

CITY OF EL CAJON
EL CAJON, CALIFORNIA
JANUARY 25, 1971

An adjourned regular meeting of the City Council of the City of El Cajon, California held Monday, January 25, 1971, 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 January 18, 1971, 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	Hensley, 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 David Edwards, First United Methodist Church.

MINUTES Motion by Brown, seconded by Quidort
to approve the minutes of the January
14, 1971, and January 18, 1971, meetings.

Motion carried by unanimous vote.

POSTING The order of adjournment of the
January 18, 1971, meeting was duly
posted as required by law.

ITEMS ADDED AND
DELETED

Motion by Van Zanten, seconded by Brown to make the following amendments to the agenda:

Continue Item 1 (Hearing on Specific Plan No. 152 - Fredricks Development Corporation) one week, as requested by the applicant.

Hold over Item 12 (Letter from Dr. Fred B. Ragland) one week, as requested by Manager Applegate.

Remove Item 33 (First reading of ordinance on garbage, rubbish and refuse) inasmuch as the ordinance is not ready and Universal Disposal has requested to see the ordinance, as requested by City Attorney.

Add Item 11A, (Letter from C. L. Middleton requesting temporary sewer hookup), as requested by Manager Applegate.

Add Item 36A - Item B of General Information;

Add Item 36B - Item E of General Information; and

Add 36C - Item G of General Information, as requested by Councilman Brown.

Attorney McDougal advises that the deletion of Item 33 will not affect the rates charged during that period; a resolution has been adopted setting the rates. The ordinance changes the total agreement and the other matters Council requested, but the rates will be as Council indicated.

Concern is voiced about continuing the hearing on Item 1; Attorney McDougal agrees there should not be another continuance unless the hearing is readvertised. It is requested that the applicant be advised that this matter will not be continued again.

Motion carried by unanimous vote.

1. CONT'D HEARING- Time has come for continued public
S.P. 152-FREDRICKS hearing from the meeting of January
18, 1971, on Specific Plan of Develop-
ment No. 152 submitted by Fredricks Development Corporation for
an apartment complex on the south side of Fletcher Parkway, on
both sides of Petree Street, west of Marshall Avenue.

Planning Commission Resolution No. 2937 recommends approval subject to certain conditions.

Motion by Brown, seconded by Quidort to continue the hearing one week.

Motion carried by unanimous vote.

2. CONT'D HEARING- Time has come for continued public
APPEAL-Z.R.925 hearing on an appeal submitted by
MITCHEL & BELVEDERE Glenn D. Mitchel and Ottavio Belvedere
on the decision of Planning Commission
Resolution No. 2930, denying Zone Reclassification No. 925 to
reclassify property on the east side of Fletcher Parkway, at
Chatham Street and Dryden Road, from the R-1-6 Zone to the R-P
Zone.

This hearing was continued from the meetings of January 4, 1971, and January 11, 1971, for the purpose of consideration of an alternate plan by the developer, and agreement on a deed restriction to guarantee specific development.

Mr. Otto Belvedere, 362 Carter Street, states they were requested by the City Attorney to put this through the Planning Commission again to cut the building down to 9,000 square feet.

Attorney McDougal states he indicated that in his opinion the Council could not, without some concern, use conditions or restrictive covenants, because if the zoning is granted and the property is sold, there is a real question whether any court would enforce any restrictions Council put on. He also indicated to the applicants that one solution would be for Council to take this matter off now, and let the applicants process a specific plan. Normally the City does not allow someone to process a specific plan in a zone category in which that particular use would not fit. The hearings would be held the same night, and if Council approves the specific plan would also approve the zone reclassification.

It is questioned how the Planning Commission or Council could approve a specific plan that was illegal to build; Attorney McDougal states the technical answer is that at the time the specific plan becomes final it is not illegal. The main reason

this is not allowed generally is to avoid speculation; an applicant might submit any specific plan just to get a zone reclassification approved. From a technical standpoint the specific plan is not final until 30 days after the second reading, nor is the change in zoning.

For the reasons mentioned, Councilman Brown thinks it would be very undesirable to do that; there is another parcel substantially larger in this same area on which many of the same arguments could apply. It is pointed out that property is in La Mesa.

Mr. Belvedere states they are willing to go along with what the Council recommends as far as the specific plan; want to build an office building and nothing else.

Mr. Victor Simmons, 2680 Dryden Road, asks for clarification of the specific plan rather than deed restrictions. Attorney McDougal explains the specific plan entails public hearings before the Planning Commission and Council; if these bodies are in agreement there are first and second readings of the ordinance and 30 days later it becomes an ordinance of the City. Any violation of the specific plan is a violation of a City ordinance and so it is more effective and they have better control than on a deed restriction. The buildings must be located as shown on the approved specific plan. Would control development of the entire lot.

