

ORDINANCE NO. 10629  
(New Series)

JUL 20 1971

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL ELECTION TO BE HELD IN THE CITY ON SEPTEMBER 21, 1971, FOR THE PURPOSE OF SUBMITTING TO QUALIFIED VOTERS OF THE CITY OF SAN DIEGO A PROPOSITION AMENDING SECTION 12 OF THE CHARTER OF THE CITY OF SAN DIEGO, AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE MUNICIPAL PRIMARY ELECTION TO BE HELD IN SAID CITY ON SEPTEMBER 21, 1971.

WHEREAS, at a meeting held on July 20, 1971, the City Council of The City of San Diego called a municipal primary election in the City and in the San Diego Unified School District to be held on September 21, 1971; and

WHEREAS, the Council of The City of San Diego desires to submit to the qualified voters of the City a proposition to amend the Charter of The City of San Diego; and

WHEREAS, the Council of The City of San Diego desires to consolidate the two elections; NOW, THEREFORE,

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

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on September 21, 1971; and pursuant to the provisions of Section 223 of the Charter of The City of San Diego, the provisions of Section 3 of Article 11 of the Constitution of the State of California, and the provisions of Sections 34450 through 34463, inclusive, of the California Government Code, the Council of The

MICROFILMED  
APR 28 1978

City of San Diego being the legislative body thereof,  
hereby proposes and submits to the qualified voters of  
the City at such special municipal election the following  
proposition amending the Charter of The City of San Diego:

PROPOSITION A

Amend Section 12 of Article III of the Charter of The  
City of San Diego to read as follows:

Section 12. THE COUNCIL.

The Council shall be composed of nine (9)  
councilmen, including the Mayor, and shall be  
the legislative body of the City, each of the  
members of which, including the Mayor, shall  
have the right to vote upon all questions  
before it.

Councilmen, including the Mayor, shall be  
elected at a general municipal election held in  
the odd-numbered years and, except as hereinafter  
provided, shall hold office for the term of four  
years from and after 10 a.m. the first Monday  
after the first day of December next succeeding  
their election and until their successors are  
elected and qualified. Upon any redistricting  
pursuant to the provisions of this Charter, in-  
cumbent councilmen will continue to represent  
the district in which they reside, unless as a  
result of such redistricting more than one  
incumbent councilman resides within any one district,

in which case the City Council may determine by lot which councilman shall represent each district. At the next municipal primary and general elections following a redistricting, councilmen shall be elected from those districts not represented and from those districts represented by incumbent councilmen whose terms expire as of the general election in said year. If as a result of any redistricting more than a simple majority of the City Council as redistricted shall be elected at the general election next following any such redistricting, the City Council prior to any such election shall designate one or more new districts for which the initial councilmanic term shall be two (2) years in order to retain staggered terms for councilmen.

The one-year district residency requirement of Section 7 of this Charter shall not apply to a person, herein called "prospective candidate," who seeks to be a candidate for election or appointment to the office of councilman and is otherwise eligible for the office, if all of the following conditions apply: a redistricting has occurred less than one year before prospective candidate, if elected or appointed, would take office; as a result of the redistricting, the

district of prospective candidate's residence has changed to a district in which no councilmanic election will be held at the next succeeding municipal election; prior to filing his candidacy for election or appointment, prospective candidate moves his residence into a district bordering upon the district into which prospective candidate's residence has been placed by the redistricting.

Any vacancy occurring in the Council shall be filled from the District in which the vacancy occurs by appointment by the remaining councilmen; but in the event that said remaining councilmen fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.

It is the duty of councilmen to attend all Council meetings. The Council shall vacate the seat of any councilman who is absent from eight (8) consecutive meetings or fifty percent (50%) of any scheduled meetings within a month unless the absence thereof is excused by resolution of the Council.

The rate of pay of each councilman shall be Seven Hundred Fifty Dollars (\$750.00) per month.

MICROFILMED  
10629

APR 28 1978

No councilman shall engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his duties or which would tend to impair his independence of judgment or action in the performance of such duties.

No councilman shall be eligible during the term for which he was appointed or elected to hold any other office or employment with the City, except as Mayor and a member of any Board, Commission or Committee thereof, of which he is constituted such a member by general law or by this Charter.

