

# RESPONSE TO GRAND JURY REPORT FORM

**Report Title:** Homelessness in Marin- a Call for Leadership  
**Report Date:** April 20, 2015

**Response By:** City Council of the City of San Rafael  
**Title:** Mayor and City Council

## FINDINGS:

- We agree with the findings numbered F5, F6, F7 (See Attachment A incorporated herein by reference.)
- We partially agree with findings numbered F1 (See Attachment A incorporated herein by reference.)
- We disagree wholly or partially with the findings numbered N/A

## RECOMMENDATIONS:

**Note:** San Rafael was not asked to respond to any of the Grand Jury recommendations.

- Recommendations numbered N/A have been implemented. (Attach a summary describing the implemented actions.)
- Recommendation numbered N/A has not yet been implemented, but will be implemented in the future. (Attach a timeframe for the implementation.)
- Recommendations numbered N/A requires further analysis.
- Recommendations numbered N/A will not be implemented because they are not warranted or are not reasonable.

DATED: June 5, 2015

Signed: \_\_\_\_\_

  
GARY O. PHILLIPS, Mayor

ATTEST: Esther Beirne  
Esther Beirne, City Clerk

Number of pages attached: 2

## ATTACHMENT A

**Report Title:** Homelessness in Marin- a Call for Leadership  
**Report Date:** April 20, 2015  
**Response By:** City Council of the City of San Rafael  
**Title:** Mayor and City Council

### FINDINGS

**F1.** There is no coordinated, focused, systemic plan with a comprehensive budget to eliminate homelessness in Marin County.

*Partially Agree. The Home for All Plan, the 10 Year Plan to prevent and end homelessness-2013-2023, was developed through a robust community process and is focused on achieving three outcomes:(1) reducing chronic homelessness, (2) reducing the total number of homeless individuals and families, and (3) reducing the time that people spend in programs before achieving self-sufficiency. The City recognizes that this represents a coordinated, focused and systemic plan to eliminate homelessness in Marin but there isn't a comprehensive budget linked to the strategies in Home for All. The City believes that the Plan would be more effective in achieving its goals if were tied to a specific programmatic budget that included all of the housing, mental health, substance abuse, employment services and criminal justice programs that serve and interact with this population.*

**F5.** The majority of the homeless in Marin County are centered in San Rafael, which negatively impacts business activity and the overall quality of life in that community.

*Agree. The point in time count shows that persons experiencing homelessness and precariously housed persons that are at risk of becoming homeless are found in almost every community in Marin, with the majority in San Rafael. Please note this number is misleading because the presence of Mill Street and other emergency shelter and transitional housing programs that are located in San Rafael increases the San Rafael point in time numbers for San Rafael. In addition, the count is conducted when REST (the Rotating Emergency Shelter) is in progress and the San Rafael population number may be increased due to REST. For example, the woman's REST shelter is located at the County Wellness Center in San Rafael and all REST participants have breakfast at St. Vincent's. Since the survey asks individuals where they spent the previous night, the REST participants may say they spent the previous night in San Rafael, thereby increasing the reported San Rafael population.*

*San Rafael recognizes that the homeless population is varied and the Grand Jury's reference to "quality of life" issues arises from a small segment of the homeless population comprised of the chronically homeless and chronic inebriates and often have both addiction and mental health issues. The majority of people counted as homeless in San Rafael do not cause problems but given the location of services, this more difficult group congregates in downtown San Rafael. The City agrees that this concentration negatively impacts business activity and the quality of life for our residents and visitors. The City spends about \$1 Million annually on initiatives related to this population including the Downtown Streets Team, the mental health professional in the Police Department and clean up and enforcement activities. The negative impacts are the most significant in and around Downtown and in the open space areas throughout the community.*

**F6.** The majority of the homeless services in Marin County are located in San Rafael, prompting other towns to direct the homeless to those services.

*Partially agree. The City agrees that the majority of services for homeless persons are located in San Rafael. San Rafael is the County seat, so many of the County run health and human services and criminal justice functions which serve the homeless are located in our City. The City further agrees that the Ritter Center homeless day services program and the St. Vincent de Paul Society Dining Room which serve this population, along with the Marin Community Clinic, County programs for substance abuse and mental illness, and the County's only nightly shelters for single adults and for families are all located in San Rafael.*

*To prepare this Grand Jury response, the City has not inquired of other towns if they direct homeless to San Rafael services, though it may be the case. It should be noted, that there are medical clinics as well as nonprofit organizations and religious organizations in other areas of the County that serve low income persons who may be without shelter.*

**F7.** The total economic impact of homelessness in Marin County is not known, including the impact on business activity and the costs of public safety services (e.g. police, fire, public works, district attorney, public defender, jail and hospitals), making it impossible for the public to know that the full economic impact is significantly greater than perceived.

