Bonita Glen Specific Plan

Approved by City Planning Commission Resolution PCM-77-4

1. Adopted by City Council Resolution No. 8670, dated 6/14/77

a. Bonita Glen Specific Plan dated 6/14/77

b. Chula Vista City Council Minutes dated 6/14/77

2. Amended by City Council Resolution No. 11080 approved on November 16, 1982 approved an amendment to the sign regulations.

c. Chula Vista City Council Minutes dated 11/16/82

3. Amended by City Council Resolution No. 11190 approved on March 22, 1983, adopting amendments to the plan sign regulations

d. Amended by City Council Resolution No. 11192 approved on March 22, 1983, granting an appeal to continue the prohibition against gas stations and car washes

e. Chula Vista City Council Minutes dated 3/22/83

4. Amended by City Council Resolution No. 11462 approved on November 22, amendment to the Bonita Glen Specific Plan Sign Regulations

f. Chula Vista City Council Minutes dated 11/22/83

5. Amended by City Council Resolution No. 11511 approved on January 17,1984 which deleted the shell oil company at the southeast corner of Bonita Rd and Bonita Glen drive from the Bonita Glen Specific Plan.

g. Chula Vista City Council Minutes dated 1/17/84

6. City Council Resolution No. 11847 approved on November 27, 1984 amended the height restrictions

h. Chula Vista City Council Minutes dated 11/27/84

revised 6/9/77

RESOLUTION NO. 8670

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING BONITA GLEN SPECIFIC PLAN

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, the City Council has heretofore on May 10, 1977, and June 7, 1977 conducted public hearings to consider the specific plan for the development of 8.7 acres on the south side of Bonita Road between Bonita Glen Drive and I-805, and

WHEREAS, having taken evidence and hearing testimony, the Council has approved said specific plan subject to certain conditions, and

WHEREAS, the Environmental Impact Report has heretofore been reviewed and certified in conjunction with the approval of the rezoning and prezoning of said property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that the specific plan for the development of 8.7 acres on the south side of Bonita Road between Bonita Glen Drive and I-805 is hereby approved in accordance with Resolution No. PCM-77-4 adopted by the Planning Commission of the City of Chula Vista on the 20th day of April, 1977.

BE IT FURTHER RESOLVED that the City Council does further find as the basis for adopting said specific plan the following:

1. The territory of the Bonita Glen Specific Plan, situated at the gateway to the Bonita community, is virtually self-contained. It has a natural capability to accommodate a sensitive, preplanned combination of uses, through the application of the specific plan process. This process is designed to promote higher levels of land use innovation and design flexibility than the City of Chula Vista's conventional zoning regulations.

2. The Bonita Glen Specific Plan embodies its own tailor-made land use, bulk, height, offstreet parking, design, and signage regulations, and therefore is self effectuating. These regulations encourage coordinative planning on the part of the several owners of the subject 8.74 acres, and promote the joint resolution of traffic, parking, and environmental problems.

3. The Bonita Glen Specific Plan is designed to preclude that piecemeal, haphazard pattern of growth which has too often dominated the pattern of growth along the traffic arteries of American cities. While the Bonita Glen Plan contains developmental incentives, it also provides the City of Chula Vista a better mechanism for the promotion of the involved area's orderly growth and amenity.

4. The specific plan alternative to zoning is authorized under Articles 8 through 10, Chapter 3, Title 7 of the Government Code (Planning and Zoning Law), and Sections 19.06.020 through 19.06.050 of the Chula Vista Municipal Code.

5. Since the proposed specific plan's implementation is dependent upon the coordinative planning of several property owners, it is essential that the subject lands be simultaneously governed by the traditional zoning regulations. Under the companion proposal, PCZ-77-C, the lands in question would be rezoned to C-C-P, which would become controlling only in the event of the specific plan's failure to reach fruition. Prior to its disestablishment by Council, the provisions of the Bonita Glen Specific Plan would preempt the regulations of the Zoning Ordinance.

Presented by

D. J. Peterson, Director of Planning

Approved as to form by

George D. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

HULA VISTA, CALIFORNIA, this 14th day of June

)7 7, by the following vote, to-wit:

YES: Councilmen Egdahl, Hobel, Cox, Hyde, Scott

AYES: Councilmen None

BSTAIN: Councilmen None

BSENT: Councilmen None

Mayor of the City of Chula Vista

TTEST
City Clerk

TATE OF CALIFORNIA)
OUNTY OF SAN DIEGO) ss.
ITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, O HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of _____, and that the same has not been amended or repealed.

ATED _____

City Clerk

(seal)

CC-660

BONITA GLEN SPECIFIC PLAN

Chula Vista Planning Department
June, 1977

I. Introduction

A. The 8.74 acres constituent to the site of the Bonita Glen Specific Plan are located on the southerly side of Bonita Road, between Bonita Glen Drive and the I-805/Bonita Road interchange. This territory is designated "Retail Commercial" under the Chula Vista General Plan, but has been variously zoned (E-1, R-1, R-3, and C-C-D) under the zoning plans of the City of Chula Vista and the County of San Diego. The predominant zone of the site is the C-C-D, Central Commercial Zone. This zone is oriented towards retail commercial and compatible uses which are characterized by a strong emphasis upon qualitative community design. The C-C-D uses are those which are suited to the East Chula Vista-Bonita area and are the foundation of the Bonita Glen Specific Plan.

B. The factors discussed in the above paragraph, indicate that the rezoning of the entire nine acres in Bonita Glen to C-C-P would probably constitute sound urban planning. While this conclusion is supportable, there is a preferable alternative -- the specific plan process. The territory of Bonita Glen, situated at the gateway to the Bonita Community, and virtually self-contained, has a natural capability to accommodate a sensitive, preplanned combination of uses, through the application of the specific plan process. This process is designed to promote higher levels of land-use innovation and design flexibility than the City's conventional zoning regulations.

Zone = CC-P

C. The specific plan alternative to zoning is authorized under Articles 8, 9 and 10, Chapter 3, Title 7 of the Government Code (Planning and Zoning Law), and Sections 19.06.020 through 19.06.050 of the Chula Vista Municipal Code.

The following outline succinctly describes the structure of the Bonita Glen Specific Plan.

I. Introduction

II. The Test of the Bonita Glen Specific Plan

A. Summary

1. Goals

2. General Objectives

3. General Description of the Specific Plan

B. Standards and Regulations

C. Plan Amendment, Effectuation, and Administration

1. Process and Procedure for the Amendment of the Specific Plan.

2. Process and Procedure for the Approval and Adoption of Project Plans.

3. Process and Procedure for the Amendment of Project Plans.

4. Process and Procedure for the Modification of Project Plans.

D. Conclusion

III. The Graphics of the Bonita Glen Specific Plan

A. Graphic Description of the Project Area (Exhibit A).

B. The Conceptual Plan (Exhibits B1 and B2).

C. "Suggested Elevation" (Exhibit C).

D. "Suggested Elevation" (Exhibit D).

II. The Text of the Bonita Glen Specific Plan

A. Goals and Objectives

Section 1. Goals The implementation of the Chula Vista General Plan and its several elements, and the promotion of the orderly growth, development and conservation of the Central Chula Vista and Bonita Communities are the goals of this specific plan.

Section 2. General Objectives. The following subparagraphs embody the general objectives of the Bonita Glen Specific Plan.

a. The establishment of standards and regulations for the planned development of a certain 8.74 acres of land generally bounded by the I-805/Bonita Road interchange, Bonita Road, Bonita Glen Drive and Vista Drive, and graphically described on Exhibit A, attached hereto.

b. The encouragement of the development of an integrated residential-commercial project based upon special standards and regulations, and a predetermined conceptual plan, which is graphically depicted on Exhibit B, attached hereto.

c. The encouragement of higher levels of design freedom and land-planning innovation than those which could be achieved through the application of conventional zoning provisions.

d. The establishment of procedures for the administration and amendment of the Bonita Glen Specific Plan.

Section 3. General Description of the Specific Plan. The Bonita Glen Specific Plan prepared in accordance with Section 65450, et. seq., of the State Planning and Zoning Law, and Section 19.06.020, et. seq., of the Chula Vista Municipal Code, proposes the development of a residential-retail commercial project(s) on 8.74 acres of land in the Central Chula Vista/Bonita Area. The plan is based upon special standards and generalized site utilization plans, and is designed to promote innovative and imaginative project planning. The text of the specific plan provides land use, bulk, height, setback, urban design, parking, landscaping, and sign control standards and regulations.

B. Standards and Regulations

1. The following land uses, when consistent with the adopted conceptual plan, and when approved under the project plan process and procedure, pursuant to Section 6.2, are permitted within the project area of the Bonita Glen Specific Plan.

   a. Book, stationery, clothing, shoe, variety, and jewelry stores.
   b. Pharmacies, saddle shops, cycleries, travel agencies, and restaurants.
   c. Specialty food stores, markets, antique shops, and dry cleaning agencies.
   d. Small theatres and artists' studios.
   e. Banks, savings and loan offices, insurance offices, general business, professional, and real estate offices.
   f. Apartments, condominiums, residential hotels, motels, motor hotels.
   g. Other retail stores and services approved by the Planning Commission.

2. The standards and regulations contained herein represent the policy of the Planning Commission and City Council with regard to development in the Bonita Glen area. It is intended that the standards be considered as more than guidelines but that

they not be as inflexible as ordinance standards. The Planning Commission, upon the recommendation of the Zoning Administrator, may adjust said standards and regulations upon finding that said adjustment will not adversely affect the nature, character, design, order, amenity or intent of the Bonita Glen project or Specific Plan. An appeal from the action of the Planning Commission may be filed with the City Council, provided it is filed within ten days of the Planning Commission's action.

4. The following bulk, height, setback, parking, landscaping, urban design, and sign control regulations shall apply to all uses and structures established and constructed within the project area of the Bonita Glen Specific Plan.

a. Bulk Requirements

Maximum building coverage: 40% of the net area of the site.

Minimum distance between buildings: As determined by the Zoning Administrator, who shall use the height, location, length, and occupancy load of the involved building as governing criteria.

b. Height Regulations

Maximum building height: 30 feet (two stories).

Maximum height of clock towers, spires, cupolas, belvederes and architectural features: 45 feet.

c. Setback Requirements

All buildings and structures shall be set back a minimum of 25 feet from the street right-of-way which abuts upon the Retail Commercial Area.

d. Offstreet Parking Requirements

Retail stores and dry cleaners: 1 offstreet parking space per 200 sq. ft. of gross floor area.

Offices: 1 offstreet parking space per 300 sq. ft. of gross floor area.

Studios: 1 offstreet parking space per 400 sq. ft. of gross floor area.

Theatres: 1 offstreet parking space per 3.5 fixed seats.

Residential apartments: Same as zoning regulations, see Section 19.62.050 of the Chula Vista Municipal Code.

Restaurants: 1 offstreet parking space for each 2.5 seats.

Residential hotels: 1 offstreet parking space per guest room or suite.

Other uses: To be determined by the Planning Commission.

e. Landscaping Requirement

A minimum of 15% of the net area of the project area of the Bonita Glen Specific Plan shall be devoted to landscaping, which may take the form of planted areas, architectural flooring, plazas, fountains, open enclosures, ponds, and mall furniture.

f. Urban Design Requirements

The design of each proposed land use, building, structure, sign, parking area, and site plan shall be reviewed by the Director of Planning, and shall be subsequently referred to the Parking Commission for its consideration and action. The Commission shall consider each proposed design from the standpoint of its consistency with the nature, character, and design quality of the Bonita Road-Bonita Glen Drive area, and the Bonita community at large. The applicant, within ten days after the date of Commission action, may file an appeal from the decision of the Planning Commission with the City Council.

g. Sign Control Regulations

A maximum of one square foot of sign area per each lineal foot of building frontage, but not more than 50 sq. ft. of sign area shall be permitted for each land use in the project area. Said sign shall be located parallel to, and attached to the front of, the use it advertises or represents.

In addition to the above signs, the entire project area may be represented by one 25 ft. high, freestanding sign. The said sign shall not exceed 100 sq. ft. (See attached Resolution No. 11080, adopted 11/16/82.)

The Planning Commission may permit, in addition to the above signs, external directories and graphics.

h. Access and Circulation

Access to the site shall be as generally shown on Exhibit B. The access drive to Bonita Road shall be considered as a "trial" access point permitting left turns into and out of the site. Should traffic problems develop as a result of future use or be anticipated when the particular use of the site is known, the City can be expected to reduce or eliminate the problems by either constructing a raised center island median or by requiring a future developer to do so. This access may be closed by the City at such time as the City Council finds that the following conditions exist:

1) The use of the driveway adversely affects the movement of traffic on Bonita Road; and
2) Adequate access to the center is available from Bonita Glen Drive and Vista Drive.

In order to provide an adequate onsite circulation system and offstreet parking area, nonexclusive access easements shall be provided for the benefit of all property owners in the area.

C. Plan Amendment, Effectuation, and Administration

1. Process and Procedure for the Amendment of the Specific Plan.

The process and procedure for the amendment of the text or graphics of the Specific Plan are provided in Sections 19.06.030 and 19.06.040 of the Chula Vista Municipal Code.

2. Process and Procedure for the Approval or Amendment of Project Plans.

No land use shall be established, and no structure shall be constructed in the absence of its approval under the project plan process and procedure, or through the amendment or modification of an approved project plan.

All proposed project plans and proposals for the amendment of project plans shall be submitted to the Planning Commission for its review and action. If the proposed project plan or amendment substantially conforms to the Specific Plan, the Planning Commission shall approve or conditionally approve the said plan or amendment. If the Commission cannot make this finding, it shall deny the proposed project plan or amendment.

An appeal from the action of Planning Commission may be filed with the City Council, provided such appeal is filed within 10 days after the date of said action.

3. Process and Procedure for the Modification of Project Plans.

Modifications to project plans may be approved by the Director of Planning. An appeal from the Director's decision may be filed at any time with the Planning Commission.

For the purposes of this Specific Plan, a modification to a project plan is defined as a minor change which does not affect the project plan's nature, character, or design.

D. Conclusion

The Specific Plan for Bonita Glen is designed to effectuate the Chula Vista General Plan. Less rigid and parochial than the zoning regulations, the said Specific Plan is predicated upon special, flexible parameters and conceptual formulation. Since the Specific Plan is not founded upon firm local zoning legislation, it must be anticipated that changes and refinements to its standards, regulations and conceptual plan will occasionally be proposed by the project developer, residents of the Central Chula Vista and Bonita communities, and/or, City staff.

III. The Graphics of the Bonita Glen Specific Plan

The plan shown on Exhibit "B" should be considered to be schematic in nature. It is not intended to show the location of buildings with regard to existing parcels.

It is recognized that the area covered by the Bonita Glen Specific Plan consists of 13 parcels under four ownerships. Under these conditions, the unified development of a commercial/residential complex may be difficult. The Shell Oil Company ownership at the corner of Bonita Glen Drive and Bonita Road may be especially difficult in this regard. With the possible exception of the Shell property, it is the intent of this Specific Plan to allow the various properties to develop individually but in accordance with the overall plan. If the Shell property is not acquired by a party having a larger interest in the overall 8.74 acrea area, it may be appropriate to allow a separate freestanding use on the site.

WPC 0590P

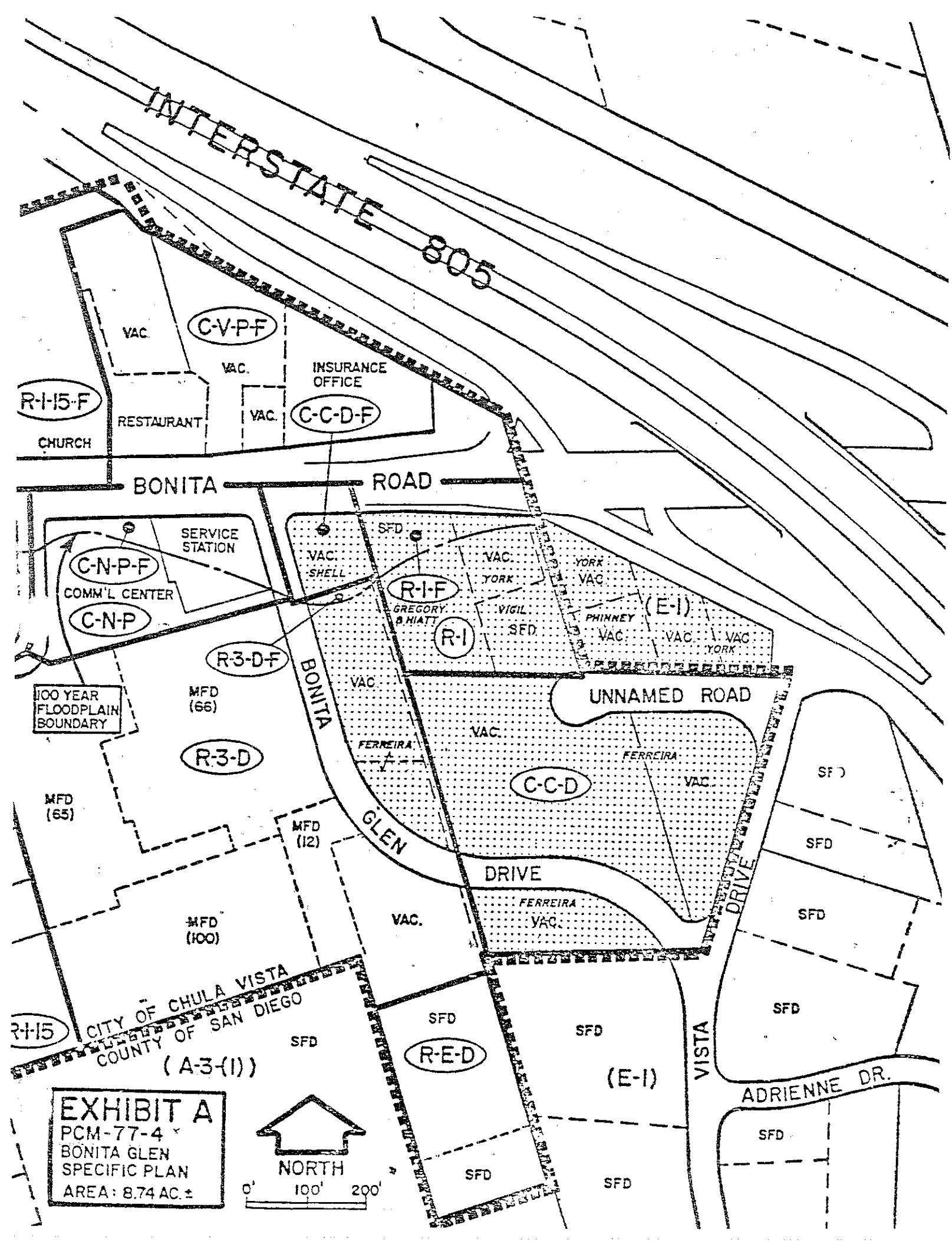


EXHIBIT A

PCM-77-4
BONITA GLEN
SPECIFIC PLAN
AREA: 8.74 AC.±

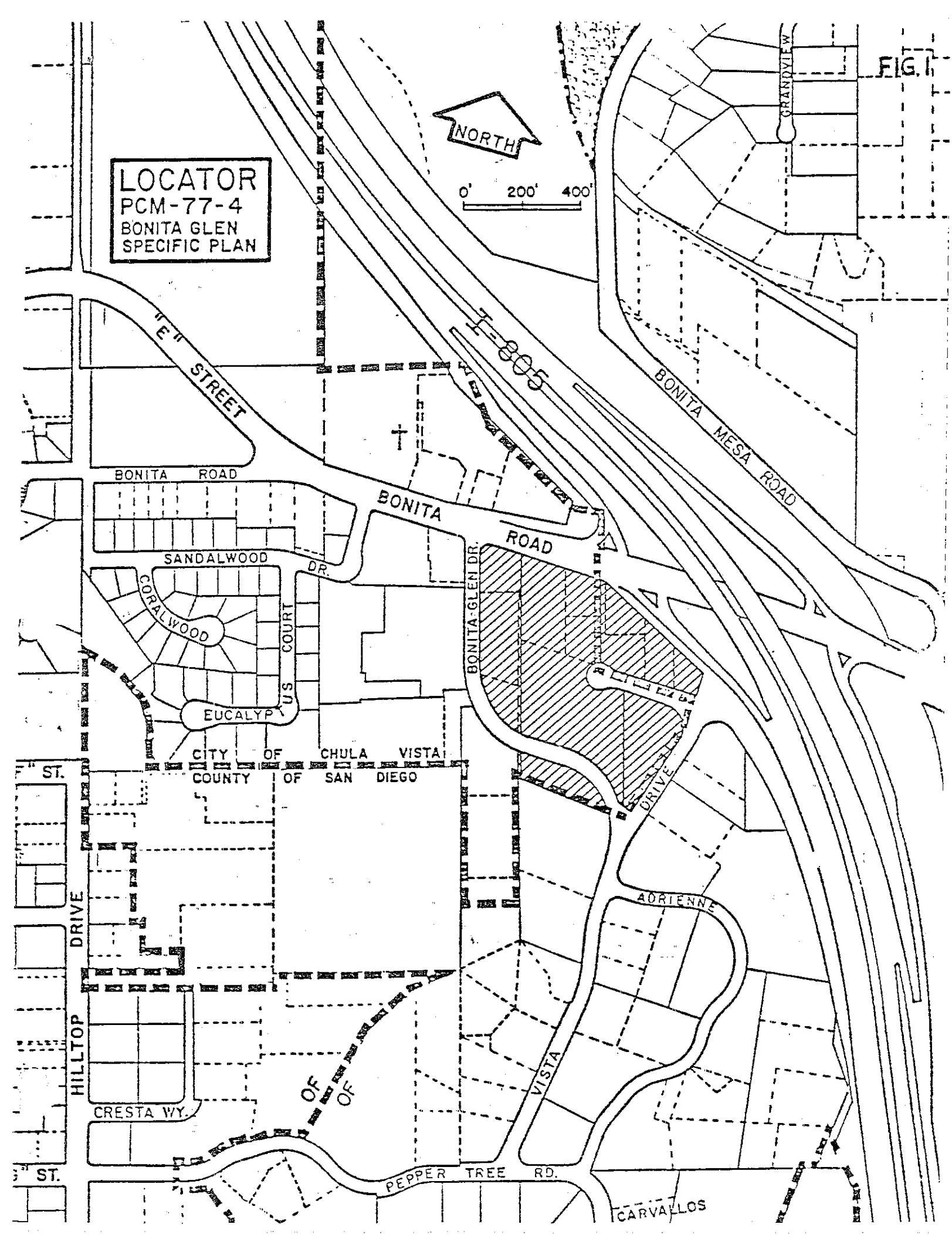
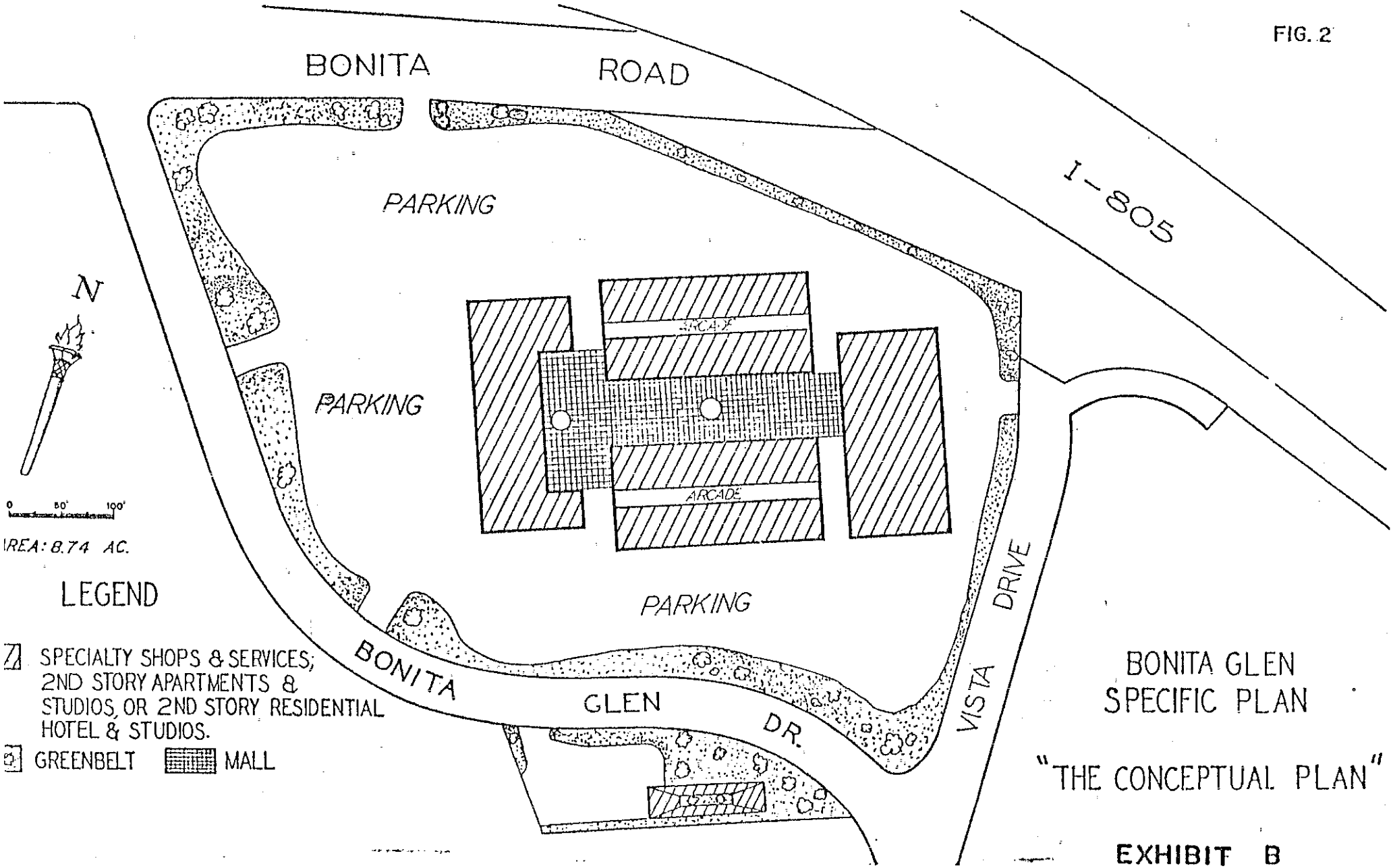


FIG. 1
LOCATOR
PCM-77-4
BONITA GLEN
SPECIFIC PLAN
NORTH
0' 200' 400'
I-805
"E" STREET
BONITA ROAD
BONITA ROAD
BONITA MESA ROAD
GRANDVIEW
SANDALWOOD DR.
CORALWOOD
EUCALYP
US COURT
BONITA-GLEN DR.
DRIVE
CITY OF CHULA VISTA
COUNTY OF SAN DIEGO
ADRIENNE
HILLTOP DRIVE
CRESTA WY.
OF
OF
VISTA
PEPPER TREE RD.
CARVALLOS
ST.
ST.

