

**County of
San Diego
California**



**Sample Ballot
& Voter Information Pamphlet**

**PRIMARY ELECTION
TUESDAY, JUNE 3, 1980**

Compiled and Distributed by:

RAY J. ORTIZ
Registrar of Voters
5201-I Ruffin Road
San Diego, CA 92123
(714) 565-5543

Spanish translation of this pamphlet is available upon request from the Office of the Registrar of Voters at the above address.

Este folleto está disponible en español previa petición al Registrador de Votantes a la dirección que se da arriba.

POLLS OPEN AT 7 A.M. AND CLOSE AT 8 P.M.

**THE LOCATION OF YOUR POLLING PLACE
IS SHOWN ON THE BACK COVER**

PRIMARY ELECTION — JUNE 3, 1980 — SAN DIEGO COUNTY
NONPARTISAN — OFFICIAL BALLOT

CITY OF SAN DIEGO PROPOSITIONS

PROPOSITION A

CITY OF SAN DIEGO CHARTER AMENDMENT. ADDS SECTION 11.1 TO THE CHARTER OF THE CITY OF SAN DIEGO.

Imposes upon City Council same prohibition against delegating legislative power or responsibility as State Constitution imposes on the State Legislature regarding raising and spending public monies.

Establishes guidelines for Council consideration in setting employee compensation.

Requires City Council to give priority to police protection in setting compensation of City employees.

Yes 187 →

No 188 →

PROPOSITION B

INITIATIVE MEASURE AMENDING SECTION 129.1 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Establishes impasse resolution procedures to resolve disputes between the City and the recognized employee organization for Police Officers by providing for the submission to a three-member Board of Arbiters of all unresolved disputes or controversies pertaining to matters within the scope of representation.

Provides for both sides selecting one member of the Board of Arbiters and those two members selecting the third member who becomes the Chairperson. Establishes a procedure for the selection of the third member absent agreement.

For each issue submitted, the Board of Arbiters shall select either the final position of the City or the Police organization and each such selection by the Board shall be final and binding upon the parties.

Provides that expenses of any Board proceeding shall be borne equally by the parties.

Yes 200 →

No 201 →

PROPOSITION C

CITY OF SAN DIEGO CHARTER AMENDMENTS. AMENDS SECTIONS 10, 12 AND 23 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Establishes that Council members shall be nominated and elected by district rather than nominated by district and elected citywide.

Yes 205 →

No 206 →

PRIMARY ELECTION — JUNE 3, 1980 — SAN DIEGO COUNTY
NONPARTISAN — OFFICIAL BALLOT

CITY OF SAN DIEGO PROPOSITIONS (CONTINUED)

PROPOSITION D

CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 92 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Authorizes the City Council to establish the rate of interest within the legal limit that tax anticipation notes may bear and removes present five percent per annum limitation.

Yes 213 →

No 214 →

PROPOSITION E

CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 129 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Clarifies existing language to expressly provide that upon attaining permanent status, officers and employees in the Classified Service may be removed only for cause and that prior to attaining permanent status, officers and employees in the Classified Service may be removed under those conditions and in the manner specified by the Civil Service Commission.

Yes 220 →

No 221 →

PROPOSITION F

RATIFICATION OF ORDINANCE NO. 0-15215 (NEW SERIES).

Shall Ordinance No. 0-15215 (New Series) entitled, "AN ORDINANCE AUTHORIZING THE REMOVAL FROM CEMETERY DEDICATION OF FIFTY-SEVEN (57) ACRES OF THAT PART OF MOUNT HOPE CEMETERY WHICH IS UNDEVELOPED AND IS NOT NEEDED FOR CEMETERY PURPOSES AND IS NORTH OF MARKET STREET, SO THAT SAID PROPERTY MAY BE UTILIZED THROUGH LEASE OR SALE FOR PURPOSES WHICH ARE CONSISTENT WITH THE COMMUNITY PLAN FOR SAID AREA, OR FOR NAVAL HOSPITAL PURPOSES, IF FOR ANY REASON THE BALBOA PARK NAVAL HOSPITAL IS NOT REBUILT IN BALBOA PARK," adopted by this Council of The City of San Diego be ratified?

Yes 228 →

No 229 →

PROPOSITION A

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

PROPOSITION A. CITY OF SAN DIEGO CHARTER AMENDMENT. ADDS SECTION 11.1 TO THE CHARTER OF THE CITY OF SAN DIEGO.

Imposes upon City Council same prohibition against delegating legislative power or responsibility as State Constitution imposes on the State Legislature regarding raising and spending public monies.

Establishes guidelines for Council consideration in setting employee compensation.

Requires City Council to give priority to police protection in setting compensation of City employees.

Yes 187 ➡

No 188 ➡

This proposition amends the Charter of The City of San Diego by adding Section 11.1. The portions to be added are underlined.

This proposition requires a majority vote.

Section 11.1 LEGISLATIVE POWER—NONDELEGABLE.

The same prohibition against delegation of the legislative power which is imposed on the State Legislature by Article XI, Section 11a of the Constitution of the State of California shall apply to the City Council of The City of San Diego, so that its members shall not delegate legislative power or responsibility which they were elected to exercise in the adoption of any ordinance or resolution which raises or spends public monies, including but not limited to the City's annual budget ordinance or any part thereof, and the annual ordinance setting compensation for City employees, or any ordinance or resolution setting public policy.

