

# 332  
6/14/2022

(R-2022-521)

RESOLUTION NUMBER R- 314172

DATE OF FINAL PASSAGE JUN 27 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE FISCAL YEAR 2023  
REPORT OF ACTIVITIES FOR THE TOURISM  
MARKETING DISTRICT AND AUTHORIZING THE  
RELATED EXPENDITURE OF FUNDS.

WHEREAS, on November 26, 2012, in Resolution R-307843, the Council of the City of San Diego (City Council) renewed the San Diego Tourism Marketing District (TMD) for a period of thirty-nine and one-half years commencing January 1, 2013 (Resolution of Formation); and

WHEREAS, on August 2, 2016, in Resolution R-310664, the City Council approved a modification to the TMD management plan, defining lodging business as those with 70 or more rooms, subject to the two percent assessment rate on assessable room rent; and

WHEREAS, the City Council approved the current ten-year operating agreement between the City of San Diego (City) and the San Diego Tourism Marketing District Corporation (SDTMD Corporation) in Ordinance O-21202, effective June 24, 2020 (Operating Agreement); and

WHEREAS, section 4.2.1.1 of the Operating Agreement requires that prior to disbursement, TMD assessment funds must be part of a City Council approved TMD budget; and

WHEREAS, it is projected that \$39,504,023 in TMD assessment funds will be collected during the period of July 1, 2022 through June 30, 2023 (FY 2023); and

WHEREAS, the SDTMD Corporation prepared the annual prospective report and budget required by San Diego Municipal Code section 61.2521 (Report of Activities) based on an anticipated budget of \$57,272,419 in TMD assessment funds for FY 2023, including

\$247,800 for recovery of City administration expenses, the projected TMD assessments in FY 2023, an estimated \$50,000 in interest and penalties, and \$17,718,396 in carryover funds remaining from previous years; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The FY 2023 Report of Activities is approved with an anticipated budget total of \$57,272,419, including \$289,630 for recovery of City administration expenses. Funding sources for this budget figure include: anticipated TMD assessments for FY 2023 of \$39,504,023; projected TMD interest and penalties to be accrued in FY 2023 of \$50,000; and carryover of administrative and other budgeted funds from previous years of \$17,718,396. The FY 2023 Report of Activities is on file in the office of the City Clerk as Document No.

RR- 314172.

2. The Chief Financial Officer (CFO) is authorized and directed to appropriate and expend from the Tourism Marketing District Fund No. 200726 for implementation of the FY 2023 Report of Activities in amounts not to exceed: \$39,504,023 of FY 2023 estimated revenue, \$50,000 of estimated interest, and \$9,794,356 of carryover administrative and other budgeted funds from previous years. The implementation of the FY 2023 Report of Activities includes recovery of actual City administrative costs estimated at \$247,800. The appropriation and expenditure from the Tourism Marketing District Fund No. 200726 is contingent upon the CFO certifying that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

3. The CFO is authorized and directed to appropriate and expend from the Tourism Marketing District Fund No. 200704 for implementation of the FY 2023 Report of Activities in amounts not to exceed: \$7,504,259 in carryover funds from previous years, including recovery of actual City administration costs estimated to be \$33,520. Such

appropriation and expenditure is contingent upon the CFO certifying that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

4. The CFO is authorized and directed to appropriate and expend from the Tourism Marketing District Fund No. 200705 for implementation of the FY 2023 Report of Activities in amounts not to exceed \$419,781 of carryover funds from prior years, including recovery of actual City administration costs estimated to be \$8,310. Such appropriation and expenditure is contingent upon the CFO certifying that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

5. The CFO is authorized and directed to appropriate and expend from the Tourism Marketing District Fund Nos. 200726, 200704, and 200705 for the Fiscal Year 2023 Report of Activities expenses that are processed in FY 2023 in amounts not to exceed fund balances less amounts authorized for the FY 2023 Report of Activities. Such appropriation and expenditure is contingent upon the CFO certifying that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Marguerite E. Middaugh  
Marguerite E. Middaugh  
Deputy City Attorney

MEM:jdf  
05/23/2022  
Or. Dept: Econ. Devel.  
Doc.No.: 2987800

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 14 2022

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 6/27/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on JUN 14 2022, 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 JUN 27 2022.

**(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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 314172