FIG. 2

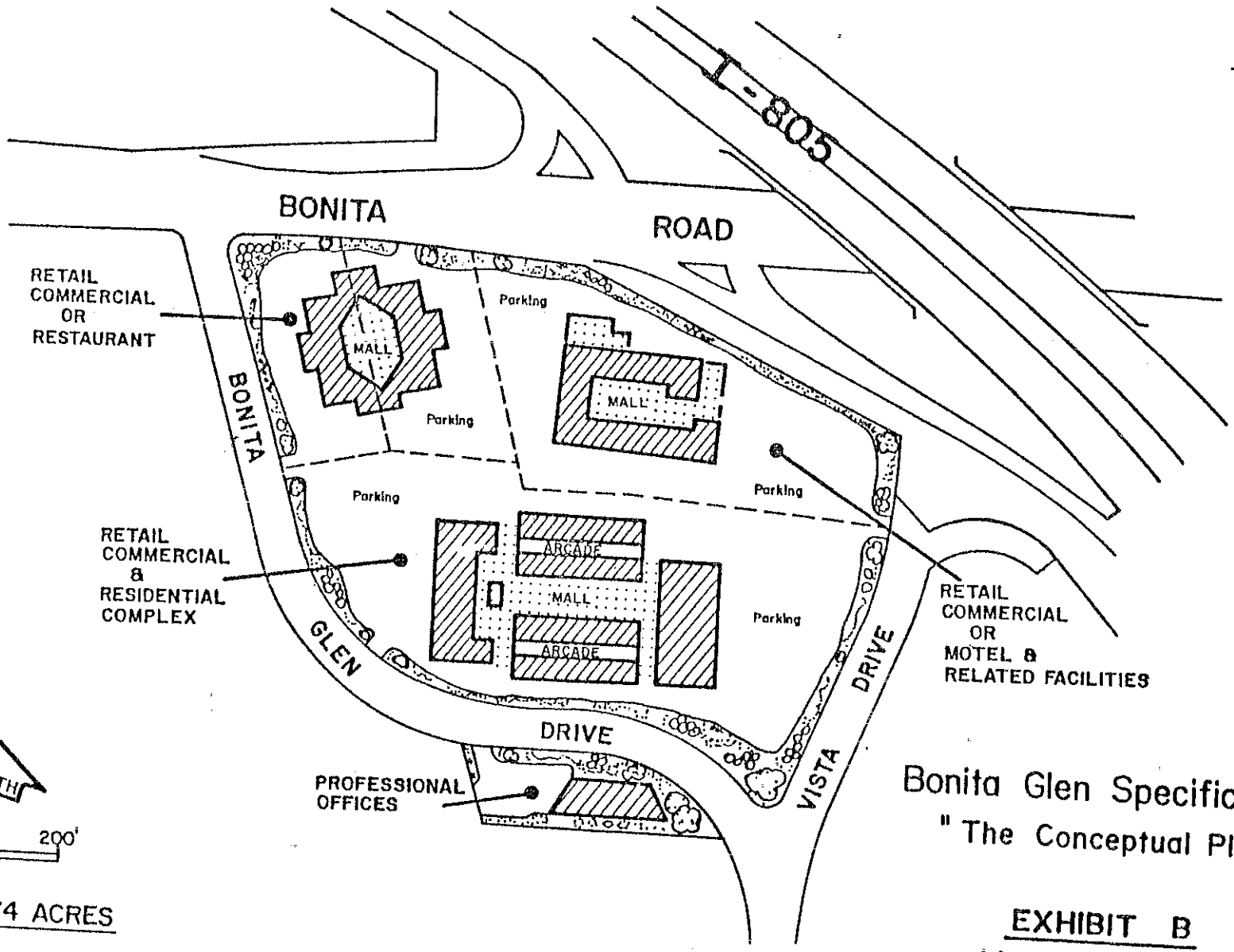


BONITA GLEN
SPECIFIC PLAN

"THE CONCEPTUAL PLAN"

EXHIBIT B

(ALTERNATIVE I)



AREA : 8.74 ACRES

Bonita Glen Specific Plan

"The Conceptual Plan"

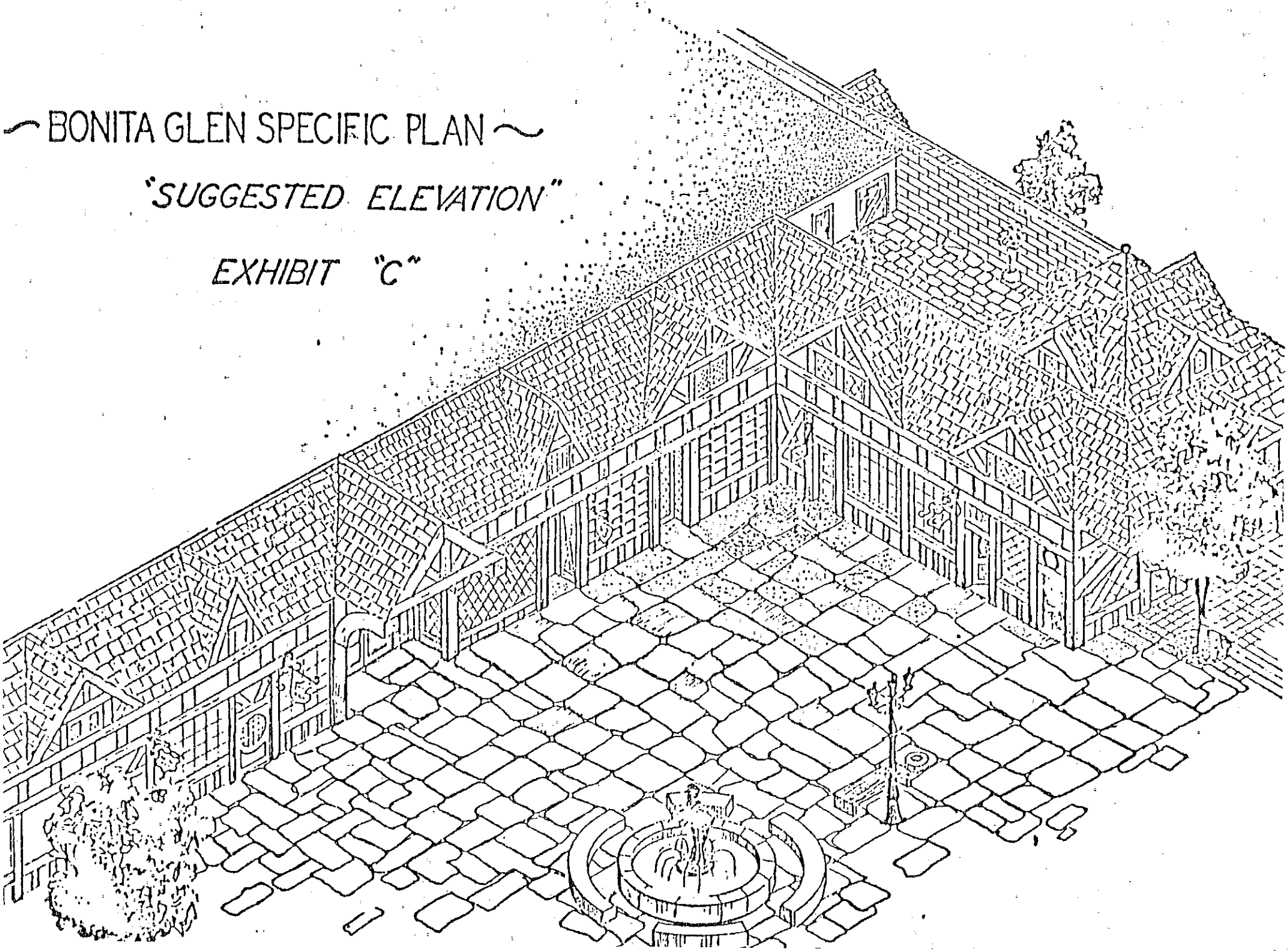
EXHIBIT B

(ALTERNATIVE 2)

BONITA GLEN SPECIFIC PLAN

"SUGGESTED ELEVATION"

EXHIBIT "C"



BONITA GLEN SPECIFIC PLAN

"SUGGESTED ELEVATION"

EXHIBIT "D"

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF CHULA VISTA, CALIFORNIA

Held Tuesday - 7:00 p.m. June 14, 1977

A regular meeting of the City Council of the City of Chula Vista, California, was held on the above date beginning at 7:00 p.m. in the Council Chambers, City Hall, 276 Fourth Avenue

ROLL CALL

Councilmen present: Mayor Hyde, Councilmen Hobel, Cox, Scott, Egdahl
Councilmen absent: None

Staff present: City Manager Cole, City Attorney Lindberg, Assistant City Manager Asmus, Director of Public Works Robens, Director of Planning Peterson, Director of Parks & Recreation Hall, Transit Coordinator Connor, Director of Personnel Bigge, Deputy City Manager Wittenberg

The pledge of allegiance to the Flag was led by Mayor Hyde followed by a moment of silent prayer.

1. APPROVAL OF MINUTES

It was moved by Councilman Scott, seconded by Councilman Hobel and unanimously carried that the minutes of the meetings of May 26, June 2, 3, 6, 7 & 8, 1977 be approved, copies having been sent to each Councilman.

2. SPECIAL ORDERS OF THE DAY

a. INTRODUCTION OF KEN KOLK, COUNCIL GUEST

Mayor Hyde welcomed Mr. Kolk to the meeting. Mr. Kolk is a member of the Board of Directors of the Chamber of Commerce and Chairman of its City Beautification Committee.

ORAL COMMUNICATIONS

3. Request to speak on negotiations impasse--Police Officers Association

City Attorney Lindberg noted that the representatives of the Police Association have been meeting with the Council's representatives for many weeks under the procedures set forth in the Myers-Millias-Brown Act. An impasse meeting was held with the City Council, and Mr. Lindberg added, he feels that the Police Association has effectively exhausted their remedies and procedures as set forth under the Brown Act. It would not be appropriate to appear before the Council again to restate the Association's position. The request for a change in the pension right was rejected by the Council.

City Manager Cole stated he could not give the Council his recommendation as to fringe benefits for the Police at this time because it would cut off all possibility of further negotiations. This recommendation will be given to the Council at the public hearing to be held on June 21, 1977.

At the concurrence of the Council, Mayor Hyde allowed Police Agent Stille to speak,making note of the fact that this is not an impasse meeting and it is not negotiations.

Police Agent Stille

Police Agent Stille commented that the Council had asked that the Police Association team return to the Council if it was interested in continuing with the negotiations. Mr. Stille said they would like to return to negotiations as much as the City but not in the present setting. The Association voted on June 9 (55 to 2) not to return to negotiations unless all areas are covered: wages, hours and working conditions and included in those are retirement benefits.

Mr. Stille asked that an arbitrator from the State Conciliatory Board be called in for the benefit of his (or her) opinion. He is not suggesting binding arbitration - just the opinion of a third party

Motion for Executive Session

It was moved by Councilman Scott and seconded by Councilman Egdahl that the Council recess into Executive Session at the present time for the purpose of discussing personnel negotiations.

Discussion of motion

The Council discussed going into Executive Session at the close of the meeting and/or waiting to hear from the Firefighters Association who have also asked to speak to the Council at this meeting.

Motion amended

Councilman Scott amended his motion to state that the Council recess to Executive Session after the testimony given by the Firefighters Association. Councilman Egdahl agreed to the second.

Motion and amendment carried

The motion carried by the following vote, to-wit:

AYES: Councilmen Scott, Egdahl, Hobel
Noes: Councilmen Cox, Hyde
Absent: None

Donald Byrum Firefighters Association

Mr. Byrum stated that the Firefighters are also at an impasse; this is actually the third impasse - one on May 13, June 1 and another on June 10. On June 9, they reached an agreement with the City on a contract and on June 10, the City called them back in and said they couldn't honor that agreement. Mr. Byrum stated that the Firefighters want the City to honor that agreement which called for: 5% increase effective July 1, 1977;56 hour work week to begin in October; eliminating the Class A uniform; institute New Year's Day as a floating holiday; City to pay premiums on improved medical health plan for employees and dependents; City to maintain promotional eligibility list within 60 days of each other; eliminate bilingual pay for the members of this unit; modify the call-back to $20 flat rate plus premium pay for actual time worked; change acting position policy from three shifts to one shift.

Mr. Byrum added that this agreement reached on June 9 costs the City less than any proposal made by the City so far. In answer to the Council's query, Mr. Byrum said that they get different figures at every meeting; however, the Association's figures come up to 5.65% total.

City Manager's comments

Mr. Cole explained that at the June 9 meeting, there was no binding agreement. Both teams had to get further approval of the proposed agreement.

Mr. Byrum remarked that he immediately polled the Firefighters and by Sunday afternoon, had received approval with the exception of the uniforms - the Firefighters wanted to keep the uniforms.

Executive Session

The Council recessed to Executive Session at 7:30 p.m. and the meeting reconvened at 8:05 p.m.

City's position regarding Police Officers' Association

Mayor Hyde stated that the City is willing to enter into mediation with the Police Officers Association under the sponsorship of the State of California Conciliatory Service.

Police Agent Stille said it was his understanding that a mediator will attempt to settle differences without a public fact-finding presentation. Both sides had previously agreed that mediation would not solve anything. They would prefer to have an arbitrator who would do the fact-finding and then make this public. Police Agent Stille said he would think about this proposal tonight and notify the Personnel Officer in the morning regarding the Association's position.

City's position regarding Firefighters Association

Mayor Hyde notified Mr. Byrum that the Council has fully considered the comments made and reviewed all proceedings described by the City Manager and the negotiating team. At this point, the Council still pursues the same criterion and guidelines for negotiations with the Firefighters. The Council is flexible and there is room in which to negotiate. The Council hopes the Firefighters will go back to the negotiating table. As a fiscally-responsible body, the Council has determined that there is just so much they can allocate to changes in employment compensation - the total package is firm, but within the framework of that total amount, the Council is flexible.

Mr. Byrum again asked that the Council approve the package as agreed to on June 9, 1977.

Mayor Hyde stated that the Council does not approve the package.

4. WRITTEN COMMUNICATIONS

a. REQUEST FOR LEFT-TURN ARROWS AT FOURTH AND "H" STREET INTERSECTION, DAVID BURNS

Mr. Burns, 130 Whitney Street, Chula Vista, requested consideration of installing left-turn signals along "H" Street on all cross streets from Third Avenue to Broadway.

Proposed for funding under Revenue Sharing

Director of Public Works Robens stated that this item is one of those proposed for funding under Revenue Sharing projects to be considered by the Council on June 21.

Motion to notify Mr. Burns

It was moved by Mayor Hyde, seconded by Councilman Hobel and unanimously carried that the staff be directed to inform Mr. Burns of Council's action in this regard.

PUBLIC HEARINGS AND RELATED RESOLUTIONS AND ORDINANCES

5. PUBLIC HEARING - CONSIDERATION OF REZONING 0.44 ACRE AT THIRD AVENUE EXTENSION AND KIMBALL TERRACE FROM R-1 TO R-3-P-12 -- MICHAEL J. ROARK

This being the time and placed as advertised, Mayor Hyde opened the public hearings on items 5 and 6.

Director of Planning Peterson explained that the applicant is requesting rezoning for a .44 acre parcel located at the northwesterly corner of Third Avenue extension and Kimball Terrace from R-1 to R-3-P-12 for the purpose of constructing a 5-unit apartment complex. The proposed density of 12 dwelling units per acre is in conformance with the maximum limit for the Medium Density Residential designation of the General Plan.

Mr. Peterson noted that the Negative Declaration on this project was certified by the Planning Commission on March 17, 1977.

On May 25, 1977 the Planning Commission recommended the change of zone from R-1 to R-3-P-12 in accordance with their Resolution PCZ-77-I.

Director of Planning Peterson answered the Council's questions concerning the proposed development stating that the "P" Precise Plan Modifying District guidelines will ensure the compatibility of the multiple-family development with the adjacent single-family area.

Traffic speed

Councilman Scott questioned what consideration was given to the speed of traffic along this area. Mr. Peterson stated that the Planning and Public Works staff studied this in some depth. Initially, it was agreed that access should be taken off Kimball Terrace; however, it was determined that it would have an adverse affect on the homes in Kimball Terrace. The access point, therefore, was relocated on Third Avenue to line up with Seavale (south end of the median divider). Both the Planning and Public Works' staff agreed that this access point would be more acceptable than one on Kimball Terrace.

Public hearings closed

There being no further comments, either for or against, the public hearings on items 5 and 6 were closed.

5a. ORDINANCE NO. 1751 - AMENDING ZONING MAPS ESTABLISHED BY SECTION 19.18.010 OF THE CHULA VISTA MUNICIPAL CODE, REZONING PROPERTY LOCATED AT THIRD AVENUE EXTENSION AND KIMBALL TERRACE FROM R-1 TO R-3-P-12 AND CERTIFYING THE NEGATIVE DECLARATION - FIRST READING

It was moved by Councilman Hobel that this ordinance be placed on its first reading and that the reading of the text be waived by unanimous consent.

Speaking against the motion

Councilman Scott spoke against the motion stating the danger of another opening onto Third Avenue. The traffic here is extremely fast and it would be completely unsafe.

Motion carried

The motion to place the Ordinance on first reading carried by the following vote, to-wit:

AYES: Councilmen Hobel, Cox, Hyde, Egdahl
Noes: Councilman Scott
Absent: None

6. PUBLIC HEARING - CONSIDERATION OF PRECISE PLAN FOR DEVELOPMENT OF 0.44 ACRE AT THE NORTHWEST CORNER OF THIRD AVENUE AND KIMBALL TERRACE WITH FIVE APARTMENT UNITS

Director of Planning Peterson referred to his written report to Council in which he discussed the applicant's proposal to construct a 5-unit apartment building on the property.

Mr. Peterson noted the existing site characteristics detailing the precise plan, parking, setbacks, landscaping and architecture stating that the proposed development either meets or exceeds the precise plan guidelines recommended as part of the rezoning approval regarding private open space, access and setbacks.

6a. RESOLUTION NO. 8656 - APPROVING PRECISE PLAN FOR DEVELOPMENT OF 0.44 ACRE AT THE NORTHWEST CORNER OF THIRD AVENUE AND KIMBALL TERRACE WITH FIVE APARTMENT UNITS

Offered by Councilman Cox, the reading of the text was waived by unanimous consent.

Speaking against motion

Councilman Scott reiterated his remarks made under item 5.

Motion carried

The offer of the resolution carried by the following vote, to-wit:

AYES: Councilmen Cox, Hyde, Egdahl, Hobel
Noes: Councilman Scott
Absent: None

7. PUBLIC HEARING - CONSIDERATION OF APPLYING THE "P" PRECISE PLAN MODIFYING DISTRICT TO PROPERTY ON BOTH SIDES OF "H" STREET BETWEEN FOURTH AVENUE AND THE SOUTHERLY BOUNDARY OF THE THIRD AVENUE PROJECT AREA

This being the time and place as advertised, Mayor Hyde opened the public hearing.

Director of Planning Peterson submitted a plat of the area noting the boundaries of the proposed "P" Modifying District.

In a written report to Council, Mr. Peterson explained that in April 1976 (Resolution 8119) the Council determined that all development proposals on properties on both sides of Third Avenue between "H" and "I" Streets and on "H" Street between Third and Fourth Avenues would be reviewed by the Planning Commission and the City Council until the Third Avenue Project area boundary was established and the "P" Modifying District imposed upon the properties located outside of the Redevelopment Project area. Mr. Peterson added that the Third Avenue Project Area has since been established and those properties lying within the Project Area boundaries are no longer affected by the resolution whereas the properties along "H" Street are outside the boundaries and are still subject to the resolution.

Mr. Peterson discussed the application of the "P" Modifying District stating it is now appropriate to rescind the interim resolution (8119) and establish the review of development plans in this area as provided for in the "P" Precise Plan Modifying District.

In answer to Council's question, Mr. Peterson stated that the "P" designator would have the same architectural control as the "D" modifier.

Public hearing closed

There being no comments, either for or against, the hearing was declared closed.

7a ORDINANCE NO. 1752 - AMENDING ZONING MAPS ESTABLISHED BY SECTION 19.18.010 OF THE CHULA VISTA MUNICIPAL CODE REZONING PROPERTY ON BOTH SIDES OF "H" STREET BETWEEN FOURTH AVENUE AND THE SOUTHERLY BOUNDARY OF THE THIRD AVENUE PROJECT AREA FROM C-O TO C-O-P AND CERTIFYING THE NEGATIVE DECLARATION

Offered by Councilman Scott, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit:

AYES: Councilmen Scott, Egdahl, Hobel, Cox, Hyde
Noes: None
Absent: None

8. PUBLIC HEARING - CONSIDERATION OF FORMATION OF OPEN SPACE DISTRICT NO. 8 (RANCHO ROBINHOOD, UNIT #3) AND APPROVAL OF SPREAD OF ASSESSMENTS

This being the time and place as advertised, Mayor Hyde opened the public hearing.

Director of Public Works Robens remarked that on May 24, 1977 the City Council, by Resolution 8633, declared the City's intention to establish Open Space District #8 setting this meeting for a public hearing to hear persons in favor of or objecting to the formation of the proposed district.

In a written report, Mr. Robens explained that Mr. Robert E. Casey, President of Robinhood Homes Unit #3 Subdivision submitted the petition to form the Open Space District (April 20, 1977). The boundary of the District is the same as the boundary for Robinhood Homes Unit #3 Subdivision. The lots to be maintained are 242, 243, 244, 245 and 246 on the final map of the subdivision. The improvements to be maintained are landscaping, plant material and irrigation systems.

Mr. Robens estimated the annual maintenance cost for the District to be $26,700 which will be assessed equally against each dwelling unit for a total of 110 units. The assessment cost for each dwelling will be $237 a year.

Council discussion regarding cost to City

Discussion followed regarding the cost of the Districts. Councilman Egdahl noted the staff's statement that there would be no direct financial impact to the City for the maintenance of improvements within the District since the 110 property owners within the District would be assessed for direct maintenance and administrative costs. The City makes a loan to the District from the General Fund for the cost of the first year's maintenance contract. Councilman Egdahl questioned whether it means that the City is one year behind on all the assessment districts.

Director of Parks & Recreation Hall explained that the City will be recovering the advanced loan a little at a time -- it will take about 2 years to get it back.

The Council further discussed the amounts of tax dollars used in this way; the loan being paid back with appropriate interest; the developer's maintenance requirement which runs for one year followed by the assessments; charging the District 1-1/2 times the normal assessment for the first two years to recover the advancement; would like to see the record of the pay-back.

8a. RESOLUTION NO. - ORDERING THE FORMATION OF CHULA VISTA OPEN SPACE DISTRICT NO. 8 (RANCHO ROBINHOOD UNIT NO. 3 SUBDIVISION) AND CONFIRMING THE ASSESSMENT THEREOF

Offered by Councilman Egdahl, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit:

AYES: Councilmen Egdahl, Hobel, Cox, Hyde, Scott
Noes: None
Absent: None

Motion for staff report

It was moved by Councilman Egdahl, seconded by Councilman Scott and unanimously carried that the staff be directed to prepare a report on the pay-back recoveries of the seed monies invested in Open Space Districts - how it is done; over what period of time it comes; and regarding any interest, or not.

Discussion of motion

Councilman Scott said he would like to have this done toward making a policy by the Council -- whether the City should get paid back in one, two, four or five years, and whether it should or should not be interest-bearing.

CONSENT CALENDAR

It was moved by Councilman Scott, seconded by Councilman Egdahl and unanimously carried that the Consent Calendar be approved and adopted, pulling items 10-11-13.

9. RESOLUTION NO. 8658 - APPROVING TRAINING AGREEMENTS BETWEEN THE CITY OF CHULA VISTA AND THE CALIFORNIA HIGHWAY PATROL FOR FISCAL YEARS 1977-78 AND 1978-79

The California Highway Patrol requires written training agreements from any agency participating in their training programs. This training meets California Commission on Peace Officer Standards and Training requirements for Advanced Officer Training which is required for officers every four years and is a completely P.O.S.T. reimbursable course.

12. RESOLUTION NO. 8659 - ESTABLISHING BOULEVARD STOPS AND/OR THROUGH STREETS IN THE CITY OF CHULA VISTA

The resolution establishes the following traffic regulations:

Intersection	Traffic Stopped On	Signs
E. Orange Avenue and Oleander Avenue	E. Orange Avenue	2
Hale Street and Halecrest Drive	Hale Street	1
Oleander Avenue and E. Oxford Street	E. Oxford and driveway to Greg Rogers Park	2

14. RESOLUTION NO. 8660 - AUTHORIZING THE DEFERRAL OF THE INSTALLATION OF CERTAIN PUBLIC IMPROVEMENTS ON THE PROPERTY OWNED BY DAVID M. AND JERELYN A. BOUNDS LOCATED BETWEEN LANDIS AVENUE AND GARRETT AVENUE, SOUTH OF "E" STREET, AT THE REAR OF 209 GARRETT AVENUE IN THE CITY OF CHULA VISTA

On April 20, 1977 the Planning Commission approved Mr. Bound's request for the deferral of the alley improvements at 209 Garrett Avenue. One of the conditions was that the property owners would guarantee the future installation of the alley improvements upon receipt of written notice by the City. Mr. and Mrs. Bounds have requested that future installation of the permanent alley improvements be guaranteed by a lien agreement and have executed the agreement in the amount of $1,300 to guarantee the future installation of the improvements.

15. RESOLUTION NO. 8661 - DEDICATING AND NAMING PREVIOUSLY ACCEPTED REAL PROPERTY - PORTIONS OF NORTH GLOVER AVENUE ADJACENT TO THE CHULA VISTA DEPARTMENT OF MOTOR VEHICLES FACILITY

On December 23, 1975 the Council (Resolution 7997) approved an agreement and grant of easement between the City and the State of California for portions of North Glover Avenue adjacent to the Department of Motor Vehicles facility. The City Council accepted the improvements on April 19, 1977 by Resolution 8584. It is now appropriate to dedicate and name the easement as North Glover Avenue.

16. RESOLUTION NO. 8662 - GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF CHULA VISTA OF CERTAIN UNINHABITED TERRITORY KNOWN AND DESIGNATED AS OFFERMAN "L" STREET ANNEXATION

On July 12, 1976 Charles S. Offerman filed a petition for annexation for 3.98 acres for the purpose of obtaining comprehensive City services to support proposed apartment units. The property is located on the south side of "L" Street between Fourth and Fifth Avenues. On May 2, 1977 the Local Agency Formation Commission approved the annexation. The petition for annexation did not receive 100% consent of the property owners involved; therefore, it is necessary to set a public hearing.

(END OF CONSENT CALENDAR)

10. RESOLUTION NO. COMMENDING WILLIAM WAPPES FOR HIS SERVICES ON THE SAFETY COMMISSION

Mr. Wappes, appointed to the Safety Commission in July 1968, recently submitted his resignation. The resolution commends him for his services on the Commission.

Motion to continue

It was moved by Mayor Hyde, seconded by Councilman Cox and unanimously carried that this resolution be continued for one week due to the fact that Mr. Wappes is not present at the meeting.

11. RESOLUTION NO. 8663 - URGING PROMPT CONGRESSIONAL ACTION TO ALLEVIATE THE CRIPPLING RESTRICTIONS ON THE TUNA INDUSTRY

The Overall Economic Development Program General Committee, San Diego region, requested support of the cities in this area urging Congress to help the tuna industry.

Councilman Hobel questioned the necessity of this resolution as Congress has already accepted the quota. He asked whether the Council is asking Congress to accept the quota proposed by the tuna industry which is much higher than accepted by the Congress.

City Attorney Lindberg reported that the Bill has gone back to a joint committee for further deliberations.

Resolution offered

Offered by Councilman Hobel, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit:

AYES: Councilmen Hobel, Cox, Hyde, Scott, Egdahl
Noes: None
Absent: None

13. RESOLUTION NO. - APPROVING AND ACCEPTING PUBLIC IMPROVEMENTS IN THAT CERTAIN SUBDIVISION KNOWN AND DESIGNATED AS ROBINHOOD POINT, UNIT NO. 1

Robinhood Homes, Inc., has completed the public improvements which consist of sanitary sewer, storm drainage facilities, street lights, curbs, sidewalks and street pavements. A final inspection was conducted on April 28, 1977 and on May 31, 1977 corrective work was completed to the satisfaction of the Director of Public Works.

Continuance for one week

City Attorney Lindberg asked that the resolution be continued for one week.

It was moved by Councilman Scott, seconded by Councilman Hobel and unanimously carried that this resolution be continued for one week.

RESOLUTIONS AND ORDINANCES, FIRST READING

17. RESOLUTION NO. 8664 - ADOPTING THE UPDATED TRANSIT DEVELOPMENT PROGRAM FOR CHULA VISTA TRANSIT

As a municipal transit operator, Chula Vista is required to maintain a current five-year Transit Development Program (TDP). The Program must be updated annually to reflect service changes, completed improvements, revised estimates and revised plans. The Resolution incorporates the updated original Transit Development Program as prepared by Barton-Aschman Associates, Inc., which covers the period from FY 77-78 through FY 81-82.

Comments by Councilman Scott

Councilman Scott said he wasn't sure he would be willing to commit the City on such an ambitious program, noting the City costs from 1977/78 as $30,000 to 1980/81 as $258,000, of a total budget for transit services of 1.740 million dollars.

Council discussion

Comments followed regarding the cost of the service; the drain on the budget for years to come; alternative of starting again on a City-run service for a five year program; increased cost of Library and Parks & Recreation services this year; other alternatives; SB325 and other funds; construction of the transit center and garages; type of services provided; the percentage of ridership increase; updating the program each year and the need for a Council Conference to discuss all aspects of the program.

Commitment by the City

Director of Public Works Robens explained that this Program does not obligate the Council - UMTA wants approval by June 30. The Program qualifies for receipt of UMTA funds and upon getting the funds, then it becomes the obligation of the City to continue the program for a period of 5 years.

Inflation figure used

In answer to Councilman Hobel's query, Transit Coordinator Connor said he used the 6% inflation figure in preparing the estimates; 3% on public revenues.

Resolution offered

Offered by Councilman Scott, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit:

AYES: Councilmen Scott, Egdahl, Hobel, Cox, Hyde
Noes: None
Absent: None

Motion for Council Conference

It was moved by Councilman Scott, and seconded by Mayor Hyde that a Council Conference be called in mid-September on this subject again and speak to the problems and areas that were brought up tonight plus what other alternatives the City might have if, in fact, it decided to disband the bus system.

