

## Appendix A: Community Engagement Summary

Section 65583 (c) (7) of the Government Code states that, "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." A discussion of citizen participation is provided below.

The City of Encinitas conducted an extensive public outreach process beginning in 2014 to prepare a 2013-2021 Housing Element. Outreach efforts included 45 presentations, numerous mailers and ads, and community dialogue sessions attended by 479 persons. That effort culminated in the adoption of a 2013-2021 Housing Element by the City Council in June 2016 and its placement on the November 2016 ballot as Measure T. However, the voters did not approve Measure T.

The City immediately began an effort to adopt a revised 2013-2021 Housing Element to be submitted to the voters in the November 2018 election. On November 16, 2016, even before the certification of the Measure T election results on December 13, 2016, the City Council approved the formation of a Housing Element Subcommittee to work with all groups to adopt a Housing Element. The City Council held a special community workshop on February 1, 2017, attended by well over 100 people, to discuss adoption of an adequate Housing Element and also held a special meeting on February 6, 2017, at which it appointed a Housing Element Update Task Force, comprised of the Council Subcommittee and two public members, including one supporter and one opponent of Measure T. Eleven public meetings were held by the Task Force in 2017, two of which were joint meetings with the City Council, in addition to regular updates to the City Council. In 2018, five joint Task Force-City Council meetings, two community meetings, two stakeholder meetings, and public hearings at both the Planning Commission and City Council were held. All meetings were advertised to an extensive mailing list (hard copy and email/e-alert) and the City maintained a web site with all information submitted to the Task Force, City Council, and Planning Commission; public comments; and correspondence with the Department of Housing and Community Development. The meetings were attended by, among others, representatives of the San Diego Housing Federation, Building Industry Association, affordable housing and market-rate developers, and many community members. Refer to Appendix A for the public notice mailing list and available public oral comments, meeting minutes, and meeting notes. This draft Housing Element is the product of this public participation process.

An earlier draft of this Housing Element was placed on the November 2018 ballot as Measure U and did not receive majority vote. On December 12, 2018, Judge Ronald Frazier of the San Diego Superior Court ordered the City to adopt a Housing Element consistent with State law within 120 days or by April 11, 2019. Following the Court's order, the City held additional public hearings before both the Planning Commission and City Council, which were noticed using the same extensive public outreach process described above.

As required by Government Code Section 65585(b)(2), all written comments regarding the Housing Element made by the public have previously been provided to each member of the City Council.

**Table A-1** shows the date or anticipated date of each meeting for the housing element. Available public oral comments, meeting minutes and meeting notes for each meeting shown in the table are provided within Appendix A.

**Table A-1: Housing Element Meetings**

<b>HOUSING ELEMENT TASK FORCE(HETF)</b>	<b>NOTES</b>
February 13, 2017	HETF meeting
February 23, 2017	HETF meeting
March 9, 2017	HETF meeting
April 10, 2017	HETF meeting
May 4, 2017	HETF meeting
August 10, 2017	HETF meeting
September 5, 2017	HETF meeting
September 26, 2017	HETF meeting
October 16, 2017	HETF meeting
February 28, 2018	HETF meeting
<b>CITY COUNCIL</b>	<b>NOTES</b>
February 6, 2017	Special meeting
November 8, 2017	Joint meeting with Task Force
December 16, 2017	Special Joint meeting with Task Force
January 10, 2018	Joint meeting with Task Force
April 4, 2018	Special Joint meeting with Task Force
April 18, 2018	Joint meeting with Task Force
May 9, 2018	Joint meeting with Task Force
May 23, 2018	Joint meeting with Task Force
June 20, 2018	Public Hearing
December 12, 2018	Public Hearing
February 6, 2019	Special Joint meeting with Housing Authority
February 20, 2019	Public Hearing
March 13, 2019	Public Hearing
<b>STAKEHOLDER</b>	<b>NOTES</b>
February 28, 2018	Stakeholder meeting #1
April 4, 2018	Stakeholder meeting #2
<b>WORKSHOPS/OPEN HOUSE</b>	<b>NOTES</b>
February 1, 2017	Special Council Meeting/Housing Element Workshop

May 10, 2018	Community Informational Open House
<b>PLANNING COMMISSION</b>	<b>NOTES</b>
May 17, 2018	Study Session/Briefing
June 7, 2018	Public Hearing
February 21, 2019	Public Hearing

## **A.1 Housing Element Task Force Public Comments**

This section contains a summary of the available public oral comments provided during each of the Housing Element Task Force (HETF) meetings. Opportunities for public comment were provided at the beginning and end of each meeting.

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – FEBRUARY 13, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- Community Member – Short buildings and low density.
- Bob – Supports ADU policy and recommended reading report on ADUs.
- Robin – Concern with parcels in Cardiff. Not appropriate for the plan. Traffic and building height concerns.
- Richard – Commends the task force for their work.
- Steve – Suggests focusing on the best plan – market will decide. Also suggests hiring staff to get ADUs built.
- Amy – presented ideas for creating ways to build affordable housing for artists.
- Ron – Suggested putting HCD rules/regulations on website to help the public understand what HCD is looking for to approve the housing element.

#### End of meeting -

- Bob – consider more sites than just our shopping centers. Consider long-term study through HCD to achieve low cost housing.
- Glen – Need feedback mechanism for public comments. Get a good expert for housing element. Should be able to go more than 2-stories. Mixed use does not work. Preserve historic sites and community character.
- Mark – You need a process. Establish milestones and due dates. Have structure. Concerned about density calculations.
- Community Member – Likes the open approach to the meetings.
- Sheila – ADUs are grandfathered. Look at Oceanside bonds. Use the original General Plan, not overlay. Downtown site should be off the table. Why start with existing sites?
- Glenn – Look at Los Gatos regulations to understand background on thoughts. We never had a workshop on inclusionary and affordable housing, which had been discussed.
- Russ – Talked about a style of proto-type developments to consider that worked in La Jolla.

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – FEBRUARY 23, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- Kathleen – Simply thanked the task force for their work.
- Bob – Provided information regarding ADUs built in the City.
- Damien – Affordable builder. He has an affordable plan for his property and wants it considered.
- Peter – Based on court case (CBA vs San Jose) consider 15% inclusionary housing ordinance.
- Community Member – Suggested affordable housing at the Encinitas Community Park.
- Community Member – Why can't we just take city property and build affordable housing.

#### End of meeting -

- Ron – Wants staff to confirm the effort to notify the public of upcoming meetings.
- Bob – Wants to know how the new laws will affect the ADUs regulations.
- Sheila – No RFP until we know what we want in the plan. Wants specifics. Can we have an HCD rep?
- C.J. – Are the meeting minutes on the website? (Staff explained meetings are recorded and posted on the Subcommittee's webpage).
- Community Member – Suggested the buffer be doubled to gain HCD's acceptance.
- Glenn – Talked about the housing element consultant's role.
- Cardiff Resident – What is the vision as we grow? Need good planning efforts.
- Glenn – Plan needs to be confined in order to pass.
- Community Member – There needs to be educational materials on the City's homepage.

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – MARCH 9, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- Bob – Consider the landfill site as an option for affordable housing.
- Damien – Presented a spreadsheet on sites and options based on land value the 30 DUA.

#### End of meeting -

- Glenn – Asked various questions about the consultant selection and if they will work with staff and the task force.
- Community Member – Expressed concerns about affordable housing and that many teachers can't afford to live in Encinitas.

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – April 10, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- None

#### End of meeting -

- Citizen – Parking ordinances. Required 2 for 1 bedroom currently. He ran numbers at 1.5 per bedroom. Reanalyzing the parking
- Glenn - 15 vs. 16 Adopted the environmentally friendly map but there was no option to change it. Should look at more than one outside site. Give Council the discretion to look at other outside sites.
- Citizen – 16 to 20 sites then add more that were on other maps?
- John Gjata – Looking at cost per square foot. Looking at it financially. Coordinate with the more elderly population.
- Ron – Map 4 most sustainable. We need a final EIR approved.



## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – May 4, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- Citizen - Hearing Encinitas anti-affordable housing in the media...but ironic because we shut down Measure T. Suggests City should help itself in the process of setting the record straight. More affordable housing mandated. City should be more vocal.

#### End of meeting -

- Damien – Max density could be governed by height.
- Citizen – is there a range the state requires two/three bedrooms? Percentage of types of units?
- Citizen - Any example in communities of affordable units owned by the city? How is the affordable unit in perpetuity after someone passes away?

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – AUGUST 10, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- Brisbane SF – Small City by choice (Baylands Project).
- Community Member – Why sites on Coast Highway 101? Does not support.
- Kevin J. (SELC) – No upzoning near the lagoon.

#### End of meeting -

- Community Member – Are you tracking legislation related to housing?
- Community Member – Legal definition of “affordable”? Can underground parking be used? Any mechanisms in place to prevent marketeering?
- Glenn – Measure T tried to change this city by making small sites larger, but the Consultant is working with small sites and change standards. Does DB give developer opportunity to change the size of the box?
- Glenn O. – Does HCD give credit from public participation from Measure T? Only certain dates for elections.
- Jerry – Are we trying to get truly affordable housing, did not hear Consultant talk about that.
- Ron – Share the burden across the community and be aware of AB 72
- Community Member – Why include mixed use? Do we need it?

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – SEPTEMBER 5, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- Damien M. – Discussed his property as an option for consideration and an affordable housing project for the site.
- Faith – Interested in adding sites west of the I-5 off Manchester Ave.
- Richard S. –
- Glenn J. – We need to get going on selecting the sites R25 for small and R30 for larger? Do not include City Hall.
- Lansing – Interested in adding sites.
- Property Owner of 7-11 on Encinitas Blvd. wanted his site considered
- Community Member – The Kimley Horn analysis will not work with the development stds. proposed. Need to look closer at what is being proposed.

#### End of meeting -

- None

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – SEPTEMBER 26, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- Glen J. – Get this Housing Element Plan approved
- Damien M. – Discussed his property as an option for consideration and his partnership with Community Housing Works
- Angela – Talked about the importance of affordable housing opportunities

#### End of meeting -

- Louise – Does not want access from County burn site off Shields Avenue
- Kathleen L. – Does not want the Sprouts site or Ralphs site considered
- Property Owner of 7-11 on Encinitas Blvd. – Can't City build the affordable housing?
- Ron – Task Force should use an even hand for the distribution of sites in the 5 communities
- Gerald S. – Made a suggestion on a site to consider (not clear which)
- Nancy N. – Wants affordable housing on City owned vacant properties
- Community Member – Stated that we should want affordable housing
- Angela – repeated the need for affordable housing

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – OCTOBER 16, 2017

### PUBLIC COMMENTS:

#### Beginning of meeting -

- Glen J. – Provided a comment letter (in project file) encouraging the Task Force not to get caught up in the small details and get a plan together.
- Doug G. (SELC) – Encouraged the Task Force to consider protecting the lands around the lagoon.
- Kevin J. (SELC) – Highlighted multiple sections in the General Plan’s Resource Mgmt. Element, which encourage protection of areas around the lagoon.
- Steve H. – Does not support upzoning vacant sites near Sienna Canyon Drive.
- Nikki (Greek Orthodox Church) – Would like to have portion of the church’s property included as one of the sites for consideration.
- Damien M. – Encouraged the Task Force to support projects with true affordable housing.
- Kathleen L. – Stressed the need for affordable housing in the City.

#### End of meeting -

- Glen O. – Asked that the Task Force consider the economic viability of the sites.
- Property Owner of 7-11 on Encinitas Blvd. – Had a question related to 30 units per acre.
- Kathleen L. – Requested the Task Force consider the Vons Shopping Center site.
- Glen J. – Can Density Bonus be used as an option?
- Community Member – Requested to have the sites the Task Force selects posted on the City’s website.
- Community Member – Asked if public support of the Task Force process is necessary at the City Council meeting.

## HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – FEBRUARY 28, 2018

### PUBLIC COMMENTS:

#### Beginning of meeting

- Peter Stern – This Housing Element process has been the most transparent process. Remember that zoning is very important and that you need to work beyond selection of sites.
- Lois – Recommends keeping L-7 on the list.
- Richard – L-7 should be rezoned to R-3 and funds from project could be used for affordable housing project near bus lines. Too much increased density proposed on Quail Gardens Drive. Use public works site.
- Sylvia – Recommends keeping L-7 on the list.
- Glen – Should be a rational planning process. Concerned about density on Quail Gardens Drive.
- Kevin – Concerned about L-7 site.
- Encinitas Resident – Affordable housing supporter.
- Tom – City needs to have affordable housing available.
- CRC – Affordable housing advocate spoke in support of affordable housing.
- Ron – Could we use the El Camino Real Home Depot open space?
- Angela – Recommends L-7 site and supports affordable housing.

#### End of meeting

- Sue Reynolds – Suggested keeping L-7 on the list.
- Bob K. – Spoke on behalf of Leichtag and supported keeping the L-7 site on the list, with the understanding that any housing intensification would include the implementation of the recommendations of the previously prepared traffic calming plan.
- Peter Curry – Suggested considering the use of an overlay.
- Resident – Spoke of her concerns with low-income development.



## **A.2 City Council Meeting Notes**

This section contains the available meeting minutes and public oral comments from each of the City Council meetings related to the Housing Element Update.

*MINUTES OF THE ENCINITAS CITY COUNCIL SPECIAL MEETING  
FEBRUARY 6, 2017, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**CALL TO ORDER/ROLL CALL**

Mayor Blakespear called the meeting to order at 6:00 P.M.

Present: Mayor Catherine S. Blakespear, Deputy Mayor Tony Kranz, Council Members Tasha Boerner Horvath, Joe Mosca and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Special Counsel Barbara Kautz, Principal Planner Langager, City Clerk Hollywood and Deputy City Clerk Bingham

There being a quorum present, the meeting was in order.

**PLEDGE OF ALLEGIANCE**

**AGENDA ITEMS**

1. **City Council discussion on next steps regarding the development of a legally compliant Housing Element Update.**

***RECOMMENDED ACTION:*** Provide direction to the Council subcommittee of Mayor Blakespear and Deputy Mayor Kranz and staff regarding next steps for developing a legally compliant Housing Element Update.

**SPEAKERS:**

Bob Bonde, Gene Chapo, Eileen Troberman, Nancy DeGhionno, Kathleen Lees, Richard Boger, Rhonda Graves and Glen Johnson.

Special Counsel Barbara Kautz and Principal Planner Langager responded to questions and comments from the public and Council.

**COUNCIL CONSENSUS:**

There was Council Consensus to direct staff to bring back the Inclusionary Housing Ordinance and In-Lieu Fees for Council consideration.



**SPEAKERS CONTINUED:**

Bruce Ehlers, Gene Chapo, Glen Johnson, Bob Bonde, Glenn O'Grady, Kathleen Lees, Andrew Matuszeski, Audrey, Tom Cozens and Linda Durham.

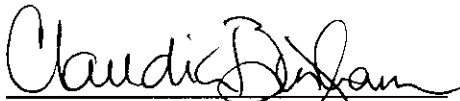
**ACTION:**

**Blakespear moved, Boerner Horvath seconded to: 1) Convene a Housing Element Update Task Force consisting of Mayor Blakespear, Deputy Mayor Kranz, Bruce Ehlers and Kurt Groseclose to bring forward an alternative proposal with flexibility to add members as needed; 2) Direct the Task Force to prepare a time line; 3) Direct staff to place a standing agenda item on the City Council agenda beginning with the first meeting in March; 4) Authorize the Task Force to commission studies as necessary; and 5) Include timely check-ins with the Planning Commission. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

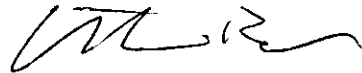
Mayor Blakespear asked if there was Council Consensus to tie the Strategic Planning sessions to the budget and to schedule these sessions ahead of the budget presentations. There was Council Consensus.

**ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 8:45 P.M.



Kathy Hollywood, City Clerk  
By: Claudia Bingham  
Deputy City Clerk



Catherine S. Blakespear, Mayor

*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING  
NOVEMBER 8, 2017, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**1. CALL TO ORDER**

Mayor Blakespear called the meeting to order at 6:00 P.M.

**2. ROLL CALL**

Present: Mayor Catherine S. Blakespear, Deputy Mayor Tony Kranz, Council Members Tasha Boerner Horvath, Joe Mosca and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Director of Development Services Wisneski, City Clerk Hollywood, Principal Planner Langager, Special Counsel Kautz, consultants Dave Barquist and Nick Chen of Kimley Horn, consultants Mike Singleton and John Holloway of KTUA, Special Counsel Skinnell, consultant Doug Johnson of National Demographics Corporation, Project Manager O'Grady, Fire Chief Stein

There being a quorum present, the meeting was in order.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

There were no presentations or proclamations.

**5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF**

John Hyde spoke regarding damage to the wetlands along Escondido Creek.

James McDonald spoke regarding bees.

**6. REPORT FROM CLOSED SESSION**

No Closed Session meeting was held.

**7. CHANGES TO THE AGENDA**

There were no changes to the posted agenda.

## 8. CONSENT CALENDAR

Council Member Mosca stated that he would abstain from voting on Agenda Item 8B due to his employment with SDG&E.

Item 8H was removed from the Consent Calendar by a member of the public.

### **COUNCIL ACTION:**

**Kranz moved, Muir seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca (8B).**

- 8A. Approval of the Minutes of the October 11, 2017 Regular Meeting, October 11, 2017 Special Closed Session, October 18, 2017 Regular Meeting and October 30, 2017 Special Closed Session. Contact Person: City Clerk Hollywood

***Recommended Action:*** Approve the Minutes.

- 8B. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

***Recommended Action:*** Approve the Warrants.

**Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca.**

- 8C. Amendment 11 to the Agreement with Tyler Technologies, Inc. for the purchase of licenses and re-configuration of existing Tyler Content Management (TCM) software to enable new functionality. Contact Persons: IT Supervisor Van Pelt and IT Project Manager Salmon

***Recommended Action:*** Approve Amendment 11, in substantial form, in consultation with the City Attorney, and authorize the City Manager to enter into the amended agreement with Tyler Technologies, Inc. for software licenses and professional services not to exceed \$39,250 and annual software maintenance fees in the amount of \$7,290 beginning in FY 18-19.

- 8D. Caltrans Adopt-A-Highway northbound Interstate 5 on/off ramps at Birmingham Drive. Contact Person: Interim Public Works Director Lamb

***Recommended Action:*** Recommend that the City of Encinitas apply to enter into an agreement with Caltrans for adoption of the northbound Interstate 5 on/off ramps for litter removal.

- \*8E. Public Hearing - Request to vacate/abandon an existing biological open space easement historically consisting of Diegan coastal sage scrub and non-native grassland. Contact Person: City Planner Sapa'u

**Recommended Action:** Adopt attached Resolution No. 2017-76 (**Attachment CC-1**) approving the Final Mitigated Negative Declaration (**Attachment CC-3**) for the project, certifying the abandonment fee of \$87,500 the landowner must pay to the County Treasurer, and approving the request to abandon the existing biological open space easement.

There were no public speakers on this item.

- 8F. Contract Amendment for Construction Inspection Services. Contact Person: City Engineer Magdosku

**Recommended Action:** Authorize the Director of Development Services, or the Director's designee, in consultation with the City Attorney, to execute an amendment to an existing agreement with Geopacifica in the amount of \$35,380 plus 15% contingencies, for a total contract amount not to exceed \$220,687.

- 8G. Easement Agreement for Use of Rail Right-of-Way and Memorandum of Understanding for Construction of the Cardiff Coastal Rail Trail Improvements. Contact Person: Associate Civil Engineer Kellar

**Recommended Action:** 1) Authorize the City Manager, in consultation with the City Attorney, to execute the Easement Agreement with North County Transit District (NCTD) (in substantial form as provided in Attachment 1) for construction and maintenance of improvements in the rail right-of-way; and 2) Authorize the City Manager, in consultation with the City Attorney, to execute the Memorandum of Understanding (MOU) with San Diego Association of Governments (SANDAG) (in substantial form as provided in Attachment 2) to facilitate the construction of the Cardiff Coastal Rail Trail improvements by SANDAG and ultimate maintenance of the improvements by the City.

## 9. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 8H. Mobility Project Update - Capital Improvement and Traffic Engineering Divisions. Contact Person: City Engineer Magdosku

**Recommended Action:** 1) Receive report on the status of Capital Improvement and Traffic Engineering projects; and 2) Receive report on the status of the effort to develop a publicly available GIS map of active projects.

Michael von Neumann expressed appreciation to the City for its efforts to improve bike and pedestrian safety.

**COUNCIL ACTION:**

**Blakespear moved, Boerner Horvath seconded to: 1) Receive report on the status of Capital Improvement and Traffic Engineering projects; and 2) Receive report on the status of the effort to develop a publicly available GIS map of active projects. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: None.**

**10. ACTION ITEMS**

- 10A. Housing Element Task Force/City Council discussion regarding the Housing Plan Update and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

***Recommended Action:*** Staff and the Housing Element Task Force (HETF) recommend that the Council: 1) Provide comments on the sites proposed for inclusion as part of the Housing Element Update and give direction to the HETF regarding their scope of work; and 2) Request that Kimley-Horn prepare a revised scope of work regarding the tasks required to complete the Housing Element update, and direct staff to return with a new contract or contract amendment, for Council review and approval, for completion of a draft Housing Element.

Principal Planner Langager; Housing Element Task Force Members Mayor Blakespear, Deputy Mayor Kranz, Bruce Ehlers and Kurt Groseclose; Special Counsel Barbara Kautz; and consultants Dave Barquist and Nick Chen from Kimley-Horn provided the report and responded to questions.

**SPEAKERS:**

James Kozak, Glen Johnson, Bob Bonde, Bob Echter, Daron Joffe, Lee Vance, David Gaffney and Randy Goodson

**COUNCIL ACTION:**

**Council consensus to request that Kimley-Horn prepare a revised scope of work regarding the tasks required to complete the Housing Element update, and direct staff to return with a new contract or contract amendment, for Council review and approval, for completion of a draft Housing Element.**

**Council consensus to authorize the Housing Element Task Force to meet with HCD.**

**Council consensus to direct the consultant to prepare and provide more realistic numbers regarding sites and site constraints.**

**Council consensus to schedule an additional City Council meeting with the task force to receive and discuss additional information.**

Mayor Blakespear called a recess from 8:43 p.m. to 8:56 p.m.

- 10B. Presentation, review, discussion and direction on the first draft of the Coastal Mobility & Livability Study (CMLS) related to the Active Transportation Plan (ATP). Contact Person: Principal Planner Langager

**Recommended Action:** Staff recommends that the Council: 1) Receive the report and provide input on the first draft of the CMLS specific to the ATP; and 2) Provide staff direction, as desired.

Principal Planner Langager and consultants Mike Singleton and John Holloway from KTUA provided the report and responded to questions.

SPEAKERS:

Marty Benson, Kellie Shay Hinze, Julie Hinze, Judy Berlfein, Elena Thompson

COUNCIL ACTION:

**Council received the report and provided input on the first draft of the CMLS specific to the ATP.**

- 10C. District-Based Elections / Content of Draft Maps, Sequence of Elections – Receive input from the community and introduce an ordinance to adopt a district boundary maps and sequence of elections pursuant to Elections Code § 10010. Contact Person: Project Manager O’Grady and Special Counsel Skinnell

**Recommended Action:** 1) Receive a report from National Demographics Corporation, the City’s demographic consultant, concerning the maps proposed to date and potential election sequencing for a district-based election process pursuant to Elections Code § 10010; 2) Open the public hearing and invite members of the public to provide feedback on the draft maps and potential election sequencing presented; 3) Close the public hearing and select a preferred map and set the sequence of elections; and 4) Introduce Ordinance 2017-15, entitled “An Ordinance of the City of Encinitas, California, Establishing a By-District Election Process in Four Council Districts Pursuant to California Elections Code § 10010 & California Government Code §§ 34871(C) & 34886,” incorporating the adopted map and sequence of elections.

Project Manager O'Grady, Special Counsel Skinnell and consultant Doug Johnson from National Demographics Corporation provided the agenda report and responded to questions.

SPEAKERS:

Kevin Dolan, Kevin Doyle, Kathleen Lees

COUNCIL ACTION:

**Mosca moved, Blakespear seconded to close the public hearing and introduce Ordinance 2017-15, entitled "An Ordinance of the City of Encinitas, California, Establishing a By-District Election Process in Four Council Districts Pursuant to California Elections Code § 10010 & California Government Code §§ 34871(C) & 34886," incorporating Citizen 016 map and the sequence of elections - Districts 3 & 4 in 2018 and Districts 1 & 2 in 2020. Motion carried. Ayes: Blakespear, Boerner Horvath, Mosca. Nays: Kranz, Muir.**

- 10D. Reduce Fire Department Response Times in the North Leucadia/Saxony Canyon area by adding a Peak Hour Fast Response Vehicle (Type-6 Engine). Contact Person: Fire Chief Stein

**Recommended Action:** City Council authorize the City Manager and Fire Chief to establish a pilot program for a peak hour Fast Response Vehicle (FRV) program in the North Leucadia/Saxony Canyon area.

**This item was continued to a future City Council meeting.**

- 10E. Marijuana-Related Activities and Uses—Consideration and Possible Adoption of a Draft Ordinance Prohibiting the Same to the Extent Authorized by California Law. Contact Person: City Attorney Sabine

**Recommended Action:** Take action to introduce draft Ordinance No. 2017-16 entitled, "An Ordinance of the City Council Adding Chapter 9.21 to the Encinitas Municipal Code to Prohibit Commercial and Personal Marijuana Related Activities and Uses to the Extent Authorized by California Law, and thereby, Prevent and Invalidate any State License or Authorization Regarding the Same."

City Attorney Sabine provided the agenda report and responded to questions.

SPEAKERS:

Randall Sims spoke.

Kelly McCormick and Judi Strang spoke in support of the ordinance. Jeff Taylor and Sam Humeid spoke in opposition to the ordinance.

**COUNCIL ACTION:**

Muir moved, Mosca seconded to introduce Ordinance No. 2017-16 entitled, "An Ordinance of the City Council Adding Chapter 9.21 to the Encinitas Municipal Code to Prohibit Commercial and Personal Marijuana Related Activities and Uses to the Extent Authorized by California Law, and thereby, Prevent and Invalidate any State License or Authorization Regarding the Same." Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: None.

**11. INFORMATIONAL ITEMS**

11A. Housing Element Update Status Report. Contact Person: Council Subcommittee Members Blakespear and Kranz

This item was discussed as part of Agenda Item 10A.

**12. COUNCIL MEMBER INITIATED AGENDA ITEM**

There were no Council Member Initiated items.

**13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS**

No future agenda items were added.

**14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF**

No reports were given.

**15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS**

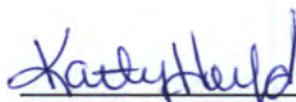
No report was given.

**16. CITY ATTORNEY REPORTS**

No report was given.

**17. ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 11:32 P.M.

  
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Kathy Hollywood, City Clerk

  
\_\_\_\_\_  
Catherine S. Blakespear, Mayor



## HOUSING ELEMENT TASK FORCE/CITY COUNCIL MEETING

### PUBLIC COMMENTS – NOVEMBER 8, 2017

#### PUBLIC COMMENTS:

- James C. (Lansing Companies) requested to include the 10.4 acre site off Manchester and Encinitas Blvd. – the site is shown in the Council Agenda Report on page 35 (Attachment 3) of the report.
- Glen Johnson expressed that a reasonable compromise has been proposed and full disclosure of sites considered.
- Bob Bonde emphasized the reliance of the ADU program to meet our housing needs as well as counting all existing assisted living units in the City.
- Darin Joffe stated he was an agrihood expert and advocate of Bob E. project.
- Lee Vance suggested keeping all 16 sites that were in Measure T. We need affordable housing for seniors.
- David Gaffney recommended keeping Randy Goodson’s site as part of the Housing Element.

