

ORDINANCE NUMBER O- 18325 (NEW SERIES)

ADOPTED ON JUL 29 1996

AN ORDINANCE CALLING A SPECIAL MUNICIPAL ELECTION IN THE CITY OF SAN DIEGO ON NOVEMBER 5, 1996, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE OR MORE BALLOT PROPOSITIONS; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, at a meeting held on JUL 29 1996, the City Council of The City of San Diego, California, adopted Resolution No. R- 287691, requesting the Board of Supervisors of the County of San Diego to order the consolidation of a Special Municipal Election to be held on November 5, 1996, 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. A Special Municipal Election is hereby called and ordered to be held in The City of San Diego, California, on November 5, 1996.

Section 2. Pursuant to the provisions of Section 223 of the Charter of The City of San Diego, Section 3(b) of Article XI of the Constitution of the State of California and Sections 34450 and 34458 of the California Government Code all dealing with Charter amendments, and pursuant to Section 23 of the Charter of The City of San Diego and Section 27.2501 of the San Diego Municipal Code, the Council of The City of San Diego, by separate

ordinance(s), may submit to the qualified voters of the City one or more ballot propositions at the November 5, 1996, Special Municipal Election.

Section 3. The propositions(s) shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in the separate ordinance(s) placing the proposition(s) on the November 5, 1996, ballot. An appropriate mark placed in the voting square after the work "YES" shall be counted in favor of the adoption of any proposition. An appropriate mark placed in the voting square after the word "NO" shall be counted against the adoption of any proposition.

Section 4. The proposition(s) submitted by separate ordinance(s) for placement on the November 5, 1996, ballot, if any, shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the proposition as provided in California Elections Code section 13116.

Section 5. City propositions to be submitted to the voters at the November 5, 1996, Special Municipal Election, if any, shall appear on the ballot in the following order:

(a) Bond measures in the order in which they qualify or are approved by the City Council;

(b) Charter amendments in the order in which they qualify or are approved by the City Council;

(c) Other legislative measures in the order in which they are approved by the City Council;

(d) Initiative measures pursuant to San Diego Municipal

Code section 27.2501 in the order in which they qualify;

(e) Referendum measures in the order in which they qualify;
and,

(f) Advisory matters.

Section 6. The polls for this Special Municipal Election shall be open at 7 a.m. (local time) on November 5, 1996, and remain open continuously until 8 p.m. (local time) on the same day. The polls shall closed at 8 p.m., except as provided in California Elections Code section 14401.

Section 7. The Special Municipal Election called for November 5, 1996, in The City of San Diego is hereby ordered consolidated with the Statewide General Election to be held on the same date. Within the City of San Diego precincts, polling places and officers of the election for the Special Municipal Election shall be the same as those provided for the Statewide General Election.

Section 8. The Registrar of Voters of the County of San Diego is hereby authorized to canvas returns of this Special Municipal Election. The Registrar of Voters shall communicate the results of the canvas to the San Diego City Clerk, who shall in turn certify the results to the Council of The City of San Diego. The City Council shall then declare the results of the Special Municipal Election by resolution.

Section 9. Within The City of San Diego only one form of ballot shall be used.

Section 10. Since this election is to be consolidated with the Statewide General Election, and since the County Registrar of

Voters is authorized to canvas returns of this Special Municipal Election, and since only one form of ballot is authorized, the method of voting upon the proposition(s) shall be as provided in the California Elections Code.

Section 11. Except as otherwise provided in this ordinance, the Special Municipal Election called for November 5, 1996, shall be conducted as provided by law for other municipal elections of The City of San Diego.

Section 12. 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 13. Pursuant to Section 17 of the Charter of The City of San Diego, this ordinance relating to elections shall take effect on JUL 29 1996, which is the day of its introduction and passage.

Section 14. If no propositions are approved by the City Council for placement on, or if no propositions otherwise qualify for placement on, the November 5, 1996, ballot by 5 p.m. on August 9, 1996, then this ordinance shall become null and void and shall have no force or effect.

APPROVED: JOHN W. WITT, City Attorney

By Cristie C McGuire
Cristie C. McGuire
Deputy City Attorney

CCM:jrl
07/02/96
Or.Dept:Clerk
Aud.Cert.:9700026
O-97-2
Form=o.cals

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9700026

ORIGINATING DEPT. NO.: 601

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 _____ 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 money 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 \$ 600,000

Vendor Registrar of Voters

Purpose Authorizing the expenditure for the November 5, 1996 election.

Contingent upon approval of proposed FY97 budget.

Date June 24, 1996 By: *Raven*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	100	601	131	4222	060131				\$600,000.00
TOTAL AMOUNT										\$600,000.00

FUND OVERRIDE

AC 9700026

JUL 29 1996

0-18325