

ORDINANCE NUMBER O- 18559 (NEW SERIES)

Re-ADOPTED ON AUG 07 1998

AN ORDINANCE CALLING A MUNICIPAL ELECTION IN THE CITY OF SAN DIEGO ON NOVEMBER 3, 1998, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE OR MORE BALLOT PROPOSITIONS; AND CONSOLIDATING THE MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

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

Section 1. A Municipal Election is hereby called and ordered to be held in the City of San Diego, California, on November 3, 1998.

Section 2. Pursuant to 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 Section 9255(a)(2) of the California Elections 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 pertaining to initiative measures submitted by petition or by action of the City Council; and, pursuant to Section 219 of the Charter of The City of San Diego pertaining to sale or exchange of Pueblo Lots; and, pursuant to the "Managed Growth Initiative" amending the City's Progress Guide and General Plan (adopted as Proposition A by the City's voters in 1985), pertaining to changing designations of land from "future urbanizing" to "planned urbanizing," the Council of The City of San Diego by separate ordinances may submit to the qualified voters of the City one or more ballot propositions at the November 3, 1998, Municipal Election.

Section 3. The propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in the separate ordinances placing the propositions on the November 3, 1998, ballot. An appropriate mark placed in the voting square after the word "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 propositions submitted by separate ordinances for placement on the November 3, 1998, 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 3, 1998, Municipal Election, if any, shall appear on the ballot in the following order:

(a) Initiative measures, including both measures placed on the ballot by petition and measures placed on the ballot by action of the City Council pursuant to San Diego Municipal Code section 27.2501, in the order in which the ordinances placing the initiative measures on the ballot are adopted by the City Council;

(b) Bond measures in the order in which the ordinances placing them on the ballot are adopted by the City Council;

(c) Charter amendments in the order in which the ordinances placing them on the ballot are adopted by the City Council;

(d) Other legislative measures in the order in which the ordinances placing them on the ballot are adopted by the City Council;

(e) Referendum measures in the order in which the ordinances placing them on the ballot are adopted by the City Council; and

(f) Advisory matters in the order in which the ordinances placing them on the ballot are adopted by the City Council.

Section 6. The polls for this Special Municipal Election shall be open at 7 a.m. (local time) on November 3, 1998, and remain open continuously until 8 p.m. (local time) on the same day. The polls shall close at 8 p.m., except as provided in California Elections Code section 14401.

Section 7. The Municipal Election called for November 3, 1998, 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 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 canvass returns of this Municipal Election. The Registrar of Voters shall communicate the results of the canvass 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 canvass returns of this Municipal Election, and since only one form of ballot is authorized, the method of voting upon the propositions shall be provided in the California Elections Code.

Section 11. Except as otherwise provided in this ordinance, the Municipal Election called for November 3, 1998, 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 AUG 07 1998, 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 3, 1998 ballot by 5 p.m. on August 7, 1998, then this ordinance shall become null and void and shall have no force or effect.

APPROVED: CASEY GWINN, City Attorney

By Cristie C McGuire
Cristie C. McGuire
Deputy City Attorney

CCM:jrl
06/30/98
07/14/98
07/28/98
Or.Dept:Clerk
Aud.Cert: 9900013
O-98-159 (Rev. 1)
Form=o&t.frm

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9900013

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 \$ 715,000.00

Vendor The Registrar of Voters

Purpose Authorizing the expenditure of funds for Special Municipal Election : November 3, 1998.

Date June 29, 1998

By: *Yeshe Bezemeh*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	10001	901	4150	4222	986011				\$401,494.00
02	0	100	601	2350	4222	002350				313,506.00
TOTAL AMOUNT										\$715,000.00

FUND OVERRIDE

0-18559

AUG 07 1998

AC 9900013