

RESOLUTION NO. 201933 FEB 16 1971

WHEREAS, The City of San Diego is vitally concerned with the work of the California State Legislature; 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 Legislative Program; NOW, THEREFORE,

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

That the document entitled "Proposed City of San Diego 1971 State Legislative Program," a copy of which is attached hereto and made a part of this resolution, be, and the same is hereby approved.

APPROVED: JOHN W. WITT, City Attorney

By Peter D. Bulens
Peter D. Bulens, Deputy

PDB:clh
2/9/71

CITY of SAN DIEGO
MEMORANDUM

FILE NO. :

DATE : January 21, 1971

TO : Legislative Committee

FROM : Department of Legislative Representation

SUBJECT: Proposed 1971 Legislative Program

Some weeks ago we circulated a memorandum to each City department head requesting from them proposals for changes in existing State and Federal statutes. In summary form, we have set forth below those proposals, received to date, along with some general policy statements for your consideration for possible inclusion in our 1971 Legislative Program. As was emphasized at the recent annual meeting of the League of California Cities, the subjects which will receive primary consideration during the 1971 Session of the California Legislature are: revenue needs of State and local agencies (tax reform), public employee problems, regional government, and the environment.

Policies

1. Home rule and citizen self-determination have produced in San Diego one of the nations most outstanding city environments. The City of San Diego has consistently pioneered in developing regional solutions to such problems as waste treatment and handling, transportation facilities, and internationally acclaimed recreation and open space facilities such as Balboa and Mission Bay Parks. The City of San Diego strongly supports the continuance of the home rule concept which enables those elected officials in local governmental agencies, who are the closest representatives of the people within their jurisdictions, to make the decisions affecting the environment, the levels of governmental services and the living conditions of the citizens of their jurisdictions. The City of San Diego opposes legislation which would seek to shift this decision making process to higher and more remote levels of government.

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2. The City of San Diego is faced with a continuing demand for new and improved City-provided services. State and Federal governments continue to mandate new programs, particularly in the urban service field, without providing continuing financial assistance to carry out these programs. The City of San Diego supports legislation, including federal tax sharing, which will broaden the City's revenue base and yet provide equitable relief for City taxpayers.
3. The City of San Diego recognizes that its citizens and their locally elected officials constitute the most effective means of determining the priorities that must be established to maintain and enhance the environment of San Diego. The City supports legislation establishing regional governmental agencies, if such agencies are essential to solving the problem, provided that the governing bodies of such agencies are composed entirely of locally elected officials responsible to the citizens of the region.

Specific Proposals

1. Highway Funds - Federal Aid Secondary Urban Extension

Last year both Houses of the Legislature approved City-proposed legislation which would have provided that the State share fifty-fifty with cities and counties approximately \$30 million in Federal funds to be allocated for FASUE projects. At present, the State allocates only \$5 million of these funds for City and County FASUE projects. The present law also provides that the financial limitation on any one project cannot exceed \$500,000 and our legislation last year would have eliminated this limitation.

At the request of the Division of Highways, Governor Reagan vetoed the measure and it is proposed that the City of San Diego again sponsor this measure. FASUE projects which have been funded in the City of San Diego include the Friars Road improvements and the Mystic Maze interchange in Mission Bay Park.

2. Blue Lights on Emergency Vehicles

The Police Department has recommended a change in the California Vehicle Code which would authorize emergency vehicles, utilized by law enforcement agencies, to use blue warning lights in lieu of, or in combination with, the red warning lights as presently required by law. The Police Department states that blue lights can be seen for a greater distance and that red lights have lost most of their effectiveness due to their wide spread use in advertising, as signal lights, and as general warning lights. The Department also points out that a distinctive blue light would be more easily seen and would leave no doubt in the public's mind that a police vehicle would be using it.

The City's Budget Officer estimates that if State law provided for such a change for police units only, the cost would approximately be \$1,000. to our Department.

3. Amendment to Subdivision Map Act Regarding Libraries and Fire Stations

The Library and Fire Departments have proposed an amendment to the Subdivision Map Act which would require that "the governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for a fire station site as a condition to the approval of the final subdivision map." In 1966 the City joined with the League of California Cities in supporting successful legislation which provided for a similar requirement with respect to park sites.

4. Amendment to Subdivision Map Act Regarding Construction Costs for Arterial Streets

Since arterial streets are such a vital part of the circulation plan of the City, the Engineering Department has suggested a more equitable method of financing the construction costs of these streets. This is accomplished by amending the Subdivision Map Act to allow cities and counties to require a subdivider to pay a fee to defray construction costs of arterial streets associated with his development or to dedicate the right of way and improve the streets as a condition to the final approval of a subdivision map. This would establish a system so that those who benefit from the streets pay for them.

