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8 Attorneys for Petitioner and Plaintiff  
9 FIX THE CITY, INC.

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **FOR THE COUNTY OF LOS ANGELES**

12  
13  
14 FIX THE CITY, INC., a California  
15 Nonprofit Corporation,

16 Petitioner and Plaintiff,

17 vs.

18 CITY OF LOS ANGELES, a municipal  
19 corporation; the CITY OF LOS ANGELES  
20 CITY COUNCIL; KAREN BASS,  
21 MAYOR OF THE CITY OF LOS  
22 ANGELES, in her official capacity; and  
23 DOES 1 through 10, inclusive,

24 Respondents and Defendants.

Case No. 23STCP03519

**VERIFIED PETITION FOR WRIT OF  
MANDAMUS, PETITION FOR WRIT  
OF PROHIBITION, AND  
COMPLAINT FOR DECLARATORY  
AND INJUNCTIVE RELIEF**

[Code Civ. Proc. §§ 1060, 1085, 1102]

## INTRODUCTION

1  
2           1.       On or about December 12, 2022, Los Angeles Mayor Karen Bass declared a  
3 Local Homeless Emergency. Subsequently, on or about June 27, 2023, the Los Angeles  
4 City Council adopted a new ordinance, Los Angeles Administrative Code Section 8.33  
5 (hereinafter LAAC 8.33), entitled “Local Housing and/or Homelessness Emergency”  
6 (Council File 23-0652, Ordinance No. 187922), which became effective on or about July 5  
7 2023. LAAC 8.33 was adopted in an effort to vest the Mayor of Los Angeles with  
8 additional powers, *inter alia*, to address Los Angeles’ ongoing homelessness conditions as  
9 well as all housing production within the City. As written, LAAC 8.33 is a vast and illegal  
10 expansion of mayoral power that seeks to override constitutional and statutory restraints on  
11 executive powers, that eliminates competitive bidding in violation of Public Contract Code  
12 § 20162, and that fails to follow state law regulating the adoption of emergency  
13 declarations, as required by Government Code § 8630. LAAC 8.33 purports to create a  
14 parallel or shadow eminent domain process in violation of California Constitution Article  
15 I, Section 19, and the Eminent Domain Law, Code of Civil Procedure §§ 1230.010, *et seq.*  
16 LAAC 8.33 creates an illegal shift from a democratic government to one of rule by fiat.  
17 LAAC 8.33 must be declared invalid.

18           2.       Government Code § 8630 contains minimum requirements for initial and  
19 ongoing ratification of a declared “local emergency.” The proclamation must be:

- 20                   •       Ratified by the governing body within 7 days; and
- 21                   •       Renewed by the governing body every 60 days until terminated.

22           3.       LAAC 8.33 fails to comply with these critical requirements in ways that  
23 impair or eliminate the public’s ability to understand, participate in and affect what their  
24 government is doing.

25           4.       The extraordinary powers granted by LAAC 8.33 demand public  
26 accountability. Among the powers claimed by the Mayor under LAAC 8.33 are the  
27 powers to:  
28

- 1           • Promulgate, issue and enforce rules, regulations, orders and
- 2           directives that take effect immediately upon their issuance.
- 3           • Commandeer property deemed necessary to meet interim and
- 4           temporary housing needs and bind the City for the fair value thereof.
- 5           • Suspend competitive bidding.

6           5. Government Code § 8630’s requirements for local emergencies are not  
7 trivial. An emergency declaration “shall not” remain in effect for a period in excess of  
8 seven days unless it is ratified, and must be re-authorized every 60 days. Ratification by  
9 the legislative branch in an initially short period of seven days provides a crucial check on  
10 executive power. Regular and recurring ratifications within 60 days, with the mandate that  
11 the emergency be declared over as soon as possible, provides a further check on executive  
12 power. Ratification performs another critical function: It provides, indeed forces, public  
13 participation initially and for as long as the “emergency” continues because the act of  
14 ratification is the subject of a public hearing.

15           6. Under LAAC 8.33, those minimum checks and balances are discarded in  
16 favor of a passive approach that evades public involvement. Contrary to the requirements  
17 of Government Code § 8630, LAAC 8.33 only requires a resolution ratifying the  
18 emergency be presented to the City Council, **but does not require City Council ratification**  
19 **or even that the City Council take up the resolution.** Also, renewals are set at 90 days, in  
20 excess of the required 60 days. LAAC 8.33’s reduced checks and balances violates  
21 controlling state law. And contrary to the law, the July 7, 2023 emergency declaration  
22 made under LAAC 8.33 was never ratified by the City Council.

## 23 24           **PARTIES**

25           7. Petitioner and Plaintiff FIX THE CITY, INC. (“Fix the City” or  
26 “Petitioner”) is a California nonprofit public benefit corporation duly incorporated under  
27 the laws of the State of California. Fix the City’s mission is to improve neighborhoods and  
28 advocate for sufficient critical infrastructure and public services throughout the City of Los

1 Angeles. Petitioner's board are residents and taxpayers of the City of Los Angeles.  
2 Petitioner and its board are filing this action as private attorneys general.

3 8. Respondent City of Los Angeles is a California charter city located in the  
4 County of Los Angeles, California.

5 9. Respondent Los Angeles City Council is the elected governing body of the  
6 City, and is the body responsible for decisions at issue herein.

7 10. Respondent Karen Bass is the elected mayor of the City.

8 11. Petitioner is ignorant of the true names of respondents sued herein as DOES  
9 1 through 10, inclusive, and therefore sues said respondents by those fictitious names.  
10 Petitioner will amend the petition to allege their true names and capacities when the same  
11 have been ascertained. Petitioner is informed and believes, and based thereon alleges, that  
12 each of these fictitiously named respondents is in some manner responsible for the  
13 wrongful conduct alleged in this petition. Petitioner is informed and believes, and based  
14 thereon alleges, that these fictitiously named respondents were, at all times mentioned in  
15 this petition, the supervisors, agents, servants, and/or employees of their co-respondents  
16 and were acting within their authority as such with the consent and permission of their co-  
17 respondents.

18  
19 **JURISDICTION AND VENUE**

20 12. Jurisdiction over Respondents, and each of them, exists because each of the  
21 Respondents named in this litigation are present and operating within the jurisdictional  
22 limits of the County of Los Angeles.

23 13. Venue is proper because all of the acts and omissions complained of in this  
24 litigation took place within this judicial district.

25  
26 **GENERAL ALLEGATIONS**

27 14. The California Emergency Services Act is contained in Government Code  
28 §§ 8550-8668. The Legislature enacted the California Emergency Services Act in 1970

1 (Stats. 1970, ch. 1454) to replace the similar California Disaster Act which was then found  
2 in §§ 1500-1601 of the Military and Veterans Code.

3 15. The California Emergency Services Act is comprehensive and has as its  
4 purpose the assurance that state and local entities will adequately prepare for and deal with  
5 the effects of natural, manmade, or war-caused emergencies through the requisite  
6 coordination of the resources available at the state and local level. To this end, the  
7 California Emergency Services Act’s purpose is also to confer emergency powers upon the  
8 Governor, the chief executives and governing bodies of local governments and to establish  
9 the California Office of Emergency Services within the Governor’s Office. (Government  
10 Code § 8550.)

11 16. Declarations of emergency, even local ones, are matters of statewide  
12 concern. “The state has long recognized its responsibility to mitigate the effects of natural,  
13 manmade, or war-caused emergencies that result in conditions of disaster or in extreme  
14 peril to life, property, and the resources of the state, and generally to protect the health and  
15 safety and preserve the lives and property of the people of the state.” (Government Code §  
16 8550.)

17 17. The California Emergency Services Act by Government Code § 8558  
18 establishes three conditions or degrees of emergency, including “Local emergency,” which  
19 in relevant part

20 “means the duly proclaimed existence of conditions of disaster or of  
21 extreme peril to the safety of persons and property within the  
22 territorial limits of a county, city and county, or city, caused by  
23 conditions such as air pollution, fire, flood, storm, epidemic, riot,  
24 drought, cyberterrorism, sudden and severe energy shortage,  
25 deenergization event, electromagnetic pulse attack, plant or animal  
26 infestation or disease, the Governor’s warning of an earthquake or  
27 volcanic prediction, or an earthquake, or other conditions, other than  
28 conditions resulting from a labor controversy, which are or are likely

1 to be beyond the control of the services, personnel, equipment, and  
2 facilities of that political subdivision and require the combined forces  
3 of other political subdivisions to combat... ." (Government Code §  
4 8558(c)(1).)

5 18. The California Emergency Services Act by Government Code § 8630  
6 further provides for the authority of local government to issue a proclamation of local  
7 emergency, and states as its procedural requirements:

8 "(a) A local emergency may be proclaimed only by the governing  
9 body of a city, county, or city and county, or by an official designated  
10 by ordinance adopted by that governing body. [¶] (b) Whenever a  
11 local emergency is proclaimed by an official designated by  
12 ordinance, the local emergency shall not remain in effect for a period  
13 in excess of seven days unless it has been ratified by the governing  
14 body. [¶] (c) The governing body shall review the need for  
15 continuing the local emergency at least once every 60 days until the  
16 governing body terminates the local emergency. [¶] (d) The  
17 governing body shall proclaim the termination of the local emergency  
18 at the earliest possible date that conditions warrant."

19 19. Article I, Section 19 of the California Constitution provides:  
20 "(a) Private property may be taken or damaged for a public  
21 use and only when just compensation, ascertained by a jury  
22 unless waived, has first been paid to, or into court for, the  
23 owner. The Legislature may provide for possession by the  
24 condemnor following commencement of eminent domain  
25 proceedings upon deposit in court and prompt release to the  
26 owner of money determined by the court to be the probable  
27 amount of just compensation."  
28

1           20.     Controlling state law also provides: “When the expenditure required for a  
2 public project exceeds five thousand dollars (\$5,000), it shall be contracted for and let to  
3 the lowest responsible bidder after notice.” (Pub. Contract Code § 20162.)

4           21.     State law provides for spending in cases of emergency:

5                     “In case of an emergency, the legislative body may pass a  
6 resolution by a four-fifths vote of its members declaring that  
7 the public interest and necessity demand the immediate  
8 expenditure of public money to safeguard life, health, or  
9 property. Upon adoption of the resolution, it may expend any  
10 sum required in the emergency without complying with this  
11 chapter. If notice for bids to let contracts will not be given,  
12 the legislative body shall comply with Chapter 2.5  
13 (commencing with Section 22050).” (Pub. Contract Code §  
14 20168.)

15           22.     The Los Angeles Administrative Code (LAAC) provides for a local  
16 emergency declaration that complies with the ratification requirements of the California  
17 Emergency Services Act. LAAC § 8.27 empowers the Mayor to declare the existence of a  
18 local emergency or disaster when he or she finds that any of the circumstances described in  
19 LAAC § 8.22 exist, that is, “any occurrence which by reason of its magnitude is or is likely  
20 to become beyond the control of the normal services, personnel, equipment and facilities of  
21 the regularly constituted branches and departments of the City government.” When the  
22 Mayor issues an emergency declaration, the General Manager of the Emergency  
23 Management Department shall prepare a resolution ratifying the existence of a local  
24 emergency and the need for continuing the state of local emergency. The resolution shall  
25 be approved or disapproved within seven days from the date of the original declaration by  
26 the Mayor and at least every ten regular City Council meeting days, but no longer than 30  
27 calendar days thereafter unless the state of local emergency is terminated sooner. (LAAC  
28 § 8.27.)

1           23. By Ordinance No. 187,922, effective July 5, 2023, the City Council created  
2 LAAC 8.33, Local Housing and/or Homelessness Emergency. By LAAC 8.33, the Mayor  
3 may declare an emergency when

4                   “(i) The City’s housing supply is projected to be at least 40 percent  
5 below its annual housing production goals as established in the  
6 Housing Element approved by the State Department of Housing and  
7 Community Development and reported in the City Planning  
8 Department’s quarterly Housing Production Report; and/or (ii)  
9 Homelessness in the City has reached a crisis as indicated by either:  
10 (1) The unhoused population in the City is greater than two times the  
11 total number of interim beds as established in the annual Homeless  
12 Inventory Count submitted to the federal Department of Housing and  
13 Urban Development; or (2) There is a citywide increase by more than  
14 20 percent in a single year as reported in the annual Point-in-Time  
15 Count.” (LAAC 8.33(b).)<sup>1</sup>

16           24. However, contrary to the California Emergency Services Act emergency  
17 declaration procedural requirements, LAAC 8.33(e) allows:

18                   “(e) Whenever the Mayor declares a local housing and/or  
19 homelessness emergency, the Chief Legislative Analyst’s Office  
20 shall prepare, with the assistance of the City Attorney, a resolution  
21 ratifying the existence of a local housing and/or homelessness  
22 emergency. Such resolution shall be submitted by the Mayor to the  
23 City Clerk for presentation to the City Council. Within 30 days from  
24 the date of the original declaration by the Mayor, the City Council  
25 may consider the resolution and rescind it by majority vote.

26 \_\_\_\_\_  
27 <sup>1</sup> Each of the criteria listed were already satisfied when LAAC 8.33 was passed,  
28 raising the spectre of chronic conditions being used as justification for declarations of  
emergency.



1           Thereafter, the declaration shall expire unless the City Council  
2           renews it by majority vote every 90 calendar days.”

3           25.   LAAC 8.33(d) in part empowers the Mayor to:

4           “(ii)   Commandeer property deemed necessary to meet interim and  
5           temporary housing needs and bind the City for the fair value thereof.”

6           “(v)   Suspend competitive bidding restrictions enumerated in  
7           Charter Section 371(e)(6) and Los Angeles Administrative Code  
8           Sections 10.15 and 10.17 for contracts entered into by City  
9           departments and offices in response to the emergency and mitigation  
10          efforts related to the emergency, subject to the following:

11                  “(1)   Such suspension may remain in effect until the Mayor  
12                  terminates the suspension or the City Council finds the suspension is  
13                  no longer needed and acts to terminate the suspension;

14                  “(2)   Contracts using the suspended competitive bidding  
15                  restrictions specified in this subsection may be for a term no longer  
16                  than one year; thereafter, further contracting for the same need shall  
17                  be accomplished by competitive bidding whenever applicable;

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

20                  “(4)   The City Administrative Officer shall evaluate and  
21                  report monthly to the City Council on the reasons justifying why each  
22                  contract let pursuant to this subsection was necessary to respond to  
23                  the emergency, including why the emergency did not permit a delay  
24                  resulting from a competitive solicitation for bids or proposals and  
25                  why competitive proposals or bidding was not reasonably practicable  
26                  or compatible with the City’s interests.”

27           26.   On December 12, 2022, Mayor Karen Bass issued a Declaration of Local  
28   Emergency pursuant to LAAC 8.27 regarding the unhoused (CF 22-1545). A true and

1 copy of the declaration from the City’s website is attached at **Exhibit 1**. The following  
2 day, on December 13, 2022, the City Council adopted the aforementioned declaration of  
3 local emergency.

4 27. On December 16, 2022, Mayor Karen Bass issued Executive Directive No.  
5 1 (ED1) titled “Expedition of Permits and Clearances for Temporary Shelters and  
6 Affordable Housing Types,” pursuant to LACC § 8.29. A true and copy of ED1 from the  
7 City’s website is attached at **Exhibit 2**.

