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SENATE BILL 9

State sues Huntington Beach over housing

Latest effort to ramp up enforcement targets one of the most defiant cities

By **Marisa Kendall**
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In a warning signal to California cities failing to comply with recently beefed-up housing legislation, the state Thursday announced it's suing Huntington Beach for "thumbing their nose" at laws intended to help solve the state's housing shortage. The lawsuit challenges the

seaside Southern California city's attempt to circumvent Senate Bill 9 — a newly enacted law that allows up to four units on lots in neighborhoods zoned for single-family homes.

"Huntington Beach City Council has chosen to stifle affordable housing projects, infringe on the rights of property owners and knowingly violate state housing law," Attorney General Rob Bonta said

during a virtual news conference that included Gov. Gavin Newsom.

The council Feb. 21 banned the city from processing SB 9 development applications, as well as accessory dwelling units — small backyard or garage units also known as ADUs. The state is asking the court for a preliminary injunction that would immediately force the city to roll back that action while the litigation progresses.

Huntington Beach officials quickly fired back by filing

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Huntington Beach Mayor Tony Strickland speaks at a news conference Thursday addressing a federal lawsuit regarding the state's housing mandates.

JEFF GRITCHEN
SOUTHERN CALIFORNIA NEWS GROUP

ROADSHOW

How to safely go with flow of traffic

Q I was surprised by your answer regarding the express lane speed limit. I just took the in-person exam at the DMV and one question was,



Gary Richards
Mr. Roadshow

"How fast should you drive on a highway with a posted limit of 65 mph if the flow of traffic is exceeding the limit?" The answer was that it would be illegal to drive over 65 mph to keep up with the flow of traffic. Please help. We are caught between road boulders and autobahn wannabes.

— Dick Powers, Los Gatos

A Technically, you're correct. Drivers need to find a lane where they can safely go with the flow. Traffic in some lanes may exceed the speed limit, but often, not all do.

Q I fail to see how Interstate 980 disrupts West Oakland. Half of it is elevated, with lots of streets crossing below. The half not elevated has five bridges crossing over it.

If you want to see a town made unusable by freeways, try Milpitas. We are chopped up by two freeways and a major rail yard in a town less than 4 miles across. Two east-west thoroughfares cross both freeways. Neither one is bike-friendly. We need more bridges and bike lanes over the freeways and railroads. Can Milpitas apply for this Reconnecting the Town grant?

— Jesse Lee, Milpitas

A Unfortunately, in Milpitas, there is no timetable, and there are no projects looming on the horizon to improve this situation.

Q Last week, I went to Yosemite and used four-wheel drive for the first time. When should I use four-wheel drive if roads are partly clear and partly snowy? Should I turn it on and off, or is it OK to leave it on? There was some disagreement

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CONTRA COSTA COUNTY



PHOTOS BY RAY CHAVEZ — STAFF PHOTOGRAPHER

Eduardo Quintana, 9, right, and brother Elvis, center, get lessons on playing the guitar from Guitars Not Guns program Vice President Jay Kirkland, left, after the brothers graduated from the first level of guitar program at Family Justice Center in Antioch on Wednesday.

Free program turns kids into musicians

Guitars Not Guns reemerges after pandemic but still needs volunteers

By **Judith Prieve**
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The sound of silence is no more. Youths are learning to finger chords and pluck out simple tunes again through the Guitars Not Guns free music program in Contra Costa County.

The nonprofit's guitar classes for youths went silent early on during the COVID-19 pandemic three years ago, but this winter the Contra Costa chapter resurrected lessons with students learning the basics of playing music from a small group of volunteers. New classes will begin in Concord next week as the revived program rotates around the county, depending on available volunteers.



Contra Costa County Supervisor Diane Burgis speaks at the Guitars Not Guns graduation program Wednesday. Burgis' late husband, Richard Clayton, was a volunteer in the program.

