

## Sasha Linker

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**From:** Stephen Petzold [REDACTED]  
**Sent:** Tuesday, September 15, 2020 4:36 AM  
**To:** CommAsst  
**Cc:** Ruth Yang; Galena West  
**Subject:** Include in my items for Thursday's meeting from Steve Petzold- Not on the Agenda

### EXTERNAL EMAIL

Dear Commissioners and FPPC Staff,

Regarding the FPPC investigations of the College of the Canyons Foundation and the College of the Canyons.

Several weeks ago I became aware of a letter sent by College of the Canyons Foundation President Jill Mellady, ( she served on the Foundation in 2016 and was co-chair on the Measure E Committee in 2016), to all of the Trustees of the college and the Chancellor Dianne G Van Hook.

To the best of my knowledge this letter was not sent via email, but sent through the college's in house mail system. An envelope containing the paper letter was placed in the mailbox of the individuals addressed.

I placed a CA Public Records Act Request (Richard McKee Act for Foundation) for a copy of the letter. The College and the Foundation each responded that they did not have records that were responsive to the request. The letter from the college acknowledges that such a letter may exist.

I have reason to believe that the letter may contain substantive information that may be of significant value to the FPPC investigation of the College and the Foundation.

I am urging the staff of the FPPC to use their investigative power to obtain a copy of the letter and review it's content to determine whether it casts any light on the close relationship between the college and the COC Foundation.

The purpose of this correspondence is to make you and the FPPC aware of the letters existence as we move toward the October meeting when the Stipulation is scheduled to come back before the Commission.

Respectfully submitted,

Steve Petzold



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Steve Petzold





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**Public Records Request-Richard McKee Act**

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Stephen Petzold <[REDACTED]>

Wed, Sep 2, 1:16 PM

To: Cathy Ritz <cathy.ritz@canyons.edu>

Please provide me with a copy of a letter sent by Foundation President Jill Mellady to the COC Board of Trustees which mentions my name and efforts to investigate the sources of funding for the \$150,000 contribution from the Foundation to the Yes on Measure E Committee.

Regards

Steve Petzold  
[Quoted text hidden]

*My record request*





26455 Rockwell Canyon Road, Santa Clarita, CA 91355 • 661.362.3434

September 11, 2020

VIA EMAIL ONLY

Mr. Stephen Petzold  
[Redacted]

*The Foundation  
Response to  
my records request.*

Re: *Response to McKee Transparency Act Request – Letter from Ms. Mellady to Santa Clarita Community College District Trustees*

Dear Mr. Petzold:

This letter is in response to your Public Records Act request submitted to me via email on September 2, 2020. This will serve as the College of the Canyons Foundation's ("Foundation") response to your request. As an auxiliary organization, the Foundation is not subject to California's Public Records Act. However, its records are subject to disclosure under the comparable Richard McKee Transparency Act. We provide this response in accordance with the McKee Transparency Act.

The McKee Transparency Act is a transparency statute specific to community college district auxiliary organizations and recognizes them as legally separate from the California Community Colleges. (See, Ed. Code, § 72690.) However, in accordance with one of its provisions (Ed. Code, § 72695), any document that is exempt under the PRA is also exempt from disclosure under the McKee Act. (Ed. Code, § 72695, Gov. Code, §§ 6254, et seq.)

Under the McKee Transparency Act, the Foundation is required to make public records available for inspection, or to permit you to obtain copies, unless the record is subject to an exemption. Public records are "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency." (Ed. Code, § 72695; Gov. Code, § 6252, subd. (e).) Except for public records that are exempt from disclosure, the Foundation is required to disclose records when it receives a request for an identifiable record. The Foundation is not required to create documents that do not otherwise exist. (Ed. Code, § 72695; Gov. Code, § 6253, subd. (b).)

The Foundation will provide any non-exempt information requested. The Foundation will not provide any documents that are protected by state or federal law including, but not limited to,



information protected under the Family Educational Rights and Privacy Act, the Confidentiality of Medical Information Act, the attorney-client privilege or work product protection doctrine, the official information privilege, or the deliberative process privilege. (See, Gov. Code § 6254, subd. (k).) The Foundation also will not produce any records related to pending litigation or personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. (See, Gov. Code, § 6254, subd. (b), (c).) Additionally, the Foundation will not provide any records where the public interest in withholding the record clearly outweighs the public interest served by disclosure of the record. (Gov. Code, § 6254, subd. (a).)

You have requested the following documents:

- A copy of a letter from Jill Mellady to Santa Clarita Community College District Trustees that mentions Stephen Petzold and your efforts to investigate the sources of funding for the \$150,000 contribution from the Foundation to the Yes on Measure E Committee.
- The Foundation has no responsive documents.

Please do not hesitate to contact me at [cathy.ritz@canyons.edu](mailto:cathy.ritz@canyons.edu) if you have any questions or if you would like to discuss.

