



City of Mission Viejo

Office of the Mayor and City Council

Trish Kelley
Mayor

Wendy Bucknum
Mayor Pro Tem

Brian Goodell
Council Member

Greg Rath
Council Member

Edward Sachs
Council Member

August 27, 2021

The Honorable David Chiu
California State Assembly
State Capitol, Room 4112
Sacramento, CA 95814

RE: Assembly Bill 215 (Chiu) Planning and Zoning Law: housing element: violations (As Amended 8.16.2021) – OPPOSE

Dear Assembly Member Chiu,

On behalf of the City of Mission Viejo, I write to express our respectful opposition to Assembly Bill 215, which would provide the Department of Housing and Community Development (HCD) with additional enforcement authority for local agency violations of specified housing laws.

First, we appreciate your amendment which removes the bill's provision requiring jurisdictions to attain a pro-housing designation – a process that has already been codified in the 2019 Budget and was created as an incentivizing tool for local governments, not a requirement. Additionally, as we have stated in previous written communication, the City of Mission Viejo seeks to fully comply with the provisions set about in the Housing Crisis Act of 2019 and all other housing laws.

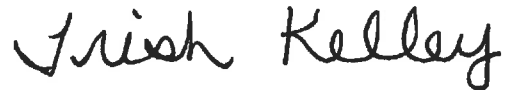
The City is concerned about the provisions of AB 215 which authorize HCD to appoint or contract with other counsel if the Attorney General declines to represent the department in specified actions related to the department's enforcement authority. Additionally, we are concerned about the proposed 3-year statute of limitations for a developer or HCD to take action against a City. We feel that these new provisions allowing for additional prosecution avenues and additional time for an action to be taken against a City will actually delay the production of housing, not expedite it.



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Your commitment to ensuring that California has adequate housing for residents of all income levels is appreciated, but due to the concerns listed above the City of Mission Viejo respectfully opposes Assembly Bill 215.

Sincerely,



Trish Kelley
Mayor

cc: Senator Pat Bates
Assembly Member Laurie Davies
City of Mission Viejo City Council Members
Dennis Wilberg, City Manager ~ City of Mission Viejo
Elaine Lister, Director of Community Development ~ City of Mission Viejo
Gail Shiomoto-Lohr ~ GSL Associates

