

**Special Municipal Election**

**City of San Diego**

**November 4, 1958**

November 4, 1958

**PROPOSED PROPOSITIONS TO  
RATIFY ORDINANCES AND  
AMENDMENTS TO THE CITY CHARTER  
TOGETHER WITH ARGUMENTS**

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**To Be Submitted to the Qualified Voters  
of The City of San Diego at the  
SPECIAL MUNICIPAL ELECTION  
TO BE HELD ON TUESDAY,  
NOVEMBER 4, 1958**

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The following proposed propositions for the ratification and approval of ordinances authorizing the sale or conveyance of certain Pueblo Lands of The City of San Diego and the following proposed amendments to the Charter of The City of San Diego will be submitted to the qualified voters of The City of San Diego on Tuesday, November 4, 1958.

PHILLIP ACKER, City Clerk

November 4, 1958

Councilmen	Yeas	Nays	Excused	Absent
Ross G. Tharp	x			
Dudley D. Williams	x			
Chester E. Schneider				x
George Kerrigan	x			
Frank E. Curran	x			
Justin C. Evenson				x
Mayor Charles C. Dail	x			

Authenticated by:

CHAS. C. DAIL Mayor of The City of San Diego, California

PHILLIP ACKER City Clerk of The City of San Diego, California

By HELEN M. WILLIG Deputy

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit, on Aug 26 1958, and on Sep 2 1958.

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

PHILLIP ACKER City Clerk of The City of San Diego, California

By HELEN M. WILLIG Deputy.

(Seal)

#### ARGUMENT FOR PROPOSITION D

For many years, those of us concerned with higher education in San Diego have hoped that the University of California would expand its activities here. Such a development can now become a reality, provided the University is able to find an adequate site for a campus. Because the people of San Diego have had the wisdom to preserve their Pueblo Lands, a site exists in the area north and east of the present small campus of the University's famous Scripps Institution of Oceanography.

The presence here of the University of California will have a profoundly beneficial effect on all the educational institutions in this southernmost part of the State. The coming of the University will also bring great economic benefit to San Diego, not only because many tens of millions of State, Federal, and private funds will ultimately be spent here for buildings and for operating expenses, but also because the basic scientific research and teaching which will be the core of the new campus will help enlist and retain scientific and technical specialists for our existing industries and will bring many new research-type industries. An example is the great General Atomic laboratory which was established on Pueblo Lands north of the proposed campus largely because of the promise that the University of California would expand its scientific research and teaching program in San Diego.

November 4, 1958

*Passed*

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

PROPOSITION D. Shall Ordinance No. 7965 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of not to exceed a total of 450 acres of the remaining portions of Pueblo Lots 1314, 1315, 1316, 1322, 1323 and 1324 to the Regents of the University of California, and prescribing the terms and conditions thereof," adopted by the Council of said City September 2, 1958, be ratified?	YES	114,135
	NO	27,810

ORDINANCE NO. 7965 (NEW SERIES) READS AS FOLLOWS:

"ORDINANCE NO. 7965  
(New Series)

AN ORDINANCE AUTHORIZING THE SALE OR CONVEYANCE OF NOT TO EXCEED A TOTAL OF 450 ACRES OF THE REMAINING PORTIONS OF PUEBLO LOTS 1314, 1315, 1316, 1322, 1323 AND 1324 TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

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

Section 1. That The City of San Diego is hereby authorized to sell or convey to The Regents of the University of California the following described Pueblo Lands:

Not to exceed a total of 450 acres of the remaining portions of Pueblo Lots 1314, 1315, 1316, 1322, 1323 and 1324 of the Pueblo Lands of The City of San Diego.

Section 2. The authorization for such sale or conveyance shall be subject to the following conditions:

(a) That The Regents of the University of California request such conveyance prior to September 1, 1960.

(b) Such other terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego.

Section 3. This ordinance shall become effective upon being ratified by the electors of The City of San Diego at any special or general municipal election.

Presented by—GEORGE E. BEAN  
HLM

Approved as to form by—J. F. DuPAUL, City Attorney  
By AARON W. REESE Assistant City Attorney

Passed and adopted By The Council of The City of San Diego on Sep 2 1958 by the following vote:

November 4, 1958

If this land is given to the University, it will be used for the benefit of all our young people. Thus, in a very real sense, the land will still belong to all the people of our city.

Malcolm A. Love  
President, San Diego State College  
Monsignor John L. Storm  
President, San Diego College for Men  
William C. Rust  
President, California-Western University  
Walter L. Thatcher  
Director, San Diego Junior College  
Ralph Daillard  
Superintendent, San Diego City Schools.  
Cecil D. Hardesty  
Superintendent of Schools County of San Diego

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. Shall Ordinance No. 7966 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of not to exceed a total of 40 acres of the remaining portions of Pueblo Lots 1315, 1316, 1321 and 1322 to the Scripps Memorial Hospital and prescribing the terms and conditions thereof," adopted by the Council of said City September 2, 1958, be ratified?	YES	
	NO	

ORDINANCE NO. 7966 (NEW SERIES) READS AS FOLLOWS:

"ORDINANCE NO. 7966  
(New Series)

AN ORDINANCE AUTHORIZING THE SALE OR CONVEYANCE OF NOT TO EXCEED A TOTAL OF 40 ACRES OF THE REMAINING PORTIONS OF PUEBLO LOTS 1315, 1316, 1321 AND 1322 TO THE SCRIPPS MEMORIAL HOSPITAL AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

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

Section 1. That The City of San Diego is hereby authorized to sell or convey to the Scripps Memorial Hospital the following described Pueblo Lands:

November 4, 1958

Not to exceed a total of 40 acres of the remaining portion of Pueblo Lots 1315, 1316, 1321 and 1322 of the Pueblo Lands of The City of San Diego.

Section 2. The authorization for such sale or conveyance shall be subject to the following conditions:

(a) That the Scripps Memorial Hospital request such conveyance prior to September 1, 1960.

(b) Such other terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego.

Section 3. The authorization contained herein shall not be subject to or limited by any other authorization to sell or convey portions of the same Pueblo Lands.

Section 4. This ordinance shall become effective upon being ratified by the electors of The City of San Diego at any special or general municipal election.

Presented by \_\_\_\_\_ GEORGE E. BEAN  
FLM

Approved as to form by \_\_\_\_\_ J. F. DuPAUL, City Attorney  
By AARON W. REESE Assistant City Attorney

Passed and adopted by The Council of The City of San Diego on Sep 2 1958 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Ross G. Therp	x			
Dudley D. Williams	x			
Chester E. Schneider				x
George Kerrigan	x			
Frank E. Curran	x			
Justin C. Evenson				x
Mayor Charles C. Dail	x			

Authenticated by:

CHAS. C. DAIL Mayor of The City of San Diego, California

PHILLIP ACKER City Clerk of The City of San Diego, California

(Seal)

By HELEN M. WILLIG Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit, on Aug 26 1958, and on Sep 2 1958.

November 4, 1958

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

(Seal) PHILLIP ACKER City Clerk of The City of San Diego, California  
By HELEN M. WILLIG Deputy."

#### ARGUMENT FOR PROPOSITION E

Public support of Proposition E is a move toward providing more adequate hospital facilities in San Diego. Waiting lists, beds in corridors, and crowded facilities are commonplace. The existing bed shortage in the county is estimated at 1057, with the deficit becoming greater as hospital construction fails to keep pace with population growth.

The State Bureau of Hospitals estimates that the area in which Scripps Memorial Hospital is located has only 63% of the total beds needed. Independent surveys confirm the necessity for Scripps Hospital to increase its bed capacity in order to adequately accommodate the people it is committed to serve. Nearly 7,000 residents of San Diego County are admitted annually to Scripps Hospital. Admissions have increased 38% during the past five years and special service departments show increases ranging from 60% to 100%.

The present location of the hospital will not permit the expansion necessitated by population growth, current concepts of medical care, and advances in medical sciences. The proposed site is adequate in size to accommodate expanded facilities to satisfy both present and future requirements, is easily accessible, and is centrally located with relation to the area served.