Attorney McDougal suggests Council close the hearing and take this item off the agenda. It should be republished so that it appears as a public hearing when the specific plan is before them for public hearing.

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

Motion carried by unanimous vote.

Motion by Quidort, seconded by Cornett to take Zone Reclassification No. 925 off the agenda and bring it back when the specific plan is set for hearing.

Motion carried by unanimous vote.

3. AMEND S.P.96- Time has come for public hearing on
INTERNATIONAL HOTELS amendment of Specific Plan No. 96 submitted by International Hotels
Construction and Management, to include a two-story motel on property at the northeast corner of Mollison Avenue and Interstate Freeway 8.

Planning Commission Resolution No. 2945 recommends approval subject to certain conditions.

By letter dated January 15, 1971, Division of Highways advise at the present time they have no route studies which would affect this property.

No written protests were received nor verbal protests offered.

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

Motion carried by unanimous vote.

Comment is made that these parcels have been legally separated and it is questioned how they can allow credit for parking on the service station parcel for the motel, which is short in spaces. Mr. Henson advises they have done this on other specific plans; would view no problem with the service station, but he could probably block off the spaces. There is a real trade off between the restaurant and the motel. It is pointed out that the Town and Country Shopping Center has sold off parcels to Pay Less Drugs and Von's, for example, and yet they are governed by one specific plan.

Councilman Van Zanten states when this was discussed previously, they were assured there would be joint driveways and parking spaces, so that no one could restrict the use.

Mr. Henson advises the Planning Commission recommended deletion of the spaces marked M-3 and M-4 at the lobby entrance because they would be used as temporary parking for people registering. The motel would be short four permanent spaces.

Motion by Cornett, seconded by Quidort to refer the amendment of Specific Plan No. 96 to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 2945.

Motion carried by unanimous vote.

4. P.R.D. -2 McKeon Construction has submitted
 McKEON CONST. Planned Residential Development No. 2
 for a condominium development on
property on the east side of Jamacha Road, south of Granite
Hills Drive.

Planning Commission Resolution No. 2955 recommends approval subject to certain conditions.

Mr. Henson advises the private drive is essential to the project; is primarily for ingress and egress to the parking spaces. In regard to whether there is any specific use intended for the area between the private drive and the boundary of the property, Mr. Henson believes it is the applicant's intent to landscape this area. The landscaping plan is subject to review. Some of the drives do take off the streets, but not every lot has a drive on to the street. Each unit has one covered parking space and there is a tandem space to the rear. Even without counting tandem spaces there are enough parking spaces on site to provide for the second automobile space.

It is questioned whether some of the larger open spaces in the corners are to be planted with grass, so they can be used, rather than put in iceplant and trees. Mr. Henson has no indication from the applicant as to how he intends to treat the landscaping. The Staff would not hold him to grass on all this and feels he is entitled to low maintenance groundcover. There are some enormous lots on the property and could be some difficulty in maintaining them.

In regard to whether this is a true condominium, Mr. Henson understands there is land which is owned in common by all; there are separate lots which will be owned by the four property owners who have units on that lot. There is a maintenance agreement set up with the purchase of ownership.

Mr. Frank Newberry, McKeon Construction, 3435 Camino Del Rio South, San Diego, states this is a true condominium. The individual buyer gets three things, fee title to the interior, one-fourth undivided interest in his lot and his interest in the

two recreation areas, divided by the number of total units. The exterior areas are all maintained by a home owners association, which the buyer pays an assessment into each month. This is regulated both by the Bank of American and by the C, C and R's, which are a part of this, so that when a unit is purchased, the covenants and restrictions go with the site; spells out all the home owners rights and the fact they have to pay the assessment, which is part of their principal and interest, taxes and insurance. If they default on an assessment charge, the property automatically goes into default.

Mr. Newberry continues that the rear drive is an integral part of the development because there are no drives that come off the front of the units. All access is provided through the rear drive area. The reason for the emphasis on landscaping in the rear is that there is a unit more or less oriented to the rear; they landscape behind the private drives as well as in between the units so that person has nearly the same amenities on the green as those in the front units. It has been suggested at the Planning meeting that some of the buildings be staggered, so they will pull some of the buildings back and forth so they don't have a straight shot at the boundary line. They originally had not intended to improve the portion of Gustavo "Reserved for Future Street", but the Planning Commission recommended that and it will be put in.

There will be no extra expense to maintaining the large areas in the corners; the assessment for maintaining the green areas is equally assessed to everyone, regardless of the size of the individual parcel. The assessment charge covers roof maintenance, rear drive maintenance, pool and cabana maintenance, etc. Believes the assessment for this development will be \$12 to \$14 a month per unit.

The four owners who have an undivided one-fourth interest in a lot cannot build private patios or erect fences; the maintenance legally is delegated to the homeowners association and they have responsibility for the entire development. For the first six or eight months his company will act as officers of the homeowners association, then it is turned over to the owners in the development.