8 28. On December 21, 2022, Mayor Karen Bass issued Executive Directive No.  
9 2 (ED2) known as the “Inside Safe Initiative.” This directive cited both LAAC § 8.29 and  
10 the declaration of local emergency made on December 12, 2022. A true and copy of ED2  
11 from the City’s website is attached at **Exhibit 3**.

12 29. On February 9, 2023, the General Managers of the Planning Department,  
13 Building and Safety, and Housing issued “Implementation Guidelines for Executive  
14 Directive 1: Expedition of Permits and Clearances for Temporary Shelters and Affordable  
15 Housing Types.” A true and correct copy of these Guidelines from the City’s website is  
16 attached at **Exhibit 4**.

17 30. On February 10, 2023, Mayor Karen Bass promulgated Executive Directive  
18 No. 3 (ED3) titled “Emergency Use of Viable City-Owned Property,” pursuant to LAAC §  
19 8.29. A true and copy of ED3 from the City’s website is attached at **Exhibit 5**.

20 31. On June 12, 2023, Mayor Karen Bass re-issued ED1, maintaining its  
21 original title “Expedition of Permits and Clearances for Temporary Shelters and  
22 Affordable Housing Types” in reliance on LAAC § 8.29. A true and copy of the re-issued  
23 ED1 from the City’s website is attached at **Exhibit 6**.

24 32. On June 16, 2023, Councilmember Paul Krekorian moved that the City  
25 Attorney draft a new LAAC 8.33 for form and legality and prepare and present an  
26 ordinance with an urgency clause to effectuate this section. (CF 23-0652.) A true and  
27 correct copy of the motion from the City’s website is attached at **Exhibit 7**.

28

1           33.     On June 20, 2023, the City Council amended and adopted the motion. A  
2 true and correct copy of the motion from the City’s website is attached at **Exhibit 8**.

3           34.     On June 27, 2023, City Council adopted the item as amended. A true and  
4 correct copy thereof from the City’s website is attached at **Exhibit 9**.

5           35.     On June 27, 2023, the City Council formally requested a draft ordinance to  
6 codify the provisions of ED1 (CF 23-0623). The City Council sought insights into the  
7 effectiveness and impact of ED1, along with related matters. A true and correct copy of  
8 the motion requesting an ordinance from the City’s website is attached at **Exhibit 10**.

9           36.     On June 27, 2023, the City Council adopted LAAC 8.33, as amended,  
10 forthwith. The Ordinance was effective on July 5, 2023. A true and correct copy thereof  
11 from the City’s website is attached at **Exhibit 11**.

12           37.     On July 7, 2023, Mayor Karen Bass issued a Declaration of Local Housing  
13 and Homelessness Emergency under the newly adopted LAAC 8.33 (CF 22-1545). In this  
14 declaration, Mayor Bass stated that all prior directives were to be retroactively included  
15 under this new declaration. No resolution ratifying the existence of a local housing and/or  
16 homelessness emergency was presented to the City Council as required by Government  
17 Code § 8630. A true and copy of that Declaration from the City’s website is attached at  
18 **Exhibit 12**.

19           38.     On the same day, July 7, 2023, Mayor Karen Bass re-issued ED1, titled  
20 “Expedition of Permits and Clearances for Temporary Shelters and Affordable Housing  
21 Types,” basing its authority on the newly enacted LAAC 8.33. A true and correct copy of  
22 this re-issued ED1 from the City’s website is attached as **Exhibit 13**.

23           39.     On August 4, 2023, Mayor Karen Bass issued “Housing and Homelessness  
24 Emergency Action Plan.” A true and correct copy of Mayor Karen Bass’ August 4, 2023  
25 letter (as obtained from the City’s website) is attached at **Exhibit 14**.

26  
27  
28

1 **FIRST CAUSE OF ACTION**

2 **(Petition for Writ of Mandamus)**

3 40. Petitioner realleges and incorporates herein by reference the allegations of  
4 Paragraphs 1 through 39, inclusive, of this Petition and Complaint.

5 41. Pursuant to the California Emergency Services Act, Government Code §  
6 8630(b), the declaration of local emergency shall not remain in effect for a period in excess  
7 of seven days unless it has been ratified by the governing body. The July 7, 2023  
8 Declaration of Local Housing and Homelessness Emergency issued by Mayor Karen Bass  
9 (**Exhibit 12**) has never been ratified by the City Council and is therefore ineffective and  
10 void. As a consequence, Respondents have no discretion to act other than to vacate the  
11 Declaration of Local Housing and Homelessness Emergency as well as ED1, ED2, ED3,  
12 ED1 Guidelines and ED1 Action Plan.

13 42. A clear, present and ministerial duty exists for Respondents to act in  
14 compliance with Government Code § 8630 in their declaration of a “local emergency.”  
15 Petitioner has no plain, speedy or adequate remedy available to it in the ordinary course of  
16 law to redress the claims alleged in this Petition. Petitioner and the public generally will  
17 suffer irreparable harm if the court does not issue mandamus directing the City to comply  
18 with the California Emergency Services Act, Government Code § 8630(b), and declare the  
19 Declaration of Local Housing and Homelessness Emergency vacated. Mayor Karen Bass  
20 has issued and threatens to proceed with directives such as ED1 proclaimed pursuant to the  
21 LAAC 8.33 and the Declaration of Local Housing and Homelessness Emergency, which  
22 among other things, exempts from discretionary review permits for 100% affordable  
23 housing, i.e., which in turn eliminates public hearings, due process and the right of appeal.

24  
25 **SECOND CAUSE OF ACTION**

26 **(Petition for Writ of Prohibition)**

27 43. Petitioner realleges and incorporates herein by reference the allegations of  
28 Paragraphs 1 through 42, inclusive, of this Petition and Complaint.

1 44. LAAC 8.33(d)(ii) empowers the Mayor to “commandeer property” and then  
2 “bind the City for the fair value thereof.” LAAC 8.33(d)(ii) grants to the Mayor improper  
3 authority in the attempted taking of property and judicial (or more accurately, jury  
4 determination) authority in the determination of the value of the property taken. Under  
5 Article 1, Section 19 of the California Constitution, Mayor Bass has no authority to  
6 authorize the taking of property, or to exercise the power of the judicial branch to set the  
7 value of property taken, even temporarily. Article 1, Section 19 specifies that “just  
8 compensation” must be “ascertained by a jury unless waived”. Section 8.33(d)(ii) appears  
9 by its words to grant authority to the Mayor to determine “fair value” (which is an odd  
10 formulation that appears different from the uniquely defined “fair market value” under the  
11 Eminent Domain Law, Code of Civil Procedure § 1263.320) and bind the City to that  
12 value.

13 45. Petitioner has no plain, speedy or adequate remedy available to it in the  
14 ordinary course of law to redress the claims alleged in this Petition. Petitioner and the  
15 public generally will suffer irreparable harm if the court does not issue a writ of prohibition  
16 precluding Mayor Karen Bass and the City from “commandeering” property in the manner  
17 set forth, and setting the value of property so commandeered, pursuant to LAAC 8.33.

### THIRD CAUSE OF ACTION

#### (Declaratory Relief)

21 46. Petitioner realleges and incorporates herein by reference the allegations of  
22 Paragraphs 1 through 45, inclusive, of this Petition and Complaint.

23 47. LAAC 8.33 violates the California Emergency Services Act, Government  
24 Code § 8630, including because LAAC 8.33 does not require City Council ratification or  
25 rescission in 7 days; it gives 30 days during which the City Council *may* consider the  
26 resolution and rescind it. It does not require an affirmative vote to make the declaration  
27 valid.

1           48.    LAAC 8.33 also violates the California Emergency Services Act,  
2 Government Code § 8630, because LAAC 8.33 does not require City Council review of the  
3 necessity for emergency declaration within 60 days; rather, it requires review every 90  
4 days.

5           49.    LAAC 8.33 also violates Article 1, Section 19 of the California  
6 Constitution, and the panoply of procedural and substantive rights and protections  
7 embodied in the Eminent Domain Law, Code of Civil Procedure §§ 1230.010, *et seq.*, by  
8 granting the Mayor the power to commandeer property and to set the value of the taking.

9           50.    LAAC 8.33 also violates controlling State Law, including Pub. Contract  
10 Code § 20162, by empowering the Mayor to suspend competitive bidding and allow sole-  
11 source contracting. LAAC 8.33’s empowerment of the Mayor to administratively suspend  
12 competitive bidding restrictions is not only a direct conflict with state competitive bidding  
13 laws, but undermines the state’s objective of ensuring fairness, transparency, and fiscal  
14 responsibility in public procurement. Further, suspending competitive bidding will likely  
15 bypass City and state ethics laws. This is particularly concerning when considering  
16 Measure H, overwhelmingly adopted by the City’s voters, aimed to restrict campaign  
17 contributions and fundraising by bidders on certain City contracts. By bypassing bidding,  
18 the protections of State Law and Measure H would be rendered moot.

19           51.    An actual and present controversy has arisen and now exists between  
20 Petitioner and citizens of the City of Los Angeles on the one hand, and the City on the  
21 other, in that Petitioner claims LAAC 8.33 is illegal, *inter alia*, by violating controlling  
22 requirements of the California Emergency Services Act, Article I, Section 19 of the  
23 California Constitution, and the Pub. Contract Code. Petitioner seeks a declaratory  
24 judgment from this Court invalidating LAAC 8.33.

25           52.    Petitioner and the public generally will suffer irreparable harm if the Mayor  
26 is not restrained from exercising the emergency powers of LAAC 8.33. Those powers may  
27 and likely will continue for years to come and will have long-lasting impacts on the City of  
28 Los Angeles and its citizens.

1 53. Eight years prior to the adoption of LAAC 8.33, the City Council had  
2 already declared a Shelter Crisis (CF 15-1138) under Government Code § 8698.4 and  
3 LAAC §§ 12.80 and 12.81. This prior Shelter Crisis declaration is a testament to the long-  
4 standing, chronic nature of the homelessness issues facing the City. Housing stock in  
5 general and affordable housing are also chronic in nature. Rather than being sudden or  
6 unexpected developments, these challenges have been persistent and recognized as severe  
7 for decades. LAAC 8.33’s expansive scope, granting the Mayor authority to address a vast  
8 array of issues under the umbrella of a Local Housing and/or Homelessness Emergency,  
9 goes far beyond the plight of the homeless, and marginalizes existing Constitutional and  
10 statutory laws and the safeguards contained therein<sup>2</sup>. LAAC 8.33’s sweeping delegation of  
11 authority not only threatens the balance and separation of governmental powers, but  
12 jeopardizes the public’s rights as guaranteed by various Constitutional, statutory and  
13 regulatory protections.

14 54. Mayor Karen Bass has already issued ED1 pursuant to LAAC 8.33, which  
15 among other things exempts from discretionary review permits for 100% affordable  
16 housing. By doing so, the Mayor permits years of construction for which development  
17 planning oversight is non-existent. That is but one long term impact on the citizens of the  
18 City of Los Angeles.

19  
20 **PRAYER**

21 WHEREFORE, Petitioner prays for judgment as follows:

22 1. For a peremptory writ of mandamus directing the City and City Council to  
23 vacate and set aside the July 7, 2023 Declaration of Local Housing and Homelessness  
24 Emergency under the newly adopted LAAC 8.33, and to vacate and set aside ED1, ED2,  
25 ED3, ED1 Guidelines and ED1 Action Plan issued pursuant to the Declaration.

26 \_\_\_\_\_  
27 <sup>2</sup> In fact, addressing housing shortages, both affordable and market-rate, touches  
28 every aspect of the general plan, including community plans, specific plans and related  
zoning, without any requirement for consistency or public involvement.

1           2.       For a peremptory writ of prohibition precluding the City, City Council,  
2 Mayor Karen Bass, their officers, employees, agents, boards, commissions and other  
3 subdivisions from issuing any Executive Directive, order or other action commandeering  
4 property and from setting the value on the commandeering of property based upon or  
5 pursuant to LAAC 8.33, or from entering into any contracts or other obligations in  
6 furtherance thereof.

7           3.       That the Court enjoin the City, City Council, Mayor Karen Bass, their  
8 officers, employees, agents, boards, commissions and other subdivisions from enforcement  
9 of any existing and future Executive Directives issued pursuant to LAAC 8.33, from  
10 enforcement of ED1, ED2, ED3, ED1 Guidelines and ED1 Action Plan, and from entering  
11 into any contracts or other obligations in furtherance thereof.

12           4.       That the Court grant declaratory relief to Fix the City that LAAC 8.33 is  
13 invalid.

14           5.       For attorney fees, including pursuant to Code of Civil Procedure § 1021.5.

15           6.       For costs of suit; and

16           7.       For such other and further relief as the Court may deem just and proper.

17

18 Dated: September 22, 2023

**THE SILVERSTEIN LAW FIRM, APC**

19

By:           /s/ Robert P. Silverstein          

20

ROBERT P. SILVERSTEIN

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Attorneys for Petitioner

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FIX THE CITY, INC.