*MINUTES OF THE ENCINITAS CITY COUNCIL SPECIAL MEETING  
DECEMBER 16, 2017, 8:30 A.M., ENCINITAS COMMUNITY CENTER,  
1140 OAKCREST PARK DRIVE*

**CALL TO ORDER/ROLL CALL**

Mayor Blakespear called the meeting to order at 8:33 A.M.

Present:     **City Council:** Mayor Blakespear, Deputy Mayor Kranz, Council Members Boerner Horvath, Mosca, and Muir

**Housing Element Task Force:** Mayor Blakespear, Deputy Mayor Kranz, Bruce Ehlers, and Kurt Groseclose

Absent:       None

Also present: City Manager Brust, City Attorney Sabine, City Clerk Hollywood, Director of Development Services Wisneski, City Planner Sapa'u, Principal Planner Langager, Special Counsel Barbara Kautz, and consultants Dave Barquist and Nick Chen of Kimley Horn.

There being a quorum present, the meeting was in order.

**AGENDA ITEM**

1. Housing Element Task Force/City Council continued discussion regarding the Housing Plan Update and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

***RECOMMENDED ACTION:*** Staff and the Housing Element Task Force (HETF) recommend that the Council: 1) Discuss and provide comments on the sites proposed for inclusion as part of the Housing Element Update and give direction to the HETF regarding their work efforts; and 2) Direct staff to return with a new contract or contract amendment with Kimley-Horn, and a budget adjustment for Council review and approval for completion of the a draft Housing Element.

**SPEAKERS:**

- Richard Boger, Jim Gillie, Kathleen Gillie, spoke in opposition to the city-owned Quail Gardens site (L-7).
- Glen Johnson spoke regarding sites on Quail Gardens Drive and in opposition to the city-owned site (L-7).
- Helmut Kiffman spoke about process and community engagement.

- Damien Mavis spoke in support of including the Cannon Family/Piraeus site plus adding two additional parcels.
- Ruben Flores spoke regarding equal distribution of housing throughout the five communities of Encinitas.
- Alicia Bazzano, Bob Echter, and Jackie Kim spoke regarding the Echter property.
- Peter Stern spoke regarding the need for housing and preserving community character.
- Mike Andreen spoke regarding the dump site.
- Dennis Cook spoke regarding the burn site and dump site.
- Sheila Cameron spoke regarding the Sunshine Gardens site and the dump site.

Special Counsel Kautz provided a summary of the meeting with HCD and reviewed changes to State Housing Law that will impact and govern the City's Housing Element.

Housing Element Task Force Members Blakespear, Kranz, Ehlers, and Groseclose provided a summary of their meeting with HCD.

Sue Reynolds of Community Housing Works provided a presentation on affordable housing.

Mayor Blakespear called a recess from 10:30 a.m. to 10:40 a.m.

The City Council and Housing Element Task Force reviewed the list of properties and determined which properties would move forward with further analysis and consideration and which properties would be removed from further analysis and consideration.

**COUNCIL ACTION:**

**Council and Task Force consensus to move forward the following properties for further analysis and consideration:**

**Cardiff by the Sea:**

- **Manchester Avenue Sites**
- **Greek Church Site**
- **Strawberry Fields Site**

**Leucadia:**

- Cannon Property (Piraeus) Site
- Highway 101 Sites

**New Encinitas:**

- Armstrong Site

**Old Encinitas:**

- Encinitas Boulevard & Quail Gardens Sites
- Sunshine Gardens Sites

**Olivenhain:**

- 7-11 Center and Surrounding Sites
- Rancho Santa Fe Sites (Gaffney/Goodsen)

**COUNCIL ACTION:**

Council and Task Force consensus to remove the following properties from further analysis and consideration:

**Leucadia:**

- Echter Property
- L-7 Site
- Additional Cannon parcels (property owner presented at the meeting)

**New Encinitas:**

- County Burn Site

**Olivenhain:**

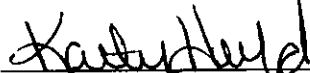
- Coassin/Lansing Site
- 105 Rancho Santa Fe Site (letter received and staff presented at the meeting)

**COUNCIL ACTION:**

Direction to staff to: 1) schedule a meeting in January to bring back the sites identified for further analysis and consideration; and 2) suggestions for vacant or developed land citywide that have owner interest with emphasis on New Encinitas and bring back for City Council/Task Force review.

**ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 12:40 P.M.

  
Kathy Hollywood, City Clerk

  
Catherine S. Blakespear, Mayor

## HOUSING ELEMENT TASK FORCE/CITY COUNCIL MEETING

### PUBLIC COMMENTS – DECEMBER 16, 2017

#### PUBLIC COMMENTS:

- Richard – Spoke about L-7 site. Concerned with traffic and other impacts to the neighborhood.
- Jim – Resident of Quail Gardens Drive. Spoke about L-7 site and the need for Council to be responsible with their decision.
- Kathleen – Upset with all the different uses that have been proposed for the L-7 site.
- Glen J - Stated that L-7 and Ecther properties are not appropriate sites. Consider Sunshine Gardens site and sites across from CVS.
- Helmet – Resident. Focus on accessory dwelling units and greenhouse sites.
- Damien M – Suggested the Council add sites for Cannon property owner.
- Ruben F – Sites should be distributed evenly across all communities.
- Peter S – Anyone who has a site proposed near them will be a “NIMBY”. Santa Fe Plaza must be removed because it was mandated by the State.
- Bob E – Explained that his proposed agrihood would not build more than 250 units.
- Fox Point Resident – Supports the agrihood concept with conditions related to the surrounding neighborhood.
- Mike A – Expressed concern about the County burn site.
- Dennis C – Explained that BMW and Ford need the space leased at the County burn site.
- Sheila C – Look at other sites, tax credits, change NCTD routes if needed. She further went on to comment on all the other sites being considered.
- Sue R – Community Housing Works. Provided a presentation on the importance of affordable housing.

*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING  
JANUARY 10, 2018, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**1. CALL TO ORDER**

Mayor Blakespear called the meeting to order at 6:10 P.M.

**2. ROLL CALL**

Present: Mayor Catherine S. Blakespear, Deputy Mayor Joe Mosca, Council Members Tasha Boerner Horvath, Tony Kranz and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Development Services Director Wisneski, Principal Planner Langager, City Engineer Magdosku, Special Counsel Kautz, Dave Barquist with Kimley/Horn, City Clerk Hollywood and Deputy City Clerk Bingham

There being a quorum present, the meeting was in order.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

There were no presentations or proclamations.

**5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF**

Susan Hagen spoke regarding Starlight Drive.

Leslie Schneider and Judi Strang spoke regarding the Rohrabacher/Leahy amendment.

There was Council consensus to direct Senior Management Analyst McSeveney to prepare a report on the Rohrbacher/Leahy amendment for Council consideration.

Glen Johnson spoke regarding the Pledge of Allegiance.

**6. REPORT FROM CLOSED SESSION**

Mayor Blakespear reported the following from the 4:30 P.M. Closed Session meeting:

Regarding Agenda Item 1, on a 3-2 vote (Kranz, Muir voted no), Council authorized payment of fees to Shenkman & Hughes.

Regarding Agenda Item 2, there was Council consensus to direct staff to meet with the residents of Starlight Drive.

Regarding Agenda Items 3, 4 & 5 there was no reportable action and reported that the February 8<sup>th</sup> court hearing regarding these items had been rescheduled to April 30<sup>th</sup>.

Regarding Agenda Item 6, there was Council consensus to continue negotiations.

**7. CHANGES TO THE AGENDA**

There were no changes to the posted agenda.

**8. CONSENT CALENDAR**

City Clerk Hollywood announced that Agenda Item 8D was removed from the Consent Calendar by members of the public and Deputy Mayor Mosca announced that he would abstain from voting on Agenda Item 8B due to his employment with SDG&E.

**COUNCIL ACTION:**

**Muir moved, Boerner Horvath seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca (8B).**

8A. Approval of the Minutes of the December 16, 2017 Special Meeting and December 20, 2017 Regular Meeting. Contact Person: City Clerk Hollywood

***Recommended Action:*** Approve the Minutes.

8B. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

***Recommended Action:*** Approve the Warrants.

**Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Muir. Nays: None. Abstain: Mosca.**

- 8C. Proposals for Public Art. Contact Person: Arts Program Administrator Gilliam

**Recommended Action:** That the City Council approve: 1) Three (3) proposals for public art to be donated to the City and added to the Encinitas Public Art Collection; and 2) One (1) proposal for a sculpture pedestal to be donated to the City, and the loan of a sculpture by artist Jeffrey Laudenslager for one (1) year.

- 8E. Adoption of Resolution 2018-06 approving an off-cycle budget appropriation of \$546,027 to provide additional funding to the Housing Plan Update project budget, and authorization for the City Manager to sign contract Amendment #1 with Kimley-Horn for additional costs and a revised scope of work to complete the Housing Plan Update. Contact Person: Principal Planner Langager

**Recommended Action:** Staff recommends that the Council: 1) Adopt Resolution 2018-06 approving an off-cycle budget appropriation of \$546,027 to the Housing Plan Update (WC14B) project budget; and 2) Authorize the City Manager, in consultation with the City Attorney, to sign contract amendment #1 (in substantial form) with Kimley-Horn for additional costs and a revised scope of work for the completion of the Housing Plan Update.

**9. ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 8D. Mobility Project Update - Capital Improvement and Traffic Engineering Divisions. Contact Person: City Engineer Magdosku

**Recommended Action:** Receive the report on the status of Capital Improvement and Traffic Engineering projects.

City Engineer Magdosku presented the staff report.

**SPEAKERS:**

Kellie Hinze, Elena Thompson, Peter Curry and Marty Benson spoke in support of the recommended action.

**COUNCIL ACTION:**

**Mosca moved, Muir seconded to receive the report on the status of Capital Improvement and Traffic Engineering projects. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**



## 10. ACTION ITEMS

- 10A. Resolution 2018-12 Establishing a No Parking Zone on Seeman Drive between the Hours of 10 PM and 6 AM. Contact Person: City Engineer Magdosku

**Recommended Action:** Adopt Resolution 2018-12, entitled "Establishing a No Parking Zone on Seeman Drive between the Hours of 10 PM and 6 AM, daily."

City Engineer Magdosku presented the staff report.

**SPEAKERS:**

Joe Weber, Larry Saker, Russ Wilson and Marty Benson spoke in support of the recommended action.

Lee Vance was in support of the recommended action, but chose not to speak.

**COUNCIL ACTION:**

**Muir moved, Mosca seconded to adopt Resolution 2018-12, entitled Establishing a No Parking Zone on Seeman Drive between the Hours of 12:00 A.M and 6:00 a.m. daily, and to direct staff to work with the community regarding fire lanes. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

- 10B. Housing Element Task Force (HETF)/City Council continued discussion regarding the Housing Plan Update and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

**Recommended Action:** Discuss and finalize the sites proposed for inclusion as part of the Housing Element Update and give direction to the HETF regarding their work efforts.

Consultants Dave Barquist and Nick Chen with Kimley/Horn presented the report.

Special Counsel Kautz reviewed changes to State Housing Law that would impact the City's Housing Element.

**SPEAKERS:**

Glenn Johnson spoke regarding El Camino Real sites.

Nicki Cometa requested Council to consider adding the Greek Church site.

Austin Delana, Bob Echter, Carris Rhodes, Tashi MacMillen, Melina Domingues and Brian Grover spoke in support of including the Dram/Echter (Fox Point Farms) site.

Sue Reynolds, Doug Gibson and Damien Mavis spoke in support of including the L-7 property.

Susan Turney spoke.

Robert Dyer and Stephen Lord spoke in support of including the Rancho Santa Fe (Gaffney/Goodsen) site.

Barry Pedler, Angelica Pedler, Christine Hawes and Jackie Kim spoke in opposition to the Dram/Echter property.

Greg Lansing spoke in support of including the Coassin/Lansing site.

Sheila Cameron spoke in opposition to the recommended action.

Mayor Blakespear called a recess from 8:51 P.M. to 9:04 P.M.

Council, along with Housing Element Task Force Members Bruce Ehlers and Kurt Groseclose, reviewed the list of properties to determine which properties would move forward with further analysis and consideration, and which properties would be removed from further consideration.

**COUNCIL CONSENSUS:**

**There was Council Consensus to use the density of 25-30 units per acre for planning purposes.**

**COUNCIL CONSENSUS:**

**There was Council Consensus to move forward with the following properties for further analysis and consideration:**

**Swartz Property  
Armstrong Nursery II Site  
Credit Union Site  
El Camino Real South Sites  
Village Square Drive Parcels  
Jackel Property  
Harrison Site  
Greek Church Site  
Strawberry Fields Site  
Cannon Property (Piraeus Site)  
Armstrong Site**

**Encinitas Blvd & Quail Gardens Site  
Sunshine Gardens Site  
7-11 Center and Surrounding Sites  
Rancho Santa Fe Sites (Gaffney/Goodsen)  
Echter Property  
L-7 site**

**11. INFORMATIONAL ITEMS**

There were no informational items.

**12. COUNCIL MEMBER INITIATED AGENDA ITEM**

There were no Council Member initiated items.

**13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS**

No future agenda items were added.

**14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF**

No reports were given.

**15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS**

No reports were given.

**16. CITY ATTORNEY REPORTS**

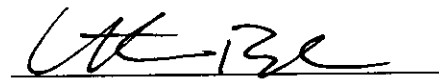
No reports were given.

**17. ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 10:47 P.M.



Kathy Hollywood, City Clerk  
By: Claudia Bingham  
Deputy City Clerk



Catherine S. Blakespear, Mayor

## HOUSING ELEMENT TASK FORCE/CITY COUNCIL MEETING

### PUBLIC COMMENTS – JANUARY 10, 2018

#### PUBLIC COMMENTS:

- Glenn J. – Does not support sites on El Camino Real. Concern with loss of commercial amenities.
- Nikki C. – Requested Council keep the Greek Church site as a Housing Element site.
- Austin D. – Explained a number of reasons to support the Fox Point agri-hood site.
- Damien M. – Proposed use of L-7 site, has funding and Community Housing Works on board.
- Doug G. – Supports Damien M. proposal, which includes easement over Damien’s site on Manchester Ave.
- Sue (Community Housing Works) – Explained the benefit of a project at L-7 site.
- Susan T. – Asked for an explanation for why 1600 units was being considered.
- Robert D. – Peppertree Ln. resident concerned with proposed sites above the 7-11 sites. Too much density.
- Barry – Wants to ensure if Bob E. site is selected, no cannabis cultivation would be permitted.
- Bob E. – Recommended his site and project be included in the Housing Element.
- Steven – Olivenhain resident that does not support the proposed density in Olivenhain.
- Greg Lansing – Requested his clients site be reconsidered for inclusion in the Housing Element.
- Carris R. – Stated reasons for supporting the Fox Point site as Housing Element site.
- Tosh – Supporter of the Fox Point site.
- Sandra H. – No show to speak.
- Molina – Supporter of the Fox Point site.
- Brian G. – Explained the rationale and support for the Fox Point site. Stated it meets HCD requirements.
- Shelia C. – Support Fox Point site and suggested all long lease sites should be off the table.
- Angelica – Does not support Fox Point site. Concerned about impacts and cannabis
- Christina – Not in support of Fox Point site.
- Jackie – Asked what is perpetuity? No access to Sidona for Fox Point agri-hood project.

*MINUTES OF THE SPECIAL JOINT MEETING OF THE  
ENCINITAS CITY COUNCIL AND HOUSING ELEMENT TASK FORCE  
APRIL 4, 2018, 6:00 P.M., 505 S. VULCAN AVENUE, ENCINITAS DRIVE*

**CALL TO ORDER/ROLL CALL**

Mayor Blakespear called the meeting to order at 6:05 P.M.

Present:     **City Council:** Mayor Blakespear, Deputy Mayor Kranz, Council Members Boerner Horvath, Mosca, and Muir

**Housing Element Task Force:** Mayor Blakespear, Deputy Mayor Kranz, Bruce Ehlers, and Kurt Groseclose

Absent:       None

Also present: City Manager Brust, City Attorney Sabine, City Clerk Hollywood, Director of Development Services Wisneski, Principal Planner Langager, Special Counsel Barbara Kautz, and consultants Dave Barquist and Nick Chen of Kimley Horn.

There being a quorum present, the meeting was in order.

**AGENDA ITEM**

1. Presentation by Stephen Russell, Executive Director, San Diego Housing Federation on Affordable Housing in the San Diego Region.

**SPEAKER:**

Susan Turney expressed concerns regarding a stakeholder meeting that was held on February 28, 2018.

2. Housing Element Task Force (HETF)/City Council continued discussion regarding the Housing Plan Update and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

***RECOMMENDED ACTION:*** Review, discuss and finalize the goals, policies, programs and sites to be included in the draft Housing Element Update and authorize submittal of the draft Housing Element to California Department of Housing and Community Development.

Principal Planner Langager and Consultant Barquist presented the staff report and responded to questions.

**SPEAKERS:**

The following individuals spoke in opposition to site 03:L-7 Site on Quail Gardens Drive being included as a candidate site: Jack Charney, Richard Boger, Bill

Hartsock, Robert Sterling, Jean Marie Cinotto, Surin Mitruka, Kay Dempsey, Adam Fiori, Sharelle Fiori, Jeanne Saier, Alec Weinstein, Kevin Gaddy, Jim Gille, Kathleen Gille, Jonathan D'Augusta, Hugh Christensen, Bob Hall, Pat Davis, Glen Johnson, Tricia Majors, Joan Wapner, Justin Hagert, Reid Matthews, Steven Amster, Leslie Smith, Carol McIver, Cheryl Konn and Summer Boger.

Pam Ferris spoke in support of senior and affordable housing.

Mayor Blakespear called a recess from 8:07 p.m. to 8:17 p.m.

**SPEAKERS (continued):**

The following individuals spoke in opposition to site 03:L-7 Site on Quail Gardens Drive being included as a candidate site: Glen Johnson, Tricia Majors, Joan Wapner, Justin Hagert, Reid Matthews, Steven Amster, Leslie Smith, Carol McIver, Cheryl Konn, Summer Boger

Kathleen Lindemann spoke in opposition to the selling of City land.

Lois Sunrich and Rebecca Palmer spoke in support of affordable housing.

Steven Gerken spoke in opposition to the inclusion of the AD2:Baldwin & Sons property as a candidate site.

Mark Faulkner spoke regarding site 10:Strawberry Fields.

Keith Pittsford, representing Seacoast Church, spoke regarding adding 1050 Regal Road to the list of candidate sites.

Patricia Sinay and Damien Mavis spoke in support of keeping site 03:L-7 on the list of candidate sites.

The following individuals spoke in support of Fox Point Farms: Sander Harth, Tashi MacMillen and Brian Grover.

Charlene Seidle spoke in support of keeping site 03:L-7 on the list of candidate sites with the implementation of the E3 Cluster Traffic Calming Plan.

The following individuals spoke in support of affordable housing: Sue Reynolds, Patty Stottlemyer.

Paula MacKintosh spoke regarding traffic on Quail Gardens Drive.

Ronald Ridenour spoke regarding placing affordable units near transit.

The City Council and Housing Element Task Force reviewed the prioritization table of candidate sites focusing on the strong and medium candidates as shown on page 51 of the agenda report.

**COUNCIL ACTION:**

Kranz moved to not include 03:L-7 Site during this planning cycle, upzone the site to R-3 and pursue a land swap. Motion failed due to lack of a second.

Muir moved, Kranz seconded to remove 03:L-7 Site from the list of candidate sites. Motion failed. Ayes: Kranz, Muir; Nays: Blakespear, Boerner Horvath, Mosca. Absent: None.

Muir moved to remove 09:Echter Property from the candidate sites list. Motion failed for lack of a second.

**There was City Council consensus to remove 16:Harrison Properties from the candidate sites list as requested by the property owner.**

**For those sites not discussed above, there was City Council consensus to approve the sites listed as strong and medium candidates as shown on page 51 of the agenda report.**

Based on Council action above, the following sites will be included in the draft Housing Element Update:

Strong Candidates

- 01: Greek Church Parcel
- 02: Cannon Property (Piraeus)
- 03: L-7 Site 190 Vacant
- 05: Encinitas Blvd & Quail Gardens Parcels
- 07: Jackel Properties
- AD1: Sage Canyon
- AD2: Baldwin & Sons
- 08: Rancho Santa Fe Parcels (Gaffney/Goodsen)
- 09: Echter Property
- 11: El Camino Real South Parcel
- 12: Sunshine Gardens Parcels
- AD7: Dewitt Property

Medium Candidates

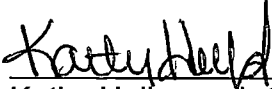
- 10: Strawberry Fields 246 Vacant
- 06B: Armstrong Parcel (Armstrong Nursery Site)
- AD6: Michael's/Big Lots 163 Non-vacant
- AD8 Vulcan & La Costa

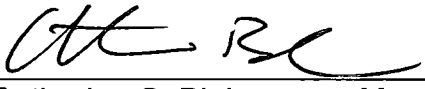
**There was City Council consensus to direct staff to research the Seacoast Church proposal.**

**There was City Council consensus for a future agenda item to discuss policies regarding assisted living facilities in the City.**

**ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 11:25 P.M. in honor of Martin Luther King Jr. who was assassinated on this day 50 years ago.

  
\_\_\_\_\_  
Kathy Hollywood, City Clerk

  
\_\_\_\_\_  
Catherine S. Blakespear, Mayor



## **SPECIAL CITY COUNCIL / HOUSING ELEMENT TASK FORCE MEETING – APRIL 4, 2018**

### Public Comments:

Susan T – Not happy that a Stakeholder meeting was held on February 28<sup>th</sup> and was not public.

Glenn – Stated that when he sat in on the Stakeholder meeting, something seemed funny.

Jack – Concerned about L-7 site and potential traffic impacts.

Richard – Representing 519 community members in Quail Gardens area. Concerned about all the sites proposed along Quail Gardens area.

Bill – Concern with L-7. Look at Strawberry Fields. Changing from one type of litigation to another. Remove L-7.

Rob – Concern with L-7 as a site.

Community Member – L-7 is not a suitable site. It's not close to transit or other amenities.

Community Member – L-7 is not a smart way to achieve affordable housing.

Kay – Concerned that her life will be affected. Traffic. No on L-7.

Adam – Explained all the issues along Quail Gardens Drive. No on L-7 and remove from map.

Sherill – Presented video on surrounding area of L-7 site.

Jean – Longtime resident of Quail Gardens. Concern about L-7 site.

Alec – Talked about the negative change that high density could do to Quail Gardens area.

Kevin – L-7 is not appropriate for the type of traffic that would occur from 198 units.

Jim – Lives adjacent to L-7. Provided graphic to Council showing the number of units per community area. How is that fair?

Wife of Jim – Adjacent to L-7. Wants City to sell L-7 and build affordable somewhere else.

Pam – Seacrest Village. Advocating for seniors and consider for affordable housing.

John – Concerned about safety on Quail Gardens Drive and crossing street.

Hugh – Favors affordable housing; however, placing all on QGD is a big impact. Traffic impacts are high already.

Bob – Supports all points that have been made. Concerned with distance to services.

Pat – L-7 is a bad fit for affordable housing.

Glen – L-7 was rejected by the EIR. We do need affordable, but plan is short-sighted. Consider mixed use.

Kathleen – Don't sell city owned land. Add Vons shopping center and the burn site. City and County can work to make it happen this cycle.

Trisha – Thanked Council for their work. But must make smart decisions around smart growth.

QGD is not appropriate as well as L-7.

Joan – Provided an example of a good affordable housing project. Must provide transit close by.

Shared the book of joy. Not have L-7.

Justin – Understands the concerns. Wants to be able to safely walk to parks. Concerned with traffic.

Reed – L-7 is a poor choice and there are better solutions.

Lois – Introduced the audience to people who cannot afford to live in Encinitas. Need diversity and should keep L-7 on the list.

Rebecca – Demystify who needs affordable housing. Does not need to be all or nothing. Balance.

Community Member – Disturbed by what he sees. Discussed Baldwin site and said many reasons why not good. We need more service too and will need to retain them. Why 50% of traffic on QGD?

Mark – Greystar – wants Strawberry Fields removed from the map. Building a senior housing project.

Steve – Traffic on QGD and Encinitas Blvd is very bad.

Keith – Seacoast Community Church would like to help support affordable housing on a site on Regal Road.

Leslie – Need to look at infrastructure. L-7 would bring too many cars. Cars speeding. Not appropriate site on this street.

Carol – Report on affordable housing – place in low income areas. Over-polluting our one street.

Patricia – Provided a definition for what affordable housing can be. Should be throughout the City. Legally, we need to do this now. L-7 is a winner.

Sander – Supports Foxpoint Farm project.

Charleen – Leichtag supports L-7. Traffic and safety is a concern. Consider their traffic plan as part of L-7 as a site.

Community Member – Supports Foxpoint Farms.

Sue – Community Housing Works – Explained the importance of affordable housing.

Ron – Traffic concerns in Quail Gardens area. Think about the character that we want. Development should have been along El Camino Real.

Cheryl – Does not think 190 units are possible. Fire hazards?

Patty – L-7 supporter. How about half the number of units?

Damien – Proposing affordable housing project on L-7.

Community Member – Need to understand the traffic concerns on QGD.

Brian – Rep for Foxpoint Farms, justified the project and site location.

Community Member – L-7 needs to be addressed. Traffic is bad on QGD, but if you put in the right transportation, it can be done.

*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING  
APRIL 18, 2018, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**1. CALL TO ORDER**

Mayor Blakespear called the meeting to order at 6:06 P.M.

**2. ROLL CALL**

Present: Mayor Catherine S. Blakespear, Deputy Mayor Joe Mosca, Council Members Tasha Boerner Horvath, Tony Kranz and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Development Services Director Wisneski, Associate Planner Plagemann, Management Analyst Ruess, City Engineer Magdosku, Parks and Recreation Director Campbell, Public Works Director Quiram, Principal Planner Langager, Housing Element Task Force Members Bruce Ehlers and Kurk Groseclose, Deputy City Clerk Bingham and Records Coordinator Columbo

There being a quorum present, the meeting was in order.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

**4A. Presentation of Proclamation to the Community Resource Center**

Mayor Blakespear presented a Proclamation to members of the Community Resource Center.

**4B. Arbor Day Proclamation to be presented to Department of Public Works and Department of Parks, Recreation and Cultural Arts**

Mayor Blakespear presented a Proclamation to Public Works Director Quiram, Parks, Recreation and Cultural Arts Director Campbell and City Arborist Chris Callstrand.

**4C. Tree City USA – 7<sup>th</sup> year presented by City Arborist**

City Arborist Chris Callstrand and Lynette Short, representing the Department of Forestry, presented the Tree City USA award to the City.

**5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF**

Richard Risner requested Council adopt the month of April as World Landscape Architecture Month.

There was Council consensus to direct staff to prepare a proclamation.

Pat Wright requested Council to consider legalizing ferrets.

Christine Wagner spoke about a Notice of Appeal which she submitted to the Coastal Commission regarding the North Highway 101 Streetscape project.

David Smith spoke regarding fire department response times for the North Leucadia area.

Kelle Hinze spoke in support of the North Highway 101 Streetscape project.

**6. REPORT FROM CLOSED SESSION**

Mayor Blakespear announced at the 4:00 P.M. Special Closed Session meeting that regarding Agenda Item 1, on a 4-1 vote (Muir voted no), direction was given to the City's negotiator to move forward with the negotiations and regarding Agenda Item 2, there was no reportable action.

**7. CHANGES TO THE AGENDA**

Deputy City Clerk Bingham announced that Agenda Item #10C had been withdrawn by both appellants and only appeared on the agenda because it was continued from a prior meeting to a date certain.

**8. CONSENT CALENDAR**

Deputy City Clerk Bingham announced that Agenda Items 8N and 8S were removed from the Consent Calendar by members of the public.

