

(R-86-1950)

RESOLUTION NUMBER R- 265566

ADOPTED ON APR 28 1986

WHEREAS, under existing law, damages are not recoverable for diminution in the value of real property caused by the exercise of regulatory power by public entities; and

WHEREAS, SB 1833 (Seymour) provides that where action of the government is found by the court to result in a taking of real property, the government has the choice of either rescinding the government action or affirming it and further provides that the government must pay interim damages from the date of the taking to the date of rescission or to the date upon which a resolution of necessity is passed affirming the taking; and

WHEREAS, the Rules Committee on April 7, 1986, considered Intergovernmental Relations Department (IRD) Report No. 86-20, dated April 2, 1986 which set forth the background and discussion concerning the matter and approved unanimously the recommendation contained therein to oppose the senate bill; and

WHEREAS, the Rules Committee now forwards the matter to the full Council for action; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council, for and on behalf of said City, adopts the recommendation set forth in IRD Report No. 86-20, dated April 2, 1986 and hereby declares its opposition to SB 1833 (Seymour).

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz  
Jack Katz, Chief Deputy

JK:smm  
4/14/86  
Or.Dept:IRD

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Passed and adopted by the Council of The City of San Diego on APR 28 1986,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA  
Deputy Mayor of The City of San Diego, California.

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

By *June A. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-265566 Adopted APR 28 1986

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