

JUNE 8, 1976

SD

# CITY OF SAN DIEGO PROPOSITIONS

ONE GENERAL OBLIGATION BOND ISSUE,  
THREE PROPOSED CHARTER AMENDMENTS,  
TOGETHER WITH ARGUMENTS.

To Be Submitted to the Qualified Voters  
of The City of San Diego at the

**SPECIAL MUNICIPAL ELECTION**  
**TO BE HELD ON TUESDAY,**  
**JUNE 8, 1976**

The arguments in support or opposition of the  
propositions are the opinions of the authors.

EDWARD NIELSEN  
City Clerk

01677

**PROPOSITION F**

(THIS PROPOSITION WILL APPEAR ON THE BALLOT IN THE FOLLOWING FORM)

PROPOSITION F. CITY OF SAN DIEGO BOND PROPOSAL FOR THE PURCHASE OF CERTAIN COMMUNITY CONCOURSE PROPERTIES: To achieve savings in overall financing costs and to increase funds available for capital projects, shall the City incur a bonded indebtedness in the principal amount of Eleven Million Five Hundred Thousand Dollars to accomplish the immediate purchase from bond funds of certain Community Concourse properties which constitute a City Plan? This Proposition requires a two-thirds vote.	YES	
	NO	

**TAX RATE STATEMENT**

If the bond payments were to be paid from property taxes, the estimated tax rate necessary to pay the principal and interest on the proposed bond issue for the purchase of certain Community Concourse properties during the first fiscal year 1977-78 is four and seventy-eight one-hundredths cents (\$0.0478) on each one hundred dollars of the assessed valuation of the real and personal property within the City. This sum also represents the highest tax rate which would be required to pay the principal and interest during future years on this bond issue.

However, the City Council has introduced an ordinance which would allocate sufficient sales tax revenues for purposes of funding this bond issue. These revenues are presently used to make the lease payments on the Community Concourse. The effect of this action taken by the Council would be that no increase in the property tax rate for this purpose will be necessary.

W. G. SAGE  
 City Auditor and Comptroller

**ARGUMENT FOR PROPOSITION F**

Here is a Proposition which is on your ballot for just one purpose — to save tax dollars. Proposition F was approved unanimously by the City Council because it makes sound business sense. Here's why:

When the downtown Community Concourse (City Administration Building, Convention and Performing Arts Center, Exhibit Hall and Parking Garage) was built in 1964, it was financed in part by contributions and in part by a lease arrangement with the City Employees Retirement System. The rate of interest on the lease is in excess of 8 percent.

At the present time, it is estimated that the City could sell a bond issue with a rate of interest of 5-3/4 percent.

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Proposition F would authorize the sale of \$11,500,000 in bonds to repay the debt to the Employees Retirement System.

If interest rates don't increase markedly in a short period of time, the savings in tax dollars would amount to \$1,100,000 over the next 10 years. If the bonds could not be sold at a favorable rate of interest, then this option would not be utilized, and the City would simply continue to make the lease payments as before.

We believe this proposition merits your support because it is a sound business decision which will benefit all taxpayers.

The bonds will be repaid through revenues now being used to repay the debt. These funds are currently received from the State Sales Tax and will have no effect on the City Property Tax rate.

PETE WILSON

Mayor

MAUREEN F. O'CONNOR

Deputy Mayor

LEON L. WILLIAMS

Councilman — District Four

L. R. "LEE" HUBBARD, JR.

Councilman — District Three

MAC STROBL

Executive Director, San Diego

Taxpayers Association

#### ARGUMENT AGAINST PROPOSITION F

There is no doubt that these bonds would reduce the annual cost for the Community Concourse. But it is doubtful that the savings would lower taxes, they might even rise.

It is easy to think of another project to utilize the money the bonds would set free. Reflect a minute: downtown redevelopment? the embarcadero? a new air terminal to the South, North, East or outside Point Loma? a new convention center? Balboa Park, should the hospital move? many more. All are desirable, each has responsible advocates and some would add annual costs. There is no compelling reason to commence any of them without voter approval.