The suggested ordinance would establish a "planned arterial street fund." Monies in the fund would be expended solely for the construction or reimbursement from construction of planned arterial streets. In addition, the City could contract with the subdivider to reimburse him for costs which are in addition to the normal responsibility of the subdivider.

5. Old Town San Diego State Park

Since acquisition of the six and one-half block area by the State of California, which is now designated as Old Town San Diego State Park, there has been a minimum of capital improvement funds expended by the State within the project area. Thus far only the Stewart House and Estudillo House have been renovated and improved at a cost to the State of less than one-half million dollars. The slow

development of this area has been criticized by many citizen groups and many visitors who came to the City in conjunction with the 200th Anniversary celebration.

It is proposed that the City seek a major augmentation to California's 1971-72 fiscal year budget for expenditures on improvements within the State park project area.

6. State Reimbursement of Local Costs of Federally Authorized Flood Control Projects

Local agencies are presently reimbursed by the State for lands, easements, rights of way, and relocations of public works, which are necessary for the construction of federally authorized flood control projects. Last session bills were introduced that would have reduced the State's contribution to local financing of authorized flood control projects. It is anticipated that similar legislation will be forthcoming this year.

It is proposed that the City of San Diego support legislation which would retain the present level of State reimbursement rather than developing a new formula which might result in a lesser State contribution.

7. An Additional State College Campus in the San Diego Area

In 1969, the City Council approved a resolution urging the State Coordinating Council on Higher Education and the Legislature to institute studies leading to the development of a second state college campus in the San Diego area. The Coordinating Council on Higher Education refused to consider a second campus at that time.

Currently there is increasing concern for the rapidly expanding student body population at San Diego State College and the campus's ability to properly accommodate the 30,000 students now attending school there. The College Area Community Council is presently considering a resolution urging the Trustees of the California State Colleges and the Coordinating Council for Higher Education to limit the San Diego State College campus to a maximum enrollment of 20,000 full-time students. The College Area Community Council calls attention to the impending crises in traffic, land use, and increased congestion in the State College area.

It is suggested that the City again propose legislation at the State level to develop a second state college campus to serve the residents of San Diego, and that the City sponsor legislation requiring that future college and university campus expansion programs be reviewed and approved by the local agency within whose jurisdiction the campus is situated.

8. State Scenic Highways - San Diego

Research has been conducted with both the Scenic Highway Advisory Committee in Sacramento and the Division of Highways in San Diego on this subject.

To become a part of the California Scenic Highway Master Plan, the City must initiate legislation in Sacramento. Therefore, it is proposed that the City introduce legislation which would designate US 395 between I-8 and Ash Street, I-5 between the San Dieguito River and I-8, and State Route 52 from I-5 to State Route 67 as California scenic highways.

9. Amendment of Publication Requirement - 1903 Street Opening Act

The 1903 Act requires that the City mail a notice for the recordation of an unpaid assessment and its amount to a property owner. The Act also requires that the City publish notice of recordation either ten times in a daily paper or for three times in a weekly paper.

This publication requirement is incorporated by reference in the 1913 Improvement Act and the Vehicle Parking District Law of 1943. Since the 1911 and 1915 Improvement Acts, which the City uses, require only one or two publications, it is proposed that the 1903 publication requirement be amended to once a week for two successive weeks. The proposed amendment would make no change in the mailing requirement.

The amendment will also reduce publication expenses to the City as well as the possibility of a printer's error.

It is proposed that the City sponsor this publication amendment to the 1903 Act.

10. Railroad Grade Separations

Presently the State of California, through the Highway Users Fund, allocates \$5 million annually for the State's share of the construction of railroad grade separations. Local agencies requesting grade separation projects apply to the State, which establishes priorities on proposed projects. Local agencies contribute substantially to financing these projects and the railroad companies involved make a lesser contribution.

In the event the high speed rail system between San Diego and Los Angeles proves feasible, a major cost in such a system would be a provision for grade separations. It is proposed that the City sponsor or support legislation to increase substantially the State's share of these costs.

11. San Diego-La Jolla Underwater Park

Recently the San Diego Underwater Park Committee established boundaries for a portion of the proposed park for usage as a "look but do not take" area. This simply means that one can boat or dive in the area but cannot remove anything of animal, plant or mineral origin. The concept of the Underwater Park is to preserve the area in its natural state. Research has indicated that the City may employ more than one legal technique to protect the natural condition of the Underwater Park.

The Underwater Park is included in this year's Legislative Program so that the City can act upon an anticipated regulatory means, which is presently under study by the City's Advisory Committee on Underwater Parks. Appropriate regulations and enforcement procedures can be enacted either as a statute, by the Legislature, or as a Department regulation by the State Fish and Game Commission.

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

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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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

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

By Elfa D. Hamel, Deputy. *KA*

Office of the City Clerk, San Diego, California

Resolution Number **201933** Adopted **FEB 16 1971**