

RESOLUTION NUMBER R- 260676

Adopted on MAY 14 1984

WHEREAS, the existing law on eminent domain permits governmental entities to acquire any property, including business and intangible property, necessary to carry out any of their powers or functions; and

WHEREAS, this bill (SB 1585) would take away the eminent domain power to acquire a going business in order to continue the business in the general area without the owners' consent or to prevent the business from moving from the general area; and

WHEREAS, this bill has been introduced in order to reverse court interpretations of eminent domain law holding that local governments have authority to acquire ownership of professional sports franchises; and

WHEREAS, on April 23, 1984, the Rules Committee reviewed the background and various aspects of SB 1585 (Montoya) relating to eminent domain powers in regard to professional sport teams, as fully set forth by the Intergovernmental Relation's Department in its Report No. 84-22, dated April 18, 1984, with the legislative analysis and recommendation attached thereto; and

WHEREAS, after review and discussion of the IRD Report No. 84-22 and the legislative analysis of SB 1585, the Rules Committee voted unanimously to oppose the bill for the reasons set forth in said legislative analysis; and

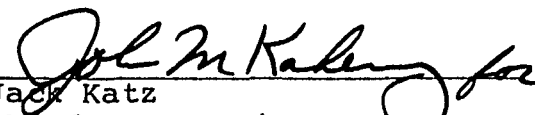
01135

WHEREAS, the Rules Committee now forwards the matter of SB 1585 to the full Council with a unanimous recommendation to oppose; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council, for and on behalf of the people of San Diego, after full review of IRD Report No. 84-22, dated April 18, 1984, and the legislative analysis and recommendation attached thereto, does hereby express its opposition to SB 1585 (Montoya), relating to eminent domain regarding professional sport teams.

BE IT FURTHER RESOLVED, that the Intergovernmental Relations Department is hereby directed to take all necessary and appropriate action to carry forward the above-expressed Council opposition to SB 1585.

APPROVED: John W. Witt, City Attorney

By 
Jack Katz
Chief Deputy City Attorney

JK:smm
5/3/84
R-84-1760
Or.Dept:Rules
Form=r.none

01136

7-114

MAY 14 1984

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

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

(Seal)

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-260676 Adopted MAY 14 1984

RECEIVED
CITY CLERK'S OFFICE
1984 MAY -3 AM 11:39
SAN DIEGO, CALIF.

MAY 14 1984

01138

MAY 17 1984