

MAR 13 1978

WHEREAS, on September 2, 1977, a Memorandum of Understanding was entered into by and between the United States of America, acting by and through the Department of the Navy, and The City of San Diego regarding the relocation and reconstruction of the Naval Regional Medical Center in Balboa Park, whereby the parties set forth their understanding of what would be a reasonable settlement of the issue of just compensation should the government condemn certain lands in Balboa Park for such relocation and reconstruction; and

WHEREAS, Section 55 of the Charter of The City of San Diego generally prohibits the City from consenting to a change in the use of dedicated park land without voter authorization or ratification; and

WHEREAS, upon reflection it appears that the existence of said Memorandum of Understanding might be misconstrued as a voluntary consent by the City to a change in use of such lands in Balboa Park contrary to Section 55 of the Charter; and

WHEREAS, in the circumstances it appears desirable to rescind the Memorandum of Understanding to avoid any such misconstruction; and

WHEREAS, said Memorandum of Understanding is not in any event a binding or enforceable agreement; and

WHEREAS, it also appears desirable to reevaluate potential alternative and suitable sites within the City for relocation of the Naval Regional Medical Center that may not have been fully evaluated in the past; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that

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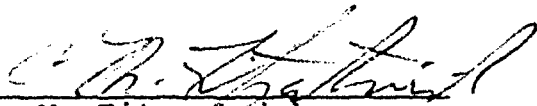
the City Manager is hereby authorized and empowered to rescind the Memorandum of Understanding between The City of San Diego and the United States Navy.

BE IT FURTHER RESOLVED, that this action by the Council does not connote, and shall not be deemed to connote, any view or position as to the appropriateness or inappropriateness of the United States Navy's relocation and reconstruction of the Naval Regional Medical Center in Balboa Park, or as to the reasonableness or unreasonableness of the settlement terms set forth in the Memorandum of Understanding, such action being intended solely to restore the status quo.

BE IT FURTHER RESOLVED, that the Council of The City of San Diego directs the City Manager to reevaluate potential and suitable sites within The City for the relocation of the Naval Regional Medical Center and to report back to the Council at the end of forty-five (45) days.

APPROVED: JOHN W. WITT, City Attorney

By

  
C. M. Fitzpatrick  
Senior Chief Deputy

CMF:vl:710.4  
3/27/78  
Or. Dept.: Clerk

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220463 01318

Passed and adopted by the Council of The City of San Diego on MAR 13 1978  
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California

Resolution Number 220463 Adopted MAR 13 1978

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