

11875

ORDINANCE NO. _____
(New Series)

AUG 11 1976
* *

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON NOVEMBER 2, 1976, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO TWO PROPOSITIONS AMENDING THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTIONS 28 AND 94; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, at a meeting held on July 27, 1976, the City Council indicated its intention to submit to the qualified voters of the City of San Diego certain propositions amending the Charter of The City of San Diego at a special municipal election; and

WHEREAS, at a meeting held on August 11, 1976, the City Council of The City of San Diego adopted Resolution No. **216594** requesting the Board of Supervisors of the County of San Diego to order the consolidation of the special municipal election to be held on November 2, 1976, with the statewide general election to be held on the same date; and

WHEREAS, the Board of Supervisors of the County of San Diego is expected to grant the request and order the consolidation of the two elections; NOW, THEREFORE,

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

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Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on November 2, 1976; and pursuant to the provisions of Section 223 of the Charter of The City of San Diego, the provisions of Section 3 of Article XI of the Constitution of the State of California and the provisions of Sections 34450 and 34459 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 propositions amending the Charter of The City of San Diego:

PROPOSITION _____

Amend Article V of the Charter of The City of San Diego by amending Section 28 to read as follows:

Section 28. DUTIES OF THE MANAGER.

It shall be the duty of the Manager to supervise the administration of the affairs of the City except as otherwise specifically provided in this Charter; to make such recommendation to the Council concerning the affairs of the City as may seem to him desirable; to keep the Council advised of the financial condition and future needs of the City; to prepare and submit to the Council the annual budget estimate and such reports as may be required by that body, including an annual report of all the Departments of the City; to see that the ordinances of the City and the laws of the State are enforced; and to perform such other

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duties as may be prescribed by this Charter or required of him by ordinance or resolution of the Council. Except as otherwise provided in this Charter, all other administrative powers conferred by the laws of the State upon any municipal official shall be exercised by the Manager or persons designated by him. He shall assume the position of Director of any Department under his control for which a Director has not been appointed. The Directors, or heads of the administrative Departments under the Manager shall be immediately responsible to him for the efficient administration of their respective Departments. The Manager may set aside any action taken by a Director or Department subordinate responsible to him, and may supersede him in authority in the functions of his office or employment. Where no provision has been made by ordinance authorizing a subordinate official to act as departmental head in case of a vacancy, the Manager may designate an interim acting head or perform personally the functions of the office. The Manager, as Chief Budget Officer of the City, shall be responsible for planning the activities of the City government and for adjusting such activities to the finances available. To this end he shall prepare annually a complete financial plan for the ensuing year and shall be responsible for the administration of such a plan when adopted by the Council. He shall be charged with the bringing together of estimates covering the financial needs of the City, with the checking of these estimates against the information

relative to past expenditures and income, with the preparation of the budget document and supporting schedules and with the presentation of the budget to the Council. He shall have the power to employ experts, or consultants to perform work or give advice connected with the Departments of the City when such work or advice is necessary in connection therewith. If the cost of hiring said expert or consultant exceeds a sum to be established by ordinance of the City Council, no such expert or consultant shall be hired without approval of the Council. The Council shall provide sufficient funds in the annual appropriation ordinance or by supplemental appropriation ordinances for such purposes and shall charge such additional services against the appropriation of the respective Departments.

The Manager shall execute all contracts for the Departments under his control. He shall approve all requisitions and vouchers for said Departments in person or through such assistants as he may designate for the purpose.

The Manager may prescribe such general rules and regulations as he may deem necessary or expedient for the general conduct of the administrative Departments. The Director of each Department shall in like manner prescribe such rules and regulations as may be deemed necessary and expedient for the proper conduct of each Department, not inconsistent with the general rules and regulations prescribed by the Manager.

In order to expedite the work of any Department or to adequately administer an increase in the duties which may

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devolve on any Department or to cope with periodic or seasonal changes, the Manager, subject to Civil Service regulations, is empowered to transfer employees temporarily from one Department to perform similar duties in another Department. Likewise each Department head shall have power to transfer employees from one Division to another within his Department.

The Manager may direct any Department or Division to perform work for any other Department or Division. Such powers to transfer employees or to direct the performance of work shall not apply to the Police or Fire Departments.

During January of each year the Manager shall present to the Council an annual report of the City's affairs for the previous fiscal year.

In case of general conflagration, rioting, flood, or other emergency menacing life and property, the Manager shall marshal all the forces of the different Departments of the City for the maintenance of the general security, and shall have the power to deputize or otherwise employ such other persons as he may consider necessary for the purpose of protecting the City and its residents. The Council may, however, in any such emergencies authorize the Mayor to take command of the police, maintain order and enforce the law.

And in such authorized emergencies the Manager shall be subordinate to and shall carry out such duties as may be assigned to him by the Mayor.

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PROPOSITION _____

Amend Article VII of the Charter of The City of San Diego by amending Section 94 to read as follows:

Section 94. CONTRACTS.

In the construction, reconstruction or repair of public buildings, streets, utilities and other public works, when the expenditure therefor shall exceed the sum of \$2,500.00, the same shall be done by written contract, except as otherwise provided in this Charter, and the Council, on the recommendation of the Manager or the head of the Department in charge if not under the Manager's jurisdiction, shall let the same to the lowest responsible and reliable bidder, not less than ten days after advertising for one day in the official newspaper of the City for sealed proposals for the work contemplated. If the cost of said public contract work exceeds the sum of \$1,000.00, but is not in excess of \$2,500.00, the Council may let said contract without advertising for bids, but not until the Purchasing Agent of the City shall have secured competitive prices from contractors interested, which shall be taken under consideration by said Council before said contract is let. The Council may, however, upon the recommendation of the Manager and by a vote of two-thirds of the members elected to the Council, order the performance of any such construction and reconstruction or repair work by appropriate City forces when the estimates submitted as part of the Manager's recommendation indicate that the

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work can be done by the City forces more economically than if let by contract.