The bond election procedure has a more important justification than the mere approval of borrowing. It provides an opportunity for the citizens to say "Yes" or "No" for a proposed undertaking. The lease procedure, such as that used to finance the Community Concourse, circumvents the electorate but the results are long term tax obligations, equivalent to bonds.

The whole idea of bond elections is wrong to some people. They apparently feel that we should depend on a legislative body or a bureaucracy to establish amount and use of long term obligations, the federal government does, New York does (or did). If bond elections are wrong, let's change the procedure rather than continue to bypass voters by exposing pools of money to political whims.

This is essentially the same proposition we soundly rejected last November. We can avoid turning the Community Concourse funding loose and increase the likelihood voting on future major projects with another "NO" on this issue.

RODNEY L. B. SMITH

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**PROPOSITION G**

(THIS PROPOSITION WILL APPEAR ON THE BALLOT IN THE FOLLOWING FORM)

PROPOSITION G. CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 129 OF THE CHARTER OF THE CITY OF SAN DIEGO. <u>Provides authority to protect employees charged with mis- conduct from immediate or premature discipline by providing for a temporary nondisciplinary suspension pending complete investi- gation of such charges of misconduct.</u>	YES	
	NO	

This proposition amends the Charter of The City of San Diego by amending Section 129. The portions to be deleted are printed in STRIKE-OUT TYPE and the portions to be added are underlined.

This proposition requires a majority vote.

**Section 129. REMOVALS, SUSPENSION AND LAYOFFS.**

Any officer or employee of the City in the classified service may be removed from office or employment for cause by the appointing authority. Written notice of removal given to any officer or employee, or written notice left at or mailed to his or her usual place of residence, shall be sufficient to put any such removal into effect. The person so notified may, within five days after such notice, demand a written statement of the reasons therefor and the right to be heard before the Civil Service Commission. Upon such demand the appointing authority ordering the removal shall supply the person notified thereof and the Civil Service Commission with a written statement of the reasons therefor, and the Commission shall fix a time and place for a public hearing. Following the public hearing, and such investigation as the Civil Service Commission may see fit to make, the Commission shall report its findings and recommendations to the authority responsible for the removal as specified in the notice. Thereupon the authority making the removal shall make such final disposition of the matter as may be determined by the Civil Service Commission. The decision of the Civil Service Commission in any such case shall be final. A copy of the written statement of reasons given for any removal, and a copy of any written reply thereto by the officer or employee involved, together with a copy of the decision of the Civil Service Commission shall be filed as a public record in the office of the Civil Service Commission.

Any officer or employee of the City in the classified service may be suspended from office or employment for cause or for investigation of misconduct by the appointing authority. Written notice of suspension given to any officer or employee, or written notice left at or mailed to his or her place of residence, shall be sufficient to put any such suspension into effect. The person so notified may, within five days after such notice, demand a written statement of the reasons therefor and a right to appeal said suspension for cause. Upon such demand the officer making the suspension shall supply the person notified thereof and the Civil Service Commission with

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a written statement of the reasons therefor. The appellant shall be accorded all rights and privileges pursuant to law. The Civil Service Commission shall by rules or regulations, establish procedures for conducting hearings and/or investigations, and reporting findings and recommendations to the appointing authority. All findings and recommendations in any such case shall be final.

The Civil Service Commission shall promulgate rules and regulations necessary to govern layoffs for lack of funds, lack of work, or insufficient appropriation to meet the salary requirements necessary to maintain existing personnel in any office or department of the City of San Diego.

#### ARGUMENT FOR PROPOSITION G

Section 129 of the Charter presently provides that employees may be terminated or suspended for cause and that such action may be appealed. Under this section of the Charter, an employee charged with misconduct must either be kept on the payroll while the charges are being investigated or disciplined immediately, even though the investigation is incomplete. There is no way of temporarily removing an employee from his or her job, regardless of the nature or seriousness of the allegations. The employee may, under existing Charter provisions, appeal such disciplinary action to the Civil Service Commission at some later date.

