

CITY OF EL CAJON
EL CAJON, CALIFORNIA
MAY 23, 1972

An adjourned regular meeting of the City Council of the City of El Cajon, California, held Tuesday, May 23, 1972, 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 May 16, 1972, 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 Ted Cleveland, Pastor,
Seventh Day Adventist Church.

MINUTES	Motion by Brown, seconded by Van Zanten to approve the minutes of the May 9, 1972, meeting.
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AYES	Van Zanten, Brown, Quidort, Snapp
NOES	None
ABSENT	None
ABSTAIN	Cornett

Motion carried.

Councilman Cornett abstained because he was not present.

Motion by Cornett, seconded by Van Zanten to approve the minutes of
the May 16, 1972, meeting.

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

Motion carried.

Councilmen Brown and Quidort abstained because they were not present.

POSTING	The order of adjournment of the May 16, 1972, meeting was duly posted as required by law.
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AGENDA CHANGES	Motion by Van Zanten, seconded by Brown to add the following items to the agenda:
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45A - Report and resolution on CCCJ grant, and

57A - Executive session to discuss personnel, as requested by Manager
Applegate.

57B - Item D of General Information, and

13A - Letter from Thomas Wigton re loading space, as requested by
Mayor Snapp.

Mayor Snapp advises a letter from Heartland Human Relations Commission will also be discussed under Item 57A, Executive Session.

57C - Item B of General Information, as requested by Councilman Van Zanten.

Motion carried by unanimous vote.

EMPLOYEES AWARDS
PROGRAM

Mayor Snapp presents a certificate and check to Mr. Richard Chumbley, the first recipient of such an award under the

Employees Suggestion Awards Program.

STATE COMP. REFUND

Mr. Bill Sullivan of the State Compensation Insurance program presents the City with a dividend check for \$51,309.15, which represents a return of 69% of the City's premium for the fiscal year ending July 1, 1971. For the last four years the City has averaged a 55% return on premiums. In addition, the Workmen's Compensation premium next year will be reduced 33% from the basic rates because of past good experience. Both management and employees are responsible for this refund and the City's Safety Committee does a good job of reviewing accidents and making appropriate recommendations so they do not happen again.

1. CONSENT ITEM
REFUND-MC CORQUODALE

Motion by Van Zanten, seconded by Quidort to approve refund of \$120.00 for sewer lateral not used, as requested in letter dated May 12, 1972, from Ralph D. McCorquodale, and as recommended by Building Inspection Department letter dated May 15, 1972.

AYES
NOES
ABSENT
ABSTAIN

Cornett, Van Zanten, Quidort, Snapp
None
None
Brown

Motion carried.

Councilman Brown abstained because the applicant is a relative.

2. HEARING-Z.R. 1020
HILTON, ET AL.

Time has come for continued public hearing on Zone Reclassification No. 1020, submitted by James Hilton, et al., to reclassify property on the west side of Mollison, between Washington and Main (338 South Mollison), from the R-1-6 Zone to the R-3 Zone. Hearing was continued from the meeting of May 16, 1972.

Planning Commission Resolution No. 3253 recommends approval of the R-3 Zone, subject to dedication for street and drainage purposes.

No written protests were received nor verbal protests offered.

Motion by Van Zanten, seconded by Quidort to close the public hearing.

Discussion.

Since this hearing was continued from the meeting of May 16, 1972, and Councilmen Brown and Quidort were absent from that meeting, Attorney McDougal suggests the minutes reflect whether they have reviewed the minutes. Councilman Brown states he has reviewed the minutes; Councilman Quidort has not. Attorney McDougal suggests Councilman Quidort should either review the minutes now, or abstain on the item.

Votes are now cast on motion by Van Zanten, seconded by Quidort to close the public hearing.

Motion carried by unanimous vote.

In reply to question from Councilman Van Zanten as to how many units could be located on the parcel between the drainage ditch and Mollison, Mr. Henson estimates five or six.

Mr. Pizzato states the Washington Channel in this area is relatively unimproved; it is proposed as a trapezoidal ditch, on the order of 25 to 30 feet across the top, plus whatever additional slope would be necessary to get it up to the ground surface. Believes they are requesting 40 foot easements in this location. The Merritt lateral comes from the south and as it crosses Washington is in a six foot diameter pipe. It was originally planned as an open channel, but the people in the area decided they wanted the north-south street shown on Specific Plan No. 109, and the system underground. In order to get the drainage easement as well as the street, staff has suggested a dedication for street and drainage purposes across the rear of the property, so that if Specific Plan No. 109 were changed, would still have the drainage easement to construct a north-south open channel. The maximum dedication would be a half-width street or 30 feet.

Mr. Henson replies in the negative to a question from Councilman Van Zanten whether staff considered reverse lot splits with the parcel to the north or south, with the westerly parcels having access off the new street. Replies affirmatively to the question whether he would also recommend R-3 on the parcel to the south.

Motion by Brown, seconded by Snapp to refer Zone Reclassification No. 1020 to the City Attorney for an ordinance according to Planning Commission Resolution No. 3253.

Discussion.

Councilman Brown realizes this will be a difficult parcel to develop, but it is appropriate in that location for R-3 development, in his opinion.

Votes are now cast on motion by Brown, seconded by Snapp to refer Zone Reclassification No. 1020 to the City Attorney for an ordinance according to Planning Commission Resolution No. 3253.

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

Motion carried.

Councilman Cornett voted no because with a lot only 73 feet wide, the driveway and setbacks will take up too much property to have a meaningful development.

Councilman Quidort indicates he did review the minutes.

3. HEARING-AMEND R-P Time has come for continued public hearing on amendment to the R-P Zone as set forth in Planning Commission Resolution No. 3254 concerning 60% permissible lot coverage, adding the sentence, "When, however, a development contains no residential units, all buildings including accessory buildings and structures shall not cover more than sixty (60) percent of the net lot area."

Mr. Henson advises there is a required 10 foot front yard, which must be landscaped according to the ordinance; there is a built in landscaping provision in this zone, even if it is developed entirely to office uses. Under the proposed ordinance amendment, there would be no requirement other than that.

Mayor Snapp explains that part of the problem in working this out is the different parking space requirements in the ordinance. For example, a medical office requires one parking space for each 200 square feet of building, and under those requirements technically they could not

build to the 60% coverage and still meet the parking requirements. General offices requiring one space for each 500 square feet would be entirely different. Does not know how landscaping would be tied in with percentage of coverage because of such a variance.

Councilman Brown states the ordinance requires in a minimum 70 foot lot with 7,000 square feet, 2,800 square feet of landscaping. If they eliminate that requirement would have about 500 square feet, which is too severe a reduction because R-P is basically in a residential area. Might want to change the percentage to the same as R-4, 30% landscaping or open space. The requirements should be compatible with the multiple family zones.

Mayor Snapp states there is no way to get required parking in, in the case he mentioned, without reducing the building size. Perhaps there could be a requirement for a landscaping plan review for each use, but could then have the problem that the use could change.

Councilman Brown again suggests the possibility of having it the same as the R-4, requiring 30% landscaping or 2,100 square feet on a minimum sized lot. Mayor Snapp can see under the proposed regulations that a small lot might have a lot of parking and landscaping, with such a small building that they would be creating a zone with no use.

In regard to alternates, Mr. Henson states the Planning Commission felt with the mandatory front yard setback, for a development without residential, that would suffice. In reality, they find that people do add landscaping to accent their developments beyond the front yard setback.

Councilman Brown visited one of the fastest growing industrial areas in the County, in which the deed restrictions require that 25% be landscaped.

Mr. Henson states (in the case of one parking space per 200 square feet) if a person maximized his building with maximum parking he could not meet the landscaping requirement of 40%; would have to reduce the size of the building. States a number of projects are awaiting Council's decision on this matter; does not think these people were thinking in terms of landscaping for their projects. However, that should not be the determining factor.

No further comments were offered.

Motion by Van Zanten, seconded by Cornett to close the public hearing.

Motion carried by unanimous vote.

Mayor Snapp suggests this matter could be continued to come up with an agreeable amount of landscaping requirement. Councilman Brown is opposed to deleting the requirement. Councilman Cornett is in favor of some compromise; feels 40% is too high and 20% is too little.

Motion by Brown, seconded by Quidort to refer this matter back to the Planning Commission for further report.

Discussion.

Councilman Brown's thought is to have this conform to the R-4 requirements, or 30% for landscaping and open space.

Councilman Van Zanten would prefer 60% coverage, and thinks the 40/60 is quite sufficient.

Votes are now cast on motion by Brown, seconded by Quidort to refer this matter back to the Planning Commission for further report.

Motion carried by unanimous vote.

4. HEARING-AMEND S.P. 19
PARKWAY PLAZA

Time has come for public hearing on amendment of Specific Plan No. 19 for additional parking and addition of pylon signs at Parkway Plaza Shopping Center, on the south side of Fletcher Parkway, between Johnson and Magnolia.

Planning Commission Resolution No. 3258 recommends the vacant area at the southwest corner be amended to allow for development with parking facilities, that the theater reader board sign structure be approved, and that the restaurant sign be denied.

Mr. Leonard Pullan, Maxwell Starkman Associates, Architects, 8730 Wilshire Boulevard, Beverly Hills, refers to a plot plan on the board which illustrates the entire site and the various signs which either have been installed or are scheduled to be installed. Two pylon signs are proposed, the rest of the signs are proposed to be on the face of the buildings. They feel they have a very restrained program; the entire project represents close to 80 acres of development, and there is no sign structure to advertise that.

The Harvest House sign, 8 feet by 4½ feet on Fletcher Parkway, has been recommended for denial by the Planning Commission. The owners of the center have their own business reciprocal easement agreement document, as evidence to guarantee this would be the one sign of its kind; there would be no more similar signs, and he can secure evidence to back up this statement.

The Harvest House restaurant is part of the 100,000 square foot Woolworth area, off the central interior mall; the proposed sign would attract attention to it from the street.

Councilman Van Zanten does not understand the rationale how the owners would deny other independent restaurants from requesting signs, if this one is approved, and thinks they would come to the City requesting signs. Mr. Pullan states this is part of the entire control of the center; the owners would not allow anyone else to have a sign.

Councilman Van Zanten questions why the owner cannot control temporary signs for the barber shop. Mr. Pullan states if Councilman Van Zanten is referring to a condition that exists now, he was not aware there was not control. Temporary signs are looked on more laxly than the permanent situation. The permanent signs would be handled and are covered by various agreements that are binding. Mr. Pullan is the architect, and while he represents the owner, would not want to speak for him entirely.

