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San Francisco

March 21, 2022

VIA EMAIL

Fran Dillard

Re: Carmel Unified School District: Response to California Public Records Act Request
Our file 1885.210001

Dear Ms. Dillard:

On behalf of our client, Carmel Unified School District ("District"), this letter supplements our correspondence, dated March 9, 2022, in response to your recent email requesting records from the District under the California Public Records Act ("CPRA").

In accordance with California Government Code section 6253.1, the District understands your request as follows:

- CPRA Request Category 1: "We'd like to have the EIR and documentation that was associated with the construction and installation of the Performing Art Center and Pool lights."

The District understands this request as seeking the documentation prepared under the California Environmental Quality Act (CEQA) for the following projects:

- (1) New Pool Project: Installation of swimming pool and construction of attendant facilities, including installation of lighting system.
(2) New Theater Building Project: Construction of new theater building, including demolition of old library building to provide site for theater building, and renovation of adjacent classroom wing, including structural upgrades to three classrooms.

Notwithstanding the objections raised in our previous correspondence, the District has determined that it has disclosable and responsive records to your request. To the

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200 California Street
Suite 400
San Francisco, CA 94111
TEL 415.543.4111
FAX 415.543.4384

LONG BEACH
444 W. Ocean Blvd.
Suite 1070
Long Beach, CA 90802
TEL 562.366.8500
FAX 562.366.8505

SAN DIEGO
750 B Street
Suite 2600
San Diego, CA 92101
TEL 619.595.0202
FAX 619.702.6202

CHICO
2485 Notre Dame Blvd.
Suite 370-A
Chico, CA 95928
TEL 530.343.3334
FAX 530.924.4784

SACRAMENTO
555 Capitol Mall
Suite 645
Sacramento, CA 95814
TEL 916.978.4040
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BERKELEY
2087 Addison Street
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extent the District understands your request, the District has determined that the following document, provided herewith, is responsive to your CPRA request:

- Resolution #08-08 – Resolution Rendering Local Zoning Ordinance Inapplicable to Projects at Carmel High School and Determining Projects are Exempt from the California Environmental Quality Act, dated February 11, 2008
- Notice of Exemption for Modernization and New Construction at Carmel High School Project, filed with the Monterey County Clerk in or around February 2008

All objections raised in our March 9, 2022, correspondence are incorporated herein.

This concludes the District's response to your CPRA request. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

DANNIS WOLIVER KELLEY



Jessika K. Johnson

Encl.

cc: E. Ted Knight, Ed.D., Superintendent (Carmel Unified School District)
Dan Paul, Director of Facilities and Transportation (Carmel Unified School District)

RESOLUTION

#08-08

CARMEL HIGH PROJECTS

**BEFORE THE BOARD OF TRUSTEES
OF THE CARMEL UNIFIED SCHOOL DISTRICT
MONTEREY COUNTY, CALIFORNIA
RESOLUTION NO. 08-08**

**RESOLUTION RENDERING LOCAL ZONING ORDINANCE
INAPPLICABLE TO PROJECTS AT CARMEL HIGH SCHOOL AND DETERMINING
PROJECTS ARE EXEMPT FROM
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, Carmel Unified School District (“District”) is conducting a modernization program at Carmel High School, which program consists of the projects described on Exhibit A hereto (“Projects”); and

WHEREAS, the Projects are located on a District-owned site, the campus of Carmel High School located on the west side of Highway 1 at Ocean Avenue (“Site”) in the unincorporated area of Monterey County; and

WHEREAS, the District is empowered by Government Code section 53094 to render city or county zoning ordinances inapplicable to its proposed use of property for school district purposes except when the proposed use is for nonclassroom facilities; and

WHEREAS, each of the Projects is intended for instructional purposes, in that the Projects consist of the construction of instructional facilities ranging from new classrooms to a new library and theatre building, as well as the replacement of an aging sign with a new electronic sign that will provide regularly updated information on enrollment, classes and activities to District students and the community, and therefore the Projects are not a “nonclassroom” facility as defined by Government Code section 53094 and relevant case law; and

WHEREAS, the District is subject to numerous State requirements and State oversight regarding construction on District school sites, which are designed to ensure that school construction and reconstruction projects are safe and promote the public interest, and the District has obtained or is in the process of obtaining State approval for each of the Projects where required by applicable law; and

WHEREAS, the Projects will not have a significant effect on the environment and are categorically exempt from the provisions of the California Environmental Quality Act (“CEQA”) as set forth in CEQA Guidelines § § 15301 (minor alterations to existing facilities), 15302 (replacement or reconstruction of existing structures and facilities), 15311 (construction or placement of structures accessory to or appurtenant to, existing institutional facilities) and 15314 (minor additions to schools).