In case of a great public calamity, such as extraordinary fire, flood, storm, epidemic or other disaster the Council may, by resolution passed by a vote of two-thirds of the members elected to the Council, determine and declare that the public interest or necessity demands the immediate expenditure of public money to safeguard life, health or property, and thereupon they may proceed, without advertising for bids or receiving the same, to expend, or enter into a contract involving the expenditure of any sum required in such emergency, on hand in the City treasury and available for such purpose. All contracts before execution shall be approved as to form and legality by the City Attorney.

Each bidder shall furnish with his bid such security or deposit insuring the execution of the contract by him as shall be specified by the Council or as provided by general law.

For contracts exceeding \$25,000.00, the Council shall require each contractor to insure the faithful performance of his contract by delivering to the City a surety bond in an amount specified by the Council, executed by a surety company authorized to do business in the State of California; provided, however, that in all contracts the Council shall require the retention of sufficient payments under the contract to insure the protection of the City against labor or material liens.

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The Council, on the recommendation of the Manager, or the Head of the Department not under the jurisdiction of the Manager, may reject any and all bids and readvertise for bids. The Council may provide that no contract shall be awarded to any person, firm or corporation if prison or alien labor is to be employed in performing such contract, or if the wage schedule for employees engaged in performing such contract is based on more than eight hours of labor per day. Any contract may be let for a gross price or on a unit basis and may provide for liquidated damages to the City for every day the contract is uncompleted beyond a specified date. It shall be competent in awarding any contract to compare bids on the basis of time completion, provided that when any award has been made in consideration, in whole or in part, of the relative time estimates of bidders for the completion of the work, the performance in accordance with such time limits shall be secured by a surety bond as hereinabove provided with adequate sureties and penalties, and provided further, that for any contract awarded solely or partially on a specified time for completion the Council shall not extend such time limits unless such extension be recommended by the Manager and the Head of the Department concerned.

No officer, whether elected or appointed, of The City of San Diego shall be or become directly or indirectly interested in, or in the performance of, any contract with or for The City of San Diego, or in the purchase or lease of

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any property, real or personal, belonging to or taken by said City or which shall be sold for taxes or assessments or by virtue of legal process or suit of said City. Any person wilfully violating this section of the Charter shall be guilty of a misdemeanor and shall immediately forfeit his office and be thereafter forever barred and disqualified from holding any elective or appointive office in the service of the City. No officer, whether elected or appointed, shall be construed to have an interest within the meaning of this section unless the contract, purchase, lease, or sale shall be with or for the benefit of the office, board, department, bureau or division with which said officer is directly connected in the performance of his duties and in which he or the office, board, department, bureau or division he represents exercises legislative administrative or quasi-judicial authority in the letting of or performance under said contract, purchase, lease or sale.

All contracts entered into in violation of this section shall be void and shall not be enforceable against said City; provided, however, that officers of this municipality may own stock in public utility service corporations and the City permitted to contract for public utility service when the rates for such service are fixed by law or by virtue of the Public Utilities Commission of the State of California; and provided further, that no officer shall be prohibited from purchasing the services of any utility whether publicly or privately owned, whether or not the

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rates are fixed by law or by the Public Utilities Commission of the State of California; and provided further, that in designating any bank as a depository for the funds of said City, any officer interested as a stockholder or otherwise in such bank shall not be deemed to have an interest in such City contract within the meaning of this section, and in each of the cases enumerated herein such contracts shall be valid and enforceable obligations against the municipality.

Section 2. These propositions shall be presented and printed upon 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 a.m. (local time) on November 2, 1976, and shall remain open continuously until 8 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 statewide general election, and since the Board of Supervisors of the County of San Diego is hereby authorized to canvass returns of this 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 other matters required by law, there shall be printed substantially the following:

REV. 8-16-76
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CITY OF SAN DIEGO PROPOSITIONS

<p>PROPOSITION _____. CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 28 OF THE CHARTER OF THE CITY OF SAN DIEGO.</p> <p>Relates to hiring of experts or consultants by the City Manager. Provides that the City Council shall establish by ordinance a dollar limit above which prior Council approval shall be required by the City Manager in order to hire experts or consultants when such assistance is necessary.</p>	YES	
	NO	

<p>PROPOSITION _____. CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 94 OF THE CHARTER OF THE CITY OF SAN DIEGO.</p> <p>Authority presently exists in Charter Sections 35 and 94 for the purchase of materials, supplies and equipment. This results in two procedures and creates ambiguity and inconsistency. This amendment deletes that language in Section 94 and provides that the purchase of all materials, supplies and equipment be governed by Charter Section 35.</p>	YES	
	NO	

Section 5. The special municipal election called for November 2, 1976, in the City of San Diego is hereby ordered consolidated with the statewide general election to be held on the same date. Within the City of San Diego the precincts, polling places, voting booths and officers of the election for the special municipal election shall be the same as those provided for in the statewide general election.

Section 6. The Board of Supervisors of the County of San Diego is hereby authorized to canvass the returns of the

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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 Board of Supervisors 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 7. Each of the propositions 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 10219 of the Elections Code of the State of California.

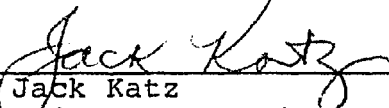
Section 8. Except as otherwise provided in this ordinance, the special municipal election shall be conducted as provided by law for other municipal elections of the City.

