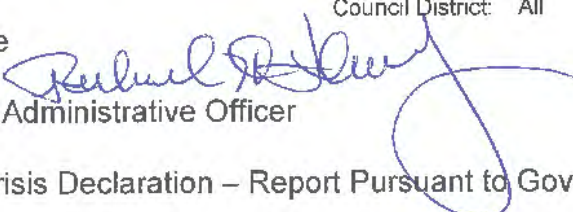


REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: September 18, 2020
To: Homeless Strategy Committee
From: Richard H. Llewellyn, Jr., City Administrative Officer
Reference: City of Los Angeles Shelter Crisis Declaration – Report Pursuant to Government Code 8698.4(a)(6)
Subject: Status Report to the State on California Shelter Crisis

CAO File No. 0220-05151-0220
Council File No. 15-1138-S33
Council District: All



RECOMMENDATION

That the Homeless Strategy Committee (HSC) review and forward the City's Fiscal Year 2019-20 status report (Attachment 2) outlining its progress in addressing its shelter crisis, for Mayor and Council review and authorization to submit to the State of California.

SUMMARY

On April 17, 2018, the City of Los Angeles (City) declared a shelter crisis pursuant to Government Code 8698.4. The City is required to submit an annual status report on its progress to the State Legislature as required by Government Code 8698.4(a)(6) (Attachment 1). This is the City's third report to the State of California Senate Committee on Housing and Assembly Committee on Housing and Community Development.

Attachment 2 outlines data describing the state of interim and crisis housing (shelter) and permanent supportive housing (PSH) units located in the City, as well as annual housing placements. The Los Angeles Homeless Services Authority (LAHSA) has provided the majority of the data for Fiscal Year 2019-20 (July 1, 2019 to June 30, 2020). Data sources include the Homeless Management Information System (HMIS) and the Los Angeles Continuum of Care (LA CoC) Housing Inventory Count (HIC).

Attachment 1 – State of California Government Code Section 8698.4(a)(6)

Attachment 2 – Letter to the State of California Senate Committee on Housing and State of California Assembly Committee on Housing and Community Development

RHL:YC:MB:HFR:16210016

GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (*Title 2 enacted by Stats. 1943, Ch. 134.)*

DIVISION 1. GENERAL [8000 - 8899.72] (*Division 1 enacted by Stats. 1943, Ch. 134.)*

CHAPTER 7.8. Shelter Crisis [8698 - 8698.4] (*Chapter 7.8 added by Stats. 1987, Ch. 1116, Sec. 2.)*

8698.4. (a) Notwithstanding any other provision in this chapter, upon a declaration of a shelter crisis by a local jurisdiction specified in subdivision (c), the following shall apply to the respective city, county, or city and county during a shelter crisis:

(1) Emergency housing may include homeless shelters for the homeless located or constructed on any land owned or leased by a city, county, or city and county, including land acquired with low- and moderate-income housing funds.

(2) (A) (i) The city, county, or city and county, in lieu of compliance with local building approval procedures or state housing, health, habitability, planning and zoning, or safety standards, procedures, and laws, may adopt by ordinance reasonable local standards and procedures for the design, site development, and operation of homeless shelters and the structures and facilities therein, to the extent that it is determined at the time of adoption that strict compliance with state and local standards or laws in existence at the time of that adoption would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis. The Department of Housing and Community Development shall review and approve the city's, county's, or city and county's draft ordinance to ensure it addresses minimum health and safety standards. The department shall, as set forth in Section 9795, provide its findings to the Senate Committee on Housing and the Assembly Committee on Housing and Community Development within 90 calendar days of receiving the draft ordinance.

(ii) During the shelter crisis, except as provided in this section, provisions of any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws shall be suspended for homeless shelters, provided that the city, county, or city and county has adopted health and safety standards and procedures for homeless shelters consistent with ensuring minimal public health and safety and those standards are complied with. Landlord tenant laws codified in Sections 1941 to 1942.5, inclusive, of the Civil Code providing a cause of action for habitability or tenantability shall be suspended for homeless shelters, provided that the city, county, or city and county has adopted health and safety standards for homeless shelters and those standards are complied with. During the shelter crisis, the local and state law requirements for homeless shelters to be consistent with the local land use plans, including the general plan, shall be suspended.

(B) This section applies only to a public facility or homeless shelters reserved entirely for the homeless pursuant to this chapter.

(3) Homeless shelters constructed or allowed under this chapter shall not be subject to the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code).

(4) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) shall not apply to actions taken by a state agency or a city, county, or city and county, to lease, convey, or encumber land owned by a city, county, or city and county, or to facilitate the lease, conveyance, or encumbrance of land owned by the local government for, or to provide financial assistance to, a homeless shelter constructed or allowed by this section.