Section 2. This proposition shall be presented and printed on the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this special municipal election shall be open at 7:00 a.m. (local time) on September 21, 1971, and shall remain open continuously until 8:00 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in Section 14436 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the municipal primary election and since only one form of ballot is authorized, the method of voting upon

these propositions shall be as provided in the Elections Code of the State of California; and, on the ballots to be used at this special municipal election, in addition to any other matters required by law, there shall be printed substantially the following:

PROPOSITION A

<p>PROPOSITION A. CITY OF SAN DIEGO CHARTER AMENDMENT: AMEND SECTION 12 OF THE CHARTER OF THE CITY OF SAN DIEGO.</p> <p>Amend Section 12 to provide that Councilmen shall not engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of their duties or which would tend to impair their indepen- dence of judgment or action in the performance of such duties, and that the rate of pay for each Councilman shall be Seven Hundred Fifty Dollars per month.</p>	YES	
	NO	

Section 5. A cross (+) placed in the voting square after the word "YES" shall be counted in favor of the adoption of the proposition. A cross (+) placed in the voting square after the word "NO" shall be counted against the proposition.

Section 6. The special municipal election called for September 21, 1971, in the City of San Diego is hereby ordered consolidated with the municipal primary election to be held on the same date. Precincts, polling places and officers of the election shall be the same as those provided for in the municipal primary election, all as set forth in the list of election officers and polling places on file in the office

of the City Clerk.

Section 7. The City Clerk of The City of San Diego is hereby authorized to canvass the returns of the special municipal election and these elections shall be held in all respects as if there were only one election, and within the City only one form of ballot shall be used. The City Clerk shall certify the results of the canvass of the returns of this special municipal election to the Council of The City of San Diego which shall then declare the results of the election.

Section 8. The proposition submitted by this ordinance shall be designated on the ballot by the letter "A" printed on the left margin of the square containing the description of the measure as provided in Section 10231 of the Elections Code of the State of California.


Section 9. Except as otherwise provided in this ordinance, the special municipal election shall be conducted as provided by law for other municipal elections of the City.

Section 10. The City Clerk shall cause this ordinance to be published once in the official newspaper not less than forty nor more than sixty days before the date of the election. No other notice of the election need be given.

Section 11. This ordinance shall take effect immediately.

APPROVED: JOHN W. WITT, City Attorney

By

  
Vincent A. Blondo, Jr.  
Deputy City Attorney

VFB:as  
7-13-71

-7-

APR 28 1978

MICROFILMED 10629



Passed and adopted by the Council of The City of San Diego on JUL 20 1971,  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

(Seal)

**FRANK CURRAN**  
Mayor of The City of San Diego, California.  
**EDWARD NIELSEN**  
**JOHN LOCKWOOD**  
City Clerk of The City of San Diego, California.

By Elfa N. Hamel Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on  
JUL 20 1971, said ordinance being of the kind and character  
authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

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

(Seal)

**EDWARD NIELSEN**  
**JOHN LOCKWOOD**  
City Clerk of The City of San Diego, California.  
By Elfa N. Hamel Deputy.

Office of the City Clerk, San Diego, California		
Ordinance Number	<b>10629</b>	Adopted <b>JUL 20 1971</b>

MICROFILMED APR 28 1978 *ma*



STRIKEOUT - OLD LANGUAGE  
UNDERLINE - NEW LANGUAGE

Section 12. THE COUNCIL.

The Council shall be composed of nine (9) councilmen, including the Mayor, and shall be the legislative body of the City, each of the members of which, including the Mayor, shall have the right to vote upon all questions before it.

Councilmen, including the Mayor, shall be elected at a general municipal election held in the odd-numbered years and, except as hereinafter provided, shall hold office for the term of four years from and after 10 a.m. the first Monday after the first day of December next succeeding their election and until their successors are elected and qualified. Upon any redistricting pursuant to the provisions of this Charter, incumbent councilmen will continue to represent the district in which they reside, unless as a result of such redistricting more than one incumbent councilman resides within any one district, in which case the City Council may determine by lot which councilman shall represent each district. At the next municipal primary and general elections following a redistricting, councilmen shall be elected from those districts not represented and from those districts represented by incumbent councilmen whose terms expire as of the general election in said year. If as a result of any redistricting more than a simple majority of the City Council as redistricted shall be elected at the general election next following any such redistricting, the City Council prior to any such election shall designate one or more new districts for which the initial councilmanic term shall be two (2) years in order to retain staggered terms

10629

for councilmen.