Section 9. The City Clerk shall cause this ordinance to be published once in those languages required by law 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 10. This ordinance shall take effect on August 11, 1976, being the day of its introduction and passage, pursuant to Sections 16 and 17 of the Charter.

APPROVED: JOHN W. WITT, City Attorney

BY


Jack Katz

Chief Deputy City Attorney

JK:k:930.35

8-3-76

Or.Dept.: Clerk

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MAY 10 1978

AUG 11 1976

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jess D. Haro	<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 Kathleen Martinez, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on
AUG 11 1976, 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 Kathleen Martinez Deputy.

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MAY 10 1978

Office of the City Clerk, San Diego, California	
Ordinance Number	11875
Adopted	AUG 11 1976
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fd

ATTORNEY(S)

San Diego, City of
202 C St., 12th Floor
San Diego, CA 92101
Attn: Kathleen Martinez

IN THE SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

SPECIAL ELECTION ON 11/2/76

PATRICIA M. DUTRA

I, Patricia M. Dutra, hereby certify that the 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; and the

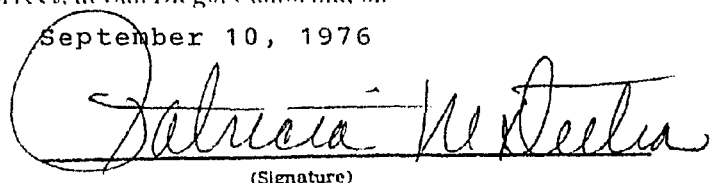
ORDINANCE NO. 11875

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

September 10, 1976

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

September 10, 1976


(Signature)

(Signature)

53" @ 5.08 = 269.24

01865

ORDINANCE NO. 11875

(New Series)

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON NOVEMBER 2, 1976, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO TWO PROPOSITIONS AMENDING THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTIONS 28 AND 94; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, at a meeting held on July 27, 1976, the City Council indicated its intention to submit to the qualified voters of the City of San Diego certain propositions amending the Charter of The City of San Diego at a special municipal election; and

WHEREAS, at a meeting held on August 11, 1976, the City Council of The City of San Diego adopted Resolution No. 216594 requesting the Board of Supervisors of the County of San Diego to order the consolidation of the special municipal election to be held on November 2, 1976, with the statewide general election to be held on the same date; and

WHEREAS, the Board of Supervisors of the County of San Diego is expected to grant the request and order the consolidation of the two elections; NOW, THEREFORE,

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

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on November 2, 1976; and pursuant to the provisions of Section 223 of the Charter of The City of San Diego, the provisions of Section 3 of Article XI of the Constitution of the State of California and the provisions of Sections 31459 and 34459 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 propositions amending the Charter of The City of San Diego:

PROPOSITION 1

Amend Article V of the Charter of The City of San Diego by amending Section 28 to read as follows:

Section 24. DUTIES OF THE MANAGER.

It shall be the duty of the Manager to supervise the administration of the affairs of the City except as otherwise specifically provided in this Charter; to make such recommendation to the Council concerning the affairs of the City as may seem to him desirable; to keep the Council advised of the financial condition and future needs of the City; to prepare and submit to the Council the annual budget estimate and such reports as may be required by that body, including an annual report of all the Departments of the City; to see that the ordinances of the City and the laws of the State are enforced; and to perform such other duties as may be prescribed by this Charter or required of him by ordinance or resolution of the Council. Except as otherwise provided in this Charter, all other administrative powers conferred by the laws of the State upon any municipal official shall be exercised by the Manager or persons designated by him. He shall assume the position of Director of any Department under his control for which a Director has not been appointed. The Directors, or heads of the administrative Departments under the Manager shall be immediately responsible to him for the efficient administration of their respective Departments. The Manager may set aside any action taken by a Director or Department subordinate responsible to him, and may supersede him in authority in the functions of his office or employment. Where no provision has been made by ordinance authorizing a subordinate official to act as departmental head in case of a vacancy, the Manager may designate an interim acting head or perform personally the functions of the office. The Manager, as Chief Budget Officer of the City, shall be responsible for planning the activities of the City government and for adjusting such activities to the finances available. To this end he shall prepare annually a complete financial plan for the ensuing year and shall be responsible for the administration of such a plan when adopted by the Council. He shall be charged with the bringing together of estimates covering the financial needs of the City, with the checking of these estimates against the information relative to past expenditures and income, with the preparation of the budget document and supporting schedules and with the presentation of the budget to the Council. He shall have the power to employ experts, or consultants to perform work or give advice connected with the Departments of the City when such work or advice is necessary in connection therewith. If the cost of hiring said expert or consultant exceeds a sum to be established by ordinance of the City Council, no such expert or consultant shall be hired without approval of the Council. The Council shall provide sufficient funds in the annual appropriation ordinance or by supplemental appropriation ordinances for such purposes and shall charge such additional services against the appropriation of the respective Departments.

The Manager shall execute all contracts for the Departments under his control. He shall approve all requisitions and vouchers for said Departments in person or through such assistants as he may designate for the purpose.

The Manager may prescribe such general rules and regulations as he may deem necessary or expedient for the general conduct of the administrative Departments. The Director of each Department shall in like manner prescribe such rules and regulations as may be deemed necessary and expedient for the proper conduct of each Department, not inconsistent with the general rules and regulations prescribed by the Manager.

In order to expedite the work of any Department or to adequately administer an increase in the duties which may devolve on any Department or to cope with periodic or seasonal changes, the manager, subject to Civil Service regulations, is empowered to transfer employees temporarily from one Department to perform similar duties in another Department. Likewise each Department head shall have power to transfer employees from one Division to another within his Department.

The Manager may direct any Department or Division to perform work for any other Department or Division. Such powers to transfer employees or to direct the performance of work shall not apply to the Police or Fire Departments.

