

CITY OF EL CAJON
EL CAJON, CALIFORNIA
DECEMBER 28, 1970

An adjourned regular meeting of the City Council of the City of El Cajon, California, held Monday, December 28, 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. This meeting was adjourned from the adjourned regular meeting held December 21, 1970, by order of the City Council.

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; Acker, Assistant City Manager; Dainwood, Assistant City Engineer; Henson, Director of Planning.

PLEDGE OF ALLEGIANCE TO FLAG.

The invocation is offered by the Reverend William Johnson,
Lexington Church of Christ.

MINUTES Motion by Brown, seconded by
 Quidort to approve the minutes
of the December 17, 1970, meeting, and to waive the minutes
of the December 21, 1970, meeting.

Motion carried by unanimous vote.

POSTING The order of adjournment of the
December 21, 1970, meeting was duly
posted as required by law.

ITEMS ADDED

Motion by Van Zanten, seconded by Cornett to hold over Item 13 - Transit Study, one week as recommended by Mr. Acker and to add Item 35A, Item C of General Information, Letter California Department of Public Works re TOPICS Fund, as requested by Councilman Brown.

Motion carried by unanimous vote.

1. HEARING-APPEAL Time has come for continued public
C.U.P. 229 - hearing on the appeal submitted by
HENDRICKS Linda L. Hendricks on the decision
of Planning Commission Resolution
No. 2525 granting amendment of Conditional Use Permit No. 229,
to allow boarding home for 11 persons, on property on the north
side of Clarendon, between Crosby and Second Streets (1280
Clarendon).

Hearing was continued from the meeting of December 21, 1970, for a report from the City Attorney on Section 1415 (e) State Health and Safety Code. Attorney McDougal states that Section 1400 and following sections apply to hospitals and Section 1415 is a list of institutions which are not covered by this chapter, so does not understand these people arguing that they do not come within it. Staff has taken the position that they are not a hospital and they do not come within the requirements set forth in that chapter. Feels the 1400 sections have no applicability to this question. The problem is that Sec. 501.2(k) of the Zoning Ordinance allows a rest home, guest home or a home for the aged in the R-1 Zone by conditional use permit. Although their application mentioned mentally retarded, they are contending that they are either a guest home or a rest home,

while Mr. Jones and Mr. Petree take the position that they come under Group D, Division 2, which puts them in the same class as "Hospitals, sanitariums, nursing homes or similiar buildings". The rationale behind that is when they go from five to eleven, especially when you have mentally retarded, are not a guest home or a rest home. The other possible group where they would not need the sprinklers, which apparently is the main objection, would be in Group H, which would be an apartment or hotel or a monastery. They are contending they are not a hotel nor an apartment otherwise they could not be in R-1 zone. Mr. Jones has applied a valued judgment and Council can apply their judgment whether or not as a condition of the conditional use permit, Council wishes them to meet these requirements.

Statement is made that in Mr. Robert K. Lawrence's letter of December 23, 1970, indicates there are unlicensed homes in El Cajon housing between 80 and 100 people.

Attorney McDougal understands they all have five or less persons. Section 5116 of Welfare and Institutions Code, which became effective this years, states no family care home or foster home that has 6 or fewer can be considered anything but residential. The City cannot exclude in their residential zones family care, foster home or group home serving six or fewer mentally disordered. This would infer then that anything over that can be classified whatever Council feels is appropriate.

Mr. Jones states there are several homes with less than 6 people which is not considered a hazard as the area is adequate. The State Fire Marshal's office requests the City Building and Fire Departments to approve homes for more than 6 people.

Gordon Frevel, Legal Aid Society, 3535 Madison Avenue, San Diego, referring to Section 1401 of the Health and Safety Code, advises the last sentence states "hospital includes sanitarium, nursing home and maternity home", and believes this would also include nursing home, thus the 1415 (e) would apply to a home such as this which "exempts licensing as a hospital or nursing home establishments, institutions, homes and other places for the reception, care of the insane, alleged insane, mentally ill, mentally deficient or other incompetent persons". Division 6.5, Welfare and Institution Code regarding Non-Medical Care Facilities and Supportive Home Care Services, Section 13910, states: "Matters included in supportive services: The purpose of this article is to provide a range of supportive services to those recipients of public assistance who can remain in their own houses or abode of their own choosing when such services are provided. Supportive services include but are not limited to homemaking services, housekeeping services, volunteer visiting services, consultation and assistance of a protective service worker and other non-medical services which make it possible for the recipient to live in comfort and safety when under an independent living arrangement."

Section No. 13921 states: "The purpose of such overall plan shall be to maintain an appropriate balance between non-medical and medical facilities to the end the recipients of public assistance or persons otherwise defined as needy by provisions of this Code are given the care they require at the lowest possible cost." This is a non-medical facility - of all of the non-medical care facilities in San Diego County, not one is licensed as a nursing home and perhaps a third, have more than six persons.

Mr. Frevel agrees these homes should be uniform and safe, and the Welfare Department uniformly calls each of these a "Guest home". This one has a \$300. fire alarm system, two fire extinguishers, fire exit doors that open outward in all nine bedrooms and it was approved for fire insurance and liability insurance. It is simply not a nursing home.

The owner has done these other things which satisfied the insurance company - cannot afford a sprinkler system at the present time. As a boarding home she would not be required to have one. She would be singled out as the only one in San Diego County of the non-medical care facilities to be called a nursing home, which she is not and is not considered as one by the Welfare Department, which only pays her under the scale of non-medical care facility.

Comment is made that Mr. Frevel stated the home is not subject to a sprinkler system because under Section 1400 it is not a nursing home. If you look at it under the 1400 section, then it is in the wrong zone and they would have to apply for a zone change to operate.

Lengthy discussion is held on whether this is a medical or non-medical facility and which section of which code applies. Mr. Frevel is apparently asking Council to compromise but since the number of persons has been increased to 11, the character has changed and the City should see to it that these people are safe. Should require the sprinkler system.

Comment is made that this use can be excluded because there is no sprinkler system as a requirement of that occupancy or can be excluded because it is in the wrong zone.

Attorney McDougal points out that the City is not aware of any homes with more than five persons that has not been required to install sprinklers. Mr. Jones has consistently made this kind of recommendation when it got over five. In their application they stated it was a home for the mentally retarded, and that significantly changed the position that Mr. Jones took.

Mr. Frevel voices concern that these people will be put out of their homes because of the economic hardship suddenly put on the owners by requiring a sprinkler system.

To question, Attorney McDougal advises this is being considered in the ordinance as "and other similar uses" and not necessarily that it is in a strict sense a nursing home.

No further comments are offered.

Motion by Brown, seconded by Quidort to close the public hearing.

Motion carried by unanimous vote.

It is stated the choice is up to Mrs. Hendricks. They have the approved conditional use permit for six people and they have the option of either enlarging the use to include 11 people on their most recent application and they can have that if they meet the requirements of the building and fire departments or they can stay at six. Has heard nothing that would warrant changing the requirements that were imposed by the Planning Commission.

One opinion is that the City does have a responsibility to protect the safety and welfare of the people in the City. These people apparently are not up to full standards of competency and need some special attention and Council has no choice but to encourage the building inspection department and deny the appeal.

Motion by Brown, seconded by Quidort to refer this matter to the City Attorney for preparation of a resolution denying the appeal.

Discussion.

It is pointed out that nowhere in the minutes have the neighbors had any influence whatsoever on this matter and apparently this is completely acceptable to the neighborhood so that is not an issue in any way.

Votes are now cast on motion by Brown, seconded by Quidort to refer this matter to the City Attorney for preparation of a resolution denying the appeal.

