

RESOLUTION NO. 216976

R-77-608

OCT 13 1976

WHEREAS, the Campus Life Inc., a nonprofit corporation, has long conducted a Halloween activity in Balboa Park known as "Scream in the Dark," the proceeds of which are used to assist public and charitable activities in the community; and

WHEREAS, said organization is desirous of operating said activity from October 21 through October 31, 1976 in Belmont Park which has more suitable accommodations for conducting such family recreation activity; and

WHEREAS, The City of San Diego by lease agreements with the operators of Belmont Park is entitled to a percentage rental of the gross income of the use and occupancy of Belmont Park; and

WHEREAS, Campus Life Inc. is willing to pay a rental fee for the use of the building in which to conduct the activity but is desirous of having the City waive its percentage fee to the income generated solely by admission to the "Scream in the Dark" activity by patrons of Belmont Park; and

WHEREAS, the lessee of Belmont Park is desirous of entering such agreement with Campus Life Inc. because the "Scream in the Dark" activity will attract patrons to Belmont Park who will utilize other amusements and concessions, thus generating additional income (of which the City is entitled to an amount by contract); NOW, THEREFORE,

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

1. That the City Manager is hereby authorized and directed to waive for and on behalf of The City of San Diego, the right to income due under the terms and conditions set forth in the ^{Dup}~~form~~ of lease agreement on file in the office of the City Clerk as Document No. 544377 provided that this waiver shall only apply to income generated by paid admission to the "Scream in the Dark" activity sponsored by Campus Life Inc. from October 21 through 31, 1976, and shall not apply to any other income generated from amusement rides, concessions' rental incomes, or other services not included within the admission price.

2. That the City Manager is hereby authorized to execute an agreement with M.B.A., Inc., the lessee of Belmont Park and Campus Life Inc., under the terms and conditions set forth in the form of agreement on file in the office of the City Clerk as Document No. 757017.

APPROVED: JOHN W. WITT, City Attorney

By


David W. Ryan, Deputy

DWR:cav
10/7/76
Or. Dept. Prop.
263.9

OCT 13 1976

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By *Kathleen Masten*, Deputy.

(Seal)

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1976 OCT 12 AM 9:54
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **216976** Adopted **OCT 13 1976**