Very truly yours,

*Cathy Ritz*

Cathy Ritz  
Foundation Chief Operating Officer and  
Director, University Center



# A Wise Investment

Uploaded: , Friday, Jun 3, 2016

By Guest Commentary

This letter is  
available of the  
web through  
SCVNews.com

<https://scvnews.com/a-wise-investment-commentary-by-measure-e-co-chair/>

It is submitted as evidence that  
Jill Mellady was a "co chair" of  
the Measure E campaign.

On June 7, Santa Clarita Valley voters will have the opportunity to vote for Measure E to improve College of the Canyons.

We have carefully studied Measure E and recommend a "yes" vote.

Time and again, College of the Canyons has demonstrated its wise stewardship of local dollars and continues to provide excellent career training and education to Santa Clarita Valley students.

We have confidence that Measure E funds will be spent prudently and efficiently. Over the years, local voters have overwhelmingly supported College of the Canyons, and our college has fulfilled its promise each and every time.

All past COC bond projects have been completed on time and on budget, allowing the college to continue serving the growing number of local students.

The college has proven itself to be responsible. While other institutions were forced to halt construction during the recession, College of the Canyons was able to deliver on all projects as promised. We can rely on College of the Canyons to do its part.

The college was also able to leverage local dollars to secure state matching funds — funds that would otherwise be diverted to other communities or to other colleges. This allowed the college to build additional classrooms and facilities



they otherwise could not — at no additional cost to local taxpayers.

College of the Canyons has grown to become one of our best known and most highly utilized local institutions. Over the years, we have supported the college, and in return, it has trained thousands of nurses, firefighters and sheriff's deputies who care for us, and thousands more highly skilled workers who nurture and sustain our growing local economy.

Measure E is a continuation of the great work we expect from College of the Canyons. Measure E will update outdated 1970s classrooms, labs and equipment to prepare Santa Clarita Valley students for four-year universities and promising careers.

It will address growing student enrollment by adding classrooms and science labs for career training for local professionals.

Furthermore, Measure E upgrades student centers to add improvements in career and academic counseling for veterans and all students.

Additionally, Measure E includes strict fiscal accountability protections that ensure local control. Every penny from Measure E will be used exclusively for improving classrooms and facilities at College of the Canyons. The state cannot take away any Measure E funds, and no funds can be used for salaries.

Independent citizens' oversight and annual audits will ensure all funds are spent exactly as promised.

This measure, like past measures, will also qualify COC for millions of dollars in state construction matching funds.

College of the Canyons has taken care of our families, businesses and local economy through career training and excellent academics. Now it is our turn to take care of our local college by voting "yes" on Measure E.

We urge you to vote "yes" on Measure E. It is a wise investment in our local businesses, our growing economy and our children's futures.

*Richard Sandnes, Cameron Smyth, Jill Mellady, Brian Koegle, Don and Cheri Fleming, Richard Patterson and Anna Frutos-Sanchez are the co-chairs of the Measure E campaign.*

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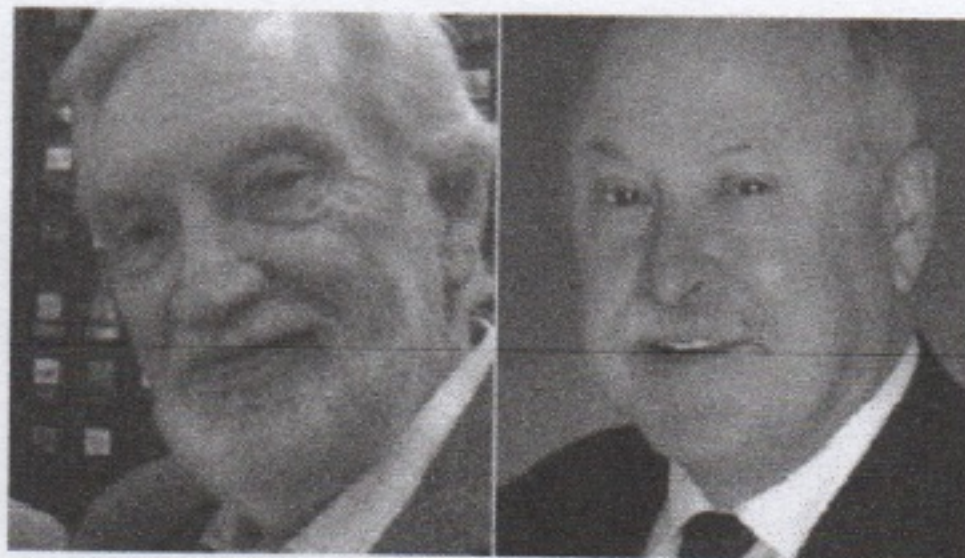
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*Jill Mellady - Brian Koegle - Anna Frutos-Sanchez are all identified as co-chairs of the Measure E campaign and served on the Foundation in 2016. None of them were officially identified on Form 440 filed by the Yes on Measure E Committee.*