Proposition G would permit temporary nondisciplinary suspensions for purposes of investigation of charges against an employee. If the charges are unfounded, the employee would be restored to duty and paid for that short period of temporary suspension. No further action would follow. If the charges are substantiated, disciplinary action would be administered and the employee would still have the right to appeal as presently authorized.

Proposition G will provide an additional safeguard to protect employees charged with misconduct from any premature discipline by establishing for the employee an interim nondisciplinary status for purposes of investigation of charges.

PETE WILSON  
Mayor  
GIL JOHNSON  
Councilman — District One

JESS D. HARO  
Councilman — District Eight  
MAUREEN F. O'CONNOR  
Deputy Mayor

HUGH MCKINLEY

#### ARGUMENT AGAINST PROPOSITION G

The American system of justice holds that an accused person is innocent until proven guilty. This measure would punish innocent and guilty alike by removing them from their jobs before an accusation is investigated. Anyone can make an accusation, which may or may not be justified. To take away an accused person's livelihood and subject him to suspicion by separating him from his fellow-workers is repugnant to justice. This measure, which claims to

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protect the accused, does just the opposite and should be defeated: Uphold the current charter provisions by voting "NO" on this proposition.

LESLIE C. PARKER

Secretary-Treasurer & Business Manager, San Diego County District Council of Carpenters

W. H. (BUD) FUSARO

President, Deputy Sheriff's Association

EUGENE W. YEE

President, San Diego Public Employees' Association

RALPH P. DARR

Retired Senior Citizen

ROBERT C. NEAL

Attorney at Law

### PROPOSITION H

(THIS PROPOSITION WILL APPEAR ON THE BALLOT IN THE FOLLOWING FORM)

PROPOSITION H. CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 130 OF THE CHARTER OF THE CITY OF SAN DIEGO. Assigns to the Civil Service Commission the responsibility to prepare and furnish annually to the City Council timely and appropriate salary information for the guidance of the Council. Deletes the duty that the Commission be required to prepare and furnish a schedule of compensation each year.	YES	
	NO	

This proposition amends the Charter of The City of San Diego by amending Section 130. The portions to be deleted are printed in STRIKE-OUT TYPE and the portions to be added are underlined.

This proposition requires a majority vote.

#### Section 130. COMPENSATION ESTABLISHED.

The Council shall by ordinance, prior to the beginning of each fiscal year, establish a schedule of compensation for officers and employees in the Classified Service, which shall provide uniform compensation for like service. It shall be the duty of the Civil Service Commission to prepare and furnish annually to the Council, sufficiently prior to adoption of said ordinance, ~~for the salary information and for the guidance of the Council, a schedule of compensation recommending a minimum and maximum for any grade.~~ The Council may adopt such schedule as presented, or make such changes therein as it may deem necessary and proper. An increase in compensation, within the limits provided for any grade, may be granted

at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority record, after first having ~~first~~ received the approval of the Civil Service Commission therefor.

**ARGUMENT FOR PROPOSITION H**

The Mayor and City Council of the City of San Diego are elected by the people of San Diego. They are accountable to you for their decisions through the election process. It is their responsibility to ensure that necessary municipal services are provided for the citizens of this community in an efficient and effective manner. It is also their responsibility to ensure that those necessary municipal services are provided at a cost that the taxpayers can afford to pay.

That is the real significance of Proposition H.

The responsibility for setting the property tax rate required for the operation of City government does and should rest directly and exclusively on the elected Mayor and City Council. Any provision that shifts that responsibility in any way should be stricken. Accordingly, the current provision in the Charter that requires the Civil Service Commission to provide salary recommendations to Council should be stricken. Salary recommendations must take into consideration the ability of the taxpayers to pay the bill. And that determination must rest solely with your elected representatives.

In order for the City Council to make an informed decision on salaries for City employees, it is essential that Council be provided with accurate and up-to-date salary information. While the Civil Service Commission has, at Council's request, voluntarily supplied such information, there is currently no provision in the Charter requiring the Commission to do so. Proposition H would require the Commission to prepare and furnish timely and appropriate salary information for the guidance of Council.

This Charter amendment will ensure that Council annually makes a decision on City employee salaries based both on the best salary data available and on the ability of the taxpayers to pay the bill.