Mayor Blakespear announced that she was removing Agenda Item 8I.

Deputy Mayor Mosca announced that he would abstain from voting on Agenda Item 8B due to his employment with SDG&E.

**COUNCIL ACTION:**

**Muir moved, Boerner Horvath seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca (on 8B).**

- 8A. Approval of the Minutes of the March 7, 2018 Special Meeting, March 14, 2018 Special Meeting Closed-Session, March 14, 2018 Regular Meeting, March 21, 2018 Special Meeting Closed-Session, March 21, 2018 Regular Meeting, and March 28, 2018 Special Meeting Planning Session. Contact Person: City Clerk Hollywood

**Recommended Action:** Approve the Minutes.

- 8B. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

**Recommended Action:** Approve the Warrants.

**Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Muir. Nays: None. Abstain: Mosca.**

- 8C. Legislative Position Letters. Contact Person: Senior Management Analyst McSeveney

**Recommended Action:** Approve the legislative position letters sponsoring SB 1226 (Bates), and supporting AB 1884 (Calderon), AB 2369 (Gonzalez Fletcher) and AB 2779 (Stone).

- 8D. Cancelation of the May 16, 2018 Regular City Council meeting. Contact Person: City Clerk Hollywood

**Recommended Action:** Council approve canceling the May 16, 2018 Regular City Council meeting in order to hold a follow-up goal setting planning session.

- 8E. Notice of Completion for the Mackinnon Avenue Sidewalk Improvements, CS17C. Contact Person: Associate Civil Engineer Widelski

**Recommended Action:** 1) Accept the public improvements as complete; 2) Authorize release of the performance bond and initiate the warranty bond; and 3) Authorize the filing of a Notice of Completion.

- 8F. Execute a Memorandum of Understanding with SANDAG regarding the Regional Shoreline Monitoring Program. Contact Person: Program Administrator Weldon

**Recommended Action:** Adopt Resolution 2018-40 Approving a Memorandum of Understanding (MOU) Between the San Diego Association of Governments and the City of Encinitas regarding Regional Shoreline Monitoring Program, and authorizing the City Manager, or her designee, to execute the agreement.

- 8G. Storm Drain Inventory Consulting Services. Contact Person: Superintendent Ugrob

**Recommended Action:** City Council authorize the City Manager, in conjunction with the City Attorney, to execute an agreement for Inventory Consulting Services with Hoch Consulting for an initial (1) one-year term, and authorize the City Manager to extend the agreement if needed for three (1) one-year renewal options not exceeding (4) four years in total. The original agreement and renewal options for these services are not to exceed the annual budgeted amount of \$73,000.

- 8H. Second Reading and Adoption of Ordinance 2018-04 Amending Encinitas Municipal Code Chapter 6.11 Operations Permit: Special Events. Contact Person: Management Analyst Roff

**Recommended Action:** Adopt Ordinance 2018-04 entitled "An Ordinance of the City Council of the City of Encinitas, California Amending Chapter 6.11 to the Encinitas Municipal Code Operations Permit: Special Events."

- 8J. Contingent general vacation of public road right-of-way at the cul-de-sac bulb of Pacific View Lane. Contact Person: City Planner Sapa'u

**Recommended Action:** Adopt City Council Resolution 2018-22 approving the contingent general vacation of public road right-of-way at the former terminus of Pacific View Lane and authorize staff to record the street vacation with the San Diego County Recorder upon completion of the required road improvements.

- 8K. Memorandum of Understanding Between the City of Encinitas and Cardiff 101 Main Street for a Community Special Event. Contact Person: Special Events and Projects Supervisor Buck

**Recommended Action:** Approve a one-year Memorandum of Understanding (MOU) between the City of Encinitas and Cardiff 101 Main Street to host the 13th Annual Cardiff Dog Days of Summer on Sunday, August 12, 2018, at Encinitas Community Park.

- 8L. A Substantial Amendment to the City's FY 2015-19 Consolidated Plan for the Community Development Block Grant (CDBG) Program. Contact Person: Management Analyst Piano-Jones

**Recommended Action:** Staff recommends that the City Council adopt Resolution 2018-38 approving a Substantial Amendment to the FY 2015-19 Consolidated Plan, changing from the FY 2015-19 Consolidated Plan to the FY 2015-20 Consolidated Plan and authorizing submission of the

Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD).

- 8M. Notice of Completion for the Leucadia Flooding Issues Sump Areas Phase II (CD17A). Contact Person: Associate Civil Engineer Widelski

**Recommended Action:** 1) Accept the public improvements as complete; 2) Authorize release of the performance bond and initiate the warranty bond; and 3) Authorize the filing of a Notice of Completion.

- 8O. TransNet Local Street Improvement Program of Projects for Fiscal Years 2018/19 Through 2022/23. Contact Person: Senior Management Analyst Ruess

**Recommended Action:** It is recommended that the City Council take the following actions: 1) Conduct a Public Hearing related to the proposed projects; and 2) Adopt City Council Resolution 2018-20 entitled, "Resolution of the City of Encinitas Adopting the TransNet Local Street Improvement Program of Projects for Fiscal Years 2018/19 through 2022/23."

- 8P. Continued public hearing from March 21, 2018 to consider and approve Resolution 2018-37 approving the Fiscal Year (FY) 2018-19 Community Development Block Grant (CDBG) program budget and the FY 2018-19 Annual Action Plan. Contact Person: Management Analyst Piano-Jones

**Recommended Action:** Staff recommends that the City Council take the following action: 1) Adopt Resolution 2018-37 approving the proposed FY 2018-19 CDBG budget and FY 2018-19 Action Plan; 2) Authorize the City Manager to transmit the FY 2018-19 Action Plan and execute required certifications to the U.S. Department of Housing and Urban Development (HUD); and 3) Authorize the City Manager, or designee, to execute all funding agreements and documents consistent with the FY 2018-19 Action Plan.

- 8Q. Mobility Project Update - Capital Improvement and Traffic Engineering Divisions. Contact Person: City Engineer Magdosku

**Recommended Action:** Receive the report on the status of Capital Improvement and Traffic Engineering projects.

- 8R. Update to vehicle purchases authorized by Council at the March 14, 2018 meeting. Contact Person: Director Quiram

**Recommended Action:** It is recommended that the City Council take the following action: 1) Ratify the purchase of a 2018 Ford Fusion from Encinitas Ford instead of National Joint Powers Alliance.



- 8T. Notice of Completion for the Moonlight State Beach Marine Safety Center Project, CP14C. Contact Person: City Engineer Magdosku

**Recommended Action:** That City Council: 1) Accept the improvements at the Moonlight State Beach Marine Safety Center, CP14C, as complete; 2) Authorize the Development Services Director to approve expenditures of \$65,000 to finalize all payments to the contractor, up to the total project budget of \$3,896,465; 3) Authorize release of the performance bond and initiate the warranty bond; and 4) Authorize the filing of a Notice of Completion.

- 8U. Legislative position letter in support of SB 1151 (Bates): Neighborhood Electric Vehicles. Contact Person: Executive Assistant to City Council Goodsell

**Recommended Action:** Approve the legislative position letter in support of SB 1151: Neighborhood Electric Vehicles.

- 8V. Approve Locations for Artistic Elements for the Interchanges at Santa Fe Drive and Encinitas Boulevard. Contact Person: Arts Program Administrator Gilliam

**Recommended Action:** Approve the recommendation of the Commission for the Arts for the location of the artistic elements on the redesigned interchanges at Santa Fe Drive and Encinitas Boulevard.

## 9. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 8I. List of Projects funded by SB1 (The Road Repair and Accountability Act of 2017) for Fiscal Year 2018-19. Contact Person: Senior Management Analyst Ruess

**Recommended Action:** Adopt City Council Resolution 2018-42 entitled, "Resolution of the City of Encinitas Adopting a List of Projects for Fiscal Year 2018-19 Funded by SB1: The Road Repair and Accountability Act of 2017."

Mayor Blakespear removed this item for further clarification.

Management Analyst Ruess presented the staff report.

### **COUNCIL ACTION:**

**Blakespear moved, Mosca seconded to adopt Resolution 2018-42 entitled, "Resolution of the City of Encinitas Adopting a List of Projects for Fiscal Year 2018-19 Funded by SB1: The Road Repair and Accountability Act of 2017." Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

8N. Construction Contract for the Requeza Street Sidewalk Improvements Project, CS17D. Contact Person: Associate Civil Engineer Widelski

**Recommended Action:** 1) Authorize the Development Services Director or her designee to execute a contract in consultation with the City Attorney, and any necessary amendments and time extensions with Pal General Engineering Inc. in the amount \$123,171 plus 15% contingencies of \$18,476 to construct the Requeza Street Sidewalk Improvements Project, for a total contract amount of \$141,647; 2) Authorize the Development Services Director or her designee to execute a contract, in consultation with the City Attorney, and any necessary amendments and time extensions with Latitude 33 Planning and Engineering, in the amount of \$7,470 for construction staking for the Requeza Street Sidewalk Improvements Project; and 3) Authorize the Development Services Director or her designee to execute a contract in consultation with the City Attorney, and any necessary amendments and time extensions with Kleinfelder in the amount of \$29,951 for construction inspection services for the Requeza Street Sidewalk Improvements Project.

No staff report was given.

Speaker:

Steven Gerken spoke in support of the recommended action.

**COUNCIL ACTION:**

**Kranz moved, Boerner Horvath seconded to: 1) Authorize the Development Services Director or her designee to execute a contract in consultation with the City Attorney, and any necessary amendments and time extensions with Pal General Engineering Inc. in the amount \$123,171 plus 15% contingencies of \$18,476 to construct the Requeza Street Sidewalk Improvements Project, for a total contract amount of \$141,647; 2) Authorize the Development Services Director or her designee to execute a contract, in consultation with the City Attorney, and any necessary amendments and time extensions with Latitude 33 Planning and Engineering, in the amount of \$7,470 for construction staking for the Requeza Street Sidewalk Improvements Project; and 3) Authorize the Development Services Director or her designee to execute a contract in consultation with the City Attorney, and any necessary amendments and time extensions with Kleinfelder in the amount of \$29,951 for construction inspection services for the Requeza Street Sidewalk Improvements Project. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

- 8S. Second reading and adoption of City Council Ordinance 2018-05, amending the General Plan, North 101 Corridor Specific Plan, and the Local Coastal Plan to clarify provisions for roadway improvements on North Coast Highway 101. CASE NO: 10-036 GPA/SPA/LCPA LOCATION: North Coast Highway 101 between La Costa Avenue and A Street. Contact Person: Associate Planner Plagemann

**Recommended Action:** Adopt City Council Ordinance 2018-05 titled, "An Ordinance of the City Council of the City of Encinitas, California, adopting the amendments to the Local Coastal Plan, North 101 Corridor Specific Plan and the General Plan to clarify provisions for roadway improvements on North Coast Highway 101."

Development Services Director Wisneski presented the staff report.

**SPEAKERS:**

Jim Mosher spoke regarding the rail trail segment.

Leah Bissonette, Robert Hemphill, Christine Wagner, Brenda Humphreys, Doug Fiske, Spenser Mosher and David Smith spoke in opposition to the recommended action.

**COUNCIL ACTION:**

Kranz moved, Blakespear seconded to adopt City Council Ordinance 2018-05 titled, "An Ordinance of the City Council of the City of Encinitas, California, adopting the amendments to the Local Coastal Plan, North 101 Corridor Specific Plan and the General Plan to clarify provisions for roadway improvements on North Coast Highway 101." Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca. Nays: Muir.

Mayor Blakespear called a recess from 7:28 P.M. to 7:37 P.M.

**10. ACTION ITEMS**

- 10A. Housing Element Task Force (HETF)/City Council continued discussion regarding the Housing Plan Update and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

**Recommended Action:** Review, discuss and provide comment on the proposed development standards for the sites to be up-zoned in conjunction with the Housing Plan Update.

Housing Element Task Force members Bruce Ehlers and Kurk Groseclose joined Council on the dais.

Development Services Director Wisneski and Principal Planner Langager, along with Consultants Nick Chen and Martie Allen with Kimley Horn, presented the staff report.

**SPEAKERS:**

Glenn Johnson, Susan Turney and Steven Gerken spoke.

Ed Richardson, Surin Mitruka, Kevin Gaddy, Joan Wapner, Jim Gillie and Richard Boger spoke in opposition to the inclusion of 03:L-7 Site on Quail Gardens Drive.

Randy Goodson, Wendy Goad, Stephen Swiecicki, Damien Mavis, Nick Lee and Bob Kent spoke in support of the recommended action.

**COUNCIL ACTION:**

**Mosca moved, Kranz seconded to remove 03:L-7 Site on Quail Gardens from the list of candidate sites and to direct staff to rezone it to R3. Motion carried. Ayes: Kranz, Mosca, Muir. Nays: Blakespear, Boerner Horvath.**

- 10B. ~~Public Hearing to review and consider the introduction of City Council Ordinance 2018-03, titled "An Ordinance of the City Council of the City of Encinitas, California, adopting amendments to Title 24 (Subdivisions) and Title 30 (Zoning) of the Encinitas Municipal Code, which proposes changes to the City's inclusionary housing regulations to better address the need for affordable units reserved in new residential development projects." CASE NO: 15-162 ZAVLCPA; LOCATION: Citywide. Contact Person: Associate Planner Winter~~

~~**Recommended Action:** 1) Conduct the public hearing; 2) Introduce City Council Ordinance 2018-03, titled "An Ordinance of the City Council of the City of Encinitas, California, adopting amendments to Title 24 (Subdivisions) and Title 30 (Zoning) of the Encinitas Municipal Code, which proposes changes to the City's inclusionary housing regulations to better address the need for affordable units reserved in new residential development projects."; and 3) Direct staff to prepare the following studies: a) Nexus Study—to evaluate establishing a fee for projects with less than 7 units (1-6 units and/or fractions); b) Gap Analysis—to evaluate establishing an in-lieu fee for projects of 7 or more units; c) Economic Feasibility Analysis—to evaluate increasing the percentage requirement for affordable units (citywide and upzoned sites).~~

Mayor Blakespear announced that because of time constraints, this item would be continued to a later date.

Mayor Blakespear announced that Council would hear the speakers for this item.

SPEAKERS:

Michael McSweeney spoke in opposition to the recommended action.

Nick Lee spoke in support of the recommended action.

- 10C. ~~Continued Public Hearing to consider two timely filed appeals of the Planning Commission's approval of the Westmont of Encinitas Assisted Living facility. The project site is located within the Residential 3 (R-3) Zone and the Coastal Zone in the community of New Encinitas. **CASE NUMBER:** 16-131 MUP/DR/PMW/EIA/GDP; **APPLICANT:** Richard Lux/Westmont Development, LLC; **APPELLANT NO. 1:** Linda Lux; **APPELLANT NO. 2:** Marilyn Dulich, Robert Denyer, Shaun Cornell, Kelli Cornell, Richard Markell, Kristen Markell, Dan Lowe, Dana Lowe, Linda Lux and Bobby Lux as members of the Encinitas Citizens for Responsible, Respectful Encinitas Development; **LOCATION:** 252 North El Camino Real (APN: 262-160-26 and 27). Contact Person: Associate Planner Mierau~~

This appeal has been withdrawn by both appellants and only appears on the agenda because it was continued from a prior meeting to a date certain.

**11. INFORMATIONAL ITEMS**

There were no information items.

**12. COUNCIL MEMBER INITIATED AGENDA ITEM**

There were no Council Member Initiated Items.

**13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS**

No future agenda items were added.

**14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF**

No reports were given.

**15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS**

No reports were given.

**16. CITY ATTORNEY REPORTS**

No reports were given.

**17. ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 11:46 P.M.

  
\_\_\_\_\_  
Claudia Bingham, Deputy City Clerk

  
\_\_\_\_\_  
Catherine S. Blakespear, Mayor

*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING  
MAY 9, 2018, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**1. CALL TO ORDER**

Mayor Blakespear called the meeting to order at 6:11 P.M.

**2. ROLL CALL**

Present: Mayor Catherine S. Blakespear, Deputy Mayor Joe Mosca, Council Members Tasha Boerner Horvath, Tony Kranz and Mark Muir

Absent: None

Also Present: City Manager Brust, City Attorney Sabine, Principal Planner Langager, Developmental Services Director Wisneski, Special Counsel Barbara Kautz, Housing Element Task Force Members Bruce Ehlers (via teleconference) and Kurt Groseclose, City Engineer Magdosku, Parks, Recreation & Cultural Arts Director Campbell, Recreation Services Manager Karlen, Management Analyst Ruess, Senior Planner Sapau, City Clerk Hollywood and Deputy City Clerk Bingham

There being a quorum present, the meeting was in order.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

4A. Presentation of Proclamation for Bike Month and Bike to Work Day

Mayor Blakespear presented a proclamation to Climate Action Plan Administrator Najera.

**5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF**

Chris Glascoe spoke regarding a medical marijuana initiative that he is preparing.

Peter Stern spoke regarding building standards in the city.

Suzanne Hagen and Greg Hagen spoke regarding the Starlight Drive gate access to the Encinitas Community Park.

Nancy Logan spoke regarding signature gatherers for the marijuana initiatives.

Kathleen Lindemann spoke about the Leucadia Boulevard and Orpheus Avenue intersections.

**6. REPORT FROM CLOSED SESSION**

Mayor Blakespear reported the following at the 4:00 P.M. Special Meeting:

Regarding Agenda Item 1, there was unanimous consensus to move forward with a settlement agreement.

Regarding Agenda Items 2, 3 & 4, Council received an update from legal counsel.

Regarding Agenda Item 5, there was no reportable action.

Regarding Agenda Items 6 & 7, there was unanimous consensus to defend the lawsuits.

**7. CHANGES TO THE AGENDA**

City Clerk Hollywood announced that Agenda Item 8E had been removed from the agenda and was rescheduled for the May 23, 2018 City Council meeting.

**8. CONSENT CALENDAR**

City Clerk Hollywood announced that Agenda Items 8H and 8J had been removed from the Consent Calendar by members of the public, Agenda Item 8D was removed by Deputy Mayor Mosca and Agenda Item 8I was removed by Council Member Muir.

Deputy Mayor Mosca announced that he would abstain from voting on Agenda Item 8B due to his employment with SDG&E.

**COUNCIL ACTION:**

**Muir moved, Kranz seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca (8B)**

8A. Approval of the Minutes of the April 4, 2018 Special Meeting. Contact Person: City Clerk Hollywood

***Recommended Action:*** Approve the Minutes.

8B. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

***Recommended Action:*** Approve the Warrants.



**Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Muir. Nays: None. Abstain: Mosca.**

- 8C. Mutual Threat Zone (MTZ) Cooperative Fire Protection Agreement. Contact Person: Battalion Chief Ford and Deputy Chief Blumeyer

**Recommended Action:** Council to take the following actions: 1) Authorize the Fire Chief, on behalf of the City, to execute the Mutual Threat Zone (MTZ) Cooperative Fire Protection Agreement with the California Department of Forestry and Fire Protection – San Diego Unit (CAL FIRE) for the area illustrated in Attachment A of the Agreement; and 2) Adopt Resolution 2018-41 titled “A Resolution of the City Council of the City of Encinitas Approving the Cooperative Fire Protection Mutual Threat Zone Agreement between the Encinitas Fire Department (Department) and the State of California Department of Forestry and Fire Protection – San Diego Unit (CAL FIRE)”.

- ~~8E. Appointments to the Youth Commission. Contact Person: City Clerk Hollywood~~

~~**Recommended Action:** The Mayor, with the approval of City Council, appoint 11 applicants to the Youth Commission with terms ending June 2018.~~

This item was removed from the agenda and was rescheduled for the May 23, 2018 City Council meeting.

- 8F. Construction Contract for the Montgomery Avenue Sidewalk Improvements Project, CS17C. Contact Person: Associate Civil Engineer Widelski

**Recommended Action:** 1) Authorize the Development Services Director or her designee to execute a contract in consultation with the City Attorney, and any necessary amendments and time extensions with L C Paving & Sealing Inc. in the amount \$99,156 plus 15% contingencies to construct the Montgomery Avenue Sidewalk Improvements Project, for a total contract amount of \$114,030; 2) Authorize the Development Services Director or her designee to execute a contract in consultation with the City Attorney, and any necessary amendments, and time extensions with NV5 in the amount of \$9,133 for construction staking for the Montgomery Avenue Sidewalk Improvements Project; 3) Authorize the Development Services Director or her designee to execute a contract in consultation with the City Attorney, and any necessary amendments and time extensions with Michael Baker International in the amount of \$12,920 for construction inspection services for the Montgomery Avenue Sidewalk Improvements Project; 4) Authorize the Development Services Director or

her designee to execute a contract in consultation with the City Attorney and any necessary amendments and time extensions with Group Delta in the amount of \$11,927 for material testing services for the Montgomery Avenue Sidewalk Improvements Project; and 5) Adopt City Council Resolution 2018-44 entitled, "A Resolution of the City Council of the City of Encinitas Amending the Fiscal Year 2017-18 Adopted Budget" to appropriate an additional \$36,675 to the Montgomery Avenue Sidewalk Improvements Project.

- 8G. Mobility Project Update - Capital Improvement and Traffic Engineering Divisions. Contact Person: City Engineer Magdosku

**Recommended Action:** Receive the report on the status of Capital Improvement and Traffic Engineering projects.

**9. ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 8D. Introduction of Ordinance 2018-06 Amending Encinitas Municipal Code Chapter 4.04 Animal Regulations. Contact Person: Management Analyst Roff

**Recommended Action:** First reading and introduction of Ordinance 2018-06 entitled "An Ordinance of the City Council of the City of Encinitas, California Amending Chapter 4.04 of the Encinitas Municipal Code Animal Regulations."

Deputy Mayor Mosca removed this item for clarification.

No staff report was given.

**COUNCIL ACTION:**

**Kranz moved, Mosca seconded to introduce Ordinance 2018-06 entitled "An Ordinance of the City Council of the City of Encinitas, California Amending Chapter 4.04 of the Encinitas Municipal Code Animal Regulations." Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

- 8H. Approval of Final Map for Tentative Map 09-200 TMDB. Contact Person: Senior Engineer Nowak

**Recommended Action:** Staff recommends that City Council approve the recordation of the Final Map for Planning Case No. 09-200 TMDB/DR/EIA, which has been reviewed and found to be consistent with the Tentative Map.

This item was removed by members of the public.

No staff report was given.

SPEAKERS:

Bill Butler and Donna Westbrook spoke in opposition to the recommended action.

Marco Gonzalez spoke in support of the recommended action.

COUNCIL ACTION:

**Kranz moved, Blakespear seconded to approve the recordation of the Final Map for Planning Case No. 09-200 TMDB/DR/EIA, which has been reviewed and found to be consistent with the Tentative Map. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Ayes: None.**

- 8l. Contract award for room and gym improvements on the interior of the Encinitas Community and Senior Center. Contact Person: Recreation Services Manager Karlen

**Recommended Action:** 1) Award bid to GeoTech Construction for: a) Base Bid: Improvements to rooms 118 and 140 at Encinitas Community Center - removal of wall material; retexturing and painting to match existing painted walls; demolition and installation of new flat commercial wainscoting and chair rails; preparation of floors, installation of new Interface Modular Resilient Flooring as specified, transitions and base molding; b) Bid Alternate 1: Improvements to flooring on gym ramp, in gym office, on gym stairs and in game room – removal and replacement of rubber coin flooring and nosing with commercial grade product in brown color and base molding; removal of rubber coin flooring in game room, cleaning, preparing, staining and sealing concrete; c) Bid Alternate 2: Remove flooring and base materials in both copy rooms, prepare floor and install new carpet squares and base molding; prepare and paint walls in both copy rooms to match existing center paint; d) Bid Alternate 3: Improvements to rooms 116 and 119 - removal of wallpaper, preparation and painting to match existing paint; e) Bid Alternate 4: Demolition of three information centers in common areas, fill, drywall, and paint spaces; and 2) Authorize the City Manager in conjunction with the City Attorney to execute a contract in substantial form, in the amount of \$27,250.

Council Member Muir removed this item for clarification.

COUNCIL ACTION:

**Muir moved, Mosca seconded to: 1) Award bid to GeoTech Construction for: a) Base Bid: Improvements to rooms 118 and 140 at Encinitas Community Center - removal of wall material; retexturing and painting to match existing painted walls; demolition and**

installation of new flat commercial wainscoting and chair rails; preparation of floors, installation of new Interface Modular Resilient Flooring as specified, transitions and base molding; b) Bid Alternate 1: Improvements to flooring on gym ramp, in gym office, on gym stairs and in game room – removal and replacement of rubber coin flooring and nosing with commercial grade product in brown color and base molding; removal of rubber coin flooring in game room, cleaning, preparing, staining and sealing concrete; c) Bid Alternate 2: Remove flooring and base materials in both copy rooms, prepare floor and install new carpet squares and base molding; prepare and paint walls in both copy rooms to match existing center paint; d) Bid Alternate 3: Improvements to rooms 116 and 119 - removal of wallpaper, preparation and painting to match existing paint; e) Bid Alternate 4: Demolition of three information centers in common areas, fill, drywall, and paint spaces; and 2) Authorize the City Manager in conjunction with the City Attorney to execute a contract in substantial form, in the amount of \$27,250. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.

- 8J. The Renewal of the Encinitas Landscape and Lighting District. Contact Person: Management Analyst Ruess

**Recommended Action:** 1) Adopt City Council Resolution 2018-09 entitled, "Resolution of Intention to Order the Renewal of the Encinitas Landscape and Lighting District for FY 2018/19"; and 2) Set the public hearing for June 13, 2018.

This item was removed by the public.

Management Analyst Ruess presented the staff report.

SPEAKER:

Donna Westbrook spoke in opposition to the recommended action.

COUNCIL ACTION:

**Kranz moved, Muir seconded to: 1) Adopt City Council Resolution 2018-09 entitled, "Resolution of Intention to Order the Renewal of the Encinitas Landscape and Lighting District for FY 2018/19", and 2) Set the public hearing for June 13, 2018. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Mur. Nays: None.**

**10. ACTION ITEMS**

- 10A. Housing Element Task Force (HETF)/City Council continued discussion regarding the Housing Plan Update and specifically the selection of additional sites that have the potential to be up-zoned and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

**Recommended Action:** Review, discuss and select additional candidate sites that have the potential to be up-zoned.

City Clerk Hollywood announced that Housing Element Task Force Member Bruce Ehlers would be participating via teleconference from 840 Audubon Way, Apartment T15, Lincolnshire, IL 60069.

Housing Element Task Force Member Kurt Groseclose joined Council on the dais.

Development Services Director Wisniski and Principal Planner Langager, Special Counsel Barbara Kautz and Consultant David Barquist of Kimley-Horn, presented the staff report and responded to questions.

**SPEAKERS:**

Naimah Woodward, Patricia Sinay, Rebecca Palmer and Carol Skiljan spoke in support of keeping the L-7 Site on the Highly Viable sites list.

Lois Sunrich, Bob Kent, Gita D St. John, Azucena Acosta, Lea Bush, Patty Stottlemeyer, John Gjata, Donna Westbrook and Joan Gosewisch spoke regarding the need for affordable housing in the City.

Damien Mavis spoke in support of the Piraeus North site and the Manchester Avenue East site.

Kathleen Lindemann spoke in support of keeping the L-7 site on the Highly Viable site list and adding the Manchester Avenue East site to the list.

Carmen Nospor spoke in opposition to the Baldwin & Sons Properties site.

David Mashayekan spoke in support of adding the Orpheus Avenue sites.

Laura Frisk and Susan Turney spoke in opposition to the Orpheus Avenue sites.

Richard Boger spoke regarding the L-7 site.

**STAFF DIRECTION:**

There was direction to staff to negotiate with property owners to obtain the highest number of affordable units possible.