Motion carried by unanimous vote.

2. Z.R. 924 - Time has come for public hearing
FREDRICKS on Zone Reclassification No. 924
submitted by Fredricks Development Corporation to reclassify property on the south side of Fletcher Parkway, between Marshall Avenue and Petree Street and on both sides of Petree Street, between Marshall Avenue and Petree Street from the R-1-6, R-S-9, M and C-M Zones to the R-3 (Multiple Family) Zone.

Planning Commission Resolution No. 2929 recommends approval of the R-3 Zone, subject to approval of a specific plan of development within one year of zoning approval and approval, filing and recording of a subdivision map to establish the ultimate property and street configuration with the detail required by Engineering.

Mr. Philip A. Gustafson, Civil Engineer, 524 West Commonwealth Avenue, Fullerton, California, representing Fredricks Development Corporation, states the properties in question entail about a 30 acre site on the south side of Fletcher Parkway immediately west of Marshall. Understands the zoning of the majority of this property would be in concurrence with the General Plan. Feel that to properly develop this site, it should be done in its entirety. It is quite crippled at the present time with its current street pattern - feel they can develop this at one time and by completely revamping the existing street pattern will create a very fine concept. Propose to relocate Petree Street with a righthand turn only, ingress and egress on the righthand movement only, and perhaps a median strip or reflector barrier should be installed to insure that. The specific plan will be heard at the January 4, 1971, meeting. Petree Street is proposed to go through the southern border of the property. Feel they are providing adequate green belt or open space and usually develop their projects with a long court yard theme. Approximately 45% of the area will be open landscaped courtyard. This will be a quadrangle concept.

Do not propose an underpass or an overpass over Fletcher Parkway at this time. This is one of the suggested conditions that has been applied to the Specific Plan approved by the Planning Commission. It is his understanding that particular item is not to be discussed this evening; that the zoning is to be considered by itself and the plan also.

Mr. Gustafson defines the previously mentioned 45% of open spaces to mean it is not covered by paving, roofs, cabanas, carport structure or asphalt paving. It is an open green area, landscaped courtyards and most of their units, particularly on the ground floor, have their own private cross steps, fence and patios.

Mr. Gustafson is not prepared to discuss what the project would be like with 3 or 4 story units. Have a very fine concept put together for a 2 story unit and have gone to some length to prepare elevations and renderings. Have not considered 3 or 4 story concept.

Mr. Delbert Wevley, 728 Cuyamaca, states he is opposed to this rezoning. He bought his home in 1963 and ever since all he has

seen built here are service stations and apartment houses. Grossmont High School and Johnson Avenue School are overcrowded. These 700 apartments will bring in more children. They say adults only, but it could be sold and families could move in and put a load on the schools. This brings in vandalism, creates a problem with parking and traffic. Only have Cuyamaca, Wagner, El Monte and Petree and there is enough traffic now. Objects to this rezoning very sincerely.

No further comments are offered.

Motion by Brown, seconded by Quidort to close the public hearing.

Motion carried by unanimous vote.

Motion by Brown, seconded by Quidort to refer Item 2 to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2929.

Discussion.

Comment is made one of the conditions is approval of a specific plan and it should be recorded in the minutes that the rezoning is conditional upon having a specific plan that will take care of conditions that are required on this particular site so there may be some stringent requirements regarding parking and street layouts.

Concern is expressed about how they will treat the southerly boundary adjacent to these property owners and where the street comes and also being adjacent to the "M" Zone on Marshall. Can be a detriment in that corner if they do not treat it in the right way - it is a manufacturing area and noise, odors, etc., can come out of the manufacturing zone.

Whether it is R-1 or R-3 it is agreed it needs looking at very closely.

Votes are now cast on motion by Brown, seconded by Quidort to refer Item 2 to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2929.

Motion carried by unanimous vote.

3. S.P.151 - LA MESA MEDICAL CENTER & SHAW Time has come for public hearing on Specific Plan No. 151 submitted by La Mesa Medical Center and Ernest and Emily Shaw for development of professional offices and a medical complex on property located on the south side of Washington Avenue, between Dorothy Street and Jamacha Road.

Planning Commission Resolution No. 2931 recommends approval subject to certain conditions.

By letter dated December 23, 1970, Division of Highways advise their current design plans indicate they will require acquisition of the parcels covered by Specific Plan No. 151 for construction of State Highway 54.

No written protests have been received nor verbal protests offered.

Motion by Quidort, seconded by Cornett to close the public hearing.

Motion carried by unanimous vote.

It is understood the Division of Highways is attempting to get funds appropriated to purchase the property. It is questioned whether Council can take some delaying action to see what occurs. This might affect Council's action toward the specific plan in terms of whether this would be a permanent location or recognize it is somewhat of a temporary nature and not require too many conditions.

It is mentioned the Highway Commission meets in February and that could be the final word on it. This could be prolonged if Council has to wait for the State.

Opinion is expressed the City is being used as a lever to gain additional funds from the State. Once this is adopted it will take time to go to bid and build. Would this make the property more valuable because the specific plan was adopted or will they start to build in order to get more remuneration. Have not effected the zoning so the value of the land has not changed. Should be deferred.

Attorney McDougal states unless Council is prepared to pay for the property, a denial can not be based on allowing someone to develop on the idea some other governmental entity may be buying.

Mr. Henson advises the time limit for action on specific plans is 40 days from the date the Planning Commission Resolution is referred to Council. If no action is taken within 40 days it is deemed approved.

It is mentioned the specific plan shows that a 35' concrete bridge is required to use the back portion of the property and making that a part of the specific plan would be a detriment to the property - those bridges are expensive to build.

Mr. Henson states the back portion of the property is still R-1-6 and has been approved for F-P subject to the approval of the specific plan. The R-P zoning applies to the entire property.

Mr. Henson shows drawing which indicates a specific plan for the freeway in relation to the subject property. Does not know just where the western boundary of the property will be in relation to the freeway. This is the best indication they have at this time. It is possible that the westerly property may not even be touched by it.

Attorney McDougal suggests this be continued for one week and he will check the time limitation.

Motion by Brown, seconded by Quidort to reopen the public hearing and continue the matter for one week.

Discussion.

Councilman Brown clarifies motion by stating this item is being continued for one week at which time a decision will be made on a further continuance, or taking action depending upon the advice of the attorney.

Attorney McDougal advises when a public hearing is continued the whole thing is open and any kind of determination can be made and anyone can submit evidence. That is what the report will cover.

Councilman Brown states along with the attorney referencing the time limitations, a further check should be made with the Division of Highways to see what the expected timing of their action will be.

Votes are now cast on motion by Brown, seconded by Quidort to reopen the public hearing and continue the matter for one week.

Motion carried by unanimous vote.

4. S.P. 153 - Time has come for public hearing on Specific Plan No. 153 submitted by STOREY & RENNIE Gladys Storey and Donald and Celia Rennie for development of an apartment on property located on the west side of Ballantyne Street, between Madison Avenue and Beech Street, 540 and 550 Ballantyne Street.

Planning Commission Resolution No. 2939 recommends approval subject to certain conditions.

Mr. Gerald Howell, 1442 Teton Drive, El Cajon, speaking on behalf of the prospective developers states most of the requirements have been met, dedication has been made and the designer of the property has allowed the buildings to be moved back four feet to conform with the street widening. Item 2 has to do with the reverse lot split. There are two owners of the property at present and Pepper Mesa Homes merely has an option on the second parcel that belongs to Gladys Storey. It is fully intended to develop this with the same plan and this is the reason they joined together to present the specific plan now. Their development covers 31% of the land. It does include driveways but if they have to go to a 24' paved driveway on both parcels, then they are just wasting a lot of pavement. They are utilizing all the side and rear yard as part of the planned development. Both will be usable fenced yards, not paved side yards.

