CITY OF EL CAJON
EL CAJON, CALIFORNIA
OCTOBER 5, 1970

A regular meeting of the City Council of the City of El Cajon, California, held Monday, October 5, 1970, was called to order by Mayor James Snapp at 7:30 o'clock p.m. in the Council Chambers of the City Hall, 150 East Lexington Avenue, El Cajon, California.

R O L L   C A L L

Councilmen present	Cornett, Van Zanten, Brown, Quidort, Snapp
Councilmen absent	None
Other Officers present	Burgess, Deputy City Clerk; McDougal, City Attorney; Applegate, City Manager; Pizzato, City Engineer and Director of Public Works; Henson, Director of Planning.

PLEDGE OF ALLEGIANCE TO FLAG.

The invocation is offered by the Reverend Orvil Beecher, Pastor of the Church of God.

MINUTES — Motion by Quidort, seconded by Van Zanten to approve the minutes of the September 24, 1970, and September 28, 1970, meetings.

Motion carried by following vote on approving minutes of the September 24, 1970, meeting:

AYES	Cornett, Van Zanten, Quidort, Snapp
NOES	None
ABSENT	None
ABSTAIN	Brown

Motion carried.

Councilman Brown abstained because he was not present at the meeting.

Motion carried by unanimous vote on approving minutes of the September 28, 1970, meeting.

POSTING — The order of adjournment of the September 28, 1970, meeting was duly posted as required by law.

ITEMS ADDED — Motion by Van Zanten, seconded by Quidort to add Item 43A, Item C of General Information, letter SDC-TV regarding television coverage of Council Meetings as requested by Councilman Cornett; and Item 43B, Resolution from City of Chula Vista regarding LAFCO, as requested by Councilman Brown.

Motion carried by unanimous vote.

Mayor Snapp presents a formal proclamation to Mr. Ciruzzi and Mr. Reynolds, representing United Crusade, declaring the month of October as United Crusade month in El Cajon.

Mr. Ciruzzi, representing All State Insurance Company, presents a Certificate of Commendation to Councilman Quidort in recognition of public service by encouraging traffic safety as a means of reducing accidents and saving lives.

1. HEARING-ANZA N. OF WASH. 1911 IMP. DIST. — Resolution No. 424-70, Resolution of Intention in the Anza North of Washington Avenue 1911 Improvement District, setting date of hearing for October 5, 1970, was adopted on September 8, 1970. Due to a technical deficiency in the posting of the notice of improvements, the City Attorney has ruled a new hearing date must be set.

By letter dated September 16, 1970, Mr. and Mrs. Gordon H. Opp protest being included in this district and request that the alley to the rear of their property be deleted.

Attorney McDougal advises the public hearing has not been advertised as prescribed by the Code and cannot have the hearing because of a problem with respect to the posting - must re-advertise and re-notify. The bids have already been opened on this job and V. R. Dennis Construction Company is the low bidder, which company has done and is doing some City projects. The Engineering Department and City Manager believe the City should attempt to retain that bid and it would not be to the advantage of the City or the District to re-advertise. Have 30 days from the date of opening bids to award the bid and the only way to meet the requirement of re-noticing this hearing and still award the bid within the time specified is to have a public hearing at a special Council meeting. Are not having a meeting on October 26 so it is impossible to comply with the time requirements - suggests a meeting be held either at noon or in the evening of October 22 or the evening of October 26. No meeting was scheduled on October 26 because of the League of California Cities. On the dates mentioned or any time in between could meet the time requirements.

Concern is expressed to holding a public hearing at noon because some people may not be able to attend. Attorney McDougal advises that Mr. Carroll and one other property owner own the majority of the property and there was 60% waiver on the petition. There are nine property owners in the district and have received only one written protest and no indication of verbal protests. No action is required on this - the public hearing will not be held and whatever date Council decides on will appear in resolution under Item 22.

Replying to questions as to what caused this situation, Attorney McDougal states the notices have to be posted ten days before the hearing - this was not done but did not go into details as to what caused it. Did not feel it was too improtant because this is the first time it has ever happened in all the districts the City has had.

Councilman Van Zanten would like a further report on this and Manager Applegate will have one next week.

It is agreed the public hearing will be held on October 22, 1970, at 12:10 o'clock p.m., on the Resolution of Intention in the Anza North of Washington 1911 Improvement District.

2. VACATION- COPLEY PL. Time has come for public hearing on a proposed vacation of a portion of Copley Place (southeast corner of Copley Place and Park Avenue), as requested by R. Victor Venberg and as discussed by Council at meeting of August 24, 1970.

Helix Irrigation District, Pacific Telephone Company and San Diego Gas and Electric Company advise by letters that they have no protests to the vacation.

Engineering Department advises no City easements are required.

No written protests have been received nor verbal protests offered.

Motion by Cornett, seconded by Quidort that the public hearing be closed.

Motion carried by unanimous vote.

Motion by Cornett, seconded by Quidort to refer this matter to the City Attorney for preparation of a resolution ordering the vacation.

Motion carried by unanimous vote.

3. HEARING-Z.R. 904-PHILLIPS

Time has come for public hearing on Zone Reclassification No. 904, submitted by Wendell S. Phillips, to reclassify property on the east side of Mollison Avenue, between Main Street and Washington Avenue, from the R-1-6 Zone to the R-3 Zone.

Planning Commission Resolution No. 2879 recommends approval of the R-3 Zone subject to a specific plan of development within 12 months of approval of this zone reclassification.

Mr. Wendell S. Phillips, 415 South Mollison, would like to request that this zone reclassification be granted without the specific plan requirement, if this can be done without referring it back to the Planning Commission. Is advised this cannot be done that way and any time Council's decision is contrary to the Planning Commission decision it must be referred back to them, as required by State law.