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# **EXHIBIT 1**

## DECLARATION OF LOCAL EMERGENCY

**WHEREAS**, Section 231(i) of the Los Angeles City Charter and Ch. 3, Section 8.27 of the Los Angeles Administrative Code provide that the Mayor of the City of Los Angeles has the authority to declare the existence of a local emergency as a result of any occurrence which, by reason of its magnitude, is or is likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of City government; and

**WHEREAS**, the City of Los Angeles has at any given time approximately 41,980 people experiencing homelessness Citywide; and

**WHEREAS**, the number of unhoused people in the City of Los Angeles has increased dramatically in recent years, nearly doubling in the past decade, with the number of unhoused families increasing by 238 percent since 2007; and

**WHEREAS**, the City of Los Angeles represents 9.6 percent of the State of California's population but 25 percent of the State's unsheltered population, and the City represents only 1.2 percent of the total United States population but 7.2 percent of the United States population of people experiencing homelessness; and

**WHEREAS**, as a percentage of its population, the number of unsheltered people in the City of Los Angeles is approximately 18 times higher than the number in New York City and 14 times higher than the number in Chicago; and

**WHEREAS**, there are more people currently experiencing homelessness in the City of Los Angeles than were displaced by Hurricane Harvey in Houston (30,000) or the 1994 Northridge Earthquake (20,000); and

**WHEREAS**, homelessness has disproportionately impacted Black, Indigenous and Immigrant Angelenos. Black people comprise only 8 percent of the population of the City of Los Angeles but, in the most recent homelessness count, accounted for 33 percent or more of people experiencing homelessness; and

**WHEREAS**, homelessness has increased dramatically and disproportionately among Hispanic and Latino Angelenos during the COVID-19 pandemic. The share of the population of people experiencing homelessness who are Hispanic or Latino increased by 30 percent between 2020 and 2022 and now constitute 42 percent of unhoused individuals. Black and Brown Angelenos comprise 75 percent of people experiencing homelessness; and

**WHEREAS**, the homelessness crisis has had unacceptable consequences for Angelenos, including a significant death toll that has rapidly increased since the start of the COVID-19 pandemic. The Los Angeles County Department of Public Health has reported an average of over 5 deaths per day of unhoused persons as of March 2021, a 200 percent increase in the death rate of persons experiencing homelessness over the past decade and a 56 percent increase over just one year prior; and

**WHEREAS**, women now comprise about a third of people experiencing homelessness and at least 60 percent of those women have experienced violence, and more than a third of LGBTQ+ women experiencing homelessness have experienced sexual assault; and

**WHEREAS**, a disproportionate share of youth experiencing homeless identify as LGBTQ+ and lack adequate access to resources; and

**WHEREAS**, the murder rate for people experiencing homeless is at the highest recorded levels, and increased by 47 percent in 2021 alone; and

**WHEREAS**, severe overcrowding in Los Angeles has also led to increased deaths from COVID-19. In neighborhoods with 40 percent overcrowding as compared to a national average of 3 percent, residents are 11 times more likely to die because of COVID-19; and

**WHEREAS**, shelter and housing is particularly important during these coming winter months when people experiencing homelessness in the City are likely to face heightened exposure and dangers from living outdoors, and heightened dangers from the combination of COVID-19, flu outbreak and respiratory syncytial virus (RSV). It is projected that the City will face an acute shortage of winter homeless shelters through March 2023, with fewer than half the number of shelter sites available as in the winter of 2021-2022 and nearly two-thirds fewer shelter beds; and

**WHEREAS**, the City's eviction moratorium, which has protected many Angelenos from falling into homelessness, ends concurrently with the end of the City's State of Local Emergency regarding the COVID-19 pandemic on February 1, 2023; and

**WHEREAS**, the State of California's COVID-19 State of Emergency, which has provided resources to keep many Angelenos from falling into homelessness, ends in February of 2023, thus requiring immediate action in order to create replacement and additional housing and shelter, and in order to support the necessary infrastructure and laws required to protect and provide that shelter and housing; and

**WHEREAS**, people experiencing homelessness suffer disproportionately from mental and physical health ailments, the treatment of which has strained the City's ability to provide appropriate shelter and housing and which require assistance from the County

Health Department to provide the necessary public services. Specifically, it is estimated that 47 percent of unsheltered people in the City of Los Angeles are affected by a health condition, 46 percent are affected by substance abuse, 34 percent are affected by a serious mental illness, 29 percent are affected by physical disabilities, 17 percent are affected by post-traumatic stress disorder, 7 percent are affected by developmental disabilities, and 6 percent are affected by traumatic brain injuries. Recent studies differ on the exact percentages but dramatic increases over time are prevalent in all of the data. The prevalence of extreme need significantly stress the City's public services; and

**WHEREAS**, notwithstanding that the State of California has enacted a CARE Court to address the crisis of untreated mental illness, the beds and necessary access to acute and subacute care is in development and steps must be taken in the interim to provide increased access to care; and

**WHEREAS**, the homelessness crisis has strained the City's public safety resources. Among other things, occurrences of fires related to homelessness have nearly tripled between 2018 and 2021, averaging 24 fires a day in the first quarter of 2021, and now constitute a majority of all fires to which the Los Angeles Fire Department responds; and

**WHEREAS**, paramedic calls to address the crisis on our streets and in our other public spaces are increasing at alarming rates and unhoused residents are 19 times more likely to require an emergency room transport by paramedics than housed residents; and

**WHEREAS**, the homelessness crisis confronting Los Angeles has grown both incrementally and exponentially, leading to death, illness, and deplorable living conditions even worse than those that created emergencies due to persistent and worsening conditions from prison overcrowding, deterioration in water quality, or fire risk due to climate change; and

**WHEREAS**, the conditions in December 2022 are even more dire than when Mayor Bradley declared a local emergency due to the upcoming winter weather and its effects on the people experiencing homelessness in 1987; and

**WHEREAS**, the displacement of the number of people living on the streets of the City of Los Angeles today is a daily recurring emergency, empowering the Mayor to declare a state of emergency, no less than if the emergency was caused by an earthquake, fire, or flood; and

**WHEREAS**, the City's ability to mobilize local resources, coordinate interagency response, accelerate procurement of housing units, use mutual aid, and seek assistance and potential reimbursement by the State and Federal governments will be critical to successfully responding to this homelessness crisis; and

**WHEREAS**, during the pendency of the existence of a local emergency, the Los Angeles City Council shall retain its full authority to consider a variety of City ordinances to codify the measures necessary to address this homelessness crisis; and

**WHEREAS**, during the COVID-19 pandemic the City Council created the COVID-19 Homelessness Roadmap and committed the funding and resources needed to produce 6700 housing options in 18 months; and

**WHEREAS**, the City currently has 14,475 interim housing beds and the City Council continues to prioritize the building of interim and permanent supporting housing and yet need outpaces demand; and

**WHEREAS**, the City projects it will soon have a total of 12,908 supportive and affordable units, of which 3,861 have been completed already, 5,171 are currently under construction, and 3,876 are in pre-development; and

**WHEREAS**, notwithstanding that Council has been and is acting with urgency, including implementing a roadmap to house thousands of Angelenos and building an unprecedented number of supportive housing units and shelters, an emergency declaration is necessary to mobilize resources, save lives, and provide for the public health, welfare, and safety of all; and

**WHEREAS**, the City of Los Angeles has responded to the rapid increase in its homeless population with unprecedented investments into homelessness solutions, including a nearly \$1.2 billion commitment in the 2022-2023 City budget for the construction of thousands of units of supportive housing, the expansion of bridge housing, and the hiring of professionals to address the homelessness crisis and, notwithstanding these efforts, the number of those experiencing homelessness in the City continues to increase and outstrip the resources and services that the City has provided; and

**WHEREAS**, the magnitude of loss of life, the persistent and disproportionate impact of the COVID-19 pandemic, and the persistent discriminatory impacts of a lack of housing warrant and necessitate that I declare the existence of a local emergency; and

**WHEREAS**, the benefits of this emergency declaration, coupled with past and future actions by the Los Angeles City Council to address the homelessness crisis, will help ensure that this local emergency will be of a temporary nature;

**NOW, THEREFORE**, I hereby declare the existence of a local emergency and direct all Divisions of the Emergency Operations Organization (EOO) and all other City Departments to take necessary steps for the protection of life, health and safety in the City of Los Angeles.

**I REQUEST**, that the City Council adopt resolutions pursuant to the Los Angeles Administrative Code Sections 10.1.1, 10.2.1, 10.5(a)(8), and 10.5.5 to expedite the procurement and contracting process for materials, equipment, and services necessary to respond rapidly to the homelessness crisis.

**I DIRECT** that, as Director of the EOO, I shall coordinate Citywide planning and response with respect to unsheltered individuals in conjunction with the City Administrative Officer, Los Angeles Homeless Services Authority, Los Angeles City Housing Department, Los Angeles City Planning Department and any and all necessary departments and agencies.

**I FURTHER DIRECT** that the City coordinate its efforts to address this declared emergency with the County of Los Angeles, the State of California, and the federal government.

**I FURTHER DIRECT**, that the continuing state of emergency shall be regularly evaluated, in coordination with City Council, by reference to key performance indicators of progress in addressing the emergency, including, but not limited to:

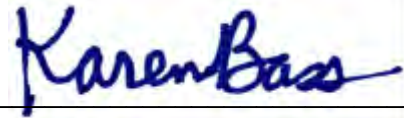
- Decrease in the number and size of encampments;
- Regulatory relief from other jurisdictions and within Los Angeles City agencies to create flexibility to address the crisis;
- Relaxation in the restraints that limit the ability of the City's proprietary departments to create flexibility to address the crisis;
- Increased housing placements;
- Increased starts on new affordable housing options;
- An increase in temporary and permanent housing units;
- Increased outside aid through access to mental health and substance use beds;
- A decrease in the number of persons being evicted from existing housing units;
- A decrease in the number of persons falling into homelessness.

**I FURTHER DIRECT** that this Emergency Declaration sunset in six months subject to being renewed. The setting of a specific time frame allows for actions to be taken to make permanent, necessary structural changes.

**I FURTHER DIRECT** that all relevant City departments and agencies compile and deliver to the Mayor information about the specific and necessary resources and support that the

City should request from Los Angeles County, the State of California and the Federal government to address this crisis.

**I THEREFORE DIRECT** that the Declaration of Local Emergency shall take effect immediately and that notice shall be given of said Declaration through the most feasible means.



Karen Bass, MAYOR

Dated: December 12, 2022  
at Los Angeles, California  
Time: 9:20 a.m.

Filed with the City Clerk  
Date: December 12, 2022  
Time: 9:25 a.m.  
By: *Melinda Nava*

# **EXHIBIT 2**





KAREN BASS  
MAYOR

## **EXECUTIVE DIRECTIVE NO. 1**

Issue Date: December 16, 2022

**Subject: Expedition of Permits and Clearances for Temporary Shelters and Affordable Housing Types**

### **INTRODUCTION**

To aid in swiftly sheltering people who are unhoused in the City of Los Angeles, and by virtue of the authority vested in me as Mayor of the City of Los Angeles under Section 231(i) of the Los Angeles City Charter and the provisions of Section 8.29 of the Los Angeles Administrative Code, I hereby declare the following order to be necessary for the protection of life and property and I hereby order, effective immediately, that:

1. Applications for 100% affordable housing projects, or for Shelter as defined in Section 12.03 of the Los Angeles Municipal Code (LAMC) (hereinafter referred to as Shelter), shall be, and hereby are deemed exempt from discretionary review processes otherwise required by either the zoning provisions of Chapter 1 of the LAMC or other Project Review including Site Plan Review as described in LAMC Section 16.05 and LAMC Section 13B.2.4, as long as such plans do not require any zoning change, variance, or General Plan amendment. All City departments are directed to process all plans for such 100 percent affordable housing projects or Shelter using the streamlined ministerial review process currently used for projects eligible under Government Code section 65913.4, State Density Bonus law.
2. An application for the development of a 100 percent affordable housing project or Shelter may use the density permitted for that site either by the applicable zoning or the General Plan Land Use Designation, consistent with state law. In addition, a project may utilize the State Density Bonus and LAMC bonuses,

incentives, waivers and concessions if such are in compliance with the applicable requirements.

3. I further direct all applicable City Departments to process clearances and utility releases related to building permit applications, certificates of occupancy, or temporary certificates of occupancy within 5 business days for 100 percent affordable housing projects and within 2 business days for Shelters.

4. I further direct all applicable City Departments to conduct and conclude all reviews and inspections required for 100 percent affordable housing projects or Shelters and to issue all appropriate approvals for such projects or Shelters within 60 days following the submission of the completed application. City Departments shall provide the applicant with all required changes or amendments on or before the 30<sup>th</sup> day following the submission of a completed application for such projects. To the extent practicable, all required reviews and approvals shall be conducted simultaneously, not sequentially, by all City departments so as to meet the 30 day and 60 day periods specified for such projects in this paragraph.

5. I hereby direct the Los Angeles Housing Department (LAHD) to coordinate with the Los Angeles City Controller to track and process all affordable housing projects and expedite payments thereon. LAHD shall track each pending pay application, initial submittal date, approval date, reasons for rejection or modification of submitted payment applications, and issuance of payment, and shall provide reports to the Mayor on all such payments at least monthly with the goal of expediting payments due for affordable housing projects.

6. I hereby direct that all protocols set by the Los Angeles County Coordinated Entry System as they apply within the City of Los Angeles be expanded, changed, or suspended, as allowed by federal law. Rules, guidelines and regulations will be developed to expedite the placement of unhoused neighbors into housing in the City of Los Angeles.

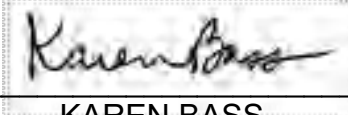
7. I hereby direct all City departments to prioritize and streamline compliance with the provisions of the Building Homes and Jobs Act – Government Code section 27388.1 in order to maximize the City's eligibility for state and federal funds to support the development of emergency shelters, transitional housing, and supportive housing. The City shall seek to comply with or otherwise meet all criteria specified under all applicable state and federal laws that provide for increased resources, funding, access or allowance for temporary or affordable housing.

8. Effective February 28, 2023, in accordance with the end of the State of California COVID-19 emergency, I hereby rescind the Public Order Under City of Los Angeles Emergency Authority issued on January 28, 2022 (January 28, 2022 Order). Notwithstanding this action, all entitlements already approved and still

valid as of this date, or approved during the effective period of the January 28, 2022 Order, shall remain valid for the extended time period(s) as if such January 28, 2022 Order were still in effect with respect to such entitlements. Furthermore, local decision-makers, including the Director of Planning and the Chief Zoning Administrator, are authorized to continue to hold all required public hearings under the Los Angeles Municipal Code in a manner consistent with the Governor's Executive Order N-29-20, and any subsequent orders or published guidance pertaining to local legislative bodies.

9. The City Planning and Housing Departments shall issue guidelines as necessary to implement the provisions of this Executive Directive.

Executed this 16<sup>th</sup> day of December, 2022.

A rectangular box containing a handwritten signature in black ink that reads "Karen Bass".

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KAREN BASS

Mayor

# **EXHIBIT 3**



KAREN BASS  
MAYOR

## **EXECUTIVE DIRECTIVE NO. 2**

Issue Date: December 21, 2022

**Subject: Inside Safe Initiative**

### **INTRODUCTION**

On December 12, 2022, my first day as Mayor of the City of Los Angeles, I issued a Declaration of Local Emergency regarding the crisis of homelessness that exists in the City of Los Angeles.

It is imperative that we immediately begin to move people living in encampments indoors. Once in interim housing, social service agencies will provide wrap-around care to each participant to transition those previously living in encampments into permanent housing, improve their wellbeing, and promote their stability. Such an effort will simultaneously enhance the safety and hygiene of our neighborhoods for all residents, businesses, and neighbors.

Accordingly, I am launching the City of Los Angeles Inside Safe Initiative. This initiative is a housing-focused solution to combating homelessness. All outreach and engagement efforts will be coupled with immediate interim housing and linkage to a permanent housing resource.

This effort is dependent on collaboration between the City and County of Los Angeles and our Social Service Providers. Therefore, I hereby direct the Mayor's Chief of Housing and Homelessness Solutions to coordinate with:

- Emergency Management Department
- Social Service Providers
- People with lived experience of homelessness
- Los Angeles City Council
- Los Angeles County government

- All other appropriate City Departments
- Other key local, state, and federal government partners
- Experts in other sectors
- Community Organizations

This coalition will design and implement a strategy that effectively expands the Inside Safe model across the City of Los Angeles. Through this effort we will be able to bring thousands of Angelenos living on our streets into housing and on to the path to wellbeing and stability.

## **GOALS**

Inside Safe will support the following five goals:

1. Reduce the loss of life on our streets
2. Increase access to mental health and substance abuse treatment for those living in encampments
3. Eliminate street encampments
4. Promote long-term housing stability for people experiencing homelessness
5. Enhance the safety and hygiene of neighborhoods for all residents, businesses, and neighbors

This initiative will support and advance the following citywide outcomes:

1. Decrease the number and size of encampments across the city
2. Decrease the time of moving someone from an encampment into housing
3. Increase interim and permanent housing placements
4. Increase access to mental health care and substance use treatment for people experiencing homelessness

I hereby create the Inside Safe Initiative.

