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# Eminent domain measure to go on Chula Vista ballot

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**By Shannon McMahon**  
UNION-TRIBUNE STAFF WRITER

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CHULA VISTA – Council members handed a victory to an activist group yesterday by voting unanimously to place an eminent domain measure on the June ballot.

Proposed by Chula Vistans for Private Property Protection, the measure would curb the city's power of eminent domain.

Mayor Steve Padilla, who initially opposed the measure, said council members should add the proposed amendment to the ballot as a way to “maintain the public's trust.”

“It is not our decision to pass judgment on the merits of a proposal,” Padilla said last night. “I hear very clearly that the community was concerned about this issue. They ought to have a right to vote on it.”

Friday, Padilla had announced that he planned to bring the issue to the council last night. Councilmen John McCann and Steve Castaneda had suggested doing the same thing at a council meeting earlier last week.

The measure would limit the city's eminent domain authority by requiring the city to use its powers of condemnation only for a public use, such as building a school. It also would require the city to keep eminent domain properties it acquires for at least 10 years before selling them.

Councilman Jerry Rindone said the Chula Vista Redevelopment Corp., which would control many areas threatened by eminent domain, does not operate under the city's charter and therefore would not be bound by the proposed charter amendment.

Yuri Calderon, an attorney representing Chula Vistans for Private Property Protection, said he is not concerned by the potential loophole.

Calderon said the amendment “for all practical purposes” would “put a stop” to the city acquiring property through eminent domain for the purpose of reselling it.

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Confusion over the amendment started two weeks ago when Chula Vistans for Private Property Protection submitted petition signatures for the measure to the city clerk, but fell short by 236 registered voters.

Members of the group turned in 14,195 signatures, safely more than the 10,000 they thought they needed to make a March 10 deadline to qualify for the June ballot.

But the City Clerk's Office told the group that the measure in fact required signatures from 15 percent of registered Chula Vista voters, or 14,431 signatures.

At the time, the clerk said the group could not resubmit or add more signatures. Then last Wednesday, city attorneys decided to allow the group to add more signatures.

After the city initially announced that it would not accept more signatures, petitioners filled council meetings, made angry comments to the council and called for new leadership. Padilla, McCann, Castaneda and Councilwoman Patty Chavez are running for office in June.

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