Mr. Phillips states this is a flat piece of property, the street has been improved and it is a straightforward apartment project, which is why he felt the specific plan was not needed. His specific plan will be before the Planning Commission tomorrow night.

No further comments are offered.

Motion by Quidort, seconded by Van Zanten that the public hearing be closed.

Motion carried by unanimous vote.

Motion by Brown, seconded by Quidort to refer this to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2879.

Motion carried by unanimous vote.

4. HEARING-Z.R. 906-McKEON & HYLAND

Time has come for public hearing on Zone Reclassification No. 906, submitted by McKeon Construction Company and Alfred D. and Saraell S. Hyland, to prezone property at the southeast corner of Greenfield Drive and Mollison Avenue, from the County C and R-2-A Zones to the City R-3 Zone.

Planning Commission Resolution No. 2881 recommends approval of the R-3-R Zone (rather than the R-3 Zone requested), subject to certain dedications and a Planned Residential development overlay within six months of approval of the zone reclassification or the annexation, whichever occurs last.

Mr. Frank Newberry, 3435 Camino del Rio South, San Diego, representing McKeon Construction Company, requests a favorable decision be made on the recommendation of the Planning Commission. LAFCO looks with favor upon the annexation of this property to the City. Is planning a Planned Residential Development which is being engineered and will be presented as soon as possible. This will be a condominium development.

No further comments are offered.

Motion by Quidort, seconded by Brown that the public hearing be closed.

Motion carried by unanimous vote.

Motion by Brown, seconded by Cornett to refer this matter to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2881.

Motion carried by unanimous vote.

5. HEARING-Z.R. 907-PERRIGO

Time has come for public hearing on Zone Reclassification No. 907, submitted by Vernon F. and Agnes M. Perrigo, to reclassify property on the north side of Broadway, west of Oro Street, from the R-1-6 Zone to the C-2 Zone.

Planning Commission Resolution No. 2889 recommends approval subject to the dedication of the south 20 feet of the north 40 feet for a future alley.

Mr. Don Barrett, Realtor, 2284 Fletcher Parkway, representing Dr. Perrigo, states the property on both sides of Dr. Perrigo's property is zoned C-2 and both are occupied by trailer sales. About 60% of the block between Oro and First on the north side and a great deal on the south side are zoned C-2. Is aware the General Plan calls for R-3 in this area but the present usage is C-2. Are proposing to clear off the old house and lease the property to the adjoining property on the west to use for storage of trailers. Council will create a problem if they grant this zone reclassification subject to a reverse lot split. There is not an option to purchase this property but Stimac Trailer Sales does have the first right of refusal if Dr. Perrigo decides to sell the property. Dr. Perrigo owns the lot and intends to lease it to Mr. Stimac. If this is granted subject to a reverse lot split would prevent the zoning because it would not be accomplished.

Mr. William Stimac, 1902 Quidort Court, states he and his father operate the trailer sales adjacent to this property and would like to see this zoned C-2 so they can expand their facilities - plan to level the lot and blacktop it but there will be no buildings on it.

No further comments are offered.

Motion by Brown, seconded by Quidort that the public hearing be closed.

Motion carried by unanimous vote.

Motion by Cornett, seconded by Quidort to refer this item to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2882.

Discussion.

Councilman Van Zanten, speaking against the motion, does not believe the C-2 usage of trailer sales on either side is a continuing use and it could revert to an R-3 usage under the General Plan very easily. The property adjoining to the west is R-1-6 and the possibility of this reverting to R-3 is greater than reverting to C-2.

Comment is made that it is not desirable to see this property go C-2 but because of so many overriding circumstances Council has little choice.

Another opinion is that it is better to have an extension of an existing business than a straight speculative C-2 use where buildings could be placed on the lot that would be permanent.

Statement is made that this is an extension of a use that can be terminated at any time and another C-2 use could go in with no control by the City, but if it were subject to a reverse lot split the City would have more control.

Votes are now cast on motion by Cornett, seconded by Quidort to refer this item to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2882.

AYES	Cornett, Brown, Quidort, Snapp
NOES	Van Zanten
ABSENT	None

Motion carried.

6. HEARING-S.P. 148-SWANSON

Time has come for public hearing on Specific Plan No. 148, submitted by Bernice M. Swanson for a 51 unit motel plus a manager's unit and separate restaurant on property on the south side of Naranca Avenue, west of Second Street.

Planning Commission Resolution No. 2889 recommends approval subject to certain conditions.

Motion by Quidort, seconded by Cornett that the public hearing be closed.

Motion withdrawn to hear from Mr. John Coffin.

Mr. John Coffin, 9412 Pebble Beach Drive, Santee, Joplin Realty, representing Mrs. Swanson, replying to questions, states the trash area is located on the most travelled corner of the property because that is the working area of the kitchen portion of the restaurant - it will be completely enclosed and will have a shed-type roof.

Motion by Brown, seconded by Quidort that the public hearing be closed.

Motion carried by unanimous vote.

Motion by Quidort, seconded by Cornett to refer this item to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2889.

Discussion.

Brief discussion is held on whether Council should require trees to be planted along the wall on the north edge of the property to protect the view of the people in the apartments. It is felt this is not necessary as they have built the buildings in the center of the lot with parking on either end, which is a very desirable plan for that long narrow lot.

Votes are now cast on motion by Quidort, seconded by Cornett to refer this item to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2889.

Motion carried by unanimous vote.

7. WAIVE IMPROVES. BBR PRESTRESSED TANKS

By application dated September 22, 1970, BBR Prestressed Tanks, Inc., requests permission to defer installation of improvements adjacent to property at 1214 Pioneer Way.

Replying to questions, Mr. Pizzato states the Pioneer Way 1911 Improvement District plans have not been designed yet but there will be no sidewalks required and the paving, curbs and gutters required on Vernon Way will be in the intersection only. All of these improvements will be taken care of in that District.

