

MOTION BY SUPERVISOR HILDA L. SOLIS

October 4, 2022

Los Angeles County Shelter Crisis Declaration: Hilda L. Solis Care First Village

License Agreement Renewal

Los Angeles County (County) is home to the highest number of unsheltered homeless persons of any major county in the United States. Lack of shelter poses an acute, clear and imminent threat to the health and safety of all people experiencing homelessness (PEH), including those residing in the County. Unsheltered PEH experience disproportionately high rates of poor overall health; they often do not receive treatment for their physical and mental health symptoms; they are more likely to become victims of crime and exploitation; and they face an increased risk of premature death. However, when PEH gain access to shelter, their health conditions generally improve, as do their prospects of securing permanent housing (which, in turn, often leads to substantial improvements in health, life expectancy, and personal safety).

In the context of the global COVID-19 pandemic, access to shelter has become even more critical to the health and safety of PEH. In addition to the risks COVID-19

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poses to all County residents, PEH face a wide range of additional threats related to their limited ability to self-isolate and lack of access to hygiene facilities.

In fact, PEH are often in worse health than the general population and suffer from numerous health conditions that make them more likely to suffer complications should they become infected with COVID-19. To meet the public health guidelines for appropriate physical distancing, existing homeless shelters have had to rearrange and reduce the number of beds in their facilities, resulting in a significant loss of capacity. While the County, in partnership with the State, has temporarily housed more than 6,500 PEH through Project Roomkey, an initiative to enter into agreements with hotels to provide non-congregate shelter to COVID-vulnerable PEH, there remains a significant gap between the need for shelter and the availability of shelter beds.

In September 2022, the Los Angeles Homeless Services Authority (LAHSA) released the results of the 2022 Greater Los Angeles Point-In-Time Homeless Count (PIT Count). It found that, on a given night, there are 69,144 PEH in the County, with 45,878 PEH in the Los Angeles County Continuum of Care (CoC). The CoC encompasses all of the County, except for Glendale, Pasadena, and Long Beach. Today, 70% percent of the PEH in the County and the CoC experience unsheltered homelessness. LAHSA did not conduct the 2021 Unsheltered PIT Count due to COVID-19 related safety reasons.

In response to the homelessness crisis and the COVID-19 pandemic, the County and its governmental and non-governmental partners have taken critical steps

toward combatting and preventing homelessness. Building on the success of Project Roomkey, which brought seniors and other medically vulnerable PEH indoors to prevent the spread of COVID-19, the County used the 2020 State Homekey Round One funds to acquire 10 properties (850 units) during the last 24 months. Nine of these properties are currently being used as interim housing for PEH and will be converted to permanent supportive housing (PSH) by 2024. One of the acquired properties is already operating as PSH. The County also applied for the State's Fiscal Year 2021-2022 Homekey Round Two funding to support the acquisition of additional properties, and was awarded for 14 new projects (720 units). Of these, 421 units will be used as interim housing, and 299 units will be used for PSH. State funds are being combined with the County's federal American Rescue Plan Act funding, as well as other local, state, and federal funding sources, to further expand the County's permanent and interim housing capacity for PEH in the County.

Given the complexity and magnitude of the homelessness crisis and the limited supply of affordable permanent housing in the County, there continues to be a significant and immediate need for interim housing in the County, including emergency shelter, to protect the life, health, and safety of PEH in the County.

Under Government Code Section 8698 et seq., the Board of Supervisors (Board) may find that a significant number of persons in the County are without the ability to obtain shelter, which results in a threat to their health and safety. In making such a finding, the Board may then declare that a shelter crisis exists. Upon the declaration of a shelter crisis, the County is empowered to take steps to mitigate the

crisis. In particular, the County may designate certain of its public facilities to be used as homeless shelters during the crisis, which would mitigate the emergency.

