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City of Mountain View
% Diana Pancholi, Project Planner
500 Castro St.
Mountain View, CA 94041

February 3, 2022

Dear Mrs. Pancholi,

This document serves as the Mountain View Whisman School District (MVWSD) response to the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report. We have reviewed the report and provide the following information in regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Whisman School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from working collaboratively to develop a mitigation strategy to address the direct and indirect city growth impacts on the school district.

Student Growth:

The City of Mountain View's Draft EIR indicates the impact of 1,471 elementary and middle school students would be adequately mitigated by developer fees. Moreover, the updated Draft EIR indicates:

As discussed in Section 4.12.1.2, both Monta Loma Elementary School and Crittenden Middle School have existing capacity based on current enrollment numbers and would be able to accommodate the project's estimated 1,471 elementary and middle school students. Therefore, the addition of new students as the project is gradually built-out would not require the expansion of those schools.

Furthermore, the Draft EIR asserts:

The project site is located within the Mountain View Whisman School District (MVWSD) and Mountain View-Los Altos Union High School District (MVLASD). The MVWSD serves grades kindergarten through eighth grade and the MVLAS services high-school age students. Students generated by the project would attend Monta Loma Elementary School located at 460 Thompson Avenue (approximately one mile southwest of the core project site), Crittenden Middle School located at 1701 Rock Street (approximately 0.2-mile southwest of the core project site), and Mountain View High School located at 3535 Truman Avenue (approximately four miles south of the core project site).

Table 4.12-1 shows the existing school capacities at Monta Loma Elementary School, Crittenden Middle School, and Mountain View High School. As shown in the table, Monta Loma Elementary School and Crittenden Middle School both have capacity for additional students.

Table 4.12-1: 2021 to 2022 School Enrollment and Capacity

School	Current Enrollment	Existing Capacity
Monta Loma Elementary School ¹	271	460
Crittenden Middle School ¹	532	1,008
Mountain View High School ²	2,316	1,546

¹ MVWSD. *Level I Developer Fee Study*. Appendix E. May 5, 2022. Accessed August 3, 2022.

² Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District. Personal Communication. July 7, 2022.

Unfortunately, as highlighted below, the City of Mountain View EIR report does not take into account projects that were already approved in the northern half of the city, some of which are outside of the North Bayshore precise plan area. These projected students will precede the impact of students generated by the North Bayshore Precise Plan (NBPP). While both Monta Loma Elementary School and Crittenden Middle School are in the proximity of the NBPP, there will be no capacity

available when the NBPP project is developed. Based on our student generation rates, which the City used in its own EIR report, Monta Loma will have 117 new students assigned to the school prior to the completion of these additional units.