"We need this, especially after COVID," Barbara Gorin, president of the nonprofit's Contra Costa County chapter, said in an interview. "Everybody needs a little music in their lives."

On Wednesday night, the first batch of graduating music students got a chance to strut their stuff during a short performance for family and friends at the Family Justice Center in An-

tioc where the weekly classes had been held.

"COVID impacted us, but we're really, really happy to be back," Gorin told the crowd gathered. "This is our first graduating class (since 2019), so we're happy to be back doing this."

The music nonprofit was started after a San Jose couple with foster children, Ray and Louise Nelson, discovered that playing the guitar could boost the youths' confidence and self-esteem and steer them in a positive direction. It since has expanded to include budding musicians from all over who otherwise would not get a chance to take guitar lessons, which can be prohibitively expensive.

A formal nonprofit since 2000, its name was inspired by the fatal shooting of 13 people at a Columbine, Colorado, high school, and the nonprofit

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RESILIENCE PROJECTS

Newsom's budget would cut funds that protect coast



KARL MONDON — STAFF PHOTOGRAPHER

Mitch Rand boards up windows for the seaside units of the Capitola Venetian Hotel on Jan. 6 amid heavy waves.

It's part of \$6B sliced from climate change programs

By **Julie Cart**
CalMatters

Gov. Gavin Newsom's proposed budget would cut funding for coastal resilience projects almost in half, eliminating more than half a billion dollars of state funds this year that would help protect the coast

against rising seas and climate change.

The cuts are part of Newsom's proposed \$6 billion in reductions to California's climate change programs in response to a projected \$22.5 billion statewide deficit.

California's coastal resilience programs provide funding for local governments to prepare coastal plans and pay for projects that protect beaches, homes and infrastructure at risk from rising seas. Green-

house gases are responsible for warming the planet, which melts ice and causes sea levels to rise.

Newsom's proposal would budget \$734 million for coastal resilience, a cut of 43%, or \$561 million, compared with 2021 and 2022, according to the Legislative Analyst's Office.

Some lawmakers told CalMatters that they are concerned about Newsom's proposal to gut the programs that are helping coastal towns prepare for

flooding that has already damaged many communities.

Sen. Josh Becker, who chairs the Senate's budget subcommittee, called the cuts "highly concerning," especially because they are excessive compared to the cuts applied to other state programs.

"Most programs received 10% cuts," Becker, a Democrat from San Mateo, said in an interview. "I'm very concerned about it, given

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Guitars

FROM PAGE 1

promotes ballads over bullets. Guitars Not Guns now boasts chapters in 12 states and Canada.

The grassroots organization relies on volunteers and donations to help underprivileged children learn about the pleasures of music.

Most of the children in this new session had never played music before, but one, Caleb Aragon, 11, brought the saxophone he had just begun learning and performed a solo, as they waited for others to arrive.

'Love the enthusiasm'

"Caleb brought his saxophone to class last week and played a little song for us, and he asked if we could bring it today and I said, 'Absolutely,'" Gorin said. "I love the enthusiasm. It's been really cool."

Caleb's mom, Marissa Henriquez, said her son was lucky to get in when a last-minute spot opened up for the eight-week program.

"He was already playing saxophone and I saw how much he was into it



Guitars Not Guns Director Barbara Gorin presents a certificate of achievement to Contra Costa County Supervisor Diane Burgis at the Guitars Not Guns graduation Wednesday.

and really loved music, so I thought it would be good," she said. "There's no cost. We're unfortunately not people who can afford guitar lessons, so we were really excited."

Henriquez applauded the volunteers who have inspired the children to play guitar and continue learning.

"The volunteers are

great, and they really love music," she added. "They're passionate about music and they care. He's even more excited and wants to try other instruments. ... I'm so grateful to the program."

Deborah McKim has volunteered with the program for several years because she "believes in it" and "it's wonderful to watch them progress."

"I want to keep sharing with the kids," she said. "There's nowhere out there to go (for free music classes). ... We want returning students, or they can bring their brothers and sisters to the program."

