

# Eminent domain measure rejected

## Moorpark will consider other ways to revitalize downtown

By Anna Bakalis  
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Now that buying properties through eminent domain is not an option for redevelopment in Moorpark, city staff members said they will focus on other projects to help revitalize the downtown area.

In a packed Wednesday night meeting, the Moorpark City Council, acting as the Redevelopment Agency, rejected an amendment to reinstate for 12 years eminent domain authority over commercial and industrial properties in a 1,200-acre project area.

The unanimous vote was taken after more than 350 people sat and stood in council chambers in quiet opposition to the amendment. Dozens of residents inside and outside the project area spoke against the issue during a public comment period that lasted three hours.

The council voted 5-0 just before midnight; the audience applauded the vote.

"If you don't trust us with eminent domain, we don't want it," said Councilman Keith Millhouse, who made the motion to reject the measure. This decision puts the issue to rest indefinitely, city officials said.

Eminent domain is described as the power of a public agency to forcibly acquire private property at fair market value for public use. Officials have said it would be used only as a last resort, and not on residential properties.

The agency's eminent domain authority expired in 2001, and city leaders have tried to get the issue to a council vote for the past two years. They ordered a study of blight in the area and established a Project Area Committee, made up of residents and business owners.

But the crowd Wednesday night wanted nothing to do with the idea.

"The best thing for me and my neighbors is to just forget this eminent domain thing," said Terry Davenport, a 52-year-old Moorpark resident. "When we sell our home, it shouldn't be a profit-making thing for the city."

### Focus on High Street

Hugh Riley, assistant city manager, said the city will continue to focus redevelopment efforts along the south side of High Street with the Severyn Ashkenazy development by a San Fernando Valley builder who specializes in historic projects. At the other end, the city is hoping to add a mixed-use development, including a restaurant and office spaces.

Officials have said a revitalization of downtown includes a good mix of offices, businesses, restaurants and entertainment.

Riley estimated the city spent about \$60,000 over the past several years in consultant costs in its attempt to reinstate eminent domain.

But the people spoke loud and clear Wednesday, Riley said.

"We tried to be honest about it, but there's a lack of trust there," he said. "These people were passionate; that's just the way it goes."

### **Fears about residences**

The project area includes downtown High Street, Walnut Canyon Road and south to the Arroyo Simi, extending as far east as Condor Drive and west to Gabbert Road. While the amendment did not include residential housing, there was the fear that could change.

"In spite of telling them there were no plans to do that, there was a lack of trust that would happen," said Councilwoman Janice Parvin. "In order to relieve everyone of that stress and worry, better to go the other way."

The council decision goes against a Project Area Committee recommendation to adopt the agency's previous authority, known as Amendment No. 2.

### **Politically prudent' move**

"They did what was politically prudent last night it's a bittersweet day for me," said Dale Whitaker, chairman of the committee. "I'm a little disappointed because I feel what we sent as a recommendation to the City Council was the best thing for the city."

One of the main goals of the city's redevelopment plan is eliminating blight, which ranges from graffiti to boarded up houses and run-down cars on private property. The council reviewed a 100-page blight report that was completed by Urban Futures Inc.

Councilman Mark Van Dam pointed out flaws in the study, saying there were two pictures used as examples of blight that were wrong. One labeled as "faulty wiring" was really a TV cable. There was also an RV on a residential property that was listed as blight.

"It's only a few years old," Van Dam said. "I wish I had an RV like this."

### **Not reflecting community**

Parvin is happy to see the blight report sit on a shelf and gather dust.

"The report was, to me, not a reflection of our community," she said. "I was looking at these parcels, and saw there was a disconnect."

The council said they wanted to bring back the "Moorpark Beautiful" program, which focuses on cleaning up, landscaping and other beautification to the affected areas.

"We need to go in a more positive direction, where you don't have to take away people's homes," Parvin said.



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