



August 18, 2026

The Honorable Sheila F. Hanson
Presiding Judge of the Superior Court
Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

RE: City of Brea Response to 2025-2026 Orange County Grand Jury Report, *California Housing Mandates, The Unintended Reshaping of Orange County Neighborhoods*

Dear Presiding Judge Hanson,

In accordance with Section 933.05 (a) and (b) of the California Penal Code, this letter contains the response on behalf of Mayor Hupp and the Brea City Council to the Orange County Grand Jury report, dated May 21, 2026, titled "California Housing Mandates, The Unintended Reshaping of Orange County Neighborhoods". The responses included correspond to Findings F1, F2, F4, F5, F6, F7, F8, F9, F10, F11, F12, in addition to Recommendations R7, R8, R9, R11, R12, R14, R15, and R16, as requested by the Orange County Grand Jury.

RESPONSES TO FINDINGS F1, F2, F4, F5, F6, F7, F8, F9, F10, F11, F12:

F1. In recent years, the California Legislature has enacted an unusually large and burdensome volume of housing-related laws intended to strengthen compliance with State Housing Mandates.

Response: The City of Brea agrees with the finding.

F2. Housing Mandates are implemented through a RHNA process that often lacks transparency and relies on complex methodologies that are difficult for local officials and the public to understand or meaningfully challenge.

Response: The City of Brea agrees with the finding.

Cecilia Hupp
Mayor

Marty Simonoff
Mayor Pro Tem

Christine Marick
Council Member

Blair Stewart
Council Member

Steven Vargas
Council Member

F4. Meaningful participation by Orange County cities in both OCCOG and SCAG meetings is critical to ensuring that local perspectives are represented during the development and implementation of Housing Mandates policies.

Response: The City of Brea agrees with the finding.

Explanation: The City of Brea maintains representation within OCCOG and SCAG through appointed representatives serving on regional boards and committees. In addition, a City staff member serves on the OCCOG Technical Advisory Committee (TAC), ensuring the City of Brea's participation in the development and implementation of Housing Mandates policies.

F5. SCAG's 6th Cycle RHNA assigned Orange County a questionable total of 183,861 housing units for the 2021–2029 planning period, with higher allocations concentrated in cities with major population and employment centers.

Response: The City of Brea partially agrees with the finding.

Explanation: The City of Brea focuses on addressing its assigned RHNA allocation, which increased from the prior planning period and refrains from commenting on the allocations assigned to other jurisdictions.

F6. RHNA allocations are unrealistic and not attainable within the current planning cycle due to limited available land, built-out urban conditions, infrastructure constraints, environmental factors, and public health and safety requirements.

Response: The City of Brea agrees with the finding.

F7. Residents in Orange County consistently express a desire for local planning decisions to reflect community priorities, including but not limited to neighborhood character, safety considerations, the environment and open-space preservation.

Response: The City of Brea partially agrees with the finding.

Explanation: The City of Brea recognizes that neighborhood character, safety considerations, the environment and open-space preservation are important topics that are frequently raised by residents during local planning processes. However, the City of Brea cannot comment on residents countywide.

F8. California's regulatory construction costs (i.e. permitting fees) present substantial challenges for private housing developers—particularly those delivering affordable units.

Response: The City of Brea disagrees with the finding.

Explanation: The City of Brea recognizes that regulatory construction costs, including permitting fees, development impact fees, and environmental review compliance costs, are a consideration in affordable housing development. However, these costs vary by project and are one of several

factors affecting development feasibility. The City of Brea cannot conclude that regulatory construction costs significantly influence project feasibility and developer interest. The City of Brea has successfully supported ten apartment developments through various forms of development assistance, including loans for seven affordable apartment developments, approval of density bonuses to qualifying developments, and waiver of development fees.

F9. The cost of constructing a single affordable housing unit in California typically ranges from approximately \$500,000 to \$800,000 per unit when fully complying with current state regulations. New low-income housing is generally not financially feasible without public subsidy.

Response: The City of Brea partially agrees with the finding.

Explanation: The City of Brea agrees that the development of affordable housing is financially complex and that construction costs in California are significant. Affordable housing projects often require multiple funding sources and factors, such as land availability, infrastructure needs, and regulatory requirements that can increase development costs. Despite these challenges, the City of Brea has successfully facilitated affordable housing developments through strategic partnerships and effective use of available funding sources, including loans for seven affordable apartment developments and approving density bonuses to qualifying developments.

F10. Prior to their dissolution in 2012, redevelopment agencies served as a primary mechanism for cities and counties to finance affordable housing and related infrastructure. The loss of redevelopment has reduced cities' ability to support construction of affordable units.

Response: The City of Brea agrees with the finding.

F11. Because public subsidy is limited and highly competitive, cities seeking to produce meaningful quantities of low-income housing must rely in part on private development incentives, often resulting in higher overall development densities and unit counts than the RHNA allocation.

Response: The City of Brea agrees with the finding.

Explanation: The City of Brea recognizes that public funding for affordable housing is limited and that private development incentives play an important role in facilitating affordable housing projects. These incentives have supported the production of affordable housing within the City of Brea.

F12. The 6th Cycle RHNA methodology included numerous technical inputs published by SCAG and HCD; however, these inputs were highly complex and difficult for cities to interpret or independently verify.

