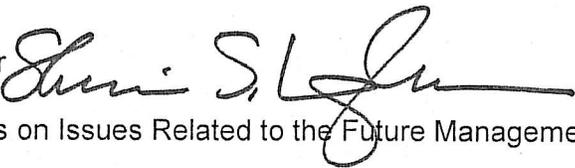




CITY OF SAN DIEGO
COUNCILMEMBER SHERRI S. LIGHTNER
DISTRICT ONE

RECEIVED
MAR 19 2010
COUNCILMEMBER
DONNA FRYE

MEMORANDUM

DATE: March 19, 2010 DTID: SL1003-002
TO: City Attorney Jan Goldsmith
FROM: Councilmember Sherri S. Lightner 
SUBJECT: Request for City Attorney Analysis on Issues Related to the Future Management of the La Jolla Children's Pool

Councilmember DeMaio issued a March 18, 2010 memo to Councilmember Frye requesting a written analysis be performed by City staff on a number of questions related to the future management of the La Jolla Children's Pool during pupping season.

In addition, I respectfully request the City Attorney provide a written analysis on the following questions as they relate to the future management of the Children's Pool:

- What are the boundaries of the Children's Pool beach?
- What is the definition of "marine mammal park" as it appears in Senate Bill 428, which became law on January 1, 2010?
- Would declaring seal watching the preferred use at the Children's Pool require a change to the state trust?
 - What does the term "preferred use" mean?
- Could the City close the Children's Pool beach at night?
 - If so, what permits would need to be obtained and what amendments, if any, would need to be made to the La Jolla Community Plan and Local Coastal Program to implement night-time beach closures?
- Could the City prevent dogs on the beach at the Children's Pool at all times?
- Could the City operate a concession at the Children's Pool to sell merchandise?
- Could the City take action to cede the Children's Pool to the State of California for the administration and management of the 1931 state tidelands trust?

Thank you very much for your assistance with this request. Please contact my office at (619) 236-6611 if we can provide additional clarification.

cc: Honorable Mayor Jerry Sanders
Honorable Councilmembers
Stacey LoMedico, Director, Park and Recreation Department
Kelly Broughton, Director, Development Services Department