



## Marsha Sutton's Column

Now the hard part

By electing incumbent Annette Easton, Steven McDowell and Katherine White to the Del Mar school board, voters indicated they felt it was time for a change in leadership – and showed their support for the trio's message that the board of education needs to take back control of the district, become more directly involved in business and operations, reorganize some priorities and resolve past conflicts.

If the three winners thought getting elected was hard work, they may look back on these past few months as a breeze compared to what lies ahead – because being in the majority means no excuses for not getting the work done.

In the new spirit of openness, parents and teachers should voice their thoughts and share their concerns and ideas with the new board. Everyone has their own laundry list of issues they'd like to see tackled. Here's mine, some of which were discussed this election cycle and some not.

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### 3. Resolve the litigation.

The problems over the Del Mar Shores property must be resolved. The loss of good will and the damage done these past two years has been enormous. Cordiality and cooperation have been replaced by suspicion and mistrust.

Settle the two lawsuits against the school district over the Shores, filed by the city of Del Mar and resident Elise Kerckhoff, which were caused by the district's arrogance and greed. They are a drain on DMUSD finances, suck up too much of the district's time and resources, and promote continued hostility and bitterness.

Restoring good relations with the city of Del Mar is a first priority, so sell the city its corner of open space. Honor the Kerckhoff family's original bequest of the Shores property to the Del Mar school district, which was an incredibly generous donation given under the condition that the land be used for educational purposes forevermore. Business, commercial or housing development on the Shores would be a gross betrayal of the Kerckhoff family's wishes.

Discuss issues openly and in good faith, with no more hidden agendas, secret meetings or press releases deflecting blame.

The district should abandon dreams of \$32 million for the 5.3-acre site and get on with the important business of finding suitable housing for district employees within the budget at hand. Stop pining away for some unrealistic, pie-in-the-sky amount of money that can only be had by ignoring the original intent of the gift, generating more animosity in the community and paying for unnecessary litigation.

### 4. Re-evaluate the relationship with the district's law firm.

Bowie, Arneson, Wiles & Giannone – one of the DMUSD's law firms, based in Newport Beach – has been an impediment to progress. Either fire them or lay down some new rules – that the district will start negotiating in good faith with its partners in the community and will respect the spirit of California's all-important, open-meeting Brown Act.

Twisting the Brown Act to justify continued secrecy and closed-door meetings should no longer be tolerated, and hiding behind legal opinions written to thwart the intent of the law must stop.

The district's lawyers should be made to understand that their duty will be to endorse as much business conducted in open session as can be legally allowed – that their new purpose is no longer to keep as many secrets as possible but to keep as few secrets as possible. If they can't or won't comply, get a new firm. Lawyers abound.

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