The one-year district residency requirement of Section 7 of this Charter shall not apply to a person, herein called "prospective candidate," who seeks to be a candidate for election or appointment to the office of councilman and is otherwise eligible for the office, if all of the following conditions apply: a redistricting has occurred less than one year before prospective candidate, if elected or appointed, would take office; as a result of the redistricting, the district of prospective candidate's residence has changed to a district in which no councilmanic election will be held at the next succeeding municipal election; prior to filing his candidacy for election or appointment, prospective candidate moves his residence into a district bordering upon the district into which prospective candidate's residence has been placed by the redistricting.

Any vacancy occurring in the Council shall be filled from the District in which the vacancy occurs by appointment by the remaining councilmen; but in the event that said remaining councilmen fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.

It is the duty of councilmen to attend all Council meetings. The Council shall vacate the seat of any councilman who is absent from eight (8) consecutive meetings or fifty

percent (50%) of any scheduled meetings within a month unless the absence thereof is excused by resolution of the Council.

The rate of pay of each<sup>e</sup> Councilman shall be ~~Five Thousand-Dollars-(\$5,000.00)-a-year~~ Seven Hundred Fifty Dollars (\$750.00) per month.

No councilman shall engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his duties or which would tend to impair his independence of judgment or action in the performance of such duties.

No<sup>e</sup> Councilman shall be eligible during the term for which he was appointed or elected to hold any other office or employment with the City, except as Mayor and a member of any Board, Commission or Committee thereof, of which he is constituted such a member by general law or by this Charter.

ATTORNEY (S)

• City of San Diego  
202 "C" Street  
Community Concourse  
San Diego, California 92101

**CERTIFICATE OF PUBLICATION**

No.

IN THE MATTER OF

SPECIAL ELECTION

**RECEIVED**  
CITY CLERK'S OFFICE  
1971 AUG 12 AM 10:38  
SAN DIEGO, CALIF.

I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10629 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

August 2, 1971

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

August 2, 1971

*Patricia M. Applestill*  
(Signature)

31 3/4" \$133.35

**ORDINANCE NO. 1000**  
**(NEW SERIES)**

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL ELECTION TO BE HELD IN THE CITY ON SEPTEMBER 21, 1971, FOR THE PURPOSE OF SUBMITTING TO QUALIFIED VOTERS OF THE CITY OF SAN DIEGO A PROPOSITION AMENDING SECTION 12 OF THE CHARTER OF THE CITY OF SAN DIEGO, AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE MUNICIPAL PRIMARY ELECTION TO BE HELD IN SAID CITY ON SEPTEMBER 21, 1971.

WHEREAS, at a meeting held on July 20, 1971, the City Council of The City of San Diego called a municipal primary election in the City and in the San Diego Unified School District to be held on September 21, 1971; and WHEREAS, the Council of The City of San Diego desires to submit to the qualified voters of the City a proposition to amend the Charter of The City of San Diego; and

WHEREAS, the Council of The City of San Diego desires to consolidate the two elections; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:  
Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on September 21, 1971; and pursuant to the provisions of Section 223 of the Charter of The City of San Diego, the provisions of Section 3 of Article 11 of the Constitution of the State of California; and the provisions of Sections 34450 through 34463, inclusive, of the California Government Code, the Council of The City of San Diego being the legislative body thereof, hereby proposes and submits to the qualified voters of the City at such special municipal election the following proposition amending the Charter of The City of San Diego:

**PROPOSITION A**

Amend Section 12 of Article III of the Charter of The City of San Diego to read as follows:

**Section 12. THE COUNCIL.**

The Council shall be composed of nine (9) councilmen, including the Mayor, and shall be the legislative body of the City; each of the members of which, including the Mayor, shall have the right to vote upon all questions before it.

Councilmen, including the Mayor, shall be elected at a general municipal election held in the odd-numbered years and, except as hereinafter provided, shall hold office for the term of four years from and after 10 a.m. the first Monday after the first day of December next succeeding their election and until their successors are elected and qualified. Upon any redistricting pursuant to the provisions of this Charter, incumbent councilmen will continue to represent the district in which they reside, unless as a result of such redistricting more than one incumbent councilman resides within any one district, in which case the City Council may determine by lot which councilman shall represent each district. At the next municipal primary and general elections following a redistricting, councilmen shall be elected from those districts not represented and from those districts represented by incumbent councilmen whose terms expire as of the general election in said year. If as a result of any redistricting more than a simple majority of the City Council as redistricted shall be elected at the general election next following any such redistricting, the City Council prior to any such election shall designate one or more new districts for which the initial councilmanic term shall be two (2) years in order to retain staggered terms for councilmen.

