

San Diego City Council's Voting History

RE Casa / Children's Pool Beach and the Seals

Date	Issue	Overall Vote
February 1, 1993	Whether to establish a "Seal Rock Reserve", which will be off-limits to swimmers, divers, and tourists, for a 5-year trial basis.	<p>8-0 for the Seals</p> <p>Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea</p>
July 25, 1994	Whether to change the name of the "Seal Rock Ecological Reserve" to the "Seal Rock Marine Mammal Reserve" and other changes required by the California Coastal Commission.	<p>8-1 for the Seals</p> <p>Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea</p>
March 29, 1999	Whether to authorize the restoration of the Children's Pool to its 1941 condition by removing 3,000 cubic yards of sand.	<p>6-3 for the Seals</p> <p>City Council votes "not to dredge, not to shoo the seals, instead to put up a barrier to protect the humans from the seals and the seals from the humans."</p> <p>Passed by the following vote: Mathis-nay, Wear-nay, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea</p>
November 1, 1999	Whether to authorize the renewal of the Seal Rock Marine Mammal Reserve for another 5-year period.	<p>6-3 for the Seals</p> <p>City Council votes for "a permanent Reserve with a 5-year review; for the Docent Program to continue; and to return the matter to Council for review in 5 years."</p> <p>Passed by the following vote: Mathis-nay, Wear-nay, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea</p>

Date	Issue	Overall Vote
April 1, 2003	Whether to accept the California Coastal Commission's Coastal Development Permit with Special Conditions for reinstatement of the Seal Rock Marine Mammal Reserve; whether to direct the City Manager to take actions to fulfill the conditions of the Permit; whether to direct the City Manager to return to Council within five (5) years of this date to give an update concerning the Reserve and to provide a recommendation at that time as to whether or not to continue the Reserve.	<p>6-3 against the Seals</p> <p>“MOTION BY PETERS WITH DIRECTION THAT THE CITY COUNCIL NOT ACCEPT THE COASTAL COMMISSION CHANGES TO THE SEAL ROCK RESERVE, INSTEAD THAT EDUCATIONAL SIGNAGE BE ACCEPTED IN THE AREA AND TO CONTINUE THE DOCENT PROGRAM. REQUEST THE CITY MANAGER TO RETURN TO THE NATURAL RESOURCES AND CULTURE COMMITTEE WITH A REPORT ON HOW, IN COMPLIANCE WITH FEDERAL LAW, TO REDUCE POLLUTION LEVELS AND TO RETURN THE CHILDREN'S POOL TO RECREATIONAL USE FOR CHILDREN, INCLUDING ACCESSIBLE USES, THUS RESTORING THIS AREA TO THE JOINT USE OF SEALS, DIVERS, FISHERMEN, CHILDREN AND THEIR FAMILIES. Second by Madaffer.”</p> <p>Passed by the following vote: Peters-yea, Zuchet-nay, Atkins-nay, Lewis-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea</p>
September 15, 2004	Whether to authorize the sand removal project “to reduce pollution levels in the sand and to return the Children’s Pool to recreational use for children, including accessible uses, thus restoring this area to the joint use of seals, divers, fishermen, children, and their families.”	<p>5-3 against the Seals</p> <p>City Council votes to “permit the sand removal project and open the Pool for year-round use.....direct that the rope barriers and sign posts be immediately removed to restore public access to the area and that new signs be placed on the lifeguard tower indicating that public access is permitted.”</p> <p>Passed by the following vote: Peters-yea, Zuchet-nay, Atkins-nay, Council District 4-vacant, Maienschein-yea, Frye-nay, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea</p>
September 27, 2005	Whether to file a notice of appeal in the <i>Valerie O’Sullivan v. City of San Diego</i> Case.	<p>5-1 for the Seals</p> <p>Passed by the following vote: Peters-nay, Council District 2-vacant, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Council District 8-vacant, Mayor-vacant</p>
February 21, 2006	Whether to appeal the matter of <i>Valerie O’Sullivan v. City of San Diego</i> .	<p>7-1 for the Seals</p> <p>Passed by the following vote: Peters-nay, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea</p>