Statement is made it appears that about 90% is covered by structures and paving. The only open space left is that required by the ordinance.

Mr. Howell does not believe it is 90%, but it has not yet been accurately computed. The areas that are open are for sidewalks and the side yards are used as green area and will not be paved. The pools and rear yards will have grape stake fences.

There is concern about the lack of greenery. Although 6 feet is stipulated to the north, it appears like 3 feet to the south along the line of buildings on the north half of the map. There is very little around the pool. Concern is also expressed about the number of units on this size parcel compared to the amount of asphalt.

Mr. Howell states last year they built the Marquis Apartments at Peach and Mollison. It has 37 units and a recreation room; has a similar planting area and patio area, except the patio is in the inside. This is to be developed on the outside. Has same parking plan also. Trying to utilize the deep lots and by combining the two lots will try to get the parking near the people.

It is mentioned people will be parking in the street. The single family homes across the street will have no parking whatsoever. Received a report regarding automobiles in the State of California. The population in the State has doubled since 1950, but automobiles have gone up three times, motorcycles 12 times and trucks three times. Recreation vehicles many times. They have the minimum amount of parking required by the ordinance and a large number of units.

Mr. Howell would like to point out the proximity to the downtown area. Do cater to the adults and would hope a lot of these people will walk to town. They recognize the need for

parking and think the street will probably help.

Mr. Howell states they plan to develop phase 1 individually of phase 2, primarily because of money - had a hard time getting financing for this project.

Comment is made it is possible phase 2 would never be developed and there would be only a 12 foot driveway. Mr. Howell states this would not be the case as one of the requirements as set out by the Planning Commission is to pave the entire 24 foot driveway. Have submitted a type of cross deed restriction. Mrs. Storey would have to agree to her portion. This type of restriction has been used by other cities and it puts the entire approval or abandonment of any easement on the City Council. It is a permanent thing - it is not like an easement. Have submitted a form which provides a permanent means of assuring that this will be used as a driveway. Mrs. Storey intends to develop it and is sure it is financing that will control the timing on it. Will try to develop as soon as the money is available. Do not object to reverse lot split, but they do not own the other land.

Councilman Brown is personally opposed to a specific plan that covers more than one property that are not combined.

Mr. Howell thought a specific plan is for future development and that it remains on the property until changed by the City Council. Quotes Key Largo as one that was changed several times before it was finally done. Are sincere about doing the whole project. As far as losing control of the 24' parcel, the deed restriction being proposed would eliminate any possibility of that and it is controlled by the specific plan, which specifies that this is a driveway.

It is pointed out that there are two separate parcels and it is felt there should be a specific plan for each parcel and that a 24 foot driveway on the parcel they plan to develop be required with probably masonry wall the full length of the property. There is a substantial difference between what would be asked here, unless Council requires that they be combined.

Mr. Howell feels this might be unusual but believes this is done in a subdivision where a dead-end street is allowed where you go into property for future development. They have proposed Units 1 and 2 but do want Council to approve the entire parcel now. If they were prepared to build the whole thing, this question would not even come up. If at a later date they acquire the other parcel, there would be no problem about the reverse lot split.

Mr. Howell continues that there is 16 feet for people to get into the parking spaces by the trash area - this is the minimum but El Cajon does not make allowances for compact cars, which require lesser width and depth - about ten percent of the cars will be compacts and they will use the spaces most difficult to get into. Would prefer wooden fences in the trash areas as they are easier to repair than a concrete wall.

Mr. Ken Smith, 137 West Lexington, states the side yards are not just six feet - the ground floor apartments are recessed under the balconies of the second floor and allows ten foot side yards, so each individual will have a private yard. The parking lot is laid out so as to encourage parking on site rather than at the curb. Does not believe each parcel should be required to have a separate driveway, as a deed restriction has been presented to the City Attorney - feels this should work out very nicely, since other cities have approved this concept. Feels one 24 foot driveway will be sufficient to serve both parcels. Are trying to solve a problem with narrow

lots and feels the specific plan should cover both parcels; does not feel this will cause any problems.

Opinion is expressed that if Unit 2 does not develop and it is necessary to have the 24 foot driveway on this one parcel, would lose some units but would gain more green area. Would prefer fewer units with a larger green area in the center for people to use. There is too much asphalt on this parcel but with that number of units it is necessary.

No further comments are offered.

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

Motion carried by unanimous vote.

One opinion is that while Council does not like so much land coverage, this plan does meet all the requirements of the ordinance and there is no way Council can deny or change it.

Motion by Cornett, seconded by Brown to refer Specific Plan No. 153 to the City Attorney for preparation of an ordinance in accordance with Planning Commission Resolution No. 2939.

Second withdrawn later.

It is presumed this does meet the requirements of the ordinance but it is minimal and points up the need for changes.

It is pointed out that approving this according to Planning Commission Resolution No. 2939 does not require the reverse lot split - it provides for a reverse lot split or the transfer of cross deed restrictions for the adjoining 12 feet for each of the two properties.

Councilman Brown withdraws his second to the motion as he feels there should be a reverse lot split so the City would be dealing with one property and could control it.

Mayor Snapp seconds the motion.

Discussion.

It is questioned if this would not be forcing the sale of property by a reverse lot split before a specific plan would be approved. Opinion is expressed that this is a minimal specific plan and for the best interests of the City this development should not be planned this way.

Attorney McDougal states cross easements do not guarantee that the 24 foot driveway will go in - would have to make it a specific condition that there would be no final building inspection until the 24 feet were paved. The other owner could say they did not want their land paved so it should be specific and should also make sure there is no way they can get out of it. They have given him some examples of cross easements to study and they may take care of it. It should be set forth on the plan that the paving is required. After the final building inspection it is possible the owners could exchange the easements, which could cause a problem. Could make the easements irrevocable, if Council wishes.

Votes are now cast on motion by Cornett, seconded by Snapp to refer Specific Plan No. 153 to the City Attorney for preparation of an ordinance in accordance with Planning Commission Resolution No. 2939.

AYES
NOES
ABSENT

Cornett, Van Zanten, Snapp
Brown, Quidort
None

Motion carried

Councilman Van Zanten qualifies his Yes vote with the understanding that the easements must be irrevocable.

Recess called at this time; meeting called to order by Mayor Snapp at 9:08 o'clock p.m.

5. LTR-AMERICAN Motion by Quidort, seconded by
ELECTRIC EXT. OF Brown to grant extension of four
TIME WASH. SIGNALS days for completion of the installation and/or modification of the Washington Avenue Traffic Signals, as requested by American Electric Contracting Corporation in letter dated December 21, 1970, and as recommended by the City Engineer.

Motion carried by unanimous vote.

6. LTR-KLIPP REALTY By letter dated December 22, 1970,
S. L. A. 593 Winifred A. Klipp advises Dr. Carlton H. Williams was required to post a bond in the amount of \$5,223. guaranteeing improvements on property facing on Grape Street in connection with Split Lot Application No. 593. Were under the impression this amount would cover both parcels concerned in the lot split. Now find this bond applies only to the first 90 feet and there is another lien contract recorded against the rest of the property.

Requests that the amount of the bond be reduced as Dr. Williams now has only a 90 foot parcel, the balance of the property having been sold.

