

RESOLUTION NUMBER R- 271715

ADOPTED ON AUG 09 1988

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO REQUESTING THE CONSOLIDATION OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON NOVEMBER 8, 1988, WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, at the meeting of the City Council held on AUG 09 1988, the Council indicated its intention to submit to the qualified voters of the City of San Diego, one proposition relating to an initiative measure amending the Charter of The City of San Diego by amending Charter Sections 10, 12 and 23, one proposition amending the Charter of The City of San Diego by adding Charter Section 57.1, one proposition amending the Charter of The City of San Diego by amending Charter Section 43, one proposition relating to amending The City of San Diego Progress Guide and General Plan, one proposition relating to an initiative measure adopting an ordinance to improve and preserve residents' quality of life, one proposition relating to an advisory vote on mandatory staggered-work hours program, one proposition adopting an ordinance amending People's Ordinance No. 10960 relating to the height of buildings and consolidating said Special Municipal Election with the State General Election to be held in said City on November 8, 1988; and

WHEREAS, it is desirable that this Special Municipal Election be consolidated with the State General Election to be held on the

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SAN DIEGO, CALIF. *p*

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same date and that within The City of San Diego the election precincts, polling places, voting booths and election officials for the two elections be the same, and that the Board of Supervisors of the County of San Diego be authorized to canvass the returns of the Special Municipal Election and that this Special Municipal Election and the State General Election be held in all respects as if there were only one election; and

WHEREAS, this Council within the time required by law has or will adopt an ordinance calling for a Special Municipal Election and consolidating it with the State General Election; NOW, THEREFORE,

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

1. That the Board of Supervisors of the County of San Diego is hereby requested to consolidate the Special Municipal Election to be held in The City of San Diego on November 8, 1988 with the State General Election to be held on the same date, for the purpose of submitting the above-referenced propositions.

2. That the exact form of the propositions to be voted upon at this Special Municipal Election and as they are to appear on the ballot is as follows:

<p><b>PROPOSITION ____ . CITY OF SAN DIEGO CHARTER AMENDMENTS. INITIATIVE MEASURE. AMENDS SECTIONS 10, 12 AND 23 OF THE CHARTER OF THE CITY OF SAN DIEGO.</b></p>	<p>Y E S</p>	
<p>Establishes that Council members shall be nominated, elected and recalled by district rather than nominated by district and elected citywide.</p>	<p>N O</p>	

**PROPOSITION \_\_\_\_ . AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SECTION 57.1.**

**SECTION 57.1 POLICE REVIEW COMMISSION**

A Police Review Commission is hereby established consisting of nine (9) members appointed by the Mayor and confirmed by the City Council. The Mayor shall designate the presiding officer of the Commission. Members of the Commission shall serve without compensation for terms of four (4) years and shall not have been formerly employed in the Police Department or be employed by or hold any other office in the City; provided, however, that the initial term of two members shall be for three (3) years, another two for two (2) years, and another two for one (1) year so that no more than 3 terms shall expire in any one year. The Mayor, with the approval of the City Council, shall fill any vacancy occurring for any reason. The City Council may remove a member of the Commission for cause by vote of two-thirds (2/3) of the members of the Council. The Commission shall establish such rules and regulations as may be necessary to carry out the purposes for which the Commission is created.

Y E S

The purpose of the Commission is to investigate, conduct hearings, and make findings concerning allegations of Police misconduct in a prompt, fair and impartial manner. Any allegation submitted for the consideration of the Commission shall be in writing and the truth thereof shall be attested to under penalty of perjury. Any such investigation or hearing shall be closed to the public and findings of the Commission shall be confidential and not available to the public except as otherwise provided by law. The Commission shall have the power to subpoena and require the attendance of witnesses and the production of books and papers pertinent to the investigation and to administer oaths to such witnesses. A determination shall be made by the Commission as to whether an allegation of Police misconduct was sustained or not sustained and such determination shall be forwarded to the Chief of Police and the City Manager. The Commission shall appoint an executive director and such investigators and other personnel as may be provided by the City Council. The executive director and Commission personnel shall be in the unclassified service notwithstanding any provisions in Section 117 to the contrary. Subject always to the requirement of confidentiality of its investigations, hearings and findings, the Commission shall periodically, but at least once a year, make a general report and hold a public hearing thereon to inform the public concerning its activities.