Scripps Hospital is a voluntary nonprofit hospital devoting 30% of its yearly net income to charity and part-pay care. With the expansion of facilities there will be a proportionate increase in the \$1.7 million now being returned to the community each year through payrolls and purchases of supplies and equipment.

Citizens of San Diego will benefit as individuals and as members of the community by approving this proposition which authorizes The City of San Diego to sell or convey the designated City Pueblo Lands to Scripps Memorial Hospital.

Robert L. Black,  
President San Diego Chamber of Commerce  
E. I. Levy, M.D.,  
President San Diego County Medical Society  
Malcom A. Love, Ph.D.,  
President San Diego State College

#### ARGUMENT AGAINST PROPOSITION E

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

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**PROPOSITION F**

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

PROPOSITION F. Shall Ordinance No. 7956 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of a portion of Pueblo Lot 1245 of the Pueblo Lands of San Diego lying northerly of the San Diego River, upon such terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego," adopted by the Council of said City August 26, 1958, be ratified?	YES	
	NO	

ORDINANCE NO. 7956 (NEW SERIES) READS AS FOLLOWS:

**"ORDINANCE NO. 7956  
(New Series)"**

AN ORDINANCE AUTHORIZING THE SALE OR CONVEYANCE OF A PORTION OF PUEBLO LOT 1245 OF THE PUEBLO LANDS OF SAN DIEGO LYING NORTHERLY OF THE SAN DIEGO RIVER, UPON SUCH TERMS AND CONDITIONS AS MAY BE DEEMED BY THE CITY COUNCIL TO BE IN THE BEST INTERESTS OF THE PEOPLE OF THE CITY OF SAN DIEGO.

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

Section 1. That The City of San Diego be, and it is hereby authorized and empowered to sell or convey the following described portion of a Pueblo Lot lying north of the San Diego River, to-wit: All the remaining portion of Pueblo Lot 1245 of the Pueblo Lands of San Diego, consisting of 66 acres more or less.

Section 2. Such sale or conveyance shall be made upon such terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego.

Section 3. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of The City of San Diego voting at the Special Municipal Election to be held in said City on the 4th day of November, 1958, at which such proposition of ratifying this ordinance is submitted.

Presented by GEORGE E. BEAN  
HLM

Approved as to form by J. F. DuPAUL, City Attorney,  
By ALAN M. FIRESTONE Chief Deputy.

*Passed*



November 4, 1958

Passed and adopted by The Council of The City of San Diego on Aug 26 1958 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Ross G. Tharp	x			
Dudley D. Williams				x
Chester E. Schneider				x
George Kerrigan	x			
Frank E. Curran	x			
Justin C. Evenson	x			
Mayor Charles C. Dail				x

Authenticated by:

CHAS. C. DAIL Mayor of The City of San Diego, California

PHILLIP ACKER City Clerk of The City of San Diego, California

(Seal)

By ELFA F. HAMEL Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit, on Aug 19 1958, and on Aug 26 1958.

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

PHILLIP ACKER City Clerk of The City of San Diego, California

(Seal)

By ELFA F. HAMEL Deputy."

#### ARGUMENT FOR PROPOSITION F

The City of San Diego owns 62.1 acres of undeveloped property in Pueblo Lot 1245 on Kearny Mesa. So far as can be determined, there is no intended public use for this particular piece of property, either for the present or future.

Before this property, either in part or in its entirety, can be sold to anyone it must be approved and authorized for sale by the voters.

Approval should be voted, authorizing the sale by The City of San Diego of any portion or all of the 62.1 acres in question, for the following reasons:

1. It would permit the City Council to maintain a policy of disposing of all publicly owned lands for which there is no apparent present or future intended public use.

2. It would permit the return of the land in question to private ownership, thereby placing the land on the public tax rolls.

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Arguments in favor of voter approval for the authorized sale of city owned land in Pueblo Lot 1245 are self evident and in the best public interest.

Frank E. Smith,  
Director Clairemont Town Council

#### ARGUMENT AGAINST PROPOSITION F

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

#### PROPOSITION G

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

**PROPOSITION G.** Repeal Section 38.1 of Article V of the Charter of The City of San Diego.

The repeal of this section removes from the City Charter provisions for microfilming of City records and the destruction of the original records.

YES

NO

This proposed amendment will repeal in its entirety Section 38.1 of the City Charter. Therefore, the existing Section 38.1 is printed in **STRIKE OUT TYPE**.

~~Section 38.1. MICROFILMING OF RECORDS. The City Clerk and the head of any department, commission or board of the City may cause any or all records kept by him or it to be photographed, microphotographed, or reproduced on film. Such photographic film shall be of durable material, and the device used to reproduce such records on said film shall be one which accurately reproduces the original record in all details. Such photographic film shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy thereof shall, for all purposes recited herein, be deemed to be a transcript, exemplification or certified copy of the original.~~

~~Whenever such photographs or microphotographs or reproductions on film shall be placed in conveniently accessible files and provisions made for preserving, examining or using the same, the City Clerk, or the said department head, commission or board may certify those facts to the Council of The City of San Diego, who shall have power to authorize the destruction of the original of such records or papers which have been so reproduced and preserved.~~

#### ARGUMENT FOR PROPOSITION G

In 1949 the City Charter was amended by vote of the people by adding Section 38.1. This provision was placed in the City Charter to provide an orderly method and procedure for the microfilming of City records. The microfilming program became a necessity because of the accumulation over the years of vast quantities of records and documents that were required to be maintained in the various City offices. The microfilming provisions that were placed in the Charter provided for making photographic copies of such documents and authorizing the destruction of the original documents after the photographing process was completed.

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In 1955 the State Legislature added Section 34090.5 to the Government Code of the State of California. This section provided a detailed and comprehensive method and procedure for the microfilming of official records and documents and providing for the destruction of the originals. Since the addition of this provision to the Government Code, City officials have been faced with a conflict between the provisions of the City Charter and the State law upon this subject. It is the opinion of the City Council, based upon a review of this problem and recommendations of City officials and interested citizens, that the provisions in the State Code are superior to those contained in the City Charter. The State provisions, although more restrictive, provide for greater protection for the preservation of copies of all City records.

This amendment is necessary in order to remove the existing conflict between City Charter and State law and to provide a more satisfactory method for the photographing and preservation of official City records.

The City Council,  
City of San Diego

#### ARGUMENT AGAINST PROPOSITION G

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

#### PROPOSITION H

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

PROPOSITION H. Amend Section 40 of Article V of the Charter of The City of San Diego. This amendment removes from the City Charter the requirement that the salary of the City Attorney be paid semi-monthly.	YES	
	NO	

This proposed amendment amends Section 40 of the City Charter by deleting certain provisions thereof. Therefore, the portion to be deleted is printed in ~~STRIKE-OUT TYPE~~.

Section 40. CITY ATTORNEY. A City Attorney shall be elected by the people for a term of four years. The City Attorney shall be the chief legal adviser of, and attorney for the City and all Departments and offices thereof in matters relating to their official powers and duties. The attorney and his deputies shall devote their full time to the duties of the office and shall not engage in private legal practice during the term for which they are employed by the City, except to carry to a conclusion any matters for which they have been retained prior to taking office.

The City Attorney shall appoint such deputies, assistants, and employees to serve him, as may be provided by ordinance of the Council, but all appointments of subordinates other than deputies and assistants shall be subject to the Civil Service provisions of this Charter.

It shall be his duty, either personally or by such assistants as he may designate, to perform all services incident to the legal department; to give advice

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in writing when so requested, to the Council, its Committees, the Manager, the Commissions, or Directors of any department, but all such advice shall be in writing with the citation of authorities in support of the conclusions expressed in said written opinions; to prosecute or defend, as the case may be, all suits or cases to which the City may be a party; to prosecute for all offenses against the ordinances of the City and for such offenses against the laws of the State as may be required of him by law; to prepare in writing all ordinances, resolutions, contracts, bonds, or other instruments in which the City is concerned, and to endorse on each his approval of the form or correctness thereof; to preserve in his office a docket of all cases in which the City is interested in any of the courts and keep a record of all proceedings of said cases; to preserve in his office copies of all written opinions furnished by him to the Council, Manager, Commission, or any officer. Such docket, copies and papers shall be the property of the City, and the City Attorney shall, on retiring from office, deliver the same, together with all books, accounts, vouchers, and necessary information, to his successor in office.