Mr. Dainwood points out on the map the property in question and states this split lot application was approved by Council subject to a lien contract on the northerly parcel facing Grape Street and a cash or surety bond for the southerly parcel on Grape Street. A bond in the sum of \$5,223. was required, which is considerably more than is required to improve Dr. Williams' frontage. It should have been \$2,140. Feels it must have been computed on the entire frontage - he has requested a reduction in the bond. There is a house on the property so the City should have some sort of a guarantee. The bond applies only to the Grape Street frontage, as Madison has already been improved.

Motion by Cornett, seconded by Van Zanten to authorize a bond reduction to the amount of \$2,140. as recommended by the Engineering Department.

Motion carried by unanimous vote.

7. LTR-MOYER & ROESSLER Motion by Cornett, seconded by
WAIVER OF SPEC. Quidort to waive the requirement
OFFICER of a Special Officer for a Class "F"
Cabaret License for Pogo's, 852 North Second Street, as requested by Charles W. Moyer and Ernest C. Roessler and as approved by the Chief of Police.

Motion carried by unanimous vote.

8. S.L.A. 681 - An application submitted by Moses B.
RODRIGUEZ Rodriguez to divide property on the south side of Pine Drive between Helix View and Midway Drives and extending south to Shadow Road into four parcels.

By letter dated December 9, 1970, the Planning Commission recommended that Split Lot Application No. 681 be approved according to Section VI, Exhibit VI of the Staff Report of December 1, 1970, and subject to certain other conditions. Exhibit VI reduces the lot split to three parcels.

It is mentioned that one of the conditions is the determination by Council of the need and timing of improvements on Pine Drive. Is not sure Council can determine that now - would be more inclined to ask for improvements when the first house is built on any one of the three parcels. Will not know if it is feasible or if the right of way has been established until such time as a house is built.

Replying to questions concerning lien contracts and bonds, Attorney McDougal states there could be three separate lien contracts from the one owner at this time.

Mr. Dainwood advises improvements on Pine Drive are not feasible at this time - the street would have to be widened for an extended distance to make them feasible.

Question is raised if it would not be better to have Parcels B and C have a panhandle of the necessary width to use as a common driveway, rather than requiring each one to have a separate driveway. Would be able to utilize the land to better advantage if this were done.

Mr. Henson agrees this is possible but states the additional width of the panhandle is caused by its abnormal length - the properties must be sewerred by the panhandles and it was felt the additional ten feet would help serve that purpose. The original request was for four lots and Parcel D would have fronted on Shadow Road, which depended on a variance that was not granted, while the variance for the long panhandle was granted. Applicant has submitted the modified drawing showing the 20 and 30 foot panhandles, which would make a panhandle of 50 feet for the first 170 feet.

Mr. Dainwood advises a lateral could be run down a 30 foot driveway as easily as down the 50 foot driveway.

Attorney McDougal states the practice of putting individual laterals in common easements with a common access is because the ordinance has been set up to require frontage on a public street. Council has granted variances in three cases to allow that because the lots were buildable lots in the County and were later annexed to the City. Also required a specific plan that showed a paper street. Perhaps should re-evaluate the policy of requiring street frontage for lots. Would have to have 20 feet for each lot if constructed separately or 15 feet if constructed jointly. Could not cut the frontage down to 15 feet for each lot unless it is used jointly.

Councilman Van Zanten states if the applicant wants the driveways as shown can adopt it this way, but would be agreeable to allowing him to narrow them if he wishes.

Mr. James Stiven, 2100 Union Bank Building, San Diego, representing the applicant, states Mr. Rodriguez has advised him the 20 and 30 foot driveways were shown on the plan on the recommendation of the Planning Department. Is sure Mr. Rodriguez would be pleased to have them narrowed to a 30 foot common drive to serve both parcels. Understands that would take 15 feet from each lot.

Attorney McDougal comments that the variance that has been approved would not allow this, so would have to apply for a new variance.

Mr. Henson states Planning Commission Resolution No. 2935 which approves Variance No. 281 states: "...hereby Grants Variance No. 281 for panhandle lots with driveways longer than allowed by Ordinance in the R-S-9 zone..." does not specify width or length

Mr. Dainwood states five feet is all that is required for the widening of Pine Drive - because of the type of terrain will have to go to a substandard width.

Motion by Van Zanten, seconded by Cornett to approve Split Lot Application No. 681 with the panhandle being joined for Parcels B and C for joint use at 30 feet; each panhandle to be 15 feet wide.

Motion withdrawn later.

Comment is made the motion should be clarified to show there will be three separate lien contracts on these parcels.

Attorney McDougal feels if anyone of the property owners want to challenge this, Council might have a problem if this does not go back to the Planning Commission for a hearing on the length and width of the panhandles. The Staff recommended that be 30 feet wide because it was such a long panhandle - would be best to refer it back and have another hearing on the variance. The Split Lot Application is not a public hearing so it would not have to be sent back. The variances are not before Council because they became final and were not appealed. What Council is approving on a lot split cannot be implemented because no variance has been granted that would allow this. The split lot could be approved as it is now written and Council could indicate to the applicant that it would allow him to use the 30 foot joint panhandle - let him choose what he wants to do. Can apply for a new variance for the joint driveway but unless Council wants him to pay again should indicate it should be set to public hearing without charging him for the new application.

Councilmen Van Zanten and Cornett withdraw the motion.

Mr. Stiven had assumed the variance passed by the Planning Commission allowed for the longer driveways and did not have any requirement for width. Understood if Council passed the split lot application and changed the width of the panhandles, that that would not be contrary to the variance that was approved previously and would not require an additional variance to be granted by the Planning Commission.

Attorney McDougal feels it would not be sensible to assume the Planning Commission meant they could have any width they wanted - the variance they granted would eliminate anything except this plan and it is only logical to determine that they were considering the width shown on the diagram.

Motion by Van Zanten, seconded by Cornett to approve Split Lot Application No. 681, subject to three lien contracts guaranteeing improvements.

Motion amended later.

Councilman Van Zanten explains he will make another motion to refer this back to the Planning Commission to consider a variance for narrowing the panhandles.

Attorney McDougal suggests it might be better to grant this in the alternative and take care of everything in one motion.

Councilmen Van Zanten and Cornett amend motion to adopt Split Lot Application No. 681 and refer it back to the Planning Commission to set a new variance to public hearing at no cost to the applicant, to consider narrowing the panhandles on Parcels B and C to 30 feet or 15 feet for each parcel; and subject to the signing of separate lien contracts for all three parcels.

Motion carried by unanimous vote.

Attorney McDougal explains to Mr. Stiven that the applicant has the option of accepting this Exhibit VI as shown on plat, or if he wishes can make an application without cost for a variance that would allow him to cut the panhandles down to a total of 30 feet on Parcels B and C and have joint usage. If that variance is approved this matter will not have to come back to Council. Three lien contracts would have to be executed by the present owner before the split lot becomes final - these contracts guarantee the improvements at an appropriate time.

9. LTR-S.D. CITY By letter dated December 15, 1970,
RADAR SPEED the City of San Diego forward pro-
METERS posed maintenance agreement for
the City's radar speed meters.
Request Council to adopt a resolution authorizing execution of the agreement.

Administrative Assistant Angell, by letter dated December 17, 1970, advised this contract expires December 31, 1970. Service has been excellent and fees reasonable.

No action taken at this time. Resolution adopted later.

10. GARBAGE & TRASH By Resolution No. 474-70, adopted
COLLECTION FEES October 5, 1970, Council granted
a temporary revision of fees for
collection of garbage and trash, to terminate December 31, 1970.

At the meeting of December 21, 1970, certain sections of the proposed changes to Rubbish and Garbage Collection Agreement were approved. Article II and II (a), term of contract and fee schedule were continued to this meeting.