During January of each year the Manager shall present to the Council an annual report of the City's affairs for the previous fiscal year.

In case of general conflagration, rioting, flood, or other emergency menacing life and property, the Manager shall marshal all the forces of the different Departments of the City for the maintenance of the general security, and shall have the power to deputize or otherwise employ such other persons as he may consider necessary for the purpose of protecting the City and its residents. The Council may, however, in any such emergencies authorize the Mayor to take command of the police, maintain order and enforce the law.

And in such authorized emergencies the Manager shall be subordinate to and shall carry out such duties as may be assigned to him by the Mayor.

PROPOSITION

Amend Article VII of the Charter of The City of San Diego by amending Section 94 to read as follows:

Section 94. CONTRACTS.

In the construction, reconstruction or repair of public buildings, streets, utilities and other public works, when the expenditure therefor shall exceed the sum of \$2,500.00, the same shall be done by written contract, except as otherwise provided in this Charter, and

the Council, on the recommendation of the Manager or the head of the Department in charge if not under the Manager's jurisdiction, shall let the same to the lowest responsible and reliable bidder, not less than ten days after advertising for one day in the official newspaper of the City for sealed proposals for the work contemplated. If the cost of said public contract work exceeds the sum of \$1,000.00, but is not in excess of \$2,500.00, the Council may let said contract without advertising for bids, but not until the Purchasing Agent of the City shall have secured competitive prices from contractors interested, which shall be taken under consideration by said Council before said contract is let. The Council may, however, upon the recommendation of the Manager and by a vote of two-thirds of the members elected to the Council, order the performance of any such construction and reconstruction or repair work by appropriate City forces when the estimates submitted as part of the Manager's recommendation indicate that the work can be done by the City forces more economically than if let by contract.

In case of a great public calamity, such as extraordinary fire, flood, storm, epidemic or other disaster the Council may, by resolution passed by a vote of two-thirds of the members elected to the Council, determine and declare that the public interest or necessity demands the immediate expenditure of public money to safeguard life, health or property, and thereupon they may proceed, without advertising for bids or receiving the same, to expend, or enter into a contract involving the expenditure of any sum required in such emergency, on hand in the City treasury and available for such purpose. All contracts before execution shall be approved as to form and legality by the City Attorney.

Each bidder shall furnish with his bid such security or deposit insuring the execution of the contract by him as shall be specified by the Council or as provided by general law.

For contracts exceeding \$25,000.00, the Council shall require each contractor to insure the faithful performance of his contract by delivering to the City a surety bond in an amount specified by the Council, executed by a surety company authorized to do business in the State of California; provided, however, that in all contracts, the Council shall require the retention of sufficient payments under the contract to insure the protection of the City against labor or material liens.

The Council, on the recommendation of the Manager, or the Head of the Department not under the jurisdiction of the Manager, may reject any and all bids and readvertise for bids. The Council may provide that no contract shall be awarded to any person, firm or corporation if prison or alien labor is to be employed in performing such contract, or if the wage schedule for employees engaged in performing such contract is based on more than eight hours of labor per day. Any contract may be let for a gross price or on a unit basis and may provide for liquidated damages to the City for every day the contract is uncompleted beyond a specified date. It shall be competent in awarding any contract to compare bids on the basis of time completion, provided that when any award has been made in consideration, in whole or in part, of the relative time estimates of bidders for the completion of the work, the performance in accordance with such time limits shall be secured by a surety bond as hereinabove provided with adequate sureties and penalties, and provided further, that for any contract awarded solely or partially on a specified time for completion the Council shall not extend such time limits unless such extension be recommended by the Manager and the Head of the Department concerned.

No officer, whether elected or appointed, of The City of San Diego shall be or become directly or indirectly interested in, or in the performance of, any contract with or for The City of San Diego, or in the purchase or lease of any property, real or personal, belonging to or taken by said City or which shall be sold for taxes or assessments or by virtue of legal process or suit of said City. Any person willfully violating this section of the Charter shall be guilty of a misdemeanor and shall immediately forfeit his office and be thereafter forever barred and disqualified from holding any elective or appointive office in the service of the City. No officer, whether elected or appointed, shall be construed to have an interest within the meaning of this section unless the contract, purchase, lease, or sale shall be with or for the benefit of the office, board, department, bureau or division with which said officer is directly connected in the performance of his duties and in which he or the office, board, department, bureau or division he represents exercises legislative administrative or quasi-judicial authority in the letting of or performance under said contract, purchase, lease or sale.

All contracts entered into in violation of this section shall be void and shall not be enforceable against said City; provided, however, that officers of this municipality may own stock in public utility service corporations and the City permitted to contract for public utility service when the rates for such service are fixed by law or by virtue of the Public Utilities Commission of the State of California; and provided further, that no officer shall be prohibited from purchasing the services of any utility whether publicly or privately owned, whether or not the rates are fixed by law or by the Public Utilities Commission of the State of California; and provided further, that in designating any bank as a depository for the funds of said City, any officer interested as a stockholder or otherwise in such bank shall not be deemed to have an interest in such City contract within the meaning of this section, and in each of the cases enumerated herein such contracts shall be valid and enforceable obligations against the municipality.