In setting compensation for City employees, the City Council shall adopt an ordinance no later than May 30 of each year after considering all relevant evidence including but not limited to the needs of the citizens of the City of San Diego for municipal services and the ability of the citizens to pay for those services; provided, however, that the City Council shall give priority in the funding of municipal services to the need of the citizens for police protection.

ARGUMENT IN FAVOR OF PROPOSITION A

Police protection must be San Diego's first priority. Proposition A gives a message to the City Council: **police protection must come first in budgeting.**

San Diegans are justifiably concerned about increasing crime. The citizens must have more police protection, but Proposition B threatens to bring about less protection. Historically, binding arbitration has meant employee pay at the expense of the service levels to the citizens.

Proposition A is a far better alternative. Proposition A puts in the city charter that police protection gets the first call on city resources.

Proposition A does more than that. It holds the people you elect to office directly accountable for the budget, pensions, and employee salaries they are willing to approve.

You, as taxpayers, foot the bills for the kind of budgets government sets. Proposition A requires that the people you elect be directly accountable for the budgets, pensions, and employee salaries they approve.

Proposition A means if an elected official fails to do the job right, you can hold him accountable and vote him out of office for failure to perform.

Some would have taxpayers capitulate to compulsory binding arbitration, removing the taxpayers and their representatives from final say in a lion's share of the budget-setting process.

That notion is repugnant to the democratic process. Taxpayers should have control over the city budget. Taxpayers should be able to keep politicians accountable. Taxpayers should have the right to say no to exorbitant wage demands.

PROPOSITION A WON'T CHANGE THE EXISTING BAN ON STRIKES BY CITY EMPLOYEES CONTAINED IN SECTION 129.1 OF THE CITY CHARTER.

PROPOSITION A INSISTS THE CITY COUNCIL BE DIRECTLY ACCOUNTABLE TO YOU, THE VOTER AND TAXPAYER.

PROPOSITION A TELLS THE CITY COUNCIL THAT IT MUST MAKE POLICE PROTECTION THE CITY'S HIGHEST BUDGET PRIORITY.

PROPOSITION A DESERVES YOUR YES VOTE.

PETE WILSON
Mayor

PETE FRITZ
President
San Diego Taxpayers' Association

BRUCE HENDERSON
President
Association of Concerned Taxpayers

REV. GEORGE WALKER SMITH
Immediate Past President
San Diego Unified School District

DAN LARSEN
Chairman
Taxpayers for Better Police
Protection

ARGUMENT AGAINST PROPOSITION A

This proposal is misleading. It is important you know why.

Over 62,000 citizens signed a petition for a process to settle differences between police officers and City officials regarding compensation. Within days, the Council put this proposal on the ballot without advance notice. Most Council members didn't see it until the day of the Council meeting.

The purpose of this proposal is clear — create confusion and cause defeat of the petition signed by thousands of citizens.

The proposal ties the Charter to State Legislature restrictions. Council authority has always been decided by the people voting to revise the Charter. The Charter should remain the voice of San Diegans. San Diegans don't want their Charter dictated by State Legislature restrictions.

A NO vote on Proposition A means San Diegans want to control their Charter.

The proposal has general guidelines for setting salaries of employees including police officers. This language is only an attempt to make San Diegans believe there will be better police protection by its passage. This is not accurate. These guidelines have existed for years. San Diegans know what has happened to police protection and police officers during those years.

Government statistics show San Diego crime rate rising faster than anywhere else in the County and most large cities in the nation. Our police are quitting at an alarming rate. This proposal doesn't solve that problem. It only ties the Charter to State Legislature restrictions and includes meaningless language which doesn't solve the seriously inadequate police protection.

A NO vote on Proposition A means San Diegans, not the State Legislature, decide Council authority.

A NO vote on Proposition A means San Diegans want more than general guidelines to solve the lack of adequate police protection and well-trained, experienced police officers.

Vote NO on Proposition A to keep the charter in San Diegans hands.

JACK PEARSON
President
San Diego Police Officers
Association

GLORIA THELMA LEITCH
President
Stamp Out Crime Council

RICHARD H. LUCERO
President
Peace Officers Research
Association of California

LOIS N. THUDIUM
Chairman
Neighborhood Alert

RICHARD J. CARLSON
Director
Region II — California Crime
Prevention Officers Association

PROPOSITION B

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

PROPOSITION B. INITIATIVE MEASURE AMENDING SECTION 129.1 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Establishes impasse resolution procedures to resolve disputes between the City and the recognized employee organization for Police Officers by providing for the submission to a three-member Board of Arbiters of all unresolved disputes or controversies pertaining to matters within the scope of representation.

Provides for both sides selecting one member of the Board of Arbiters and those two members selecting the third member who becomes the Chairperson. Establishes a procedure for the selection of the third member absent agreement.

For each issue submitted, the Board of Arbiters shall select either the final position of the City or the Police organization and each such selection by the Board shall be final and binding upon the parties.

Provides that expenses of any Board proceeding shall be borne equally by the parties.

Yes 200 →

No 201 →

INITIATIVE MEASURE: This proposition amends the Charter of The City of San Diego by amending Section 129.1. The portions to be deleted are printed in STRIKEOUT TYPE and the portions to be added are underlined.

