



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE ▪ BEVERLY HILLS, CALIFORNIA 90210

Julian A. Gold, M.D., Mayor

July 12, 2023

The Honorable Nancy Skinner
California State Senate, District 9
1021 O. St, Suite 8630
Sacramento, CA 95814

Re: SB 439 (Skinner) Special motions to strike: priority housing development projects
City of Beverly Hills – OPPOSE

Dear Senator Skinner:

On behalf of the City of Beverly Hills, I write to you in respectful OPPOSITION to SB 439 (Skinner) regarding the use of anti-SLAPP (Strategic Lawsuit Against Public Participation) motions to dismiss lawsuits intended to delay or prevent affordable housing developments.

We acknowledge the critical need for affordable housing in California and understand the intentions behind this bill to speed up development and minimize frivolous SLAPP suits; however, we strongly believe this approach, particularly in its application to California Environmental Quality Act (CEQA) related lawsuits, could inadvertently undermine important environmental protections and public participation in the planning process.

Since the bill would require the trial court to deny the motion to strike based on whether a probability exists the plaintiff will win on the claim, this would have the potential to deny a significant amount of very real claims, as the “probability of success” is not only arbitrary, but also would be determined by the court itself. This could subsequently lead to consequential impacts on the infrastructure of countless communities across the state, including the City of Beverly Hills.

Affordable housing is vital for the social and economic well-being of our city, but it should not come at the cost of environmental sustainability or public participation. Instead of rushing the approval process, we advocate for a more thoughtful approach that respects and values all stakeholders. For these reasons, the City of Beverly Hills must respectfully OPPOSE SB 439. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Julian A. Gold". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Julian A. Gold, M.D.
Mayor, City of Beverly Hills

cc: The Honorable Ben Allen, Senator, 24th District
The Honorable Rick Zbur, Assemblymember, 51st District
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange