

#331
1/20/2021

(R-2021-302)

RESOLUTION NUMBER 313418

DATE OF FINAL PASSAGE FEB 01 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO (CITY) APPROVING THE ALLOCATION OF ALREADY APPROPRIATED FISCAL YEAR 2021 ARTS CULTURE AND COMMUNITY FESTIVALS (ACCF) TRANSIENT OCCUPANCY TAX (TOT) FUNDS THAT WERE AWARDED BUT DECLINED, AND THE EXPENDITURE OF SUCH FUNDS TO HELP ARTS AND CULTURE NONPROFIT ORGANIZATIONS IMPACTED BY THE COVID-19 STATE OF EMERGENCY, WHICH ACCEPTED AND CONTRACTED WITH THE CITY FOR FISCAL YEAR 2021 ACCF TOT FUNDS THROUGH THE ORGANIZATIONAL SUPPORT PROGRAM (OSP) AND CREATIVE COMMUNITIES SAN DIEGO (CCSD) FINANCIAL ASSISTANCE CATEGORIES, SUSTAIN THEIR GENERAL OPERATING NEEDS ASSOCIATED WITH RESPONDING TO COVID-19.

WHEREAS, on February 19, 2020, the County Board of Supervisors ratified a declaration of local health emergency related to a novel coronavirus, COVID-19; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, on March 12, 2020, then Mayor, Kevin Faulconer, proclaimed the existence of a local emergency in the City of San Diego (City) as a result of COVID-19, which was ratified by the Council of the City of San Diego on March 17, 2020; and

WHEREAS, on March 12, 2020, the County of San Diego issued an order from the Public Health Officer requiring, among other things, in-person business closures; and

WHEREAS, on March 16, 2020, then Mayor, Kevin Faulconer, issued Executive Order No. 2020-1 prohibiting, among other things, public gatherings of 50 or more people in a single room; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20, ordering all residents of the State of California to stay home or at their place of residence in accordance with the current state public health directives; and

WHEREAS, the COVID-19 state of emergency continues, and various other state and local orders have been issued requiring similar limitations that impact arts and culture nonprofit organizations' ability to continue operations; and

WHEREAS, in fall 2020, City staff began evaluating the feasibility of repurposing unclaimed fiscal year 2021 TOT funds from the ACCF priority area to respond to the needs of arts and culture nonprofit organizations associated with the COVID-19 state of emergency; and

WHEREAS, arts and culture nonprofit organizations have been and continue to be devastatingly impacted by COVID-19 due to facility closures and event cancellations; and

WHEREAS, this resolution seeks to redirect \$271,101 in unused ACCF TOT funds, previously allocated in fiscal year 2021 to the OSP and CCSD funding categories, to arts and culture nonprofit organizations that accepted fiscal year 2021 ACCF TOT funds, for the purpose of helping those organizations sustain their general operating needs such as salaries, fees for artists and other contract personnel, facility costs, and other costs associated with responding to COVID-19; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that, to the extent its terms may limit the actions taken through this Resolution, Council Policy 100-03 is waived.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to repurpose unused fiscal year 2021 Arts, Culture, and Community Festival Transient Occupancy Tax funds in Fund No. 200205, that were previously allocated to the Organizational Support Program and Creative Communities San Diego funding categories, to arts and culture nonprofit

organization relief as follows: \$20,810 from the Organizational Support Program; and \$250,291 from Creative Communities San Diego.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$271,101 from Fund No. 200205 for any expenditures or contract amendments made as part of the City's arts and culture nonprofit organization relief plan.

BE IT FURTHER RESOLVED, that the Mayor, or Mayor's designee, is authorized to negotiate and enter into agreements, execute any and all documents, and take all other necessary actions necessary or appropriate to implement this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Jon D. Dwyer
Jon D. Dwyer
Deputy City Attorney

JDD:sc
01/11/2021
Or.Dept: Arts & Culture
CC No: N/A
Doc. No.: 2561776

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 01/26/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Stacy D. Ready
Deputy City Clerk

Approved: 1/29/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 26 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 01 2021

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY: TODD GLORIA
Mayor of The City of San Diego, California.

(Seal) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Atty. Brady*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 313418