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June 5, 2014

VIA EMAIL (nwessler@aclu.org)

Mr. Nathan Freed Wessler, Esq.
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004-2400

**Re: Public Records Request Submitted to City of Sunrise
Request #140122**

Dear Mr. Wessler:

As you know, this firm represents the City of Sunrise (“City”) with respect to the public records request (the “Request”) submitted by the ACLU in your February 28, 2014 letter to Chief Brooks. The Request seeks records regarding cell site simulators, in ten (10) separately listed sub-categories. Please consider this firm as the designee of the custodian of the City’s records pursuant to §119.07, Florida Statutes for this and any future requests you may have.

Your request for documents and information is extensive, and will require extensive use of information technology resources, or extensive clerical or supervisory assistance by personnel of the City to identify, manage and compile the requested information. It is the policy of the City to impose a duplication charge for copying public records and additional charges in accordance with the fee schedule enumerated in City Code Section 2-398 and Section 119.07(4), Florida Statutes. It is the City’s policy that a deposit be submitted by the requesting party in an amount equal to the anticipated cost of the assembly and duplication before processing will commence, particularly where clerical services of an extensive nature are necessary.

Mr. Nathan Freed Wessler, Esq.
June 5, 2014
Page 2 of 2

Having reviewed the nature and scope of your request, and after examining all possible means by which the preparation and review of the requested records could be performed, the City has determined that the required advance deposit will be \$20,231.85.¹ This amount includes the following:

- (a) Staff time of 1,195 hours at a rate of \$13.55 per hour (with no charge for the first 30 minutes), totaling \$16,185.48; and
- (b) A 25% factor reflecting fringe and pension benefits totaling \$4,046.37.

If there are specific records you are looking for, or if you would like to narrow the scope of your request in any way, please let me know and we will work with you to timely provide a corresponding updated estimate.

Pursuant to City Code Section 2-398(a), if the actual costs exceed that amount, work will temporarily cease and you will be asked to replenish the deposit, upon which work will resume. You are responsible for the additional amount. At your convenience, you may submit a check in the amount of \$20,231.85² payable to the City of Sunrise, Florida, to my attention: Samuel I. Zeskind, Weiss Serota Helfman Pastoriza Cole & Boniske, P.L., 200 East Broward Boulevard, Suite 1900, Fort Lauderdale, Florida 33301. The City will begin processing your request as soon as your deposit has been received.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Daniel L. Abbott
Samuel I. Zeskind

cc: Felicia Bravo, City Clerk

¹ The City does not keep a database of the cases when a cell site simulator has been used. As a result, the City must review all files in order to retrieve and review the records responsive to your request. The City has determined that, in order to determine which records are responsive to your request, a review of 14,348 reports must be performed. The City estimates that it will take five (5) minutes to research, pull and review each report.

² Please note that this estimate only includes the costs to make the records available for your review. If you wish to receive copies of responsive records, we will provide you with the deposit amount for copies once we know how many pages of non-exempt, responsive records are in the City's possession.