Councilman Brown asks why the proposed reader board for the theater is placed in the location shown, some distance from the theater. Mr. Pullan advises the main purpose was to attract attention to the fact that in the center there is a theater. It is the policy of shopping centers to include this kind of facility, not necessarily as a marquee, but in front on the main traffic center. The theater is an asset to the community and the sign is to notify the public what is playing.

Councilman Brown points out the center is separated by a road, and this sign is on a different portion than the theater. Mr. Pullan states that as far as notification of the public as to where the theater actually is, the fact that it is in the center seems to be adequate.

Councilman Van Zanten comments that a Mr. Wexler from Los Angeles, who is a sign expert, says that the vast majority of signs do not tell the story; shopping center signs advertise everything but what the business is carrying. In this case Mr. Pullan states the theater sign would list the shows for the three theaters and would be changed from week to week as the attractions change.

No further comments are offered.

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

Motion carried by unanimous vote.

Motion by Cornett to concur with the recommendations on the amendment of Specific Plan No. 19, and refer the matter to the City Attorney for an ordinance according to Planning Commission Resolution No. 3258.

Motion lost for lack of a second.

Councilman Brown is concerned and inquires if there is a possibility the Harvest House sign could be placed further in on the property, rather than on the street, perhaps in the interior of the parking lot. They would then have a sign to identify the restaurant but it would not be cluttering the street. Perhaps it could be placed at one of the landscaped islands, which are a minimum of 20 or 30 feet back from the sidewalk. Perhaps should reopen the public hearing to hear from the applicant in this regard. Mayor Snapp concurs; asks why they do not put it off the private road.

Councilman Cornett questions what difference it would be if the sign were moved away from Fletcher Parkway; it is still a pole sign. Mayor Snapp points out the restaurant is at the rear of the development, and they would like identification that it is there. Councilman Cornett feels that the barber shop and other businesses that have placed temporary signs would also like more identification.

Councilman Van Zanten is interested in leaving the Harvest House sign and moving the theater sign back to the theater. Does not see signs this far away on other theaters.

Manager Applegate points out the reader boards for most of the theaters in Mission Valley are near Highway 80; it is not uncommon to have the reader board where they can be seen by the traveling public. In regard to the Harvest House sign, Woolworth's is one of the major tenants and they want this name established as a restaurant. They no doubt want the sign on Fletcher Parkway to attract customers. In that instance are competing with the Hungry Hunter and Daisy's, both having signs facing on Fletcher Parkway.

Councilman Brown would like to see the theater sign near the May Company on the same pole as the restaurant sign, which he feels would be more appropriate, however, this might not be agreeable to the May Company. The present location is in the most cluttered part of the center.

Councilman Van Zanten questions if the theater sign could be seen from the east and west of Fletcher Parkway; thinks the traveling public will only see it for a short block as they drive by.

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

Motion carried by unanimous vote.

Mr. Larry Market, District Supervisor, United Artists, 6712 Hollywood Boulevard, Hollywood, states they are interested in having the theater sign in the highest population or traffic area in the center. If the sign were on the front of the theater behind May Company, they would be lost. They came into this situation in good faith, with a 25 year commitment and are going to operate a good theater. They do need a sign which will be seen by the greatest number of people. Their sign will not be able to be read from the freeway, but they are asking for the most exposure from the people in the center, otherwise they will not know the theater is there.

Councilman Brown's suggestion was to put the sign in front of the May Company, about the same distance in back of the street as currently proposed, perhaps combining the theater and restaurant sign on the same pole. Mr. Market would have no objection to this location, as long as they are on Fletcher Parkway. Thinks this location can be worked out with the operator of the center.

Mr. Pullan, in regard to the matter of combining signs on one pole, states it has been shown people tend to lose the message if two signs of different characters are on one structure. Feels his clients would much prefer to have them separate, however, he could review this with his clients, but is doubtful it would be favorably received. These signs have been reviewed by the various interests involved, and they have a practical problem of the opening deadline. It is not an easy thing to get these three large organizations together -- it represents $1\frac{1}{2}$ years work to get this far. He could speak to them, but knows what is represented here is their first choice; is certain some of the possibilities now mentioned were considered.

Councilman Brown concurs that businesses should be well identified, but if they open the door to this will have a proliferation of all kinds of signs. Across the street there is one pylon sign and the restaurant sign was denied; on this center have one also.

Mr. Pullan states they take the position this is an 80 acre complete complex. The zoning ordinance refers to one pylon sign per property; they are looking at this in the context of the entire signing complex -- an 80 acre regional shopping center they think is unique in itself, and they think it should be evaluated on its own merits. Can document that the signs as shown on the plot plan are fixed and once accepted there will not be a proliferation of other signs. There are no exterior signs on the front of the buildings facing Fletcher Parkway, except for "Parkway Plaza". In line with their concept of separating buildings from signs, they prefer to have the two pylon signs as close as possible to Fletcher Parkway.

In reply to questions, Mr. Pullan states Woolworths does not plan a Harvest House sign on the building, the sign requested is for identification of that business. Because their method of handling is unusual and unconventional, it required considerable study. Displays a rendering of the "Woolworth" sign on the building, which faces toward the south.

Councilman Quidort asks how they intend to handle the pickup trucks and trailers with temporary signs on them advertising businesses in the convenience center; these signs can be seen from Fletcher Parkway and are "making a mess" of the center. Mr. Pullan states when the entire center is opened in September, all these things will be tied together, including the convenience center so the sign requirements the center has will be applied to the convenience center also. They consider this a temporary situation, which will all be under one control and management, and they do not anticipate any problem. The owners of the center have an internal agreement on the permanent signs; are at present trying to minimize the temporary signs and live with what they have. This is a temporary situation and asks for Council's indulgence in this regard.

Councilman Brown asks if there is any interest in pursuing the sign at the location he suggested; could continue this matter for one week to see what the owners would think about this.

Councilman Van Zanten finds no reason to continue the matter; in light of what Mr. Pullan has said, the single sign on Councilman Brown's proposed site would violate what they propose, as would the Harvest House sign. If they allow the Harvest House sign on Fletcher Parkway would have to approve all other signs requested for Fletcher Parkway. Thinks the concept they propose is unique, but cannot buy that concept and approve the Harvest House sign.

Councilman Quidort thinks there is a difference in that the building at the rear has to have identification; signs on buildings near Fletcher Parkway can be seen.

Motion by Van Zanten, seconded by Cornett to close the public hearing.

Motion carried by unanimous vote.

Motion by Cornett, seconded by Van Zanten to support the Planning Commission recommendations on the amendment of Specific Plan No. 19, and referring the matter to the City Attorney for preparation of an ordinance according to Planning Commission Resolution No. 3258.

AYES
NOES
ABSENT

Cornett, Van Zanten, Brown
Quidort, Snapp
None

Motion carried.

5. HEARING-AMEND S.P. 146
IMPERIAL SAVINGS

Time has come for public hearing on amendment of Specific Plan No. 146 for signs in conjunction with the

Imperial Savings and Loan Association building at the northeast corner of Fletcher Parkway and Pioneer Way.

Planning Commission Resolution No. 3257 recommends approval of one monument sign with a maximum height of five feet. The 12 foot sign at the southeast corner of the site shall be deleted.

Councilman Cornett states that the minutes of the Planning Commission indicate Imperial Savings and Loan was not aware of past actions of the Planning Commission and Council in this regard, so he has had copies of all pertinent minutes back to August, 1971, furnished to Mr. Ruehle of that company.

Mr. Ernest G. Godyn, architect with Richard George Wheeler and Associates, 3276 Rosecrans Street, San Diego, states the 12 foot sign was erroneously put on the specific plan. However, in their application they did request a 23 foot pylon sign which is the existing sign on Magnolia Avenue, which they wish to move. It is less than two years old, the cost was \$10,000 and would like to have it for identification. When they leased the sign were not aware of Council's previous actions regarding signs, but the lease still holds.

Councilman Cornett states the only suggestion he has is to sue the person giving the lease; there appears to be some misrepresentation as to what happens on the sign, because the City's action goes back prior to negotiating on the lease. Does not think the City should get involved and concurs with the Planning Commission there should be no pole sign.

Motion by Brown, seconded by Van Zanten to close the public hearing.

Motion carried by unanimous vote.

Motion by Brown, seconded by Van Zanten to concur with the Planning Commission and refer the amendment of Specific Plan No. 146 to the City Attorney for an ordinance according to Planning Commission Resolution No. 3257.

Motion carried by unanimous vote.

6. HEARING-VACATE
POR. THIRD ST.

Time has come for public hearing on vacation of portion of Third Street, south of Washington Avenue as discussed

by Council at the meeting of March 7, 1972, in connection with Tentative Subdivision Map No. 191, Starfire Estates.

Helix Irrigation District advise they require no easement. Pacific Telephone, San Diego Gas and Electric Company and San Diego County Water Authority request that easements be reserved for their facilities.

Engineering Department recommends easements be retained for the existing sanitary sewer and drainage easement, and that the opening of Third at Washington should be sealed.

Mr. Wallace Rick, 4360 Loma Riviera Court, San Diego, one of the owners of the property immediately west adjacent to Third Street, voices opposition to the closing of Third Street. Realizes he would pick up half of the street if it were vacated. Understands Starfire Homes has dropped the tentative map and no longer intend to proceed.

Councilman Cornett believes the main point was whether the cost of a reinforced concrete ^{box} is worth while for such a short street. Mr. Rick states they would still like to see Third Street go through from Washington to Granite Hills Drive; the ultimate expense of the crossing has not been determined. At this time does not know what the use of the property will be and can see an advantage to having Third go through. He would not, at this time, be prepared to construct the street. Councilman Brown points out the street pattern will have to be resolved when the property is ready to be developed; if they are not ready to construct the crossing, the street would have to be cul-de-saced. Mr. Rick states without study going into it, would not know what the cost would be, and is not prepared at this time. However, it is conceivable they would want to do it in the future but cannot make the commitment now. He understands that they will have this expense when the property is developed. He does not envision lot splits for his property.

Motion by Quidort, seconded by Van Zanten to close the public hearing.

Motion carried by unanimous vote.

Councilman Van Zanten agrees with Mr. Rick that the street should be kept open; closing the street would cause a hardship for the young people attending Meridian School and would interfere with school activities.

Councilman Cornett questions whether in Mr. Pizzato's opinion Third Street is necessary for traffic circulation, or what the impact on the intersection would be to have it open and improved. Mr. Pizzato does not see this as a particular problem either way; the main purpose of the street is to serve the local area.

Councilman Cornett states no evidence has been presented tonight that the street should be closed or cul-de-saced. Councilman Brown concurs; however, if the time comes to build the street, and the owners are not willing to put the money up, Council will then have to take another look at it.

Motion by Cornett, seconded by Brown to find that Third Street should not be vacated.

