(R-2006-459) (COR.COPY)

## RESOLUTION NUMBER R. 301099 ADOPTED ON DEC 0 5 2005

WHEREAS, on October 19, 2005, the Land Use and Housing Committee heard a proposal from the San Diego Chargers regarding a multi-use project that the organization wants to undertake on 60 acres of City-owned land at Qualcomm Stadium. This proposal, which would also include construction of a Charger-financed new Stadium, would involve abrogation of the current lease; and

WHEREAS, on November 1, 2005, the City Council approved of the creation of a negotiating team comprising of City Attorney Michael Aguirre, Executive Assistant City Attorney Don McGrath, Council members Donna Frye and Scott Peters, with Council member Toni Young as an alternate, an Auditor's Department designee, and attorney Paul Jacobs, Esq., a sports business consultant. After the election, the Mayor or a Mayoral designee will be added to the group. This team would be tasked with evaluating the Qualcomm Stadium lease issues and will regularly update the Mayor and City Council on its progress of the negotiations; and

WHEREAS, the amount of \$100,000 was also approved for the retention of Paul Jacobs, Esq., for his expertise as a consultant on this matter, NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is hereby authorized and directed to execute a retention agreement with Paul A. Jacobs of Jacobs, Chase, Frick, Kleinkopf & Kelley, LLC, for legal and consulting services related to the negotiations in a contract amount not to exceed \$100,000.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$100,000 from Fund 81140, Dept. 82240, Object Account 4141, is hereby authorized, solely and exclusively for the purpose of providing funds for the above project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Donald McGrath

**Executive Assistant City Attorney** 

DM:km 11/04/05 11/17/05 COR.COPY Or.Dept:City Atty R-2006-459

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

OFFITIOATE	OF LINIAL LOTTED	DALANCE
CERTIFICATE	OF UNALLOTTED	BALANCE

2600414

ORIGINATING DEPT. NO.: 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: Fund: Purpose: By: \_\_\_ Date: AUDITOR AND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA ACCTG. OPERATION BENF/ EQUIP FACILITY AMOUNT JOB ORDER LINE CY PY FUND DEPT ORG ACCOUNT ACCOUNT TOTAL AMOUNT 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.

\$100,000.00

Vendor:		Jacobs Chase Frick Kleinkopf & Kelley, LLC									
Purpose: To authorize a retainer agreement with Jacobs Chase Frick Kleinkopf & Kelley, for legal and on negotiations with the San Diego Chargers.									gal and cons	sulting services related to	
Date:	ate: November 17, 2005				By: audila Krohu  AUDITOR AND COMPTROLLER'S DEPARTMENT						
					AC	COUNTING DATA					
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQU	P FACILITY	AMOUNT	
001	n	81140	82240		4141	082240			1	\$100.000.00	

\$100,000.00 TOTAL AMOUNT

AC-361 (REV 2-92)

Not to Exceed:

FUND OVERRIDE 2600414 AC