RESIDENTIAL UNITS (D.U.)													
REF #	PROJECT TITLE	New	Existing (Demo)	Total	Net	SF/Condos/Ro whouses	Multi Family	Below Market Rate	Total Units	K-5 Students	6-8 Students	Elementary School	Middle School
Bubb													
20	1051 Boranda Ave.	3	3	3	0	0			0	0	0	Bubb	Graham
26	1332 Park Dr.	3	1	3	2	2			2	0.076	0.022	Bubb	Graham
30	918 Rich Ave.	29	0	29	29	29			29	1.102	0.319	Bubb	Graham
41	1411-1495 W. El Camino Real (Lux Largo)	53	0	53	53	53			53	2.014	0.583	Bubb	Graham
52	1313/1347 W. El Camino Real	24	0	24	24		24		24	2.04	0.936	Bubb	Graham
56	773 Cuesta Dr.	4	1	4	3	3			3	0.114	0.033	Bubb	Graham
74	982 Bonita Ave.	8	0	8	8	8			8	0.304	0.088	Bubb	Graham
	Subtotal			124	119	95	24	0	119	5.65	1.98		
Castro													
43	1958 Latham St.	6	0	6	6	6			6	0.228	0.066	Castro	Graham
59	570 S. Rengstorff Ave.	85	70	85	15	15			15	0.57	0.165	Castro	Graham
60	1919-1933 Gamel Way/574 Escuela Ave.	121	29	121	92		92	0	92	7.82	3.588	Castro	Graham
71	1720 Villa St.	226	19	226	207		192	15	207	20.94	11.193	Castro	Graham
12	601 Escuela Ave/1873 Latham St.	25	1	25	24		24		24	2.04	0.936	Castro	Graham
	Subtotal			463	344	21	308	15	344	31.598	15.948		
Landels													
13	870 E. El Camino Real	371	42	371	329		329		329	27.965	12.831	Landels	Graham
22	City Lot 12	120	0	120	120			120	120	36.96	29.64	Landels	Graham
35	325-339 Franklin St.	15	13	15	2	2			2	0.076	0.022	Landels	Graham
54	676 W. Dana St.	9	0	9	9	9			9	0.342	0.099	Landels	Graham
69	525 E. Evelyn Ave. (Flower Mart)	471	0	471	471		471		471	40.035	18.369	Landels	Graham
78	231-235 Hope St.	9	0	9	9	9			9	0.342	0.099	Landels	Graham
32	860 Bay St.	5	0	5	5	5			5	0.19	0.055	Landels	Graham
	Subtotal			1000	945	25	800	120	945	105.91	61.115		
Monta Loma													
10	901-987 N. Rengstorff Ave.	126	1	126	125		125		125	10.625	4.875	Monta Loma	Crittenden
53	1255 Pear Ave.	635	0	635	635		540	95	635	75.16	44.525	Monta Loma	Crittenden
55	828/836 Sierra Vista Ave.	20	5	20	15	15			15	0.57	0.165	Monta Loma	Crittenden
58	1100 La Avenida St.	100	0	100	100			100	100	30.8	24.7	Monta Loma	Crittenden
72	2005 Rock St.	15	0	15	15	15			15	0.57	0.165	Monta Loma	Crittenden
73	2310 Rock St.	55	59	55	-4	-4			-4	-0.152	-0.044	Monta Loma	Crittenden
79	851-853 Sierra Vista Ave.	9	3	9	6	6			6	0.228	0.066	Monta Loma	Crittenden
	Subtotal			960	892	32	665	195	892	117.801	74.452		

Based on MVWSD's *Future Growth Considerations and Solutions* presentation to the Board of Education on March 24, 2022, monitoring the pace of future residential development was identified as a key task to support other District planning actions. The table below was included as a 10-year projection of future residential development in the District service area.

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032		
Year	1	2	3	4	5	6	7	8	9	10	11		
FUTURE GROWTH-RESIDENTIAL UNITS													
Under Construction		1,682											
Approved				3,137									
Under Review					1,684								
NB & EW Master Plans (Under Review)												8,900	
Other-NB & EW Precise Plans (Approved)													up to 5,950
Other-Terra Bella & Moffett Field													4530 +/-
FUTURE GROWTH-DISTRICT CAPACITY													
Elementary Schools													
Within Capacity													
At Capacity													
Over Capacity													10+ Years
Middle Schools													
Within Capacity													
At Capacity													
Over Capacity													10+ Years

Note: 1,682 units listed as “Under Construction” on table should be revised to 1,050 units due to 632 units in 2580/2590 California Ave. project being outside MVWSD service area.

COST TO HOUSE STUDENTS GENERATED FROM NBPP

Construction costs in the Bay Area have escalated dramatically in the last 8 years. The State per pupil grant does not reflect this escalation and therefore the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction.

LAND

In addition to dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide 50% of the cost of land for eligible school construction. However, the remaining 50% of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows the cities to “reserve or designate” real property for a school site.



GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (Heading of Title 7 amended by Stats. 1974, Ch. 1536.)

DIVISION 1. PLANNING AND ZONING [65000 - 66103] (Heading of Division 1 added by Stats. 1974, Ch. 1536.)

CHAPTER 4.9. Payment of Fees, Charges, Dedications, or Other Requirements Against a Development Project [65995 - 65998] (Chapter 4.9 added by Stats. 1986, Ch. 887, Sec. 11.)

