

(R-2003-1134)
(COR. COPY)

RESOLUTION NUMBER R- 297771

ADOPTED ON MAR 24 2003

WHEREAS, on May 30, 1995, the San Diego City Council [City Council] adopted Ordinance No. O-18182 authorizing the City Manager to execute on behalf of the City of San Diego [City] the 1995 Agreement for the Partial Use and Occupancy of [then] San Diego Jack Murphy Stadium [Original Agreement] between the City and the Chargers Football Company [Chargers]; and

WHEREAS, on April 7, 1997, the City Council adopted Ordinance No. O-18398 which authorized the City Manager to execute on behalf of the City the Supplement Number One to the 1995 Agreement [Supplement Number One]; and

WHEREAS, the Original Agreement and Supplement Number One [collectively "the Agreement"] provided in part for the expansion of (now) Qualcomm Stadium [Stadium], and the use and occupancy of the Stadium by the Chargers under certain terms and conditions; and

WHEREAS, the Agreement also provided for certain renegotiation rights on the part of the Chargers, to be exercised under defined circumstances and at defined times, initiated by the sending of a Renegotiation Notice (as defined in the Agreement); and

WHEREAS, pursuant to the terms of the Agreement, and subject to the satisfaction of the conditions in them, the Chargers had the right to send a Renegotiation Notice at any time between December 1, 2002, and January 29, 2003; and

WHEREAS, on January 29, 2003, the City and Chargers entered into the Supplement Number Two to the 1995 Agreement pursuant to which the parties agreed to postpone the period during which the Chargers could send a Renegotiation Notice to the period March 1 through April 30, 2003, and

WHEREAS, on June 18, 2002, by Resolution No. R-296701, the City Council established the Citizens Task Force on Chargers Issues [Task Force] to examine and report back to the City Council by February 15, 2003, on a number of issues related to the Chargers and the National Football League; and

WHEREAS, on February 27, 2003, the Task Force, by a 14-1 vote, approved its final report to the City Council [Task Force Report]; and

WHEREAS, on March 4, 2003, the Chargers delivered to the City a Renegotiation Notice; and

WHEREAS, on March 18, 2003, the City Council received the Task Force Report and took several other actions in response to the recommendations set forth in that Report, and in response to the delivery of the Renegotiation Notice to the City by the Chargers, all as more fully set forth in Resolution No. R-297734; and

WHEREAS, one of the actions undertaken by the City Council on March 18, 2003, was the designation of a City negotiating team consisting of Assistant City Attorney Leslie J. Girard, Deputy City Manager Bruce Herring, and such other attorneys, consultants or experts as approved by the City Council [City Negotiating Team]; and

WHEREAS, the City Manager and City Attorney have made recommendations regarding additional members of the City Negotiating Team; and


WHEREAS, it is now appropriate for the City Council to designate other individuals to be members of the City Negotiating Team; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the following additional individuals are hereby designated to be members of the City Negotiating Team:

1. Paul Jacobs, Esq.;
2. Daniel S. Barrett; and
3. Robert J. Keel, Esq.

APPROVED: CASEY GWINN, City Attorney

By



Leslie J. Girard
Assistant City Attorney

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