He shall have charge and custody of all legal papers, books, and dockets belonging to the City pertaining to his office, and, upon a receipt therefor, may demand and receive from any officer of the City any book, paper, documents, or evidence necessary to be used in any suit, or required for the purpose of his office.

He shall apply, upon order of the Council, in the name of the City, to a court of competent jurisdiction for an order or injunction to restrain the misapplication of funds of the City or the abuse of corporate powers, or the execution of performance of any contract made in behalf of the City which may be in contravention of the law or ordinances governing it, or which was procured by fraud or corruption. He shall apply, upon order of the Council, to a court of competent jurisdiction for a writ of mandamus to compel the performance of duties of any officer or commission which fails to perform any duty expressly enjoined by law or ordinance.

The City Attorney shall perform such other duties of a legal nature as the Council may by ordinance require or as are provided by the Constitution and general laws of the State.

The Council shall have authority to employ additional competent technical legal attorneys to investigate or prosecute matters connected with the departments of the City when such assistance or advice is necessary in connection therewith. The Council shall provide sufficient funds in the annual appropriation ordinance for such purposes and shall charge such additional legal service against the appropriation of the respective Departments.

The salary of the City Attorney shall be fixed by the Council and set forth in the annual appropriation ordinance, but in no event shall said salary be less than \$6,500.00 per year. ~~payable semi-monthly.~~

In the event of a vacancy occurring in the office of the City Attorney by reason of any cause, the Council shall have authority to fill such vacancy, which said authority shall be exercised within thirty (30) days after the vacancy occurs. Any person appointed to fill such vacancy shall hold office until the next regular municipal election, at which time a person shall be elected to serve for a full term of four years. Said appointee shall remain in office until his successor is elected and qualified.

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#### ARGUMENT FOR PROPOSITION H

For many years Section 83 of the City Charter specified that salaries of officers and employees of the City be paid semi-monthly. In 1956 the voters approved an amendment to remove such provision from the Charter. Thereafter, the City Council authorized the salaries of City officers and employees to be paid biweekly. However, Section 40 of the Charter requires that the salary of the City Attorney be paid semi-monthly. Therefore, the City Auditor and Comptroller is required to process two separate payrolls creating confusion and extra work in that department.

The City Council has approved a recommendation that the requirement that the City Attorney be paid semi-monthly be removed from the City Charter in order to provide uniformity in pay periods for all City employees.

The City Council,  
City of San Diego

#### ARGUMENT AGAINST PROPOSITION H

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

#### PROPOSITION I

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

PROPOSITION I. Amend Section 66 of Article VI of the Charter of The City of San Diego. This amendment removes from the City Charter the requirement that the compensation of the members of the Board of Education be paid in semi-monthly installments.	YES	
	NO	

This proposed amendment amends Section 66 of the City Charter by deleting certain provisions thereof. Therefore, the portion to be deleted is printed in ~~STRIKE OUT TYPE~~.

Section 66. BOARD OF EDUCATION. The government of the San Diego Unified School District shall be vested in a Board of Education, composed of five members who shall be elected at large by the electors of the School District at the same time as the members of the City Council. The candidates for the Board of Education shall have been qualified voters of the district at least three years prior to their nomination. The members shall serve for a term of six years, or until their successors are elected and qualified, except as herein provided. The present members of the Board shall serve out their unexpired terms. Thereafter, there shall be elected three members in 1941 who shall so classify themselves by lot that the terms of two will expire at the end of four years and the term of the third will expire at the end of six years. Commencing in 1943 and thereafter, all members shall be elected for six year terms. Any vacancy in the ~~Body~~ Board shall be filled by the Board of Education until the next general municipal election, when a member shall be elected to fill the unexpired term. Each member shall receive a compensation of \$1,200.00 per annum. ~~payable in semi-monthly installments.~~

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### ARGUMENT FOR PROPOSITION I

Section 66 of the Charter provides that the compensation for members of the Board of Education shall be payable in semi-monthly installments. The recommendation for an amendment to Section 66 to remove this provision is based upon the same argument in support of the amendment to Section 40 concerning the salary of the City Attorney, and should be approved for the same reasons offered in support of Proposition H.

The City Council,  
City of San Diego

### ARGUMENT AGAINST PROPOSITION I

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

### PROPOSITION J

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

*Failed*

PROPOSITION J. Repeal Section 95 of Article VII of the Charter of The City of San Diego.

The repeal of this section removes from the City Charter the provisions for allowing a preference of five per cent to bidders on City contracts when the materials are produced in the City or County of San Diego or are regularly stocked and sold by businesses located in the City or County of San Diego.

YES

NO

This proposed amendment will repeal in its entirety Section 95 of the City Charter. Therefore, the existing Section 95 is printed in STRIKE OUT TYPE.

~~Section 95. PREFERENCE IN ACCEPTING BIDS. Any board, officer, commission or department empowered by this Charter to award contracts for goods, wares, merchandise, stores, supplies, drugs, subsistence, materials, equipment, tools or other products of industry or manufacture, the cost or expenses of which is to be paid by the City or any board, officer, commission or department thereof, may award a contract for the purchase, sale and furnishing thereof to a regular bidder other than the lowest responsible bidder therefor, when, in the judgment of such awarding board, officer, commission or department, the best interests of the City and the public policy relating to the general welfare will be subserved thereby, and when the bidder specifies in his bid the following terms and conditions to be observed in the execution of the contract and he furnishes additional security for the fulfillment thereof, to-wit:~~

~~That the articles, products or materials are to be in whole or in part manufactured, made or produced in industries established in The City of San Diego or in the County of San Diego, specifying the name and location thereof; or that the articles, products or materials are regularly stocked, handled and sold by business establishments located in The City of San Diego or in the County of San Diego, specifying the name and location of such establishments.~~

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~~Provided, however, that the bid of such higher bidder does not in amount or price exceed by five per cent that of the lowest responsible bidder for such contract.~~

#### ARGUMENT FOR PROPOSITION J

This amendment was originally placed in the Charter during the early growth of San Diego to assist in building up the inventories of local businessmen. Since that time, San Diego has grown and the inventories of businessmen have increased to meet this growth. These inventories are now maintained at a highly diversified level, in order that they have on hand items needed not only by the City but by other businesses.

It is recommended that you vote in favor of this proposition which would remove an unnecessary, artificial stimulation to businessmen to stock items which through normal growth they currently stock as standard.

The City Council,  
City of San Diego

#### ARGUMENT AGAINST PROPOSITION J

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

#### PROPOSITION K

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

PROPOSITION K. Amend Section 35 of Article V and Section 112 of Article VII of the Charter of The City of San Diego. This amendment removes from Section 35 of the City Charter the requirement that the Purchasing Agent prepare a perpetual inventory of City property and removes from Section 112 the requirement that the Auditor and Comptroller keep records of supplies and materials.	YES	
	NO	

This proposed amendment amends Section 35 and Section 112 of the City Charter by deleting certain provisions thereof. Therefore, the portions to be deleted are printed in ~~STRIKE OUT TYPE~~:

Section 35. PURCHASING AGENT. The Purchasing Agent shall make all purchases of supplies, materials, equipment, and insurance required by the various Departments or offices of the City, except as may be otherwise provided by the Council or this Charter. He shall prepare in consultation with the administrative officers of the City standard specifications for all supplies, materials, equipment, and insurance necessary for use by the various Departments or offices of the City.

In purchasing any supplies, materials, equipment and insurance required by the various Departments or offices of the City, if the cost of said supplies, materials, equipment and insurance exceeds in amount the sum of \$5,000.00, no such purchase shall be made without advertising for sealed proposals therefor. Notices calling for such sealed proposals shall be published for one day in the official newspaper of the City, and a contract let for such purpose only after

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the expiration of ten days following said advertising. If the cost of the said supplies, materials, equipment and insurance required by said City exceeds the sum of \$1,000.00, but is not in excess of \$5,000.00, the said purchase may be made by said Purchasing Agent without advertising for sealed proposals, but not until said Purchasing Agent has secured competitive prices from merchants or other persons interested in making the sale to said City and not until the Purchasing Agent has been authorized by the Council to make such purchase. Purchases of supplies, materials, equipment and insurance required by the various Departments or offices of the City which do not exceed the sum of \$1,000.00 in cost may be made by the Purchasing Agent directly upon the request of the department interested.

