



ATTACHMENT B

City of East Lansing Freedom of Information Act Itemized Fees and Costs

The total amount due for the requested materials is estimated to be (total of 1-6 below) \$ _____.

If this box is checked, the total amount due reflects a deduction for labor (paragraphs 1, 2, and 5 below) of 5% per day for each day the response was late: ___ days @ 5% per day = _____%. (Maximum of 50 %.)

A deposit of \$ _____ is required to process your request.

These fees and costs are itemized as follows:

1. Labor costs directly associated with necessary searching for, locating and examining therecords:

Hourly wage of lowest-paid employee capable: \$ _____ ÷ 4 = 15 minute rate of \$ _____ x number of 15 minute increments necessary to search (all partial increments rounded down) _____ = Total labor for search: (costs for this labor are charged because it will take longer than 30 minutes to accomplish this task) \$ _____

2. Labor costs for review and separation and deletion of exempt and nonexempt material:

Hourly wage of lowest-paid employee capable: \$ _____ ÷ 4 = 15 minute rate of \$ _____ x number of 15 minute increments necessary to search (all partial increments rounded down) _____ = Total labor for separation: (costs for this labor are charged because it will take longer than 30 minutes to accomplish this task) \$ _____

3. Cost of non-paper media: DVD-R: \$0.18 L3 DVD: \$0.40 USB Drive: \$4.00

Actual (and most reasonably economical) costs of media \$ _____ x # provided _____ = \$ _____

4. Cost of paper copies: Number of copies _____ x price per copy \$0.05 = \$ _____

5. Cost of labor directly associated with duplication or publication:

Hourly wage of lowest-paid employee capable: \$ _____ ÷ 10 = 6 minute rate of \$ _____ x number of 6 minute increments necessary to search (partial increments rounded down) _____ = Total copy labor: \$ _____

**6. Cost of mailing: First-class letter: \$ _____ Over four pages: \$1.45
Over four pages plus DVD: \$2.60 DVD only: \$1.75**

Actual cost of mailing = \$ _____

Note: All labor charges in paragraph 1, 2 and 5 above include a multiplier of ___% for fringe benefits.

FEE APPEALS

You may appeal these fees by submitting to the Mayor a written appeal for a fee reduction by specifically stating the word “appeal” and identifying how the fee exceeds those permitted under the City’s policies or the Freedom of Information Act. Unless extended by up to 10 days with a written notice detailing the reasons for the extension, the Mayor must respond within 10 business days after receiving the appeal and either: (1) waive the fee, (2) reduce the fee (and explain why), or (3) uphold the fee (and explain why).

If you believe the amount still exceeds the amount permitted by the City’s policies or the Freedom of Information Act, you may file an action in circuit court within 45 days from the date of the Mayor’s response. If you prevail in the action and the court reduces the total fee by 50% or more, the court may, in its discretion, award all or a portion of your reasonable attorney fees, costs and disbursements. If the court determines the City acted arbitrarily and capriciously, it may award in addition to any other damages, punitive damages of \$500.00 and a civil fine of \$500.00. (Any civil fine would go to the State Treasury.)