

**DEL MAR UNION SCHOOL DISTRICT
BOARD OF TRUSTEES**

**MINUTES OF SPECIAL CLOSED SESSION BOARD MEETING
BY THE BOARD OF TRUSTEES
District Office, Conference Room
225 9th Street
Del Mar, CA 92014**

**Wednesday, May 30, 2007
3:00 p.m. – 6:00 p.m.**

DMUSD Members Present: Annette Easton, President of the Board
Janet Lamborghini, Clerk of the Board
Linda Crawford, Steven McDowell, Katherine White

DMUSD Members Absent: None.

DMUSD Staff: Thomas F. Bishop, Superintendent
Rodger Smith, Director of HR/Facilities Planning

Others In Attendance: Arjay Smith, O'Bryan-Smith Investments
WendyWiles, Bowie, Arneson, Wiles & Giannone

BUSINESS TRANSACTED WAS LIMITED TO THE FOLLOWING:

1. Board President, Annette Easton, called the meeting to order at 3:10 p.m.
2. *On motion by Member Crawford seconded by Member Lamborghini the Board voted unanimously to approve the Agenda.*

BOARD PRESIDENT EASTON CALLED FOR BLUE SPEAKER SLIPS

PUBLIC INPUT CONCERNING ITEMS ON THE CLOSED SESSION AGENDA:

- Lou Terrill, 328 Pine Needle Drive, Del Mar, commented on the sale of the Shores property.
- John Graybill, 615 15th St., Del Mar, commented on the Kerckhoff lawsuit press release on the website; the Shores property and legal fees.
- Corinne Hackbart, commented on the Kerckhoff lawsuit press release and legal fees.
- Laura DeMarco, commented on the Shores property and deed restriction.

THE BOARD ADJOURNED TO CLOSED SESSION TO DISCUSS:

- 1.0 Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9(a); Name of Case: City of Del Mar v. Del Mar Union School District
- 2.0 Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9(a); Name of Case: Del Mar Union School District v Wm. G. Kerckhoff Company, et al
- 3.0 Public Employee Discipline/Dismissal/Release (G.C. 54957)
- 4.0 Conference with Real Property Negotiator (G.C. 54956.8)—Property: 225 9th Street, Del Mar, California 92014—Agency Negotiators: Thomas F. Bishop, Superintendent/Rodger Smith, Director of Facilities/Personnel—Negotiating Parties: DMUSD and the City of Del Mar—Under Negotiation: Sale/Lease Terms Between the City of Del Mar and the DMUSD
- 5.0 Conference with Labor Negotiator (G.C. 54957.6)
Agency Designated Representatives: Tom Bishop, Superintendent and Rodger Smith, Director of Personnel and Facilities; Employee Organization: Del Mar California Teachers Association

AT THE CONCLUSION OF THE CLOSED SESSION, THE BOARD RECONVENED IN OPEN SESSION AT 6:10 P.M. AND BOARD PRESIDENT EASTON REPORTED THE FOLLOWING:

Item 1.0: The Board approved moving forward with a mandatory settlement conference and approved the court's appointment of a judge to hear the settlement conference, including a judge from San Diego County.

Item 3.0: *On motion by Member White, seconded by Member Lamborghini, the Board unanimously approved the non-reelection of probationary certificated employees #6568 and #4228.*

On motion by Member White, seconded by Member Easton, the Board unanimously approved the non-reelection of temporary certificated employees #2028 and #2965.

Item 4.0: The Board met in closed session and reaffirmed the Board's prior decision to sell all or a part of the Shores school property. The Board approved making all three lots – Lots 1, 22 and 23 available for sale. The Board directed legal counsel to continue with action to identify and give notice to any persons who may have an interest or claim in the Shores property.

District legal counsel advised the Board that counsel would be responsible for the costs associated with this process and to address the prior procedural error.

On motion by Member Crawford seconded by Member Lamborghini and carried unanimously, the Special Board Meeting of May 30, 2007 was adjourned at 6:11 p.m.

Janet Lamborghini, Clerk of the Board

Thomas F. Bishop, Secretary to the Board

Date

Date