



AUGUST 2010

UNION TRIBUNE VS. REALITY

As we enter the election season, we need to consider the candidates in the Encinitas City Council race. When looking for editorial advice, we are reminded that the San Diego Union Tribune doesn't always tell the entire story with regards to the issues of the City here in Encinitas.

Our first example of the UT's editorial staff not telling the entire story involves Council Member Teresa Barth's harassment complaint. In 2009, Barth sent City Attorney Glenn Sabine a letter complaining about harassment by other Council members. Officially, her complaint was filed as a City of Encinitas employee based on the City's "zero tolerance" policy against harassment.

She chose to file a confidential, internal, complaint. It was not a political move, but a sincere attempt to stop the escalation of bullying and possible retaliation against those, not just her, who do not agree with the views of the Council majority.

It was the decision of the City Attorney and City Manager to retain outside counsel for this investigation. It was the decision of that legal firm to hire an additional investigator.

Why it took four months to make the determination that Council members are not City employees is unclear. If that determination had been addressed first, then a costly investigation was unnecessary.

In an editorial, the Union Tribune asked Barth to reimburse Encinitas the \$15,000 for the legal fees charged to the City by the outside law firm. Not a word from the Union Tribune about background. Not a word from the UT decrying the exorbitant cost of the legal opinion and the seemingly avoidable, if not unnecessary, investigation.

Barth did nothing wrong. She made an attempt to address the long standing

tolerance, held by some Council members, for inappropriate, vindictive, and abusive behavior. The primary role of the City Attorney is to answer legal questions put before him by council members. Barth's status as a non-employee should have been easily determined by Sabine. Once that point was determined there was no reason for a \$15,000 legal fee—the point was moot.

To their credit, the UT printed a statement written by Barth after the results of the confidential report were made public. Then they went on and dismissed her statement as "bilge" (Chris Reed: May 13, 2010).

And once again we had slanted coverage designed to harass and discredit Barth. Anyone want to bet which good-ole-boy the Union Tribune editorials will support?

More journalism fun in the next issue.

~with help from friends

GOOD THINGS TO SEE...

A regional jewel for more than forty years, Quail Gardens is now known as San Diego Botanic Gardens.

The gardens started out as the landscaping project of Ruth and Charles Larabee. The house, property, and the gardens were passed along to the County upon Ruth's death.

The gardens have been maintained and operated by a private foundation since 1993.

Regardless of the name change, it continues to be a beautiful work in progress. Along with the changing seasons, various sections of the gardens are updated and modified, some have been gaining new interpretive signage.

Last fall the totally new Children's Garden was competed and opened to the public.

Get out there and enjoy our community!



WAYSIDE HORN DEMONSTRATION

Chesterfield Drive Highway/Rail Grade Crossing, Cardiff-by-the-Sea

Tuesday, August 24, 2010

7 am–Noon

The purpose of the demonstration is to explore wayside horn technology as a potential means to reduce the noise of train horns in the community.

For further information contact the Encinitas City Manager's Office (760) 633-2610

ANNOUNCEMENT OF PUBLIC HEARINGS

Open house meetings on I-5 expansion.

Two more meetings are scheduled.

Click the link above for some details.

To receive Hoodlink via email, send a message with the subject "subscribe" to stopzoning@yahoo.com



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CORRECTIONS...

One long-time reader wrote to us, in response to the July 2010 issue, and offered that it was unfair for us to imply that it is only the three men on the current City Council who have repeatedly demonstrated a willingness to ignore State laws covering local governments.

We stand corrected. As was pointed out to us by the reader, Council member Maggie Houlihan has cast votes with the majority on the very issues which serve to obscure what should be the public actions of our City Government. Maggie, please understand, the residents of City need your consistent support to achieve an open City government.

One example: a recent Council vote on approving the City's road maintenance budget. The task of studying and creating a report, on the condition of our City's roads, was contracted to a consulting firm early in 2009. The report was completed on schedule and the contractor was paid for their work well before the problematic vote.

The vote was called by the Mayor in spite of the fact that the Council, including the Mayor, was fully aware that the report was actively being withheld from the public. This report is germane to the public's understanding the foundational basics of the road maintenance budget. The vote to approve the budget was 4 to 1, with the sole dissenting vote belonging to Teresa Barth.

For more details and a poll, please go to the [Encinitas Taxpayers Association](#).

Another reader wanted to know why we are so against building the Hall Park—surely we must be kid-hating NIMBYs.

To make it perfectly clear, we love kids of all ages. Kid should have safe places to play.

As for being NIMBYs... The quick and easy use of name calling pretty much says it all. It is often the most effective tool of those who's perspective on an issue can best, or perhaps only, garner significant public support by

using false characterizations and FUD (fear, uncertainty, and doubt).

And, as have many so-called NIMBYs, we have been in favor of a community park on the Hall property since the first public forums.

It was at these forums where the participating public envisioned and clearly articulated their desire for the property: a beautiful space where families, people and their dogs, bench sitters, walkers, frisbee throwers, ad-hoc sports enthusiasts, and skateboarders could come at their whim and enjoy their park. It would be a park where the joyful sounds of year around park fun slowly faded with the light of day.

We continue to be in favor of such a park. We are in favor of the soil and field irrigation runoff being free of toxic chemicals. We are in favor of ensuring the surrounding neighborhoods, hospital, shopping center, streets, and freeway ramps are not overburdened by the activities at the park. Perhaps most of all, we are in favor of a park which can be afforded, paid for, and enjoyed by all of the residents of the City.

If it can be proven that the majority of citizens of Encinitas actually want a high profile special-use regional sports complex at the Hall property, then so be it.

Regardless, it will remain our opinion that all sport-specific playing fields, which are for the exclusive use of organized leagues and which are maintained with the public's money, should neither be laced with toxic chemicals nor be adorned with lights for night play. And just like every other private enterprise currently operating on public beaches or recreational facilities in Encinitas, all of these privately operated sports leagues should pay commensurate fees for the (in their special case, exclusive) use of our public resources.

~ the editors



A BRIEF REPORT...

The Encinitas Caltrans I-5 expansion open house/ public hearing was held Tuesday July 27.

The Banquet Hall, at the Encinitas Community and Senior Center, was filled with numerous enlarged aerial photographs showing the existing swath of I-5 as it cuts through Encinitas. The photos were marked up with lines and notes detailing the current proposals for expansion. Plenty of marketing materials were available which were designed to inform the public about all the positive effects the expansion of I-5 will have on the quality of life in the North County.

Although Caltrans defined five scenarios, the two missing from the following list are variations of options #1 and #2. One set uses a concrete buffer to define the "managed" lanes, the other set uses painted lines to define the "managed" lanes.

- #1. Add two "managed" lanes in each direction with no new general lanes for a total of 12 lanes.
- #2. Add a general lane in each direction, in addition to option #1 additions, for a total of 14 lanes.
- #3. Do nothing for a total of eight lanes.

A BRIEF COMMENT...

The Caltrans marketing materials on the I-5 expansion grossly overvalue tiny increases in coastal access as well as hawking some nice but minor wetlands restoration. We see these materials as nothing but an attempt to greenwash the lunacy of continuing to repeat the same mistakes and promising and/or expecting a different result.

Just as it has been proved every time throughout California's history: adding lanes equals more traffic. For a short time more lanes may decrease stop and go driving, which will cut emissions and improve gas mileage of non-hybrid vehicles. But more cars is more cars and more cars will only benefit the few at the expense of the many.

Please let Caltrans know that North County does not need more traffic lanes on 5 than 405 has going though L.A. and Orange Counties.