



Donald P. Wagner, Mayor

cityofirvine.org

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August 31, 2018

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

RE: Response of the City of Irvine to Orange County Grand Jury 2017-18
Report, dated May 31, 2018, titled "Where There's Will, There's a Way: Housing
Orange County's Chronically Homeless."

Dear Judge Margines:

In accordance with Section 933.05 of the California Penal Code, this letter contains the response of the City of Irvine to the Orange County Grand Jury Report, dated May 31, 2018, titled "Where There's Will, There's a Way: Housing Orange County's Chronically Homeless." The enumerated items in this response correspond to the numbering of the findings and recommendations contained in the Grand Jury Report.

We trust this response from the City of Irvine will be filed with the Grand Jury so that anyone reading the Grand Jury Report will be able to evaluate it in light of Irvine's response set forth above. If you have any questions, please contact City Manager John Russo at 949-724-6249 or jrusso@cityofirvine.org.

Sincerely,

Donald P. Wagner
Mayor

Attachment

cc: Orange County Grand Jury
Irvine City Council

RESPONSES TO FINDINGS

Per the table on page 33 of the Grand Jury Report, the City of Irvine is required to respond to Grand Jury Findings F1, F2, F4, F6, F7, F8, F9, and F10. Those responses are provided immediately below.

F1. *Homelessness in Orange County is a regional problem requiring regional approaches and solutions.*

Response: The City of Irvine agrees with this finding. The following responses will outline the unsung, if not unseen, steps that the Irvine City Council has followed since incorporation in 1971 to prevent homelessness through an aggressive, targeted, and successful affordable housing program that today, at more than 4,400 units, of which 81 percent is affordable to extremely low income and very low-income at-risk households, provides more affordable housing than any other Orange County city. Prevention is key to any homelessness discussion.

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.*

Response: The City of Irvine disagrees partially with this finding. The City of Irvine makes substantial contributions to address the need for Permanent Supportive Housing. In fact, working with Irvine's nonprofit partners, there are 151 permanent supportive housing, emergency shelter, and rapid rehousing units within the City. With respect to the availability of units in other portions of the County, the City of Irvine does not have sufficient information to respond completely to this finding. However, the City of Irvine agrees that there is no regional plan, though it would object to a regional plan that is too prescriptive and negatively affects local control.

F4. *Cities' reluctance to provide sites for Permanent Supportive Housing has contributed to overcrowded emergency shelters and an increased unsheltered homeless population.*

Response: The City of Irvine disagrees partially with this finding. The City of Irvine does not have a "reluctance" to provide sites, and, indeed, is a leader in this effort. The City of Irvine's Master Plan provides for a broad spectrum of housing options for households at all income levels that effectively works to prevent homelessness. For example, the City Council adopted a policy that 10% of our affordable

housing is reserved for the developmentally disabled and 10% reserved for veterans, a dual population that is identified as high risk for homelessness. In fact, of the City's more than 4,400 affordable housing units, more than 81% have gone to extremely low income and very low-income residents, who otherwise would be defined as housing insecure. The people of Irvine are already serving a critical need through homelessness prevention programs and services. Besides our long association with nonprofits helping those at-risk – including the nationally renowned Human Options – our staff-driven services work directly with families in areas of concern; two full-time police officers are assigned each day to respond to those in need of mental health help and services. One of them is a homeless liaison. The City also administers FOR Families, a free counseling, case management, and referral service to residents in crises. Further, the City has secured from developer Irvine Company 17 acres of land to develop permanent affordable housing, including permanent supportive housing. With respect to other cities, the City of Irvine does not have sufficient information to completely respond to this finding.

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.*

Response: The City of Irvine disagrees partially with this finding. Discussions among cities in the Southern Service Planning Area (SPA) have both allowed for significant information sharing, and contributed to decision-making. For example, the cities of the Southern SPA have discussed sites, and even proposed one to the Board of Supervisors. Unfortunately, the Board of Supervisors summarily rejected that proposal. The cities in the Southern SPA are continuing their discussions. The City separately notes that a countywide solution to the homeless issue may be aided by less rigidly defined SPA boundaries.

F7. *NIMBYism has impeded the creation of housing for the homeless, including Permanent Supportive Housing, in the County of Orange.*

Response: The City of Irvine disagrees with this finding. The residents of Irvine, and all of the other cities, deserve to have their voices heard and their legitimate concerns addressed by their elected leaders. It is too easy, unfair to the residents, and anti-democratic to brush aside these concerns by giving them the pejorative "NIMBY" label. In fact, the City Council continues to address the community's at-

risk population through the affordable housing program that, by 2021, is expected to have 5,800 units of affordable housing, or 5.8% of Irvine's total housing supply, more than any other Orange County city. The City Council approved allocating \$29.2 million from its state's redevelopment settlement – money guaranteed over several years and which could have been used on any City Council directive – that will go to the City's ongoing affordable housing efforts through its nonprofit partner, the Irvine Community Land Trust. The Irvine Community Land Trust, which has two City Councilmembers on its Board, serves as a role model to other Orange County cities similarly committed to homelessness prevention through permanent deeply affordable housing. In addition, the City Council receives support and advice from its 28-year-old Irvine Residents with Disabilities Advisory Board, including housing needs for this at-risk population.