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Endorsement No. 11875 page 2 of 3

Section 2. These propositions shall be presented and printed upon 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 a.m. (local time) on November 2, 1976, and shall remain open continuously until 8 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 statewide general election, and since the Board of Supervisors of the County of San Diego is hereby authorized to canvass returns of this 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 other matters required by law, there shall be printed substantially the following:

CITY OF SAN DIEGO PROPOSITIONS

<p>PROPOSITION -- CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 28 OF THE CHARTER OF THE CITY OF SAN DIEGO.</p> <p>Relates to hiring of experts or consultants by the City Manager. Provides that the City Council shall establish by ordinance a dollar limit above which prior Council approval shall be required by the City Manager in order to hire experts or consultants when such assistance is necessary.</p>	YES	
	NO	
<p>PROPOSITION -- CITY OF SAN DIEGO CHARTER AMENDMENT. AMENDS SECTION 94 OF THE CHARTER OF THE CITY OF SAN DIEGO.</p> <p>Authority presently exists in Charter Sections 35 and 94 for the purchase of materials, supplies and equipment. This results in two procedures and creates ambiguity and inconsistency. This amendment deletes that language in Section 94 and provides that the purchase of all materials, supplies and equipment be governed by Charter Section 35.</p>	YES	
	NO	

Section 5. The special municipal election called for November 2, 1976, in the City of San Diego is hereby ordered consolidated with the statewide general election to be held on the same date. Within the City of San Diego the precincts, polling places, voting booths and officers of the election for the special municipal election shall be the same as those provided for in the statewide general election.

Section 6. The Board of Supervisors of the County 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 Board of Supervisors 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 7. Each of the propositions 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 10219 of the Elections Code of the State of California.

Section 8. 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 9. The City Clerk shall cause this ordinance to be published once in those languages required by law 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 10. This ordinance shall take effect on August 11, 1976, being the day of its introduction and passage, pursuant to Sections 16 and 17 of the Charter.

Passed and adopted by the Council of The City of San Diego on August 11, 1976, by the following vote:

YEAS: Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, Wilson.

NAYS: None.

ABSENT: Ellis.

AUTHENTICATED BY:

DETE WILSON,

Mayor of The City of San Diego, California.

EDWARD NIELSEN,

City Clerk of The City of San Diego, California.

By KATHLEEN MARTINEZ, Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on August 11, 1976, 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 this 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 KATHLEEN MARTINEZ, Deputy.

(Seal)

Pub. Sept. 10, 1976

LS 8381

01867

Ordinance No. 11875 Page 3 of 3

ATTORNEY(S)

San Diego, City of
202 C St., 12th Floor
San Diego, CA 92101
Attn: Kathleen Martinez

IN THE SUPERIOR COURT OF CALIFORNIA
- IN AND FOR THE COUNTY OF SAN DIEGO -

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

SPECIAL ELECTION ON 11/2/76 (SPANISH VERSION)

PATRICIA M. DUTRA

I, Patricia M. Dutra, hereby certify that the 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; and the

ORDENANZA NO. 11875

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

September 10, 1976

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

September 10, 1976

(Signature)

01868

58" @ 5.08 = 294.64

ORDENANZA NO. 11875

(Serie Nueva)

UNA ORDENANZA DE LA CIUDAD DE SAN DIEGO, CALIFORNIA, ORDENANDO, CITANDO, PROVEYENDO, Y NOTIFICANDO UNA ELECCION MUNICIPAL ESPECIAL QUE SE EFECTUARA EN LA CIUDAD DE SAN DIEGO EL DIA 2 DE NOVIEMBRE DE 1976 CON EL PROPOSITO DE PRESENTAR A LOS VOTANTES CAPACITADOS DE LA CIUDAD DE SAN DIEGO DOS PROPOSICIONES QUE ENMIENDAN LA CARTA ESTATUTARIA DE LA CIUDAD DE SAN DIEGO POR ENMIENDAR LAS SECCIONES 28 Y 04; Y COMBINANDO DICHA ELECCION MUNICIPAL CON LA ELECCION GENERAL ESTATAL QUE SE EFECTUARA EN LA MISMA FECHA.

CONSIDERANDO que, en una reunion tenida el dia 27 de julio de 1976, el Concejo Municipal manifesto su intencion de presentar, en una eleccion municipal especial, a los votantes capacitados de la Ciudad de San Diego ciertas proposiciones que enmiendan la Carta Estatutaria de la Ciudad de San Diego; y

CONSIDERANDO que, en una reunion tenida el dia 11 de agosto de 1976, el Concejo Municipal de la Ciudad de San Diego adopto la Resolucion No. 216594, pidiendo a la Junta de Supervisores del Condado de San Diego que ordenara la combinacion de la eleccion municipal especial que se efectuara el dia 2 de noviembre de 1976 con la eleccion general estatal que se efectuara en la misma fecha; y

CONSIDERANDO que se espera que la Junta de Supervisores del Condado de San Diego accederá a la peticion y ordenará la combinacion de las dos elecciones; AHORA, POR TANTO,

SEA ORDENADO por el Concejo Municipal de la Ciudad de San Diego, California, lo siguiente:

Sección 1. Se cita y se ordena por la presente una eleccion municipal especial, para efectuarse en la Ciudad de San Diego el dia 2 de noviembre de 1976, y de acuerdo con las provisiones de la Sección 223 de la Carta Estatutaria de la Ciudad de San Diego, las provisiones de la Sección 3 del Artículo XI de la Constitucion del Estado de California, y las provisiones de las Secciones 34450 y 34459 del Código del Estado de California, el Concejo Municipal de la Ciudad de San Diego, siendo el cuerpo legislativo de la misma, por la presente propone y presenta a los votantes capacitados de la Ciudad, en dicha eleccion municipal, las siguientes proposiciones que enmiendan la Carta Estatutaria de la Ciudad de San Diego:

PROPOSICION
Enmendar el Artículo V de la Carta Estatutaria de la Ciudad de San Diego por enmendar la Sección 28 a que se lea de la siguiente manera:
Sección 28. FUNCIONES DEL ADMINISTRADOR MUNICIPAL.

