



The Southern California Affiliate of The Lawyers' Committee for Civil Rights Under Law

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VIA EMAIL

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RE: COMMENTS - City of Pomona 2017 Draft Amended Housing Element

Dear Mr. Jared:

On behalf of our clients, Tommy Singleton and the North Towne Christian Church, we submit the comments attached regarding the City of Pomona 2017 Draft Amended Housing Element of the General Plan ("Draft Amendment") submitted to the Department of Housing and Community Development (HCD) via email on November 14, 2017. We are also sending the attached comments directly to HCD.

In brief, the Draft Amendment does not comply with state Housing Element Law and requires additional substantial revisions. Although the Draft Amendment includes some of the additional actions and analysis requested by HCD in 2014, it still falls short of the Housing Element Law requirements set forth in California Government Code section 65580 et seq. The Draft Amendment fails to identify sites to accommodate 100 percent of the Regional Housing Needs Allocation (RHNA) and does not include a program to rezone sites to make up for the shortfall in sites, and is deficient in other areas. As described in detail in our attached comments, the City has not addressed many of the issues identified by HCD in January 2014 in the Amended Draft. Meanwhile, years have gone by without the City taking necessary actions to accommodate its housing need. This failure puts pressure on the existing housing market in Pomona and in surrounding communities.

From the date of Petitioners' first demand letter in 2016, we have indicated that we would work with the City to come into compliance with Housing Element Law. Despite our efforts to resolve the housing element's inadequacies and identifying the necessary corrections, the City has not taken steps to work collaboratively to correct the element's legal deficiencies. We now request that we include the required actions described in the attached comments in a settlement agreement with corresponding deadlines for completion of these actions. Any settlement agreement would need to be finalized by January 15, 2018. Without such an agreement, the City will continue to lack a valid housing element and therefore lack a valid general plan, and will

likely be subject to a writ commanding compliance and severely limiting the City's land use powers.

Please share our comments with your client as the City Council considers adoption of the draft amended Housing Element.

Sincerely,

Nisha N. Vyas
Attorney for Petitioners

Encl.