(5) (A) Except as provided in subparagraph (B), on or before July 1, 2019, the city, county, or city and county shall develop a plan to address the shelter crisis, including, but not limited to, the development of homeless shelters and permanent supportive housing, as well as onsite supportive services. The city, county, or city and county shall make the plan publicly available.

(B) Notwithstanding subparagraph (A), in the case of a shelter crisis declared by the County of Alameda, a city located within the County of Alameda, the County of Orange, a city located within the County of Orange, or the City of San Jose, the county or the city, as applicable, shall develop the plan required by this paragraph on or before July 1, 2020, and shall include in the plan required by this paragraph a plan to transition residents from homeless shelters to permanent housing.

(6) (A) Except as provided in subparagraph (B), on or before January 1, 2019, and annually thereafter until January 1, 2023, if the city, county, or city and county has declared a shelter crisis, the city, county, or city and county shall report all of the following to the Senate Committee on Housing and the Assembly Committee on Housing and Community Development:

- (i) The total number of residents in homeless shelters within the city, county, or city and county.
- (ii) The total number of residents who have moved from a homeless shelter into permanent supportive housing within the city, county, or city and county.
- (iii) The estimated number of permanent supportive housing units.
- (iv) The number of residents who have exited the system and are no longer in need of a homeless shelter or permanent supportive housing within the city, county, or city and county.
- (v) The number of new homeless shelters built pursuant to this section within the city, county, or city and county.
- (vi) New actions the city, county, or city and county is taking under the declared shelter crisis to better serve the homeless population and to reduce the number of people experiencing homelessness.

(B) Notwithstanding subparagraph (A), in the case of a shelter crisis declared by the County of Alameda, a city located within the County of Alameda, the County of Orange, a city located within the County of Orange, or the City of San Jose, the county or the city, as applicable, shall provide the first report required by this paragraph on or before January 1 of the year following the declaration of a shelter crisis.

(b) For purposes of this section, the following terms have the following meanings:

- (1) "Homeless shelter" means a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless that is not in existence after the declared shelter crisis. A temporary homeless shelter community may include supportive and self-sufficiency development services.
- (2) "Permanent supportive housing" means housing for people who are homeless, with no limit on length of stay, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving the person's health status, and maximizing the person's ability to live and, when possible, work in the community.

(c) This section shall apply to a shelter crisis declared by any of the following jurisdictions:

(1) The following cities:

- (A) The City of Berkeley.
- (B) The City of Emeryville.
- (C) The City of Los Angeles.
- (D) The City of Oakland.
- (E) The City of San Diego.
- (F) The City of San Jose.

(G) Any city located within the County of Alameda.

(H) Any city located within the County of Orange.

(2) The following counties:

- (A) The County of Alameda.
- (B) The County of Orange.

(C) The County of Santa Clara.

(3) The City and County of San Francisco.

(d) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

(Amended by Stats. 2019, Ch. 336, Sec. 1. (AB 143) Effective September 26, 2019. Repealed as of January 1, 2023, by its own provisions.)

CITY OF LOS ANGELES

CALIFORNIA

Richard H. Llewellyn, Jr.
CITY ADMINISTRATIVE OFFICER



ERIC GARCETTI
MAYOR

ASSISTANT
CITY ADMINISTRATIVE OFFICERS

PATRICIA J. HUBER
BEN CEJA
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Via email and U.S. Mail

Date:

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Sacramento, CA 95814

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RE: City of Los Angeles Shelter Crisis Declaration – Status Report Pursuant to Government Code 8698.4(a)(6)

Dear Ms. Riches and Ms. Engel,

On April 17, 2018, the City of Los Angeles (City) declared a shelter crisis pursuant to Government Code 8698.4. This is the City's third status report to the State of California Senate Committee on Housing and the Assembly Committee on Housing and Community Development, as required by Government Code 8698.4(a)(6), outlining its progress in addressing its shelter crisis.

The Los Angeles Homeless Services Authority (LAHSA) has provided the majority of the data for Fiscal Year (FY) 2019-20 (July 1, 2019 to June 30, 2020). Data sources include the Homeless Management Information System (HMIS) and the Los Angeles Continuum of Care (LA CoC) Housing Inventory Count (HIC).

HMIS is the system used to collect outcome data from organizations that receive LAHSA funding. Organizations that do not receive LAHSA funding may voluntarily report outcome data in HMIS, but it is not required. Therefore, the data in this report does not include outcomes of organizations that do not report in HMIS.



The HIC describes the inventory of projects, including shelter and permanent supportive housing (PSH), dedicated to serving homeless and formerly homeless persons. LAHSA submits the HIC annually to the U.S. Department of Housing and Urban Development (HUD).

The information required by Government Code 8698.4(a)(6) is provided below.

(A) The total number of residents in homeless shelters within the City: 13,875

Source: HMIS and LA CoC HIC

- There are 11,479 shelter beds in the City. Of these, 8,752 are in facilities that participate in HMIS and report having served 13,875 people in FY 2019-20.
 - On average, fewer people were served per bed over the fiscal year. This is due to a number of beds coming online late in the reporting period, and capacity reduction required to accommodate social distancing in response to COVID-19.

