

RESOLUTION NUMBER R- 279440  
ADOPTED ON FEB 24 1992

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO REQUESTING THE CONSOLIDATION OF A PRIMARY MUNICIPAL ELECTION AND A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SAN DIEGO ON JUNE 2, 1992, WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, Section 10 of the Charter of The City of San Diego provides that commencing with the year 1984 the elections to the offices of Mayor and City Attorney shall be held every four (4) years, and that the Municipal Primary Election for these offices shall be held on the same date in each election year as the California State Primary Election; and

WHEREAS, at a meeting on FEB 24 1992, the City Council adopted Ordinance No. O-17744 (N.S.) calling a Municipal Primary Election in The City of San Diego on Tuesday, June 2, 1992; and

WHEREAS, at a meeting on FEB 24 1992, the City Council adopted Ordinance No. O-17744 (N.S.) calling a Special Municipal Election to submit to the qualified voters of the City one proposition amending Sections 12, 24 and 40 of the City Charter establishing term limits for City Council members, Mayor and City Attorney; one proposition amending Section 12 of the City Charter pertaining to elections of Councilmembers in the event of vacancy in office; one proposition amending Sections 4 and 5 and adding Section 5.1 to the City Charter establishing a Redistricting Commission; one proposition adding Section 32.1 to the City Charter pertaining to the City Manager and non-managerial

officers' duty to report matters to the City Council; one proposition adding Section 225 to the City Charter requiring disclosure by persons doing business with the City; one proposition pertaining to ratification of a transfer of a portion of Mt. Soledad Natural Park to a private non-profit corporation; and one proposition (advisory vote only) pertaining to allocation of proceeds from San Diego County Regional Justice Agency one-half cent sales tax for police services; and

WHEREAS, it is desirable that this Municipal Primary Election and Special Municipal Election be consolidated with the Statewide Primary Election to be held on the same date and that within The City of San Diego the election precincts, polling places, voting booths and election officials for the three elections be the same, and that the Board of Supervisors of the County of San Diego be authorized to canvass the returns of the Municipal Primary Election and the Special Municipal Election and that these elections and the Statewide Primary Election be held in all respects as if there were only one election; and

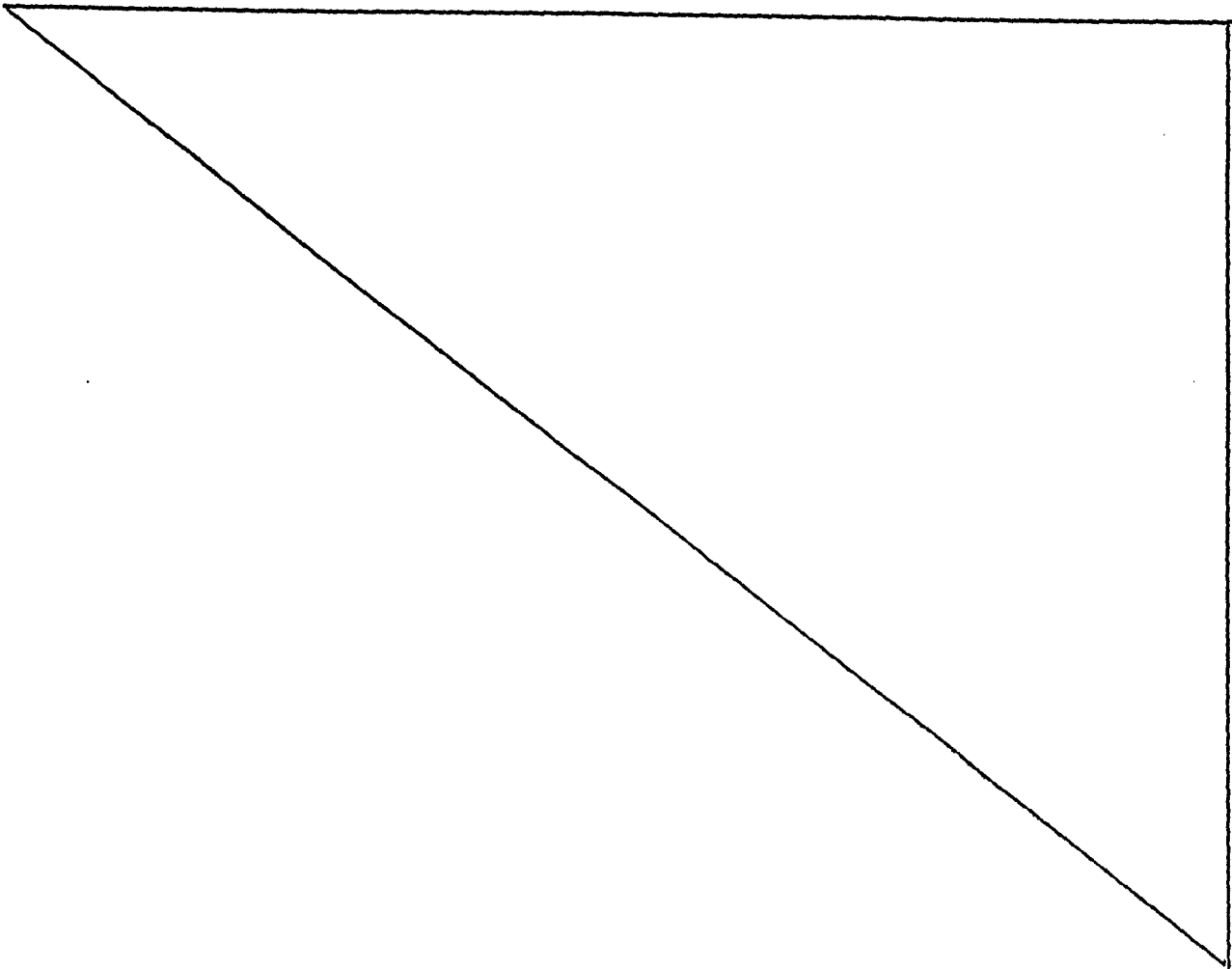
WHEREAS, in the year 1992, the Statewide Primary Election will be held on the 2nd day of June; and

