

ORDINANCE NO. 12686
(New Series)

JUL 29 1979

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 18, 1979, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION RELATING TO THE CITY ENTERING INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE NAVY IN CONNECTION WITH LAND WITHIN BALBOA PARK BEING USED FOR NAVAL HOSPITAL FACILITIES, ONE PROPOSITION RELATING TO THE LEASE OR SALE OF CERTAIN PUEBLO LANDS, ONE PROPOSITION TO AMEND SECTIONS 70 AND 130 OF THE CHARTER OF THE CITY OF SAN DIEGO AND ONE PROPOSITION ADVISING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA OF THE WILL OF THE PEOPLE OF THE CITY OF SAN DIEGO TO HAVE ENACTED INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.

WHEREAS, at a meeting held on June 20, 1979 the City Council of The City of San Diego called a municipal primary election in the City, in the San Diego Unified School District and in the San Diego Community College District to be held on September 18, 1979; 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, 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 September 18, 1979 and pursuant to the provisions of Section 219 dealing with the ratification of the sale and conveyance of Pueblo Lands and 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 dealing with Charter amendments, 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:

PROPOSITION _____

Shall the City enter into an agreement with the United States Department of the Navy to return to the City, all right, title and interest in all land within Balboa Park presently used for Naval Hospital facilities in exchange for a leasehold interest of fifty (50) years, with a twenty-five (25) year option to renew, in an equal amount of land in the park, including approximately 40 acres of generally undeveloped Balboa Park property located in the Florida Canyon area, north and east of the present Naval Hospital facilities, for the purpose of developing new Naval Hospital facilities?

PROPOSITION _____

Ratification of Ordinance No. 12685 (New Series) authorizing the lease or sale of certain Pueblo Lands, as follows:

ORDINANCE NO. 12685
(New Series)

AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES.

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

Section 1. The City of San Diego be and it is hereby authorized and empowered to lease or sell all or any portion of the remaining unratified portions of Pueblo Lots 1316, 1317, 1318, 1321, 1351, 1353 and 1355 consisting of a total area of approximately 400 acres more or less. The aforementioned Pueblo Lots are located generally in the area of Interstate 805 in the University City area southerly of Sorrento Valley Boulevard, as more particularly shown on that plat on file in the office of the City Clerk as Document No. 766676.

Section 2. All leases or sales of the above described Pueblo Lots shall be made for the general purpose of accommodating scientific research activities, corporate headquarters, high technological-like manufacturing activities and related or similar uses.

Section 3. All proceeds from lease or sales of the above described Pueblo Lots shall be placed into a Capital Outlay Fund to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes.

Section 4. This ordinance requires ratification by the voters and being related to elections is of

the kind and character authorized for passage on its introduction by Sections 16 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on the 18th day of September 1979, at which a proposition to ratify this ordinance shall be submitted.

PROPOSITION _____

Amend Section 70 of Article VII and Section 130 of Article VIII of the Charter of The City of San Diego to read as follows:

Section 70. POWER TO FIX SALARIES.

The Council shall have the power to fix salaries of the City Manager, the City Clerk, the City Treasurer, the City Auditor and Comptroller, and all other officers under its jurisdiction. All members of Commissions shall serve without compensation except where otherwise provided by State law or this Charter. Except as otherwise provided by law, the City Manager and other departmental heads outside of the departments under control of the City Manager shall have power to recommend salaries and wages subject to the personnel classification determined by the Civil

Service Commission, of all other officers and employees within the total amount contained in the Annual Appropriation Ordinance for personal service in each of the several departments of the City Government. The Council shall by ordinance, prior to the beginning of each fiscal year, establish a schedule of compensation for officers and employees in the Classified Service, which shall establish a minimum and maximum for any grade and provide uniform compensation for like service. The Council may, however, enter into an agreement with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of compensation in the appropriate annual salary ordinance.

If during any fiscal year, the Council should find and determine that because of a significant change in living costs, the salaries and wages fixed for such fiscal year are not comparable to the level of other salaries and wages of other public or private employments for comparable services and, as a result, the best interests of

the City are not being protected or are in jeopardy, said Legislative Body, upon recommendation of the Manager or other department head, and if funds are available, may revise such salary and wage schedules to the extent necessary to protect the City's interests.

Section 130. SALARY RECOMMENDATIONS.

It shall be the duty of the Civil Service Commission to prepare and furnish to the Council annually a report identifying classifications of employees in the Classified Service which merit special salary consideration because of recruitment or retention problems, changes in duties or responsibilities, or other special factors the Commission deems appropriate. An increase in compensation, within the limits provided for any grade, may be granted at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority record, after having first received the approval of the Civil Service Commission therefor.

PROPOSITION _____

Advising the Governor and the Legislature of the State of California of the will of the people of the City of San Diego to have enacted into law a reallocation of existing sales and use taxes, as follows:

Should the Governor and Legislature of the State of California be advised that:

It is the will of the people of the City of San Diego that the Governor and the Legislature apportion the existing six cents state sales and use tax so that two cents rather than the present one cent be allocated to be used by cities and counties for priority local services rather than by the state for state services or to the state surplus.

It is understood that if the Governor and Legislature so act, any funds resulting therefrom which would cause the city to exceed a spending limit imposed by a vote of the people of the City of San Diego or the State of California shall, in accordance with the provisions of Section 77 of the City Charter, be returned to the people or expended for capital improvements.

Further, it is the will of the people that the Governor and Legislature enact such allocation into law by no later than the first of May 1980, to avoid the unnecessary enactment by the people through the initiative process to cure legislative default.