By letter dated December 26, 1970, Mr. L. H. Reichenbach, 346 West Cypress, again protests the rates for duplexes and triplexes and requests that a reasonable rate be established for them.

Universal Refuse Removal Company presents figures from other cities in comparison with those proposed for El Cajon.

Attorney McDougal states the special pick up for residential and business areas up to three cubic yards for \$3.00 was discussed at the last meeting. Has not yet arrived at wording satisfactory to the contractor and himself. Understood Council wanted a provision that would protect the contractor and the people both if it became necessary for standby or loading time to be charged. Have discussed having a \$3.00 minimum up to three cubic yards which would include a 15 minute standby and loading time. The contractor has suggested \$3.00 for each additional 15 minutes, which would be \$12.00 an hour and would include both the driver and the truck. Wanted Council's thinking on this and will include it when the balance of the agreement and the ordinance are returned to Council. There is a resolution on the agenda with blanks left for the fees. If Council wishes to accommodate the contractor so he can get his billing out for the last quarter, can adopt this modification by resolution now and bring back the balance of the agreement and ordinance in the next two or three weeks. The contractor agreed that the proposed section that would make the City Manager an arbitrator on fees charged for unusual pickups is a minor matter and have no objection to it being deleted.

Statement is made that the business license ordinance defines an apartment building as six or more units. Where there are four units on a common bill, it would be reasonable to bill the first unit at the regular residential rate and the other units at apartment rates. Should change the definition of apartment buildings from four to six units, so the ordinances will be consistent.

Motion by Brown, seconded by Cornett that apartment houses be defined as six or more units.

Discussion.

Statement is made that this means if there are six separate houses on one lot that would be an apartment according to the ordinance, so should state they would pay the apartment rate if it is on one billing.

Votes are now cast on motion by Brown, seconded by Cornett that apartment houses be defined as six or more units.

Motion carried by unanimous vote.

Opinion is expressed that the rate of \$2.50 per month for residences is fair and there is no intention of reducing the amount. Agreement is expressed with that opinion and it is agreed that up to a total of five units on one billing will be \$2.50 for the first unit and the balance will be at the apartment rate, which has not yet been established.

Council agrees that \$3.00 per month is reasonable for twice a week service for commercial can service.

Discussion is held on what rate should be charged for pickup service in mobile home parks. One suggestion is that the rate would be \$1.50 per space when there is a single billing made to the park and if there are individual billings made the rate would be \$2.50 per individual unit. These would be the maximum amounts that can be charged - Council is not setting fees but establishing maximums.

Mr. Richard P. Stevens, President of Universal Refuse Removal Company states they have no mobile home parks where individual units are billed.

It is suggested that apartment rates be \$1.50 per unit for six or more units for twice a week can service where there is just one billing. Mr. Stevens does not believe they have any individual billings to any apartment buildings.

Opinion is expressed that the rate is too high for container service. Understands Universal services Fashion Valley for \$34.00 a month for six days a week pickup.

Mr. Stevens states Fashion Valley is a large complex that has quite a few other items and they service the whole complex.

Comparison is made with other cities for container rates. Suggestion is made that the 3 cubic yard once a week service be reduced to \$14.00 per month with \$8.00 for additional once per week service. It is felt this would be a reasonable fee and is more than is paid in the County and most of the other cities. If more than one container is used the rate would go up accordingly, which is fair.

Mr. Stevens feels a fair price is \$16.00 for once a week pickup, plus \$9.00 for each additional pickup per week on a monthly basis. There are a few people who use two three cubic yard containers - do not use six cubic yard containers because it requires special equipment to empty and must be put back in the exact same place and the property owners have no way of moving it. In the interest of using standardized equipment and ease of moving the trash, people are better off with two three cubic yard containers. Larger containers are serviced less frequently and that is not desirable.

After further discussion on rates, it is suggested the fee for 1½ cubic yard containers be \$12.00 per month for once a week pickup and additional once a week service at \$6.00.

Mr. Stevens advises they use the 1½ cubic yard containers mainly to containerize some of the smaller can service accounts and to handle smaller units. Have made a distinction in the price for \$7.00 increments as opposed to \$9.00 for the three cubic yard containers.

Question is raised if the rates would be lower if people supplied their own containers. Mr. Stevens states this has been tried in La Mesa but does not believe many residents or businessmen own their own containers - has been informed the contractor owns most of them. One advantage in having the contractor supply the container is that if there is a dirty or unsafe container it is reported to the company and they clean and repair them. If people own their own containers it becomes a question of liability if they are damaged - people feel it is the contractors fault and opens the way for arguments. This has been tried in some cities, but would not advise it.

Comment is made that if the fee is reasonable there would be no necessity for people to own their own containers. Feels \$7.00 rental fee is too high.

The matter of charging lesser rates for additional pickups is discussed briefly and comparison is made with rates charged by some of the other cities. Mr. Stevens feels some of these rates in other cities have been in effect for some time and they will be looking at rate increases in the near future.

Comment is made that Council is not in a position to say what is right. The only way to do this is to go to bid, which cannot be done at this time. Can do what appears to be reasonable in comparison with what other cities charge.

Opinion is expressed that Council is discussing the adoption of a contract that will run for a few years. By setting the rates too low would be encouraging the contractor to ask for a review of the contract sooner than Council would like to see in the future. Comparing what has been charged in the past, this would be an increase.

Mr. Stevens states his company has a different type of service in Mission Valley - have transfer bodies, clean up and this is quite a complex contract. The three cubic foot containers are only collected when they are full - made a study of that facility and if the rates were matched up would fall within the same range as proposed for El Cajon.

Rates charged under the 1964 contract are compared with the proposed rates. Mr. Stevens reminds Council that the cost of equipment, labor, disposal fees, etc. have increased and the cost of living has risen.

Dislike is expressed for the idea of Council setting maximum rates for disposal because this is establishing a monopoly for one company - when a company asks for and receives a monopoly must give something too. Information has been received that the contractor is charging less outside the city in a competitive market than the proposed rates - is charging even less than used to be charged in the City. Much of this is not verified. If the rates are too low the contractor always has the option of giving up the franchise.

Another opinion is that if the rates are too low the contractor can come back with sufficient information in the future to justify a change in the rates. The rates agreed upon a few months ago appear to be fair in connection with what other cities are charging but high in comparison with what people in El Cajon have been paying.

Mr. Stevens mentions that by the terms of the contract, they are prohibited from coming back for a rate review for 18 months, which hardly seems fair if the City is going to ask them to take less than the proposed rates. Have taken this fact into account in proposing these fees. Believes all of the contractors will be revising their fees upward within 18 months and then El Cajon will no longer be high. Have tried to distribute the costs of their operation over all types of services rendered and have not given greater weight to one type over another. Cannot give accurate information on the difference between cost of one a week vs. twice a week pickup. Restaurants are encouraged to have six times a week service.

Council has no complaints about the service that Universal is providing - have done a very good job.

Suggestion is made that the fee for a three cubic yard container be set at \$14.00 for once a week pickup and \$9.00 for each additional pickup. This company does perform services for the City without charge. Should also change the 1½ cubic yard containers to \$12.00 for once a week pickup and \$7.00 for each additional pickup. Agreement is expressed by Council with this suggestion.

Mr. Stevens still feels the rates should be \$16.00 and \$14.00 they originally suggested.