**COUNCIL ACTION:**

Blakespear moved, Boerner Horvath seconded to add the L-7 site, at R11 for 60 units, to the Highly Viable site list. Motion failed. Ayes: Blakespear, Boerner Horvath. Nays: Kranz, Mosca, Muir.

**Boerner Horvath moved, Mosca seconded to add AD 22 – Lake Drive Sites if applicant was interested. Motion carried. Ayes: Boerner Horvath, Kranz, Mosca. Nays: Blakespear, Muir.**

**Boerner Horvath moved, Blakespear seconded to remove AD10 – Orpheus Avenue Sites from the list. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

Mosca moved, Kranz seconded to remove AD 12 – Rancho Santa Fe East site from the list. Motion failed. Ayes: Kranz, Mosca. Nays: Blakespear, Boerner Horvath, Muir.

Boerner Horvath moved, Blakespear seconded to remove the Meyer property at Union St/Clark Avenue from the list. Motion failed. Ayes: Blakespear, Boerner Horvath. Nays: Kranz, Mosca, Muir.

Boerner Horvath moved, Muir seconded to remove AD 11 – Manchester Avenue West site from the list. Motion failed. Ayes: Boerner Horvath, Muir. Nays: Blakespear, Kranz, Mosca.

**Blakespear moved, Boerner Horvath seconded to approve the following Highly Viable Sites list with the removal of AD10 - Orpheus Avenue site:**

**06 – Armstrong Parcels**

**11 – El Camino Real South Parcel**

**AD7 – Dewitt Property**

**AD9 – Seacoast Church**

**AD11 – Manchester Avenue West Sites**

**AD12 – Rancho Santa Fe East**

**AD14 – Harrison site**

**Harrison site**

**Garden View Court (previously Frog's Gym)**

**Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

**STAFF DIRECTION:**

There was direction to staff to analyze the Lake Drive site as a possible back-up site.

There was direction to staff, City Manager and City Attorney to engage a firm to help evaluate the L-7 site and its selling potential.

**11. INFORMATIONAL ITEMS**

There were no informational items.

**12. COUNCIL MEMBER INITIATED AGENDA ITEM**

There were no Council Member Initiated agenda items.

**13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS**

No future agenda items were added.

**14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF**

Council Member Kranz reported on a NCTD Policy and Finance Committee meeting.

Council Member Boerner Horvath reported on a School District Liaison meeting.

Council Member Muir, Deputy Mayor Mosca and Mayor Blakespear had nothing to report.

**15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS**

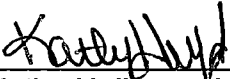
No reports were given.

**16. CITY ATTORNEY REPORTS**

No reports were given.

**17. ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 10:20 P.M.

  
\_\_\_\_\_  
Kathy Hollywood, City Clerk  
By: Claudia Bingham  
Deputy City Clerk

  
\_\_\_\_\_  
Catherine S. Blakespear, Mayor

*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING  
MAY 23, 2018, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**1. CALL TO ORDER**

Mayor Blakespear called the meeting to order at 6:03 P.M.

**2. ROLL CALL**

Present: Mayor Catherine S. Blakespear, Deputy Mayor Joe Mosca, Council Members Tasha Boerner Horvath, Tony Kranz and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Development Services Director Wisneski, Sheriff's Captain Maryon, Housing Element Task Force Members Bruce Ehlers and Kurt Groseclose, Special Counsel Barbara Kautz, City Clerk Hollywood and Deputy City Clerk Bingham

There being a quorum present, the meeting was in order.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

- 4A. Presentation by Sheriff's Captain Maryon regarding law enforcement efforts in Encinitas

Sheriff's Captain Maryon presented a report on law enforcement efforts in Encinitas.

SPEAKER:  
Donna Westbrook

- 4B. Presentation of Senior Citizen of the Year Award and Service to Seniors Award

Mayor Blakespear presented awards to Judy Thum, Senior Citizen of the Year and to Pam Walker, Service to Seniors award.

- 4C. Presentation of Proclamation for National Public Works Week

Mayor Blakespear presented a proclamation to employees of the Public



Works Department.

- 4D. Presentation by Storm Water Pollution Prevention Plan (SWPPP) Interns from San Dieguito Academy and Paul Ecke Central

The following SWPPP interns presented the Storm Water Pollution Prevention Plan:

Paul Ecke Central: Keiko Hoiles, Mate Boerner Horvath, Robbie Mair, Cole Brink, Hope Hacker, Philip Theiss and Sofia Mena.

San Dieguito Academy: Dylan Lee, Jack Severson, Vanessa Machin, Jenna Weinhofer and Amber Tse.

- 4E. Presentation of Marine Safety bike donation from Electra Bicycle Company

Kevin Cox, with Electra Bicycle Company, presented two donated bikes to Lifeguard Captain Larry Giles and Climate Action Plan Administrator Crystal Najera for use by City lifeguards.

**5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF**

Isiah Titus spoke about the Mira Costa College Rugby Team.

Chris Rogers, Jim Dudnick, Tiffany Rogers, Kim Dudnick, Shay Barnes and Chiara Tripodi spoke about sober living homes in Leucadia.

Debbie Inada spoke regarding the petition for marijuana cultivation, manufacturing and distribution.

Kathleen Lees spoke regarding parking on City streets.

**6. REPORT FROM CLOSED SESSION**

No Closed Session meeting was held.

**7. CHANGES TO THE AGENDA**

Agenda Item 8G was removed by Staff from the agenda.

**8. CONSENT CALENDAR**

City Clerk Hollywood announced that staff had made minor corrections to Agenda Item 8E agenda report.

Council Member Muir removed Agenda Item 8C from the Consent Calendar.

Deputy Mayor Mosca announced that he would abstain from voting on Agenda Item 8B due to his employment with SDG&E.

**COUNCIL ACTION:**

**Kranz moved, Blakespear seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca (8B).**

- 8A. Approval of the Minutes of the April 18, 2018 Regular Meeting, and April 18, 2018 Special Meeting Closed Session. Contact Person: City Clerk Hollywood

***Recommended Action:*** Approve the Minutes.

- 8B. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

***Recommended Action:*** Approve the Warrants.

**Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Muir. Nays: None. Abstain: Mosca.**

- 8D. Second Reading and Adoption of Ordinance 2018-06 Amending Encinitas Municipal Code Chapter 4.04 Animal Regulations. Contact Person: Management Analyst Roff

***Recommended Action:*** Second reading and adoption of Ordinance 2018-06 entitled "An Ordinance of the City Council of the City of Encinitas, California Amending Chapter 4.04 of the Encinitas Municipal Code Animal Regulations."

- 8E. Changes in the purchase of vehicles already approved for FY 2016/17 and FY 2017/18. Contact Person: Public Works Director Quiram

***Recommended Action:*** Council authorize the recommended changes to the two Parks and Recreation vehicles that were already authorized in prior Council actions.

- 8F. American Contract Bridge League (ACBL) Duplicate Bridge Independent Contractor Agreement. Contact Person: Recreation Supervisor Rubenstein

***Recommended Action:*** The City Council authorizes the City Manager to execute a one-year contract, in consultation with the City Attorney, in

substantial form, with up to three (3) one-year renewal options, upon mutual consent between the City of Encinitas and Ida Burcham dba ACBL Duplicate Bridge, commencing upon the date of its execution by both parties for independent contract services to instruct the City's ACBL Duplicate Bridge program.

- 8G. 2019 Major Special Event Memorandums of Understanding. Contact Person: Management Analyst Roff

~~**Recommended Action:** City Council takes the following actions: 1) Authorize the City Manager, in conjunction with the City Attorney, to execute a Memorandum of Understanding between the City of Encinitas and Surfing Madonna Oceans Project for the 2019 Encinitas Half Marathon and the 2019 Surfing Madonna Beach Run; 2) Authorize the City Manager, in conjunction with the City Attorney, to execute a Memorandum of Understanding between the City of Encinitas and Cardiff Kook Run LLC for the 2019 Cardiff Kook Run; and 3) Authorize the City Manager, in conjunction with the City Attorney, to execute a Memorandum of Understanding between the City of Encinitas and Dental Club One, Inc. for the 2019 Encinitas Turkey Trot.~~

This Agenda Item was removed from the Agenda by staff.

- 8H. Contract award for Graffiti Abatement and Property Clean-up Assistance Program (PPCAP) services. Contact Person: Management Analyst Noel

**Recommended Action:** 1) Award contract for graffiti abatement and property clean-up assistance services to Can-Do Maintenance, Inc.; and 2) Authorize the City Manager, in conjunction with the City Attorney, to execute a contract for Graffiti Abatement and Private Property Clean-up Assistance Program services in substantial form in an amount not-to-exceed \$142,100 annually, for an initial three-year term with options to extend, upon mutual consent, for two additional one-year terms not to exceed five years total.

- 8I. Agreement for Animal Control Services with the San Diego Humane Society. Contact Person: Management Analyst Roff

**Recommended Action:** Authorize the City Manager, in conjunction with the City Attorney, to execute an Animal Control Services Agreement, in substantial form with San Diego Humane Society for three years, commencing on July 1, 2018, with an option to extend, upon mutual agreement, for two additional one-year terms.

- 8J. Design services and construction support contract for Trail 82 – Rancho Santa Fe Road (CP00F2). Contact Person: Engineer Milligan

**Recommended Action:** It is recommended that the City Council authorize the City Manager, or her designee, to execute a contract in consultation with the City Attorney in substantial form and any necessary amendments and time extensions, with Onward Engineering in the amount of \$168,125 plus 10% contingency to design and provide construction management and construction inspection engineering support for Trail 82 – Rancho Santa Fe Road.

- 8K. General Public Works Repair Services Agreement. Contact Person: Superintendent Ugrob

**Recommended Action:** City Council authorize the City Manager, in conjunction with the City Attorney to execute an agreement in substantial form as attached Request for Bid (RFB) 2018-01 for General Repair Services with LC Paving & Sealing, Inc. for an initial (3) three year term, and authorizes the City Manager to extend the agreement if needed for a (2) two year renewal option, not exceeding (5) five years in total. The original agreement and renewal options for these services are not to exceed the annual budgeted amounts.

- 8L. Cardiff Living Shoreline Project - Additional Grant Funds and Budget Amendment Contact Person: Program Administrator Weldon

**Recommended Action:** It is recommended that City Council take the following action: 1) Adopt Resolution 2018-53 entitled, "A Resolution of the City Council for the City of Encinitas, California Accepting Additional Construction Grant funds under the State Coastal Conservancy grant"; and 2) Adopt Resolution 2018-54 entitled, "A Resolution of the City Council of the City of Encinitas, California Amending the Fiscal Year 2017-18 Adopted Budget" authorizing an additional grant fund of \$594,435 to CP16A.

- 8M. Extension of the Affordable Unit Policy (AUP) program for three years. Contact Person: Associate Planner Plagemann

**Recommended Action:** Receive the report and direct staff to continue the AUP program with its current provisions for three years, allowing time for state legislation and an unpermitted dwelling unit ordinance to be adopted, then re-evaluate the AUP program in light of the adopted provisions and return to Council with recommendations to continue, revise, or end the program.

- 8N. Amendment to Agreement with HDR Engineering, Inc. for the Verdi Pedestrian Rail Undercrossing Project (CS16E). Contact Person: Senior Engineer Kellar

**Recommended Action:** 1) Authorize the Director of Development Services, or designee, in consultation with the City Attorney, to execute Amendment 9 to the existing agreement with HDR Engineering, Inc. (HDR) in the amount of \$50,000, plus 10% contingencies, to prepare the ATP grant application for the Verdi Pedestrian Rail Undercrossing Project (CS16E), for a total contract amount not to exceed \$1,839,019; and 2) Adopt City Council Resolution 2018-51 entitled, "A Resolution of the City Council of the City of Encinitas Amending the Fiscal Year 2017-18 Adopted Budget" authorizing an additional appropriation of \$55,000 to project CS16E to fund the additional scope of work.

80. Agreements with Hoch Consulting for Grant Preparation Services for the North Coast Highway 101 Streetscape Project (CS04D). Contact Person: Senior Engineer Kellar

**Recommended Action:** Authorize the Director of Development Services, or designee, in consultation with the City Attorney, to execute agreements with Hoch Consulting to: a) Complete a Cycle 4 Active Transportation Grant application for Segment A of the Streetscape project in an amount of \$25,000; and b) Complete a Better Utilizing Investments to Leverage Development (BUILD) Grant application in an amount of \$35,000.

**9. ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 8C. Appointments to the Youth Commission and Proposed Changes to Membership. Contact Person: City Clerk Hollywood

**Recommended Action:** The Mayor, with the approval of City Council, appoint 11 applicants to the Youth Commission with terms ending June 2018. The Mayor also recommends directing staff to bring back the necessary code changes to reduce the Youth Commission membership from 11 members to 9 members beginning with the 2019 recruitment.

Council Member Muir removed the item for clarification and stated he supported the appointments but was opposed to decreasing the membership from 11 to 9.

**COUNCIL ACTION:**

**Blakespear moved, Boerner Horvath seconded to: 1) Appoint the following applicants to the Youth Commission with terms ending June 2019: Grade 7: Allegra Gilligan; Grade 8: Valentina Schneider; Grade 10: Chris Kulick, Evelyn Sakai; Grade 12: Dane Bruhahn, Julia Drewelow, Grace Galloway, Scotland Muir, Alexander Vitenson, Tommy Yarbrough, Tyler Yarbrough; and 2) Direct staff to bring back the necessary code changes to reduce the Youth Commission membership from 11 members to 9 members beginning with the 2019 recruitment. Motion carried. Ayes: Blakespear, Boerner Horvath,**

**Kranz, Mosca. Nays: Muir.**

Mayor Blakespear declared a recess from 7:28 P.M. to 7:35 P.M.

**10. ACTION ITEMS**

- 10A. Housing Element Task Force (HETF)/City Council continued discussion regarding the Housing Plan Update and specifically the development standards proposed for the up-zone sites and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

**Recommended Action:** Review, discuss and provide comment on the proposed development standards for the sites to be up-zoned in conjunction with the Housing Plan Update.

Housing Element Task Force Members Bruce Ehlers and Kurt Groseclose joined Council on the dais.

Development Services Director Wisneski, Special Counsel Barbara Kautz and Consultant Dave Barquist with Kimley-Horn, presented the proposed development standards for the sites to be up-zoned in conjunction with the Housing Plan Update.

**SPEAKERS:**

Peter Stern, Donna Westbrook, Joan Wapner, Kevin Gaddy, Richard Boger, Susan Turney, Dean Turney, Nick Lee, Damien Mavis and Simione Messier spoke.

Mayor Blakespear declared a recess from 9:45 P.M. to 10:00 P.M.

Council discussed the information provided by staff and consultants and provided feedback and comments.

**COUNCIL ACTION:**

**There was Council Consensus to direct the Council Subcommittee to work with staff and the consultants regarding the contents of the ballot measure.**

- 10B. Public Hearing to review and consider the introduction of City Council Ordinance No. 2018-03, titled "An Ordinance of the City Council of the City of Encinitas, California, adopting amendments to Title 24 (Subdivisions) and Title 30 (Zoning) of the Encinitas Municipal Code, which proposes changes to the City's inclusionary housing regulations to better address the need for affordable units reserved in new residential development projects." This item was continued from the April 18, 2018 City Council

~~Agenda and renoticed. CASE NO: 15 162 ZALCPA; LOCATION: Citywide. Contact Person: Associate Planner Winter~~

~~**Recommended Action:** 1) Conduct the public hearing; 2) Introduce City Council Ordinance 2018-03, titled "An Ordinance of the City Council of the City of Encinitas, California, adopting amendments to Title 24 (Subdivisions) and Title 30 (Zoning) of the Encinitas Municipal Code, which proposes changes to the City's inclusionary housing regulations to better address the need for affordable units reserved in new residential development projects;" and 3) Direct staff to prepare the following studies: a. Nexus Study to evaluate establishing a fee for projects with less than 7 units (1-6 units and/or fractions); b. Gap Analysis to evaluate establishing an in-lieu fee for projects of 7 or more units; c. Economic Feasibility Analysis to evaluate increasing the percentage requirement for affordable units (citywide and upzoned sites).~~

Mayor Blakespear announced that due to time constraints, this item would be continued to a future meeting.

**11. INFORMATIONAL ITEMS**

**12. COUNCIL MEMBER INITIATED AGENDA ITEM**

**12A. Residential Care Facilities. Contact Person: Council Member Kranz**

**Recommended Action:** Direct Staff to prepare an agenda item for the Planning Commission to consider a change to the zoning code which would only allow a "Residential Care, General" facility in the "Public/Semi Public" zone with the same conditional use permitting requirement.

Council Member Kranz presented his report.

**SPEAKER:**

Mark Faulkner spoke in opposition to the recommended action.

**COUNCIL ACTION:**

**Mosca moved, Blakespear seconded to direct staff to prepare an agenda item for the Planning Commission (on a high priority time frame) to consider a change to the zoning code which would only allow a "Residential Care, General" facility in the "Public/Semi Public" zone (or a zone more suitable) with the same conditional use permitting requirement. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

**13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS**

There was Council Consensus to have staff provide Council with a monthly matrix of the grants that the City was applying for and the status of each grant.

**14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF**

Council Member Kranz reported on a NCTD Safety and Security meeting.

Council Member Boerner Horvath reported on a San Elijo JPA meeting.

Council Member Muir reported on an Encina Wastewater Authority Board of Directors meeting.

Deputy Mayor Mosca reported on a San Elijo JPA meeting

Mayor Blakespear reported on a SANDAG Transportation Committee meeting and an Encina Wastewater Authority Board of Directors meeting.

**15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS**

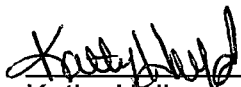
No reports were given.

**16. CITY ATTORNEY REPORTS**

No reports were given.

**17. ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 11:17 P.M.

  
\_\_\_\_\_  
Kathy Hollywood, City Clerk  
By: Claudia Bingham  
Deputy City Clerk

  
\_\_\_\_\_  
Catherine S. Blakespear, Mayor



*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING  
JUNE 20, 2018, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**1. CALL TO ORDER**

Mayor Blakespear called the meeting to order at 6:01 P.M.

**2. ROLL CALL**

Present: Mayor Catherine S. Blakespear, Deputy Mayor Joe Mosca, Council Members Tasha Boerner Horvath, Tony Kranz and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Developmental Services Director Wisneski, Senior Engineer Keller, City Engineer Magdosku, Parks and Recreation Director Campbell, Senior Planner Langager, City Clerk Hollywood and Deputy City Clerk Bingham

There being a quorum present, the meeting was in order.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

**4A. Parks and Recreation Month Proclamation**

Mayor Blakespear presented a proclamation to the Parks and Recreation Department staff.

**5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF**

Kristine Schindler invited all to attend the San Diego Regional Bike Summit.

Susan Turney spoke regarding the Leucadia MainStreet Association annual funding from the City.

Dean Turney spoke regarding the BIA.

Lauren Faulstich spoke regarding the marijuana initiative.

Julie Thunder spoke regarding the Coastal Rail trail and the Verdi railroad crossing.

Liam Perry spoke regarding RV Parking.

Christine Wagner spoke regarding the Leucadia MainStreet Association annual funding from the City.

Daniel Littrell spoke regarding the construction planned for the Cardiff Elementary School.

Sheila Cameron spoke about the Housing Element flyer.

Dolores Welty spoke regarding the Sheriff's Department and ICE.

Greg Hagen spoke regarding the Starlight gate proposed for the Encinitas Community Park.

## **6. REPORT FROM CLOSED SESSION**

Mayor Blakespear announced the following actions from the 3:30 P.M. Closed Session Meeting:

Regarding Closed Session Agenda Item 1, Council gave direction to the City Attorney to move forward with the settlement agreement.

Regarding Closed Session Agenda Items 2 and 3, there was no reportable action.

Regarding Closed Session Agenda Item 4, Council gave direction to the City Attorney to respond to the Cease and Desist notice.

Regarding Closed Session Agenda Item 5, on a 4-1 vote (Muir voted no); Council gave direction to the City Attorney to defend the lawsuit.

Regarding Closed Session Agenda Item 6, Council gave direction to the City Attorney to move forward with the settlement.

Regarding Closed Session Agenda Item 7, Mayor Blakespear announced that this item was not discussed in closed session.

Regarding Open Session Agenda Item 1, there was Council consensus to appoint a subcommittee of Council Member Kranz and Mayor Blakespear to review the proposals and prepare a recommendation for the City Council.

## **7. CHANGES TO THE AGENDA**

City Clerk Hollywood announced that Agenda Item 8K had been removed from the agenda by Staff.

## 8. CONSENT CALENDAR

City Clerk Hollywood announced that Agenda Items 8I, 8J and 8N had been removed from the Consent Calendar by the public.

Council Member Muir stated that he would be voting no on Agenda Item 8P (Resolution 2018-69).

Deputy Mayor Mosca announced that he would abstain from voting on Agenda Item 8A due to his employment with SDG&E.

### **COUNCIL ACTION:**

**Kranz moved, Boerner Horvath seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: Muir (Item 8P - Resolution 2018-69). Abstain: Mosca (Item 8A).**

8A. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

***Recommended Action:*** Approve the Warrants.

**Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Muir. Nays: None. Abstain: Mosca.**

8B. Annual Weed Abatement Lien List for Property Owners Who Have Not Paid for Removal of Hazardous Weeds and Authorize the Fire Prevention Bureau to Transmit List to the County of San Diego. Contact Person: Senior Deputy Fire Marshal Berberet

***Recommended Action:*** Approve the annual weed abatement lien list and authorize the Fire Prevention Bureau to deliver the list to the County of San Diego.

8C. Introduction of Ordinance 2018-08 amending Encinitas Municipal Code Chapter 2.12 Conflict of Interest Code. Contact Person: City Clerk Hollywood

***Recommended Action:*** Introduce Ordinance 2018-08 entitled, "An Ordinance of the City of Encinitas, California, amending Encinitas Municipal Code Chapter 2.12 regarding Conflict of Interest filers."

8D. Exclusive Negotiating Agreement to Possibly Lease Real Property with North Coast Repertory Theatre ("NORTH COAST") to build a performing arts theatre on Lot 16 at the Encinitas Ranch Town Center. Contact Person: Parks and Recreation Director Campbell

**Recommended Action:** City Council approves the Exclusive Negotiating Agreement to Possibly Lease Real Property with NORTH COAST.

- 8E. Memorandum of Understanding Between the City of Encinitas and Exposure Skate for a Community Special Event. Contact Person: Recreation Supervisor Thill

**Recommended Action:** Approve a one-year Memorandum of Understanding (MOU) between the City of Encinitas and Exposure Skate to provide a major special skate event scheduled Friday, November 2 through Sunday, November 4, 2018.

- 8F. Design and Installation of Shade Structures at Encinitas Community Park playground, Sun Vista Park playground and Leo Mullen Sports Park playground. Contact Person: Park Operations Manager Saul

**Recommended Action:** 1) Award Bid for the design and installation of shade structures at Encinitas Community Park, Sun Vista Park and Leo Mullen Sports Park to So Cal Shade Sails; and 2) Authorize the City Manager, in conjunction with the City Attorney, to execute a contract in substantial form as attached in the amount of \$281,000 and a 10% contingency of \$28,100 for additional work needed not included in the scope of work for a project total of \$309,100.

- 8G. Amendment to the Contract with the County of San Diego for Advanced Life Support First Responder Services in County Service Area 17. Contact Person: Fire Chief Stein

**Recommended Action:** 1) Approve Amendment 16 Contract No. 45208 with the County of San Diego Department of Purchasing and Contracting to extend Advanced Life Support First Responder Services in County Service Area 17 in substantial form, in consultation with the City Attorney; and 2) Authorize the City Manager to execute the Amendment to the Contract on behalf of the City of Encinitas.

- 8H. Consultant services contract for preparation of construction documents for Pavement Rehabilitation and Overlay Project FY 2018-2019 (CS19A). Contact Person: Engineer II Milligan

**Recommended Action:** Authorize the City Manager, or her designee, in consultation with the City Attorney, to execute a contract in substantial form, and any necessary amendments and time extensions, with CJ Roberts Inc. in the amount of \$119,700 plus 10% contingency (\$11,970) for a total amount of \$131,670 to provide engineering services for the annual pavement resurfacing contract.

- 8K. ~~Red Light Photo Enforcement Contract. Contact Person: City Engineer Magdosku~~

~~**Recommended Action:** Authorize the City Manager, or her designee, in coordination with the City Attorney, to execute an agreement with Redflex Traffic Systems, Inc. (Redflex) in an amount not to exceed \$580,300 for five years with the option of extending it for three more terms at the discretion of the City Manager, each term for one more year, for a total contract amount not to exceed \$965,000.~~

This item was removed from the agenda by staff.

- 8L. Amendment to the existing contract for Citywide Street Light Maintenance and Repair Services with Clark Telecom Electric, Inc. (CTE). Contact Person: Director of Public Works Quiram

**Recommended Action:** Authorize the City Manager, or her designee, to sign an amendment to the contract with CTE; which became effective on July 28, 2016 and was amended with additional services on March 22, 2017. This amendment would extend the current contract through FY 2019-20. The cost of this amendment is a total of \$283,000 per year for a 2-year total of \$566,000. Additionally, authorize the City Manager, or her designee, to sign an optional second amendment, to extend the contract through FY2021-22. The cost of the second amendment is anticipated not to exceed \$291,000 per year for a 2-year period, not to exceed an additional total of \$582,000.

- 8M. Amendment to the existing agreement for Dead Animal Removal & Disposal (D&D Services). Contact Person: Superintendent Ugrob

**Recommended Action:** City Council authorize the City Manager, or her designee, to execute an amendment for Dead Animal Removal & Disposal for a (1) year term, and authorize the City Manager to extend the agreement for two additional one-year optional extensions for a total agreement term not exceeding three additional years.

- 8O. Consultant design and construction management services contract for Leucadia Boulevard Traffic Safety and Pedestrian Improvements Phase II (CS18B). Contact Person: Engineer II Milligan

**Recommended Action:** Authorize the City Manager, or her designee, in consultation with the City Attorney, to execute a contract in substantial form, and any necessary amendments and time extensions, with Chen Ryan Associates in the amount of \$439,332 plus 10% contingency for design and construction management services for a new roundabout at Hygeia Avenue on Leucadia Boulevard and associated street improvements.

- 8P. Approval of FY 2018-19 Operating Budget with Appropriations and Adoption of Resolution 2018-64; Adoption of Resolution 2018-65, Determination of the Appropriations Limit for FY 2018-19; Adoption of Resolution 2018-66, Approval of Position Titles and Pay Ranges for FY 2018-19; Adoption of Resolution 2018-67, Approval of a Policy to Pay the Current Unfunded Liabilities Annually for the Classic Tier 2 and PEPRA Pension Plans; and Adoption of Resolution 2018-69, Approval of Capital Improvement Program (CIP) appropriations. Contact Person: Finance Manager Gallup

**Recommended Action:** 1) Adopt Resolution 2018-64, approving the City of Encinitas FY 2018-19 Operating Budget; 2) Adopt Resolution 2018-65, determining the FY 2018-19 Appropriations Limit; 3) Adopt Resolution 2018-66, approving Position Titles and Pay Ranges for the City of Encinitas for FY 2018-19; 4) Adopt Resolution 2018- 67, approving a Policy to Pay the Current Unfunded Liabilities Annually for the Classic Tier 2 and PEPRA Pension Plans; and 5) Adopt Resolution 2018-69, approving CIP Appropriations.

**Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: Muir (Resolution 2018-69 – CIP only).**

## 9. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 8I. Contract for engineering construction private development inspection services. Contact Person: City Planner Sapa'u

**Recommended Action:** 1) Award contract for engineering inspection services related to private land development projects to Infrastructure Engineering Corporation (IEC); and 2) Authorize the City Manager, in consultation with the City Attorney, to execute a contract with Infrastructure Engineering Corporation for engineering inspection services related to private land development projects in substantial form, in an amount not to exceed \$524,441 for FY18/19.