Motion carried by unanimous vote.

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

7. HEARING-VACATE ALLEY
W. SI. SECOND STREET

Time has come for public hearing on vacation of alley on the west side of Second Street, between Peach and

Marline, which was discussed by Council at the meeting of April 4, 1972, in connection with Conditional Use Permit No. 473 and pursuant to requests from affected property owners.

The utility companies and Engineering Department have no facilities within the area proposed to be vacated.

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

Motion withdrawn.

Floyd Henton, 1295 Peach Avenue, states his property adjoins the Security Pacific National Bank; at the time the bank was in planning stages he was told there would be a concrete block wall installed. Just before the bank was ready to open he inquired about when they would install the wall and was informed they would not build the wall. He checked with the Planning and Engineering Departments who informed him that since there is an alley between his property and the bank parking lot, the City did not require the bank to install the wall. Questions if the alley is vacated whether the bank would be required to install the wall.

Mr. Henson believes the bank is situated on Lots 1, 2 and 3, at the corner of Peach Avenue and Second Street - requirement of the wall was not discussed by the Planning Commission. There have been discussions that have come up in the past where normally this is a requirement between commercial property, traffic and parking areas and residential property. It is true when there is an intervening alley the requirement for a block wall does not apply. The vacation of the alley would be entirely to the property to the east because the taking was entirely from that property.

Councilman Van Zanten feels the request for the wall is well founded - the same was required from the Jack-in-the-Box.

Councilman Quidort questions whether a block wall can be required as a condition of vacation. Attorney McDougal states Council can request any condition it wishes, as long as the requirement is on a property owner who will benefit from the vacation. Councilman Brown asks if this is not a condition of a vacation, and the alley is vacated, would the ordinance require that the bank build the block wall. Attorney McDougal advises that could be a possibility if they develop the property as a parking lot. At the time bank developed there probably was not a requirement for a block wall but there may have been a requirement of some type of view-obstructing fence.

Mr. Henson states, in answer to Councilman Brown's question, the process would not be automatic. If the bank applied for some type of permit, the development would be reviewed and the requirement would then be applied.

Councilman Cornett does not believe the problem is with the bank; it is with the development to the south. Does not know whether they are planning a parking lot or access adjacent to the vacated area or not; thinks the problem would be more satisfied if the requirement was made of the vacation, then all the property would be involved.

In reply to question from Mayor Snapp, Mr. Henson states the service station development has gone through the process of a conditional use hearing but the question of a block wall was not discussed. They still have a building permit to satisfy, however. It would not be automatic in that case; the ordinance does require a masonry wall to separate commercial property from residential property, but they also just had a conditional use permit approved and does not know whether they will construct the station prior to the vacation of the alley.

No further comments are offered.

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

Motion carried by unanimous vote.

Motion by Cornett, seconded by Van Zanten to concur with the vacation and refer the matter to the City Attorney for a resolution ordering a vacation subject to a six foot masonry wall on the west line of the vacation.

Discussion.

Councilman Quidort questions how the dedication on Lot 8 would be handled. Councilman Cornett does not think it can be handled in connection with this vacation; there would be a 42-inch height limitation for the first 20 feet behind the curb anyway. Councilman Brown believes that could be picked up on the building permit; assumes the intent of the motion is that the six foot wall would start 20 feet south of Peach.

Votes are now cast on motion by Cornett, seconded by Van Zanten to concur with the vacation and refer the matter to the City Attorney for a resolution ordering a vacation subject to a six foot masonry wall on the west line of the vacation, according to City standards.

Motion carried by unanimous vote.

Mayor Snapp announces the discussion of possible Commission appointments will be held in an executive session; there will be no public hearing on the matter.

8. HEARING-PROP. 9
"CLEAN ENVIRON. ACT"

At the meeting of May 9, 1972, Council requested that a public hearing be set to discuss Proposition 9, the "Clean

Environment Act".

The Environmental Development Agency has submitted a report setting forth certain information on Proposition 9, of which Council has been furnished copies, also material received from various agencies.

By letter dated May 23, 1972, El Cajon Chamber of Commerce, Inc., advises Council to take action against Proposition 9 because it is not implementable and not practical.

By letter dated May 19, 1972, Carpenter Technology Corporation advises they are opposed to Proposition 9 and request permission for several of their representatives to speak at the hearing.

By letter dated May 16, 1972, Californians Against the Pollution Initiative advise opposition to Proposition 9 and enclose a suggested resolution. They also request copies of Council's action.

By letter dated May 15, 1972, San Diegans Against Proposition No. 9 request Council to adopt a resolution opposing the Environment Initiative.

John C. Tverberg, representing Carpenter Technology Corporation, El Cajon, speaks against Proposition 9. Displays slides in connection with presentation. A Federal agency, the Environmental Protection Agency, provides information on all legislation that is covered currently in Proposition 9 with the exception that it is being done on a logical and time sequence basis which allows the research and development work to take place. Through the Environmental Protection Agency they will be able to achieve approximately 85% of the clean-up in the next several years for just a very slight increase in cost. The effect of Proposition 9 will be to remove this number of pollutants (points to slide) immediately which will result in a tremendous cost to each individual. Are not really becoming dirtier - the real problem is an abundance of people; according to U.S. News and World Report in the next 11 years the world population will double. Points out that industry only produces 10% of the total pollutants in the environment; 90% is produced by the people. The legislation that is being proposed would affect roughly 10% of the total pollution.

Those in favor of Proposition 9 claim that nothing is being done to clean up the environment; believes this is far from the truth. Mr. Tverberg explains the series of curves representing sulphur dioxide emission levels in the Los Angeles basin - starting in 1940, the peak was reached in 1949, and since that time are steadily coming down in total amount of sulphur dioxide present, so something is being done to clean up the environment. The peak rise was due to a non-availability of natural gas and all the main power producers switched over to high sulphur bearing crude oil. This same situation is being faced today because the shortage of natural gas is becoming more critical; however, with the use of low sulphur crude oil the problem will not be too severe. The curve clearly shows that the sulphur dioxide contents are coming down without Proposition 9 being passed.

Mr. Tverberg continues, pointing to slide which represents the total hydrocarbons in the environment and refers to photochemical smog and other items - shows how the total is beginning to drop from the petroleum industry but with the increase in number of automobiles it is coming up. In recent years it has been noted that the curve has been coming down, even though the total number of automobiles is increasing each day.

Ron McGuire, Pacific Telephone Company, 1077 East Main Street, El Cajon, states Pacific Telephone announced some time ago its formal opposition to Proposition 9. They freely admit there must be some solution to the pollution problem, but join the opposition with the State Chamber of Commerce, many labor unions and the California Wildlife Federation. The most significant item is the section calling for reduction in the sulphur content in diesel fuels from .3% to .035%. Refineries estimate it will require from two to six years to make the necessary conversions in refinery operations to produce a fuel of that sulphur content; in the meantime the use of the current fuels would be illegal, which would have a tremendous impact on transportation in California. More significant is that all of their exchanges have emergency standby generators in case of commercial electric power failure, which also run on diesel fuel.

They feel the above two points are sufficient reason to join the opposition to Proposition 9; they have a responsibility to provide good and growing communications in California, but with the passage of Proposition 9 would not be in a position to do that.

Dr. Sidney Langer states he represents Gulf Energy and Environmental Systems and San Diegans Against the Pollution Initiative; will speak as an environmentalist and one who signed the petition to put this on the ballot. Believes an environmental clean-up is needed but does not believe Proposition 9 will effect this, because it is directed at the wrong problem. Diesel fuel is not responsible for the sulphur dioxide in the atmosphere. Pointing to slide taken by the Clean Air Council Workshop in December, 1971, Dr. Langer states three-quarters of the nitrogen oxide comes from automobiles, and 99.7% of the carbon monoxide comes from automobiles. Unless the emissions are cleaned up from the tail pipes of the automobiles, will not get rid of air pollution. Sulphur dioxide is slightly different fuel combustion, 74%, which means the combustion of fuel oil in power plants that generate electricity. To get rid of sulphur dioxide, must work on power plants and to get rid of the other pollutants must work on the automobiles. Proposition 9 does not attack the automobiles nor the power plants; therefore, it cannot be effective in cleaning up air pollution.

Dr. Langer continues Section 16 provides a five year moratorium on the construction of nuclear power plants. Nuclear power plants will replace the combustion of fossil fuels by the use of nuclear energy, which produces electricity with no emission of air pollutants into the atmosphere. Should Proposition 9 pass, it will deny the State of California any nuclear plants until a minimum of 1982, which means that fossil fired plants would be required during that time, which would produce more sulphur dioxide in the atmosphere.

Environmental Protection Agency requires that starting in 1975 all automobiles will be required to install catalytic mufflers, which will reduce the emissions by 90%. Proposition 9, by controlling what goes into the fuel tank, rather than what comes out the tailpipe, is ineffective legislation.

In summary, the reason for proposing the initiative was because people felt the legislature has been doing nothing. When the proposition is considered, it must be taken into account whether it is a good law or a bad law. A good law attacks the proper problem, deals effectively with the problem and does not create additional problems. Proposition 9 does none of these, and he urges Council to oppose it.

Robert Lacy, Supervisor of Mechanical Engineering for San Diego Gas and Electric Company, would like to speak on three sections of Proposition 9 and how they would affect San Diego Gas and Electric and its customers. In 1971 the Air Pollution Control District established rules placing limits on NOX emissions, which are the most strict rules in the United States. San Diego Gas and Electric was unable to bring all of their generating units into compliance at the time the rule went into effect, January 1, 1972, and were able to obtain variances to operate those units which were not in compliance. The variances will run out at the end of this year, and they should have all but one unit in compliance at that time. The effect of Section 16 would be to shut down those units that are now operating under a variance; these units comprise approximately 46% of the generating capacity of San Diego Gas and Electric. No utility company can afford to lose that kind of generation without shedding load.

Mr. Lacy displays slide of load estimates and available capacity through the remainder of this year, assuming that the 46% of their capacity is shut down. States that Dr. Askew indicated he would have no alternative but to shut San Diego Gas and Electric down if the air standards were exceeded. The capacity is designed to meet adverse conditions, such as cold winters and hot summers; the difference between projected load estimates and available capacity is a shortage of approximately 680 megawatts of capacity. The alternative is to shed load; to try to purchase power from another agency is out of the question, they are unable to spare that much power from their own supply. Even if they could purchase the power from another location, such as Los Angeles, would have to generate the power there instead of San Diego; under the intent of Proposition 9, it accomplishes nothing, because of the need for generation. San Diego Gas and Electric is now planning arrangements for shedding customer loads; the plan is to rotate on 30-minute intervals so that everyone will have a chance to recover from the loss at least every 30 minutes. They are trying to keep intact the vital community services such as fire and police protection, water and sewage. Mr. Lacy advises that the Water Quality Control Board has voted its opposition to Proposition 9 because they fear disruption of sewer service.