Mr. Newberry points out the three-phase development on the layout; in the first stage plan to put in the pool and cabana area and approximately 15 buildings.

Attorney McDougal states that generally a copy of the covenants and restrictions are filed with the City for review.

Mr. Newberry states it is included in the restrictions that neither an individual owner, nor the four owners together, can build a fence around one particular lot. A person in one unit can go into the yards of the other units without trespassing.

Mr. Newberry explains the layout plan to which he is referring ties in with the modifications recommended by the Planning Commission, such as deleting the drive to the pool area, rearranging parking spaces, turning some of the buildings, etc.

It is questioned whether there is any guarantee that all three phases will be built. Mr. Newberry states they file a specific plan with the City and this must be constructed in substantial conformity to that. Attorney McDougal states the ordinance provides they must post a bond to guarantee the construction

is completed. Will have to make arrangements with Council if they plan to take it into three phases. Mr. Newberry states the development is funded and they will start construction as soon as authorized by the City.

Mr. Newberry explains that originally the drive at the rear of Lot 44 connected to the other drive, but since this lot is accessible for cars, there seemed no reason to put the drive through, which would have made a traffic pattern which was not required. This was not done to cut down the costs but in an attempt to have the green areas completely wrapped around the units.

Motion by Cornett, seconded by Quidort to approve Planned Residential Development No. 2 and refer it to the City Attorney for a resolution according to Planning Commission Resolution No. 2955.

Discussion.

Mr. Henson explains that the map Mr. Newberry has reflects the changes Council is asking for; the final plan submitted to the City will show these changes.

Votes are now cast on motion by Cornett, seconded by Quidort to approve Planned Residential Development No. 2 and refer it to the City Attorney for a resolution according to Planning Commission Resolution No. 2955.

Motion carried by unanimous vote.

5. JAMACHA GREENS McKeon Construction has submitted
T.M.-177 Tentative Subdivision Map No. 177 -
 Jamacha Greens, dividing property
on the east side of Jamacha Road, south of Granite Hills Drive,
into 50 lots.

By letter dated January 18, 1971, Planning Commission recommends approval subject to certain conditions.

Motion by Brown, seconded by Quidort to refer Tentative Map No. 177 to the City Attorney for preparation of a resolution in accordance with Planning Commission recommendations.

Motion carried by unanimous vote.

6. S. ORANGE Mr. Charles M. Edwards has submitted
ANNEX. NO.4 a petition for annexation (South Orange
 Annexation No. 4) of approximately 1½
acres on the east side of South Orange Avenue, south of Chase
Avenue.

LAFCO has approved the annexation and authorized Council to annex such territory without notice and hearing. The required annexation fees have been paid.

Motion by Cornett, seconded by Quidort to refer South Orange Annexation No. 4 to the City Attorney for preparation of a resolution approving the annexation.

Discussion.

Mr. Henson advises the 20-foot wide strip, 700 feet long, was arranged prior to South Orange Avenue being extended, in order to give the property frontage on Magnolia.

Votes are now cast on motion by Cornett seconded by Quidort to refer South Orange Annexation No. 4 to the City Attorney for preparation of a resolution approving the annexation.

Motion carried by unanimous vote.

7. LTR-BOISE CASCADE REIM. SEWER CONT. Motion by Cornett, seconded by Van Zanten to grant request for a reimbursable sewer contract for the portion of the sewer system in Tract 6572 (Granite Hills Subdivision), in accordance with letter from Boise Cascade Building Company dated January 13, 1971, and refer this matter to the City Attorney for the necessary resolution.

Motion carried by unanimous vote.

8. LTR-DUGAN REFUND By letter dated January 14, 1971, Mrs. Mary Dugan requests refund of \$6.00 for two swap meet permits which she was unable to use due to rain.

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

Discussion.

Even though weather was the reason for this refund, it is felt the granting of this request would incur requests for refunds for other reasons that would prevent them from attending the swap meet. This is one of the hazards in taking a license to do something.

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

Motion carried by unanimous vote.

9. CHAM. OF COM. QTLY REPORT Motion by Cornett, seconded by Quidort to accept the El Cajon Chamber of Commerce Quarterly Report and Financial Statement for the period October 1, 1970, through December 31, 1970.

Motion carried by unanimous vote.

10. LTR-GRAHAM Motion by Van Zanten, seconded by Cornett to file letter from Mrs. Cathey Graham dated January 12, 1971, thanking Council for action taken in regard to a traffic problem at the intersection of Fletcher Parkway and Johnson Streets, and volunteering to take an active part in some civic project.

Motion carried by unanimous vote.

11. WAIVER-FLOYD Motion by Cornett, seconded by Quidort to approve request for waiver of side-walks adjacent to property at 1373 El Rey Avenue, submitted by Morris Floyd, subject to signing a lien contract or posting cash or surety bond.

