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RESOLUTION NUMBER R- 303195

DATE OF FINAL PASSAGE DEC 11 2007

A RESOLUTION RATIFYING A LETTER AGREEMENT BY THE BALLPARK ADMINISTRATOR AND AUTHORIZING THE MAYOR TO EXECUTE AN ACCORD REGARDING THE JOINT USE AND MANAGEMENT AGREEMENT FOR PETCO PARK WHICH PERMITS POLICE SERVICES INSIDE PETCO PARK AND ESTABLISHES REIMBURSEMENT STANDARDS FOR POLICE AND SPECIAL EVENT TRAFFIC CONTROL SERVICES

WHEREAS, the City of San Diego and the Padres L.P. entered a Joint Use and Management Agreement (JUMA) for the operation of the PETCO Park effective February 1, 2000; and

WHEREAS, the Ballpark operations sometimes require Police Services inside the stadium and both Police Services and Special Event Traffic Control Services outside the stadium and both the City and the Padres desire to clarify their responsibilities for the costs associated with such services; and

WHEREAS, the JUMA, § 7.7.2, precludes public safety personnel from being stationed for work inside PETCO Park and this agreement will permit the Padres to request and pay for the cost of police services inside the Ballpark; and

WHEREAS, the JUMA, § 7.6.2, provides for the City to be responsible for the “usual and customary” operations for traffic and safety personnel outside the stadium but does not specify a standard amount of time for which the City is responsible for either these traffic or safety personnel and this absence of specificity has led to debate over the standards; NOW

THEREFORE,

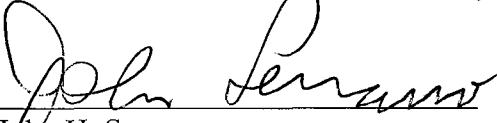
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the City Council hereby ratifies and the Mayor is hereby authorized to execute and implement, for and on behalf of the City of San Diego, a September 27, 2007

letter, agreement made by the Ballpark Administrator Timothy Moore and the Padres L.P. establishing the hourly rates and billing procedures for police and special event traffic control services, through the end of the 2007 baseball season, at the rates set forth in the letter agreement; and

2. BE IT FURTHER RESOLVED, that the JUMA is amended to permit police to work inside of Petco Park, so long as the Padres pay no less than the full cost of said services as established by the Mayor or his designee; and
3. BE IT FURTHER RESOLVED, that the JUMA's reference to the "usual and customary operations" for each home game for Special Event Traffic Control Services is hereby determined to require one hundred, fifty-five and six-tenths man hours (155.6 hours); and
4. BE IT FURTHER RESOLVED, that the mayor or his designee is authorized to establish for PETCO Park the hourly rates for police service costs both inside and outside of the ballpark and to establish the hourly rates for the Special Event Traffic Control Services necessitated by events at the park; and
5. BE IT FURTHER RESOLVED, that the Auditor and Comptroller is authorized to receive payments from the Padres L.P. under the letter agreement and deposit the funds in the appropriate account.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
 John H. Serrano  
 Deputy City Attorney

JHS:amp:lb  
 11/01/2007  
 11/21/2007 REV. COPY  
 Or.Dept:READ  
 R-2008-389

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~NOV 20 2007~~.

ELIZABETH S. MALAND  
City Clerk

By *Jenna Richardson*  
Deputy City Clerk

Approved: 12-11-07  
(date)

*J.S.*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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