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Appellate Court upholds city's 2016 approval of cabana project

... continued from Page A1

we see no basis for inferring even the possibility of prejudice from the city's failure to disclose in the meeting packet the applicant's litigation threat."

Attorney for the plaintiffs, Scott Sommer, is concerned for potential implications this could have on cities' future practices. He says that despite the court finding the city violated the Brown Act by holding closed session meetings with-

out the record being available for public inspection, the court rejected finding the project null and void, which he says, sets a new precedent.

"In requiring 'prejudice' - that a petitioner must additionally show the council would have voted differently had the law been complied with - the Court has established a precedent that will make it difficult or impossible for citizens and the media to henceforth use or enforce the Brown Act's 'Sunshine' provisions,"

says Sommer. "This is a purely judicial creation not found in the specific statutory language or exceptions the Legislature put in the Brown Act, and will be controversial."

Sommer says the group will meet to decide what their next steps might be. Their options include petitioning for a rehearing or taking it to the California Supreme Court.

Legal fees to date have cost Lafayette taxpayers \$832,023.

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James Burkin
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City council throws support behind school funding measure

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State funding is determined by the Local Control Funding Formula which allocates more money to school districts with higher concentrations of English language learners, low income and/or foster youth. Out of 1,037 school districts in California, LAFSD consistently scores in the top 24 despite being the 11th lowest funded per

student per year.

Mayor Mike Anderson spoke of the strong bond between the city council and the school districts and observed, "What's been done with the funding has been unbelievable."

All council members were supportive. Council Member Teresa Geringer quoted a phrase coined by Former Mayor Don Tatzin, saying that

the schools are a part of the "virtuous circle" of what makes Lafayette a place people want to live.

The vote to endorse the measure was unanimous and was greeted by applause from the public.

The measure on the March 3 ballot needs a two-thirds majority to pass. No argument against Measure L has been filed.

Share your thoughts, insights and opinions with your community.

Send a letter to the editor: letters@lamorindaweekly.com



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