N O

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**PROPOSITION \_\_\_\_ . AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTION 43.**

**SECTION 43 ADVISORY BOARDS AND COMMITTEES**

No changes in subsection (a), (b) and (c).

(d) **CITIZENS' REVIEW BOARD ON POLICE PRACTICES.** Notwithstanding any other provision of this Charter, the City Manager shall have the exclusive authority to create and establish a citizens' review board on police practices to review and evaluate citizens' complaints against members of the San Diego Police Department and the San Diego Police Department's administration of discipline arising from such complaints. The City Manager shall establish such rules and regulations as may be necessary for this board to carry out its functions; provided, however, that such rules and regulations shall be consistent with the laws of the State of California concerning citizens' complaints against peace officers. Nothing in such rules and regulations shall interfere with the board's authority to independently refer a completed citizen complaint investigation to the grand jury, district attorney, or any other governmental agency authorized by law to investigate the activities of a law enforcement agency. The board shall submit semiannual reports to the City Manager and City Council concerning its evaluation of the San Diego Police Department's investigation of citizens' complaints; provided, however, that such reports shall not disclose any information required to be kept confidential by law.

Y E S

N O

<p><b>PROPOSITION ____ . AMENDS THE CITY OF SAN DIEGO PROGRESS GUIDE AND GENERAL PLAN BY ADDING A GROWTH MANAGEMENT ELEMENT.</b></p> <p>Shall the City adopt a Growth Management Element which:</p> <p>a. Establishes a maximum limit for the next five years of  3,600 new residential units per year, and  3,990 previously approved residential units per year;</p> <p>b. Protects single-family neighborhoods by restricting new development;</p>	<p>Y E S</p>	
<p>c. Preserves environmentally sensitive lands, including wetlands, floodplains, steep slopes, biologically sensitive lands and significant prehistoric and historic sites;</p> <p>d. Requires that traffic generated by new development stay within roadway capacity;</p> <p>e. Strengthens community plans by requiring periodic comprehensive updates and limiting amendments between updates;</p> <p>f. Requires there be adequate public facilities and services at the time of development; and</p> <p>g. Establishes regional standards for air quality, water, sewage treatment, solid waste disposal and transportation?</p>	<p>N O</p>	

**PROPOSITION \_\_\_\_ . INITIATIVE MEASURE.  
AMENDS THE SAN DIEGO GENERAL PLAN.**

Until standards as designated in the initiative are met, shall the City:

a. Limit residential dwelling units as follows:

- FY 1988-89: 7,000 to 9,000 dwelling units
- FY 1989-90: 6,000 to 8,000 dwelling units
- FY 1990-91: 5,000 to 7,000 dwelling units
- FY 1991-92 and each subsequent fiscal year through the FY 2009-2010: 4,000 to 6,000 dwelling units;

b. Develop and implement a plan for industrial and commercial development consistent with the criteria in the initiative;

c. Develop and implement an allocation system for residential development as provided in the initiative;

d. Preserve sensitive environmental lands as provided in the initiative;

e. Adopt a plan for the ultimate development of the City's sphere of influence as provided in the initiative?

Y E S

N O

<p><b>PROPOSITION ____ . (ADVISORY VOTE ONLY)</b></p> <p>Should the City of San Diego begin a mandatory staggered-work hours program, requiring all businesses with twenty-five (25) or more workers to offer employees variable work schedules in order to reduce peak-hour traffic on City roads and freeways?</p>	Y E S	
	N O	

<p><b>PROPOSITION ____ . AMENDS PEOPLE'S ORDINANCE NO. 10960 (LIMITING THE HEIGHT OF BUILDINGS IN THE COASTAL ZONE) .</b></p> <p>Shall an exception to the thirty (30) foot height limit for buildings in the Coastal Zone be permitted to allow the restoration of the chimney and rooftop cupola as part of the historic restoration of the 1915 Agar/Mission Brewery building located at Washington and Hancock Streets in San Diego, California?</p>	Y E S	
	N O	



The propositions shall be designated on the ballot by a letter printed on the left margin of the square containing the description of each measure as provided in Section 10219 of the Elections Code of the State of California.