Motion carried by unanimous vote.

11A. LTR-MIDDLETON
TEMP. SEWER

By letter dated January 22, 1971, Mr. Charles L. Middleton requests an emergency connection to the sewer in Granite Hills Drive for his property at 1346 Windmill Road, presently in the County, through an easement in his neighbor's property. This entire area has requested annexation to the City, but it will be June or July before that will become effective, and another six months to a year before sewers could be built.

Manager Applegate explains there is a series of lots facing Granite Hills Drive which are not annexed; one parcel in the middle has recently annexed. Mr. Middleton's property is directly behind this parcel. A petition for annexation has been circulated but will not be final soon enough as it will entail an election. Mr. Middleton has a sewer easement across Mr. Ferrara's property to hook into the sewer in Granite Hills Drive. Granite Hills Drive is being improved in connection with the Pepper Villa Project. His property is in the County, on an easement road. He has been issued a cease and desist order by the County and they are becoming insistent. Mr. Middleton is requesting a temporary permit to hook to the sewer through the easement. If the large annexation should fail, he could annex his property as he is abutting the City limits.

Mr. Charles L. Middleton, 1346 Windmill Road, states he has had numerous repairs made to his septic tank system, but the ground is saturated. Before this area was developed, it was the natural drainage for the whole area and the water still comes through there.

Attorney McDougal advises the ordinance prohibits the furnishing of sewage disposal service by the City to areas outside the City limits, except in the following cases:

- (a) Property currently serviced by contract with the City.
- (b) Political subdivision of the State.
- (c) The United States Government.
- (d) Property under one ownership, which is partly within the City, wherein an extraordinary condition exists, and upon such terms and conditions as the City Council may determine, having in mind the annexation of property and an orderly development of its sewer system.

Mr. Pizzato advises by policy the City does not allow sewer mains in private easement roads.

Mr. Middleton states he has been advised it would be June or July before the area could be annexed, and another year before the sewer would be constructed. Had originally intended to annex only his property, but the Engineering and Planning Departments recommended the whole area be annexed.

Manager Applegate advises the questions are whether Council wants to service property outside the City on a temporary basis. If they decide to help him it should be very clear that this is temporary, and if the annexation should fail he would be obligated to annex his lot; if he does not, could be disconnected from the sewer.

Comment is made that Mr. Middleton should realize he will have some duplicated expenses; if he runs a temporary lateral to

Granite Hills Drive he will also have the expense of hooking to the sewer in Windmill Road, when that is constructed. Mr. Middleton has discussed this with Planning and Engineering and is aware of these problems. When he circulated the petition everyone understood there would be street improvements, sidewalks, sewers and drainage.

It is questioned whether the ordinance could be interpreted to allow the request in this case because there is a pending annexation, and set a period of one year or service must be discontinued. If the election fails he could proceed to annex the single parcel.

Manager Applegate points out there are lots on either side of the parcel which annexed that have not been allowed to hook to the sewer because they are in the County; is not sure whether they have actually made this request. There also could be the problem of spreading the assessment later. Since there is a steep hill in this area, it may not even be feasible to sewer beyond the second tier of lots.

Mr. Pizzato would like the matter continued one week, if there is any information desired. Comment is made that the problem is that Mr. Middleton has an order from the Department of Public Health, and has a serious problem that must be rectified. It is felt that the Engineer could not tell at this time what the design of any system or street pattern would be. If Mr. Middleton is allowed to connect, would have to be under the assumption that this may be a total loss in the overall development of the property.

Mr. Pizzato advises the sewer in Granite Hills Drive does not go all the way to Second Street. Manager Applegate points out the location of Windmill Road on the map; it is a typical County easement road. The sewer in Granite Hills Drive has not yet been accepted by the City.

Attorney McDougal does not see what can be done, since his request would be a violation of the ordinance. Also, would be opening the way for many other similar requests. Suggestion is made that Mr. Middleton contact LAFCO to see if he can be placed on their next agenda for the annexation of just his property. Attorney McDougal will take a look at this; may, in effect, be able to grant a variance if a signed petition for the improvement district and annexation of the entire area is filed, and then file annexation for the single lot in the meantime. Another possibility is an extension of time from the County Health Department.

Motion by Brown, seconded by Quidort to continue this matter one week to see what can be worked out.

Motion carried by unanimous vote.

12. Letter from Dr. Ragland regarding an easement across the City Park was continued in earlier action.

13. SMOG PROBLEMS By letter dated January 20, 1971, Councilman Van Zanten suggests two possible courses of action to help alleviate the smog problem; 87% of air pollution is attributed to gasoline-fueled automobiles. First, that all service station construction be curtailed within the City: any new site or construction to be permitted only by the removal of an existing station (a new architecturally pleasing building to be on the same site or a site now not profitable to be

returned to its original land use or zoning). Second, the San Diego Gas & Electric Company make a proposal to Council for the construction of a liquefied natural gas vessel in the maintenance yard and the conversion of City vehicles to a nearly nonpolluting method of operation. This action to be prior to adoption of the 1971-72 budget.