This proposition requires a majority vote.

Section 129.1. ~~REMOVAL OF STRIKING EMPLOYEES METHOD FOR PEACEFUL SETTLEMENT OF POLICE LABOR DISPUTES AND PREVENTION OF EMPLOYEE STRIKES.~~

A. DECLARATION OF POLICY.

It is hereby declared to be the policy of the City of San Diego that strikes by employees are not in the public interest and should be prohibited; and that because of the essential nature of services provided to the community by Police Officers a method should be adopted for peacefully and fairly resolving disputes that might otherwise lead to strikes by Police Officers.

B. PROHIBITION AGAINST STRIKES.

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 the 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 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.

C. OBLIGATION TO NEGOTIATE IN GOOD FAITH.

The City, through its duly authorized representatives, shall negotiate in good faith as required by applicable State law with the recognized employee organization for Peace Officers including police trainees of the Police Department (referred to as recognized employee organization), on all matters within the scope of representation as defined by law.

D. RIGHTS OF CITY PRESERVED.

The rights of the City (Management Rights) shall not be within the scope

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of representation and the City shall not be required or obligated to negotiate such rights.

The rights of the City include but are not limited to the exclusive right to determine the mission of its constituent departments, commissions, and boards; set standards of service; determine the procedures and standards of selection for employment and promotion; direct its employees, take disciplinary action for just cause; relieve its employees from duty because of lack of work or for other legitimate reasons; maintain the efficiency of governmental operation; determine the methods, means and personnel by which government operations are to be conducted; determine the content of job classifications; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work. The exercise of such rights shall not preclude employees or their representatives from Meeting and Confering or Meeting and Consulting as required by law with management representatives about the practical consequences that decisions on these matters may have on wages, hours, and other terms and conditions of employment.

Nothing contained herein shall be construed to prevent the City from specifically agreeing to negotiate or consult with the recognized employee organization regarding management rights.

E. IMPASSE RESOLUTION PROCEDURES.

All disputes or controversies pertaining to matters within the scope of representation which remain unresolved after good faith negotiations between the City and recognized employee organization shall be submitted to a three member Board of Arbiters upon the declaration of an impasse by the City or the recognized employee organization involved in the dispute.

Nothing contained herein shall be deemed to prevent or prohibit the Board of Arbiters from determining whether the dispute or controversy involves a subject within the scope of representation. Nothing contained herein shall preclude either party from seeking judicial review of such determination by the Board.

1. SELECTION OF BOARD.

Within three (3) days after either party has notified the other, in writing, of the declaration of an impasse and the desire to proceed to arbitration, representatives designated by the City and representatives of the recognized employee organization involved in the dispute shall each select one member to the Board as follows:

a. One member who must be a resident of the City of San Diego shall be selected by the City Council.

b. One member who must be a resident of the City of San Diego shall be selected by the recognized employee organization.

c. The two selected members shall endeavor to agree upon the selec-

tion of a third member who must be a resident of the City of San Diego and shall serve as Chairperson of the Board. In the event that the members selected by the City and the recognized employee organization cannot agree upon the selection of the third member within ten (10) days from the date of the declared impasse, then the California State Conciliation Service shall be requested by either party to provide a list of seven (7) persons who are qualified and experienced as labor arbitrators and residents of the City of San Diego. If the members selected by the City and the recognized employee organization cannot agree within three (3) days after receipt of such list on one of the seven (7) to act as the third member, they shall alternatively strike names from the list of nominees until only one name remains and that person shall then become the third member and Chairperson of the Board.

2. PROCEEDINGS OF BOARD.

Any arbitration convened pursuant to this article shall be conducted in conformance with, subject, and governed by Title 9 of Part 3 of the California Code of Civil Procedure.

At the conclusion of the arbitration hearings, the Board shall direct each of the parties to submit, within such time limit as the board may establish, a last offer of settlement on each of the issues in dispute. The Board shall decide each issue by majority vote by selecting whichever last offer of settlement on that issue it finds most nearly conforms with those factors traditionally taken into consideration in the determination of wages, hours, and other terms and conditions of public and private employment, including, but not limited to, changes in the average consumer price index for goods and services, the wages, hours, and other terms and conditions of employment of other employees performing similar services in comparable agencies, and the financial condition of the City and its ability to meet the cost of the award.

After reaching a decision, the Board shall mail or otherwise deliver a true copy of its decision to the parties. The decision of the Board shall not be publicly disclosed and shall not be final until ten (10) days after it is delivered to the parties. During that ten day period the parties may meet privately, attempt to resolve their differences, and by mutual agreement amend or modify any of the decisions of the Board. At the conclusion of the ten day period, which may be extended by mutual agreement between the parties, the decision of the Board together with any amendment or modifications agreed to by the parties shall be publicly disclosed and shall be final and binding upon the parties. The City and recognized employee organization shall take whatever action is necessary to carry out and effectuate the award.

The expense of any Board proceeding pursuant to this article, including the fee for the services of the Chairperson of the Board shall be borne equally by the parties. All other expenses which the parties may incur individually are to be borne by the party incurring such expenses.