3. That the Board of Supervisors is hereby authorized to canvass the returns of this Special Municipal Election and is requested to conduct the elections in all respects as if there were only one election using only one form of ballot.

4. That the Board of Supervisors of the County of San Diego is requested to issue to all officers of the County charged with duties pertaining to the State General Election appropriate instructions to take any and all steps necessary for the holding of a consolidated election.

5. That the City Clerk of The City of San Diego is hereby directed to file a certified copy of this resolution with the Board of Supervisors and Registrar of Voters of the County of San Diego.

6. That the County of San Diego shall be reimbursed in full for the services performed by the Registrar of Voters for The City of San Diego in connection with the election services herein described.

7. That The City of San Diego agrees to indemnify and to save free and harmless the County, its officers, agents and employees from expense or liability, including reasonable attorneys' fees, as the result of an election contest initiated

pursuant to the provisions of Division 13 of the Elections Code  
of the State of California after conduct of these elections.

APPROVED: John W. Witt, City Attorney

By Ted Bromfield  
Ted Bromfield  
Chief Deputy City Attorney

TB:js:930.63  
08/05/88  
08/08/88 REV. 1  
08/10/88 REV. 2  
Or.Dept:Clerk  
R-89-297  
Form=r.cons

AUG 09 1988

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

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

(Seal)

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-271715** Adopted **AUG 09 1988**

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101  
ATTN: MAYDELL L. PONTECORVO

1988 AUG 29 AM 10: 25  
SAN DIEGO, CALIF.  
NO. CH

IN THE MATTER OF  
THE COUNCIL OF THE CITY OF SAN DIEGO REQUESTING  
THE CONSOLIDATION OF A SPECIAL MUNICIPAL ELECTION  
TO BE HELD IN THE CITY OF SAN DIEGO ON NOVEMBER 8, 1988,  
WITH THE STATE GENERAL ELECTION TO BE HELD ON  
THE SAME DATE.

R-271715

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WHEREAS, at the meeting of the City Council held on Aug 09, 1988, the Council indicated its intention to submit to the qualified voters of the City of San Diego, one proposition relating to an initiative measure amending the Charter of The City of San Diego by amending Charter Sections 10, 12 and 23, one proposition amending the Charter of The City of San Diego by adding Charter Section 57.1, one proposition amending the Charter of The City of San Diego by amending Charter Section 43, one proposition relating to amending The City of San Diego Progress Guide and General Plan, one proposition relating to an initiative measure adopting an ordinance to improve and preserve residents' quality of life, one proposition relating to an advisory vote on mandatory staggered-work hours program, one proposition adopting an ordinance amending People's Ordinance No. 10960 relating to the height of buildings and consolidating said Special Municipal Election with the State General Election to be held in said City on November 8, 1988; and

WHEREAS, it is desirable that this Special Municipal Election be consolidated with the State General Election to be held on the same date and that within The City of San Diego the election precincts, polling places, voting booths and election officials for the two elections be the same, and that the Board of Supervisors of the County of San Diego be authorized to canvass the returns of the Special Municipal Election and that this Special Municipal Election and the State General Election be held in all respects as if there were only one election; and

WHEREAS, this Council within the time required by law has or will adopt an ordinance calling for a Special Municipal Election and consolidating it with the State General Election; NOW, THEREFORE,

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

1. That the Board of Supervisors of the County of San Diego is hereby requested to consolidate the Special Municipal Election to be held in The City of San Diego on November 8, 1988 with the State General Election to be held on the same date, for the purpose of submitting the above-referenced propositions.