Councilman Van Zanten points out the report submitted by the League of Women Voters on transportation also states they should consider cleaner fuels and engines. The biggest complaint he hears is that a service station is being put on every corner in El Cajon; if service stations are going to be obsolete in the next few years, they should not tie up the corners, and the City should not allow any more service stations.

In regard to the conversion of City vehicles, believes this can be done for \$350 to \$400 and the City should show some leadership in this field. Talked with San Diego Gas & Electric people, and they are considering building a vessel in El Cajon for their own vehicles, but would prefer a large user like the City would construct their own vessel in the maintenance yard, for example, and they would fill from that. Feels Council should consider that the next time the police cars go to bid that they have certain cam requirements, etc. The Gas Company has been working on this for several years: there is a company in the Gillespie Field area which builds these vessels.

It is felt that the Staff would have to give answers to some of the questions, such as on cars that are traded every year, what the City would be losing when they resell those cars, or would the whole unit be adaptable to the new cars. It is pointed out that there is a conjecture by the people who are involved in this that it may not be necessary to trade every year; would not have the maintenance factor in the engine, which is not worn as much. Might start this on automobiles which are not traded in every year.

Before anything is done, a report should be submitted on the costs and problems such as the difficulty of refueling, which is a little more complicated and dangerous. Probably would require an attendant on duty 24 hours a day. The Fire Chief's Association researched the matter of exotic fuels several year ago, and came to the conclusion they are just as safe as those commonly used today. The leak factor is convertible to other uses in the car itself. It is suggested that the Gas Company give a demonstration for Council so they can see what it does. All the busses at the zoo are on this and their maintenance factors are entirely revolutionized.

In studying this the Staff should be prepared to tell Council what the costs are so Council can make a decision prior to adopting the budget for the next year. The City should first convert a few cars in order to develop their own experience. Another opinion is that there is not that much of a hazard that it would be necessary to have an attendant on duty for 24 hours.

Councilman Van Zanten suggests the Gas Company be asked to come to a public meeting to give a demonstration; would like the media to give a play on this. The Gas Company could tell what they are doing on their cars, then the Staff could submit a report on the costs of conversion.

Motion by Van Zanten, seconded by Quidort that the City Manager invite the Gas Company to give a public demonstration for the City Council.

Motion carried by unanimous vote.

Attorney McDougal states the proposed moratorium on service station construction is different than billboards; to his knowledge there is no case where anyone has said there will be no more service stations. In one city the constitutionality of prohibiting billboards completely in all zones is being challenged. Traditionally it has been tough to say there can be no particular use in a City unless there are some very unusual circumstances, such as a borrow pit, junkyard, etc. There are many different limitations; some years ago added Item 3 of Section 1704 of the Zoning ordinance, which provides on conditional use permits, if certain factors were found to be present, could prohibit service stations completely. In almost every service station corner could find congestion from traffic, danger from explosion, noise and smoke. If they cannot prohibit them completely can certainly cut down on them.

Councilman Brown thinks it would be very inappropriate to discuss that, as they would be limiting competition, and this then should be done for other types of businesses also. Believes there is a requirement in the ordinance that if they are closed and not operative they must be done away with; can abate closed up buildings. To pick on one particular place of enterprise and say they will limit it, when a service station is not detrimental to the public health safety and welfare, does not make much sense.

Motion by Van Zanten, seconded by Quidort to refer this to the City Attorney to determine whether it is or is not legal to curtail service stations.

Discussion.

Speaking against the motion, Councilman Brown thinks it is unreasonable to pursue this and use Staff time to do it.

Votes are now cast on motion by Van Zanten seconded by Quidort to refer this to the City Attorney to determine whether it is or is not legal to curtail service stations.

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

Motion carried.

14. WEED ABATE PROGRAM By letter dated January 18, 1971,
ADMIN. FEE Fire Chief Owen suggests that the
administration fee per parcel on the
weed abatement program be changed to one-half the cleaning
charge of the parcel, not to exceed \$15. In this way, the
administration fee would be set in a realistic proportion in
accordance with service charge on the smaller lots.

Motion by Cornett, seconded by Quidort to concur with the request for change.

Discussion.

Comment is made that this would eliminate the problem on some of the smaller lots where a \$15 administration fee is charged on a \$10 cleaning fee. Manager Applegate agrees that it was figured that it actually cost the City \$15 administration costs, and it is also true that the cost of administering paper work on a small parcel is as large as on a larger lot.