Councilman Cox asked that the staff pursue the possibility of taking a similar course as the City of San Diego - 10¢ of their tax rate is specifically for funding the Transit system.

Included in motion

Councilman Scott included this in his motion; Mayor Hyde agreed to the second and the motion carried unanimously.

Motion for staff recommendation

It was moved by Mayor Hyde, seconded by Councilman Scott and unanimously carried that the staff recommend to the City Council whether or not it should ask to have the operational funding of bus service from SB325 monies be modified to provide a greater increase for operating expenses.

18. RESOLUTION NO. 8665 - APPROVING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND SAN DIEGO TRANSIT CORPORATION FOR PROVISION OF INTERCITY BUS SERVICE DURING FISCAL YEAR 1977-78

The resolution encompasses a proposed interim agreement to continue providing intercity bus service in Chula Vista. It does not reflect current projected financing since the Transit Corporation's budget and fare structure have not been finalized. This will be submitted as an amended agreement when financial data are complete. The proposal includes an express route fare from 35¢ to 50¢.

Claude Page
San Diego Transit

Mr. Page discussed the reduction in the passenger revenue credit due to the higher use of saver passes. As to the increase from 15¢ to 35¢ on the express route, it was a decision by the Board in an attempt to balance the budget.

Express route

Councilman Scott noted the 5-minute difference in time between #32 bus and #100 in reaching the plaza in San Diego. He added that the express bus picks up everyone south of Chula Vista, and when it comes into the City, it is full and no one can get on the bus. Councilman Scott stated his feeling that Chula Vista "does not get a fair shake from San Diego Transit. It is paying more money for less service."

Mr. Page agreed adding that the policy is that the express routes would be charged a premium fare. Bus #100 has relieved the congestion of #32 but will probably put the congestion back on.

To Council's questions, Mr. Page said he will be coming back to the Council possibly with increased costs. There is a possibility that the gross cost per mile might be reduced by 1¢ or 2¢ -- it is now at $2.01-1/2.

Resolution offered

Offered by Councilman Scott, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit:

AYES: Councilmen Scott, Egdahl, Hobel, Cox, Hyde
Noes: None
Absent: None

Motion to send letter to San Diego Transit

It was moved by Councilman Scott, seconded by Mayor Hyde and unanimously carried that a letter be sent to San Diego Transit strongly and strenuously objecting to the increase in the route #100 fare and also the crowded conditions on #32 - "and put this letter in such bold and flowery phrases that the City will get results instead of telling (this City) that it (San Diego Transit) needs more money, but you (Chula Vista) can go to hell."

National City's action

Mr. Page reported that National City took action tonight to not support Route #100 anymore - it will no longer stop in National City after July 1. They were getting 133 passengers a day boarding there. Mr. Page explained that there was an error made in the allocation of SB325 money back in 1975. National City has $133,000 less than they thought they had. They are also reducing other levels of service in their city to bring it down within their funding.

Next presentation to Council

Mr. Page stated that he will be back before the Council after the first of the calendar year. If this City wants information pertaining to Councilman Scott's complaint and/or other problems, they can be back to the Council for minute action to make additional changes in the agreement. Decision making time for any change in September is now - before July 1. The next scheduled change will be effective January 29 with a deadline of November 1 for decision-making. Mr. Page said he would be back in October for any minute-action by the Council for the proposed changes.

Recess

A recess was called at 9:25 p.m. and the meeting reconvened at 9:32 p.m.

19. RESOLUTION NO. 8666 - AUTHORIZING THE SUBMITTAL OF CLAIMS FOR LOCAL TRANSPORTATION FUND CLAIM TO COMPREHENSIVE PLANNING ORGANIZATION FOR FISCAL YEAR 1977-78

On April 1, 1977 staff submitted a Local Transportation Fund (LTF) Claim to the Comprehensive Planning Organization to assist the operation of the Chula Vista Transit System during Fiscal Year 1977-78. The claim totals $390,720 toward a total estimated expenditure of $614,000. The projected Fiscal Year 1977-78 cost to the City is $30,000.

Resolution offered

Offered by Mayor Hyde, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit:

AYES: Mayor Hyde, Councilmen Scott, Egdahl, Hobel, Cox
Noes: None
Absent: None

20. RESOLUTION NO. 8667 - APPROVING THIRTEENTH AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE AZTEC BUS LINES TO PROVIDE INTRA-CITY BUS SERVICE IN THE CITY OF CHULA VISTA

The agreement calls for Aztec Bus Lines, Inc., to provide 438,000 scheduled miles of service for a total cost of $323,370, a unit cost of approximately 74¢ a mile. The anticipated cost to the City is $30,000.

Resolution offered

Offered by Mayor Hyde, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit:

AYES: Mayor Hyde, Councilmen Scott, Egdahl, Hobel, Cox
Noes: None
Absent: None

21. RESOLUTION NO. 8668 - AMENDING RESOLUTION NOS. 6683 AND 7105 ADOPTING REVISED RATING SYSTEM, UTILITY UNDERGROUNDING PRIORITY LIST AND FIVE YEAR UNDERGROUNDING PROGRAM

In November 1972, the Council approved a rating system for use in prioritizing utility undergrounding projects within the City. The six-year undergrounding program that followed was based on that rating system; however, during the course of the program, it became necessary to modify the relative order of the projects.

The resolution modifies the undergrounding rating system, priority list and 5-year program.

Resolution offered

Offered by Councilman Cox, the reading of the text was waived by unanimous consent.

Council discussion

Discussion followed in which Councilman Scott voiced his objection in not finishing the Broadway project. He understands improving Third Avenue because of the regional center but then the project goes to Fourth Avenue. Councilman Scott added that he would prefer to see the priority go back to finishing Broadway. Rather than have the motion pass, Councilman Scott suggested a Council Conference be called to discuss policies. Councilman Hobel agreed.

Motion carried

The motion carried by the following vote, to-wit:

AYES: Councilmen Cox, Hyde, Egdahl
Noes: Councilmen Scott, Hobel
Absent: None

22. RESOLUTION NO. 8669 - ACCEPTING BIDS AND AWARDING CONTRACTS FOR LANDSCAPE MAINTENANCE OF OPEN SPACE DISTRICTS NOS. 1, 2 AND 3 FOR A 365-DAY PERIOD

The following formal bids were received on Thursday, May 26, 1977 for the landscape maintenance of Open Space Districts Nos. 1, 2 and 3 for a 365-day period to begin on July 1, 1977:

Open Space District No. 1 - El Rancho del Rey	
Environmental Care, Inc., San Diego	$ 8,892.00
Quintus Enterprises, Santee	10,400.00
Open Space District No. 2 - Larkhaven	
Environmental Care, Inc., San Diego	5,616.00
Environmental Care, Inc., San Diego, Less 15%	4,773.60
Quintus Enterprises, Santee	4,800.00
Open Space District No. 3 - Rancho Robinhood	
Environmental Care, Inc., San Diego	12,636.00
Quintus Enterprises, Santee	24,800.00

The staff's recommendation was to accept the bids and award the contracts to Environmental Care, Inc. as follows:

Open Space #1 - $8,892.00
Open Space #2 - $4,773.60
Open Space #3 - $12,636.00

Further, to authorize expenditure of $9,781.20 from Account No. 551-5510-5298; $5,250.96 from Account No. 552-5520-5298; and $13,899.60 from Account No. 553-5530-5298.

Resolution offered

Offered by Councilman Scott, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit;

AYES: Councilmen Scott, Egdahl, Hobel, Cox, Hyde
Noes: None
Absent: None

23. CONTINUED CONSIDERATION OF BONITA GLEN SPECIFIC PLAN

On June 7, 1977 the City Council concluded the public hearing on the Bonita Glen Specific Plan and directed staff to bring back to Council the final plan containing the changes discussed at the June 7 meeting.

In a written report to the Council, Director of Planning Peterson noted the changes made to the Plan.

23a. RESOLUTION NO. 8670 - ADOPTING BONITA GLEN SPECIFIC PLAN

Offered by Councilman Egdahl, the reading of the text was waived by unanimous consent, passed and adopted by the following vote, to-wit:

AYES: Councilmen Egdahl, Hobel, Cox, Hyde, Scott
Noes: None
Absent: None

24. ORDINANCE NO. 1749 - AMENDING ZONING MAPS ESTABLISHED BY SECTION 19.18.010 OF THE CHULA VISTA MUNICIPAL CODE RE-ZONING THAT CERTAIN PROPERTY LOCATED NORTH OF "E" STREET BETWEEN CORTE MARIA AND I-805 TO CONFORM ZONING DISTRICT TO PROPERTY LINES AND ADJUSTING ZONING BOUNDARIES - SECOND READING AND ADOPTION

Morgan and Gardner, Inc., requested the rezoning to adjust a zoning boundary between the R-1 and R-3-P-13 zones within a proposed 33-acre subdivision on the north side of "E" Street between Corte Maria and I-805. The ordinance was placed on first reading at the meeting of June 7, 1977.

Ordinance placed on second reading and adopted

It was moved by Mayor Hyde that this ordinance be placed on its second reading and adopted and that the reading of the text be waived by unanimous consent.

The motion carried by the following vote, to-wit:

AYES: Mayor Hyde, Councilmen Scott, Egdahl, Hobel, Cox
Noes: None
Absent: None

25. ORDINANCE NO. 1750 - AMENDING ZONING MAPS ESTABLISHED BY SECTION 19.18.010 OF THE CHULA VISTA MUNICIPAL CODE PREZONING AND REZONING THAT CERTAIN PROPERTY LOCATED ON THE SOUTH SIDE OF BONITA ROAD BETWEEN BONITA GLEN DRIVE AND I-805 FROM E-1, R-1, R-3 AND C-C-D TO C-C-P AND CERTIFYING THE ENVIRONMENTAL IMPACT REPORT - SECOND READING AND ADOPTION

Pursuant to City Council instructions, the Planning Department studied the 8.74 acres of land bounded by Bonita Road, the I-805/Bonita Road interchange, Vista Drive and Bonita Glen Drive and redesignated it from "Visitor Commercial" to "Retail Commercial" on the plan diagram of the Chula Vista General Plan. The ordinance rezoning the property to C-C-P was placed on first reading at the meeting of June 7, 1977.

Ordinance placed on second reading and adopted

It was moved by Councilman Cox that this ordinance be placed on its second reading and adopted and that the reading of the text be waived by unanimous consent.

The motion carried by the following vote, to-wit:

AYES: Councilmen Cox, Hyde, Scott, Egdahl, Hobel
Noes: None
Absent: None

26. REPORT OF THE CITY MANAGER No report.

REPORTS OF CITY OFFICERS AND DEPARTMENT HEADS

27. CONSIDERATION OF NEED TO ADOPT AN EMERGENCY ORDINANCE REZONING PROPERTY ON THE NORTH SIDE OF TELEGRAPH CANYON ROAD, EAST OF CREST DRIVE, FROM R-3 TO R-3-M

Director of Planning Peterson submitted a written report in which he stated that the 9.34 acres under R-3 zoning would allow 301 apartment units. However, 1.7 acres of the property is undevelopable slope area; therefore, if the density under the present zoning is permitted, it would considerably exceed the density allowed in the R-3 zone.

Mr. Peterson recommended that the City Attorney be directed to prepare an emergency ordinance rezoning the subject property from R-3 to R-3-M and refer the matter to the Planning Commission to consider establishing R-3-M zoning as the permanent zoning on the property.

Motion to direct City Attorney

It was moved by Councilman Scott and seconded by Mayor Hyde that the City Attorney prepare an emergency ordinance rezoning the property to R-3-M and the matter be referred to the Planning Commission for consideration of establishing R-3-M zoning as the permanent zoning on the property.

Motion carried

The motion carried by the following vote, to-wit:

AYES: Councilmen Scott, Hyde, Egdahl, Cox
Noes: Councilman Hobel
Absent: None

28. REPORT ON THE ADDITIONAL REMOVAL OF RAISED CURB MEDIAN IN THE 600 BLOCK OF "J" STREET

Director of Public Works Robens explained that on May 17, 1977 the City Council received a letter from Mr. and Mrs Kozak, 634 "J" Street requesting removal of additional island to permit better access to their apartments on the south side of "J" Street.

The staff's recommendation is to leave the island as it is and install a "U TURN OK" sign at the east end of the island.

The Safety Commission recommended the retention of the island as is and the installation of a "U TURN OK" sign on the nose of the island for eastbound traffic.

Report accepted

It was moved by Councilman Egdahl, seconded by Councilman Cox and unanimously carried that the report be accepted.

Mary Kozak
634 "J" Street
Chula Vista

Mrs. Kozak asked permission to adress the Council on this item.

Motion for reconsideration

It was moved by Mayor Hyde, seconded by Councilman Scott and unanimously carried that this item be reconsidered.

Mrs. Kozak's comments

Mrs. Kozak said she wrote the letter requesting that the island be taken out. When the island was put in, they were in escrow purchasing their 40-unit apartment building so could make no objection at that time. The island costs the City $1,000 to maintain - this should be a left-turn lane. Mrs. Kozak added that her 40 units are completely cut off from going directly to the freeway -- the occupants must go to Madison and make a U-turn.

Motion on main motion

The main motion to accept the staff's recommendation carried unanimously.

29. REPORT ON REQUEST FOR SCHOOL CROSSWALK, SCHOOL ZONE SIGNS AND SAFETY PATROL AT THE INTERSECTION OF OLEANDER AVENUE AND AZALEA STREET

On May 10, 1977 the City Council received a written request from Mrs. Ann Wickline of the Parkview School PTA to install a school zone crosswalk and school zone signs at the intersection of Oleander Avenue and Azalea Street. She also requested that a school safety patrol be considered for this intersection.

In a written report to the Council, Director of Public Works Robens recommended the installation of a school crosswalk and appropriate advance warning signs on Oleander Avenue at Azalea Street. He noted the cost would be approximately $125 to install and $40 a year to maintain.

On May 25, 1977 the Safety Commission concurred with this recommendation.

Report accepted

It was moved by Councilman Egdahl, seconded by Councilman Scott and unanimously carried that the report be accepted.

30. REPORT ON SAFETY COMMISSION RECOMMENDATION TO AMEND THE MUNICIPAL CODE REGARDING TREE TRIMMING AND SITE DISTANCE AT INTERSECTIONS

The Safety Commission had recommended that the Code be amended to stipulate that trees be trimmed to provide maximum vertical clearances of nine feet over all portions of public sidewalks, ten feet at curbs, and 15 feet over traffic lanes.

Director of Public Works Robens recommended that the Code not be amended but that in individual instances where the existing Code and policy cause a safety hazard, administrative action to correct the problem be made by the Director of Public Works.

Howard Evans, Chairman Safety Commission

Mr. Evans stated that the recommendation by the Public Works Director does not address the main concern of the Safety Commission. It was the intention of the Safety Commission in asking for a modification to the Code, Section 12.32.150, to assign responsibility of trimming trees growing on private property and over the sidewalk which make it difficult for pedestrians to walk upon the sidewalk. There were no complaints regarding how the Public Works Department is trimming the trees. The problem is that some of the trees growing on private properties and over sidewalks need trimming more frequently than the current tree-trimming cycle.

Motion for clarification

It was moved by Councilman Egdahl, seconded by Councilman Cox and unanimously carried that the Safety Commission be asked to clarify their concern and have it referred to the staff for comment.

RECOMMENDATION OF CITY BOARDS AND COMMISSIONS

31. RECOMMENDATIONS REGARDING NAMING OF CITY PARKS

The International Friendship Commission recommended that if there is a new park constructed in the City, that consideration be given to naming it after the Sister City of Irapuato, Mexico; or that consideration be given to renaming General Roca Park as "Sister Cities Park."

Recommendation of Director of Parks & Recreation

Director of Parks & Recreation Hall reviewed the informal policy established by the Parks & Recreation Commission for naming parks. It was his recommendation that General Roca Park not be renamed and, in the future, staff will consider the requests of the International Friendship Commission.

Staff report accepted

It was moved by Councilman Hobel, seconded by Councilman Scott and unanimously carried that the staff's report be accepted.

RESOLUTION GIVING NOTICE OF HEARING REGARDING PAWNBROKERS LICENSE

City Attorney Lindberg remarked that at the last meeting, the Council adopted a resolution giving notice of a hearing for the revocation of a pawnbroker's license setting the hearing for June 28. Inasmuch as the Attorney for the operator of the pawnshop has not, as yet, received the notice, he will be requesting a two-week continuance of the matter.

Mr. Lindberg said that on June 28, he will formally request the two-weeks' notice.

Motion for continuance

It was moved by Councilman Scott, seconded by Mayor Hyde and unanimously carried that the intent of the City Council is to grant a two-week continuance of this item at the meeting of June 28.

MAYOR'S REPORT

League Dinner meeting

Mayor Hyde reminded the Council of the League dinner meeting to be held Thursday, June 16 with Chula Vista as host City.

Status of Center Street wall

In answer to the Mayor's query, Director of Public Works Robens commented that his Assistant met with Mrs. Delgado today. Both the existing and former owners are willing to put up the amount originally agreed to. Mr. Robens said he would have a report back to the Council in one or two weeks.

COUNCIL COMMENTS

City's population

Councilman Egdahl referred to the letter received which stated that the City's official population is now at 78,000.

Citizens' Advisory Committee--LAFCO

It was moved by Councilman Egdahl, seconded by Councilman Scott and unanimously carried that the staff be directed to prepare a letter to go to the LAFCO staff specifically objecting to the abolishment of the Citizens' Advisory Committee.

Mayor Hyde suggested it be sent to the Commission also. Councilman Egdahl agreed.

Motion for El Rancho del Rey Conference

It was moved by Councilman Egdahl, seconded by Mayor Hyde and unanimously carried that a Council Conference be set for July 14 to look again at El Rancho del Rey plan - "where we are and where we are going and get some resolutions."

Joint meeting with ACCORD

Director of Planning Peterson said he met with representative of El Rancho del Rey and Mr. Jim Hutchison today and both parties felt that one more meeting was needed before coming to Council. There is a need for a joint meeting with the Council, Planning Commission and ACCORD to discuss Tom Cooke's (consultant) report and recommendation.

ADJOURNMENT

Mayor Hyde adjourned the meeting at 10:15 p.m. to the meeting scheduled for Tuesday, June 21, 1977 at 7:00 p.m.

Jennie M Fulosz
CITY CLERK

Revised 11/16/82

RESOLUTION NO. 11080

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE SIGN REGULATIONS OF THE BONITA GLEN SPECIFIC PLAN

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, on June 14, 1977, the City Council adopted Resolution No. 8670 approving the Bonita Glen Specific Plan for the development of 8.74 acres at the southwest quadrant of Bonita Road and I-805, and

WHEREAS, on September 13, 1982, a request was submitted by 805 Properties, a limited partnership, for a modification of the sign regulations of the Bonita Glen Specific Plan, and

WHEREAS, the Planning Commission has heretofore recommended that the City Council make certain amendments to the Bonita Glen Specific Plan sign regulations, and

WHEREAS, the City Council on October 26, 1982 conducted a public hearing to consider said amendments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that the Bonita Glen Specific Plan sign regulations be amended as follows:

1. Authorization is given for a 20 foot high 100 square foot sign designed to accommodate an additional 150 square feet of sign area in the future as shown on Exhibit "B".

2. The future sign is reserved for the owner of Parcel C, as shown on Exhibit "A", and is subject to City Council approval.

Presented by

Bud Gray

Bud Gray, Director of Planning

Approved as to form by

George D. Lindberg

George D. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, this 15th day of November 19 82, by the following vote, to-wit:

AYES: Councilmen Malcolm, Moore, Cox

NAYES: Councilmen McCandliss, Scott

ABSTAIN: Councilmen None

ABSENT: Councilmen None

/s/ Gregory R. Cox
Mayor of the City of Chula Vista

ATTEST /s/ Jennie M. Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

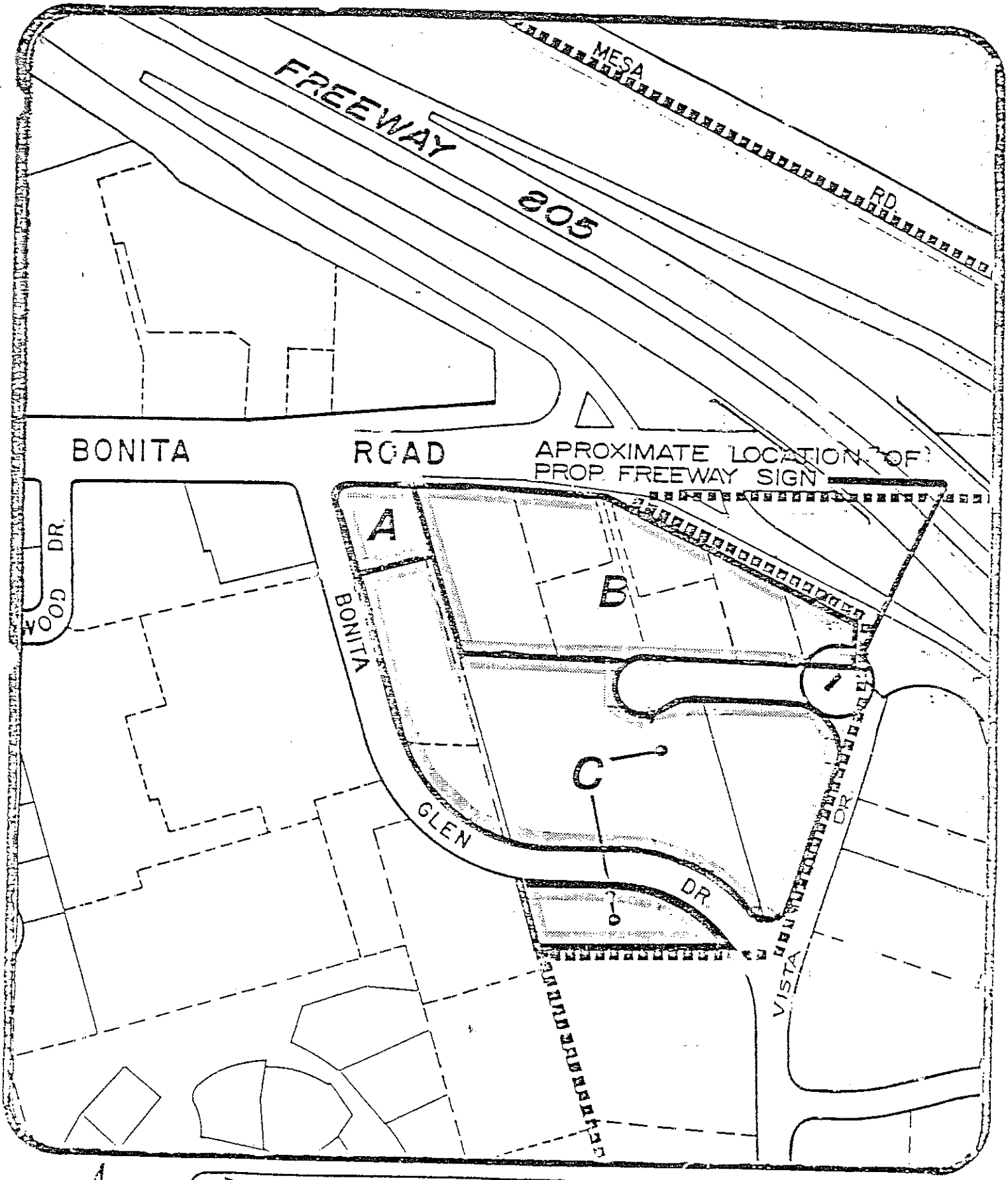
I, JENNIE M FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 11060, and that the same has not been amended or repealed

DATED November 17, 1982

Jennie M. Fulasz
City Clerk

(seal)

CC-660



DENNY'S REST

EXHIBIT A
P-83-4

16'-0"
Tenant
Tenant
Denny's
RESTAURANT
TOP OF SIGN
20'-0" MAX. HEIGHT
F.G.
11'-9"
6'-0"
4'-0"
5'-3"
30'-3" approx. height

EXHIBIT B

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF CHULA VISTA, CALIFORNIA

Tuesday, November 16, 1982
7:00 p.m.

Council Chamber
Public Services Building

ROLL CALL

Councilmen present: Mayor Cox, Councilmembers McCandliss, Scott, Malcolm, Moore

Councilmen absent: None

Staff present: City Manager Cole, City Attorney Lindberg, Assistant City Manager Asmus

Pledge of allegiance to the Flag was led by Mayor Cox followed by a moment of silent prayer.

1. APPROVAL OF MINUTES for the meeting of November 9, 1982

MSUC (Cox/Moore) to approve the minutes. Councilman Malcolm referred to the motion he made at the last meeting concerning pornographic newstands. He asked that the word "curb" be changed to "restrict."

2. SPECIAL ORDERS OF THE DAY

a. RESOLUTION 11064 COMMENDING EILEEN MARIE SKELLY FOR HER EXCELLENT SERVICES ON THE HUMAN RELATIONS COMMISSION

b. RESOLUTION 11065 COMMENDING RODOLFO J. DAVID FOR HIS EXCELLENT SERVICES ON THE HUMAN RELATIONS COMMISSION

c. RESOLUTION 11066 COMMENDING H. BRUCE MURRAY FOR HIS EXCELLENT SERVICES ON THE LIBRARY BOARD OF TRUSTEES

d. RESOLUTION 11067 COMMENDING ZIOLA A. NIEHAUS FOR HER EXCELLENT SERVICES ON THE INTERNATIONAL FRIENDSHIP COMMISSION

e. RESOLUTION 11068 COMMENDING JOSEPH G. LAGNESE FOR HIS EXCELLENT SERVICES ON THE INTERNATIONAL FRIENDSHIP COMMISSION

f. RESOLUTION 11069 COMMENDING GERALD GEORGE WILLIAMS FOR HIS EXCELLENT SERVICES ON THE PLANNING COMMISSION

g. RESOLUTION 11070 COMMENDING VIRGIL D. STEVENSON FOR HIS EXCELLENT SERVICES ON THE PLANNING COMMISSION

h. RESOLUTION 11071 COMMENDING DAVID WOODROW KNOX FOR HIS EXCELLENT SERVICES ON THE SAFETY COMMISSION

i. RESOLUTION 11072 COMMENDING THOMAS A. EMMONS FOR HIS EXCELLENT SERVICES ON THE BOARD OF APPEALS

j. RESOLUTION 11073 COMMENDING JAMES F. SPRAGUE FOR HIS EXCELLENT SERVICES ON THE PARKING PLACE COMMISSION

RESOLUTIONS OFFERED BY MAYOR COX, the reading of the text was waived by unanimous consent, passed and approved unanimously. Mayor Cox stated that the resolutions will be presented to the commissioners at the banquet scheduled for Thursday, November 18, 1982.

k. PROCLAMATION RECOGNIZING MONDAY, NOVEMBER 29, 1982 AS "20TH ANNUAL STARLIGHT YULE PARADE"

Mayor Cox presented the proclamation to Mr. Don Ritchey, Parade Chairman.

3. WRITTEN COMMUNICATIONS

a. Letter of resignation from Marc Tarasuck, Design Review Committee

MSUC (Scott/Malcolm) to accept the resignation with regret and a letter of appreciation be sent to Marc Tarasuck.

b. Letter requesting funds - South Bay Cultural Arts Center

MS (Cox/Scott) to allocate the request for funds in order to Mr. Cusack to go to Sacramento.

Councilman Scott commented that the trip to Sacramento could serve a dual purpose by having either a City representative or have Mr. Cusack act on behalf of the City in order to conduct other business in the Capitol. Assistant City Manager Asmus remarked that it was his opinion that Mr. Cusack had borrowed the money and is already in Sacramento. Councilman Scott voiced his disapproval of having this come to the Council "after the fact" and that he would not vote for it. The motion failed by the following vote, to wit: (a 4/5ths vote is needed)

Cox, McCandliss, Moore	Ayes
Scott, Malcolm	Noes
Absent	None

PUBLIC HEARING

4. PUBLIC HEARING CONSIDERING ACQUISITION OF A DRAINAGE EASEMENT THROUGH EMINENT DOMAIN (City Engineer/City Attorney)

a. RESOLUTION DETERMINING AND DECLARING THE PUBLIC NECESSITY OF ACQUIRING CERTAIN RIGHT OF WAY SOUTH OF OTAY VALLEY ROAD FOR DRAINAGE PURPOSES AND AUTHORIZING THE COMMENCEMENT OF CONDEMNATION PROCEEDINGS TO ACQUIRE SAID RIGHT OF WAY

With the approval of the tentative map for Chula Vista Tract 81-6, Otay Industrial Park, on July 21, 1981, Council requred that an off-site drainage easement be acquired to provide for outflow into the bed of the Otay River.

