

Eureka City Schools Board of Trustees

June 25, 2024

Dear Trustees;

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The League is nonpartisan in that it does not support or oppose any political party or candidate; it is political in that it takes positions on selected governmental issues after member study and agreement.

One such member study was conducted by the League of Women Voters of Humboldt County (LWVHC) in 2016. The study, which is part of the LWVHC Government Portfolio and is entitled “Civic Engagement”, specifically states that

“All governmental bodies and organizations should:

* Facilitate equitable access to current information about all public meetings open or closed. This shall include all information about the meetings, agendas, and reports. This information should be made accessible to the public with reasonably sufficient time for citizen response and/or input.
* Ensure that equitable opportunities exist for public input from multiple platforms and provide ample opportunities for citizens to participate in the civic process,
* Ensure that sufficient input from citizens is allowed at public meetings and recorded in the minutes, and
* Ensure transparency for citizens about all policies, practices, evaluations, and decisions of the organization. “

The League of Women Voters of Humboldt County feels very strongly about the need for full and open transparency, as well as opportunities for citizen involvement related to the actions of elected governmental boards and governmental decision-making.

For this reason, we were shocked and concerned by the actions of the Eureka City Schools Board of Trustees on December 14, 2023 when it approved a major real estate transaction with minimal public notification or community input. Our concerns were validated by the recent Humboldt County Civil Grand Jury Report released on June 12, 2024.

The League of Women Voters of Humboldt County strongly agrees with the Grand Jury’s summary (page 1): “The Humboldt County Civil Grand Jury concludes that the Eureka City Schools Trustees acted hastily and without sufficient due diligence. While apparently literally complying with the technical requirements of the California Government Code (Brown Act) with respect to a real estate transaction, the Trustees violated the law’s general intent for public participation and transparency in decision-making.”

We also concur with the Deficiencies cited in the report (pages 9 and 10): “There was insufficient time for the ECS Trustees and the public to read, understand, and openly discuss and question the pending deal.”

We were additionally shocked to learn that: “Although the “agenda packet” distributed to ECS Trustees approximately 72 hours before the December 14, 2023, meeting included the draft resolution and agreement (17 pages single-spaced), these documents were not available to the public. The publicly announced agenda at the time did not specify the details of the pending transaction.”

“Prior public notice did not inform that the pending deal involved not just a sale of surplus property but a property exchange bypassing certain provisions of the Education Code.”

“ECS Trustees did not publicly verify the bona fide identity and finances of AMG Communities-Jacobs, LLC. “

In terms of the Grand Jury report’s statement regarding Due Diligence and Decision-making (pages 10 and 11), the League of Women Voters of Humboldt County agrees that: “The public has a right to be informed about pending decisions, to be involved, and to fully participate.”

“The ECS Trustees did not exercise due diligence and did not inquire about the resolution agreement.”

• …On December 14, 2023, the ECS Trustees in effect “rubber-stamped” the Resolution and Agreement.”

And finally, the League of Women Voters of Humboldt County concurs with the Grand Jury report’s statement on Decision-making (page 12): “• ECS Trustees, administrators, and advisers did not provide sufficient information regarding the agendized Jacobs property transaction at least 72 hours prior to ECS Trustee action, thereby preventing meaningful public participation in the enactment of the Resolution and Agreement.”

The League of Women Voters of Humboldt County strongly suggests that the Eureka City Schools Board of Trustees **take the following actions** to address the concerns raised in the Humboldt County Civil Grand Jury report and restore transparency and trust to this important transaction between ECS and AMG Communities-Jacobs, LLC:

1. Immediately make the details of the Jacobs property negotiations and ongoing status of the transaction known to the public,
2. Fully disclose the names of all partners in AMG Communities-Jacobs, LLC to establish the bona-fide identity of its members and disclose its financial integrity,
3. Fully explain the need felt by ECS Board of Trustees, the Superintendent and advisers for the “secretive, last-minute, quick judgment, in an intentionally compressed time-period, without public knowledge, behind closed doors”. (Grand Jury Report Conclusion, page 12)
4. Now, and in the future, “provide the public with an opportunity to be informed and to question the details of this decision and its potential relationship to other local public policy issues.” (Grand Jury Report Findings, page 13)
5. Delay the close of escrow on this transaction to allow adequate time to address Items 1-4 above.

Sincerely,

Dr. Sharolyn Hutton, LWVHC Co-President Anne J. Hartline, LWVHC Board Member