Motion by Cornett, seconded by Quidort to grant this request subject to the signing of a lien contract or the posting of a cash or surety bond, and subject to the required dedications.

Motion carried by unanimous vote.

8. WAIVE IMPROVES. FOSTER

Motion by Brown, seconded by Quidort to approve application to defer installation of sidewalks submitted by Donald A. Foster, adjacent to property at 1514 Via Elisa, subject to the signing of a lien contract or the posting of a cash or surety bond.

Motion carried by unanimous vote.

9. WAIVE IMPROVES. ALLUMS

By application dated September 18, 1970, D. B. Allums requests permission to defer installation of improvements adjacent to property at 437 Edwards Street.

It is noted that his application states the requirement for paving may be removed if the present pavement is found to be adequate at the time the sewer lateral is installed.

Mr. Pizzato suggests Council consider the sidewalks only and not the others because when the curbs are in and the street is paved the City will maintain it and put in an overlay if necessary. Paving and curbs are not required.

Motion by Cornett, seconded by Quidort that the request be granted for sidewalks only, subject to the signing of a lien contract or the posting of a cash or surety bond.

Motion carried by unanimous vote.

10. REQUEST FOR CAB SERVICE

By letter dated September 22, 1970, Mr. Bill Sale, Manager of the Valley Cab Company, requests permission to operate three taxi cabs in El Cajon. Feels there has been a lack of good cab service in the City and feels a second cab company, locally owned and operated solely within this area would improve the service. Understands only seven cabs are operated in the City now and should that become inoperative for any reason the City would be without cab service.

The Sheriff's Office and the Board of Supervisors have approved their application to operate cabs in the El Cajon Valley area. Plan to use new cars which will be equipped with two-way radios and air conditioning.

Attorney McDougal advises the ordinance contains specific requirements for anyone making an application - requests a great deal of information about how the business will be operated, qualifications, kind of equipment, etc. The ordinance seems to indicate that if Council ever decides to add some cabs in the City, it is required to offer them first to the present licensee and implies if he added cabs Council might not be able to grant a permit to anyone else. Has not researched that point in any depth but will have a report back on it. May not be able to do that any more and may have a problem in the ordinance or may want to change the ordinance to allow someone else to come in.

Opinion is expressed that the best cab service is provided by owner-operated cabs and the worst by large companies that hire drivers. The owner-operated ones are best as long as they are regulated to the point where their equipment is clean and safe and operated properly. If this is a bona fide request by a good cab operator would like to see Council find a way to accommodate the request.

Mr. Colin Kent, 620 Valley Village Drive, states they have applied for the amount of insurance required. This will be a locally owned and run radio-dispatched service in El Cajon basically. Their County permit states the El Cajon Valley area and plan to operate in El Cajon, Santee and Lakeside. Feels there is a need for a locally owned cab service running out of El Cajon to better serve the people. The present company has radio dispatched cabs but have to run them out of San Diego and do not have any cabs cruising around out here - run only about 7 cabs and sometimes people have to wait a half-hour for a cab, depending on the cabs that are in the area at the time - is not always that long.

Mr. Kent is advised that the City requires all cabs to park in the bus stops during business hours and that they will pull out when the buses arrive, all parking spaces are reserved for shoppers and cabs are not allowed to park on the streets, except after the stores are closed.

Mr. Kent sees the point of that and they will abide by it. Are just starting up - this is a partnership and his partner has been associated with cabs for several years and knows it quite well. They will drive the cabs themselves and will hire one driver.

Mr. Applegate advises it was a locally owned radio controlled cab company that sold out to Yellow Cab, which is why that firm is in El Cajon. The former cab company had its office in El Cajon on West Main Street and at that time the City painted the curbs to allow for cab stops. La Mesa Cab Company also sold out to Yellow Cab.

Motion by Brown, seconded by Quidort to continue this matter.

Motion amended.

Attorney McDougal states he will send the applicants a copy of the ordinance and mark what is required in the ordinance to complete the application. If they are interested will get an application back to the City.

It is suggested that the staff should do further research on the question of exclusiveness that was raised.

Attorney McDougal states the application requires the background on the operators. The ordinance states: "An applicant for a permit under the provisions of this article shall file with the City Council a verified statement setting forth such information as the City Council deems proper as a basis for consideration of applications. Such statement shall include the responsibilities and qualifications of persons applying for permits, the nature of the business they wish to conduct and the number, condition, capacity, description and safety of the vehicles intended to be operated".

Opinion is expressed that by the process of running the application through the normal checking of individuals will get the information needed.

Councilmen Brown and Quidort amend the motion to require whatever information is necessary to satisfy Council that this is a legitimate operation.

Discussion.

It is felt that this will be requiring a police check and it is questioned if this was required for the Yellow Cab drivers.

Mr. Applegate explains that since San Diego does have a police check on the Yellow Cab drivers, that is used for El Cajon. There was some question of allowing the local company to sell out to Yellow Cab. Mr. Pratt appeared before Council on two occasions to tell about his company and what they do. Did run checks on the drivers of the cabs that were in El Cajon - then they asked that since the cabs were radio dispatched and are rotated throughout the whole system that he be allowed to let any of them come into El Cajon.

Decision is made not to continue this matter to any definite time but to wait until the application is received and then bring it back to Council.

Votes are now cast on motion by Brown, seconded by Quidort to continue this matter and to require whatever information is necessary to satisfy Council that this is a legitimate operation.

Motion carried by unanimous vote.

11. S.L.A. 667 CAMPBELL — An application submitted by Marie Campbell requesting a reverse lot split to combine three parcels at the northeast corner of Main and Ballantyne Streets into one parcel. On August 10, 1970, Council approved Split Lot Application No. 667 in accordance with the recommendations of the Planning Commission as set forth in letter dated August 5, 1970, and that street improvements on Ballantyne Street would be considered in connection with a building permit.

