

ORDINANCE NO. 0-15374
(New Series)

O. 81-81

OCT 28 1980

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 35.0116B RELATING TO UTILIZATION OF
REVENUES.

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

Section 1. That Chapter III, Article 5, of the San Diego
Municipal Code be and it is hereby amended by amending Section
35.0116B to read as follows:

SEC. 35.0116 UTILIZATION OF REVENUES

[No amendment to Section A and its subparagraphs.]

B. When the tax imposed pursuant to this Article
is eight percent (8%), it shall be utilized as follows:

(a) Nine thirty-seconds (9/32) of all revenues
collected by the City under this Article shall be
used solely for the purpose of promoting the City
of San Diego.

(1) The amount of the City's annual con-
tribution to the San Diego Convention and
Tourist Bureau shall be not less than \$100,000.

(2) Any remaining revenues available under
this subparagraph (a) shall be used to support
any program including but not limited to pro-
grams of the San Diego Convention and Tourist
Bureau, designed to promote the City, as the
Council may direct.

(b) One-eighth (1/8) of all revenues collected by the City under this Article shall be deposited to the Transient Occupancy Tax Unappropriated Reserve Fund, which is hereby created. Money shall be expended from this fund only by an ordinance appropriating part or all of the fund for such purpose or purposes as the Council may direct. Such purpose or purposes may include but need not be limited to promotion of the City.

(c) One-eighth (1/8) of all revenues collected by the City under this Article shall be deposited to the General Fund.

(d) One-fourth (1/4) of all revenues collected by the City under this Article shall be used solely for the purpose of constructing a New Convention Facility and all related costs and shall be deposited to the Transient Occupancy Tax New Convention Facility Fund, which is hereby created. Money shall be expended from this fund only for such purpose or purposes as the Council may direct in connection with the New Convention Facility including, but not limited to, the design, construction, operation, maintenance or debt service of said New Convention Facility.

(e) Seven thirty-seconds (7/32) of all revenues collected by the City under this Article shall also be deposited to the Transient Occupancy Tax New Convention Facility Fund to be used for the purpose of

constructing a New Convention Facility and all related costs. This money shall be expended from this fund only in the event that all other revenues are not sufficient for such purpose or purposes as the Council may direct in connection with the New Convention Facility.

(1) Any revenues defined under this subparagraph (e) which are determined to be in excess of the amount required for construction of the New Convention Facility shall be returned to the Transient Occupancy Tax Unappropriated Reserve Fund.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Janis Sammartino Gardner
Janis Sammartino Gardner
Deputy City Attorney

JSG:vl:160.1

10/3/80

Or. Dept.: Fin. Mgmt.

0-15374

Passed and adopted by the Council of The City of San Diego on OCT 28 1980,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<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"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

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

(Seal)

By Rita Anderson, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 18 1980, and on OCT 28 1980.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

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 Rita Anderson, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-15374</u>	Adopted <u>OCT 28 1980</u>

CERTIFICATE OF PUBLICATION

San Diego, City of
202 C Street, 12th floor
San Diego, CA 92101
Attn: Rita Andrews

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER III, ARTICLE

CODE BY
ING TO

ORDINANCE NO. 0-15374
(New Series)

15374

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 35.0118B RELATING TO UTILIZATION OF REVENUES. BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter III, Article 5, of the San Diego Municipal Code be and it is hereby amended by amending Section 35.0118B to read as follows:
SEC. 35.0118 UTILIZATION OF REVENUES
(No amendment to Section A and its subparagraphs.)
B. When the tax imposed pursuant to this Article is eight percent (8%), it shall be utilized as follows:
(a) Nine thirty-seconds (9/32) of all revenues collected by the City under this Article shall be used solely for the purpose of promoting the City of San Diego.
(1) The amount of the City's annual contribution to the San Diego Convention and Tourist Bureau shall be no less than \$100,000.
(2) Any remaining revenues available under this subparagraph (a) shall be used to support any program including but not limited to programs of the San Diego Convention and Tourist Bureau, designed to promote the City, as the Council may direct.
(b) One-eighth (1/8) of all revenues collected by the City under this Article shall be deposited to the Transient Occupancy Tax Unappropriated Reserve Fund, which is hereby created. Money shall be expended from this fund only by an ordinance appropriating part of all of the fund for such purpose or purposes as the Council may direct. Such purpose or purposes may include but need not be limited to promotion of the City.
(c) One-eighth (1/8) of all revenues collected by the City under this Article shall be deposited to the General Fund. (d) One-fourth (1/4) of all revenues collected by the City under this Article shall be used solely for the purpose of constructing a New Convention Facility and all related costs and shall be deposited to the Transient Occupancy Tax New Convention Facility Fund, which is hereby created. Money shall be expended from this fund only for such purpose or purposes as the Council may direct in connection with the New Convention Facility including, but not limited to, the design, construction, operation, maintenance or debt service of said New Convention Facility. (e) Seven thirty-seconds (7/32) of all revenues collected by the City under this Article shall also be deposited to the Transient Occupancy Tax New Convention Facility Fund to be used for the purpose of constructing a New Convention Facility and all related costs. This money shall be expended from this fund only in the event that all other revenues are not sufficient for such purpose or purposes as the Council may direct in connection with the New Convention Facility. (1) Any revenues defined under this subparagraph (e) which are determined to be in excess of the amount required for construction of the New Convention Facility shall be returned to the Transient Occupancy Tax Unappropriated Reserve Fund.
Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.
Introduced on 10-13-80.
Passed and adopted by the Council of The City of San Diego on 10-28-80.
AUTHENTICATED BY: PETE WILSON,
Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
(SEAL)
By RITA ANDREWS, Deputy.
Publish November 10, 1980

I, Camille Simpson, 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

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(New Series)

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:

November 10, 1980

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

Dated at San Diego, California this 10th day of Nov., 1980

Camille Simpson
(Signature)

63/8" x 7.33 x 2 = 93.46