On October 30, 2018, the Board declared the existence of a shelter crisis within the County for a one-year period from October 30, 2018 through October 29, 2019. Due to the ongoing crisis, the Board extended the shelter crisis declaration for the County for additional one-year periods from October 30, 2019 through October 31, 2020, November 1, 2020 through November 1, 2021 and November 2, 2021 through November 1, 2022.

The instant motion will declare that a shelter crisis continues to be in effect in the County. The declaration provides that the shelter crisis is extended for an additional year, from November 2, 2022 through November 1, 2023. This extension is appropriate and necessary to address and mitigate the continuing shelter crisis in the County.

I THEREFORE MOVE that the Board of Supervisors:

1. Find that the proposed actions, which, among other things, declare that the shelter crisis previously declared to exist within the County remains in effect for an additional year, are not subject to the California Environmental Quality Act ("CEQA") because they are activities that are excluded from the definition of a project by Section 21065 of the California Public Resources Code and Sections 15061(b)(3) and 15378(b)(5) of the State CEQA Guidelines ("Guidelines") because they are organizational or administrative activities of government that will not result in direct or indirect physical changes to the environment; or, alternatively, that the proposed actions are statutorily exempt as specific actions necessary to prevent or

mitigate an emergency pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines and Government Code section 8698.4(a)(4), which applies to actions taken by the County to lease, convey, or encumber land owned by the County, or to facilitate the lease, conveyance, or encumbrance of land owned by the County for, or to provide financial assistance to, a homeless shelter. Additionally find that the proposed License Agreement with the Weingart Center is also exempt under Public Resources Code Section 21080.27(b)(2) as an action by an eligible public agency to lease land in furtherance of providing emergency shelters or supportive housing in the City of Los Angeles. Upon the Board's approval of the recommended actions, the Chief Executive Officer (CEO) will file Notices of Exemption with the County Clerk in accordance with Public Resources Code section 21152. Prior to approving any activities that would be considered projects under CEQA, the County will ensure that necessary environmental findings are made;

2. Find that pursuant to Government Code Section 8698 et seq., a significant number of persons within the County are without the ability to obtain shelter, which has resulted in a threat to those persons' health and safety;
3. In accordance with Government Code Section 8698 et seq., adopt the attached Resolution declaring that the shelter crisis previously declared to exist within the County remains in effect for an additional year, during the period from November 2, 2022 through November 1, 2023;
4. Delegate authority to the CEO, or her designee, to designate County public facilities

for use as homeless shelters during the period of the declared shelter crisis.

5. Find pursuant to Government Code Section 26227, that the License Agreement between the County and Weingart Center, and program services to be provided by the Weingart Center at the property, are necessary to meet the social needs of the County and the general public and serve a public purpose;
6. Delegate and authorize the CEO, or her designee, to negotiate and execute a gratis license agreement between the County and the Weingart Center to provide the real estate rights for the Weingart Center to operate the Hilda L. Solis Care First Village, approved as to form by County Counsel. The License Agreement will run concurrent with any operation agreement between the County and the Weingart Center to operate the Hilda L. Solis Care First Village but in no event shall the license exceed five years, and subject to renewal of the shelter crisis declaration. In addition, delegate and authorize the CEO, or her designee to execute any other ancillary documentation deemed necessary; and to take any other actions consistent with and/or necessary for the implementation of the foregoing actions;
7. Find that as a result of the Board's shelter-crisis declaration, pursuant to Government Code Section 8698.1, any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety are hereby suspended for qualifying County public facilities serving as homeless shelters to the extent that strict compliance therewith would prevent, hinder or delay the County's efforts to mitigate the effects of the shelter crisis. The County has, in place of such standards, enacted alternative minimal health and safety standards pursuant to

Government Code section 8698.1(b) for qualifying facilities to be operative during the housing emergency;

