



February 12, 2021

Del Mar Heights Rebuild Project

Litigation Update – Next Steps

On February 8, 2021, the District received the Court’s Judgment and Writ in the Del Mar Heights Rebuild project litigation. As previously discussed by the Board, the Judge’s ruling on December 22, 2020 found ten of thirteen of the plaintiff’s issues without merit. This includes dismissing some of the key contentions about setbacks, fire safety, and recreational impacts.

In the Judgement and Writ issued on February 8, 2021, the Court is allowing the District to decide how to address the three remaining items needed for this important rebuild project to move forward. Although the plaintiff asked the Court to order the District to prepare a full EIR on the entire project, the Court refused that request.

As a result of this decision, the Board, at their February 11, 2021 meeting, directed staff to work with the District’s environmental consultant, PlaceWorks, to prepare a focused EIR to thoroughly address the items needing further review. Those two items are construction noise and biological resources, since the Board previously removed the ADA ramp and stairs from the project. The District believes that by addressing these two remaining items, it will be able to move forward with the modernization of the Del Mar Heights campus.

Once the District has completed its additional environmental review, the District will submit the documentation to the Court. The District hopes that there will be no further delays, which would only harm the students who have been displaced to other schools and the District’s taxpayers.