

*This superseded
proposed release
that I VETOED
DATED MAY 2 1957*
Approved
W. J. ...

PRESS RELEASE OF HAROLD W. KENNEDY, COUNTY COUNSEL,
PERTAINING TO THE LEGAL PHASES OF PROCURING A MAJOR
LEAGUE BASEBALL STADIUM FOR THE COUNTY OF LOS ANGELES.

May 6, 1957

County Counsel Harold W. Kennedy, today filed with the County of Los Angeles Board of Supervisors an extensive exploratory opinion pertaining to the expenditure of public money for the purpose of securing major league baseball for the County of Los Angeles. The opinion was written pursuant to a unanimous request by the Board of Supervisors. By way of summarizing the twenty page document, the County Counsel's opinion recognizes:

1. The County has clear-cut basic authority to acquire land and buildings for the purpose of presenting professional athletic contests to the public.
2. The presentation of professional baseball games and other professional athletic contests is a proper public function for which County funds may be expended.
3. Within the framework of existing Constitutional provisions, statutes, and case decisions, the County has clear legal authority to acquire and operate an appropriate facility with which to present professional baseball games, but in the event that some specific plan would require the County to relinquish the operative management of the facility, general principles of Constitutional and case law indicate that the legislative body must retain sufficient control over the property to assure that its use

6

-2-

will be public and not private.

4. It would be legally possible for the County of Los Angeles and the City of Los Angeles to provide a major league baseball stadium under the operation of a joint powers agreement. If the stadium were constructed by this method, it would be possible to finance it by the issuance of revenue bonds.

5. If the County were to undertake the entire operation by itself, financing of the project could parallel the pattern of State statutes already in existence which permit the County to acquire land and then lease it to private capital upon the condition that the stadium be built according to County specifications and then to lease the completed unit back from the builders.

6. Other possible sources of financing, such as general obligation bonds, cumulative capital outlay funds, and a lease with option to purchase are also available.

County Counsel Harold W. Kennedy, emphasized that the practical and legal possibilities of solving this particular problem are numerous, and that therefore the opinion should not be construed as outlining the only possible legal manner of bringing major league baseball to Los Angeles.

7