Motion by Brown, seconded by Cornett to establish maximum permissible rate for a three cubic yard container, with container to be furnished by the company, for once a week pickup at \$14.00 per month and \$9.00 for each additional pickup; and to establish a rate on the same basis for 1½ cubic yard container at \$12.00 per month and each additional pickup at \$7.00. To further establish rates for single family residence at \$2.50 per month, with additional units on the same bill up to a maximum of four additional units at \$1.50 each; commercial can service at \$3.00 per month; mobile home parks at \$1.50 per space with a common billing; apartments of six or more units at \$1.50; all of these to be on a twice a week service. Transfer body service at \$1.00 per day plus \$1.00 per yard plus actual charges for use of County dump; and special pickups to be \$3.00 each pickup, plus 80¢ per cubic yard, which allows 15 minutes loading and standby time; additional standby time to be at the rate of \$12.00 an hour.

Motion carried by unanimous vote.

Councilman Brown feels the length of the contract should not be extended, which is why that was not included in the motion.

Motion by Cornett, seconded by Quidort that the term of the contract be extended two years, for a total of five years from today.

Discussion.

Councilman Brown is strongly opposed to this. If the company does not like the rates they will be back asking for higher rates. The whole matter of disposal service should be discussed at some length and investigation made of billing everyone in the City for trash service in one way or another and then contracting with a company to do the pickup and hauling. This would be an entirely different system and cannot do that until the franchise runs out.

Brief discussion is held on the merits of competitive bidding as compared to a franchise.

Votes are now cast on motion by Cornett, seconded by Quidort that the term of the contract be extended two years, for a total of five years from today.

Ayes	Cornett, Quidort, Snapp
Noes	Van Zanten, Brown
Absent	None

Motion carried.

11. DEFER IMPRS. Horst Kiesling has submitted an
KIESLING application to defer installation
of improvements adjacent to
property at 959 Grossmont Avenue. This was held over from
meeting of December 21, 1970, for report from Engineering
Department.

Mr. Dainwood states there is no reason these improvements cannot be installed - the parkway is graded and the sidewalk can be installed one foot from the curb.

It is recommended the sidewalk be installed adjacent to the curb and not allow a narrow parkway and make the transition at the driveway.

Suggestion is made that the sidewalk be installed on the other side of the street as the driveways going toward Willson Avenue are quite steep. If City decides on the concept of having sidewalks on one side of the street only, out of all fairness, the sidewalks should be on the other side.

Motion by Van Zanten, seconded by Cornett to require sidewalks on Grossmont and waive the sidewalks on Eucalyptus subject to the signing of a lien contract, cash or surety bond guaranteeing construction of the improvements in the future.

Motion amended later.

One opinion is that since this is all R-1-6 Zoning, sidewalks should be installed on both sides of the street.

Another opinion is that with the way homes are situated and the age of the homes, sidewalks will never be installed.

Councilmen Van Zanten and Cornett amend the motion to require sidewalks on Grossmont including all the radius, and the driveway approach, and waive the sidewalks on Eucalyptus subject to the signing of a lien contract, cash or surety bond guaranteeing construction of the improvements in the future.

Motion carried by unanimous vote.

Mr. Horst Kiesling, 959 Grossmont Avenue states he bought this property four months ago and invested all his money. Does not yet live in it, as there is nothing in it now. Has been out of work for two months. He cannot afford to pay for anything. Council can have the property if they like. Certainly will improve the property but does not know when he can get to it.

It is mentioned the driveway approach only includes that portion of the sidewalk - only to the right of way.

12. LTR. MORTENSON, INC. By letter dated December 9, 1970,
VAC. - PALM AVENUE John N. Mortenson, Inc. advises
they have purchased property on
the southwest corner of Wile Street and Palm Avenue (Lot 30,

Block 22, El Cajon Heights). Streets in the area are 60 feet except Palm, which is a proposed 100 foot right of way. Apparently this right of way was recorded before Interstate 3 Freeway cut off Palm Avenue, which resulted in a 170 foot long dead end unimproved street. Requests this right of way be reduced to the area standard of 60 feet; to vacate and return 20 feet to subject Lot 30 and relocate the 25 foot corner radius 20 feet to the north.

This matter was held over from the meeting of December 14, 1970 for discussion between applicant and Staff.

Letter dated December 28, 1970 from Mr. Mortenson requests complete closing of Palm Avenue.

Mr. Dainwood advises the Staff has discussed this matter with Mr. Mortenson and other property owners in the area, who indicated they would like to have the street vacated completely. Staff is in agreement. There are some problems regarding drainage and believes they can be handled with the street existing or vacated. Mr. Mortensen has discussed this with all the property owners who would be agreeable if some arrangement can be made whereby access would be provided in the vacated portion. Some type of quit-claim deed to each other has been worked out in the past, which has been satisfactory.

Motion by Cornett, seconded by Brown that this vacation be set for public hearing.

Motion carried by unanimous vote.

13. SAN DIEGO TRANSIT Held over one week in earlier action.

14. 1911 ACT BROCHURE At the meeting of November 30, 1970, Councilman Cornett requested that Council direct the Staff to produce a 1911 Act Brochure which reflects Council's policies. This was held over from meeting of December 21, 1970, for Council study.

Motion by Cornett, seconded by Quidort to direct the Staff to prepare final copy and bring it back to Council to read before it is printed since it contains Council's policies.

Motion carried by unanimous vote.

15. ACCEPT IMPROVEMENTS Motion by Cornett, seconded by GREENFIELD-MOLLISON Quidort to accept improvements on the north side of Greenfield, west of Mollison Avenue as recommended by the Engineering Department in letter dated December 22, 1970.

Motion carried by unanimous vote.

16. BALLANTYNE By letter dated December 18, 1970, IMPROVE. DIST. City Engineer states at the meeting of July 6, 1970, a motion was made and carried to designate Ballantyne Street as an 84 foot street. Was later suggested that Council should reserve the right to reconsider after studying the photomaps.

Have submitted two alternate alignments and right of way widths for Ballantyne Street between Main Street and Broadway. Mr. Dainwood points out the maps on the board showing Exhibits "A" and "B". One on the top indicates an 84 foot right of way, which involves the remodeling of some 12 structures along the street. The one on Exhibit "B" is planned as an 80 foot right of way and it involves less structure demolition or remodeling and is quite a bit less expensive because are utilizing a lot of the existing improvements. One on top is widened symmetrically around the existing centerline, which means all curb and sidewalk that is in has to go. The one on the bottom moves

the street from one side to the other of the existing center-line and attempts to salvage curbs and sidewalks and miss buildings. Would suggest Exhibit "B" as the best model from their point of view. At the intersection of Avocado and Main is another problem and have shown two alternates; feel Alternate 2 is best for this particular route. It involves the destruction of possibly 2 less buildings, will enable the use of the existing box culvert and will take less right of way. Are requesting Council to adopt one of these alternates tonight to be further studied for a specific plan. Would recommend Alternate B as the route and Alternate 2 (green) as the intersection alignment. The severance at the intersection at Main and Avocado was taken into consideration. As yet have no figures to indicate what the difference is but feel the green alignment is as good as the gray alternate at the intersection and it is not necessary to have a long radius curve. Mr. Dainwood points out on the map where the alignment will be moved 4 feet to the west. Earlier tonight when the specific plan was considered, a 14 foot setback was requested in order not to sacrifice any front lawn area when the street would be moved which was contingent upon adopting Alternate B. If Alternate 2 is used at the intersection, the real estate house on the southeast corner would have to go, the Mobile service station on the northwest corner will either have to be remodeled or destroyed. Points out two old houses which it may be possible to remodel. Have sacrificed 4 feet of right of way from what is considered optimum as 84 feet. Would like to have a 10 foot parkway but 8 feet is satisfactory if a lot of structure demolition is necessary.

