

Save the Field is a Non-Profit Entity with the Purpose of Holding the District Accountable for Complying with the Law and Acting in the Best Interests of Del Mar's Children and the Del Mar Community.

Save the Field is a non-profit California Corporation comprised of concerned Del Mar voters which was organized to act as a watchdog to ensure that the Del Mar School District (1) does not eliminate 50% of the outdoor playfields and hardtop called for in the District's Del Mar Heights school design, which would deprive children of critical play space in Del Mar; (2) complies with the California Constitution by carrying out only those improvements the voters approved in Measure MM; (3) uses the taxpayer's money lawfully and accountably; and (4) complies with California's environmental laws, including the California Environmental Quality Act (CEQA).

Save the Field does not and will not act in the personal financial interests of any of its members. Instead it will advocate for the public's interests in furtherance of the above objectives.

In an age of government abuse and waste, it takes an informed and committed citizenry to hold our government agencies accountable. That is what Save the Field intends to do – with civility and by relying on facts and the law – not attacks, rhetoric and hyperbole.

Save the Field supports a rebuild of DMH and the children the District serves. But it cannot stand idly by while the District touts a school at all costs. A rebuild should be done lawfully - in the interests of the public and environment and in compliance with the California Constitution and state environmental law. Otherwise, what message are we sending our community's children?

Sadly, the District has already shown that without oversight it will bend the law to serve its self-interests and will attack any informed member of the public who dares stand in its way. A few examples follow.

A. The District Eliminated 50% of Del Mar Heights' Playfields in Violation of the California Constitution.

The District's design eliminates 50% of DMH's grassy playfields and blacktop – a fact the District did not disclose in its Proposition 39 Measure MM. By asking the voters to approve \$186 million in bond funds in its Measure MM, the District asked the voters to agree that their property taxes could exceed the 1 percent ad valorem tax limit on the voter's real property for purpose of funding the District's improvements. Given that this ask is significant – likely causing the voters to pay much more in real property tax – the District is required to strictly adhere to the accountability requirements of the California Constitution. The District was required to include in its Measure MM a "list of the specific school facilities to be funded" and it can only design and build those improvements listed in Measure MM. Had the District disclosed its intent to dispose of rare and treasured Del Mar outdoor play space, it's safe to say that the Measure would not have received the support it did.

B. The District Violated CEQA by Preparing an Insufficient MND.

The District short circuited the required California environmental review of its Project in an apparent effort to fast track its project without regard for the law. Acting as its own lead agency with zero oversight, the District prepared a Mitigated Negative Declaration (MND) in violation of the California Environmental Quality Act. The MND unlawfully omits any discussion of important project impacts to the environment and Del Mar Community, including those deriving from the sensitive Coastal Zone, wildfire risks and the project's impediments to safe evacuation, traffic impacts and much more. Indeed, not only Save the Field has come to this conclusion, independently so has the Sierra Club and other reputable persons. It is evident that the District's decision to publish an insufficient environmental document (instead of preparing a required environmental impact report) was borne out of the desire to push their project through as quickly as possible – an interest that serves the District only, not the environment or the Del Mar community.

C. As Recent as April 14, 2020, the District Signaled its Intent to Further Violate the California Constitution.

At the April 14, 2020 District Board Meeting, the District informed the Board that it could use the Del Mar taxpayer's money (funded from Measure MM bond funds) on attorney's fees to defend any public action. This statement is a gross mischaracterization of the law. If the District used the taxpayer's money to pay for attorney's fees, it will violate the California Constitution. California Constitution Art. 13A Section 1 makes clear that Proposition 39 bond funds can only be used for the construction of the facilities (and if applicable, lease of real property for construction of facilities).

It is unfortunate that the District is either being sold a bill of goods by its self-interested consultants who are financial stakeholders in the District's project, or in order to achieve a quick buildup of its project, it will do whatever it must even if it means short cutting the law. Without the oversight of the citizenry, like Save the Field, the District has shown that it will avoid the law either unwittingly or intentionally. The children deserve better.