

Updated Housing and Homelessness Emergency Declaration

July 10, 2023

What and Why:

On her first day in office, Mayor Bass declared a state of emergency in Los Angeles to confront the homelessness crisis. After working with City Council leadership, the Mayor is signing an updated local emergency declaration. The declaration is pursuant to a new City ordinance recently enacted by City Council (Los Angeles Administrative Code Section 8.33).

Los Angeles is in a homelessness and housing crisis and this emergency will allow the City to continue to respond aggressively to the crisis, including expediting contracting and streamlining processing of affordable housing and permanent supportive housing projects.

Although the City has made progress on multiple strategies to confront homelessness – including the implementation of the Mayor’s Inside Safe program, expediting the building of affordable housing projects, maximizing the use of publicly-owned land for housing, locking arms with all levels of government, and securing essential funding from the state – the City is still in the grips of the crisis.

Highlighted Emergency Powers & Council Collaboration:

Coordinating and Issuing Rules: The Mayor can coordinate citywide planning and response to the crisis, and promulgate rules, regulations, orders and directives that the Mayor considers necessary to address the crisis. Council can supersede such action by adopting a resolution or ordinance that addresses the same subject matter.

Ordering Contracts: The City can procure goods and services required to address the emergency. Council can override contracts.

Expediting Contracting: The City may suspend competitive bidding requirements for contracts needed to address the crisis. These contracts are limited to one year terms and the City Council may terminate any such contract. Council can also end the suspension of bidding requirements if Council finds it no longer is necessary.

Emergency Service of City Employees: The Mayor may detail City employees to work on the crisis and requisition personnel and material of any City department.

Differences from Prior Emergency Declaration:

The Mayor’s abilities are similar to those authorized in the previous emergency, but Section 8.33 adds to the Mayor’s powers the ability to suspend competitive procurement. Under Section 8.33, the Council is also more involved. There are also specific criteria for the Mayor to declare an emergency (more info below).

Impact on Existing Housing Executive Directives:

The Mayor's Executive Directives issued to build more housing in Los Angeles shortly after the original emergency declaration will remain in effect thanks to the new emergency declaration issued under Section 8.33.

Executive Directive 1: ED 1 has streamlined the process for approval of affordable housing and permanent supportive housing projects. Thus far, more than 450 projects totalling more than 8,000 units are potentially eligible to utilize ED 1. As of June, 22 projects, with more than 1,600 units, have received planning approvals in an average of 37 days. This is a savings of at least 6 months in the planning approvals process.

Executive Directive 3: ED 3 was signed to maximize the use of city-owned property for temporary and permanent housing. More than 3,300 parcels of city-owned land have been reviewed under ED 3 to determine which could be suitable for interim and permanent housing. The Mayor issued a public report on May 15th outlining next steps for ED3.

Other Aspects of the Emergency Declaration:

Criteria: The Mayor is authorized to declare a Section 8.33 emergency on housing and homelessness if any one of three criteria are present:

1. Housing supply is projected to be at least 40 percent below the annual housing production goals as established in the City's Regional Housing Needs Assessment (RHNA);
2. There exists more than twice the number of unhoused people in the City of LA than the number of interim beds; or
3. A citywide increase in unhoused individuals by more than 20% in a single year as reported in the annual point in time count (PIT).

The first and second criteria currently exist and thus support the Mayor's declaration of the emergency. According to the Planning Department, the City is 60.3% below the annual production goal for the current eight-year RHNA cycle of 2021-2029. LAHSA reports that 16,521 interim beds exist and the recently released PIT count was 46,260 unhoused individuals in the City, well more than twice the number of interim beds.

Renewal/Termination Process: The City Council considers renewal of this order every 90 days. The emergency ends if Council decides to not renew it. The declaration of emergency under Section 8.33 also could terminate if Council votes to end it within the first 30 days of the declaration being signed.