



City of Mission Viejo

Office of the Mayor and City Council

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CONFIDENTIAL CORRESPONDENCE

August 13, 2018

VIA U.S. MAIL

Honorable Charles Margines, Presiding Judge
Superior Court of the County of Orange
700 Civic Center Drive West
Santa Ana, CA 92701

Re: City of Mission Viejo response to Findings and Recommendations: "Where There's Will, There's a Way: Housing Orange County's Chronically Homeless"

Honorable Judge Margines:

We write on behalf of the City of Mission Viejo, in response to the request of Mr. Bob Niccum, Foreperson of 2017-2018 Orange County Grand Jury ("Grand Jury"). The Grand Jury issued a report titled "Where There's Will, There's a Way: Housing Orange County's Chronically Homeless." This report contained both Findings and Recommendations and sought the response of the City of Mission Viejo to those determinations.

Please find attached the requested responses from the City of Mission Viejo. They are separately presented as Attachments A and B.

We thank the Grand Jury for its efforts regarding this County-wide challenge.

Sincerely,

Mayor Ed Sachs
City Council of City of Mission Viejo

Enclosures



Attachment A

Attachment A

City of Mission Viejo Response to Findings: Orange County Grand Jury

- Finding 1: The City of Mission Viejo believe this to be true, but further believes that the remedial responses must consider the needs and circumstances present in each city. The County is best authorized and funded to address this county-wide issue.
- Finding 2: The causation underlying the number of available housing units for the chronically homeless is complex. We do not have adequate information to offer an opinion on this finding.
- Finding 4: The causation underlying the number of available housing units for the chronically homeless is complex. We do not have adequate information to offer an opinion on this finding.
- Finding 6: The City agrees with the first conclusion as to the interaction of the several public agencies, but disagrees with the conclusion as to “not fostering decision-making or action.” Many hours have been committed to addressing solutions and responses, including proposed legislation, site identification, and funding options. This collaborative effort should be recognized.
- Finding 7: The causation underlying the number of available housing units for the chronically homeless is complex. We do not have adequate information to offer an opinion on this finding.
- Finding 8: The City of Mission Viejo does not agree with this finding in light of the many meetings and collaborative efforts to provide feasible and sustainable remedies to the issues involved in housing the chronically homeless.
- Finding 9: The City of Mission Viejo does not agree with this finding in light of the many meetings and collaborative efforts to provide feasible and sustainable remedies to the issues involved in housing the chronically homeless.
- Finding 10: The County of Orange should be the lead and responsible public entity that addresses the issue of the chronically homeless. Creating a new, independent entity would add layers of process to an already complex issue. AB442 may create such an entity, but it would be the cooperative effort of the County of Orange and participating jurisdictions.

FINDINGS

In accordance with *California Penal Code* Sections 933 and 933.05, the 2017-2018 Grand Jury requires (or, as noted, requests) responses from each agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled "Where There's Will, There's a Way: Housing Orange County's Chronically Homeless," the 2017-2018 Orange County Grand Jury has arrived at ten principal findings, as follows:

- F1. Homelessness in Orange County is a regional problem requiring regional approaches and solutions.
- F2. The lack of a regional plan designating specific development goals for Permanent Supportive Housing contributes to an insufficient number of available units to house the chronically homeless.
- F3. The County's overreliance on unpredictable and inconsistent federal and state funding risks funds being unavailable for future Permanent Supportive Housing development and supportive services.
- F4. Cities' reluctance to provide sites for Permanent Supportive Housing development has contributed to overcrowded emergency shelters and an increased unsheltered homeless population.
- F5. A staffing shortage exists within the County Housing and Community Development Department impeding Permanent Supportive Housing development.
- F6. Service Planning Area meetings have successfully brought together city, county and non-profit entities to share information on homeless issues, but have not fostered decision-making or action.
- F7. NIMBYism has impeded the creation of housing for the homeless, including Permanent Supportive Housing, in the County of Orange.
- F8. Orange County cities and the County have engaged in blaming and finger-pointing, hampering the collaborative efforts needed to site, finance, and maintain Permanent Supportive Housing.