F. OTHER METHODS FOR RESOLVING DISPUTES PERMISSIBLE.

Nothing herein shall be construed to prevent the parties from submitting controversies or disputes to mediation, fact finding or other reasonable methods to finally resolve the dispute, should the City of San Diego and the recognized employee organization in the controversy or dispute so agree.

ARGUMENT IN FAVOR OF PROPOSITION B

The 62,500 citizens who signed petitions which resulted in this proposed charter amendment being submitted to the voters of San Diego share the sincere concern of the Police Officers Association and other responsible organizations over the rapidly deteriorating condition of our police department.

The SDPD is experiencing the highest attrition rate in its history. The average tenure on the department's uniformed patrol force is now 2.2 years. This unacceptable turnover of personnel is costly. It has been estimated that it takes \$12,000 to train each local Academy trainee. If the graduate shortly quits the force, the money is wasted. The shortage of qualified officers has also reduced training time. In 1978, Academy training was 22 weeks. Today it is about 15½ weeks. And in the field, probationers are now training probationers. This desperate situation is caused in large part by the fact that a San Diego police officer's job security is subject to the City's "take it or leave it" policy. In the first two months of this year, 58 officers chose to "leave it."

Proposition B would correct this unfair and inequitable condition by providing for a dispute-resolving process that would be implemented only if all other mediation methods fail. There is nothing new or different about adopting impasse resolution procedures. Twenty-eight states and the District of Columbia now have laws of varying degrees affording public employees and employers the right to arbitration as the final step in negotiation disputes.

Proposition B reaffirms existing city charter provisions prohibiting strikes. Proposition B preserves city management's rights. The proposal calls for only San Diegans to be named to the three-person Board of Arbiters.

Your YES vote on Proposition B will help your city attract and retain skilled professional law enforcement people . . . whose business is your safety.

JACK PEARSON
President
San Diego Police Officers
Association, Inc.

GLORIA THELMA LEITCH
President
Stamp Out Crime Council

RICHARD H. LUCERO
President
Peace Officers Research
Association of California

LOIS N. THUDIUM
Chairman
Neighborhood Alert

LOUIS A. BUSHMAKER
Chairman
American Society for Industrial
Security, San Diego Chapter

ARGUMENT AGAINST PROPOSITION B

For San Diego's sake, vote **No** on Proposition B.

It is a dangerous compulsory binding arbitration measure.

Proposition B is not an anti-strike measure!

You, the taxpayers, already plainly outlawed public employee strikes three years ago by enacting Section 129.1 of the City Charter. Proposition B provides no additional protection against strikes.

But Proposition B would radically change labor negotiations to favor public employee unions at the expense of adequate levels of essential services for the citizens. History shows arbitrators favor public employee unions by a 2-to-1 margin.

For example, San Diegans must have more police protection, but Proposition B actually threatens to bring about less protection.

Why?

Because binding arbitration has brought \$44,000-a-year fire fighters to Oakland. As a result Oakland can afford not only fewer fire fighters but has fewer police officers and a lesser degree of essential city services due to the arbitrator's outrageous award.

Binding arbitration has cost Detroit \$50 million a year and brought Detroit both the nation's highest paid municipal workers and threat of bankruptcy.

In Milwaukee, an arbitrator demanded that taxes be raised to pay for a 20% pay increase for city workers.

And who are these highly-paid arbitrators who increase employee compensation and reduce services to the citizens?

He is virtually anonymous and in no way accountable to you as a voter because you never vote for him. He is not even accessible to you as a taxpayer. The arbitrator has no idea and no concern as to your priorities. You cannot write or telephone him to express them as you can to your councilman.

If you want more services, and specifically more police protection, rather than uncontrolled compensation for city employees as in Oakland and Detroit, vote **No** on Proposition B.

PETE WILSON
Mayor

PETE FRITZ
President
San Diego Taxpayers' Association

BRUCE HENDERSON
President
Association of Concerned Taxpayers

REV. GEORGE WALKER SMITH
Immediate Past President
San Diego Unified School District

DAN LARSEN
Chairman
Taxpayers for Better Police
Protection

PROPOSITION C

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

PROPOSITION C. CITY OF SAN DIEGO CHARTER AMENDMENTS. AMENDS SECTIONS 10, 12 AND 23 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Establishes that Council members shall be nominated and elected by district rather than nominated by district and elected citywide.

Yes 205 ➡

No 206 ➡

This proposition amends the Charter of The City of San Diego by amending Sections 10, 12 and 23. The portions to be deleted are printed in STRIKEOUT TYPE and the portions to be added are underlined.

This proposition requires a majority vote.

Section 10. ELECTIONS

Elective officers of the City shall be nominated and elected by all of the electors of the City except that City Council members other than the Mayor shall be nominated and elected by the electors of the district for which elective office they are a candidate.

The regular municipal primary election shall be held on the third Tuesday in September in each odd-numbered year, and the general municipal election shall be held on the first Tuesday after the first Monday in November of the same year, or, if either of these days falls on a legal holiday, then the election shall be held on the next succeeding day which is not a legal holiday; provided, however, that commencing with the year 1984 the elections to the offices of Mayor and City Attorney shall be held every four (4) years. The municipal primary election for these offices shall be held on the same date in each election year as the California State primary election, and the general municipal election for these offices shall be held on the same day as the California State general election for that year. All other municipal elections which may be held under this Charter shall be known as special municipal elections.