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.*

Response: The City of Irvine disagrees partially with this finding. The City of Irvine believes it has faithfully and honestly assessed the situation and that it has provided significant and meaningful responses to the homeless issue. The City of Irvine stands ready to continue its collaborative work with any group or government similarly dedicated to a real solution. The City of Irvine does not have sufficient information with respect to other cities and the County of Orange to respond to the remainder of this finding.

F9. *Cities have taken a silo approach to developing Permanent Supportive Housing, resulting in inefficient leveraging and pooling of funds across municipal borders.*

Response: The City of Irvine agrees that cities have taken a "silo" approach, as defined in the Grand Jury Report, and this is a "natural" consequence of how Orange County cities have traditionally operated. The City of Irvine does not have sufficient information with regard to alternative models for the provision of Permanent Supportive Housing to assess whether those models would more efficiently leverage and pool 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.*

Response: The City of Irvine agrees with this finding.

RESPONSES TO RECOMMENDATIONS

Per the table on page 33 of the Grand Jury Report, the City of Irvine is required to respond to Grand Jury Recommendations R1, R2, R4, R6, R7, R8, and R9. Those responses are provided immediately below.

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 the Association of California Cities – Orange County, that proportionally allocates sites among the cities. (F1, F2, F4, F7, F8)*

Response: The recommendation requires further analysis. The City of Irvine supports a regional plan and would consider the structure proposed by the Association of California Cities – Orange County as an option for the Irvine City Council to consider. However, the concept of “proportionality” needs to be carefully considered, among other things, so as to maintain “economies of scale” and assure the most sensible geographic distribution of resources. The City of Irvine stands ready to consider those issues within a reasonable time after receiving a proposal.

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)*

Response: The recommendation requires further analysis to ensure that the allocation: (1) takes into account the ongoing efforts, and resulting affordable units and permanent supportive housing, that are already in place and should be considered as a part of the county-wide solution to homelessness; (2) allows flexibility in the geographic identity of the SPAs as discussed in response to F.6, above; and, (3) provides a fair and wise definition of proportionality as discussed in response to R.1, above. The City of Irvine stands ready to consider those issues within a reasonable time after receiving a proposal that accounts for the concerns enumerated in the prior sentence.

R4. *Cities should ensure decision-makers fully participate in their region's Service Planning Area meetings. (F1, F6, F8, F9)*

Response: The recommendation has been implemented. City of Irvine decision-makers have actively participated in Southern SPA meetings. The City of Irvine stands ready to continue its collaborative work with any group or government similarly dedicated to a real solution for homelessness.

R6. *Cities should collaborate with, and leverage the work done by, United Way on their "United to End Homelessness" public awareness campaign. (F7)*

Response: The recommendation has been implemented. City of Irvine decision makers have collaborated with the United Way in support of its public awareness campaign. Further, the City of Irvine believes that all cities should consider supporting nonprofit and religious organizations that are "united" to end homelessness.

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 with housing and supportive services for the homeless. (F1, F3, F4, F7, F8, F9, F10)*

Response: The recommendation requires further analysis. The Irvine City Council would be interested in learning how this authority would function. The City of Irvine, however, would be wary of any Joint Powers Authority that would usurp local control and local land use responsibilities within the City. The City of Irvine stands ready to consider those issues within a reasonable time after receiving a proposal for the formation of the decision-making body alluded to in R7.

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)*

Response: The recommendation requires further analysis. The City of Irvine does not have sufficient information to respond completely to this

recommendation, but supports a regional plan that would help increase the number of Permanent Supporting Housing units. The City of Irvine stands ready to consider a comprehensive regional housing business plan within a reasonable time after receiving such a plan from the regional decision-making body alluded to in R7.

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)

Response: The recommendation requires further analysis. As noted in responses to R7 and R8, the nature and scope of authority of the regional decision-making body, and the contents of its business plan have yet to be proposed. The City of Irvine stands ready to consider the formation of such a decision-making body, and its comprehensive regional housing business plan within a reasonable time after the form of the entity and the contents of the plan are proposed. The City of Irvine is aware that existing local sources for permanent supportive housing come from the United States Department of Housing and Urban Development, which would require its approval to pool these funds for regional projects.