



August 14, 2019

Via electronic transmission (emibach@padailypost.com)

Dear Ms. Mibach:

As a follow up to my letter to you on August 2, please find attached documents in response to your July 24, 2019, email to Silicon Valley Clean Water ("SVCW") California Public Records Act request.

Request No. 1: *The employment agreement, and all amendments, between the JPA and Daniel Child.*

These documents are enclosed.

Request No. 2: *A non-redacted copy of page 5 from the JPA's settlement agreement with Daniel Child.*

The settlement agreement between SVCW and Mr. Child is enclosed with certain redactions pursuant to Government Code section 6254, subdivision (c), which exempts from disclosure personnel records "the disclosure of which would constitute an unwarranted invasion of privacy." The redactions are also supported because the public interest that would be served by disclosing the redacted items is outweighed by the reasons not to disclose them. (Govt. Code section 6255(a)).

Request No. 3: *Any claims or complaints made by Daniel Child during his last year of employment at SVCW or in the time since he left SVCW.*

Reiterating my original response on behalf of SVCW denying this request, these records are exempt from disclosure based on the following and will not be disclosed. (Govt. Code §6253(d))

1) the exemption for "personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy," (Govt. Code section 6254(c)); and

2) the exemption for records of which it can be shown, based "on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record." (Govt. Code section 6255(a)).

Attached are copies of the above described documents under request nos. 1 and 2. As to SVCW's response to request no. 2, note that, to distinguish between the redacted version that Mr. Child signed and the redacted version that is attached, the original redactions (Mr. Child version of the agreement) are in Black and the new redactions (pursuant to this CPRA request) are in Green.

Sincerely,
SILICON VALLEY CLEAN WATER

A handwritten signature in blue ink, appearing to read "Teresa A. Herrera".

Teresa A. Herrera
Manager

copy: Christine C. Fitzgerald, SVCW General Counsel