The one-year district residency requirement of Section 7 of this Charter shall not apply to a person, herein called "prospective candidate," who seeks to be a candidate for election or appointment to the office of councilman and is otherwise eligible for the office, if all of the following conditions apply: a redistricting has occurred less than one year before prospective candidate, if elected or appointed, would take office; as a result of the redistricting, the district of prospective candidate's residence has changed to a district in which no councilmanic election will be held at the next succeeding municipal election; prior to filing his candidacy for election or appointment, prospective candidate moves his residence into a district bordering upon the district into which prospective candidate's residence has been placed by the redistricting.

Any vacancy occurring in the Council shall be filled from the District in which the vacancy occurs by appointment by the remaining councilmen; but in the event that said remaining councilmen fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.

It is the duty of councilmen to attend all Council meetings. The Council shall vacate the seat of any councilman who is absent from eight (8) consecutive meetings or fifty percent (50%) of any scheduled meetings within a month unless the absence thereof is excused by resolution of the Council.

The rate of pay of each councilman shall be Seven Hundred Fifty Dollars (\$750.00) per month.

No councilman shall engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his duties or which would tend to impair his independence of judgment or action in the performance of such duties.

No councilman shall be eligible during the term for which he was appointed or elected to hold any other office or employment with the City, except as Mayor and a member of any Board, Commission or Committee thereof, of which he is constituted such a member by general law or by this Charter.

Section 2. This proposition shall be presented and printed on the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this special municipal election shall be open at 7:00 a.m. (local time) on September 21, 1971, and shall remain open continuously until 8:00 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in Section 14436 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the municipal primary election and since only one form of ballot is authorized, the method of voting upon these propositions shall be as provided in the Elections Code of the State of California, and on the ballot to be used at this consolidated election.

**PROPOSITION A: CITY OF SAN DIEGO  
CHARTER AMENDMENT: AMEND  
SECTION 12 OF THE CHARTER OF THE  
CITY OF SAN DIEGO**

Amend Section 12 to provide that Councilmen shall not engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of their duties or which would tend to impair their independence of judgment or action in the performance of such duties, and that the rate of pay for each Councilman shall be Seven Hundred Fifty Dollars per month.

YES

NO

Section 5. A cross (+) placed in the voting square after the word "YES" shall be counted in favor of the adoption of the proposition. A cross (+) placed in the voting square after the word "NO" shall be counted against the proposition.

Section 6. The special municipal election called for September 21, 1971, in the City of San Diego is hereby ordered consolidated with the municipal primary election to be held on the same date. Precincts, polling places and officers of the election shall be the same as those provided for in the municipal primary election, all as set forth in the list of election officers and polling places on file in the office of the City Clerk.

Section 7. The City Clerk of The City of San Diego is hereby authorized to canvass the returns of the special municipal election and these elections shall be held in all respects as if there were only one election, and within the City only one form of ballot shall be used. The City Clerk shall certify the results of the canvass of the returns of this special municipal election to the Council of The City of San Diego which shall then declare the results of the election.

Section 8. The proposition submitted by this ordinance shall be designated on the ballot by the letter "A" printed on the left margin of the ballot containing the description of the measure as provided in Section 10231 of the Elections Code of the State of California.

Section 9. Except as otherwise provided in this ordinance, the special municipal election shall be conducted as provided by law for other municipal elections of the City.

Section 10. The City Clerk shall cause this ordinance to be published once in the official newspaper not less than forty nor more than sixty days before the date of the election. No other notice of the election need be given.

Section 11. This ordinance shall take effect immediately.

Passed and adopted by the Council of The City of San Diego on July 20, 1971, by the following vote:

YEAS: Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, Curran.

NAYS: None.

ABSENT: Cobb.

**AUTHENTICATED BY:**

**FRANK CURRAN,**  
Mayor of The City of San Diego, California.  
**EDWARD NIELSEN,**  
City Clerk of The City of San Diego, California.  
By **ELFA F. HANEL,** Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on July 20, 1971, said ordinance being of the kind and character authorized for passage on its introduction by Section 10 of the Charter.

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

**EDWARD NIELSEN,**  
City Clerk of The City of San Diego, California.  
By **ELFA F. HANEL,** Deputy.

(Seal)

Witness my hand and seal August 2, 1971.