65998. (a) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the authority of a local agency to reserve or designate real property for a schoolsite.

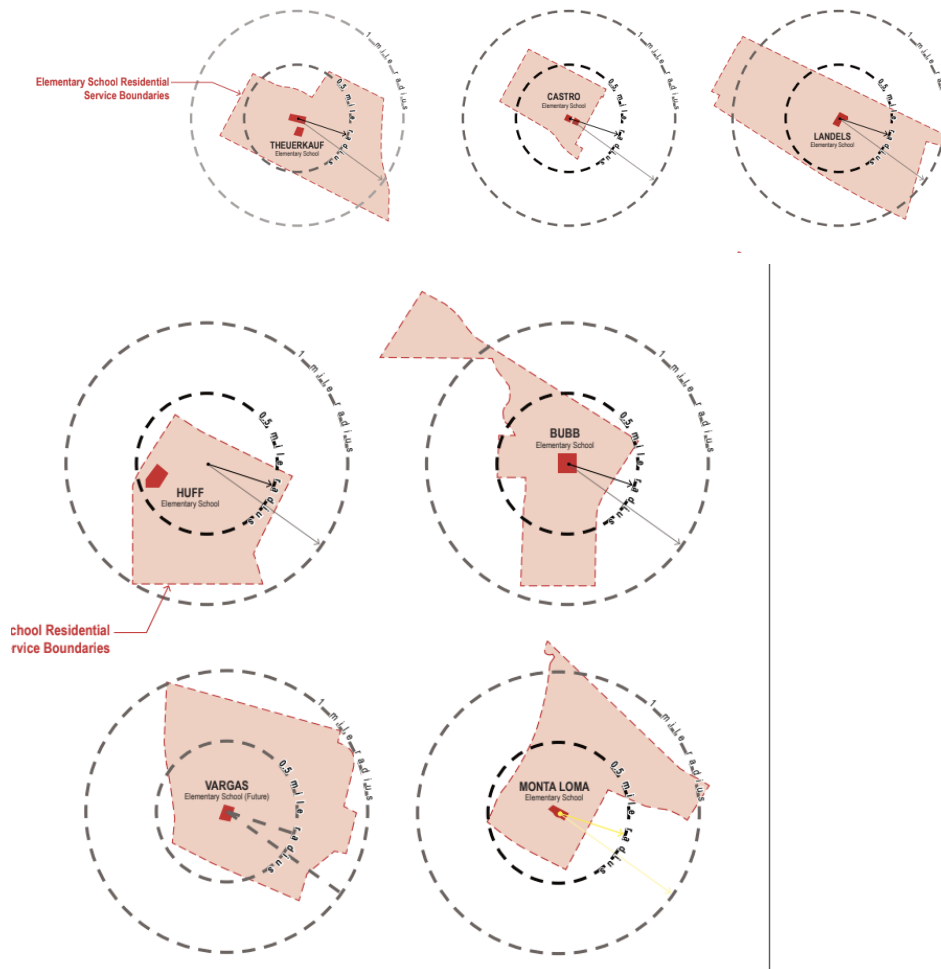
(b) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the ability of a local agency to mitigate the impacts of a land use approval involving, but not limited to, the planning, use, or development of real property other than on the need for school facilities.

(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4.9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

Moreover, the Draft EIR inaccurately indicates the distance from North Bayshore to Monta Loma Elementary. As noted in the plan:

Students generated by the project would attend Monta Loma Elementary School located at 460 Thompson Avenue (approximately one mile southwest of the core project site), Crittenden Middle School located at 1701 Rock Street (approximately 0.2-mile southwest of the core project site),

In the following diagrams you will find that almost every elementary school student within the city of Mountain View is approximately 1 to 1.5 miles from school. The placement of these schools helps to facilitate the school as a civic meeting point for the community and reduces commutes. In contrast, while Monta Loma and Crittenden reside close to the outer perimeters of the development area, Monta Loma is more than two miles away from the central residential hub of these developments, thus negating its ability to serve as a community anchor. Because MVWSD cannot provide bussing to an additional 1400 students due to significant cost, not having a school within a 1.5 mile radius would effectively invalidate the traffic study included as a part of this EIR.