This initiative will be led by my Chief of Housing and Homeless Solutions and is comprised of a Cabinet including: the General Manager of the Emergency Management Department; the CEO of Los Angeles Homeless Services Authority; the Chief Administrative Officer; and the General Managers or their designees of the following City Departments:

- Department of Housing
- Department of Transportation
- Housing Authority of the City of Los Angeles
- Department of Public Works
  - Bureau of Engineering
  - Bureau of Street Services
  - Bureau of Sanitation

The Cabinet will also seek insight and expertise from lead Social Service Providers and relevant County Departments.

I direct the Cabinet to work closely in this effort with METRO, Los Angeles Department of Water and Power, Los Angeles World Airports, Los Angeles Port, state agencies, and Los Angeles County agencies that serve people experiencing homelessness.

I request all other City Departments, Bureaus, Agencies, Boards and Commissions to support the Cabinet as needed and to review all regulations and processes that may be hindering access to housing for people experiencing homelessness.

**Inside Safe Action Plan:**

- Create a strategy of large scale, citywide coordination
- Identify criteria and strategies for determining the highest need encampments across the city, especially focusing on encampments that are chronic and have a high demand for services
- Identify interim housing for each person in encampments
- Identify permanent housing resources for each person in encampments
- Assure that the Inside Safe Action Plan integrates equity principles in its design and implementation
- Consult with people who have lived experience of homelessness on development and implementation of all relevant strategies
- Centralize data collection on all relevant matters, including but not limited to encampments, needs surveys, housing availability, housing placements and retention, and designate a lead team to track progress
- Set metrics and benchmarks as indicated in my Emergency Declaration of December 12, 2022
- Create a unit acquisition strategy, including master leasing for both interim and permanent housing options
- Develop a comprehensive funding strategy that includes consideration of measure ULA

Finally, I direct the Cabinet to submit a report to the Mayor's office on all items related to the Inside Safe Action Plan by March 31, 2023.

Executed this 21<sup>st</sup> day of December, 2022.



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KAREN BASS  
Mayor

# **EXHIBIT 4**





**CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE**

Date: February 9, 2023

To: City Departments  
Interested Parties

From: Vincent P. Bertoni, AICP, Director of Planning  
Department of City Planning

Osama Younan, General Manager  
Department of Building and Safety *O.Y.*

Ann Sewill, General Manager  
Housing Department *A.S.*

Subject: IMPLEMENTATION GUIDELINES FOR EXECUTIVE DIRECTIVE 1:  
EXPEDITATION OF PERMITS AND CLEARANCES FOR TEMPORARY SHELTERS  
AND AFFORDABLE HOUSING TYPES

On December 16, 2022, Mayor Karen Bass issued [Executive Directive 1 \(ED 1\)](#) to facilitate the expeditious processing of Shelter projects and 100 Percent Affordable Housing Projects to address the housing and homelessness crisis in Los Angeles. Effective immediately, the project review procedures in the Department of City Planning (City Planning), the Department of Building and Safety (LADBS), and the Housing Department (LAHD) are modified in response to ED 1. As directed by ED 1, City Planning shall provide guidelines on the implementation of ED 1 related to applications and permitting processes. This memorandum provides guidance for applicants seeking to file an application for projects that are eligible for the ED 1 Ministerial Approval Process—summarizing eligibility criteria and exceptions, general procedures, project review timelines, filing requirements, City Planning fees, development standards, additional tools and resources, and contact information.

*Table of Contents*

- I. [ED 1 Eligibility Criteria](#)
- II. [City Planning Procedures](#)
- III. [Building & Safety Procedures](#)
- IV. [Housing Department Procedures](#)
- V. [Development Standards, Tribal Consultations, and Labor Standards](#)
- VI. [Additional Resources and Tools](#)
- VII. [Contact Information](#)

**I. ED 1 ELIGIBILITY CRITERIA**

ED 1 applies to all Shelter projects and 100 Percent Affordable Housing Projects with an active or valid City Planning application or referral form filed with City Planning, and any ED 1 eligible projects under review by LADBS or LAHD. These projects shall hereafter be referred to as ED 1 projects within this memo.

For the purposes of implementing ED 1, “100 Percent Affordable Housing Project” is defined as:

A housing project with five or more units, and with all units affordable either at 80% of Area Median Income or lower (U.S. Department of Housing and Urban Development (HUD) rent levels), or at mixed income with up to 20% of units at 120% AMI (California Department of Housing and Community Development (HCD) rent levels) and the balance at 80% AMI or lower (HUD rent levels), as technically described here: A Housing Development Project, as defined in California Government Code Section (§) 65589.5, that includes 100% covenant-restricted affordable units (excluding any manager's units) for which rental or mortgage amounts are limited so as to be affordable to and occupied by Lower Income households, as defined in California Health and Safety Code §50079.5, or that meets the definition of a 100% affordable housing development in CA Government Code §65915(b)(1)G)2, as determined by the Los Angeles Housing Department (LAHD).

This definition is limited to projects that are for rent, as opposed to affordable for-sale projects. Rent Schedules with the applicable rents by unit size and income category are maintained by LAHD and are updated annually. Rent schedules can be seen at <https://housing.lacity.org/partners/land-use-rent-income-schedules>.

As stated in ED 1, projects requiring a legislative action (e.g., General Plan Amendment, Zone Change, Height District Change) or projects seeking a deviation from development standards (e.g., adjustment, variance, specific plan exception, waiver of dedication/Improvement) are ineligible for the ED 1 Ministerial Approval Process. Projects that require consideration of a Coastal Development Permit or are subject to the Subdivision Map Act are also ineligible.

If a project changes at any time in the review and construction process such that it no longer meets ED 1 eligibility criteria, the project becomes disqualified from ED1 streamlining and all prior determinations on the project become inapplicable. For projects requiring a City Planning application, if a project changes at any point during the City Planning review or post-approval process such that the project would no longer qualify for ED 1 streamlining, a new City Planning application will be required, including new referral forms, the submission of all required filing documents and payment of fees for a new project. For projects submitted to LADBS, applicants should contact the plan check engineer and supervisor to go over the changes and obtain instructions on how to proceed as a regular project outside of the ED 1 processes.

## II. CITY PLANNING PROCEDURES

In order to implement ED 1, all ED 1 projects will be reviewed through the *ED 1 Ministerial Approval Process*. The ED 1 Ministerial Approval Process provides ED 1 projects with project review streamlining enhancements, shortened review periods at all stages of the City Planning project review process, and reduced filing fees. Projects eligible for the ED 1 Ministerial Approval Process may use the ED 1 Case Intake Instructions and Checklist when available to guide the preparation of project applications.

### **Pre-Application Timelines and Procedures**

Pre-application referrals within the department shall be reviewed concurrently for ED 1 projects, provided that the request for the referrals along with the applicable materials are submitted through the City Planning's [Online Application System \(OAS\)](https://plncts.lacity.org/oas) (<https://plncts.lacity.org/oas>). City Planning affordable housing referral forms, Redevelopment Project referral forms, Project Planning referral forms, Historic Preservation Overlay Zone referral forms, and Housing Crisis Act Vesting Preliminary Applications shall be assigned to staff for review within two (2) business days of receipt of all required documents and payment of fees (when applicable). Within ten (10) business days of receiving a complete set of information, staff will either issue the applicable referrals or provide the applicant with all information required in order to issue the referrals.

### **Case Filing Appointments, Fees, and Requirements**

Projects using the ED 1 Ministerial Approval Process may submit a City Planning application through OAS or in-person. Applications for ED 1 projects will receive priority scheduling for case filing appointments.

Visit the [BuildLA](https://appointments.lacity.org/apptsys/Public/Account) website (<https://appointments.lacity.org/apptsys/Public/Account>) to schedule an in-person or virtual appointment to file a City Planning application. Priority case filing appointments will be provided to applicants for projects that qualify for the ED 1 Ministerial Approval Process.

Case filing fees shall be set at “Administrative Review - Major,” plus surcharges, pursuant to Los Angeles Municipal Code (LAMC) Section 19.04 regardless of the number and type of City Planning requests made for the project.

A Preliminary Zoning Assessment (PZA) from the Department of Building and Safety (LADBS) and a Replacement Unit Determination (RUD) from LAHD are not required to be completed at the time of City Planning application filing. In lieu of a completed PZA or RUD, proof of filing of each will be accepted for concurrent review and must be provided in order to deem the application complete for review. Proof of filing for the PZA can include a copy of the applicable plan check application along with the assigned permit application number and the receipted invoice. Proof of filing for the RUD can include a copy of the applicable, dated RUD application along with the assigned Housing Information Management System (HIMS) number.

The public counters may be reached at [planning.figcounter@lacity.org](mailto:planning.figcounter@lacity.org) and [planning.mbc2@lacity.org](mailto:planning.mbc2@lacity.org) for information and questions on application filing requirements and procedures.

### **City Planning Application Timelines and Procedures**

No later than thirty (30) days after a City Planning application is submitted and fees are paid, City Planning shall provide the applicant a list of all changes, amendments, corrections, amplifications, clarifications, or missing documents necessary to deem an application complete (“deemed complete date”). Ministerial ED 1 approvals shall be decided no later than sixty (60) days after the deemed complete date.

Projects eligible for the ED 1 Ministerial Approval Process shall be exempt from California Environmental Quality Act (CEQA) as a ministerial project and from Site Plan Review procedures, pursuant to LAMC §16.05 (or Project Review, pursuant to LAMC §13 B.2.4, as the Site Plan Review process will be referred to after the July 2023 operative date of Chapter 1A of the new Zoning Code). In addition, no public hearings will be required, and the Administrative Compliance Letter will not be subject to appeals.

Through the ED 1 Ministerial Approval Process, City Planning will review only the objective development standards of the Zoning Code and of any applicable Specific Plans, Redevelopment Plan, Historic Preservation Overlay Zone, Community Plan Implementation Overlay or other Zoning Overlay areas. Any requested State Density Bonus and LAMC bonuses, incentives, waivers and concessions that are allowable through the incentive programs may be used to achieve compliance with applicable objective zoning standards.

### **Building Permit Clearance and Case Condition Clearance Timelines and Procedures**

A clearance to City Planning for Site Plan Review shall not be required for ED 1 projects during the permitting process. In addition, the LAHD affordable housing covenant required for City Planning case condition clearance shall be satisfied with a copy of the signed affordable housing covenant from LAHD at the time of building permit clearance. A copy of the final recorded

covenant shall be submitted to City Planning for inclusion in the case file upon receipt from the Los Angeles County Registrar-Recorder.

In order to obtain permit clearances from City Planning, applicants may submit a single request for all clearances through [OAS \(https://plncts.lacity.org/oas\)](https://plncts.lacity.org/oas), where the relevant staff will be notified of a request for clearance from an ED 1 project.

Priority appointments will be provided for ED 1 project applicants to complete Case Condition Clearance and/or Landscape Review and electronic stamping will be provided, when applicable.

For additional information on ED 1 implementation in the processes administered by LADBS, please refer to LADBS' ED 1 implementation guidelines, below.

### **Previously Approved City Planning Cases**

Any previously approved projects that qualify for ED 1 streamlining will not be converted into Administrative Review cases, CEQA cases will not be terminated, and cases will not be eligible for refunds of paid fees. However, previously approved projects that qualify for ED 1 streamlining, will be eligible to receive City Planning building permit clearances or feedback within five (5) business days of applicant request and submittal of required documents and payment of applicable fees, and within two (2) business days of applicant request and submittal of required documents any any applicable fees for Shelters.

## **III. BUILDING AND SAFETY (LADBS) PROCEDURES**

### **Permit Applications and Procedures**

All plan check and inspection procedures will be expedited for review and approvals in the permitting and inspection process within the given applicable timelines of ED 1 and within the boundaries of state and local guidelines.

To apply for a permit for a ED 1 project, applicants can submit complete plans and supporting documents to LADBS using the online permitting system ePlanLA (<https://eplanla.lacity.org>). Once all the required application and submittal documents are submitted, a payment link will be emailed to the applicant. Once plan check fees are paid, the application is deemed complete and officially submitted. Alternatively, the applicant can submit in-person by making an appointment, although online submittals are highly encouraged. Once the plans for the project are officially submitted, the plans will be assigned to a plan check engineer within the LADBS Affordable Housing Section for review. After project review, the applicant will be notified of any comments to address, and relevant clearances will be issued to obtain approval from other Sections and other City Departments. Applicants are encouraged to reach out to the other Sections and City Departments as soon as possible to obtain clearance approvals. Once all comments are addressed and clearances approved, a permit will be issued after final permit fees are paid.

As stated in the above section, a clearance to City Planning for Site Plan Review shall not be required for ED 1 projects.

The Affordable Housing Section has highly experienced Plan Check Engineers who specialize in affordable housing projects and can provide guidance to applicants and consultants regarding the projects under their review.

### **Development Service Case Management**

The Development Services Case Management office (DSCM) is composed of Case Managers from the Department of Building and Safety, City Planning, Department of Public Works Bureau of Engineering, Department of Transportation, and Department of Water and Power. Each project is assigned a Case Manager representing each of these departments as necessary. Case Managers work together as a team to guide a project from pre-development to completion, each providing their expertise in one of the City's major processes – permitting, City Planning approvals, public improvements, and utility design.

ED 1 projects and Shelters will receive priority scheduling of DSCM meeting requests. To schedule a meeting with DSCM, submit a Service Request Form at <https://ladbs.org/services/special-assistance/dscm>.

### **Inspection Timelines and Procedures**

After a permit has been issued, Contractors can schedule inspections online at <https://ladbs.org/services/core-services/inspection> or by phone. Inspections happen at various stages of construction to ensure compliance with the approved plans. Once the construction is complete and all clearances/approvals are obtained from the City Departments, a Temporary Certificate of Occupancy or a Certificate of Occupancy will be issued.

## **IV. HOUSING DEPARTMENT PROCEDURES**

For all ED 1 projects, the following processes in LAHD will be expedited and simplified wherever possible: (1) Replacement Unit Determinations (RUDs), (2) Affordability Covenants, and (3) Accessible Housing Program (AHP) Accessibility Plan Review and Clearances.

### **Replacement Unit Determinations**

ED 1 applies to the RUD process required by the Housing Crisis Act of 2019 (California Senate Bills 330 (SB 330) and SB 8). In order to expedite the RUD, LAHD will utilize a simplified RUD application and review process, implement concurrent review of a RUD application, and

implement other related process improvements. These improvements apply to applications already in process, as well as any applications submitted for ED 1 projects going forward.