NOW, THEREFORE, THE BOARD OF TRUSTEES OF CARMEL UNIFIED SCHOOL DISTRICT FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

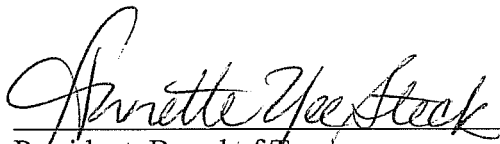
1. The foregoing recitals are true and correct.

2. By this Resolution, the District renders zoning ordinances of the County of Monterey inapplicable to the Site and its proposed uses by the District for the Projects.
3. The Superintendent, or his designee, is directed to notify the County of Monterey of this action by delivering a copy of this Resolution to the County Planning Department.
4. The Board finds that the Projects will not have a significant effect on the environment.
5. The Projects are hereby found to be exempt from the requirements of CEQA pursuant to State CEQA Guidelines sections 15301, 15302, 15311, and 15314, as set forth above, and are hereby approved.
6. The Superintendent or his designee is hereby authorized and directed to file and process a Notice of CEQA Exemption for the Project in accordance with CEQA and the State CEQA Guidelines, and the findings set forth in this Resolution, which Notice is attached hereto as Exhibit B.
7. The Superintendent or his designee is authorized and directed to take such further actions as may be necessary and appropriate to carry out the intent of this Resolution.
8. This Resolution shall take effect immediately upon its adoption.


* * * * *

PASSED AND ADOPTED by the Board of Trustees of the Carmel Unified School District at its meeting held on February 11, 2008, as follows:

AYES: 4
 NOES: 1
 ABSENT: 0
 ABSTAINED: 0



 President, Board of Trustees
 Carmel Unified School District

Attest:


 Secretary, Board of Trustees
 Carmel Unified School District

Exhibit A – List of Projects at Carmel High School

New Library Building:	Construction of new library building, including demolition of existing drama room to provide site for library building
New Theatre Building:	Construction of new theatre building, including demolition of old library building to provide site for theatre building, and renovation of adjacent classroom wing, including structural upgrades to three classrooms
2 Science Classrooms:	Reconstruction and modernization of two science classrooms
Cafeteria:	Demolition and reconstruction of cafeteria canopy and modernization of cafeteria interior
New Classroom Wing:	Construction of new wing consisting of four classrooms
Relocation of Classrooms:	Relocate portable classrooms to make way for theatre project and also to make space for new pool
Electronic Sign:	Replace existing sign with electronic sign
New Pool:	Installation of swimming pool and construction of attendant facilities, including installation of lighting system
Classroom 24:	Reconstruction of aging classroom structure
Gym Expansion:	Expansion and reconstruction of gymnasium
Replacement of Student Lockers	

Exhibit B - Notice of Exemption

To: Monterey County Clerk
Monterey County Government Center Administration Building
168 W Alisal St, 1st Floor
Salinas, CA 93901

From: Carmel Unified School District
PO Box 222700
Carmel, CA 93922

Project Title: Modernization and new construction at Carmel High School Project

Project Location - Specific: 3600 Ocean Ave., Carmel, CA 93923

Project Location - City: n/a _____ **Project Location - County:** Monterey

Description of Nature, Purpose, and Beneficiaries of Project: Construction of new library, theatre and classroom buildings and swimming pool; reconstruction and modernization of existing classrooms, cafeteria and gymnasium; relocation of portable classrooms; and replacement of existing sign and existing student lockers, all within the existing campus.

Name of Public Agency Approving Project: Carmel Unified School District

Name of Person or Agency Carrying Out Project: Carmel Unified School District

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268;
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Classes 1, 2, 11, and 14; Sections 15301, 15302, 15311, and 15314
- Statutory Exemptions. State code number:

Reasons why project is exempt: This Project replaces and reconstructs existing structures and facilities, provides minor alterations to existing facilities, provides construction or placement of structures accessory to or appurtenant to existing institutional facilities, and minor additions to the existing High School campus. The location is within the existing High School campus and a portion of the project involves negligible or no expansion of the existing uses. The new replacement facilities have substantially the same purpose and capacity as the old facilities they replace. The District has determined that the Project will not have a significant impact on the environment. The Project will not impact on an environmental resource of hazardous or critical concern, within the meaning of Guidelines section 15300.2(a), or otherwise come within any of the exceptions set forth in Section 15300.

Lead Agency

Contact Person: Rick Blanckmeister

Telephone/Extension: (831) 624-1456, ext. 2050

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____, 2008

Title: _____, Carmel Unified School District