(B) The total number of residents who have moved from a homeless shelter into PSH within the City: 275

Source: HMIS and LA CoC HIC

- 275 residents have moved from shelters that participate in HMIS into PSH.
 - The decrease in residents who have moved from a shelter into PSH from the prior year (477) can be attributed to COVID-19. LAHSA has reported that many shelter providers shifted resources from permanent placements to pandemic response to keep their residents safe. The closures of the Department of Motor Vehicles (DMV) may have also contributed to a delay in move-ins, since housing applications require an identification card. To overcome these challenges, the City and the County of Los Angeles have approved additional funding for LAHSA to expand permanent housing placement efforts in response to the pandemic.
 - An additional 2,131 persons moved from shelter into other types of assisted non-PSH permanent housing (rapid rehousing, subsidized affordable housing, Section 8 vouchers, etc.).
 - This data is not available for homeless shelters that do not participate in HMIS, which represent 2,727 beds.
- 4,536 persons moved into PSH without having accessed shelter prior to placement.
- 6,942 total homeless individuals were placed into all types of permanent housing in FY 2019-20, including those placed from shelters and those who did not access shelters prior to placement.
- These placement numbers are not directly comparable to the 22,769 housing placements reported as part of the 2020 Greater Los Angeles Homeless Point in Time (PIT) Count. The placements reported in the 2020 PIT Count include placements from other sources, such as the U.S. Department of Veterans Affairs (VA), that only provide data at the County level. As such, that data is not available for the City.

(C) Total estimated number of PSH units: 16,400
Source: LA CoC HIC

- This number includes units in City-funded PSH housing developments, as well as tenant-based units, scattered site PSH units, and units that do not participate in HMIS.

(D) The number of residents who have exited the system and are no longer in need of a homeless shelter or PSH within the City: 998
Source: HMIS and LA CoC HIC

- This number is based on persons reported in HMIS as having left a shelter or PSH unit within the City for unassisted permanent housing, such as family reunification or unassisted rental housing.

(E) The number of new homeless shelters built pursuant to this section within the City: 9
Source: Mayor's Office of City Homeless Initiatives

- Nine (9) new interim housing facilities with 750 beds were built in FY 2019-20.
- Thirteen (13) additional shelters were under construction before the end of FY 2019-20, representing an additional 1,049 shelter beds.

(F) New actions the City is taking under the declared shelter crisis to better serve the homeless population and to reduce the number of people experiencing homelessness:

- Since declaring a shelter crisis, the City has allocated a total of \$147.3 million to the A Bridge Home program with the goal of adding more than 1,500 new crisis and bridge housing beds Citywide. This funding includes:
 - \$56 million from the City's State of California Homeless Emergency Aid Program (HEAP) grant allocation for capital and operating costs;
 - \$48 million from the City's State of California Homeless Housing and Assistance Program (HHAP) grant allocation for capital and operating costs;
 - \$43.3 million in City General Fund dollars allocated for capital costs and operating costs to create the Crisis and Bridge Housing Fund for establishing and funding the services of new shelter facilities (\$40.6 million was allocated for capital costs and an additional \$2.67 million for operations).
- As of June 30, 2019, the 15 City Councilmembers had requested assessments of 124 City- or privately-owned properties to determine the feasibility of establishing new shelter facilities.
 - 1,027 new interim housing beds had opened on City- and privately-owned sites. An additional 1,049 beds are under construction, and feasibility studies are underway for 195 more beds Citywide, for a total of 2,275, exceeding the City's original goal of 1,500 new beds.
- Proposition HHH (Prop HHH) was approved in 2016, authorizing the City to issue up \$1.2 billion in General Obligation Bonds for permanent supportive and affordable housing and homeless facilities. To date:
 - 111 projects with 7,307 units are in the Prop HHH pipeline, 5,701 of these units are PSH. By comparison, in the four (4) years prior to the Prop HHH approval, the City

approved financing for 218 supportive units and 525 affordable units, for an average of 743 units financed annually.

- On June 16, 2020, the City reached an agreement with the County of Los Angeles (County) to develop an additional 6,700 homeless interventions to address the COVID-19 emergency within 18 months. The City will support the capital costs associated with establishing these interventions and support 50 percent of the service costs for five (5) years, with the County of Los Angeles paying the other 50 percent of the service costs. The agreement includes:
 - Completing 700 beds in existing agreements with the County within 10 months;
 - Establishing 5,300 new beds within 10 months; and
 - Establishing an additional 700 new beds within 18 months.

The City's next report will continue to reflect our progress in these and other efforts. Should you have any questions, please contact Meg Barclay of my staff at meg.barclay@lacity.org.

Sincerely,

Richard H. Llewellyn, Jr.
City Administrative Officer