

RESOLUTION NUMBER R- 314901DATE OF FINAL PASSAGE MAY 23 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO ALLOCATING FUNDS FOR ARTS, CULTURE,
AND COMMUNITY FESTIVALS TO TEATRO MASCARA
MAGICA: A COMMON GROUND COMPANY FOR DIA DE
LOS MUERTOS, PURSUANT TO COUNCIL POLICY 100-23,
"CITY COUNCIL FUNDING OF ARTS, CULTURE AND
COMMUNITY FESTIVALS WITH DISCRETIONARY
TRANSIENT OCCUPANCY TAX ALLOCATION."

WHEREAS, the Council of the City of San Diego (City Council) adopted Council
Policy 100-23, titled "City Council Funding of Arts, Culture and Community Festivals with
Discretionary Transient Occupancy Tax Allocation" on August 13, 2012, by San Diego
Resolution R-307625 (August 13, 2012); and

WHEREAS, Council Policy 100-23 provides a procedure and uniform requirements for
awarding funds to and contracting with private non-profit organizations that produce programs,
projects, and events that (i) provide access to excellence in culture and the arts for residents of,
and visitors to, the City of San Diego (City), and (ii) enrich the lives of the people of the City and
build healthy, vital neighborhoods; and

WHEREAS, Teatro Mascara Magica: A Common Ground Company (Teatro Mascara
Magica) has requested funding for Dia de los Muertos; and

WHEREAS, the requested funding will be used for production and event staff, personnel
expenses, marketing materials, facility costs, printing, and technical support; and

WHEREAS, Teatro Mascara Magica's request for funding for Dia de los Muertos will
benefit the public by providing a space for cultural insight and community connection; and

WHEREAS, it is the determination of the City Council that the above-described program
is consistent with Council Policy 100-23; and

WHEREAS, Council Districts 3 and 7 recommend a total allocation of \$7,000 to Teatro Mascara Magica for the purposes set forth in this resolution, attributed as follows: Council District 3 – \$2,000; and Council District 7 –\$5,000; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the allocations described in this resolution are made for a public purpose.

BE IT FURTHER RESOLVED, that the City Council waives Council Policy 100-23, section 2(g), which provides: “An organization may not apply to receive funding for an event or program which has already occurred, nor any goods, supplies or materials which have already been purchased.”

BE IT FURTHER RESOLVED, that the Mayor, or designee, is authorized and directed to execute, for and on behalf of the City, the Arts, Culture, and Community Festivals Fiscal Year 2023 City Council Allocations Grant Agreement between the City of San Diego and Teatro Mascara Magica (Agreement) in an amount not to exceed \$7,000, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No.

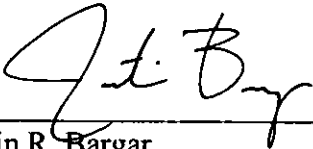
RR- 314901.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$2,000 from Council District 3: TOT Fund No. 200205, G/L Account No. 512059, Cost Center 1414111214; and \$5,000 from Council District 7: TOT Fund No. 200205, G/L Account No. 512059, Cost Center 1414111218, for a total of \$7,000, all to provide

funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Justin R. Bargar
Deputy City Attorney

JRB:cw:cm

5/1/2023

Or.Dept: Council Administration

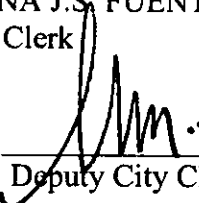
CC No. 3000015602

Doc. No. 3290961

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 16 2023.

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved:

5/23/23

(date)


TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO. 3000015602
1414

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: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original 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: _____ \$7,000.00

Vendor: Teatro Mascara Magica: A Common Ground Company

Purpose: To allocate funds, not to exceed \$7,000, to Teatro Mascara Magica for Dia de los Muertos for production and event staff costs, personnel expenses, marketing materials, facility costs, printing, and technical support.

Date: March 7, 2023 By: Leana Chan *Leana Chan*

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	200205	N/A	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$2,000.00
2	200205	N/A	N/A	OTHR-00000000-CL	512059	1414	1414111218	N/A	\$5,000.00
TOTAL AMOUNT									\$7,000.00

Passed by the Council of The City of San Diego on MAY 16 2023, 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"/>
Kent Lee	<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 MAY 23 2023.

(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)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 314901