Mr. Lacy continues that the nuclear moratorium will have a drastic effect on San Diego Gas and Electric in terms of their planned nuclear plants at San Onofre; engineering is under way, and if Proposition 9 is passed, it would stop the engineering on those units for five years. The alternative to this method is more fossil generation in San Diego.

In regard to sulphur content in diesel fuel, all but one of San Diego Gas and Electric's gas turbine generators, approximately 14% of their capacity, burn diesel fuel as an alternative to gas when gas is not available. This diesel fuel would be unobtainable if Proposition 9 is passed and it can be assumed that during the winter peak this year no fuel will be available for these turbines.

Roger Challberg, 1026 Eastside Road, El Cajon, states he is an El Cajon homeowner for 15 years, who has watched the smog grow over the valley. Is concerned about the scare tactics that have been presented on television regarding Proposition 9, but is pleased that now the public can be aware of where the money for this type of thing comes from. Feels

the reason there were no people present to speak for the proposition is because they do not have the manpower and financial backing. Understands that there are variances available in terms of the section regarding diesel fuel use; wonders if there may not come a time when the public will have to make certain decisions on limiting their consumption of power using implements and appliances. Mr. Challberg has confidence in the industries, that they can make the deadlines for requirements that are imposed, such as the auto industry. Urges Council to take no stand on this issue; many leading organizations in the State have decided to sit this out and let the public make up their own minds.

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

Motion carried by unanimous vote.

Councilman Brown feels that the Council cannot just sit and be quiet, that it must protect the health, safety and welfare of the citizens of El Cajon. If Proposition 9 passes, may well have a difficult time doing that, because of the problems it would cause.

Motion by Brown, seconded by Quidort that Council oppose Proposition 9.

Discussion.

Councilman Van Zanten agrees with Mr. Challberg that modern conveniences are a power drain and there will be a time when people will have to deny themselves of some of these things, but does not think people in El Cajon are ready to slow down to one car and less power.

Mayor Snapp concurs that 90% of the pollution comes from individuals but thinks Council must at least make an expression they are in concurrence with the objectives, but not as outlined in Proposition 9.

Councilman Cornett states he will vote in favor, but if he had been present at the meeting when this matter was proposed for a public hearing, he would have voted against it, because Council is going contrary to its method of reacting to issues that do not directly involve the City. Mayor Snapp thinks City equipment which is operated on diesel fuel would be directly affected. Councilman Cornett's point was that Council usually relates to legislation that is directly aimed at employees and cities. Councilman Brown thinks this legislation is very unique and does directly affect the City, while there may be some good parts - cannot pick and choose but must take all or nothing.

Votes are now cast on motion by Brown, seconded by Quidort that Council oppose Proposition 9.

Motion carried by unanimous vote.

9. LTR. MC KEON CONSTR.
REFUSE COLLECTION

At the meetings of May 2, 1972 and
May 9, 1972, Council discussed the
matter of trash collection service at

Mollison Townehomes, pursuant to a letter from McKeon Construction.

McKeon Construction has submitted another letter dated May 18, 1972, advising the problem still has not been resolved and requesting that Council make a decision.

Manager Applegate advises a meeting was held with Universal Refuse and McKeon Construction but they are at an impasse. Cannot see that he can resolve anything.

Attorney McDougal explains the ordinance states the property owner shall provide a container and maintain a place easily accessible to the refuse collectors and that no container shall be placed at the curb or alley prior to 4:00 p.m. Council did not state specifically where the containers were to be placed, or whether they are to be placed on public or private property; the point is that Council can interpret the ordinance however it wishes.

Councilman Cornett thinks private drives are the same as alleys and he would interpret the ordinance to mean that a private street in a condominium is easily accessible; proposes the Universal Refuse be informed by letter that they either service the private streets or else advise the City in writing, and that McKeon Construction can then apply for service to another company.

Councilman Brown questions whether it would be possible for the Home Owners Association to solve the problem through some other means. Manager Applegate states Universal offered to poll the home owners and McKeon Construction, who is now the Home Owners Association until the property is sold out, declined. Possibly can tell Universal where to pick up the trash, but in his opinion, does not think the containers are easily accessible especially if the trucks have to be backed out. Believes it may be violating the franchise if another contractor is allowed to collect the trash. Councilman Cornett thinks the terms of the franchise can be changed.

Attorney McDougal states the terms cannot be changed until the agreement has terminated. Councilman Cornett believes Council can attempt to reopen the conditions of an agreement to satisfy a problem it feels is justified, just as the franchise company has done in the past to solve a problem they had on a routine basis regardless whether it was at the termination of the franchise or not. Attorney McDougal advises the franchise was never reopened without the consent and agreement of the City Council.

Bob Kinninger, representing McKeon Construction, 3435 Camino del Rio South, San Diego, states he does not have anything to add to what is in the letter but would be glad to answer any questions.

To question from Mayor Snapp as to length of the private drives, Mr. Henson states the driveway at the northerly end of the property is approximately 250 feet and the deadend driveways at the southerly end of the property are approximately 230 feet.

To Councilman Brown's question regarding three yard metal containers, Mr. Kinninger replies they might have considered this at the time the project was designed, but this type of enclosure takes as much space as a parking space and there is no such space available within the project. McKeon Construction has built this type of townhomes throughout California; have not polled every office to find out if they have had refuse collection problems, but to the best of his knowledge have not been confronted with this problem before.

Mark Thomas, manager of Universal Refuse, 1475 Pioneer Way, states they took the liberty of polling various owners at Mollison Townhomes. They contacted 15 of the homeowners and one question was whether they knew they had an option for type of service, trash cans or containers. Fourteen did not know and one declined to comment. When there are 51% homeowners, they will have the right to make a decision collectively as a group. They measured areas where enclosures could be constructed, which are shown on the map. Another question was would they be interested in a container type service, 12 answered Yes, 2 answered No, and 1 declined comment. Another question was regarding children, 7 families had children, 4 families did not have children, and 4 declined to answer the question. To the question whether the children would be playing in the alleys, 7 said Yes. They were also asked if they sent a truck into the alleys, did they realize that the truck had to back up the length of the alley; 9 could not conceive of this (this was a difficult question for them to handle) and 2 declined to comment. This had led them, if Council will permit, to consider constructing the enclosures to meet the City Code if Council will give permission to charge the \$2.50 rate until they recoup their investment.

Regarding question whether a small truck could turn around in the alleys; the height of the carport is 95 inches and the height of their truck is 110 inches. If the trash cans would be placed in one row in the alley, some of the homeowners were concerned about dogs and they were advised that problem would have to be solved by the condominium. Universal's feeling is that most homeowners favored the containers.

Mr. Thomas points on map the one location of a container where it would be necessary for a truck to back out. The rule of thumb for apartment buildings is 10 units to one 3 yard container once a week. In the Mollison Townhomes there are 60 units and if they all subscribe to the service it would cost \$150. Could service them with 6 containers at \$14.00 each, would guarantee that it would cost no more than \$100.00. They would require the Homeowners Association to pay the bill with one check as Universal would have no control over who would be using the containers. The \$2.50 charge would be for each home that is occupied until they recover their expenditure; it would then revert to the cost for normal container service.

Regarding the suggestion of allowing another refuse collector in the area, Mr. Thomas would suggest Council appoint staff members to check the type of equipment used, can furnish names of people who are soliciting Universal's service now, even though their competitor's rates are much lower than Universal's. Would not be agreeable to open the franchise to allow another trash collector, because this would involve cost factors; they run an operation that undoubtedly is an expensive one, but it is geared to give the finest service possible.

Councilman Cornett questions if the options given to the people were can service at the curb on Mollison as opposed to containers? Mr. Thomas states the original offer was that as an individual customer they would have to place the trash can at the curb line. Is aware that the new ordinance requires the enclosures to be roofed, ventilated and lighted, and they are willing to build the required type of enclosures.

Councilman Van Zanten states McKeon could build their own container enclosures.

Mr. Kinninger comments it would be difficult for him to determine whether the locations shown on the map are properly scaled and if they fit into the locations properly. After looking at the suggested locations at the project, does not believe they fit the same way as depicted on the map. Mr. Henson advises the ordinance requires the trash area to be 8 feet x 5 feet minimum. The plan presented by Universal indicates a great deal of thought would need to go into the proper locations if they are to conform to the ordinance and do a good job to serve the area.

Mr. Kinninger states four of the possible locations noted on the map are in an area only 3 feet wide which would have to extend out into the alley and would result in restricting traffic in the alley. Three are located right on the street; believes McKeon Construction has done a remarkable job designing and landscaping the project and the containers certainly would not be a favorable addition. Does not think the locations are at all acceptable.

Mr. Kinninger advises the firm he had contacted has serviced the Mission La Vega Project for one year; they have done a very satisfactory job, have very good equipment with two operators who pick up trash cans in private driveways twice weekly for a monthly charge of \$2.00 per homeowner on separate billings. They would like this same type of billing for Mollison Townhomes and not a billing to the Homeowners Association, because at this time there is no way to raise the dues, which have already been approved by the Department of Real Estate.

Councilman Cornett does not think having a trash enclosure adjacent to a backyard or patio area is desirable; believes these private drives must be serviced.

Mayor Snapp questions if McKeon Construction would be willing to enter into a hold harmless agreement with Universal Refuse if they serviced in the alley, since this would be private property they would be servicing. Mr. Kinninger thinks it is a legal question which he cannot answer at this time. Universal did agree that they would have to drive a large truck into the area to pick up the containers and those trucks would have to back out. Mayor Snapp does not know whether the City has a right to force the franchisee to enter private property to perform a service.

Councilman Van Zanten comments all apartment houses and trailer parks are private property, when the truck leaves a public street it is on private land and the driver is responsible. Manager Applegate points out the trash collector gains permission from the apartment house owner before he enters or the trash cans are placed on the curb.

Attorney McDougal states the issue Council needs to face is if the trash refuse service was City owned, would it have its own trucks entering private property under these conditions; thinks this is an important decision Council must make regardless of who performs the service. There would also be other problems if there are other refuse collectors allowed into the City; policing problems if the franchise is to be maintained and other outside pressure from agencies who will want to furnish service also. This is the first time, to his knowledge, where the owner is insisting that the franchisee come onto the property and where the franchisee felt it was unsafe or did not want to enter the property.

Mr. Kinninger states he has met with the city planning departments in Escondido and San Clemente on townhouse developments and inquired about their trash collection. Escondido has City pick-up and they were willing to go into the private streets and alleys. In San Clemente they have a franchisee who does go onto private property to pick up trash and assumed there would be no problem in picking up the trash in the townhouse development. They would have to back out of some of the alleys.

