

RESOLUTION NUMBER R- 315470

DATE OF FINAL PASSAGE APR 22 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING FISCAL YEAR 2024 ARTS, CULTURE, AND COMMUNITY FESTIVALS (ACCF) FUNDING ALLOCATIONS, PURSUANT TO COUNCIL POLICY 100-23, RECOMMENDED BY COUNCIL DISTRICT 3 TO EIGHT NONPROFIT ORGANIZATIONS.

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 (Aug. 13, 2012); and

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

WHEREAS, annual funding levels for Arts, Culture, and Community Festivals (ACCF) funding, pursuant to Council Policy 100-23, are subject to the amount of Transient Occupancy Tax allocated to each Councilmember in a given fiscal year; and

WHEREAS, pursuant to Council Policy 100-23, ACCF funds awarded to nonprofit organizations may be used for organizational support and project or event support; and

WHEREAS, nonprofit organizations awarded ACCF funds shall enter an ACCF funding agreement with the City that delineates the responsibilities of the nonprofit organization with respect to the use of funds awarded and stipulating that all expenses shall be documented in accordance with the terms of the ACCF funding agreement; and

WHEREAS, Council Policy 100-23 requires ACCF funding awarded to nonprofit organizations be done by City Council resolution; and

WHEREAS, for Fiscal Year 2024, Council District 3 recommends awarding ACCF funds in an aggregate amount not to exceed \$25,000.00 to eight nonprofit organizations, as identified in the Staff Report; and

WHEREAS, City Council finds that the allocations described in the Staff Report and supporting materials conform to the parameters of Council Policy 100-23; 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 Council District 3's recommended allocations of Fiscal Year 2024 Arts, Culture, and Community Festivals (ACCF) funds to eight nonprofit organizations for eligible activities pursuant to Council Policy 100-23, as identified in the Staff Report and supporting materials, are approved.

BE IT FURTHER RESOLVED, that the Mayor, or designee, is authorized to execute, for and on behalf of the City, an Arts, Culture, and Community Festivals Fiscal Year 2024 City Council Allocations Grant Agreement between the City of San Diego and each of the eight nonprofit organizations identified in the Staff Report.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$25,000.00 from Council District 3: TOT Fund 200205/Cost Center 1414111214/GL 512059, to provide funds for the nonprofit organizations identified in the Staff Report, 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.

BE IT FURTHER RESOLVED, for the items identified in the Staff Report as item 1 (America's Finest City Softball League), item 2 (Grioneers), item 3 (MH Community Preservation), item 6 (Rainbow Spaces), and item 8 (TransFamily Support Services), City Council waives Council Policy 100-23, 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, the allocations described in this Resolution and Staff Report are made for a public purpose.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
Justin R. Bargar  
Deputy City Attorney

JRB:cw  
03/20/2024  
Or.Dept: Council Administration  
CC No.: 3000016500  
Doc. No.: 3599526

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 09 2024.

DIANA J.S. FUENTES  
City Clerk

By Kristell Medina  
Deputy City Clerk

Approved: 4/22/24  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO. 3000016500  
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: \$25,000.00 Fund: 200205

Purpose: Previously budgeted Fiscal Year 2024 Arts, Culture and Community Festivals (ACCF) funding allocations with Discretionary Transient Occupancy Tax [TOT] for all nine Council Districts total \$43,000.00. Of those previously budgeted funds, this item allocates \$25,000.00 of Council District 3's ACCF funds to 8 nonprofit organizations pursuant to Council Policy 100-23.

Date: February 14, 2024 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	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$3,000.00
2	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$2,000.00
3	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$3,000.00
4	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$4,000.00
5	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$3,000.00
6	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$2,000.00
7	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$3,000.00
8	200205	NON-PROGRAM	N/A	OTHR-00000000-CL	512059	1414	1414111214	N/A	\$5,000.00
TOTAL AMOUNT									\$25,000.00

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

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
1									
TOTAL AMOUNT									

Passed by the Council of The City of San Diego on APR 09 2024, 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"/>
Henry L. Foster III	<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 APR 22 2024.

**(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 Kristine Medina, Deputy

Office of the City Clerk, San Diego, California  
  
315470  
Resolution Number R-\_\_\_\_\_