

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: May 24, 2021

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso *KEL for*
Chief Legislative Analyst

Council File No.: 21-0002-S105
Assignment No.: 21-04-0359

SUBJECT: Resolution (Buscaino - Bonin) to Support AB 816 (Chiu).

CLA RECOMMENDATION: Adopt the attached revised resolution to include in the City's 2021-22 State Legislative Program SUPPORT for AB 816 which would require the California Department of Housing and Community Development and local governments of California to have their own local plans to reduce homelessness by 90 percent by December 31, 2029 and to establish a Homelessness Inspector General who would ensure that each local government is following through on their plan based on their financial capability and SEEK AMENDMENT for the State to provide additional funding for homelessness prevention and housing creation.

SUMMARY

Resolution (Buscaino – Bonin) was introduced on April 20, 2021 and states that according to the 2020 Point-In-Time Count, there are approximately 41,000 people experiencing homelessness in the City of Los Angeles on any given night and approximately 151,000 homeless individuals in California. The Resolution states that the efforts to solve the homelessness crisis in the State are disjointed, with no accountability due to the lack of a single entity which oversees the homeless response and provides technical support, and the State needs to have a comprehensive and localized plan to solve the homelessness crisis in which every city in the State contributes to the solution.

AB 816 requires local governments to conduct a gaps and needs analysis and formulate a plan to reduce homelessness in their municipalities by the end of the decade or face legal consequences.

The Resolution has been amended to include language to seek amendment for the State to provide funding resources to local municipalities to provide homelessness prevention services and funding to create housing. The revised resolution recommends that the City support AB 816 inasmuch as the bill would create accountability among all local governments in the State and ensure that each municipality is doing its share to ensure that homelessness is addressed and that people experiencing homelessness are housed and seek amendments to ensure that local governments have the resources needed to prevent people from becoming homeless.

BACKGROUND

On February 17th, 2021, Assemblymember David Chiu introduced Assembly Bill 816, which would require local governments to conduct gaps and needs analysis and come up with a plan to reduce homelessness by the end of the decade or face legal consequences. The bill creates a public right of action for the Inspector General to ensure compliance with new plans that local governments are supposed to create to address homelessness.

AB 816 will require the California Department of Housing and Community Development and local governments of California to have their own local plans to reduce homelessness by 90 percent by December 31, 2029. It would also establish a State Homelessness Inspector General who would ensure that each local government is following through on their plan based on their financial capability.

The Housing Element Law, which was originally enacted in 1969, requires all cities and counties in California to engage in comprehensive planning to provide adequate housing for everyone in their communities. Similar to the Housing Element Law, AB 816 requires local municipalities to assess their needs and establish a plan to provide more housing to reduce homelessness. AB 816 is not duplicative and does not replace anything listed in the Housing Element Law. The two work with each other in requiring municipalities to assess the needs of their communities. There is nothing in AB 816 that creates new requirements in Housing Element Law. AB 816 complements the Housing Element Law by adding new provisions such as addressing racial inequity in housing. The Housing Element should inform the work that will be done with the passage of AB 816. AB 816 will streamline current planning and coordinating responsibilities into one global plan for municipalities.

The California State Association of Counties, Urban Counties of California, and Rural County Representatives of California have jointly expressed that they oppose AB 816 unless it is amended. The counties stated that AB 816 focuses on planning without providing funding resources for the process and focuses accountability without providing funding to achieve the goals of the plans. Their statements also include requests that the legislation include language that does not hold counties responsible if one or more cities do not participate or if a city does not adopt homelessness plans. They further ask for an additional six months to formulate the local homelessness plans.

The City should support the AB 816 because it would require neighboring Los Angeles County cities to develop plans for homelessness and hold them accountable if they do not contribute to solving homelessness. However, the City should seek amendment for the State to provide resources to cities and municipalities to achieve the goals of their plans, particularly with regard to funding for prevention and housing creation programs that help reduce the number of people who become homeless. The State can and should be doing more to provide funding for programs and services to match the resources that the City contributes toward addressing homelessness and to assist local governments in achieving their objectives to reduce homelessness by 90 percent.

A Revised Resolution is recommended, therefore, to support AB 816 and to seek amendments that will provide resources that support prevention and housing creation programs that will allow local governments to meet the objective of reducing homelessness by 90 percent.

DEPARTMENTS NOTIFIED

Housing and Community Investment Department

BILL STATUS

02/16/21	Read first time. To print.
02/17/21	From printer. May be heard in committee March 19.
02/25/21	Referred to Com. on H. & C.D.

Pranita Amatya
Pranita Amatya *by KEK*
Analyst

Attachment: 1. Revised Resolution

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, according to the 2020 Point-In-Time Count, there are approximately 41,000 people experiencing homelessness in the City of Los Angeles on any given night and approximately 151,000 homeless individuals in California; and

WHEREAS, the efforts to solve the homelessness crisis in the State are disjointed, with no accountability due to the lack of a single entity which oversees the homeless response and provides technical support; and

WHEREAS, the State needs to have a comprehensive and localized plan to solve the homelessness crisis where every City in the State contributes to the solution; and

WHEREAS, on February 17th, 2021, Assemblymember David Chiu introduced Assembly Bill 816, which would require local governments to conduct a gaps and needs analysis and come up with a plan to reduce homelessness by the end of the decade or face legal consequences; and

WHEREAS, the bill requires the California Department of Housing and Community Development and local governments to propose and submit plans by 2023 to reduce homelessness by 90 percent by the end of the decade; and

WHEREAS, the bill establishes the Homelessness Inspector General who would monitor the progress of the plan to reduce homelessness in local governments and have the authority to take legal action against governments who are not following through on their plans; and

WHEREAS, in order to achieve the goals of the plans, the State should provide resources and funding to municipalities for homelessness prevention and housing creation; and

WHEREAS, the City should support this bill because it would create accountability among all local governments in the State and ensure that each municipality is doing its share to ensure that homelessness is addressed and that people experiencing homelessness are housed;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2021-22 State Legislative Program SUPPORT for Assembly Bill 816 (Chiu), which would require the California Department of Housing and Community Development and local governments of California have their own local plans to reduce homelessness by 90 percent by December 31, 2029 and to establish a Homelessness Inspector General who would ensure that each local government is following through on their plan based on their financial capability and SEEK AMENDMENT for the State to provide additional funding for homelessness prevention and housing creation programs.