California Department of Education’s general guidance for a school site recommends approximately 10 acres of land for an elementary school and 25 acres for a middle school. It is worth noting that MVWSD does have a school (Jose Antonio Vargas Elementary) that resides on less than the minimum recommended land. Vargas Elementary is an extremely tight footprint, which creates logistical issues as it pertains to growth and meeting student needs.

In contrast, the North Bayshore plan only intimates at the possibility of green space being used for a school. This referenced site in the DEIR, if provided to MVWSD, would have twice the enrollment of Vargas Elementary with less acreage; the site is 3 acres compared to Vargas

Elementary which sits on 4.5 acres and is 7 acres less than the state's minimum recommendation. While an urban school design can mitigate / maximize a small site footprint, this potential site would be inadequate to serve the needs of the community.

Ergo, as a condition of approval of the NBPP project, and prior to the certification of the DEIR, we request that the City and Developer designate and reserve multiple elementary school sites for MVWSD. The availability of land for school construction in Mountain View is extremely limited. The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer.

INDIRECT IMPACTS

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 "impacts on school facilities" does not cover all possible environmental impacts. While the NBPP does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen "significant unavoidable impacts" created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the NBPP project. In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the NBPP project would mean an absorption rate of 980 units per year. This construction period would require the MVWSD to provide interim housing over a period of time and is considered an "indirect impact." This issue is not addressed in the DEIR.

Shoreline Community Redevelopment Area Tax Increment

As noted in the EIR report:

Funding for Schools. The Shoreline Community shall work with the Mountain View Whisman School District and the Mountain View Los Altos Union High School District to allocate revenue

related to the growth in assessed value due to new residential development within the Community pursuant to/in accordance with the annual tax allocation for each school district, through mutually agreed to and legally binding agreements.

The North Bayshore Precise plan indicates the desire to transform a once blighted area into a thriving mixed development area. The businesses and residences that are being planned are currently planned in a de facto redevelopment district. The Shoreline community, which is managed by the city of Mountain View staff and City Council currently diverts all tax revenue. Currently MVLA, MVWSD and the city of Mountain View have formed a Joint Powers Authority, also known as Share Shoreline, that began releasing part of the tax increment to schools. The current agreement, which not only ends but also ceases to provide any share of the tax increment on July 1st, 2023, currently guarantees approximately \$2.8 million. Through a formula that was developed by the City, MVWSD received \$5,346,723 dollars this year. Per the county assessor's office, MVWSD normal tax increment would have been \$13,926,094.67 last year.

Assessed Value Tax revenue from commercial and residential is what community funded districts use to address day-to-day operating costs and is not really intended for building schools. As indicated in the EIR, North Bayshore should generate 1471 students. At the MVWSD current per student expenditure rate of \$23,000 this would mean that tax revenue would at minimum need to equal \$33,833,000 in the near future. An increase of students in this fashion, without the tax increment to cover the cost per pupil expenditures, would reduce our per pupil expenditures from \$23,000 to \$16,611 dollars. This reduction means that each student in our District would experience a decrease of \$6,389 in programs and services annually.

CLOSING COMMENTS

Our comments regarding the DEIR should not be construed to indicate our opposition to the amended NBPP. It is critical that all interested parties understand that the new dwelling units are of such magnitude that school mitigation measures for the project exceed the District's ability to absorb the 1,471 students projected from this project. We look forward to the cooperation of the City and



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proponents of the project to meet with MVWSD and resolve the apparent challenges in this proposed project. We suggest that the District, City, and proponents of the project delay the approval of the North Bayshore Master Plan and the DEIR and meet soon to provide creative viable measures that meet the needs of MVWSD and all stakeholders.

Respectfully,

A handwritten signature in black ink, appearing to read "AR", with a long, sweeping flourish extending to the right.

Ayindé Rudolph Ed.D.
Superintendent

CC: Mountain View City Council
Mountain View Whisman Board of Trustees
Mrs. Kimbra McCarthy, City Manager