

ORDINANCE NUMBER O- 19329 (NEW SERIES)

ADOPTED ON NOV 22 2004

ORDINANCE AUTHORIZING A THIRD AMENDMENT
TO THE AGREEMENT WITH SAN DIEGO STATE
UNIVERSITY REGARDING QUALCOMM STADIUM

WHEREAS, San Diego State University [SDSU] is currently utilizing the Stadium in accordance with an Agreement for Partial Use and Occupancy, dated August 20, 1984, as modified and supplemented by an amendment dated January 8, 1990, a copy of which is on file in the office of the City Clerk as Document No. RR-274948, and is desirous of continuing to utilize the Stadium to exhibit collegiate football; and

WHEREAS, the City and SDSU entered into an agreement for the partial use and occupancy of San Diego Jack Murphy Stadium (now Qualcomm Stadium) [Stadium], dated May 31, 1994, and on file in the Office of the City Clerk as Document No. OO-18076; and

WHEREAS, the parties negotiated revised terms and conditions for the use of the Stadium by SDSU pursuant to amendments dated July 20, 1998 and June 3, 2003, copies of which are on file in the Office of the City Clerk as Document Nos. OO-18548-1 and OO-19181, respectively; and

WHEREAS, pursuant to the Ticket Office Lease, SDSU leased certain space in the Stadium Premises for the purpose of operating a ticket office. The parties have agreed to the lease of a new Ticket Office to SDSU pursuant to this Agreement; and

WHEREAS, the parties have agreed to enter into this Third Amended and Restated 1994 Partial Use and Occupancy Agreement; NOW, THEREFORE,

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

Section 1. That the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, the Third Amended and Restated 1994 Agreement for Partial Use and Occupancy of Qualcomm Stadium Between San Diego State University and the City of San Diego, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO- 19329,

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By



Kelly J. Salt
Deputy City Attorney

KJS:pev
09/15/04
Or.Dept:Stadium
O-2005-42