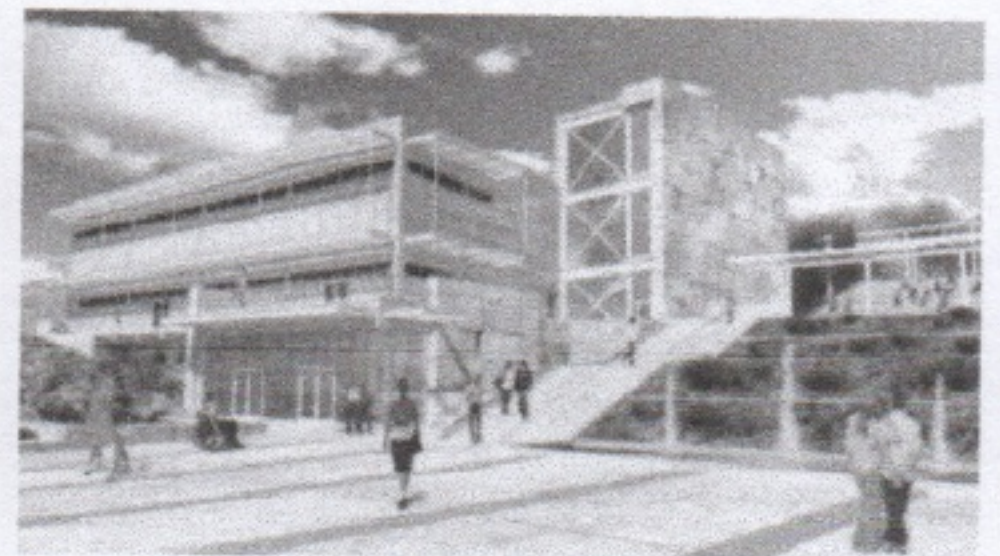
Related



Measure E Passage Positions COC to



COC: Consistently Meeting Needs



COC Faculty Votes to Endorse





26455 Rockwell Canyon Road  
Santa Clarita, CA 91355  
(661) 259-7800  
canyons.edu

September 11, 2020

Mr. Stephen Petzold

Re: *Response to Public Records Act request – Letter from Ms. Mellady to Santa Clarita Community College District Trustees*

Dear Mr. Petzold:

This letter is in response to your Public Records Act request submitted to me via email on September 2, 2020. This will serve as the Santa Clarita Community College District's ("District") response to your request.

Under the Public Records Act, the District is required to make public records available for inspection or to permit you to obtain copies, unless the record is subject to an exemption. Public records are "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency." (Gov. Code, § 6252, subd. (e).) Except for public records that are exempt from disclosure, the District is required to disclose records when it receives a request for an identifiable record. The District is not required to create documents that do not otherwise exist. (Gov. Code, § 6253, subd. (b).)

Under the Public Records Act, we are required to determine whether we will comply with the request or whether the requested documents are subject to an exemption. Please accept this as the District's determination and response pursuant to Government Code section 6253, subdivision (c).

You have requested the following documents regarding College of the Canyons Foundation Documents:

- A copy of a letter sent by Jill Mellady to the Santa Clarita Community College District Trustees and Chancellor Van Hook that mentions Stephen Petzold and your activities to discover the source of funds used by the Foundation to fund \$150,000 to the Yes on E Committee.

The District has no documents that meet the description you provide. We understand there is a letter from Ms. Mellady that mentions you in passing and mentions your Public Records Act Requests to the Foundation. We have not searched for copies of that letter. We provide this information to meet our obligation to assist you making a focused and effective request that reasonably describes an identifiable record or records, and to

SANTA CLARITA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

Edel Alonso • Michael D. Berger • Michele R. Jenkins • Joan W. MacGregor • Steven D. Zimmer



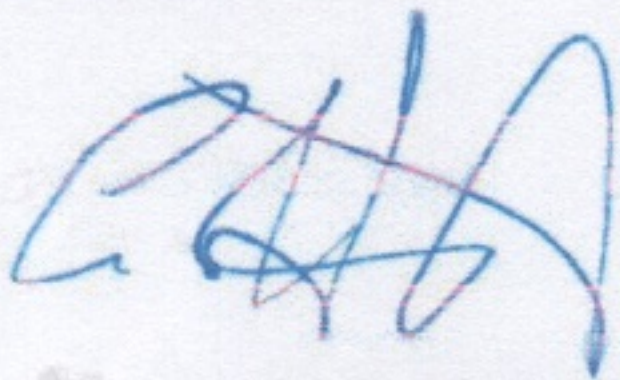
September 11, 2020

Page 2

provide suggestions for overcoming any practical basis for denying access to the records or information sought. (Gov. Code, § 6253.1, subd. (a)(1) and (a)(3).)

Please contact me at (661) 362-3429 if I may be of any further assistance.

Sincerely,



Eric Harnish

Vice President, Public Information