



Legislative Update ■ January 14, 2020

Governor's Homeless Council Issues Initial Recommendations

Yesterday, Governor Gavin Newsom's Council of Homeless Regional Advisors shared their initial [recommendations](#) to guide budget and policy discussions during the 2020 legislative session. The item will be before the UCC Board of Directors at its conference call meeting next week.

We've outlined the Council's recommendations here:

Adopt a Comprehensive Crisis Response Strategy: The Council notes that state statute lacks clarity as to where among levels of government lie responsibilities for funding and implementing components of a response to homelessness and lack of affordable housing. In California, almost all public social services programs are delegated to counties, while health and mental health services are contracted by the state through counties to a mix of public and private providers. In most parts of California, cities are responsible for housing, land use, and facility siting. And, while the state has made significant investments recently to assist in addressing homelessness, such investments are one-time in nature. The Council recommends that the state assign responsibilities for both the resources and responsibilities for implementation of recommendations as a necessary precondition.

Create and Enforceable, Results-Based Accountability Mandate to End Homelessness: While state policy mandates many activities to achieve public policy goals, like the renewable energy mandate or the mandate for health insurance coverage, for example, the Council notes that there is no comparable mandate to address the homelessness crisis. "There is no mandate to ensure people can live indoors, no legal accountability for failing to do so, no enforceable housing production standard, and no requirement to consolidate and coordinate funding streams across jurisdictions. The results speak for themselves." To that end, the Council proposes that both state and local governments be held legally accountable for dramatically reducing homelessness and creating avenues to rapid resolution. The Council proposes that such a mandate be enforceable through a public right of action that requires the state and local governments to create the capacity to shelter those who are unsheltered, including both funding and rapid approval and siting of interim housing, permanent housing, supportive services, and targeted prevention to reduce homelessness. Essentially, a "designated public official" would have the authority to sue a government for failing to do enough to address homelessness. A judge could then take action to, for example, order the opening of an emergency shelter or redirect budgeted funds to homeless services. Such a mandate would likely need to be achieved through a constitutional amendment to

bypass state mandate laws; the Council recommends that the Legislature place such a measure on the ballot for 2020.

Create a Single Point of Authority for Homelessness in State Government: The Council recommends that the Governor appoint a single high-level official and team to coordinate housing, health and human services, and other state responsibilities relating to homelessness. We note that the Governor recently appointed Jason Elliott of his office as senior counselor on housing and homelessness.

The Council also outlines strategic investments, as follows:

- Strengthen California's response to homelessness by using the federal waiver process to ensure that solutions to assist in addressing homelessness are a component of the Medi-Cal program.
- Encourage Medi-Cal Managed Care providers to develop an initiative to invest more in targeting the homeless population.
- Establish an ongoing annual allocation of state flexible housing funds, which would be matched by eligible cities and counties in partnership with the private sector and philanthropy. Funds would be used for rent subsidies, rental assistance, landlord incentives, and the like.
- Provide an annual allocation to fund the Homeless Housing, Assistance and Prevention Program (HHAPP) for a five-year cycle.
- Provide augmentations to SSI, SSP, Cal EITC, and Adult Protective Service (APS) targeted to those at highest risk of becoming homeless and those newly homeless.
- Fund, streamline, and incentivize permanent supportive housing and housing for extremely low-income households

The Council's recommendations are accompanied by a [table](#) outlining the Comprehensive Crisis Response Strategy, its components, and recommendations for further action.

While in Grass Valley visiting Nevada County homeless programs yesterday, Governor Newsom was asked to respond to the recommendations, specifically the mandate to ensure that people are housed. The Governor stopped short of endorsing the proposal, but indicated his openness to the idea and suggested that the state is "missing" an obligation on homelessness.

In other homelessness news, the federal government has finalized the 2019 Point-in-Time Count and, as a result, the Homeless Coordinating and Financing Council will release the full HHAPP \$650 million approved in the 2019-20 state budget to counties, cities, and Continuums of Care (COCs) to assist in local efforts to address homelessness shortly.