Councilman Brown would go along with the narrower right of way, is assuming that Avocado on the other side will also be widened to four lanes, the street will carry a lot of traffic and thinks the intersection at Wisconsin is a terrible intersection.

Councilman Brown continues that it will be necessary to take the real estate office, which is the expensive parcel - the house is just a fraction of that cost. Would there be room to back up a little further, make the offset before Main Street is reached so that it is lined up and do not have to cross the street at an angle.

Mr. Dainwood states it could be possible but would probably get into some expensive remodeling. This is not a bad situation - is a much gentler curve than that on Wisconsin. It will be a 100 foot street with plenty of turning area. There may be other options that could be considered.

It is suggested to refer this to the Planning Commission, since it will be necessary to hold public hearings.

Attorney McDougal states Council should only indicate which one should be set to public hearing, if not both.

Motion by Cornett, seconded by Quidort to refer this item to the Planning Commission for a Specific Plan hearing based on Exhibit "B" and showing the options possible at Avocado and Main.

Motion carried by unanimous vote.

17. CHERRYWOOD ALLEY By letter dated December 21, 1970,
1911 ACT IMPROVE. City Engineer states at the meeting
of October 6, 1969, a motion was
made to proceed with certain improvements on alley easterly
from Cherrywood Way in accordance with Section 5870 et seq.,
Chapter 27, Division 7 of the Streets and Highways Code.

Mr. Dainwood states notices were sent to four property owners on December 23, 1970, informing them the extent of their assessment. The notice was also posted. The hearing is set for

January 4, 1970. It is hoped the manner of payment can be determined tonight. States there are two ways this can be handled. In a case similar to this several years ago (Leslie-Prescott), the decision was made to put these on the tax rolls and collect the assessments over a five year period with interest accruing. There was a five-day cash payment period and after that the liens were filed with the County Recorder and they became due and payable unless they were given a period of years to pay it off. Council might wish to extend this cash payment period, as was done in the Leslie-Prescott Improvement District, which was for 90 days.

One of the assessments is for \$3,700. and the other two are for \$1,800. or \$1,900. each. They are large assessments but the property owners have not indicated how they would like to pay them off. One owner is overseas.

Councilman Brown would like to extend the period 45 days. If not paid by that time, put them on the tax roll on a five-year basis.

Mr. Dainwood advises the County Assessor does not need these assessments until August 10 to get on the following year's tax roll. The interest is 7% on the unpaid principle.

Attorney McDougal states interest starts accruing on the 31st day after the confirmation of the assessments. Council can specify interest not to start until a certain date.

Suggestion is made that payment can be in cash within 30 days, give them 6 months to pay for it with interest, as long as it meets the August 10th deadline - no point in putting it on the tax roll.

Motion by Van Zanten, seconded by Cornett to grant a 30 day cash payment time and allow 5 months for payment with interest accruing at 7% before being placed on the tax roll. To bear interest at 7% when placed on tax roll and to be collected over a five year period.

Motion carried by unanimous vote.

18. LTR. PROHIBITION & ABATEMENT OF BILLBOARDS By letter dated December 23, 1970, Councilman Van Zanten suggests Council consider the prohibition of new construction of signboards and billboards in the City, and that existing signboards and billboards should be abated by January 1, 1974.

Councilman Van Zanten feels action should be taken on this at the same time business licenses are discussed. Also is aware that the Chamber of Commerce is working on a sign ordinance and perhaps this can be postponed until Council gets their report.

Attorney McDougal states the City can prohibit billboards and institutional advertising billboards, entirely within the City limits. Believes a general definition of a billboard would be "a display structure which advertises products not for sale on those premises." Ventura County, Monterey County and City of Santa Barbara have completely abolished them and are also abating the existing billboards within a three to five year period.

Mr. Henson states Escondido has done this and set a very short period of time on abatement.

Question is raised as to what action can be taken now to prohibit new billboards being constructed. Once they are constructed would be up for three years. It is mentioned

that the Council asked the Chamber of Commerce to make a study on signs and give a report to Council - should have it in about two weeks. No opposition to saying no more billboards but should pay the Chamber the courtesy of waiting for their report.

Motion by Cornett to continue this matter for 30 days.

Motion dies for lack of a second.

Attorney McDougal advises the committee is having its last meeting on January 5, 1971, with a Board Meeting on January 14. If Council is concerned about a rash of building permits for sign and billboards being issued, could pass an urgency ordinance precluding them and take some time to study this matter. When Council gets into the Chamber's report will find that the recommendations they are making are fairly strong and complex.

It is suggested they be prohibited by a moratorium, and on the basis of a moratorium would prohibit the construction of any sign or billboard that advertises products not sold on the premises.

Motion by Van Zanten, seconded by Cornett to place this item on the agenda of January 18, 1971, with the recommendations of the Chamber of Commerce Sign Committee and that no sign boards or billboards are to be built until after January 18, 1971.

Motion withdrawn later.

Opinion is expressed that Council needs more time than that to study this. The moratorium should be for at least 90 days.

Attorney McDougal states that urgency section of the zoning ordinance provides for this and can pass an ordinance for 90 days unless a public hearing is held, and then it can be extended for a year.

It is mentioned that there is another ordinance that allows subdivisions to put up temporary signs. It is agreed that more time is needed to study this matter.

Councilmen Van Zanten and Cornett withdraw the motion.

Motion by Brown, seconded by Cornett to have this matter on the agenda of January 18, together with the recommendations of the Chamber of Commerce Sign Committee and at the earliest possible time to adopt an urgency ordinance prohibiting construction of any billboards or signs not advertising products sold on the premises.

Motion carried by unanimous vote.

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| 19. TERM OF
RECREATION
COMMISSIONERS | The terms of Mrs. Russel L. Stockwell and Mr. Boyd Bevington expire on January 2, 1971. |
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Motion by Snapp, seconded by Brown to continue this matter to January 4, 1971, meeting.

Motion carried by unanimous vote.

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| 20. RESOLUTION 572-70 | Motion by Cornett, seconded by Brown to adopt Resolution No. 572-70, approving renewal of radar maintenance contract with the City of San Diego. |
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Motion carried by unanimous vote.

21. RESOLUTION 573-70 Motion by Cornett, seconded by Brown to adopt Resolution No. 573-70 approving modification of rubbish and garbage collection agreement to provide for an increase in fees.

Motion carried by unanimous vote.

22. RESOLUTION 574-70 Motion by Cornett, seconded by Brown to adopt Resolution No. 574-70 modifying contract with Bench Ad Company to provide for an extension of one year.

Motion carried by unanimous vote.

Councilman Van Zanten states he called the Parks and Recreation Department about the old benches that do not belong to the Company, and suggested they be picked up and placed in the parks. Mr. Mazzola said if they were in good repair could use them which would be better than having the company remove them. These would be the old concrete benches.

Mr. Acker states these benches are very prone to vandalism, even if they are of concrete, can be broken up with clubs, etc., and then they are impossible to repair. Rather than putting them in the parks, could put them around town in strategic locations for people to sit on. The Senior Citizens seem to have them pinpointed between walking distances. Mr. Mazzola has suggested they be placed where they can be under observation.

23. RESOLUTION 575-70 Motion by Cornett, seconded by Brown to adopt Resolution No. 575-70 approving planned residential development No. 1 on Lots 2, 4, and portion of Lot 6, Subdivision No. 1, Chase Rancho. (McKeon Construction Company).

Motion carried by unanimous vote.

24. RESOLUTION 576-70 Motion by Cornett, seconded by Brown to adopt Resolution 576-70 modifying indemnity agreement with H and H El Cajon and United California Bank. Consenting to extension of time to remove temporary building.

Motion carried by unanimous vote.