Since the drainage system will carry water from public streets, the City Engineer stated that the proposed condemnation to acquire the drainage easement is in order and is recommending approval. Mr. Lippitt remarked that United Enterprises, Inc. is requesting a continuance of this item to December 7, 1982.

MSUC (Cox/McCandliss) to continue this item to the meeting of December 7, 1982.

Michael Spata, 1007 Fifth Avenue, San Diego 92101, Attorney representing United Enterprises, reported that the developer's counter-proposal arrived yesterday and they have not had time to review it. Mr. Spata added that United Enterprises is working in good faith in trying to resolve the issue and requested support of the motion to December 7, 1982.

3b. SOUTH BAY CULTURAL ARTS CENTER REQUEST

MSC (Scott/Moore) if that party (Mr. Cusack) has not gone on that trip, that the City Council authorize the request for funds. Councilman Malcolm voted "no."

5. ORAL COMMUNICATIONS

a. Carlos Gutierrez, 280 Talus Street, Chula Vista, 92011, expressed his concerns regarding the mandatory trash collection bill he received. He stated that he has been delivering his own trash to the dump with the aid of his sons and that although the money is no object, he does object to the mandatory regulation and the fact that he has to show receipts for every time he goes to the landfill. Mayor Cox explained the reason for the Mandatory Trash Ordinance and the exemptions which were built into the ordinance.

b. William Sands, 225 Bayfront Boulevard, Chula Vista. Mr. Sands spoke of the need for a "new world" stating that there should be a system inaugurated in the United States whereby every man, woman, and child will receive from $1,000 to $2,000 a month guaranteed income and that all the world monies should have the same value as that of the United States.

RESOLUTIONS AND ORDINANCES, FIRST READING

6. RESOLUTION 11074 RELEASING LIEN FOR ASSESSMENT NO. 7, 1911 BLOCK ACT, PHASE XIV (City Engineer)

The 1911 Block Act, Phase XIV, was for the improvement of an alley between "H" Street and Otis Street and between Smith Avenue and Fifth Avenue. Eleven (11) parcels were involved in paying for construction of this alley. Parcel No.

567-150-17 with Assessment No. 7 had a lien placed against it. This lien was recorded in the County Recorder's Office in File/Page No. 73-132120 on May 16, 1973. The lien was in the amount of $567 plus interest at a rate of 7% per annum. On November 4, 1982, this lien was paid off in full.

RESOLUTION OFFERED BY COUNCILWOMAN McCANDLISS, the reading of the text was waived by unanimous consent, passed and approved unanimously.

7. RESOLUTION 11075 APPROVING AN AMENDMENT TO AN AGREEMENT WITH THE BANK OF AMERICA FOR HOUSING AND COMMERCIAL REHABILITATION (Community Development Director)

The City's agreement with the Bank of America is subject to renewal on August 1 of each year, and the interest rates are usually changed at that time to reflect the current market. This year the bank agreed to remain on the old rates until January 1, 1983, so the agreement was allowed to continue on a month-to-month basis without renewal. The City has now negotiated slight interest rate changes with the bank to be effective January 1, 1983. An amendment incorporating changes and extending the original agreement has been negotiated.

RESOLUTION OFFERED BY COUNCILMAN MOORE, the reading of the text was waived by unanimous consent, passed and approved unanimously.

8. RESOLUTION 11076 APPROPRIATING FUNDS FOR SALARY BENEFIT ADJUSTMENTS (City Manager)

Negotiations between the Police Officers Association (POA) and the International Association of Fire Fighters (IAFF) in 1982-83 progressed through impasse, mediation with a State Mediator, and a final presentation to Council by the units without reaching agreement with either unit. This was due to the lack of agreement over the 2% at 50 retirement plan issue. As a reflection of the City's concern for the general economic well-being of its employees, the Council unilaterally granted a salary adjustment to both units. The mid-management safety members and the unclassified executive management position salary adjustments are also included.

The recommendation is that the City Council adopt the resolution appropriating $287,950.

RESOLUTION OFFERED BY COUNCILMAN SCOTT, the reading of the text was waived by unanimous consent, passed and approved unanimously.

Councilman Moore asked that the City Manager furnish the Council with the total cumulative salary increase for the year.

9. RESOLUTION 11077 AMENDING THE 1982-83 SALARY PLAN BY REDUCING THE NUMBER OF PAY STEPS FOR TRAFFIC OFFICERS FROM FIVE TO THREE (Director of Personnel)

During the negotiation process, staff had discussed reducing the number of steps for Traffic Officer from five to three. Examination of this proposal indicated no additional cost in 1982-83, and an improved method of handling pay increases for Traffic Officers.

RESOLUTION OFFERED BY COUNCILMAN MOORE, the reading of the text was waived by unanimous consent, passed and approved unanimously.

In answer to Councilman Scott's query, Director of Personnel Thorsen explained that the positions are unclassified and, therefore, not included in any Memoranda of Understanding.

10. RESOLUTION 11078 APPROVING CONTRACT FOR DISPOSITION OF HOUSES ON "F" STREET HOUSING SITE (Community Development Director)

On October 19th, the Council approved the transfer of the "F" Street housing site to the County Housing Authority and directed staff to solicit offers for the purchase of the three single-family homes on the site. The solicitation process has been completed and a favorable offer has been received.

The recommendation is that Council approve the contract for the disposition of houses existing on the "F" Street housing site with Associated House Movers for the amount of $8,120.

RESOLUTION OFFERED BY COUNCILMAN MALCOLM, the reading of the text was waived by unanimous consent, passed and approved unanimously.

MSUC (Moore/Scott) for staff to provide the Council at the Redevelopment Agency meeting on November 18, with the total cost that the City paid for these three structures.

11a. RESOLUTION 11079 APPROVING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND DENNY'S INC. FOR SIGNAGE ON SURPLUS RIGHT OF WAY AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT (City Engineer)

At the meeting of October 28, Council gave tentative approval to locate a freeway-oriented sign in public right-of-way near the 805 freeway.

Council decided that they would allow a sign with a maximum of 250 square feet to be installed in excess right-of-way near an unnamed cul-de-sac intersecting with Vista Way. Instead of an encroachment permit, staff is recommending that the Council enter into a lease agreement between the City of Chula Vista and the affected property owners for use of this property.

RESOLUTION OFFERED BY MAYOR COX, the reading of the text was waived by unanimous consent, passed and approved unanimously.

11b. RESOLUTION 11080 APPROVING AN AMENDMENT TO THE SIGN REGULATIONS OF THE BONITA GLEN SPECIFIC PLAN (Director of Planning)

On October 26, 1982 the City Council expressed approval of an amendment to the Bonita Glen Specific Plan authorizing Denny's Restaurant to construct a 20 foot high, 100 sq. ft. sign, designed to accommodate an additional 150 sq. ft. of sign area in the future.

Councilman Scott voiced his objection regarding reservation of this particular site without having any plans brought before the Council for approval for development. He felt the resolution was extremely broad; it was an invitation to entice a developer to use this property in order to draw people onto the development; it was poor planning and it was giving someone a license to do something on the property without knowing what he wants to do. Councilwoman McCandliss agreed stating that the reason for a sign on the freeway is to draw people away from the freeway onto a property; however, this property is completely visible from the freeway.

RESOLUTION OFFERED BY COUNCILMAN MALCOLM, the reading of the text was waived by unanimous consent. The resolution was approved by the following vote; to wit:

Malcolm, Moore, Cox	Ayes
McCandliss, Scott	Noes
Absent	None

12. ORDINANCE 2012 ESTABLISHING A MUNICIPAL SOLAR UTILITY - FIRST READING (Director of Building and Housing)

On September 29, 1982, the Governor signed AB 3788 which allows a public agency to pass on state solar tax credits to the individual citizens residential leased solar hot water system.

To take advantage of the state tax credits for leased solar hot water systems it is necessary for the City Council to enact an ordinance prior to January 1, 1983 establishing the City as a municipal solar and conservation utility.

Councilwoman McCandliss questioned why people would want to lease the solar utility rather than buying it up front. Mr. Grady added that the reason for leasing rather than buying was because of the initial capital outlay cost. It amounts to from $3500 to $7000. Assistant City Manager Asmus stated that because of the time restraint, they placed the ordinance on its first reading this week, however, the staff will be back next week at the second reading to present the Council with a detailed explanation. Director of Building & Housing Grading stated that he just received the ordinance from the City of Oceanside, after which this one is patented, and briefly explained the survey conducted in Oceanside in which the people overwhelmingly desired this lease aspect.

MSUC (Scott/Malcolm) to place the ordinance on first reading. The reading of the text was waived by unanimous consent, passed and approved unanimously.

Councilman Moore discussed his concerns with the implementation of this ordinance before getting all the facts.

MSUC (Moore/Scott) for the staff to take no implementation action without coming back to the City Council.

CONTINUED MATTERS AND SECOND READING OF ORDINANCES

13. ORDINANCE 2011 AMENDING SEVERAL CHAPTERS AND SECTIONS OF THE CHULA VISTA MUNICIPAL CODE, ALL RELATING TO THE MASTER FEE SCHEDULE - SECOND READING AND ADOPTION (City Manager)

At the meeting of November 9, 1982, Council placed the ordinance on first reading which modifies various ordinances that refer to fees included within the Master Fee Schedule.

MSUC (Malcolm/Scott) to place the ordinance on second reading and adoption. The reading of the text was waived by unanimous consent, passed and approved unanimously.

14. REPORT OF THE CITY MANAGER

a. REPORT Public Relations Services and Community Appearance Program

On August 18, 1982, the Redevelopment Agency approved a continuation contract with Nuffer-Smith Associates for a six-month period beginning September 1, 1982 and ending February 28, 1983. The purpose of this contract was to complete projects which were begun during the first contract year and to set up a news bureau in City Hall including the training of staff to carry on basic public relations activities. Concurrent with this action, the Council and staff began to review the feasibility of implementing a Community Appearance Program to mitigate zoning violations and reduce potential hazards. As a combined response to both issues, it was felt that a Public Relations and Community Affairs Officer position should be considered to carry out the function of public relations, coordinate the Community Appearance Program, and handle citizen complaints.

The recommendation is that Council set a Council Conference date to further discuss the proposals.

MSC (Cox/Moore) to continue this item to the meeting scheduled for November 18, 1982, after the Redevelopment Agency meeting.

Councilman Scott felt this item should wait until the new City Manager comes on board; that there is no reason to discuss it now or rush through with this.

Mayor Cox noted that the Nuffer-Smith contract expires in six months (February 1983) and that under the terms of the agreement, a staff member was to be trained.

Councilman Scott commented that he was not going to be present at Thursday's meeting. The items on the Redevelopment Agency meeting concern his employer, Merrill Lynch, and therefore, he would have a possible conflict of interest. Mayor Cox commented that this public relations services item will be held first on the agenda. The motion carried with Councilman Scott voting "no."

b. City Manager Cole stated that the Undergrounding Utility District on Fourth Avenue from "G" to "H" Street is scheduled for completion on March 31, 1983. The Telephone Company stated that they will not be able to complete their work until April 1983.

c. The City Manager reported that the remodeling of the Courthouse is now complete.

REPORTS OF CITY OFFICERS AND DEPARTMENT HEADS

15. REPORT Analysis of the Federal Nuclear Civil Protection (NCP) Plan (Director of Public Safety)

A special meeting of the County Unified Disaster Council was held on October 25, 1982 to approve or reject the Nuclear Civil Protection Plan (NCP) that has been prepared by the Center for Planning and Research as a subcontractor to the California State Office of Emergency Services. At this meeting the Disaster Council voted to postpone a decision on the Crisis Relocation Plan until their next meeting which will be held on December 2, 1982. It is desired that each City Council take a position on the Plan prior to the December 2nd meeting.

The recommendation is that Council support the Crisis Relocation Plan.

MSUC (McCandliss/Malcolm) to continue this item for one week.

16. REPORT on Employee Assistance Service - 6/15/82-9/15/82 (Director of Personnel)

The City Council authorized the development of an Employee Assistance Program during the fiscal year 1980-81. As a result of a bid process and selection, Duane Rogers of Employee Assistance Service was hired to provide referral counseling for City employees and their families. The function of the program is to provide two types of referral counseling: 1) confidential referral counseling for employees with personal problems affecting their work and 2) supervisory referral of employees with personal problems affecting their work. As has been mentioned in previous reports, the program is being used by employees at a rate greater than had been anticipated which indicates both a need for the program and an acceptance of the quality of the services provided.

MSUC (Scott/Moore) to accept the report.

17. REPORT on Workfare and Court-Ordered Volunteers Programs (Director of Personnel)

In the past, Council has authorized participation in the Workfare and court-ordered referral programs. The Workfare Program is one in which recipients of food stamps must volunteer a certain number of community service hours in order to receive their monthly allowance. The court-ordered volunteer program is primarily one in which individuals arrested for drunk driving have an opportunity to do volunteer service in lieu of a $566 fine. The Director of Personnel has compiled statistics on the last nine months of operation in these two programs for Council review.

MSUC (Moore/Scott) to accept the report.

18. REPORT Study of Parking Needs at Rohr Park and Sweetwater Parks (Director of Parks & Recreation)

The Bonita Valley Tennis Club has expressed concern over the problems created by the lack of adequate parking facilities at Rohr and Sweetwater Parks. Once the parking lots are filled, park users park illegally on Sweetwater Road, on the Tennis Club's lot and in residents' private driveways.

Director of Parks & Recreation Pfister referred to his written report explaining that it was agreed between the County and City Park and Recreation Departments that additional off-street parking is not feasible and because of the park overcrowding and traffic hazard created by the illegal overflow parking, steps must be taken to increase parking enforcement on Sweetwater Road. This can be done through the following:

1. Requesting the County to designate Sweetwater Road a tow-away zone, rather than merely no parking.

2. Request the California Highway Patrol and San Diego Sheriff's Office to strictly enforce the zoning.

3. As an adjunct to item 2 above, the Sheriff's Office can be requested to authorize Chula Vista's Police Department to assist in enforcement of the no parking ordinance on Sweetwater Road. This, however, would not include enforcement on private property such as the Tennis Club.

4. An educational effort to ensure park users are fully aware of the enforcement program.

MS (Scott/Malcolm) to accept the report.

Council discussion ensued regarding the issue of crowd control; the saturation point on the number of people using the park; having the Sheriff's Department authorize the City's Police Department to issue tickets; using the triangular piece of property on the southwest corner of Sweetwater Road and Central Avenue for temporary parking for the two park areas; and the four alternatives listed in the staff report which can be done to alleviate the problem. The motion to accept the report carried unanimously.

MSUC (McCandliss/Scott) for the staff to contact the County and investigate the possibility of interim or temporary parking on the property at the southwest corner of Sweetwater Road and Central Avenue.

19. REPORT Southwestern College Fine Arts Club Request to conduct Fine Arts Awareness Program (Director of Parks & Recreation)

The Fine Arts Club of Southwestern College wishes to create an increased public awareness of the Fine Arts Programs offered through the community college system. To do this, they have requested permission to use the Memorial Park Amphitheatre and the surrounding park area to provide a day of fine arts awareness. The program would include plays by the Theatre Arts Department, music by members of the Music Department, and displays of paintings, sculptures, ceramics and other visual artwork by the Art Department. It is proposed the event be held on Saturday, December 4, 1982.

MSUC (Scott/Cox) to accept the report and approve the request.

20. REPORT Request to conduct Annual Starlight Yule Parade (Director of Parks and Recreation)

The Chamber of Commerce and the Sweetwater Union High School District are requesting the City to jointly sponsor the Annual Starlight Yule Parade, to be held at 7:00 p.m., Monday, November 29, 1982. In addition, they request approval to have live elephants in the parade and that certain City services be provided.

The recommendation is that the report be accepted and the requests approved, subject to staff conditions.

MSUC (Moore/Malcolm) to accept the report.

21. REPORT Chula Vista Transit (CVT) and HandYtrans Operations for the First Quarter FY 1982-82 (City Engineer)

The report presents the operating statistics for both CVT and HandYtrans for the first quarter FY 1982-83.

The SCOOT Board will consider this report at its meeting on December 8, 1982.

MSUC (Scott/Cox) to accept the report.

Councilman Malcolm noted a recent article in the League of California Cities Western magazine which cites other cities using taxis on Sundays rather than the regular HandYtrans buses in order to save money.

Transit Coordinator Gustafson said that the reason for using the buses in Chula Vista is because the drivers are experienced in handling the frail, elderly, and handicapped persons whereby taxi drivers would not be.

22. REPORT Single-Family Mortgage Revenue Bond Allocation request (Community Development Director)

The Housing Element of the General Plan of the City of Chula Vista calls for the use of tax-exempt mortgage revenue bonds, where practical, to promote affordable housing. The current financial and regulatory climate appears favorable to a single-family mortgage revenue bond issue by the City, and local developers have expressed support for such an issue. Bond issue authority is apportioned by the State to cities and counties in response to requests for allocations.

The recommendation is that the Council authorize the Mayor to sign the allocation request letter to the State and direct staff to work with Miller & Schroeder Municipals, Incorporated on the preliminary development of a mortgage revenue bond issue.

MSUC (Scott/Cox) to accept the report and the recommendations.

23. REPORT on Request to use library facility for piano recital (City Librarian)

On September 7, 1982, Beth Carpenter, piano teacher, 167 Shasta Street, Chula Vista, submitted applications for the use of library facilities for a piano recital and rehearsals on December 4, 11 and 18, 1982.

The recommendation of the City Librarian is that Council:

1. Authorize the one time use of library facilities for Mrs. Carpenter's piano recital.

2. Reaffirm the present policy of excluding commercial uses (including piano and dance recitals).

In answer to Councilwoman McCandliss' question, City Librarian Lane explained the present policy of the library, the heavy use the auditorium gets on Saturdays, and the use of non-library programs which puts a strain on the library facilities.

Councilman Moore commented that this request for a piano recital is an "indirect solicitation."

MS (Moore/Malcolm) to reaffirm the present policy of the library of excluding commercial uses.

Councilwoman McCandliss expressed her opinion that the library facilities should be used at all times and rather than have the auditorium "dark," she favored utilization of the facility.

Miss Beth Carpenter, 167 Shasta Street, Chula Vista, the applicant, stated one of the reasons she asked for the use of the library auditorium was because of the safety of the children coming and going from the recital and also the fact that the parents of these children pay taxes and they have a right to use the public facility.

The motion to reaffirm the present policy passed by the following vote, to wit:

Moore, Scott, Malcolm	Ayes
McCandliss, Cox	Noes
Absent	None

MSC (Scott/McCandliss) to authorize a one-time use of the library for a piano recital for Miss Beth Carpenter. The motion carried by the following vote, to wit:

Scott, McCandliss, Cox	Ayes
Malcolm, Moore	Noes
Absent	None

24. STATUS REPORT - Implementation of Management Review of City Clerk's Office (City Clerk & Director of Management Services)

On October 21, 1980, the City Council authorized a comprehensive Management Review of the City Clerk's Office to be conducted with the Policy Analysis & Program Evaluation Unit. The purpose of the review was to assess the Office's work processes in order to produce the most effective and efficient services to the public, the City Council and the City organization.

The report addresses the extent to which the review recommendations have been implemented or adjusted to respond to departmental needs.

MSUC (Moore/Cox) to accept the report.

25. MAYOR'S REPORT

a. Mayor Cox noted that there will be a grand opening ceremony this Friday, November 19, at 12:00 Noon for the Bayside Park.

b. Mayor Cox noted the donation of $150 received from the Hobart-Smith family for the "Adopt-A-Tree" Program.

MSUC (Cox/Scott) for the staff to prepare a letter for the Mayor's signature to the Hobart-Smith family in appreciation for this gift.

c. Mayor Cox stated that the Senate and Assembly Reapportionment Committee will meet this Friday at 1:30 in San Diego State Building Auditorium. He requested that someone from the City attend the meeting and present the Council's concerns regarding the change in the 44th and 45th Assembly Districts and the 80th Senate District.

MSUC (Cox/McCandliss) to direct staff to have someone attend this session and to express the concerns of the Council.

d. Mayor Cox discussed the reappointment of the Port Commissioner whose term expires the first of the year.

MS (Cox/Malcolm) to schedule this item for Thursday's City Council meeting (November 18).

Councilman Scott voiced his concern regarding the Maddy Act whereby appointments must be posted prior to Council appointment. City Attorney Lindberg stated that since this was a State commission, he would check into the legalities of posting the vacancy.

The motion carried with Councilman Scott voting "no."

26. COUNCIL COMMENTS

MS (Moore/Malcolm) for the staff to review the pros and cons of the San Diego Transit being competitive with Aztec Bus Lines for the Chula Vista Transit operation in its present form and have it back in timely fashion for the 1983-84 budget year.

Council discussion followed regarding the fact that San Diego Transit is asked to submit a bid; there is no reason for the survey; and before a study is directed, the staff should find out definitely whether or not San Diego Transit will bid.

Councilman Moore withdrew his motion. Councilman Malcolm withdrew the second.

MSUC (Scott/Moore) for staff to contact San Diego Transit and ask them to be sure that they bid on the City of Chula Vista's contract.

Councilman Moore asked the staff to provide him with the original RFP for the Chula Vista Transit contract.

ADJOURNMENT AT 9:06 p.m. to the meeting scheduled for November 18 (after Redevelopment Agency Meeting at 4:00 p.m.) and November 23, 1982 at 7:00 p.m.

Jennie M. Fulasz

Jennie M. Fulasz, CMC
City Clerk

WPC 0206C

RESOLUTION NO. 11192

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA GRANTING THE APPEAL OF THE PLANNING COMMISSION APPROVAL OF AN AMENDMENT TO THE BONITA GLEN SPECIFIC PLAN AND CONTINUING THE PROHIBITION AGAINST GAS STATIONS AND CAR WASHES

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, on February 9, 1983, by a vote of 4-3, the Planning Commission approved an amendment to the Bonita Glen Specific Plan by adding gas stations and car washes to the list of permitted uses, and

WHEREAS, the decision of the Planning Commission was appealed to the City Council by Don O'Neal, and

WHEREAS, on March 15, 1983, the City Council heard the appeal, and

WHEREAS, the existing land uses identified in the Specific Plan are uses which can best serve this interchange offering the public a variety of services, and

WHEREAS, service stations/car washes could be detrimental to the development of future buildings attempting to achieve a compatible architectural package including landscaping and access, and

WHEREAS, there is no clear demonstrated need for more service stations in the affected area.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby grant the appeal of the Planning Commission approval of an amendment to the Bonita Glen Specific Plan the effect of which is to continue the exclusion of gas stations and car washes.

Presented and Approved as to form by

_____

City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, this 22nd day of March 19 83, by the following vote, to-wit:

AYES: Councilmen McCandliss, Scott, Moore

NAYES: Councilmen Cox, Malcolm

ABSTAIN: Councilmen None

ABSENT: Councilmen None

Gearon R. Cox
Mayor of the City of Chula Vista

ATTEST: Jennie M Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 11192, and that the same has not been amended or repealed.

DATED 3/24/83

Jennie M. Fulasz
City Clerk

(seal)

RESOLUTION NO. 11190

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING AMENDMENT TO BONITA GLEN SPECIFIC PLAN SIGN REGULATIONS

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, on September 22, 1982, the Planning Commission recommended that the City Council amend the Bonita Glen Specific Plan sign regulations in accordance with Planning Commission Resolution PCM-83-1, and

WHEREAS, on November 16, 1982, the City Council adopted Resolution No. 11080 which established criteria for the freeway oriented pole sign, but did not reference Planning Commission Resolution PCM-83-1 which would have amended the other signs in the Specific Plan area, and

WHEREAS, it would be useful to future administration of the policy for Council to clarify its position with regard to the Planning Commission's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that the Bonita Glen Specific Plan sign regulations be amended as follows:

1. Authorization is given for a 20 foot high 100 square foot sign designed to accommodate an additional 150 square feet of sign area in the future as shown on Exhibit "B".

2. The future sign is reserved for the owner of Parcel C, as shown on Exhibit "A", and is subject to City Council approval.

BE IT FURTHER RESOLVED that the City Council adopts the following recommendations contained in Planning Commission Resolution PCM-83-1:

1. Area "A" shall be allowed one monument sign oriented toward Bonita Road, not exceeding 10 feet in height and 50 square feet of sign area.

2. Area "B" shall be allowed one monument sign not exceeding 8 feet in height and 32 square feet in area.

3. Area "C" shall be allowed a maximum of three monument signs, not exceeding 8 feet in height and 32 square feet of sign area, which must be spaced at least 100 feet apart.

4. No freestanding signs shall be allowed which are oriented to Vista Drive and the extension of said street.

5. Wall signs shall not exceed one square foot per lineal foot of building frontage or 50 square feet per business frontage, and a maximum of 100 square feet of total sign area for any business.

Presented by

Bud Gray, Director of Planning

Approved as to form by

George D. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, this 22nd day of March 19 83, by the following vote, to-wit:

AYES: Councilmen Malcolm, Moore, McCandliss, Cox

NAYES: Councilmen Scott

ABSTAIN: Councilmen None

ABSENT: Councilmen None

/s/ Gregory R. Cox
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 11190, and that the same has not been amended or repealed.

DATED 3/24/83

Jennie M. Fulasz
City Clerk

(seal)

CC-660

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss
CITY OF CHULA VISTA)

AFFIDAVIT OF POSTING ORDER
OF ADJOURNMENT OF MEETING

I, Jennie M. Fulasz, being first duly sworn depose and say :

That I am the duly chosen, qualified and acting City Clerk of the City Council of the City of Chula Vista;

That the regular meeting of the Council of the City of Chula Vista was held Tuesday, March 22, 1983 and said meeting was adjourned to the time and place specified in the order of adjournment ATTACHED HERETO:

That on Wednesday, March 23, 1983 at the hour of 10:15 a.m. I posted a copy of said order at a conspicuous place on or near the door of the place at which said meeting of March 22, 1983 was held.

Jennie M Fulasz
City Clerk

Subscribed and sworn to before me this

_____ day of

_____ 19__

_____
Notary Public in and for said County
and State of California

MINUTES OF AN ADJOURNED REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF CHULA VISTA, CALIFORNIA

Held Tuesday, March 22, 1983

The City Council met in the Council Chamber at the Public Services Building, 276 Fourth Avenue on the above date at 7 p.m. with the following

Councilmen present: Mayor Cox, McCandliss, Scott, Malcolm, Moore

Councilmen absent: None

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ADJOURNMENT

The Mayor adjourned the meeting at 9:20 p.m. until 4 pm Thursday, March 24, 1983 at 4 p.m. in the Council Conference Room, City Hall, 276 Fourth Avenue, Chula Vista, California.

I, Jennie M. Fulasz, City Clerk of the City of Chula Vista, DO HEREBY CERTIFY that this is a full, true and correct copy of an order by the City Council at the meeting of March 22, 1983.

Jennie M. Fulasz

JENNIE M. FULASZ, CMC, CITY CLERK
City of Chula Vista, California

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF CHULA VISTA, CALIFORNIA

Tuesday.- 7:00 p.m. March 22, 1983

ROLL CALL

Councilmembers present:	Mayor Cox, Councilmembers Scott, Malcolm, Moore, McCandliss
Councilmembers absent:	None
Staff present:	City Manager Goss, City Attorney Lindberg, Assistant City Manager Asmus

PLEDGE OF ALLEGIANCE, SILENT PRAYER

Pledge of allegiance to the Flag was led by Mayor Cox followed by a moment of silent prayer. Mayor Cox asked the audience to remember in the silent prayer the City employees who have recently died: Ken Smithey who was Batallion Chief in the Fire Department and Ross Noburn, Maintenance Gardiner with the Parks and Recreation Department.

1. APPROVAL OF MINUTES for March 10 and March 15, 1983.

Mayor Cox asked for a correction on the minutes of March 10, page 4 under his comment that the revenue sharing monies and Community Block funds would be continued next year. Mayor Cox indicated this was just a "recommendation".

MSUC(Scott/Moore) to approve the minutes as modified.

2. SPECIAL ORDERS OF THE DAY

a. City Manager Goss presented certificates to Mayor Cox, Councilman Malcolm and Councilman Moore, in which they were named honorary members of the Tennessee House of Respresentatives. Mr. Goss stated that John Crouse, Director of Public Works Operations and Bill Berry, Assistant Street Maintenance Superintendent were also named by the Tennessee Legislature in recognition of the Chula Vista CHIP Seal Program.

3. WRITTEN COMMUNICATION

a. Request for City to investigate flood-control channel on property at First Avenue near Millan Court (St. John's Episcopal Church)

The request concerns the open City-owned flood control channel which bisects the Parish school property on First Avenue near Millan, which they feel constitutes a life threatening hazard to school and neighborhood children during flood conditions. The request is for the City to investigate this site.

