

RESOLUTION NO. 199033

WHEREAS, The City of San Diego is vitally concerned with the work of the California State Legislature and the Congress of the United States; and

WHEREAS, for the benefit of the citizens of the City of San Diego, this Council has formed a Committee on Legislation and Intergovernmental Affairs for the purpose of proposing needed legislation and for the purpose of investigating and making recommendations concerning other proposed legislation; and

WHEREAS, the Committee on Legislation and Intergovernmental Affairs has recommended to the Council of The City of San Diego a State and Federal Legislative Program; NOW, THEREFORE,

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

That the documents entitled "Proposed City of San Diego 1970 State and Federal Legislative Program," and the January 20, 1970 Manager's Report to the Mayor and Council entitled "Legislative Program," are made a part of this resolution, copies of which are on file in the office of the City Clerk identified as Document No. 730959 and Document No. 730960 be, and the same are hereby approved.

APPROVED: JOHN W. WITT, City Attorney

By 
Kenneth H. Lounsbery
Chief Deputy City Attorney

PROPOSED
CITY OF SAN DIEGO
1970
STATE AND FEDERAL
LEGISLATIVE PROGRAM

DOCUMENT NO. 730959
FILED FEB 25 1970
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

Res. 199033
2-10-1970

I. GENERAL POLICIES OF THE CITY OF SAN DIEGO APPLICABLE TO PROPOSED STATE AND FEDERAL LEGISLATION

Home Rule:

The City of San Diego supports proposed legislation which provides for a maximum degree of self-determination by municipalities. The City opposes legislation which would have the effect of transferring these responsibilities to higher levels of government. Local regulatory authority, levels of municipal services, responsibility for wages and benefits provided municipal employees and determination of land use policies within cities should continue to be the responsibility of charter city legislative bodies.

Revenue and Taxation:

The City of San Diego supports those proposed measures in the revenue and taxation field which take into account the increasing revenue needs of municipal government. The City opposes those proposed measures which pre-empt or eliminate existing sources of municipal revenue and do not provide replacement revenues. The City supports those proposals which would provide for additional sharing with local government by state and federal government of revenues, provided that maximum local determination as to how these shared revenues are to be expended is assured. The City urges the frequent review of tax exempt categories and the elimination of those no longer fulfilling a valid need.

Urban Programs:

The City of San Diego is actively engaged in seeking solutions to urban area problems. This area of concern includes, but is not limited to, beautification, refurbishment of older business and residential sections, housing, development of adequate public facilities, and the training, re-training and employment of the unskilled. The City favors those legislatively designed proposals which permits the local jurisdiction to both design and implement the proper remedial measures.

II. LEGISLATION TO BE INITIATED BY THE CITY OF SAN DIEGO

1. Border Juvenile Check Station

Initiate legislative action to restore to the full amount, the State's share of financial support to the Border Juvenile Check Station.

Meetings with the Department of Youth Authority indicate that the funds normally allocated for the State's share of the support of the Check Station program will be reduced by approximately 20% or \$26,000 in 1970-71. The City-State support formula specifies that the City will pay the cost of police service to San Diego City juveniles and the State will pay the cost of police service for all non-City juveniles. In 1969-70 the State budgeted \$104,000 for its share. The City has requested that the State budget \$129,000 for its share in 1970-71. It is this last amount that has been reduced by 20%.

The Department of Youth Authority strongly supports the Check Station program, however, reduction was ordered by the Department of Finance. The Youth Authority budget message recommends to Finance that the full amount be reinstated in the budget, but this does not appear likely. We do not anticipate difficulty in restoring the full amount through legislative action in view of the recent concentrated actions to curb access of juveniles to dangerous pills and narcotics. There also is widespread support in the Legislature for this program.

2. Old San Diego State Park

Initiate legislative action to augment the budget of the State Department of Parks and Recreation to allow the continued restoration of historical structures in Old San Diego State Park.

Meetings with this Department indicate that its 1970-71 budget will not contain capital improvement funds for continued restorative work in the State Park. The San Diego "Old Town" Study prepared by the Department in 1966 for the Legislature recommends a two-phased ten year restoration program. The first phase, interpreting the Mexican period from 1821-46, contemplated the restoration of the four existing adobes of this period. The time schedule for restoration was stated as:

- | | |
|----------------------|---------|
| 1. Machado de Silvas | 1966-67 |
| 2. Stewart House | 1967-68 |
| 3. Bandini House | 1969-70 |
| 4. Estudillo House | 1971-72 |

Currently, the Stewart and Estudillo Houses have been completed. Clearly, there have been adjustments to the restoration schedule proposed to the Legislature. It would seem that in the interest of continuing the excellent progress the State has made in the historical development of the Park to date, as well as providing continuing incentive in the development of private enterprise in and surrounding the Park, that funds should be made available. Currently information on historical reconstruction priorities is being developed within Parks and Recreation. We plan to cooperate with the Department in our effort to augment its budget. At this time we anticipate that the augmentation amount will be approximately \$250,000.