By letter dated September 29, 1970, Planning Commission advises Conditions 2 and 3 can be omitted and requests reconsideration of Split Lot Application No. 667 to delete these conditions:

"2. Sewer connections at the Main Street property line be properly capped in accordance with Building Department requirements.

"3. Notification received by the Building Department of clearance requirements for the 12KV line or its relocation prior to the issuance of the building permit."

Motion by Cornett, seconded by Quidort to concur with the Staff recommendations.

Motion carried by unanimous vote.

12. LTR. - EL CAJON CHMBR. OF COM. — By letter dated September 23, 1970, the El Cajon Chamber of Commerce, Inc. requests a review of the litter and property damage problems due to the problem of congregating teenagers at certain business establishments on North Second Street to determine if it is possible to take action to solve this problem.

A hearing was held last week by the Planning Commission on an amendment of the specific plan covering property in this area, and it is suggested that this letter be returned to the agenda at the time Council considers the specific plan amendment.

Mr. Henson advises the Planning Commission did not recommend that permanent or temporary barriers be erected to the free movement of traffic off North Second Street. They did recommend a change of the sign requirements.

It is agreed that this matter will be considered in connection with the specific plan amendment.

13. LTR. EL CAJON CHMBR. OF COMMERCE — By letter dated September 29, 1970, the El Cajon Chamber of Commerce, Inc. advises that it has been suggested that they assume responsibility for the existing signs at the west and east entrances to the City. The Executive Committee has agreed to recommend that they assume this responsibility and a certain amount of expense on this project and be responsibile for a policy which will authorize the display of emblems; however, in order to have an effective well-coordinated program, it is necessary for the Chamber of Commerce Board of Directors to have complete policy control in administering the signs. Suggestions with respect to the implementation of this proposal are requested.

Motion by Brown, seconded by Quidort to give the Chamber of Commerce responsibility for the signs at the west and east entrances to the City.

Discussion.

It is pointed out that the signs were originally erected by the Lions Club but they relinquished their interest after construction. That has been the problem as there was no central group who had or would take authority to keep them painted and cleaned up. This problem became apparent during clean-up week when the Boy Scouts were picking up fallen letters and cleaning and restoring the signs. There was not enough room and two signs were left off which created a problem. The structure will probably have to be remodeled to accommodate the signs, and a standard will have to be established for an organization to be represented on the sign, which will include normal maintenance and clean up each year. It is understood that the Chamber of Commerce will charge a fee to cover the cost of maintenance.

Votes are now cast on motion by Brown, seconded by Quidort to give the Chamber of Commerce responsibility for the signs at the west and east entrances to the City.

Motion carried by unanimous vote.

14. LTR. D.L. MELOCHE RETURN FUNDS By letter dated September 22, 1970, Mr. D. L. Meloche returns Warrant No. 27060 in the amount of $22.52 labeled "Special Purpose Fund-Gym Equipment". Advises he has no recollection of having submitted any voucher for funds and any gym equipment purchased was donated to the El Cajon Police Department. Requests return of these funds to the City.

Councilman Cornett states this is an error that he pointed out to Mr. Meloche who was unaware of it.

Motion by Cornett, seconded by Brown to accept the refund from Mr. Meloche.

Motion carried by unanimous vote.

15. LTR. ROBERT E. YOUNG-EXT. COSGROVE SIX SUB. By letter dated September 28, 1970, Mr. Robert E. Young advises that due to unexpected delays, will be unable to file the Final Map for "Cosgrove Six" Subdivision by November 10, 1970. Requests that the effective date be extended for an additional year.

It is pointed out that this is a six lot subdivision located on the east side of South Orange, south of Chase Avenue, across from Dr. Werden's property. No previous extensions have been granted.

Motion by Quidort, seconded by Van Zanten to grant the request.

Motion carried by unanimous vote.

16. LTR. R. L. HACKWORTH SEWER CONNECTION FEE By letter dated September 28, 1970, Mr. R. L. Hackworth requests that sewer connection fee in the amount of $240.00 for an eight occupancy building at 1266-1282 Pioneer Way be postponed until the actual time of connection.

Councilman Brown points out an error in the ownership shown on this property. States the southwest corner which is 219.9 feet by 95 feet is his property, not Mr. Hackworth's.

In reply to question if the ordinance requires that the fee be paid prior to obtaining service, Attorney McDougal states the ordinance is clear and this has been done in the past where a temporary holding tank is allowed. The only reason you would allow such a structure to be built without sewer service would be that the service was going to be provided. Sewer service to this property will be installed in the Pioneer Way 1911 Act Improvement District. It is consistent to require a hook-up fee so that as soon as service is available, they will hook up. It is more a matter of requiring them to hook up for sewer service than to get the fee in advance on the theory that it is easier to get it before they are in and operating.

It is pointed out that this is the sewer connection fee - the lateral will be installed and charged for in the 1911 Improvement District. It is set out in the ordinance and has been established as a policy that the fee is collected and put into an account until the sewer is completed. In this particular instance, a temporary building permit has been given for two years, which means he must hook to the sewer within two years. It is understandable that Mr. Hackworth should feel the City is using his money.

It is questioned why he should be given two years to connect to the sewer if the 1911 Act is completed within one year, and Mr. Applegate advises the building permit is issued on the basis that within two years he must hook up to the sewer or come to Council for an extension of time. The time limit on the temporary building permit is not based on when the sewer will be installed - it is the standard time set for the temporary building permit.

Motion by Cornett to grant his request that the money not be required until the proper time.

Motion dies for lack of a second.

Opinion is expressed that since this has been a policy and is also a part of the ordinance, and does not involve a large amount of money, everyone should be treated the same.

Motion by Brown, seconded by Cornett to deny the request.

Discussion.