Manager Applegate advises there is another alternate; on the original plan the alleys were cut off; they could be cut through to the streets, but the City considered that undesirable. They still could not make the corners.

Councilman Quidort does not favor having the trucks backing out of the alleys with children playing there - will take no part in a franchise that will allow this.

Councilman Cornett thinks if Universal Refuse were asked whether there were other situations where they are backing out in places where children are playing, they would honestly have to say yes.

Mayor Snapp believes the only other similar situation in the City is Bradley Park West but that is a circular alley and comes back out onto the street on the other side; does not think there is any backing out there.

Councilman Cornett does not think it makes any difference if the trucks have to back out 50 feet or 250 feet in apartment parking lots, which Council approves; if there is the possibility of injuring someone, 50 feet is as bad as 250 feet.

Councilman Van Zanten would be in favor of Universal Refuse going into the alleys and servicing the Mollison Townhomes until the townhomes are sold out and then let the people decide what they want to do.

Councilman Brown would not just want to solve the problem until it was sold out and then turn it over to the people. Now is the time to have the problem come to the surface and something has to be done. Would not want a trash container next to his house; it is a dense development and does not know where they would place the containers. Would not want the City to require they assume the liability for something that might happen on that private property. Councilman Quidort comments the only answer is to put the trash cans on the street and let them solve their own problems. Councilman Brown feels the developer of the project has a responsibility to those people; he has created the problem. Councilman Cornett does not agree, it is not a problem with his other projects, and Council is making it a problem here because it is magnified all out of proportion. If the developer would sign a hold harmless agreement, Councilman Brown might change his opinion, but will not assume the liability for the City or the disposal operator for something he says is unsafe. The City is being caught in a legal bind; in a sense the franchisee is adhering to his franchise by providing the service and the developer, to get another type of service, will have to solve some of the problems.

Motion by Cornett, seconded by Van Zanten to direct a private drive, individual service until the Homeowners Association becomes an effective operation.

Discussion.

Councilman Brown thinks the people moving into the area should be forewarned that there is a problem and not solve the problem temporarily just to get people in there. Frankly does not know what the solution is.

Councilman Cornett has driven through the alleys of the development and does not share the opinion with Universal that it is impossible or a dangerous situation, compared to the private streets they serve in the Fletcher Hills area and compared to the parking lot layouts that are approved by the City that requires maneuvering of the truck on site, including backing, in order to serve those sites; if it is viewed in that perspective, it is all out of proportion for the problem.

Councilman Quidort does not agree, he also has driven through the development and each townhouse has a carport where children can run out from there into the street within a second.

Votes are now cast on motion by Cornett, seconded by Van Zanten to direct a private drive, individual service until the Homeowners Association becomes an effective operation.

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

Motion not carried.

Mr. Kinninger is willing to meet with Universal to discuss the map in more detail regarding location and actual sizes of refuse containers. He suggests that a member of the staff be present also; feels a refuse collection agency is not a planning group and are concerned only with installing the refuse container to serve the people.

Councilman Brown states this is a private development and they will have to work out the problem somehow. Does not think Mr. Henson is in a position to redesign the project. Mr. Kinninger comments they are not in a position to redesign the project either.

Motion by Van Zanten, seconded by Snapp that the staff be directed to meet with representatives of Universal Refuse Removal Company and McKeon Construction.

Motion carried by unanimous vote.

10. LTR. BAILEY
VACATION-ALLEY

By letter dated May 14, 1972, Ovis G. Bailey requests that the proposed alley at the southeast corner of Van Houten and Lexington be deleted from the plans, vacated and returned for his personal use.

Motion by Brown, seconded by Cornett to refer the vacation to the staff for research and setting to public hearing if appropriate.

Motion carried by unanimous vote.

11. LTR. SULLIVAN
FENCE-RENETTE PARK

By letter dated May 12, 1972, Henry W. Sullivan advises of problems he has encountered regarding a gate he installed in his fence adjoining Renette Park.

By letter dated May 23, 1972, Director of Parks and Recreation Department advises he recommended to Mr. Sullivan that he request an easement from City Council. If the easement is granted by Council, Mr. Mazzola recommends it be granted for the last easterly 8 foot section of the fence, and the present gate location not be allowed.

Manager Applegate believes the purpose for installing the chain link fence is that the City is preparing to fence off the dead area of the park. However, this is not the real issue; the question is whether the City will allow anyone to have a private easement into the park.

Councilman Brown questions what would happen if there were no fence around Mr. Sullivan's property; does not see why the City should be concerned whether people come out of their homes onto the park rather than from the street. Councilman Cornett comments when a gate has existed for several years and suddenly a fence is built, it appears as an extremely vindictive move on behalf of the City.

Motion by Brown, seconded by Quidort to refer the matter to the Parks and Recreation Commission.

Discussion.

Councilman Van Zanten questions why the fence does not go to the corner of the building. Mayor Snapp states Mr. Mazzola explains in his letter this was designed to allow for a better control of a dead or blind corner of the building, and the additional exit, not in plain sight, would be very troublesome; but Mayor Snapp believes this has to do more with a policy that affects all the City's parks. That is the point Councilman Van Zanten is emphasizing; if the fence was from the corner of the building to the existing gate on the neighbor's property, then a deadend or a corner which could not be supervised properly would be eliminated, but this does not eliminate anything.

Manager Applegate states the City does have problems with the parks; one person at Wells Park cuts the City's fence almost weekly to allow his children to run to the corner of the park and the City has to repair the fence. The Safari Trailer Park at one time had requested to install a gate from the trailer park so that the people could come through to use the public picnic area at Wells Park. There must be control both ways and that is where the problem arises. If they open the parks to private property will have complaints that people are going out that way also.

Votes are now cast on motion by Brown, seconded by Quidort to refer the matter to the Parks and Recreation Commission.

Motion carried by unanimous vote.

Henry Sullivan, 588 Kidd Way, presents snapshots of the fence, gate and area involved and states his entire dealings with the City have been restrained in attempting to follow whatever procedures are proper. Stands up to his right to have a gate onto public property. Is sure

his two neighbors on each side would grant him access if there was a good reason for it. The gate on the Cohen's property has existed since they bought the property 8 years ago and had never been opened until today when he took pictures of it. It has posed no problem to the park at all in those 8 years until Mr. Mazzola's vindictive actions.

Mayor Snapp explains to Mr. Sullivan that the Parks and Recreation Commission is in an advisory capacity to Council, and the item will come back to Council, but Council feels the Commission should at least hear the matter and get their comments back to the Council.

Mr. Larry Marquard, 596 Kidd Way, states he lives north of Mr. Sullivan's property, is concerned with the problem, does not understand why Mr. Mazzola is not present to defend his actions, and why the matter has to now be referred to the Parks and Recreation Commission for study. Mayor Snapp comments Mr. Mazzola is a department head and the Commission is a separate entity; and are not asking for a study, but to give them the right to pass judgment on the matter. Councilman Cornett states a policy issue is involved; whether or not the City should fence the circumference of all parks or whether to allow gates, such as these, to continue.

Manager Applegate states Mr. Mazzola did report this matter to him, and could render a decision tonight if it is requested, but does not think the decision that would be rendered would be what Mr. Sullivan would like to hear.

Mayor Snapp suggests that Mr. Sullivan contact the Recreation Department to be advised of when this matter will be placed on the Commission agenda so that he may attend the meeting, if he so wishes.

12. LTR. COLLEC. SUPER. By letter dated May 11, 1972, R. Leggs,
FORD MOTOR CREDIT CO. Collection Supervisor for Ford Motor
Credit Company presents a claim against
the City in the amount of \$106.39 for an impounded vehicle.

Motion by Quidort, seconded by Cornett to deny claim and refer to City's insurance carrier.

Motion carried by unanimous vote.

Recess is called at this time; Mayor Snapp calls meeting back to order at 11:15 o'clock p.m.

13. S.L.A. 771 Split Lot Application No. 771 submitted
CONTINENTAL SERVICES by Continental Services is an application
for consolidation of properties into
two parcels, located on the northwest corner of Magnolia and Wisconsin
(456 and 414 North Magnolia Avenue).

Planning Commission letter dated May 9, 1972, recommends approval, subject to certain conditions, Item 5 of which is determination by Council of need and timing for improvements on Wisconsin.

Continued from the meeting of May 16, 1972.

Councilman Cornett advises he will have to abstain because of direct financial interest in 456 North Magnolia Avenue. Councilman Brown will also abstain because he is a tenant of the property. Attorney McDougal states, because he has a financial interest in the property and because he represents Continental Services and Magnolia Professional Group, he must also abstain from the discussion.

Lynn McDougal, 480 North Magnolia Avenue, representing Continental Services and Magnolia Professional Group, is prepared to answer questions Council may have regarding this matter. Takes exception to

Condition No. 1, removal of existing single family dwelling at 212 Wisconsin within a one-year period, or prior to getting a lot split. Does not disagree that it must be removed before the bank develops the property, but to his knowledge there has never been a requirement to tear down a building that is being rented and in good repair prior to the lot split. Asks that that condition be taken out.

Mr. McDougal states that Lot B, fronting on Magnolia, includes the first 50 feet to the west of the alley. Advises that the predecessor owners dedicated and built that alley out of their property at their expense when the zone was changed. What Continental Services is asking now is that the rear 105 feet be attached in and included in the whole lot.

Mr. Henson replies in the affirmative to question from Mayor Snapp regarding the presence of a block wall separating the bank's parcel from the lot where the house is.

Councilman Van Zanten asks for the reasons for a 10 foot access easement which would put this building closer to its side lot, and why the jog behind the building. Feels that would be awkward, and result in the loss of the alley's use by that building; seems to be a way of manipulating square footage for the bank building. Mr. Henson disagrees with the last statement; the easement is granted to permit what will become the bank property, the use of the existing driveway to get back to part of its lot. States that the question of the irregular lot shape was brought up at the Planning Commission meeting. The consolidation and division of these lots is a very complicated thing, but one of the considerations was value given and value received in terms of the trading of property. The statement was made at that time that this way was the way the values balanced out.

Councilman Van Zanten views this as awkward with the jog at the westerly part of Parcel B and extending across the alley. Feels they are artificially creating another problem which will cause the City difficulty in the future.

Mr. Henson advises that with the nature of commercial properties and long term leases, the division of access to parking, and parking, it is not unusual to see divisions of property such as this. In response to the question of any complication for the City with this arrangement, Mr. Henson advises that he sees none.