No staff report was given.

**SPEAKER:**

Carolyn Batiste spoke in opposition to the recommended action.

**COUNCIL ACTION:**

**Blakespear moved, Kranz seconded to: 1) Award contract for engineering inspection services related to private land development projects to Infrastructure Engineering Corporation (IEC); and 2) Authorize the City Manager, in consultation with the City Attorney, to execute a contract with Infrastructure Engineering Corporation for engineering inspection services related to private land development**

**projects in substantial form, in an amount not to exceed \$524,441 for FY18/19. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

- 8J. Services to Prepare North Coast Highway 101 Streetscape Project (CS04D) for Bidding in One Phase or Multiple Phases. Contact Person: Senior Engineer Kellar

**Recommended Action:** 1) Authorize the City Manager, or designee, in consultation with the City Attorney, to execute the following, in order to prepare the North Coast Highway 101 project for bidding in one phase or in multiple phases: a. Agreement in the amount of \$50,000 with Tetra Tech to perform the geotechnical investigation; b. Amendment to the existing agreement with Michael Baker International (MBI) in the amount of \$301,000 for work to finalize the design phase including responses to comments for California Coastal Commission (Coastal) approval; revisions and responses to comments for the North County Transit District (NCTD) agreements; 100% design of parking pods; additional design survey of NCTD right-of-way and of west side streets adjacent to the project; design and evaluation as required to meet the project conditions of approval; pre- and post-construction survey monument location and record processing; and easement acquisition survey, legal, and plats; c. Amendment to the existing agreement with MBI in the amount of \$3,000 to revise the plans for the La Costa Avenue intersection to tie into the developer designed Encinitas Beach Resort signalized intersection in lieu of roundabout construction at La Costa and New Road; d. Amendment to the existing agreement with MBI in the amount of \$40,000 for new construction phasing and whole corridor traffic control for building Segments A, B, C, and D at one time; and e. Other consultant agreements, as necessary, up to a total amount of \$106,000, to complete final design work for the Streetscape Project for a total additional contract expenditure of up to \$556,000.

No staff report was given.

**SPEAKER:**

Christine Wagner spoke in opposition to the recommended action.

Darius Degher and Kellie Hinze spoke in support of the recommended action.

**COUNCIL ACTION:**

**Kranz moved, Boerner Horvath seconded to: 1) Authorize the City Manager, or designee, in consultation with the City Attorney, to execute the following, in order to prepare the North Coast Highway 101 project for bidding in one phase or in multiple phases: a. Agreement in the amount of \$50,000 with Tetra Tech to perform the**

geotechnical investigation; b. Amendment to the existing agreement with Michael Baker International (MBI) in the amount of \$301,000 for work to finalize the design phase including responses to comments for California Coastal Commission (Coastal) approval; revisions and responses to comments for the North County Transit District (NCTD) agreements; 100% design of parking pods; additional design survey of NCTD right-of-way and of west side streets adjacent to the project; design and evaluation as required to meet the project conditions of approval; pre- and post-construction survey monument location and record processing; and easement acquisition survey, legal, and plats; c. Amendment to the existing agreement with MBI in the amount of \$3,000 to revise the plans for the La Costa Avenue intersection to tie into the developer designed Encinitas Beach Resort signalized intersection in lieu of roundabout construction at La Costa and New Road; d. Amendment to the existing agreement with MBI in the amount of \$40,000 for new construction phasing and whole corridor traffic control for building Segments A, B, C, and D at one time; and e. Other consultant agreements, as necessary, up to a total amount of \$106,000, to complete final design work for the Streetscape Project for a total additional contract expenditure of up to \$556,000. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca. Nays: Muir.

8N. Reauthorization of the Opening Doors Program. Contact Person: Management Analyst Piano-Jones

**Recommended Action:** 1) Review the second year (FY 2017-18) of the Opening Doors Program; and 2) Authorize the City Manager to execute a Memorandum of Understanding with the Community Resource Center for implementation of the third year of the Opening Doors Program in the City of Encinitas in substantially final form, subject to the review and approval of the City Attorney. The current Memorandum of Understanding is set to expire on June 30, 2018.

No staff report was given.

SPEAKER:

Rebecca Palmer spoke in support of the recommended action.

COUNCIL ACTION:

Blakespear moved, Boerner Horvath seconded to: 1) Review the second year (FY 2017-18) of the Opening Doors Program; and 2) Authorize the City Manager to execute a Memorandum of Understanding with the Community Resource Center for implementation of the third year of the Opening Doors Program in the City of Encinitas in substantially final form, subject to the review



**and approval of the City Attorney. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.**

## 10. ACTION ITEMS

- 10A. Public Hearing to consider a series of actions to update and implement the City's Housing Element update, related General Plan, Specific Plan, Zoning, and Local Coastal Program amendments and the associated Environmental Assessment; Case No. 17-128 GPA/SPA/LCPA. Contact Person: Principal Planner Langager

**Recommended Action:** 1) Open the Public Hearing and receive and consider public testimony; 2) Close the Public Hearing; 3) Adopt City Council Resolution 2018-61, titled "A Resolution of the City Council of the City of Encinitas, California, repealing in its entirety the Uncertified Housing Element of the General Plan and adopting in full new text comprising the 2013-2021 Housing Element Update to the General Plan and adopting conforming and ancillary amendments to the Local Coastal Program, Land Use Element of the General Plan, and the Voter's Rights Initiative portion of the Land Use Element;" 4) Introduce City Council Ordinance 2018-07, titled "An Ordinance of the City Council of the City of Encinitas, California, amending Encinitas Municipal Code (EMC) Title 30, Zoning to provide use and development standards to implement the new General Plan Land Use Designation, making assorted changes required for consistency elsewhere in the Municipal and Zoning codes, approving Local Coastal Program Implementation Program Amendments, amending EMC Chapter 30.00 Encinitas Right to Vote Amendment to allow various changes including a change in maximum building height standards to accommodate three-story buildings on the sites designated in the General Plan and Zoning Map, and amending the Downtown Encinitas, North 101 Corridor, and Encinitas Ranch Specific Plans to amend the Zone Maps in those Specific Plans and to provide use and development standards to implement the new General Plan Land Use Designation and provide for Housing Element implementation;" and 5) Direct staff to prepare materials and docket for Council consideration related to placing the Housing Element Update on the November 6, 2018 ballot for voter consideration.

Development Services Director Wisneski introduced Special Counsel Eric Phillips, who presented the HCD findings, Dave Barquist, who presented the Housing Element Overview and Rita Garcia, who reviewed the Housing Element Updated Environmental Assessment.

### **COUNCIL CONSENSUS**

**There was Council Consensus to not add the Lake Drive/Birmingham Drive property to the sites list.**

Mayor Blakespear called a recess from 8:30 P.M. to 8:40 P.M.

**SPEAKERS:**

Bruce Ehlers, Nancy DeGhionno, Peter Stern, Amy Bennett, Steve Lord, Yolian Ignatov, Adeline Bumann, Paul Hubbard, Chris Palmer, Karen Kaden, Jim Brakas, Stephen Finn, Dennis Kaden, Ted Myers, Shawn Saville, Diane Thompson, Linda Flores and Sheila Cameron spoke in opposition to the recommended actions.

Everett Delano, Jim McMenamain, Ron Dodge, Kristine Schindler, Rebecca Palmer, Kurt Groseclose and Lois Sunrich spoke in support of the recommended actions.

Mayor Blakespear called at recess from 10:32 P.M. to 10:44 P.M.

**Speakers (continued):**

William W. Wright, Dean Turney, Cynthia Sheya Palmer, Kirk Reis, June Chocheles, Bryan Campbell, Amy Stasting, Dane Stitts, Silvia Pezzoli, Sean McDaniel, Jeff Sterk, Mamdouh Mikhail, Jon Williams, Anni Mallison, Dan Roberts, Allison Wylot, Ashby Sorensen, Robert G. Dyer, Dolores Welty, Kelly Nichalls, Jill Treadwell, Kathleen Lindemann, Jennay Gunderson, Michele Tutoli, Sally Prendergast and Ruben Flores spoke in opposition to the recommended actions.

Bob Kent, Patty Stottlemeyer, Nick Lee and Glenn Johnson spoke in support of the recommended actions.

The following speakers were in opposition to the recommended actions but chose not to speak:

Christine Wagner, Regina Trup, Colm Markey, Courtney Rodewald, Chris Rodewald, Gabriella Minera, Robert Minera, Patricia Mahaffey, Wynn Robinson, Dot Dodds, Nancy Robinson, Steve Clark, Samuel Brown, Richard Bumann, Sharon Wilt, Andrew Wilt, James Covington, Elaine Covington, Audrey McCusker, Denise Covington, Maryann Wickett, Daniel Baxter, Gwain Meyer, Mary Usher, Jane Welch, Richard Horowitz, Terry Venard, John Sueppel, Valetta Sueppel, Hans Millenaar, Terri Richer, Lyle Donovan, Mary Anne Penton, Harold Standerfer, Stephen Finn, Lorie Brakas, Kevin Lyons, Jeff Kremicki, Maria Wiest, Jacque Morgan, Bill Wickett, Laurie Lindamer, Teresa Lea, Michael Lea, Jackie Cereaner, Ed Marks, Katherine Fidel, Gil Combs, Dixie Cunan Combs, Denise Fidel, John Dupree, Theresa Villaire, Greg Correia, Mark Nemeth, Fabrice LeDet, Kevin Keavney and Robin Dingman.

Lauren Montague, Arucena Acosta and Lauren Blackwell were in support of the recommended actions but chose not to speak.

**COUNCIL ACTION:**

Blakespear moved, Boerner Horvath seconded to: 1) Close the Public Hearing; 2) Adopt City Council Resolution 2018-61, titled "A Resolution of the City Council of the City of Encinitas, California, repealing in its entirety the Uncertified Housing Element of the General Plan and adopting in full new text comprising the 2013-2021 Housing Element Update to the General Plan and adopting conforming and ancillary amendments to the Local Coastal Program, Land Use Element of the General Plan, and the Voter's Rights Initiative portion of the Land Use Element; 3) Introduce City Council Ordinance 2018-07, titled "An Ordinance of the City Council of the City of Encinitas, California, amending Encinitas Municipal Code (EMC) Title 30, Zoning to provide use and development standards to implement the new General Plan Land Use Designation, making assorted changes required for consistency elsewhere in the Municipal and Zoning codes, approving Local Coastal Program Implementation Program Amendments, amending EMC Chapter 30.00 Encinitas Right to Vote Amendment to allow various changes including a change in maximum building height standards to accommodate three-story buildings on the sites designated in the General Plan and Zoning Map, and amending the Downtown Encinitas, North 101 Corridor, and Encinitas Ranch Specific Plans to amend the Zone Maps in those Specific Plans and to provide use and development standards to implement the new General Plan Land Use Designation and provide for Housing Element implementation;" 5) Direct staff to prepare materials and docket for Council consideration related to placing the Housing Element Update on the November 6, 2018 ballot for voter consideration; and 6) direct staff to remove the three sites identified by HCD as not adequate: Site number 06: Armstrong Parcels, Site number 11: El Camino Real South Parcel, and Site number AD-7: DeWitt Property.

**Kranz moved, Mosca seconded to: 1) Close the Public Hearing; 2) Adopt City Council Resolution 2018-61, titled "A Resolution of the City Council of the City of Encinitas, California, repealing in its entirety the Uncertified Housing Element of the General Plan and adopting in full new text comprising the 2013-2021 Housing Element Update to the General Plan and adopting conforming and ancillary amendments to the Local Coastal Program, Land Use Element of the General Plan, and the Voter's Rights Initiative portion of the Land Use Element; 3) Introduce City Council Ordinance 2018-07, titled "An Ordinance of the City Council of the City of Encinitas, California, amending Encinitas Municipal Code (EMC) Title 30, Zoning to provide use and development standards to implement the new General Plan Land Use Designation, making assorted changes required for consistency elsewhere in the Municipal and Zoning codes, approving Local Coastal Program Implementation Program Amendments, amending EMC Chapter 30.00 Encinitas Right to Vote**

Amendment to allow various changes including a change in maximum building height standards to accommodate three-story buildings on the sites designated in the General Plan and Zoning Map, and amending the Downtown Encinitas, North 101 Corridor, and Encinitas Ranch Specific Plans to amend the Zone Maps in those Specific Plans and to provide use and development standards to implement the new General Plan Land Use Designation and provide for Housing Element implementation;” 5) Direct staff to prepare materials and docket for Council consideration related to placing the Housing Element Update on the November 6, 2018 ballot for voter consideration; and 6) Direct staff to remove the following sites: Site number AD-12: Rancho Santa Fe East Site, Site number AD-32: Garden View Court (previously Frog’s Gym), Site number 11: El Camino Real South Parcel, and Site number AD-7: DeWitt Property. Motion carried. Ayes: Kranz, Mosca, Muir. Nays: Blakespear, Boerner Horvath. Absent: None.

**11. INFORMATIONAL ITEMS**

There were no informational items.

**12. COUNCIL MEMBER INITIATED AGENDA ITEM**

12A. Council Member Initiated Item from Council Member Muir to consider renaming the Encinitas Library Community Room to the “Patricia Mizel Community Room.”

**COUNCIL CONSENSUS**

There was Council Consensus to appoint Council Members Kranz and Muir to a Council Subcommittee to bring back recommendations for the naming of the Encinitas Library Community Room and study rooms.

**13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS**

No future agenda items were added.

**14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF**

No reports were given.

**15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS**


No reports were given.

**16. CITY ATTORNEY REPORTS**

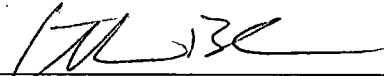
No reports were given.

**17. ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 2:00 A.M.



Kathy Hollywood, City Clerk  
By: Claudia Bingham  
Deputy City Clerk



Catherine S. Blakespear, Mayor

City Council Meeting  
June 20, 2018  
Public Comments

Bruce Ehlers: opposes height, R-30 overlay zone – should include higher affordable %, opposes buffer exceeding 1600, opposes sites 2, 17, 19, 20

Everett Delano: (Quail Gardens) keep L-7 off the list

Nancy Degano: reduced parking = reduced quality of life, parcel 5 & 14 – remain commercial

Jim McMenimen: represents Birmingham and Lake property, consider concurrent processing

Ron Dodge: Frogs, Gardenview – not part of residential area, traffic issue, consider removing site

Peter Stern: plan is dead on arrival, no segregated housing

Kristine Schindler: hopes - VL and L housing, traffic congestion, plan that voters will pass

Rebecca Palmer: supports housing element

Amy Bennett: Myers – concerns about traffic, infrastructure is inadequate, pollution from highway

Kirk Groseclose: remove Frog site, supports higher inclusionary %, RSF East off, investigate Lake property

Steve Lloyd: RSF off the list– stupid, traffic, leave us alone

L Ignatof: not in support of the owners of 12 & 17 – they will make huge profit on deal

Lois Sunrich: supports housing element

Adeline Booman: oppose housing element update; RSF site, high density is inconsistent with community character, traffic concerns

Paul Hubbard: opposes sites 12 & 17, traffic concerns

Chris Palmer: opposed to high density and high intensity housing; reconsider R-2 –safety and traffic issues

Karen Kaden: remove Cannon parcel #2, unstable land, freeway pollution

Jim Brockus: opposes Piraeus/Plato site - Cannon parcel #2, traffic and infrastructure concerns

Steve Finn: opposes Piraeus/Plato site - Cannon parcel #2, distracted/angry drivers at school, traffic issues

Dennis Kaden: take Cannon #2 parcel off the map, residents can't get in and out of driveways, Leucadia taking unfair burden of new housing

Ted Myers: remove site 2 from the list, Leucadia getting 40% of housing is disproportionate, changing density and height will change character of neighborhood, already deal with traffic issues

Shaun Sivil: opposed to Cannon parcel, Capri school is already overcrowded, requesting traffic data, revise plan especially concerning density

Diane Thompson: remove site 2 – Cannon, land use element is being gutted by the housing element, project out of character of community, infrastructure not there, opposed to density changes, no public transportation, parks, retail; reconsider L-7

Linda Florez: opposed to site 2 – Cannon, environmental concerns – wastewater, soils likely contaminated, unstable nature of soils and unstable bluff, area needs special protection due to gnatcatcher, rare flora and fauna

Sheila Cameron: remove site 2, unstable site cannot handle R-30, no equitable distribution of housing throughout city, concerns with density and intensity of plan, removal of L-7 caused shock and awe

Bob Kent: approve viable and compliant housing plan

William Wright: no high density in Olivenhein

Patti Stottlemeyer: supports housing element, put L-7 back on

Dean Tourney: opposed to anything above 30 feet, retain community character, negotiate with HCD

Cynthia Palmer: remove lot 19, Meyers, due to safety, traffic and health concerns, maintain existing residential density

Kirk Reece: opposition to site 19 – also 2, 17, 20; change housing element, go R-5 or R-10, but not R-30 development that will destroy neighborhoods

June: remove Meyers site, #19, plan is too dense

Brian Campbell: remove site 19, concern with current traffic and road conditions, air quality is terrible, Leucadia is way over their quota of new housing

Amy Stosney: opposed to lot 19, already have congestion and unsafe road conditions – too dangerous for high density housing, need traffic studies done

Dane Stitz: manage/monitor toxins on lot 19, expect full transparency

Sylvia: take lot 19 off list, concerned that David Meyers has signed agreement with owners of property, preplanned segregation goes against discrimination laws, infrastructure is not there, poor air quality

Shaun McDaniel: opposed to lot 19 – Meyers, questions validity of document (LOI) that was signed by property owners (under false pretenses?)- why is it redacted? Property owners do not understand

sudden interest in their property, don't understand notice that is in English, don't understand R-30, R-5, land swap, L-7, etc., requests city conduct their own investigation

Jeff Stirk: against site 20, no due process, current operator – EoS – successful operator, 25 locations, well capitalized, current property conditions – how long is the EoS lease term?, and who controls parking field? EoS has 11 more years on lease term and controls parking field, has no interest in being bought out? Is staff aware of lease term? Site does not qualify for HCD and should be removed.

Mondo: opposed to lot 20, no due process, zoned for office professional with all 2 story, wrong site for this project, incongruent with all other sites

John Williams: Frog site – no due process, look at encumbrances to development

Annie: constantly had to reroute busses due to traffic on RSF 10 years, remove site 17

Dan Roberts: business owner in Garden View Ct, parking and traffic will be an issue, remove Frog site, come up with a way to eliminate R-30

Alice: opposed to adding Lake and Birmingham – no public transportation, traffic, shopping, preserving quality of life

Ashby: history lesson on ordinances – ghettoization, oppose site 19, Clark is crappiest street in city – building on site 19 will double the population of the area, Lake property should be added, spread this out – equitable distribution

Robert Dire: never seen as much fervor and opposition to a proposal for the RSF East, collected 1075 + 150 signatures + 672 online signatures in opposition to site 17 & 12, no other access to that property is possible, eliminate parcel 17 and if possible parcel 12

Damien Mavis: representing owners of site 2 – not a new site, put on list Oct 2017, not a single negative public comment about this site until the last Planning Commission, extensive research done, site has been fully vetted, walking distance to school. Family property is on SE corner of Manchester – offer still stands, add property to list and half of property will be donated to Community Housing Works to build deed restricted affordable housing

Delores: increasing density does not mean affordable housing, low wages and high housing costs lead to inventive solutions

Kelly Nichols: concerned about developers offering 20% affordable housing as a negotiation strategy to work around mitigations, increasing public awareness of ADU's, don't need densification

Martha "Jill" Treadwell: oppose housing element, site 12 & 17, impact traffic tremendously

Kathleen: R-30 does not mean affordable, shoot for 50% inclusionary, parcel 19 should be removed

Janae: concern about RSF properties, traffic loads are not feasible,



Michelle: remove #17 from the plan, preferably 12 as well, significant unmitigatable traffic impact, existing desirable character of community will not be maintained, schools are full, don't want the heights

Sally: against any project that destroys the character of any of the neighborhoods, take RSF east off, traffic, density, schools, real problem of fires, out of character of neighborhood, most residents were unaware this property was on the list, West side could be workable

Nick Lee: height is biggest concern, screening of equipment on top of buildings, all exhibits in planning documents measure from pad elevation to top of roof, everything talked about to date is measured from floor level, average square footage is too small for "for sale" product

Reuben: people make the community, not 3 stories or 1 story homes, remove Garden View site, added improperly, major compatibility issues with 3 stories

Glen Johnson: impossible task, implement what Bruce said – more likely not to fail, none of the sites are free from issues, traffic is biggest issue, improve circulation in city,

58 registered opposition that did not wish to speak

3 registered support that did not wish to speak

*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING  
DECEMBER 12, 2018, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**1. CALL TO ORDER**

Mayor Blakespear called the meeting to order at 6:02 p.m. in honor of Roberta Walker, Executive Director of Cardiff 101 who was critically injured while riding her bike on Saturday morning and asked everyone to join her in a moment of silence.

**2. ROLL CALL**

Present: Mayor Catherine S. Blakespear, Deputy Mayor Jody Hubbard, Council Members Tony Kranz and Joe Mosca

Absent: None

There is one vacancy on the City Council.

Also Present: City Manager Brust, City Attorney Sabine, Assistant City Manager Delin, City Clerk Hollywood, Director of Development Services Wisneski, City Engineer Wimmer, Director of Public Works Quiram, Principal Planner Langager

There being a quorum present, the meeting was in order.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

4A. Presentation by Jessica Toth of the Solana Center

Jessica Toth from the Solana Center gave a presentation regarding food waste diversion.

**5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF**

Assemblywoman Boerner Horvath spoke regarding the North Highway 101 Streetscape project and bicycle safety.

Katherine Siplyak spoke regarding nuisance issues with the bench located in front of her business.

**6. REPORT FROM CLOSED SESSION**

Mayor Blakespear reported the following actions from the 4:00 P.M. Special City Council Meeting:

Regarding Closed Session Agenda Items 1 and 2, there was no reportable action.

Regarding Closed Session Agenda Item 3, there was no reportable action.

Regarding Closed Session Agenda Item 4, there was unanimous direction to Legal Counsel to move forward with settlement.

**7. CHANGES TO THE AGENDA**

City Clerk Hollywood stated that there were no changes made to the posted agenda except for an amended agenda report had been provided for Item 08D.

**8. CONSENT CALENDAR**

City Clerk Hollywood announced that Agenda Item 8E had been removed from the Consent Calendar by the Mayor and members of the public.

**COUNCIL ACTION:**

**Mosca moved, Kranz seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Hubbard, Kranz, Mosca. Nays: None.**

8A. Approval of the Minutes of the November 28, 2018 Special City Council Meeting. Contact Person: City Clerk Hollywood

***Recommended Action:*** Approve the Minutes.

8B. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

***Recommended Action:*** Approve the Warrants.

8C. County of San Diego Contract Number 547764 Agreement, amendment number 11 with the City of Encinitas for the Senior Nutrition Program. Contact Person: Senior Center Manager Goodsell

***Recommended Action:*** That the City Council authorize the City Manager to execute amendment number 11 of contract number 547764, with the County of San Diego extending the term from January 1, 2019 to June 30, 2019 and increasing estimated revenue to the City by \$31,341.

- 8D. Public Works General Repair Services Spending Authorization Amendment. Contact Person: Contact Person: City Traffic Engineer Bandegan

**Recommended Action:** Authorize the City Manager or her designee, in coordination with the City Attorney, to execute Contract Amendment #2 with LC Paving & Sealing, Inc. (LC Paving) in substantial form, in the amount of \$50,000 annually for general repair services, for a total not to exceed amount of \$1,336,500 for the General Mobility Improvement Project (CS18E).

- 8F. Santa Fe Drive Corridor Improvements Project (CS19E) budget adjustment and project management authorization. Contact Person: Senior Civil Engineer Kellar

**Recommended Action:** 1) Adopt City Council Resolution No. 2018-94 entitled, "A Resolution of the City Council of the City of Encinitas Amending the Fiscal Year 2018-19 Budget"; and 2) Authorize the City Manager or her designee, in coordination with the City Attorney, to execute Contract Amendment #4 with Hoch Consulting in the amount of \$88,500 for project management of the Santa Fe Drive Corridor Improvements Project (CS19E), for a total contract amount not to exceed \$813,500.

- 8G. Notice of Completion for the South Coast Highway 101 Sidewalk Project (CS15C). Contact Person: Engineer Milligan

**Recommended Action:** 1) Accept the public improvements as complete; 2) Authorize release of the performance bond and initiate the warranty bond; and 3) Authorize the filing of a Notice of Completion.

## 9. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 8E. Capital Project and Grants Update - Capital Improvement Program and Traffic Engineering Divisions. Contact Person: City Engineer Wimmer

**Recommended Action:** Receive the report on the status of Capital Improvement and Traffic Engineering projects and grants.

Mayor Blakespear removed this item from the consent calendar to discuss expediting immediate interim improvements on North Highway 101.

The following individuals spoke regarding the North Highway 101 Streetscape Project and bicycle safety:

Mary Lou Schultz, Kristine Schindler, Jim Wang, John Abate, Andy Hanshaw, Morgan Mallory, Gerry Rahill, William Morrison, Kevin Doyle,

Brian Grover, Kris Buchanan, Marty Benson, Kellie Shay Hinze, Susan Hayes, Josh Lichmann, Peter Kohl, James McDonald, Charley Marvin, Katie Benson, Carris Rhodes, Jeremy Kron, Tammy Temple, Russel Levan, and Brian Evans

**COUNCIL ACTION:**

**Blakespear moved, Kranz seconded to direct staff to bring back to the January 9, 2019 City Council meeting the following: an interim safety plan for Highway 101, a detailed timeline for Leucadia streetscape's accomplishment, a list of the negotiating team members, and to place a standing item on the City Council agenda regarding status of the streetscape project. Motion carried. Ayes: Blakespear, Hubbard, Kranz, Mosca. Nays: None.**

**10. ACTION ITEMS**

- 10A. Discussion and action regarding options for filling the Council seat left vacant by Council Member Tasha Boerner Horvath. Contact Person: City Clerk Hollywood

***Recommended Action:*** Council to discuss and provide direction to staff regarding filling the Council vacancy.

**COUNCIL ACTION:**

**Kranz moved, Mosca seconded to approve filling the Council vacancy by appointment, approving the schedule as presented, and approving the draft application with the inclusion of the district where the applicant resides and is registered to vote. Motion carried. Ayes: Blakespear, Hubbard, Kranz, Mosca. Nays: None.**

- 10B. Discussion regarding Appointments of Encinitas City Council Members to Regional Boards, Commissions, and Committees, and Consideration and Possible Action Regarding Appointments to Standing Subcommittees, Active Ad-Hoc Subcommittees, and Council Liaisons. Contact Person: Assistant City Manager Delin

***Recommended Action:*** 1) Council to make recommendations and approve final appointments of Representatives and Alternates to the North County Transit District (NCTD) 2019 Board of Directors; 2) Council to make recommendations and approve final appointments of Representative, Alternate, and Second Alternate to the San Diego Association of Governments (SANDAG) 2019 Board of Directors; 3) Mayor to make recommendations and Council to approve all other 2019 regional board, commission, and committee appointments; and 4) Council to consider and possibly take action regarding appointments to standing subcommittees, active ad-hoc subcommittees, and Council liaisons.

**COUNCIL ACTION:**

**Kranz moved, Mosca seconded to approve the 2019 appointments of Encinitas City Council Members to Regional Boards, Commissions, and Committees; and changes to the appointments to the standing subcommittees, active ad-hoc subcommittees and Council liaisons as presented in Attachment 1 to these minutes. Motion carried. Ayes: Blakespear, Hubbard, Kranz, Mosca. Nays: None.**

- 10C. Leucadia Storm Drainage Project. Contact Person: Public Works Director Quiram

***Recommended Action:*** City Council take the following action: Ratify the application for a Caltrans Sustainability Transportation Adaptation Planning Grant in the amount of \$393,000 with a City match of \$131,000.