We urge a yes vote on Proposition H.

PETE WILSON  
Mayor  
MAUREEN F. O'CONNOR  
Deputy Mayor

GIL JOHNSON  
Councilman — District One  
LEON L. WILLIAMS  
Councilman — District Four

JIM ELLIS  
Councilman — District Seven

**ARGUMENT AGAINST PROPOSITION H**

The City Charter's requirement for impartial recommendations by a non-political citizens' advisory group on annual salary adjustments for City employees is essential to good government in San Diego.

Reform-minded San Diegans approved a City Charter requirement 35 years ago that the Civil Service Commission annually provide the City Council with specific recommendations on the range of salaries which should be paid Civil Service employees in various classifications. These recommendations are based on extensive studies and hearings but still can be modified by the Council.

Over the years, the appointed Commissioners from all segments of our community have provided a vital buffer between the Council and special interest groups which seek to influence the level of pay of City employees. In short, the Commission has kept the City payroll at arm's length from City politics.

Proposition H would end this system and subject the question of employee salary adjustments each year to the whims of the politically-oriented City Council and its pressure groups.

San Diego voters have consistently and wisely opposed ballot measures which would bring back political patronage and the "spoils system".

Just three years ago, elimination of the Civil Service Commission's salary recommendation role was proposed among a series of propositions associated with a switch of San Diego to the "strong mayor form of government".

The voters overwhelmingly rejected the change then, and we hope your wisdom and concern will direct you to do so again.

Please vote NO on Proposition H.

L. R. "LEE" HUBBARD, JR.  
Councilman — District Three

NORMAN OLNEY  
Vice Chairman, San Diego County  
Young Americans for Freedom

**PROPOSITION J**

(THIS PROPOSITION WILL APPEAR ON THE BALLOT IN THE FOLLOWING FORM)

PROPOSITION J. CITY OF SAN DIEGO CHARTER AMENDMENT. ADDS SECTION 129.1 TO THE CHARTER OF THE CITY OF SAN DIEGO. Prohibits strikes by City employees. Authorizes dismissal of striking employees in accordance with applicable provisions of the Charter. Provides that employees be assured and accorded due process of law. Provides further that no official of the City shall have authority to grant amnesty to any City employee who has violated the "No Strike" provision of this Charter and excludes appeals to the Civil Service Commission from disciplinary action authorized by this section. Prohibits Council from granting any increases over those in effect or last offered by the City prior to any strike or concerted action and further prohibits any increases beyond that in effect or last offered until the following year meet and confer negotiations.	YES	130,800 134,800
	NO	88,401 88,401



This proposition adds Section 129.1 to the Charter of The City of San Diego. The portions to be added are underlined.

This proposition requires a majority vote.

Section 129.1 REMOVAL OF STRIKING EMPLOYEES.

No employee of The City of San Diego employed under the civil service provisions of this Charter shall instigate, participate in, afford leadership to a strike against The City of San Diego, or engage in any form of concerted action to withhold service from said City. In the event of any such strike or concerted action against the City, it shall be the duty of the City Manager or other appointing authority to ascertain the identity of any employee of the City under his jurisdiction who is in violation of the provisions of this section and to initiate dismissal proceedings against such employee in accordance with the applicable provisions of this Charter. Any citizen of the City may file written charges against an employee in violation of the provisions of this section. The appropriate appointing authority shall, upon receipt of such written charges, investigate without delay any such written charge, and forthwith inform said citizen of the findings and action, or proposed action, to be taken thereon.

Appointing authorities shall cause timely hearings to be held for any employees charged hereunder. If the City Manager or other appointing authority, after a hearing, determines that the charges are supported by the evidence submitted, and that the employee willfully engaged in the strike or action, said appointing authority shall dismiss the employee involved, and said person shall not be reinstated or returned to The City of San Diego employment except as a new employee who is employed in accordance with the regular employment practices of the City in effect at that time for the particular position of employment.

No officer, board or commissioner of the City, elected or appointed, shall have the power to grant amnesty to any person charged with a violation of any of the provisions of this section.