8. Find that, pursuant to Government Code Section 8698.4, provisions of any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws are hereby suspended for County homeless shelters insofar as the County has adopted the emergency housing provisions in the Los Angeles County Building Code (LACBC), consistent with ensuring minimal public health and safety and the requirements of Government Code Section 8698.4;
9. Direct the CEO, or her designee, to take all appropriate steps to ensure compliance with the provisions of Government Code Section 8698.4, including but not limited to: (a) ensuring compliance with minimal public health and safety standards; (b) filing a copy of the County's emergency housing provisions of the LACBC with the Department of Housing and Community Development (HCD) upon adoption of an ordinance subject to Government Code section 8698.4; and (c) filing an annual report by January 1 of each year to the Senate Committee on Housing and the Assembly Committee on HCD; and
10. Authorize the CEO, or her designee, to take any other actions consistent with and/or necessary for the implementation of the shelter crisis declaration and foregoing actions.

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RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES DECLARING AN EXTENSION OF THE SHELTER CRISIS

The Board of Supervisors of the County of Los Angeles finds:

WHEREAS, Los Angeles County (County) is home to the highest number of unsheltered homeless persons of any major county in the United States. Lack of shelter poses an acute, clear and imminent threat to the health and safety of all people experiencing homelessness (PEH), including those residing in the County.

WHEREAS, unsheltered PEH experience disproportionately high rates of poor overall health; they often do not receive treatment for their physical and mental health symptoms; they are more likely to become victims of crime and exploitation; and they face an increased risk of premature death. In the context of the global COVID-19 pandemic, access to shelter has become even more critical to the health and safety of PEH.

WHEREAS, in September 2022, the Los Angeles Homeless Services Authority (LAHSA) released the results of the 2022 Greater Los Angeles Point-In-Time Homeless Count (PIT Count). It found that, on a given night, there are 69,144 PEH in the County, with 45,878 PEH in the Los Angeles County Continuum of Care (CoC). The CoC encompasses all of the County, except for Glendale, Pasadena, and Long Beach. 70% percent of the PEH in the County and the CoC do not have shelter. LAHSA did not conduct the 2021 Unsheltered PIT Count due to COVID-19 related safety reasons.

WHEREAS, in response to the homelessness crisis and the COVID-19 pandemic, the County and its governmental and non-governmental partners have taken many critical steps toward combatting and preventing homelessness.

WHEREAS, building on the success of Project Roomkey, which brought seniors and other medically vulnerable PEH indoors to prevent the spread of COVID-19, the County used the 2020 State Homekey Round One funds to acquire 10 properties (850 units) in 2020. Nine of these properties are currently being used as interim housing for PEH and will be converted to permanent supportive housing (PSH) by 2024. One of the acquired properties is already operating as PSH. The County also applied for the State's Fiscal Year 2021-2022 Homekey Round Two funding to support the acquisition of additional properties. To date, the County has received awards for 14 new projects (720 units). Of these, 421 units will be used as interim housing, and 299 units will be used for PSH. State funds are being combined with the County's federal American Rescue Plan Act funding, as well as other local, state, and federal funding sources, to further expand the County's permanent and interim housing capacity for PEH in the County.

WHEREAS, given the complexity and magnitude of the homelessness crisis and the limited supply of affordable permanent housing in the County, there continues to be a significant and immediate need for interim housing in the County, including emergency

shelter, to protect the life, health, and safety of PEH in the County.

WHEREAS, under Government Code Section 8698 et seq., the Board of Supervisors (Board) may find that a significant number of persons in the County are without the ability to obtain shelter, which results in a threat to their health and safety. In making such a finding, the Board may then declare that a shelter crisis exists. Upon the declaration of a shelter crisis, the County is empowered to take steps to mitigate the crisis. In particular, the County may designate certain of its public facilities to be used as homeless shelters during the crisis, which would mitigate the emergency.

