


# REPORT OF THE CHIEF LEGISLATIVE ANALYST

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DATE: July 1, 2019

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

FROM: Sharon M. Tso   
Chief Legislative Analyst

Council File No: 19-0002-S122  
Assignment No: 19-06-0702

SUBJECT: Resolution (O'Farrell - Krekorian) to support AB 143 (Quick-Silva)

**CLA RECOMMENDATION** Adopt the attached Resolution (O'Farrell - Krekorian) to include in the City's 2019-20 State Legislative Program SUPPORT for AB 143 (Quirk-Silva) which would extend the sunset date of Government Code Section 8698.4 for two more years, until January 1, 2023.

## **SUMMARY**

On June 26, 2019 Resolution (O'Farrell - Krekorian) was introduced and states the following:

- State Government Code 8698.4 allows various cities in California, including Los Angeles, to declare a shelter crisis, that allows these jurisdictions to suspend any housing, health, habitability, planning, zoning, or safety standard laws to streamline the development of homeless shelters;
- The City declared such a homeless crisis in 2017, which allowed the City to establish the A Bridge Home (ABH) program to serve the immediate shelter and services needs of homeless individuals throughout the City by developing 50-100 shelter beds in each Council District;
- Pursuant to Government Code 8698.4, the City's authority to operate the ABH program sunsets on January 1, 2021; and
- Assemblymember Quirk-Silva has introduced AB 143, which would extend the sunset date of Government Code Section 8698.4 for two more years, until January 1, 2023.

The Resolution recommends support for this bill as extending the shelter crisis declaration provision in State law will allow the City to continue to help its estimated 31,000 unsheltered homeless individuals through the A Bridge Home program.

## **BACKGROUND**

California Government Code 8698.4 authorizes various jurisdictions throughout the State, including the City of Los Angeles, to declare a shelter crisis. This declaration authorizes those jurisdictions to suspend certain housing, health, habitability, and planning, zoning and safety standards, procedures and laws to construct homeless shelters as long as the locality has adopted health and safety standards and procedures for those shelters that ensure minimal public health and safety protections.

The City declared a Shelter Crisis in 2017 and implemented the Crisis and Bridge Housing Program [a.k.a A Bridge Home (ABH)] to create 50-100 shelter beds in each Council District. To date, the City has established four ABH projects, three are under construction, and 15 are in the development/assessment stage. If all of the sites constructed, in development, and under consideration are completed, approximately 1,300 beds for unsheltered homeless individuals would

### AB 143

Assemblymember Quirk-Silva has introduced AB 143 which would extend the ability to declare a shelter crisis under Government Code 8698.4 to the following jurisdictions: Orange County, cities within Orange County, the County of Alameda, cities within Alameda County, and the City of San Jose. The bill requires this new list of cities to develop a plan to address the shelter crisis and submit it to the State. The City of Los Angeles was required to develop this plan, and the Plan was approved by Council June 28, 2019 (C.F. 15-1138-S33).

Currently Government Code 8698.4 sunsets January 1, 2021. AB 143 would extend the sunset date two years until January 1, 2023. This extension applies to the new jurisdictions and the original jurisdictions, which includes the City of Los Angeles.

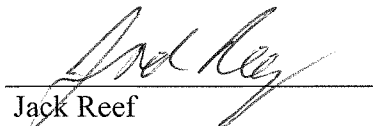
### Author's Comments and State Bill Analysis

The author's office states that California has the highest rates of homelessness nationally, totaling approximately 130,000 individuals. The State's bill analysis informs that California has almost one-quarter of the nation's homeless, and half of the unsheltered homeless population. The State bill analysis further advises that homelessness is driven by a lack of affordable rental housing statewide, and the National Low Income Housing Coalition estimates that approximately 1.5 million affordable units are needed. In California, 1.7 million people are paying more than 50 percent of their income on rent.

### Bill Status

AB 143 was introduced in December 2018. The legislation passed the Assembly on May 9, 2019, and is pending in the Senate's Appropriations Committee.

Attachment: Resolution

  
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Jack Reef  
Analyst

## 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 governmental 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, State Government Code 8698.4 allows various cities in California, including Los Angeles, to declare a shelter crisis, that allows these jurisdictions to suspend any housing, health, habitability, planning, zoning, or safety standard laws to streamline the development of homeless shelters; and

WHEREAS, the City declared such a homeless crisis in 2017, which allowed the City to establish the A Bridge Home (ABH) program to serve the immediate shelter and services needs of homeless individuals throughout the City by developing 50-100 shelter beds in each Council District; and

WHEREAS, to date, the City has established four ABH projects, three are under construction, and 15 are in the development/assessment stage. All of these sites together would result in creation of approximately 1,300 beds for unsheltered homeless individuals; and

WHEREAS, pursuant to Government Code 8698.4, the City's authority to operate the ABH program sunsets on January 1, 2021; and

WHEREAS, Assemblymember Quirk-Silva, has introduced AB 143, which would extend the sunset date of Government Code Section 8698.4 for two more years, until January 1, 2023; and

WHEREAS, the author introduced the bill with the intent to provide flexibility in expediting the creation of shelter for homeless individuals to help resolve homelessness; and

WHEREAS, in order to be in accordance with Government Code Section 8698.4, the City has adopted reasonable standards for the design, development, and operation of the shelters, and staff has written a Shelter Plan detailing how the City will address the shelter crisis; and

WHEREAS, the City should support this bill, as extending the shelter crisis declaration provision in State law will allow the City to continue to help its estimated 31,000 unsheltered homeless individuals through the ABH program;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 State Legislative Program SUPPORT for AB 143 (Quirk-Silva) which would extend the sunset date of Government Code Section 8698.4 for two more years, until January 1, 2023.

PRESENTED BY: 

MITCH O'FARRELL  
Councilmember, 13<sup>th</sup> District

SECONDED BY: 

WARREN Y. KRİKORIAN

JUN 26 2019

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