Councilman Van Zanten sees a problem with the access off the alley to the rear of the building on Parcel B, it has shut off all the access except a small drive off Magnolia. Assuming that the parcel to the north may develop in another manner, with the parking to the west now, it could possibly be all building. Finds this awkward and a future problem to the City. Mr. Henson believes it would be a problem to the property owner rather than the City; also finds that this has been worked out with great care.

Regarding the driveway entrance, Mr. Pizzato states the radius on the curb return is very sharp; would like to see the radius increased. Mr. McDougal advises the reason a lot of consideration was given to the configuration of the lots, is that the Bank of America has a real problem with their existing drive-in facility. The basic reason for the lot split and the reverse lot splits and the change of ownership taking place is an attempt to solve that problem. Does not think there will be any objections to changing the curb return when the Bank of America applies for a conditional use permit. He is not authorized by Continental Services or Bank of America to state they would be willing to make those changes at this time.

In reply to question from Mayor Snapp, Mr. Henson states he understands it is the Bank of America's intention to tear down the wall next to the house to make room for the drive-in portion. Mr. McDougal states

they need more than one year to remove the house because Continental Services needs the lot split to go on with their development and Bank of America does not know what type of configuration they want for their drive-in facility at this time. The Bank of America has expended a sizable amount of money to buy the narrow lot with the house on it and is sure there is a parking problem in the area that needs to be satisfied. It is possible that they will remove the house within a year but would not want to make that a condition of a lot split.

Motion by Quidort, seconded by Van Zanten to approve Split Lot Application No. 771 subject to Planning Commission recommendations with the following changes: Item 1, removal of house to be at time of building permit; and Item 5, to require a lien contract, cash or surety bond to guarantee improvements.

AYES
NOES
ABSENT
ABSTAIN

Van Zanten, Quidort, Snapp
None
None
Cornett, Brown

Motion carried.

13A. LTR. WIGTON-RED
CURB. ON DOUGLAS

By letter dated May 22, 1972, Thomas Wigton requests that the yellow loading zone be restored next to his shop on Douglas to allow large trucks to unload merchandise.

Mayor Snapp advises Mr. Wigton would be agreeable to having the curb behind the driveway painted yellow to allow for unloading. Mr. Pizzato states that would help the intersection because it would prevent parking most of the time; it is a question of reducing actual on-street parking space. Would not recommend removing the present red curbing. At the time this was discussed at the Traffic Committee meeting, three alternatives were considered: One, make the loading zone further to the east, which they are asking now; two, use the dress shop's own parking lot to the north; and three, use Penney's parking lot. The red curb extends back to the driveway into Penney's parking lot, which is about 20 feet east of Wigton's property line.

Motion by Quidort, seconded by Brown to yellow curb for loading zone from the east of the driveway for approximately 50 feet.

Discussion.

Councilman Quidort clarifies the motion if there is only 35 feet between driveways then the loading zone should be 35 feet.

Councilman Van Zanten does not think it is fair to deny parking to people for one or two spaces all day long for twenty minutes of delivery time.

Votes are now cast on motion by Quidort, seconded by Brown to yellow curb for loading zone from the east of the driveway for approximately 50 feet.

AYES
NOES
ABSENT

Cornett, Brown, Quidort, Snapp
Van Zanten
None

Motion carried.

14. C.U.P. 475-RAGLAND

At the meeting of April 25, 1972, a public hearing was held on appeal filed by Florence I. and Fred B. Ragland on the decision rendered by Planning Commission Resolution No. 3237, denying Conditional Use Permit No. 475, to establish an antique shop on property on the north side of East Washington, between Lincoln and Mollison (772 East Washington).

The matter was referred back to the Planning Commission, directing them to establish by staff and Planning Commission study reasonable conditions for the issuance of a conditional use permit.

By letter dated May 9, 1972, Planning Commission reaffirms its previous recommendation for denial, stressing that the character of this immediate area is definitely residential and the proposed use is definitely commercial. If Council finds for approval, however, certain conditions are recommended.

This was continued from the meeting of May 16, 1972.

Councilman Cornett, referring to Condition No. 1, states it was clarified at the last meeting that only three parking spaces were required, instead of seven, and that they could perhaps be provided on the site in a manner that would differ from Planning Commission's recommendation. If the parking were accommodated in the front portion of the property, there may not be a requirement for a six foot wall around the lot, nor would there be such a long driveway or as much asphalt covering the lot. Does not know how this could be designed, but does not think the Planning Commission acted upon the proper base information.

Councilman Brown comments there is a great deal of effort put into the parking without knowing what it will be and is rather a stringent requirement. Questions whether the requirement could not be satisfied by just requiring an approved parking layout and the ordinance would govern where the walls were needed if they were adjacent to R-1-6 zoned property. Mr. Henson states the Planning Commission uses that technique sometimes; they also approve it subject to a revised plan and then they approve the plan when it is redrawn.

Motion by Cornett, seconded by Quidort to approve Conditional Use Permit No. 475 subject to redrafting of the required parking layout, and that it be referred back to Council for approval.

Discussion.

Councilman Cornett clarifies the motion that this will effect the location of the concrete wall, etc.

Councilman Van Zanten will vote No because he believes this is a commercial use.

Votes are now cast on motion by Cornett, seconded by Quidort to approve Conditional Use Permit No. 475 subject to redrafting of the required parking layout, and that it be referred back to Council for approval.

AYES
NOES
ABSENT

Cornett, Brown, Quidort, Snapp
Van Zanten
None

Motion carried.

15. LTR-HELIX IRRIG. SEWAGE DISPOSAL

At the meeting of May 2, 1972, Council discussed a letter from Helix Irrigation District regarding the feasibility and practicality of their furnishing a sewage system to the residents of the Grossmont-Mt. Helix area not now so served. Council requested a letter be written to the Board Chairman to appear at a Council meeting advising of their intent in the matter.

By letter dated May 17, 1972, Chairman Griffen advises Council's Tuesday evening meetings present a time conflict with their schedules and attempts to clarify the Board's intent in the letter.

Councilman Cornett states Helix Irrigation added one key sentence, "...and only those instances, where the cities are unable or unwilling to annex, will this District give consideration to the solution of the problem." Thinks the staff should decide whether or not such an annexation is a feasible or practical solution to their problem before the City considers whether it should accept sewage that is collected by Helix.

Councilman Brown states sewer collection is definitely an urban service and ought to be on the part of the City, because the City is designed to provide those services at the lowest possible cost. Thinks the Council should go on record that the City is interested in talking to anyone who needs urban services and wishes to annex to the City; staff should contact Helix Irrigation to find out who the people are that requested sewer service from Helix and meet with them.

Motion by Brown, seconded by Cornett to refer this matter to the staff and express the City's interest in solving the need for urban services and instruct the staff to meet with the interested parties to discuss how they can best be solved, including annexation.

Motion amended later.

Councilman Van Zanten suggests that in the discussion the staff should explain that the City is able and is willing to consider annexation.

Councilman Brown and Cornett amend the motion that the City of El Cajon is willing and able to provide urban services through annexation and is interested in discussing this with people who desire the services.

Discussion.

Councilman Brown thinks the Mayor should write a letter to Mr. Griffen and the staff should also contact the Helix Irrigation staff to find out who made the request and the City staff should meet with them to find out what the problem is and how to resolve it; explain to them the process of annexation and assist them if they desire annexation.

Manager Applegate advises a similar letter (the initial one dated April 20, 1972) went to the City of La Mesa. Councilman Brown suggests that a copy of Mayor Snapp's letter be sent to the City of La Mesa.

Attorney McDougal states the City's policy has been that annexations have legal lots, street frontage, etc. Questions if Council is indicating these same rigid standards be applied or whether the annexations would be accepted under the present existing conditions. Mayor Snapp states this was previously discussed on annexations in the Avocado area - that they understood the City would not be able to maintain certain areas, for instance street widths that normally would be in the downtown area and would be willing to work with them. Thinks each area will have to be looked at on its own. Councilman Brown is interested in considering a complete area; so far as streets are concerned, the City needs streets where the City fire engines can negotiate to supply the essential services.

Votes are now cast on amended motion by Brown, seconded by Cornett to refer this matter to the staff to explain the City is willing and able to provide urban services through annexation and is interested in discussing this with people who desire the services.

Motion carried by unanimous vote.

16. LTR-FIRE CHIEF
UNIFORM FIRE CODE
1971 EDITION

17. LTR-ASSIST.DIR.
OF BLDG.-IMPROVEMENTS
ORDINANCE

18. REPORT-GRADING ORD.

At the meeting of March 21, 1972, Council discussed a petition from residents on Finch, Swallow Drive and other streets, requesting that Council adopt a grading ordinance.

By letter dated May 19, 1972, Director of Public Works submits a report advising that in a meeting with interested parties it was generally agreed that a grading ordinance may not be necessary, but that there was a need for a State or local law that would require the filing with a public agency all soil investigation reports. There was also a need for a geological investigation.

In reply to question from Councilman Cornett as to how the above-mentioned law can be adopted, Mr. Pizzato states this is not his recommendation, does not necessarily agree with it, but suggests that it be referred to the City Attorney for the type of regulation that would be necessary. This was a concern of Mr. Harris and Mr. Challberg. The law would obligate anyone who makes a study, that Council would define, to file such a report with the City of El Cajon or whichever agency sets up the regulations.

Regarding statements made that there was unstable soil on the hillsides and the soil reports were adverse, Mr. Pizzato believes there has been misunderstanding and much misinformation; the geologists indicated differently. Councilman Brown states if the soil samples that were taken and a report filed with the City, then that information would be available; but the City has no real information other than to state that the project was engineered by a registered engineer. Thinks it would be an advantage to have such reports on file.

Councilman Quidort questions if there were a grading ordinance would anything more have been done than what is being done today in the Finch Street area. Mr. Pizzato advises it would depend on what the grading ordinance required. The typical grading ordinance the agencies in San Diego County have does not require anything significantly more than that. The Engineering Department is in the process of investigating the question of slope protection with the possibility of setting up some type of requirement other than ground cover or iceplant. Believes City of San Diego has certain requirements regarding spacing of different depth rooting plants, trees and ground cover. The City can cover that by the similar method covered by the grading operating by setting up policies, such as requiring the developer to hire a landscape architect to prepare a plan and maintain the landscaping for a certain period of time. This can be done without the City getting involved in the detail aspects of designing, supervising, inspecting, controlling, etc. It would be Council's decision whether the City employees should assume those responsibilities or to impose them on the developer to hire qualified state licensed people to do the work and then certify that they have been done.

Councilman Quidort questions whether the soil in the Finch Street area is stable. Mr. Pizzato thinks it is, and so advises prospective property buyers; he would not buy property there because he does not like the material, but does not think it is a matter of instability.

