

RESOLUTION NUMBER R- 287881

ADOPTED ON OCT 01 1996

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, a Letter Agreement with Padres, L.P. (the "Letter Agreement"), in substantially the same form, and under substantially the same terms and conditions as set forth in the Letter Agreement submitted to this meeting, amending the following agreements:

1. The Agreement for Partial Use and Occupancy of San Diego Jack Murphy Stadium between the City of San Diego and the San Diego National League Baseball Club, Inc. (the "1987 Agreement"), dated November 30, 1987, Document No. RR-269870;
2. Supplement No. 1 to the Agreement for Partial Use and Occupancy of San Diego Jack Murphy Stadium between the City of San Diego and the San Diego National Baseball Club, Inc. (the "1984 Advertising Agreement"), dated September 10, 1984, Document No. RR-261527-1;
3. The Third Amendment to the 1983 Agreement for Concession, Restaurant and Catering Services at San Diego Jack Murphy Stadium between Service America and the City of San Diego, (the "Concessions Agreement") and the Addendum thereto (the "Padres Addendum"), dated October 31, 1995, Document No. OO-18227-1;
4. The Flat Rate Lease for Administrative Offices between the City of San Diego and the San Diego National League Baseball Club, Inc., (the "Office Space Lease"), dated January 23, 1989, Document No. RR-272727-1;

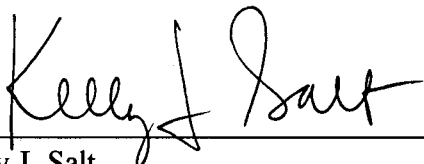
under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 287881

BE IT FURTHER RESOLVED, that the City Manager be and is hereby authorized and empowered to enter into any non-material, non-substantive changes or additions to the Letter Agreement which 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.

BE IT FURTHER RESOLVED, that the appropriation and expenditure of an amount not to exceed \$1,426,000 is hereby authorized from CIP No. 34-121.0, San Diego Jack Murphy Stadium Improvements, Fund 10332, is hereby authorized for the purpose of providing funds for expenses to be incurred for Stadium Expansion purposes to be repaid upon the receipt of bond proceeds.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to grant rent credits to Stadium tenants for permanent improvements made to the Stadium facility up to an annual maximum of \$270,000, subject to the City Auditor's verification of available funds.

APPROVED: JOHN W. WITT, City Attorney

By 

Kelly J. Salt
Deputy City Attorney

KJS:pev
09/18/96
09/26/96 Cor. Copy
10/09/96 Cor. Copy
Or. Dept. Fin & Tech Svcs
R-97-264
Form=auagr.res

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700270 (Revised)
ORIGINATING DEPT. NO.: 055

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount 760,787.00 Fund 100

Purpose Authorizing the transfer of funds from the General Fund Unallocated Reserve to the Stadium

Operating Fund 10330.

Date October 2, 1996 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	100	605		4881	000605				\$760,787.00
TOTAL AMOUNT										\$760,787.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____

Vendor _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										