The Council shall by ordinance provide for the sale, exchange or other disposal by the Purchasing Agent of any surplus, used, obsolete or depreciated personal property belonging to the City.

The Council by resolution may order the purchase without advertising for bids of surplus commodities from the United States of America, or any agency thereof, or from any other public corporation, state or municipal, or any agency thereof. The Council may also authorize said Purchasing Agent to sell to any other public corporation, state or municipal, any supplies, material and equipment which said City may have been able to purchase in quantity at a reduced price.

Supplies shall be furnished upon requisition either from the stores under the control of the Purchasing Agent or by purchase, and whenever so purchased shall be paid for by the Department or office furnished therewith. It shall be the duty of the Purchasing Agent to inspect or cause to be inspected all purchases, and reject any of those which are not up to the standard specifications provided therefor, and he shall not approve any bid or voucher for articles which are not in conformity with specifications, or which are at variance with any contract. The Purchasing Agent shall not furnish supplies to any Department or office unless there be to the credit thereof an available unencumbered balance sufficient to pay for such supplies.

Materials, supplies or equipment not needed by a Department or office, but necessary to another Department or office, may be transferred by the Purchasing Agent and a proper record made of the transaction. He shall have charge of such storerooms and warehouses of the City as the Manager may provide or the Council by ordinance may authorize. The Council may, upon recommendation of the Manager, authorize the Purchasing Agent to purchase materials, supplies, or equipment in common use by the Departments and offices in large quantities and store the same until requisitioned by the Departments or offices for use. The Council shall provide a sufficient revolving fund in the annual appropriation ordinance of an adequate amount for the purpose of creating a store's account and stock for future supply of the Departments and offices when needed.

The Purchasing Agent shall prepare a perpetual inventory account of all materials, supplies, equipment, insurance and other purchases, and include thereon a list of all real and personal property belonging to the City, and may require the Departments to furnish him with an inventory of all personal property on hand at the beginning of the budget year or at the end of the fiscal year; he shall file the original of such inventory account with the City Clerk and



November 4, 1958

~~deliver a copy to the Auditor and Comptroller, and retain a copy for his office; once each year, or more often if required by the Auditor and Comptroller or upon demand of the Council, said Purchasing Agent shall amend and revise said inventory account so as to keep said inventory account up to date. He shall keep a record of all sources of supply, of all quotations received, of all awards made, of all inspections, of all requisitions filed, and of all vendors furnishing commodities to the City. He shall perform such other duties as may be prescribed by general law or ordinance or by the Manager.~~

Section 112. APPRAISAL OF CITY ASSETS. The Auditor and Comptroller shall show in his records the cost or value of all real estate, buildings, structures, furniture and fixtures, ~~supplies, materials,~~ equipment and property of any kind owned by the City, and may require every officer or Commission to assist him in procuring the data required therefor. Proper depreciation shall be made of all property of any kind which is used by the City for utility purposes. A proper balance sheet under classified heads shall be presented to the Manager for inclusion in the annual budget and shall be published in the annual report of the Auditor and Comptroller. This balance sheet shall show all convertible and other assets and all liabilities of the City.

#### ARGUMENT FOR PROPOSITION K

Section 35 of the City Charter requires the Purchasing Agent to prepare and maintain a perpetual inventory of all materials, supplies, equipment, insurance and other purchases and include thereon a list of all real and personal property belonging to the City, and provides a method for obtaining the necessary information. On the other hand, Section 112 of the Charter requires the Auditor and Comptroller to show in his records the cost or value of all real estate, buildings, structures, furniture and fixtures, supplies, materials, equipment and property of any kind owned by the City.

The provisions of these two Sections in effect require a duplication of record keeping by the Purchasing Agent and the Auditor and Comptroller. Such duplication is unnecessary and creates additional expense. It has been recommended to the City Council, and the City Council concurs, that such duplication should be avoided and that the Auditor and Comptroller is the proper officer to maintain accurate records and accounts of all City owned property. It has also been recommended that the Auditor should not be required to maintain the cost or value of supplies and materials for the reason that to keep a detailed account of these items incurs great additional expense, as these items are expendable and are used and consumed daily. Adequate records of all supplies and materials are available in the office of the Purchasing Agent through the records of all purchases made by that officer and the records of disbursement and allocation of supplies and materials to the various City departments.

The adoption of Proposition K would eliminate duplication of activities, reduce costs of departmental operations and still provide accurate records for the protection of the public interest.

The City Council,  
City of San Diego

#### ARGUMENT AGAINST PROPOSITION K

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

**PROPOSED PROPOSITIONS TO  
RATIFY ORDINANCES AND  
AMENDMENTS TO THE CITY CHARTER  
TOGETHER WITH ARGUMENTS**

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**To Be Submitted to the Qualified Voters  
of The City of San Diego at the  
SPECIAL MUNICIPAL ELECTION  
TO BE HELD ON TUESDAY,  
NOVEMBER 4, 1958**

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The following proposed propositions for the ratification and approval of ordinances authorizing the sale or conveyance of certain Pueblo Lands of The City of San Diego and the following proposed amendments to the Charter of The City of San Diego will be submitted to the qualified voters of The City of San Diego on Tuesday, November 4, 1958.

PHILLIP ACKER, City Clerk

# PROPOSITION D

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

PROPOSITION D. Shall Ordinance No. 7965 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of not to exceed a total of 450 acres of the remaining portions of Pueblo Lots 1314, 1315, 1316, 1322, 1323 and 1324 to the Regents of the University of California, and prescribing the terms and conditions thereof," adopted by the Council of said City September 2, 1958, be ratified?	YES	
	NO	

ORDINANCE NO. 7965 (NEW SERIES) READS AS FOLLOWS:

## "ORDINANCE NO. 7965 (New Series)

AN ORDINANCE AUTHORIZING THE SALE OR CONVEYANCE OF NOT TO EXCEED A TOTAL OF 450 ACRES OF THE REMAINING PORTIONS OF PUEBLO LOTS 1314, 1315, 1316, 1322, 1323 AND 1324 TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

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

Section 1. That The City of San Diego is hereby authorized to sell or convey to The Regents of the University of California the following described Pueblo Lands:

Not to exceed a total of 450 acres of the remaining portions of Pueblo Lots 1314, 1315, 1316, 1322, 1323 and 1324 of the Pueblo Lands of The City of San Diego.

Section 2. The authorization for such sale or conveyance shall be subject to the following conditions:

(a) That The Regents of the University of California request such conveyance prior to September 1, 1960.

(b) Such other terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego.

Section 3. This ordinance shall become effective upon being ratified by the electors of The City of San Diego at any special or general municipal election.

Presented by \_\_\_\_\_ GEORGE E. BEAN  
HLM

Approved as to form by \_\_\_\_\_ J. F. DuPAUL, City Attorney  
By AARON W. REESE Assistant City Attorney

Passed and adopted by The Council of The City of San Diego on Sep 2 1958 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Ross G. Tharp	x			
Dudley D. Williams	x			
Chester E. Schneider				x
George Kerrigan	x			
Frank E. Curran	x			
Justin C. Evenson				x
Mayor Charles C. Dail	x			

Authenticated by:

CHAS. C. DAIL Mayor of The City of San Diego, California

PHILLIP ACKER City Clerk of The City of San Diego, California

By HELEN M. WILLIG Deputy

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit, on Aug 26 1958, and on Sep 2 1958.

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

PHILLIP ACKER City Clerk of The City of San Diego, California  
By HELEN M. WILLIG Deputy.

(Seal)

## ARGUMENT FOR PROPOSITION D

For many years, those of us concerned with higher education in San Diego have hoped that the University of California would expand its activities here. Such a development can now become a reality, provided the University is able to find an adequate site for a campus. Because the people of San Diego have had the wisdom to preserve their Pueblo Lands, a site exists in the area north and east of the present small campus of the University's famous Scripps Institution of Oceanography.

