

**MAILING ADDRESS:**  
City Hall  
150 City Park Way  
Brentwood, CA 94513  
Phone: 925.516.5400  
Fax: 925.516.5401  
[www.brentwoodca.gov](http://www.brentwoodca.gov)

**CITY MANAGER**  
150 City Park Way  
Phone: 925.516.5440  
Fax: 925.516.5441

**COMMUNITY DEVELOPMENT**  
150 City Park Way  
Phone: 925.516.5405  
Fax: 925.516.5407

**FINANCE AND  
INFORMATION SYSTEMS**  
150 City Park Way  
Phone: 925.516.5460  
Fax: 925.516.5401

**HUMAN RESOURCES**  
150 City Park Way  
Phone: 925.516.5191  
Fax: 925.516.5446

**PARKS AND RECREATION**  
150 City Park Way  
Phone: 925.516.5444  
Fax: 925.516.5445

**POLICE**  
9100 Brentwood Boulevard  
Phone: 925.634.6911  
24 Hr. Dispatch: 925.809.7911  
Fax: 925.809.7799

**PUBLIC WORKS  
Engineering Division**  
150 City Park Way  
Phone: 925.516.5420  
Fax: 925.516.5421

**Operations Division**  
2201 Elkins Way  
Phone: 925.516.6000  
Fax: 925.516.6001

July 12, 2024

The Honorable Sharon Quirk-Silva  
Member, California State Assembly  
1021 O Street, Room 4210  
Sacramento, CA 95814

**RE: AB 2023 (Quirk-Silva) Housing element: inventory of land: rebuttable presumptions. Notice of OPPOSE UNLESS AMEND**

Dear Assemblymember Quirk-Silva,

The City of Brentwood opposes your measure AB 2023 unless it is amended to address our two concerns.

First, we ask that AB 2023 be amended to remove an obstacle to meeting the statutory deadlines for housing element adoption. By adding over 90 days to the adoption process, this measure almost guarantees that housing elements will not be adopted by the statutory deadline. This is contrary to our mutual goal that all California cities adopt a housing element that complies with the statutory requirements in accordance with the statutory deadline.

Rather than requiring more review, California cities need meaningful, clear, and consistent direction from HCD that helps finalize local governments' housing elements and put those plans to work to support much-needed housing construction.

Second, we ask that AB 2023 be amended to be consistent with existing law. Under existing law, if HCD finds that a city's housing element substantially complies with the law, then those findings receive a "presumption of validity" in a court case challenging the city's housing element. Likewise, if HCD finds that a city's housing element does not substantially comply, then those findings should also receive a "presumption of validity" rather than the "presumption of invalidity" given the city's housing element by AB 2023.

California cities are committed to being part of the solution to the housing shortfall across all income levels and will continue to work collaboratively with you and other stakeholders on legislative proposals that will spur much-needed housing construction. The City of Brentwood is concerned that the proposed changes in AB 2023 do not achieve these shared goals.

Assembly Bill 2023 (Quirk-Silva) Housing element: inventory of land: rebuttable presumptions.  
Notice of Oppose.

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For these reasons, The City of Brentwood must oppose unless amended AB 2023.

Sincerely,



Joel R. Bryant  
Mayor

cc: Honorable Sharon Quirk-Silva via Legislative Position Letter Portal  
Honorable Timothy S. Grayson, Assembly Member: [assemblymember.grayson@assembly.ca.gov](mailto:assemblymember.grayson@assembly.ca.gov)  
Honorable Diane Burgis, CCC Supervisor: [supervisor\\_burgis@bos.cccounty.us](mailto:supervisor_burgis@bos.cccounty.us)  
Honorable City Council Members, City of Brentwood: [citycouncil@brentwoodca.gov](mailto:citycouncil@brentwoodca.gov)  
Sam Caygill, East Bay Division, Cal Cities: [scaygill@calcities.org](mailto:scaygill@calcities.org)  
League of California Cities: [cityletters@calcities.org](mailto:cityletters@calcities.org)

