

RESOLUTION NO. R-252119

JUN 23 1980

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING THE RESULTS OF THE CANVASS OF THE SPECIAL MUNICIPAL ELECTION HELD ON JUNE 3, 1980, ON ONE PROPOSITION RELATING TO AN INITIATIVE MEASURE AMENDING SECTION 129.1 OF THE CHARTER OF THE CITY OF SAN DIEGO, THREE PROPOSITIONS RELATING TO AMENDING SECTIONS 10, 12, 23, 92 AND 129 OF THE CHARTER OF THE CITY OF SAN DIEGO AND ONE PROPOSITION RATIFYING AN ORDINANCE AUTHORIZING REMOVAL FROM CEMETERY DEDICATION OF 57 ACRES OF THAT PART OF MOUNT HOPE CEMETERY WHICH IS UNDEVELOPED AND IS NOT NEEDED FOR CEMETERY PURPOSES AND IS NORTH OF MARKET STREET.

WHEREAS, this Council by Ordinance No. 15216 (New Series) and Ordinance No. 15217 (New Series), adopted March 10, 1980, and readopted on April 7, 1980, called a special municipal election to be held in the City on June 3, 1980; and

WHEREAS, this special municipal election was duly consolidated with the statewide general election held upon the same date; and

WHEREAS, the special municipal election was held on June 3, 1980, for the purpose of proposing and submitting to the qualified electors of the City one proposition relating to an initiative measure amending Section 129.1 of the Charter of The City of San Diego, three propositions relating to amending Sections 10, 12, 23, 92 and 129 of the Charter of The City of San Diego and one proposition ratifying an ordinance authorizing the removal from cemetery dedication of 57 acres of that part of Mount Hope Cemetery which is undeveloped and is not needed for cemetery purpose and is north of Market Street, as follows:

01661

PROPOSITION A:

SAN DIEGO CHARTER AMENDMENT.  
ADDS SECTION 11.1 TO THE CHARTER  
OF THE CITY OF SAN DIEGO.

Imposes upon City Council same prohibition against delegating legislative power or responsibility as State Constitution imposes on the State Legislature regarding raising and spending public monies.

Establishes guidelines for Council consideration in setting employee compensation.

Requires City Council to give priority to police protection in setting compensation of City employees.

PROPOSITION B:

INITIATIVE MEASURE AMENDING SECTION  
129.1 OF THE CHARTER OF THE CITY OF  
SAN DIEGO.

Establishes impasse resolution procedures to resolve disputes between the City and the recognized employee organization for Police Officers by providing for the submission to a three-member Board of Arbiters of all unresolved disputes or controversies pertaining to matters within the scope of representation.

Provides for both sides selecting one member of the Board of Arbiters and those two members selecting the third member who becomes the Chairperson. Establishes a procedure for the selection of the third member absent agreement.

For each issue submitted, the Board of Arbiters shall select either the final position of the City or the Police organization and each such selection by the Board shall be final and binding upon the parties.

Provides that expenses of any Board proceeding shall be borne equally by the parties.

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PROPOSITION C:

CITY OF SAN DIEGO CHARTER AMENDMENTS.  
AMENDS SECTIONS 10, 12 AND 23 OF THE  
CHARTER OF THE CITY OF SAN DIEGO.

Establishes that Council members shall be nominated and elected by district rather than nominated by district and elected citywide.

PROPOSITION D:

CITY OF SAN DIEGO CHARTER AMENDMENT.  
AMENDS SECTION 92 OF THE CHARTER OF THE  
CITY OF SAN DIEGO.

Authorizes the City Council to establish the rate of interest within the legal limit that tax anticipation notes may bear and removes present five percent per annum limitation.

PROPOSITION E:

CITY OF SAN DIEGO CHARTER AMENDMENT.  
AMENDS SECTION 129 OF THE CHARTER OF  
THE CITY OF SAN DIEGO.