Speaker  
Russel Levan

**COUNCIL ACTION:**

**Kranz moved, Mosca seconded to ratify the application for a Caltrans Sustainability Transportation Adaptation Planning Grant in the amount of \$393,000 with a City match of \$131,000. Motion carried. Ayes: Blakespear, Hubbard, Kranz, Mosca. Nays: None.**

- 10D. Consideration and possible direction to staff regarding Encinitas Housing Element update litigation outcome (SD Tenants United and Loraine Del-Rose v. City of Encinitas and Encinitas City Council Case No. 37-2017-00013257-CU-WM-NC Government Code 54956.9; and, Building Industry Association of SD (BIA) v. City of Encinitas Case No. 37-2017-00023267-CU-WM-NC). Contact Person: City Attorney Sabine

***Recommended Action:*** Council to discuss and provide possible direction to staff.

Speaker  
Richard Boger

**COUNCIL ACTION:**

**Mosca moved, Kranz seconded to direct staff to transmit Measure U with the inclusion of the emergency shelter ordinance and information regarding the demolition of the Krikorian property to HCD. Motion carried. Ayes: Blakespear, Hubbard, Kranz, Mosca. Nays: None.**

**11. INFORMATIONAL ITEMS**

11A. Update on City of Encinitas' Economic Development. Contact Person: Assistant City Manager Delin

**Recommended Action:** Receive presentation and provide direction if desired.

Assistant City Manager Delin provided an update on Economic Development in the City of Encinitas.

There was Council consensus to receive the report.

**12. COUNCIL MEMBER INITIATED AGENDA ITEM**

12A. Council Initiated Item from Mayor Blakespear regarding delivery of marijuana products in the City of Encinitas.

Speakers:

Debra Inada and Judi Strang

There was Council consensus to take no action on this item until the City Attorney provides a status update on state regulations in January 2019.

**13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS**

No future agenda items were added.

**14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF**

Council Member Mosca reported on San Elijo JPA and School District Liaison Committee meetings.

Council Member Kranz reported on an NCTD Executive Committee meeting.

Deputy Mayor Hubbard had nothing to report.

Mayor Blakespear reported on NCTD Executive Committee, Encina Wastewater Authority and SANDAG meetings.

**15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS**

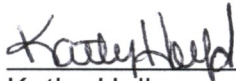
City Manager Brust wished everyone a very Happy Holiday and New Year.

**16. CITY ATTORNEY REPORTS**

City Attorney Sabine wished everyone a very Happy Holiday and New Year.

**17. ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 10:34 P.M.



\_\_\_\_\_  
Kathy Hollywood, City Clerk



\_\_\_\_\_  
Catherine S. Blakespear, Mayor



<b>REGIONAL COUNCIL COMMITTEE APPOINTMENTS</b>					
<b>COMMITTEE</b>	<b>REPRESENTATIVE (2019)</b>	<b>POSITION</b>	<b>SCHEDULE</b>	<b>STIPEND</b>	<b>CONTACT INFO</b>
San Dieguito Water District	<i>HUBBARD BLAKESPEAR</i>	<b>Board President Vice President</b>	Monthly 3rd Wednesday 5:00 p.m.	\$100.00 (Applies to all Board Members)	Bill O'Donnell, GM <a href="mailto:Bobodonnell@encinitasca.gov">Bobodonnell@encinitasca.gov</a> 760-633-2849 / C. 760-224-6089 Cell Kathy Hollywood, Secretary <a href="mailto:khollywood@encinitasca.gov">khollywood@encinitasca.gov</a> 760-633-2603
*Housing Authority of the City of Encinitas (Mayor/Deputy Mayor)	<i>BLAKESPEAR HUBBARD</i>	<b>Chairperson Vice-Chair</b>	As-Needed Special Meeting 6:00 p.m.	\$50.00 (Applies to all Board Members)	Kathy Hollywood, City Clerk <a href="mailto:khollywood@encinitasca.gov">khollywood@encinitasca.gov</a> 760-633-2603
* Encinitas Financing Authority (Mayor/Deputy Mayor)	<i>BLAKESPEAR HUBBARD</i>	<b>Chairperson Vice-Chair</b>	As-Needed Special Meeting 6:00 p.m.	\$0.00	Teresa McBroome, Director of Finance <a href="mailto:tmcbroome@encinitasca.gov">tmcbroome@encinitasca.gov</a> 760-633-2722
Encina Wastewater Authority	<i>BLAKESPEAR MOSCA HUBBARD</i>	<b>Representative Representative Alternate</b>	Monthly 4th Wednesday 8:00 a.m.	\$200.00	Michael F. Steinlicht, GM <a href="mailto:mikes@encinajpa.com">mikes@encinajpa.com</a> 760-438-3941 Paula Clowar, Clerk. <a href="mailto:pclowar@encinajpa.com">pclowar@encinajpa.com</a> 760-268-8806

## REGIONAL COUNCIL COMMITTEE APPOINTMENTS (CONT'D)

COMMITTEE	REPRESENTATIVE (2019)	POSITION	SCHEDULE	STIPEND	CONTACT INFO
San Elijo JPA	<b>BLAKESPEAR HUBBARD</b>	Representative Representative	Monthly 2nd Monday 9:00 a.m.	\$160.00	Mike Thornton GM 760-753-6203 x 72/ 760-801-0497 <a href="mailto:thornton@sejpa.org">thornton@sejpa.org</a> Jennifer Basco 760- 753-6203 x71 <a href="mailto:bascoj@sejpa.org">bascoj@sejpa.org</a>
San Diego County Water Authority	<b>MOSCA</b>	Representative	Twice Monthly 2nd Thursday 1:30 p.m. 4th Thursday 9:00 a.m.	\$150.00	Maureen Stapleton, GM Melinda Cogel, p. 858-522-6614 <a href="mailto:Cogle@sdewa.org">Cogle@sdewa.org</a> Sandra Ryan, p. 858-522-6781 <a href="mailto:sryan@sdewa.org">sryan@sdewa.org</a> MWD- Amy Chen, p. 213-628-1244 <a href="mailto:achen@sdewa.org">achen@sdewa.org</a>
ACWA/JPIA	<b>HUBBARD SCHWARM</b>	Director Alternate	2 x/yr; 3 days each Spring conference Fall Conference	\$0.00	Bobbette Wells <a href="mailto:bwells@acwajpia.com">bwells@acwajpia.com</a> 916-786-5742 x3161
SFID/SDWD Joint Advisory Committee (JFAC) & R.E. Badger Facilities Finance Authority	<b>BLAKESPEAR MOSCA</b>	Representative Representative	Quarterly Meetings JFAC- 2nd Thur. 2nd Mon., Month 1x Yr 2nd Thurs. in December	\$150.00/day	Kim Johnson SFID, Clerk <a href="mailto:kjohnson@sfidwater.org">kjohnson@sfidwater.org</a> 858-227-5797

## REGIONAL COUNCIL COMMITTEE APPOINTMENTS (CONT'D)

COMMITTEE	REPRESENTATIVE (2019)	POSITION	SCHEDULE	STIPEND	CONTACT INFO
Regional Solid Waste Association	<b>BLAKESPEAR MOSCA</b>	Representative Alternate	Quarterly 1st Thursday @ 9:00 a.m. (Jan, Apr, Jul, Oct)	\$150.00	James H. Eggart <a href="mailto:jeggart@wss-law.com">jeggart@wss-law.com</a> 714-415-1062
CSA-17	<b>MOSCA HUBBARD</b>	Representative Alternate	Quarterly 1st Tuesday 4:00 p.m. (Feb, May, Aug, Nov)	\$0.00	Ellie Regan-Smith, Clerk <a href="mailto:ellie.regan-smith@sdcountry.ca.gov">ellie.regan-smith@sdcountry.ca.gov</a> 619-285-6476.
North County Dispatch JPA	<b>MOSCA HUBBARD</b>	Representative Alternate	Last Thursday Quarterly 5:00 p.m.	\$50.00	Larissa Patros, 858-400-2811 <a href="mailto:lpatros@sdrecc.org">lpatros@sdrecc.org</a> Mina Sanchez, 858-400-2812 <a href="mailto:gsanchez@sdrecc.org">gsanchez@sdrecc.org</a>
North County Transit District (NCTD)	<b>KRANZ BLAKESPEAR</b>	Representative Alternate	Board Meets 3rd Thurs. 2 P.M. Closed Session, as- needed 1:30 p.m.	\$150.00	Matthew Tucker, Director, 760-967-2867 <a href="mailto:mtucker@nctd.org">mtucker@nctd.org</a> Anthony Flores, Clerk, 760-966-6553 <a href="mailto:Aflores@nctd.org">Aflores@nctd.org</a>
*League of CA Cities - Region 10 Executive Committee (Mayor/Deputy Mayor)	<b>MOSCA HUBBARD</b>	Representative Alternate	2nd Monday, monthly 11:30 a.m. - 1:00 p.m.	\$0.00	Catherine Hill: <a href="mailto:chill@cacities.org">chill@cacities.org</a> 619-295-8282

## REGIONAL COUNCIL COMMITTEE APPOINTMENTS (CONT'D)

COMMITTEE	REPRESENTATIVE (2019)	POSITION	SCHEDULE	STIPEND	CONTACT INFO
*League of CA Cities - San Diego Division's Legislative Committee (Mayor/Deputy Mayor)	<b>MOSCA HUBBARD</b>	<b>Representative Alternate</b>	2nd Monday, 10:30 a.m.	\$0.00	Catherine Hill, 619- 295-8282 <a href="mailto:chill@cacities.org">chill@cacities.org</a>
League of CA Cities Coastal Cities Issues Group	<b>MOSCA HUBBARD</b>	<b>Voting Member Alternate</b>	Varies	\$0.00	Derek Dolfie, 916- 658-8218, <a href="mailto:ddolfie@cacities.org">ddolfie@cacities.org</a> Erin Evans-Fudem, (916) 658-8250 <a href="mailto:eevans-fudem@cacities.org">eevans- fudem@cacities.org</a>
SANDAG Board of Directors	<b>BLAKESPEAR KRANZ MOSCA</b>	<b>Representative Alternate 2nd Alternate</b>	2nd & 4th Friday 10:00 & 9:00 to Noon	\$150.00 for Board meetings / \$100.00 for Policy Advisory Committee meetings / \$150.00 for events as official SANDAG rep.	Michelle Posada, 619-699-1912 <a href="mailto:Michelle.Posada@sandag.org">Michelle.Posada@s andag.org</a> Tessa Lero, GM Admin 619-699- 1991 <a href="mailto:tessa.lero@sandag.org">tessa.lero@sandag. org</a>
SANDAG Shoreline Preservation Working Group	<b>HUBBARD KRANZ</b>	<b>Advisory Alternate</b>	Quarterly 1st Thursday 11:30 a.m. - 1:00 p.m.	\$0.00	Sarah Pierce, 619- 699-7312 <a href="mailto:sarah.pierce@sandag.org">sarah.pierce@sanda g.org</a>

\* Indicates these appointments are typically held by the Mayor and Deputy Mayor

## IN HOUSE COUNCIL AD-HOC & STANDING SUBCOMMITTEE APPOINTMENTS

ACTIVE COUNCIL AD-HOC SUBCOMMITTEES					
COMMITTEE	REPRESENTATIVE (2019)	POINT OF CONTACT /LEAD	STAFF	OTHERS	STATUS
PACIFIC VIEW ACTIVATION SUBCOMMITTEE	<b>BLAKESPEAR KRANZ</b>	Engineering	G. Sabine J. Schwarm		Est. 9-17-14 Active/Ongoing
SEA LEVEL RISE SUBCOMMITTEE	<b>HUBBARD KRANZ</b>	Coastal Zone Program Administrator E. Steenblock		2 reps from Env. commission J. Wang	Est. 12-17-14 Active/Ongoing
COMMUNITY CHOICE AGGREGATION (CCA) SUBCOMMITTEE	<b>BLAKESPEAR MOSCA</b>	E. Steenblock C. Najera		2 reps from Env. commission (L. Bissonette, J. Wang)	Wrkg. Grp. Est. 12-12-15 CC Sub Est. 2-24-16
THEATER PAD AD-HOC SUBCOMMITTEE (To explore options with North Coast Repertory Theater Group.)	<b>BLAKESPEAR KRANZ</b>	G. Sabine		Jim Horine Horine Group <i>N. Coast. Rep.</i>	Reactivated 10-12-16
ECONOMIC DEVELOPMENT	<b>HUBBARD MOSCA</b>	M. Delin			Est. 03-08-17
GREEN WASTE SYMPOSIUM SUBCOMMITTEE	<b>BLAKESPEAR MOSCA</b>	C. Najera			Est. 8-15-18
DOWNTOWN URBAN FORESTRY SUBCOMMITTEE	<b>HUBBARD KRANZ</b>	M. Delin			Est. 3-21-18

## IN HOUSE COUNCIL AD-HOC & STANDING SUBCOMMITTEE APPOINTMENTS (CONT'D)

CITY COUNCIL STANDING SUBCOMMITTEES					
COMMITTEE	REPRESENTATIVE (2019)	POC /LEAD	STAFF	OTHERS	STATUS
CULTURAL TOURISM COMMITTEE	<b>HUBBARD COUNCIL MEMBER NO. 5</b>	K. Goodsell	M. Delin J. Gilliam		Meets 1st Thursday Mo. at 9:00 a.m.
SCHOOL DISTRICT LIAISON COMMITTEE	<b>HUBBARD MOSCA</b>	K. Goodsell	E. Wimmer	CARDIFF, EUSD SDUHSD MIRACOSTA	Meets on 3rd Wed. of every other month at 8:10 a.m.
FIRE GOVERNANCE STANDING SUBCOMMITTEE (Meets twice annually and/or as- needed.)	<b>HUBBARD MOSCA</b>	K. Brust M. Stein		City Managers of Solana Beach Del Mar	Standing committee meets twice annually
3 AGENCY ADHOC- SDWD/SFID/OMWD -	<b>MOSCA BLAKESPEAR</b>	B. O' Donnell J. Umbrasas			Active 3-2014 As-needed
LEGISLATIVE LIAISON	<b>BLAKESPEAR</b>				Est. 2015

City Council Meeting  
December 12, 2018  
Public Comments

Richard: strong public advocate for public housing, request that HCD certify the Housing Element, assess all city owned properties for affordable housing, need to provide a place for people to live here, find a way to work together

*MINUTES OF THE ENCINITAS CITY COUNCIL AND ENCINITAS  
HOUSING AUTHORITY SPECIAL JOINT MEETING  
FEBRUARY 6, 2019, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**CALL TO ORDER/ROLL CALL**

Mayor Blakespear called the meeting to order at 6:12 P.M.

Present: Mayor Catherine S. Blakespear, Deputy Mayor Jody Hubbard, Council Members Kellie Shay Hinze, Tony Kranz and Joe Mosca, and Housing Tenant Commissioners Lupita Chavez and Lu Mohler

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Housing Analyst Piano-Jones, Principal Planner Langager, Director of Development Services Wisneski, Special Counsel Eric Phillips, City Clerk Hollywood and Deputy City Clerk Bingham

There being a quorum present, the meeting was in order.

**AGENDA ITEMS**

- H1. Contract Amendment #2 with Hyder & Company to extend the contract term and allow for additional costs for Property Management Services and Maintenance of sixteen Encinitas Housing Authority Owned Condominium Units at Pacific Pines. Contact Person: Housing Analyst Piano-Jones

***Recommended Action:*** Authorize the Executive Director, or designee, in consultation with the City Attorney, to sign Contract Amendment #2 in substantial form with Hyder & Company to: 1) Extend the term of the existing Property Management and Maintenance Contract for a three-month period, from April 1, 2019 to June 30, 2019, and increase the contract amount \$10,000; with all other contract provisions to remain in place; and 2) Effective July 1, 2019, further extend the term of the existing Property Management and Maintenance Contract for a three-year period, from July 1, 2019 to June 30, 2022; include clarifying language related to eligible personnel and mileage expenses; and increase the contract amount by \$137,649 for a total contract amount, from April 1, 2016 to June 30, 2022, not to exceed \$267,282.

Before Agenda Item H1 was heard, Housing Tenant Commissioners Lupita Chavez and Lu Mohler recused themselves from hearing this item because they both reside at Pacific Pines Condominiums. Commissioners Chavez and Lu Mohler left the Council Chambers.

Housing Analyst Piano-Jones presented the staff report.



**SPEAKERS:**

Nancy Logan and Donna Westbrook

**COUNCIL ACTION:**

**Mosca moved, Kranz seconded to authorize the Executive Director, or designee, in consultation with the City Attorney, to sign Contract Amendment #2 in substantial form with Hyder & Company to: 1) Extend the term of the existing Property Management and Maintenance Contract for a three-month period, from April 1, 2019 to June 30, 2019, and increase the contract amount \$10,000; with all other contract provisions to remain in place; and 2) Effective July 1, 2019, further extend the term of the existing Property Management and Maintenance Contract for a three-year period, from July 1, 2019 to June 30, 2022; include clarifying language related to eligible personnel and mileage expenses; and increase the contract amount by \$137,649 for a total contract amount, from April 1, 2016 to June 30, 2022, not to exceed \$267,282. Motion carried. Ayes: Blakespear, Hinze, Hubbard, Kranz, Mosca. Nays: None. Absent: Chavez, Mohler.**

Housing Tenant Commissioners Chavez and Mohler returned to the Council Chambers.

- H2. General Discussion of Housing Issues including review and direction in response to the State Housing and Community Development (HCD) 45-day Review Comment Letter regarding the draft Housing Plan Update 2019. Contact Person Principal Planner Langager

***Recommended Action:*** Staff recommends that the Council: 1) Provide direction as appropriate related to the HCD 45-day Review Letter regarding the draft Housing Plan Update; and 2) Review and discuss other housing issues and provide direction as appropriate.

Principal Planner Langager presented the staff report and introduced Special Counsel Eric Phillips who reviewed the recommended actions related to the HCD Findings letter dated February 4, 2019.

**SPEAKERS:**

Donna Westbrook, Glen Johnson, Marco Gonzalez, Kathleen Lees, Bob Kent, Patty Stottlemeyer, Damien Mavis and Ross Sutherland

**COUNCIL CONSENSUS:**

There was Council Consensus to direct staff to move forward with the recommended actions as presented and to direct the City's lobbyist, Jonathon Clay, to work on behalf of the City to reduce the threat of litigation from the State.

**ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 7:35 P.M.

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Kathy Hollywood, City Clerk  
By: Claudia Bingham  
Deputy City Clerk

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Catherine S. Blakespear, Mayor

City Council Meeting  
February 6, 2019  
Public Comments

Donna: intent and purpose of Prop A – protect natural resources, it's not just to say no to houses; wetlands need to be protected; 1504 housing units were on the ballot, planning wants 1900 – need explanation of this

Glenn Johnson: long expensive and extensive battle between factions of the city, staff and elected officials, need certified housing element, don't like changes HCD has requested – especially the height

Marco Gonzales: represent developers & environmental groups, a couple of years ago made a suggestion re Prop A – don't enforce it if it conflicts with state law, instead city wasted a ton of time and money. Now tell proponents of Prop A that it does not apply in the context of state housing law – pass ordinance that says so and let them sue – City will win, objective and subjective design standards

Kathleen Lees: reminder to include artists and their housing needs in the housing element, there is a gap between artists and their clients, encourage Council that whenever and wherever possible to provide opportunity for artist to work and connect with the public

Bob Kent: member of Keys for Homes, request take all steps required to adopt compliant housing plans, it's the law, it's the right thing to do, and it's in our common interest, without housing diversity our town character suffers, City's vitality depends on providing affordable homes for our seniors, workers, families, millennials, and young professionals

Patty S: in support of being compliant with state law, compliant housing plan, support L-7, recommend offer of Mr. Mavis to build affordable homes on his property

Damien Mavis: reiterate family's offer – use 5 acres as a replacement for 6a and 6b or for 6<sup>th</sup> cycle, give half of the property to the City for affordable housing – 60 + affordable housing units, city use that profit for more affordable housing. Family would build the remaining 60+ market rate units on the other half of the property.

Ross Southerland: community does not understand what will go on these sites - if sites had more detailed plans, ie, 3 alternatives, that could be helpful, also permits City to do traffic analysis, one way to get around Prop A

*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING  
FEBRUARY 20, 2019, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

**1. CALL TO ORDER**

Mayor Blakespear called the meeting to order at 6:00 P.M.

**2. ROLL CALL**

Present: Mayor Catherine S. Blakespear, Deputy Mayor Jody Hubbard, Council Members Kellie Shay Hinze, Tony Kranz and Joe Mosca

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Assistant City Manager Delin, Principal Planner Langager, Director of Development Services Wisneski, City Engineer Wimmer, City Clerk Hollywood and Deputy City Clerk Bingham

There being a quorum present, the meeting was in order.

**3. PLEDGE OF ALLEGIANCE**

**4. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

There were no presentations or proclamations.

**5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF**

Burf Jahn spoke regarding sand from the Sea Bluff Hotel project.

Assistant City Manager Delin responded to citizen concerns regarding sand replenishment from the hotel construction project.

Beverly Goodman and Cindy Bluorkin spoke about concerns with additional bars and restaurants moving into the downtown area.

Gerald Sodomka spoke regarding the NCTD right-of-way along the railway corridor in Cardiff.

John Carlson spoke regarding changing the City's status with SANDAG from urban to suburban.

Marco Gonzalez spoke regarding the Sea Bluff Hotel and the sand replenishment project.

Russell Levan thanked the City's stormwater crew for their quick action during the last storm.

Donna Westbrook spoke regarding the Sea Bluff Hotel project.

Council Member Kranz requested that a presentation regarding the sand opportunistic program be placed on a future agenda. Blakespear concurred.

## 6. REPORT FROM CLOSED SESSION

Mayor Blakespear announced at the 4:00 P.M. City Council Closed Session meeting that there was no reportable action for Agenda Items 1, 2 and 3.

## 7. CHANGES TO THE AGENDA

There were no changes to the posted agenda.

## 8. CONSENT CALENDAR

City Clerk Hollywood announced that Consent Calendar Agenda Item 8F was removed by members of the public and Consent Calendar Agenda Item 8I was removed by Council Member Hinze.

### **COUNCIL ACTION:**

**Mosca moved, Hinze seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes; Blakespear, Hinze, Hubbard, Kranz, Mosca. Nays: None.**

8A. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

***Recommended Action:*** Approve the Warrants.

8B. Shelter Agreement between the City of Encinitas and the American Red Cross for use of the Encinitas Community and Senior Center for disaster relief. Contact Person: Center Manager Goodsell

***Recommended Action:*** Approve and authorize the City Manager to execute an ongoing Shelter Agreement between the City of Encinitas and the American Red Cross to provide facilities at the Encinitas Community and Senior Center for disaster relief.

8C. Public Works General Repair Services Spending Authorization Amendment for LC Paving and Sealing Inc. to construct the Leucadia 101 Interim Improvements. Contact Person: Traffic Engineer Bandegan

**Recommended Action:** Authorize the City Manager or her designee, in coordination with the City Attorney, to execute Contract Amendment #4 with LC Paving & Sealing, Inc. (LC Paving) in substantial form, in the amount of \$200,000 for general repair services to construct certain interim improvements on North Coast Highway 101, for a total not to exceed amount of \$1,696,500 for the General Mobility Improvement Project (CS18E).

8D. Contract Amendments for As-Needed Civil Engineering and Project Management. Contact Person: City Engineer Wimmer

**Recommended Action:** 1) Authorize the City Manager or her designee, in coordination with the City Attorney, to execute amendments to the Latitude 33 Planning and Engineering, NV5, Inc. and STC Traffic, Inc. agreements, for as-needed civil engineering services, in additional amounts of \$150,000 each, for total contracts not exceeding \$450,000 each; and 2) Authorize the City Manager or her designee, in coordination with the City Attorney, to execute an amendment to the Hoch Consulting agreement for as-needed project management services, in an additional amount of \$150,000, for a total contract not exceeding \$963,500.

8E. Extension of Lease Agreement between the City of Encinitas and G.J. Trippe, Inc. dba Air Care International for the property at 1867 Mackinnon Avenue, Encinitas, CA. Contact Person: Risk & Safety Analyst Chapman

**Recommended Action:** Authorize City Manager in coordination with the City Attorney to execute Amendment #1, Extension of the Lease Agreement between the City of Encinitas and G.J. Trippe, Inc. dba Air Care International for the property at 1867 Mackinnon Avenue, for two (2) additional one-year terms, upon mutual agreement.

8G. Capital Project and Grants Update - Capital Improvement Program and Traffic Engineering Divisions. Contact Person: City Engineer Wimmer

**Recommended Action:** Receive the report on the status of Capital Improvement and Traffic Engineering projects and grants.

8H. Authorization to continue to use U.S. Bank's Voyager Fleet Card for Fuel Purchasing. Contact Person: Senior Management Analyst Wilson

**Recommended Action:** Authorize continued participation in the State of California's Fleet Card program by approving the Participating Addendum No. 7-16-99-27 Amendment 1 with U.S. Bank National Association effective January 1, 2019 through December 31, 2020

**9. ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 8F. Consideration and possible Introduction of Ordinance 2019-05 amending Chapter 9.21 of the Encinitas Municipal Code to implement State regulations (via the Bureau of Cannabis Control) requiring Cities to authorize cannabis deliveries (not businesses) within their respective boundaries. Contact Person: City Attorney Sabine

**Recommended Action:** Introduce Ordinance 2019-05 entitled “An Ordinance of the City Council of the City of Encinitas, California amending Chapter 9.21 of the Encinitas Municipal Code to Authorize Cannabis Delivery (not businesses) pursuant to State Law.”

City Attorney Sabine presented information regarding the ordinance.

**SPEAKERS:**

Peggy Walker, Janet Asaro, Nancy Perry-Sheridan, Judi Strang, Scott Dean, Katie Popanik and Kelly McCormick spoke in opposition to the recommended action.

**COUNCIL ACTION:**

**Kranz moved, Blakespear seconded to introduce Ordinance 2019-05 entitled “An Ordinance of the City Council of the City of Encinitas, California amending Chapter 9.21 of the Encinitas Municipal Code to Authorize Cannabis Delivery (not businesses) pursuant to State Law.” Motion carried. Ayes: Blakespear, Hinze, Hubbard, Kranz, Mosca. Nays: None.**

There was Council Consensus to hear Consent Calendar Agenda Item 8I before Action Item 10D.

**10. ACTION ITEMS**

- 10A. Discussion regarding the draft Housing Plan Update 2019 including further review and direction in response to the HCD 45-day Review Letter. Contact Person: Principal Planner Langager

**Recommended Action:** Provide direction as appropriate related to the HCD 45-day Review Letter regarding the draft Housing Plan Update.

Principal Planner Langager presented the staff report and introduced Eric Phillips with Goldfarb & Lipmann, LLP.

**SPEAKERS:**

Marco Gonzales spoke in support of staff recommendations.

Donna Westbrook spoke in opposition to staff recommendations.

**COUNCIL ACTION:**

**Blakespear moved, Hubbard seconded to amend Program 3C to include City commitment to seek declaratory relief after adoption of Fifth Cycle Housing Element in 2019 to ask court to determine if state law preempts Prop A and Land Use Element vote requirements with respect to compliance with Government Code Article 10.6 (Housing Element Law) and Government Code Sec. 65863, and, in the event that the court decides a vote is required or declines to decide the issue on procedural grounds, submit a ballot measure to the voters in 2020 to amend Prop A and the Land Use Element to allow City Council to adopt Housing Elements, implementing actions, and rezoning to comply with Government Code Sec. 65863. Motion carried. Ayes: Blakespear, Hinze, Hubbard, Mosca. Nays: Kranz.**

Mayor Blakespear called a recess from 7:57 P.M. to 8:12 P.M.