Section 2. The 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 September 18, 1979,

and 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 municipal primary election, and since the City Clerk of The City 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 any other matters required by law, there shall be printed substantially the following:

PROPOSITION _____. Shall the City enter into an agreement with the United States Department of the Navy to return to the City, all right, title and interest in all land within Balboa Park presently used for Naval Hospital facilities in exchange for a leasehold interest of fifty (50) years, with a twenty-five (25) year option to renew, in an equal amount of land in the park, including approximately 40 acres of generally undeveloped Balboa Park property located in the Florida Canyon area, north and east of the present Naval Hospital facilities, for the purpose of developing new Naval Hospital facilities?	YES	
	NO	

<p>PROPOSITION _____. RATIFICATION OF ORDINANCE NO. _____ (NEW SERIES).</p> <p>Shall Ordinance No. _____ (New Series) entitled "AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES" adopted by this Council of The City of San Diego be ratified?</p>	YES	
	NO	

<p>PROPOSITION _____. CITY OF SAN DIEGO CHARTER AMENDMENTS. AMEND SECTIONS 70 AND 130 OF THE CHARTER OF THE CITY OF SAN DIEGO.</p> <p>Shall the Charter of The City of San Diego be amended to permit the City Council to enter into an agreement with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of compensation in the appropriate annual salary ordinance?</p>	YES	
	NO	

<p>PROPOSITION _____. ADVISING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA OF THE WILL OF THE PEOPLE OF THE CITY OF SAN DIEGO TO HAVE ENACTED INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.</p> <p>Should the Governor and Legislature of the State of California be advised that:</p> <p>It is the will of the people of the City of San Diego that the Governor and the Legislature apportion the existing six cents state sales and use tax so that two cents rather than the present one cent be allocated to be used by cities and counties for priority local services rather than by the state for state services or to the state surplus.</p>	<p>YES</p>	
<p>It is understood that if the Governor and Legislature so act, any funds resulting therefrom which would cause the city to exceed a spending limit imposed by a vote of the people of the City of San Diego or the State of California shall, in accordance with the provisions of Section 77 of the City Charter, be returned to the people or expended for capital improvements.</p> <p>Further, it is the will of the people that the Governor and Legislature enact such allocation into law by no later than the first of May 1980, to avoid the unnecessary enactment by the people through the initiative process to cure legislative default.</p>	<p>NO</p>	

Section 5. An appropriate mark placed in the voting square after the word "YES," shall be counted in favor of the adoption of the proposition. An appropriate mark placed in the voting square after the word "NO," in the manner hereinbefore provided, shall be counted against the adoption of the proposition

Section 6. The special municipal election called for September 18, 1979, in the City of San Diego is hereby ordered consolidated with the municipal primary election to be held on the same date. Within the City of San Diego the precincts, polling places and officers of the election for the special municipal election shall be the same as those provided for in the municipal primary election.

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 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 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. No other notice of the election need be given.

Section 11. Pursuant to Section 17 of the Charter, this ordinance relating to elections shall take effect on JUN 29 1979, being the day of its introduction and passage.

APPROVED: JOHN W. WITT, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:930.40
6/22/79 REVISED 6/27/79
Or. Dept.: Council

OLD LANGUAGE--Crossed Out
NEW LANGUAGE--Underlined

PROPOSITION _____

Amend Section 70 of Article VII and Section 130 of Article VIII of the Charter of The City of San Diego to read as follows:

Section 70. POWER TO FIX SALARIES.

The Council shall have the power to fix salaries of the City Manager, the City Clerk, the City Treasurer, the City Auditor and Comptroller, and all other officers under its jurisdiction. All members of Commissions shall serve without compensation except where otherwise provided by State law or this Charter. Except as otherwise provided by law, the City Manager and other departmental heads outside of the departments under control of the City Manager shall have power to recommend salaries and wages subject to the personnel classification determined by the Civil Service Commission, of all other officers and employees within the total amount contained in the Annual Appropriation Ordinance for personal service in each of the several departments of the City Government. ~~All-increases-and-decreases-of-salary-or-wages-of officers-and-employees-shall-be-determined-at-the-time-of-the preparation-and-adeption-of-the-budget,-and-no-such-increase or-decrease-shall-be-effective-prior-to-the-fiscal-year-for which-the-budget-is-adepted,-provided,-however,-that~~ The Council shall by ordinance, prior to the beginning of each

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fiscal year, establish a schedule of compensation for officers and employees in the Classified Service, which shall establish a minimum and maximum for any grade and provide uniform compensation for like service. The Council may, however, enter into an agreement with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of compensation in the appropriate annual salary ordinance.

If during any fiscal year, the Council should find and determine that because of a significant change in living costs, the salaries and wages fixed for such fiscal year are not comparable to the level of other salaries and wages of other public or private employments for comparable services and, as a result, the best interests of the City are not being protected or are in jeopardy, said Legislative Body, upon recommendation of the Manager or other department head, and if funds are available, may revise such salary and wage schedules to the extent necessary to protect the City's interests.

Section 130. COMPENSATION-ESTABLISHED SALARY RECOMMENDATIONS.

~~The Council shall by ordinance, prior to the beginning of each fiscal year, establish a schedule of compensation for officers and employees in the Classified Service, which shall~~

~~establish-a-minimum-and-maximum-for-any-grade-and-provide
uniform-compensation-for-like-service.~~

It shall be the duty of the Civil Service Commission to prepare and furnish to the Council, ~~prior-to-the-adeption~~ annually a report identifying classifications of employees in the Classified Service which merit special salary consideration because of recruitment or retention problems, changes in duties or responsibilities, or other special factors the Commission deems appropriate. An increase in compensation, within the limits provided for any grade, may be granted at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority record, after having first received the approval of the Civil Service Commission therefor.

Passed and adopted by the Council of The City of San Diego on JUN 29 1979,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<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"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

(Seal)

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

By Betty Saedky, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on JUN 29 1979, 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.

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

By Betty Saedky, Deputy.

RECEIVED
CITY CLERK'S OFFICE
1979 JUN 27 PM 2:40
SAN DIEGO, CALIF. (Seal)

Office of the City Clerk, San Diego, California		
Ordinance Number	<u>12686</u>	Adopted <u>JUN 29 1979</u>

ATTORNEYS

City of San Diego
12th floor, City Admin. Bldg.
202 C St.
San Diego, CA 92101

Attn: Betty Goldberg

REC-117
JUL 23 11 30 AM '79
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

REALLOCATION OF EXISTING SALES AND USE TAXES.

ORDINANCE NO. 12686
(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 18, 1979, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION RELATING TO THE CITY ENTERING INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE NAVY IN CONNECTION WITH LAND WITHIN BALBOA PARK BEING USED FOR NAVAL HOSPITAL FACILITIES; ONE PROPOSITION RELATING TO THE LEASE OR SALE OF CERTAIN PUEBLO LANDS; ONE PROPOSITION TO AMEND SECTIONS 70 and 130 OF THE CHARTER OF THE CITY OF SAN DIEGO AND ONE PROPOSITION ADVISING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA OF THE WILL OF THE PEOPLE OF THE CITY OF SAN DIEGO TO HAVE ENACTED INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.

