

March 22, 1988

REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL
ROLLER COASTER

In connection with the continued matter of the roller coaster, we have prepared three alternative resolutions for your consideration.

The first resolution includes findings that the roller coaster is specifically allowed to commence commercial operation under the provisions of Section 1, Subsection (b) of Proposition G and, further, that the roller coaster has a vested right to continue commercial operation as a result of approximately fifty years of past commercial operation and as a result of having obtained its last discretionary approval for recommencing operation.

Since it appears from Council discussion on March 21 that one or more Councilmembers may wish to divide the question into two separate issues of (1) whether or not commercial operation of the roller coaster is specifically allowed under Section 1, Subsection (b), and (2) whether the roller coaster has obtained vested rights, two additional alternate resolutions are also attached. Alternate 1 contains a finding that Section 1, Subsection (b) of Proposition G specifically allows commercial operation of the roller coaster. It does not address the vested rights issue and, Alternate 2 contains the findings regarding vested rights but does not address the Section 1, Subsection (b) automatic exemption issue.

If the Council does not wish to vote on the single all-inclusive resolution, the Council can take two separate votes on the two alternate resolutions.

Respectfully submitted,
JOHN W. WITT
City Attorney

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Attachments
RC-88-18