It is questioned whether the change in the ordinance will also be before Council shortly, in regard to when the notices are sent, time limits, etc. Manager Applegate states the hearing should be held in a couple of weeks and as soon as it is all over this time, Staff will be back with full recommendations for next year. Thought Council would want to change the administration fee prior to the notices going out for the hearing; the contractor is clearing some of the lots for \$9.00.

Votes are now cast on motion by Cornett seconded by Quidort to concur with the request for change.

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

Motion carried.

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

15. PERSONNEL SERVICE Motion by Cornett, seconded by Quidort authorizing the City Manager to enter into renewal contracts extending Cooperative Personnel Services until January 31, 1974, as recommended in letter from Administrative Analyst Odle dated January 19, 1971.

Motion carried by unanimous vote.

16. PERMIT APP. By letter dated January 14, 1971, Chief Dart advises that CII has informed them they will be unable to process fingerprint record clearances for permits for cabaret employees, private patrolmen, etc. The two alternatives are that the City issue permits without background information or not issue any new permits or clearances.

By letter dated January 18, 1971, City Manager suggests the police continue to make clearances through local files, and issue temporary permits so that when the situation corrects itself they can be reviewed.

Motion by Cornett, seconded by Van Zanten to concur that temporary permits be issued or indicate that they will be subject to final approval.

Motion carried by unanimous vote.

17. JOHNSON-LEXINGTON Motion by Brown, seconded by Cornett that letter dated January 20, 1971, from the Planning Commission requesting that the Traffic Committee study the alternative alignments in the plan to connect Johnson Avenue and Lexington Avenue, be directed to the Traffic Committee.

Motion carried by unanimous vote.

18. RECR.COMM. - BEVINGTON By letter dated January 14, 1971, Cajon Valley Union School District Board of Education indicates they unanimously approved the candidacy of Mr. Boyd Bevington for representation on the Parks and Recreation Commission for a three year term.

Motion by Van Zanten, seconded by Quidort to concur with Mayor Snapp's reappointment of Mr. Boyd Bevington to the Parks and Recreation Commission for a three year term.

Motion carried by unanimous vote.

19. RESOLUTION 25-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 25-71,
resolution of intention to vacate public street right of way,
and setting date of public hearing for February 22, 1971.
Portion of Park Avenue.

Motion carried by unanimous vote.

20. RESOLUTION 26-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 26-71,
resolution of intention to vacate public alley right of way,
and setting date of public hearing for February 22, 1971. Alley
east of Mollison, between Broadway and Greenfield Drive.

Motion carried by unanimous vote.

21. RESOLUTION 27-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 27-71,
resolution of intention to vacate public street right of way,
and setting date of public hearing for February 22, 1971.
Portion of Palm Avenue, west of Wile.

Motion carried by unanimous vote.

22. RESOLUTION 28-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 28-71,
awarding bid for purchase of street name signs to Western
Highway.

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

Motion carried.

Mr. Pizzato advises they have been in contact with Western Highways concerning the written five year guarantee.

Councilman Cornett states he did not vote against this item, although he would have preferred what he considered a better, longer lasting sign. Has viewed Scotch-Lite signs in the area of 47th and El Cajon Boulevard and they are a great improvement over anything else San Diego has.

23. RESOLUTION 29-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 29-71,
accepting grant of interest in real property by City of El Cajon for public street purposes from Jearlee Lowery, in connection with Madison, et al. 1911 Project, as recommended by the City Engineer.

Motion carried by unanimous vote.

24. RESOLUTION 30-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 30-71,
approving contract for improvements -- Leo B. and Dorothy L. Althoff. Building Permit No. 1753.

Motion carried by unanimous vote.

25. RESOLUTION 31-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 31-71,
accepting grant of interest in real property by City of El Cajon
for public street purposes from Leo B. and Dorothy L. Althoff,
Building Permit No. 1753.

Motion carried by unanimous vote.

26. RESOLUTION 32-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 32-71,
accepting grant of interest in real property by City of El Cajon
for public street purposes from Joseph A. and Sophie R. Ceipis,
Madison, et al. 1911 Project.

Motion carried by unanimous vote.

27. RESOLUTION 33-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 33-71,
accepting grant of interest in real property by City of El Cajon
for public street purposes from Joseph A. and Sophie R. Ceipis,
Madison, et al. 1911 Project.

Motion carried by unanimous vote.

28. RESOLUTION 34-71 Motion by Cornett, seconded by Brown
to adopt Resolution No. 34-71,
accepting grant of interest in real property by City of El Cajon
for public street purposes from El Cajon Valley Masonic Temple
Association, Inc., a corporation, Conditional Use Permit No. 389.

Motion carried by unanimous vote.