WHEREAS, this Council within the time required by law has or will adopt ordinances calling for a Municipal Primary Election and a Special Municipal Election; NOW, THEREFORE,

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

1. The Board of Supervisors of the County of San Diego is hereby requested to consolidate the Municipal Primary Election for the offices of Mayor and City Attorney and the Special Municipal Election to be held in The City of San Diego on June 2, 1992, with the Statewide Primary Election to be held on the same date.

2. The exact form of the propositions to be voted upon at the Special Municipal Election and as they are to appear on the ballot is as follows:



PROPOSITION \_\_\_\_ . AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTIONS 12, 24 AND 40.

Amends Section 12 of the City Charter to prohibit any person from serving more than two consecutive four-year terms as a Councilmember from any particular district, commencing with elections in 1992. Provides that if for any reason a person serves a partial term as Councilmember from a particular district in excess of 2 years, that partial term shall be considered a full term for purposes of this term limit provision.

Y E S

Amends Section 24 of the City Charter to prohibit any person from serving more than two consecutive four-year terms as Mayor, commencing with elections in 1992. Provides that if for any reason a person serves a partial term as Mayor in excess of 2 years, that partial term shall be considered a full term for purposes of this term limit provision.

Amends Section 40 of the City Charter to prohibit any person from serving more than two consecutive four-year terms as City Attorney, commencing with elections in 1992. Provides that if for any reason a person serves a partial term as City Attorney in excess of 2 years, that partial term shall be considered a full term for purposes of this term limit provision.

N O

Amends Sections 12, 24 and 40 of the City Charter to provide that persons holding the office of Council member, Mayor or City Attorney prior to the 1992 election shall not have prior or current terms be counted for the purpose of applying the term limit provisions to future elections.

<p><b>PROPOSITION ____ . AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTION 12.</b></p> <p>Amends Section 12 of the City Charter to remove the City Council's authority to appoint someone to fill a vacancy in a Council office, except when the vacancy occurs within 100 days of an upcoming regular municipal election; and, instead to require the City Council to cause a special election to be held to fill a vacancy in a Council office. Provides that a special election called to fill a Council vacancy is to be held within ninety (90) days of the vacancy. Provides that the candidate receiving the greatest number of votes in an election to fill a Council vacancy shall be deemed and declared to be elected to the vacant office.</p>	<p>Y E S</p>	
<p>Provides Notice to the Voter, as follows: This proposition, if adopted, would amend Section 12 of the San Diego City Charter. Proposition ____, which would establish term limits, also appears on this ballot and would also amend Section 12 of the San Diego City Charter if adopted. You may vote for or against either proposition. If both are adopted by majority vote, then Section 12 will be treated as amended to include both amendments. This paragraph will not be codified in Charter Section 12.</p>	<p>N O</p>	

**PROPOSITION \_\_\_\_ . AMENDS THE CHARTER OF  
THE CITY OF SAN DIEGO BY AMENDING  
SECTIONS 4 AND 5 AND ADDING SECTION 5.1.**

Amends Section 5 of the City Charter requiring the City to be redistricted at least once every 10 years pursuant to Charter Section 5.1, and to require redistricting to be conducted pursuant to Charter Section 5.1 if any territory annexed, deannexed or consolidated upsets the approximate equality of populations of established districts.