### **RUD Process Streamlining**

- A. **Prioritization of ED 1 Projects:** Land Use Unit staff is responsible for processing RUD applications for both ED 1 projects as well as projects that are not eligible for ED 1 streamlining. Therefore, staff will prioritize and closely track ED 1 projects in order to meet expedited timelines.
- B. **Concurrent Review:** Applicants for ED 1 projects may now apply for RUDs at the same time as applying for review by the City Planning, instead of waiting for the RUD to be approved by LAHD in order to submit their application to City Planning. Processing of RUDs will be undertaken concurrently with City Planning application reviews and completed prior to the issuance of an Administrative Compliance Letter from City Planning.
- C. **Vacancy Verification:** Because all units to be demolished in an ED 1 project will be replaced with a project that is 100% affordable per the definition of an ED 1 project, LAHD will no longer require verification of vacant units through correspondence with the Los Angeles Department of Water and Power (LADWP).
- D. **Simplified requirements and forms.** Land Use Unit staff have revised forms for easier understanding and completion to confirm the level of affordability for required replacement units. Tenants can now complete the Tenant Declaration form by indicating their monthly income without the need to submit backup income documentation. Additionally, LAHD has prepared FAQs and will make them available to tenants to address the most commonly asked questions regarding the process and information needed to ensure the replacement unit requirements satisfy applicable law.

### **Affordability Covenants**

City-subsidized or incentivized projects must record a covenant to guarantee the affordability of the housing units provided for the duration of the covenant period, which is typically 55 years. In order to expedite the covenant processing timeline, LAHD will utilize a simplified application process and implement concurrent review and processing, among other related process improvements. These improvements apply to applications already in process, as well as any applications submitted for ED 1 projects going forward.

### **Affordability Covenant Process Streamlining**

- A. **Prioritization of ED1 Projects:** Land Use Unit staff is responsible for processing Affordability Covenant applications for both ED 1 projects as well as projects that are not eligible for ED 1 streamlining. Therefore, staff will prioritize and closely track ED 1 projects in order to meet expedited timelines.
- B. **Concurrent Review:** Applicants for ED 1 projects may now apply for both the RUD and Affordability Covenant at the same time, at the beginning of an ED 1 project's review process. This will allow Applicants for ED1 Projects to apply for necessary

LAHD review at the same time as applying for their building permit or City Planning review, as applicable. Because the Affordability Covenant requirements must match the final mix of affordable units proposed for a project, the specific terms of the covenant, such as the number of and level of affordability for the covenanted units, will be finalized upon issuance of a final City Planning or LADBS approval for an ED 1 project, and will be in place prior to the commencement of construction.

- C. **Standardization of Affordability Covenants:** Terms and conditions for affordability covenants will be standardized to the extent feasible for each funding and regulatory source that requires an affordability covenant to be recorded.
- D. **Affordability Covenant Recording:** City Planning will accept an unrecorded covenant with Owner/Applicant's signature, instead of requiring a final recorded covenant before issuing City Planning clearance for an ED 1 project applicant's building permit clearance. This will allow other steps in the development process to proceed while the covenant is recorded.

### **Accessible Housing Program**

The City's AcHP applies to specified housing development projects that are, in main part, financially supported with City funding or financed with state or federal funds through a program administered by the City (Covered Housing Projects). These Covered Housing Projects must comply with the requirements of AcHP, which include compliance with the terms of the Corrected Settlement Agreement (CSA) between the City and private plaintiffs (CSA), the terms of the Voluntary Compliance Agreement (VCA) between the City and HUD, and local, state, and federal accessibility standards. These requirements are identified at the plan review stage, and all Covered Housing Projects must show compliance with applicable accessibility requirements in their approved plans prior to receiving building permits. Once under construction, a Covered Housing Project must be built in compliance with the approved plans and in accordance with the applicable accessibility requirements. Therefore, a Covered Housing Project must receive AcHP clearance prior to the issuance of a Temporary Certificate of Occupancy (TCO) and approval through AcHP confirming the project as in compliance with the CSA and VCA prior to receiving a final Certificate of Occupancy (COO).

AcHP staff will expedite the review and approval process for accessibility plans, expedite clearances for TCOs, and expedite the process for final COO approvals. This will accelerate the construction and occupancy of ED 1 projects that are also Covered Housing Projects, while still enabling the projects to meet the requirements of the CSA and VCA.

### **Accessibility Plan Review and Approval Process Streamlining**

Review and approval of plans for compliance with the accessibility requirements that apply to projects covered by AcHP will be undertaken concurrently with the plan review process of other City departments whenever feasible unless sequential review is requested by the applicant. The following steps and timeframes will apply to the AcHP Accessibility Plan Review process:



1. Screening and Assignment of Accessibility Plan Review Package - 8 Business Days. Applicants shall submit a complete Accessibility Plan Review package to AcHP in order for accessibility plan review to proceed. To ensure application packages are complete, within 8 business days of the initial submittal, AcHP will assign a lead staff person, conduct a screening review of the materials, and inform the applicant for an ED 1 project of any missing or incomplete materials necessary to conduct the full Accessibility Plan Review. Applications for Accessibility Plan Review shall be submitted electronically via [lahd.retrofit@lacity.org](mailto:lahd.retrofit@lacity.org) and, to trigger concurrent review, shall be submitted to AcHP at the same time as submitted to LADBS or any other department for that department's plan review. A complete Accessibility Plan Review package shall include:
  - a. 80-100% construction documents (plans),
  - b. Accessibility design review by the ED1 Project's Certified Access Specialist (CAsp),
  - c. Technical Services Request Form (TSR), and
  - d. Copies of any applicable loan applications or funding source documents necessary to verify the accessibility standards that apply to the project, including documentation of Enhanced Accessibility Program features where applicable.
2. Full Accessibility Plan Review - 25 Business Days. Within 25 business days after a complete Accessibility Plan Review package is submitted, assigned AcHP staff will complete the review of the Accessibility Plan Review package, and prepare necessary corrections for the ED 1 project. The corrections will be transmitted to an AcHP supervisor for review and confirmation prior to release to the ED1 Applicant.
3. Supervisor Review and Release of Corrections to Applicant - 5 Business Days. Within 5 business days after the completion of the full Accessibility Plan Review, the AcHP supervisor shall review the materials, and the corrections shall be provided to the applicant. Corrections are issued directly to the ED 1 project applicant.

Corrections shall be made by the applicant for an ED 1 project and returned directly to the AcHP staff assigned to the ED 1 project. When corrections are complete and accessibility plans are ready to be approved, AcHP staff will sign and/or stamp the plans electronically to indicate approval.

### **TCO Clearances and COO Approvals Process Streamlining**

#### TCO Clearance

Clearances are required from AcHP prior to issuance of a Temporary Certificate of Occupancy (TCO), which is a necessary step for tenants to occupy ED 1 projects. During construction of an ED 1 project, the City's Neutral Accessibility Consultant (NAC), which is the accessibility expert retained by the City pursuant to the terms of the CSA and VCA, will inspect the ED 1 project and issue any necessary corrections to ensure compliance with applicable accessibility requirements. These inspections are concurrent with other construction progress inspections of the project.

It should be noted that final inspection and verification by the NAC is not a precondition for AcHP to issue its clearance for a TCO. Therefore, AcHP staff will issue a clearance for a TCO within 5 business days of receiving a complete request for a TCO from an applicant for an ED 1 project.

The NAC will concurrently conduct any necessary reinspections of the ED 1 project to confirm corrections have been made in accordance with applicable requirements.

### COO Approval

Approval of a COO for an ED 1 project that is a Covered Housing Project does require verification of compliance by the NAC. The verification by the NAC is required in order to confirm compliance with the City's obligations to provide a specified number of accessible units pursuant to the terms of the CSA and VCA. The NAC's verification is a precondition for the City to be able to certify accessible units as in satisfaction of our settlement obligations.

In order to expedite approval of a COO, AcHP staff will schedule the NAC for any necessary site reinspection within 5 business days of a request by an applicant for an ED 1 project to inspect the corrections made. If no further corrections are required as a result of the reinspection, within 5 business days of the NAC's reinspection, the NAC will issue a report indicating there are no further deficiencies. Upon receipt of that report, AcHP staff will issue AcHP approval for the COO.

### **LAHD Contacts for ED 1 Projects**

For questions or further information regarding RUDs or Affordability Covenants, applicants should contact [Lahd-Landuse@lacity.org](mailto:Lahd-Landuse@lacity.org), and indicate "ED 1 Project" in the subject line.

For questions or further information regarding AcHP or to submit an application for AcHP Accessibility Plan Review, applicants should contact [lahd.retrofit@lacity.org](mailto:lahd.retrofit@lacity.org).

## **V. DEVELOPMENT STANDARDS, TRIBAL CONSULTATIONS, AND LABOR STANDARDS**

### **Density**

ED 1 projects shall utilize the maximum allowable base density under the zoning ordinance, specific plan or zoning overlay, or General Plan land use designation. Affordable, set-aside units required through either a Density Bonus or TOC request will be calculated based on the maximum allowable density. To determine a project site's applicable zone, specific plan, overlay and General Plan land use visit the [ZIMAS \(http://zimas.lacity.org/\)](http://zimas.lacity.org/) website under the "Jurisdictional" and "Planning and Zoning" tabs.

### **Parking**

Parking reductions may be applied to ED 1 projects consistent with the affordable housing program being utilized, including Density Bonus, Transit Oriented Communities (TOC), and Qualified Permanent Supportive Housing (QPSH) programs. 100 percent affordable housing projects utilizing Density Bonus law (Assembly Bill [AB] 2345) and located within ½ mile of a major transit stop are not required to provide any parking spaces. Housing development projects utilizing

any affordable housing program and located within ½ mile of a major transit stop are not required to provide any parking spaces pursuant to AB 2097.

AB 2097 eligibility is available on the [ZIMAS \(http://zimas.lacity.org/\)](http://zimas.lacity.org/) website under the “Planning and Zoning” tab.

## **Height**

In addition to height incentives available under various affordable housing incentive programs, AB 2334 (2022) amended State Density Bonus Law to allow projects in a “very low vehicle travel area” to be eligible for an additional three stories, or 33 feet in height. Check the “Planning and Zoning” tab on [ZIMAS \(http://zimas.lacity.org/\)](http://zimas.lacity.org/) website to find out if a specific site is located in a “very low vehicle travel area,” and contact City Planning’s Affordable Housing Services Section (AHSS) for information on incentives provided by this law. Contact information is provided below.

## **Vesting of City Ordinances, Policies, and Standards**

An ED 1 project may qualify for vesting of City ordinances policies and standards through either the submittal of plans sufficient for a complete plan check to LADBS, consistent with LAMC §12.26-A.3 or the submittal of a complete Housing Crisis Act (HCA) Vesting Preliminary Application prior to case filing. The vesting provisions that apply to projects associated with the SB 35 Ministerial Approval Process, a legislative action or a subdivision do not apply to ED 1 projects.

## **Tribal Consultations and Labor Standards**

AB 168 Tribal Scoping Consultations for SB 35 projects and AB 52 tribal consultations do not apply to projects using the ED 1 Ministerial Approval Process. The labor provisions of Section 403 of the SB 35 Guidelines and Los Angeles Municipal Code §11.5.11(i) for projects requiring a legislative action also do not apply to projects using the ED 1 Ministerial Approval Process.

## **VI. ADDITIONAL RESOURCES AND TOOLS**

In an effort to fully implement ED 1, City Planning is making the following technology updates to existing online resources to further enhance usability for City staff and applicants:

### **Executive Directive 1 (ED 1)**

[\*Executive Directive No. 1 – Expedition of Permits and Clearances for Temporary Shelters and Affordable Housing Types\*](#) was signed by Mayor Karen Bass and issued on December 16, 2022. ED 1 aims to expedite project and funding approvals for eligible ED 1 projects

## **ED 1 Web Map**

The citywide ED 1 web map locates all ED 1 projects that filed a City Planning case or a LADBS plan check application. The web map also provides links to project descriptions and status and other relevant map layers.

## **ED 1 City Planning Case Filing Instructions and Intake Checklist**

The ED 1 case filing instructions will provide relevant information and requirements applicable only to projects to be reviewed through the ED 1 Ministerial Approval Process.

## **ZIMAS**

City Planning's [Zoning Information and Map Access System \(ZIMAS\)](http://zimas.lacity.org/) (<http://zimas.lacity.org/>) is a web-based mapping tool that provides zoning, ED 1 and an array of site-specific information to help with making informed land use decisions. [Additional information and tutorials on ZIMAS](https://planning.lacity.org/zoning/zoning-search) (<https://planning.lacity.org/zoning/zoning-search>) are available on the City Planning department website.

## **Online City Planning Submissions**

The [Online Application System](https://plncts.lacity.org/oas) (OAS) (<https://plncts.lacity.org/oas>) can be used to submit a request for relevant referral forms processed by City Planning, as well as application submissions, building permit clearances, and case condition clearances.

## **In-Person Submissions and Informational Appointments**

In-person filing appointments and informational meetings with City staff can be made through the [BuildLA appointment system](https://appointments.lacity.org/apptsys/Public/Account) (<https://appointments.lacity.org/apptsys/Public/Account>).

## **City Planning Fee Estimator**

Obtain an estimate of City Planning fees using the [City Planning Fee Estimator](https://planning.lacity.org/development-services/fee-estimator) (<https://planning.lacity.org/development-services/fee-estimator>). For ED 1 case filing fees, select "Select from All Fees," and then "ED1-Executive Directive 1."

## **LADBS ePlanLA**

[ePlanLA](https://eplanla.lacity.org/) (<https://eplanla.lacity.org/>) is an online service for submitting plans for plan check, applying for permits, and tracking the progress of these applications.

## **Optional HCA Vesting Preliminary Applications**

An optional HCA Vesting Preliminary Application may be submitted through [OAS](https://plncts.lacity.org/oas) (<https://plncts.lacity.org/oas>).

## VII. CONTACT INFORMATION

### CITY PLANNING

#### **City Planning Public Counters**

City Planning's public counters offer in-person and virtual services, including application submissions, building permit clearances and answers to general questions. To make an appointment for case filing, case condition clearances, building permit clearances, or other inquiries, an appointment may be made through [OAS\(https://plncts.lacity.org/oas\)](https://plncts.lacity.org/oas). Inquiries can also be sent to the Metro Public Counter at [Planning.figcounter@lacity.org](mailto:Planning.figcounter@lacity.org) or the Van Nuys Public Counter at [Planning.mbc2@lacity.org](mailto:Planning.mbc2@lacity.org).

[Locations & Hours | Los Angeles City Planning \(lacity.org\)](https://planning.lacity.org/contact/locations-hours)  
(<https://planning.lacity.org/contact/locations-hours>)

#### **Affordable Housing Services Section (AHSS)**

The Affordable Housing Services Section offers specialized, technical assistance, and processing of pre-application referral forms for a number of affordable housing programs including:

- Executive Directive 1
- Density Bonus
- Transit Oriented Communities (TOC)
- Measure JJJ
- Qualified Permanent Supportive Housing (QPSH)

For affordable housing inquiries, please email [Planning.PriorityHousing@lacity.org](mailto:Planning.PriorityHousing@lacity.org)

#### **Redevelopment Plan Area (RPA) Projects**

Each Redevelopment Plan has a unique set of land use regulations. Development projects located within Redevelopment Project Areas are reviewed for compliance with the Redevelopment Plans. For general Redevelopment Plan inquiries, please email [planning.redevelopment@lacity.org](mailto:planning.redevelopment@lacity.org). For administrative review and building permit clearances, submit requests through the [online application portal \(https://plncts.lacity.org/oas\)](https://plncts.lacity.org/oas).

