

# NORTH AUGUSTA

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## SOUTH CAROLINA'S RIVERFRONT

FOIA 2023-35

**Date:** March 28, 2023

**TO:** Fred Ilardi

Copy to:  
Kelly Zier - City Attorney  
James Clifford - City Administrator

**RE:** FREEDOM OF INFORMATION REQUEST

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 27th day of March 2023. Such request has been forwarded to the appropriate department for response. In addition, a copy of said request has been forwarded to the office of the City Attorney for his review.

The City Attorney will make a determination as to whether the request is a proper request under the FOIA act. The appropriate department will advise as to what materials, documents, etc. may be available. That department will also provide information indicating the approximate time involved related to the retrieval of the documentation, and also the amount of material that would need to be copied in order to comply with the request. At such time as a response is received from the City Attorney and the appropriate department, we will then notify you of the response of the City to your FOIA request. In the event that the request is deemed appropriate and permissible under the FOIA act, we will advise you of same and also provide an estimate of the costs that would be related to responding to said request. In the event that it is determined that the FOIA request is not proper and not permitted by the act, you'll also be advised of that decision.

A response to your request will be made within the time limits as established by section 20-4-30(c) of the FOIA act. Specifically, this requires that said response be provided within 10 business days for any record requested that is less than 24 months old. A request for a record that is more than 24 months old, is to be responded to within 20 business days from the date of the receipt of your request. The City would not normally require the full period in order to respond, but reserves its right under the act to do so.

The response as required by the Act as referred to in the above paragraph is NOT the delivery of the documents. It is a response advising the person making the FOIA request of the City's determination as to the public availability, of the requested public records. The ACT further provides that if the request is granted, the document must be furnished or made available for inspection or copying no later than thirty (30) calendar days from the date on which the final determination as to the availability of the documents is made, unless the record are more than twenty-four (24) months old, in which case the Public Body is to provide such records no late than thirty-five (35) calendar days from the date on which the final determination was provided. In the event that a deposit for the costs of providing the documentation is required, the providing of the

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documents would be based upon the date on which the deposit is received. In such case, the time remains thirty (30) or thirty-five (35) calendar days based upon the age of the documents requested.

In the event that the response to your request is positive and the costs associated with retrieving and providing the data is minimal, in most cases, the City would forward the documentation to you with a statement for the costs. An example of charges would be 15¢ per page for black and white copies, 20¢ per page for color copies. The City does not charge for search and retrieval for fifteen minutes or less. For any time required to research and retrieve the requested information more than 15 minutes, the City charges, a minimum of \$8.00 per 30 minutes. Pursuant to the act, the charge for searching, retrieving, and redacting records is not to exceed the hourly wage of the lowest paid employee on the public body staff, who has the skill and training to fulfill the request. Therefore, the charge could be in excess of the \$8.00 per 30 minutes, if a regular clerical person is unable to perform the services. The specific FOIA Fee schedule, as adopted by the City is available for review online. In the event that the costs are considered to be of more than a nominal amount, the City would reserve the right to require a deposit of 25% of anticipated costs to be made before assembling, copying and delivering the materials. This would also provide to you the opportunity to determine if you desired to proceed with the request in light of the costs.

**NOTICE: SOUTH CAROLINA LAW PROVIDES THAT “IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION.” Section 30-2-50**

*Jamie Paul*

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Jamie Paul, City Clerk, CMC

City of North Augusta, South Carolina

**From:**  
**To:** [Paul, Jamie](#)  
**Subject:** Fwd: FOIA Request 2023-10 - Response of 03/26/2023  
**Date:** Sunday, March 26, 2023 2:53:14 PM  
**Attachments:** [FOIA 2023-10 Response.pdf](#)

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Dear Ms. Paul:

I am in receipt of your email dated March 21,2023. Although I was happy to receive this additional document ,the information supplied in that email **does not** satisfy the requests that were asked for in my original FOIA request of February 10,2023 and in my response to Mr. Zier that was sent on March 19,2023 which delineated in detail what I was requesting.

Among the many documents that were requested , I wrote in my closing paragraph to Mr. Zier that I had asked for the original documents that would show how the cost of about \$12 -14 million to build the Public Safety Complex was submitted by builders. It was obvious to me that the City had received proposals that generated these figures. Once again, I request this information. Once again , I reiterate the reason for my request is to document how the cost went from \$12-14 million to \$25 million in about 1.5 years.

It appears to me that the City has been reluctant to provide these documents. Why? Can I be assured that these documents will be sent to me and if yes, when? If I am not going to get them please let me know.

Thank you again for your correspondence to me. I await your response.

Sincerely,

Fred Ilardi

Sent from [Mail](#) for Windows

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**From:** [Paul, Jamie](#)  
**Sent:** Tuesday, March 21, 2023 2:43 PM  
**To:**  
**Cc:** [Zier, Kelly](#); [Kelly Zier](#); [Clifford, Jim](#); [Moody, Rachelle](#)  
**Subject:** FOIA Request 2023-10 - Response

Fred Ilardi,

Please see the attached document regarding your FOIA 2023-10.

Please confirm receipt of this email.

Thank you.

Sincerely,

Jamie Paul, CMC

City Clerk

City of North Augusta

100 Georgia Avenue

North Augusta, SC 29841

[jpaul@northaugustasc.gov](mailto:jpaul@northaugustasc.gov)

803-441-4202