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Bonta in his Official Capacity as California
8 Attorney-General and State of California*

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES
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14 **CITY OF REDONDO BEACH, A
CALIFORNIA CHARTER CITY, CITY OF
15 CARSON, A CALIFORNIA CHARTER CITY,
CITY OF TORRANCE, A CALIFORNIA
16 CHARTER CITY, CITY OF WHITTIER, A
CALIFORNIA CHARTER CITY**

17 Petitioners/Plaintiffs,

18 v.
19

20 **ROB BONTA, IN HIS OFFICIAL CAPACITY AS
CALIFORNIA ATTORNEY-GENERAL, STATE
21 OF CALIFORNIA; AND DOES 1 THROUGH
50, INCLUSIVE,**

22 Respondents/Defendants.
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Case No. 22STCP01143

**ANSWER OF RESPONDENTS AND
DEFENDANTS ROB BONTA, IN HIS
OFFICIAL CAPACITY AS
CALIFORNIA ATTORNEY-GENERAL,
AND STATE OF CALIFORNIA**

Dept: 82
Judge: Hon. Mary H. Strobel
Trial Date: n/a
Action Filed: March 29, 2022

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25 Respondents and Defendants Rob Bonta, in his Official Capacity as California Attorney-
26 General, and State of California hereby answer the Verified Petition for Writ of Mandate and
27 Complaint for Injunctive and Declaratory Relief of Petitioners City of Redondo Beach, City of
28 Carson, City of Torrance, and City of Whittier as follows:

1 1. Paragraph No. 1. This paragraph consists of allegations that contain argument and
2 legal contentions and legal authorities that speak for themselves, requiring no response by
3 Respondents. To the extent that a response is required, Respondents deny each and every
4 allegation.

5 2. Paragraph No. 2. This paragraph consists of allegations that contain argument and
6 legal contentions and legal authorities that speak for themselves, requiring no response by
7 Respondents. To the extent that a response is required, Respondents deny each and every
8 allegation.

9 3. Paragraph No. 3. This paragraph consists of allegations that contain argument and
10 legal contentions and legal authorities that speak for themselves, requiring no response by
11 Respondents. To the extent that a response is required, Respondents deny each and every
12 allegation.

13 4. Paragraph No. 4. Respondents admit that the Legislature enacted Senate Bill 9 (SB
14 9). Respondents further admit that SB 9 provides for a ministerial approval process for property
15 owners to subdivide, subject to restrictions, a residential parcel into two lots and to build up to
16 two units on each resulting lot and that one single-family parcel may now have up to four units.
17 The remainder of this paragraph consists of allegations that contain argument and legal
18 contentions, requiring no response by Respondents. To the extent that a response is required,
19 Respondents deny each and every such allegation.

20 5. Paragraph No. 5. Respondents admit that SB 9 cites affordable housing as a matter of
21 statewide concern and that SB 9 does not impose affordability covenants or income restrictions.
22 The remainder of this paragraph consists of allegations that contain argument and legal
23 contentions, requiring no response by Respondents. To the extent that a response is required,
24 Respondents deny each and every such remaining allegation.

25 6. Paragraph No. 6. This paragraph consists of allegations that contain argument and
26 legal contentions, requiring no response by Respondents. To the extent that a response is required,
27 Respondents deny each and every allegation.
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1 7. Paragraph No. 7. Respondents admit that SB 9 allows for the denial of a project that
2 would have specific, adverse impact and for the imposition of objective zoning standards,
3 subdivision standards, and design standards. The remainder of this paragraph consists of
4 allegations that contain argument and legal contentions, requiring no response by Respondents.
5 To the extent that a response is required, Respondents deny each and every such allegation.

6 8. Paragraph No. 8. This paragraph consists of allegations that contain argument and
7 legal contentions, requiring no response by Respondents. To the extent that a response is required,
8 Respondents deny each and every allegation.

9 9. Paragraph No. 9. Respondents lack sufficient information or belief to respond to the
10 allegations in this paragraph, and on that basis deny each and every allegation.

11 10. Paragraph No. 10. This paragraph consists of allegations that contain argument and
12 legal contentions, requiring no response by Respondents. To the extent that a response is required,
13 Respondents deny each and every allegation.

14 11. Paragraph No. 11. This paragraph consists of allegations that contain argument and
15 legal contentions, requiring no response by Respondents. To the extent that a response is required,
16 Respondents deny each and every allegation.

