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San Francisco

July 1, 2022

VIA U.S. MAIL

Robert Kahn
Managing Director
AlphaNext

[Redacted]

Re: Carmel Unified School District: California Public Records Act Requests
#2122-28 and 2122-29
Our File No.: 1885.210001

Dear Mr. Kahn:

On behalf of our client, Carmel Unified School District ("District"), this letter supplements the District's correspondence, dated March 30, 2022 and April 1, 2022, in response to your requests for records (#2122-28 and 2122-29) under the California Public Records Act ("CPRA"), with respect to your CPRA Request Categories 2, 3, and 4:¹

- CPRA Request Category 2: "When did the board develop the expertise and knowledge to determine whether your project(s) were exempt from local, state and federal rules pertaining to development that we all have to follow. More incredulous, when did the board and the individual supervisors develop expertise and knowledge to determine that the many projects would not have a significant impact...Please highlight the training, expertise, and knowledge base that Mr. Hightower, Ms. Funt and the board had to weigh in on a) the applications of local rules and regulations, and b) no environmental impact will occur."
- CPRA Request Category 3: "Please forward information pertaining to the pool lights and the actions taken by the school board supporting the Board's determination as stated by Mr. Hightower and Ms. Funt that the projects undertaken by the Board were exempt from CEQA. After a quick review of

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SAN DIEGO
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2485 Notre Dame Blvd.
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555 Capitol Mall
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FRESNO
7170 N. Financial Drive
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¹ The District completed its response with respect to your CPRA Request Category 1 on April 1, 2022.

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CEQA, I was not able to find exemptions for installing a lighting system for the pool.”

- CPRA Request Category 4: “Please also provide the criteria that you used to determine the new performing arts center, pool lights and other parts of your project would not have a significant effect on the environment.”

Notwithstanding the objections raised in the District’s previous correspondence, based on the District’s understanding of your requests as set forth in its March 30, 2022 and April 1, 2022 correspondence, the District has determined that it has disclosable and responsive records to your requests, as follows:

- California Code of Regulations, Title 14, §§ 15301, 15302, 15311, and 15314 (2008).
- Carmel High School Performing Arts Center/Theater Project Documents, including but not limited to, Board documents; advertisements; bid documents and addenda; bid protests; contract documents and change orders; bonds; purchase orders; plans; insurance documents; project meeting minutes; Architect documents; DSA documents; schedule of values; submittal logs; application and certificate for payment; preliminary notices; certified payroll records; punch list; notice of completion; and correspondence.
- Carmel High School Pool Project Documents, including but not limited to, board documents; bid documents and addenda; bid protests; contract documents and change orders; project manual; purchase orders; master plan; plans and specifications; construction manager documents; DSA documents; project inspector documents; application and certificate for payment; preliminary notices; certified payroll records; punch list; and correspondence.
- Email correspondence from or to former Superintendent Marvin Biasotti between January 1, 2006 to December 31, 2008 containing the following key terms: “performing art center”, “theater”, and “pool”.

With the exception of Mr. Biasotti’s emails, the District is in the process of making these records available to you electronically via a sharefile link, which is anticipated to be ready by early next week. Once available, the sharefile link will be sent to you from our office via email [REDACTED], and you may download the requested records directly from the link.

With respect to the email records described above, please be advised that on October 7th, 2016, District staff emails were transitioned from Microsoft Exchange to Gmail as the District’s email provider. In the weeks following the migration, past emails from Exchange were scheduled to be moved into Gmail in phases, beginning with emails from July 1, 2015, through September 15, 2016. Since the records responsive to your requests are from prior to 2015-2016, the District is in the process of diligently and thoroughly searching for and retrieving the responsive emails from January 1, 2006 to December 31, 2008, which are located on the old server that is no longer in use. Additional time is needed to complete this comprehensive search and properly extract and review the resulting records for responsive, disclosable documents.

Accordingly, the records produced to you in the forthcoming sharefile link constitute the first batch of responsive records to your CPRA Requests 2022-28 and 2022-29. A subsequent batch of responsive records will be provided to you once the email search, extraction, and review

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process described above is complete. We anticipate that we will be able to provide you with a status update with respect to the subsequent production by the end of next week.

All objections raised in the District's March 30, 2022 and April 1, 2022 correspondence also apply to this supplemental response and are fully incorporated herein.

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

Very truly yours,

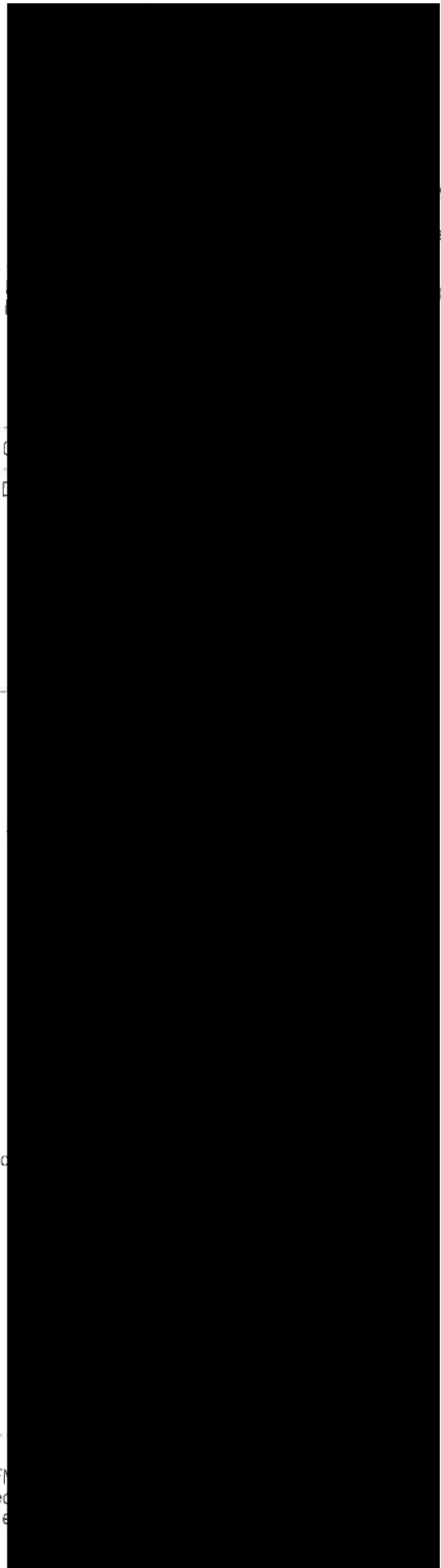
DANNIS WOLIVER KELLEY

A handwritten signature in blue ink that reads "Jessica K. Johnson". The signature is fluid and cursive, with the first name "Jessica" and last name "Johnson" clearly legible.

Jessika K. Johnson

JKJ:CJK

cc: Jessica Hull, Director of Communications and Community Relations (Carmel Unified School District)
Tricia Zarevich, Confidential Administrative Assistant to the Superintendent (Carmel Unified School District)



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