2. That the exact form of the propositions to be voted upon at this Special Municipal Election and as they are to appear on the ballot is as follows:

I, THOMAS D. KELLEHER, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

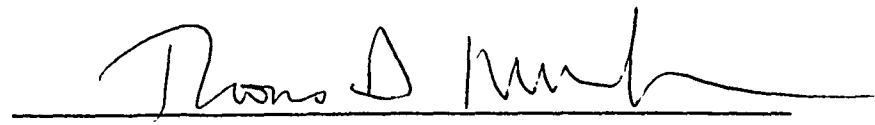
RESOLUTION NUMBER R-271715

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

AUG. 23

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 23 day of AUG., 19 88.



(Signature)

25 3/4" x 2 x 278.93 = \$583.50

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<p><b>PROPOSITION — CITY OF SAN DIEGO CHARTER AMENDMENTS. INITIATIVE MEASURE. AMENDS SECTIONS 10, 12 AND 23 OF THE CHARTER OF THE CITY OF SAN DIEGO</b> Establishes that Council members shall be nominated, elected and recalled by district rather than nominated by district and elected citywide.</p>	YES	
	NO	

<p><b>PROPOSITION — AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SECTION 57.1.</b> <b>SECTION 57.1 POLICE REVIEW COMMISSION</b> A Police Review Commission is hereby established consisting of nine (9) members appointed by the Mayor and confirmed by the City Council. The Mayor shall designate the presiding officer of the Commission. Members of the Commission shall serve without compensation for terms of four (4) years and shall not have been formerly employed in the Police Department or be employed by or hold any other office in the City; provided, however, that the initial term of two members shall be for three (3) years, another two for two (2) years, and another two for one (1) year so that no more than 3 terms shall expire in any one year. The Mayor, with the approval of the City Council, shall fill any vacancy occurring for any reason. The City Council may remove a member of the Commission for cause by vote of two-thirds (2/3) of the members of the Council. The Commission shall establish such rules and regulations as may be necessary to carry out the purposes for which the Commission is created. The purpose of the Commission is to investigate, conduct hearings, and make findings concerning allegations of Police misconduct in a prompt, fair and impartial manner. Any allegation submitted for the consideration of the Commission shall be in writing and the truth thereof shall be attested to under penalty of perjury. Any such investigation or hearing shall be closed to the public and findings of the Commission shall be confidential and not available to the public except as otherwise provided by law. The commission shall have the power to subpoena and require the attendance of witnesses and the production of books and papers pertinent to the investigation and to administer oaths to such witnesses. A determination shall be made by the Commission as to whether an allegation of Police misconduct was sustained or not sustained and such determination shall be forwarded to the Chief of Police and the City Manager. The Commission shall appoint an executive director and such investigators and other personnel as may be provided by the City Council. The executive director and Commission personnel shall be in the unclassified service notwithstanding any provisions in Section 117 to the contrary. Subject always to the requirement of confidentiality of its investigations, hearings and findings, the Commission shall periodically, but at least once a year, make a general report and hold a public hearing thereon to inform the public concerning its activities.</p>	YES	
	NO	

<p><b>PROPOSITION — AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTION 43.</b> <b>SECTION 43 ADVISORY BOARDS AND COMMITTEES</b> No changes in subsection (a), (b) and (c). (d) <b>CITIZENS' REVIEW BOARD ON POLICE PRACTICES.</b> Notwithstanding any other provision of this Charter, the City Manager shall have the exclusive authority to create and establish a citizens' review board on police practices to review and evaluate citizens' complaints against members of the San Diego Police Department and the San Diego Police Department's administration of discipline arising from such complaints. The City Manager shall establish such rules and regulations as may be necessary for this board to carry out its functions; provided, however, that such rules and regulations shall be consistent with the laws of the State of California concerning citizens' complaints against peace officers. Nothing in such rules and regulations shall interfere with the board's authority to independently refer a completed citizen complaint investigation to the grand jury, district attorney, or any other governmental agency authorized by law to investigate the activities of a law enforcement agency. The board shall submit semiannual reports to the City Manager and City Council concerning its evaluation of the San Diego Police Department's investigation of citizens' complaints; provided, however, that such reports shall not disclose any information required to be kept confidential by law.</p>	YES	
	NO	

