

01-23-2017

Subject Line: Pro Point Loma Lawsuit Update and How You Can Help !

TFASBS Supporters,

As Taxpayers who want the SDUSD to be wholly accountable for its spending and use of school stadiums, you will be keenly interested in our neighbors' battle in Point Loma. Pro Point Loma (PPL), a grassroots organization active since 2009, has filed suit against SDUSD over violations of CEQA, the California Environmental Quality Act, related to its proposed Point Loma High School (PLHS) stadium and "Whole Site Modernization" project. There was broad media coverage and news conferences on local TV. Forty Point Loma residents made public comment against the proposed stadium project at the July 12th Board of Education meeting at Normal Street. More could have spoken, but we all know the board severely limits public comment that goes against SDUSD supported projects. Despite the overwhelming show of community opposition at the meeting, and not one person speaking at the podium in favor of the project, the five board trustees voted unanimously in favor of the project.

WHY IS THIS VERY CONCERNING? The Final Environmental Impact Report for the project states the PLHS stadium can be illuminated 365 days per year up until 11 p.m. PLHS has never had permanent stadium lighting or the threat of this type of frequency or intensity of use. For 91 years the District and the community had a mutually respectful agreement that nighttime stadium activity does not belong in a dense residential neighborhood with homes sharing actual property lines with PLHS. No field use policy has been tested, nor is it enforceable in such a way as to be binding on SDUSD. It is truly "open season" in the Point Loma community now! They face the threat of frequent night use, heavy traffic, 1,000+ cars parked on their streets during major events, excessive noise and more nighttime crime. Almost as soon as the Clairemont HS stadium was built, SDUSD began renting it out to third parties up to 200 nights per year at neighbors' expense. That is simply not right and a clear abuse of citizens and their quality of life.

HOW CAN YOU HELP? PPL respectfully requests [donations](#) to its legal fund. They incurred significant expenses in preparing their case. Their attorney is preparing for initial court appearances early this year. **Point Loma neighbors contributed to the TFASBS legal fund when we desperately needed financial support.** They regularly attended and supported us at Hoover stadium DEIR, EIR and B.O.E. meetings. Would you please show you have their back too, by sending a generous donation? It is important for all of us to continue to do all we can to hold SDUSD accountable. Like TFASBS and the Talmadge community, Point Loma residents are now forced to use legal means. Please refer to their website (www.pro-pointloma.org) for a copy of the pending lawsuit and other relevant information.

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Noteworthy: The Peninsula Community Planning Board recently sent a letter to Mayor Faulconer, Councilmember Zapf, and former City Attorney Goldsmith asking the City to seek an action to review SDUSD's action to exempt themselves from compliance with certain City ordinances and codes at 40 sites throughout the County, including PLHS and Hoover HS. An excerpt appears below:

This letter is to advise you that, by a vote of 9-2 at our meeting held on November 17, 2016, the Peninsula Community Planning Board, hereby urges the City of San Diego to immediately initiate an action in San Diego Superior Court seeking a review of the Resolution adopted by the San Diego Unified School District Board of Trustees on April 12, 2016 (H.1. 4-12-16). The School District's Resolution Exempts the "Whole Site Modernization" project proposed for Point Loma High School, including, without limitation, the "Stadium Facilities Upgrade Project, " which includes the installation of permanent sports field lighting, a new public address system and increasing the seating capacity of the stadium 500 persons, from review under or compliance with the zoning ordinances of the City of San Diego, including the General Plan of City of San Diego and the Peninsula Community Plan. Such as action by the City is expressly authorized by Section 53094 of the *California Government Code*, permitting the City to seek a judicial determination of whether the School District's adoption of the Resolution was "arbitrary and capricious."

Pro Point Loma continues to forge ahead with their lawsuit that if successful, may ultimately benefit other highly impacted neighborhoods, such as Talmadge and El Cerrito, in close proximity to SDUSD campuses and faced with similar circumstance.

Please send what you are able to:

Pro Point Loma Litigation Fund
3512 Voltaire Street
San Diego, CA 92106

There is also a "[Donate](#)" link on the PPL website (www.pro-pointloma.org) which accepts donations via PayPal or Credit Card.

Sincerely,

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