~~At the municipal primary election there shall be chosen by the electors of each Council district two candidates for the office of any councilman from a district whose term expires the succeeding December.~~

~~There shall be chosen by all of the electors of the City not more than twice the number of candidates necessary to fill any office of any other officer whose term expires the succeeding December.~~

~~In the event that any candidate, other than council candidates, for nomination to any office for which only one person is to be elected, shall receive a majority of the votes cast for all the candidates for nomination to such office at such primary election, the candidate so receiving such majority of all votes shall be deemed to be, and declared by the Council to be, elected to such office.~~

All elective officers of the City shall be nominated at the municipal primary election. In the event one candidate receives the majority of votes cast

for all candidates for nomination to a particular elective office, the candidate so receiving such majority of votes shall be deemed to be and declared by the Council to be elected to such office. In the event no candidate receives a majority of votes cast as aforesaid, the two candidates receiving the highest number of votes for a particular elective office at said primary shall be the candidates, and only candidates, for such office and the names of only those two candidates shall be printed upon the ballots to be used at the general municipal election.

At the general municipal election held for the purpose of electing Council members other than the Mayor the electors of the whole City each Council district shall select from among the candidates chosen at the primary election in each that district one candidate for the office of the Councilman member whose term expires the succeeding December. and At the general municipal election held for the purpose of electing any other elective officer there shall be chosen by all of the electors of the whole City from among the candidates chosen at the primary one candidate to succeed any other elective officer whose term expires in December succeeding the election.

After the result of an election for any office is declared, or when an appointment is made, the City Clerk, under his hand and official seal, shall issue a certificate therefor, and shall deliver the same immediately to the person elected or appointed, and such person must within ten days after receiving such certificate file his official bond if one be required for his office, and take and subscribe to the oath of office required of him by this Charter, which oath must be filed with the City Clerk.

Section 12. THE COUNCIL.

The Council shall be composed of nine (9) Council members, including the Mayor, and shall be the legislative body of the City, each of the members of which, including the Mayor, shall have the right to vote upon all questions before it.

At the municipal primary and general election in 1979, a Mayor shall be chosen by the electors for a term of five (5) years. A Mayor shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter. The Mayor shall hold office for the term prescribed from and after 10 a.m. the first Monday after the first day of December next succeeding his election and until his successor is elected and qualified.

Council members, other than the Mayor, shall be elected at either the municipal primary or the general municipal election held in the odd-numbered years and, except as hereinafter provided, shall hold office for the term of four (4) years from and after 10 a.m. the first Monday after the first day of December next succeeding their election and until their successors are elected and qualified. Upon any redistricting pursuant to the provisions of this Charter, incumbent Council members will continue to represent the district in which they reside, unless as a result of such redistricting more than one incumbent Council member resides within any one district, in which case the City Council may determine by lot which Council member shall represent each district. At the next municipal primary and general elections following a redistricting, Council members shall be elected from those districts not represented and from those districts represented by incumbent Council members whose terms expire as of the general election in

said year. If as a result of any redistricting more than a simple majority of the City Council as redistricted shall be elected at ~~the~~ either the municipal primary or general elections next following any such redistricting, the City Council prior to any such election shall designate one or more new districts for which the initial councilmanic term shall be two (2) years in order to retain staggered terms for Council members.

Any vacancy occurring in the Council shall be filled from the District in which the vacancy occurs by appointment by the remaining Council members; but in the event that said remaining Council members fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.

It is the duty of Council members to attend all Council meetings. The Council shall vacate the seat of any Council member who is absent from eight (8) consecutive meetings or fifty percent (50%) of any scheduled meetings within a month unless the absence thereof is excused by resolution of the Council.

Council members, including the Mayor, shall devote full time to the duties of their office and not engage in any outside employment, trade, business or profession which interferes or conflicts with those duties.

No Council member shall be eligible during the term for which he was appointed or elected to hold any other office or employment with the City, except as Mayor or City Attorney and as a member of any Board, Commission or Committee thereof, of which he is constituted such a member by general law or by this Charter.

Section 23. INITIATIVE, REFERENDUM AND RECALL.

The right to recall municipal officers and the powers of the initiative and referendum are hereby reserved to the people of the City. Ordinances may be initiated; and referendum may be exercised on any ordinance passed by the Council except an ordinance which by the provisions of this Charter takes effect immediately upon its passage; and any elective officer may be recalled from office. The Council shall include in the election code ordinance required to be adopted by Section 8, Article II, of this Charter, an expeditious and complete procedure for the exercise by the people of the initiative, referendum and recall, including forms of petitions; provided that the number of signatures necessary on petitions for the initiation of an ordinance for the consideration of the Council shall be three percent of the registered voters of the City at the last general City election; that for the direct submission of a measure to the people it shall require a petition signed by ten percent of the registered voters of the City at the last general City election; that for a referendum upon an ordinance passed by the Council it shall require a petition signed by five percent of the registered voters of the City at the last general City election; that for the recall of an elected officer who is elected by all of the electors of the City, it shall require a petition signed by fifteen percent of the registered voters of the City at the last general City election; and that for the recall of a Council member other than the Mayor it shall require a petition signed by fifteen percent of the registered voters of the Councilmanic District at the last general City election.

