 minute time increment; all partial time increments must be rounded down. If the number of minutes is less than 15, there is no charge.

Hourly Wage Charged: \$ 27.05 Charge per Increment: \$ 6.763

OR

Hourly Wage with Fringe Benefit Cost: \$ 0.00 Charge per Increment: \$ 0.000
 Multiply the hourly wage by the percentage multiplier: 0.00 %
 (up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Overtime rate charged as stipulated by Requestor (overtime is not used to calculate the fringe benefit cost)

6. Copying / Duplication Cost:

Copying costs may be charged if a copy of a public record is requested, or for the necessary copying of a record for inspection (for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection).

No more than the actual cost of a sheet of paper, up to maximum 10 cents per sheet for:

- Letter (8 1/2 x 11-inch): \$0.10 per sheet
- Legal (8 1/2 x 14-inch): \$0.10 per sheet

No more than the actual cost of a sheet of paper for other paper sizes:

- Other paper sizes (single and double-sided): \$ _____ per sheet

Actual and most reasonably economical cost of non-paper physical digital media:

- Digital media:
 - 0 Audio Disc (\$ 0.00 per disc)
 - 0 Photo Disc (\$ 0.00 per disc)
 - 0 Video Disc (\$ 20.00 per disc)
 - 0 Other Digital Medium _____ (\$ 0.00 per item)

* Quantity to be determined

The cost of paper copies must be calculated as a total cost per sheet of paper. The fee cannot exceed 10 cents per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. A City must utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

To figure the number of increments, take the number of minutes:
0
 divide
 by 15, and round down.
 Enter below:

Number of increments x 0 = \$ 0.00
5. Labor Cost

Number of Sheets: Costs:
 x _____ = \$ 0.00
 x 0 = \$ 0.00

x 0 = \$ 0.00

No. of Items:
 x 0 = \$ 0.00
 x 0 = \$ 0.00
 x 0 = \$ 0.00
 x 0 = \$ 0.00

6. Total Copy Costs
 \$ 0.00

7. Mailing Cost:

The City will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner. Delivery confirmation is not required.

- The City *may* charge for the least expensive form of postal delivery confirmation.
- The City *cannot* charge more for expedited shipping or insurance unless specifically requested by the requestor.*

Actual Cost of Envelope or Packaging: \$ _____	x 0 =	\$ 0.00
Actual Cost of Postage: \$ _____ per stamp	x 0 =	\$ 0.00
\$ _____ per pound	x 0 =	\$ 0.00
\$ _____ per package	x 0 =	\$ 0.00
Actual Cost (least expensive) Postal Delivery Confirmation: \$ _____	x 0 =	\$ 0.00
*Expedited Shipping or Insurance as Requested: \$ _____	x 0 =	\$ 0.00

* Requestor has requested expedited shipping or insurance

7. Total Mailing Cost
\$ 0.00

8. Subtotal Fees Before Waivers, Discounts or Deposits:

1. Records on City Website:	<i>No Charge</i>
2. Labor Cost to Locate:	\$ 27.05
3. Labor Cost for Copying:	\$ 0.00
4. Labor Cost for Copying Records on Website:	\$ 0.00
5. Labor Cost to Redact:	\$ 0.00
6. Copying/Duplication Cost:	\$ 0.00
7. Mailing Cost:	\$ 0.00

8. Subtotal Fees:
8. Subtotal Fees
\$ 27.05

9. Waiver: Public Interest

A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the City determines, upon request, that a waiver or reduction of the amount on line 8 above is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

All fees are waived OR All fees are reduced by: _____ %

Fee Reduction (Affected by the City's Decision Re: Requested Waiver)
\$ 0.00

<p>10. Discount: <u>Indigence</u></p> <p>A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by an individual who is entitled to information under this act and who:</p> <p>1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, OR</p> <p>2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.</p> <p>If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if ANY of the following apply:</p> <p>(i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year, OR</p> <p>(ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.</p> <p style="text-align: right;"><input type="checkbox"/> Eligible for Indigence Discount</p>	<p>(\$20 Discount if eligible):</p>	<p>\$ <u>0.00</u></p>
<p>11. Discount: <u>Nonprofit Organization</u></p> <p>A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the request meets ALL of the following requirements:</p> <p>(i) Is made directly on behalf of the organization or its clients.</p> <p>(ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931.</p> <p>(iii) Is accompanied by documentation of its designation by the state, if requested by the City.</p> <p style="text-align: right;"><input type="checkbox"/> Eligible for Nonprofit Discount</p>	<p>(\$20 Discount if eligible):</p>	<p>\$ <u>0.00</u></p>
<p>12. Subtotal: After Discount/Waiver</p>		<p>\$ <u>27.05</u></p>
<p>13. Deposit: Received</p> <p>The City may require a good-faith deposit <u>before providing the public records to the requestor</u> if the entire fee estimate or charge authorized under this section exceeds \$50.00, based on a good-faith calculation of the total fee. The deposit cannot exceed 1/2 of the total estimated fee. <i>(Percent of Deposit: 50%)</i></p>	<p>Date paid:</p> <p>_____</p>	<p>\$ <u>0.00</u></p>

<p>14. Late Response <u>Labor Costs</u> Reduction</p> <p>If the City does not respond to a written request in a timely manner as required under MCL 15.235(2), the City must do the following:</p> <p>(a) Reduce the charges for labor costs otherwise permitted by 5% for each day the City exceeds the time permitted for a response to the request, with a maximum 50% reduction.</p>	<p>Number of Days Over Required Response Time: _____ 0</p> <p>Multiply by 5%</p> <p>= Total Percent Reduction: _____ 0.00</p>	<p>Total Labor Costs \$ _____ 0.00</p> <p>Minus Reduction \$ _____ 0.00</p> <p>= Reduced Total Labor Costs \$ _____ 0.00</p>
<p>15. Total Cost:</p>		<p>Total Cost: \$ _____ 27.05</p>
<p>16. Balance Due After Deposit</p>	<p>Date Balance Paid: _____</p>	<p>Balance Due After Deposit: \$ _____ 27.05</p>
<p>The Public Summary of the City's FOIA Procedures and Guidelines is available free of charge from: Website: www.cityofwarren.org Email: _____ Phone: _____ Address: _____</p> <p>Request Will Be Processed, But <u>Balance Must Be Paid Before</u> Copies May Be Picked Up, Delivered or Mailed</p>		