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REID D. SHANNON
Attorney at Law
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Long Beach

September 28, 2022

VIA EMAIL

[Redacted]

Re: Carmel Unified School District
Response to California Public Records Act Request No. 2223-27
Our file no. 1885.210001

Dear Sir or Madam:

On behalf of our client, Carmel Unified School District ("District"), this letter responds to your recent request, received September 14, 2022 (Request No. 2223_27), for records under the California Public Records Act ("CPRA"), Gov. Code, § 6250 et seq.

To the extent the District understands your request, the District interprets your request as seeking a single category of records, as follows:

- Request: Records from 2007 to present related to "fire and/or safety compliance, emergency access routes, Division of the State Architect, 810 form, permitting, DSA 810, Fire & Life Safety Site Conditions Submittal, project site conditions, athletic improvements, permits, encroachments."

Your request notes that it extends to "records, files, reports, investigations, e-mails, texts, phone call records, internal meeting minutes and memos." Your request also notes that it includes records of "any CUSD paid person[nel] or volunteer, including but not limited to, the superintendent, CHS principal, facility manager Dan Paul, Golden Anderson, Mike Kelley, Kimberley Woltman, Yvonne Perez, accounting and finance and outside agencies but not limited to EMC Planning, Whitson Engineers."

Pursuant to Government Code section 6253.1, this letter serves as the District's good faith attempt to elicit additional clarifying information to assist you in making "a focused and effective request that reasonably describes an identifiable record or records." The current request is confusing, overbroad, and unreasonable in a number of respects. As such, it is unclear what records you are seeking. The District is unable to respond until you provide clarification.

First, your request does not specify which campus and projects you are seeking records for. Before listing your request, you refer to a proposal for land survey services for "Carmel High School Partial Boundary Survey." After listing your request,

you state that “[g]iven the proposed RDEIR includes ‘athletic’ improvements the outputs of this CPRA are critical inputs into the assessments of the environmental impact report.” Therefore, the District interprets your request as limited to athletic improvement construction projects at Carmel High School. If this is not the intended scope of your request, please let us know.

Second, the District is unclear what records you seek regarding athletic improvement construction projects at Carmel High School (or other campuses and projects, if so specified). The District interprets your request as seeking construction documents (e.g., plans and specifications), documentation received from or submitted to the Division of the State Architect (“DSA”), and any other approvals or permits that address fire and/or life safety compliance, emergency access routes, project site conditions, and encroachments. The District will review available project files for these documents. If this is not the intended scope of your request, please let us know.

Third, the District must also clarify the scope of any email search for responsive records. The District can only, and is only required to, search for records in its possession. (See Gov. Code, § 6253, subd. (c).) This excludes outside entities/persons whose emails the District does not possess within the meaning of the CPRA (e.g., those of EMC Planning Group, Whitson Engineers, and their respective personnel). The District also cannot reasonably search every District employee, and must limit the scope of the search to those persons identified in the request. Based on your clarification in response to the first two issues listed above, and to the extent there are additional responsive records not contained in project files, the District will search emails for the following persons that you have identified:

- Ted Knight, Superintendent;
- Jonathan Lyons, Carmel High School Principal;
- Dan Paul, Chief Operating Officer;
- Golden Anderson, Athletic Director;
- Mike Kelley, Carmel High School Baseball Coach; and
- Yvonne Perez, Chief Business Official.

The time period of the search will be limited to those emails that are available as of the date of your request. The District does not, and is not required to, retain emails dating back to 2007.

Additionally, while the District awaits your clarification, the District has determined that it must also extend the time to respond to the request by fourteen (14) days, such that the District will respond further by **October 10, 2022**. (See Gov. Code, § 6253, subd. (c).) The circumstances warranting this extension include the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records in response to your request. (See *id.*) Upon completion of the District’s search, collection, and examination of records, only those documents that meet the definitions contained in the CPRA and are not otherwise exempt from disclosure will be produced. The District reserves all objections at this time.

Please provide the clarification requested herein so that the District can prepare its response to your CPRA request. Further clarification may be requested as the District undertakes its search for responsive records. In the meantime, if you have any questions, please contact this office.

budget4jh@gmail.com

September 28, 2022

Page 3

Sincerely,

DANNIS WOLIVER KELLEY

A handwritten signature in blue ink, appearing to read "Reid D. Shannon". The signature is stylized and cursive.

Reid D. Shannon

cc: Jessika K. Johnson, Esq.