ARGUMENT IN FAVOR OF PROPOSITION C

Vote Yes on Proposition C. District elections will:

- **Save taxpayers at least \$125,000 each election** by eliminating the cost of city-wide elections for council members;
- **Recapture the American spirit of democracy** through neighborhood representation; district elections are not new, our county supervisors, members of the state assembly and senate as well as members of the House of Representatives have long been elected in this manner;
- **Extend the spirit of Proposition 13 to the electoral arena:** cut the fat of campaign costs while increasing the accountability of those elected;
- **Make it more difficult for monied special-interests to control your City Council;** our strong city-manager form of government, coupled with the City Civil Service Commission system, effectively eliminates ward politics and patronage.
- **Require City Council members to address the unique needs and issues of individual districts,** while working to guarantee the well-being of the entire city;
- **Make each council member eight-times more responsive;** nothing in this proposition will change the fact that each council member, including the mayor, will still have only one vote, as the City Charter intends;
- **Provide strict accountability for City Council members** by making it easier to vote them out of office; the total votes required to effect change will be much smaller;

Most large cities in California have already reformed their method of electing council members to election-by-district.

Proposition C offers us an opportunity to fully implement representative democracy by making our City Council more accountable without giving up the professionalism necessary to run a modern city of over 800,000 people.

DISTRICT ELECTIONS MEANS MORE REPRESENTATION OF YOUR VIEWS FOR LESS COST, WHEN WAS THE LAST TIME YOU WERE OFFERED SUCH A BARGAIN? PLEASE VOTE YES ON PROPOSITION C.

SHERMAN T. MASON
Past President
President's Council of Seniors

MATEO CAMARILLO
Independent Businessman

PATRICIA J. RICHARDSON
Acting President
League of Women Voters, San Diego

LUCY KILLEA
Member
San Diego City Council

ERNEST E. YAHNKE
Vice President
Bank of America

ARGUMENT AGAINST PROPOSITION C

Vote NO on PROPOSITION C. Why change our sound system of electing the City Council?

In 1931, our founding fathers shunned ward politics that invite corruption. Twice in the last dozen years, San Diegans have wisely opposed attempts to divide the City eight ways.

Proposition C will dilute voter influence because:

- It will encourage vote trading and pork-barrel politics by forcing a Council member to make a bad deal for the whole City in exchange for support of his or her own special interests. Vote trading results in inefficiency and increased costs to taxpayers.
- It will reduce direct representation to one-eighth, creating less responsive government, not more. Under the present system you have eight council representatives who are answerable to you, not just one.
- It will make it impossible for San Diegans to recall or reelect Council members except the one in their district.
- It will undermine the intent of the Charter, which established the Mayor as an equal to the Council. District elections will downgrade the status of your Council Members. If we want a Mayoral form of government, we should amend the City Charter, not diminish your Council representation.
- It will not guarantee a reduction in candidate spending. Candidates will continue to remain free to accept unlimited election funds from special interests. If we really want to reduce local election costs, individual campaign spending limits could be imposed.
- It will not insure better constituent contact. Council members who are doing an effective job already have close contact with district residents while at the same time maintain accountability for City-wide issues because they are elected by all San Diegans.

To continue our present good government, vote **NO** on Proposition C.

BILL MITCHELL
Councilmember, District No. 1

BILL CLEATOR
Councilmember, District No. 2

EDWIN J. GRAY
President
Taxpayers Association

H. CUSHMAN DOW
President
San Diego Chamber of Commerce

PROPOSITION D

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

PROPOSITION D. CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 92 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Authorizes the City Council to establish the rate of interest within the legal limit that tax anticipation notes may bear and removes present five percent per annum limitation.

Yes 213

No 214

This proposition amends the Charter of The City of San Diego by amending Section 92. The portions to be deleted are printed in STRIKEOUT TYPE and the portions to be added are underlined.

This proposition requires a majority vote.

Section 92. BORROWING MONEY ON SHORT TERM NOTES.

Bonds or notes may be issued in anticipation of the collection of special assessments, and bonds, notes, or registered warrants on the treasury may be issued in anticipation of the collection of taxes, as authorized by the City Council by resolution and shall not be deemed the creation of debt within the meaning of Section 90 of this Article. Bonds, notes or registered warrants on the treasury issued in anticipation of the collection of the taxes of any fiscal year may be issued during each fiscal year and each such bond, note, or warrants shall specify that it is payable out of the taxes of the fiscal year in which issued, and before the close of such year, and shall not bear a higher rate of interest than ~~five (5) per cent per annum~~ the maximum rate established by Council Resolution within the legal limit, and the total amount of such bonds, notes or warrants, authorized and issued in any fiscal year shall not, in the aggregate, be more than twenty-five (25) percent of the total appropriations of the City for such year. Nothing herein contained shall be construed to authorize the incurring of an obligation against the municipality in excess of that authorized to be incurred by the Constitution of the State of California.

ARGUMENT IN FAVOR OF PROPOSITION D

Your "yes" vote on this proposition will authorize the City Council to set a maximum interest rate for short-term borrowing that is compatible with current market conditions.

The City of San Diego is fiscally sound and operates on a balanced budget. However, there is almost always a need for short-term borrowing by selling Tax Anticipation Notes to cover general operating costs until property taxes are collected.