WHEREAS, on October 30, 2018, the Board declared the existence of a shelter crisis within the County for one-year period from October 30, 2018 through October 29, 2019. Due to the ongoing crisis, the Board extended the shelter crisis declaration for the County for additional one-year periods from October 30, 2019 through October 31, 2020, November 1, 2020 through November 1, 2021 and November 2, 2021 through November 1, 2022. The continuation and extension of the shelter crisis for an additional year, from November 2, 2022 through November 1, 2023, is appropriate and necessary to address and mitigate the continuing shelter crisis in the County.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that:

Section 1. The Board adopts the recitals above as findings and determinations.

Section 2. Find that the proposed actions, which, among other things, declare that the shelter crisis previously declared to exist within the County remains in effect for an additional year, are not subject to the California Environmental Quality Act ("CEQA") because they are activities that are excluded from the definition of a project by Section 21065 of the California Public Resources Code and Sections 15061(b)(3) and 15378(b)(5) of the State CEQA Guidelines ("Guidelines") because they are organizational or administrative activities of government that will not result in direct or indirect physical changes to the environment; or, alternatively, that the proposed actions are statutorily exempt as specific actions necessary to prevent or mitigate an emergency pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines and Government Code section 8698.4(a)(4), which applies to actions taken by the County to lease, convey, or encumber land owned by the County, or to facilitate the lease, conveyance, or encumbrance of land owned by the County for, or to provide financial assistance to, a homeless shelter. Upon the Board's approval of the recommended actions, the Chief Executive Officer (CEO) will file a Notice of Exemption with the County Clerk in accordance with Public Resources Code section 21152. Prior to approving any activities that would be considered projects under CEQA, the County will ensure that necessary environmental findings are made.

Section 3. Find that pursuant to Government Code Section 8698 et seq., a significant number of persons within the County are without the ability to obtain shelter, which has resulted in a threat to those persons' health and safety.

Section 4. In accordance with Government Code Section 8698 et seq., the County declares that the shelter crisis previously declared to exist within the County remains in effect for an additional year, during the period from November 2, 2022 through November 1, 2023.

Section 5. Delegate authority to the CEO, or her designee, to designate County public facilities for use as homeless shelters during the period of the declared shelter crisis.

Section 6. Find that as a result of the Board's shelter-crisis declaration, pursuant to Government Code Section 8698.1, any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety are hereby suspended for qualifying County public facilities serving as homeless shelters to the extent that strict compliance therewith would prevent, hinder or delay the County's efforts to mitigate the effects of the shelter crisis. The County has, in place of such standards, enacted alternative minimal health and safety standards pursuant to Government Code section 8698.1(b) for qualifying facilities to be operative during the housing emergency.

Section 7. Find that, pursuant to Government Code Section 8698.4, provisions of any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws are hereby suspended for County homeless shelters insofar as the County has adopted the emergency housing provisions in the Los Angeles County Building Code (LACBC), consistent with ensuring minimal public health and safety and the requirements of Government Code Section 8698.4.

Section 8. Direct the CEO, or her designee, to take all appropriate steps to ensure compliance with the provisions of Government Code Section 8698.4, including but not limited to: (a) ensuring compliance with minimal public health and safety standards; (b) filing a copy of the County's emergency housing provisions of the LACBC with the Department of Housing and Community Development (HCD) upon adoption of an ordinance subject to Government Code section 8698.4; and (c) filing an annual report by January 1 of each year to the Senate Committee on Housing and the Assembly Committee on HCD.

Section 9. Authorize the CEO, or her designee, to take any other actions consistent with and/or necessary for the implementation of this shelter crisis declaration and foregoing actions.

The foregoing resolution was on the 4th day of October 2022, adopted by the Board of Supervisors of the County of Los Angeles and *ex officio* the governing body of all other

special assessment and taxing districts, agencies and authorities for which said Board so acts.




CELIA ZAVALA,
Executive Officer-Clerk of the Board of
Supervisors of the County of Los Angeles

By 
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON
Acting County Counsel

By 
ANA LAI
Senior Deputy County Counsel