

MOTION

On December 12, 2022, Mayor Bass declared a state of emergency on homelessness. On December 13, 2022, in accordance with Los Angeles Administrative Code Section 8.27, the City Council approved a Resolution (Krekorian, et al.) ratifying the emergency declaration. After the ratification of the emergency declaration, Mayor Bass issued two executive orders - one to launch the Inside Safe Initiative to implement a citywide strategy to address the homelessness crisis and the other to expedite permits and clearances for temporary shelter and affordable housing.

In January, the City Council created the Homelessness Emergency Account and provided the Mayor with approximately \$50 million in necessary funding to implement the Inside Safe Initiative. With the City Council's and Mayor's collective efforts, over the last six months, the City has conducted 19 Inside Safe operations and moved 1,323 unhoused individuals inside through that program. Additionally, the City was able to identify 456 projects, totaling over 8,000 units, for expedited approval and approved 20 projects, totaling 1,496 units, within 37 days.

Pursuant to the terms of the emergency declaration, the Council has continued to renew the emergency declaration at least every 30 days for the last six months. However, the emergency declaration will terminate on July 9, 2023.

While the original emergency declaration will terminate, the homelessness crisis will continue. As a result, the City Council approved \$250 million in funding for Inside Safe for fiscal year 2023-2024 and continues to work with the Mayor to streamline City processes and procedures to address the crisis. In order to build upon these efforts, the City Council should consider the adoption of LAAC Section 8.33, attached to this motion, that would create a path for Mayor Bass, and future Mayors, to declare a Local Housing or Homelessness Emergency.

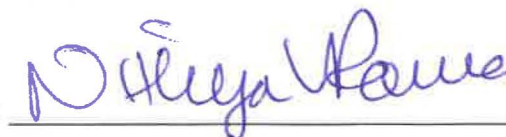
I THEREFORE MOVE that the City Council request the City Attorney to review the attached language for a new LAAC Section 8.33 for form and legality and prepare and present an ordinance with an urgency clause to effectuate this section.

PRESENTED BY:



PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY:



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Sec. 8.33. Local Housing and/or Homelessness Emergency.

- (a) The term "Local Housing and/or Homelessness Emergency" as used in this Section shall mean a local emergency due to the existence of a critical shortage of local affordable housing and/or an emergency on homelessness, as further defined in this Section. Local Housing and/or Homelessness Emergency, as used in this Section, shall not be subject to the other provisions of Chapter 3, Article 3 of Division 8 of the Los Angeles Administrative Code.
- (b) The Mayor is hereby empowered to declare the existence of a local housing and/or homelessness emergency when the Mayor finds that:
 - (i) the City's housing supply is projected to be at least 40 percent below its annual housing production goals as established in the Housing Element approved by the State Department of Housing and Community Development and reported in the City Planning Department's quarterly Housing Production Report; and/or
 - (ii) Homelessness in the City has reached a crisis as indicated by either:
 - (1) The unhoused population in the City is greater than two times the total number of interim beds as established in the annual Homeless Inventory Count submitted to the federal Department of Housing and Urban Development; or
 - (2) There is a citywide increase by more than 20 percent as reported in the annual Point-in-Time Count.

Such a declaration by the Mayor shall be in writing and shall take effect immediately upon its issuance. The Mayor shall cause widespread publicity and notice to be given of the declaration through the most feasible and adequate means of disseminating the notice throughout the City.

- (c) Upon the Mayor's declaration of a local housing and/or homelessness emergency, the Mayor shall coordinate citywide planning and response with respect to unsheltered or unhoused

individuals in conjunction with the City Administrative Office, Los Angeles Homeless Services Authority, Los Angeles City Housing Department, Los Angeles City Planning Department and all other necessary departments and agencies. The Mayor shall also coordinate the City's efforts to address a declared emergency under this Section with the County of Los Angeles, the State of California, and the federal government. Within 30 days, the Mayor shall submit to Council a plan of action to address the emergency.

- (d) A declaration pursuant to this section empowers the Mayor to:
- (i) Promulgate, issue and enforce rules, regulations, orders and directives which the Mayor considers necessary to address the emergency. Such rules, regulations, orders and directives shall take effect immediately upon their issuance, and copies thereof shall be filed in the Office of the City Clerk. The City Council may supersede a rule, regulation, order or directive by adopting a resolution or ordinance that addresses the same subject matter.
 - (ii) Commandeer property deemed necessary to meet interim and temporary housing needs and bind the City for the fair value thereof. The City Council may adopt a resolution that imposes limits on action taken under this subsection.
 - (iii) Require emergency service of any City officer or employee and requisition necessary personnel or material of any City department or agency.
 - (iv) Suspend competitive bidding restrictions enumerated in Charter Section 371(e)(6) and Los Angeles Administrative Code Sections 10.15 and 10.17 for contracts entered into by City departments and offices in response to the emergency and mitigation efforts related to the emergency, subject to the following:
 - (1) Such suspension may remain in effect until the Mayor terminates the suspension or the Council finds the suspension is no longer needed and acts to terminate the suspension;

- (2) The Mayor shall order any action relative to the procurement of construction contracts, service provider contracts, supplies, and equipment for homelessness facilities to safeguard life, health or property caused by the emergency.
 - (3) Contracts using this subsection's suspended competitive bidding restrictions may be for a term no longer than one year; thereafter, further contracting for the same need shall be accomplished by competitive bidding whenever applicable;
 - (4) The City Council may terminate a contract awarded under this subsection and require competitive bidding.
 - (5) The City Administrative Officer shall evaluate and report monthly to the City Council on the reasons justifying why each contract using this subsection was necessary to respond to the emergency, including why the emergency did not permit a delay resulting from a competitive solicitation for bids or proposals and why competitive proposals or bidding was not reasonably practicable or compatible with the City's interests.
- (e) Whenever the Mayor declares a local housing and/or homelessness emergency, the Chief Legislative Analyst's Office shall prepare, with the assistance of the City Attorney, a resolution ratifying the existence of a local housing and/or homelessness emergency. Such resolution shall be submitted by the Mayor to the City Clerk for presentation to the Council. Within 30 days from the date of the original declaration by the Mayor, the City Council may consider the resolution and rescind it by majority vote. Thereafter, the declaration shall expire unless the City Council renews it by majority vote every 90 calendar days.
- (f) The Chief Administrative Officer and the General Managers of the Department of Housing and the Department of Planning, or their designee, shall monitor the state of the emergency and report

quarterly to the Mayor and the City Council on the status of the emergency and the progress in addressing it.

- (g) After reviewing the quarterly reports in Section 8.33(c) by the Chief Administrative Officer and the General Managers of the Department of Housing and the Department of Planning, or their designee, if the City Council finds that there is no longer a need for the emergency, or the emergency is no longer beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City government the City Council may act to terminate or not renew the declaration under this Section 8.33.