



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: November 24, 2015 REPORT NO: 109
ATTENTION: Charter Review Committee
SUBJECT: Proposed Preamble for the Charter of the City of San Diego
REFERENCE: November 4, 1969 Voter Pamphlet for Proposed Charter Amendments

REQUESTED ACTION:

Review and either approve or give direction to the Director of Legislative Affairs regarding edits to the proposed Preamble for the Charter of the City of San Diego.

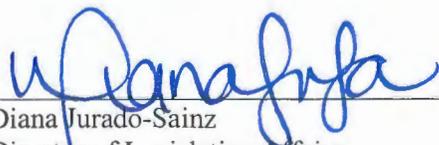
SUMMARY:

Governments usually have a "preamble" to provide a statement-of-purpose before setting forth provisions of a Constitution. The California and U.S. Constitutions are prefaced by a preamble. A preamble was proposed by the Charter Review Committee in 1969 and placed on the November 4, 1969 ballot, but failed to garner the necessary votes to pass.

On March 5, 2015 the Committee considered a proposal from Norma Damashek regarding the addition of a preamble to the city charter. Council President Lightner requested that draft language be prepared and return for review by the Committee.

Proposed draft language for a possible Preamble is as follows:

"City government is the steward of public good. The purpose of the San Diego City Charter is to provide a system of municipal government which builds on the past, while adapting to inevitable change and the challenges of the future. It shall be the responsibility of the government established by this Charter to provide basic services, such as public safety, public works, infrastructure, land use and planning, water and waste water, parks and recreation and libraries, while still being responsive to the communities it governs. City government will thereby support the efforts of residents to make San Diego a desirable place for work and leisure, and to ensure that it is a world class city for all."



Diana Jurado-Sainz
Director of Legislative Affairs

Attachment: General Municipal Election November 4, 1969 Voter pamphlet (Prop A)

**PROPOSED CHARTER AMENDMENTS
TOGETHER WITH ARGUMENTS**

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

**GENERAL MUNICIPAL ELECTION
TO BE HELD ON TUESDAY,
NOVEMBER 4, 1969**

JOHN LOCKWOOD
City Clerk

in any bonds or securities which are authorized by General Law for savings banks; and, further, shall be permitted to invest in such additional classes or types of investments as are approved by resolution of the Council of The City of San Diego; provided, however, that individual investments within the classes or types approved by the Council must be approved by independent investment counsel; and, provided, further, the board may place such funds in the hands of the Funds Commission for investment. Provided, however, that the Auditor and Comptroller shall refuse to allow any warrant drawn for payment of a retirement allowance if, in the opinion of the Auditor and Comptroller, such retirement allowance has been granted in contravention of this Article or any ordinances passed under the authority granted herein.

Section 211. OATH OF OFFICE.

Every officer or member of a Committee, Board or of a Commission of the City shall, before entering upon the duties of his office, take and subscribe to the following oath or affirmation to be filed and kept in the office of the City Clerk:

"I solemnly swear (or affirm) that I will obey the constitution and laws of the United States and of the State of California, that I will, in all respects, observe the provisions of this Charter and the ordinances of The City of San Diego and faithfully discharge the duties of the office of....."

Following each lettered proposition is detailed language which indicates the exact changes being made by that proposal.

PROPOSITION A

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

<p>PROPOSITION A. CITY OF SAN DIEGO CHARTER AMENDMENT: AMEND THE CHARTER OF THE CITY OF SAN DIEGO TO ADD THE FOLLOWING STATEMENT AS A PREAMBLE.</p>	<p>YES</p>	
<p>It is the purpose of this Charter to provide a system of municipal government which builds on the best of the past while adapting to the challenges and problems of future growth and to the change which occurs inevitably with the passing of time. The government provided by this Charter should support the efforts of San Diego's residents to enhance their community's potential as a desirable place for work and leisure.</p>	<p>NO</p>	
<p>This Charter seeks to blend the advantage of professional administration of government through the council-manager system with leadership in city policy-making firmly placed in the hands of officials selected by the citizens through democratic electoral machinery and responsive to the views of all segments of the community.</p>		

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

This proposition requires a majority vote.

PREAMBLE

It is the purpose of this Charter to provide a system of municipal government which builds on the best of the past while adapting to the challenges and problems of future growth and to the change which occurs inevitably with the passing of time. The government provided by this Charter should support the efforts of San Diego's residents to enhance their community's potential as a desirable place for work and leisure.

This Charter seeks to blend the advantage of professional administration of government through

the council-manager system with leadership in city policy-making firmly placed in the hands of officials selected by the citizens through democratic electoral machinery and responsive to the views of all segments of the community.

ARGUMENT FOR PROPOSITION A

Governments usually have a "preamble" to provide a statement-of-purpose before setting forth provisions of a Constitution. The California and U.S. Constitutions are prefaced by a preamble. It's logical that our City Charter contain the preamble proposed by the Charter Review Committee. Please vote Yes on Proposition A.

MIKE SCHAEFER

ARGUMENT AGAINST PROPOSITION A

Our elected officials often preface their arguments in favor of modifying our Charter by claiming that the Charter is too wordy; that it should be in a neat, concise form.

The above preamble does nothing for the Charter. It was not needed in the past, and it is not required now.

It only adds bulk to this pamphlet, and will add more bulk to the Charter which currently consists of approximately 210 pages.

Vote NO on Proposition A.

ROBERT L. HANNON

PROPOSITION B

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

PROPOSITION B, CITY OF SAN DIEGO CHARTER AMENDMENT, AMEND SECTIONS 4, 5 AND 66 OF THE CHARTER OF THE CITY OF SAN DIEGO. Amend Sections 4, 5 and 66 to apportion and redistrict Council and San Diego Unified School District districts on the basis of population rather than registered voters. Amend Section 4 to delete obsolete language which refers to the 1965 election. Amend Section 5 to require redistricting of City every five years instead of every ten years and provide that, insofar as practicable, redistricting shall not divide whole communities. Amend Section 66 to add a requirement that the Board of Education must hold a public hearing prior to redistricting the San Diego Unified School District election districts.	YES	
	NO	

This proposition amends Sections 4 and 5 and the second paragraph of Section 66 of the Charter of The City of San Diego by deleting certain provisions and by adding new provisions. 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 4. DISTRICTS ESTABLISHED.

For the purpose of electing members of the Council the City shall be divided into eight Districts as nearly equal in registered voter population as practicable. ~~For the municipal primary and general election in 1965, the boundaries of the eight councilmanic districts shall be established by the City Council as such Council was elected at the municipal election in 1963. Thereafter~~ The boundaries of such districts shall be subject to alteration and change under the provisions of this Charter.

In any ordinance adopted by the Council establishing, changing or altering the boundaries of any councilmanic district the ordinance may describe the new boundaries by reference to a map on