



# COUNCIL REPORT

**DATE:** January 23, 2024  
**CATEGORY:** New Business  
**DEPT.:** Community Services  
**TITLE:** **Joint Use Agreement with Mountain View Whisman School District**

## **RECOMMENDATION**

Authorize the City Manager or designee to execute a Joint Use Agreement between the Mountain View Whisman School District and the City of Mountain View for recreational use of school sites, in reliance on the letter from the Mountain View Whisman School District dated December 8, 2023.

## **BACKGROUND**

The City entered into a Master Joint Use Agreement (JUA) in 1959 with what was then called the Mountain View School District (MVSD). This agreement included school sites at Bubb, Castro, Cooper, Graham, Huff, and Slater (now Vargas). In 1960, the City entered into a similar master JUA with the former Whisman School District, which included Monta Loma, Theuerkauf, Whisman, Crittenden, former San Ramon, and Stevenson schools. The most recent JUA with MVSD is from September 26, 2000 to June 30, 2025. The 1960 JUA with the Whisman School District has expired; however, the City has continued to maintain the fields and manage reservations as it did during the term. These two districts subsequently merged and became the Mountain View Whisman School District (MVWSD).

In 2019, the City and Mountain View Whisman School District (MVWSD or District) staff began meeting to create a new JUA for all MVWSD fields under one master agreement. The discussions were limited until 2022 due to COVID-19 impacts and other priorities, and the City and MVWSD began meeting again regularly to develop a new JUA. In February 2023, negotiations were paused by the MVWSD.

On May 3, 2023, the MVWSD Superintendent sent a letter to the City's Parks and Recreation Commission providing input for the City's Parks and Recreation Strategic Plan. Concerns were raised by the Superintendent about the current JUA and included potential solutions. The suggested solutions included the District taking over the fiscal and administrative responsibility for maintaining the fields and managing field rentals.

On [September 12, 2023](#), the City Council considered Agenda Item 8.1 that recommended the discontinuation of the JUA between the City and the MVWSD. The associated staff report to this agenda item provided details for the recommended action. The City Council approved a motion to terminate the JUA unless the MVWSD Board of Trustees (Board or Board of Trustees) accepts, on or before December 31, 2023, a successor JUA with the terms and conditions to be proposed by the City. On November 6, 2023, the City transmitted the proposed JUA to the MVWSD Board of Trustees to consider (Attachment 1 to this Council report).

## **ANALYSIS**

On December 7, 2023, the MVWSD Board of Trustees considered Agenda Item XI.A, which recommended approval of the City's proposed JUA. An associated Agenda Item, XI.B, recommended amendments to the existing Board Policy (BP) 1330 and Administrative Regulation (AR) 1330 related to the use of School Facilities. Upon review, City staff could not determine if these proposed amendments would impact the City's ability to implement the proposed JUA or create other operational barriers. On December 7, 2023, the City provided a letter to the District that communicated that the City was unclear on how these proposed amendments could impact the City's current fee schedule for field rentals on District land and regulations of other matters, such as priority use that the City previously regulated for field use (Attachment 2 to this Council report).

City representatives attended the December 7, 2023 Board of Trustees meeting to share the concerns outlined in the letter provided to the District. District staff responded verbally and noted the updates to the BP 1330 and AR 1330 were recommended to align with the proposed JUA so that the City will still be able to set its own fees for the use of the school fields. The Board of Trustees approved the City's proposed JUA and associated updates to the Board Policies and Administrative Regulations.

On December 8, 2023, the City received a letter from the MVWSD Board of Trustees confirming the updates for BP and AR 1330 were approved to "replace existing policies and establish the operating procedures needed for the District to comply with and implement the JUA in its current form" (Attachment 3 to this Council report). Within the letter, District Board of Trustees President Conley confirms that the fee structure listed in AR 1330 "is for community groups who apply directly to the District for the use of facilities" and that "Per BP 1330, and similar to previous board policies, the City is not required to adhere to and does not qualify for the community fee schedule for fields."

In light of the District's response to the City's concerns and the confirmation that the City may continue to charge its own fees for the use of school fields, staff recommends the City Council approve the JUA with the MVWSD for the recreational use of school fields.

**FISCAL IMPACT**

There is no fiscal impact associated with approving the JUA as the City’s existing budget allocates sufficient funding for the maintenance and programming of the District fields.

**ALTERNATIVES**

1. Do not approve the proposed JUA and provide direction.
2. Discontinue the existing JUA with the District.
3. Provide other direction.

**PUBLIC NOTICING**—Agenda posting. A copy of the Council report was sent to MVWSD.

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- Attachments:
1. Joint Use Agreement Between Mountain View Whisman School District and the City of Mountain View for Recreational Use of School Sites
  2. December 7, 2023—City Manager Letter to the Superintendent
  3. December 8, 2023—Board of Trustees Letter to the Mayor and Councilmembers