



PLACER COUNTY GRAND JURY

Homeless Shelter Services

Managing the Needs of the Homeless

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Summary

A ten-year strategic plan to end homelessness in Placer County was adopted by the Board of Supervisors (BOS) in 2004. In 2009 the County updated zoning requirements for emergency shelters in accordance with State planning law. The law requires each county have at least one zone district designated for emergency shelters.

With the pending expiration of the strategic plan in 2014, the BOS approved a consulting contract with Dr. Robert Marbut for an independent study to address this issue of homelessness. Dr. Marbut's recommendations were consistent with provisions found in the Continuum of Care process included in the Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act) which was signed into federal law in 2009.

Both the HEARTH Act and the Marbut study included emergency shelter facilities as a recommended ingredient in addressing the needs of the homeless. The Marbut study recommended emergency shelters in both north and south Placer County operate 24 hours per day and 7 days per week.

The County has taken significant steps toward managing the needs of the homeless. The Adult System of Care (ASOC) includes outreach and assessment programs to provide drug and alcohol abuse counseling as well as evaluation and treatment for mental health issues. The County has also funded four additional sheriff deputies and one probation officer to provide increased security related to the shelter and other services concentrated at and around DeWitt Center. Assistance programs to help unemployed homeless people find jobs and affordable housing have also been implemented, and the Placer County Housing Authority has a program to end homelessness among veterans.

The County has approved a temporary Site Access Agreement for the operation of an emergency homeless shelter located in the Placer County Government Center (aka DeWitt Center). The County represented to local residents that the shelter at DeWitt Center was temporary. Local residents complained about the proximity of the shelter to schools and neighborhoods. Despite these complaints, the shelter has remained open since 2015 through a series of renewed Site Access Agreements, short-term funding and zoning inclusions. On May 10, 2017 the BOS voted to extend the conditional use permit to allow continued operation of the temporary homeless shelter in the DeWitt Center for up to 5 additional years.

Under Placer County's revised zoning codes, emergency shelters housing under 60 persons could be operated in a Residential Multi-Family zone district without a Conditional Use Permit. The

County further authorized emergency shelters in Neighborhood Commercial zones, General Commercial zones, Commercial Planned Development zones, Highway Services zones and Resort zones. Each of these additional five zones would require a Conditional Use Permit, which enables public awareness through an open application and permit process.

While the need for emergency shelters remains mostly undisputed, the location of shelters continues as an issue of public concern. This issue needs to be resolved.

Background

In July 2004 the Placer County BOS adopted a ten-year plan to end homelessness in the County.

The issue was once again addressed in September 2014 when the BOS approved a consulting contract with Dr. Marbut for an independent study of homelessness in Placer County. Dr. Marbut recommended emergency shelters in both north and south Placer County, operating 24 hours per day and 7 days per week, providing services for up to 50 people per location. He also recommended overflow facilities providing overnight shelter for an additional 50 people per location. While the 24/7 shelter at DeWitt Center has the capacity for 50 people, the number of homeless clients is limited to 47 people due to the inclusion of 3 staff members.

Recommendations in the Marbut study were consistent with the Continuum of Care guidelines included in the HEARTH Act. The HEARTH Act signed into law in 2009 established four roles for a Continuum of Care application for Federal Housing and Urban Development (HUD) funding. The recommendations were

- outreach, intake and assessment in order to identify service and housing needs and provide a link to the appropriate level of both;
- an emergency shelter to provide an immediate and safe alternative to sleeping on the streets, especially for homeless families with children;
- transitional housing with supportive services to allow for the development of skills that will be needed once permanently housed;
- permanent housing and supportive housing to provide individuals with an affordable place to live with services, if needed.

Based upon the Marbut study, in February 2015 the BOS approved a temporary Conditional Use Permit and Site Access Agreement to provide a temporary emergency shelter at the DeWitt Center. Right Hand Auburn, whose mission is to provide shelter and a path toward stability for the homeless of Placer County, was awarded the contract to operate the shelter. The location of the center is zoned Heavy Commercial (C3), which was not an approved zone district for emergency shelters. A Temporary Conditional Use Permit was issued for one year and could be

extended for an additional year. The site was originally operated as a 90-day pilot program. After the pilot program concluded, the site continued to operate as an emergency shelter until the end of the one-year temporary permit.

In March 2016 the BOS once again extended the Temporary Site Access Agreement and Temporary Conditional Use Permit until March 31, 2017 with the provision that they could not be renewed beyond the March 2017 sunset date. Volunteers of America (VOA) took over the Right Hand Auburn contract with the County, agreeing to operate the shelter from June 1, 2016 to March 31, 2017.

Methodology

The Grand Jury

- conducted interviews with officials from Placer County Department of Health & Human Services (HHS);
- conducted interviews with staff at Volunteers of America;
- toured the emergency shelter in the DeWitt Center;
- reviewed the Request For Proposal detailing the County requirements for a successful bidder to manage the emergency shelter in the DeWitt Center;
- reviewed the contract between Placer County and VOA dated May 2, 2016;
- reviewed the 67-page memorandum attached to the Board of Supervisors January 2017 agenda item for emergency shelters;
- attended the January 2017 Board of Supervisors meeting to observe comments on the emergency shelter;
- reviewed the 2015-2017 Continuum of Care Strategic Plan approved in October 2015 and published by the Homeless Resource Council of the Sierras.

Facts

- In July 2004 the County enacted a ten-year plan designed to end homelessness in Placer County.
- On May 20, 2009 the HEARTH Act was signed into law providing guidelines for application for HUD funding through a Continuum of Care planning process. Placer County is a participating agency in a Continuum of Care strategic plan along with other government and non-government stakeholders included in the Homeless Resource Council of the Sierras.

- The HEARTH Act provides four roles for a Continuum of Care planning process:
 - Outreach, intake and assessment to identify service and housing needs;
 - An emergency shelter to provide an immediate and safe alternative to sleeping on the streets;
 - Transitional housing with supportive services to allow development of skills needed once permanently housed;
 - Permanent housing and supportive housing to provide individuals with an affordable place to live.
- The ASOC, located in Auburn and Roseville, provides “needs-based” services, such as housing and employment assistance for homeless and other eligible adults. These services include outpatient and inpatient evaluation and stabilization for emotional issues; mental health services, including assessment and case management; substance abuse services and Adult Protective Services.
- The County funds a Homeless Liaison Unit consisting of four uniformed deputies and a probation officer. This dedicated unit addresses the need to improve the security at DeWitt Center and the surrounding area related to the shelter, jail, and other County services provided at DeWitt Center.
- The Placer County Housing Authority supports local and federal efforts to end homelessness among Placer County veterans.
- In September 2014 the County BOS approved an independent consulting contract with Dr. Robert Marbut to identify the needs of the homeless. Dr. Marbut’s recommendation included emergency shelters in both north and south Placer County, each operating 24 hours per day, 7 days per week for up to a capacity of 50 adults. Dr. Marbut also recommended an “overflow” facility at each shelter providing refuge for up to an additional 50 adults during the hours of 5:00 pm to 7:00 am.
- In February 2015 the BOS approved a Temporary Conditional Use Permit and Site Access Agreement to provide a temporary emergency shelter in the DeWitt Center. The contract was awarded to Right Hand Auburn, a charitable organization, with a termination date of March 31, 2016.
- The Temporary Conditional Use Permit approved by the BOS contained specific operational requirements for Right Hand Auburn, including maximum capacity, hours of operation, staffing levels, maintenance, and insurance coverage. It also required monthly reporting on demographics of shelter residents, including income levels, employment status, gender, ethnicity and prior military service.
- In March 2016 the County extended the Temporary Conditional Use Permit for the Site Access Agreement until March 31, 2017 with the provision that the permit could not be renewed beyond that date.

- Right Hand Auburn operated the shelter under a 90-day extension provided by the BOS. In June 2016 VOA assumed the terms of the Right Hand Auburn contract with the County and began management of the temporary shelter at the DeWitt Center until March 31, 2017. Under the terms of the contract with VOA, it can be terminated at any time with 30 days' notice.
- The County has not established a 24/7 shelter in south Placer County but is supporting and relying on The Gathering Inn and other charitable organizations which seek to place homeless individuals in overnight facilities, such as local churches.
- In January 2017 management of HHS and other County representatives reported satisfaction with the performance of VOA in the management of the shelter at the DeWitt Center.
- The shelter at the DeWitt Center provides shelter services 24 hours per day, 7 days per week, with a capacity to provide services for up to 50 adults for a maximum period of 90 days. An overflow portion of the facility provides shelter for up to 50 additional adults from 5:00 pm to 7:00 am. Everyone staying overnight in the overflow portion of the facility has their space reserved as long as they return to the shelter every evening without interruption.
- The shelter is a “dry shelter.” The staff performs breathalyzer tests on all residents as they enter. They also perform a cheek swab to test for illegal drugs. Anyone failing either test is not permitted to enter the shelter.
- No alcohol, weapons, or illegal drugs are permitted in the shelter.
- The Welcome Center at the DeWitt Center is operated by the County and is not part of the emergency shelter facility. It is only open during the hours of 9:00 am to 4:00 pm Monday through Friday. This facility provides many services for the entire community, including referrals to local employment opportunities. It can also serve as a place of daytime refuge for shelter overflow residents during inclement weather.
- The County provides an average of \$45,500 per month to cover the cost of running the emergency shelter at DeWitt Center. The remainder of expenses incurred is covered by VOA and other charitable organizations.
- On January 10, 2017, the BOS held an open meeting allowing public comment on two proposals before the Board. The first proposal included only Industrial zone districts and Industrial Planned zone districts in the zones approved for emergency shelters with a Conditional Use Permit. The second proposal added Heavy Commercial zone district to the Industrial zone districts and Industrial Planned zone districts approved for emergency shelters with a Conditional Use Permit.
- The meeting in January was standing room only, with stakeholders both for and against the C3 zone proposal which could allow continuation of the emergency shelter at the DeWitt Center, which is zoned C3.

