

(R-85-524)

RESOLUTION NUMBER R-261601

ADOPTED ON September 18, 1984

WHEREAS, San Diego Entertainment, Inc., a California corporation, entered into an operating sublease in 1971 with San Diego Arena Lease Company for the operation of the premises commonly known as the San Diego Sports Arena; and

WHEREAS, said operating sublease provides that The City of San Diego approve any license agreement regarding said Arena which exceeds three (3) years in duration; and

WHEREAS, said San Diego Entertainment, Inc. desires to enter into a license agreement with Volume Services, Inc. for the food and beverage concession service at said Arena for a period in excess of three (3) years, pursuant to that certain document on file in the office of the City Clerk as Document No. RR-261601 and

WHEREAS, the City Council has determined that said Arena premises are not being maintained in conformance with said operating sublease and further that said San Diego Entertainment, Inc. has been found to have violated the provision of the operating sublease in the case of San Diego Clippers Basketball Club, Inc. v. San Diego Entertainment, Inc., San Diego Superior Court No. 445447; and

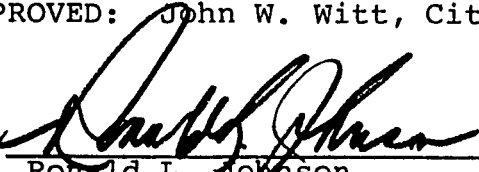
WHEREAS, the said license agreement calls for a reduced rate of return from the concession revenues for a period of two (2) years pursuant to a separate agreement whereby Volume Services,

Inc. has agreed to secure or cause to be secured an appeal bond to allow appeal of the adverse judgment in the amount of \$868,114.29; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the proposed license agreement is determined not to be in the best interests of The City of San Diego and the City does hereby not approve said license agreement.

APPROVED: John W. Witt, City Attorney

By



Ronald L. Johnson
Senior Chief Deputy

RLJ:ps:731.1.2
9/20/84
Or.Dept:Clerk
R-85-524
Form=r.none

SEP 18 1984

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By June G. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

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