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July 16, 2018

Mayor Al Murray
City of Tustin
3000 Centennial Way
Tustin, CA 92780

Re: City of Tustin Inclusionary Zoning Policies and The Brown Act

Dear Mayor Murray,

The Building Industry Legal Defense Foundation (BILD) is a non-profit mutual benefit corporation and a wholly-controlled affiliate of the Building Industry Association of Southern California (BIASC). The purposes of BILD are, in part, to initiate or support litigation or agency action designed to improve the business climate for the building industry and to monitor and involve itself in government regulation critical to the industry.

Staff at BIASC and BILD are deeply concerned by Tustin's pursuit of harmful Inclusionary Zoning policies, particularly under circumstances where there has not been full public notice and disclosure as required by law. It is imperative that the public have a meaningful opportunity to engage with the City Council on this important zoning issue, and that collective briefings, meetings and decisions of the City Council be conducted in an open and lawful manner.

On July 13, 2018, BILD submitted a Public Records Request to the City concerning the proposed Voluntary Workforce Housing Incentive Program Ordinance – Ordinance No. 1491 presented to the City Council on July 3, 2018. Specifically, the Request is for copies of all communications and documents regarding, related to, or created in connection with any communications from Friday, June 15, 2018 through Friday, July 6, 2018 concerning Ordinance 1491 and its multiple iterations.

This Request was submitted to collect all available information about the Proposed Ordinance No. 1491E put forward at the July 3, 2018 City Council Meeting. We are concerned that Proposed Ordinance No. 1491E was presented to and considered by the City Council without appropriate public notice and compliance with all applicable laws.



In order to satisfy all legal requirements and provide a meaningful opportunity for public participation, we ask that you schedule a properly noticed first reading for Proposed Ordinance No. 1491E. An open public process can lead to good policy decisions and responsible land use planning, without need for litigation. By working together we can pursue what is in the short and long-term best interests of the Tustin community.

Thank you for your thoughtful consideration.

Sincerely,

A handwritten signature in blue ink that reads "Steven Zimmer". The signature is fluid and cursive, with the first and last names clearly legible.

Steven Zimmer, Esq.

Chairman