17 12. Paragraph No. 12. Respondents lack sufficient information or belief to respond to the
18 allegations in this paragraph, and on that basis deny each and every allegation.

19 13. Paragraph No. 13. Respondents lack sufficient information or belief to respond to the
20 allegations in this paragraph, and on that basis deny each and every allegation.

21 14. Paragraph No. 14. Respondents lack sufficient information or belief to respond to the
22 allegations in this paragraph, and on that basis deny each and every allegation.

23 15. Paragraph No. 15. Respondents lack sufficient information or belief to respond to the
24 allegations in this paragraph, and on that basis deny each and every allegation.

25 16. Paragraph No. 16. Respondents lack sufficient information or belief to respond to the
26 allegations in this paragraph, and on that basis deny each and every allegation.

27 17. Paragraph No. 17. Respondents lack sufficient information or belief to respond to the
28 allegations in this paragraph, and on that basis deny each and every allegation.

1 18. Paragraph No. 18. Respondents lack sufficient information or belief to respond to the
2 allegations in this paragraph, and on that basis deny each and every allegation.

3 19. Paragraph No. 19. Respondents lack sufficient information or belief to respond to the
4 allegations in this paragraph, and on that basis deny each and every allegation.

5 20. Paragraph No. 20. Respondents admit that Redondo Beach, Carson, Torrance, and
6 Whittier are collectively referred to as “Petitioners” in the Petition.

7 21. Paragraph No. 21. Respondents admit that Rob Bonta is the Attorney General of the
8 State of California, that he is the “chief law officer” of the State and has various duties under
9 California law, and that he is sued in his official capacity. The remainder of this paragraph
10 consists of allegations that contain argument and legal contentions, requiring no response by
11 Respondents. To the extent that a response is required, Respondents deny each and every such
12 allegation.

13 22. Paragraph No. 22. Respondents admit that the State of California is a U.S. State. The
14 remainder of this paragraph consists of allegations that contain argument and legal contentions,
15 requiring no response by Respondents. To the extent that a response is required, Respondents
16 deny each and every such allegation.

17 23. Paragraph No. 23. Respondents admit that Rob Bonta and the State of California are
18 collectively referred to as “Respondents” in the Petition.

19 24. Paragraph No. 24. Respondents lack sufficient information or belief to respond to the
20 allegations in this paragraph, and on that basis deny each and every allegation.

21 25. Paragraph No. 25. This paragraph consists of allegations that contain argument and
22 legal contentions, requiring no response by Respondents. To the extent that a response is required,
23 Respondents deny each and every allegation.

24 26. Paragraph No. 26. Respondents admit the Attorney General maintains an office in
25 Los Angeles County. The remainder of this paragraph consists of allegations that contain legal
26 contentions, requiring no response by Respondents. To the extent that a response is required,
27 Respondents deny each and every such allegation.
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1 27. Paragraph No. 27. This paragraph contains allegations that cite constitutional
2 provisions, which speak for themselves. Respondents deny any allegations that misstate the law.
3 To the extent that a further response is required, Respondents deny each and every other
4 allegation.

5 28. Paragraph No. 28. Respondents admit that SB 9 was signed into law by Governor
6 Gavin Newsom, was filed with the Secretary of State on September 16, 2021, and became
7 effective on January 1, 2022, and that Petitioners have attached to the Petition what they assert to
8 be a true and correct copy of SB 9 as chaptered and enrolled.

9 29. Paragraph No. 29. This paragraph contains allegations that cite statutory provisions,
10 which speak for themselves. Respondents deny any allegations that misstate the law. To the
11 extent that a further response is required, Respondents deny each and every other allegation.

12 30. Paragraph No. 30. This paragraph contains allegations that cite statutory provisions,
13 which speak for themselves. Respondents deny any allegations that misstate the law. To the
14 extent that a further response is required, Respondents deny each and every other allegation.

15 31. Paragraph No. 31. This paragraph contains allegations that cite statutory provisions,
16 which speak for themselves. Respondents deny any allegations that misstate the law. To the
17 extent that a further response is required, Respondents deny each and every other allegation.

18 32. Paragraph No. 32. This paragraph contains allegations that cite statutory provisions,
19 which speak for themselves. Respondents deny any allegations that misstate the law. To the
20 extent that a further response is required, Respondents deny each and every other allegation.