*Agree. The City agrees that the impact on business activity is not known. The City estimate of \$1 Million includes public safety and DPW services related to this population. The City cannot comment on the criminal justice or health care costs since those are not direct City functions. The City cannot assess what the public perceives as the total cost of this issue so cannot address the Grand Jury's comment on the public perception of the total cost.*

CITY OF



*San Rafael*

Agenda Item No: 6.b

Meeting Date: June 1, 2015

**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

Department: City Manager

Prepared by: Stephanie Lovette, *SL*  
Economic Development Manager

City Manager Approval *J. Mickle*

**SUBJECT: CONSIDERATION OF A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE CITY OF SAN RAFAEL RESPONSE TO THE 2014/2015 MARIN COUNTY GRAND JURY REPORT ENTITLED "HOMELESSNESS IN MARIN- A CALL FOR LEADERSHIP"**

**RECOMMENDATION:**

Staff recommends that the City Council adopt the resolution approving the response to the Grand Jury report, authorizing the Mayor to execute it, and directing the City Clerk to forward the response to the Presiding Judge of the Marin County Superior Court and the Foreperson of the Grand Jury.

**BACKGROUND:**

The San Rafael City Council adopted a Homeless Action Plan in 2013 (copy available at <http://www.cityofsanrafael.org/homeless>) and has been dedicating resources and staff since then to attempt to reduce the number of homeless in San Rafael.

In its report dated April 20, 2015, "Homelessness in Marin-A Call for Leadership", the 2014-2015 Marin County Grand Jury made several findings and recommendations, and submitted the report to the City of San Rafael for a formal response. The Grand Jury requested responses from the City to the following findings:

**FINDINGS**

**F1.** There is no coordinated, focused, systemic plan with a comprehensive budget to eliminate homelessness in Marin County.

**F5.** The majority of the homeless in Marin County are centered in San Rafael, which negatively impacts business activity and the overall quality of life in that community.

**F6.** The majority of the homeless services in Marin County are located in San Rafael, prompting other towns to direct the homeless to those services.

**FOR CITY CLERK ONLY**

File No.: \_\_\_\_\_

Council Meeting: \_\_\_\_\_

Disposition: \_\_\_\_\_

F7. The total economic impact of homelessness in Marin County is not known, including the impact on business activity and the costs of public safety services (e.g. police, fire, public works, district attorney, public defender, jail and hospitals), making it impossible for the public to know that the full economic impact is significantly greater than perceived.

**ANALYSIS:**

The City of San Rafael has been requested to respond to **Findings F1, F5, F6 and F-7**. The Grand Jury did not ask the City of San Rafael to address the Report Recommendations. The following are the proposed responses to the findings in the report.

**FINDINGS**

F1. There is no coordinated, focused, systemic plan with a comprehensive budget to eliminate homelessness in Marin County.

*Partially Agree. The Home for All Plan, the 10 Year Plan to prevent and end homelessness-2013-2023, was developed through a robust community process and is focused on achieving three outcomes:(1) reducing chronic homelessness, (2) reducing the total number of homeless individuals and families, and (3) reducing the time that people spend in programs before achieving self-sufficiency. The City recognizes that this represents a coordinated, focused and systemic plan to eliminate homelessness in Marin but there isn't a comprehensive budget linked to the strategies in Home for All. The City believes that the Plan would be more effective in achieving its goals if it were tied to a specific programmatic budget that included all of the housing, mental health, substance abuse, employment services and criminal justice programs that serve and interact with this population. Further, where feasible the budget should be tied to measurable performance standards.*

F5. The majority of the homeless in Marin County are centered in San Rafael, which negatively impacts business activity and the overall quality of life in that community.

*Agree. San Rafael recognizes that the homeless population is varied and the Grand Jury's reference to "quality of life" issues arises from a small segment of the homeless population comprised of the chronically homeless and chronic inebriates and often have both addiction and mental health issues. The majority of people counted as homeless in San Rafael do not cause problems but given the location of services, this more difficult group congregates in downtown San Rafael. The City agrees that this concentration negatively impacts business activity and the quality of life for our residents and visitors. The City spends about \$1 Million annually on initiatives related to this population including the Downtown Streets Team, the mental health professional in the Police Department and clean up and enforcement activities. The negative impacts are the most significant in and around Downtown and in the open space areas throughout the community.*

F6. The majority of the homeless services in Marin County are located in San Rafael, prompting other towns to direct the homeless to those services.