WHEREAS, at a meeting held on June 20, 1979 the City Council of The City of San Diego called a municipal primary election in the City, in the San Diego Unified School District and in the San Diego Community College District to be held on September 18, 1979; 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, 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 September 18, 1979 and pursuant to the provisions of Section 219 dealing with the ratification of the sale and conveyance of Pueblo Lands and 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 dealing with Charter amendments, 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:

PROPOSITION

Shall the City enter into an agreement with the United States Department of the Navy to return to the City, all right, title and interest in all land within Balboa Park presently used for Naval Hospital facilities in exchange for a leasehold interest of fifty (50) years, with a twenty-five (25) year option to renew, in an equal amount of land in the park, including approximately 40 acres of generally undeveloped Balboa Park property located in the Florida Canyon area, north and east of the present Naval Hospital facilities, for the purpose of developing new Naval Hospital facilities?

PROPOSITION

Ratification of Ordinance No. 12685 (New Series) authorizing the lease or sale of certain Pueblo Lands, as follows:

(6002)

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

ORDINANCE NO. 12686
(New Series)

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

July 12, 1979

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

Dated at San Diego, California this 16th day of July 1979

Paula Santonocito
(Signature)

58 1/2" - #355-10

**ORDINANCE NO. 12885
(New Series)**

AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1318, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES.

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

Section 1. The City of San Diego be and it is hereby authorized and empowered to lease or sell all or any portion of the remaining unratified portions of Pueblo Lots 1318, 1317, 1318, 1321, 1351, 1353 and 1355 consisting of a total area of approximately 400 acres more or less. The aforementioned Pueblo Lots are located generally in the area of Interstate 805 in the University City area south of Sorrento Valley Boulevard, as more particularly shown on that plat on file in the office of the City Clerk as Document No. 789578.

Section 2. All leases or sales of the above described Pueblo Lots shall be made for the general purpose of accommodating scientific research activities, corporate headquarters, high technological-like manufacturing activities and related or similar uses.

Section 3. All proceeds from lease or sales of the above described Pueblo Lots shall be placed into a Capital Outlay Fund to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes.

Section 4. This ordinance requires ratification by the voters and being related to elections is of the kind and character authorized for passage on its introduction by Sections 16 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on the 18th day of September 1979, at which a proposition to ratify this ordinance shall be submitted.

PROPOSITION

Amend Section 70 of Article VII and Section 130 of Article VIII of the Charter of The City of San Diego to read as follows:

Section 70. POWER TO FIX SALARIES.

The Council shall have the power to fix salaries of the City Manager, the City Clerk, the City Treasurer, the City Auditor and Comptroller, and all other officers under its jurisdiction. All members of Commissions shall serve without compensation except where otherwise provided by State law or this Charter. Except as otherwise provided by law, the City Manager and other departmental heads outside of the departments under control of the City Manager shall have power to recommend salaries and wages subject to the personnel classification determined by the Civil Service Commission, of all other officers and employees

within the total amount contained in the Annual Appropriation Ordinance for personal service in each of the several departments of the City Government. The Council shall by ordinance, prior to the beginning of each fiscal year, establish a schedule of compensation for officers and employees in the Classified Service, which shall establish a minimum and maximum for any grade and provide uniform compensation for like service. The Council may, however, enter into an agreement with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of compensation in the appropriate annual salary ordinance.

If during any fiscal year, the Council should find and determine that because of a significant change in living costs, the salaries and wages fixed for such fiscal year are not comparable to the level of other salaries and wages of other public or private employments for comparable services and, as a result, the best interests of the City are not being protected or are in jeopardy, said Legislative Body, upon recommendation of the Manager or other department head, and if funds are available, may revise such salary and wage schedules to the extent necessary to protect the City's interests.

Section 130. SALARY RECOMMENDATIONS.

It shall be the duty of the Civil Service Commission to prepare and furnish to the Council annually a report identifying classifications of employees in the Classified Service which merit special salary consideration because of recruitment or retention problems, changes in duties or responsibilities, or other special factors the Commission deems appropriate. An increase in compensation, within the limits provided for any grade, may be granted at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority record, after having first received the approval of the Civil Service Commission therefor.

PROPOSITION

Advising the Governor and the Legislature of the State of California of the will of the people of the City of San Diego to have enacted into law a reallocation of existing sales and use taxes, as follows:

Should the Governor and Legislature of the State of California be advised that:

It is the will of the people of the City of San Diego that the Governor and the Legislature apportion the existing six cents state sales and use tax so that two cents rather than the present one cent be allocated to be used by cities and counties for priority local services rather than by the state for state services or to the state surplus.

It is understood that if the Governor and Legislature do act, any funds resulting therefrom which would cause the city to exceed a spending limit imposed by a vote of the people of the City of San Diego or the State of California shall, in accordance with the provisions of Section 77 of the City Charter, be returned to the people or expended for capital improvements.

Further, it is the will of the people that the Governor and Legislature enact such allocation into law by no later than the first of May 1980, to avoid the unnecessary enactment by the people through the initiative process to cure legislative default.

Section 2. The 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 September 18, 1979, and 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 14438 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the municipal primary election, and since the City Clerk of The City 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 any other matters required by law, there shall be printed substantially the following:

<p>PROPOSITION- Shall the City enter into an agreement with the United States Department of the Navy to return to the City, all right, title and interest in all land within Balboa Park presently used for Naval Hospital facilities in exchange for a leasehold interest of fifty (50) years, with a twenty-five (25) year option to renew, in an equal amount of land in the park, including approximately 40 acres of generally undeveloped Balboa Park property located in the Florida Canyon area, north and east of the present Naval Hospital facilities, for the purpose of developing new Naval Hospital facilities?</p>	YES	
	NO	

<p>PROPOSITION- RATIFICATION OF ORDINANCE NO. 12885 (NEW SERIES). Shall Ordinance No. (New Series) entitled "AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1318, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES" adopted by this Council of The City of San Diego be ratified?</p>	YES	
	NO	

<p>PROPOSITION- CITY OF SAN DIEGO CHARTER AMENDMENTS AMEND SECTIONS 70 and 130 OF THE CHARTER OF THE CITY OF SAN DIEGO. Shall the Charter of The City of San Diego be amended to permit the City Council to enter into an agreement with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of compensation in the appropriate annual salary ordinance?</p>	YES	
	NO	

