

ORDINANCE NUMBER O- 16017 (New Series)

Adopted on AUG 1 1983

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 ON NOVEMBER 8, 1983, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION RELATING TO AN ADVISORY MEASURE IN CONNECTION WITH THE CITY ENTERING INTO AN AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT TO OPERATE AND MAINTAIN A NEW CONVENTION AND EXHIBITION CENTER ON PORT-OWNED LAND AT PORT EXPENSE, AND ONE PROPOSITION ADDING SECTION 76.1 TO THE CHARTER OF THE CITY OF SAN DIEGO, AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON NOVEMBER 8, 1983.

WHEREAS, the City Council will call a General Municipal Election in the City, in the San Diego Unified School District and in the San Diego Community College District to be held on November 8, 1983; NOW, THEREFORE,

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

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on November 8, 1983, 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 dealing with Charter amendments, and the provisions of Section 5353 of the California Elections 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:

PROPOSITION _____

ADVISORY VOTE ONLY

Shall the City enter into an agreement with the San Diego Unified Port District which provides that the Port shall build a convention and exhibition center on Port-owned land at Port expense using available Port District funds; and further provides that the City shall operate and maintain this center, provided that the cost to the City for operating and maintaining the center shall be paid only from revenues derived from operation of the center itself and, if necessary, from Transient Occupancy Tax revenues derived from occupancy of hotels within the Navy Field Complex?

PROPOSITION _____

Amend Article VII of the Charter of The City of San Diego to add Section 76.1 to read as follows:

SECTION 76.1. SPECIAL TAXES.

Notwithstanding any provision of this Charter to the contrary, a special tax, as authorized by Article XIII A of the California Constitution may be levied by the Council only if the proposed levy has been approved by a two-thirds

vote of the qualified electors of the City voting on the proposition; or if the special tax is to be levied upon less than the entire City, then the tax may be levied by the Council only if the proposed levy has been approved by a two-thirds vote of the qualified electors voting on the proposition in the area of the City in which the tax is to be levied.

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 November 8, 1983, 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 14301 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the General Municipal 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:

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|---|-----|--|
| <p>PROPOSITION _____. ADVISORY VOTE ONLY.</p> <p>Shall the City enter into an agreement with the San Diego Unified Port District which provides that the Port shall build a convention and exhibition center on Port-owned land at Port expense using available Port District funds; and further provides that the City shall operate and maintain this center, provided that the cost to the City for operating and maintaining the center shall be paid only from revenues derived from operation of the center itself and, if necessary, from Transient Occupancy Tax revenues derived from occupancy of hotels within the Navy Field Complex?</p> | YES | |
| | NO | |

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|---|-----|--|
| <p>PROPOSITION _____. CITY OF SAN DIEGO CHARTER AMENDMENT. ADDS SECTION 76.1.</p> <p>Amends the Charter relating to special taxes to conform to Article XIII(A) of the California Constitution by providing that a special tax may be levied by the City Council only if approved by a two-thirds vote of the qualified electors of the City or if the special tax is to be levied upon less than the entire City only if approved by a two-thirds vote of the qualified electors in the area of the City in which the tax is to be levied.</p> | YES | |
| | NO | |

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 November 8, 1983 in the City of San Diego is hereby ordered consolidated with the General Municipal 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 General Municipal Election.

Section 7. 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 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 August 1, 1983, 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:930.52
7/29/83 REV.8/1/83
Or.Dept:Clerk
O-84-13 REV.
Form=o.cals

Passed and adopted by the Council of The City of San Diego on AUG 1 1983,
 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"/> |
| Gloria McColl | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| William Jones | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ed Struikma | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Dick Murphy | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Uvaldo Martinez | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mayor Roger Hedgecock | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

ROGER HEDGECOCK
 Mayor of The City of San Diego, California.

(Seal)

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

By Jane A. Blackwell, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on
AUG 1 1983, 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.

(Seal)

By Jane A. Blackwell, Deputy.

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| Office of the City Clerk, San Diego, California | |
| Ordinance Number <u>0-16017</u> | Adopted <u>AUG 1 1983</u> |