Mr. Pizzato states he was on the committee that drafted the County grading ordinance and is fairly familiar with the City of San Diego's ordinance. Believes the ordinance was adopted because there were no controls whatsoever beforehand and there was great debate in the beginning as to the extent of the ordinance. The ordinance is in great detail and personally does not feel it should be. The design of a police station can be handled by hiring an architect and the design and grading of a subdivision can be handled in a similar manner.

Councilman Brown asks whether it would be appropriate to incorporate into an ordinance that the City will hire qualified people who will certify that certain requirements have been met. Mr. Pizzato believes this is a desirable procedure and suggested it to the County Lot Grading Committee, but they chose not to follow that procedure. Defers to the City Attorney whether or not it would be practical.

Mr. Pizzato believes there is a big differentiation between small grading and large grading; the County gets involved in the small grading inspections and they require the developer to hire a soils engineer to inspect the grading of large developments. The problem being discussed tonight is the grading operation in connection with subdivision development, rather than an individual lot. Feels there are other controls; if there were a grading ordinance, those things would probably be included in the details. There is a plan check fee for the grading and inspection fee for the grading operation - it does get cumbersome.

Manager Applegate reminds Council that the County Grading Ordinance was presented to Council, and after reviewing it Council decided it was too complicated and asked the staff to simplify it. A half version of the ordinance was brought back to Council but it left so many unanswered problems that Council chose not to adopt that either. If Council wishes to adopt such an ordinance, would have to incorporate all the details like the County did. Maybe it would be simpler to require licensed and certified people to do the work.

City Attorney advises the present ordinance provides that prior to submission of final subdivision map, the subdivider must provide a preliminary soils report prepared by a civil engineer registered in the State, based upon adequate test borings or excavations. If there is any indication in the preliminary soils report of critically expansive soils or other soil problems, then each lot in a subdivision shall be prepared by a civil engineer registered by the State and the soil investigation shall recommend corrective action which is likely to prevent structural damage to each dwelling. In effect this is being done and there must be approval by the City in respect to subdivisions.

Councilman Brown questions whether in the subdivision above Finch Street there were any soil problems and if there were, whether a civil engineer made a soil report on each lot. Mr. Pizzato cannot speak for the soils lab because he has not seen their report; but when discussing expansive soil, it then requires that the soils lab prepare a report and furnish that information to the building inspection department, so that they can then be concerned with the foundation design of the structure. This gets away from the general grading operation. Councilman Brown again asks whether a report of soil problems was made to the Engineering Department.

Mr. Pizzato does not make the same interpretation of the statement regarding soil problems as Councilman Brown. Normally the procedure is as follows: The soils engineer makes a report and indicates the character of the soil in the area, he may point out some particular problem areas based upon the borings and he will indicate if there is no other condition discovered during the grading operation, if it is expansive material either import one or two feet of material to place on top before building the foundation or they will recommend certain foundation design, etc. Also, if during the grading operation other conditions are found there may be other changes required. That information is given to the Building Inspection Department and not necessarily to Engineering because the Engineering Department is concerned with the stability of the lot and not with the bearing support of the soil to carry a building.

Roger Challberg, 1026 Eastside Road, El Cajon, states at the meeting Mr. Pizzato mentioned, there were present an engineering geologist, a geologist, a contractor and a civil engineer, besides Mr. Harris and himself. Agrees on the whole basic idea of public disclosure, and would like Mr. Harris to speak to this because he contacted Attorney McDougal. Does not know how many soil surveys have been made on the subject property. Regarding the need for geological investigation, there is a study being made by the City of San Diego and the Bureau of Mines which is general in nature but does pinpoint certain areas

that need careful watching. In his opinion the soil is expansive and it could be debated by a soil technician and an engineering geologist whether it is critical or not. Agrees that test borings should have been made on each lot. Thinks these are critical areas with hill-sides and slopes with possibility of slides, alluvial slides and seismic involvement. Disputes the concept that moving an area around and re-compacting it, makes it more stable; you can if certain materials are added, but not by just moving the same clay soil around. Believes there are three things involved: the public disclosure of soils reports, the geological investigation, and the adoption of some type of ordinance which probably should not be called a grading ordinance, which would include type of plantings on slopes. As Councilman Brown stated, the City must protect the health and safety of the citizens of El Cajon, and agrees with Councilman Van Zanten that we must think of what we are facing in the future.

Theodore Harris, 1982 Woodglen Way, El Cajon, states at the meeting the question was raised whether or not the requirement of a soil test would be permissible under the City ordinance. When he contacted Attorney McDougal, he advised he did not believe there would be anything wrong in enacting this type of ordinance subject to further investigation. Thinks, at this point, if Council would care to enact **an ordinance** which would require that soil tests be registered with the City, it would be an excellent idea, and would help the Planning Department by having several tests on record rather than one that **may** or may not be totally accurate. It would also help potential purchasers and developers.

Councilman Cornett questions whether Mr. Harris is suggesting this requirement be made where any grading is done or only on subdivisions.

Mr. Harris suggests any time a soil test is performed that a copy of the soil test be filed with the City of El Cajon. Councilman Cornett would think that would be unenforceable, understands that it could be done on a subdivision but doubts it can be done on an individual lot basis. Councilman Brown comments anytime the City requires a soil test a copy of that test should be filed. Mr. Pizzato states that is not what Mr. Challberg has in mind, what he has in mind is the problem when a developer hires an engineer to prepare a soils investigation who comes up with a negative report and the developer decides it is too expensive to correct the problem, so he throws the report away and hires another soils engineer to prepare another report that states what he wants stated, and no one knows what the other report stated. In his opinion, this would be a fairly remote situation and would not be too concerned but the property owners in that area do.

Motion by Brown, seconded by Cornett to refer this matter to the City Attorney for a report on Item 1 of Director of Public Works letter dated May 19, 1972.

Motion carried by unanimous vote.

Mr. Challberg states the motion covers one of the two recommendations in Mr. Pizzato's letter; there is also a third question regarding a grading ordinance - questions whether Council wishes to drop the other two items or wishes to pursue it further. Councilman Brown states when the report comes back from the City Attorney the other issues will be discussed further.

Mr. Pizzato advises the study being done by the City of San Diego and the Bureau of Mines does not include El Cajon. Councilman Brown comments CPO has completed a report on geological hazards which does include El Cajon. Mr. Pizzato is not familiar with that report; he did discuss the question with Dr. Kennedy who is handling the report for the City of San Diego and he indicated that the State Division of Mining and Geology is negotiating with the Environmental Development Agency in the City of San Diego for a regional seismic investigation.

Staff is instructed to contact CPO regarding study they made which includes El Cajon.

18A. LTR. CHAIRMAN, CPO By letter dated May 17, 1972, George F.
POLICY COMMITTEE Bailey, Chairman of CPO Policy Committee
requests a statement of support on the
concept of a Program Core Staff and budget commitment.

At the meeting of May 9, 1972, Council instructed the City Manager to include \$21,880 in the preliminary budget for the support of CPO.

— Motion by Cornett, seconded by Brown to support the concept of a Program Core Staff and budget commitment.

Motion carried by unanimous vote.

18B. LTR. UNION-TRIBUNE By letter dated May 18, 1972, Union-
ELECTRICAL HOOKUP Tribune Publishing Company requests
permission from the City to install an
electrical hookup to a trailer parked at the rear of their building
at 185 West Madison. This is a school for new printing techniques and
processes which is expected would be in operation less than three
months.

Motion by Cornett, seconded by Van Zanten to approve the request.

Motion carried by unanimous vote.

19. RESOLUTION 195-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 195-72, modify-
ing Traffic Resolution No. 6887 by establishing no parking on both
sides of Cuyamaca from Fletcher Parkway to a point northerly of Swallow
Drive; establishing no parking zone on south side of Fletcher Parkway
westerly of Magnolia Avenue.

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

Motion carried.

20. RESOLUTION 196-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 196-72, finding
concurrence with action of Personnel Commission on an appeal of the
finding of an oral interview board in connection with Associate Civil
Engineer examination.

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

Motion carried.

21. RESOLUTION 197-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 197-72 modify-
ing Traffic Resolution No. 6887; establishing stop intersection at
Hosmer and Edward; providing for no parking zones during Swap Meet hours
in vicinity of Aero Drive-In Theater; no parking zones on both sides of
Madison and Mollison and Madison and First; no parking zones on both
sides of Marshall Avenue north of El Cajon Boulevard; increasing speed
limit on Pioneer Way from Fletcher Parkway to Bradley to 35 miles per
hour.

— Motion carried by unanimous vote.

22. RESOLUTION 198-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 198-72, Resolution of Intention to vacate public street right of way, and setting date of public hearing; portions of Lots 43 and 47, Chase Rancho Sub-division No. 1, easterly of Lincoln Avenue.

Motion carried by unanimous vote.

23. RESOLUTION 199-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 199-72 waiving investigation proceedings and finding compliance with the special assessment Investigation, Limitation and Majority Protest Act of 1931. Ballard Street between Washington Avenue and Redwood Street 1911 Act Improvement District.

Motion carried by unanimous vote.

24. RESOLUTION 200-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 200-72 waiving payment of incidental expenses and estimated cost of acquisition at time of entering into contract. Ballard Street between Washington Avenue and Redwood Street 1911 Act Improvement District.

Motion carried by unanimous vote.

25. RESOLUTION 201-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 201-72 ordering the work; overruling protests; directing City Clerk to give notice inviting bids. Grape, et al. 1911 Act Improvement District.

Motion carried by unanimous vote.

26. RESOLUTION 202-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 202-72 waiving payment of incidental expenses and estimated cost of acquisition at time of entering into contract. Grape, et al. 1911 Act Improvement District.

Motion carried by unanimous vote.

27. RESOLUTION 203-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 203-72 releasing lien contracts. Improvements no longer required due to alley vacation.

Motion carried by unanimous vote.

28. RESOLUTION 204-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 204-72, award of bids for softball field fencing at Dawnridge School Site in the City of El Cajon. (Alco Fence Company, Inc. and Sierra Fence Company)

Motion carried by unanimous vote.

29. RESOLUTION 205-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 205-72 accepting grant of interest in real property by City of El Cajon for public street purposes, as recommended by Director of Public Works. (Whelan) (Grape, et al. 1911 District)

Motion carried by unanimous vote.

30. RESOLUTION 206-72 Motion by Brown, seconded by Van Zanten to adopt Resolution No. 206-72 accepting grant of interest in real property by City of El Cajon for public street purposes, as recommended by Director of Public Works. (Auer) (Grape, et al. 1911 District)

Motion carried by unanimous vote.

31. RESOLUTION 207-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 207-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes, as recommended by Director of Public Works. (Ellers)
(Grape, et al. 1911 District)

Motion carried by unanimous vote.