<p>PROPOSITIONS BEFORE THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA OF THE WILL OF THE PEOPLE OF THE CITY OF SAN DIEGO TO HAVE ENACTED INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.</p>		
<p>Should the Governor and Legislature of the State of California be advised that:</p> <p>It is the will of the people of the City of San Diego that the Governor and the Legislature appropriate the existing six cents sales and use tax so that two cents rather than the present one cent be allocated to be used by cities and counties for priority local services rather than by the state for state services or to the state surplus.</p>	YES	
<p>It is understood that if the Governor and Legislature so act, any funds resulting therefrom which would cause the city to exceed a spending limit imposed by a vote of the people of the City of San Diego or the State of California shall, in accordance with the provisions of Section 77 of the City Charter, be returned to the people or expended for public improvements.</p>	NO	
<p>Further, it is the will of the people that the Governor and Legislature direct such funds from into law by the latter from the first of May 1978, to avoid the unnecessary enactment by the state through the initiative process to curb legislative deficit.</p>		

Section 4. An appropriate mark placed in the voting square after the word "YES" shall be counted in favor of the adoption of the proposition. An appropriate mark placed in the voting square after the word "NO" in the manner hereinafter provided, shall be counted against the adoption of the proposition.

Section 5. The special municipal election called for September 16, 1978, in the City of San Diego is hereby ordered consolidated with the municipal primary election to be held on the same date. Within the City of San Diego the precincts, polling places and officers of the election for the special municipal election shall be the same as those provided for in the municipal primary election.

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 no election, and within the City only one form of ballot shall be used. The City Clerk shall carry the results of the canvass of the returns of the special municipal election to the Council of the City of San Diego and shall then declare the results of the election.

Section 8. 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 10216 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. No other notice of the election need be given.

Section 11. Pursuant to Section 17 of the Charter, this ordinance relating to elections shall take effect on JUNE 29, 1978, being the day of its introduction and passage.

Passed and adopted by the Council of The City of San Diego on June 28, 1978, by the following vote:
YEAS: Michael, O'Connor, Gade, Stirling, Kline, Wilson.
NAY: None.
ABSENT: Lemery, Williams, Schnaubel.
AUTHENTICATED BY: PETE WILSON,
Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
By **BETTY GOLDBERG,** Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on June 28, 1978, said ordinance being of the kind and character authorized for passage on its introduction by Section 17 of the Charter.

I FURTHER CERTIFY that the reading of said ordinance in full was observed with by a vote of not less than a majority of the members thereof in 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.

CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
By **BETTY GOLDBERG,** Deputy.

ATTORNEYS

San Diego, City of
12th floor, City Admin. Bldg.
300 E St.
San Diego, Ca 92101

FILED
JUL 28 1979
CITY CLERK
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

LA CELEBRACION POR LA CIUDAD DE SAN DIEGO

ORDENANZA NO. 12686 (Serie Nueva)

UNA ORDENANZA DE LA CIUDAD DE SAN DIEGO, CALIFORNIA, ORDENANDO, CONVOCANDO, PROVEYENDO Y NOTIFICANDO UNA ELECCION ESPECIAL PARA EFECTUARSE EN LA CIUDAD EN EL DIA 18 DE SEPTIEMBRE DE 1979 PARA EL PROPOSITO DE PRESENTAR A LOS ELECTORES CALIFICADOS DE LA CIUDAD DE SAN DIEGO UNA PROPOSICION RELACIONADA CON LA CELEBRACION POR LA CIUDAD DE SAN DIEGO DE UN CONVENIO CON EL DEPARTAMENTO DE LA MARINA DE GUERRA DE LOS ESTADOS UNIDOS CON RESPECTO A TERRENOS DENTRO DEL PARQUE BALBOA OCUPADOS POR LAS EDIFICACIONES DEL HOSPITAL NAVAL, UNA PROPOSICION RELACIONADA CON EL ARRENDAMIENTO O VENTA DE CIERTAS TIERRAS PUEBLO, UNA PROPOSICION PARA ENMENDAR LAS SECCIONES 70 Y 130 DE LA CARTA DE LA CIUDAD DE SAN DIEGO Y UNA PROPOSICION QUE NOTIFICA AL GOBERNADOR Y A LA LEGISLATURA DEL ESTADO DE CALIFORNIA DE LA VOLUNTAD DEL PUEBLO DE LA CIUDAD DE SAN DIEGO DE QUE SE PROMULGUE UNA LEY PARA LA REDISTRIBUCION DE LOS EXISTENTES IMPUESTOS SOBRE VENTAS Y USO.

CONSIDERANDO que en una reunion celebrada el dia 20 de junio de 1979 el Concejo de La Ciudad de San Diego convocó una eleccion primaria municipal para la Ciudad, para el Distrito Escolar Unificado de San Diego, y para el Distrito de Colegios de la Comunidad de San Diego para efectuarse el 18 de septiembre de 1979; y

CONSIDERANDO que el Concejo de La Ciudad de San Diego desea consolidar las dos elecciones: AHORA PORTANTO,

SEA ORDENADO por el Concejo de La Ciudad de San Diego, California, lo siguiente.

Sección 1. Se ordena y convoca por esto una eleccion municipal especial para efectuarse en la Ciudad de San Diego, California el dia 18 de septiembre de 1979 y, en conformidad con las disposiciones de la Sección 219 que trata de la ratificación de la venta o enajenación de las Tierras Pueblo y la Sección 223 de la Carta de La Ciudad San Diego, las disposiciones de la Sección 3 del Artículo XI de la Constitución del Estado de California y las disposiciones de las Secciones 34450 y 34459 del Código de Gobierno de California que tratan de las enmendadas a Cartas, el Concejo de La Ciudad de San Diego, siendo el cuerpo legislativo de la misma, por esto propone y presenta a los electores calificados de la Ciudad en la dicha eleccion municipal especial las siguientes proposiciones:

PROPOSICION

¿Deberá la Ciudad celebrar un convenio con el Departamento de la Marina de Guerra de los Estados Unidos para devolver a la Ciudad todo derecho, tulo, y participación en todos los terrenos dentro del Parque Balboa ocupados en la actualidad por el Hospital Naval, a cambio de un derecho de arrendamiento por cincuenta (50) años, con opción de extensión por veinticinco (25) años, de una porción de terreno igual dentro del parque, que incluirá aproximadamente 40 acres de propiedad poco desarrollada que está situada en el área del Parque Balboa llamada Cañon Florida, y que queda al norte y al este del actual Hospital Naval para el propósito de construir un nuevo Hospital Naval?