3. Division of Highways Maintenance Yard

Initiate legislative action requesting the State Highway Commission to authorize the move of the San Diego Division of Highways Maintenance Station and Equipment Shop from Old Town to Kearny Mesa.

Prior to 1960 the San Diego Division of Highways office determined that its Maintenance Station and Equipment Shop located in Old San Diego would soon become inadequate to handle the workload brought on by the expansion of the highway inventory in the San Diego area. Faced with this, as well as the historical development of Old San Diego, the Division in 1967 recommended the construction of new facilities on State-owned property in Kearny Mesa. This decision was based on relative property values, central location, and community relations. In August of 1969, the Highway Commission denied the Division's recommendation and request to construct new facilities on Kearny Mesa. The denial was based on the supposition that the Kearny Mesa property is too valuable for this use, and that it should be retained by the State as a real estate investment. In 1966-67 the City, through 1911 Act proceedings, constructed a half-street improvement bordering the State's property. This improvement more than likely increased the value of the land as an investment. At the time the State stated that it had no funds to participate in the assessment district work.

Senator Mills criticizing the Commission's action stated that the Old Town property should be sold for private development, compatible with the Old San Diego Community Plan which calls for hotels, motels and restaurants on the site. Mills said further that the State would be money ahead to sell the Old Town site and buy another in the suburbs if the Kearny Mesa site is now too valuable. We would anticipate strong support of legislative action on this matter from the San Diego Legislative Delegation, local organizations such as the Chamber of Commerce, the City Council and the State Department of Parks and Recreation.

4. Undergrounding of Electrical Connections

Initiate legislation which would provide a financing vehicle for property owners who are required by utility conversion projects to convert their utility service connections from an overhead to underground location.

In situations where utility conversion projects occur in economically depressed or low income areas, property owners are reluctant to spend between \$200 and \$300 for a utility service connection between the street and their house. This can result in delays in underground utility conversion projects.

At the present time, the underground utility conversion projects which make use of the utility company's annual allocation are accomplished pursuant to the City's Procedural Ordinance, Municipal Code Section 61.0501 through 61.0517. This ordinance requires that property owners convert their service connections to an underground location by the date specified in the resolution creating the district. If they do not accomplish this service conversion, they are subject to disconnection. As this ordinance is for the district creation, it does not provide a financing vehicle for the property owners that may be affected.

We propose amendments to existing 1911-13 Act or other legislation which would provide the owner within the conversion district with a financing vehicle which does not exist presently thereby minimizing delays in conversion projects.

5. San Diego - Los Angeles High Speed Corridor

Present a resolution before the State Legislature requesting that the State of California Business and Transportation Agency submit an application to the Federal Government to fund a feasibility study of high-speed rail travel between San Diego and Los Angeles. Such a transit system, would help alleviate time and convenience lost due to transportation congestion between these two cities.

The concept of a high-speed rail link between San Diego and Los Angeles has been considered by a State survey team consisting of Senators Lewis Sherman (R-Berkeley), Alfred Alquist (D-San Jose), Tom Carrell (D-San Fernando), and James Mills (D-San Diego). They viewed such high speed trains currently operating between Montreal and Toronto, Canada, and between New York and Washington, D.C.

The train would have a speed capability of 150-200 mph and a trip from San Diego Center City to Los Angeles Center City would take less than an hour. A similar trip by plane is 20 minutes in the air and a 45 minute auto ride from Los Angeles International to the downtown area. The entire trip by automobile is at least two hours depending upon traffic density.

Newer and more efficient forms of travel must be sought to present the future traveler with alternatives to automobile and air transportation. A high-speed rail from San Diego to Los Angeles would be such an alternative, as well as a relief on the other two forms of travel.

6. Perched Beach

Initiate legislation requesting the State Department of Navigation and Ocean Development to undertake research studies and programs designed to evaluate the practicability of the "perched beach" concept as a method of preserving and expanding sandy beach areas along the California coastline.