City Charter Section 92 presently limits the interest rate for short-term borrowing to an amount not to exceed five percent per annum. Such a limitation is unrealistic during inflationary times and creates considerable difficulty in marketing these notes.

The following benefits will flow from your approval:

1. Reduced net interest costs.
2. Greater use of funds borrowed.
3. Reduced issuance costs.
4. More competitive bids.

W. G. SAGE

EUNICE WINSTON

GERALD F. WILLMOST

ARGUMENT AGAINST PROPOSITION D

No argument against this proposition was filed in the Office of the City Clerk.

PROPOSITION E

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

PROPOSITION E. CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 129 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Clarifies existing language to expressly provide that upon attaining permanent status, officers and employees in the Classified Service may be removed only for cause and that prior to attaining permanent status, officers and employees in the Classified Service may be removed under those conditions and in the manner specified by the Civil Service Commission.

Yes 220

No 221

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

This proposition requires a majority vote.

Section 129. REMOVALS, SUSPENSION AND LAYOFFS.

Upon attaining permanent status pursuant to the Rules of the Civil Service Commission, 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. Prior to attaining permanent status, any officer or employee in the classified service may be removed under those conditions and in the manner specified by 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 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 IN FAVOR OF PROPOSITION E

Proposition E will clarify the existing language of Charter Section 129 concerning probationary appeal rights. The current policy of the Civil Service Commission does not provide for an appeal hearing by a probationary employee who is terminated. The proposed language will make the Charter language clear in regards to this policy and practice. Probationary employees currently have rights to an administrative hearing and a Civil Service Commission hearing for termination is not necessary or conducive to efficient management.

The proposed change will not increase or decrease employee rights, but will clarify the language of Charter Section 129.

JIM McFARLAND, President
Civil Service Commission

LaDONNA HATCH, Commissioner
Civil Service Commission

JERRY NIEDERMAN, Vice-President
Civil Service Commission

VIRA WILLIAMS, Commissioner
Civil Service Commission

ARGUMENT AGAINST PROPOSITION E

This Charter Amendment **changes** (not "clarifies") the entire concept of Civil Service protection for the employees of the City of San Diego and particularly San Diego Police Officers. The effect of the amendment to this section of the Charter will be drastic. San Diego Police Officers, at the present time, have a statutory right to appeal a termination of employment. This right is granted by **California Government Code § 3304 (b)**. The City of San Diego has already lost litigation in the Superior Court of San Diego County and the Court has ordered that those appeal rights be granted. The proponents of this amendment argue that the proposed change merely "clarifies" the existing language. In fact it grants the power to decide who shall and who shall not be given the protections of the Civil Service System. The Civil Service System was implemented in 1915 primarily to safeguard the public from the "spoils" system. If politicians hold the power to terminate Police Officers without the protection of the Civil Service System they then would have the power to terminate employment on any grounds.

Patronage, the right to control those holding government employment, becomes a very real possibility if this amendment is passed. If you were a police officer would you do anything to embarrass someone who could fire you?

The politicians proposed this amendment and the politicians have the most to gain by it. We urge a NO vote on Proposition E.

ROBERT PETERS
President
Law Enforcement Civil Liberties Unit

TIMOTHY JONES
Member, Board of Directors
Law Enforcement Civil Liberties Unit

MICHAEL PELTIER
Vice President
Law Enforcement Civil Liberties Unit

GREGORY G. PETERSEN, Esq.
Counsel
Law Enforcement Civil Liberties Unit

PROPOSITION F

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

PROPOSITION F. RATIFICATION OF ORDINANCE NO. 0-15215 (NEW SERIES).

Shall Ordinance No. 0-15215 (New Series) entitled, "AN ORDINANCE AUTHORIZING THE REMOVAL FROM CEMETERY DEDICATION OF FIFTY SEVEN (57) ACRES OF THAT PART OF MOUNT HOPE CEMETERY WHICH IS UNDEVELOPED AND IS NOT NEEDED FOR CEMETERY PURPOSES AND IS NORTH OF MARKET STREET, SO THAT SAID PROPERTY MAY BE UTILIZED THROUGH LEASE OR SALE FOR PURPOSES WHICH ARE CONSISTENT WITH THE COMMUNITY PLAN FOR SAID AREA, OR FOR NAVAL HOSPITAL PURPOSES, IF FOR ANY REASON THE BALBOA PARK NAVAL HOSPITAL IS NOT REBUILT IN BALBOA PARK," adopted by this Council of The City of San Diego be ratified?

Yes 228 ➔

No 229 ➔

This proposition requires a two-thirds vote.

ORDINANCE NO. 0-15215 (NEW SERIES) READS AS FOLLOWS:

ORDINANCE NO. 0-15215 (New Series)
AN ORDINANCE AUTHORIZING THE REMOVAL FROM CEMETERY DEDICATION OF FIFTY SEVEN (57) ACRES OF THAT PART OF MOUNT HOPE CEMETERY WHICH IS UNDEVELOPED AND IS NOT NEEDED FOR CEMETERY PURPOSES AND IS NORTH OF MARKET STREET, SO THAT SAID PROPERTY MAY BE UTILIZED THROUGH LEASE OR SALE FOR PURPOSES WHICH ARE CONSISTENT WITH THE COMMUNITY PLAN FOR SAID AREA, OR FOR NAVAL HOSPITAL PURPOSES, IF FOR ANY REASON THE BALBOA PARK NAVAL HOSPITAL IS NOT REBUILT IN BALBOA PARK.

