

ORDINANCE NUMBER O- 16159 (New Series)

Adopted on FEB 13 1984

AN ORDINANCE AMENDING ORDINANCE NO. O-16007 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1983-84 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING DOCUMENTS NO. OO-16007-1 AND NO. OO-16007-2, AS AMENDED AND ADOPTED THEREIN, BY AMENDING SECTION 2, SUBSECTION II.1, "TRANSIENT OCCUPANCY TAX FUND" (10223) TO CREATE AND INCLUDE A NEW PROGRAM (91689) ENTITLED "FACILITIES IMPROVEMENT PROGRAM;" APPROPRIATING TO SAID FUND (10223) THE SUM OF \$50,000 FROM TRANSIENT OCCUPANCY TAX UNAPPROPRIATED FUND BALANCE FOR ALLOCATION TO SAID "FACILITIES IMPROVEMENT PROGRAM" (91689) FOR TEMPORARY RESTROOM FACILITIES IN THE DOWNTOWN AREA; FINDING AND DECLARING THAT THE EXPENDITURE OF SAID FUNDS IS IN AID OF AND FOR THE PROMOTION OF THE CITY OF SAN DIEGO; DIRECTING THE AUDITOR AND COMPTROLLER TO TRANSFER FUNDS AS INDICATED HEREIN.

WHEREAS, the need for restrooms in the downtown area has been discussed at Public Services and Safety Committee on a couple of occasions; and

WHEREAS, it has been proposed that permanent facilities be constructed in the downtown area for use by both visitors and the transient population; and

WHEREAS, utilizing temporary facilities for a period of time will resolve the existing problem and give us needed information with regard to the number and location of the permanent facilities; and

WHEREAS, funds to provide such temporary restroom facilities have been identified in the Transient Occupancy Tax Fund (10223) Unappropriated Fund Balance; and

WHEREAS, it is now required to amend the Annual Appropriation Ordinance to establish a "Facilities Improvement Program" for the purpose of authorizing and reflecting such additional promotional service; and

WHEREAS, the Transient Occupancy Tax Fund (10223) monies to be used for this purpose are for the promotion of The City of San Diego and the provision of such facilities in the downtown San Diego area is deemed to be promotional in nature; and

WHEREAS, funds will be included in the FY 1985 proposed budget to continue this program; NOW, THEREFORE,

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

Section 1. That Ordinance No. O-16007 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1983-84 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," be and the same is hereby further amended by amending Documents No. OO-16007-1 and No. OO-16007-2, as amended and adopted therein, by creating and adding to Section 2, subsection II.1, "Transient Occupancy Tax Fund" (10223) a new program entitled "Facilities Improvement Program" (91689).

Section 2. That there is hereby appropriated and added to said Fund (10223) the sum of \$50,000 in Transient Occupancy Tax Fund (10223) Unappropriated Fund balance for allocation to said "Facilities Improvement Program" (91689) to serve solely and exclusively for the purpose of providing temporary restroom facilities in the downtown San Diego area, thereby aiding the promotion of said City.

Section 3. That this Council finds and declares that the expenditure of Transient Occupancy Tax Funds from Fund 10223 for the facilities described in section 2 above are in aid of and for the promotion of The City of San Diego, complying thereby with the purpose and intent of section 35.0101, et seq. of the San Diego Municipal Code.

Section 4. That the Auditor and Comptroller be and he is hereby authorized and directed to transfer said funds as specified in section 2 above.

Section 5. This ordinance shall take effect and be in force immediately upon its adoption after two (2) public hearings, pursuant to the authority contained in sections 16, 17 and 71 of the Charter of The City of San Diego.

APPROVED: John W. Witt, City Attorney

By Stuart H. Swett  
For Jack Katz  
Chief Deputy City Attorney

JK:smm:111  
1/5/84  
Or.Dept:Fin.Mgt.  
Aud.Cert:84502  
O-84-147  
Form=o.btof

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

CERTIFICATION OF UNALLOTTED BALANCE AC 84502

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 \$ 50,000 Fund T.O.T. 10223 Unappropriated Fund Balance

Purpose Amend Annual Appropriation Ordinance for Facilities Improvement Program 91589-  
restroom facilities in the downtown area.

*[Signature]*

Auditor and Comptroller

Date January 4, 19 84

By *[Signature]*

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 \$ \_\_\_\_\_

Auditor and Comptroller

Dated \_\_\_\_\_, 19 \_\_\_\_\_

BY \_\_\_\_\_

PURPOSE \_\_\_\_\_

VENDOR \_\_\_\_\_

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

FUND OVERRIDE

0-16159 0043 FEB 13 1984

FEB 13 1984

Passed and adopted by the Council of The City of San Diego on .....  
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
Mayor of The City of San Diego, California.

(Seal)

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

By Maxwell L. Postlewaite Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on  
**FEB 13 1984**, 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 Maxwell L. Postlewaite Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	0 - 16159
Adopted	FEB 13 1984

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
ATTN. MAYDELL L. PONTECORVO  
202 C St., 12th Floor  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NO. O-16159

**ORDINANCE NO. O-16159**  
**(New Series)**

AN ORDINANCE AMENDING ORDINANCE NO. O-16159 (NEW SERIES) AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1983-84 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING PARAGRAPHS NO. 00-18997-1 AND NO. 00-18997-2, AS AMENDED AND ADOPTED THEREIN, BY AMENDING SECTION 2, SUBSECTION II.1, "TRANSIENT OCCUPANCY TAX FUND" (18223) TO CREATE AND INCLUDE A NEW PROGRAM ENTITLED "FACILITIES IMPROVEMENT PROGRAM" APPROPRIATING TO SAID FUND (18223) THE SUM OF \$50,000 FROM TRANSIENT OCCUPANCY TAX UNAPPORTIONED FUND BALANCE FOR ALLOCATION TO SAID "FACILITIES IMPROVEMENT PROGRAM" (18223) FOR TEMPORARY RESTROOM FACILITIES IN THE DOWNTOWN AREA; FINDING AND DECLARING THAT THE EXPENDITURE OF SAID FUNDS IS IN AID OF AND FOR THE PROMOTION OF THE CITY OF SAN DIEGO; DIRECTING THE AUDITOR AND COMPTROLLER TO TRANSFER FUNDS AS INDICATED HEREIN.

This ordinance amends the annual appropriation ordinance by amending the Transient Occupancy Tax Fund (18223) to add thereto a new program (18223) entitled "Facilities Improvement Program." The ordinance also appropriates the sum of \$50,000 to said newly created program (18223) for the purpose of providing temporary restroom facilities in the downtown San Diego area and directs the Auditor and Comptroller to effectuate such transfer and appropriation of funds. Finally, the ordinance finds and declares that the expenditure of funds for the specified purpose is in aid of and for the promotion of The City of San Diego.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

Introduced, reading dispensed with and adopted by the City Council of The City of San Diego on FEBRUARY 13, 1984.

**AUTHENTICATED BY:**  
**ROGER HEDGECOCK,**  
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  
Publish Feb. 27, 1984

80-2718

I, Carrie Gedeon, 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 NO. O-16159  
(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:

February 27, 1984

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

Dated at San Diego, California this 27th day of Feb., 1984

Carrie Gedeon  
(Signature)

00139

8 1/4" X 8.87 = 73.18

RECEIVED  
CITY CLERK'S OFFICE

1984 FEB 28 PM 2:06

SAN DIEGO, CALIF.