

Los Angeles County Shelter Crisis Declaration

Los Angeles County (County) is home to the highest number of unsheltered homeless persons of any 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).

MOTION

SOLIS

MITCHELL

HORVATH

BARGER

HAHN

On January 10, 2023, the County proclaimed a local emergency for homelessness due to the conditions of extreme peril to the safety of persons on the basis of pervasive and pernicious homelessness in the County ("Emergency Proclamation"). In this regard, 69,000 individuals were unhoused in 2022 in the County, and nearly 2,000 of those unhoused individuals pass away each year, which has been the status quo for several years. As part of the Emergency Proclamation, on February 7, 2023, the County adopted three missions: (1) Encampment Resolution to reduce unsheltered homelessness using a systemic approach to encampment resolution conducted in partnership with local jurisdictions; (2) Housing to increase both interim and permanent housing placements; and (3) Mental Health and Substance Use Disorder Services to provide mental health and substance use disorder services to unsheltered and sheltered people experiencing homelessness at the level needed to meet their needs. In addition, on October 3, 2023, the County adopted a fourth mission – Eviction Prevention to ensure individuals are able to stay in their homes. The County's Emergency Proclamation came 4 weeks after the City of Los Angeles declared its own local emergency to address homelessness. The County and its partners are working to urgently implement the four missions.

The number of unhoused individuals in the County has continue to increase in the past years. In June 2023, the Los Angeles Homeless Services Authority (LAHSA) released the results of the 2023 Greater Los Angeles Point-In-Time Homeless Count (PIT Count). It found that, on a given night, there are 75,518 PEH in the County. Today, 70 percent of the PEH in the County experience unsheltered homelessness.

In response to the continued homelessness crisis, the County and its governmental and non-governmental partners have taken critical step 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). Nine of these properties were being used as interim housing for PEH and have since been demobilized and are being 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, 469 units will be used as interim housing, and 251 units will be used for PSH. The County is also adding motel-based non-congregate interim housing to support the encampment resolution efforts throughout the county. 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 more interim housing in the County, including emergency shelter, to protect the life, health, safety and property 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, November 2, 2021 through November 1, 2022 and November 2, 2022 through November 1, 2023.

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, 2023 through November 1, 2024. 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. The activity is also subject to the exemption under Public Resources Code section 21080.27 which applies to certain activities undertaken by

the County of Los Angeles related to affordable housing, low barrier navigation centers, supportive housing, and transitional housing within the unincorporated areas of the County of Los Angeles and parcels owned by the County of Los Angeles within the City of Los Angeles. 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 and will post the Notice to its website pursuant to section 21092.2. 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, 2023 through November 1, 2024;
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 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;

6. 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;
7. 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
8. 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;

WHEREAS, 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);

WHEREAS, on January 10, 2023, the County proclaimed a local emergency for homelessness due to the conditions of extreme peril to the safety of persons on the basis of pervasive and pernicious homelessness in the County ("Emergency Proclamation");

WHEREAS, as part of the Emergency Proclamation, on February 7, 2023, the County adopted three missions: (1) Encampment Resolution to reduce unsheltered homelessness using a systemic approach to encampment resolution conducted in partnership with local jurisdictions; (2) Housing to increase both interim and permanent housing placements; and (3) Mental Health and Substance Use Disorder Services to provide mental health and substance use disorder services to unsheltered and sheltered people experiencing homelessness at the level needed to meet their needs;

WHEREAS, on October 3, 2023, the County adopted a fourth mission – Eviction Prevention to ensure individuals are able to stay in their homes;

WHEREAS, the number of unhoused individuals in the County has continue to increase in the past years; In June 2023, the Los Angeles Homeless Services Authority released the results of the 2023 Greater Los Angeles Point-In-Time Homeless Count and found that, on a given night, there are 75,518 PEH in the County with 70 percent of the PEH experiencing unsheltered homelessness;

WHEREAS, in response to the homelessness crisis, 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); Nine of these properties were being used as interim housing for PEH and have since

been demobilized and are being converted to permanent supportive housing (PSH) by 2024 and one of the acquired properties is already operating as PSH;

WHEREAS, 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, 469 units will be used as interim housing, and 251 units will be used for PSH;

WHEREAS, the County is also adding motel-based non-congregate interim housing to support the encampment resolution efforts throughout 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 more 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; and

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, November 2, 2021 through November 1, 2022 and November 2, 2022 through November 1, 2023. The continuation and extension of the shelter crisis for an additional year, from November 2, 2023 through November 1, 2024, 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. The activity is also subject to the exemption under Public Resources Code section 21080.27 which applies to certain activities undertaken by the County of Los Angeles related to affordable housing, low barrier navigation centers, supportive housing, and transitional housing within the unincorporated areas of the County of Los Angeles and parcels owned by the County of Los Angeles within the City of Los Angeles. 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 and will post the Notice to its website pursuant to section 21092.2. 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, 2023 through November 1, 2024.

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, 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 LaChelle Smitheman
Deputy 10/17/2023

APPROVED AS TO FORM:

DAWYN R. HARRISON
County Counsel

By Ana Lai
ANA LAI
Senior Deputy County Counsel