

(R-87-1095)

RESOLUTION NUMBER R- 267151

ADOPTED ON DEC 08 1986

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING THE RESULTS OF THE CANVASS OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO ON NOVEMBER 4, 1986.

WHEREAS, a Special Municipal Election was held in the City of San Diego on Tuesday, November 4, 1986 pursuant to the provisions of Ordinance No. O-16692 (New Series), adopted July 29, 1986, which Special Municipal Election was consolidated with the Statewide General Election for the purpose of submitting to the qualified voters of the City of San Diego three (3) propositions, one proposition amending the Charter of the City of San Diego by adding Charter Section 2.1; one proposition adopting an ordinance amending People's Ordinance No. O-7691 (Old Series) and Chapter VI, Article 6 of the San Diego Municipal Code relating to the collection and disposal of City refuse, and one proposition amending the Progress Guide and General Plan for the City of San Diego to redesignate certain parcels of land from "Future Urbanizing" to "Planned Urbanizing" as follows:

PROPOSITION B

PROPOSITION B. AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SECTION 2.1.

Neither the City Council nor any officer or employee of the City shall take any action, or permit any action to be taken, which directly or indirectly authorizes or permits the construction, operation or maintenance of any pipeline within the City for the transmission of any crude oil or natural gas taken or removed from any offshore crude oil or natural gas drilling or pumping operations within 100 nautical miles of the coastline of the County of San Diego; nor shall the City Council or any officer or employee of the City take any action, or permit any action to be taken, which directly or indirectly authorizes or permits the construction, operation or maintenance of any commercial or industrial facility within the City, including but not necessarily limited to crude oil or natural gas storage facilities, which operates directly or indirectly in support of any offshore crude oil or natural gas drilling or pumping operations within 100 nautical miles of the coastline of the County of San Diego.

Y E S

N O

PROPOSITION C

PROPOSITION C. AMENDS PEOPLE'S  
ORDINANCE NO. 7691.

Shall People's Ordinance No. 7691 relating to City Refuse as adopted in 1919 be amended to:

Define "refuse," "residential refuse," "nonresidential refuse," "residential facility," "nontransient occupancy" and "small business enterprise;"

Authorize the City Council to regulate by ordinance the collection, transportation and disposal of refuse so that residential refuse shall be collected, transported and disposed of by the City at least once each week with no City fee imposed for same by City Forces;

Provide that the City shall not collect nonresidential refuse except that, if authorized by the City Council, nonresidential refuse from a small business enterprise may be collected, limited to once a week service in an amount no greater than one hundred fifty percent (150%) of the refuse generated by an average City residential dwelling unit and there shall be no City fee imposed for the same by City Forces; nor enter upon private property to collect refuse absent a case of public emergency or pursuant to an agreement in effect as of this ordinance;

Provide that fees established by ordinance of the City Council for disposal of nonresidential refuse shall not exceed the full ascertainable cost to the City for such disposal; and

Provide that pursuant to ordinance the City Manager may promulgate rules and regulations to provide for the collection, transportation and disposal of refuse?

Y E S

N O

PROPOSITION D

<p>PROPOSITION D. AMENDMENT OF PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO.</p>	<p>Y E S</p>	
<p>Shall the Progress Guide and General Plan be amended to shift 178 acres of land (consisting of 166 acres owned by The City of San Diego and 12 acres privately owned) from the "future urbanizing" designation to the "planned urbanizing" designation so that the 166 acres may be traded by the City to Genstar Development, Inc. for 291 acres of land presently owned by Genstar plus payment by Genstar to City of approximately \$1,000,000?</p>	<p>N O</p>	

; and

WHEREAS, a copy of the certificate of the Registrar of Voters of San Diego County canvassing the returns of the special municipal election, as certified to the City Clerk, has been duly received; and

WHEREAS, a canvass of these elections 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:

I

The whole number of votes cast in the City was 279,963.

II

The number of votes cast in the City for and against each of the three propositions which appeared on the ballot as Propositions B, C and D and the total number of votes cast upon each such proposition are as follows:

PROPOSITION B

For	176,024
Against	54,144
TOTAL	230,168

Proposition B received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

PROPOSITION C

For	185,160
Against	38,825
TOTAL	223,985

Proposition C received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

Proposition D

For	163,782
Against	63,364
TOTAL	227,146

Proposition D received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

III

The number of votes in each precinct cast for and against each measure are recorded in the Election Returns Book, which book is a part of the records of this Council.

IV

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

APPROVED: John W. Witt, City Attorney

By Ted Bromfield  
Ted Bromfield  
Chief Deputy City Attorney

TB:js:930.59  
12/03/86  
Or.Dept:Clerk  
R-87-1095  
Form=r.decs

DEC 08 1986

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

Council Members	Yeas	Nays	Not Present	Ineligible	
Abbe Wolfsheimer	<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 Struiksma	<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"/>	
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

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

By: *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-267151** Adopted **DEC 08 1986**

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
 202 C STREET, 12TH FLOOR  
 SAN DIEGO, CA 92101

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 IN THE CITY  
 OF SAN DIEGO ON NOVEMEBER 4, 1986

NO.