The City Manager recommended that this concern be referred to staff for investigation and report.

MSUC (McCandliss/Malcolm) to refer this to staff.

PUBLIC HEARING AND RELATED RESOLUTIONS

4. PUBLIC HEARING — CONSIDERATION OF REQUEST FOR RATE SCHEDULE AMENDMENT FOR MEDTRANS (DBA HARTSON'S AMBULANCE SERVICE) (Director of Public Safety/Director of Finance)

a. RESOLUTION 11189 — APPROVING RATE SCHEDULE AMENDMENT FOR MEDTRANS (DBA HARTSON'S AMBULANCE SERVICE)

This being the time and place as advertised Mayor Cox opened the public hearing.

In his written report to Council, Director of Finance Grant explained that Hartson's Ambulance Service requested and received a rate increase on December 1, 1982. Subsequent to that increase, reimbursements would be made upon the basis of an "all-inclusive charge" as no separate allowances would be made for special medical procedures. In response, Hartson's is requesting an amendment to the current paramedic rate schedule so that Medicare patients can receive the maximum reimbursement possible. This rate schedule adjustment is not designed to be an overall rate increase rather an inclusion in the basic rate of certain charges which are now charged separately. The fee for the average patient would not change significantly.

Mr. Tom Morgan, one of the owners of Hartson's Ambulance Service responded to Council's questions concerning: (1) the legislation which allowed the reimbursement policy, (2) comparison of the rates charged with that existing one year ago, (3) the base rate and the surcharges, (4) advanced life support ambulance services, (5) rates charged for paramedic services, (6) billings made to Medical and Medicare patients, (7) the profile rate for these patients, (8) treatment and miscellaneous charges; (9) life-line support reimbursements.

There being no further comments, either for or against, the public hearing was declared closed.

Councilwoman McCandliss questioned Mr. Morgan regarding a breakdown of the specific charges commenting that raising the profile rate would not be in the best interest of the citizen's of this community. She added that the City is handicapped in a way because it does not have the expertise needed to evaluate the reimbursement criteria as proposed by Hartsons.

Mr. Morgan responded by stating that they are well below the profile rate in Chula Vista. He discussed the "crossover patients" those that have both Medical and Medicare insurance noting that the ambulance company has a 50% acceptance of the assignments in this particular area.

MS(McCandliss/Scott) not to approved the rate request. The motion failed by the following vote to wit:

AYES: McCandliss, Scott

Noes: Cox, Malcolm, Moore

Absent: None

RESOLUTION OFFERED BY MAYOR COX, the reading of the text was waived by unanimous consent, passed and approved by the following vote:

AYES: Cox, Malcolm, Moore

Noes: McCandliss, Scott

Absent: None

5. ORAL COMMUNICATIONS

a. Bess Pocklington, 656 Glover Place,Chula Vista, complained of the San Diego Gas and Electric air pollution stating that there is now another factor - noise pollution. She declared that it gets so bad that the windows in the homes of this area vibrate day and night and asked if there is something the Council can do about this. Councilman Malcolm said he would like to see a committee of two, from the Council, meet with representatives of San Diego Gas and Electric and discuss both the air and noise qualities and perhaps negotiate on these items.

MSUC (Scott/Malcolm) to form an ad hoc committee of two Councilmembers to look into the possibilities of correcting any possible problems in this area - both noise and air.

Councilmembers Malcolm and McCandliss volunteered to serve on this committee.

b. Patricia Porter, I Street, Chula Vista, complained that since the Telephone Company vacated their office on I Street, the people in Chula Vista who want new telephone service must go to Imperial Beach. She added that there are no buses going to Imperial Beach and it is making it very difficult for the residents of Chula Vista to get this telephone service.

MSUC(Scott/McCandliss) to refer this matter to staff to report back to the City Council.

c. Mr. Frank Ferriera, Bonita Glen Drive, Chula Vista, discussed a newspaper article in the Star News of February 20, 1983, which referred to a possible conflict of interest on the part of Councilman Scott regarding the Chula Vista Sanitary Service. Mr. Ferriera stated that three weeks ago he was visited by a member of the Ethic's Committee inquiring into this matter. Mr. Ferriera informed him that he also deals in the stock market and is known as a "trader" and that it was quite possible for a

stock broker to make a good living off these commissions. He added that Councilman Scott pursued him to open an account with his brokerage firm and Mr. Ferriera declined pointing out to him that it would be a possible conflict of interest to do so as long as Councilman Scott remained on the Council. Mr. Ferriera posed the following questions: (1) what amount of commission did Mr. Scott earn by handling Mr. Chase's account? (2) does Mr. Scott handle brokerage accounts for others where conflict of interest may exist? (3) Does the City have other contractural relationships with local businesses such as insurance,newspaper advertising, construction, redevelopment projects and transit services and others; where Mr. Scott could possibly have potential conflict of interest problems? (4) what conclusion, if any, has been reached by the Ethic's Committee and will their findings be published publicly?

Mr. Ferriera added that their appears to be a passive cover-up of the newspapers. He questioned why Mr. Scott needs the City Attorney to rule in this matter and that Mr. Scott is capable of knowing whether or not he has a conflict of interest. Mr. Ferriera added that Mr. Scott should refrain from voting on matters of the City Council until answers are given to all these questions. If not Mr. Ferriera called for his resignation.

Councilman Scott declared that he has never, ever, contacted Mr. Ferriera about a brokerage account.

CONSENT CALENDAR

(Items 8-11) MSUC(Moore/Malcolm) to approve the Consent Calendar.

6. ORDINANCE 2025 REZONING APPROXIMATELY 4 ACRES AT 321 RANCHO DRIVE FROM R-3-11 TO R-3-P-13 - SECOND READING AND ADOPTION (Director of Planning)

At the meeting of March 15, 1983, the City Council placed the ordinance on first reading. The ordinance requires 3.80 acres located at 321 Rancho Drive from R-3-P-11 (Multiple family residential at a density of 11 units per acre and subject to the Precise Plan Modifying District) to R-3-P-13 (13 dwelling units per acre).

7. ORDINANCE 2026 IMPLEMENTING ENFORCEMENT OF SECTIONS 21107.6 AND 21107.8 CVC ON THE PRIVATELY OWNED PARKING FACILITIES AT THE CHULA VISTA SHOPPING CENTER, BONITA CENTRE AND SKATELAND - SECOND READING AND ADOPTION (Director of Public Safety)

At the meeting of March 15, 1983, the City Council placed the ordinance on first reading. It permits the Police Department to issue citations to motorists parked in redlined "no parking" areas of the centers.

8. ORDINANCE 2027 ADOPTING THE UNIFORM BUILDING CODE, 1982 EDITION - SECOND READING AND ADOPTION (Director of Building and Housing)

Director of Building and Housing Grady reported that the major changes to the Uniform Building Code, 1982 Edition are in Chapter 25 and Chapter 33. Chapter 25 regulates wood, wood projects and their use in construction and has been revised to reflect the 1977 Edition of the National Design Specifications for Wood Construction. In addition, the provisions of the code dealing with lumber in contact or near the ground have been revised based upon the latest data from the National Forest Products Associations. Chapter 33 is the chapter regulating the number of occupants in a building, exit corridors and exit doors. The basic changes in Chapter 33 have been the reformatting and separating the chapter into three sections entitled: "GENERAL", "OCCUPANT LOAD" and "EXITS REQUIRED."

The ordinance was placed on first reading at the meeting of March 15, 1983.

9. ORDINANCE 2028 ADOPTING UNIFORM FIRE CODE, 1982 EDITION, AND THE APPENDIX THERETO - SECOND READING AND ADOPTION (Director of Building and Housing)

The 1982 Edition shows an improvement over the 1979 Edition in terms of greater clarification overall. Significant changes have occured in the following areas: (1) Article 85 - this new article applies to the permanent or temporary use of electrical appliances, fixtures, motors or wiring; (2) Article 86 - this new article applies to both inside and outside storage of all pesticides in portable containers; (3) Appendix III-C - this appendix governs the requirements for the installation, use and maintenance of all fire alarm systems in all occupancies.

The ordinance was placed on first reading at the meeting of March 15, 1983.

10. ORDINANCE 2029 AMENDING SECTION 18.44.010 OF THE MUNICIPAL CODE RELATING TO THE ENFORCEMENT OF CONDITIONS, COVENANTS AND RESTRICTIONS - SECOND READING AND ADOPTION (City Attorney)

The amendment to the existing ordinance relates to the City's right of enforcement of conditions, covenants and restrictions limiting such right to enforcement of those matters which are within the purview of the public interest as opposed to private agreements that may be established between the party owners of subdivisions.

On February 1, 1983, the City Council approved the CC&Rs for Castle Park Townhomes in accordance with the request of the Veterans Administration, which had expressed opposition to the existing City requirements that the City be a party to any declaration of CC&Rs and have the same rights of enforcement as any owner within the subdivision. The Veterans Administration did not feel that such an authorization of enforcement to the City was consistent with the rights of those parties to whom they were lending money.

The ordinance was place on first reading at the meeting of March 15, 1983.

11. ORDINANCE 2030 AMENDING SECTION 5.06.020 OF THE MUNICIPAL CODE RELATING TO THE DOWNTOWN IMPROVEMENT DISTRICT FEE FOR BARBERS AND BEAUTICIANS - FIRST READING (City Attorney)

At their meeting of March 15, 1983, the City Council adopted the recommendation of staff to amend Ordinance No. 1964 and set a maximum assessment of $100 per business location for all barbers and beauticians in the Downtown Improvement District.

Mayor Cox referred to Item 11 asking whether there were any other classifications or categories that need to be studied. Director of Finance Grant stated that he met with representatives of the Downtown Association. They discussed whether any other groups felt discriminated against and no one requested any other clarifications.

MSUC(Cox/Moore) to direct staff to report back to the City Council concerning any other amendments that may be necessary to the Downtown Improvement District fee schedule as it relates to an equitable assessment.

End of Consent Calendar.

RESOLUTIONS AND ORDINANCES, FIRST READING

12. RESOLUTION 11190 AMENDMENT TO BONITA GLEN SPECIFIC PLAN SIGN REGULATIONS (Continued from 3/15/83 meeting) (Director of Planning)

Director of Planning Gray reported that on September 22, 1982, the Planning Commission recommended that the City Council amend the Bonita Glen Specific Plan sign regulations in accordance with Commission Resolution PCM-83-1, which established new criteria and standards for wall signs, monument signs and freestanding pole signs.

On November 16, 1982, the City Council discussion on the proposed sign regulations focused on the freeway oriented sign and staff believes it was their intent to adopt the new sign regulations as proposed by the Planning Commission and as revised by Council. For this reason, a new resolution replacing Resolution No. 11080 has been prepared which includes the adoption of Commission Resolution PCM-83-1 and as revised by Council.

Mr. Gene York, 160 Brightwood Street, Chula Vista, stated that the recommended change makes the ordinance considerablymore lenient than when first adopted. He asked that Council adopt the ordinance tonight or at a later date, but add a provision whereby a developer can make a request to present a sign program for his development similar to what you can do in the other commmercial zones in the city. This program can be approved by the zoning administrator rather than going back to the Planning Commission and Council.

Council discussion ensued regarding the "P" precise zone and its regulations, the specific plan adopted for this area and the variations to the specific plans when those sign standards would have to go back to the Planning Commission and Council.

Director of Planning Gray recommended that the resolution be adopted and that he and his staff will take a look at the proposal submitted by Mr. York.

RESOLUTION OFFERED BY COUNCILMAN MALCOLM, the reading of the text was waived by unanimous consent.

Councilwoman McCandliss stated that she could support the resolution but she is against item "c",in the staff report which has to do with the freeway oriented pole signs and she wishes to issue a protest on her vote for item "c".

The offer of the resolution passed by the following vote:

AYES:	Councilmembers Malcolm, Moore, McCandliss (protesting "c"), Cox
Noes:	Councilman Scott
Absent:	None

MSUC(Malcolm/Cox) to refer to staff Mr. York's proposal and then to report back to the Council at their convenience.

13. RESOLUTION 11191 DIRECTING THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA TO SELECT REDEVELOPMENT AREA BOUNDARIES AND PREPARE A PRELIMINARY PLAN FOR THE OTAY VALLEY ROAD REDEVELOPMENT SURVEY AREA (Community Development Director)

On January 13, 1983, the Chula Vista Redevelopment Agency designated the Otay Valley Road area as a Redevelopment Survey Area. On February 15, 1983, the City Council transferred Community Development Block Grant funds for costs associated with the redevelopment study.

California Community Redevelopment Law stipulates that the next significant step following designation of a Survey Area by the Redevelopment Agency is the study of the area by the Planning Commission, the Redevelopment Agency, and the Redevelopment Agency staff. If such a study concludes that significant reasons do indeed exist and should be addressed by Redevelopment activity, the Planning Commission, assisted by Agency staff, will select area boundaries and prepare a Preliminary Plan. The boundaries and the Preliminary Plan will then be submitted to the Redevelopment Agency for its approval.

OFFERED BY COUNCILMAN SCOTT, the reading of the text was waived by unanimous consent, passed and approved unanimously.

14. RESOLUTION 11192 GRANTING THE APPEAL OF THE PLANNING COMMISSION APPROVAL OF AN AMENDMENT TO THE BONITA GLEN SPECIFIC PLAN AND CONTINUING THE PROHIBITION AGAINST GAS STATIONS AND CAR WASHES

On March 15, 1983, the City Council heard the appeal of the prior Planning Commission approval of an amendment to the Bonita Glen Specific Plan which would have allowed gas stations and car washes to be added to the list of permitted uses.

The City Council decided in favor of the appellant and granted the appeal which in effect continued the exclusion of gas stations and car washes from the list of permitted uses in the Bonita Glen Specific Plan area.

RESOLUTION OFFERED BY COUNCILWOMAN McCANDLISS, the reading of the text was waived by unanimous consent.

The offer of the resolution passed by the following vote:

AYES: McCandliss, Scott, Moore

Noes: Cox, Malcolm

Absent: None

15. REPORT OF THE CITY MANAGER

a. City Manager Goss reported on the tragedy that occurred at the Golf Course yesterday, in which one of the City workers lost his life. He stated that there will be a risk-management investigation of this tragedy. Mr. Goss noted the hazard of the river going through the Golf Course noting that some motorists and young people are not heeding the warning signs and are trying to cross the waters. He issued a plea to everyone to take the greatest care here until the waters subside.

REPORTS OF CITY OFFICERS AND DEPARTMENT HEADS

16. REPORT COVERING CITY ORDINANCE THAT PROHIBITS ALCOHOLIC BEVERAGE CONSUMPTION IN THE "J" STREET MARINA AREA (Continued from 3/15/83 meeting) (Director of Public Safety)

In June 1981, Section 2.67.025 of the Municipal Code was enacted in order to prohibit the consumption of alcoholic beverages in the vicinity of the J Street Marina. In April of 1982 the life of this ordinance was extended for one year.

The Director of Public Safety reported that because of the many changes that have taken place in this area, the prohibition against drinking alcoholic beverages should be allowed to lapse on April 20, 1983. The Curfew Ordinance will remain and will provide sufficient control in this area.

At the Council meeting of March 15, 1983, this item was continued for one week to the meeting of March 22.

MS(Cox/Malcolm) to accept the staff recommendation.

Mr. Al Rodriguez, 516 Broadway, Suite A, Chula Vista, representing South Bay Recovery Centers, spoke against lifting the ban stating that there are now 1,000 Chula Vista residents that are in the alcoholic program and that many, if not most, of the arrests at the Marina are due to people drinking alcoholic beverages.

Councilman Malcolm said he was concerned with legislating morality in people and discussed the developments taking place in that area since the ordinance was put into effect. He felt it would be very difficult for the police to go down there and look over 600 boats to see if any alcoholic beverages were being consumed commenting that the jails could not hold that many people.

Councilwoman McCandliss supported the prohibition stating it is a tool that can be used to protect the citizens which is the primary concern of the Council.

MS (Cox/Malcolm) to support the staff recommendation (permit the ordinance to lapse as of April 20, 1983).

The motion carried by the following vote:

AYES:	Cox, Malcolm, Moore
Noes:	McCandliss, Scott
Absent:	None

17. REPORT STAFFING OF PARKS MAINTENANCE DIVISION (Director of Parks and Recreation)

Director of Parks and Recreation submitted a detailed written report in which he discussed the major elements of park maintenance requirements. He concluded that progress has been made in developing the systems necessary to measure Park Maintenance staffing requirements. Based on the analysis of data currently available, the following tentative conclusions have been reached:

(1) Maintenance functions are currently being performed at an acceptable level and frequency to allow for a sense of accomplishment by Park personnel and public satisfaction, except the installation and repair of irrigation equipment.

(2) One additional Maintenance Gardener I or equivalent staff support from City forces is required to adequately maintain the irrigation equipment.

MSUC (Moore/Malcolm) to accept the in-depth report. The City Council commended the staff of the Park and Recreation Department for an excellent report.

18. REPORT REQUEST TO PARTICIPATE IN FUNDING HELICOPTER (ASTREA) (Assistant City Manager)

On January 4, 1983, the City Council received a letter from the City of Poway asking that all cities consider contributing 20¢ per person, based on the population of their city, towards the purchase of one helicopter for the Sheriff's Department. The letter was referred to staff for a report on the fiscal impact of this request and a recommendation to the City Council. Members of the City Council raised the question of this City's participation from a legal perspective, in addition to its priority in terms of other City priorities.

In a detailed report the City Council, Assistant City Manager Asmus stated that dependent upon how many cities within the County agree to participate in the program, City costs would be approximately $17,000 to $20,000. If all cities and the County participated on a per capita basis, this City's cost would be approximately $17,200. He recommended that final decision of this request be deferred until budget deliberations.

MS (Scott/Moore) to hold this over until budget time.

Councilman Malcolm referred to the vote of the people of Chula Vista for the Astrea helicopter which was put on the ballot on November 2, 1982 stating that 60% voted for funding and 40% voted against the funding. He added that staff has pointed out to the Council that it has used the Astrea services many times and that it has been quite helpful and he would like to see some kind of approval given for it.

SUBSTITUTE MOTION. MS (Malcolm/Cox) to forward a letter to the appropriate people indicating Chula Vista's conceptual approval of the request depending on budgetary constraints.

Under discussion of the motion, Councilman Moore stated he would like to see more specific figures on exactly what it cost the City of Chula Vista for this service at the times it was requested. Councilman Scott indicated that the entire budget must be evaluated and measured before approval can be given to funding the helicopter - that the needs of Chula Vista must have the priority. He added that the Council should not approve this in concept - it would not be fair to Poway or to the city's budgetary process. Councilwoman McCandliss stated that there are five helicopters in the fleet. Chula Vista would not be cut out of the program if it did not contribute to this.

Councilman Malcolm withdrew his motion; Mayor Cox agreed to withdraw the second.

SUBSTITUTE MOTION. MSUC (Cox/Scott) to write a letter to the City of Poway commending them on their interest to secure a new helicopter for the Sheriff's Department and informing them that this City will give it serious consideration at the time it deals with the budget for next year.

19. MAYOR'S REPORT

a. Mayor Cox commented on the signing for the legislative offices stating that he would like to see signs more consistent with that of the Civic Center and would like to see this reconsidered at budget time.

MSUC (Cox/Scott) to consider this item at budget time - for a more consistent signing with the Civic Center to get a cost breakdown.

b. MSUC (Cox/McCandliss) for a Closed Session at the end of the meeting for matters of personnel.

c. MSUC (Cox/Scott) to refer to the legislative committee SB 48 (lowering utility hook-up fees).

d. Mayor Cox reminded the City Council of the 11th Annual City Awards Banquet which will be held on Thursday, March 31, and stated that they should call in their reservations before March 24.

20. COUNCIL COMMENTS

a. Councilwoman McCandliss stated that two years ago the city staff had submitted a questionnaire to all departments on which they listed their budgetary programs. The Council then prioritized the programs relative to the budgetary financial picture. She asked that this program be resurrected this year.

MS (McCandliss/Moore) that the questionnaire be resurrected and redistributed to the City Council.

Under discussion of the motion, Councilman Scott felt that the new City Manager should direct the way he would like to have the budgetary program submitted to the Council and not go along with another City Manager's recommendation. If he feels it appropriate to instigate this program, he can do so.

The motion failed by the following vote:

AYES: McCandliss, Malcolm

Noes: Cox, Scott, Moore,

Absent: None

b. Councilman Moore reminded the Council of the Promotion Coalition Committee meeting on Thursday, March 24 at 7:00 p.m.

c. Councilman Moore discussed the split vote of the City Council on the request of Hartson's Ambulance Service.

MSUC(Moore/Scott) for staff to obtain data if available and advise the Council if it is not after a six-month period of time and see if the Council can justify its concerns for either of the split vote.

The Council recessed to Closed Session at 8:55 p.m. The City Clerk was excused; the City Manager reported the meeting ended at 9:20 p.m.

ADJOURNMENT at 9:20 p.m. to the meeting scheduled for Thursday, March 24, 1983 at 4:00 p.m. to the Council Conference schedule for Tuesday, March 29, at 7:00 p.m. and to the regular meeting scheduled for Tuesday, April 5, 1983 at 7:00 p.m.

WPC:0274C
PAG

Jennie M. Fulasz

JENNIE M. FULASZ, CMC
City Clerk

RESOLUTION NO. 11462

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENT TO THE BONITA GLEN SPECIFIC PLAN SIGN REGULATIONS

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, the City Council has previously directed the Planning Commission to consider the amendment of the Bonita Glen Specific Plan sign regulations to include the Planned Signing Program provisions of the Municipal Code, and

WHEREAS, the Planning Commission, at its meeting of October 26, 1983, considered this matter and unanimously recommended that the City Council adopt a resolution amending the Bonita Glen Specific Plan sign regulations to include the Planned Signing Program provisions of the Municipal Code, and

WHEREAS, the adoption of the Planned Signing Program will allow for flexibility and creativity in signing subject to City approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby approve the inclusion of the Planned Signing Program as contained in Sections 19.60.490 through 19.60.520 of the Municipal Code within the Bonita Glen Specific Plan area.

Presented by

Bud Gray, Director of Planning

Approved as to form by

Thomas J. Harron, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, this 22nd day of November 19 83, by the following vote, to-wit:

AYES: Councilmen Moore, McCandliss, Malcolm, Cox

NAYES: Councilmen Scott

ABSTAIN: Councilmen None

ABSENT: Councilmen None

Gregory R. Cox
Mayor of the City of Chula Vista

ATTEST: Jennie M Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 11462, and that the same has not been amended or repealed.

DATED _____

(seal)

City Clerk

CC-660

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF CHULA VISTA, CALIFORNIA

Tuesday, November 22, 1983
7:00 p.m.

Council Chamber
Public Services Building

ROLL CALL

Councilmembers present:	Mayor Cox, Councilmembers Scott, Moore, McCandliss, Malcolm
Councilmembers absent:	None
Staff present:	City Manager Goss, City Attorney Harron, Assistant City Manager Asmus

PLEDGE OF ALLEGIANCE, SILENT PRAYER

The Pledge of Allegiance to the Flag was led by Mayor Cox followed by a moment of silent prayer.

1. APPROVAL OF THE MINUTES OF NOVEMBER 10, 1983

MSUC (McCandliss/Cox) to approve the minutes.

2. SPECIAL ORDERS OF THE DAY

Mayor Pat Callahan, City of Coronado, requested Council to direct their representative on the Port District to take favorable action concerning Coronado's request to the San Diego Unified Port District Commissioner for resubmission to the Coastal Commission of Coronado's Port Master Plan Amendment for Planning District 6 (Coronado Bayfront).

MSUC (Cox/Scott) to consider the request of Mayor Callahan as a unanimous consent item.

RESOLUTION 11461 EXPRESSING THE SUPPORT OF THE SAN DIEGO UNIFIED PORT DISTRICT PLAN AMENDMENT FOR PLANNING DISTRICT "C" (CORONADO BAYFRONT) URGING ITS RESUBMITTAL

RESOLUTION OFFERED BY MAYOR COX, the reading of the text was waived by unanimous consent, passed and approved unanimously.

Councilman Scott expressed his concern with considering this item prior to discussing it with Chula Vista's Port Commissioner. He voted in favor of the resolution because of the time element.

3. WRITTEN COMMUNICATIONS

a. CLAIMS AGAINST THE CITY

Dean Stillwell
815 Stanford Avenue
Chula Vista, CA 92010

A claim was filed in the amount of $110,000 for general damages, medical expenses, and property damage which resulted when he was struck by a car while riding his motorcycle at the Bonita Vista High School parking lot. Carl Warren and Company and the risk management staff recommended Council reject this claim.

T & D Transfer & Storage
1822 Main Street
San Diego, CA 92113

A claim was filed in the amount of $14,087. The claim alleges that a City tree limb knocked the exhaust off of the trailer rig and put holes in the trailer and eleven days later, while carrying cargo from Oceanside to San Diego, the trailer and all of its contents caught fire. Carl Warren and Company and the risk management staff recommended this claim be rejected by Council.

MSUC (Malcolm/Moore) to deny the claims.

b. REQUEST RESUBMITTAL OF THEIR SETTLEMENT PROPOSAL (Outdoor Advertising) (Gannett Outdoor Co., Inc.)

Gannett Outdoor Co., Inc., and Foster and Kleiser requested resubmission of their settlement proposal. Since the present MTDB rail alignment will move some 1,000 feet east of the existing roadbed at a point about 850 feet north of "E" Street, their proposal will be for two painted bulletins north of "E" Street and one painted bulletin just south of "H" Street.

As an inducement to the City, the Industry will make one face of the three structures available for the City's use for a maximum of six months per year and further City use if a fourth location is approved by the State of California Outdoor Advertising Division.

MSUC (Moore/McCandliss) to refer this item to staff to be brought back at the December 6, 1983 meeting.

PUBLIC HEARINGS AND RELATED RESOLUTIONS AND ORDINANCES

4. PUBLIC HEARING CONSIDERATION OF PROPOSED AMENDMENTS TO TITLE 19 OF THE MUNICIPAL CODE TO ALLOW ACCESSORY DWELLING UNITS BY CONDITIONAL USE PERMIT WITHIN SINGLE FAMILY RESIDENTIAL ZONES (Director of Planning)

a. ORDINANCE — ADDING SECTION 19.04.087, AMENDING SECTIONS 19.14.030A, 19.22.040, 19.24.040, AND 19.62.050, SUBSECTION 9, OF TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE TO ALLOW ACCESSORY DWELLING UNITS BY CONDITIONAL USE PERMIT WITHIN SINGLE FAMILY RESIDENTIAL ZONES - FIRST READING

This being the time and place as advertised, Mayor Cox opened the public hearing.

Director of Planning Gray explained that Council, on September 27, 1983, unanimously endorsed the City's existing "Dwelling Group" zoning ordinance provisions at Chula Vista's local compliance with Senate Bill 1534, and referred an "Accessory Dwelling Unit" ordinance to the Planning Commission for public hearing and recommendatory action. On October 26, 1983, the Planning Commission recommended Council adopt a modified form of the proposed accessory unit ordinance which does not require either an additional off-street parking space or attachment of the accessory unit to the primary dwelling.

The staff is recommending the proposed dwelling unit ordinance based on the view that accessory units represent a new and untested approach to affordable housing in California, and one which presents a very real potential to be a disruptive and unwelcome addition to the single family zone. This view holds that a more restrictive, protective ordinance can always be relaxed in the future if experience proves certain requirements to be unnecessary.

An additional option open to Council is to reject the accessory unit concept altogether or to defer action until some future date when some practical insight can be gained from the experience of other jurisdictions with this new form of housing. The City is under no obligation to take any further action in regard to SB 1534.

In answer to Council's questions, Director Gray noted the cities in the County who have adopted the Granny Flats ordinance and those who have rejected it; the off-street parking requirements; and having the detached units submitted to the Design Review Committee for architectural compatability. Mr. Gray added he is recommending Council delegate that task to the Zoning Administrator with a right of appeal to the Planning Commission and Council

Speaking in favor of the ordinance was Dawn Schmid, 538 "J" Street, Larry Granfield, 317 Hilltop Drive, Anne Fabrick, 501-2 Anita Street, Eileen Skelly, 239 Fifth Avenue, Maggie Helton, 162 Mankato Street, and Christine Culver, 191 Corte Maria. Their comments were as follows: (1) the Commission on Aging is in support of the ordinace; (2) have the option of either attached or detached units; (3) this is a way of keeping family units together by having mothers live with the families; (4) the Council has complete control over the ordinance; (5) there are a number of illegal units now existing in the City; (6) questioned the enforcement of the ordinance; (7) by limiting it to "attached units" the present structure of the homes could be destroyed; (8) there should be no extra requirement for parking spaces as most residences in the City now have three or four cars; (9) the Homeowner's Association in the Corte Maria area are all in favor of the ordinance.