The presence here of the University of California will have a profoundly beneficial effect on all the educational institutions in this southernmost part of the State. The coming of the University will also bring great economic benefit to San Diego, not only because many tens of millions of State, Federal, and private funds will ultimately be spent here for buildings and for operating expenses, but also because the basic scientific research and teaching which will be the core of the new campus will help enlist and retain scientific and technical specialists for our existing industries and will bring many new research-type industries. An example is the great General Atomic laboratory which was established on Pueblo Lands north of the proposed campus largely because of the promise that the University of California would expand its scientific research and teaching program in San Diego.

If this land is given to the University, it will be used for the benefit of all our young people. Thus, in a very real sense, the land will still belong to all the people of our city.

Malcolm A. Love  
President, San Diego State College  
Monsignor John L. Storm  
President, San Diego College for Men  
William C. Rust  
President, California-Western University  
Walter L. Thatcher  
Director, San Diego Junior College  
Ralph Daillard  
Superintendent, San Diego City Schools  
Cecil D. Hardesty  
Superintendent of Schools County of San Diego

#### 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. Shall Ordinance No. 7966 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of not to exceed a total of 40 acres of the remaining portions of Pueblo Lots 1315, 1316, 1321 and 1322 to the Scripps Memorial Hospital and prescribing the terms and conditions thereof," adopted by the Council of said City September 2, 1958, be ratified?	YES	
	NO	

ORDINANCE NO. 7966 (NEW SERIES) READS AS FOLLOWS:

#### "ORDINANCE NO. 7966 (New Series)

AN ORDINANCE AUTHORIZING THE SALE OR CONVEYANCE OF NOT TO EXCEED A TOTAL OF 40 ACRES OF THE REMAINING PORTIONS OF PUEBLO LOTS 1315, 1316, 1321 AND 1322 TO THE SCRIPPS MEMORIAL HOSPITAL AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

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

Section 1. That The City of San Diego is hereby authorized to sell or convey to the Scripps Memorial Hospital the following described Pueblo Lands:

Not to exceed a total of 40 acres of the remaining portion of Pueblo Lots 1315, 1316, 1321 and 1322 of the Pueblo Lands of The City of San Diego.

Section 2. The authorization for such sale or conveyance shall be subject to the following conditions:

(a) That the Scripps Memorial Hospital request such conveyance prior to September 1, 1960.

(b) Such other terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego.

Section 3. The authorization contained herein shall not be subject to or limited by any other authorization to sell or convey portions of the same Pueblo Lands.

Section 4. This ordinance shall become effective upon being ratified by the electors of The City of San Diego at any special or general municipal election.

Presented by—GEORGE E. BEAN  
HLM

Approved as to form by—J. F. DuPAUL, City Attorney  
By AARON W. REESE Assistant City Attorney

Passed and adopted by The Council of The City of San Diego on Sep 2 1958 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Ross G. Tharp	x			
Dudley D. Williams	x			
Chester E. Schneider				x
George Kerrigan	x			
Frank E. Curran	x			
Justin C. Evenson				x
Mayor Charles C. Dail	x			

Authenticated by:

CHAS. C. DAIL Mayor of The City of San Diego, California

PHILLIP ACKER City Clerk of The City of San Diego, California

(Seal)

By HELEN M. WILLIG Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit, on Aug 26 1958, and on Sep 2 1958.

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

(Seal) PHILLIP ACKER City Clerk of The City of San Diego, California  
By HELEN M. WILLIG Deputy."

#### ARGUMENT FOR PROPOSITION E

Public support of Proposition E is a move toward providing more adequate hospital facilities in San Diego. Waiting lists, beds in corridors, and crowded facilities are commonplace. The existing bed shortage in the county is estimated at 1057, with the deficit becoming greater as hospital construction fails to keep pace with population growth.

The State Bureau of Hospitals estimates that the area in which Scripps Memorial Hospital is located has only 63% of the total beds needed. Independent surveys confirm the necessity for Scripps Hospital to increase its bed capacity in order to adequately accommodate the people it is committed to serve. Nearly 7,000 residents of San Diego County are admitted annually to Scripps Hospital. Admissions have increased 38% during the past five years and special service departments show increases ranging from 60% to 100%.

The present location of the hospital will not permit the expansion necessitated by population growth, current concepts of medical care, and advances in medical sciences. The proposed site is adequate in size to accommodate expanded facilities to satisfy both present and future requirements, is easily accessible, and is centrally located with relation to the area served.

Scripps Hospital is a voluntary nonprofit hospital devoting 30% of its yearly net income to charity and part-pay care. With the expansion of facilities there will be a proportionate increase in the \$1.7 million now being returned to the community each year through payrolls and purchases of supplies and equipment.

Citizens of San Diego will benefit as individuals and as members of the community by approving this proposition which authorizes The City of San Diego to sell or convey the designated City Pueblo Lands to Scripps Memorial Hospital.

Robert L. Black,  
President San Diego Chamber of Commerce  
E. I. Levy, M.D.,  
President San Diego County Medical Society  
Malcom A. Love, Ph.D.,  
President San Diego State College

#### ARGUMENT AGAINST PROPOSITION E

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

#### PROPOSITION F

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

PROPOSITION F. Shall Ordinance No. 7956 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of a portion of Pueblo Lot 1245 of the Pueblo Lands of San Diego lying northerly of the San Diego River, upon such terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego," adopted by the Council of said City August 26, 1958, be ratified?	YES	
	NO	

ORDINANCE NO. 7956 (NEW SERIES) READS AS FOLLOWS:

#### "ORDINANCE NO. 7956 (New Series)

AN ORDINANCE AUTHORIZING THE SALE OR CONVEYANCE OF A PORTION OF PUEBLO LOT 1245 OF THE PUEBLO LANDS OF SAN DIEGO LYING NORTHERLY OF THE SAN DIEGO RIVER, UPON SUCH TERMS AND CONDITIONS AS MAY BE DEEMED BY THE CITY COUNCIL TO BE IN THE BEST INTERESTS OF THE PEOPLE OF THE CITY OF SAN DIEGO.

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

Section 1. That The City of San Diego be, and it is hereby authorized and empowered to sell or convey the following described portion of a Pueblo Lot lying north of the San Diego River, to-wit: All the remaining portion of Pueblo Lot 1245 of the Pueblo Lands of San Diego, consisting of 66 acres more or less.

Section 2. Such sale or conveyance shall be made upon such terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego.

Section 3. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of The City of San Diego voting at the Special Municipal Election to be held in said City on the 4th day of November, 1958, at which such proposition of ratifying this ordinance is submitted.

Presented by \_\_\_\_\_ GEORGE E. BEAN  
HLM

Approved as to form by \_\_\_\_\_ J. F. DuPAUL, City Attorney,  
By ALAN M. FIRESTONE Chief Deputy.

Passed and adopted by The Council of The City of San Diego on Aug 26 1958 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Ross G. Tharp	x			
Dudley D. Williams				x
Chester E. Schneider				x
George Kerrigan	x			
Frank E. Curran	x			
Justin C. Evenson	x			
Mayor Charles C. Dail				x

Authenticated by:

CHAS. C. DAIL Mayor of The City of San Diego, California  
PHILLIP ACKER City Clerk of The City of San Diego, California

(Seal)

By ELFA F. HAMEL Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit, on Aug 19 1958, and on Aug 26 1958.

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

PHILLIP ACKER City Clerk of The City of San Diego, California

(Seal)

By ELFA F. HAMEL Deputy."

#### ARGUMENT FOR PROPOSITION F

The City of San Diego owns 62.1 acres of undeveloped property in Pueblo Lot 1245 on Kearny Mesa. So far as can be determined, there is no intended public use for this particular piece of property, either for the present or future.

Before this property, either in part or in its entirety, can be sold to anyone it must be approved and authorized for sale by the voters.

Approval should be voted, authorizing the sale by The City of San Diego of any portion or all of the 62.1 acres in question, for the following reasons:

1. It would permit the City Council to maintain a policy of disposing of all publicly owned lands for which there is no apparent present or future intended public use.