**RESOLUTION NUMBER R-267151**

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
 DIEGO DECLARING THE RESULTS OF THE CANVASS OF  
 THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF  
 SAN DIEGO ON NOVEMBER 4, 1986:

WHEREAS, a Special Municipal Election was held in the City of  
 San Diego on Tuesday, November 4, 1986 pursuant to the provisions  
 of Ordinance No. O-16662 (New Series), adopted July 29, 1986, which  
 Special Municipal Election was consolidated with the Statewide  
 General Election for the purpose of submitting to the qualified voters  
 of the City of San Diego three (3) propositions, one proposition  
 amending the Charter of the City of San Diego by adding Charter  
 Section 2.1; one proposition adopting an ordinance amending Peo-  
 ple's Ordinance No. O-7091 (Old Series) and Chapter VI, Article 6 of  
 the San Diego Municipal Code relating to the collection and disposal  
 of City refuse, and one proposition amending the Progress Guide and  
 General Plan for the City of San Diego to redesignate certain parcels  
 of land from "Future Urbanizing" to "Planned Urbanizing" as follows:

**PROPOSITION B**

**PROPOSITION B. AMENDS THE CHARTER OF  
 THE CITY OF SAN DIEGO BY ADDING SECTION  
 2.1.**

Neither the City Council nor any officer or em-  
 ployee of the City shall take any action, or permit  
 any action to be taken, which directly or indirectly  
 authorizes or permits the construction, operation  
 or maintenance of any pipeline within the City for  
 the transmission of any crude oil or natural gas  
 taken or removed from any offshore crude oil or  
 natural gas drilling or pumping operations within  
 100 nautical miles of the coastline of the County  
 of San Diego; nor shall the City Council or any of-  
 ficer or employee of the City take any action, or  
 permit any action to be taken, which directly or  
 indirectly authorizes or permits the construction,  
 operation or maintenance of any commercial or  
 industrial facility within the City, including but not  
 necessarily limited to crude oil or natural gas  
 storage facilities, which operates directly or in-  
 directly in support of any offshore crude oil or  
 natural gas drilling or pumping operations within  
 100 nautical miles of the coastline of the County  
 of San Diego.

YES	
NO	

I, THOMAS D. KELLEHER, 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 NUMBER R-267151

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:

DECEMBER 22, 1986

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

Dated at San Diego, California this 22 day of DEC, 19 86.

Thomas D. Kelleher  
 (Signature)



**PROPOSITION C**

**PROPOSITION C. AMENDS PEOPLE'S ORDINANCE NO. 7891.**

Shall People's Ordinance No. 7891 relating to City Refuse as adopted in 1919 be amended to:  
 Define "refuse," "residential refuse," "nonresidential refuse," "residential facility", "nontransient occupancy" and "small business enterprise;"

Authorize the City Council to regulate by ordinance the collection, transportation and disposal of refuse so that residential refuse shall be collected, transported and disposed of by the City at least once each week with no City fee imposed for same by City Forces;

Provide that the City shall not collect nonresidential refuse except that, if authorized by the City Council, nonresidential refuse from a small business enterprise may be collected, limited to once a week service in an amount no greater than one hundred fifty percent (150%) of the refuse generated by an average City residential dwelling unit and there shall be no City fee imposed for the same by City Forces; nor enter upon private property to collect refuse absent a case of public emergency or pursuant to an agreement in effect as of this ordinance; Provide that fees established by ordinance of the City Council for disposal of nonresidential refuse shall not exceed the full ascertainable cost to the City for such disposal; and

Provide that pursuant to ordinance the City Manager may promulgate rules and regulations to provide for the collection, transportation and disposal of refuse?

YES

NO

**PROPOSITION D**

**PROPOSITION D. AMENDMENT OF PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO.**

Shall the Progress Guide and General Plan be amended to shift 178 acres of land (consisting of 166 acres owned by The City of San Diego and 12 acres privately owned) from the "future urbanizing" designation to the "planned urbanizing" designation so that the 166 acres may be traded by the City to Genstar Development, Inc. for 291 acres of land presently owned by Genstar plus payment by Genstar to City of approximately \$1,000,000?

YES

NO

and WHEREAS, a copy of the certificate of the Registrar of Voters of San Diego County canvassing the returns of the special municipal election, as certified to the City Clerk, has been duly received; and

WHEREAS, a canvass of these elections 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:

The whole number of votes cast in the City was 279,963.

The number of votes cast in the City for and against each of the three propositions which appeared on the ballot as Propositions B, C and D and the total number of votes cast upon each such propositions are as follows:

**PROPOSITION B**  
 For 178,024  
 Against 54,144  
 TOTAL 230,168

Proposition B received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

**PROPOSITION C**  
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 For 163,782  
 Against 63,364  
 TOTAL 227,146

Proposition D received the affirmative vote of a majority of the qualified voters voting on it and such proposition is hereby declared to have been approved.

The number of votes in each precinct cast for and against each measure are recorded in the Election Returns Book, which book is a part of the records of this Council.

The City Clerk shall make public the results of the canvass of the general municipal election by publication of a copy of this resolution. Passed and adopted by the Council of The City of San Diego on DEC 08 1988, by the following vote:

YEAS: Wolfshelmer, Cleator, McColl, Jones, Strulkama, Gotch, McCarty, Mayor O'Connor

NAYS: None.

NOT PRESENT: None.

VACANT: District 8

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL) By: MAYDELL L. PONTECORVO, Deputy

Pub. December 22 68311

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