#### **City Planning Case Management**

In partnership with LADBS, City Planning offers [Development Services Case Management \(DSCM\)](https://www.ladbs.org/services/special-assistance/dscm) (<https://www.ladbs.org/services/special-assistance/dscm>): the main portal for consultation, assistance and troubleshooting for complex development projects requiring interdepartmental approvals. The office brings together case managers from various city departments, including City Planning, Building and Safety, Engineering, Transportation, and Water and Power. For City Planning Case Management inquiries, please email [Planning.CaseManagement@lacity.org](mailto:Planning.CaseManagement@lacity.org)

### **Housing Crisis Act Vesting**

Most housing projects qualify to submit an optional [HCA Vesting Preliminary Application](#), which "locks in" local planning and zoning rules at the time the complete application is submitted. To initiate a request for HCA vesting rights, submit a [Housing Crisis Act Vesting Preliminary Application \(CP-4062\) Form](#) and the required materials through City Planning's [Online Application Portal](#). Email [Planning.HCA@lacity.org](mailto:Planning.HCA@lacity.org) or visit [City Planning's HCA implementation page](#) (<https://planning.lacity.org/development-services/housing-crisis-act>) for more information.

### **LADBS**

#### **Affordable Housing Section**

The Affordable Housing Section to help expedite the permitting process for affordable housing development projects by streamlining and providing flexibility in the submittal procedures.

For affordable housing inquiries, please email [ladbs.ahs@lacity.org](mailto:ladbs.ahs@lacity.org)

### **LAHD**

The Land Use Unit process applications for RUDs and Affordability Covenants. For questions or further information regarding RUDs or Affordability Covenants, applicants should contact [Lahd-Landuse@lacity.org](mailto:Lahd-Landuse@lacity.org), and indicate "ED 1 Project" in the subject line.

AcHP's Retrofit Unit is responsible for Accessibility Plan Review and Approval as well as the necessary LAHD clearances and approvals for TCOs and final Certificates of Occupancy. For questions or further information regarding AcHP or to submit an application for AcHP Accessibility Plan Review applicants should contact [lahd.retrofit@lacity.org](mailto:lahd.retrofit@lacity.org).

Applicable rent schedules can be seen on LAHD's website at the following link: <https://housing.lacity.org/partners/land-use-rent-income-schedules>

# **EXHIBIT 5**



KAREN BASS  
MAYOR

### **EXECUTIVE DIRECTIVE NO. 3**

Issue Date: February 10, 2023

**Subject: Emergency Use of Viable City-Owned Property**

#### **INTRODUCTION**

To aid in sheltering people who are unhoused in the City of Los Angeles, and by virtue of the authority vested in me as Mayor under the Charter Section 213(i) of the City of Los Angeles and the provisions of Section 8.29 of the Los Angeles Administrative Code, I hereby declare the following order to be necessary for the protection of life and property, and I hereby order, effective immediately, that:

1. Within 20 days of this order the City Administrative Officer's (CAO) Asset Management and Development Services (AMDS) shall identify and deliver to the Mayor and the Chief of Housing and Homeless Solutions a list of all City-owned property within the control of any City department or bureau, including rights of way, that are vacant, surplus, or underutilized. For any parcel with significant limitation or restriction that might preclude it from being used for temporary or permanent housing with on-site supportive services, AMDS should include all covenants, easements, leases or other land use, revenue, or regulatory restrictions that apply to the identified parcel. I direct all City Departments to fully cooperate with AMDS and prioritize inquiries and requests from AMDS regarding this list for immediate response. This order does not apply to active recreational sites in the control of the Department of Recreation and Parks that are utilized for public recreation or land that is utilized as trails for public recreation.



2. The Chief of Housing and Homeless Solutions shall, upon receipt of such identifications, complete a formal assessment of each identified site to determine its suitability for housing or shelter for those experiencing homelessness. In making that assessment, the Chief of Housing and Homeless Solutions shall coordinate with CAO and all appropriate City departments, including General Services Department (GSD), the Department of Transportation (DOT), the Bureau of Engineering (BOE), and the Department of Building and Safety (DBS). Such assessment shall be completed and transmitted to the Mayor as soon as possible but, in any event, on or before the 30th day following receipt of the AMDS list referenced in paragraph 1 of this Executive Directive. Such assessment shall address each site's viability for habitation, including a site layout, access to infrastructure (including water, power, and sewer access), contamination risks, liability risks, the distance between each site and other residential uses, and the time and resources needed to prepare the site for habitation.

3. Within 30 days of receipt of the formal assessment of sites to be used for temporary or permanent housing with on-site supportive services to be occupied by persons experiencing homelessness, the Mayor's Office shall make designations for appropriate sites to install or construct housing or shelter, giving preference to sites that are easily serviceable by utilities (including water, power, and sewer services) and that are near assets to aid in support of people experiencing homelessness. Any new structures constructed on sites so designated shall be non-congregate shelter. To the extent possible, units shall include individual bathrooms. All sites shall include other appropriate amenities. The Mayor's Office, in conjunction with the CAO, shall specify the construction or contracting process for each site, including approvals for expediting the same, and may include additional exemptions from the requirements of the Los Angeles Municipal Code (LAMC).

4. City departments, bureaus, and agencies shall have the authority to install temporary or permanent housing with on-site supportive services on such designated sites, all in accordance with the designations made by the Mayor's Office.

5. The construction, emergency installation, use, and operation of temporary or permanent housing on such designated sites shall be and hereby are deemed exempt for the duration of this order from discretionary review processes otherwise required by either the zoning provisions of Chapter I of the LAMC or Project Review as described in LAMC Section 16.05 and LAMC Section

13B.2.4; or other ordinance; provided, however, that any temporary or permanent housing shall comply with applicable state law including Government Code Section 8698, et seq., to the extent those sections apply.

6. Temporary or permanent housing on such designated sites shall also be exempt from LAMC Section 64.72 (Public Works and Property) except to the extent required by state law as applicable to either charter or general law cities. The Director of Sanitation shall respond to all Sewer Capacity Availability Requests (SCAR) and complete the department's reviews under LAMC Section 64.15 within seven business days of being submitted to the Bureau of Sanitation.

7. Construction activities related to temporary or permanent housing on such designated sites shall be exempt from LAMC Section 41.40 (Public Welfare) in order to expedite construction and installation of housing, all in accordance with the designations made by the Mayor's Office.

8. All site plan reviews and approvals pursuant to LAMC Section 16.05 are hereby waived for all eligible temporary or permanent housing with on-site supportive services constructed or installed on such designated sites as specified in the Mayoral designations noted in paragraph 3 above. All minimum parking requirements are hereby waived for all eligible temporary or permanent housing with on-site supportive services constructed or installed on such designated City sites, all in accordance with the designations made by the Mayor's Office.

9. I hereby direct that all protocols set by the Los Angeles County Coordinated Entry System be expanded, changed, or eliminated, as allowed by federal law, pursuant to guidelines to be issued by the Mayor, for temporary or permanent housing with on-site supportive services constructed or installed on such designated City sites.

10. All City departments and bureaus with permitting requirements, including the DBS, the BOE, the Fire Department, City Planning, DOT and the Department of Water and Power (DWP), shall prioritize and streamline their review of any permits relating to the construction, emergency installation, use, and operation of temporary or permanent housing on such designated City sites by conducting concurrent, rather than consecutive, reviews of such permit applications and completing those reviews within 30 days of application.

11. GSD shall establish guidelines for when a City department or bureau should consider a property vacant or underutilized, similar to the processes for declaring properties surplus, and they shall develop a process by which each City department and bureau shall regularly identify for the CAO and GSD, any properties that it deems to be vacant or underutilized.

12. The DWP, the Los Angeles World Airports, and the Los Angeles Harbor Department shall establish guidelines for identifying vacant, surplus, or underutilized property on a forward-going basis, and shall develop a process by which each of those departments shall regularly notify the Mayor and CAO of vacant, surplus, or underutilized properties.

13. The Mayor will request that other jurisdictions that control real property in the City consider adopting policies similar to those outlined in this order to make property available for temporary or permanent housing with on-site supportive services. Such jurisdictions include Los Angeles County, LA Metro, Los Angeles Unified School District (LAUSD), the California Department of Transportation (CalTrans), and other departments or agencies of the State of California.

Executed this 10<sup>th</sup> day of February, 2023



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KAREN BASS  
Mayor

# **EXHIBIT 6**



KAREN BASS  
MAYOR

## **EXECUTIVE DIRECTIVE NO. 1**

Issue Date: December 16, 2022

Revised: June 12, 2023

**Subject: Expedition of Permits and Clearances for Temporary Shelters and Affordable Housing Types**

### **INTRODUCTION**

To aid in swiftly sheltering people who are unhoused in the City of Los Angeles, and by virtue of the authority vested in me as Mayor of the City of Los Angeles under Section 231(i) of the Los Angeles City Charter and the provisions of Section 8.29 of the Los Angeles Administrative Code, I hereby declare the following order to be necessary for the protection of life and property and I hereby order, effective immediately, that:

1. Applications for 100% affordable housing projects, or for Shelter as defined in Section 12.03 of the Los Angeles Municipal Code (LAMC) (hereinafter referred to as Shelter), shall be, and hereby are deemed exempt from discretionary review processes otherwise required by either the zoning provisions of Chapter 1 of the LAMC or other Project Review including Site Plan Review as described in LAMC Section 16.05 and LAMC Section 13B.2.4, as long as such plans do not require any zoning change, variance, or General Plan amendment, and in no instance shall the project be located in a single family or more restrictive zone. All City departments are directed to process all plans for such 100 percent affordable housing projects or Shelter using the streamlined ministerial review process currently used for projects eligible under Government Code section 65913.4, State Density Bonus law. In addition, consistent with state law, a project may utilize the State Density Bonus and LAMC bonuses, incentives, waivers and concessions if such are in compliance with the applicable requirements.

2. I further direct all applicable City Departments to process clearances and utility releases related to building permit applications, certificates of occupancy, or temporary certificates of occupancy within 5 business days for 100 percent affordable housing projects and within 2 business days for Shelters.
3. I further direct all applicable City Departments to conduct and conclude all reviews and inspections required for 100 percent affordable housing projects or Shelters and to issue all appropriate approvals for such projects or Shelters within 60 days following the submission of the completed application. City Departments shall provide the applicant with all required changes or amendments on or before the 30th day following the submission of a completed application for such projects. To the extent practicable, all required reviews and approvals shall be conducted simultaneously, not sequentially, by all City departments so as to meet the 30 day and 60 day periods specified for such projects in this paragraph.
4. I hereby direct the Los Angeles Housing Department (LAHD) to coordinate with the Los Angeles City Controller to track and process all affordable housing projects and expedite payments thereon. LAHD shall track each pending pay application, initial submittal date, approval date, reasons for rejection or modification of submitted payment applications, and issuance of payment, and shall provide reports to the Mayor on all such payments at least monthly with the goal of expediting payments due for affordable housing projects.
5. I hereby direct that all protocols set by the Los Angeles County Coordinated Entry System as they apply within the City of Los Angeles be expanded, changed, or suspended, as allowed by federal law. Rules, guidelines and regulations will be developed to expedite the placement of unhoused neighbors into housing in the City of Los Angeles.
6. I hereby direct all City departments to prioritize and streamline compliance with the provisions of the Building Homes and Jobs Act – Government Code section 27388.1 in order to maximize the City's eligibility for state and federal funds to support the development of emergency shelters, transitional housing, and supportive housing. The City shall seek to comply with or otherwise meet all criteria specified under all applicable state and federal laws that provide for increased resources, funding, access or allowance for temporary or affordable housing.
7. Effective February 28, 2023, in accordance with the end of the State of California COVID-19 emergency, I hereby rescind the Public Order Under City of Los Angeles Emergency Authority issued on January 28, 2022 (January 28, 2022

Order). Notwithstanding this action, all entitlements already approved and still valid as of this date, or approved during the effective period of the January 28, 2022 Order, shall remain valid for the extended time period(s) as if such January 28, 2022 Order were still in effect with respect to such entitlements. Furthermore, local decision-makers, including the Director of Planning and the Chief Zoning Administrator, are authorized to continue to hold all required public hearings under the Los Angeles Municipal Code in a manner consistent with the Governor's Executive Order N-29-20, and any subsequent orders or published guidance pertaining to local legislative bodies.

8. The City Planning and Housing Departments shall issue guidelines as necessary to implement the provisions of this Executive Directive.

Executed this 12<sup>th</sup> day of June, 2023.

A handwritten signature in black ink, appearing to read "Karen Bass", is enclosed within a rectangular box with a dotted border.

---

KAREN BASS  
Mayor

# **EXHIBIT 7**



MOTION

On December 12, 2022, Mayor Bass declared a state of emergency on homelessness. On December 13, 2022, in accordance with Los Angeles Administrative Code Section 8.27, the City Council approved a Resolution (Krekorian, et al.) ratifying the emergency declaration. After the ratification of the emergency declaration, Mayor Bass issued two executive orders - one to launch the Inside Safe Initiative to implement a citywide strategy to address the homelessness crisis and the other to expedite permits and clearances for temporary shelter and affordable housing.

In January, the City Council created the Homelessness Emergency Account and provided the Mayor with approximately \$50 million in necessary funding to implement the Inside Safe Initiative. With the City Council's and Mayor's collective efforts, over the last six months, the City has conducted 19 Inside Safe operations and moved 1,323 unhoused individuals inside through that program. Additionally, the City was able to identify 456 projects, totaling over 8,000 units, for expedited approval and approved 20 projects, totaling 1,496 units, within 37 days.

Pursuant to the terms of the emergency declaration, the Council has continued to renew the emergency declaration at least every 30 days for the last six months. However, the emergency declaration will terminate on July 9, 2023.

While the original emergency declaration will terminate, the homelessness crisis will continue. As a result, the City Council approved \$250 million in funding for Inside Safe for fiscal year 2023-2024 and continues to work with the Mayor to streamline City processes and procedures to address the crisis. In order to build upon these efforts, the City Council should consider the adoption of LAAC Section 8.33, attached to this motion, that would create a path for Mayor Bass, and future Mayors, to declare a Local Housing or Homelessness Emergency.

I THEREFORE MOVE that the City Council request the City Attorney to review the attached language for a new LAAC Section 8.33 for form and legality and prepare and present an ordinance with an urgency clause to effectuate this section.

PRESENTED BY:



PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY:



ORIGINAL

JUN 1 6 2023

PK

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 Chapter 3, Article 3 of 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 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 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) 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 Council finds the suspension is no longer needed and acts to terminate the suspension;

- (2) The Mayor shall 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.
  - (3) Contracts using this subsection's suspended competitive bidding restrictions 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;
  - (4) The City Council may terminate a contract awarded under this subsection and require competitive bidding.
  - (5) The City Administrative Officer shall evaluate and report monthly to the City Council on the reasons justifying why each contract using 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 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 it.