Response: The City of Brea agrees with the finding.

RESPONSES TO RECOMMENTATIONS R7, R8, R9, R11, R12, R14, R15, and R16:

R7. OCCOG, all Orange County cities and the County of Orange should reassess the current dues structure, by September 30, 2026, to ensure that OCCOG has the resources necessary to effectively represent Orange County jurisdictions in SCAG processes, including RHNA methodology development and appeals. (F3, F15)

Response: Disagree; the recommendation will not be implemented.

Explanation: OCCOG'S dues structure is established by its own processes, and changes to the dues structure cannot be independently initiated by the City of Brea. Although the recommendation will not be implemented, the City of Brea will continue to participate in OCCOG and SCAG discussions related to RHNA and regional housing planning and is open to participating in OCCOG-led reassessment of its dues structure.

R8. By December 31, 2026, the Orange County Board of Supervisors should partner with cities to evaluate countywide infrastructure capacity—including water, wastewater, flood control, transportation, and public-safety systems—and develop a coordinated regional plan capable of supporting the level of housing growth required under state law. (F6)

Response: Disagree; the recommendation will not be implemented.

Explanation: Although the recommendation will not be implemented, the City of Brea is open to partnering with the Orange County Board of Supervisors to develop a coordinated regional plan to support anticipated housing growth.

R9. By September 30, 2026, the Orange County Board of Supervisors should strengthen its engagement with OCCOG and increase staff support to develop a shared, countywide database of potential housing sites and key development-feasibility factors. (F15)

Response: Disagree; the recommendation will not be implemented.

Explanation: The City of Brea respectfully declines to implement this recommendation as this recommendation is directed to the Orange County Board of Supervisors.

R11. The County of Orange and each city should ensure consistent participation in SCAG and OCCOG committees by September 30, 2026, including the Technical Advisory Committee (TAC), to strengthen regional representation during RHNA-methodology development. (F3, F4, F15)

Response: Agree, the recommendation is implemented.

Explanation: The City of Brea maintains representation within OCCOG and SCAG through appointed representatives serving on regional boards and committees. In addition, a City staff member serves on the OCCOG TAC, ensuring the City of Brea's participation in regional housing and planning discussions.

R12. The County of Orange and each city should designate a single technical representative, by September 30, 2026, along with an alternate, for all RHNA-related SCAG and OCCOG committees to ensure continuity of participation and eliminate gaps in representation across multiple decision-making bodies. (F4)

Response: Agree, the recommendation is implemented.

Explanation: The City of Brea has designated a Senior Planner as its primary technical representative for RHNA-related SCAG and OCCOG committees, with an alternate designee to ensure continuity of participation. City staff continues to participate in RHNA-related processes, including the OCCOG TAC, and continues to engage in regional housing and planning discussions through OCCOG and SCAG.

R14. By April 30, 2027, the County of Orange and each city should publish annual monitoring dashboards showing (a) entitlement pipeline conditions, (b) realistic site yield, (c) assembled funding sources for affordable units, and (d) conversion rates from planned capacity to issued permits and completed units, ensuring that County and city-determined capacity assumptions remain aligned with actual production. (F13)

Response: Agree, the recommendation is implemented.

Explanation: The City of Brea already makes publicly-available information related to entitlement pipeline conditions, realistic site yield, assembled funding sources for affordable units, and conversion rates from planned capacity to issued permits and completed units through its General Plan, Housing Element, and other reporting requirements. While the City of Brea does not currently publish this information in the form of an annual monitoring dashboard, existing reporting addresses many of the recommended monitoring elements. Additionally, the California Department of Housing and Community Development (HCD) maintains a monitoring dashboard of California jurisdictions' housing data pertaining to housing progress reports.

R15. By September 30, 2026, and ongoing, the County Board of Supervisors and all city councils should make a coordinated and sustained effort to educate their constituents about the RHNA process—its requirements, its impact on local planning and community character, and the role residents can play in shaping outcomes. Public education efforts should also include guidance on how community members can effectively engage with the California Legislature and advocate for more realistic, data-driven housing policies. (F1, F7)

Response: Agree, the recommendation is implemented.

Explanation: The City of Brea supports public education regarding the housing planning process and conducted outreach as part of the latest Housing Element update process. The City of Brea also relies on the educational resources and outreach provided by OCCOG to help inform residents about RHNA requirements and regional housing planning.

R16. By December 31, 2026, all cities should look to enhance their relationships with not-for-profit affordable housing developers to increase the opportunity to develop more affordable housing. (F8, F10, F12)

Response: Agree, the recommendation is implemented.

Explanation: The City of Brea has successfully partnered with affordable housing developers, including non-for-profit organizations, and remains committed to supporting future affordable housing opportunities.

The City of Brea values the Grand Jury's report, "California Housing Mandates, The Unintended Reshaping of Orange County Neighborhoods", and appreciates the opportunity to respond to the report. Should you have any questions, please contact City Manager Kristin Griffith by telephone at (714) 990-7711 or email at kristing@cityofbrea.gov.

Sincerely,



Cecilia Hupp
Mayor

Cc: Brea City Council
Terence Boga, City Attorney
Kristin Griffith, City Manager
Jason Killebrew, Assistant City Manager/Community Development Director