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December 4, 2019

By E-mail: jill.miller@ci.salinas.ca.us

City of Salinas
Community Development Department
Attn: Jill Miller, Senior Planner
65 West Alisal Street
Salinas, California 93901

Re: Planning Commission Meeting for West Area Specific Plan

Dear Ms. Miller:

Our office represents the Santa Rita Union School District ("District"). This letter is in regard to the City Planning Commission's consideration this afternoon of the West Area Specific Plan ("Specific Plan"), including the Environmental Impact Report ("EIR") that was prepared for the Specific Plan. The District previously reviewed the Draft EIR, and on April 15, 2019 provided written comments to this document (through a letter from our office). We are writing you this letter to raise concerns that our client has with the Planning Commission's consideration of the Specific Plan and the EIR.

First, to my knowledge the City has not provided responses to the District's comments, and perhaps has not provided responses to other comments, including those by other governmental entities. CEQA Guidelines section 15088(b) states that "(t)he lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report." While the EIR would not actually be certified until it goes before the City Council, pursuant to Municipal Code section 3-01.03(b)(3) the Planning Commission is charged with the obligation of the recommending certification of the EIR because it is a necessary component to the Specific Plan. As such, we believe the Planning Commission should have a complete record to review, including the responses to the comments made by the District and others.

Another area of concern relates to the attachments for the Specific Plan and EIR approval. To my knowledge, the attachments have not been made publicly available, and are not available on the City's website. Instead, recipients who have placed themselves on the email distribution list (myself included) received this note: "Please note that due to the large page count of the attachments, only a hardcopy of the Agenda will be distributed to Planning Commissioners during the meeting." From this note it is not clear that attachments have been given to Planning Commission or the public, which would seem unusual given the City's past practice of posting

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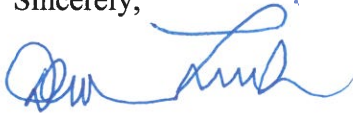
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lengthy attachments on its website simultaneously with the posting of a meeting agenda. To comply with the Brown Act, the attachments need to be made available to the public if they are going to be viewed and considered by the Planning Commissioners at the meeting. (See Gov. Code, § 54957.5.)

Based on the foregoing, it appears that the Planning Commission may not be adequately prepared to consider the Specific Plan approvals this afternoon. If indeed the comments to the EIR have not been responded to, and the public has not had an adequate opportunity to review and consider what will be before the Planning Commission this afternoon, the District believes it would be best to have this matter continued until everything has been worked out. If the public has not been provided an opportunity to review documents that have been provided to the Planning Commission, serious Brown Act concerns may be raised by proceeding today. Certainly, proceeding in this manner does not support the principles of government transparency inherent in the Brown Act and CEQA.

Sincerely,



Devon Lincoln

DBL/en

cc: Timothy Ryan, Acting Superintendent/Chief Business Officer
Santa Rita Union School District
(By Email: tryan@santaritaschoos.org)