PROPOSICION

La ratificación de la Ordenanza No. 12686 (Serie Nueva), la cual autoriza el arrendamiento o venta de ciertas Tierras Pueblo, según sigue:

I, Paula J. Santonocito, a resident of the County aforesaid, of the United States, and a resident of the County aforesaid, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California under the date of January 23, 1969, Decree No. 14894; and the

ORDENANZA NO. 12686 (Serie Nueva)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following dates, to-wit:

July 26, 1979

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

Dated at San Diego, California this 26th day of July, 1979.

Paula J. Santonocito

(Signature)

63/2"

355.45

over

744

ORDENANZA NO. 12885 (Serie Nueva)
UNA ORDENANZA PARA AUTORIZA EL ARRENDAMIENTO O LA VENTA DE CIERTAS PORCIONES DE LOS LOTES PUEBLO 1316, 1317, 1318, 1321, 1351, 1353 Y 1355 DE LAS TIERRAS PUEBLO DE SAN DIEGO, DISPONIENDOSE QUE TODO INGRESO DE DICHO ARRENDAMIENTOS O VENTAS SE UTILICE PARA FINANCIAR SUBESTACIONES DE POLICIA Y OTRAS MEJORAS PERMANENTES PARA FINES POLICIACOS.
SEA ORDENADO por el Concejo de La Ciudad de San Diego lo siguiente:

- Sección 1.** Que a La Ciudad de San Diego se le autoriza y faculta, y por esto se le autoriza y faculta, para dar en arrendamiento o vender todas o cualquier porción de las restantes porciones no ratificadas de los Lotes Pueblo 1316, 1317, 1318, 1321, 1351, 1353, y 1355, que compriman un área total de aproximadamente 400 acres más o menos. Los susodichos Lotes Pueblo están situados en término generales en el área del Autopista Interestatal 805 dentro del área de University City al sur del Bulevar Sorrento Valley, según se demuestra más detalladamente en un plano archivado en las oficinas del Secretario Municipal con el título de Documento No. 788578.
- Sección 2.** Todo arrendamiento o venta de los Lotes Pueblo arriba descritos deberá efectuarse para el propósito general de acomodar actividades de investigación científica, oficinas centrales corporativas, actividades manufactureras de tipo altamente tecnológico, y usos relacionados o semejantes.
- Sección 3.** Todo los fondos provenientes del arrendamiento o venta de los ya descritos Lotes Pueblo deberán colocarse en un Fondo de Egresos Capitales para utilizarse solo y exclusivamente para el propósito de financiar la adquisición y construcción de subestaciones de policía y otras mejoras permanentes para fines policiaicos.
- Sección 4.** La presente ordenanza requiere ratificación por los electores y, siencio relacionada con las elecciones, es de la clase y carácter autorizados para que sea aprobada al ser introducida por las Secciones 16 y 17 de la Carta.
- Sección 5.** La presente ordenanza sólo entrará en vigor después de ser aprobada afirmativamente por un voto de mayoría de los electores calificados de la Ciudad de San Diego votando en una Elección Municipal Especial que se efectuará en dicha Ciudad el día 18 de septiembre de 1979, y en la cual se presentará una proposición para ratificar la presente ordenanza.

PROPOSICION
 Enmendar la Sección 70 del Artículo VII y la Sección 130 del Artículo VIII de la Carta de La Ciudad de San Diego a que recae como sigue:

Sección 70. PODER PARA FIJAR SUELDOS.
 El Concejo tendrá el poder para fijar los sueldos del Administrador Municipal, el Secretario Municipal, el Tesorero Municipal, el Auditor y Contralor Municipal, y demás oficiales bajo su jurisdicción. Todos los miembros de Comisiones deberán servir sin compensación. Todos los miembros de Comisiones deberán servir sin compensación, excepto por lo que disponga de otra manera la ley estatal o esta Carta. Excepto por lo que disponga de otra manera la ley, el Administrador Municipal y demás jefes de departamento fuera de los departamentos que quedan bajo el control del Administrador Municipal tendrán la clasificación de personal establecida por la Comisión Municipal de la clasificación de personal establecida por la Comisión del Servicio Civil, de todos los demás oficiales y empleados dentro de la cantidad total que contiene la Ordenanza de Asignaciones Anuales para el servicio personal en cada uno de los varios departamentos del Gobierno Municipal. El Concejo deberá establecer por ordenanza, antes del principio de cada año fiscal, una lista de compensación para oficiales y empleados del Servicio Clasificado, la cual deberá establecer un mínimo y un máximo para cada y proveer compensación uniforme por servicios semejantes. Sin embargo, el Concejo puede celebrar contrato con cualquier organización laboral legítima para establecer una lista de compensación para dos años fiscales consecutivos, disponiéndose que el primer año de cualquier contrato tal sea un año civil de número par, y disponiéndose además que el Concejo deberá incorporar dicha lista de compensación en la ordenanza de sueldos anual indicada.

Si durante cualquier año fiscal el Concejo falta y determina que, a causa de un cambio significativo en el costo de la vida, los sueldos y salarios fijados para dicho año no son comparables con el nivel de otros sueldos y salarios de otras ocupaciones públicas o privadas por servicios semejantes y que como resultado se están desamparando o perjudicando los intereses de la Ciudad, dicho Cuerpo Legislativo, a la recomendación del Administrador u otro jefe de departamento, y si están disponibles fondos para ello, podrá modificar dichas listas de sueldos y salarios hasta el grado necesario para proteger los intereses de la Ciudad.

Sección 130. RECOMENDACIONES SOBRE SUELDOS.
 Será el deber de la Comisión del Servicio Civil el preparar y presentar al Concejo anualmente un informe que identifique las clasificaciones de empleados del Servicio Clasificado que merecen consideración salarial especial debido a problemas de reclutamiento o retención, cambios en deberes o responsabilidades, u otros factores especiales que la Comisión juzgue ser apropiados. Un aumento de compensación, dentro de los límites estipulados para el grado, podrá ser otorgado en cualquier momento por el Administrador Municipal u otra autoridad nomencladora, con base en la eficiencia demostrada y la antigüedad, previa aprobación de la Comisión del Servicio Civil para ello.

PROPOSICION

Notifica al Gobernador y a la Legislatura del Estado de California de la voluntad del pueblo de la Ciudad de San Diego de que se promulgue una ley para la redistribución de los existentes impuestos sobre ventas y uso, según sigue:

Deberá avisarse al Gobernador y a la Legislatura del Estado de California lo siguiente:
 Es la voluntad del Pueblo de la Ciudad de San Diego que el Gobernador y la Legislatura distribuyan el existente impuesto estatal sobre ventas y uso, de seis centavos, de manera que dos centavos, en lugar de un centavo actual, se destinen para el uso de ciudades y condados para servicios locales de prioridad en vez del uso del estado para servicios estatales o para el superávit estatal.

