

ORDINANCE NO. 10894
(New Series)

AUG 22 1972

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL OPEN SPACE BOND ELECTION TO BE HELD IN THE CITY ON NOVEMBER 7, 1972, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE PROPOSITION TO INCUR GENERAL OBLIGATION BONDED INDEBTEDNESS BY THE CITY FOR CERTAIN MUNICIPAL ACQUISITIONS AND CONSOLIDATING THE SPECIAL MUNICIPAL OPEN SPACE BOND ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, at a meeting held on August 10, 1972, being a meeting held prior to the meeting at which this ordinance is adopted, the City Council of The City of San Diego, by a vote of at least two-thirds of all its members, adopted Resolution No. 206277, determining that the public interest and necessity demand the acquisition, construction or completion of a certain municipal improvement and making findings relating thereto; and

WHEREAS, at a meeting held on August 22, 1972, this Council, by Resolution No. 206355, requested the Board of Supervisors of the County of San Diego to order the consolidation of the special municipal open space bond election to be held on November 7, 1972, with the statewide general election to be held on the same date; NOW, THEREFORE,

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

Section 1. A special municipal bond election is hereby called and ordered to be held in the City of San Diego, California, on November 7, 1972, for the purpose of submitting to the qualified voters of the City, one proposition to incur

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general obligation bonded indebtedness and to issue bonds of the City in the principal amount and for the objects and purposes stated in Resolution No. 206277, adopted by the Council on August 10, 1972, and as stated in the ballot proposition hereinafter set forth.

Section 2. The proposition to be voted upon at this special municipal bond election shall be substantially as follows:

PROPOSITION _____

CITY OF SAN DIEGO OPEN SPACE BOND PROPOSITION.

The people of San Diego voted last June to create the Environmental Growth Fund to provide the monies to acquire open space from gas and electric franchise fees paid the City. Shall the City incur a general obligation bonded indebtedness in the principal amount of Twenty-two Million Dollars (\$22,000,000) for the acquisition and improvement of open space for park and recreational purposes, pledging in payment of principal and interest thereon two-thirds of the Environmental Growth Fund created by Charter vote of the people for that purpose?

Section 3. The estimated cost of the municipal improvements described in the foregoing ballot proposition is the principal amount of the indebtedness proposed to be incurred. The estimated cost of such municipal improvements includes the following:

- (a) Legal or other fees incidental to or connected with the authorization, issuance and sale of the bonds in one or more series; and
- (b) The cost of printing the bonds and other costs and expenses incidental to or connected with the authorization, issuance and sale of the bonds in one or more series.

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Section 4. The maximum rate of interest to be paid on each indebtedness shall not exceed the maximum rate permitted by law (seven percent (7%) per annum), the actual rate or rates of interest on the bonds to be determined at or prior to the time of the sale or sales of the bonds. Interest shall be payable semiannually, except that interest for the first year after the date of the bonds may be payable at the end of such year.

Section 5. The polls for this special municipal bond election shall be open at 7 a.m. (local time) on November 7, 1972, and shall remain open continuously until 8 p.m. (local time) of 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 6. The manner of holding the special municipal bond election and the procedure for voting for or against the proposition to incur indebtedness and issue bonds in one or more series shall be the same as provided in the County of San Diego by law for the statewide general election to be held November 7, 1972, in the County.

Section 7. If the proposition to incur bonded indebtedness submitted by this ordinance receives the requisite number of votes, to wit: two-thirds of the votes of the qualified voters of the City voting on such proposition, general obligation bonds of the City in an amount not to exceed the principal amount stated in the proposition as set forth in this ordinance

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

Section 8. The proposition submitted by this ordinance shall be designated on the ballot by a letter 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. The special municipal bond election called for November 7, 1972, is hereby ordered consolidated with the statewide general election to be held on the same date. Within the City, the precincts, polling places and officers of the election for the special municipal bond election shall be the same as those provided for the statewide general election, all as set forth in the List of Election Officers and Polling Places for the general election proposed to be published in the San Diego Union.

Section 10. The Board of Supervisors of the County of San Diego is hereby authorized to canvass the returns of the special municipal bond 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 Board of Supervisors shall certify the results of the canvass of the returns of this special municipal bond election to the Council of The City of San Diego which shall then declare the results of the election.

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Section 11. Except as otherwise provided in this ordinance, the special municipal bond election shall be conducted as provided by law for other municipal elections of the City.

Section 12. The City Clerk shall cause this ordinance to be published once a day for at least seven days in the official City newspaper. No other notice of such election need be given.

Section 13. This ordinance shall take effect on August 22, 1972, being the day of its introduction and passage.

APPROVED: JOHN W. WITT, City Attorney

By Peter D. Bulens
Peter D. Bulens, Deputy

PDB:lc
6/17/72

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AUG 22 1972

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

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By LaVerne E. Miller, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on **AUG 22 1972**, 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.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By LaVerne E. Miller, Deputy.

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MAY 1 1978

Office of the City Clerk, San Diego, California

Ordinance Number **10894** Adopted **AUG 22 1972**

ATTORNEY (S)

RECEIVED

1972 SEP 14 AM 10:06

SAN DIEGO, CALIF.

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, Calif. 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

SPECIAL MUNICIPAL OPEN SPACE BOND ELECTION

ORDINANCE NO. 10894
(New Series)

ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORIGINALLY CALLED "PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL OPEN SPACE BOND ELECTION TO BE HELD IN THE CITY ON NOVEMBER 7, 1972 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE PROPOSITION CONCERNING GENERAL OBLIGATION BONDED INDEBTEDNESS BY THE CITY FOR CERTAIN MUNICIPAL IMPROVEMENTS AND CONSOLIDATING WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE."

