

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisor Tavaglione & Supervisor Stone **SUBMITTAL DATE:** Sept. 12, 2006

**SUBJECT: BOARD OPPOSITION TO PROPOSITION 90**

**RECOMMENDED MOTION:** That the Board of Supervisors take an official position in Opposition of Proposition 90, following up with a formal resolution in opposition at our next scheduled meeting.

**BACKGROUND:** Proposition 90, which is on the November ballot, will have damaging effects on all local governments in this state. Under the auspices of "Eminent Domain Reform", this proposition will actually result in numerous lawsuits brought against local and state government by property owners who claim that a governmental action has somehow reduced the value of their property. For instance, approving a new general plan could trigger lawsuits by any property owner whose land use designation has been changed to allow a less intensive or otherwise less valuable use. The County could end up in a situation where it is forced to compensate those landowners for that loss in value. This would be extremely damaging to our ability to provide good land use planning for the future.

Proposition 90 would cause the cost of improving our infrastructure to skyrocket by changing the way land value is determined when we acquire property for rights-of-way and for other public projects. Each and every day in both City & County government, we must use the tool of eminent domain to acquire critical land parcels (mostly small strips of land) for major public infrastructure, i.e., road construction/widening, flood control, sewer & water projects, and the common safety projects such as sidewalk construction and traffic signal placement. For example, the Highway 79 widening in the south county, has required RCTC to acquire in excess of 400 small parcels of land through this public acquisition process. Additionally, as we move forward on major land acquisitions related to the Mid-County Corridor and the Multi-Species Habitat Conservation Plan (MSHCP), costs and delays resulting from the negative impacts of Prop. 90 would be particularly damaging to the county, and likely place our Federal permit in jeopardy.

  
John Tavaglione  
Second District Supervisor

  
Jeff Stone  
Third District Supervisor

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Prop 90 is already opposed by a myriad of private and public organizations ranging from the Nature Conservancy and California School Boards Association to the California State Association of Counties, the California League of Cities, California Redevelopment Agencies, and the California Chapter of the American Planning Association.

While some form of Eminent Domain reform may be needed in California, this proposition would be disastrous to all but the large landowner. It will have a crippling effect on Riverside County's efforts to preserve open space and provide infrastructure and could cost the taxpayers of this county hundreds of millions of dollars in the coming years.