Speaking against the ordinance were Quay Collicott, 827 Woodlawn Avenue, Bob Norman, 908 Mission Avenue, Henry Kohler, 1547-222 Sonora Drive, and Bess Pocklington, 656 Glover Place. There comments were: (1) it would destroy the residential sections of the City; (2) a recommendation to adopt the planning staff's ordinance rather than the Planning Commission; (3) it would tax the utility services and cut down on tax services; (4) other people than seniors could be living in the units; (5) off-street parking should definitely be required; (6) it will become just another rental unit; (7) people of any age will be able to live in these units, not only "Grannys"; (8) the Council already has a group dwelling ordinance; (9) the present ordinance is not a viable one; (10) the number of people living in the units cannot be controlled.

There being no further comment either for or against, the hearing was declared closed.

Mayor Cox questioned whether the conditional use permits would come before the Council for action. Director Gray said it was not proposed in the ordinance. The staff is recommending this be handled by the Zoning Administrator.

Council discussion ensued regarding the violations to the ordinance; the permits will be numbered and monitored and annual inspections would be made; the ordinance would provide for an annual certification by the property owner that he or she is complying with the conditional use permit; the decision of the Zoning Administrator can be appealed to the Planning Commission and Council; there is a cost involved to the applicant; problems with enforcing the ordinance as to the age requirement and the number of people living in the unit; the State Realty Board has expressed its concerns regarding the enforcement of the ordinance; a great number of R-1 zones in the City now have CC&R's that prohibit this type of construction.

Councilman Malcolm indicated his concern with the enforcement of the regulations of the ordinance noting that although the family structure is one of the most important assets today he cannot support this particular ordinance; indicating it would have a detrimental effect on Chula Vista.

Councilman Moore agreed noting once the home is sold one year after the death of the parent there is a question of whether it would become a rental or have to be deleted.

Councilwoman McCandliss noted the way the system is now set up in the City it cannot offer the protection to the people who are ~~proposing~~ opposing the ordinance. If there was further control such as limiting the number of units to one per lot or one per acre in order to mitigate the impact of the neighborhood she could support this. However, this is not one the City can experiment with. Councilwoman McCandliss added the applications should be coming to the Council rather than the Zoning Administrator. see minutes of 12-6-83

MS (Scott/Moore) not to pass the Granny Flats ordinance and that the City stays as it unanimously voted on it September. Also to bring this back in one year to have additional time to see how other communities are handling it and to get more background information.

Councilman Moore questioned the time element of one year indicating it would not make that much difference in the program. Councilman Malcolm commented that he hoped the people asking for passage of the ordinance would talk to their legislators to see if some State law can be passed regarding the age factor and the number of people who could live in these units. If there are those adequate controls, then he would be in a better position to support it. Councilman Moore noted when a person sells their home with the unit attached and a new homeowner comes, he will probably rent it. A change in ownership will change the usage of those units.

The motion not to pass the ordinance carried with Councilman Moore voting "no".

5. PUBLIC HEARING — AMENDMENT TO THE BONITA GLEN SPECIFIC PLAN SIGN REGULATIONS (Director of Planning)

a. RESOLUTION 11462 — APPROVING AMENDMENT TO THE BONITA GLEN SPECIFIC PLAN SIGN REGULATIONS

This being the time and place as advertised, Mayor Cox opened the public hearing.

Principal Planner Lee reported that this item involves a proposed amendment to the Bonita Glen Specific Plan sign regulations by including the Planned Signing Program provisions of the Municipal Code as part of the Specific Plan. The project is exempt from environmental review as a Class 11(a) exemption.

On October 26, 1983, the Planning Commission unanimously recommended the adoption of the amendment to the sign regulations in accordance with their Resolution PCM-84-5.

The Director of Planning reports since the Planned Signing Program is a voluntary and optional procedure and does not permit deviations from the basic sign regulations, it offers flexibility to the design-conscious developer. It is not a "give away" procedure and can sometimes be more restrictive, but it does allow creativity in design and innovative use of signs. For these reasons, the staff supports an amendment incorporating the Planned Signing Program provision into the Specific Plan text.

Mr. Lee further commented on the Planning Commission's recommendation that the Council does not adopt the staff recommendation, but instead adopt a resolution establishing a procedure to forward Planning Commission action on all conditional use permits to the City Council which shall have the option of holding a public hearing on the matter.

There being no comments either for or against, the hearing was declared closed.

RESOLUTION OFFERED BY COUNCILMAN MOORE, the reading of the text was waived by unanimous consent.

In answer to Councilman Scott's query, Principal Planner Lee declared the ordinance does not make the sign regulations any more or less lenient than presently existing, it just provides another option.

The resolution passed with the following vote to wit:

AYES Cox, Malcolm, Moore, McCandliss

NOES Scott

ABSENT None

6. PUBLIC HEARING CONSIDERATION OF PROPOSED AMENDMENT TO CHAPTER 19.54 REQUIRING CITY COUNCIL APPROVAL OF UNCLASSIFIED USES (Director of Planning)

a. ORDINANCE 2054 AMENDING SECTION 19.54.020 OF CHAPTER 19.54 OF THE CHULA VISTA MUNICIPAL CODE REQUIRING CITY COUNCIL APPROVAL OF UNCLASSIFIED USES - FIRST READING

This being the time and place as advertised, Mayor Cox opened the public hearing.

Principal Planner Lee explained that on September 27, 1983, the City Council directed the staff to prepare an amendment to Chapter 19.54, Unclassified Uses, which would require City Council approval for those uses which have a Citywide impact or involve hazardous materials. The proposed amendment is not a project as defined by CEQA.

On October 26. 1983, the Planning Commission recommended Council not to adopt the staff recommendation, but instead adopt a resolution establishing a procedure to forward Planning Commission action on all conditional use permits to the City Council which shall have the option of holding a public hearing on the matter.

The staff's recommendation provides for Council action on all unclassified conditional use permits approved by the Planning Commission.

In answer to Councils questions, Principal Planner Lee noted the City of National City requires Planning Commission approval of these uses; however, it refers all applications to the City Council who have the option of appealing the matter to themselves within a given period of time. If it is not appealed then the decision of that Planning Commission becomes final. Council discussion followed regarding the various types of uses; the appeal process; time element in going to the Council and the cost in going to the applicant; notification to the people involved; the requirement for the 4/5's vote of the Council to override a Planning Commission decision; and the suggestion to defer this matter until the Booz/Allen/Hamilton report is reviewed; the number of uses listed that have come before the Planning Commission in the last five years.

Larry McKenna, 1347 Mt. View Lane, speaking for the Citizen's Action network questioned having hazardous waste and toxic materials come to the Council. He asked that the amendment include the provision for the unclassified uses covering the hazardous materials. Principal Planner Lee explained that the land uses involved in hazardous waste materials are uses that pose a hazardous potential, are classified presently as heavy industrial uses and are permitted only in the "I" General Industrial Zone subject to an approval of a conditional use permit by the Planning Commission.

There being no further comments either for or against, the hearing was declared closed.

MSUC (Scott/Malcolm) to accept the staff recommendation and place the ordinance on its first reading, the reading of the text was waived by unanimous consent, passed and approved unanimously.

In answer to the Council's query, Principal Planner Lee stated that any application involving hazardous waste materials would automatically be forwarded to the City Council.

7. PUBLIC HEARING CONSIDERATION OF PRESENT UTILITY USERS TAX RATES (Director of Finance)

This being the time and place as advertised, Mayor Cox opened the public hearing.

Director of Finance Grant reported that City Ordinance 1803 was approved and adopted by the City Council on June 29, 1978, requires the Council to review the Utility User's tax rate mid-year and also at the public hearing adopting the annual budget.

The Director of Finance reported the purpose and intent of Ordinance 1803 is to provide sufficient utility user's taxes to ensure a reasonable level of revenue for the necessary operation of the City. Additionally, the City Council wishes to retain the program of basing the taxation of gas and electricity on units of energy thus protecting taxpayers from increases in the tax brought about by rate increases granted by the Public Utilities Commission. Based on his analysis, he is recommending Council maintain the present rate.

Mr. Grant stated the estimated Utility Users Taxes for the Fiscal Year 1982-83 were $1,450,000. The actual collections were $1,444,029 or 99.5% of the estimate. The budget estimate for 1983-84 is $1,520,000 based on the present tax rates on telephone of 5% and consumption factors of .0025 for electricity and .00919 for gas. Mr. Grant added that the divestiture of the telephone operations on January 1, 1984 will have an impact on the utility users monthly tax payments from Pacific Telephone and Telegraph. It is estimated the monthly payments will drop approximately $4,000 per month, however, the decrease would be offset by the new companies that would be operating the system and the proposed rate increase.

In answer to Council's query, Mr. Grant explained that senior citizen rebates would currently stay at $12 per year for each eligible household. Further, the Chamber of Commerce has not been able to develop any feasible method to determine the high energy extensive users who might qualify.

There being no further comments either for or against, the hearing was declared closed.

MSC (Scott/Moore) to accept the staff recommendation and maintain the rate (Councilman Malcolm was absent from the dais at this time).

ORAL COMMUNICATIONS

a. Quay Collicott, 827 Woodlawn Avenue, Chula Vista, questioned when the staff study would be coming back to the Council on the regulation to prohibit customers opening containers in stores. Assistant City Manager Asmus stated he will have a report to the Council on December 6.

CONSENT CALENDAR(Items 9-12)

MSUC (Cox/McCandliss) to accept and approve the Consent Calendar. (Councilman Malcolm was absent from the dais at this time).

All matters listed under Consent Calendar are considered to be routine by the Council and will all be enacted by one motion in the form listed below. There will be no separate discussion of said items unless good cause is shown prior to the time the Council votes on the motion to adopt.

9. RESOLUTION 11463 CALLING FOR SOLUTIONS TO THE UNITED STATES/MEXICAN BORDER SEWER CONTAMINATION (Director of Public Safety)

The Unified San Diego County Emergency Services Organization, on behalf of the Unified Disaster Council, requested Chula Vista to join other member cities in calling for solutions to the serious sewage contamination occurring in the South Bay. This contamination flows from areas south of the U.S. - Mexican border affecting the health and economic well-being of the South Bay region.

10. RESOLUTION 11464 APPROVING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF NATIONAL CITY FOR USE OF CHULA VISTA ANIMAL SHELTER SERVICES (Director of Public Safety)

The agreement with National City to provide Chula Vista animal shelter services expired on June 30, 1983. Since any increase in charges for these services was to be based upon salary increases approved for shelter employees, renewal of the agreement for another year was delayed pending salary negotiations. Services were provided in the interim, subject to the renegotiated fee schedule.

The shelter employees received a 4.9% pay increase and a 1% Public Employees Retirement System contribution by the City. Accordingly, it was proposed the present $1,300 monthly fee be increased by 5.9% to $1,377, retroactive to July 1, 1983.

11. RESOLUTION 11465 ACCEPTING BIDS AND AWARDING CONTRACT FOR OVERLAY OF CLAIRE AVENUE FROM SHASTA STREET TO "I" STREET AND STORM DRAIN IMPROVEMENTS IN THE CITY OF CHULA VISTA (City Engineer)

On November 9, 1983, the City Engineer received the bids for the work to be done which consists of the placement of pavement overlay and installation of storm drain facilities.

The recommendation is that Council authorize the expenditure of $34,200 for Pavement Overlay, Claire Avenue from "I" Street to Mankato and approve resolution accepting bids and awarding contract to A-C Co., Inc. - San Diego in the amount of $32,032.36 (low bidder).

12. RESOLUTION 11466 ESTABLISHING THE DATE FOR THE REMOVAL OF POLES AND OVERHEAD FACILITIES WITHIN UNDERGROUND UTILITY DISTRICT NO. 115 ALONG "L" STREET FROM COLORADO AVENUE TO BROADWAY (City Engineer)

City Council on September 27, 1983, by Resolution No. 11392, established the underground utility district on "L" Street from Colorado Avenue to Broadway in accordance with Section 15.32.150 of the Chula Vista Municipal Code. City Council Resolution No. 11392 states that the City Council shall by subsequent resolution fix the date on which the poles, overhead wires and associated structures are to be removed.

The recommendation is that Council set April 1, 1984, as the date for poles, overhead wires, and associated structures to be removed within Underground Utility District No. 115 on "L" Street from Colorado Avenue to Broadway.

End of Consent Calendar

RESOLUTIONS AND ORDINANCES, FIRST READING

13. RESOLUTION 11467 APPROVING CHANGE ORDER FOR THE TOWN CENTRE PARKING STRUCTURE (Director of Building and Housing)

On December 21, 1982, the Redevelopment Agency awarded a contract to C. E. Wylie Construction Company in the amount of $2,468,000 to construct the Town Centre Parking Structure. As a result of the bond issue to underwrite the construction, the City Council took over the responsibility to oversee the parking structure construction and subsequent use. Now the structure is being built and there are several changes that are determined necessary to the ultimate goal of a well-structured facility.

The recommendation is that Council approve the Change Orders 17, 18, 20, and 22 in the amount of $13,888.

RESOLUTION OFFERED BY COUNCILMAN MOORE, the reading of the text was waived by unanimous consent passed and approved with Councilmen Scott and Malcolm being absent from the dais.

MSUC (Moore/McCandliss) to refer this item to the City Attorney for potential liability of claim (Councilman Scott was absent from the dais).

14. RESOLUTION 11468 ACCEPTING BIDS AND AWARDING CONTRACT FOR RENOVATION OF PARKWAY GYM AND POOL, AND APPROPRIATING FUNDS THEREFOR (City Engineer/Director of Parks and Recreation)

On October 5, 1983, the City Engineer received sealed bids for the contract which consists of extensive renovation for the pool and gym. The recommendation is that Council authorize the:

(1) Transfer from the established and approved Capital Improvement accounts to the Renovation of Parkway Gym and Pool account ($122,689.20).

(2) Appropriation of the $152,533.77 from the unappropriated balance in Park Acquisition and Development funds to the Renovation of Parkway Gym and Pool account.

(3) Appropriation of $50,161.03 from the unappropriated balance in Residential Construction Tax to the Renovation of Parkway Gym and Pool account.

(4) Acceptance of all bids and award of contract to low bidder, O'Neill and Perry Construction Co., Chula Vista, in the amount of $295,804 and approve expenditures of $325,384 which includes a 10% contingency.

Councilman Malcolm questioned having only two bidders on this item and suggested perhaps the staff rebid the item noting when this was done previously on another item the response was excellent.

City Engineer Lippitt explained that 13% over the architect's estimate is a good bid as considered by both the architect and the Director of Building and Housing. He felt nothing would be gained by readvertising the project. Councilman Moore expressed his concern regarding the figures in cost estimates as listed in the staff report stating they were quite confusing.

RESOLUTION OFFERED BY COUNCILWOMAN McCANDLISS, reading of the text was waived by unanimous consent, passed and approved with Councilman Malcolm voting "no".

MSUC (McCandliss/Moore) to refer to budget time for discussion of the idea of having identification cards for residents who use the gymnasium.

15a. REPORT 1983 CHRISTMAS TREE LIGHTING CEREMONY (Director of Parks and Recreation)

b. RESOLUTION 11469 APPROVING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND UNION ICE COMPANY TO PROVIDE SNOW AND HOLDING UNION ICE COMPANY HARMLESS

The City will conduct its annual Christmas Tree Lighting Ceremony in the Civic Center Plaza at 7:00 p.m., Thursday, December 8, 1983.

The recommendation is to approve the agreement with Union Ice for the snow.

MSUC (Moore/Malcolm) to accept the report.

RESOLUTION OFFERED BY COUNCILMAN MOORE, the reading of the text was waived by unanimous consent, passed and approved unanimously. (Councilwoman McCandliss was absent from the Dais at this time).

16a. REPORT — PROPOSED OPEN SPACE MAINTENANCE DISTRICT NO. 11, HIDDEN VISTA VILLAGE (Terra Nova)(City Engineer)

16b. RESOLUTION 11470 — APPROVING PRELIMINARY REPORT AND DECLARING INTENTION TO FORM OPEN SPACE MAINTENANCE DISTRICT NO. 11

The report provides the necessary background information to enable Council to initiate formation of an Open Space Maintenance District within Hidden Vista Village. It is contemplated that the open space areas adjacent to the condominium developments within Hidden Vista Village will be maintained by their respective Homeowners Association. Specific issues examined in the report are the requirement for the proposed district and conformance by the petitioner with the criteria contained in the Municipal Code for establishing Open Space Maintenance Districts.

The recommendation is that Council:

(1) Declare the Council's intention to form the proposed district in accordance with Section 17.08.160 of the Municipal Code.

(2) Set December 13, 1983, at 7:00 p.m. in the Council Chambers as the date and time for a public hearing to consider the proposed formation of Open Space Maintenance District No. 11.

(3) Direct the City Clerk to advertise the public hearing and mail notices of the hearing to affected persons.

Councilman Moore noted some time ago the Council directed staff to meet with the Homeowner's Association prior to the beginning of these projects and questioned why staff has not done this in this case.

MS (Moore/McCandliss) to refer this back to staff to obtain the input such as this and resubmit.

Mayor Cox noted the action before the Council tonight is just to set the matter for a public hearing on December 13. He expressed concern regarding the time elements. Councilman Moore indicated he would accept a staff report on the 13th.

Ken Baumgartner, representing McMillan Construction Company, 2727 Hoover Avenue, National City, asked the Council to include the following areas, Lots "S", "T", and Parcel 3 of Parcel Map 12836. City Engineer Lippitt stated the Council has a revised ordinance and these areas have been included in both the ordianance and the public hearing notification. Mr. Baumgartner added McMillan Company has been working since April with the City's landscape architect on the type of landscaping in this area so the City will take over the eventual maintenance. They have received excellent cooperation from City staff.

MSUC (McCandliss/Malcolm) to accept the recommendations of the report.

RESOLUTION OFFERED BY COUNCILWOMAN McCANDLISS, the reading of the text was waived by unanimous consent, passed and approved unanimously.

17a. RESOLUTION 11471 WAIVING BIDDING PROCEDURE FOR SALE OF CITY PROPERTY (City Engineer)

b. RESOLUTION 11472 ACCEPTING OFFER OF SALE OF CITY OWNED PROPERTY TO FINANCIAL SCENE

When the final map for Hidden Vista Village was approved, the City acquired ownership of Lot 319 of that subdivision for use as a site for relocation of Fire Station No. 2. Subsequently, use of that site was abandoned in favor of a location with better access and less potential for disturbing neighbors.

The recommendation is that Council:

(1) Waive the City Code requirement to follow the bidding procedure for sale of these lots on the basis of special circumstances as listed herein.

(2) Accept the offer of $35,000 per lot and sell the subject lots to Financial Scene for development along with adjacent property.

RESOLUTIONS OFFERED BY MAYOR COX, the readings of the texts were waived by unanimous consent, passed and approved unanimously.

Councilman Malcolm commented that the land is worth far more than the offer of $35,000 per lot; however, because the City received the land as a "gift" he has voted for the resolution.

18. RESOLUTION 11473 APPROPRIATING FUNDS FOR THE DESIGN, INSPECTION, AND SOIL TESTS REQUIRED FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS ALONG TELEGRAPH CANYON ROAD ADJACENT TO CHULA VISTA ELKS LODGE PROPERTY (City Engineer)

At the meeting of July 12, 1983, City Council approved a report outlining those measures which the City would take to assist the Elks Lodge in constructing their public improvements along Telegraph Canyon Road.

The recommendation is that Council:

(1) Appropriate $8,500 from the unappropriated reserves of the Gas Tax funds and transfer to Account 250-2501-GT169 - Telegraph Canyon Road Improvements Adjacent to Elks Lodge.

(2) Authorize the City Engineer to engage the services of Shepardson Engineering Associates, Inc. to obtain soil tests.

RESOLUTION OFFERED BY COUNCILMAN MOORE, the reading of the text was waived by unanimous consent, passed and approved unanimously.

19a. RESOLUTION 11474 APPROVING MAP OF CHULA VISTA TRACT 81-5, EUCALYPTUS RIDGE, ACCEPTING ON BEHALF OF THE CITY OF CHULA VISTA THE EASEMENTS GRANTED ON SAID MAP WITHIN SAID SUBDIVISION, AND APPROVING AGREEMENT FOR THE COMPLETION OF IMPROVEMENTS REQUIRED BY SAID SUBDIVISION (City Engineer)

b. RESOLUTION 11475 APPROVING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND ADMA, INC. FOR PAYMENT OF A PRO-RATA SHARE OF MAINTENANCE AND OPERATION COSTS OF SEWER PUMP STATION SERVING CHULA VISTA TRACT 81-5 AND HOLDING THE CITY HARMLESS FROM ANY LIABILITY FROM FAILURE OF SAID PUMP STATION

Councilman Malcolm questioned Item No. 19b regarding the hold harmless agreement. City Attorney Harron stated that generally the agreements run with the land; however, a clause could be put in referring this to the successors of the land.

MSUC (Malcolm/McCandliss) to amend 19b as recommended by the City Attorney.

c. RESOLUTION 11476 ACCEPTING GRANTS OF EASEMENTS FROM EL RANCHO DEL REY, A CORPORATION, FOR SEWER AND DRAINAGE PURPOSES

d. RESOLUTION 11477 AMENDING CONDITION 9 OF RESOLUTION 10439 CONCERNING PARTICIPATION IN THE RICE CANYON SEWER

Councilman Moore questioned the driveways as listed in the subdivision would eventually become public streets and a request would be made to the City to take over its maintenance. City Engineer submitted a rendering of the proposed subdivision showing the private driveways. He noted it was not designed as a street, he noted it was designed as driveways and has not been dedicated to the City.

On April 22, 1981, by Resolution 10439, Council approved the Tentative Map for Chula Vista Tract 81-5 Bonita Crest (now Eucalyptus Ridge). The Final Map is now before Council for approval.

The development consists of 60 new condominiums on three lots. Approval of the Final Map includes acceptance of a street tree maintenance easement along East "H" Street and sewer, drainage, access and utility easements within the subdivision.

On July 26, 1982, the El Rancho Del Rey Corporation executed documents to grant a drainage and sewer easement to the City. These easements are required for offsite public facilities being installed by the developer (ADMA Company).

Condition 9 of Resolution 10439 will be revised as follows:

> "The developer shall contribute toward the construction of Rice Canyon Sewer as determined by the City Engineer prior to issuance of a building permit."

RESOLUTIONS OFFERED BY COUNCILMAN MALCOLM, the reading of the texts were waived by unanimous consent, passed and approved unanimously.

CONTINUED MATTERS AND SECOND READING OF ORDINANCES

20a. REPORT — COX CABLE TV, INC. RATE INCREASE (Director of Finance)

b. RESOLUTION 11478 — AMENDING RESOLUTION NO. 11220 AND APPROVING RATE INCREASES IN SECONDARY SERVICES FOR COX CABLE TELEVISION, SAN DIEGO (Continued from the meeting of November 15, 1983)

Director of Finance expressed concern at the last meeting that the rate study for Cox Cable TV, Inc. did not address the total company operations and was limited in scope to the request for an increase in secondary services only.

In the report to Council on November 15, 1983, staff concluded the requested rates for secondary services were appropriate and recommended approval. However, as a result of the additional concern, staff has calculated the impact that the requested increase in secondary services would have had on the rate study completed on April 12, 1983. This has been revised to reflect the full impact of a rate increase on all primary and secondary services, revenues, and expenses. After analysis, staff concluded the requested rates for secondary services seem justified even when included as part of total company operations and recommends approval.

Mr. Grant declared when the City of San Diego completed their rate study on all the operations in April, the City did the same. At that time, San Diego County Cable approved the rate increase. Therefore, at that time, Mr. Grant stated he started to zero in on just the secondary services. In referring to a rate schedule chart submitted to the Council, Mr. Grant explained the 5% increase in expenses except for the franchise taxes that are based on revenue. He further explained that the 5% is a reasonable return and it included the secondary services which is still within the ballpark of a rate increase which he can support.

In answer to Councilman Scott's question, Mr. Grant stated the City collects no revenues from services such as HBO. Councilwoman McCandliss discussed the rate increase for the 12 month period noting the return on net assets was 4.2% for 12 months basic service increase only going to 4.8% for 12 months full rates - a 5% increase in the expenses. She added that given the rate increase that is anticipated there would be a drop in the revenues. She felt the City was being nickel and dimed on the rate increases and questioned the figures presented in the report. She further questioned the fluctuation in the cable services and the request for the rate increase at this time. Mr. Grant responded that the Cable Company should have asked for the rate increase back in April rather than come back to the Council for the secondary services rate increase now.

City Manager Goss in answer to Council's questions, stated the negotiations are now in process with the Cable Company and it may be a matter of about three months before it comes to Council.

MS (McCandliss/Scott) not to approve the rate increase.

Council discussion on the motion followed with Councilman Moore indicating he could not support the motion. The data from the staff is correct and the rate is one he cannot support. Councilman Moore noted that the Cable company does not have to be regulated. Mayor Cox stated he had the same concerns with the motion, as a public body the Council has the obligation to regulate the service to a certain degree. He added that the reason for deregulation of the Cable service was because most cities are precluding a rate of fair return.

Councilwoman McCandliss declared the Council has been given the responsibility to ~~de~~regulate the rates; therefore, they have this responsibility to the community. In this particular instance they are dealing with the San Diego City figures which do not allow them to work with units of service. The motion failed by the following vote to wit:

AYES:	McCandliss, Scott
NOES	Malcolm, Cox, Moore
ABSTAIN:	None

MS (Cox/Moore) to accept the report. The motion carried with Councilman Scott and Councilwoman McCandliss voting "no".

RESOLUTION OFFERED BY MAYOR COX, the reading of text was waived by unanimous consent passed and approved with Councilman Scott and Councilwoman McCandliss voting "no".

21. ORDINANCE 2053 AMENDING TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE BY ADDING THERETO A NEW SECTION 19.04.013 AND AMENDING SECTION 19.58.040, ALL RELATING TO AMUSEMENT FACILITIES AND GAMES - SECOND READING AND ADOPTION (Director of Planning)

On November 15, 1983, the ordinance was placed on first reading. The original ordinance was amended to:

(1) Allow children to play during school hours when accompanied by an adult 21 years of age or older; and

(2) Definition for "normal school hours".

(3) Established regulation of 3 or fewer video game machines.

MSUC (McCandliss/Cox) to place the ordinance on second reading and adoption. The reading of the text was waived by unanimous consent passed and approved unanimously.

22. REPORT OF THE CITY MANAGER

a. City Manager Goss announced the retirement of Gordon Grant on December 30, 1983. He noted that Mr. Grant has been the Director of Finance for the City since 1949 and wished him well in his retirement. The Council also extended their best wishes to the Director of Finance.

b. City Manager Goss noted that the Joint Powers Agreement formation Committee meeting will be held on December 1. It is being requested that at least one Councilmember attend this meeting. Councilman Scott stated he is a delegate to the meeting along with Councilman Malcolm and he will attend the meeting. Councilman Malcolm stated he will try to attend the meeting also.

c. City Manager Goss referred to the Council's approval of the Yuletide Parade on November 28, stating the Chamber has an insurance policy for $1 million dollars which the staff feels is adequate because there will be no animals in the parade. The Sweetwater Union High School District is cosponsoring the event. City Attorney Harron stated he has no objections to the $1 million dollar insurance; however, in the future he feels it should go up to $5 million dollars. Councilman Malcolm indicated his concerns, stating there is not that much difference in costs and the figure should be raised to $5 million dollars.

MSC (Scott/Moore) to approve the $1 million dollar insurance. The motion carried by the following vote:

AYES: Scott, Moore, Cox

NOES McCandliss, Malcolm

ABSENT: None

Councilman Moore asked the City Manager to review the situation in all further events coming to the Council. Councilman Scott indicated the insurance does not have to be $5 million; it could go to $2 million.

MSC (Cox/Moore) to refer this matter to staff and ask them to come back with (1) the appropriateness of the City's insurance picking up the amounts after $1 million dollars; (2) what is a suitable coverage dollar amount for coverage for the City of Chula Vista; (3) to take a look at those functions on which the City would potentially have some liability, such as the Christmas snow program ; and (4) come back with a report on the type of coverage the City should demand and whether or not it is the obligation of the City and should they participate in it.

MSUC (Scott/Malcolm) to provide a minimum of $2 million dollars worth of insurance.

City Attorney Harron stated the Chamber has no problem with this and they will provide the cost for the $2 million dollars insurance.

d. City Manager Goss reported on the staff's clean up of the Otay Industrial Park area and the enforcements that are now being processed.