Every employee of The City of San Diego employed under the civil service provisions of this Charter on the effective date of this section, and each person employed pursuant to the civil service provisions of this Charter on or after the effective date of this section, shall be furnished a copy and apprised of the provisions of this section and shall make under oath and file in the office of the Civil Service Commission the following declaration:

"I hereby acknowledge receipt of a copy of the provisions of Section 129.1 of the Charter of The City of San Diego and hereby declare that during the term of my employment with said City I shall neither instigate, participate in or afford leadership to a strike against said City or engage in any concerted action to withhold my services from the city."

In the event of any strike or concerted action to withhold service from The City of San Diego by an employee organization, or employees represented thereby, the City Council is hereby prohibited from granting any improvement in wages, hours or working conditions beyond those in effect or last offered to the striking organization or employees represented thereby by the City prior to the commencement of such strike or concerted activity, and is prohibited from considering the granting of any such improvement beyond that which may have been last offered by the City prior to the strike or concerted activity until the commencement of meet and

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confer negotiations in the next subsequent calendar year at the time regularly scheduled for commencement under adopted City Council policy governing such negotiations.

Notwithstanding any other provision of this Charter, a dismissal imposed pursuant to this section shall not be appealable to the Civil Service Commission.

### ARGUMENT FOR PROPOSITION J

Strikes by City employees cannot be tolerated.

The entire purpose of municipal government is to provide public services in support of the health, safety and general welfare of the people. It is unthinkable that strikes or other work stoppages designed to deprive the people of health and safety services could ever be condoned.

Public employment differs markedly from private employment. Public employees must undertake their employment with the knowledge that in return for greater security and comparable wages and benefits they will forbear from withholding essential public services.

Strikes are used in the private sector to exact wage increases which, are passed along to the consumer in the marketplace. The consumer has the freedom to select other goods and services that may be offered less expensively than those provided by the striking employees. But no such option exists for taxpayers.

Proposition J:

— Prohibits strikes by City employees.

— Prohibits City officials from granting any improvement in wages, benefits or working conditions beyond those offered by the City prior to commencement of the strike, thus removing any incentive to strike.

If there is a strike, there will be no amnesty for taxpayers, and there can be none for striking City employees.

Nor will there be any tax holiday for taxpayers if essential public services are interrupted by a public employee strike. If there is a strike, your garbage may not get collected, but your taxes will be.

We must pay fair compensation to our City employees, or we will lose the most qualified. But, we must also consider the ability of the taxpayer to pay. We must not permit ourselves to yield to the unreasonable demands of union bosses whose sole reason for being is ever to demand more without considering the taxpayer.

Vote "yes" on Proposition J.

PETE WILSON  
Mayor

EVAN JONES  
President, San Diego  
Chamber of Commerce

MAC STROBL  
Executive Director, San Diego  
Taxpayers Association

MAUREEN F. O'CONNOR  
Deputy Mayor

LEON L. WILLIAMS  
Councilman — District Four

**ARGUMENT AGAINST PROPOSITION J**

The Civil War supposedly ended the practice of requiring a person to work against his will, although it was decades before workers in industry established their right to withhold their labor. Subsequently, federal laws were enacted to protect both the workers and the public from abuses. Collective bargaining evolved, and today only a tiny proportion of time is lost to strikes. No such protection is afforded municipal workers. This measure would punish them for exercising the rights their fellow workers in the private sector have had for generations. Read Proposition J carefully. Although it claims to accord employees due process of law, it actually would deny it. It excludes the Civil Service Commission from disciplinary proceedings. This amendment is premature and unwarranted. The adoption of this charter change will only aggravate labor relations between the City and its employees. It would deprive the City of flexibility in resolving labor disputes.

Reject this attack on our local governmental system by voting "NO".

JESS D. HARO  
Councilman — District Eight

GIL JOHNSON  
Councilman — District One

LESLIE C. PARKER  
Secretary-Treasurer & Business  
Manager, San Diego County District  
Council of Carpenters  
EUGENE W. YEE  
President, San Diego Public  
Employees' Association

RALPH P. DARR  
Retired Senior Citizen