Attorney McDougal advises that the requirement for payment of this fee is actually in the Building Code.

Mr. Bussey states that the Building Inspector showed him the ordinance which said that the fee shall be paid at the time of the issuance of the building permit. It was very precise in the ordinance, but since they requested a waiver, it was suggested that it be taken to Council so that there would not be an argument later. Would have all the facts as to whether he would or would not connect with due speed when the sewer was available.

Statement is made that the ordinance does require payment of this fee at this time and normally would not have a letter requesting that the ordinance be set aside.

Votes are now cast on motion by Brown, seconded by Cornett to deny the request.

Motion carried by unanimous vote.

17. REPORT-APPEALS WEED/LITTER REMOVAL

At the meeting of September 28, 1970, Council held a public hearing on appeals under Section 14A-15 of the Code on Notices to remove and/or destroy weeds, litter, etc. sent by the Fire Department. A report was requested from the Staff on the following appeals:

Fred K. Austin, 1549-1555 East Main Street, questions certain materials being a fire hazard; substandard buildings being condemned.

F. Doyle Brown, 29 acres south of 773 South Mollison, requests City to remove litter, as he contends most of this material was deposited on his land by the contractor who paved the street.

Wallace A. Rick (unable to identify the property from the assessment number).

Oscar R. Sorenson, 1289 Peach Avenue, requests property be inspected again.

Mr. Dick Borgerding, from the Fire Department states that several pictures were taken of the Fred K. Austin property owned by Lumberman Mortgage Company. The property owner agreed that this was a substandard building and has started to dismantle it. Some demolition work had been done on this property previously, but it had not been completed and some walls were left standing and some concrete foundations had been left on the property from previous jobs. Presents a picture showing the sub-standard building actually being held up by a 2' x 6' board.

Mr. F. Doyle Brown questioned that the debris on his property on South Mollison had been dumped there by the City contractor after the completion of the Mollison improvement and part of it evidently was. However, there also is a steel culvert, tree limbs, excessive weed growth, concrete and other rubble on the property that was apparently left there by the County Highway Department. The debris that evidently was left from the street improvement is next to the curb and these other things are quite a ways into the property line. They show signs of having been there for quite some time.

It is questioned if it has been determined that the contractor who did the street improvement should assist in some of the removal of that portion of debris which he left.

Mr. Borgerding states that is not determined by the Fire Department. The dumping of rubble or litter is a misdemeanor and you must see the act committed. Since they did not see this, there is no way of actually connecting it to the contractor. It appears that it was left by the contractor, but as far as the law goes, there is no way it can be backed up. It is the responsibility of the property owner.

Mr. Pizzato states he is totally unaware of anything pertaining to this subject. It is left entirely up to the contractor to dispose of material and work out arrangements with the property owners involved. The City has no part in this.

Mr. Borgerding states that Mr. Wallace A. Rick was unable to identify his property from the assessment number. This was an error on the part of the Fire Department in failing to attach a description other than the assessment number. Mr. Rick was in partnership with two other gentlemen, and a check today showed that apparently one of the other gentlemen had already taken care of the problem. Property is at the corner of Washington and Third Street and it has been taken care of.

The property of Mr. Oscar R. Sorensen, 1289 Peach Avenue, has been re-inspected and it is fine.

Motion by Cornett, seconded by Brown that no further action be taken on these four parcels.

Motion carried by unanimous vote.

18.	LTR-CITY ATTY. TO STALEY AND LAWRENZ, PEPPER VILLA 1911 IMP. DIST.	By letter dated September 17, 1970, City Attorney has written to Staley and Lawrenz, Inc., contractor on the Pepper Villa, et al. 1911 Act Improvement District, regarding suspension of contract.

This matter was discussed at the meeting of October 5, 1970, and was continued for one week, as the contractor was going to make an effort to solve the problems.

Attorney McDougal advises the contractor has a new supervisor on the job and Stone and Youngberg have been in touch with the Surety Company that has the bond on this job. The staff feels, after conferences with Stone and Youngberg and their attorney, that perhaps the City can avoid some costly litigation by going along with this for one more week, because there seems to be a chance of getting this settled. Will have the problem of putting in the paving solved in the next day or two and apparently there have been some people working and some progress has been made. The paving is the big item. Would recommend that this be continued one more week - does intend to invoke the penalties involved in the contract.

Motion by Brown, seconded by Van Zanten to continue this matter one week.

Motion carried by unanimous vote.

Councilman Brown states this is continued so Council will have a report on it.

19. SEWER SER. FINANCING

By letter dated September 18, 1970, Manager Applegate submits a report on Sewer Service Financing requested by Council. Sets forth the present financing of the Sanitation System through property taxes and the alternate method of financing by establishing a sewer service charge. The alternate method could be economically and efficiently implemented through the cooperation of the Helix Irrigation District. Sets forth estimated costs for this service and what other cities are charging for this service. The City of La Mesa is also considering adopting this method of financing.

Replying to questions, Mr. Applegate states all discussion on this has been at the management level with La Mesa but has not yet been taken to the La Mesa Council. Helix Irrigation District will not change their system until they all agree. Have been trying to get this ready by January 1, 1971, so has talked to the Manager of La Mesa who will take this before his Council in the next few weeks. The rates for the two cities will be similar but La Mesa has a problem in that they already have a sewer service charge on high users and the rates proposed would be a little lower than their present rates so will alter that to keep the present rates the same.

Would prefer not to put a cent rate reduction on the property tax at this time. The way Helix keeps their records cannot accurately determine what the revenue will be when the rate is applied - can only estimate this and feels it should be a 10¢ or 15¢ reduction. Will have to have experience with this before they can be sure. Will be able to determine what the rate reduction will be by next budget time and by then should have three or four months experience with this. Would prefer Council look at this report from the point of view of what they want to keep on the property tax - it is important that a certain amount of the sanitation system expenses be kept on the property tax and this system is designed to do that. Feels that the part of the bill the City pays to the Metropolitan System for the plant itself should be kept on. The City has a program for the replacement of all lines in the City and the amount of money that can be set aside for this purpose under the present system is so little it is practically meaningless - that program needs to be stepped up and the money used for that should be kept on the tax rate. The sewer bonds should also be kept on the tax rate.