2. It would permit the return of the land in question to private ownership, thereby placing the land on the public tax rolls.

Arguments in favor of voter approval for the authorized sale of city owned land in Pueblo Lot 1245 are self evident and in the best public interest.

Frank E. Smith,

Director Clairemont Town Council

#### ARGUMENT AGAINST PROPOSITION F

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

#### PROPOSITION G

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

PROPOSITION G. Repeal Section 38.1 of Article V of the Charter of The City of San Diego.

The repeal of this section removes from the City Charter provisions for microfilming of City records and the destruction of the original records.

YES

NO

This proposed amendment will repeal in its entirety Section 38.1 of the City Charter. Therefore, the existing Section 38.1 is printed in ~~STRIKE OUT~~ TYPE.

~~Section 38.1. MICROFILMING OF RECORDS. The City Clerk and the head of any department, commission or board of the City may cause any or all records kept by him or it to be photographed, microphotographed, or reproduced on film. Such photographic film shall be of durable material, and the device used to reproduce such records on said film shall be one which accurately reproduces the original record in all details. Such photographic film shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy thereof shall, for all purposes recited herein, be deemed to be a transcript, exemplification or certified copy of the original.~~

~~Whenever such photographs or microphotographs or reproductions on film shall be placed in conveniently accessible files and provisions made for preserving, examining or using the same, the City Clerk, or the said department head, commission or board may certify those facts to the Council of The City of San Diego, who shall have power to authorize the destruction of the original of such records or papers which have been so reproduced and preserved.~~

#### ARGUMENT FOR PROPOSITION G

In 1949 the City Charter was amended by vote of the people by adding Section 38.1. This provision was placed in the City Charter to provide an orderly method and procedure for the microfilming of City records. The microfilming program became a necessity because of the accumulation over the years of vast quantities of records and documents that were required to be maintained in the various City offices. The microfilming provisions that were placed in the Charter provided for making photographic copies of such documents and authorizing the destruction of the original documents after the photographing process was completed.

In 1955 the State Legislature added Section 34090.5 to the Government Code of the State of California. This section provided a detailed and comprehensive method and procedure for the microfilming of official records and documents and providing for the destruction of the originals. Since the addition of this provision to the Government Code, City officials have been faced with a conflict between the provisions of the City Charter and the State law upon this subject. It is the opinion of the City Council, based upon a review of this problem and recommendations of City officials and interested citizens, that the provisions in the State Code are superior to those contained in the City Charter. The State provisions, although more restrictive, provide for greater protection for the preservation of copies of all City records.

This amendment is necessary in order to remove the existing conflict between City Charter and State law and to provide a more satisfactory method for the photographing and preservation of official City records.

The City Council,  
City of San Diego

#### ARGUMENT AGAINST PROPOSITION G

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

#### PROPOSITION H

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

PROPOSITION H. Amend Section 40 of Article V of the Charter of The City of San Diego. This amendment removes from the City Charter the requirement that the salary of the City Attorney be paid semi-monthly.	YES	
	NO	

This proposed amendment amends Section 40 of the City Charter by deleting certain provisions thereof. Therefore, the portion to be deleted is printed in ~~STRIKE OUT TYPE~~.

Section 40. CITY ATTORNEY. A City Attorney shall be elected by the people for a term of four years. The City Attorney shall be the chief legal adviser of, and attorney for the City and all Departments and offices thereof in matters relating to their official powers and duties. The attorney and his deputies shall devote their full time to the duties of the office and shall not engage in private legal practice during the term for which they are employed by the City, except to carry to a conclusion any matters for which they have been retained prior to taking office.

The City Attorney shall appoint such deputies, assistants, and employees to serve him, as may be provided by ordinance of the Council, but all appointments of subordinates other than deputies and assistants shall be subject to the Civil Service provisions of this Charter.

It shall be his duty, either personally or by such assistants as he may designate, to perform all services incident to the legal department; to give advice

in writing when so requested, to the Council, its Committees, the Manager, the Commissions, or Directors of any department, but all such advice shall be in writing with the citation of authorities in support of the conclusions expressed in said written opinions; to prosecute or defend, as the case may be, all suits or cases to which the City may be a party; to prosecute for all offenses against the ordinances of the City and for such offenses against the laws of the State as may be required of him by law; to prepare in writing all ordinances, resolutions, contracts, bonds, or other instruments in which the City is concerned, and to endorse on each his approval of the form or correctness thereof; to preserve in his office a docket of all cases in which the City is interested in any of the courts and keep a record of all proceedings of said cases; to preserve in his office copies of all written opinions furnished by him to the Council, Manager, Commission, or any officer. Such docket, copies and papers shall be the property of the City, and the City Attorney shall, on retiring from office, deliver the same, together with all books, accounts, vouchers, and necessary information, to his successor in office.

He shall have charge and custody of all legal papers, books, and dockets belonging to the City pertaining to his office, and, upon a receipt therefor, may demand and receive from any officer of the City any book, paper, documents, or evidence necessary to be used in any suit, or required for the purpose of his office.

He shall apply, upon order of the Council, in the name of the City, to a court of competent jurisdiction for an order or injunction to restrain the misapplication of funds of the City or the abuse of corporate powers, or the execution of performance of any contract made in behalf of the City which may be in contravention of the law or ordinances governing it, or which was procured by fraud or corruption. He shall apply, upon order of the Council, to a court of competent jurisdiction for a writ of mandamus to compel the performance of duties of any officer or commission which fails to perform any duty expressly enjoined by law or ordinance.

The City Attorney shall perform such other duties of a legal nature as the Council may by ordinance require or as are provided by the Constitution and general laws of the State.

The Council shall have authority to employ additional competent technical legal attorneys to investigate or prosecute matters connected with the departments of the City when such assistance or advice is necessary in connection therewith. The Council shall provide sufficient funds in the annual appropriation ordinance for such purposes and shall charge such additional legal service against the appropriation of the respective Departments.

The salary of the City Attorney shall be fixed by the Council and set forth in the annual appropriation ordinance, but in no event shall said salary be less than \$6,500.00 per year. ~~payable semi-monthly.~~

In the event of a vacancy occurring in the office of the City Attorney by reason of any cause, the Council shall have authority to fill such vacancy, which said authority shall be exercised within thirty (30) days after the vacancy occurs. Any person appointed to fill such vacancy shall hold office until the next regular municipal election, at which time a person shall be elected to serve for a full term of four years. Said appointee shall remain in office until his successor is elected and qualified.

### ARGUMENT FOR PROPOSITION H

For many years Section 83 of the City Charter specified that salaries of officers and employees of the City be paid semi-monthly. In 1956 the voters approved an amendment to remove such provision from the Charter. Thereafter, the City Council authorized the salaries of City officers and employees to be paid biweekly. However, Section 40 of the Charter requires that the salary of the City Attorney be paid semi-monthly. Therefore, the City Auditor and Comptroller is required to process two separate payrolls creating confusion and extra work in that department.

The City Council has approved a recommendation that the requirement that the City Attorney be paid semi-monthly be removed from the City Charter in order to provide uniformity in pay periods for all City employees.

The City Council,  
City of San Diego

### ARGUMENT AGAINST PROPOSITION H

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

### PROPOSITION I

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

PROPOSITION I. Amend Section 66 of Article VI of the Charter of The City of San Diego.	YES	
This amendment removes from the City Charter the requirement that the compensation of the members of the Board of Education be paid in semi-monthly installments.	NO	

This proposed amendment amends Section 66 of the City Charter by deleting certain provisions thereof. Therefore, the portion to be deleted is printed in ~~STRIKE-OUT TYPE~~.

