

Citizens' Oversight Projects (COPs)

771 Jamacha Rd #148
El Cajon, CA 92019
CitizensOversight.org
619-820-5321 (Ray Lutz)

February 23, 2012

San Diego County Grand Jury
330 W. Broadway
Suite 477 (MS C40)
San Diego, CA 92101-3830
(619) 515-8707



This citizen complaint is hereby submitted to the San Diego County Grand Jury requesting a full investigation and indictment of Mayor Jerry Sanders with regard to the inappropriate use of his influence to result in an unlawful name-change of Qualcomm Stadium to "Snapdragon Stadium" in December, 2011. Experts say Qualcomm benefited by at least \$125,000 in unpaid promotional fees to the City. Such an act by a public official is felony embezzlement.

Attached, please find a full description detailing how:

- Sanders apparently entered into a verbal agreement with Qualcomm Incorporated to change the name of the Stadium to "Snapdragon" to promote their new product.
- On Dec. 7, 2011, The City Attorney informed Sanders that the agreement was unlawful because the original agreement with Qualcomm for the naming rights of the Stadium did not include changing the name to anything other than "Qualcomm," and that any such change would therefore require a new contract approved by the City Council and the City Attorney.
- Indeed, this would be the first time in the nation any such stadium or arena was named after an end-product and not after a corporate sponsor, and undermines the stature of the stadium and San Diego.
- Sanders apparently told Qualcomm they could change the name for only \$1,000 promotional fee, and they started to change the signs on December 12th.
- After the first game was completed (Chargers-Ravens NFL football game) a contract was drafted by the Mayor's office and signed after-the-fact. Neither the City Attorney nor the City Council approved the contract as required by law.
- On January 17, 2012, the City Attorney informed the Mayor that the agreement was invalid because it was not approved by the City Council nor by the City Attorney, and therefore, there was no valid agreement with Qualcomm for the sign change. He said the agreement could be ratified by the City Council after-the-fact.
- Council President Tony Young said the Council would not ratify the agreement.
- The \$1000 promotional fee charged to Qualcomm was far less than even one 30-second commercial in the Chargers-Ravens game, which run about \$500K to \$1M. An expert stated that Qualcomm should have been charged at least \$125,000, based on only TV exposure, for the name change.

Please see the attached document for a full description and relevant sections of California Penal Code.

Mayor Jerry Sanders is guilty of felony embezzlement, as described in the attached documents, and we request that you investigate and indict Sanders forthwith. Qualcomm Incorporated may be liable for acting without appropriate City approval. An agreement with appropriate payment to the city should be reached with Qualcomm to eliminate obvious concerns of precedence.

The attached document was delivered to: Mayor's office, City Council, City Attorney and District Attorney. We are concerned about potential conflict of interest by DA Bonnie Dumanis who is running for Mayor and who has been endorsed by Mayor Sanders.

Sincerely,



Raymond Lutz
National Coordinator, Citizens' Oversight Projects