

RESOLUTION NO. 221324

JUL 5 1978
R. 79-5

WHEREAS, the agreements between The City of San Diego, San Diego Arena Lease Co. and San Diego Entertainment, Inc. require the approval of the City for any contract or agreement by San Diego Entertainment Inc. for presentation of events at the Sports Arena the term of which is longer than three (3) years; and

WHEREAS, the agreements referred to above also provide that no agreement by San Diego Entertainment, Inc. for presentation of events at the Sports Arena shall be for a term exceeding seven (7) years; and

WHEREAS, San Diego Entertainment, Inc. has entered into a lease agreement dated June 30, 1978 with the Boston Celtics Basketball Club, Inc., or its nominee (of which Mr. Irving Levin is one of the principals), for the exhibition of professional basketball at the Sports Arena from 1978 to 1981, and also grants to said Basketball Club or its nominee three (3) successive five (5) year options to extend the term of the lease upon the same terms, covenants and conditions; and

WHEREAS, the City Attorney has advised this City Council that, in his opinion, the granting of these options has the effect of making the term of said lease agreement eighteen (18) years; and

WHEREAS, the City Manager has recommended approval of the lease agreement between San Diego Entertainment, Inc. and the Boston Celtics Basketball Club, Inc. or its nominee, and further has recommended that the City waive the clause limiting the term of any agreement to seven (7) years with respect to this lease

MICROFILMED

01333

agreement and this lease agreement only; provided that City reserves the right to approve any assignment, hypothecation or transfer by the Boston Celtics Basketball Club, Inc., or its nominee, of its rights under said lease agreement, which approval by City shall not be unreasonably withheld; and

WHEREAS, San Diego Entertainment, Inc. duly recognizes that the City's waiver as set forth above concerning the term of this lease agreement is for this lease agreement and this lease agreement only and is subject to the condition set forth above; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the agreement between San Diego Entertainment, Inc. and the Boston Celtics Basketball Club, Inc., or its nominee, for the exhibition of professional basketball, dated June 30, 1978, a copy of which is on file in the office of the City Clerk as Document No. 764032, be and it is hereby approved and the clause in the agreements between The City of San Diego, San Diego Arena Lease Company and San Diego Entertainment, Inc. which limits any agreement by San Diego Entertainment, Inc. for presentation of events at the Sports Arena to a term not exceeding seven (7) years is hereby waived for purposes of this lease agreement and this lease agreement only; provided that San Diego Entertainment, Inc. and the Boston Celtics Basketball Club, Inc., or its nominee, furnish the City Manager and the City Attorney with a written acknowledgment that the City hereby reserves the right to approve any assignment, hypothecation or transfer of

JUL 5 1978

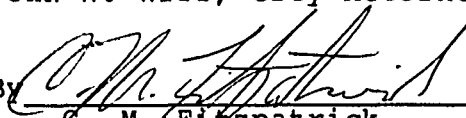
-2-

MICROFILMED
221324

01334

the rights of the Boston Celtics Basketball Club, or its nominee,
under said lease agreement; which approval by City shall not be
unreasonably withheld.

APPROVED: JOHN W. WITT, City Attorney

By 
C. M. Fitzpatrick
Senior Chief Deputy

CMF:vl:731.1
7/3/78
Or. Dept.: Property

MICROFILMED

JUL 5 1978

-3-

221324

01335

JUL 5 1978

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

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<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"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<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"/>
Larry Stirling	<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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Betty Gooding, Deputy.

MICROFILMED

Office of the City Clerk, San Diego, California

Resolution Number 221324 Adopted JUL 5 1978