21 33. Paragraph No. 33. This paragraph contains allegations that cite statutory provisions,
22 which speak for themselves. Respondents deny any allegations that misstate the law. To the
23 extent that a further response is required, Respondents deny each and every other allegation.

24 34. Paragraph No. 34. This paragraph contains allegations that cite statutory provisions,
25 which speak for themselves. Respondents deny any allegations that misstate the law. To the
26 extent that a further response is required, Respondents deny each and every other allegation.

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1 35. Paragraph No. 35. This paragraph contains allegations that cite statutory provisions,
2 which speak for themselves. Respondents deny any allegations that misstate the law. To the
3 extent that a further response is required, Respondents deny each and every other allegation.

4 36. Paragraph No. 36. This paragraph contains allegations that cite statutory provisions,
5 which speak for themselves. Respondents deny any allegations that misstate the law. To the
6 extent that a further response is required, Respondents deny each and every other allegation.

7 37. Paragraph No. 37. This paragraph contains allegations that cite statutory provisions,
8 which speak for themselves. Respondents deny any allegations that misstate the law. To the
9 extent that a further response is required, Respondents deny each and every other allegation.

10 38. Paragraph No. 38. This paragraph contains allegations that cite statutory provisions,
11 which speak for themselves. Respondents deny any allegations that misstate the law. To the
12 extent that a further response is required, Respondents deny each and every other allegation.

13 39. Paragraph No. 39. This paragraph contains allegations that cite statutory provisions,
14 which speak for themselves. Respondents deny any allegations that misstate the law. To the
15 extent that a further response is required, Respondents deny each and every other allegation.

16 40. Paragraph No. 40. This paragraph contains allegations that cite statutory provisions,
17 which speak for themselves. Respondents deny any allegations that misstate the law. To the
18 extent that a further response is required, Respondents deny each and every other allegation.

19 41. Paragraph No. 41. Respondents admit that SB 9 states that the “Legislature finds and
20 declares that ensuring access to affordable housing is a matter of statewide concern and not a
21 municipal affair as that term is used in Section 5 of Article XI of the California Constitution.”
22 The remainder of this paragraph consists of allegations that contain argument and legal
23 contentions, requiring no response by Respondents. To the extent that a response is required,
24 Respondents deny each and every such allegation.

25 42. Paragraph No. 42. This paragraph contains allegations that cite statutory provisions,
26 which speak for themselves. Respondents deny any allegations that misstate the law. To the
27 extent that a further response is required, Respondents deny each and every other allegation.
28

1 43. Paragraph No. 43. Respondents lack sufficient information or belief to respond to the
2 allegations in this paragraph, and on that basis deny each and every allegation.

3 44. Paragraph No. 44. Respondents lack sufficient information or belief to respond to the
4 allegations in this paragraph, and on that basis deny each and every allegation.

5 45. Paragraph No. 45. Respondents lack sufficient information or belief to respond to the
6 allegations in this paragraph, and on that basis deny each and every allegation.

7 46. Paragraph No. 46. Respondents lack sufficient information or belief to respond to the
8 allegations in this paragraph, and on that basis deny each and every allegation.

9 47. Paragraph No. 47. This paragraph contains allegations that cite statutory provisions,
10 which speak for themselves. Respondents deny any allegations that misstate the law. To the
11 extent that a further response is required, Respondents deny each and every other allegation.

12 48. Paragraph No. 48. Respondents incorporate by reference the answers in Paragraphs 1
13 through 47 above.

14 49. Paragraph No. 49. This paragraph consists of allegations that contain argument and
15 legal contentions, requiring no response by Respondents. To the extent that a response is
16 required, Respondents deny each and every allegation.

17 50. Paragraph No. 50. This paragraph consists of allegations that contain argument and
18 legal contentions, requiring no response by Respondents. To the extent that a response is
19 required, Respondents deny each and every allegation.

20 51. Paragraph No. 51. This paragraph consists of allegations that contain argument and
21 legal contentions, requiring no response by Respondents. To the extent that a response is
22 required, Respondents deny each and every allegation.

23 52. Paragraph No. 52. This paragraph consists of allegations that contain argument and
24 legal contentions, requiring no response by Respondents. To the extent that a response is
25 required, Respondents deny each and every allegation.

26 53. Paragraph No. 53. This paragraph consists of allegations that contain argument and
27 legal contentions, requiring no response by Respondents. To the extent that a response is
28 required, Respondents deny each and every allegation.