A highly promising but untested concept - the perched beach - has been proposed by oceanic scientists as a means of preserving and expanding sandy beach areas along the coast. In its simplest terms, the perched beach would involve the construction of an extensive underwater dike parallel to the shoreline for the purpose of entrapping and retaining sand in nearshore transport. In theory, accumulation of entrapped sand would eventually result in an oceanward expansion of the beach area. Unfortunately, the financial scale of a research project or projects to evaluate the practicability of the perched beach concept is of such magnitude that none have yet been undertaken.

The City Planning Department beach and shoreline study completed in July of this year concluded that the shoreline must be preserved and enhanced. The study predicts increased usage of existing beach and shoreline areas. It recommends the formation of new or expanded beaches. It does not seem that this situation will be unique to San Diego beaches but rather to all beach and shoreline areas in the State. It is logical therefore that the State participate in the research effort. It is conceivable that an experimental structure could be constructed with State assistance in an offshore location which would enhance a San Diego beach.

7. Extension of State Route 75, Second Border Crossing

Initiate legislation requesting the State Division of Highways to study the feasibility of extending Route 75 from its presently projected terminus southwesterly to the proposed second International Border crossing a half mile inland from the Pacific Ocean.

Travel between the United States and the Baja California Peninsula has an annual increase of approximately 15% and is expected in the next six years to double from the 35,000 persons crossing daily in 1968.

Additional access will be needed for the proposed State of California Border Park and the new residential-recreational marina, and a new road is essential to provide proper traffic capacity for persons crossing the border.

It is desirable to segregate traffic destined for downtown Tijuana from that destined for other parts of Baja California, and to avoid congestion it is necessary to provide a more direct route to Baja California and to segregate truck traffic from passenger traffic.

8. International Border Park

Initiate legislation authorizing eventual acquisition and development of a State beach and park facility in the Border Field area adjacent to the International Border.

Circumstance surrounding the proposed land trade between the Navy and a private developer for a buffer zone around Ream Field have been greatly altered in the past six months. An appropriation to the Navy to purchase buffer zone property adjacent to Ream Field is moving through Congress. The Navy will be in the position of being able to declare its Imperial Beach property surplus. This will enable the State to acquire the beach at half cost under the Military Surplus Property Act.

9. Blocking of Railroad Crossings

Initiate legislation providing that regardless of action of the State or any regulatory agency of the State, local jurisdictions may establish more rigid standards relating to railroad crossing blocking by trains that are established by the State or its regulatory agencies.

A problem has developed with respect to the blocking of railroad crossings by the railroads. For a number of years many local jurisdictions have had ordinances which, in effect, provided that crossings could not be blocked for more than five minutes. The railroad companies have on occasions challenged the validity of these ordinances on the ground that the area was preempted by the State. In October 1968 the Appellate Department of the Los Angeles County Superior Court rendered a decision which in substance declared the train blocking ordinance of the City of Whittier invalid on the ground that the State had occupied the field.

Subsequently the California Public Utilities Commission issued Resolution No. S-1278 which provided for a maximum blocking throughout the State of ten minutes. This resolution was issued after discussions with the railroad companies, but local entities were not invited to participate. The companies subsequently filed rules in accordance with that resolution.

Several cities and the League of California Cities have contacted the Public Utilities Commission and based on objections by these parties the Commission has instituted an investigation on its own order concerning its resolution and blocking problems. We believe that the ten minutes maximum provided for by the California Public Utilities Commission is too long as a standard rule. Many municipalities have problems with respect to train blocking which they should be allowed to regulate on a local basis.

We would anticipate considerable support from the City of Los Angeles, and the League of California Cities. Undoubtly we would be opposed by the railroads.

10. Open Space

Initiate legislation providing for the use of eminent domain for open space purposes.

AB 1365 introduced by Pete Wilson at the City's request in 1969, treated this subject. The bill was passed by the Assembly but killed by the Senate Committee on Natural Resources. Assemblyman Wilson requested that the bill be studied during the interim. The results of this study are not available yet.

We believe that the bill should be re-introduced in 1970, as there still appears to be substantial interest in the concept on the part of the Legislature.

11. Torrey Pines State Park Extension

Initiate legislative action to assure the State participation in the extension of Torrey Pines State Park.

The State Department of Parks and Recreation is greatly interested in acquiring the necessary property to make the extension. Cameron-Unruh bond funds in the amount of \$900,000 were set aside for the State's share of acquisition costs. The local group is required to match this amount. The Torrey Pines Association has made a good-faith and successful effort in collecting cash and property donations and local government to support to assure 1970 acquisition of this valuable park area.

12. Airport Development

Initiate legislation to increase State government participation in planning and building airports in major hub air centers, and likewise lend assistance from appropriate State agencies in seeking a solution to the many increasing airport problems.