- 10B. Review of the Draft Community Choice Energy Technical Feasibility Study. Contact Person: CAP Program Manager Najera

**Recommended Action:** 1) Receive the draft Community Choice Energy (CCE) Technical Feasibility Study and provide input; and 2) Direct staff to host a public workshop on the study, in coordination with the Partner Cities of Oceanside, Carlsbad and Del Mar, and return to Council with the final study and recommendations.

Mayor Blakespear announced that Action Items 10B and 10C would be heard at the same time.

- 10C. Resolution 2019-17 amending the FY 2018-19 budget to extend the contract with EES Consulting, Inc. to cover the cost of evaluating Community Choice Energy (CCE) Governance options. Contact Person: CAP Program Manager Najera

**Recommended Action:** 1) Adopt Resolution 2019-17, titled "A Resolution of the City Council of the City of Encinitas Amending the Fiscal Year 2018-19 Budget;" 2) Authorize the City Manager, in consultation with the City Attorney, to execute an amendment to the cost share agreement between the cities of Encinitas, Del Mar, Carlsbad and Oceanside (Partners) or participating cities (in substantial form) to share the additional cost for services in the amount of \$54,500, plus \$5,500 contingency, from EES Consulting, Inc; and 3) Authorize the City Manager, in consultation with the City Attorney, to execute an amendment to the contract for services with EES Consulting, Inc. (in substantial form) to cover the cost of evaluating Community Choice Energy (CCE) governance options for the Partners in an amount not to exceed \$160,525.



CAP Program Administrator Najera presented the Community Choice Energy Technical Feasibility Study and introduced Gary Saleba, President/CEO of EES Consulting.

**SPEAKERS:**

T.C. Golez, Harold Standerfer, Matthew Vosilakis, Carly Kupka, Eve Simmons, Gary Jahns and Diane Nyagard spoke in support of the recommended actions.

Helen Bourne was in support of the recommended actions but chose not to speak.

**COUNCIL ACTION:**

**Kranz moved, Mosca seconded to: 1) Receive the draft Community Choice Energy (CCE) Technical Feasibility Study; 2) Direct staff to host a public workshop on the study, in coordination with the Partner Cities of Oceanside, Carlsbad and Del Mar, and return to Council with the final study and recommendations; 3) Adopt Resolution 2019-17, titled “A Resolution of the City Council of the City of Encinitas Amending the Fiscal Year 2018-19 Budget;” 4) Authorize the City Manager, in consultation with the City Attorney, to execute an amendment to the cost share agreement between the cities of Encinitas, Del Mar, Carlsbad and Oceanside (Partners) or participating cities (in substantial form) to share the additional cost for services in the amount of \$54,500, plus \$5,500 contingency, from EES Consulting, Inc; and 5) Authorize the City Manager, in consultation with the City Attorney, to execute an amendment to the contract for services with EES Consulting, Inc. (in substantial form) to cover the cost of evaluating Community Choice Energy (CCE) governance options for the Partners in an amount not to exceed \$160,525. Motion carried. Ayes: Blakespear, Hinze, Hubbard, Kranz, Mosca. Nays: None.**

Consent Calendar Agenda Item 8I was heard next out of order.

- 8I. License Agreement with the North County Transit District for the El Portal Undercrossing Project. Contact Person: Director of Development Services Wisneski

***Recommended Action:*** Authorize the City Manager, in consultation with the City Attorney, to execute the License Agreement with North County Transit District (NCTD) (in substantial form) for the construction of the El Portal Undercrossing Project and ultimate maintenance of the improvements by the City.

Council Member Hinze removed this item from the Consent Calendar for clarification.

Director of Development Services Wisneski presented the staff report.

**COUNCIL ACTION:**

**Hinze moved, Mosca seconded to authorize the City Manager, in consultation with the City Attorney, to execute the License Agreement with North County Transit District (NCTD) (in substantial form) for the construction of the EI Portal Undercrossing Project and ultimate maintenance of the improvements by the City. Motion carried. Ayes: Blakespear, Hinze, Hubbard, Kranz, Mosca. Nays: None.**

- 10D. Alternative Design Option for the North Coast Highway 101 Leucadia Streetscape Project (CS04D) and proposed San Diego Association of Governments Memorandum of Understanding. Contact Person: City Engineer Wimmer

***Recommended Action:*** 1) Direct staff to redesign the east side of North Coast Highway 101 to locate all parking to be parallel on-street; 2) Direct staff to develop a draft Memorandum of Understanding with the San Diego Association of Governments (SANDAG) to establish the parameters for designing and potentially constructing the Coastal Rail Trail (CRT) project in conjunction with the Streetscape Project; 3) Direct staff to evaluate options for improving drainage conditions within the project boundaries; and 4) Direct staff to evaluate and return to the City Council with the costs (design and construction) and schedule associated with the project redesign and drainage improvements.

Director of Development Services Wisneski presented the staff report and introduced SANDAG Principal Planner Linda Culp and Principal Engineer Bruce Smith who were available to answer questions.

**SPEAKERS:**

Robert Hemphill and Leah Bissonette spoke in support of the recommended action.

Annika Walden, John Abate, Kevin Doyle, Marty Benson, Brian Grover, Russell Levan and Richard Boger spoke in opposition to the recommended action.

Tammy Temple was in opposition to the recommended action but chose not to speak.

**COUNCIL ACTION:**

**Hinze moved, Kranz seconded to reject staff's recommendation for re-design and direct staff to pursue working with NCTD on temporary parking solutions within the original approved design streetscape.**

**Motion carried. Ayes: Blakespear, Hinze, Hubbard, Kranz, Mosca.  
Nays: None.**

**COUNCIL CONSENSUS:**

**There was Council Consensus to appoint Council Members Hinze and Kranz to a Council Subcommittee to review options for the Streetscape corridor.**

**11. INFORMATIONAL ITEMS**

There were no Informational items.

**12. COUNCIL MEMBER INITIATED AGENDA ITEM**

There were no Council Member initiated items.

**13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS**

No future agenda items were added.

**14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF**

Council Member Hinze had nothing to report.

Council Member Kranz reported on an NCTD meeting.

Council Member Mosca reported on a County Water Authority Water Facilities meeting.

Deputy Mayor Hubbard reported on a San Elijo JPA meeting.

Mayor Blakespear reported on an Encina Wastewater Authority Capital Improvement meeting and a San Elijo JPA meeting

**15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS**

No report was given.

**16. CITY ATTORNEY REPORTS**

No report was given.

**17. ADJOURNMENT**

Mayor Blakespear adjourned the meeting at 11:17 P.M.

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Kathy Hollywood, City Clerk  
By: Claudia Bingham  
Deputy City Clerk

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Catherine S. Blakespear, Mayor

City Council Meeting  
February 20, 2019  
Public Comments

Marco Gonzales: disagrees that there are only 2 paths to comply with HCD go back to voters – futile act, or seek declaratory relief from the court – also futile act. Third way is much easier – modify ordinance that codifies Prop A – Council’s right to interpret – interpret it to say that ordinance does not apply if it is in conflict with state law,

Donna Westbrook: Other cities are able to build minimal # of units to meet their housing element, HCD requires Encinitas to jump through hoops – up zone for 1033 units, why the unfair discrepancy? Stand up and demand that HCD lowers RHNA #'s to 2 low income housing units like Newport Beach.

City Council  
March 13, 2019  
Public Comments

Sylvia: revise Measure U - remove site 19, find more suitable lot like L-7

Josh: voting is still a way to show your beliefs, 15% affordable housing is not enough, tell the builders to increase that, are we really trying to build market rate or affordable houses?, removing L-7 was a bad idea, remove Myer and add L-7 tonight

Brian Campbell: lives off Clark – poor air quality, bad traffic, not compliant with circulation element, pull Meyers proposal, add L-7

Sheila: HCD is labeling Prop A as a constraint, the City is the real constraint, Measure U =not enough affordable housing, L-7 is only option to provide 100% affordable units, lack of negotiation with HCD

Bob: represents Keys for Homes in Encinitas, advocate for building affordable homes, request City adopt Housing Element

Donna Westbrook: Council violates state law and city ordinances, please vote no on this Housing Element, HCD is pushing Encinitas to higher density

Patty and Ross: in support but do not wish to speak

Kevin, Noel, Val, and Jim: in opposition but do not wish to speak

### **A.3 Stakeholder Workshop Notes**

This section contains summary notes of the two stakeholder workshops held as a part of the Housing Element Update process. Stakeholder workshops were open to the public and attendees included members of the local development community, low-income housing experts, members of local educational institutions, and non-profit organizations.

## Stakeholder Meeting #1

**Date:** February 28, 2018

**Time:** 3:30 pm – 5:00pm

### **Attendees:**

#### ***City of Encinitas***

Brenda Wisneski  
Diane Langager  
Laurie Winter  
Nicole Piano

#### ***Consultants***

Dave Barquist  
Nick Chen  
Barbara Kautz

#### ***Stakeholders***

Adam Gutteridge – Chelsea Investment Corporation  
Keith Harrison  
Moyria Miller – Baldwin & Sons  
Norm Miller – USD BMC Real Estate Center  
Michael McSweeney – Building Industry Association (BIA)  
Sarah Morrell – Shea Homes  
Laura Nunn – San Diego Housing Federation  
Lori Pfeiler – Habitat for Humanity  
Sue Reynolds – Community Housing Works

## Meeting Notes

### **Meeting Overview**

The City of Encinitas held the first Stakeholder Meeting as a part of the community outreach effort associated with the current Housing Element Update on Wednesday, February 28, 2018 from 3:30 – 5:00pm in the Poinsettia Room at City Hall. The purpose of the meeting was to gather feedback from people who understand the current development environment in Encinitas on what types of policy and programmatic changes could help encourage development, specifically of low-income housing, within the city.

The meeting consisted of a short presentation by Kimley-Horn, followed by a facilitated discussion amongst all meeting attendees. Major topics discussed at the meeting included development standards, entitlement processing, and fees and exactions. The following is a detailed summary of the information provided by meeting attendees throughout the discussion.

### **Development Standards**

- Reference the City of San Diego Affordable Housing Parking Study
  - Focus on the proximity of sites to transit
  - Occupancy guidelines
  - Study shows that affordable housing can require less cars than market-rate housing
- Planning for autonomous vehicles
- Should explore different standards for affordable housing vs. market rate
- Two stories is extremely limiting to potential development
- Senior living includes additional costs (EG elevators) that make development harder
- Rental versus for sale development



- It is not possible for the affordable units of a development to be the same size as the market-rate
  - Can this be changed?
  - Potentially mesh with tax credit unit size
- Grouping of low-income units as opposed to interspersed – Iris example
  - Private management is a potential option for low-income developments
- What gets in the way of developing more units?
  - Zoning density
  - Height
    - Differences in how it is calculated make a big difference
  - The type of product (detached/attached/mixed-use)
- Minimum of three stories needed to accommodate parking on affordable units
  - Ideal height is 37' measure from the pad level
- Common and private usable open space
  - Limiting factor
- Density bonus numbers for parking
  - Can encourage smaller units through parking requirement changes

### **Entitlement Processing**

- “Not late hits” policy – both by the City and the developer
  - Increases efficiency
  - Counter-level approval for by-right
- Implement a phased submittal process with a first phase that doesn’t require as much detail
  - Custom lot process
  - Pre-application mandatory meeting
- What processes can be done concurrently?
- Add flexibility to mitigate influencing factors
- “Cities are afraid of design” – too many constraints

### **Fees and Exactions**

- Fees are comparable to other cities
- Not as important as the type of product (look at S.F. v Per Unit fees)
- Need to look at all fees and ask, “Do current fees encourage development of affordable units?”
- Fee structure limits
- Fee is the same amount regardless of the size of the project, which can create high fees for smaller projects
- Difference between an incentive and an offset
  - Incentives need to give the developer something of value
  - Setback example given
  - Avoid creating penalties that can limit development
- Gap financing
  - Low Income tax credit needed
  - Gap (amount of time) is growing

- Fee waivers
- Land donation often needed
- Deferral of fees until occupancy (current City protocol) is extremely helpful
- Impact fees paid over time instead of front loading
- Potential to create a mechanism to allow developers the ability to transfer low-income units from one development to another
  - Require more low-income units if done

**Conclusion**

Meeting attendees expressed that the three most important factors that influence the ability to develop low-income housing in Encinitas are height restrictions, parking requirements, and open space requirements. Attendees also emphasized that a high level of certainty and time are more important than a lowering of the fees associated with development.

## Stakeholder Meeting #2

**Date:** April 4, 2018

**Time:** 3:30pm – 5:00pm

### **Attendees:**

#### ***City of Encinitas***

- Brenda Wisneski, City of Encinitas
- Diane Langager, City of Encinitas
- Nicole Piano-Jones, City of Encinitas
- Laurie Winter, City of Encinitas

#### ***Consultants***

- Barbara Kautz, Goldfarb & Lipman
- Dave Barquist, Kimley-Horn
- Nick Chen, Kimley-Horn

#### ***Stakeholders***

- Ron Brockhoff, Development Manager – Chelsea Investment Corporation
- Nick Lee, Baldwin @ Sons/Heritage Building
- Michael McSweeney, BIA San Diego
- Lori Pfeiler, San Diego Habitat for Humanity

## Stakeholder Comments on Proposed Development Standards:

### **Development Standards Table**

- Difference between offset (city pays for increased costs) vs incentive (city lowers costs)
- Proposed 25 – 30 du/ac
  - Potential impact of density bonus after 11% affordability
  - Could potentially apply for a waiver for additional height
- Lot Area
  - 10,000 SF allows for potential subdivision of a portion of the site (sometimes financing requires separate lots and different owners)
  - Noted that at least 16 units must be achieved on every site
  - Comfortable with keeping 10,000 sf minimum lot sizes
- Lot width and depth (75' min for both)
  - OK if for exterior site dimensions only
  - Building separation standards can govern internal lot lines
  - Financing and other reasons could impact the actual development and how subdivision of parcels impacts lot lines
- Setbacks
  - Along Highway 101 – move front setbacks closer to the lot line
  - Existing standards and policies regarding irregular lots or other situations should still apply

- Interior lot setbacks at 10' with a subdivision project creates a potential 20' setback between buildings
  - Consider reducing interior lot setbacks and require a larger project perimeter (exterior boundaries) setback similar to how PRDs are handled (20' or 25')
- Lot coverage
  - 80% lot coverage probably OK; 60 – 65% would be a problem
    - Assumes uncovered parking is not counted in lot coverage calculation (current policy)
    - Specific plan area sites may permit > 80%
  - Setbacks, amenity space, and undulation will dictate building size, so may not need lot coverage
  - Nick Lee noted he would provide example projects he has seen in Long Beach
- Parking
  - Reduced parking is critical to achieve 30 du/ac in non-structured parking with three-story height limit.
  - 3 stories, non-structured parking generally can yield 25 du/ac assuming 1.8 spaces/unit average across all units
  - Tough to structure parking for 30 DU/AC unless project is large enough to spread costs
  - Affordable housing parking standards (City of San Diego example) – lowered parking standards to fit the actual need
  - Otay Ranch (Chula Vista) parking example
    - Smaller standards that are inclusive of guest parking
  - City's existing parking rates are too high
    - Don't work for an affordable project
    - Density bonus law will limit parking that can be required
  - The market will tell how much parking is needed
  - Typical costs for structured parking is \$35,000/stall with \$15,000/stall for surface parking
  - Example jurisdictions for parking
    - City of San Diego (Affordable standard)
      - Provides different standards for affordable housing (reduced parking ordinance)
      - Below are sample standards that attendees offered as examples they have seen in other jurisdictions
        - Studio: 1 space (inclusive of guest)
        - 1 bdrm: between 1.5 spaces (inclusive of guest)
        - 2 bdrm: 2 spaces (inclusive of guest)
        - 3+ bdrm: 2.25 spaces (inclusive of guest)
  - Reduced parking standards are an incentive to do more inclusionary housing units
  - Location (proximity to transit facilities) should factor into standards
  - Require that people park in garages, can't be used for storage only
    - Parking is more likely to be used for parking if it is uncovered (can only be used for one thing – parking)

- Open parking is most cost effective for maximum flexibility
  - City of San Diego requires 240 cubic feet of storage per unit
- Height standard
  - Existing point of measure – Prop A
    - Lower of natural or finished grade
    - Prop A took away standard allowing measurement from pad
  - Want to be able to measure from post-grading pad
    - Fill is often required to achieve adequate drainage
    - Some properties are much lower than street level, and this would have little impact
  - Almost all sites will likely lose at least a couple feet due to existing methodology, 37 feet is a necessity from finish grade
  - Note that the 37-foot limit will not allow pitched roofs
  - Note that density bonus law would allow greater height
- Private space and onsite amenity space
  - Apartment balconies should count as private open space
  - Only specify per unit total open space – 300 sf
  - Provide flexibility when site is in close proximity to open space, parks, beaches
  - Have incentives for creating internal (usable) amenity spaces – give some sort of credit for higher quality spaces
  - Depending on the project, it may be beneficial to have a mix of on-site and off-site open space
- Wall plane and Stepback standards
  - How far does remaining 25% of wall not on single wall plane need to be set back?
  - Step back – be clear on language of where the line is drawn for outdoor space
  - Focus on alleviating the impacts of a third story
  - Simplify step back text
- Private storage
  - With uncovered parking, storage is provided as a closet on the balcony

### **Fees and Exactions**

- Compression of approval time is more important than the fees
- Incentive: Certain timeline (exact timeline) for inclusionary projects
- Quality of the plan check is an important factor
- Ideally would like fees to be paid even after issuance of certificate of occupancy; recognized security problems



## **A.4 Workshop/Open House Summary Notes**

This section contains the available meeting minutes and public comments from the February 1, 2017 Housing Element Workshop and the May 10, 2018 Community Informational Open House.

*MINUTES OF THE ENCINITAS CITY COUNCIL SPECIAL MEETING  
FEBRUARY 1, 2017, 6:00 P.M., 1140 OAKCREST PARK DRIVE*

**CALL TO ORDER/ROLL CALL**

Mayor Blakespear called the meeting to order at 6:08 p.m.

Present: Mayor Catherine S. Blakespear, Deputy Mayor Tony Kranz, Council Members Tasha Boerner Horvath, Joe Mosca and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Special Counsel Barbara Kautz, City Clerk Hollywood, and Principal Planner Langager.

There being a quorum present, the meeting was in order.

**PLEDGE OF ALLEGIANCE**

**AGENDA ITEMS**

- 1. City Council discussion with the community regarding the development of a legally compliant Housing Element Update.**

**RECOMMENDED ACTION: Discuss the development of a legally compliant Housing Element Update and provide direction to staff as needed.**

Mayor Blakespear welcomed everyone to the meeting and introduced Jerry Harmon who was selected by the No on T Committee to serve as the moderator for tonight's meeting.

Mayor Blakespear stated that the purpose of the meeting was to allow the Council and the community to discuss the key components for developing a legally compliant Housing Element that was acceptable to the community.

Sheila Cameron and Bruce Ehlers, representing the No on T Committee, presented their plan for "A Better Plan for Encinitas' Housing Element Update."

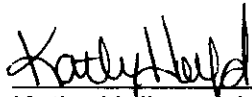
**Public Speakers:**

John Carlson, Bob Bonde, Glen Johnson, Maria Lindley, Steve Boyette, Olivier Canler, John Elmore, Brian Burke, Victoria Balentine, Peter Stern, Peter Zovanyi, Bill Butler, Marco Gonzalez, Erika Chamberlin, Torgen Johnson, Gene Chappo, Nancy DeGhionno, Andrew Matuszeski, Marie Latif, Susan Turney, Kathleen Lindemann, Heather Creider, David Hovis, Jennifer Hewitson, Kurt Groseclose, Damien Mavis, Kathy Roth, Mike Andreen, Eric Gilmer, Kathleen Lees, Dean Turney, Andrew Yancey, Dennis Holtz, Kevin Doyle and Linda Newbert.

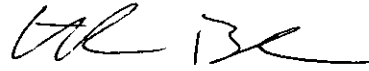
The Mayor, Council, Special Counsel and staff responded to questions and comments from the public. Themes discussed and identified by the public are included as Attachment 1 to these minutes.

## **ADJOURNMENT**

Mayor Blakespear thanked everyone for attending and adjourned the meeting at 9:10 p.m.



\_\_\_\_\_  
Kathy Hollywood, City Clerk



\_\_\_\_\_  
Catherine S. Blakespear, Mayor



**Housing Element  
Special City Council Workshop  
City of Encinitas – Community Center  
February 1, 2017**

THEMES

- UNIT TYPE
- STATE – COUNCIL – COMMUNITY
- MAXIMIZE USE OF ACCESSORY UNITS
- FIND COMMON GROUND
- DENSITY 20-25 DU/AC
- INCREASE INCLUSIONARY REQUIREMENT
- TRAFFIC MINIMIZE IMPACTS
- CITY PARTICIPATION – FUNDING AND CITY SITES
- STAFF LIAISON – MORE OPPORTUNITIES FOR PUBLIC INPUT COALITION TASK FORCE
- PARKING STANDARDS – MAINTAIN
- TWO STORIES VS. THREE STORIES / MAXIMUM HEIGHT 30 FT. VS. ?

SHEET NO. 1

- CONTEST RHNA NUMBERS
- MAXIMIZE ACCESSORY UNITS
- DEFINE “AFFORDABILITY”
- FLOOR AREA LIMITATION
- “TINY HOUSES” / COTTAGES OPPORTUNITIES ✓✓✓
- TIME FRAME FOR ALTERNATE PLAN?

SHEET NO. 1A

- CONTEST RHNA
- PLAN NAME (NO AT HOME IN ENCINITAS)
- ZONE WITH CONSENT OF OWNERS
- NO INFILL DEVELOPMENT
- NEW ACCESSORY UNITS BY-RIGHT
  - DO MORE IN THIS AREA
- SANTA BARBARA EXAMPLE: BEDROOMS PER ACRE VS. UNITS
- PARTNER WITH NON-PROFIT AFFORDABLE DEVELOPERS

SHEET NO. 2

- WHAT IS THE TRANSIENT OCCUPANCY TAX?
- BAN IN-LIEU FEES - BUILD THE AFFORDABLE UNITS
- MAINTAIN 30 FOOT HEIGHT LIMIT

## ATTACHMENT 1 TO THE FEBRUARY 1, 2017 SPECIAL CITY COUNCIL MEETING MINUTES

- "50%" OF ALL HOMES IN ENCINITAS RESTRICTED AT 'LOW'/'MODERATE' AFFORDABILITY LEVELS
- CITY TO PURCHASE LAND AND BUILD AFFORDABLE HOUSING - PARTNER WITH PRIVATE DEVELOPER

### SHEET NO.2A

- HOME DEPOT AREA?
- TINY HOMES = SHIPPING CONTAINER
- MORE FREQUENT COMMUNITY MEETINGS (QUARTERLY)?
- THOUGHTFUL PLACEMENT OF DENSITY
- DEDICATED STAFF LIAISON
- RENEWABLE ENERGY/SUSTAINABLE DEVELOPMENT
- AFFORDABLE BY DESIGN

### SHEET NO.3

- CHARGE MORE IN-LIEU FEES
- 50% AFFORDABILITY NOT FEASIBLE
- START WITH COMMUNITY-BASED IDEAS (I.E. ACCESSORY UNITS)
- "LOW IMPACT" PLAN
- DO NOT EXACERBATE EXISTING PARKING PROBLEMS
- CREATE A LANDMARK/HISTORIC COMMITTEE
- 1,900-UNIT BUFFER IN MEASURE "T" NOT CONSISTENT WITH RHNA NUMBER

### SHEET NO.3A

- ACCESSORY UNIT OWNERS: HELP TO WORK WITH THEM
- VONS SHOPPING CENTER A GOOD SITE
- LA FITNESS CENTER A GOOD SITE
- MORE AUTHORITY FOR PLANNING COMMISSION
- ACCESSORY UNITS A PRIVACY ISSUE
- WHAT COMES AFTER COMPLIANCE?
- PREFERENCE TO OWNERS WHO WILL EXCEED MINIMUM AFFORDABILITY
- NOT CONCENTRATE ALL REDEVELOPMENT IN SHOPPING CENTERS

### SHEET NO.4

- SPROUTS CENTER NOT A GOOD SITE
- NO. 3 OR 4 STORIES
- TOWNCENTER SITE HAS POTENTIAL
- IN FAVOR OF TRANSIT ORIENTED DEVELOPMENT
- RE-DEVELOP EL CAMINO REAL CORRIDOR WITH CONSIDERATION GIVEN TO TRAFFIC CALMING
- PRESERVATION OF QUALITY LIFE AND OPEN SPACE
- CONSIDER TINY HOUSES ON THE PACIFIC VIEW SITE
- MAINTAIN TWO-STORY LIMIT

### No.4A

- AFFORDABLE HOUSING FOR SPECIAL NEEDS POPULATIONS

## ATTACHMENT 1 TO THE FEBRUARY 1, 2017 SPECIAL CITY COUNCIL MEETING MINUTES

- 33 FT AND 3 STORIES: SOME DEVELOPMENTS DONE WELL
- REACH OUT AND ENGAGE MORE OF THE COMMUNITY
- PUBLIC TRANSIT NOT THERE YET
- MORE AFFORDABLE HOUSING MONITORING
- PRESERVE TRAILER PARKS
- NO MIXED USE EVERYWHERE: EL CAMINO REAL A GOOD LOCATION
- DEVELOPER HELP PAY FOR TRAFFIC AND INFRASTRUCTURE ON EL CAMINO REAL
- ISSUES WITH MIXED USE: TYPE OF USE CAN CAUSE CONFLICT WITH RESIDENTS

### SHEET No.5

- START WITH COMMONALITIES
- TASKFORCE TO REVIEW MEASURE T AND IDENTIFY AGREEABLE POSITIVE ELEMENTS AND MODIFY CONTROVERSIAL ELEMENTS
- CONSIDER GREENHOUSE GAS EMISSION DURING THE REVIEW PROCESS
- "CREATIVE LIVING" CONCEPT
- DO NOT REDUCE PARKING STANDARDS
- LOW INCOME UNITS SHOULD NOT BE FOR SALE

### SHEET No.5A

- EXISTING ZONING DOES NOT SUPPORT TINY HOMES
- BUILDING HEIGHT MAXIMUM OF 30 FEET

### SHEET No.6

- PRESERVE EXISTING TRAILER PARKS
- INVITE HCD TO PARTICIPATE IN PUBLIC FORUMS



**A.5 Housing Element Task Force Public Notice Mailing List**

Chelsea Investment Corporation  
6339 Paseo Del Lago  
Carlsbad, CA 92011

Shea Homes  
9990 Mesa Rim Rd  
San Diego, CA 92121

Bridge Housing  
2202 30th St  
San Diego, CA 92104

Wakeland Housing  
1230 Columbia Street, Suite 950  
San Diego, CA 92101

Mercy Housing California  
1500 South Grand Ave, Suite 100  
Los Angeles, CA 90015

Hitzke Development Corporation  
PO Box 1700  
Temecula, CA 92953

Solutions for Change  
722 West California Ave  
Vista, CA 92083

Century Housing Corporation  
1000 Corporate Pointe  
Culver City, CA 90230

New Urban West Development  
1733 Ocean Avenue, Suite 350  
Santa Monica, CA 90401

Community Housing Works  
2815 Camino del Rio South, Suite 350  
San Diego, CA 92108

Corporation for Supportive Housing  
328 Maple Street, 4th Floor  
San Diego, CA 92103

Sun Country Builders  
138 Civic Center Dr  
Vista, CA 92084

Habitat for Humanity  
8128 Mercury Rd.  
San Diego, CA 92111

Encinitas Preservation Association  
818 S. Coast Hwy. 101  
Encinitas, CA 92024

San Diego Housing Federation  
3939 Iowa Street, Suite 1  
San Diego, CA 92104

Downtown Encinitas Mainstreet  
Association  
818 S Coast Hwy 101  
Encinitas, CA 92024