1 54. Paragraph No. 54. This paragraph consists of allegations that contain argument and
2 legal contentions. Respondents lack sufficient information or belief to respond to the allegations
3 concerning the alleged partnership between the City of Redondo Beach and County of Los
4 Angeles, and on that basis deny each and every such allegation. To the extent that a response is
5 otherwise required, Respondents deny each and every remaining allegation.

6 55. Paragraph No. 55. This paragraph consists of allegations that contain argument and
7 legal contentions, requiring no response by Respondents. To the extent that a response is
8 required, Respondents deny each and every allegation.

9 56. Paragraph No. 56. This paragraph consists of allegations that contain argument and
10 legal contentions, requiring no response by Respondents. To the extent that a response is
11 required, Respondents deny each and every allegation.

12 57. Paragraph No. 57. This paragraph consists of allegations that contain argument and
13 legal contentions, requiring no response by Respondents. To the extent that a response is
14 required, Respondents deny each and every allegation.

15 58. Paragraph No. 58. This paragraph consists of allegations that contain argument and
16 legal contentions, requiring no response by Respondents. To the extent that a response is
17 required, Respondents deny each and every allegation.

18 59. Paragraph No. 59. This paragraph consists of allegations that contain argument and
19 legal contentions, requiring no response by Respondents. To the extent that a response is
20 required, Respondents deny each and every allegation.

21 60. Paragraph No. 60. This paragraph consists of allegations that contain argument and
22 legal contentions, requiring no response by Respondents. To the extent that a response is
23 required, Respondents deny each and every allegation.

24 61. Paragraph No. 61. This paragraph consists of allegations that contain argument and
25 legal contentions, requiring no response by Respondents. To the extent that a response is
26 required, Respondents deny each and every allegation.

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1 62. Paragraph No. 62. This paragraph consists of allegations that contain argument and
2 legal contentions, requiring no response by Respondents. To the extent that a response is
3 required, Respondents deny each and every allegation.

4 63. Paragraph No. 63. This paragraph consists of allegations that contain argument and
5 legal contentions, requiring no response by Respondents. To the extent that a response is
6 required, Respondents deny each and every allegation.

7 64. Paragraph No. 64. This paragraph consists of allegations that contain argument and
8 legal contentions, requiring no response by Respondents. To the extent that a response is
9 required, Respondents deny each and every allegation.

10 65. Paragraph No. 65. This paragraph consists of allegations that contain argument and
11 legal contentions, requiring no response by Respondents. To the extent that a response is
12 required, Respondents deny each and every allegation.

13 66. Paragraph No. 66. This paragraph consists of allegations that contain argument and
14 legal contentions, requiring no response by Respondents. To the extent that a response is
15 required, Respondents deny each and every allegation.

16 67. Paragraph No. 67. This paragraph consists of allegations that contain argument and
17 legal contentions, requiring no response by Respondents. To the extent that a response is
18 required, Respondents deny each and every allegation.

19 68. Paragraph No. 68. Respondents incorporate by reference the answers in Paragraphs 1
20 through 67 above.

21 69. Paragraph No. 69. This paragraph consists of allegations that contain argument and
22 legal contentions, requiring no response by Respondents. To the extent that a response is
23 required, Respondents deny each and every allegation.

24 70. Paragraph No. 70. This paragraph consists of allegations that contain argument and
25 legal contentions, requiring no response by Respondents. To the extent that a response is
26 required, Respondents deny each and every allegation.

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NINTH DEFENSE

Respondents assert a reservation of rights to amend to assert any additional affirmative defenses, including any that may become apparent during the course of this action.

PRAYER FOR RELIEF

WHEREFORE, Respondents pray that:

1. The petition and complaint, and all claims and prayers for relief therein, be denied in their entirety;
2. Petitioner takes nothing from Respondents by this action;
3. Respondents be awarded its costs incurred in defending this action; and
4. Respondents be awarded such further relief that the Court may deem just and proper.

Dated: June 22, 2022

Respectfully submitted,
ROB BONTA
Attorney General of California
MARK BECKINGTON
Supervising Deputy Attorney General



ROBERT L. MEYERHOFF
Deputy Attorney General

*Attorneys for Respondents and Defendants
Rob Bonta in his Official Capacity as
California Attorney-General and State of
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