Many of the students in the Antioch program said they hoped to continue learning guitar, a task that will become a little easier



Burgis, center, and city officials and parents look on at the graduation ceremony in Antioch. Burgis' late husband, Richard Clayton, was a volunteer in the program.

since each one was given a free instrument at the end of the performance, some of which were donated and others bought through the nonprofit.

Contra Costa County Supervisor Diane Burgis, whose late husband, Richard Clayton, volunteered as a guitar teacher with the nonprofit, encouraged the students to keep learning and to remember to thank all who make it possible.

"You know, time is so precious," she told the students. "I want to just acknowledge you all for taking the time to learn a skill."

Burgis also thanked the volunteers, some of whom

traveled from Richmond to teach the weekly lessons.

"These volunteers are giving their time," she said. "They are wanting to give you something, a little magic (in music)," she said. And I hope someday you'll turn around and give some of that magic to someone else."

Gorin said more volunteer teachers are needed, especially in the Antioch and Richmond areas. To volunteer or donate, or for more information about the program, call 925-785-8342, email Barbara.Gorin@guitarsnotguns.org or go to guitarsnotguns.blogspot.com.

Lawsuit

FROM PAGE 1

their own lawsuit against the state, claiming Sacramento's efforts to thwart city zoning rules and force cities to build more housing are unconstitutional.

"We know neither the state nor Gavin Newsom are serious about actually producing more housing. Their goal is just to urbanize quiet private property owning communities," Huntington Beach Mayor Tony Strickland said during his own news conference. "This lawsuit filed by our city attorney today is the first major step in taking the governor and the state to task over their faulty narratives about housing and their unconstitutional leg-

islative and administrative means of stripping charter cities of their ability to make their own decisions."

It's the latest example of tension between Sacramento and city governments as the state attempts to build its way out of a housing shortage that has driven prices sky-high, priced people out of their hometowns and exacerbated a mounting homelessness crisis.

State officials anticipate California needs 2.5 million more homes by 2030, and legislators have passed nearly 100 laws in recent years aimed at developing more housing. Enforcement of those laws also has ramped up. In 2021, Newsom created a new Housing Accountability Unit tasked with helping cities get into compliance with state housing laws — and cracking



Supporters of the Huntington Beach City Council attend a news conference Thursday in Huntington Beach that was the city's response to a lawsuit by the state.

down on those who refuse.

State officials have come after other cities, including some in the Bay Area. In 2019, the California Department of Housing and Community Development threatened to sue Cupertino, warning that if a massive housing proj-

ect planned at the defunct Valco Mall site didn't progress, the city would be out of compliance with its state-mandated development goals. The attorney general called out Woodside earlier this year after the wealthy Peninsula town tried to exempt itself from SB 9

by claiming the town is a mountain lion habitat. Last year, the state launched a first-of-its-kind review of San Francisco's permitting process after the city reported the longest timelines in the state for approving housing projects. And Newsom last year threatened to take back millions of dollars in state funding after he claimed Oakland shirked its responsibility to clear a large West Oakland homeless encampment.

But in each of those cases, the city worked with the state to solve the issue. Huntington Beach, which also was warned, is an outlier, Bonta said. Newsom called Huntington Beach "Exhibit A" in what's wrong with housing in the state of California.

"They're thumbing their nose. I guess for attention,"

said Newsom, who is recovering from COVID-19 and joined the news conference virtually. "But it's coming at the cost of the community and those they claim to serve."

It isn't the first time Huntington Beach has faced off against the state in court. The state sued in 2019, accusing the city of failing to allow enough new housing development. That lawsuit was settled and Huntington Beach agreed to plan for 502 new low-income housing units. Huntington Beach, with a population of nearly 200,000, also sued the state seeking to be exempt from recent housing laws, but it lost that lawsuit in 2021.

"This is a waste of money, a waste of time," Newsom said about the current legal battle. "They will lose again."

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