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San Francisco

April 6, 2022

VIA U.S. MAIL

Fran Dillard
[REDACTED]
[REDACTED]

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

Dear Ms. Dillard:

On behalf of our client, Carmel Unified School District ("District"), this letter serves as the District's response to your recent request for records under the California Public Records Act ("CPRA").

In accordance with California Government Code section 6253.1, the District understands your March 27, 2022 request as follows:

- CPRA Request Category 1: "Any 'records' which include a wide variety of documents and other materials (including print, photographic, and electronic formats such as e-mails) that were created or obtained by the organization that sheds light on the purpose of creating the website: <https://www.carmelunified.org/Page/6026>
 - Window of inquiry should include from October 2021 - through this request, March 27th 2022.
 - "Records" should include e-mails that contain "CEQA", "stadium lights", "pool", "performing art center or theater" "California Public Records Act" and or "Dillard".
 - Please include any reference to the website, the url and/or specific individuals including the contact on the page: Jessica Hull."

The District understands this request as seeking all public records subject to disclosure under the CPRA from October 1, 2021, to March 27, 2022, that concern the District's CPRA Requests website (<https://www.carmelunified.org/Page/6026>), which may include correspondence from members of the public, including CPRA requests received

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7170 N. Financial Drive
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Fresno, CA 93720
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during the specified time period. The District further understands your reference to "stadium lights," "pool," and "performing art center or theater" as meaning the proposed Carmel High School stadium lights project, and the previously constructed new pool project (2006) and new theater building project (2009) at Carmel High School. The District understands your request for public records that "include any reference to the website, the url and/or specific individuals including the contact on the page: Jessica Hull" as seeking any disclosable public records that cite to the District's CPRA Requests website or include the name "Jessica Hull". Please notify us if we have misunderstood the scope of your request.

- CPRA Request Category 2: "As part of the California Public Records Act (CPRA) (REQUEST 2), please provide all CPRA requests and responses from 2008 and forward to the current date of 2022. That time window should be inclusive of all the years (2008-2022) and key words should include any public inquiries including key words that surround the passed #08-08 resolution of the pool, pool lights and performing art center/theater."

The District understands this request as seeking all CPRA requests received by the District and the related responses, including records produced, from January 1, 2008 to April 6, 2022, that pertain to or reference the previously constructed new pool project (2006) and/or new theater building project (2009) at Carmel High School, and the process undergone for both projects under the California Environmental Quality Act ("CEQA"), including Board Resolution #08-08 (dated February 11, 2008). Please notify us if we have misunderstood the scope of your request.

In general, the following records, among others, are exempt from disclosure: (1) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business (Gov. Code, §6254(a)); (2) Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to the official information privilege, as well as trade secrets or other confidential or proprietary information (Gov. Code, §6254(k); Evid. Code, §§1040 & 1060); (3) Records exempt from disclosure under the deliberative process privilege, work product or attorney-client privilege, or the public interest exemption (Gov. Code, §§6254.25 & 6255; Evid. Code, §950, *et seq.*; *Citizens for Open Gov. v. City of Lodi* (2012) 205 Cal.App.4th 296, 305; *City of San Jose v. Superior Court* (1999) 74 Cal.App.4th 1008, 1019); (4) Records pertaining to pending litigation or claims (Gov. Code, §§6254(b) & 6254.25); (5) The contents of real estate appraisals or engineering or feasibility estimates and evaluations relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained; and (6) Any other public records exempt from disclosure under Government Code section 6254, *et seq.*, or other applicable law. Furthermore, the CPRA only requires production of records which exist at the time of the request, and the District is not required to create records in order to respond to requests. (Govt. Code, §§6252 & 6253; *Haynie v. Sup. Ct.* (2001) 26 Cal.4th 1061). To the extent your request seeks any of the foregoing, such records are exempt from disclosure, and the District is unable to produce such exempt and non-disclosable records, except as otherwise set forth above.

Without waiving its rights or any other objections that may be available to it, please be advised that the District has determined it has disclosable records responsive to your request. The District is in the process of searching for, collecting, and examining a voluminous amount of separate and distinct records and/or compiling data responsive to your request, and

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estimates that these records will be available for your review by July 6, 2022. To the extent the District is able to produce some or all of the records prior to July 6, it will do so.

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

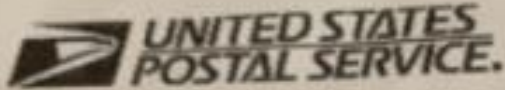
Very truly yours,

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, Esq.

CJK/jm

CC: Jessica Hull, Director of Communications and Community Relations (Carmel Unified School District)



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04/08/2022 04:53 PM

Product	Qty	Unit Price	Price
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First-Class Mail® Letter Carmel, CA 93923 Weight: 0 lb 0.90 oz Estimated Delivery Date Fri 04/08/2022	1		\$0.58
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Grand Total: \$0.58

Debit Card Remitted \$0.58

Card Name: VISA
Account #: XXXXXXXXXXXX4119
Approval #: 035219
Transaction #: 571
Receipt #: 034528
Debit Card Purchase: \$0.58
AID: A000000980840 Chip
AL: US DEBIT
PIN: Verified

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