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**San Francisco**

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October 19, 2021

**VIA EMAIL**

Sandra Lee  
Senior Assistant City Attorney  
City of Mountain View Attorney’s Office  
500 Castro Street  
Mountain View, CA 94041  
Email: [sandra.lee@mountainview.gov](mailto:sandra.lee@mountainview.gov)

Re: Open Space Park and Joint Use Recreational Facilities  
Our file 4530-10317

Dear Sandra:

First and foremost, thank you for taking the time to meet with me (albeit virtually) over the past few months regarding the above-referenced matter. As I reported during our calls, I appreciate the continued collaborative efforts of our clients, the Los Altos School District (“District”) and City of Mountain View (“City”), as they work together to bring much needed park, recreational and school facilities to the Mountain View community. We are making great progress in this regard. On October 4, 2021, the District’s governing board was presented with a joint recommendation for the location of the open space park site, which was accepted at that meeting. It is our understanding that the City Council will receive a similar presentation at its upcoming meeting on October 26.

I am writing to clarify a matter that has come up during conversations between District and City staff. Specifically, I wanted to share our position regarding the role of the parties related to: (1) identifying the location of the open space park site that will eventually be owned by the City and (2) master planning the specific joint use improvements on the District’s site. Since we are nearing the conclusion of the process for identifying the location of the open space park site (item 1 above), my hope is that this letter provides relevant information from the various agreements between the parties so that there is a shared understanding of next steps related to planning for the joint use improvements (item 2 above).

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As you know, there are two primary agreements between the parties in connection with the future open space City park and the joint use and funding of recreational improvements on the school site; namely, the Open Space Park Transfer Agreement ("Transfer Agreement") and the Funding and Joint Use Agreement ("JUA"). There is also a more general Memorandum of Understanding ("MOU") between the parties that predates these agreements. The JUA and MOU include provisions that outline the general types of recreational improvements that will be constructed on the District site and, once completed, that will be used by the District during the school day and by the City after school and on weekends. For example, the JUA states that the Joint Use Area on the school site will include athletic fields such as a track, soccer field and baseball field. However, given the general description of these facilities, it was contemplated that further, more specific discussions regarding the precise types of recreational improvements would need to occur between the parties prior to the District moving forward with construction. It was also understood that the parties would need to determine the specific location of the 2.0-acre park site so the District could proceed with formal approval and development of the resulting 9.65-acre school site by the state.

In furtherance of these mutual understandings, the JUA was negotiated to include provisions for "master planning" the Joint Use Area, but not for determining the specific location of the Joint Use Area. (JUA, §8(a).) Further, the JUA makes clear that in addition to approval of the site and improvements by the California Department of Education and the Division of State Architect, "[a]ny improvements and facilities located on the Joint Use area shall be at the District's sole, reasonable discretion, with reasonable review by the City." (JUA, §3(b)(ii).)

In addition to the provisions specified above, it has always been understood that the development of the school site would be within the purview of the District, as with all public schools in California. Additionally, it has always been understood that the City would eventually take full ownership and operation of the 2.0-acre park site. Hence, in the Transfer Agreement it was expressly provided that the District and City "will have equal input and decision-making authority with respect to the location of the 2.0-acre park site." (Transfer Agreement, §5(a)(i).) The recent joint recommendation as to the location of the open space park site implements this provision. However, there is no corresponding provision as it relates to the location of the joint use recreational facilities.

We clarify these items because it seems that City staff may take the position that it has the same authority over the location of the recreational facilities that will be constructed on the District's school site as it has over the location of the park site. The District does not agree with this position and would like to ensure that no such representation is made to the City Council at the upcoming Council meeting. From our perspective, the City's role in identifying the specific location of the park site, as set forth in the Transfer Agreement, acknowledges that the City will ultimately own and operate that property. This is distinguishable from the role of the City in participating in master planning the facilities within the joint use area, which will be located on an active school site to be developed at the sole discretion of the District. This is an important distinction that the District wants to make sure is understood by all parties.

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I am happy to convene another call for us if you have questions or concerns. Otherwise, it is my hope that this information will be passed along to the City's team so there is no confusion as we embark on planning for the specific joint use recreational improvements.

Warm regards,

DANNIS WOLIVER KELLEY

A handwritten signature in blue ink, appearing to read 'Clarissa R. Canady', with a stylized flourish at the end.

Clarissa R. Canady

cc: Randy Kenyon

**From:** [Annette Luongo](#)  
**To:** [City Council](#)  
**Subject:** Re: Agenda Item 8.1 for today's Mountain View City Council Meeting  
**Date:** Tuesday, October 26, 2021 10:33:01 AM

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**CAUTION:** EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear City Council Members:

I live in the Monta Loma neighborhood, not far from the mature trees that are being discussed today for removal. Our side of Mountain View has many automotive repair shops, asphalt and tire companies, etc. -- and we aren't very far from the 101 and 85 highway interchanges either. This means the citizens in our area are in closer proximity to the fumes and particulates that surround those businesses and roads. However one really great thing we have going for us is the canopy provided by the large trees on Middlefield Road. I urge you to save our neighborhood's assets and understand that safe roads can coexist with our statuesque, mature trees. Please consider these often-overlooked environmental & economic benefits of our large trees:

- **Trees clean the air:** Trees act as giant filters that clean the air we breathe by intercepting airborne particles, cooling the air and absorbing pollutants like carbon monoxide, sulfur dioxide and nitrogen dioxide. A mature leafy tree produces as much oxygen in a season as 10 people inhale in a year.
- **Trees benefit the soil:** Trees can store harmful pollutants and change them into less harmful forms. Trees filter sewage, reduce effects from animal wastes, clean roadside spills, and clean water runoff into streams. Trees control soil erosion, conserve rainwater and reduce sediment deposit after storms. Tree roots bind the soil and their leaves break the force of wind and rain.
- **Trees increase property value:** Real estate values can increase when trees are planted. Data shows that buyers are willing to spend more on homes with ample trees over few or no trees.
- **Trees shade and cool:** Shade reduces the need for air conditioning in summer. Studies show that parts of cities without cooling shade from trees can literally be "heat islands" with temperatures as much as 12 degrees higher than in surrounding areas.
- **Trees bring people together:** Data shows neighborhoods with shady trees and parks create outdoor spaces that attract people. When people are drawn to spaces with trees, they are more likely to see and interact with their neighbors and become friends.

Let's be mindful of the trees and protect our environment, health and property values. Our children, their children, and all the generations to

come as the heirs of our fragile planet will be grateful to us.

Thanks for your consideration!

Annette Luongo

Resident in the Monta Loma Neighborhood

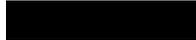
Teacher at Imai (formerly Huff Elementary)

--

Annette Luongo

3rd Grade Teacher

Mountain View Whisman School District



[www.mvwsd.org](http://www.mvwsd.org)

**From:** [Tex](#)  
**To:** [City Council](#)  
**Subject:** redwoods on middlefield  
**Date:** Tuesday, October 26, 2021 10:39:13 AM

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I disagree with cutting down the redwoods for reasons of holding off climate change and because the plan for mitigating traffic is premature and unrealistic.

Please at least hold off removing the trees until there is a stronger justification.

Tex texin  
Gladys ave