Comment is made that sewers are a utility and should be so treated and those who use the most should pay the most. Agrees with the items the Manager thinks should be kept on the property tax rate but cannot make a commitment for reduction of the property tax because it is not known what will occur in the next budget. Council should take whatever action is necessary to implement this on January 1, 1971.

Mr. Applegate feels there should be a public hearing on this - the last time this proposal was considered the people were very much against it, and those who paid the highest taxes were the most opposed. Regarding the difference between the domestic and commercial rates proposed, it is possible to use any kind of rationale to set up a rate system but the idea is to set up as fair a one as possible. This rate structure is based solely on water consumption and has a minimum of $1.00. Are really penalizing the low user by having the minimum.. Some rate structures are based solely on percentages, which would give the breaks to the low user and hits the high user. The rationale used here was that the $1.00 for the low user was about 20% of the water bill, but when you get to the high users the minimum means nothing and that is why the percentages drop. Are still getting a substantial amount of his bi-monthly water bill. Some of the heavy users will be avocado growers - El Cajon does not have too many but La Mesa does - will have to be built into this system the right of that man to petition Council to look at his problem. Could have acreage in agriculture where he uses large quantities of water which he is not putting into the sewer system. Some industrial plants will put large amounts of water into the sewers, others will put no water into the system. Cannot design a system to take care of the exceptions so have to write in a paragraph that will let Council look at the exceptions and take care of them individually. The problem is for the City to generate a base amount that will come up with the amount of money needed to operate the system. The intent is for it to be $1.00 plus 20% of the water bill. Can handle the exceptions on the computer after Council has decided what they are - should not have very many of them.

Council is advised this should be referred to the staff to coordinate it with La Mesa and bring back a recommended ordinance to Council to discuss.

Motion by Brown, seconded by Quidort to refer this matter to the staff to pursue with a target date of January 1, 1971.

Discussion.

Regarding the date of the public hearing, Mr. Applegate feels the City should move as rapidly as possible on this. Attorney McDougal feels if this is to be advertised, it should be at least ten days before the hearing and perhaps 30 days might be better. Is not sure that the law requires a public hearing but believes it would be best to have one.

It is questioned if this is ready by January 1, 1971, the City will be collecting twice for the first six months period because the tax rate has already been set for this fiscal year. Mr. Applegate feels this is true but the City will have to pay Helix for changing their whole system - as far as coordinating with La Mesa, would rather move forward without them because it is not known what problems they will get into. Helix will take El Cajon without La Mesa. If the date of January 1 can be met, it will give the City a chance to test what it is doing and build up some reserves, which can well be used in the sewer funds.

Regarding the Wintergarden Sewer System, Mr. Pizzato states they pay on an acreage basis, plus $1.00 per month per dwelling unit. It is $17.80 per acre per year.

Statement is made that this should be reviewed.

Mr. Applegate states there is one area of the City that is not serviced by the City sewer system and they are paying a higher rate.

Statement is made that it is now the general practice to charge so much per student for sewer service and this should probably be mentioned to the Grossmont School Board at the meeting on the 22nd of October.

Mr. Applegate states it is true that it would cost El Cajon less to set up the computer system if La Mesa is ready at the same time. If El Cajon is ready before them, will wait for them if they are almost ready to go. But if both cities hold public hearings it is possible that one or the other may not decide to go into the sewer service charge system. Is not sure what amount Helix will charge the city per month for mailing out the bills but they have estimated about 20¢ per month.

Votes are now cast on motion by Brown, seconded by Quidort to refer this matter to the staff to pursue with a target date of January 1, 1971.

Motion carried by unanimous vote.

Recess called at this time; meeting called to order by Mayor Snapp at 9:10 o'clock p.m.

20. REVISION HEIGHT/ WEIGHT STDS. Assistant to City Manager Acker submits a revised height/weight standards for Police Officers, removing the 6'5" maximum height limitation. There appeared to be no logical reason for the restriction and with the approval of the Chief of Police it was presented to the Personnel Commission.and approved by that body. It was felt the best way to implement the change would be to add an additional category to the present standard to read "6'5" and above, weight in proportion".

Motion by Quidort, seconded by Cornett to concur with this change and to refer this to the City Attorney for preparation of a resolution.

Motion carried by unanimous vote.

21. LTR.-TRAFFIC COMMITTEE By letter dated October 1, 1970, the Traffic Committee makes the following recommendations for Council's consideration:

I. Eliminate left turn pockets and restore all curb parking at Washington Avenue and Mollison Avenue.

II. Adopt a resolution causing eastbound traffic on Chase Avenue to yield at Anza.

III. Installation of a street light at the intersection of Valley View Boulevard and Granite Hills Drive.

IV. Posting of "U-Turn OK" signs in the island on Main Street at Madison Avenue and at Greenfield; on Broadway at Mollison and at First.

Motion by Cornett, seconded by Quidort to concur with all of the recommendations contained in the Traffic Committee letter.

Motion carried by unanimous vote.

22. RESOLUTION 465-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 465-70 amending Resolution of Intention No. 424-70, in the matter of the Anza Street North of Washington Avenue to Redwood Avenue 1911 Act Improvement District, to set a new date for public hearing (Thursday, October 22, 1970, at 12:10 o'clock p.m.).

Motion carried by unanimous vote.