- F9. Cities have taken a silo approach to developing Permanent Supportive Housing, resulting in inefficient leveraging and pooling of funds across municipal borders.
- F10. There is no established, independent leadership body in the County empowered to address regional homeless issues in an effective manner.

Attachment B

Attachment B

Responses to the Orange County Grand Jury (2018) Recommendations:

- Response 1: The Cities, County, and regional organizations such as the Association of California Cities – Orange County (“ACC-OC”) and faith-based organizations are collaborating on responses to the issues. The unique circumstances of all jurisdictions, in the context of the Orange County homeless population’s needs are being reviewed in an effort to identify feasible and sustainable responses.
- Response 2: The Association of California Cities - Orange County suggested allocation was simply based on a total population based pro-rata share of the proposed number of Permanent Supportive Housing units to be developed. It has been represented by ACC-OC as simply one idea of how PSH units could be distributed throughout the County, and not any type of mandate. The siting of Permanent Supportive Housing units within a City is, among other factors, a local land use decision and should not be based simply on a “pro-rata” population share.
- Response 4: The Orange County Mayors and Council Members have been in attendance at the numerous Service Planning Area meetings, as well as at hearings in the Federal District Court, and at sub-regional meetings of Mayors and City officials.
- Response 6: Mission Viejo carefully considers all opportunities and programs arising from governmental and private organizations and integrates the opportunities as is feasible and practical in the context of the City.
- Responses 7, 8, & 9: Legislation has been proposed which will directly further this scope of services and development. AB448 is currently being considered in the State Legislature. The legislation provides for the formulation of strategies and programs as referred in recommendation responses 7, 8, and 9.

RECOMMENDATIONS

In accordance with *California Penal Code* Sections 933 and 933.05, the 2017-2018 Grand Jury requires (or, as noted, requests) responses from each agency affected by the recommendations presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled "Where There's Will, There's a Way: Housing Orange County's Chronically Homeless," the 2017-2018 Orange County Grand Jury makes the following nine recommendations.

To be completed by September 1, 2018

- R1. Orange County cities and the County should develop a Permanent Supportive Housing development plan, and should consider a plan structure similar to the proposal put forth by Association of California Cities – Orange County, that proportionally allocates sites among the cities. (F1, F2, F4, F7, F8)
- R2. Each Service Planning Area should identify sites for Permanent Supportive Housing proportional to the allocation suggested in the Association of California Cities – Orange County proposal. (F1, F4)
- R3. The County Executive Office should organize the agenda and content of the Service Planning Area meetings to promote collaboration between cities on Permanent Supportive Housing and other housing development. (F1, F4, F6, F8, F9)
- R4. Cities should ensure decision-makers fully participate in their region's Service Planning Area meetings. (F1, F6, F8, F9)
- R5. Orange County Community Resources should add an appropriate number of additional positions to the Housing and Community Development Department beyond the two currently budgeted to be optimally positioned for the increased Permanent Supportive Housing development that will likely arise. (F5)
- R6. Cities should collaborate with, and leverage the work done by, United Way on their "United to End Homelessness" public awareness campaign. (F7)

To be completed by June 30, 2019

- R7. To streamline shelter and Permanent Supportive Housing development, the County and its cities should establish a decision-making body, such as a Joint Powers Authority, that is empowered to identify and allocate sites and pool funding associated with housing and supportive services for the homeless. (F1, F3, F4, F7, F8, F9, F10)
- R8. Such a decision-making body should develop a comprehensive, regional housing business plan that identifies both the number of Permanent Supportive Housing units needed as well as the associated costs of renovating existing units or building new ones. (F1, F2, F3, F4, F8, F9, F10)
- R9. Such a decision-making body should propose a plan for securing local, supplemental sources of funding for both Permanent Supportive Housing development and associated support services. (F1, F3, F8, F9, F10)