



DATE ISSUED: April 26, 2006

REPORT NO: 06-044

ATTENTION: Council President and the City Council
Docket of May 1, 2006

REPORT TO THE CITY COUNCIL

SUBJECT: Ninth Supplement to the Agreement for the Partial Use and Occupancy of Qualcomm Stadium

REFERENCE:

REQUESTED ACTION: Authorization to execute the Ninth Supplement to the Agreement for Partial Use and Occupancy of Qualcomm Stadium between the City of San Diego and the San Diego Chargers in order to specify jurisdictions with whom the team can discuss Relocation of the Franchise prior to January 1, 2007.

STAFF RECOMMENDATION: Approve the Ninth Supplement to the Agreement which allows the San Diego Chargers to discuss Relocation of the Team with the City of San Diego, the County of San Diego, or any City located in the County of San Diego.

SUMMARY: On May 30, 1995 the City of San Diego and the Chargers Football Company entered into the 1995 Agreement for Partial Use and Occupancy of San Diego Jack Murphy Stadium. The Agreement has been supplemented on eight previous occasions to address improvements to the stadium, and to allow for and to incorporate amendments resulting from renegotiation of Agreement provisions.

The greater San Diego County community shares the City's interest in the Chargers remaining a locally based team. The proposed Ninth Supplement to the Agreement will allow the Chargers additional time and opportunity to explore other San Diego County areas or jurisdictions where the team might relocate. Specifically, Supplement Number Nine would introduce the term "Permitted Territory" into Agreement Sections 1 – Definitions, and Section 31 - Negotiations to Relocate Franchise. The term "Permitted Territory" shall mean "any site within the boundaries of the County of San Diego, including, but not limited to, any site within any city located in the County of San Diego." (see attached Ninth Supplement).

FISCAL CONSIDERATIONS: There are no known financial consequences associated with this action.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: the City Council has considered and approved eight prior supplements to the overall Lease Agreement since 1995.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Chargers Football Company, LLC

Deputy Chief

Chief Operating Officer

Attachments:

[Draft Resolution](#)

[Ninth Supplement to the Agreement](#)