REPORTS OF CITY OFFICERS AND DEPARTMENT HEADS

23. REPORT — BONITA OPTIMIST CLUB REQUEST TO EXTEND DURATION OF CARNIVAL (Director of Parks and Recreation)

At the November 1, 1983 meeting, Council approved the Bonita Optimist Club request to sponsor a carnival November 3-6 and 10-13. The Optimists are now requesting permission to extend the carnival for seven additional operating days. The staff recommends approval subject to certain conditions.

MSC (Moore/Malcolm) to accept the report. Councilman Scott voted "no".

Rachel Olivas, 626 Naples Street and Jim Stinnett, 632 Naples, Chula Vista, spoke against the extension of the Carnival time, stating it is much too noisy, it is next to their homes, and it disrupts the entire neighborhood.

Mr. Bill Martinez, representing the Carnival owner, stated they will not play the music after the evening hours, they reduced the 18 concessions to 4, reduced the number of rides from 17 to 12 and will close the carnival at 10 p.m. Thursday and 11 p.m. Friday and Saturday and 10 p.m. on Sunday. He added they are dealing with all of the residents complaints as they receive them. Councilman Moore asked that the staff keep in mind future carnival requests and not have them near residences in the City.

24. REPORT — REQUEST FOR FOUR-WAY STOPS AT OLEANDER AVENUE, EAST OXFORD STREET AND EAST PALOMAR STREET (City Engineer)

At the meeting of October 18, 1983, the City Council received a written communication from Mr. Randall D. Carter, requesting four-way stops at Oleander Avenue/East Oxfort Street and Oleander Avenue/East Palomar Street to provide better control over the traffic flow on Oleander and prevent school age pedestrian accidents. The Council directed the request to the City Traffic Engineer and Safety Commission for study and recommendation.

The Traffic Engineering Division has evaluated the traffic conditions including vehicular and pedestrian volumes, accidents, and any unusual conditions at the subject intersections. Both intersections fell significantly short of meeting the criteria for installation of four-way stops.

The recommendation is that Council deny the request for four-way stops at Oleander Avenue/East Oxford Street and at Oleander Avenue/East Palomar Street.

On November 10, 1983, the Safety Commission recommended denial of the request for these stop signs.

MS (Moore/Malcolm) to accept the staff report and staff recommendation.

Council discussion followed regarding notification to Mr. Randall Carter. The staff stated a letter was sent to Mr. Carter on Thursday and he has not replied.

MS (Scott/McCandliss) to hold this over to the next meeting and notify Mr. Carter.

Mr. Lippitt stated that Mr. Carter was at the Safety Commission meeting. He read the report of the staff and left prior to Safety Commission action, stating he was satisfied with the report.

Councilwoman McCandliss stated items like this should be taken on a one-to-one basis and the Council should give the man the courtesy of coming to the Council meeting. She urged continuance of the item. Councilman Moore disagreed stating that Mr. Carter did receive the written communication. A great number of staff hours was spent on this and every reasonable factor was taken into consideration. He requested the Council action not be delayed. Councilman Scott withdrew his motion to hold it over. Councilwoman McCandliss agreed to the second.

Mrs. Joy Sherich, Vice-Chairman of the Safety Commission, agreed, stating Mr. Carter had no intention of coming to the Council meeting this evening and he extended his thanks to the Council and the Commission for the time allotted to his request.

MSC (Scott/Moore) to accept the report. Councilwoman McCandliss voted "no".

Councilwoman McCandliss explained her "no" vote was because the person who requested this was not present at the meeting. Mayor Cox asked that the staff in the future, after mailing notices to the people interested, follow up on this with a telephone call on Monday.

25. MAYOR'S REPORT

a. MSUC (Cox/Scott) for a Closed Session after the Redevelopment Agency meeting for matters of personnel.

26. COUNCIL COMMENTS

a. Councilman Scott stated that there have been a number of letters which are received by the Council and circulated to the members. However, by the time he gets these letters, the information is old. He asked that some method be incorporated whereby important items are put in the Council packets.

b. Councilman Malcolm wished everyone a Happy Thanksgiving.

c. Councilwoman McCandliss congratulated the Mayor on the birth of his new daughter, Emily.

d. Councilwoman McCandliss questioned what happened to the fountain. City Manager Goss explained that the repairs are being made.

Mayor Cox stated he met with the Fish and Game people in Sacramento on Monday, November 21; however, no commitment was made, but he felt the Committee meeting was a good one. Mayor Cox noted a number of cities have sent in resolutions of support for the bayfront plan.

The Council recessed to Redevelopment Agency at 10:17 p.m. The meeting reconvened at 10:20 p.m. The Council recessed to Closed Session at 10:25 p.m. The City Clerk was excused and the City Manager reported the Session adjourned at 11:00 p.m.

ADJOURNMENT AT 11:00 p.m. to the meeting scheduled for Tuesday, December 6, 1983 at 7 p.m.

Jennie M. Fulasz

JENNIE M. FULASZ, CMC
City Clerk

WPG:0367C
PAG

RESOLUTION NO. 11511

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE BONITA GLEN SPECIFIC PLAN BY DELETING THEREFROM THE SHELL OIL COMPANY AT THE SOUTHEAST CORNER OF BONITA ROAD AND BONITA GLEN DRIVE

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, on October 25, 1983, the City Council considered a report submitted by the Planning Department outlining three methods by which the Shell Oil Company property located at the southeast corner of Bonita Road and Bonita Glen Drive could be developed, and

WHEREAS, the City Council voted 3 to 2 to delete the subject property from the boundaries of the Bonita Glen Specific Plan, and

WHEREAS, any amendment to a Specific Plan requires a resolution and it is now necessary to formalize Council's action of deleting the Shell Oil property from the Bonita Glen Specific Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby amend the Bonita Glen Specific Plan by deleting therefrom the Shell Oil Company at the southeast corner of Bonita Road and Bonita Glen Drive.

Presented by

Bud Gray

Bud Gray, Director of Planning

Approved as to form by

Thomas J. Harron, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

ULA VISTA, CALIFORNIA, this 17th day of January

84, by the following vote, to-wit:

ES: Councilmen Moore, Malcolm, Cox

YES: Councilmen Scott, McCandliss

STAIN: Councilmen None

SENT: Councilmen None

Gregory R. Cox

Mayor of the City of Chula Vista

TEST Jennie M. Fulasz

City Clerk

ATE OF CALIFORNIA)
UNTY OF SAN DIEGO) ss.
Y OF CHULA VISTA)

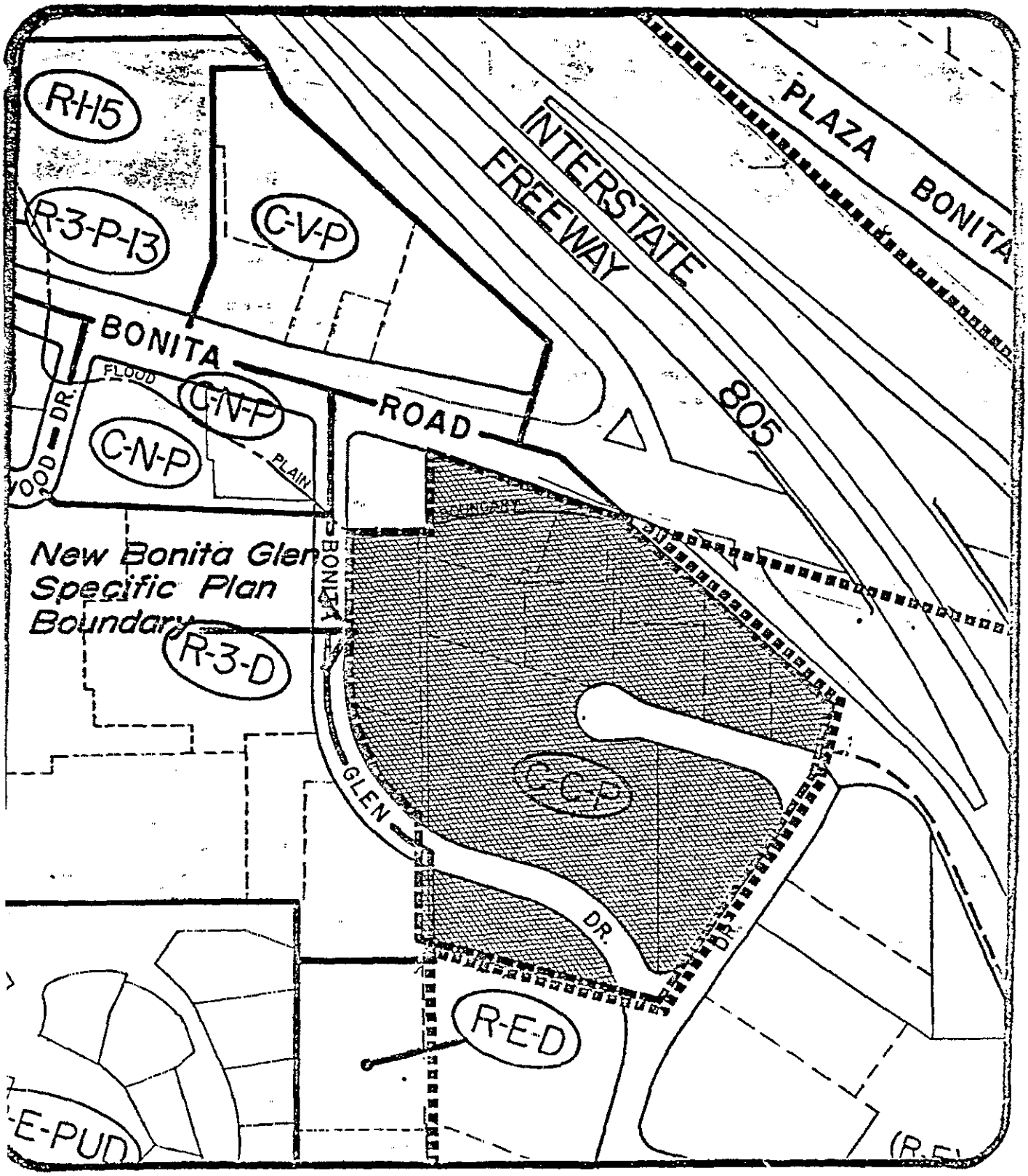
I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 11511, and that the same has not been amended or repealed.

TED

City Clerk

(seal)

-660



Bonita Glen SPA

100' 200'

NORTH

EXHIBIT A

Amendment to the Bonita Glen SPA Boundary

OCTOBER 25, 1983

R 11311

RESOLUTION NO. 11511

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE BONITA GLEN SPECIFIC PLAN BY DELETING THEREFROM THE SHELL OIL COMPANY AT THE SOUTHEAST CORNER OF BONITA ROAD AND BONITA GLEN DRIVE

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WHEREAS, the City Council voted 3 to 2 to delete the subject property from the boundaries of the Bonita Glen Specific Plan, and

WHEREAS, any amendment to a Specific Plan requires a resolution and it is now necessary to formalize Council's action of deleting the Shell Oil property from the Bonita Glen Specific Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby amend the Bonita Glen Specific Plan by deleting therefrom the Shell Oil Company at the southeast corner of Bonita Road and Bonita Glen Drive.

Presented by

Bud Gray

Bud Gray, Director of Planning

Approved as to form by

Thomas J. Harron, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

ULA VISTA, CALIFORNIA, this 17th day of January

84, by the following vote, to-wit:

ES: Councilmen Moore, Malcolm, Cox

YES: Councilmen Scott, McCandliss

STAIN: Councilmen None

SENT: Councilmen None

Gregory R. Cox

Mayor of the City of Chula Vista

TEST Jennie M. Fulasz

City Clerk

ATE OF CALIFORNIA)
UNTY OF SAN DIEGO) ss.
Y OF CHULA VISTA)

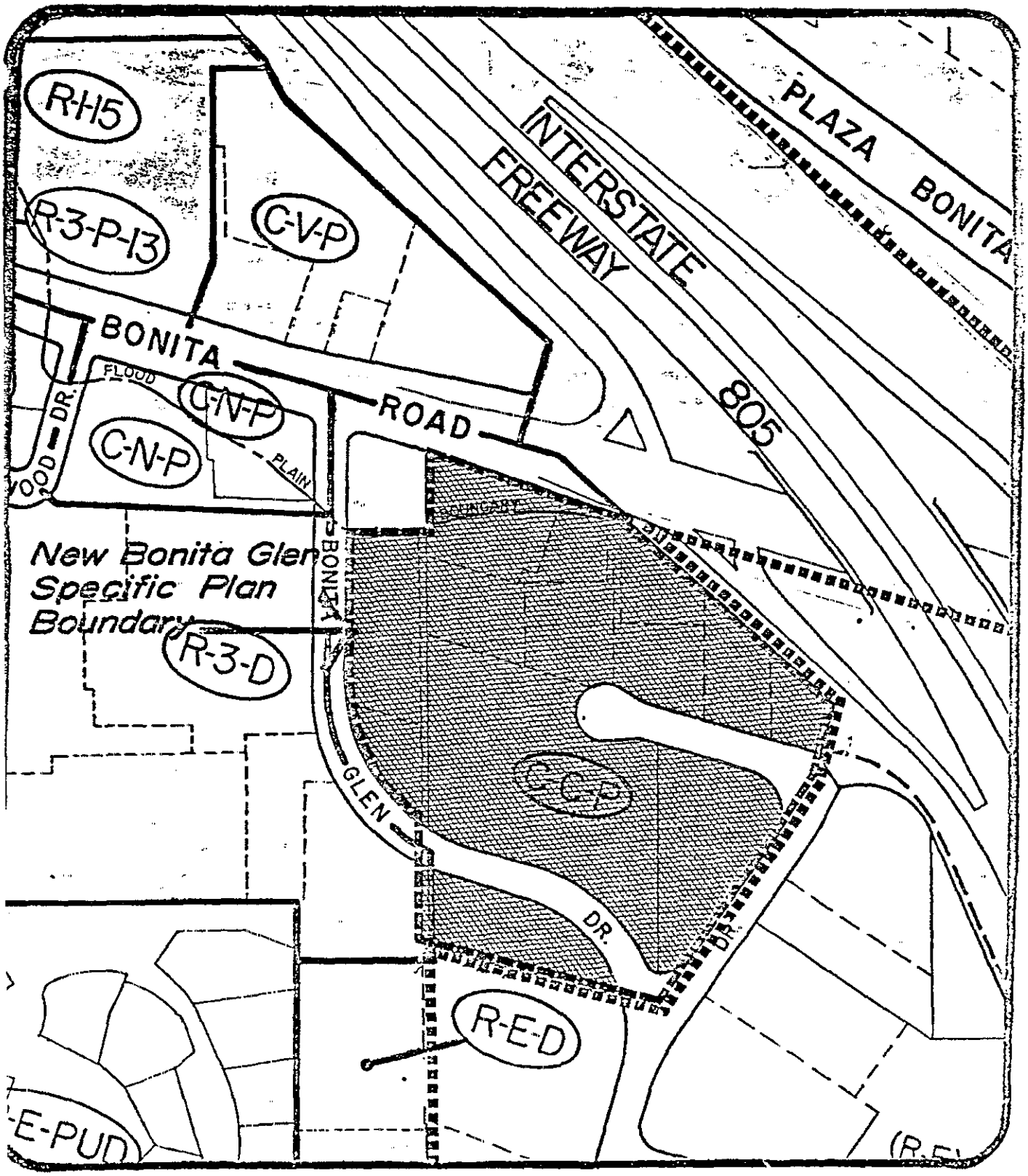
I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 11511, and that the same has not been amended or repealed.

TED

City Clerk

(seal)

-660



Bonita Glen SPA

100' 200'

NORTH

EXHIBIT A

Amendment to the Bonita Glen SPA Boundary

OCTOBER 25, 1983

R 11311

RESOLUTION NO. 11847

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE HEIGHT REGULATION OF THE BONITA GLEN SPECIFIC PLAN

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, the City Council has previously adopted a Bonita Glen Specific Plan which includes a height limitation for buildings of two stories (30 feet) and for architectural features of 45 feet, and

WHEREAS, La Quinta Motor Inns has requested an amendment to the Bonita Glen Specific Plan increasing the height limitation to three stories (38') and for architectural features to 50 feet, and

WHEREAS, the applicant, La Quinta Motor Inns, proposes to construct a 140-unit three-story motel on the property at 110 Bonita Road within the Bonita Glen Specific Plan, and

WHEREAS, the proposed amendment would not apply to the property on the south side of Bonita Glen Drive or to development within 100 feet of Vista Drive, and

WHEREAS, a Negative Declaration, IS-85-9, has been prepared on this project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby adopt the Negative Declaration, IS-85-9, for this project.

BE IT FURTHER RESOLVED that the City Council does hereby amend the Bonita Glen Specific Plan by increasing the height limitation for buildings from two stories (30') to three stories (38') and for architectural features from 45 feet to 50 feet.

BE IT FURTHER RESOLVED that said new height limitations shall not apply to the property on the south side of Bonita Glen Drive or to development within 100 feet of Vista Drive.

Presented by

George Krempl

George Krempl, Director of Planning

Approved as to form by

Thomas J. Harron

Thomas J. Harron, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, this 27th day of November 19 84, by the following vote, to-wit:

AYES: Councilmen Malcolm, McCandliss, Moore, Cox

NAYES: Councilmen None

ABSTAIN: Councilmen Scott

ABSENT: Councilmen None

Gregory R. Cox
Mayor of the City of Chula Vista

ATTEST Jennie M Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

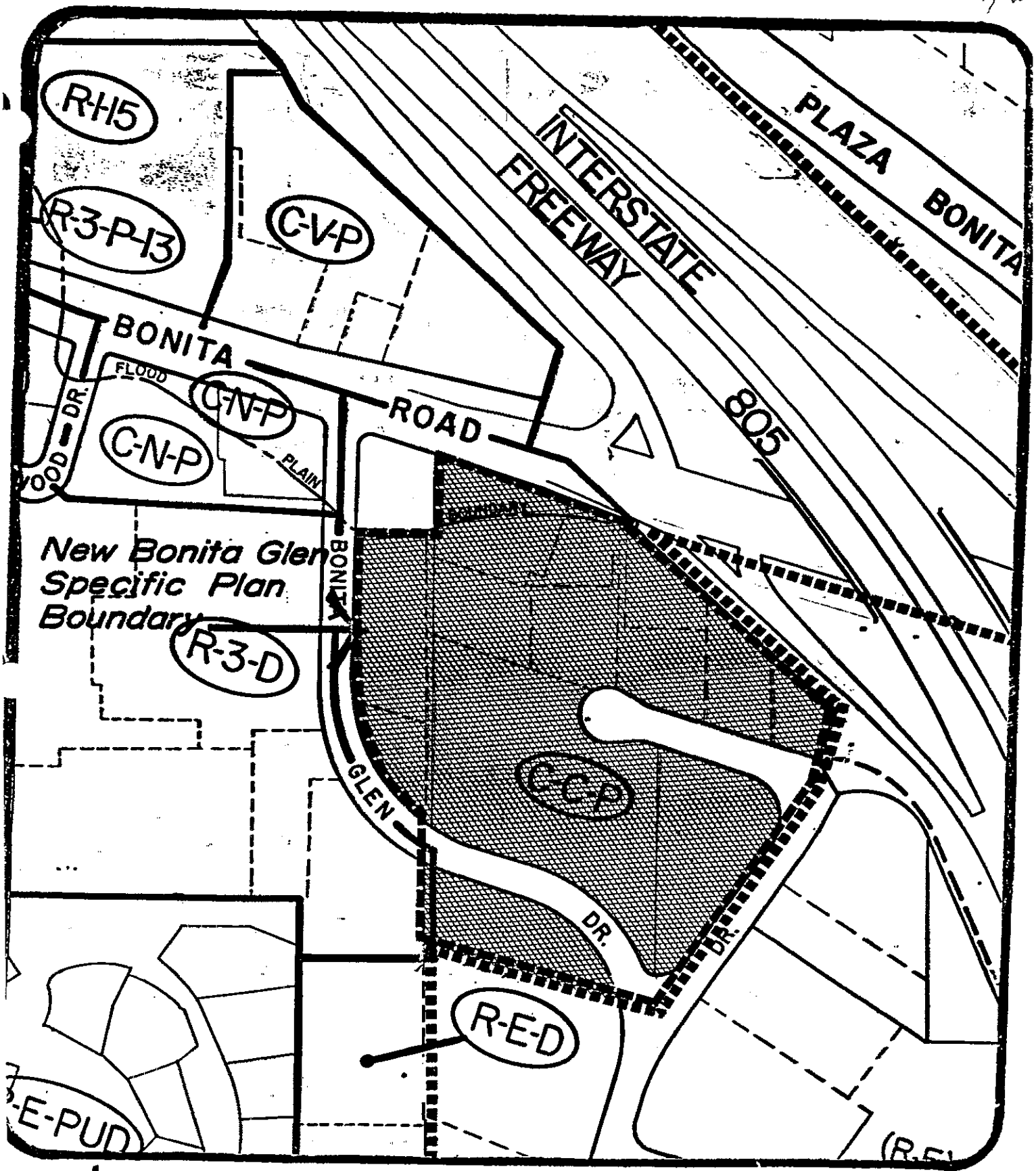
I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 11847, and that the same has not been amended or repealed.

DATED _____

(seal)

City Clerk

CC-660



Bonita Glen SPA

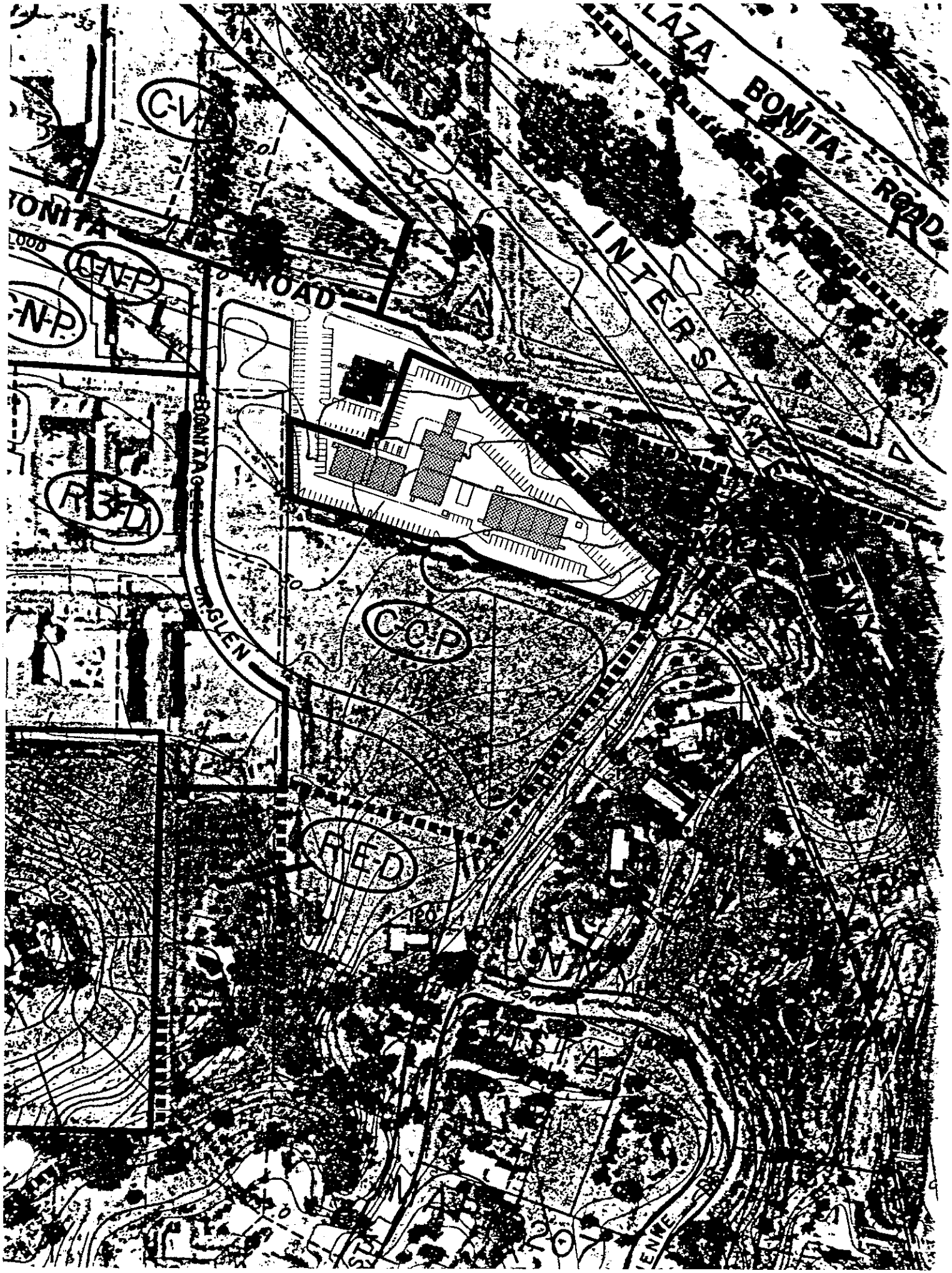
100' 200'

NORTH

EXHIBIT A

Amendment to the Bonita Glen SPA Boundary

OCTOBER 25, 1983


PLAZA BONITA ROAD
INTERSTATE 5
BONITA ROAD
BONITA GLEN DRIVE
C-V
C-N-P
C-C-P
R-E-D

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF CHULA VISTA, CALIFORNIA

Tuesday, 7:00 p.m. November 27, 1984

ROLL CALL

Councilmembers present:	Mayor Cox, Councilmembers Malcolm, McCandliss, Scott, (Councilman Moore arrived late 7:09 p.m.)
Councilmembers absent:	None
Staff present:	City Manager Goss, City Attorney Harron, Assistant City Manager Asmus

PLEDGE OF ALLEGIANCE TO THE FLAG, SILENT PRAYER

The Pledge of Allegiance to the Flag was led by Mayor Cox followed by a moment of silent prayer.

1. APPROVAL OF MINUTES for the meetings of November 1, 13 and 15, 1984

Mayor Cox noted a correction on page 2 of the minutes of November 1 where he did not second the motion - he abstained from the discussion. Councilman Scott referred to page 13 of the minutes of November 13 stating he was inquiring about the potential conflict of interest for Councilman Malcolm and not his own. Mayor Cox noted a correction on page 16: it should state that he offered the resolution and Councilman Scott voted against it.

MSUC (Cox/Scott) to approve the minutes as amended.

2. SPECIAL ORDERS OF THE DAY (None)

3. WRITTEN COMMUNICATIONS

CLAIM AGAINST THE CITY

a. Rough Country Suspension, Inc., c/o John P. McCormick & Mitchell, 110 West "A" Street, San Diego, CA 92101

A claim was filed alleging the condition of a roadway caused a two vehicle collision which resulted in severe injuries to the driver and passenger and the death of a child. Due to the remote liability on the part of the City, it was recommended by Carl Warren & Company and the Risk Management staff the City reject this claim.

MSUC (McCandliss/Scott) to reject the claim.

b. REQUEST REGARDING CITY CO-SPONSORSHIP FOR FOUNDER'S DAY CELEBRATION FOR OCTOBER 19, 1985 (Chamber of Commerce)

Founders Day 1985 has been scheduled for October 19. The Downtown Committee requested Council consideration of City's help with this program. The City Manager recommended this be referred to staff.

MSUC (Cox/Malcolm) to approve the staff recommendation.

c. REQUEST FOR FINANCIAL SUPPORT FOR THE MUSIC MACHINE (Ron Bolles, Director and Bob Crane & Associates)

Mr. Crane and Ron Bolles requested the City's financial support for the Music Machine.

MSUC (McCandliss/Cox) to refer this item to staff.

Mayor Cox stated the Council will trail the public hearing item (No. 4) pending the arrival of Councilman Moore.

Item No. 8 was considered next on the agenda.

8. ORDINANCE 2093 AMENDING SECTIONS 2.04.580 AND 2.04.590 RELATING TO COMPENSATION FOR MEMBERS OF THE CITY COUNCIL AND THE MAYOR - SECOND READING AND ADOPTION (City Attorney)

This ordinance was placed on first reading at the meeting of November 20, 1984. This ordinance raises the salaries of the Mayor and the City Council consistent with State law and the City Charter.

Mayor Cox stated the article in the Star News contained erroneous information regarding the salaries of the Council. The voters did not approve Propositions "G" and "H" on the last ballot; however, this particular salary increase is a normal annual increase for the Mayor and Council as it provides for a 5% increase in accordance with State law. The increase to $600 for Councilmembers is also the result of State law permitting this for cities with populations of between 75,000 and 100,000.

(Councilman Moore arrived at this time, 7:09 p.m.)

Bess Pocklington, 656 Glover Place, Chula Vista, stated she has received numerous calls from citizens who are furious that the Council had granted themselves an increase after they voted down the salary increases in the last Election. She recommended, with the explanation offered by the Mayor, the Council submit to the Star-News, clarification on the salary increases and also to make known their total fringe benefits. Mayor Cox asked the City Clerk to prepare a fact sheet and submit it to Mrs. Pocklington and the media.

