

202
11/13/06

RESOLUTION NUMBER R- 302039

DATE OF FINAL PASSAGE NOV 22 2006

AUTHORIZING THE MAYOR TO EXTEND AND AMEND THE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND SAN DIEGO AUTO CONNECTION, INC., FOR THE EXCLUSIVE USE OF THE QUALCOMM STADIUM PARKING LOT FOR AUTOMOBILE SALES EVENTS.

WHEREAS, San Diego Auto Connection, Inc., a California corporation [SDAC], currently has the exclusive right to conduct seven (7) automobile sales events on the Qualcomm Stadium parking lot, and the right to conduct additional events on an availability basis; and

WHEREAS, SDAC pays the City a flat fee of \$391,000 per year under its agreement [SDAC Contract] with the City; and

WHEREAS, the SDAC Contract has a three-year term ending December 31, 2006, with a two-year option to extend, at the City's discretion; and

WHEREAS, in order to solidify SDAC'S long-term business planning, SDAC has requested that the City agree to extend the term of the SDAC Contract for an additional two years, commencing January 1, 2007; and

WHEREAS, in considering the extension, Qualcomm Stadium management and the Qualcomm Stadium Advisory Board negotiated terms for a new contract with SDAC [New SDAC Contract] for a total of nine (9) SDAC exclusive sales events per year for a flat rental rate of \$391,000 per year, with SDAC paying rental fees for any additional sales events, and reducing the number of days required to notify SDAC regarding rescheduling an SDAC sales event from 45 days to 30 days, which will give the stadium management greater flexibility in scheduling Qualcomm Stadium events; and

WHEREAS, Qualcomm Stadium management estimates the annual revenue to the City under the New SDAC Contract will increase from the current \$391,000 to approximately \$500,000; and

WHEREAS, the City also receives revenue from a sales tax on all car sales at Qualcomm Stadium; NOW, THEREFORE,

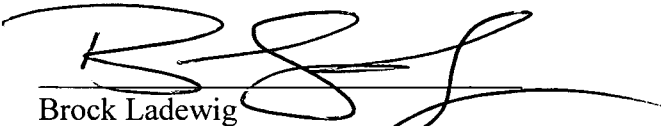
BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to execute, for and on behalf of The City of San Diego, a contract granting to San Diego Auto Connection, Inc., a California corporation [SDAC], exclusive rights for two (2) years commencing January 1, 2007, to conduct a total of nine (9) automobile sales events per year on the Qualcomm Stadium parking lot, located in San Diego, California, for an annual rental fee [ANNUAL RENT] of Three Hundred Ninety-One Thousand Dollars (\$391,000) under the terms and conditions set forth in that "Amended and Restated Agreement for Use of the Qualcomm Stadium Parking Lot Between The City of San Diego and San Diego Auto Connection" [CONTRACT] on file in the Office of the City Clerk as Document No. RR-302039;

BE IT FURTHER RESOLVED, the CONTRACT shall provide that SDAC may book additional events on an availability basis, provided SDAC pays, in addition to the ANNUAL RENT, applicable Qualcomm Stadium Parking Lot rental fees for each such additional event;

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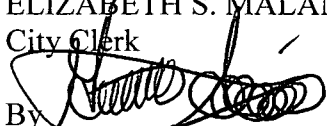
BE IT FURTHER RESOLVED, in each year of the term of the CONTRACT, SDAC shall be limited to conducting a total of twelve (12) automobile sales events and three (3) non-sales "ride and drive" events.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Brock Ladewig
Chief Deputy City Attorney

BL:jdf
08/29/06
11/14/06.Revised
Or.Dept:Stadium
R-2007-241.REV.
MMS 3724

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 13 2006.

ELIZABETH S. MALAND
City Clerk
By 
Deputy City Clerk

Approved: 11-22-06
(Date)


JERRY SANDERS, Mayor

Vetoed: _____
(Date)

JERRY SANDERS, Mayor

R- 302039

NOV 13 2006

Passed by the Council of The City of San Diego on _____, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 22 2006

AUTHENTICATED BY:

JERRY SANDERS
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Mary Zuma*, Deputy

Office of the City Clerk, San Diego, California

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