23. AWARD CONTRACT ANZA N. OF WASH. 1911 ACT IMP.DIST. Motion by Van Zanten, seconded by Quidort to hold over resolution awarding contract on the Anza North of Washington 1911 Act Improvement District to the meeting of October 22, 1970, at 12:10 o'clock p.m.

Motion carried by unanimous vote.

24. RESOLUTION 466-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 466-70 approving the annexation to the City of El Cajon of Dorothy Street Annexation.

Motion carried by unanimous vote.

25. RESOLUTION 467-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 467-70 granting Conditional Use Permit No. 258, for expansion of nursery school located at 1052 and 1064 East Madison Avenue (Widick).

Motion carried by unanimous vote.

26. RESOLUTION 468-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 468-70 adopting plans and specifications for Decker-Lexington 1911 Act Improvement District.

Motion carried by unanimous vote.

27. RESOLUTION 469-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 469-70 adopting prevailing wage scale for the improvement of Decker-Lexington 1911 Act District.

Motion carried by unanimous vote.

28. RESOLUTION 470-70 Motion by Brown, seconded by Cornett to adopt Resolution 470-70 ordering the work and directing Notice inviting bids be published for Decker-Lexington 1911 Act Improvement District. (Bids to be opened October 26, 1970).

Motion carried by unanimous vote.

29. RESOLUTION 471-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 471-70 approving plans and specifications for construction of curb and sidewalk repair, removal and replacement at various locations in the City for the fiscal year 1970-1971.

Motion carried by unanimous vote.

30. RESOLUTION 472-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 472-70 adopting prevailing wage scale for construction of curb and sidewalk repair, removal and replacement in various locations in the City for the fiscal year 1970-1971.

Motion carried by unanimous vote.

31. RESOLUTION 473-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 473-70 ordering the work and directing publication of Notice inviting bids for construction of curb and sidewalk repair, removal and replacement in various locations in the City for the fiscal year 1970-1971. (Bids to be opened October 26, 1970).

Motion carried by unanimous vote.

32. RESOLUTION 474-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 474-70 approving modification of rubbish and garbage collection agreement with Universal By-Products, Inc., to provide for a temporary revision of fees.

Motion carried by unanimous vote.

33. RESOLUTION 475-70 Motion by Brown, seconded by Cornett to adopt Resolution 475-70 approving contract for improvement of M.G.I. Industrial Park Subdivision.

Motion carried by unanimous vote.

34. RESOLUTION 476-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 476-70 requesting San Diego County Flood Control District to initiate proceedings for withdrawal of territory designated as "Granite Hills Annexation No. 2".

Motion carried by unanimous vote.

35. RESOLUTION 477-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 477-70 ordering vacation of public alley right of way. East side of Second Street between Marline and Naranca.

Motion carried by unanimous vote.

36. RESOLUTION 478-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 478-70 approving contract for improvements from Frank and Mary P. Hobel (Building Permit No. 23840).

Motion carried by unanimous vote.

37. RESOLUTION 479-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 479-70 approving contract for improvements from H.O.S. Recreational Vehicles (Building Permit No. 00379).

Motion carried by unanimous vote.

38. RESOLUTION 480-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 480-70 approving contract for improvements from Wilpac Manufacturing Company (Building Permit No. 23814).

Motion carried by unanimous vote.

39. RESOLUTION 481-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 481-70 accepting grant of interest in real property by City of El Cajon for public street purposes from Donato, et al. (Anza between Washington and Redwood 1911 Act District).

Motion carried by unanimous vote.

40. RESOLUTION 482-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 482-70 accepting grant of interest in real property by City of El Cajon, an easement for drainage purposes from Charles R. and Dorothy H. Partain.

Motion carried by unanimous vote.

41. RESOLUTION 483-70 Motion by Brown, seconded by Cornett to adopt Resolution No. 483-70 accepting grant of interest in real property by City of El Cajon for public street purposes from Marie Campbell (Split Lot Application No. 667).

Motion carried by unanimous vote.

42. ORDINANCE 2301 Deputy City Clerk reads heading of an ordinance rezoning portions of Lots 2 and 3, Block 22, Plat of Tract 1, southwest portion of "S" Tract, Rancho El Cajon, into Zone "R-3". Zone Reclassification No. 855 (Hebert).

Motion by Quidort, seconded by Van Zanten to waive second reading of above ordinance and to adopt Ordinance No. 2301 rezoning portions of Lots 2 and 3, Block 22, Plat of Tract 1, southwest portion of "S" Tract, Rancho El Cajon, into Zone "R-3". Zone Reclassification No. 855 (Hebert), and to approve Indemnity Agreement waiving the thirty day waiting period executed by the applicant.

Motion carried by unanimous vote.

43. WARRANTS Motion by Van Zanten, seconded by Quidort to approve Payroll Warrants No. 13118 through No. 13437 in the amount of $125,726.09 and Commercial Warrants No. 27340 through No. 27388 in the amount of $246,937.13.

Discussion.

Replying to question, Mr. Pizzato advises the $24,808.41 was paid for the signal system on Washington because there is a lot of underground work that has been done. The specifications provide the City will pay them for the work done less 10% on a monthly basis.

Votes are now cast on motion by Van Zanten, seconded by Quidort to approve Payroll Warrants No. 13118 through No. 13437 in the amount of $125,726.09 and Commercial Warrants No. 27340 through No. 27388 in the amount of $246,937.13.

Motion carried by unanimous vote.

43A. LTR. SDC-TV Item C of General Information is a letter dated September 23, 1970, advising the SDC-TV Channel 7 will commence cable-casting on October 5, 1970, and, as part of their programming plan to give a minimum of once a week coverage of the Council meetings. Request that an agenda be mailed to them for all meetings.

It is mentioned that this is San Diego City Cable TV and has nothing to do with Mission Cable TV in El Cajon. Local viewers would not be able to see this program. Apparently they want to do local programs in different cities. Mission Cable TV are planning on going into something very similar. Have built a new facility as a part of this.