Cardiff 101 Main Street  
PO Box 552  
Cardiff, CA 92007

Encinitas Chamber of Commerce  
535 Encinitas Blvd  
Encinitas, CA 92024

Leucadia 101 Main Street Association  
386 N Coast Highway 101  
Encinitas, CA 92024

North County Lifeline  
200 Michigan Ave  
Vista, CA 92084

Fraternity House Inc  
20702 Elfin Forest Rd  
Escondido, CA 92029

San Dieguito Alliance  
P.O. 2448  
Del Mar, CA 92014

Community Resource Center  
650 Second St  
Encinitas, CA 92024

Meals on Wheels  
930 Boardwalk Street, Unit C  
San Marcos, CA 92078

YMCA Oz North County  
215 Barnes Street  
Oceanside, CA 92054

Casa de Amparo  
325 Buena Creek Road  
San Marcos, CA 92069

Catholic Charities-La Posada  
2476 Impala Dr  
Carlsbad, CA 92010

Bread of Life Rescue Mission  
1919 Apple Street, Suite I  
Oceanside, CA 92049

United Way of San Diego  
4699 Murphy Canyon Road  
San Diego, CA 92123

North County Community Services  
1557 Grand Avenue, Ste. C  
San Marcos, CA 92008

Easter Seals  
1035 E. Valley Parkway  
Escondido, CA 92025

Regional Task Force on the Homeless  
4699 Murphy Canyon Road  
San Diego, CA 92123

Alliance for Regional Solutions  
1557-C Grand Ave  
San Marcos, CA 92067

Interfaith Shelter Network  
3530 Camino del Rio North, Suite 301  
San Diego, CA 92108

Interfaith Community Services  
4770 North River Road  
Oceanside, CA 92057

TERI, Inc.  
251 Airport Rd  
Oceanside, CA 92058

101 Artists Colony  
1106 Second St, Suite 125  
Encinitas, CA 92024

Jonathan Tarr Foundation  
560 North Highway 101 #1  
Encinitas, CA 92024

Seacoast Community Church  
1050 Regal Rd  
Encinitas, CA 92024

St John's Catholic Church  
1001 Encinitas Blvd  
Encinitas, CA 92024

St. John's Catholic Church  
Mexican American Apostolate  
1001 Encinitas Blvd  
Encinitas, CA 92024

Affirmed Housing Group  
13520 Evening Creek Dr N, Suite 160  
San Diego, CA 92128

San Dieguito United Methodist Church  
170 Calle Magdalena  
Encinitas, CA 92024

Jehovah's Witnesses-Kingdom  
1821 S El Camino Real  
Encinitas, CA 92024

North Coast Presbyterian Church  
1831 S El Camino Real  
Encinitas, CA 92024

The Vine Church  
208 Camino De Las Flores  
Encinitas, CA 92024

Self-Realization Fellowship: Hermitage  
215 W K St  
Encinitas, CA 92024

Jehovah's Witnesses  
267 Quail Gardens Dr  
Encinitas, CA 92024

Seaside Presbyterian Church  
367 La Veta Ave  
Encinitas, CA 92024

Ranch View Baptist Church  
416 Rancho Santa Fe Rd  
Encinitas, CA 92024

El Camino Christian Fellowship  
510 S El Camino Real  
Encinitas, CA 92024

House of Praise Evangelical Church  
511 Encinitas Blvd  
Encinitas, CA 92024

Christian Science Society of Encinitas  
912 S. Coast Highway 101  
Encinitas, CA 92024

Christian Science Churches & Reading  
Rooms  
520 Balour Dr  
Encinitas, CA 92024

St Mark Lutheran Church  
552 S El Camino Real  
Encinitas, CA 92024

Chapel of Awareness  
560 3rd St  
Encinitas, CA 92024

Coastal Christian Center  
777 Santa Fe Dr  
Encinitas, CA 92024

New Life Christian Fellowship  
831 3rd St  
Encinitas, CA 92024

Pacific View Baptist Church  
845 Santa Fe Dr  
Encinitas, CA 92024

St Andrew's Episcopal Church  
890 Balour Dr  
Encinitas, CA 92024

Bethlehem Lutheran Church  
925 Balour Dr  
Encinitas, CA 92024

Church of Christ  
926 2nd St  
Encinitas, CA 92024

Self-Realization Fellowship  
939 2nd St  
Encinitas, CA 92024

Encinitas Rotary Club  
P.O. Box 230223  
Encinitas, CA 92023

Encinitas Lions Club  
168 Del Mar Shores Terrace  
Solana Beach, CA 92075

Kiwanis Club  
P.O. Box 230635  
Encinitas, CA 92023

Jewish Family Service  
8804 Balboa Ave  
San Diego, CA 92123

Zephyr  
700 Second St  
Encinitas, CA 92024

Melia Homes  
8951 Research Dr. #100  
Irvine, CA 92618

Hallmark Communities  
964 Urania Ave  
Leucadia, CA 92024

City Ventures  
3121 Michelson Dr Ste 150  
Irvine, CA 92612

John DeWald & Associates  
1855 Freda Lane  
Cardiff, CA 92007

National Core  
9421 Haven Ave  
Rancho Cucamonga, CA 91730

CityMark Development  
3818 Park Blvd  
San Diego, CA 92103

Stefan LaCasse  
364 Second Street, #5  
Encinitas, CA 92024

Dianna Nunnez  
399 Hillcrest Dr  
Encinitas, CA 92024

Dave Meyer  
DCM Properties  
P.O.Box 232280  
Encinitas, CA 92023

Michael McSweeney  
Building Industry Association  
9201 Spectrum Center Blvd., Suite 110  
San Diego, CA 92123-1407

Lennar Homes  
25 Enterprise Suite 300  
Aliso Viejo, CA 92656

Nick Lee  
Baldwin & Sons  
610 West Ash, Suite 1500  
San Diego, CA 92101

Keith Harrison  
Harrison Properties  
364 2<sup>nd</sup> St. #6  
Encinitas, CA 92024

Norm Miller  
5374 Linda Vista Rd.  
San Diego, CA 92024

Debbie Fountain  
Carlsbad Housing & Neighborhood Services  
1200 Carlsbad Village Dr.  
Carlsbad, CA 92008

Alex Plishner



## **A.6 City Council Meeting Notes**

This section contains the available meeting minutes and public oral comments from each of the Planning Commission meetings related to the Housing Element Update.



**MINUTES OF THE ENCINITAS PLANNING COMMISSION HEARING  
MAY 17, 2018, 6:00 P.M., 505 SOUTH VULCAN AVENUE**

1. CALL TO ORDER T 6:03 PM

2. ROLL CALL

Present: Chair O'Grady, Commissioners Al Apuzzo, Kevin Doyle, Bruce Ehlers and Jody Hubbard

3. PLEDGE OF ALLEGIANCE

4. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF

5. CHANGES TO THE AGENDA

6. CONSENT CALENDAR

6A. PROJECT NAME: Bread & Barley  
CASE NUMBER: 17-295 MINMOD/CDP  
FILING DATE: December 19, 2017  
APPLICANT: Ray Herrera for Bread & Barley  
LOCATION: 542 North Coast Highway 101 (APN: 256-081-36)  
ZONING/OVERLAY: The project site is located in the North 101 Corridor Specific Plan Commercial Mixed 1 (N-CM-1) Zone and the Coastal Zone.  
DESCRIPTION: Public hearing to consider a Minor Use Permit Modification and Coastal Development Permit to allow for a new outdoor dining area for an existing restaurant use with a Type 47 (on-site beer wine and distilled spirits) ABC license.

**ENVIRONMENTAL STATUS:** The project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines.

**STAFF CONTACT:** Andrew Maynard, Associate Planner: (760) 633-2718 or [amaynard@encinitasca.gov](mailto:amaynard@encinitasca.gov)

***Recommended Action:***

Staff recommends continuation to date certain of June 7, 2018

**Doyle moved, Apuzzo to APPROVE the CONSENT CALENDAR.  
Motion carried. Ayes: Apuzzo, Doyle, Ehlers, Hubbard, O'Grady  
Nays: None**

7. ITEMS REMOVED FROM THE CONSENT CALENDAR

8. REGULAR AGENDA - ACTION ITEMS

8A. PROJECT NAME: 2018 Housing Plan Update  
**ENVIRONMENTAL STATUS:** The project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines.

***Recommended Action:*** Receive report and discuss the proposed Housing Plan Update and related development standard amendments. No action will be taken at this meeting.

Speakers:

Peter Stern, Glen Johnson, Susan Turney and Deana Turney spoke

- 8B. PROJECT NAME:** 2018-2019 Annual Report and Work Plan  
**ENVIRONMENTAL STATUS:** The project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines.

***Recommended Action:*** Receive the presentation, conduct the public hearing, adopt the 2018-2019 Annual Report and Work Plan, and Designate the Chair to represent the Commission at City Council.

**Apuzzo moved, Doyle seconded to designate Chair O’Grady to represent the Planning Commission at City Council.**

**Motion carried. Ayes: Apuzzo, Doyle, Ehlers, Hubbard, O’Grady**

**Nays: None**

**9. FUTURE AGENDA ITEMS ADDED BY PLANNING COMMISSIONERS**

**10. PLANNING COMMISSION AND CITY PLANNER REPORTS**

**11. ADJOURNMENT**

Adjourn to the regular Planning Commission meeting of June 7, 2018 10:55PM.

Planning Commission  
May 17, 2018  
Public Comments

Peter Stern: 30 units per acre can be built without exceeding 30ft in height – (eg. Pacific Station) densities of 25-30 per acre are possible with tuck in arrangement, it's time for developers to concede, building standards presented will not gain support of Prop T people

Glenn Johnson: most of population of Encinitas has decided 30 feet is the right height, this can be done with the density we want, desire for affordable housing – builders can go higher with providing more affordability

Susan Tourney: Prop A constraints are not to blame for Measure T's failure – constraints came from the City itself. City lied about HCD requirements. City must ask "Does HCD require this?" of every item on Housing Element. Present stripped down bare bones plan acceptable to HCD.

Dean Tourney: objective of updates? - high density, market rate mansions, mayor claims it is to satisfy state mandates, wasting tax dollars on this update – no guarantee of low income housing beyond 10-15%, send plan back to staff to require 40-50% from parcels, restricted forever

**MINUTES OF THE ENCINITAS PLANNING COMMISSION HEARING  
JUNE 7, 2018, 6:00 P.M., 505 SOUTH VULCAN AVENUE**

1. CALL TO ORDER AT 6:03PM

2. ROLL CALL

Present: Chair O'Grady, Commissioners Al Apuzzo, Kevin Doyle, Bruce Ehlers and Commissioner Jody Hubbard

3. PLEDGE OF ALLEGIANCE

4. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF

**Speakers:**

Donna Westbrook

5. CHANGES TO THE AGENDA

None

6. CONSENT CALENDAR

6A. PROJECT NAME: Bread & Barley  
CASE NUMBER: 17-295 MINMOD/CDP  
FILING DATE: December 19, 2017  
APPLICANT: Ray Herrera for Bread & Barley  
LOCATION: 542 North Coast Highway 101 (APN: 256-081-36)  
ZONING/OVERLAY: The project site is located in the North 101 Corridor Specific Plan Commercial Mixed 1 (N-CM-1) Zone and the Coastal Zone.  
DESCRIPTION: Public hearing to consider a Minor Use Permit Modification and Coastal Development Permit to allow for a new outdoor dining area for an existing restaurant use with a Type 47 (on-site beer wine and distilled spirits) ABC license.  
ENVIRONMENTAL STATUS: The project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines.  
STAFF CONTACT: Andrew Maynard, Associate Planner: (760) 633-2718 or [amaynard@encinitasca.gov](mailto:amaynard@encinitasca.gov)

**Recommended Action:** Staff recommends approval.

**Doyle moved, Ehlers seconded to APPROVE Item 6A, CASE #17-295 MIMOD/CDP.**

**Motion carried.**

**Ayes: Apuzzo, Doyle, Ehlers, Hubbard**

**Nays: O'Grady**

6B. PROJECT NAME: Luna Grill Beer, Wine & Patio  
CASE NUMBER: 17-222 MIN/DR  
FILING DATE: September 19, 2017  
APPLICANT: Premier Food Concepts, LLC.  
LOCATION: 1464 Encinitas Boulevard

**ZONING/OVERLAY:** The subject property is located in the General Commercial (GC) zone within the City of Encinitas.

**DESCRIPTION:** Public hearing to consider a Minor Use Permit and Design Review Permit to allow the sale of beer and wine for on-site consumption at an existing restaurant, to construct minor modifications to the existing commercial storefront, and install new patio fencing and lighting.

**ENVIRONMENTAL STATUS:** The project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines.

**STAFF CONTACT:** Katie Innes, Senior Planner: (760) 633-2716 or [kinnes@encinitasca.gov](mailto:kinnes@encinitasca.gov)

*Recommended Action:* Staff recommends approval.

**O’Grady moved, Hubbard seconded to APPROVE Item 6B, CASE #17-222 MIN/DR.**

**Motion carried.**

**Ayes: Apuzzo, Doyle, Ehlers, Hubbard, O’Grady**

**Nays: None**

**7. ITEMS REMOVED FROM THE CONSENT CALENDAR**

None

**8. REGULAR AGENDA - ACTION ITEMS**

**8A. PROJECT NAME:** 2018 Housing Plan Update

**CASE NUMBER:** 17-128 GPA/SPA/LCPA

**LOCATION:** Citywide

**DESCRIPTION:** An Update to the City’s Housing Element, also known as Housing Plan Update 2018. The project is an update of the City’s Housing Element along with all related amendments for the housing cycle 2013-2021. The State of California mandates that all cities and counties prepare a Housing Element as part of the comprehensive General Plan. The 2013-2021 Housing Element represents the City’s effort in fulfilling the requirements under the State Housing Element Law. The Planning Commission will be making a recommendation on the item to the City Council. The Council will consider the item at a separately noticed public hearing. If the Council approves the amendment, the proposed LCP amendment must be submitted to the California Coastal Commission for review and adoption. The LCP amendment will not become effective until after adoption by the California Coastal Commission.

**ENVIRONMENTAL STATUS:** An Environmental Assessment is being prepared under Government Code Section 65759 as Supplement to Certified Environmental Assessment/Program Environmental Impact Report (SCH #2015041044).

**NOTICE OF AVAILABILITY:** This project constitutes an amendment to the Local Coastal Program (LCP). If the City approves the amendment, the proposed LCP amendment must be submitted to the California Coastal Commission for review and adoption. The LCP amendment will not become effective until after adoption by the California Coastal Commission. Pursuant to California Code of Regulations Code 13515 (14 CCR 13515) and California Government Code 65352, staff released a Notice of Availability with the Planning Commission Public Hearing Notice which opens a six-week/45-day public review period (May 25, 2018 through July 9, 2018) prior to any final action being taken by the City Council on the LCP amendment request.

**STAFF CONTACT:** Diane Langager, Principal Planner: (760) 633-2714 or [dlangager@encinitasca.gov](mailto:dlangager@encinitasca.gov)

***Recommended Action:***

- Receive the staff presentation;
- Open Public Hearing;
- Adopt PC Resolution No. 201xxx recommending approval of the Environmental Assessment prepared for the project; and
- Adopt PC Resolution No. 201xx-xx recommending that the City Council adopt the Housing Element update, along with associated amendments to the General Plan, Zoning Code, Zoning Map, Specific Plans and Local Coastal Program.

**Speakers:**

Gita St. John, Mary Lydon, Stefanie Benevento, Bob Kent, Joel Bush, Nick Lee, Patty Stottlemyer, spoke in favor of the recommended action.

Janice Thompson filled out a speaker slip in favor of the recommended action but did not wish to speak.

Sharon Cooper, , Brian Lukacz, Lawrence Houser, Dan Petenka, Georgia Kleffel, Michele Tutoli, Robert Dyer, Stephen Lord, , June Chocheles, Sean McDaniel, Allen Shur, Cynthia Sheya Palmer, Dotti Brown, Jeff Sterk, Mamdouh Mikhail, Bryan Campbell, Arie Spangler, Jim McMenamin, Leslie Smith, Frank Dingman, Geoff Soza, Karen Kaden, Shaun Saville, Diane Thompson, Jim Brokas, Chris Palmer, Dennis Kaden, Sheila Cameron, Janet Weinstein, Ashby Sorensen, Jon R. Williams, Michael Grudek, Steve Grant, and Tomas Nespor, spoke in opposition of the recommended action.

Thomas Baglio, DDS, Jon Reynolds, Maggie Van Ert, James Frost, Patricia Mahaffey, Richard Horowitz, Terry Venard, Shelley Murasko, James P. Covington, Hans Millenaar, William Wickett, Maryann Wickett, Patti Reynolds, Olga Sazonova, Gina Taylor, Julia Graboi, Michael, Murasko, Actrid Schroeder, Oliver Schroeder, Chris Ross, Larry Winfield, Jerel Eubanks, Ellyn Hartman, Christine Wagner, Jan Shus, John DeBeer, Kaylee Strachan, David Williamson, Steven Clark, Merrole Millenaar, Leslie Zuccarini, Naomi K. Kelidwoi and Rhode Venard filled out a speaker slips in opposition of the recommended action but did not wish to speak.

Glen Johnson, Peter Stern, Jon Bilsel, Lois Sunrich, Damien Mavis, Angela Nugelit, Gene Chapo, Dolores Welty, and Ron Dodge spoke.

**O’Grady moved, Apuzzo to RECOMMEND APPROVAL of Case#17-128 GPA/SPA/LCPA to City Council with the following revisions/recommendations:**

- **Require Affordable Units to be constructed on-site – For development on R-30 sites, all affordable units shall be built on-site. In-lieu fees shall not be offered.**
- **Transitions - Add a 3<sup>rd</sup> floor setback of 30’ from the property line for “transitional” areas that are adjacent to existing single-family and existing duplex units; delete the requirement for an additional 5’ setback in transition areas if the 3<sup>rd</sup> floor setback is incorporated.**

- **Building Height - Revise height standards to include a maximum of 30' to the top of the plate with an additional 3' (33' total) to accommodate a parapet and 5' (35' total) to accommodate a pitched roof**
  - **Include height graphics in development standards, without floor to ceiling height dimensions**
- **Height Projections for Appurtenances – Limited to an additional 5' extension as measured from the top of roof plate**
- **Determining Natural Grade – (Page 72 of PC Staff Report) add that each finding (i-iii) shall be made only if/when necessary to develop 25 – 30 DU , consistent with finding (iv)**
- **Up-zoned Sites – Revisit sites with the possibility of adding the Lake & Birmingham site**
  - **Attempt to get a more equitable distribution**

**Motion carried.**

**Ayes: Apuzzo, Doyle, Ehlers, Hubbard, O'Grady**

**Nays: None**

**9. FUTURE AGENDA ITEMS ADDED BY PLANNING COMMISSIONERS**

**10. PLANNING COMMISSION AND CITY PLANNER REPORTS**

**11. ADJOURNMENT**

Adjourn to the regular Planning Commission meeting of June 21, 2018 at 1:10AM.

Planning Commission  
June 7, 2018  
Public Comments

Sharon Cooper: objection that plan does meet goal of equitable distribution, insufficient attention to current residents quality of life, traffic burden on Quail Gardens Dr., traffic burden to Encinitas Blvd, not fair for 511 units to be added to one street

Mary Liden: Housing You Matters, regional housing crisis is top of mind, Encinitas needs updated housing element – this plan is a step in the right direction

Brian Lucas: concerns about sites 1, 6, 9, increased traffic congestion, lack of existing infrastructure, negative effect on rural residential zone

Lawrence Houser: recommend removal of sites 12 & 17, environment – forced intrusion of high density housing, traffic nightmare, community health – pollutants from additional autos, equity – some residents being rezoned to R-30, while others will not

Glenn Johnson: traffic assessment – stale numbers, 2 years old, North 101 – 4 lane arterial, changing to 2 lanes, analysis did not include other projects before planning dept. Need school bus service, better bike lanes, improved access to the Coaster

Georgia: parcel 19 – landlocked property, traffic issues, narrow small streets

Michelle: parcel 17 – increasing density, height restrictions, additional traffic and parking needs not in keeping with the character of the community, water run off issues

Robert Dire: omit parcel 17 – fought battle with the County and now the City, inadequate traffic patterns, parcel has to use RSF Rd., parcel does not have sewer, equitable distribution – inflict pain on everyone equally instead of trying to avoid pain to the greatest number of citizens

Steven Lord: concerned about lot 17, for 40 years property has been subject to up zoning

Peter Stern: EIR is required with a housing element, it was done for Measure T and is not applicable for this update, City wants to provide affordable housing but at the same time provides a menu of alternatives for developers to not provide affordable housing, need mandate for affordable housing, get rid of in lieu fee

Stephanie: represents SD regional Chamber of Commerce, time for City to adopt Housing Element

June: map ID 19 – gridlock all day, every day, first responder access, safe evacuation of all residents

John Billsell: remove proposed sites 12 & 17, lack of equity, difficulty understanding why these properties were selected, environmental impediments – especially #12, City needs to bear the cost of infrastructure, no deed restrictions for affordable housing



Alan Sure: barricade went up on Puebla when Leucadia Blvd went through because of cut through traffic, parcel 19 has no real roadways into it – Puebla will have to be opened, all traffic will go through an area that's already suffered

Cynthia Shea Palmer: parcel 19 – appears to be replacement for L-7, not enough time to understand details, small contained neighborhood, traffic is limited to residents only, plan allows for 100% increase in housing, has there been a traffic study on Clark and Leucadia Blvd for the current housing project? – request one to be done, remove parcel 19 due to safety, traffic and health concerns, emergency response questionable, parking issue, environmental impact

Dottie Brown: parcel 18 – concern about parking, overflow from Moonlight beach, huge traffic problem, don't downsize parking in the area

Gita: rent increase in senior complex, 5 people vacated complex, rent goes up 10% usually, where do seniors go to live?

Lois Sunrich: from Keys for Homes, character of each community would be sustained, how to retain city character and make a home for the City's work force? How does that reflect on the character of our city? Keys for Homes supports housing element

Dan: opposed Olivenhein parcels, basic problems with housing plan - picked small number of properties to be maximally grown out to provide housing units, need to broaden and lower densities, expand scope of development plan, look at mixed use properties

Bob Kent: approve housing element to support seniors, city work force, and millennials, plan represents compromise on all sides, need leadership at the community level in addition to a compliant housing element, need development standards that adopt a welcoming approach

Damien Mavis: no sites are without drawbacks, affordable housing is at a crisis level, focus on fine tuning development standards to ensure high quality projects

Shaun McDaniel: remove parcel 19 – risks of living near highways and air pollution

Jeff Stirk: parcel 20 – don't have infrastructure for everything the state is forcing on us, sue the state for housing plan that they are forcing on us, Frog's owner – up zone for profit, reduce parking ratio, trying to change suburban property to urban, City Council approved property without legal notice / due process

Mando: remove site 20 – not included on original report, lot appeared on list on May 9 - after May 8 list, primary concern is due process, site makes no sense

Brian Campbell: remove site 19 - traffic and safety concerns for Clark Ave and surrounding areas, neighbors not in favor of this site, new development bringing more traffic, challenge for first responders,

Angela Nugent: had to leave Encinitas due to high rental market, property manager of 2 affordable housing project – one senior community, asking for 80 homes by 2020

Arie Spangler: represent Buffalo Birmingham Investors LLC, owns 5.35 acres of vacant land on Birmingham and Lake in Cardiff, recommended adding property to housing element, property was ultimately not included on list and we are not sure why, ready to build 131 units, equitable distribution, recommend that property is put back on the list

Jim McMennamen: represents Buffalo Birmingham, development company, plans in place to meet housing element objectives, request to add property to the list, R-30 with element of inclusionary housing, equitable distribution

Gene: lessons learned from failure of last housing element – provided no guarantee of affordable housing, very low in parity with regard to all the communities, need to come up with plan that we really want – it probably won't pass the vote but it will go to a judge, Council shot itself by taking L-7 off the table, all 5 communities need to share the pain, we need housing for people right now, lives near site 19, wants affordable housing but not the density

Leslie Smith: city doesn't have infrastructure for all these density projects, need more creativity, smaller sites distributed across the city

Frank Dingman: site 2 – project will block out the sun for many residents, trade breeze for cooking smell, does low cost housing have to be in high cost real estate?

Jeff Souza: parcel 2 – affordable housing right on the freeway, air and noise pollution, traffic on Capri Rd, 5 ft setback accomplishes nothing for the residents, no reasonable access to public transportation

Karen Caden: please preserve our character community, people come before the state, remove site 2, unit numbers seem to consistently change, water drainage issues, traffic issues, noise issues from I-5, do not take away Prop A, sue the state for the mandate

Shaun Sivil: remove site 2 – Capri School is at capacity, traffic concerns, 130-155 cars and 1 bus pass every morning, compromises safety of school children

Diane Thompson: site 2 – Capri School is impacted, traffic concerns, no public transportation

Jim Brockus: site 2 - only 2 ways in and out, traffic concerns

Chris Palmer: site 2 – what if there is an emergency at the school? traffic concerns, state is demanding an unfunded project, take measures to sue the state; need equality and equity - spread out units over the city

Dennis Kaden: Cannon property be removed, narrow streets, speed bumps, RR-2 to R-30, intolerable traffic gridlock, land use element – need better balance and smarter planning needed, first priority for traffic concerns goes to current residents

Sheila Cameron: remove site 2 – was put on list when L-7 was taken off, density is too intense for this property, 40% of housing sites are in Leucadia – unfair and lack of equity, traffic, safety, overburdened

school, lack of public transportation and shopping, fiscal constraints, geology study needs to be done; L-7 – taken off because of political pressure, housing element will fail because of this

Janet Weinstein: willing to fight state over high density, affordable housing, need more creative approach to creating affordable housing

Joel Bush: in support of the plan, important to look out for all members of the community

Ashby Sorenson: site 19 – no way doubling the traffic would ever succeed, traffic is a nightmare, environmental issues – noise from the freeway, air quality, greenhouse gases, equitable distribution is a complete farce,

Nick Lee: concerned about measurement of height

Patty: prospects of building on freeway could be a health hazard, housing element is not perfect but I do support it, equitable spread is a nice idea, CA has a housing crisis – Encinitas needs to contribute to affordable housing, use money for lawyers on improving the city

Delores: How many people need low cost housing here? How many people can afford \$1300 monthly rent? This density does not guarantee any low cost housing?

Thomas Nesper: against R-30 housing, believes there needs to be balance between new people coming and people who already live here, plan causes a lot of traffic and safety issues

Ron Dodge: Housing Element became part of the General Plan in 1967, became a city in 1986, city hasn't had a plan in the last 20 years, a number of sites have been added and taken off the list, one site appeared on list May 9 – site 20

John Williams: housing element - not adequate input from planning commission, resolution is for all 19 sites – yes or no for all of them, Council has not asked for input before this time, commission must vote no

Michael: Clark - current traffic is a concern, granny flats are adding to more density, traffic issues have not been looked at

Steve Grant: by building high density, we will lose the very character we value, only rich people can live here – oh well, citizens voted for 2 stories – no exceptions

Planning Commission

Feb. 21, 2019

Public Comments

Bob Kent: member of Keys for Homes, request Planning Commission recommends to City Council to adopt Housing Element, plan is a necessary first step to building affordable homes, having a compliant housing plan increases chances of state grants to improve roads and traffic congestion, more affordable homes means people can live where they work which means less traffic, without housing and income diversity, our community suffers, I hope future discussions can be more outcome based

Tom: please follow staff's recommendations and move this housing plan forward, many oppose the plan because they want to keep the character of this community, I believe the character of this community was this – nobody cared if the house next door was small, it's important to provide a place for our fireman, our teachers, etc. Please keep the character of the city

1 slip in opposition that did not wish to speak

3 in support that did not wish to speak