- Some speakers praised HHS and VOA for their management of the shelter and for outreach programs assisting the homeless with drug and alcohol treatment, mental health treatment and help finding employment opportunities. Other speakers, representing local residents and businesses, voiced complaints about the operation of an emergency shelter located in close proximity to schools, homes and businesses.
- At the end of the public comments, Supervisors Jack Duran, Robert Weygandt, Kirk Uhler and Jennifer Montgomery voted in favor of adding zone district C3 to the allowable use for emergency shelters. Supervisor Jim Holmes, whose district includes the DeWitt Center and surrounding homes and businesses, was the only dissenting vote. With this Board vote, the BOS became able to extend operation of the emergency shelter at the DeWitt Center beyond the March 31st termination date.
- On May 10, 2017 the BOS voted to extend the conditional use permit to allow continued operation of the temporary homeless shelter in the DeWitt Center for up to 5 additional years.
- There is an ongoing feasibility study regarding a possible emergency shelter in south Placer County.

Findings

The Grand Jury found:

- F1. VOA is to be commended for their management of the temporary shelter at the DeWitt Center.
- F2. HHS has joined with VOA and other charitable stakeholders to provide outreach and assessment programs to assist the homeless in finding jobs and treatment for alcohol and drug abuse.
- F3. The BOS and multiple government and non-government stakeholders continue to debate and study services for the homeless, including the need for emergency homeless shelters.
- F4. There is a general consensus there is a need for emergency homeless shelters in the Auburn area, but there is local opposition to a shelter in the DeWitt Center.
- F5. The County has addressed the need for an emergency shelter in Auburn through a series of short-term funding, temporary Site Access Agreements in the DeWitt Center and a vote to include the Heavy Commercial zone district of the Dewitt Center among the zones approved for shelters.
- F6. In addition to the emergency shelter, the County has provided needed services through the ASOC, including outpatient/inpatient evaluation of emotional issues, substance abuse and mental health services.

- F7. The additional law enforcement resources have addressed the need for improved security in and around the DeWitt Center.
- F8. Three of the four roles included in the Continuum of Care provision of the HEARTH Act involve emergency, transitional and permanent housing for the homeless. The study conducted by Dr. Marbut concluded there should be a permanent 24/7 shelter in both north and south Placer County. The County has not resolved whether there should be a 24/7 permanent shelter and, if so, where it should be located.
- F9. For the past two years, the County has been telling local residents that the emergency shelter in DeWitt Center is temporary. Despite these assurances, the County has not identified a site for a permanent shelter located elsewhere and continues to permit renewed operation of the temporary shelter at DeWitt Center through renewed Site Access Agreements, short-term funding and zoning efforts.
- F10. While significant efforts have been made by all stakeholders, there has been no substantial progress in resolving the issue of the need and location of permanent homeless shelter(s).

Conclusion

The 2014 report provided by Dr. Robert Marbut concluded that there should be homeless shelters in Placer County operating 24 hours per day, 7 days per week, providing shelter and services for men and women in need. The BOS established a temporary shelter at the DeWitt Center, overcoming zoning issues with a temporary Site Access Agreement. The operation of the shelter could not be continued without a change in zoning. By adding Heavy Commercial zone district to the zones permitted for emergency shelters, the BOS is able to extend review of the Conditional Use Permit for a shelter at the DeWitt Center beyond the March 31, 2017 termination date for the Temporary Conditional Use Permit. On May 10, 2017 the BOS voted to extend the conditional use permit to allow continued operation of the temporary homeless shelter in the DeWitt Center for up to 5 additional years.

While the need for emergency shelter for homeless men and women remains relatively undisputed, the physical location of such a facility has been a point of contention. The BOS vote on expanded zone districts for emergency shelters is a first step toward a long-term solution. The emergency shelter at the DeWitt Center has been repeatedly designated as a temporary facility. Now that Heavy Commercial zone district has been added to those zone districts that are permitted for emergency shelters, the BOS could decide (1) to make the current shelter at the DeWitt Center permanent, (2) decide on another location for a shelter, or (3) decide not to operate a 24/7 facility at all.

Recommendations

The Grand Jury makes the following recommendations:

- R1.** The County develop and publish a comprehensive strategy for managing homelessness in Placer County. Included in the strategy should be a decision on the issue of permanent shelter(s).
- R2.** Placer County intensify the search for a permanent 24/7 shelter among the zone districts approved for shelters in north County.
- R3.** The County continue its efforts in outreach and assessment while seeking a permanent location for a 24/7 shelter. The County needs to resolve the issue of a need for emergency shelters in both north and south Placer County.
- R4.** The County make a decision on the number and location of emergency shelters by March 2018.

Request for Responses:

| | <u>Recommendations Requiring Response</u> | <u>Response Due Date</u> |
|---|---|---------------------------|
| Mr. Jeff Brown Director, Health and Human Services 3091 County Center Drive, # 290 Auburn, CA 95603 | R1- R4 | August 31, 2017 |
| Mr. David Boesch Placer County CEO 175 Fulweiler Ave Auburn, CA 95603 | R1- R4 | August 31, 2017 |
| Placer County Board of Supervisors 175 Fulweiler Avenue Auburn, CA 95603 | R1- R4 | September 30, 2017 |