Attorney McDougal states when the City receives a request from a news media they are compelled by law to notify them of any special meeting. Do not send out agendas but do notify them of special meetings.

It is questioned if this type of coverage would prove to be discourteous to people who are in the audience. It is stated that the San Diego City Council and County Board of Supervisors meetings are both covered and they do not prove to be obnoxious. They move around very quietly, take key shots but do not create any problems. Strong lights do not shine in anyone's eyes. Ground rules will have to be laid down regarding this.

43B. ITEM F GENL. INFO. By letter dated September 25, 1970, the City of Chula Vista has forwarded a copy of their Resolution No. 5811 urging the Local Agency Formation Commission to adopt a policy of requiring annexation to municipalities for any areas which require urban services.

Agreement is expressed with the idea of having areas annex rather than have special districts set up for them. One objection is that LAFCO does not pay any attention to city boundaries - this could lead to the development of islands and extensions along roads to get to the area, which does not make sense. Discretion would have to be used in these areas.

Would not necessarily want to support the City of Chula Vista nor adopt their resolution but the idea that "LAFCO be urged to adopt by resolution or other appropriate form a policy of requiring annexation wherever appropriate and feasible to municipalities to provide for urban services" is good. It is stated that the state law now requires that annexations be contiguous to cities.

Opinion is expressed that it might be better to contact the members of the legislature and urge them to make the laws governing LAFCO stronger. Another opinion is that that is a good idea but should also urge LAFCO to adopt this policy. LAFCO was formed for the purpose of reducing the number of Special Districts but it has not worked that way. Special Districts have increased since that time but probably not as rapidly as they did before LAFCO.

City Attorney is directed to bring back a proposed resolution for Council to consider. Council will also sponsor legislation on this matter.

ITEM E GENERAL INFO.
LTR. CALIF. FOR CLEAN
WATER

Councilman Brown states Item E of General Information is a letter dated September 21, 1970, from Californians for Clean Water urging support of State Proposition 1, the $250 million Clean Water Bond measure on the November ballot.

It is mentioned this will provide a substantial financial support in construction of sewer systems. It provides money for the State to contribute to construction of sewer systems. Is not sure El Cajon would be eligible for any of these funds. The local community's share would drop from 67% down to 20% for construction of a sewer. This will be using Federal, State and local money and it provides money to match the Federal money so the local share will be less.

Motion by Brown, seconded by Quidort to support a Yes vote on Proposition 1.

Motion carried by unanimous vote.

It is mentioned that this will help to take care of the rivers, lakes, reservoirs, etc. into which sewage is now being emptied.

44. REPORTS OF
COUNCILMEN
FOG MEETING

Mayor Snapp states there will be a meeting of FOG at Werner Springs on October 15 and 16. Councilmen Cornett, Brown, Quidort, Mayor Snapp and Manager Applegate will attend.

Councilman Brown would like some guidance from Council as to whether they think FOG should continue as a separate organization or if it would be more appropriate to have it as an annual or semi-annual meeting with CPO. All the questions discussed at FOG meetings are regional issues and CPO is a regional organization.

COUNCIL MEETING

Mayor Snapp states there will be a meeting on Tuesday, October 13, which will be primarily a joint meeting with the Grossmont Union High School District.

THURSDAY MEETING

Mayor Snapp states Item G of General Information is a letter from Robert L. Unger of National Pacific Development Corporation and they wish to discuss their properties. They have purchased the Fletcher Company properties. Will meet with Council on Thursday noon, October 8th. They will have a very interesting proposal to present about annexing 3,000 acres to the City.

Mr. Applegate presumes Mr. Unger will bring his own maps of the area. This area is from Crest down to Highway 80. Feels their basic desire is to talk about all the property but is not sure he is ready to talk about annexing the property. Mr. Unger and Mr. Porter have said they would like Council to take an airplane trip with them up to Newport Beach to see how they have developed property up there. Some of the land they are selling off but some they will develop. Are planning on selling off the balance of Fletcher Hills 500 and Planning has a changed tentative map on that, which is quite a change of concept. Has said that any land they develop they want to develop in the City and wants Council to look at the concept they have developed in Newport Beach. Feels they will talk in general terms regarding the land to the east of the City but have said they want to annex it if the City is willing. The Newport Beach concept of development may require some changes in the City's ordinance. It is the village concept.

Mr. Applegate continues that the Monte Vista people are setting up the village concept also - it is a concentration of the condominium and the houses, then open spaces. Are talking of building two high schools, seven grade schools, etc.

Attorney McDougal states one way to keep them from filling in the open spaces is by requiring a specific plan. Also, in 1963 a Planned Residential Development ordinance was passed which is yet to be used. It contemplates all of these things - a reduction in side yards and putting the 40% of the space you save in open space and to have a plot plan.

Mr. Henson advises there are some serious feelers now using the PRD portion of the ordinance. Does not think the ordinance will have to be modified but no one has ever used it.

Attorney McDougal will check the ordinance to see if any changes are needed - this was an overlay so that it would work in most of the R Zones. Mr. Henson states the City has an overlay zone which is PRD and at the present time are not looking beyond that.

Councilman Brown would like to see the City arrive at a maximum percentage of land used for building or parking and require that a certain percentage must be in recreational or green area. This would be for high density developments and would not care if they go up so long as they do not cover all of the lot.

ORDER OF ADJOURNMENT — Motion by Quidort, seconded by Cornett that the regular meeting of the City Council of the City of El Cajon, California, held this 5th day of October, 1970, is adjourned at 9:45 o'clock p.m., to Tuesday, October 13, 1970, at 7:00 o'clock p.m. in the Council Chambers of the City Hall, 150 East Lexington Avenue, El Cajon, California.

Motion carried by unanimous vote.

Mildred R. Hensley
City Clerk