

NOVEMBER 12, 2019

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LEGISLATION STREAMLINES SHELTER CONSTRUCTION AND EXPANDS HOMELESSNESS SERVICES

AB 143, AB 728, and AB 761 have modified existing law affecting homeless shelters and homelessness prevention services.

AB 143: STREAMLINING SHELTER CONSTRUCTION

In 2017, AB 932 created an option for certain counties and cities to declare a shelter crisis and adopt by ordinance local standards for the design, site development, and operation of homeless shelters on publicly owned or leased land. The local ordinance is subject to approval by the Department of Housing and Community Development ("HCD"), and such projects are exempt from CEQA. AB 143 extends this option to the County of Alameda, the County of Orange, any city located within Alameda or Orange counties, and the City of San Jose. AB 143 also extends the time within which HCD is required to review the local ordinances from 30 days to 90 days. A city or county that declares a shelter crisis is required to develop a shelter plan on or before July 1, 2020, and to provide an annual report by January 1 of the following year. This is an urgency bill that takes effect immediately.

AB 728: MULTIDISCIPLINARY TEAMS FOR HOMELESSNESS PREVENTION

Current law authorizes a county to establish a multidisciplinary personnel team ("MDT") to facilitate the identification, assessment, and linkage of homeless individuals to housing and supportive services. AB 728 establishes a pilot program in the counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Clara, and Ventura to expand the

goals of an MDT to include individuals at risk of homelessness. An "individual at risk of homelessness" means an individual who is indigent or receives cash aid and:

1. is exiting or has exited within the prior 12 months (a) a publicly funded detention or treatment setting, or substance use disorder treatment program, or (b) the child welfare system or juvenile justice system; and
2. presents with or has received services within the prior 12 months for significant health, mental health, or substance abuse issues.

Additionally, AB 728 expands an MDT to include case managers. The bill also requires that a member of the MDT notify the individual that their confidential information may be shared to ensure continuity of care and attempt to obtain the individual's consent.

AB 761: USE OF ARMORIES FOR SHELTERS

Current law allows certain counties and cities to use vacant armories as temporary homeless shelters during winter months. AB 761 allows any city or county, at the sole discretion of the Adjutant General, to use any vacant armory within its jurisdiction as a temporary homeless shelter from hazardous weather conditions throughout the year.

For more information on these bills, please contact Karen Tiedeman, Katie Dahlinghaus, or any other Goldfarb & Lipman attorney at (510) 836-6336.