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

# **EXHIBIT 8**

HOLLY L. WOLCOTT  
CITY CLERK

City of Los Angeles  
CALIFORNIA

OFFICE OF THE  
CITY CLERK

PETTY F. SANTOS  
EXECUTIVE OFFICER



KAREN BASS  
MAYOR

**Council and Public Services Division**

200 N. SPRING STREET, ROOM 395  
LOS ANGELES, CA 90012  
GENERAL INFORMATION - (213) 978-1133  
FAX: (213)978-1040

PATRICE Y. LATTIMORE  
DIVISION MANAGER

[CLERK.LACITY.ORG](http://CLERK.LACITY.ORG)

**OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL**

**Council File No.:** 23-0652  
**Council Meeting Date:** June 20, 2023  
**Agenda Item No.:** 53  
**Agenda Description:** CONSIDERATION OF MOTION (KREKORIAN - RAMAN) relative to Los Angeles Administrative Code (LAAC) Section 8.33 regarding the declaration of a Local Housing or Homelessness Emergency by the Mayor.  
**Council Action:** MOTION (KREKORIAN – RAMAN) ADOPTED AS AMENDED BY MOTION (KREKORIAN – RAMAN)

**Council Vote:**

YES	Blumenfield	YES	de León	YES	Harris-Dawson
YES	Hernandez	YES	Hutt	YES	Krekorian
YES	Lee	YES	McOsker	YES	Park
ABSENT	Price Jr.	YES	Raman	ABSENT	Rodriguez
YES	Soto-Martínez	YES	Yaroslavsky		

HOLLY L. WOLCOTT  
CITY CLERK

Adopted Report(s) Title  
Amending Motion (Krekorian - Raman) dated 6-20-23  
Motion (Krekorian - Raman) dated 6-16-23

# **EXHIBIT 9**



HOLLY L. WOLCOTT  
CITY CLERK

# City of Los Angeles

OFFICE OF THE  
CITY CLERK

CALIFORNIA

PETTY F. SANTOS  
EXECUTIVE OFFICER



**Council and Public Services Division**  
200 N. SPRING STREET, ROOM 395  
LOS ANGELES, CA 90012  
GENERAL INFORMATION - (213) 978-1133  
FAX: (213) 978-1040

KAREN BASS  
MAYOR

PATRICE Y. LATTIMORE  
DIVISION MANAGER  
[CLERK.LACITY.GOV](http://CLERK.LACITY.GOV)

## OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

**Council File No.:** 23-0652

**Council Meeting Date:** June 27, 2023

**Agenda Item No.:** 43

**Agenda Description:** COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to adding Section 8.33 to Article 3, Chapter 3, Division 8 of the Los Angeles Administrative Code (LAAC) to specify the procedures for establishing a Mayoral Declaration of Local Housing and/or Homelessness Emergency, and the impact of the Declaration.

**Council Action:** COMMUNICATION FROM THE CITY ATTORNEY AND ORDINANCE - ADOPTED AS AMENDED BY MOTION (KREKORIAN – YAROSLAVSKY – RAMAN) FORTHWITH

**Council Vote:**

YES	Blumenfield	YES	de León	YES	Harris-Dawson
YES	Hernandez	YES	Hutt	YES	Krekorian
YES	Lee	YES	McOsker	YES	Park
ABSENT	Price Jr.	YES	Raman	ABSENT	Rodriguez
YES	Soto-Martínez	YES	Yaroslavsky		

HOLLY L. WOLCOTT  
CITY CLERK

**Pursuant to Charter/Los Angeles Administrative Code Section(s): 250(b)**

**FILE SENT TO MAYOR**  
**LAST DAY FOR MAYOR TO ACT**

06/28/2023
07/10/2023

APPROVED

6/28/2023

---

DATE SIGNED

Adopted Report(s) Title

Amending Motion (Krekorian - Yaroslavsky - Raman)\_06-27-23

Report from City Attorney dated 6-23-23

Attachment to Report dated 6-23-23 - Revised Draft Ordinance

# **EXHIBIT 10**

HOLLY L. WOLCOTT  
CITY CLERK

PETTY F. SANTOS  
EXECUTIVE OFFICER

City of Los Angeles  
CALIFORNIA



KAREN BASS  
MAYOR

OFFICE OF THE  
CITY CLERK

**Council and Public Services Division**

200 N. SPRING STREET, ROOM 395  
LOS ANGELES, CA 90012  
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PATRICE Y. LATTIMORE  
DIVISION MANAGER

[CLERK.LACITY.ORG](http://CLERK.LACITY.ORG)

**OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL**

**Council File No.:** 23-0623

**Council Meeting Date:** June 27, 2023

**Agenda Item No.:** 19

**Agenda Description:** HOUSING AND HOMELESSNESS and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEES' REPORTS relative to the preparation of a draft ordinance codifying the provisions of the Mayor's Executive Directive No. 1 (ED 1), and the effectiveness and impact of ED 1; and related matters.

**Council Action:** HOUSING AND HOMELESSNESS AND PLANNING AND LAND USE MANAGEMENT COMMITTEES' REPORTS -ADOPTED FORTHWITH

**Council Vote:**

YES	Blumenfield	YES	de León	YES	Harris-Dawson
YES	Hernandez	YES	Hutt	YES	Krekorian
YES	Lee	YES	McOsker	YES	Park
ABSENT	Price Jr.	YES	Raman	ABSENT	Rodriguez
YES	Soto-Martínez	YES	Yaroslavsky		

HOLLY L. WOLCOTT  
CITY CLERK

**Adopted Report(s) Title**

Report from Housing and Homelessness Committee 6-21-23

Report from Planning and Land Use Management Committee\_06-20-23

# **EXHIBIT 11**

**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 City 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, report quarterly, and provide the report to the Mayor and the City Council two weeks in advance of the quarter 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 City 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



VALERIE L. FLORES

Chief Assistant City Attorney

Date

June 23, 2023

File No.

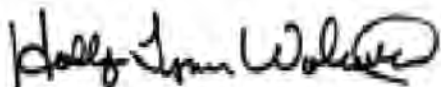
23-0652

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\LAAC 8.33 - Local Housing Homelessness Emergency.docx

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 June 27, 2023

Approved 06/28/2023

Published Date: 07/05/2023

Ordinance Effective Date: 07/05/2023

# **EXHIBIT 12**



KAREN BASS  
MAYOR

## **DECLARATION OF LOCAL HOUSING AND HOMELESSNESS EMERGENCY**

WHEREAS, Section 231(i) of the Los Angeles City Charter and Section 8.33 of the Los Angeles Administrative Code provide that the Mayor of the City of Los Angeles has the authority to declare the existence of a local emergency due to the existence of a critical shortage of local affordable housing and/or an emergency on homelessness; and

WHEREAS, on December 12, 2022, I declared the existence of a local emergency on homelessness with a sunset of six months subject to renewal. The City Council renewed the declaration of emergency and established a new sunset date of July 9, 2023; and

WHEREAS, although significant progress has been made since I declared the homelessness emergency in December of last year, the City still faces a critical shortage of local affordable housing, and the number of individuals unhoused and unsheltered remain far too high; and

WHEREAS, the City still finds itself in an emergency because most if not all of the concerns articulated in the recitals in my December declaration are true today; and

WHEREAS, 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. This alone is sufficient to authorize my declaration of this local housing and homelessness emergency under Section 8.33 of the Los Angeles Administrative Code; and

WHEREAS, 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. This is yet another independent basis for me to declare this local housing and homelessness emergency under Section 8.33 of the Los Angeles Administrative Code; and

WHEREAS, declaring this emergency will enable the City to continue to mobilize local resources, coordinate inter-agency response, accelerate procurement of housing units, use mutual aid, and seek assistance and potential reimbursement by the State and

Federal governments - all critical to the ongoing efforts to respond forcefully and successfully to this housing and homelessness crisis; and

WHEREAS, because current conditions remain consistent with those in existence during the pendency of the local emergency I declared in December of last year, the Los Angeles City Council retains its full authority to consider a variety of City ordinances to codify the measures necessary to address this homelessness crisis; and

WHEREAS, although the City has been and is acting with urgency, including implementing a roadmap to house thousands of Angelenos and building an unprecedented number of supportive housing units and shelters, this emergency declaration is necessary to continue to mobilize resources, save lives, and provide for the public health, welfare, and safety of all;

NOW, THEREFORE, I hereby declare the existence of a local emergency on affordable housing and homelessness and direct all City Departments to take necessary steps for the protection of life, health and safety in the City of Los Angeles. The Executive Directives issued by me in response to the original declaration of emergency and its renewal shall remain in full force and effect through the pendency of this declaration.

I DIRECT that, as authorized under Section 8.33 of the Los Angeles Administrative Code, I shall coordinate citywide planning and respond 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. I shall also coordinate the City's efforts to address this declared emergency with the County of Los Angeles, the State of California, and the federal government.

I FURTHER DIRECT, that the continuing state of emergency shall be regularly evaluated, in coordination with City Council, by reference to key performance indicators of progress in addressing the emergency, including, but not limited to:

- Decrease in the number and size of encampments;
- Regulatory relief from other jurisdictions and within Los Angeles City agencies to create flexibility to address the crisis;
- Relaxation in the restraints that limit the ability of the City's proprietary departments to create flexibility to address the crisis;
- Increased housing placements;
- Increased starts on new affordable housing options;
- An increase in temporary and permanent housing units;
- Increased outside aid through access to mental health and substance use beds;
- A decrease in the number of persons being evicted from existing housing units;
- A decrease in the number of persons falling into homelessness.

I FURTHER DIRECT that all relevant City departments and agencies continue to cooperate by compiling and delivering to the Mayor information about the specific and necessary resources and support that the City should request from Los Angeles County, the State of California and the Federal government to address this crisis.

I THEREFORE DIRECT that the Declaration of Local Emergency shall take effect immediately with respect to a critical shortage of local affordable housing and the homelessness crisis, and that notice shall be given of this Declaration through the most feasible means.



---

KAREN BASS  
Mayor

Dated at Los Angeles, California



Date: July 7th, 2023

Time: 5:14 p.m.

Filed with the City Clerk

Date: July 7, 2023

Time: 6:04 pm  
Signed with ClerkSign

By:    
Jul 07, 2023 6:04PM

# **EXHIBIT 13**



KAREN BASS  
MAYOR

## **EXECUTIVE DIRECTIVE NO. 1**

Issue Date: December 16, 2022

Revised: June 12, 2023

Revised: July 7, 2023

**Subject: Expedition of Permits and Clearances for Temporary Shelters and Affordable Housing Types**

### **INTRODUCTION**

To aid in swiftly sheltering people who are unhoused in the City of Los Angeles, and by virtue of the authority vested in me as Mayor of the City of Los Angeles under Section 231(i) of the Los Angeles City Charter and the provisions of Section 8.33 of the Los Angeles Administrative Code, I hereby declare the following order to be necessary for the protection of life and property and I hereby order, effective immediately, that:

1. Applications for 100% affordable housing projects, or for Shelter as defined in Section 12.03 of the Los Angeles Municipal Code (LAMC) (hereinafter referred to as Shelter), shall be, and hereby are deemed exempt from discretionary review processes otherwise required by either the zoning provisions of Chapter 1 of the LAMC or other Project Review including Site Plan Review as described in LAMC Section 16.05 and LAMC Section 13B.2.4, as long as such plans do not require any zoning change, variance, or General Plan amendment, and in no instance shall the project be located in a single family or more restrictive zone. All City departments are directed to process all plans for such 100 percent affordable housing projects or Shelter using the streamlined ministerial review process currently used for projects eligible under Government Code section 65913.4, State Density Bonus law. In addition, consistent with state law, a project may utilize the State Density Bonus and LAMC bonuses, incentives, waivers and concessions if such are in compliance with the applicable requirements.



2. I further direct all applicable City Departments to process clearances and utility releases related to building permit applications, certificates of occupancy, or temporary certificates of occupancy within 5 business days for 100 percent affordable housing projects and within 2 business days for Shelters.
3. I further direct all applicable City Departments to conduct and conclude all reviews and inspections required for 100 percent affordable housing projects or Shelters and to issue all appropriate approvals for such projects or Shelters within 60 days following the submission of the completed application. City Departments shall provide the applicant with all required changes or amendments on or before the 30th day following the submission of a completed application for such projects. To the extent practicable, all required reviews and approvals shall be conducted simultaneously, not sequentially, by all City departments so as to meet the 30 day and 60 day periods specified for such projects in this paragraph.
4. I hereby direct the Los Angeles Housing Department (LAHD) to coordinate with the Los Angeles City Controller to track and process all affordable housing projects and expedite payments thereon. LAHD shall track each pending pay application, initial submittal date, approval date, reasons for rejection or modification of submitted payment applications, and issuance of payment, and shall provide reports to the Mayor on all such payments at least monthly with the goal of expediting payments due for affordable housing projects.
5. I hereby direct that all protocols set by the Los Angeles County Coordinated Entry System as they apply within the City of Los Angeles be expanded, changed, or suspended, as allowed by federal law. Rules, guidelines and regulations will be developed to expedite the placement of unhoused neighbors into housing in the City of Los Angeles.
6. I hereby direct all City departments to prioritize and streamline compliance with the provisions of the Building Homes and Jobs Act – Government Code section 27388.1 in order to maximize the City's eligibility for state and federal funds to support the development of emergency shelters, transitional housing, and supportive housing. The City shall seek to comply with or otherwise meet all criteria specified under all applicable state and federal laws that provide for increased resources, funding, access or allowance for temporary or affordable housing.
7. Effective February 28, 2023, in accordance with the end of the State of California COVID-19 emergency, I hereby rescind the Public Order Under City of Los Angeles Emergency Authority issued on January 28, 2022 (January 28, 2022

Order). Notwithstanding this action, all entitlements already approved and still valid as of this date, or approved during the effective period of the January 28, 2022 Order, shall remain valid for the extended time period(s) as if such January 28, 2022 Order were still in effect with respect to such entitlements. Furthermore, local decision-makers, including the Director of Planning and the Chief Zoning Administrator, are authorized to continue to hold all required public hearings under the Los Angeles Municipal Code in a manner consistent with the Governor's Executive Order N-29-20, and any subsequent orders or published guidance pertaining to local legislative bodies.

8. The City Planning and Housing Departments shall issue guidelines as necessary to implement the provisions of this Executive Directive.

Executed this 7<sup>th</sup> day of July, 2023.

A handwritten signature in black ink, appearing to read "Karen Bass", is enclosed within a rectangular dashed-line border.

---

KAREN BASS  
Mayor

# **EXHIBIT 14**



KAREN BASS  
MAYOR

August 4, 2023

Honorable Members of the Los Angeles City Council  
c/o City Clerk  
Room 395, City Hall

**Re: Housing and Homelessness Emergency Action Plan**

Los Angeles' Administrative Code provides that the Mayor has the authority to declare the existence of a local emergency as a result of any occurrence which, by reason of its magnitude, is or is likely to overwhelm the normal operations of City government. For several years, the humanitarian crisis of homelessness has clearly required a City response that goes beyond business as usual, and so Mayor Bass' first action upon taking office -- on December 12, 2022, the first day of her Administration -- was to come together with City Departments and Members of City Council declare a State of Emergency to confront Los Angeles' housing and homelessness crisis. The City Council ratified the Mayor's declaration on December 13, 2022.