Será el deber del Administrador el supervisar la administración de los asuntos de la Ciudad excepto en lo que se especificamente provisto de otra manera en la presente Carta Estatutaria; el hacer cualesquier recomendaciones que él juzgare deseables al Concejo tocante a los asuntos de la Ciudad; el mantener al Concejo al corriente de la condición económica y de las futuras necesidades de la Ciudad; el preparar y presentar al Concejo la proyección anual del presupuesto y cualesquier informes que sean requeridos por el Concejo, inclusive un informe anual de todos los Departamentos de la Ciudad; el asegurar el cumplimiento de las ordenanzas de la Ciudad y las leyes del Estado; y el ejercer cualesquier funciones que le sean prescritas por la presente Carta o requeridas por ordenanza o resolución del Concejo. Excepto por lo que se dispone de otra manera en la presente Carta, todos los demás poderes administrativos otorgados por las leyes del Estado a cualquier oficial municipal serán ejercidos por el Administrador o por personas designadas por él. El asumirá la posición de Director de todo departamento que esté bajo su mando y que no tenga un Director ya nombrado. Los Directores u encargados de los Departamentos administrativos bajo el Administrador le serán inmediatamente responsables de la administración eficiente de sus respectivos departamentos. El Administrador puede anular cualquier acción tomada por un Director o subordinado departamental que le es responsable, y puede sobreseerle en autoridad en las funciones de su oficina o empleo. Donde no se haya hecho provisión por ordenanza autorizando a un oficial subordinado para que funcione como encargado departamental en el caso de una vacante, el Administrador puede designar un encargado provisional o puede asumir él mismo las funciones de la oficina. El administrador, como Oficial Presupuestario Mayor de la Ciudad, será responsable de planear las actividades del gobierno municipal y de ajustar dichas actividades según los fondos que estén disponibles. Para este fin él preparará anualmente un plan financiero comprensivo y será responsable de la administración de dicho plan cuando sea adoptado por el Concejo. Se encargará de reunir presupuestos que cubren las necesidades financieras de la Ciudad, de la comparación de estos presupuestos con la información relativa a gustos e ingresos pasados, de la preparación del documento presupuestario y su estadística justificativa, y de la presentación del presupuesto al Concejo. El Administrador tendrá la autoridad para emplear peritos o consultores para trabajar o dar opiniones respecto a los Departamentos de la Ciudad cuando tal trabajo o dictamen sea necesario al respecto. Si el costo de emplear dicho perito o consultor excede una cantidad que será establecida por ordenanza del Concejo Municipal, dicho perito o consultor no deberá emplearse sin la aprobación del Concejo. El Concejo proporcionará fondos suficientes en la anual ordenanza de apropiaciones o por ordenanzas de apropiaciones suplementarias para tal propósito y cobrará dichos servicios adicionales a las apropiaciones de los respectivos Departamentos.

El Administrador ejecutará todos los contratos por los Departamentos bajo su mando. Aprobará todas las solicitudes y comprobantes por dichos Departamentos, o personalmente o por medio de los asistentes que él designe para tal propósito.

El Administrador puede prescribir las reglas y los reglamentos generales que él estime necesarios o convenientes para la conducta del Departamento o para ajustarse a los cambios periódicos o ocasionales, el Administrador, sujeto a las reglas del Servicio Civil, está autorizado para trasladar los empleados temporalmente de un Departamento a otro, para ejercer funciones semejantes. Asimismo cada encargado de Departamento tendrá autoridad para trasladar los empleados de una División a otra dentro de su Departamento.

El Administrador puede mandar a cualquier Departamento o División a hacer trabajo para cualquier otro Departamento o División. Dicha autoridad para trasladar empleados o para mandar la ejecución de trabajos no se aplicará al Departamento de Policía ni al Departamento de Bomberos.

Durante el mes de enero de cada año el Administrador presentará al Concejo un informe anual sobre los asuntos de la Ciudad del año económico anterior.

En el caso de una conflagración general, desorden público, inundación, u otra emergencia que amenace la vida y la propiedad, el Administrador ordenará todas las fuerzas de los varios Departamentos de la Ciudad para la preservación de la seguridad general, y tendrá autoridad para delegar o de otro modo emplear a otras personas a las que él estime necesarias al propósito de proteger a la Ciudad y a sus habitantes. Sin embargo, el Concejo puede, en cualquiera de tales emergencias, autorizar al Alcalde para que tome el mando de la policía, mantenga el orden, y haga cumplirse la ley.

Y en tales emergencias autorizadas el Administrador se subordinará al Alcalde y cumplirá con cualesquier funciones que le sean asignadas por el Alcalde.

PROPOSICION
Enmendar el Artículo VII de la Carta Estatutaria de la Ciudad de San Diego por enmendar la Sección 94 a que se lea de la siguiente manera:
Sección 94. CONTRATOS.

En la construcción, renovación, o reparación de edificios públicos, calles, empresas de servicios públicos, u otras obras públicas, cuando el gasto para la misma exceda la cantidad de \$2,500.00, la construcción, renovación, o reparación se hará a base de contrato por escrito, excepto por lo que se dispone de otra manera en la presente Carta, y a la recomendación del Administrador o del encargado del Departamento si no está bajo la jurisdicción del Administrador, el Concejo adjudicará el contrato al postor responsable de precio más bajo, no menos de diez días después de pedir públicamente, por un día en el periódico oficial de la Ciudad, propuestas selladas para el trabajo de que se trata. Si el costo de dicho trabajo de contrato público excede la cantidad de \$1,000.00 pero no la cantidad de \$2,500.00, el Concejo puede adjudicar dicho contrato sin pedir propuestas, pero no antes de que el Agente Comprador de la Ciudad haya recibido de los contratistas interesados precios competidores, que serán considerados por el Concejo antes de que se adjudique dicho contrato. Sin embargo, el Concejo puede, a la recomendación del Administrador y por un voto de dos tercios de los miembros elegidos al Concejo, ordenar la ejecución de cualquier trabajo de construcción y renovación o reparación por fuerzas municipales apropiadas cuando las propuestas sometidas como parte de la recomendación del Administrador indiquen que el trabajo puede ser hecho por las fuerzas municipales más económicamente que si se adjudicara por contrato.