WHEREAS, a meeting held on August 10, 1972, being a meeting held in accordance with the provisions of the Charter of the City of San Diego, by a vote of at least two-thirds of all its members adopted Resolution No. 206377, declaring that the public interest necessarily demand the acquisition, construction or completion of a certain municipal improvement and proceedings relating thereto; and

WHEREAS, at a meeting held on August 22, 1972, this Council by Resolution No. 206355, requested the Board of Supervisors of the County of San Diego to order the consolidation of the special municipal open space bond election to be held on November 7, 1972, with the statewide general election to be held on the same date;

WHEREFORE

IT IS ORDAINED by the Council of the City of San Diego, California, as follows:

Section 1. A special municipal bond election is hereby called and ordered to be held in the City of San Diego, California, on November 7, 1972, for the purpose of submitting to the qualified voters of the City one proposition concerning general obligation bonded indebtedness and to issue bonds of the City in the principal amount and for the objects and purposes stated in Resolution No. 206377, adopted by the Council on August 10, 1972, and as stated in the ballot proposition herein annexed set forth.

Section 2. The proposition to be voted upon at this special municipal bond election shall be substantially as follows:

I, Patricia M. Applestill hereby certify that San Diego 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

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

August 31, September 1, 4, 5, 6, 7 & 8, 1972

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

September 8, 1972

Patricia M. Applestill
(Signature)

147"

\$590.10
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Ord 10894

PROPOSITION
CITY OF SAN DIEGO OPEN SPACE BOND PROPOSITION
The people of San Diego voted June 1, 1972, to create the Environmental Growth Fund to provide the money to acquire open space from land and electric franchise fees paid to the City. Shall the City incur a general obligation bonded indebtedness in the principal amount of Twenty Million Dollars (\$22,000,000) for the acquisition and improvement of open space for park and recreational purposes, pledging in payment the principal and interest thereon to two-thirds of the Environmental Growth Fund created by Chapter 102 of the people for that purpose?
Section 3. The estimated cost of the municipal improvements described in the foregoing ballot proposition is the principal amount of the indebtedness proposed to be incurred. The estimated cost of such municipal improvements is as follows:
(a) Legal or other fees incidental to or connected with the authorization, issuance and sale of the bonds in one or more series; and
(b) The cost of printing the bonds and other costs and expenses incidental to or connected with the authorization, issuance and sale of the bonds in one or more series.
Section 4. The maximum rate of interest to be paid on each indebtedness shall not exceed the maximum rate permitted by law (seven percent per annum), the actual rate of interest on the bonds to be determined at or prior to the time of the sale or sales of the bonds. Interest shall be payable semiannually, except that interest for the first year from the date of the bonds may be payable at the end of such year.
Section 5. The polls for this special municipal bond election shall be open at 7 a.m. (local time) on November 7, 1972, and shall remain open continuously until 8 p.m. (local time) of the same day at which time the polls shall be closed except as provided in Section 14438 of the Elections Code of the State of California.
Section 6. The manner of holding the special municipal bond election and the procedure for voting for or against the proposition to incur indebtedness and issue bonds in one or more series shall be the same as provided in the County of San Diego by law for the statewide general election to be held November 7, 1972, in the County.
Section 7. If the proposition to incur bonded indebtedness submitted by this ordinance receives the requisite number of votes, to wit: two-thirds of the votes of the qualified voters of the City voting on such proposition, general obligation bonds of the City in an amount not to exceed the principal amount stated in the proposition as set forth in this ordinance may be issued and sold for the object and purpose as contained in such proposition.
Section 8. The proposition submitted by this ordinance shall be designated on the ballot by a letter printed on the left margin of the space containing the description of the measure as provided in Section 10231 of the Elections Code of the State of California.

Section 9. The special municipal bond election called for November 7, 1972, is hereby ordered consolidated with the statewide general election to be held on the same date. Within the City the precincts, polling places and officers of the election for the special municipal bond election shall be the same as those provided for the statewide general election, all as set forth in the List of Election Officers and Polling Places for the general election proposed to be published in the San Diego Union.
Section 10. The Board of Supervisors of the County of San Diego is hereby authorized to canvass the returns of the special municipal bond 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 Board of Supervisors shall certify the results of the canvass of the returns of this special municipal bond election to the Council of the City of San Diego which shall then declare the results of the election.
Section 11. Except as otherwise provided in this ordinance, the special municipal bond election shall be conducted as provided by law for other municipal elections of the City.
Section 12. The City Clerk shall cause this ordinance to be published once a day for at least seven days in the official City Newspaper. The date of such election shall be printed.
Section 13. This ordinance shall take effect on August 22, 1972, being the day of its introduction and passage.
APPROVED:
JOHN W. WITT
City Attorney
By PETE BULENS,
Deputy
Passed and adopted by the Council of the City of San Diego on August 22, 1972, by the following vote:
YEA: Johnson, Landt, Williams, Mostert, Hitch, Bates, Wilson.
NAYS: None.
ABSENT: O'Connor, Morrow.
AUTHENTICATED BY:
PETE WILSON,
Mayor of the City of San Diego, California.
EDWARD NIELSEN,
City Clerk of the City of San Diego, California.
By LA VERNE E. MILLER,
Deputy.
(Seal)
I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on August 22, 1972, 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 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 LA VERNE E. MILLER,
Deputy.
(Seal)
Published
Aug. 31, Sept. 1, 4, 5, 6, 7 & 8, 1972
T-847