

RE: Corrections to the City of Mountain View's Update on the Amendment to Education Enhancement Reserve Joint Powers Agreement

Dear City Council members:

It has come to our attention that a recent report from the City of Mountain View's City Manager's Office omits several key details pertaining to discussions on the Education Enhancement Reserve Joint Powers Agreement. We offer the information below in an effort to construct a more complete framework for ongoing discussion.

#### **Negotiation and Ad Hoc Meeting Discussions**

In September 2023, the City agreed to negotiate with Mountain View Whisman School District and the Mountain View-Los Altos Union High School District on the Joint Powers Agreement to address the ongoing diversion of property taxes from the school districts. An Ad Hoc Committee of elected officials was established to manage the matter.

In the nearly nine months that followed, only one meeting occurred.

Both school districts repeatedly requested additional meetings. None occurred. Then, in June 2024, the City announced – in a consent item on a city agenda, without communication to either district – that it was “not productive” to continue with the Ad Hoc Committee.

The following timeline illustrates this unwillingness to engage in open dialogue and negotiate in good faith.

**September 18, 2023:** During an in-person meeting between the District and the City, both agencies agreed that elected officials would handle the negotiations.

**September 28, 2023:** Mountain View Whisman School District requested from the City of Mountain View a letter of assurance that payments from the Enhancement Reserve Joint Powers Agreement would continue until the District and the City aligned on a long-term agreement. Mountain View Whisman School District did not request an extension of the agreement at

that time because the District was awaiting action by the Ad Hoc Committee.

**December 15, 2023:** All parties attended the initial meeting, with a third-party professional mediator directing the conversation. The discussion did not, however, mark measurable progress on the topic at hand.

During that meeting, Mountain View Whisman School District trustees asked to proactively schedule the next meeting in order to expedite the process. The City refused, saying it would be impossible to meet any earlier than April.

**December 22, 2023:** City staff confirmed that they would be in contact after the break to schedule the next Ad Hoc Committee meeting.

**March-April, 2024:** City staff sent potential meetings times to the school districts, but never set a meeting stating that given the number of public officials involved they were unable to secure a date that accommodated the availability of elected officials from all three agencies.

**June 25, 2024:** City staff informed the districts that no further Ad Hoc Committee meetings would occur.

### **Deviations from Agreed-upon Roles and Procedures**

The purpose of the Education Enhancement Reserve Joint Powers Agreement is to partially address the ongoing diversion of property taxes from the school districts. All prior agreements have been, and must be, approved by elected officials.

The agreement extension developed by the City, however, deviated from that process. City staff – not elected City officials – have attempted to update the terms of the EER JPA arrangement. Their actions disregard standard practice that was agreed upon, and has been abided by, since the Joint Powers Agreement's inception nearly 20 years ago.

### **Gaps & Inconsistencies in Information Sharing**

Inconsistencies and information gaps have complicated recent discussions about the EER JPA.

The matter of the Shoreline Regional Park Community issuing bonds is one example. The topic has arisen several times during discussions about the

Education Enhancement Reserve Joint Powers Agreement. At the June 13, 2024 MVWSD board meeting, City staff made clear that they had no intention of bonding in the near future. Yet, in the June 25, 2024 Joint Report, the City states that public infrastructure needs could “necessitate” the issuing of bonds. Further, in a substantial change from prior agreements, the extension developed by the City requires the school districts to allow additional bonds and agree that property taxes would first pay those bonds before going to the school districts.

The incident reinforces a pattern of inconsistency that’s become apparent in recent months. In short, the City recommended an Ad Hoc Committee, convened it once and then dissolved it. City staff departed from established protocol by attempting to set policy themselves. City staff declared no imminent plan to issue bonds, then reiterated its right to do so and asked the school districts to agree to subordinate student funding to the bond repayment.

### **Conclusion**

The City and the Mountain View Whisman School District have differed on certain matters over the years. But the City’s approach has undergone a marked shift during the last year. Seeing this relationship deteriorate, even to the extent that MVWSD staff were directed not to engage on the matter of the EER JPA, is deeply discouraging.

The status quo agreement put forth at the June 13 MVWSD board meeting is simply an extension of the current arrangement. Approving it would allow the District to maintain its commitment to students and teachers while continuing work with the City to determine the process for negotiating new terms.

We regret the direction that the City and its staff have chosen, and we remain committed to pursuing, above all, the best interests of the students and families that Mountain View Whisman School District has the privilege to serve.

Sincerely,



Laura Blakely,  
Trustee