Section 66. BOARD OF EDUCATION. The government of the San Diego Unified School District shall be vested in a Board of Education, composed of five members who shall be elected at large by the electors of the School District at the same time as the members of the City Council. The candidates for the Board of Education shall have been qualified voters of the district at least three years prior to their nomination. The members shall serve for a term of six years, or until their successors are elected and qualified, except as herein provided. The present members of the Board shall serve out their unexpired terms. Thereafter, there shall be elected three members in 1941 who shall so classify themselves by lot that the terms of two will expire at the end of four years and the term of the third will expire at the end of six years. Commencing in 1943 and thereafter, all members shall be elected for six year terms. Any vacancy in the ~~Body~~ Board shall be filled by the Board of Education until the next general municipal election, when a member shall be elected to fill the unexpired term. Each member shall receive a compensation of \$1,200.00 per annum, ~~payable in semi-monthly installments.~~

### ARGUMENT FOR PROPOSITION I

Section 66 of the Charter provides that the compensation for members of the Board of Education shall be payable in semi-monthly installments. The recommendation for an amendment to Section 66 to remove this provision is based upon the same argument in support of the amendment to Section 40 concerning the salary of the City Attorney, and should be approved for the same reasons offered in support of Proposition H.

The City Council,  
City of San Diego

### ARGUMENT AGAINST PROPOSITION I

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

### PROPOSITION J

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

PROPOSITION J. Repeal Section 95 of Article VII of the Charter of The City of San Diego.	YES	
The repeal of this section removes from the City Charter the provisions for allowing a preference of five per cent to bidders on City contracts when the materials are produced in the City or County of San Diego or are regularly stocked and sold by businesses located in the City or County of San Diego.		

This proposed amendment will repeal in its entirety Section 95 of the City Charter. Therefore, the existing Section 95 is printed in ~~STRIKE-OUT TYPE~~.

~~Section 95. PREFERENCE IN ACCEPTING BIDS. Any board, officer, commission or department empowered by this Charter to award contracts for goods, wares, merchandise, stores, supplies, drugs, subsistence, materials, equipment, tools or other products of industry or manufacture, the cost or expenses of which is to be paid by the City or any board, officer, commission or department thereof, may award a contract for the purchase, sale and furnishing thereof to a regular bidder other than the lowest responsible bidder therefor, when, in the judgment of such awarding board, officer, commission or department, the best interests of the City and the public policy relating to the general welfare will be subserved thereby, and when the bidder specifies in his bid the following terms and conditions to be observed in the execution of the contract and he furnishes additional security for the fulfillment thereof, to wit:~~

~~That the articles, products or materials are to be in whole or in part manufactured, made or produced in industries established in The City of San Diego or in the County of San Diego, specifying the name and location thereof; or that the articles, products or materials are regularly stocked, handled and sold by business establishments located in The City of San Diego or in the County of San Diego, specifying the name and location of such establishments.~~



~~Provided, however, that the bid of such higher bidder does not in amount or price exceed by five per cent that of the lowest responsible bidder for such contract.~~

#### ARGUMENT FOR PROPOSITION J

This amendment was originally placed in the Charter during the early growth of San Diego to assist in building up the inventories of local businessmen. Since that time, San Diego has grown and the inventories of businessmen have increased to meet this growth. These inventories are now maintained at a highly diversified level, in order that they have on hand items needed not only by the City but by other businesses.

It is recommended that you vote in favor of this proposition which would remove an unnecessary, artificial stimulation to businessmen to stock items which through normal growth they currently stock as standard.

The City Council,  
City of San Diego

#### ARGUMENT AGAINST PROPOSITION J

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

#### PROPOSITION K

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

<p>PROPOSITION K. Amend Section 35 of Article V and Section 112 of Article VII of the Charter of The City of San Diego.</p> <p>This amendment removes from Section 35 of the City Charter the requirement that the Purchasing Agent prepare a perpetual inventory of City property and removes from Section 112 the requirement that the Auditor and Comptroller keep records of supplies and materials.</p>	YES	
	NO	

This proposed amendment amends Section 35 and Section 112 of the City Charter by deleting certain provisions thereof. Therefore, the portions to be deleted are printed in ~~STRIKE OUT TYPE~~.

Section 35. PURCHASING AGENT. The Purchasing Agent shall make all purchases of supplies, materials, equipment, and insurance required by the various Departments or offices of the City, except as may be otherwise provided by the Council or this Charter. He shall prepare in consultation with the administrative officers of the City standard specifications for all supplies, materials, equipment, and insurance necessary for use by the various Departments or offices of the City.

In purchasing any supplies, materials, equipment and insurance required by the various Departments or offices of the City, if the cost of said supplies, materials, equipment and insurance exceeds in amount the sum of \$5,000.00, no such purchase shall be made without advertising for sealed proposals therefor. Notices calling for such sealed proposals shall be published for one day in the official newspaper of the City, and a contract let for such purpose only after

the expiration of ten days following said advertising. If the cost of the said supplies, materials, equipment and insurance required by said City exceeds the sum of \$1,000.00, but is not in excess of \$5,000.00, the said purchase may be made by said Purchasing Agent without advertising for sealed proposals, but not until said Purchasing Agent has secured competitive prices from merchants or other persons interested in making the sale to said City and not until the Purchasing Agent has been authorized by the Council to make such purchase. Purchases of supplies, materials, equipment and insurance required by the various Departments or offices of the City which do not exceed the sum of \$1,000.00 in cost may be made by the Purchasing Agent directly upon the request of the department interested.

The Council shall by ordinance provide for the sale, exchange or other disposal by the Purchasing Agent of any surplus, used, obsolete or depreciated personal property belonging to the City.

The Council by resolution may order the purchase without advertising for bids of surplus commodities from the United States of America, or any agency thereof, or from any other public corporation, state or municipal, or any agency thereof. The Council may also authorize said Purchasing Agent to sell to any other public corporation, state or municipal, any supplies, material and equipment which said City may have been able to purchase in quantity at a reduced price.

Supplies shall be furnished upon requisition either from the stores under the control of the Purchasing Agent or by purchase, and whenever so purchased shall be paid for by the Department or office furnished therewith. It shall be the duty of the Purchasing Agent to inspect or cause to be inspected all purchases, and reject any of those which are not up to the standard specifications provided therefor, and he shall not approve any bid or voucher for articles which are not in conformity with specifications, or which are at variance with any contract. The Purchasing Agent shall not furnish supplies to any Department or office unless there be to the credit thereof an available unencumbered balance sufficient to pay for such supplies.

Materials, supplies or equipment not needed by a Department or office, but necessary to another Department or office, may be transferred by the Purchasing Agent and a proper record made of the transaction. He shall have charge of such storerooms and warehouses of the City as the Manager may provide or the Council by ordinance may authorize. The Council may, upon recommendation of the Manager, authorize the Purchasing Agent to purchase materials, supplies, or equipment in common use by the Departments and offices in large quantities and store the same until requisitioned by the Departments or offices for use. The Council shall provide a sufficient revolving fund in the annual appropriation ordinance of an adequate amount for the purpose of creating a store's account and stock for future supply of the Departments and offices when needed.

~~The Purchasing Agent shall prepare a perpetual inventory account of all materials, supplies, equipment, insurance and other purchases, and include thereon a list of all real and personal property belonging to the City, and may require the Departments to furnish him with an inventory of all personal property on hand at the beginning of the budget year or at the end of the fiscal year; he shall file the original of such inventory account with the City Clerk and~~

~~deliver a copy to the Auditor and Comptroller, and retain a copy for his office; once each year, or more often if required by the Auditor and Comptroller or upon demand of the Council, said Purchasing Agent shall amend and revise said inventory account so as to keep said inventory account up to date. He shall keep a record of all sources of supply, of all quotations received, of all awards made, of all inspections, of all requisitions filed, and of all vendors furnishing commodities to the City. He shall perform such other duties as may be prescribed by general law or ordinance or by the Manager.~~

Section 112. APPRAISAL OF CITY ASSETS. The Auditor and Comptroller shall show in his records the cost or value of all real estate, buildings, structures, furniture and fixtures, ~~supplies, materials,~~ equipment and property of any kind owned by the City, and may require every officer or Commission to assist him in procuring the data required therefor. Proper depreciation shall be made of all property of any kind which is used by the City for utility purposes. A proper balance sheet under classified heads shall be presented to the Manager for inclusion in the annual budget and shall be published in the annual report of the Auditor and Comptroller. This balance sheet shall show all convertible and other assets and all liabilities of the City.

