

(O-85-74)

ORDINANCE NUMBER O- 16321 (NEW SERIES)

ADOPTED ON NOV 13 1984

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 35.0116 RELATING TO THE TRANSIENT
OCCUPANCY TAX.

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 the same is hereby amended by amending Section 35.0116 to read as follows:

SEC. 35.0116 UTILIZATION OF REVENUES

A. The tax imposed shall be utilized as follows:

(a) Two-thirds (2/3) of all revenues collected by the City under Section 35.0103 of this Article and remaining after payment of two-thirds (2/3) of the costs incurred in the administration of this Article shall be used solely for the purpose of promoting The City of San Diego. 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 Visitors Bureau, designed to promote the City, as the Council may direct in accordance with Section 35.0116(d) below.

(b) One-sixth (1/6) of all revenue collected by the City under Section 35.0103 of this Article and remaining after payment of one-sixth (1/6) of the costs in the

administration of this Article, shall be deposited to the Transient Occupancy Tax Unappropriated Reserve Fund (Fund No. 224), 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 not be limited to promotion of the City.

(c) One-sixth (1/6) of all revenue collected by the City under Section 35.0103 of this Article and remaining after payment of one-sixth of the costs in the administration of this Article, shall be deposited to the General Fund (Fund No. 100).

(d) Subject to the City Council's annual review of the budget of the San Diego Convention and Visitors Bureau and five year work program as set forth below, the City's minimum annual contribution to the San Diego Convention and Visitors Bureau for general promotion purposes shall be determined as follows:

(1) From the total of all revenues collected under Section 35.0103 of this Article subtract all costs incurred in the administration of this Article, and an amount equal to all revenues collected by the City under Section 35.0103 of this Article from hotels within the Navy Field Complex.

(2) Multiply the remaining amount computed in subparagraph (d) (1) immediately preceding by one-fifth (1/5). The resulting figure is the minimum annual

contribution; provided however, that if the City Council in its sole discretion for any year, formally disapproves by resolution the San Diego Convention and Visitors Bureau's annual budget and five year work program, the City's annual contribution to the San Diego Convention and Visitors Bureau may be established by the City Council based upon the Council's determination of any appropriate funding level.

(3) To substantiate its proposed five year work program, the San Diego Convention and Visitors Bureau shall, each year, timely submit to the City Council a copy of its proposed work program, an annual proposed budget, quantified performance indicators which are descriptive of the level of effort and success of previous years' promotion efforts, and a full narrative description of past years' accomplishments.

(e) Notwithstanding the provisions of subparagraphs (a), (b), (c) and (d) of this section regarding utilization of revenues, an amount equal to all revenues collected by the City under Section 35.0103 of this Article from hotels within the Navy Field Complex remaining after payment of a proportionate share of the costs in the administration of this Article, shall first be allocated for the purpose of planning, promoting, operating and maintaining the San Diego Convention Center, including a contingency reserve (for these same purposes), by a transfer to the existing Transient Occupancy Tax New Convention Facility Fund. Money remaining

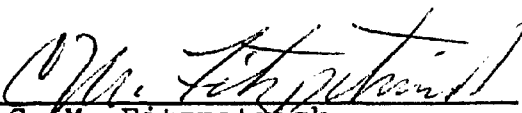
under this section, after providing for the planning, promotion, operation and maintenance of the San Diego Convention Center, including a contingency reserve, may be expended for such legal purpose or purposes as the Council may direct.

(f) When the tax imposed pursuant to this Article was eight percent (8%), one-fourth (1/4) of all revenue collected during said period, less administrative costs, was deposited in the Transient Occupancy Tax New Convention Facility Fund. These monies may be expended for such legal purpose or purposes as the Council may direct.

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


C. M. Fitzpatrick
Assistant City Attorney

CMF:ps:160.1
10/23/84
Or.Dept:Mayor
Form=o.code

Passed and adopted by the Council of The City of San Diego on NOV 13 1984
 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 Gorch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

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

(Seal)

By Barbara Baxter, 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 29 1984, and on NOV 13 1984

~~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 Barbara Baxter, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 16321 Adopted: NOV 13 1984

RECEIVED
CITY CLERK'S OFFICE

CERTIFICATE OF PUBLICATION

1984 NOV 28 AM 10:03

SAN DIEGO, CALIF. *CH*

CITY OF SAN DIEGO
202 C Street, 12th Floor
San Diego, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NUMBER O-16321

**ORDINANCE NUMBER O-16321
(NEW SERIES)**

**AN ORDINANCE AMENDING CHAPTER III, ARTICLE 8, OF
THE SAN DIEGO MUNICIPAL CODE BY AMENDING SEC-
TION 36.0116, RELATING TO THE TRANSIENT OCCUPANCY
TAX.**
This ordinance makes minor wording changes in the allocation of
funds derived from the Transient Occupancy Tax.
Introduced OCT 29 1984
Passed and adopted by the Council of The City of San Diego NOV
13 1984.
AUTHENTICATED BY:
ROBER HEDGECOCK
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California
(SEAL)
By BARBARA BAXTER, Deputy
Pub. Nov. 28 6902

3 3/4" X 9.76 = 36.60

I, Linda S. Lawson, 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 O-16321
(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 26, 1984

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

Dated at San Diego, California this 26th day of Nov., 19 84.

Linda S. Lawson

01814 (Signature)