

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING THE RESULTS OF THE CANVASS OF THE SPECIAL MUNICIPAL BOND ELECTION HELD ON NOVEMBER 3, 1970, ON ONE GENERAL OBLIGATION BOND PROPOSITION FOR HISTORICAL, CULTURAL, EDUCATIONAL AND RECREATIONAL FACILITIES IN THE OLD TOWN AREA.

WHEREAS, this Council by Ordinance No. 10386 (New Series) adopted August 27, 1970, called a Special Municipal Bond Election to be held in the City on November 3, 1970; and

WHEREAS, this Special Municipal Bond Election was duly consolidated with the Statewide General Election held upon the same date; and

WHEREAS, the Special Municipal Bond Election was held on November 3, 1970, for the purpose of proposing and submitting to the qualified electors of the City the following proposition to incur indebtedness and issue bonds in the principal amount indicated therein as follows:

PROPOSITION D. CITY OF SAN DIEGO HISTORICAL, CULTURAL, EDUCATIONAL AND RECREATIONAL FACILITIES BOND PROPOSAL: to improve, develop and expand the historical, cultural, educational and recreational facilities of the City, shall the City incur a bonded indebtedness in the principal amount of Four Million Dollars to construct, improve or otherwise provide in the City of San Diego, Old Town area, a historical, cultural, educational and recreational complex including buildings and related facilities necessary for operation of a complete facility for the collection, preservation, and presentation of historical attractions, which would include but not be limited to, contributions of early western modes of travel, as well as fire apparatus, and railroad equipment used from the earliest settlement times to the present?

WHEREAS, a copy of the certificate of the Registrar of Voters of the County of San Diego canvassing the returns of the Special Municipal Bond Election, including absentee votes cast, as certified to the Clerk of the Board of Supervisors, has been duly received; and

WHEREAS, a canvass of the Special Municipal Bond Election has been completed and the City Clerk has certified the results to the City Council; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Council finds and determines pursuant to the provisions of Section 27.2206 of the San Diego Municipal Code, as follows:

1. That a Special Bond Election was duly called and regularly held in the City of San Diego on the 3rd day of November, 1970, at which election there was submitted to the qualified voters of said City the following proposition, to wit:

PROPOSITION D. CITY OF SAN DIEGO HISTORICAL, CULTURAL, EDUCATIONAL AND RECREATIONAL FACILITIES BOND PROPOSAL: to improve, develop and expand the historical, cultural, educational and recreational facilities of the City, shall the City incur a bonded indebtedness in the principal amount of Four Million Dollars to construct, improve or otherwise provide in the City of San Diego, Old Town area, a historical, cultural, educational and recreational complex including buildings and related facilities necessary for operation of a complete facility for the collection, preservation, and presentation of historical attractions, which would include but not be limited to, contributions of early western modes of travel, as well as fire apparatus, and railroad equipment used from the earliest settlement times to the present?

2. That the returns of said election have been duly and regularly canvassed as provided by law and all absentee ballots have been canvassed as provided by law and that the results of such canvass have been certified to this Council.

3. That the total number of votes cast in the City, including absentee votes, is 225,087.

4. That the number of votes cast, including absentee votes cast, for and against the bond proposition which appeared on the ballot as proposition lettered D, and the total number of votes cast upon the bond proposition, including absentee votes, is as follows:

FOR	103,469
AGAINST	<u>96,473</u>
TOTAL	199,942

5. That the votes of Fifty-one and Seventy-four One Hundreths Percent (51.74%) of all the voters voting at said election upon said bond proposition were cast in favor of the adoption of said bond proposition.

6. That Ordinance No. 10386 (New Series) calling the election provided as follows:

Section 7. Under present case law it is now uncertain whether the propositions to incur bonded indebtedness must be authorized by an affirmative vote of a simple majority or a majority of two-thirds (2/3) of the qualified electors voting on the bond propositions. If the propositions to incur bonded indebtedness submitted by this ordinance receive the majority number of votes of the qualified voters of the City voting on such propositions, as required by law, general obligation bonds of the City in an amount not to exceed the principal amount stated in the propositions as set forth in this ordinance

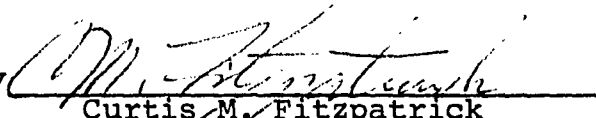
may be issued and sold for the object and purpose as contained in such propositions.

7. That in accordance with such statement, if the case law uncertainty is resolved so that the affirmative vote of a simple majority of the qualified electors of the City voting on such proposition is the vote required by law to authorize issuance of the bonds, the proposition has been approved by a vote of the majority of the qualified voters voting on the proposition and is hereby declared to have carried, and this City Council is authorized to issue bonds for the purpose stated therein as provided by law.

8. That the number of votes cast for and against the proposition, including absentee votes, is recorded in the Election Returns Book of The City of San Diego, which book is a part of the records of this Council.

9. That the City Clerk shall make public the results of the canvass of the Special Municipal Bond Election by a publication of a copy of this resolution.

APPROVED: JOHN W. WITT, City Attorney

By 
Curtis M. Fitzpatrick
Chief Deputy City Attorney

CMF:rc
12/9/70

Passed and adopted by the Council of The City of San Diego on DEC 15 1970,
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 DEC -9 PM 12: 10
MR 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 P. Hamel, Deputy

Office of the City Clerk, San Diego, California
Resolution Number 201417 Adopted DEC 15 1970