



CITY OF ORANGE

Office of Mayor

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August 23, 2023

The Honorable Maria Hernandez
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Re: City of Orange Response to Grand Jury Report: “Welcome to the Neighborhood” Are cities responsibly managing integration of group homes?

Dear Honorable Judge Hernandez:

The following is the City of Orange’s response to the findings and recommendations contained in the Grand Jury’s Report, *“Welcome to the Neighborhood” Are cities responsibly managing integration of group homes?* The City of Orange was asked to respond to Findings F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, and F11 as well as Recommendations R1, R2, R3, R4, and R5.

FINDINGS:

F1: Group homes too close to one another contribute to problems associated with overconcentration.

City’s Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report.

F2: Common nuisances are more likely and disruptive when sober living homes are concentrated in a small geographic area of a neighborhood.

City’s Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report.

F3. Some cities have successfully addressed and informed community members about the challenges faced in regulating group homes.

City’s Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report.

F4. Community satisfaction was minimal when cities took the traditional public comment approach towards addressing community complaints.

City's Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report.

F5. Cities are not utilizing police, fire, and code enforcement complaints as a means of locating and tracking Group Homes.

City's Response: Respondent wholly disagrees with this finding. The City of Orange is committed to swiftly respond to all complaints received. Additionally, the City of Orange maintains a listing of group homes operating in the Orange community.

F6. Cities are inhibited from enacting and enforcing ordinances due to fears over the potential cost of litigation.

City's Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report.

F7. Several cities have created an ordinance that requires a ministerial permit or registration to operate a group home, however many of these cities do not enforce their own ordinances.

City's Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report which should not be construed as to imply that the City of Orange is not enforcing its own ordinances.

F8. City and County officials are deterred from regulating group homes by California Housing and Community Development's housing element process.

City's Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report which should not be construed as to imply that the City of Orange is deterred from regulating and/monitoring group homes.

F9. Cities have historically strategized and acted independently in addressing group home challenges and solutions.

City's Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report.

F10. Well-operated group homes can integrate smoothly into neighborhoods.

City's Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report.

F11. There is a lack of regulatory oversight for the health and safety of residents of unlicensed group homes.

City's Response: Respondent agrees with the finding. The City of Orange agrees with this finding insofar that the City of Orange is relying on the information and examples detailed in the subject grand jury report.

RECOMMENDATIONS

R1. Orange County cities and the County of Orange should address citizen concerns regarding group homes by providing an opportunity for an open dialog where an interdisciplinary panel of subject matter experts can share with attendees the challenges cities are facing in the management of group homes. To be implemented by July 1, 2024.

City's Response: Requires further analysis. The City of Orange will continue to engage with neighboring communities on the challenges they are facing and monitor any complaints received from Orange residents to determine if an interdisciplinary subject matter expert panel is warranted.

R2. By December 31, 2024, Orange County cities and County of Orange should collaborate in their efforts to create ordinances for the regulation of group homes, including the development of model ordinances.

City's Response: Requires further analysis. The City of Orange municipal code constitutes a body of local statutory law that has been reviewed and enacted by the Orange City Council. While the City of Orange appreciates the notion of uniformity across multiple jurisdictions, further legal analysis will be required before the City of Orange can commit to possibly enact a model ordinance.

R3. Orange County cities and the County of Orange should pool resources for defenses of lawsuits challenging group home ordinances. To be implemented by July 1, 2024.

City's Response: Recommendation will not be implemented because it is not reasonable. While the City of Orange appreciates the grand jury's recommendation and intent, the recommendation demands the City to commit resources to defend against potential lawsuits that may not have any bearing on Orange residents. The City of Orange recognizes the value of collaboration; however, the City also has an obligation to be good stewards of public resources and ensure that Orange tax dollars serve Orange residents and businesses.

R4: The County of Orange and Orange County cities should create a Task Force that includes representatives from OC cities, unincorporated areas, and other entities as appropriate and charge it with the responsibility of developing a plan to generate awareness among State legislators and regulators of the need for improved regulations and management standards to ensure health and safety for Group Home residents. To be implemented by July 1, 2024.

City's Response: Recommendation requires further analysis. The City of Orange will need to work with its neighboring agencies to determine if other entities have the resources to participate in the proposed task force before making any firm decision. It should be noted that legislative advocacy groups representing Orange County cities already exist and could possibly be leveraged to achieve the goals of the proposed task force (e.g., The League of California Cities – Orange County Division).

R5. Orange County cities and the County of Orange should modify code enforcement report data collection forms to include a searchable field that enables the identification of a residence operating as a group home. To be implemented by July 1, 2024.

City's Response: Recommendation requires further analysis. While the City of Orange is committed to promote transparency, the City of Orange is obligated to withhold the disclosure of privileged information. The City of Orange will need to review this recommendation with the City Attorney's office to determine if this information can be made available to the public. Additionally, as noted in the grand jury report, the existence of group homes has become a contentious issue. Potential consequences of making these operations publicly known via a searchable index should be considered.

Sincerely,



Daniel R. Slater
Mayor, City of Orange

cc: The Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

BCC: Michael Vigliotta, City Attorney