25. RESOLUTION 577-70 Motion by Cornett, seconded by Brown to adopt Resolution 577-70 accepting various parcels into the public street system.

Motion carried by unanimous vote.

26. RESOLUTION 578-70 Motion by Cornett, seconded by Brown to adopt Resolution 578-70 approving contract for improvements. (Ward)

Motion carried by unanimous vote.

27. RESOLUTION 579-70 Motion by Cornett, seconded by Brown to adopt Resolution No. 579-70 approving contract for improvements. (Allums).

Motion carried by unanimous vote.

28. through 30. FIRST READINGS Motion by Van Zanten, seconded by Cornett to have first reading of Item 28, establishing sewer service charges; Item 29, amending code - Palmistry; and Item 30, amending code - Business License Fees.

Motion carried by unanimous vote.

28. SEWER SERVICE
CHARGE

Deputy City Clerk reads heading of an ordinance of the City of El Cajon establishing a sewer revenue fund and establishing sewer service charges. Adding Chapter 24A to the Code of the City of El Cajon.

By letter dated December 24, 1970, Assistant City Manager Acker recommends Council adopt a policy establishing a \$3.50 per month maximum fee for all single family residential users. The establishment of such a maximum, in effect, excludes any portion of a water bill in excess of \$12.50 per month from the percentage charge. Would also remove the necessity of granting exemptions to residential consumers who use large quantities of water for non-domestic purposes in most cases. That the City Manager, with the consent of the Council, be authorized to vary the actual maximum in effect at any time.

Replying to questions, Mr. Dainwood advises last year the City collected \$32,234. from the County for the Wintergarden Sewer District. This is on an acreage basis and is \$17.88 per acre and on a basis of \$12.00 per equitable dwelling unit per year - this is on a single family dwelling unit - some businesses would be different. Also collected 50¢ per pupil from the W. D. Hall School. The only way to determine the per dwelling unit cost would be to take the average number of dwelling units last year and divide into the total amount. Comes out to about \$2.60, but this figure does not include maintenance. The County collects approximately one-third more than this and keeps that for maintenance, so it is between \$3.40 and \$3.50 per dwelling unit. The City has an indefinite contract with the County to service the area along Broadway north of Second Street, which was ratified by Council. Believes it terminates when the contract with the Metropolitan Sewer System terminates, which was for a period of 40 years. Are in the process of checking these figures to see if they need revision.

Mr. Acker explains the \$3.50 was suggested to be adopted as a policy as it is not certain how much revenue this will generate, particularly in the residential portion. If the 20% is collected could build up a surplus before the ordinance could be changed, which the City does not want to do. Also does away with the necessity for granting exemptions to residential consumers who use large quantities of water for non-domestic users.

Motion by Quidort, seconded by Brown to waive first reading of above ordinance.

Motion carried by unanimous vote.

29. AMEND CODE
PALMISTRY

Deputy City Clerk reads heading of an ordinance amending Section 18-13 of Chapter 18 of the Code of the City of El Cajon to proscribe the carrying on of fortune telling and related occupations as entertainment or otherwise.

Motion by Quidort, seconded by Brown to waive first reading of above ordinance.

Motion carried by unanimous vote.

30. AMEND CODE
BUS. LICS.

Deputy City Clerk reads heading of an ordinance amending various Chapters of the Code of the City of El Cajon to revise fees and regulations pertaining to issuance of business licenses.

Motion by Quidort, seconded by Van Zanten to waive first reading of above ordinance.

Motion carried by unanimous vote.

31. ORDINANCE 2323 Deputy City Clerk reads heading of an ordinance approving Specific Plan No. 150 for the development of portion of Lot 28, Tracts E and F, Rancho El Cajon (Morse).

Motion by Quidort, seconded by Van Zanten to waive second reading of above ordinance and to adopt Ordinance No. 2323, approving Specific Plan No. 150 for the development of portion of Lot 28, Tracts E and F, Rancho El Cajon (Morse).

Motion carried by unanimous vote.

32. ORDINANCE 2324 Deputy City Clerk reads heading of an ordinance approving Specific Plan No. 146 showing commercial development in the "M" Zone on a portion of Lot 4, Magnolia Ranch Tract. (Helf Investment Co.).

Motion by Quidort, seconded by Cornett to waive second reading of above ordinance and to adopt Ordinance No. 2324 approving Specific Plan No. 146 showing commercial development in the "M" Zone on a portion of Lot 4, Magnolia Ranch Tract. (Helf Investment Co.).

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

Motion carried.

33. ORDINANCE 2325 Deputy City Clerk reads heading of an ordinance rezoning portion of Lot 18, Block 4, Bostonia Acres, into Zone "R-1-6". Zone Reclassification No. 919. (Curtis).

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2325, rezoning portion of Lot 18, Block 4, Bostonia Acres, into Zone "R-1-6". Zone Reclassification No. 919. (Curtis).

Motion carried by unanimous vote.

34. ORDINANCE 2326 Deputy City Clerk reads heading of an ordinance amending Chapter 28 of the Code of the City of El Cajon pertaining to licensing and other regulations for taxicab service.

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2326 amending Chapter 28 of the Code of the City of El Cajon pertaining to licensing and other regulations for taxicab service.

Motion carried by unanimous vote.

35. WARRANTS Motion by Brown, seconded by Quidort to approve Commercial Warrants No. 27,955 through No. 27,971 in the amount of \$403,945.32.

Motion carried by unanimous vote.

35A. ITEM C GENL. By letter dated December 18, 1970,
INFO. TOPICS State of California Department of
FUND Public Works, states the TOPICS
Advisory Committee of City and County
Officials recommended that California's entire allocation of TOPICS funds be apportioned to local governments for their priority determination rather than an arbitrary amount be set aside for future use on State highways.

Mr. Dainwood advises the City has just received a request to enter into an agreement with the State that will allow the report

to be prepared. The agreement will be on the next agenda for adoption. Will then prepare the TOPICS report, which will consist of the projects proposed to be done. The money that was allowed last year is secured until July 1, 1971. The report will include a map of the system. Will bring the report to Council for approval.

36. REPORTS OF
COUNCILMEN

Councilman Brown states the Board of Supervisors has suggested that CPO be appointed the Airport Land Use Commission that was to be appointed by January 1, 1971. Have prepared a resolution to that effect. Feels the City should adopt a similar resolution rather than establish another agency. Will secure a copy of that resolution. The law specifies that Commission should be established by January 1 but does not say what will happen if it is has not been done. If the resolution is on next week would probably be alright.

PLANNING DATA
ITEM F-GENL. INFO.

Councilman Van Zanten states Item F of General Information shows how the number of cars, trucks, motorcycles, trailers, etc. have increased over the last 20 years. Feels Council should take some real positive action on establishing a greater ratio of parking spaces for apartment buildings and that curb side parking should not be a part of the allotment.

Mr. Henson advises the study requested by Council for the elimination of on-street parking has been completed. Is waiting to present it to Council with a study that is being done on apartment development in the City, to see if the requirements for R-3 zoning should be changed. Felt they should be presented and completed together. Will try to have them both to Council by January 11, 1971.

Suggestion is made that this come to Council first for review and thoughts, then send it to the Planning Commission.

ORDER OF ADJOURNMENT

Motion by Quidort, seconded by Van Zanten that the adjourned regular meeting of the City Council of the City of El Cajon, California, held this 28th day of December, 1970, is adjourned at 12:15 o'clock a.m. on Tuesday, December 29, 1970.

Motion carried by unanimous vote.

MILDRED R. HENSLEY
City Clerk

Rose M. Burgess
Deputy City Clerk