En el caso de una gran calamidad pública, tal como un incendio extraordinario, inundación, tempestad, epidemia, u otro desastre, el Concejo, por medio de una resolución aprobada por un voto de dos tercios de los miembros elegidos al Concejo, puede determinar y declarar que el interés o la necesidad pública requiere el gasto inmediato de dineros públicos para proteger la vida, la salud, o la propiedad, y en seguida pueden ejercer, sin pedir propuestas, ni recibir las mismas, a expensas de construcción, por contrato, usando cualquier cantidad de dinero necesario en tal emergencia, que esté en existencia y disponible para tal propósito en la tesorería municipal. Todos los contratos antes de su ejecución serán aprobados por el Fiscal Municipal en cuanto a su forma y legalidad.

Cada postor proporcionará junto con su propuesta el abonoamiento o garantía, garantizando la ejecución por el del contrato, que sea estipulado o estipulada por el Concejo o según disponga la ley general.

Para los contratos que excedan \$25,000.00, el Concejo deberá requerir que cada contratista garantice la fiel ejecución de su contrato por la entrega a la Ciudad de una fianza de seguridad en una cantidad estipulada por el Concejo, ejecutada por una compañía de fianzas con autorización para funcionar en el Estado de California con la condición, sin embargo, de que en todos los contratos el Concejo requerirá la protección de los pagos suficientes bajo el contrato para asegurar la protección de la Ciudad contra embargos de trabajo o de materiales.

El Concejo, a la recomendación del Administrador o del encargado si no está bajo la jurisdicción del Administrador, puede rechazar todas o cualquiera de las propuestas y volver a pedir propuestas. El Concejo puede estipular que no se adjudicará ningún contrato a cualquier persona, empresa, o corporación si se emplean trabajadores extranjeros o prisioneros en el cumplimiento de dicho contrato, o si las planillas de pago para los empleados ocupados en el cumplimiento de dicho contrato se basan en más de ocho horas diarias de trabajo. Cualquier contrato puede adjudicarse por un precio total o por base de unidades y puede estipular daños liquidados para la Ciudad por cada día, más allá de una fecha especificada, que el contrato esté sin completarse. Será competente, al adjudicar un contrato, el comparar propuestas a base del tiempo requerido para su cumplimiento, con la condición de que, cuando se haya hecho la adjudicación o consideración, parcial o completa, de las estimaciones relativas de los postores del tiempo de cumplimiento del trabajo, la ejecución de acuerdo con dicha estimación será garantizada por una fianza de seguridad como se dispone aquí más arriba, provista de garantías y multas adicionales, y con la condición además de que para cualquier contrato adjudicado solamente o parcialmente a base de un tiempo especificado, el Concejo no deberá permitir una extensión del tiempo a menos que dicha extensión sea recomendada por el Administrador y el Jefe del Departamento de que se trata.

Ningún oficial de la Ciudad de San Diego, ya sea elegido o nombrado, deberá tener o llegar a tener un interés directo o indirecto en la ejecución de un contrato o en un contrato con o para la Ciudad de San Diego, o en la compra o arrendamiento de cualquier propiedad, mueble o inmueble, perteneciente a o tomada por dicha Ciudad o que será vendida a causa de impuestos o gravámenes o en virtud de un procedimiento legal o demanda de dicha Ciudad. Cualquier persona que intencionalmente cometa una infracción de la presente Sección de la Carta se juzgará culpable de un delito criminal o inmediatamente perderá el derecho a su oficina y será de ahí para siempre descalificado y excluido de la ocupación de cualquier oficina electiva o nominativa en el servicio de la Ciudad. Ningún oficial, ya sea elegido o nombrado, será juzgado de tener un interés dentro del contexto de la presente sección a menos que el contrato, compra, arrendamiento, o venta sea con o para el beneficio de la oficina, junta, departamento, buró, o división con que dicho oficial tenga conexiones directas en la ejecución de sus funciones y en que él o la oficina, junta, departamento, buró, o división que él representa ejerza autoridad legislativa, administrativa, o cuasijudicial en la adjudicación o ejecución de dicho contrato, compra, arrendamiento, o venta.

Todos los contratos adjudicados en contravención de la presente sección serán inválidos y no serán aplicables contra dicha Ciudad; con la condición, sin embargo, de que los oficiales de este municipio pueden poseer acciones de las corporaciones de servicios públicos y la Ciudad puede contratar los servicios públicos siempre y cuando las tarifas de dichos servicios sean fijadas por la ley o por la Comisión de Utilidades Públicas del Estado de California; y con la condición además de que a ningún oficial se le prohibirá la compra de los servicios de cualquier empresa de servicios, ya sea pública o privada, sean o no las tarifas fijadas por la ley o por la Comisión de Utilidades Públicas del Estado de California; y con la condición además de que, si a un designado de cualquier banco como depositario para los fondos de dicha Ciudad, cualquier oficial con interés como accionista o de otra manera en el banco no será juzgado de tener un interés en dicho contrato municipal dentro del contexto de la presente sección, y en cada uno de los casos aquí enumerados los contratos se considerarán obligaciones válidas y aplicables contra el municipio.

Sección 2. Estas proposiciones se presentarán y se imprimirán en la balota electoral y se someterán a los votantes en la manera y la forma expuestas en la Sección 1 de esta ordenanza.

