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➤ Press Release

Friends of the Children's Pool files lawsuit against the City of San Diego

Mayor Filner disregards established and lawful land use planning procedures when extending rope barrier.

San Diego, California February 21, 2013: A local community based organization, Friends of the Children's Pool (FoCP), has filed legal action seeking to restore the rule of law and public transparency to land use decisions made by City officials. In response to the illegal and unauthorized lengthening of the Children's Pool rope barrier order by Mayor Filner, FoCP has sought relief from the illegal beach access restriction by filing a lawsuit in the San Diego Superior Court. The lawsuit seeks to have the Mayor comply with established land use regulations and provide the opportunity for the public to comment and participate in the unilateral decision by the Mayor to extend the rope beyond the limits of the existing Coastal and Site Development Permits. The lawsuit seeks to have the rope returned to legal compliance with the permit until it is legally modified through a public process.

- The lawsuit was filed by FoCP because of a willful disregard of the proper land use procedures by the City of San Diego.
- The proper procedures were even laid out by City Attorney Jan Goldsmith in his December 24, 2012 memo citing the illegal rope extension.
- Mayor Filner and the staff acted against legal advice.
- The California Coastal Act and the Municipal Code both require public noticing as well as public input in any modification to a Coastal or Site Development Permit; this process was not followed.
- We are seeking transparency and openness with this lawsuit.
- We are opposed to special "secret" access and "special" permits or "administrative corrections" given to special interest groups by City hall.
- The Children's Pool is an area of great controversy and special interest not only for La Jolla but for the whole San Diego region. Therefore, we demand that any decisions related to the Children's Pool be made with public involvement and input.
- The Friends of the Children's Pool generally opposes the rope barrier as it is currently used to restrict and eliminate access to a public beach.
- Public access is guaranteed by State and local laws as well as the State Constitution.
- Beach access in La Jolla must be thoughtfully guarded and the City's actions must be carefully monitored. Otherwise, "mistakes" in the process which have resulted in the destruction of historical La Jolla community landmarks like the Windermere house, Green Dragon Colony will occur. We do not want this to happen to the Children's Pool.
- The Mayor's actions have sabotaged alternate beach management options overwhelmingly supported by the community.



The specific purpose of this corporation is to educate the public as to the use of the Children's Pool in accord with Miss Ellen Scripps' charitable intent in 1931 in order to protect La Jolla Children's Pool surroundings as a public park, a bathing pool for children, and public recreational usage in accordance with chapter 937 of the deed of trust between Miss Ellen Browning Scripps, the State of California, and the City of San Diego, County of San Diego. Publicize the return of Children's Pool to public recreational use. Promote water quality and safety. Facilitate cleaning the beach and adjacent areas to make it attractive and convenient for public use.