RESOLUTION NUMBER R- 314901

DATE OF FINAL PASSAGE MAY 2 3 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.

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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.

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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 Die meeting of	go, at this
DIANA J.SA FUENTES	
City Clerk	
By	
Deputy City Clerk	
Approved: 523/27 TODD GLORIA Mayor	
(date) TODD GLORIA Mayor	
Vetoed:	

TODD GLORIA, Mayor

(date)

The City of San Diego COMPTROLLER'S CERTIFICATE

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Passed by the Council of The Ci	ty of San Dieg	go onMA	¥ 1 6 2023	_, by the following vote
Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	Z			П
Jennifer Campbell	Ø			Ī
Stephen Whitburn	\mathbf{Z}			Ō
Monica Montgomery Ste	eppe 🗾			
Marni von Wilpert				
Kent Lee	\mathbf{Z}			
Raul A. Campillo				
Vivian Moreno	Ø			
Sean Elo-Rivera	Ø			
(Please note: When a resolution date the approved resolution	on is approv was returne	ed to the Offic	e of the City Cle	ork.)
AUTHENTICATED BY:		Mayo	r of The City of Sa DIANA J.S. FU	an Diego, California.
(Seal)		City Cler		an Diego, California
		Office of the	City Clerk, San Di	iego, California
	Reso	lution Numbe	314	901