Date	Issue	Overall Vote
April 18, 2006	Whether to permanently reinstate the rope barrier from January 1 to May 1 annually in perpetuity.	<p>7-1 for the Seals</p> <p>Passed by the following vote: Peters-nay, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea</p>
December 5, 2006	Whether to extend the period of placement of the rope barrier at the Children’s Pool to begin December 15 rather than January 1, and to end on May 15 rather than on May 1 “to protect unborn pups in December and newborn pups in May.”	<p>6-1 for the Seals</p> <p>Passed by the following vote: Peters-nay, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-not present, Hueso-yea</p>
January 27, 2009	Whether to advance the proposal to amend the 1931 Tidelands Trust to open session before expiration of the Legislature’s deadline for submission of proposed legislation.	<p>6-1 for the Seals</p> <p>Passed by the following vote: Lightner-nay, Faulconer-yea, Gloria-yea, Young-yea, DeMaio-yea, Frye-yea, Emerald-not present, Hueso-yea</p>
February 17, 2009	Whether to support legislation to amend State Law to permit marine mammals to inhabit the Children’s Pool Beach in La Jolla, California and directing the City’s Intergovernmental Relations Department to seek such legal legislation.	<p>7-1 for the Seals</p> <p>“BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN DIEGO THAT THE COUNCIL SUPPORTS AMENDMENT OF THE 1931 TIDELANDS TRUST BY THE CALIFORNIA LEGISLATURE TO AFFORD THE CITY DISCRETION TO PERMIT MARINE MAMMALS TO INHABIT THE CHILDREN’S POOL AND DISCRETION TO PRESERVE THE MARINE MAMMALS’ HABITAT AT THE CHILDREN’S POOL WHILE MAINTAINING DISCRETION TO ALLOW USES ALREADY SET FORTH IN THE 1931 TRUST AND ANY JOINT USE THEREOF.”</p> <p>Passed by the following vote: Lightner-nay, Faulconer-yea, Gloria-yea, Young-yea, DeMaio-yea, Frye-yea, Emerald-yea, Hueso-yea</p>

Date	Issue	Overall Vote
September 22, 2009	Whether to certify a Site Development Permit (SDP), Coastal Development Permit (CDP), and Environmental Impact Report (EIR) for the removal of approximately 3,000 cubic yards of sand from the Children's Pool, to allow water to circulate, thereby reaching decontamination levels for human use of the beach.	<p>7-1 for the Seals</p> <p>“MOTION BY DONNA FRYE TO <u>NOT</u> CERTIFY ENVIRONMENTAL IMPACT REPORT NO. 71362 AND DIRECT STAFF TO WORK WITH THE DEPARTMENT OF THE ARMY CORPS OF ENGINEERS IN ORDER TO PREPARE A JOINT DOCUMENT WHILE LITIGATION IS MOVING FORWARD. Second by Marti Emerald.”</p> <p>Passed by the following vote: Lightner-nay, Faulconer-yea, Gloria-yea, Young-yea, DeMaio-yea, Frye-yea, Emerald-yea, Hueso-yea</p>
May 17, 2010	Whether to 1) Determine that a coastal emergency exists which requires immediate year-round placement of the guideline rope; 2) Prohibit any person from being on the beach during pupping season (December 15 – May 15 annually); 3) Ban dogs from the beach; and 4) Draft appropriate signage based on these council actions.	<p>6-2 for the Seals</p> <p>Passed by the following vote: Lightner-nay, Faulconer-yea, Gloria-yea, Young-nay, DeMaio-yea, Frye-yea, Emerald-yea, Hueso-yea</p>
February 24, 2014	Whether to approve the seasonal closure of Casa Beach during the harbor seal pupping season, from December 15 through May 15 annually.	<p>6-3 for the Seals</p> <p>Passed by the following vote: Lightner-nay, Faulconer-yea, Gloria-yea, Cole-yea, Kersey-nay, Zapf-yea, Sherman-nay, Alvarez-yea, Emerald-yea</p>
June 14, 2016	Whether to appeal Orange County Judge Frederick Horn’s May 3, 2016 ruling in the matter of <i>Friends of the Children’s Pool v. City of San Diego</i> , in which the Judge concluded that the seasonal closure of Casa Beach is preempted by the Marine Mammal Protection Act, and thus cannot be enforced.	<p>7-1 for the Seals</p> <p>Passed by the following vote: Lightner-nay, Zapf-yea, Gloria-yea, Cole-yea, Kersey-yea, Cate-yea, Sherman-not present, Alvarez-yea, Emerald-yea</p>