29 THROUGH 32 Motion by Quidort, seconded by Brown
FIRST READINGS to have first readings of ordinances
 under Item 29, Underground Utilities
Ordinance; Item 30, Uniform Building Code, 1970 Edition; Item 31,
Uniform Mechanical Code, 1970 Edition; and Item 32, National
Electrical Code, 1968 Edition.

Motion carried by unanimous vote.

29. UNDERGROUND UTIL. City Clerk reads heading of an ordinance amending portions of Chapter 25A of the Code of the City of El Cajon with reference to requirements for undergrounding of utilities.

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

Motion carried by unanimous vote.

30. BLDG. CODE City Clerk reads heading of an ordinance adopting the Uniform Building Code, 1970 Edition, as amended, regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the City of El Cajon; providing for the issuance of permits and collection of fees; providing penalties for the violation thereof; repealing all ordinances in conflict therewith; repealing all of Chapter 7 of the Code of the City of El Cajon, and adopting new Chapter 7.

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

Discussion.

The above ordinance includes the words "as amended" and it is questioned who did the amending; also, is this the same as all other cities in the County and the County are adopting. Mr. Jones advises it is the same; there are no differences except administrative. Some things he does that other cities do not do. The Code itself is being adopted in the entire San Diego area as Council had previously instructed. The amendments were worked out by the Building Inspectors group in San Diego County; part of those amendments have been approved for the 1971 edition which will not be adopted.

Votes are now cast on motion by Quidort, seconded by Brown to waive first reading of the above ordinance.

Motion carried by unanimous vote.

31. MECHANICAL CODE City Clerk reads heading of Item 31, an ordinance adopting the Uniform Mechanical Code, 1970 Edition, as amended, regulating the installation and maintenance of heating, ventilation, comfort cooling and refrigeration systems; providing penalties for the violation thereof; repealing all of existing Chapter 7B of the Code of the City of El Cajon, and adopting new Chapter 7B.

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

Motion carried by unanimous vote.

32. ELECTRICAL CODE City Clerk reads heading of Item 32, an ordinance adopting the National Electrical Code, 1968 Edition, as amended, establishing requirements, rules and standards for electrical installations and materials; providing for the issuance of permits and collection of fees; providing penalties for the violation thereof; amending portions of Chapter 10 of the Code of the City of El Cajon.

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

Discussion.

Question is raised whether the fees on page 1 under Heaters, Ranges, Welders, etc. are dependent on the different capacity of the units; Mr. Jones replies in the affirmative -- are for the permit. Also advises there has not been a committee in this area to adopt one set of rules and regulations. This ordinance will put El Cajon the same as La Mesa, Chula Vista, Escondido, National City, but not San Diego, however, it is before their Council. This Code allows Romex for apartment houses.

Votes are now cast on motion by Quidort, seconded by Brown to waive first reading of above ordinance.

Motion carried by unanimous vote.

Item 33 (Garbage, Rubbish and Refuse Ordinance) was deleted in earlier action.

34. ORDINANCE 2331 City Clerk reads heading of an ordinance rezoning portion of Lot 7, Block 17, Bostonia Acres Extension, into Zone "P-C". Zone Reclassification No. 922. (Wallace).

Motion by Quidort, seconded by Cornett to waive second reading of above ordinance, and to adopt Ordinance No. 2331, rezoning portion of Lot 7, Block 17, Bostonia Acres Extension, into Zone "P-C". Zone Reclassification No. 922. (Wallace).

Motion carried by unanimous vote on waiving second reading of the ordinance.

Motion carried by the following vote on adoption of Ordinance No. 2331:

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

35. ORDINANCE 2332 City Clerk reads heading of an ordinance amending Section 17-86 of Chapter 17 of the Code of the City of El Cajon, relating to parking on City property or City-controlled property.

Motion by Quidort, seconded by Brown to waive second reading of above ordinance, and to adopt Ordinance No. 2332, amending Section 17-86 of Chapter 17 of the Code of the City of El Cajon, relating to parking on City property or City-controlled property.

Motion carried by unanimous vote.

36. WARRANTS Motion by Quidort, seconded by Brown to approve Commercial Warrants No. 28081 through No. 28115 in the amount of \$211,363.88 and Payroll Warrants No. 16929 through No. 17260 in the amount of \$145,009.57.

Motion carried by unanimous

36A. ITEM B-GENL INFO Item B is a Report of San Diego County Assessor on the proposed "McKeon Construction Company Annexation" to the San Diego County Lighting Maintenance District No. 1; it is located in the County, in the area of Cuyamaca and Mission Gorge Road.

36B. ITEM E-GENL INFO Item E of General Information is a MISSION CABLE TV letter dated January 14, 1971, from Mission Cable TV, Inc. again expressing concern regarding the traffic hazard at their driveway at 1175 North Cuyamaca Street. Cannot believe that the Traffic Committee finds it so onerous to paint a section of the curb red that they would have the burden of future, possibly much more serious, accidents on their shoulders.