The problem of increased airport traffic and the advent of the jumbo jet and the supersonic aircraft has created demands for immediate changes in air terminal size and operations. The activities of the airport have taken on a State, inter-State, and transcontinental character because of the nature of modern-day aviation. The problems thus created are not endemic to our area, but affect air travel within the State and throughout the country. And it is because of this that future engineering, planning, and designing must be done in cooperation with the assistance of governmental agencies outside the limits of San Diego. In the past, small general aviation airports such as Montgomery Field have received financial assistance by the State. This has not been the case for our big hub airports.

13. Federal Aid Secondary Urban Extension Funds (FASUE)

Initiate legislation amending the Streets and Highways Code to require the State to include in its annual budget allocation to cities and counties for highway construction purposes, an amount equal to 50% of those funds made available by the Federal Government annually for urban extension of Federal aid secondary allocation for FASUE projects.

Annually the Federal Government allocates to the State approximately \$25 million for urban extension projects. In practice local jurisdictions see only about \$5 million for secondary urban extension projects, the balance going to State highway projects. This occurs because the Federal funds are funneled through the State. The State feels that its highway programs have priority over local urban extension projects. The State Highway Commission allocates on a priority basis, the \$5 million to local jurisdictions. Each jurisdiction may receive no more than one-half million dollars yearly. It seems to be more logical to have no limit on the amount a jurisdiction may receive in a year. It's quite likely that a single project would cost in excess of this limit. Because of the limit the project must be built in stages. This results in a greater net construction cost plus decreased safety and inconvenience for the motorists.

16. Records Retention

Support legislation to amend the Government Code to clarify provisions relative to the length of time municipal records must be retained.

The existing Government Code Section relative to records retention and destruction is confusing and open to varying interpretations. The purpose of the amendment will be to make more consistent record retention periods.

17. Highway Relinquishment

Support legislation to amend the Streets and Highways Code to provide that when a highway route is relinquished as a State highway, it is automatically retained as a select system street. (A street that connects one or more routes in the State system on paralleling and relieving streets in the State system.)

This measure would assure the use of State gas tax funds for the continual maintenance of such a highway. Without the transfer of a State highway to a select system, street maintenance costs would have to be drawn from the city's general funds.

The definition of Highway 101 as a select system street due to the construction of Interstate 5 as well as the exchange between the relationship of El Cajon Boulevard and Interstate 8 are examples of successful transfers of State highways to select systems streets. The legislation would eliminate any possible problems which might arise in the future by specifically facilitating the immediate transfer of former State highways to select systems streets.

18. Federal Lands for Recreation

Support legislation which would increase the priority in the present system of disposal of surplus federal lands for recreation purposes.

The Federal Surplus Land Disposal Act gives highest priority to all other federal agencies and then to such State purposes as education, correction, etc. The acquisition and ultimate use of surplus federal lands for recreation use is assigned a comparably low priority. Legislation is pending before the Congress which would raise this priority.

19. Public Transportation Financing

Support legislation which would establish either a trust fund or a guaranteed source of funding to assure maximum federal assistance to State and local agencies for public transportation purposes.

At the present time several bills are pending before Congress which would establish by various means a revolving trust fund to be utilized for federal grant assistance to State and local public transportation agencies. Public transportation officials indicate that if the problems of mass transportation are to be met, the solution lies in guaranteeing a high level of funding such as that accorded the interstate highway system and the highway gas tax fund in various states. The extremely high cost for research and development, demonstration projects and acquisitions of right of way in the field of public transportation indicates the necessity for such a method of funding.

#16

R E P O R T

TO THE HONORABLE
MAYOR AND CITY COUNCIL

FROM THE CITY MANAGER

January 20, 1970

(FOR INFORMATION)

SUBJECT: LEGISLATIVE PROGRAM

We would like to suggest that the Legislative Committee give consideration to additional policy statements in connection with the 1970 legislative program of the City of San Diego. There are some broad matters of tremendous importance to the City of San Diego, which require a defined stand by this City.

1. Water Supply

In 1960 voters of the State of California, including a substantial majority from the City of San Diego, approved a 3 Billion Dollar State water bond issue. The purpose of this issue was to provide flood control to certain parts of Northern California and to assure Southern California of an adequate fresh water supply by the early 1970's. There are some 600 Million Dollars in State water bonds which have not been sold, and which are virtually eliminated from the market by the monetary requirement in the issue of an interest rate of 5% or less.