32. RESOLUTION 208-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 208-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes, as recommended by Director of Public Works. (McCale,
Executrix of the Estate of Domenigoni, deceased) (Grape, et al. 1911
District)

Motion carried by unanimous vote.

33. RESOLUTION 209-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 209-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes, as recommended by Director of Public Works. (Hiller)
(Grape, et al. 1911 District)

Motion carried by unanimous vote.

34. RESOLUTION 210-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 210-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes, as recommended by Director of Public Works. (Frank)
(Grape, et al. 1911 District)

Motion carried by unanimous vote.

35. RESOLUTION 211-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 211-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes, as recommended by Director of Public Works. (Berryman)
(Grape, et al. 1911 District)

Motion carried by unanimous vote.

36. RESOLUTION 212-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 212-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes, as recommended by Director of Public Works. (Collins)
(Grape, et al. 1911 District)

Motion carried by unanimous vote.

37. RESOLUTION 213-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 213-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes. (Ward) (Grape, et al. 1911 District)

Motion carried by unanimous vote.

38. RESOLUTION 214-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 214-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes. (Tooley) (Grape, et al. 1911 District)

Motion carried by unanimous vote.

39. RESOLUTION 215-72 Motion by Brown, seconded by Van Zanten
to adopt Resolution No. 215-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes. (Lefler) (Grape, et al. 1911 District)

Motion carried by unanimous vote.

40. RESOLUTION 216-72 Motion by Cornett, seconded by Van Zanten
to adopt Resolution No. 216-72 accepting
grant of interest in real property by City of El Cajon for public alley
purposes. (Doll) (Zone Reclassification No. 955)

Motion carried by unanimous vote.

41. RESOLUTION 217-72 Motion by Cornett, seconded by Van Zanten
to adopt Resolution No. 217-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes. (Foodmaker, Inc.) (Split Lot Application No. 765)

Motion carried by unanimous vote.

42. RESOLUTION 218-72 Motion by Cornett, seconded by Van Zanten
to adopt Resolution No. 218-72 accepting
contract for improvements. (Foodmaker, Inc.) (Split Lot Application
No. 765)

Motion carried by unanimous vote.

43. RESOLUTION 219-72 Motion by Cornett, seconded by Van Zanten
to adopt Resolution No. 219-72 accepting
grant of interest in real property by City of El Cajon, an easement
for sewer purposes. (Dills and Fleming) (Split Lot Application No. 765)

Motion carried by unanimous vote.

44. RESOLUTION 220-72 Motion by Cornett, seconded by Van Zanten
to adopt Resolution No. 220-72 accepting
grant of interest in real property by City of El Cajon for public
street purposes. (Dills and Fleming) (Split Lot Application No. 765)

Motion carried by unanimous vote.

45. RESOLUTION 221-72 Motion by Cornett, seconded by Van Zanten
to adopt Resolution No. 221-72 approving
contract for improvements. (Dills and Fleming) (Split Lot Application
No. 765).

Motion carried by unanimous vote.

45A. RESOLUTION 222-72 By letter dated May 22, 1972, Chief of
CCCJ GRANT Police advises the San Diego Regional
Criminal Justice Planning Advisory Com-
mittee recommended El Cajon's Information Reporting and Display System
for funding out of the San Diego region's 1972 CCCJ allocation. In
order to officially apply for a CCCJ grant they must file a formal grant
application by June 1. One requirement of the formal application pro-
cedure is a resolution from Council agreeing to accept that grant if
approved, and provide the necessary matching funds.

Manager Applegate advises this particular grant is in connection with
Straza Industries; they are willing to do the development work and pay
most of their share in kind work to develop a minicomputer to go
with the communication system in the data board for locating patrol
cars and recording the information. In essence, it will do away with
reporting by officers, etc. if it functions.

Motion by Cornett, seconded by Snapp to adopt Resolution No. 222-72 -
resolution of agreement to accept funding by California Council on
Criminal Justice of City of El Cajon Project on "Police Information
Reporting and Display System"; authorizing matching funds from City
for said project.

Motion carried by unanimous vote.

46. through 50. Motion by Quidort, seconded by Brown
FIRST READINGS to have first reading of ordinances under
Item 46, Uniform Fire Code, 1971 Edition;

Item 47, Zone Reclassification No. 990 - Howard; Item 48, Zone Reclassification No. 960 - Brown; Item 49, Specific Plan No. 173 - Martin; and Item 50, Zone Reclassification No. 955 - Doll.

Motion carried by unanimous vote.

46. FIRE CODE

City Clerk reads heading of an ordinance adopting by reference the "Uniform Fire Code, 1971 Edition," to govern the maintenance of building and premises; to safeguard life, health, property and public welfare by regulating the storage, use and handling of dangerous and hazardous materials, substances and processes, and by regulating the maintenance of adequate egress facilities. Providing penalties for violation; amending Chapter 12 of the Code of the City of El Cajon; repealing portion of Chapter 29 of the Code and adding it to Chapter 12.

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

Motion carried by unanimous vote.

47. Z.R. 990-HOWARD

City Clerk reads heading of an ordinance rezoning Lot 8, Block 20, Bostonia Acres Extension, into Zone "C-2". Zone Reclassification No. 990 (Howard).

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

Motion carried by unanimous vote.

48. Z.R. 960-BROWN

City Clerk reads heading of an ordinance rezoning portions of Lot 58, Subdivision No. 1, Chase Rancho, into Zones "R-3" and "R-3-R". Zone Reclassification No. 960 (Brown).

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

Motion carried by unanimous vote.

49. S.P. 173-MARTIN

City Clerk reads heading of an ordinance approving Specific Plan No. 173 for an 80-unit apartment development on a portion of Lot 58, Subdivision No. 1, Chase Rancho (Martin).

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

Motion carried by unanimous vote.

50. Z.R. 955-DOLL

City Clerk reads heading of an ordinance rezoning portions of Lot 23, Magnolia Ranch Tract into Zone "R-3". Zone Reclassification No. 955 (Doll).

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

Motion carried by unanimous vote.

51. ORDINANCE 2486

City Clerk reads heading of an ordinance rezoning portion of Lot 9, Block 17, Bostonia Acres Extension, into Zone "P-C". Zone Reclassification No. 1007 (Cox).

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2486 rezoning portion of Lot 9,

Block 17, Bostonia Acres Extension, into Zone "P-C". Zone Reclassification No. 1007 (Cox).

Motion carried by unanimous vote on waiving the second reading.

Motion carried by the following vote on adoption of Ordinance No. 2486:

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

52. ORDINANCE 2487 City Clerk reads heading of an ordinance amending Section 25-44(f)(1) of Chapter 25 of the Code of the City of El Cajon, establishing maximum driveway width of thirty feet for single family residences.

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2487 amending Section 25-44(f)(1) of Chapter 25 of the Code of the City of El Cajon, establishing maximum driveway width of thirty feet for single family residences.

Motion carried by unanimous vote.

53. ORDINANCE 2488 City Clerk reads heading of an ordinance amending Section 25-6 of Chapter 25 of the Code of the City of El Cajon relating to uses of public sidewalk, street or alley.

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2488 amending Section 25-6 of Chapter 25 of the Code of the City of El Cajon relating to uses of public sidewalk, street or alley.

Motion carried by unanimous vote.

54. ORDINANCE 2489 City Clerk reads heading of an ordinance rezoning portion of Lot 41, Chase Rancho Subdivision No. 1, into Zone "R-3". Zone Reclassification No. 1012 (Miller).

Motion by Quidort, seconded by Brown to waive second reading of above ordinance and to adopt Ordinance No. 2489 rezoning portion of Lot 41, Chase Rancho Subdivision No. 1, into Zone "R-3". Zone Reclassification No. 1012 (Miller).

Motion carried by unanimous vote on waiving the second reading.

Motion carried by the following vote on adoption of Ordinance No. 2489:

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

55. WARRANTS Motion by Quidort, seconded by Brown to approve Commercial Warrants Numbers 32405 through 32485 in the amount of \$209,164.96 and Payroll Warrants Numbers 29405 through 29815 in the amount of \$151,818.49.

Motion carried by unanimous vote.

56. REPORTS OF COUNCILMEN Councilman Quidort states some time ago he talked to Mr. Cozens about a Department of Motor Vehicles branch in El Cajon, and recently talked to Senator Burgener. El Cajon now meets their standards and very likely there will be a branch here in the future; mentioned the possible use of land at Vernon and Johnson.

Attorney McDougal advises if City owned land is proposed, suggests EGI be contacted, since Council made EGI the leasing agent of that property.

Councilman Quidort advises a letter is forthcoming on this matter.

57B. ITEM D-PROP. 1 Mayor Snapp asks if Council would like to lend support to Proposition 1; action was previously taken by Council in this regard.

57C. ITEM B-P.E.P. By letter dated May 11, 1972, a report is submitted on the Public Employment Program, which includes statistical information on the participants who have been separated.

Councilman Van Zanten questions if there is any reason that minorities are quitting more than others; if there is a trend perhaps Council should know when inquiries are made of them. Manager Applegate explains that the City had 7 Negroes, 3 quit or were terminated and 4 are still employed. Explains the circumstances regarding termination of several who are no longer employed; others are working out quite well. Some of the PEP employees have qualified and gone to work permanently.

57. ORAL COMMUNICATIONS No one spoke on this item.

57A. EXECUTIVE SESSION Motion by Cornett, seconded by Brown to adjourn to executive session for the Meet and Confer process and to discuss personnel.

Motion carried by unanimous vote.

Council adjourns to executive session at 12:45 o'clock a.m.; meeting called back to order by Mayor Snapp at 1:30 o'clock a.m.

COMP. HEALTH PLAN. ASSN. Mayor Snapp nominates Dona Foster as a possible Consumer Candidate from the El Cajon area, as requested by Comprehensive Health Planning Association in letter dated March 22, 1972.

Motion by Brown, seconded by Cornett to concur with the Mayor's nomination.

Motion carried by unanimous vote.

COUNTY HUMAN REL. COMM. Motion by Brown, seconded by Cornett to recommend to the City of La Mesa that Paul Jensen be approved for an indefinite term on the County Human Relations Commission.

Motion carried by unanimous vote.

ORDER OF ADJOURNMENT Motion by Brown, seconded by Cornett that the adjourned regular meeting of the City Council of the City of El Cajon, California, held this 23rd day of May, 1972, is adjourned at 1:35 o'clock a.m., Wednesday, May 24, 1972, to Tuesday, May 30, 1972, at 4:00 o'clock p.m. in the Council Chambers of the City Hall, 150 East Lexington Avenue, El Cajon, California.

Motion carried by unanimous vote.


City Clerk