Clarifies existing language to expressly provide that upon attaining permanent status, officers and employees in the Classified Service may be removed only for cause and that prior to attaining permanent status, officers and employees in the Classified Service may be removed under those conditions and in the manner specified by the Civil Service Commission.

PROPOSITION F:

RATIFICATION OF ORDINANCE NO. 0-51215  
(NEW SERIES).

Shall Ordinance No. \_\_\_\_\_ (New Series) entitled, "AN ORDINANCE AUTHORIZING THE REMOVAL FROM CEMETERY DEDICATION OF FIFTY-SEVEN (57) ACRES OF THAT PART OF MOUNT HOPE CEMETERY WHICH IS UNDEVELOPED AND IS NOT NEEDED FOR CEMETERY PURPOSES AND IS NORTH OF MARKET STREET, SO THAT SAID PROPERTY MAY BE UTILIZED THROUGH LEASE OR SALE FOR PURPOSES WHICH ARE CONSISTENT WITH THE COMMUNITY PLAN FOR SAID AREA, OR FOR NAVAL HOSPITAL PURPOSES, IF FOR ANY REASON THE BALBOA PARK NAVAL HOSPITAL IS NOT REBUILT IN BALBOA PARK," adopted by this Council of The City of San Diego be ratified?

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

WHEREAS, a canvass of the special municipal election has been completed and the City Clerk has certified the results to the City Council; NOW, THEREFORE,

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

1. The total number of votes cast in the City, including absentee votes, is 253,905.

2. The number of votes, including absentee votes, cast for and against each of the six propositions lettered A, B, C, D, E and F and the total number of votes cast upon each proposition, including absentee votes, are as follows:

PROPOSITION A:

For	135,096
Against	<u>90,720</u>
Total	225,816

PROPOSITION B:

For	104,980
Against	<u>122,306</u>
Total	227,286

PROPOSITION C:

For	112,009
Against	<u>113,109</u>
Total	225,118

PROPOSITION D:

For	146,511
Against	<u>69,212</u>
Total	215,723

PROPOSITION E:

For	121,872
Against	<u>91,035</u>
Total	212,907

PROPOSITION F:

For	150,684 (68.7%)
Against	<u>68,623</u> (31.3%)
Total	219,307

3. Propositions A, D and E received the affirmative vote of a majority of the qualified voters voting on said propositions and are hereby declared to have been approved. Propositions B and C did not receive the affirmative vote of a majority of the qualified voters voting on said propositions and are hereby declared to have failed. Proposition F received a two-thirds vote of the qualified voters voting on said proposition and is hereby declared to have been approved and ratified.

4. The number of votes cast, including absentee votes, is recorded in the Election Returns Book, which book is a part of the records of this Council.

5. The City Clerk shall make public the results of the canvass of the special municipal election by publication of a copy of this resolution.

APPROVED: JOHN W. WITT, City Attorney

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

SHS:rc:930.42  
6/20/80  
Or. Dept.: Clerk

Passed and adopted by the Council of The City of San Diego on JUN 23 1980,  
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"/>
Bill Cleator	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-252119 Adopted JUN 23 1980

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK  
1980 JUL 14 AM 10:26  
SAN DIEGO, CALIF.

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

IN THE MATTER OF  
RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
DECLARING THE RESULTS OF THE CANVASS OF THE SPECIAL  
MUNICIPAL ELECTION HELD ON JUNE 3, 1980, ON ONE PROPOSITION ETC.

NO.

Camille Simpson

I, \_\_\_\_\_, am 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, 1909, Decree No. 14894; and the

RESOLUTION NO. R-252119

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 7, 1980

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

Dated at San Diego, California this 7th day of July, 1980.