#### ARGUMENT FOR PROPOSITION K

Section 35 of the City Charter requires the Purchasing Agent to prepare and maintain a perpetual inventory of all materials, supplies, equipment, insurance and other purchases and include thereon a list of all real and personal property belonging to the City, and provides a method for obtaining the necessary information. On the other hand, Section 112 of the Charter requires the Auditor and Comptroller to show in his records the cost or value of all real estate, buildings, structures, furniture and fixtures, supplies, materials, equipment and property of any kind owned by the City.

The provisions of these two Sections in effect require a duplication of record keeping by the Purchasing Agent and the Auditor and Comptroller. Such duplication is unnecessary and creates additional expense. It has been recommended to the City Council, and the City Council concurs, that such duplication should be avoided and that the Auditor and Comptroller is the proper officer to maintain accurate records and accounts of all City owned property. It has also been recommended that the Auditor should not be required to maintain the cost or value of supplies and materials for the reason that to keep a detailed account of these items incurs great additional expense, as these items are expendable and are used and consumed daily. Adequate records of all supplies and materials are available in the office of the Purchasing Agent through the records of all purchases made by that officer and the records of disbursement and allocation of supplies and materials to the various City departments.

The adoption of Proposition K would eliminate duplication of activities, reduce costs of departmental operations and still provide accurate records for the protection of the public interest.

The City Council,  
City of San Diego

#### ARGUMENT AGAINST PROPOSITION K

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

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, DECLARING THE RESULT OF THE CANVASS OF ELECTION RETURNS OF THE SPECIAL MUNICIPAL ELECTION HELD NOVEMBER 4, 1958.

WHEREAS, this Council by Ordinance No. 7978 (New Series) called a special municipal election in the City of San Diego on November 4, 1958 for the purpose of proposing and submitting to the electors of said City certain propositions for the ratification of three ordinances authorizing the sale or conveyance of certain pueblo lands of The City of San Diego and five propositions to amend the Charter of The City of San Diego, and said election was duly consolidated with the statewide general election held upon the same date; and

WHEREAS, the propositions were designated on the ballots used at said election as "D", "E", "F", "G", "H", "I", "J", and "K" and are as follows, to-wit:

D. Shall Ordinance No. 7965 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of not to exceed a total of 450 acres of the remaining portions of Pueblo Lots 1314, 1315, 1316, 1322, 1323 and 1324 to the Regents of the University of California, and prescribing the terms and conditions thereof," adopted by the Council of said City September 2, 1958, be ratified?

E. Shall Ordinance No. 7966 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of not to exceed a total of 40 acres of the remaining portions of Pueblo Lots 1315, 1316, 1321 and 1322 to the Scripps Memorial Hospital and prescribing the terms and conditions thereof," adopted by the Council of said City September 2, 1958, be ratified?

F. Shall Ordinance No. 7956 (New Series) of the Ordinances of The City of San Diego, entitled, "An Ordinance authorizing the sale or conveyance of a portion of Pueblo Lot 1245 of the Pueblo Lands of San Diego lying northerly of the San Diego River, upon such terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego," adopted by the Council of said City August 26, 1958, be ratified?

G. Repeal Section 38.1 of Article V of the Charter of The City of San Diego.

The repeal of this section removes from the City Charter provisions for microfilming of City records and the destruction of the original records.

H. Amend Section 40 of Article V of the Charter of The City of San Diego.

This amendment removes from the City Charter the requirement that the salary of the City Attorney be paid semi-monthly.

I. Amend Section 66 of Article VI of the Charter of The City of San Diego.

This amendment removes from the City Charter the requirement that the compensation of the members of the Board of Education be paid in semi-monthly installments.

J. Repeal Section 95 of Article VII of the Charter of The City of San Diego.

The repeal of this section removes from the City Charter the provisions for allowing a preference of five per cent to bidders on City contracts when the materials are produced in the City or County of San Diego or are regularly stocked and sold by businesses located in the City or County of San Diego.

K. Amend Section 35 of Article V and Section 112 of Article VII of the Charter of The City of San Diego.

This amendment removes from Section 35 of the City Charter the requirement that the Purchasing Agent prepare a perpetual inventory of City property and removes from Section 112 the requirement that the Auditor and Comptroller keep records of supplies and materials.

and

WHEREAS, a copy of the certificate of the Registrar of Voters of San Diego County canvassing the returns of said special election and absentee votes cast thereat, as certified to the Clerk of the Board of Supervisors, has been duly received; NOW, THEREFORE,

This Council FINDS AND DETERMINES, as follows:

1. That the number of votes cast in the City for and against each of said propositions, the number of absentee votes cast for and against each of said propositions, the total number of votes cast at said election for and against each of said propositions, including absentee votes, and the total number of votes cast in the City, is as follows:

2. That the number of votes cast in each precinct for and against each of said propositions and the number of absentee votes cast for and against each of said propositions are recorded in the Elections Returns Book of The City of San Diego, and said book shall be considered as a part of the records of the Council.

3. That Propositions "D", "E", "F", "G", "H", "I", and "K" were approved by the vote of a majority of the voters voting on said propositions and said propositions carried.

4. It is ordered that the City Clerk enter on the minutes a statement showing the propositions voted upon, the total number of votes cast in the City for and against each of said propositions, the total number of absentee votes cast for and against each of said propositions and a statement that the number of votes cast in each precinct for and against each of said propositions and the absentee votes cast for and against each of said propositions are reported in the Elections Returns Book.

5. The results of the canvass of the special election called by Ordinance No. 7978 (New Series) shall be immediately made public by publication of a copy of this resolution.

Approved as  
to form by J. F. DuPAUL, City Attorney,

By  Assistant City Attorney.

Passed and adopted by the Council of The City of San Diego on DEC 2 1958  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Ross G. Tharp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dudley D. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chester E. Schneider	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Kerrigan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Frank E. Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Justin C. Evenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Charles C. Dail	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Authenticated by:

*Charles C. Dail*

Mayor of The City of San Diego, California

(Seal)

PHILLIP ACKER

City Clerk of The City of San Diego, California

By *Elva F. Hamel* Deputy

Office of the City Clerk, San Diego, California

Document  
Number

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Filed DEC 8 1958

Resolution  
Number

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Adopted DEC 2 1958

Recorded on microfilm roll number:

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PROPOSITION D:

	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
Precincts	111,221	27,327	138,548
Absentee	<u>2,914</u>	<u>483</u>	<u>3,397</u>
Total	<u>114,135</u>	<u>27,810</u>	<u>141,945</u>

PROPOSITION E:

	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
Precincts	108,900	27,252	136,152
Absentee	<u>2,863</u>	<u>510</u>	<u>3,373</u>
Total	<u>111,763</u>	<u>27,762</u>	<u>139,525</u>

PROPOSITION F:

	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
Precincts	96,154	38,404	134,558
Absentee	<u>2,345</u>	<u>920</u>	<u>3,265</u>
Total	<u>98,499</u>	<u>39,324</u>	<u>137,823</u>

PROPOSITION G:

	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
Precincts	88,335	43,757	132,092
Absentee	<u>1,693</u>	<u>1,491</u>	<u>3,184</u>
Total	<u>90,028</u>	<u>45,248</u>	<u>135,276</u>

PROPOSITION H:

	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
Precincts	95,183	34,843	130,026
Absentee	<u>2,372</u>	<u>844</u>	<u>3,216</u>
Total	<u>97,555</u>	<u>35,687</u>	<u>133,242</u>

PROPOSITION I:

	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
Precincts	95,344	35,529	130,873
Absentee	<u>2,370</u>	<u>843</u>	<u>3,213</u>
Total	<u>97,714</u>	<u>36,372</u>	<u>134,086</u>

PROPOSITION J:

	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
Precincts	64,269	69,102	133,371
Absentee	<u>1,914</u>	<u>1,325</u>	<u>3,239</u>
Total	<u>66,183</u>	<u>70,427</u>	<u>136,610</u>

PROPOSITION K:

	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
Precincts	<u>77,729</u>	46,783	124,512
Absentee	<u>1,471</u>	<u>1,640</u>	<u>3,111</u>
Total	<u>79,200</u>	<u>48,423</u>	<u>127,623</u>