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Published August 26th, 2015

## Referendum on Aug. 26 Agenda

The Town Council will acknowledge at its Aug. 26 meeting the petition that was filed by a group of citizens to stop the Moraga Center Homes development next to the fire station on Moraga Way. The Contra Costa County Elections Division certified that this referendum petition contained the requisite number of valid signatures. The council could either repeal the ordinance against which the petition is filed, or submit the ordinance to the voters. But the developer, City Ventures, and the property owner, David Bruzzone, have filed a lawsuit claiming that the petition violated several state election laws. For example they say that the residents omitted the actual plans of the site in the information that they showed to those who signed. State law requires the "full text" of a municipal initiative be included in the petition that is circulated for voter signatures. "Because the town went ahead and certified the referendum despite this violation of state election law, we are put in the uncomfortable position of actually having to turn to the courts to enforce the election laws," said Charity Wagner of City Ventures. The town attorney believes the issues raised bring up serious legal questions that are best resolved by a court of law. She has recommended that the council take no action on whether to rescind or put the referendum on the ballot until a court decides on the merits of the petition. The Town Council will decide to proceed or not at its regular meeting on Aug. 26. S. Braccini

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