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## Public Forum



Voters of Moraga – Vote NO on J and NO on K

By Steve Woehleke, Dale Walwark, and Bob Reynolds

Competing special interests have placed two initiatives, Measures J and K, on the fall ballot in Moraga. If passed, their re-write of Moraga land-use policy will impose their view of the future of Moraga land-use and planning on all of us. And, the permanent changes almost certainly will result in expensive litigation the Town must defend, at your expense, with a reduction in Town services. This is a very bad idea. Your NO vote on both J and K is essential to the future of Moraga.

Together with land-use restrictions in place since 1986, Moraga has evolved a planning process that has served the community very well. Ridgelines and open spaces are protected. Environmental issues are thoroughly considered. Local control is firmly established. There is lots of opportunity for input from neighbors and the community. The limited new home construction we have seen is compatible with our attractive community. Most of us see little that needs to be fixed.

However, others may see a need for Moraga land-use policy change. We do not resist it. But, if changes are needed, we believe they should be determined in Moraga's established General Plan process, deliberative decision making with ample opportunity for dialog among landowners, citizens, and professionals. Up-front discussions should focus on consideration of alternatives and assessment of implications. Instead of Moraga's normal balanced and deliberative process, special interests have plunked down the two take-it-or-leave-it packages of permanent regulations, the full implications of which may not be known until it is too late. Regulations set by initiative can only be changed by another initiative or by the courts.

An almost certain result of passage of either of these measures will be legal challenge, expensive litigation that the Town of Moraga will be forced to defend with your money. It is unfortunate that the Initiative process saddles the Town (i.e., you) with the legal bills, not the proponents. We all know that litigation is expensive but we don't know how expensive. The cost is open-ended and unknowable until the process is well underway.

The problem is that the Town of Moraga is basically broke. All revenues are being used for costs, and we face structural deficits in the years to come. There is no extra money to pay the expected legal bills. There isn't even enough to pay for continuation of current services. And, we can't raise taxes.

Thus, the cost of litigation must be taken away from Town services, police, parks, recreation, roads, public safety, and other. Do you want to sacrifice police protection in exchange for expensive lawyers to defend special interests? The Town will have no choice if these measures pass and become law. Compromise is not possible if either initiative passes.

We do not question the business interests or the motivations of initiative proponents. They are local people and they want what they want.

We strongly question the implications of the words on the paper of the take-it-or-leave initiatives without deliberation or discussion. On your ballot, you will see 12 to 17 words. You can only say Yes or No. Behind these 12 to 17 words are 25 to 30 pages of dense legal initiative language that required about 25,000 words each for Town staff and lawyers to interpret. We strongly urge you to vote NO on both J and K unless you have studied every word of the measures, understand their meaning and implications, and agree it is all, in its entirety, good for you and for Moraga.

Your NO vote on both on J and K will mean Moraga will retain local control under its time-tested land-use policies and its effective planning process. Ridgelines and open spaces will continue to be protected as they have been for more than 20 years.

Your NO vote on both J and K can also be the starting point for a sensible informed discussion of the future of land-use policy and planning in Moraga, done the way it ought to be done, a dialog among citizens, professionals, and landowners with deliberation, discussion, and ample public input.

Finally, some people have told us they don't like either of these initiatives but think they have to choose between the lesser of evils.

There is a third choice, a better choice. Choose no evil at all -- Vote No on both J and K.



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