*Agree. The City agrees that the majority of services for homeless persons are located in San Rafael. It is our understanding that the other communities are directing homeless persons to our community to access those services.*

**F7.** The total economic impact of homelessness in Marin County is not known, including the impact on business activity and the costs of public safety services (e.g. police, fire, public works, district attorney, public defender, jail and hospitals), making it impossible for the public to know that the full economic impact is significantly greater than perceived.

*Agree. The City agrees that the impact on business activity is not known. The City costs of approximately \$1 Million annually includes public safety and public works services related to this population. The City cannot comment on the criminal justice or health care costs since those are not direct City functions. The City cannot assess what the public perceives as the total cost of this issue so cannot address the Grand Jury's comment on the public perception of the total cost.*

**OPTIONS:**

- Approve the Resolution
- Modify Resolution and/or Responses to Findings

**ACTION REQUIRED:**

The City is required to respond to the Grand Jury Report. Penal Code section 933(c) states in part: "No later than 90 days after the Grand Jury submits a final report...the governing body of the public agency shall comment to the presiding Judge of the Superior Court on the findings and recommendations...[contained in the report]." In compliance with this statute, staff has drafted for City Council consideration, a resolution approving this proposed response; copies of which are attached for your review.

**ATTACHMENTS:**

1. Resolution with Attachment A – Grand Jury Response Form
2. Grand Jury Report "Homelessness in Marin – A Call for Leadership"



CITY OF  
*San Rafael*

MAYOR GARY O. PHILLIPS  
VICE MAYOR ANDREW CUYUGAN MCCULLOUGH  
COUNCILMEMBER MARIBETH BUSHEY  
COUNCILMEMBER KATE COLIN  
COUNCILMEMBER JOHN GAMBLIN

DEPARTMENT NAME  
PHONE: 415-485-XXXX  
FAX: 415-XXX-XXXX

June 8, 2015

The Honorable Judge Faye D'Opal  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, CA 94913-4988

Jack G. Nixon, Foreperson  
Marin County Civil Grand Jury  
3501 Civic Center Drive, Room #275  
San Rafael, CA 94903

Honorable Judge D'Opal:  
Mr. Nixon:

RE: Marin County Civil Grand Jury Report: "Homelessness in Marin – a Call for Leadership"

We are forwarding to you the following documents:

- A certified copy of Resolution No. 13939 adopted by the San Rafael City Council on June 1, 2015 approving and authorizing the Mayor to execute the City's response;
- Original of the "Response to Grand Jury Report Form," executed by Mayor Phillips on June 5, 2015;
- Copy of the City Council Staff report dated June 1, 2015

Should you need further assistance, please contact me at (415) 485-3065.

Sincerely,

  
ESTHER C. BEIRNE  
City Clerk

cc: Gary O. Phillips, Mayor of the City of San Rafael  
Nancy Mackle, City Manager



**RESOLUTION NO. 13939**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE CITY OF SAN RAFAEL RESPONSE TO THE 2014-2015 MARIN COUNTY GRAND JURY REPORT ENTITLED "HOMELESSNESS IN MARIN- A CALL FOR LEADERSHIP"**

**WHEREAS**, pursuant to Penal Code section 933, a public agency which receives a Grand Jury Report addressing aspects of the public agency's operations, must comment on the Report's findings and recommendations contained in the Report in writing within ninety (90) days to the Presiding Judge of the Superior Court with a copy to the Foreperson of the Grand Jury; and

**WHEREAS**, Penal Code section 933 specifically requires that the "governing body" of the public agency provide said response and, in order to lawfully comply, the governing body must consider and adopt the response at a noticed public meeting pursuant to the Brown Act; and

**WHEREAS**, the City Council of the City of San Rafael has received and reviewed the 2014-2015 Marin County Grand Jury Report, dated April 20, 2015 entitled "Homelessness in Marin- A Call for Leadership", and has agenzized it at this meeting for a response.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of San Rafael hereby:

1. Approves and authorizes the Mayor to execute the City of San Rafael's response to the 2014-2015 Marin County Grand Jury Report entitled "Homelessness in Marin- A Call for Leadership", copy attached hereto.

2. Directs the City Clerk to forward the City's Grand Jury Report response to the Presiding Judge of the Marin County Superior Court and to the Foreperson of the Marin County Grand Jury.

I, Esther Beirne, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council held on June 1, 2015, by the following vote to wit:

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: None

  
ESTHER C. BEIRNE, City Clerk