

(O-95-7)

ORDINANCE NUMBER O- **18093** (NEW SERIES)ADOPTED ON **AUG 08 1994**

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION ADOPTING AN ORDINANCE CHANGING THE APPROPRIATIONS LIMIT FOR FISCAL YEARS 1996 THROUGH 1999, AT THE SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON NOVEMBER 8, 1994.

WHEREAS, by Ordinance No. O- **18094**, adopted on August 8, 1994, the City Council called and ordered a Special Municipal Election to be held in the City of San Diego, California, on November 8, 1994.

WHEREAS, by Resolution No. R- **284497**, adopted on August 8, 1994, the City Council requested the Board of Supervisors of the County of San Diego to order the Special Municipal Election of November 8, 1994, to be consolidated with the Statewide General Election to be held on the same date; NOW, THEREFORE,

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

Section 1. Pursuant to the provisions of Article XIII B of the Constitution of the State of California, Section 23 of the Charter of The City of San Diego, and San Diego Municipal Code section 27.2501, the Council of The City of San Diego hereby proposes and submits to the qualified voters of the City at the Special Municipal Election to be held on November 8, 1994, the following proposition:

PROPOSITION \_\_\_\_\_

AN ORDINANCE OF THE PEOPLE OF THE CITY OF SAN DIEGO CHANGING THE APPROPRIATIONS LIMIT FOR THE FISCAL YEARS 1996 THROUGH 1999.

The People of The City of San Diego do ordain as follows:

SECTION 1. CHANGE OF APPROPRIATION LIMIT.

The appropriations limit for Fiscal Years 1996 through 1999 set pursuant to Article XIII B of the California Constitution is changed to the extent set forth in Section 2 of this Ordinance.

SECTION 2. AUTHORITY TO APPROPRIATE EXISTING TAX REVENUE SOURCES COLLECTED IN FISCAL YEARS 1996 THROUGH 1999.

The City of San Diego appropriations limit for Fiscal Year 1996 provided for in Article XIII B of the California Constitution shall be revised upward to \$440,000,000 (an increase of \$50 million), provided this limit is adjusted each year for Fiscal Years 1996-97, 1997-98 and 1998-99 for changes in population and cost of living as provided by the State Constitution to permit the expenditure of anticipated revenues from existing sources and sources to be authorized to fund needed programs which include, but are not necessarily limited to, police protection, fire protection, refuse collection and disposal, library services, park and recreation programs, and facility and infrastructure maintenance and capital improvements.

SECTION 3. SAVING CLAUSE.

This ordinance is intended to comply with California Constitution Article XIII B. If any section, part, clause, form,

word or phrase is for any reason held to be invalid, the remaining portions of this ordinance shall remain in full force and effect and shall be interpreted to serve the intent of this ballot proposition.

SECTION 4. DATE OF EFFECT.

This ordinance shall take effect immediately upon its enactment.

Section 2. The proposition 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, 1994, 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 Statewide General 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 following:

<p><b>PROPOSITION ____ . AN ORDINANCE CHANGING THE CITY OF SAN DIEGO'S APPROPRIATIONS LIMIT FOR FISCAL YEARS 1996 THROUGH 1999.</b></p>	<p>YES</p>	
<p>Shall The City of San Diego's appropriations limit for Fiscal Year 1996 provided for in the California Constitution, Article XIII B, be revised upward to \$440,000,000 (an increase of \$50 million), provided this limit is adjusted annually for Fiscal Years 1996-97, 1997-98, and 1998-99 for changes in population and cost of living to permit the expenditure of anticipated revenues from existing and future sources to fund needed programs?</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 work "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, 1994, in the City of San Diego was ordered consolidated with the Statewide General Election to be held on the same date by Ordinance No. O-18094, adopted on AUG 08 1994. 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 Statewide General Election.

Section 7. The Registrar of Voters 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 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 proposition 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. Pursuant to Charter section 18 and California Elections Code section 22835, the City Clerk shall cause a digest (synopsis) of 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 AUG 08 1994, being the day of its introduction and passage.

APPROVED: JOHN W. WITT, City Attorney

By Cristie C McGuire  
Cristie C. McGuire  
Deputy City Attorney

CCM:jrl  
07/27/94  
Or.Dept:Clerk  
0-95-7  
Form=o.cals

Passed and adopted by the Council of The City of San Diego on AUG 08 1994  
 by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Harry Mathis	<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"/>
Christine Kehoe	<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"/>
Barbara Warden	<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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING  
 Mayor of The City of San Diego, California.

(Seal)

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

By Maureen G. Pontecorvo, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on AUG 08 1994, 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 Maureen G. Pontecorvo, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance <u>0-18093</u>	AUG 08 1994
Number..... Adopted .....	

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
94 AUG 24 AM 9:47  
SAN DIEGO, CALIF.

*Ch*

OFFICE OF THE CITY CLERK  
2ND FLOOR, CITY ADMINISTRATION BLDG.  
202 C STREET  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE OF THE CITY OF SAN DIEGO...

**ORDINANCE NUMBER 0-18093 (NEW SERIES)**

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION ADOPTING AN ORDINANCE CHANGING THE APPROPRIATIONS LIMIT FOR FISCAL YEARS 1996 THROUGH 1999, AT THE SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON NOVEMBER 8, 1994.

This ordinance submits one proposition to the voters to adopt an ordinance changing the City's appropriations limit for Fiscal Years 1996 through 1999 at the Special Municipal Election to be held November 8, 1994.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

Passed and adopted by the Council of the City of San Diego on August 8, 1994 by the following vote:

YEAS: Mathis, Roberts, Kehoe, Stevens, Warden, Stallings, McCarty, Vargas, Mayor Golding.

NAYS: None.

NOT PRESENT: None.

AUTHENTICATED BY:

SUSAN GOLDING

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

By MAYDELL L. PONTECORVO, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE No. 0-18093 (New Series) of The City of San Diego, California.

I FURTHER CERTIFY that said ordinance was passed on the day of its introduction, to wit, on August 8, 1994, 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 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: MAYDELL L. PONTECORVO, Deputy

Pub. Aug. 22

298780

I, Corey Donahue, 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

ORDINANCE NUMBER 0-18093

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:

AUG. 22

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

Dated at San Diego, California this 22ND day of AUG., 19 94.

*Corey Donahue*  
\_\_\_\_\_  
(Signature)

4 1/4" x 2 = \$ 115.20