**The Updated Emergency Declaration**

This action plan addresses the response to the updated emergency declaration required pursuant to LAMC Section 8.33. The Office of the Mayor will prepare an update every 90 days to inform the decision to continue or terminate the emergency declaration.

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 between their stock and new efforts to increase interim housing from the City, while the recently released PIT count indicated that there are 46,260 unhoused individuals in the City, well more than twice the number of interim beds.

The Emergency Declaration 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. Increasing the supply of both permanent and long term interim housing units will count towards satisfying the LA Alliance lawsuit. Importantly, it sends a clear signal that the City is committed to an aggressive and proactive plan to address unsheltered homelessness.

### **A Framework for Addressing the Housing and Homelessness Crisis**

The Mayor's Office will continue to build on the years of committed work City Councilmembers have done to address homelessness in their districts and looks forward to continuing to integrate our work on this crisis. The framework of this Action Plan is centered on moving unsheltered individuals from encampments to interim housing to permanent, stable and affordable housing.

To that end, the Action Plan is organized around three broad objectives:

1. Resolve encampments by housing people in interim, then stable permanent housing
2. Expedite affordable housing development
3. Prevent Angelenos from falling into homelessness

The objectives are realized by programs and policies driven by core principles:

- This is a coordinated citywide approach in partnership with the City Council;
- This is a unified approach across all levels of government, from federal, to state, to county and local;
- Our work is built on lessons learned from the first 7 months of action under the original Emergency Declaration (December 2022 - June 2023) and we will continue to evolve, developing new programs and partnerships based on what we learn;
- We must cut red tape, eliminate barriers, streamline and expedite processes and refrain from creating new bureaucracies as we lift up programs;
- We must innovate in using our existing resources and seek new resources and opportunities;
- We must do better to collect and report data, and importantly track and report outcomes.

## **OBJECTIVE 1: Resolve Encampments by Housing People**

The programs and processes for sustainable encampment resolution are detailed below. This section is divided into three programmatic areas:

1. Bring people inside
2. Expand the infrastructure of stable, permanent interim housing options
3. Remove barriers and streamline access to housing

### **1. Bring People Inside**

***Inside Safe (IS):*** As of August 4, 2023, Inside Safe has held 23 operations with 8 nonprofit service providers across 13 Council Districts bringing more than 1400 people inside. During this pilot phase, we have established an infrastructure/workflow across our stakeholders – Mayor’s Office, City Council, City departments, LAHSA, Service Providers, and County agencies.

The IS Field Intervention Team started in July and serves as the City’s internal outreach/engagement team throughout all phases of Inside Safe. This will include:

- Encampment assessment
- Transition to interim housing
- Coordination of service connection
- Quality control across program and data collection

The City Council has been a critical partner in launching Inside Safe and providing funding for this citywide effort.

Los Angeles County is responsible for providing homeless health-related services for the City of Los Angeles. For Inside Safe participants, the Mayor’s Office will continue to collaborate with County Supervisors and the County’s Chief Executive Office - Homeless Initiative to connect our participants with a number of County agencies and departments including:

- Department of Health Services Multidisciplinary Teams and Department of Mental Health Homeless & Mobile Engagement Teams who partner with us on Inside Safe operations
- Department of Health Services Mobile Clinic System provides comprehensive primary, urgent and women’s healthcare;
- Department of Mental Health provides support, and treatment to individuals with severe and persistent mental illness who are experiencing unsheltered homelessness and exhibiting signs of severe impairment;
- Department of Public Social Services provides eligibility determination and enrollment in various programs and services (e.g., Medi-Cal, In-Home supportive services, CalFresh, CalWORKS, General Relief, etc) designed to assist families and individuals who are homeless or at-risk of becoming homeless;
- Department of Public Health Substance Abuse Prevention and Control (DPH-SAPC) refers participants to the Client Engagement and Navigation Services (CENS) program to address substance use and addiction.

**Substance Use Disorder and Mental Health Pilot Program:** As a part of the Mayor's comprehensive commitment to bringing unhoused Angelenos inside, on July 31, 2023, the Mayor's Office transmitted to Council our proposed pilot program to supplement the extension of substance use and mental health treatment for interim housing residents citywide. The program will use the \$7,825,658 from the FY 22-23 Opioid and Tobacco Settlement funds to reimburse providers for additional time and services not covered by existing state and federal funding. The City will work with Council offices, 16 service providers, 5 treatment centers, LAHSA, and LA County Department of Public Health Substance Use Prevention and Control to collect and analyze data to evaluate this pilot program's referral process as well as impacts on people with substance use disorder who are willing/ready to pursue inpatient treatment.

**Encampment Resolution Grant:** In June 2023 the County's Housing for Health team, in partnership with the City of Los Angeles, was awarded a \$60M Encampment Resolution Grant (ERG). The ERG will serve 3,000 unsheltered individuals from Los Angeles' Skid Row neighborhood within 3 years. The grant funds will enhance existing outreach teams to engage encampment residents; create a Safe Landings space that provides 24/7 health and behavioral health services with triage beds; enhance existing and create new interim housing sites; connect participants to intensive case management services including housing navigation; and facilitate permanent housing placements with the appropriate level of services.

**RV Task Force:** In 2022, RVs were 15.4% of the total homeless count or 22.8% of unsheltered count. An estimated 6,484 people were living in 3,964 RVs in the City of Los Angeles. Since May 2022, the CAO's outreach team has led and/or helped to coordinate more than 20 large-scale RV outreach operations in eight separate Council Districts. At least two additional Council offices opted to address RVs in their districts on their own. Based on these experiences, the CAO worked with all relevant City departments, including and especially LADOT, LASAN, and LAPD, along with the City Attorney's office and LAHSA, to develop protocols for streamlining the process for identifying and addressing RVs in the City.

The Mayor's Office will convene a task force with City Council and appropriate departments including LADOT, LASAN, the City Attorney, BOE and CAO to develop a comprehensive citywide strategy based on the work done to date. This strategy will include a budget, sites that can be used for storage and parking, and next steps to take action. The Mayor's Office has already begun reviewing City land that could be used for this endeavor.

## **2. Expand the infrastructure of permanent interim housing options**

Interim housing is a vital step in the journey to permanent housing and the City currently lacks a stable supply of beds. With our FY23/24 budget, the Mayor's Office is moving to lower the cost of interim housing for Inside Safe as well as establish a permanent citywide

infrastructure of interim housing. Currently, federal investment focuses on financing permanent housing and leaves a gap in support for interim housing - we plan to bridge that through these efforts.

***Long Term Leasing or Occupancy Agreements:*** The Mayor's Office is working to shift nightly hotel bookings to longer term occupancy agreements. These agreements will target 100% occupancy of Inside Safe participants, which can better facilitate service provision and safety while ensuring a steady stock of housing units for ongoing encampment resolution. We will target motels in the areas with the greatest need for interim housing resources.

***Expand the City's Permanent Supply of Interim Housing:*** Our system lacks a stable supply of interim housing. The FY23/24 Inside Safe Budget has \$47M identified, which along with other sources, will be used for interim housing acquisitions. The Mayor is committed to exploring every opportunity to expand interim housing through collaboration with council office investments, state partnerships (including the 500 units of temporary shelter pledged by Governor Newsom), and philanthropic efforts.

### **3. Removing Barriers and streamlining access to housing**

The Mayor's Office will employ strategies to remove barriers in the pipeline to permanent housing and speed the matching of interim housing participants with available units.

***Federal Efforts:*** Los Angeles was selected to be part of the Biden administration's ALL INside initiative that partners with state and local governments to strengthen and accelerate local efforts to help people move off the streets. It is our hope that this partnership will help expedite our efforts to address United States Department of Housing and Urban Development (HUD) guidelines that are barriers to permanent housing. This includes "presumptive eligibility" for voucher holders, which would allow housing navigators to more quickly move people into permanent housing while completing the necessary documentation and paperwork afterward.

The Mayor's Office will continue working with HACLA, the City Council, and the County to push for waivers from HUD that will cut red tape and get people housed more quickly.

***Encourage landlords to accept Housing Choice Vouchers:*** The Mayor has called on all Los Angeles property owners to accept Housing Choice Vouchers (HCV) and expand our available permanent housing stock. The Mayor's Office will work with HACLA to launch a series of networking events across the City to engage with and educate property owners about the HCV program. In addition, the Mayor's Office will seek feedback from property owners and review best practices to identify process improvements that can make participation in the HCV programs smooth and efficient.



## **OBJECTIVE 2: Expedite Affordable Housing Development**

It is imperative that we build more affordable housing, at a lower cost, and a greater speed. To address this, the Mayor's Office will:

1. Accelerate housing approvals and expand production
2. Expand financing options to bring more affordability and preserve the housing stock
3. Embrace innovations in construction

### **1. Accelerate Housing Approvals and Expanding Production**

**Executive Directive 1 (ED1):** The Department of City Planning is expected to release the draft ordinance creating a permanent program based on ED1 in late August. The draft ordinance adoption process will include public hearings, review by the City Planning Commission, and final consideration by the City Council and Mayor. ED1, and the subsequent permanent program, will continue to expedite and streamline the development of 100% affordable housing citywide. Thus far, ED 1 has accelerated 31 projects, totaling 2,342 units of affordable housing. There are an additional 56 projects currently under review.

**Executive Directive 3 (ED3):** ED3 was signed to maximize the use of city-owned property for temporary and permanent housing. In August 2023 the Mayor's Office is convening 3 interdepartmental working groups that will both develop ongoing processes to identify lands suitable for housing development and also streamline and make consistent the City's approach to soliciting and selecting teams to develop on its lands. The Mayor's Office will continue to support innovations around the use and development of City-owned land. Thus far, the Mayor's Office has reviewed more than 3,300 parcels of publicly owned land and worked with City Council colleagues to identify potential sites for future development.

**Metro's 10K Plan:** LA Metro has released a plan to build 10,000 units of housing on Metro owned land. Of the 17 sites Metro has identified thus far for this effort, 12 sites are within the City of Los Angeles. As chair of the Metro board, Mayor Bass will work to ensure that affordability is maximized in the development of the 10,000 units. In addition, the Mayor's office will proactively coordinate with Metro to manage the pipeline of units on each of the 12 sites to expedite permitting and approvals and support the necessary financing.

### **2. Expand financing options to bring more affordability and preserve the housing stock**

Affordable housing financing has become increasingly complex and cumbersome for developers, exacerbating costs and timelines. Furthermore, there is not adequate financing available to meet our housing development needs. Additionally, with the very public collapse of the over 2,000 units operated by the Skid Row Housing Trust, it has become glaringly clear that our older stock of permanent supportive housing is at risk of failing. All these factors drive our plan to expand the options for innovative and flexible

financing solutions focused on reducing the cost of housing and creating more opportunities for affordability.

**Innovative Financing Solutions:** The Mayor's Office is bringing on a consultant to explore innovations in financing for affordable housing. There will be 3 targeted outcomes:

- *Create a fund that will allow banks or CDFIs to underwrite the rent levels of tenant based vouchers, likely in the form of a guarantee program.*
- *Create a Fund to increase affordability in market rate or mixed income projects that are entitled but have not started construction.*
- *Develop a systematic approach to assessing financing options, structured around a cost benefit analysis.*

**Joint Powers Authority:** At the request of the Mayor's Office, the CAO is assessing the potential for the city to join existing Joint Powers Authorities (JPA) which will create a new tax exempt bond financing option for developers that provide mixed income and 100% affordable housing in the City. If determined to be a beneficial option, the proposal will be brought to City Council for review and approval.

**United to House LA (ULA):** Under the direction of the Mayor's Office, LAHD is creating a plan to use ULA funding to improve affordable housing financing, rehabilitate existing affordable housing, and support expanded ADU programs and home ownership. If the City wins the pending litigation over ULA, this plan will be ready for immediate execution.

**Project Based Vouchers (PBV):** According to LAHD staff, there are approximately 25 projects in the City's affordable and supportive housing pipelines that are in need of project based vouchers, with 809 units. Over the next several years HACLA is targeting redevelopment of its public housing properties and will require approximately 1,000 project based vouchers to augment operating expenses. PBVs are highly constrained, and shortages continue to impact the City's pipeline. The Mayor's Office will advocate for more PBV allocation and explore other pathways to address the capital needs of these projects.

### **3. Innovations in Construction**

The Mayor's office will facilitate the greater use and adoption of innovative construction techniques by reviewing our permitting systems as they apply to innovative construction types like modular and offsite manufactured housing and adopting new streamlined approaches. The Mayor's office is partnering to secure grant funding for this initiative which could launch in early 2024, or sooner if feasible.

### **OBJECTIVE 3: Preventing Homelessness**

Since the COVID eviction moratorium was lifted on February 1, 2023, LAHD has received approximately 1,800 3-day notices to quit per week. Previous protection laws gave tenants until August 1, 2023 to pay any missing rent due from March 1, 2020 to

September 30, 2021. With the August 1st deadline passing, we expect a spike in notices to quit and unlawful detainers.

**Public Information Campaign:** The Mayor's Office and the Los Angeles Housing Department launched a public information campaign to get the word out about new protections and resources for Angelenos. This campaign is targeted to high-risk zip codes, in multiple languages, with ads run on a variety of social media platforms and even taco trucks.

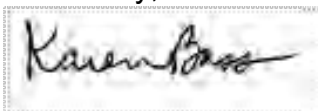
**Proactive Outreach:** The Mayor's office will be collaborating with outside organizations to do outreach to educate tenants on their rights and how to seek legal assistance if they receive notice of eviction. These community-wide efforts will help at-risk Angelenos stay housed.

**ULA Tenant Protection Programs:** The Mayor's Office proposes using over \$80M in FY23/24 Measure ULA dollars to fund rental assistance programs. These proposed expenditures include:

- Short Term Emergency Assistance Program that will allow eligible low-income tenant households to apply for up to six months owed back rent due to a one time economic hardship.
- Eviction Defense/Prevention to continue and expand the Stay Housed LA (SHLA) program that provides households at risk of eviction with legal support, "know your rights" education, and, in limited cases, rental assistance through settlements with their landlords.
- Tenant Outreach and Education campaign to provide broad and targeted tenant education outreach services, including workshops, legal clinics, paid and earned media, and targeted social media.
- Additional infrastructure, technology, and community outreach, to educate tenants and landlords about their rights and obligations, and to enforce the Tenant Anti-Harassment Ordinance (TAHO) (effective August 6, 2021) to protect tenants from harassment by landlords.

The Mayor's Office is committed to addressing the housing and homelessness crisis with the urgency it requires and looks forward to the day when our residents all have a safe place to call home.

Sincerely,

A rectangular box containing a handwritten signature in black ink that reads "Karen Bass".

KAREN BASS  
Mayor

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Pasadena, CA 91101-1504

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VERIFICATION

STATE OF CALIFORNIA        )  
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COUNTY OF LOS ANGELES    )        ss:

I, LAURA LAKE, declare as follows:

I am Secretary of Fix the City, Inc., and a resident of the City of Los Angeles. I am authorized to make this verification on behalf of the Petitioner in this action.

I have read the foregoing VERIFIED PETITION FOR WRIT OF MANDAMUS, PETITION FOR WRIT OF PROHIBITION, AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF and am familiar with its contents. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on September 22, 2023.

  
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Laura Lake