<p><b>PROPOSITION — AMENDS THE CITY OF SAN DIEGO PROGRESS GUIDE AND GENERAL PLAN BY ADDING A GROWTH MANAGEMENT ELEMENT.</b> Shall the City adopt a Growth Management Element which: a. Establishes a maximum limit for the next five years of 3,600 new residential units per year, and 3,990 previously approved residential units per year; b. Protects single-family neighborhoods by restricting new development; c. Preserves environmentally sensitive lands, including wetlands, floodplains, steep slopes, biologically sensitive lands and significant prehistoric and historic sites; d. Requires that traffic generated by new development stay within roadway capacity; e. Strengthens community plans by requiring periodic comprehensive updates and limiting amendments between updates; f. Requires there be adequate public facilities and services at the time of development; and g. Establishes regional standards for air quality, water, sewage treatment, solid waste disposal and transportation?</p>	YES	
	NO	

<b>PROPOSITION —. INITIATIVE MEASURE. AMENDS THE SAN DIEGO GENERAL PLAN.</b> Until standards as designated in the Initiative are met, shall the City: a. Limit residential dwelling units as follows: FY 1988-89: 7,000 to 9,000 dwelling units FY 1989-90: 8,000 to 8,000 dwelling units FY 1990-91: 5,000 to 7,000 dwelling units FY 1991-92 and each subsequent fiscal year athrough the FY 2009-2010: 4,000 to 6,000 dwelling units; b. Develop and implement a plan for industrial and commercial development consistent with the criteria in the initiative; c. Develop and implement an allocation system for residential development as provided in the initiative; d. Preserve sensitive environmental lands as provided in the initiative; e. Adopt a plan for the ultimate development of the City's sphere of influence as provided in the initiative?	YES	
	NO	

<b>PROPOSITION —. (ADVISORY VOTE ONLY)</b> Should the City of San Diego begin a mandatory stagger-work hours program, requiring all businesses with twenty-five (25) or more workers to offer employees variable work schedules in order to reduce peak-hour traffic on City roads and freeways?	YES	
	NO	

<b>PROPOSITION —. AMENDS PEOPLE'S ORDINANCE NO. 10960 (LIMITING THE HEIGHT OF BUILDINGS IN THE COASTAL ZONE).</b> Shall an exception to the thirty (30) foot height limit for buildings in the Coastal Zone be permitted to allow the restoration of the chimney and rooftop cupola as part of the historic restoration of the 1915 Agar/Mission Brewery building located at Washington and Hancock Streets in San Diego, California?	YES	
	NO	

The propositions shall be designated on the ballot by a letter printed on the left margin of the square containing the description of each measure as provided in Section 10219 of the Election Code of the State of California.

3. That the Board of Supervisors is hereby authorized to canvass the returns of this Special Municipal Election and is requested to conduct the elections in all respects as if there were only one election using only one form of ballot.

4. That the Board of Supervisors of the County of San Diego is requested to issue to all officers of the County charged with duties pertaining to the State General Election appropriate instructions to take any and all steps necessary for the holding of a consolidated election.

5. That the City Clerk of The City of San Diego is hereby directed to file a certified copy of this resolution with the Board of Supervisors and Registrar of Voters of the County of San Diego.

6. That the County of San Diego shall be reimbursed in full for the services performed by the Registrar of Voters for The City of San Diego in connection with the election services herein described.

7. That The City of San Diego agrees to indemnify and to save free and harmless the County, its officers, agents and employees from expense or liability, including reasonable attorneys' fees, as the result of an election contest initiated pursuant to the provisions of Division 13 of the Elections Code of the State of California after conduct of these elections.

Passed and adopted by the Council of The City of San Diego on AUG. 09, 1988 by the following vote:

YEAS: Roberts, McColi, Pratt, Struikama, Henderson, McCarty, Filner, Mayor O'Connor.

NAYS: Wolfshimer.

NOT PRESENT: None.

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(Seal)

By: MAYDELL L. PONTECORVO, Deputy

Publish August 23, 1988

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