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Measure would target eminent domain

\$1.5M makes qualification for ballot likely

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LONG BEACH — Redevelopment opponents have secured enough funding to help qualify a measure for the November ballot that would restrict and redefine the use of eminent domain in California, it was learned Tuesday.

The initiative is aimed at curbing the government's power to seize private property, such as the recent condemnation of a Filipino church in Central Long Beach by a unanimous vote of the Redevelopment Agency Board, one proponent of the initiative said.

"What justification do those six people have to declare that church blighted?" said Orange County Supervisor Chris Norby, one of the state's leading redevelopment opponents. "Redevelopment is bad public policy, bad public finance and bad morality."

Norby, who has backed a similar proposed initiative, said he would throw his support behind whichever initiative qualifies first.

And it looks like that may be an initiative to create a constitutional amendment, called the Protect Our Homes Initiative .

A March 15 filing with the secretary of state shows a \$1.5 million funding boost for the initiative from a New York-based organization called The Fund For Democracy.

Both sides agreed that the contribution makes the initiative a likely ballot contender because the money can be used to gather the nearly 600,000 signatures required.

"This initiative is most of the way there with this single contribution," said John Shirey of the California Redevelopment Association.

Introduced by the San Jose-based Protect Our Homes Coalition, the initiative would bar state and local governments from condemning private property to promote other private projects; and limit government authority to adopt certain land use, housing, consumer, environmental and workplace laws and regulations, except when necessary to preserve public health or safety.

It would also void unpublished eminent domain court decisions. Perhaps most notably, the initiative, which would take effect the day after it passes, establishes a new formula for compensating private property owners. In addition to requiring governments to pay fair market value for a property plus improvements, it would make governments pay private parties for loss of income from a seizure for an undetermined time.

Proponents, who have until July 17 to collect 598,105 signatures to qualify it, could not be reached for comment.

If passed, the initiative would drive up the cost of acquiring property to improve neighborhoods and communities, said Shirey, a former assistant city manager for Long Beach.

He said it would impact many ongoing redevelopment projects in Long Beach, including efforts to build parks and affordable housing.

Nearly half of Long Beach is in redevelopment, which many credit for downtown's revitalization. The Long Beach RDA Board approved using eminent domain to take a church building in Central Long Beach for an affordable housing project on March 13, despite pleas from churchgoers.

The recommendation to use eminent domain was brought to the board after church leaders turned down 13 alternative sites offered to them, RDA staff said.