The State Legislature last year approved a constitutional amendment which will be before the voters next June as Proposition #7 and which, if approved, will permit the State to pay up to 7% interest. We believe this would allow the sale of the 600 Million Dollars in bonds and prevent a delay which would be most serious in the delivery of vitally needed water to our area. There is opposition to this issue by groups in Northern California and a few in Southern California, who indicate that the non-delivery of water to Southern California would force the migration of population to the North and would provide a better population balance within the State.

We would urge the Mayor and City Council to indicate strong support for Proposition #7 and that a local committee be set up to support the issue in order that the water, so necessary to the well-being of this area and to its continued beautification, be delivered.

DOCUMENT NO. 730960

FILED FEB 25 1970

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA



THE CITY OF SAN DIEGO, CALIFORNIA

Res. 199033 2-10-1970

SUBJECT: LEGISLATIVE PROGRAM

2. Air Pollution

Motor vehicle emissions as a source of the greatest part of air pollution have been the target of a number of pending legislative proposals. It is my belief that the City should support proposals to require gasolines that would materially reduce exhaust emissions that presently contaminate our atmosphere.

We also suggest that legislation be adopted to demand more efficient emission control devices on motor vehicles and to establish state-wide periodic emission inspections. The automobile industry should be called upon to immediately study and produce vehicles with fuel injections, or similar systems, that are known to reduce emissions from the internal combustion engine. They should also be required to ultimately produce a vehicle within a reasonable time period that would virtually eliminate harmful and dangerous emissions. Our City should urge both federal and state governments to assign the highest priority to the seeking of solutions to these problems.

3. Mass Rapid Transit

Public transportation officials and many legislators are increasingly convinced that the adequate development of urban rapid transit systems depends upon a reliable source of continued funding, perhaps similar to the highway users fund which has been instrumental in developing California's highway, street and road system. A constitutional amendment will be considered by the California Legislature this year which, if approved, will allow the voters to determine whether motor vehicle gas tax revenues may be used for development of rapid transit facilities. Federal legislation is under consideration currently, which would establish a mass rapid transit trust fund similar to the federal highway fund. Several different sources of revenue to supply this fund are under consideration, including the present motor vehicle excise tax.

The following is suggested as a statement of policy by the City of San Diego:

"The City of San Diego supports the concept of user tax revenues, specifically the motor vehicle fuel tax for the development and operation of urban mass rapid transit systems. A balanced San Diego mass rapid transit system and street and highway system is essential to serve the future needs of San Diego citizens. It is imperative in this regard that resources allocated to developing and maintaining our street and highway system not be re-directed to the development and operation of a mass rapid transit system. Additional revenues to accomplish this purpose are essential."

Res. 199033
2-10-1970

SUBJECT: LEGISLATIVE PROGRAM

4. Airport Development

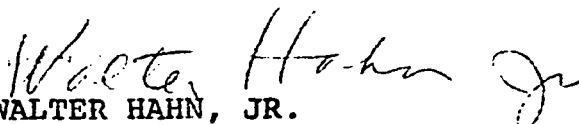
Aviation technology which has produced much larger and faster aircraft than was contemplated at the time most of our nation's airports were developed has produced critical current airport problems. Local agencies are simply not financially able to cope with the high cost of developing adequate regional type airport facilities. Federal legislation is pending which seeks to provide substantial financial assistance to local airport agencies for the modernization and improvement of airports serving regional areas. Larger and faster aircraft have also added to the problems of air safety.

I suggest that the City of San Diego adopt a policy similar to that set forth below:

"The City of San Diego recognizes the urgency of providing airport facilities which keep pace with requirements posed by the most modern aircraft which must use their facilities. The City of San Diego supports proposed federal legislation which seeks to provide local agencies financial assistance to accomplish this objective. At the local level, the City will explore all possibilities which might lead to the establishment of a more regional type of airport administrative agency in order to equitably spread local airport costs over the entire metropolitan area served. In line with airport modernization, the City of San Diego urges the federal government to accelerate its efforts in the field of aviation safety so that new safeguards in the forms of air traffic control and safety equipment keep pace with the ever increasing number of air travelers."

The Director of Legislative Representation has pointed out a number of other programs dealing in environmental problems, particularly in the State of California. In connection with these, specific City positions will probably be required and we will present recommendations on them to you as they arise.

Respectfully submitted,


WALTER HAHN, JR.

Res. 199033
2-10-1970

FEB 10 1970

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

RECEIVED
CITY CLERK'S OFFICE
1970 FEB 20 PM 2:45
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Edna P. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 199033 Adopted FEB 10 1970