

## Jackson group still eyes development

### Undeterred by Prop. 99 passage

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Two votes took place this week that likely will play into Seaside's future development plans, including a hotel project proposed by Major League Baseball Hall-of-Famer Reggie Jackson's development team.

Californians passed Proposition 99 on Tuesday, which says that government agencies no longer have the authority to use eminent domain to benefit a private interest. Two days later, Seaside's city council voted unanimously to reinstate its power to use eminent domain within the city's redevelopment areas — a power that expired in April.

Proposition 99 took effect Wednesday, the day after the election, according to Secretary of State Deborah Bowen's office.

While the city no longer has the authority to force the sale of an owner-occupied, single-family residence after Tuesday's vote, Proposition 99 does not prohibit an agency from using eminent domain to acquire commercial, industrial or residential rental properties.

The city and Jackson's group, Amador 44, have been collaborating on the idea of a 252-room hotel and conference center across the street from the Embassy Suites Hotel Monterey Bay in Seaside. The 5.7-acre parcel, which is one the city's redevelopment zones, encompasses 17 houses, four

businesses and a church. Jackson owns a half-acre within the zone.

Cynthia Enright, Amador 44's project manager, said the new restriction on eminent domain does not derail the development group's plans because no plan was settled upon.

"We have been working with the city to get the project defined, so nothing has taken us off course," said Enright. "Since we really haven't solidified the design of the project, there are still a lot of options . . . We're still trying to figure out what would be best to go there."

Diana Ingersoll, Seaside's deputy city manager, said the city has not been in contact with Jackson's group since Proposition 99 passed.

"We are waiting for the developer to contact us," Ingersoll said.

The city has maintained that eminent domain is a last resort, and that Jackson would have to negotiate individually with each property owner within the zone. But the possibility of eminent domain in the event of any unwilling sellers continues to concern residents, business owners and property rights advocates — regardless of limitations created by Proposition 99.

Several residents spoke out during Tuesday's council meeting against the city re-establishing eminent domain. Some referred to the practice as "stealing," particularly if it is used to benefit a private party.

City Attorney Don Freeman said eminent domain is not stealing because property owners are compensated at fair market value.

Lawrence Samuels, a property rights advocate, said

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Friday he is planning to meet this weekend with members of several local advocacy groups about organizing an effort to replace all five City Council members.

The effort would focus on recalling the two council members whose terms extend beyond November, and trying to defeat the re-election of the other three councilmembers running in November.

Samuels is part of the Project Action Committee that was assembled in January to advise the council on whether to re-establish eminent domain. The committee voted 7-1 against bringing it back, which meant that instead of a simple majority, at least four of the five council members had to vote in favor of eminent domain to revive it.

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