Robert Maxwell, 473 Berland Way, Chula Vista referred to the arguments submitted in the sample ballot for the Mayor's and Councilmembers salary. He stated the Council will be getting approximately $20 per hour and questioned the salary increase in lieu of the fact the City Manager is now paid in excess of $60,000 a year and is supposed to be running the City. The Councilmembers reminded Mr. Maxwell that the Council does not just spend the time at the Council meetings - a great deal of time is spent studying Council material for the meetings and attending functions outside of meetings.

Mr. Frank Ferreira, 270 Bonita Glen Drive, supported the Council's salary increases stating it was "ungraceful" for a city this size to pay their Councilmembers such a small salary.

MSUC (Scott/Malcolm) to send a letter to all of the media and especially the Star-News explaining what has transpired and to hold this item over until the next meeting. This letter is to be signed by the Mayor.

12. REPORT — RECOMMENDING DENIAL OF REQUEST FOR ENCROACHMENT PERMIT PE 044 AT 506 CAMINO ELEVADO - (Continued from the meeting of November 20, 1984) (Director of Public Works/City Engineer/Director of Parks and Recreation))

This item was continued from the meeting of November 20, 1984 to enable a full Council to be present.

Approximately one year ago, it was brought to the City's attention that the owner of the property at 506 Camino Elevado, Mr. George Ronis, had built a wooden deck at the rear of his house. The deck extends into the City's open space (over a slope) a total of 14 feet.

After repeated contacts, Mr. Ronis paid his application fee for an encroachment permit on September 9, 1984 but a letter of application was never received by the Engineering Department. The records in the Building Department show that no building permit was obtained to build the deck.

On June 27, 1984, the City Attorney's office filed a three count criminal complaint relating to the same deck. Mr. Ronis subsequently pleaded not guilty and requested a trial. Said trial is currently set for November 30, 1984.

Staff recommended that the Council deny the request for the subject encroachment and direct the applicant to remove the encroachment by December 20, 1984.

City Manager Goss stated the applicant has just submitted a letter to the City stating he will take down his deck within 90 days. The City Attorney has withdrawn the complaint and the recommendation is to accede to this request and permit the 90 day extension period to Mr. Ronis.

MSUC (Malcolm/Moore) to accede to his request and to grant the 90 day period.

PUBLIC HEARINGS AND RELATED RESOLUTIONS

4a.	APPEAL	OF PLANNING COMMISSION ACTION TO NOT ADOPT NEGATIVE DECLARATION IS-85-9 LA QUINTA MOTOR INNS (Director of Planning)
4b.	PUBLIC HEARING	CONSIDERATION OF AMENDMENT TO THE BONITA GLEN SPECIFIC PLAN TO INCREASE THE HEIGHT LIMITATION FOR BUILDINGS AND ARCHITECTURAL FEATURES - LA QUINTA MOTOR INN
	RESOLUTION 11847	AMENDING THE HEIGHT REGULATION OF THE BONITA GLEN SPECIFIC PLAN
4c.	PUBLIC HEARING	CONSIDERATION OF DEVELOPMENT PROPOSAL FOR A 140-UNIT MOTEL WITHIN THE BONITA GLEN SPECIFIC PLAN - LA QUINTA MOTOR INNS
	RESOLUTION 11848	APPROVING THE DEVELOPMENT PROPOSAL FOR A 140-UNIT MOTEL AT THE SOUTHWEST QUADRANT OF BONITA ROAD AND INTERSTATE 805

Mayor Cox stated since all of these items are related he will open public hearings on 4a,b and c.

Councilman Scott stated he had a potential conflict of interest. City Attorney Harron explained Councilman Scott stated that in regard to matters concerning Bonita Road, it would be his inclination to stop all development until such time as some kind of traffic solution is provided. That being the case, it could have a detrimental affect on Mr. Scott's client who owns property in the area. Therefore, Mr. Scott does have a potential conflict of interest.

The City Attorney stated (as to Councilman Malcolm's property to the east on Bonita Road), that he requested the advice of the Fair Political Practices Commission (FPPC). They responded that individual projects coming before the Council do not require any solution going beyond the individual applicant; therefore, there is no reason to assume it would have a detrimental or beneficial effect on the property owners in the area and, therefore no reason for Councilman Malcolm to abstain just because of other ownerships. Councilman Malcolm stated he bought that property in 1980, sold it in 1983 and it closed escrow in 1984. His name remains on the title interest for a period of one year (according to State law).

Councilman Scott left the dais at this time, 7:42 p.m.

Director of Planning Krempl reported that on April 20, 1977, the Planning Commission adopted as final, EIR-77-2 (Bonita Glen Specific Plan). In 1977,

the City Council certified EIR-77-2 and adopted the Bonita Glen Specific Plan. In May 1984, a traffic study (prepared by New Horizons, Planning Consultants, Inc.) was submitted to staff which discussed traffic impacts surrounding a proposed commercial project within the Specific Plan Area. On October 15, 1984, the Draft Negative Declaration IS-85-9 was issued, which discussed impacts and mitigation measures necessary to reduce traffic impacts to a level of insignificance. On October 24, 1984, the Planning Commission took action not to adopt Draft Negative Declaration IS-85-9. The applicant has appealed the Planning Commission's action indicating that adequate environmental analysis has been conducted and that they have no objections to recommended mitigation measures included in Draft Negative IS-85-9.

The City's Traffic Engineer indicated that with improvements proposed by CalTrans to the interchange of Bonita Road and I-805 and the mitigation measures recommended in Draft Negative Declaration IS-85-9, the proposed motel will not create significant adverse levels of service.

Principal Planner Lee explained that the applicant requested an amendment to the Bonita Glen Specific Plan (southwest quadrant of I-805 and Bonita Road) by increasing the height limitation for buildings from two stories (30 feet) to three stories (38 feet) and for architectural features (spires, towers, cupolas, etc.) from 45-50 feet. The applicant, La Quinta Motor Inns, proposed to construct a 140-unit three-story motel on the property immediately adjacent to the Denny's Restaurant at 110 Bonita Road.

Mr. Lee submitted plats of the proposed development and access configuration. He explained that since the adoption of the Specific Plan, a four-story 45-foot high motel (Ramada Inn) has been built on the north side of Bonita Road. The elevation at the top of the motel is approximately 85 feet. Based on this development and the changing development pattern for the Bonita Glen area, staff indicates there is justification in increasing the height limitation on the south side of Bonita Road. However, much of the views enjoyed by the adjacent residential areas should be maintained. Increasing the basic building height by 8 feet (30-38 feet) and the bell tower by 5 feet will allow the overall building height to be maintained below the 100 feet elevation point. Minimal architectural projections such as bell towers can exceed the 100' elevation point without creating any view conflicts.

Ingress and egress was then discussed by Mr. Lee stating the staff's preference was for an access to Bonita Glen Drive; however, this cannot be accomplished without the approval of the adjacent property owner. The staff recommendation would be to approve the increased height limitation from two to three stories for the motel up to 38' and for the architectural features for up to 45-50 feet. Further, the staff recommended the new height limitations not apply to the property on the south side of Bonita Glen Drive or to development within 100 feet of Vista Drive in order to preserve the view of the homes in that area.

Mr. Chuck Glass, Traffic Engineer summarized the traffic study that was done a few years ago when the office complex was proposed. The traffic study for this particular proposal was similar. Mr. Glass referred to his Exhibits in the Council packet stating that in the late Spring, Caltrans would bring in improvements along Bonita Road and traffic signals would be installed. It was the opinion of staff the motel could go in and would not cause any significant increase in traffic.

Council discussion followed regarding Route 54 and the impact this will have on Bonita Road; the Caltrans improvements and the signalization which will go in on Bonita Glen Drive and Bonita Road; the cost of the traffic signals to be paid partly by the developers; the negative impacts if the motel goes in; staff's recommendation to place a hold on the occupancy of the motel until Caltrans puts in the Bonita Road improvements; the original goals of the Bonita Glen Specific Plan; consolidations of the parcels in that area; the original Master Plan in comparison with this plan; ingress and egress into this property; the use of the "unnamed road"; and the joint exit off from the Denny's Restaurant onto this complex.

Director of Planning Krempl submitted a written report noting the applicant is requesting approval of a development proposal to construct a three-story 140-unit motel on the property located immediately adjacent to and south of the Denny's Restaurant at 110 Bonita Road within the Bonita Glen Specific Plan.

He recommended approving the development proposal subject to the following conditions:

1. The site plan and architecture including all signs for the proposed project shall be submitted to the Design Review Committee for review and approval.

2. The developer shall sign an agreement consenting to the future modification of parking, landscaping, and access to accommodate joint access for adjacent property owners to Bonita Road. The joint access shall become effective at the time the adjacent property owner grants vehicular access to Bonita Glen Drive. All access widths and locations are subject to the City Planning Director's approval.

3. Landscape and irrigation plans shall be prepared which address the adjacent right-of-way areas along Bonita Road, I-805 Freeway, and the unnamed cul-de-sac at the south side of the project. The limits of the right-of-way area adjacent to the unnamed street shall extend from the west side of the motel's secondary access to the freeway right-of-way and include the area north of the paved street up to the project boundaries.

Director Krempl stated land use (a 140-unit motel), the site plan, and architecture are in compliance with the principles and goals of the Bonita Glen Specific Plan. There are a number of specific details such as: the submittal of a complex sign program consistent with the adopted Bonita Glen Plan, parking and landscaping refinements, and coordination of the elevations and the site plan which need additional refinement or fine tuning. It is recommended that this responsibility be delegated to the Design Review Committee and approval at this time be limited to the land use.

Mr. Ralph Barrett, 1300 Dove Street, Suite 200, Newport Beach speaking for La Quinta Motor Inns stated they have 150 motels across the country. It is their understanding that the traffic improvements will be made within the next two years. The typical time for opening would be 18 months from now and at that time, the improvements to Bonita Road should be completed.

Mr. Norman Williams, Planning Consultant, 3404 Bonita Road, Chula Vista representing La Quinta Motor Inns discussed the original Bonita Glen Specific Plan. He stated the Planning Commission denied the Negative Declaration because they were looking at the total traffic on Bonita Road and not for this one particular complex. La Quinta meets all City requirements and agreed to all of the conditions proposed by staff.

Larry Young, 16700 Valley View, La Mirada representing Denny's Restaurant stated they operate along with the La Quinta motels in over 50 locations throughout the country and find it very compatible. The peak periods at Denny's Restaurant do not coincide with the peak periods of the La Quinta Motor Inns so there would be no overlapping times for parking and ingress and egress.

Speaking in opposition were Jacqueline Lassman, 471 Jacaranda Drive; George Kost, 3609 Belle Bonnie Brae Road, Bonita, Vice President of Sweetwater Valley Civic Association; Lawrence Lassman, 471 Jacaranda Drive; William Beale, 7 Vista Drive; Grethen Burke, P.O. Box 321, Bonita and Frank Ferreira, 270 Bonita Glen Drive, Chula Vista. Their comments were:

1. The traffic generated on Bonita Road and the hazardous conditions existing to the drivers.

2. The future developments along this road and the daily trips that would be generated from those developments.

3. Suggestion that the County, National City and Chula Vista get together and come up with a plan which would take care of the traffic problems on Bonita Road.

4. Put a sign on I-805 that would list the services on Bonita Road rather than have each individual project come up with signs.

5. (Ferreira) Concern about obstructing the view of the residents in that area.

6. Ferreira) Plans for a 301-unit office/motel building that would not allow use of the joint access on the unnamed street.

7. (Burke) Question when the traffic signal would be installed on Allen School Road and Bonita Road.

Traffic Engineer Glass stated the Bonita Allen School Road traffic signal is not a high priority; however, the one on Flower Street/Bonita Road is. Mayor Cox asked Mr. Glass to send a copy of the priority list to Mrs. Burke.

Gene York, 805 Properties and owner of the property, stated the plan meets all of the City's criteria except for the height limitation which is the request before the Council. If access was limited only to Vista Drive, it would create many more problems than just taking access from Denny's Restaurant.

A recess was called at 9:25 p.m. and the meeting reconvened at 9:40 p.m.

Council discussion followed with staff answering questions regarding the Negative Declaration which was not included in the Council packet; the traffic study along Bonita Road; the traffic generated by the Bonita Plaza Road and shopping center; recertifying the Environmental Impact Report; the sales tax and Transient Occupancy Tax (TOT) that would be generated by this development and the need for staff to take immediate action to alleviate the traffic congestion along Bonita Road.

Item 4a - MSC (Malcolm/Moore) to grant the appeal of the Planning Commission to not adopt the Negative Declaration IS-85-9. (Councilman Scott abstained)

Item 4b - RESOLUTION 11847 OFFERED BY COUNCILMAN MALCOLM, the reading of the text was waived by unanimous consent, passed and approved with Councilman Scott abstaining.

Item 4c - MSC (McCandliss/Moore) to amend the resolution to restrict occupancy before June 1986 unless the Caltrans improvements are completed (on Bonita Road). This amendment to be added also to the Negative Declaration (4a). Councilman Scott abstained.

Item 4c - RESOLUTION 11848 AS AMENDED, OFFERED BY COUNCILMAN MALCOLM, the reading of the text was waived by unanimous consent, passed and approved with Councilman Scott abstaining.

Councilman Moore asked that the traffic study from Bonita Road and "H" Street and over to Otay Lakes Road be one of the goals to be added to the agenda for the December 1 Council meeting.

Councilman Scott returned to the dais at this time.

5. ORAL COMMUNICATIONS (None)

(Item No. 17 was brought up on the agenda at this time).

17. PROPOSED NAVY HOUSING PROJECT

The City Clerk read, for the record, a letter from Captain Jan Cook, CEC USN whereby the Navy stated in summary: that Congress has approved the purchase of Telegraph Canyon Point and funds have been deposited in escrow; the Navy will comply with regulations with the preservation of the scenic route; will provide a 50-foot landscape buffer between the development and the adjacent property; the buildings will be limited to two stories; 10 acres will be provided for open space; Navy will pay its fair share of utility connection charges and will consider the assignment of both Junior and Senior enlisted personnel to the completed housing. Letter in the meeting Captain Cook stated he will assign both junior & senior enlisted personnel to completed housing

Cos of 12-4

Captain Cook responded to Council's question to the off-site improvements stating that they are trying to get this into the budget; however, at this time they cannot give the Council a definite commitment on it until the funds are provided by Congress.

Councilman Scott commented the Council has been very cooperative with the Navy; however, he feels the Council was "steam-rolled" - they did not have an opportunity to make any decisions on the project. The Council has had no options on this particular development.

Speaking in opposition was Gary Caddell 1820 Citadel Court; Sally Caddell 1820 Citadel Court and Martha Gorman, 1825 Citadel Court, (all of Chula Vista).

In summary, their comments were: the concern with the traffic congestion along Otay Lakes Road, Telegraph Canyon Road; the traffic generated by the Charter Point Subdivision; the traffic signals to be installed; and the possibility of the Navy widening Telegraph Canyon Road.

Mayor Cox stated he will be submitting names to the City Council for ratification for the Task Force Committee at the next meeting.

Mrs. Bess Pocklington, 656 Glover Place, Chula Vista, stated her husband is a Navy man and she was dismayed over the comments made at the November 19 Community Forum meeting by the residents of that area. The letter submitted by the Navy this evening shows that they have a "spirit of cooperation" and therefore, she totally supports the project.

CONSENT CALENDAR (6-8)

Item 8 was considered earlier on the Agenda - see page 2.

MSUC (Malcolm/Moore) to approve the Consent Calendar (Items 6 and 7).

6. RESOLUTION 11849 AMENDING FY 1984-85 BUDGET AND PROVIDING FOR THE APPROPRIATION OF FUNDS FOR SALARY AND FRINGE BENEFIT INCREASES FOR FY 1984-85 (Director of Finance)

Contracts have been ratified with each of the four employee groups and compensation fringe benefit levels have been determined for all other employees as well. It is now necessary to amend the budget and appropriate funds in the amount of $1,219,000 to cover these increases.

7. RESOLUTION 11850 DECLARING THE COUNCIL'S INTENTION TO VACATE A PORTION OF "C" STREET, WEST OF DEL MAR AVENUE AND SETTING THE DATE OF A PUBLIC HEARING FOR SAID VACATION (Director of Public Works/City Engineer)

The owner of the property at the northwest corner of "C" Street and Del Mar Avenue, Mr. Mitchell Angus, requested that the City vacate a 7-foot-wide strip of right-of-way of "C" Street along the property frontage.

In accordance with the California Streets and Highways Code, the City Council must adopt a resolution of intention to vacate public right-of-way and set the date of a public hearing. The resolution sets the public hearing for December 18, 1984.

End of Consent Calendar

8. ORDINANCE 2093 AMENDING SECTIONS 2.04.580 AND 2.04.590 RELATING TO COMPENSATION FOR MEMBERS OF THE CITY COUNCIL AND THE MAYOR - SECOND READING AND ADOPTION (City Attorney)

See page 2.

RESOLUTIONS AND ORDINANCES, FIRST READING

9. RESOLUTION 11851 AUTHORIZING THE PAYMENT OF ALL LAFCO AND STATE BOARD OF EQUALIZATION PROCESSING FEES FOR THE PROPOSED "BROADWAY/PALOMAR STREET REORGANIZATION" (Director of Planning)

Councilman Malcolm congratulated Mayor Cox and Councilman Moore for their work to get this project completed.

The proposed reorganization involved the annexation of approximately 23 acres of uninhabited territory located at the northwest corner of Broadway and Palomar Street and concurrent detachments from the Montgomery Fire Protection District, Montgomery Sanitation District, San Diego County Flood Control District-Zones 32 and 4, and County Service Area No. 62 - Montgomery.

The major property owner of the subject territory, Sun Belt Property, with the support of its two major tenants (Ralph's Grocery Company and Target Stores), intends to initiate the proposed reorganization by landowner petition. The City, however, has offered to pay all annexation processing fees on behalf of Sun Belt Property in order to expedite the process through LAFCO ($2,000).

RESOLUTION OFFERED BY COUNCILMAN MALCOLM, the reading of the text was waived by unanimous consent, passed and approved unanimously.

10. RESOLUTION 11852 APPROVING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR MASTER PROPERTY TAX TRANSFER (City Manager)

The City, along with most but not all other cities in the County, entered into a Master Property Tax Transfer Agreement with San Diego County four years ago. That agreement (expired November 1, 1984) allocates the property tax revenues between the City and the County and special districts whenever an annexation occurs in accordance with Section 99 of the Revenue and Taxation Code. Over the past several months, a committee representing the cities, have negotiated with County representatives to develop a new agreement. Such an agreement is designed to cover routine annexations and would not cover major annexations nor dissolutions of special districts.

RESOLUTION OFFERED BY COUNCILMAN MALCOLM, the reading of the text was waived by unanimous consent, passed and approved unanimously.

11. RESOLUTION OF INTENT 11853 TO GRANT MODIFIED FRANCHISE AGREEMENT AND SETTING A PUBLIC HEARING TO CONSIDER THIS PROPOSED AGREEMENT ON DECEMBER 11, 1984 - (City Manager)

On April 16, 1964, the City Council of the City of Chula Vista adopted Ordinance No. 882 granting a franchise to Area Television Antenna, Inc. to operate a community antenna television system in the City of Chula Vista. That franchise was subsequently taken over by Cox Cable. The original franchise under which Cox Cable operates is for 30 years, expires in 1994, and provides a franchise fee of 2% of gross revenues related only to the transmission of general broadcast programs.

On October 30, 1984, the President signed S66, a comprehensive federal cable bill designed to protect the cable industry's interest. The bill was later modified in the House of Representatives.

Generally the major elements of the proposed cable television franchise are:

1. The franchise fee is changed from 3% of basic cable service to 3% of basic and pay cable television service and providing for quarterly franchise fee payments.

2. Cox Cable provides separate channels for government, education, and the public.

3. Section 20, Paragraph C, contains the commitment by both parties to agree to discuss future non-entertainment uses of cable television including the possibility of entering into joint ventures to promote business or other non-entertainment uses of cable.

4. The franchise provides a new Section 9 requiring prior approval of the City Council when ownership or control of 30% or more of the voting stock of the Grantee is acquired by another person or entity.

5. Provisions regarding insurance.

6. The Grantee maintain a written record of customer service requests and complaints and made an annual report to the City.

7. A provision in the franchise to determine the purchase price if the City elects to purchase the cable system upon termination of the franchise.

8. Rate setting is deregulated with the provision that the Grantee establish its own rate and charges for service rendered to subscribers.

9. Proposed that this franchise, similar to the current one, be for a 25-year period.

10. It is estimated that the City will receive $71,000 in additional revenue from the proposed franchise in 1985.

The City Manager recommended setting a public hearing to consider this proposed agreement on December 11, 1984.

RESOLUTION OFFERED BY COUNCILMAN SCOTT, the reading of the text was waived by unanimous consent, passed and approved unanimously.

CONTINUED MATTERS

12. REPORT — RECOMMENDING DENIAL OF REQUEST FOR ENCROACHMENT PERMIT PE 044 AT 506 CAMINO ELEVADO - (Continued from the meeting of November 20, 1984) (Director of Public Works/City Engineer/Director of Parks and Recreation))

See page 3.

13. REPORT OF THE CITY MANAGER

a. City Manager Goss reminded the Council of the meeting to be held Saturday, December 1 at 8:30 a.m. at which time goals and objectives and the budget surplus will be discussed. He urged the Council to contact him for any goals they wish to discuss at this meeting.

b. City Manager Goss referred to Item No. 10 on the agenda stating the County has already approved the Master Property Tax Transfer. It constitutes a unilateral agreement between the County and the City - giving the City a better tax cut of property taxes in future annexations.

REPORTS OF OFFICERS AND DEPARTMENT HEADS

14. REPORT REPLACEMENT OF EXISTING SEWERS IN COUNTRY CLUB VILLAS SUBDIVISION (Director of Public Works/City Engineer)

Director of Public Works/City Engineer Lippitt submitted a written report explaining that the sewer lines serving Country Club Villas (bounded by Hilltop Drive, "L" Street, Country Club Drive and "K" Street) are falling apart. These sewers were constructed and accepted by the City on June 12, 1928 under the proceedings of the "Acquisition and Improvement Act of 1925." Because of their age (56 years), mortar joints and poor glazing of the clay pipe, these sewers have gone beyond their serviceable life.

Engineering staff recommends that the existing sewer pipe within the Country Club area be replaced with new pipes. New sewer service laterals would be constructed from the sewer main to the front property line of each lot. It is proposed that it be the responsibility of each property owner to make arrangements with their plumber to construct a new house line to connect to the lateral.

The estimated cost for constructing new sewer mains and laterals to the property line including contingencies and engineering is $455,000. The additional cost for property owners served by the sewer to install their house line for connection to the new lateral is estimated at $292,000.

Staff has investigated several alternatives to fund this undertaking and because of the emergency nature of the project, has begun the preliminary engineering for the preparation of construction plans and specifications.

Staff recommended City Council authorize the City Engineer to retain a consultant engineer to provide staff the required surveying field data for preparation of construction plans and specifications and authorize the expenditure of funds from budgeted Project S108, Fifth Avenue Sewer "J" to "K" Streets for engineering plans, cost estimate and specifications including consultant engineering fees.

City Engineer Lippitt stated that a meeting has been scheduled for Thursday evening with the people in that area.

MSUC (Malcolm/Scott) to approve the staff recommendations.

15. REPORT AMERICAN LEGION LEASE (Assistant City Manager)

American Legion Post 434 has leased 1.68 acres of City-owned land on Menzel Field since 1941. In 1955, they built a building on the property and signed it over to the City in exchange for a 20-year lease running until 1975. In 1975, the lease was extended to June 30, 1985 without an option for extension. The Legion's early request in 1975 for an extension to 1995 was denied by the City Council.

In his written report, Assistant City Manager Asmus recommended Council authorize and/or direct:

1. Notification to the American Legion that the City does not intend to renew the current lease upon its expiration on June 30, 1985.

2. Extension of the lease on a monthly basis after June 30, 1985, not to exceed 12 months so long as the Legion actively demonstrates an effort to locate new quarters.

3. Continued staff efforts to assist the Legion in locating new quarters.

4. Staff to prepare a report on the cost effectiveness of renovating the structure to meet earthquake standards versus demolition versus new construction.

5. The Director of Parks and Recreation explore availability of State/Federal or other funds to meet renovation costs or build a new multi-purpose center on the site.

6. If the existing structure is renovated or a new community center facility is constructed on the site, consideration be given to a program where the Legion could continue all their current activities (meetings, bingo, storage and office space) except a bar operation.

The current lease agreement provides $1.00 per year in annual rent. Unless revised in a lease extension the $1.00 per year times the new extended term would continue. It is estimated $117,000 would be required to simply make the building structurally safe and $5,000 to demolish. Cost to construct a new structure has not been estimated.

Robert McAuley, Commander American Legion Post 434 stated that in 1955 the Legion gave the building to the City.

1. They are now willing to take the building back in order to relieve the City of any liability connected with the building.

2. If they take the building back, they want to be assured of some long range planning.

3. They will propose a beautification program.

4. Referred to the list of American Legion donations given to organizations in the community.

He stated the present membership is 600 and the Ladies Auxiliary have close to 200 members - 75% of the members are residents of Chula Vista. In 1974, the Legion paid the City $7,500 in order to get the paving done on the parking lot.

Mr. Bill Ayers, 44 East Mankato Street, Chula Vista, stated the Legion is opposed to the staff's six recommendations. He noted that although the building was given back to the City in 1955 the American Legion was still required to pay property taxes on it. Mr. Ayers asked for a lease in perpetuity with the condition that at some future time, the American Legion may have the option to purchase the land from the City.

Mr. George Gertz, Lemon Grove, Technical Advisor, American Legion stated that in June 1985, the Legion will hold its State Convention in San Diego. Over 10,000 Legionaires will be coming to the City and he wants them to be welcome in Chula Vista.

Mayor Cox commented the City has provided the Legion with this property for a great number of years. There is a concern with alcoholic beverages being sold on City property. Chula Vista has always supported veteran organizations and there is no desire on the part of the Council to evict the Legion now. He would like to see some improvements in the architecture of the building and more landscaping. He suggested giving the Legion 3-5 months to come up with a program to renovate the building, make it structurally compatible, have it considered by the Design Review Committee and to complete the landscaping plan for the entire site.

MS (Moore/Malcolm) for the American Legion to present a program for major updating of the building, a landscaping plan, a financial plan and a time schedule. This is to be submitted to the City Council no later than May 30, 1985.

Discussion of the motion followed with Councilman Scott expressing his concern for turning over a building to an organization that is deemed unsafe. If a tragedy occurs, the City could, in part, be liable.

Mayor Cox stated the American Legion's plan would have to guarantee the structural integrity of the building. Commander McAuley stated they would like to propose a program stating to the City what they can do to beautify the Legion Hall. They will not be able to change the shape of the building but they can do some work in architecture and landscaping.

SUBSTITUTE MOTION

MSUC (Cox/Scott) to direct staff to work with the American Legion in coming up with a program that would address the concerns expressed by the City Council and staff tonight and come back to the Council by May 30, 1985 with a report. Further, that a progress report be submitted to the Council every two months.

16. MAYOR'S REPORT

a. Mayor Cox announced that the Christmas Tree Lighting Program will be held on December 13. To date, $1,250 has been received from private donations. Mayor Cox listed people who contributed to this program.

b. Mayor Cox remarked that the Coastal Commission will be meeting this Friday in Los Angeles and one of the items is the San Diego Convention Center. He asked for Council authorization to pay his expenses to Los Angeles so that he can speak in favor of the Center. Councilman Scott noted the Council never took action in support of the Center and indicated it was inappropriate for the City to send the Mayor to speak in favor of a project the Council has not taken any action on.

A motion was made by Councilman Malcolm to authorize funds to send the Mayor to Los Angeles to attend the meeting of the Coastal Commission. The motion died for lack of second.

17. COUNCIL COMMENTS

a. Councilwoman McCandliss asked if a live reindeer would be brought over to the Christmas Tree lighting program from the Price Club Christmas display. Mr. Goss responded he received word that this could not be done.

b. Councilwoman McCandliss remarked that if the Council still had strong feelings in opposition to the Navy Housing project it was still not too late to state them. A land swap or other alternatives are still possible.

ADJOURNMENT AT 11:30 p.m. to the special Council Conference on Saturday, December 1, 1984 at 8:30 a.m. and to the regular City Council meeting scheduled for December 4, 1984 at 7 p.m.

Jennie M. Fulasz

JENNIE M. FULASZ, CMC
City Clerk

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