Está entendido que si el Gobernador y la Legislatura efectúan dicha redistribución, cualesquier fondos provenientes de la misma que causaren que la ciudad excediera de un límite de egresos establecido por un voto del pueblo de la Ciudad de San Diego o del Estado de California deberán, de acuerdo con las disposiciones de la Sección 77 de la Carta Municipal, ser devueltos al pueblo o expendirse para mejoras capitales. Además, es la voluntad del pueblo que el Gobernador y la Legislatura promulguen dicha redistribución a más tardar para el día primero de mayo de 1980, para evitar la innecesaria aprobación por votación del pueblo por medio del proceso iniciativo para remediar el incumplimiento legislativo.

Sección 2. Las proposiciones deberán presentarse e imprimirse en la balota y someterse a los electores en la manera y forma expuestas en la Sección 4 de la presente ordenanza.

Sección 3. Los lugares de votación para esta elección municipal especial deberán abrirse a las 7 a.m. (hora local) del día 18 de septiembre de 1979, y permanecer abiertos continuamente hasta las 8 p.m. (hora local) del mismo día, hora a la cual deberán cerrarse los lugares de votación, excepto por lo que se dispone en la Sección 143a del Código Electoral del Estado de California.

Sección 4. Puesto que esta elección está siendo consolidada con la elección primaria municipal, y puesto que por medio de esto se le autoriza al Secretario Municipal de La Ciudad de San Diego para escrutin los resultados de esta elección, y puesto que está autorizada sólo una forma de la balota, el método de votar sobre estas proposiciones deberá ser según lo dispuesto en el Código Electoral del Estado de California; y en las balotas para usarse en esta elección municipal especial, además de cualesquier otros asuntos que requiera la ley, se imprimirá sustancialmente lo siguiente:

PROPOSICION ¿Deberá la Ciudad celebrar un convenio con el Departamento de la Marina de Guerra de los Estados Unidos para devolver a la Ciudad todo derecho, título, y participación en todos los terrenos dentro del Parque Balboa ocupados en la actualidad por el Hospital Naval, a cambio de un derecho de arrendamiento por cincuenta (50) años, con opción de extensión por veinticinco (25) años, de una porción de terreno igual dentro del parque, que incluirá aproximadamente el área de propiedad poco desarrollada que está situada en el área del Parque Balboa llamada Cañon Florida, y que queda al norte y al este del actual Hospital Naval, para el propósito de construir un nuevo Hospital Naval?	SI	
	NO	

PROPOSICION, RATIFICACION DE LA ORDENANZA NO. 12885 (SERIE NUEVA). ¿Deberá ratificarse la Ordenanza No. 12885 (Serie Nueva) que lleva el título "UNA ORDENANZA PARA AUTORIZAR EL ARRENDAMIENTO O LA VENTA DE CIERTAS PORCIONES DE LOS LOTES PUEBLO 1316, 1317, 1318, 1321, 1351, 1353, Y 1355 DE LAS TIERRAS PUEBLO DE SAN DIEGO, DISPONIENDOSE QUE TODO INGRESO DE DICHO ARRENDAMIENTOS O VENTAS SE UTILICE PARA FINANCIAR SUBESTACIONES DE POLICIA Y OTRAS MEJORAS PERMANENTES PARA FINES POLICIACOS" y que ya fue adoptada por este Concejo de la Ciudad de San Diego?	SI	
	NO	

PROPOSICION, ENMIENDAS A LA CARTA DE LA CIUDAD DE SAN DIEGO, ENMIENDA LAS SECCIONES 70 Y 130 DE LA CARTA DE LA CIUDAD DE SAN DIEGO. ¿Deberá enmendarse la carta de la Ciudad de San Diego para permitir al Concejo Municipal celebrar convenios con cualquier organización laboral legítima para establecer una lista de compensación para dos años fiscales consecutivos, disponiéndose que el primer año civil de número par, y disponiéndose además que el Concejo deberá incorporar dicha lista en la ordenanza de salarios anual indicada?	SI	
	NO	

Page 2 of 3

PROPOSICIÓN QUE TIENE AL TÍTULO PRIMERO Y A LA LEGISLATURA DEL ESTADO DE CALIFORNIA DE LA VOLUNTAD DEL PUEBLO DE LA CIUDAD DE SAN DIEGO DE QUE SE PROMUEVA UNA REDISTRIBUCIÓN DE LOS EXISTENTES IMPUESTOS SOBRE VENTAS Y USO.

Deberá enviarse al Gobernador y a la Legislatura del Estado de California de lo siguiente:

Es la voluntad del Pueblo de la Ciudad de San Diego que el Gobernador y la Legislatura distribuyan el existente impuesto estatal sobre ventas y uso, de seis centavos, de manera que dos centavos, en lugar del en centavo actual, se destinen para el uso de ciudades y condados para servicios locales de prioridad en vez del uso del estado para servicios estatales o para el superávit estatal.

Está entendido que si el Gobernador y la Legislatura efectúan dicha redistribución, cualquiera fondo proveniente de la misma que existiera que la Ciudad excediera de un límite de gastos establecido por un voto del pueblo de la Ciudad de San Diego o del Estado de California deberán, de acuerdo con las disposiciones de la Sección 77 de la Carta Municipal, ser devueltos al pueblo o asignados para fines especiales.

Además, es la voluntad del pueblo que el Gobernador y la Legislatura promuevan dicha redistribución para el día primero de mayo de 1979 para que la misma sea efectuada por votación del pueblo por medio del proceso iniciativo para remediar el incumplimiento legislativo.

	SI
	NO

Sección 5. La única marca colocada en el cuadro de una encuesta de la papeleta "SI" deberá contarse como a favor de la adopción de la proposición. La única marca colocada en el cuadro de voto después de la papeleta "NO" de la manera aquí ya establecida, deberá contarse como en contra de la adopción de la proposición.

Sección 6. Se ordena por medio de la presente que la elección municipal especial convocada para el 15 de septiembre de 1979 en la Ciudad de San Diego sea consolidada con la elección primaria municipal para efectuarse en la misma fecha. Desde de la Ciudad de San Diego los distritos electorales, los lugares de votación, y los distritos electorales para la elección municipal especial serán los mismos que se prevén para la elección primaria municipal.