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Indicaciones N.º 11872 (recomendación) para el jefe 3

Sección 3. Los lugares de votación para esta elección municipal especial se abrirán a las 7 a.m. (hora local) el día 2 de noviembre de 1976, y permanecerán abiertos continuamente hasta las 8 p.m. (hora local) del mismo día, hora en la cual se cerrarán, excepto por lo que dispone la Sección 14436 del Código de Elecciones del Estado de California.

Sección 4. Puesto que esta elección está siendo combinada con la elección general estatal, y puesto que la Junta de Supervisores del Condado de San Diego se autoriza por la presente para escudriñar los resultados de esta elección, y puesto que está autorizada únicamente en esta forma de balota electoral, el método de votar sobre estas proposiciones será el que dispone el Código de Elecciones del Estado de California, y, en las balotas electorales para usarse en esta elección municipal especial, además de otros requisitos de la ley, se imprimirá substancialmente lo siguiente:

PROPOSICIONES DE LA CIUDAD DE SAN DIEGO

<p>PROPOSICION -- ENMIENDA A LA CARTA ESTATUTARIA DE LA CIUDAD DE SAN DIEGO. ENMIENDA LA SECCION 28 DE LA CARTA ESTATUTARIA DE LA CIUDAD DE SAN DIEGO.</p> <p>Trata del empleo de peritos o consultores por el Administrador Municipal. Estipula que el Concejo Municipal deberá establecer por ordenanza un limite de cantidad de dólares en exceso del cual será requerida por el Administrador Municipal la previa aprobación del Concejo Municipal para que se puedan emplear peritos o consultores, cuando tal asistencia sea necesaria.</p>	SI	
	NO	
<p>PROPOSICION -- ENMIENDA A LA CARTA ESTATUTARIA DE LA CIUDAD DE SAN DIEGO. ENMIENDA LA SECCION 94 DE LA CARTA ESTATUTARIA DE LA CIUDAD DE SAN DIEGO.</p> <p>En la actualidad existe, en las Secciones 35 y 94 de la Carta Estatutaria, la autoridad para la compra de materiales, provisiones, y equipos. Esto resulta en dos procedimientos y crea la ambigüedad y la inconsistencia. Esta enmienda suprime las palabras en cuestión de la Sección 94 y estipula que la compra de todo material, toda provisión, y todo equipo se registrá por la Sección 35 de la Carta Estatutaria.</p>	SI	
	NO	

Sección 5. Se ordena por la presente que esta elección Ciudad de municipal especial, citada para el 2 de noviembre de 1976 en la San Diego, se combine con la elección general estatal que se efectuará en la misma fecha. Dentro de la Ciudad de San Diego, los distritos electorales, los lugares de votación y sus cabinas, y los oficiales electorales para la elección municipal especial serán los mismos que los que se disponen para la elección general estatal.

Sección 6. Se autoriza por la presente a la Junta de Supervisores del Condado de San Diego para escudriñar los resultados de la elección municipal especial, y estas elecciones se efectuarán como si hubiera una sola elección y, dentro de la Ciudad, se empleará una sola forma de balota electoral. La Junta de Supervisores certificará el resultado de su escudriñamiento de la votación de esta elección municipal especial para el Concejo Municipal de la Ciudad de San Diego, el cual entonces anunciará los resultados de la elección.

Sección 7. Cada una de las proposiciones presentadas por medio de esta ordenanza se indicará en la balota electoral por una letra impresa en el margen izquierdo del cuadro que contiene la descripción de la proposición como dispone la Sección 10219 del Código de Elecciones del Estado de California.

Sección 8. Con excepción de lo que se dispone en otras partes de la presente ordenanza, la conducta de la elección municipal especial será de acuerdo con lo que dispone la ley para otras elecciones municipales de la Ciudad.

Sección 9. El Secretario Municipal hará que esta ordenanza se publique en los idiomas que requiere la ley en el periódico oficial de la Ciudad, cuando menos cuarenta días y cuando más sesenta días antes de la fecha de la elección. No será necesaria ninguna otra notificación.

Sección 10. Esta ordenanza entrará en vigor el 11 de agosto de 1976, siendo este el día de su introducción y aprobación, de acuerdo con las Secciones 16 y 17 de la Carta Estatutaria.

Aprobada y adoptada por el Concejo Municipal de la Ciudad de San Diego el día 11 de agosto de 1976, por la siguiente votación:

VOTOS AFIRMATIVOS: Johnson, O'Connor, Hubbard, Williams, Morrow, Gado, Haro, Wilson.

VOTOS NEGATIVOS: Ninguno.

AUSENTE: Ellis.

AUTENTICADA POR:

PETE WILSON,

Alcalde de La Ciudad de San Diego,

California

EDWARD NIELSEN,

Secretario Municipal de La Ciudad de

San Diego, California

Por KATHLEEN MARTINEZ, Asistente.

(Se llo)

POR LA PRESENTE CERTIFICO que la antedicha ordenanza fue aprobada en el día de su presentación, a saber, el día 11 de agosto de 1976, siendo dicha ordenanza de la clase y carácter autorizados por la Sección 16 de la Carta Estatutaria para ser aprobada en el momento de su presentación.

CERTIFICO ADEMAS que la recitación completa de dicha ordenanza fue eximida por un voto de la mayoría de los miembros elegidos al Concejo, y que estaba disponible, para la consideración de cada miembro del Concejo y del público antes del día de su aprobación, una copia escrita o impresa de dicha ordenanza.

EDWARD NIELSEN,

Secretario Municipal de La Ciudad de

San Diego, California

Por KATHLEEN MARTINEZ, Asistente.

(Se llo)

Pub. Sept. 10, 1976

18-8882

En Reliance No. 11675 (Sp. Antsh. 11675)

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