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For Immediate Release
January 12, 2023

Statement on Behalf of Mayor Tony Strickland in Response to the Department of Housing and Community Development's Letter and Legal Challenge of the State's Regional Housing Needs Assessment Mandate

On December 20, 2022, Council Member Casey McKeon presented an [item](#) to the City Council opposing the State's Regional Housing Needs Assessment (RHNA) mandate and requesting that the City Attorney take "whatever legal action is required" to challenge the State mandate. That item was voted on and approved by a four to three City Council majority.

On January 11, 2023, the Voice of OC published an article covering a letter recently sent to Huntington Beach by the California Department of Housing and Community Development (HCD), the agency designated to take measures to increase housing throughout the State, in response to the approval of the December 20, 2022 item. The HCD letter states that if the City does not do what it (arbitrarily) says, HCD will punish Huntington Beach. As directed by the City Council, the City Attorney of Huntington Beach is preparing a legal challenge stating that HCD has abused its power, has gone well-beyond the prescriptions of its authority set forth in State law, has knowingly and willfully utilized a flawed methodology in making RHNA determinations, and has violated State law by imposing its recent housing mandates.

In that Voice of OC article, dissenting Council Members of the December 20, 2022 item, Dan Kalmick, Rhonda Bolton, and Natalie Moser, issued a joint statement, a "news release" to the Voice of OC reporter and other media outlets criticizing the City's lawsuit. They are quoted as describing the lawsuit as "futile" and "expensive." Per the City Charter, Section 305 *et. seq.*, only the Mayor has the authority to make public statements on behalf of the City and any other statement is not an official statement of the City. At this time, the City Attorney has not yet briefed the City Council on the nature of the lawsuit. That briefing is scheduled for the January 17, 2023 City Council meeting. As an aside, to date, no prior City challenges of State law have cost the taxpayer any money. Such legal challenges are not expensive.

"The City of Huntington Beach is right to challenge these State housing mandates," said Mayor Tony Strickland. "We don't need to hear a lecture from Governor Newsom. Gavin Newsom left San Francisco in shambles as Mayor and is doing the same thing to our state." Mayor Strickland continued, "In fact, figures released last week by Fox 11 Los Angeles showed California's resident population has declined by more than 113,000 since July 2021, and down more than a half-million people since July 2020. Due to Newsom's policies, we have more people moving out of California than moving in. After the last ten year census we lost congressional representation for the first time in our states history."



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A 2022 review by the State's independent Auditor was critical of HCD in its RHNA determination. The Auditor concluded HCD's methods for RHNA were flawed, stating, "HCD does not satisfactorily review its needs assessments to ensure that staff accurately enter data when they calculate how much housing local governments must plan to build... HCD could not demonstrate that it adequately considered all of the factors that state law requires, and it could not support its use of healthy housing vacancy rates. This insufficient oversight and lack of support for its considerations risks eroding public confidence that HCD is informing local governments of the appropriate amount of housing they will need." As such, HCD and the agents that seek to enforce State housing mandates on cities like Huntington Beach are ripe for challenge. Not challenging this, and not protecting the City of Huntington Beach and defending it from this rogue tyranny by an administrative agency, would be irresponsible. We must take this action.

"The people of Huntington Beach don't want to urbanize our city and have the problems of Gavin Newsom's San Francisco. If our residents wanted that, they would move to Los Angeles or San Francisco. The Huntington Beach residents want us to fight against these ridiculous and arbitrary mandate housing numbers from Sacramento," said Mayor Strickland. "To that end, the City supports its City Attorney and it supports any other city wishing to join the challenge of the State."

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