Sección 7. Por medio de la presente se le autoriza al Secretario Municipal de la Ciudad de San Diego para que efectúe los resultados de la elección municipal especial, y estas elecciones deberán efectuarse en todas las particularidades como si hubiera una sola elección. Dentro de la Ciudad se empleará sólo una forma de balota. El Secretario Municipal deberá certificar el resultado del escrutinio en las cifras de esta elección municipal especial ante el Consejo de la Ciudad de San Diego, el cual luego deberá declarar los resultados de la elección.

Sección 8. Las proposiciones sometidas por medio de esta ordenanza deberán designarse en la balota por una letra impresa en el margen izquierdo del cuadro que contiene la descripción de la proposición, según dispone la Sección 10219 del Código Electoral del Estado de California.

Sección 9. Excepto por lo que se disponga de otra manera en la presente ordenanza, la elección municipal especial deberá celebrarse según dispone la ley para otras elecciones municipales de esta Ciudad.

Sección 10. El Secretario Municipal deberá hacer que se publiquen esta ordenanza una vez en el periódico oficial. No habrá que hacer ninguna notificación adicional de la elección.

Sección 11. De acuerdo con la Sección 17 de la Carta, la presente ordenanza, que se relaciona con elecciones, entrará en vigor el día 28 de junio de 1979, siendo éste el día de su introducción y aprobación.

Aprobada y adoptada por el Concejo Municipal de la Ciudad de San Diego el día 28 de junio de 1979, por la siguiente votación:

VOTOS AFIRMATIVOS: Mitchell, O'Connor, Gade, Sterling, Jones, Watson.
 VOTOS NEGATIVOS: Ninguno.
 ABSENTES: Lacey, Williams, Schmeibel.
 AUTENTICADA POR: PETE WILSON,
 Alcalde de la Ciudad de San Diego, California.
 CHARLES E. ABDELNOUR,
 Secretario Municipal de la Ciudad
 de San Diego, California.
 Por BETTY GOLDBERG, Asistente

Yo, el Secretario Municipal, certifico que la anterior ordenanza fue aprobada en el día de su presentación, a saber, el día 28 de junio de 1979, siendo dicha ordenanza de la clase y carácter autorizadas por la Sección 16 de la Carta Municipal para ser aprobada en el momento de su presentación.

Yo, el Secretario Municipal, certifico que la anterior ordenanza fue aprobada en el día de su presentación, a saber, el día 28 de junio de 1979, siendo dicha ordenanza de la clase y carácter autorizadas por la Sección 16 de la Carta Municipal para ser aprobada en el momento de su presentación.

page 3 of 3

~~ATTORNEY~~

City of San Diego
10th floor, City Admin. Bldg.
111 G St.
San Diego, CA 92101

Attn: Kathy Meacham

1979-1-11-14
SANTONOCITO 8

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

REALLOCATION OF EXISTING SALES AND USE TAXES.

**ORDINANCE NO. 12686
(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 18, 1979, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION RELATING TO THE CITY ENTERING INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE NAVY IN CONNECTION WITH LAND WITHIN BALBOA PARK BEING USED FOR NAVAL HOSPITAL FACILITIES, ONE PROPOSITION RELATING TO THE LEASE OR SALE OF CERTAIN PUEBLO LANDS, ONE PROPOSITION TO AMEND SECTIONS 70 and 130 OF THE CHARTER OF THE CITY OF SAN DIEGO AND ONE PROPOSITION ADVISING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA OF THE WILL OF THE PEOPLE OF THE CITY OF SAN DIEGO TO HAVE ENACTED INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.

WHEREAS, at a meeting held on June 20, 1979 the City Council of The City of San Diego called a municipal primary election in the City, in the San Diego Unified School District and in the San Diego Community College District to be held on September 18, 1979; 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, 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 September 18, 1979 and pursuant to the provisions of Section 219 dealing with the ratification of the sale and conveyance of Pueblo Lands and 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 dealing with Charter amendments, 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:

PROPOSITION

Shall the City enter into an agreement with the United States Department of the Navy to return to the City, all right, title and interest in all land within Balboa Park presently used for Naval Hospital facilities in exchange for a leasehold interest of fifty (50) years, with a twenty-five (25) year option to renew, in an equal amount of land in the park, including approximately 40 acres of generally undeveloped Balboa Park property located in the Florida Canyon area, north and east of the present Naval Hospital facilities, for the purpose of developing new Naval Hospital facilities?

Reaffirmation of Ordinance No. 12685 (New Series) authorizing the lease or sale of certain Pueblo Lands, as follows:

I, Paula J. Santonocito, a citizen of the United States and a resident of the County aforesaid, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California under the date of January 23, 1969, Decree No. 14894; and to:

ORDINANCE NO. 12686
NEW SERIES

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

July 25, 1979

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

Dated at San Diego, California this 30th day of July, 1979.

Paula Santonocito

(Signature)

356.41
over

**ORDINANCE NO. 12685
(New Series)**

AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES.

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

Section 1. The City of San Diego be and it is hereby authorized and empowered to lease or sell all or any portion of the remaining unratified portions of Pueblo Lots 1316, 1317, 1318, 1321, 1351, 1353 and 1355 consisting of a total area of approximately 499 acres more or less. The aforementioned Pueblo Lots are located generally in the area of Interstate 805 in the University City area southerly of Sorrento Valley Boulevard, as more particularly shown on that plat on file in the office of the City Clerk as Document No. 788876.

Section 2. All leases or sales of the above described Pueblo Lots shall be made for the general purpose of accommodating scientific research activities, corporate headquarters, high technological-like manufacturing activities and related or similar uses.

Section 3. All proceeds from lease or sales of the above described Pueblo Lots shall be placed into a Capital Outlay Fund to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes.

Section 4. This ordinance requires ratification by the voters and being related to elections is of the kind and character authorized for passage on its introduction by Sections 18 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on the 18th day of September 1978, at which a proposition to ratify this ordinance shall be submitted.

PROPOSITION

Amend Section 70 of Article VII and Section 130 of Article VIII of the Charter of The City of San Diego to read as follows:

Section 70. POWER TO FIX SALARIES.

