



June 2007

Do you want more?

- TRAFFIC
- PARKS & OPEN SPACE
- VOICE IN PLANNING ISSUES
- OFFICE SPACE/COMMERCIAL IN RESIDENTIAL NEIGHBORHOODS
- TRUST IN OUR CITY REPRESENTATIVES

HOODWINKED!

The people of Encinitas have been hoodwinked by the majority on the City Council long enough. It is time for the populace to take back our community from what is perceived to be a self-serving, uncaring majority on the City Council who are destroying our community's character, burying us in traffic, squandering public and environmental resources and giving away citizen's rights. We must not let these individuals, the development machine, and public employee groups control our destiny any longer.

Hand wringing and wishing is not enough to end the problem. Activists from throughout the City must band together, pool resources and concentrate their efforts toward replacing the offending councilpersons and their cronies at the voting booths in 2008.

Over the years City officials have successfully beat down and defeated one community group after another because, individually, these assemblages did not control enough money or votes to demand the voice they needed. Citizen leaders have long recognized the divide and conquer strategy being employed against them but, try as they may, they were unable to stop the abuse.

Then came the defeat of the Ecke Ranch proposal and the Clean Water deception which showed that logic and reason could be brought to the ballot box through grassroots efforts. As a result activists became heartened and energized. Last October several came together and formed an organization called the HomeTown Alliance to take on City Hall. Soon HTA, with its proven leadership and action program, became the focal point of a much-needed insurrection. Volunteers from all parts of the City flocked to the movement.

HTA has made an all-out effort to protect the integrity of the City's original general plan, citizen's rights and community character. HTA has encouraged its officers and volunteer experts to help local groups by providing leadership and communication assistance, technical and professional knowledge, and when necessary, manpower. In return, HTA only asks the various entities to support one another and to help elect empathetic citizen representatives to City Council. Already liaison with 18 local organizations, groups, associations and councils have been created and positive results are being recorded.

HTA's goal is to achieve a city government which is truly by and for the people of Encinitas. Please join your neighbors in the HomeTown Alliance and help protect:

- Your quality of life
- Your investment in your home
- Your tax dollars
- Your ability to travel easily on local streets and highways
- The remaining open space
- The character of your community
- The environment
- Local air and water quality
- Your community pride

The need is great, the cause is just, and now is the time for every citizen to get involved.

To participate in the effort to Save Encinitas, please contact HTA at:
www.HomeTownAlliance.org or (760) 753-7477

Annual membership is only \$10 per family.

Dr. Robert Bonde, Cardiff-by-the-Sea

The author is the President of the Hometown Alliance

Dr. Bonde is also:

Past chairman of the North Coast Incorporation Coalition (the citizens group which formed the City of Encinitas)

Past chairman of the United Citizen's Coastal Protection League

Past president and founder of the Encinitas Taxpayers Association

Past president of the Cardiff Town Council

Past President of Encinitas 1st

Former columnist for the North County Times

Recipient of the 1983-84 San Diego Press Club, environmental activist of the year award

MAKE THE GRADE

Mira Costa College offers this summer class:

You Can Fight City Hall ... and Win!

Finally, practical advice on cutting through the red tape from a City Planner with 23 years of experience! Now you can learn how to promote community issues using consensus building principles with government development, zoning, and environmental laws. By the end of this class you will be on your way to tackling a real-life governmental issue that is important to you.

Supplies: Please bring a notepad and a pen or pencil, and be prepared to discuss an issue that you would like to promote in your community. All course materials will be provided by the instructor. Free parking permit required weekdays.

Instructor: Joseph Wright, City Planner

Fee: \$52

Oceanside Campus/rm t401, 6 Wednesdays

7/25-8/29, 7-8:30 pm

www.miracosta.edu/Instruction/CommunityEducation/Downloads/SU07CEBfinal.pdf



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WHY THE DISCONNECT?

Encinitas holds public participation meetings so the public can indicate their preferences as far as what a project is expected to produce in both City projects and private projects. I think we all understand how a private project faces different pressures than a City project, and that the public's wishes on a private project may or may not come to pass. A City project, however, is different. I would expect that the public input would be the determining input for a City project but this does not seem to be the case.

If we look at the Hall property park and the Cardiff specific plan, we see that City government has not just disregarded the stated public input, but have done the opposite of the requested actions. In the case of the Hall property, there was substantial input directing the City towards a more passive park rather than a sports park with lights and multiple sports fields. Somehow, the City plan provides for more active uses than the parking and surrounding infrastructure can reasonably provide, even using the EIR information as issued.

