

ORDINANCE NO. _____

An ordinance adding Section 8.33 to Article 3, Chapter 3, Division 8 of the Los Angeles Administrative Code to specify the procedures for establishing a Mayoral Declaration of Local Housing and/or Homelessness Emergency, and the impact of the Declaration.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 8.33 is added to Article 3, Chapter 3, Division 8 of the Los Angeles Administrative Code to read as follows:

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 Article 3, Chapter 3, 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 in a single year 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 the City 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) 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.

(v) 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 City Council finds the suspension is no longer needed and acts to terminate the suspension;

(2) Contracts using the suspended competitive bidding restrictions specified in this subsection 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;

(3) The City Council may terminate a contract awarded under this subsection and require competitive bidding; and

(4) The City Administrative Officer shall evaluate and report monthly to the City Council on the reasons justifying why each contract let pursuant to 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 City 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 the emergency.

(g) After the City Council reviews the quarterly reports in Section 8.33(c) from 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 a need for the emergency no longer exists, or the emergency is no longer beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted components and departments of the City government, the City Council may act to terminate or not renew the declaration under this Section 8.33.

Sec. 2. URGENCY CLAUSE. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: the City of Los Angeles remains in the midst of a historic crisis in people experiencing homelessness and continues to face a critical shortage of affordable housing. Over 40,000 Angelenos are unhoused, many of whom are unsheltered. Unsheltered individuals face many perils, including exposure to weather, crime, and other dangerous health risks. Some people experiencing homelessness suffer from serious mental illness and/or substance abuse disorders. The risks to public health and safety are obvious and impose significant dangers to unhoused individuals and all Angelenos. Although the City has made progress in addressing these serious problems, much more needs to be done. For all of these reasons, the ordinance shall become effective upon publication pursuant to Los Angeles Charter Section 253.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By RGH / FOR
VALERIE L. FLORES
Chief Assistant City Attorney

Date 06/22/23

File No. _____

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____