The Council shall have the power to fix salaries of the City Manager, the City Clerk, the City Treasurer, the City Auditor and Comptroller, and all other officers under its jurisdiction. All members of Commissions shall serve without compensation except where otherwise provided by State law or this Charter. Except as otherwise provided by law, the City Manager and other departmental heads outside of the departments under control of the City Manager shall have power to recommend salaries and wages subject to the personnel classification determined by the Civil Service Commission, of all other officers and employees within the total amount contained in the Annual Appropriation Ordinance for personal service in each of the several departments of the City Government. The Council shall by ordinance, prior to the beginning of each fiscal year, establish a schedule of compensation for officers and employees in the Classified Service, which shall establish a minimum and maximum for any grade and provide uniform compensation for like service. The Council may, however, enter into an agreement with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of compensation in the appropriate annual salary ordinance.

If during any fiscal year, the Council should find and determine that because of a significant change in living costs, the salaries and wages fixed for such fiscal year are not comparable to the level of other salaries and wages of other public or private employments for comparable services and, as a result, the best interests of the City are not being protected or are in jeopardy, said Legislative Body, upon recommendation of the Manager or other department head, and if funds are available, may revise such salary and wage schedules to the extent necessary to protect the City's interests.

Section 130. SALARY RECOMMENDATIONS.

It shall be the duty of the Civil Service Commission to prepare and furnish to the Council annually a report identifying classifications of employees in the Classified Service which merit special salary consideration because of recruitment or retention problems, changes in duties or responsibilities, or other special factors the Commission deems appropriate. An increase in compensation, within the limits provided for any grade, may be granted at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority record, after having first received the approval of the Civil Service Commission therefor.

PROPOSITION

Advising the Governor and the Legislature of the State of California of the will of the people of the City of San Diego to have enacted into law a reallocation of existing sales and use taxes, as follows:

Should the Governor and Legislature of the State of California be advised that:

It is the will of the people of the City of San Diego that the Governor and the Legislature apportion the existing six cents state sales and use tax so that two cents rather than the present one cent be allocated to be used by cities and counties for priority local services rather than by the state for state services or to the state surplus.

It is understood that if the Governor and Legislature so act, any funds resulting therefrom which would cause the city to exceed a spending limit imposed by a vote of the people of the City of San Diego or the State of California shall, in accordance with the provisions of Section 77 of the City Charter, be returned to the people or expended for capital improvements.

Further, it is the will of the people that the Governor and Legislature enact such allocation into law by no later than the first of May 1980, to avoid the unnecessary enactment by the people through the initiative process to cure legislative default.

Section 2. The 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 September 18, 1978, and 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 14438 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the municipal primary election, and since the City Clerk of The City 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 any other matters required by law, there shall be printed substantially the following:

<p>PROPOSITION. Shall the City enter into an agreement with the United States Department of the Navy to return to the City, all right, title and interest in all land within Balboa Park presently used for Naval Hospital facilities in exchange for a leasehold interest of fifty (50) years, with a twenty-five (25) year option to renew, in an equal amount of land in the park, including approximately 40 acres of generally undeveloped Balboa Park property located in the Florida Canyon area, north and east of the present Naval Hospital facilities, for the purpose of developing new Naval Hospital facilities?</p>	YES	
	NO	

<p>PROPOSITION. RATIFICATION OF ORDINANCE NO. 12685 (NEW SERIES). Shall Ordinance No. (New Series) entitled "AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES" adopted by this Council of The City of San Diego be ratified?</p>	YES	
	NO	

<p>PROPOSITION. CITY OF SAN DIEGO CHARTER AMENDMENTS. AMEND SECTIONS 70 AND 130 OF THE CHARTER OF THE CITY OF SAN DIEGO. Shall the Charter of The City of San Diego be amended to permit the City Council to enter into an agreement with any recognized employee organization which provides for a schedule of compensation for two consecutive fiscal years, provided that the first year of any such agreement shall be an even numbered calendar year and further, provided that the Council shall incorporate the agreed upon schedule of compensation in the appropriate annual salary ordinance?</p>	YES	
	NO	

<p>PROPOSITION ADVISING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF CALIFORNIA OF THE WILL OF THE PEOPLE OF THE CITY OF SAN DIEGO TO HAVE ENACTED INTO LAW A REALLOCATION OF EXISTING SALES AND USE TAXES.</p> <p>Should the Governor and Legislature of the State of California be advised that:</p> <p>It is the will of the people of the City of San Diego that the Governor and the Legislature apportion the existing six cents state sales and use tax so that two cents rather than the present one cent be allocated to be used by cities and counties for priority local services rather than by the state for state services or for the state surplus;</p> <p>It is understood that if the Governor and Legislature do not act, any funds resulting therefrom which would have been used by the City of San Diego or the State of California shall, in accordance with the provisions of Section 77 of the City Charter, be returned to the people or expended for capital improvements.</p> <p>Further, it is the will of the people that the Governor and Legislature enact such allocation into law by no later than the first of May, 1978, to avoid the unnecessary enactment by the people through the initiative process to cure legislative default.</p>	<p>YES</p>
<p>NO</p>	<p>NO</p>

Section 5. An appropriate mark placed in the voting square after the word "YES" shall be counted in favor of the adoption of the proposition. An appropriate mark placed in the voting square after the word "NO" in the manner hereinafter provided shall be counted against the adoption of the proposition.

Section 6. The special municipal election called for September 14, 1978, in the City of San Diego is hereby ordered to be held on the same date as the municipal primary election to be held on the same date. The precincts, polling places and officers of the election for the special municipal election shall be the same as those provided for in the municipal primary election.

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 propositions submitted by this ordinance shall be designated on the ballot by a letter printed on the left margin of the ballot denoting the designation of the measure as provided in Section 100 of the California 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. No other notice of the election need be given.

Section 11. Pursuant to Section 17 of the Charter, this ordinance relating to elections shall take effect on JUNE 28, 1978, being the day of its introduction and passage.

Passed and adopted by the Council of The City of San Diego on June 28, 1978, by the following vote:

YEAS: Mitchell, O'Connor, Gade, Spring, Kites, Wilson.
 NAY: None.
 ABSENT: Lavery, Williams, Schnaubelt.
 AUTHENTICATED BY: PETER WILSON,
 Mayor of the City of San Diego, California.
 CHARLES G. ASHLENDORF,
 City Clerk of the City of San Diego, California.
 By BETTY GOLDBERG, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on June 28, 1978, 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.

CHARLES G. ASHLENDORF,
 City Clerk of the City of San Diego, California.
 By BETTY GOLDBERG, Deputy.