As I understand it, the majority of Cardiff residents giving input asked for specific improvements of a minimal nature and no increase in density. What we got from the City was a plan for increasing density and little detail regarding the intent of the projects requested by the residents.

So where is the disconnect? Is it the staff deciding they know better than the residents? Is the Council deciding that they want the situation to be different then the residents hope for? Are highly paid consultants producing what is wished for in disregard of the stated opinions of area residents?

A City government can not long survive a series of decisions that thwart the citizens will. I suggest that the use of consultants in the existing City government is a deliberate attempt by members of the City Council to impose their will on the citizens of Encinitas rather than an attempt to reach a true understanding of the problems. Do we need a highly paid expert to attempt to sell us a tax (Prop C) paid with taxpayers dollars? I think not. Do we need a consultant that suggests one of the most crowded areas of the City should be radically up-zoned (housing element update)? I think not. Do we need a consultant to justify the San Dieguito Water District cost to share the

Mossy City yard which does not touch once on the criteria to justify that amount being claimed by the City under Prop 218? I think not.

We pay the City staff a good wage (some would say a very good wage). I don't think it is unreasonable to expect that City staff be required to have continuing education requirements in specific areas so the hiring of consultants is no longer necessary. If each staff member has the specific knowledge necessary for each known area of public policy, public policy can be implemented without an outside consultant. Then, if there is a conflict between the public will and the staff, it becomes transparent and debatable.

Herb Patterson <lindpat@cox.net>

AG PROPERTIES NEED FOR FULL EIR

The City of Encinitas has a dismal record in requiring full Environmental Impact Reports on agricultural properties that come up for development. The City had set the standard itself by refusing to do an EIR on the Hall property when it was purchased for a city park. A Cardiff group, Citizens for Quality of Life, was the first group to ever challenge this policy. The group filed a lawsuit against the City and won. The judge found the City in violation of California environmental law.

One would think that the loss of the lawsuit would have forced the City to modify its policy to comply with the law. But the City is too closely tied to developers. A series of agricultural properties have come up for development in the last five years. None has been required to do a full EIR. Planning Department staff seems to work with the developers in order to skirt around the law. This appears to be occurring with the Brown property on Lake and the Bahlmann property on Saxony.

Why is this important? The long-delayed release of the Hall Draft EIR was an eye-opener for most people. The EIR showed serious environmental problems. For the first time all the environmental consequences of a project were spelled out. This is especially important with regards to soil contamination. Since the lawsuit four greenhouse properties have come up for development with preliminary testing showing contamination.

Many properties in Encinitas have agricultural use going back to the 1950s, or even the 1920s as on the Ecke and Thornton ranches. Most have

agricultural use dating back to the 1970s. This means there was unregulated use of pesticides. It was only in the 1970s that the dangers of certain pesticides were recognized, especially chlorinated hydrocarbons which can cause cancers and are very persistent in the soil. In the 1980s pesticide applications were finally strictly regulated, and carcinogenic chemicals were banned.

We are left to deal with decades of unfettered chemical use. The only sure way to know that a property is safe for homes or parks is to require careful and thorough testing for unsafe chemical residues in the soil. A mitigated negative declaration, a cursory review of environmental problems with a statement of NO IMPACT, and a statement that any problems are easily dealt with, is simply inadequate.

Jerry Sodomka, Cardiff-by-the-Sea

PROJECT UPDATES

Two proposed projects... Both are located off of Quail Gardens Drive. Both are zoned R3. One wants bonus density, one does not. The results?

1. Quail Meadows: Pacific Coast Communities, east side of Quail Gardens Drive, north of Encinitas Blvd, APN- 258-130-80-82-86

This subdivision is approx. 13.6 acres and is using the midrange density of 2.5 houses per acre as per City's calculations method. This results in a 34 house subdivision.

2. Bahlmann Property: located between Quail Gardens Drive and Saxony. This 18.7 acre plot under code allows for 47 units but translates to 69 units when density bonus is used as the high range of the zoning (in this case R3) is used to compute number of houses:

$$(3 \times 18.7 = 56)$$

a 25% increase is applied to this number

$$(1.25 \times 56 = 69.1)$$

David Meyer, as consultant for the property owners, has filed a tract map to construct a total of 69 dwelling units on the property.

The City Planner on this project is Kerry Kusiak. Mr. Kusiak and Mr. Meyer have worked together on at least one other project: the litigated Barratt America project located at the intersection of Sheridan and Andrew in Leucadia.