Councilman Quidort states the problem is their employees are parking in front and the company says they can't do anything about it because it is union. The Traffic Committee told them to take care of their problem; if they moved the employees out of that parking they would not have the problem. They need a larger place for their merchandise and to provide parking.

It is pointed out that if the employees don't park there, visitors or people who live in the apartments across the street will; merely because it is the employees does not create the problem. Only

employees are allowed to park in the one lot, and this is forcing an issue the company cannot control. The owner admitted to the Traffic Committee he cannot control this parking; wants the City to do it.

Another view is that this should be given the same consideration as the Majestic Apartments on Madison; was a routine request to take away a couple of parking spaces by painting the curb red so there would be sight distance for people leaving the apartments. There is no difference between that request and this, and it is not understood why the Traffic Committee and Council will not approve this request.

Motion by Cornett, seconded by Brown to ask the Staff to give a report on the extent of red curbing necessary to accomplish the request.

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

Motion carried.

36C. ITEM G-GENL INFO Item G of General Information is a
POLICY-METRO SEWER resolution from the City of San Diego
adopting policy in regard to addition
of Later Participating Agencies to the Metropolitan Sewerage
System.

Councilman Brown states certain members of the San Diego Council have gone through months of pain and fighting to get this and they should be commended for adopting it. It is questioned where the line is drawn for El Cajon's sphere of influence and whether it appears to be what Council had previously discussed. Mr. Pizzato states it is considerably more because they decided it was best to take the whole water shed and divide it into various municipalities; between El Cajon, Chula Vista and San Diego it covers all that area.

Motion by Brown, seconded by Cornett that a letter be written to the San Diego Council commending them for their action, thanking them and pledging El Cajon Council's total cooperation in the future.

Discussion.

It is questioned how El Cajon's 10,000,000 gallons relates to this sphere of influence. Comment is made that if they service all this area will need it. Mr. Pizzato states it is not an obligation to service this area but that El Cajon will have some say in this. The action of San Diego comes as a result of the El Cajon Council and Chula Vista speaking up when the Staff attitude in San Diego was "if they want help and we can help them, we are going to go out and help them"; El Cajon and Chula Vista complained to San Diego Council and this is the result -- is a complete about face on their attitude.

Comment is made that what is really behind this is the thought that urban development should be occurring within incorporated cities and not in the unincorporated areas Special Service Districts; sewer is a major key seeing that that occurs.

Councilman Quidort states Mr. Pizzato should also be given much credit for this action.

Votes are now cast on motion by Brown, seconded by Cornett that a letter be written to the San Diego Council commending them for their action, thanking them and pledging El Cajon Council's total cooperation in the future.

Motion carried by unanimous vote.

37. REPORTS OF COUNCILMEN -
PLAN. STAFF REPORTS

Councilman Cornett states Council is furnished with copies of the Planning Staff report at the time items are on their agenda; asks if the City Clerk, on rezoning matters only, would include the staff report at the time items come to Council for hearing, so they would have it as a package. Is concerned mainly with the Staff's comments on General Plan items. Mr. Henson advises that most of the staff report is contained in the resolutions.

Manager Applegate states one reason Council does not get these is that he asked Mr. Henson not to give them. The Planning Commission is Council's body and Mr. Henson reports to them. If they take his recommendations and disagree with him, and they write a report to Council of what they think, Council is basing their judgment on what the Planning Commission says. If two reports are sent to Council, one the Staff's opinion and then the Planning Commission report, Council puts the Staff in conflict with the Commission. Could get to the point of "who needs the Commission?" It is pointed out that Council reads what the Planning Director says, but the point in time is different. Manager Applegate just wants Council to understand what they will be doing.

The point is they are now talking about the General Plan, and some of the recommendations Mr. Henson makes gives details as to why things would fit in with the General Plan or why he thinks it would not be compatible with the General Plan.

38. ORAL COMMUNICATIONS No one spoke on this item.

EXECUTIVE SESSION
PLAN. COMMISSION

Motion by Quidort, seconded by Van Zanten to adjourn to executive session, as requested by Mayor Snapp.

Motion carried by unanimous vote.

Council adjourns to executive session at 9:30 o'clock p.m.
Council returns to the Council Chambers and meeting called back to order by Mayor Snapp at 9:40 o'clock p.m.

Motion by Brown, seconded by Van Zanten to accept Fret Hunt's resignation from the Planning Commission and to concur with Mayor Snapp's nomination of Harriet Stockwell.

Motion carried by unanimous vote.

ORDER OF ADJOURNMENT

Motion by Van Zanten, seconded by Brown that the adjourned regular meeting of the City Council of the City of El Cajon, California, held this 25th day of January, 1971, is adjourned at 9:43 o'clock p.m.

Motion carried by unanimous vote.


City Clerk