Y E S

Adds Section 5.1 to the City Charter requiring that a Redistricting Commission be established approximately every decade to adopt redistricting plans to be used for all elections of Council members; setting forth the standards to be used by any Redistricting Commission in adopting redistricting plans; establishing that a Redistricting Commission is to be appointed by the Presiding Judge of the Municipal Court, and setting forth alternative methods of appointment; setting forth the nominating procedures for appointment to a Redistricting Commission; setting forth the requirements for membership on a Redistricting Commission; setting forth the requirements for Redistricting Commission meetings and records; stating that a Redistricting Commission's adoption of a final Redistricting plan shall be subject to the right of referendum; requiring the City Council to appropriate funds adequate to carry out a Redistricting Commission's duties under this Charter section.

N O

Amends Section 4 of the City Charter to refer to redistricting plans adopted by a Redistricting Commission pursuant to Section 5.1.

Contains a severability clause.

**PROPOSITION \_\_\_\_ . AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SECTION 32.1.**

Adds section 32.1 to the City Charter to require the City Manager and all non-managerial officers of the City to inform the Council of all material facts or significant developments relating to all matters under the jurisdiction of the Council as provided under this Charter except as may be otherwise controlled by the laws and regulations of the United States or the State of California. Further requires the Manager and all non-managerial officers to also comply promptly with all lawful requests for information by the Council.

Y E S

N O

**PROPOSITION \_\_\_\_ . AMENDS THE CHARTER OF  
THE CITY OF SAN DIEGO BY ADDING SECTION 225.**

Adds Section 225 to the City Charter to require that all persons proposing to do business with the City fully disclose the name and identity of all persons involved in the proposed transaction and the nature of their interest therein, if that proposed transaction could result in a contract, lease, or franchise. Provides for potential forfeiture of rights for failure to fully disclose. Defines "person" broadly for purposes of this Section.

Y E S

N O



<p><b>PROPOSITION ____.</b></p> <p>Shall the removal from dedicated park status of that portion of Mt. Soledad Natural Park necessary to maintain the property as an historic war memorial, and the transfer of the same parcel by The City of San Diego to a private non-profit corporation for not less than fair market value be ratified?</p>	<p>Y E S</p>	
	<p>N O</p>	

PROPOSITION \_\_\_\_ . (ADVISORY VOTE ONLY)

Shall a portion of the proceeds of the one-half cent sales tax which has been collected from San Diego citizens since 1988 for the San Diego County Regional Justice Agency be refunded to San Diego's citizens by an equitable distribution of \$170 million dollars to the City to be held in public trust and duly invested, with the proceeds of investment to be appropriated annually for increases in the number of sworn police officers for The City of San Diego?

Y E S

N O

The propositions shall be designated on the ballot by a letter printed on the left margin of the square containing the description of each measure as provided in Section 10219 of the Elections Code of the State of California.

3. That the Board of Supervisors is hereby authorized to canvass the returns of the Municipal Primary Election and the Special Municipal Election and is requested to conduct the elections in all respects as if there were only one election using only one form of ballot.

4. That the Board of Supervisors of the County of San Diego is requested to issue to all officers of the County charged with duties pertaining to the Statewide Primary Election appropriate instructions to take any and all steps necessary for the holding of a consolidated election.

5. That the City Clerk of The City of San Diego is hereby directed to file a certified copy of this resolution with the Board of Supervisors and Registrar of Voters of the County of San Diego.

BE IT FURTHER RESOLVED, that the County of San Diego shall be reimbursed in full for the services performed by the Registrar of Voters for The City of San Diego in connection with the election services herein described.

BE IT FURTHER RESOLVED, that The City of San Diego agrees to indemnify and to save free and harmless the County, its officers, agents and employees from expense or liability, including

reasonable attorneys fees, as the result of an election contest initiated pursuant to the provisions of Division 13 of the Elections Code of the State of California after conduct of these elections.

APPROVED: JOHN W. WITT, City Attorney

By *Cristie C. McGuire*  
Cristie C. McGuire  
Deputy City Attorney

CCM:jrl  
02/21/92  
02/24/92  
02/25/92 REV. 1  
Or.Dept:Clerk  
Aud.Cert:9200606  
R-92-1231  
Form=r+t

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE      AC 9200606

ORIGINATING DEPT. NO.: 036

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ \_\_\_\_\_ Fund \_\_\_\_\_

Purpose \_\_\_\_\_

Date \_\_\_\_\_, 19\_\_\_\_ By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ 500,000.00

Vendor Registrar of Voters, County of San Diego

Purpose Authorizing the expenditure of funds for services for the Municipal Primary Election on June 2, 1992.

Date February 10, 1992 By: Cecilia San Pedro

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		10001	901		4222	910351				\$208,330.64
2		100	036		4222	3610				291,669.36
TOTAL AMOUNT										\$500,000.00

FUND OVERRIDE

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

FEB 24 1992

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 *Linda Ferguson*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-279440* Adopted FEB 24 1992

RECEIVED

'92 FEB 21 PM 2:40

CITY CLERKS OFFICE  
SAN DIEGO, CA