*Camille Simpson*  
\_\_\_\_\_  
(Signature)

01668



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WHEREAS, this Council by Ordinance No. 15216 (New Series) and Ordinance No. 15217 (New Series), adopted March 10, 1980, and re-adopted on April 7, 1980, called a special municipal election to be held in the City on June 3, 1980, and

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**PROPOSITION A:**

**SAN DIEGO CHARTER AMENDMENT. ADDS SECTION 11.1 TO THE CHARTER OF THE CITY OF SAN DIEGO.**  
 Imposes upon City Council same prohibition against delegating legislative power or responsibility as State Constitution imposes on the State Legislature regarding raising and spending public monies.  
 Establishes guidelines for Council consideration in setting employee compensation.  
 Requires City Council to give priority to police protection in setting compensation of City employees.

**PROPOSITION B**

**INITIATIVE MEASURE AMENDING SECTION 129.1 OF THE CHARTER OF THE CITY OF SAN DIEGO.**  
 Establishes impasse resolution procedures to resolve disputes between the City and the recognized employee organization for Police Officers by providing for the submission to a three-member Board of Arbiters of all unresolved disputes or controversies pertaining to matters within the scope of representation.  
 Provides for both sides selecting one member of the Board Arbiters and those two members selecting the third member to become the Chairperson. Establishes a procedure for the action of the third member absent agreement.  
 For each issue submitted, the Board of Arbiters shall select as the final position of the City or the Police organization and such selection by the Board shall be final and binding upon both parties.  
 Provides that expenses of any Board proceeding shall be equally by the parties.

**PROPOSITION C:**

**SAN DIEGO CHARTER AMENDMENTS. AMENDS SECTIONS 12 AND 23 OF THE CHARTER OF THE CITY OF SAN DIEGO.**  
 Provides that Council members shall be nominated and elected rather than nominated by district and elected.

**CHARTER AMENDMENT. AMENDS SECTION 12 OF THE CHARTER OF THE CITY OF SAN DIEGO.**  
 Requires City Council to establish the rate of interest on municipal bonds and that such rate shall not exceed the maximum rate of interest set by the State Constitution and the Federal Reserve Board's 12 percent per annum limitation.

**CHARTER AMENDMENT. AMENDS SECTION 12 OF THE CHARTER OF THE CITY OF SAN DIEGO.**  
 Expressly provide that upon termination of employment of officers and employees in the Police Department and only for cause and that prior to termination of officers and employees in the Police Department under those conditions and terms set forth in the Service Commission.

**PROPOSITION F:**

**RATIFICATION OF ORDINANCE NO. O-15215 (NEW SERIES).**  
 Shall Ordinance No. 15215 (New Series) entitled, "AN ORDINANCE AUTHORIZING THE REMOVAL FROM CEMETERY DEDICATION OF FIFTY-SEVEN (57) ACRES OF THAT PART OF MOUNT HOPE CEMETERY WHICH IS UNDEVELOPED AND IS NOT NEEDED FOR CEMETERY PURPOSES AND IS NORTH OF MARKET STREET, SO THAT SAID PROPERTY MAY BE UTILIZED THROUGH LEASE OR SALE FOR PURPOSES WHICH ARE CONSISTENT WITH THE COMMUNITY PLAN FOR SAID AREA, OR FOR NAVAL HOSPITAL PURPOSES, IF FOR ANY REASON THE BALBOA PARK NAVAL HOSPITAL IS NOT REBUILT IN BALBOA PARK," adopted by this Council of The City of San Diego be ratified?

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2. The number of votes, including absentee votes, cast for and against each of the six propositions lettered A, B, C, D, E and F and the total number of votes cast upon each proposition, including absentee votes, are as follows:

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4. The number of votes cast, including absentee votes, is recorded in the Election Returns Book, which book is a part of the records of this Council.

5. The City Clerk shall make public the results of the canvass of the special municipal election by publication of a copy of this resolution.

Passed and adopted by the Council of The City of San Diego on June 23, 1980, by the following vote:

YEAS: Mitchell, Cleator, Schnaubelt, Gotch, Killea.  
 NAYS: None.

NOT PRESENT: Lowery, Williams, Stirling, Wilson.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California

(SEAL)

By ELLEN BOYARD, Deputy.

Published July 7, 1980