



**Date:** July 8, 2008

**To:** Mayor and Members of the City Council

**From:** Bonnie Lowenthal, Vice Mayor, Councilmember, 1<sup>st</sup> District *BL*  
Val Lerch, Councilmember, 9<sup>th</sup> District *Val*

**Subject:** **Request Report on the Impact of California Proposition 99, the *Homeowners Protection Act*, on Redevelopment Activities in Long Beach**

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California voters recently passed Proposition 99, the *Homeowners Protection Act*, to reform eminent domain practices in the State of California. Proposition 99 prevents government from taking owner-occupied homes through eminent domain to be transferred to a private developer.

Although most of the time, the Long Beach Redevelopment Agency buys property from willing sellers, eminent domain is an important tool in removing blight or appropriating property for public use when property owners do not want to sell or do not agree on a sales price.

With the passage of Proposition 99, the Redevelopment Agency will still be able to use eminent domain to acquire private property to build public facilities (such as roads, parks, and schools), but will be limited in using eminent domain for the purpose of transferring the property to another private party, unless the RDA was taking the home to protect public health and safety; prevent serious, repeated criminal activity; respond to an emergency; remedy environmental contamination that posed a threat to public health and safety; used the property for a public work, such as a toll road or airport operated by a private party.

I would like to request a report from on the impact of Proposition 99 on redevelopment activities in Long Beach.

**Recommendation:**

Request that the Department of Development Services present a report to the City Council on how the passage on Proposition 99 will affect the activities and projects of the Long Beach Redevelopment Agency.