

(O-97-61)  
(Corrected Copy)

ORDINANCE NUMBER O- 18365 (NEW SERIES)

ADOPTED ON DEC 10 1996

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AMENDMENTS TO AGREEMENTS WITH THE SAN DIEGO CHARGERS REGARDING AND RELATED TO THE USE AND OCCUPANCY OF SAN DIEGO JACK MURPHY STADIUM.

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

Section 1. The City Manager be and he is hereby authorized and directed, for and in the name of and on behalf of the City, to execute and deliver the First Amendment to the 1995 Agreement for Partial Use and Occupancy of San Diego Jack Murphy Stadium (the "Partial Use and Occupancy Amendment"), in substantially the same form and under substantially the same conditions as set forth in that document on file in the office of the City Clerk as Document No. OO- 18365-1, with such non-material, non-substantive changes as the City Manager shall approve as being necessary or in the best interests of the City and which, in the opinion of the City Attorney, do not: 1) increase the financial commitments or the scope of the obligations of the City, or 2) decrease revenue to the City, such approval to be conclusively evidenced by the execution and delivery of said Partial Use and Occupancy Amendment.

Section 2. The City Manager be and he is hereby authorized and directed, for and in the name of and on behalf of the City, to execute and deliver the First Amendment to the 1995 Agreement for Use and Occupancy of Skybox Areas at San Diego Jack Murphy Stadium (the "Skybox Areas Amendment"), in substantially the same form and under substantially the same

conditions as set forth in that document on file in the office of the City Clerk as Document No. OO- ~~18365~~-2, with such non-material, non-substantive changes as the City Manager shall approve as being necessary or in the best interests of the City and which, in the opinion of the City Attorney, do not: 1) increase the financial commitments or the scope of the obligations of the City, or 2) decrease revenue to the City, such approval to be conclusively evidenced by the execution and delivery of said Skybox Areas Amendment.

Section 3. The City Manager be and he is hereby authorized and directed, for and in the name of and on behalf of the City, to execute and deliver the First Amendment to the Facilities Use and Occupancy Agreement (the "Facilities Amendment"), in substantially the same form and under substantially the same conditions as set forth in that document on file in the office of the City Clerk as Document No. OO- ~~18365~~-3, with such non-material, non-substantive changes as the City Manager shall approve as being necessary or in the best interests of the City and which, in the opinion of the City Attorney, do not: 1) increase the financial commitments or the scope of the obligations of the City, or 2) decrease revenue to the City, such approval to be conclusively evidenced by the execution and delivery of said Facilities Amendment.

Section 4. The City Manager be and he is hereby authorized and directed, for and in the name of and on behalf of the City, to execute and deliver a Letter Agreement, between the City and the San Diego Chargers, concerning certain matters regarding San Diego Jack Murphy Stadium ("Letter Agreement"), in substantially the same form and under substantially the same conditions as set forth in that document on file in the office of the City Clerk as Document No. OO- ~~18365~~-4, with such non-material, non-substantive changes as the City Manager shall

approve as being necessary or in the best interests of the City and which, in the opinion of the City Attorney, do not: 1) increase the financial commitments or the scope of the obligations of the City, or 2) decrease revenue to the City, such approval to be conclusively evidenced by the execution and delivery of said Letter Agreement.

Section 5. The City Manager or his designee, any Deputy City Manager, the City Attorney, any Deputy City Attorney, the City Clerk and any Assistant City Clerk (each, a "Designated Officer"), and each of them acting alone or together, are hereby authorized and directed, for and in the name of and on behalf of the City, to take such actions, and to execute such documents and certificates as may be necessary to effectuate the purposes of this Ordinance.

Section 6. The City Clerk shall cause notice of the public hearing to be held on December 9, 1996, at 2:00 p.m. at the regular meeting place of the City Council of the City, on the approval of the proposed First Amendment to the 1995 Agreement for Partial Use and Occupancy of San Diego Jack Murphy Stadium, First Amendment to the 1995 Agreement for Use and Occupancy of Skybox Areas at San Diego Jack Murphy Stadium, First Amendment to the Facilities Use and Occupancy Agreement, and the Letter Agreement, to be published at least ten (10) days in advance of such public hearing in the San Diego Daily Transcript, a daily newspaper of general circulation, published and circulated in the City of San Diego, as required by Section 99 of the City Charter.

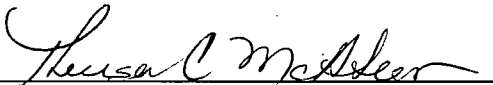
Section 7. The City Clerk is hereby directed to cause publication of notice of the adoption of this Ordinance for five (5) consecutive days in the San Diego Daily Transcript, a daily newspaper of general circulation published and circulated in the City/County of San Diego, as required by California Government Code section 6040.1, within fifteen (15) days from the

passage hereof pursuant to California Government Code section 6547.2.

BE IT FURTHER ORDAINED, that the imposition of the Admissions Assessment, as established by the City Council in Ordinance No. O-18339, is hereby suspended pending further review of Proposition 218 and further action by the City Council. Notwithstanding any other provision of this Ordinance, this suspension shall take effect immediately.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect and be in force on the thirtieth day from and after its passage.

CASEY GWINN  
APPROVED: ~~JOHN W. WITT~~, City Attorney

By   
Theresa C. McAteer  
Deputy City Attorney

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