

The People are the City

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401 East Chapman Avenue – Placentia, California 92870

August 29, 2023

The Honorable John V. Siragusa
Presiding Judge, Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

**RE: 2022-2033 ORANGE COUNTY GRAND JURY REPORT ENTITLED
“WELCOME TO THE NEIGHBORHOOD’ ARE CITIES RESPONSIBLY
MANAGING THE INTEGRATION OF GROUP HOMES?”**

Dear Judge Siragusa:

The City of Placentia has reviewed the 2022-2023 Orange County Jury Report, “Welcome to the Neighborhood’ Are Cities Responsibly Managing the Integration of Group Homes?” We thank the volunteer members of the Grand Jury for their time and considerable effort in analyzing the various aspects of Group Home procedures in Orange County. The report made a number of findings and recommendations to which the City of Placentia is required to comment on Findings F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11 and Recommendations R1, R2, R3, R4, R5. Please consider this letter the City’s official response to these findings and recommendations.

Finding 1 (F1): *Group homes too close to one another contribute to the problems associated with overconcentration.*

City Response: Agree

Finding 2 (F2): *Common nuisances are more likely and disruptive when sober living homes are concentrated in a small geographic area of a neighborhood.*

City Response: Agree

Finding 3 (F3): *Some cities have successfully addressed and informed community members about the challenges faced in regulating group homes.*

City Response: Agree

Finding 4 (F4): *Community satisfaction was minimal when cities took the traditional public comment approach towards addressing community complaints.*

City Response: Agree

Finding 5 (F5): *Cities are not utilizing police, fire, and code enforcement complaints as a means of locating and tracking Group Homes.*

City Response: Disagree. Cities often learn of the location of an unlicensed group home due to calls for service or code enforcement complaints. However, there are many limitations to using police, fire, and code enforcement complaints for tracking purposes. For example, law enforcement calls for service are subject to privacy protection. Further, if group homes are not subject to local ordinances or permitting requirements and are protected by State policies, tracking may be difficult.

Finding 6 (F6): *Cities are inhibited from enacting and enforcing ordinances due to fears over the potential cost of litigation.*

City Response: Agree.

Finding 7 (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 ordinances.*

City Response: Disagree Partially. The City of Placentia has no substantial evidence to support the statement that these other cities that require a ministerial permit for group homes do not enforce their ordinances.

Finding 8 (F8): *City and County officials are deterred from regulating group homes by California Housing and Community Development's housing element approval process.*

City Response: Agree. State law requires that ordinances related to group homes are very narrowly focused, and often, those ordinances do not result in providing a "tool" for enforcement. Most local ordinances regarding group homes simply echo the State laws regarding group homes instead of being useful as a local regulatory tool.

Finding 9 (F9): *Cities have historically strategized and acted independently in addressing group home challenges and solutions*

City Response: Disagree partially. The City of Placentia agrees that cities have acted independently to address group homes. Every city has different circumstances, and it is best left to cities to address local challenges in ways that are appropriate to the local needs. Further, the League of California Cities, a group comprising membership of the vast majority of California cities, has previously engaged in legislative discussions to further local control to the extent possible. More local control would be beneficial.

Finding 10 (F10): *Well-operated group homes can integrate smoothly into neighborhoods.*

City Response: Disagree partially. The City of Placentia has experienced increased neighborhood issues due to the presence of some group homes. However, it may be the case that well-operated group homes in other jurisdictions are integrating smoothly into the neighborhoods. However, there is not enough evidence to completely agree with this finding.

Finding 11 (F11): *There is a lack of regulatory oversight for the health and safety of residents of unlicensed group homes.*

City Response: Agree

Recommendation 1 (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. (F3, F4)*

City Response: This recommendation requires further analysis and may require direction from the City Council regarding creating such a panel. Any direction to create such a panel would be implemented by December 2023.

Recommendation 2 (R2): *By December 31, 2024, Orange County cities and the County of Orange should collaborate in their efforts to create ordinances for the regulation of group homes, including the development of model ordinances. (F6, F7, F9)*

City Response: Will be implemented. This recommendation is a feasible way to address issues that jurisdictions have in common, as it can provide “model” regulations that would be effective for most cities to adopt and implement. This type of procedure generally results in saving time and money as well. The City of Placentia supports the creation of relevant model ordinances that could be adopted by jurisdictions no later than December 31, 2024.

Recommendation 3 (R3): *Orange County cities and the County of Orange should pool resources for defense of lawsuits challenging group home ordinances. To be implemented by July 1, 2024. (F6, F8, F9)*

City Response: Will not be implemented. As described in the Grand Jury Report, many obstacles to the implementation of local ordinances regulating group homes exist. While the City of Placentia is negatively affected by Group Homes, and it is a drain on local Police, Fire/Life Safety and Code Enforcement resources. The City is not necessarily experiencing issues with overconcentration of group homes. Therefore, participation in the defense of other cities' group home ordinances is not an appropriate use of local taxpayer funds.

Recommendation 4 (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. (F2, F10, F11)*

City Response: Not yet implemented. However, assuming the County of Orange and the Orange County cities partner to develop such a task force, it should be implemented by December 2023. The City of Placentia agrees that it would be beneficial to create a task

force to generate awareness among State legislators and regulators of the need for improved group home regulations to protect our residents. The City of Placentia supports the creation of such a task force by December 2023.

Recommendation 5 (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. (F5, F7, F11)*

City Response: Will not be implemented. Jurisdictions have many different ways of collecting and organizing code enforcement data. The City of Placentia's data collection methods are sufficient to meet the needs of our code enforcement program. However, we are not opposed to other cities modifying the collection and organization of code enforcement data.

Thank you for affording us this opportunity to comment upon the findings and recommendations of the Grand Jury. Should you have any questions or need clarification regarding the City's responses contained herein, please do not hesitate to contact my office.

Sincerely,



Ward Smith
Mayor, City of Placentia

cc: City Council
Damien Arrula, City Administrator
Orange County Grand Jury