WHEREAS, pursuant to ordinances enacted by the City Council, Charter provisions of The City of San Diego, and enactments of the Legislature of the State of California, certain real property within the city limits of The City of San Diego has been dedicated and is presently held for cemetery purposes and designated as Mount Hope Cemetery; and

WHEREAS, some fifty-seven (57) acres of such lands so dedicated and presently held for cemetery purposes included within Mount Hope Cemetery, and lying northerly of Market Street, are not presently being used for cemetery purposes; and

WHEREAS, said fifty-seven (57) acres are now lying fallow and it is in the best interests of the people of The City of San Diego that said fifty-seven (57) acres shall be put to an economic and beneficial use; and

WHEREAS, said fifty-seven (57) acres are not needed for cemetery purposes; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. The City Manager of The City of San Diego be, and he is hereby authorized and empowered to lease or sell all or portions of that certain undeveloped real property lying northerly of Market Street, and comprising approximately fifty-seven (57) acres, included within the real property presently dedicated and held for cemetery purposes, and known as Mount Hope Cemetery, said fifty-seven (57) acres more or less being more particularly described as follows:

All that portion of pueblo Lot 1347 of the Pueblo lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which Map was filed in the Office of the Recorder of said San Diego County, November 14, 1921, and is known as Miscellaneous Map No. 36, described as follows:

Beginning at the intersection of the Westerly line of said Pueblo Lot 1347 with the Northerly line of Market Street, 100 feet wide, as said street is located and established as of the date of this instrument; thence Northerly along said Westerly line of Pueblo Lot 1347 to the South line of the North 38.35 acres of said Pueblo Lot 1347; thence East along said South line of the North 38.35 acres to the Easterly line of said Pueblo Lot 1347; thence Southerly along said Easterly line of said Pueblo Lot 1347 to the Northerly line of said Market Street; thence Westerly along said Northerly line of Market Street to the Point of Beginning.

EXCEPTING THEREFROM, all that portion, if any, lying within Wabash Boulevard and Federal Boulevard as said boulevards are located and established as of the date of this instrument.

Section 2. Any lease or sale of said real property or portions thereof shall be for purposes which are consistent with the Community Plan for said area, as said Plan may be amended from time to time, or for Naval Hospital purposes if for any reason the Balboa Park Naval Hospital is not reconstructed in Balboa Park.

Section 3. Any prior ordinances of the City Council relating to the use of the above described property shall not be affected by this action unless and until the City Council shall take action to affect the same.

Section 4. This ordinance requires ratification by the voters and being related to elections is of the kind and character authorized for passage on its introduction by Sections 16 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a two-thirds vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on

the 3rd day of June 1980, at which a proposition to ratify this ordinance shall be submitted.

APPROVED: JOHN W. WITT, City Attorney
By HAROLD O. VALDERHAUG, Deputy City Attorney

Passed and adopted by the Council of The City of San Diego on March 10, 1980, by the following vote:

YEAS: Mitchell, Cleator, Lowery, Williams, Schnaubelt, Gotch, Killea, and Mayor Wilson.

NAYS: None.

NOT PRESENT: Stirling.

AUTHENTICATED BY: PETE WILSON,
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.

(Seal)

By RITA ANDREWS, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on March 10, 1980, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.

(Seal)

By RITA ANDREWS, Deputy.

ARGUMENT IN FAVOR OF PROPOSITION F

Approval of Proposition F would remove the cemetery designation from 57 unused and unneeded acres of the City's Mt. Hope Cemetery to give San Diegans a unique opportunity to contribute to the improvement and revitalization of one of our City's first neighborhoods. When this property was dedicated for cemetery use in 1868, Mt. Hope was our only municipal cemetery and one of only a few cemeteries in all of San Diego County. Since that time, numerous private cemeteries have been developed nearby and throughout the county, virtually eliminating the need to expand Mt. Hope. In addition to this 57 acres, Mt. Hope consists of 68 acres which have been developed but not fully utilized, and 31 acres in reserve which would not be affected by this proposition. The 57 acres are too precious a resource to remain idle and neglected when there is a critical need for development of quality housing throughout San Diego. The use of this land for attractive well-planned housing, would have a significant economic and social impact on the Southeast San Diego community. Such a development has long been sought by the citizens' planning committee for the area as a means of stabilizing and upgrading the surrounding community and increasing neighborhood pride. Another possible use of the land would be as an alternate site for a new Naval Hospital if planned construction of this facility in Balboa Park becomes infeasible. The Mt. Hope surplus land would provide an attractive and buildable hospital site with considerable benefits to the residents of the area as well as San Diego taxpayers as a whole.

We urge that you clear the way for intelligent use of this surplus land to meet the needs of the 1980's and the years to come. Please vote YES on Proposition F.

LEON L. WILLIAMS
Councilmember, District No. 4

JEWELL D. HOOPER
Chairman
Southeast San Diego
Development Committee

ARGUMENT AGAINST PROPOSITION F

No argument against this proposition was filed in the Office of the City Clerk.