



# CITY OF CLAYTON

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August 2, 2017

**VIA U.S. REGULAR MAIL AND  
REQUESTED EMAIL TO: [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov)**

Jim Mellander, Foreperson  
Civil Grand Jury 2015-16, County of Contra Costa  
725 Court Street  
P O Box 431  
Martinez, CA 94553-0091

**Re: City Response to Civil Grand Jury Report No. 1707**

Dear Mr. Mellander:

Pursuant to a cover letter dated June 9, 2017 addressed to members of the Clayton City Council and transmittal of a copy of the Civil Grand Jury's Report No. 1707, "Homelessness in the Cities," attached is the City of Clayton's official response as required by applicable law.

We appreciate the Civil Grand Jury's efforts in researching this subject.

Sincerely,



James Diaz  
Mayor

Attachment: 1. City Reply to Civil Grand Jury Report No. 1707 [4 pp.]

cc: Honorable Clayton City Council Members  
Honorable John T. Laettner, Judge of the Superior Court



**CITY OF CLAYTON RESPONSE TO  
CIVIL GRAND JURY REPORT NO. 1707  
"Homelessness in the Cities"**

**2016-17 CONTRA COSTA COUNTY CIVIL GRAND JURY**

The City of Clayton, California provides the following response to Civil Grand Jury Report No. 1707, "Homelessness in the Cities", issued by the 2016-17 Civil Grand Jury of Contra Costa County on 09 June 2017. Pursuant to page 9 of the Report, this City is required to respond to Findings No. 1-5 and 9-10, plus Recommendations No. 1-4, adhering to format guidelines prescribed by the California Penal Code (Section 933.05).

**FINDINGS**

1. *CORE teams are most likely to be the first point of entry for the homeless into the County's Coordinated Entry System.*

City Response

The City of Clayton agrees with the Finding.

2. *CORE teams can successfully identify a homeless individual in need of physical or mental health services.*

City Response

The City of Clayton agrees with the Finding.

3. *CORE teams have the resources to identify if there are vacant shelter beds available in the County.*

City Response

The City of Clayton agrees with the Finding.

4. *CORE teams are equipped and have the authorization to transport homeless individuals to a medical facility or to a homeless shelter.*

City Response

The City of Clayton partially disagrees with the Finding, as specific training and policy would be necessary to determine the safest way to transport voluntary individuals to facilities who may have medical or mental health concerns.

5. *CORE teams build trust between the homeless and police departments.*

City Response

The City of Clayton agrees with the Finding.

9. *The cities of Antioch, Concord, Pittsburg, and Walnut Creek, which are the CDBG Entitlement Cities, are the only cities in Contra Costa County that have an approved written homeless plan to end or reduce homelessness in their respective jurisdictions.*

City Response

The City of Clayton partially disagrees with the Finding. As a non-entitlement CDBG city and a municipality experiencing few homeless persons, the City of Clayton agrees it does not have an approved written homeless plan. The City of Clayton, however, has not conducted a survey or analysis to independently confirm the Civil Grand Jury's finding the cities listed are the only cities in Contra Costa County that have such approved plans.

10. *The City appears to be in compliance with the California Housing Accountability Act.*

City Response

The City of Clayton agrees with the Finding as it pertains to this City.

# # #

**RECOMMENDATIONS**

1. *The City should consider establishing CORE teams either by partnering with one or more cities in the region or by funding its own team.*

City Response

The recommendation will not be implemented because it is not warranted and it is not reasonable for the City of Clayton to do so.

Due to the limited activity of homeless persons within the City of Clayton (as listed by the Civil Grand Jury's table on Page 3 of its Report No. 1701 identifying "2" homeless persons in Clayton, and which minimal presence is as experienced by Clayton police officers in the field), the numerical numbers documented for Clayton do not rise to funding the creation of our own CORE team or partnering monetarily with other cities in the Central County area. The City of Clayton has already provided and offers assistance and resources to those periodically encountered as homeless in our jurisdiction, yet the City has very limited discretionary financial resources to contribute to a CORE team.

The City of Clayton will continue to assist the City of Concord, whenever possible, to address the homeless near our shared boundary. Further, the Contra Costa County Chiefs of Police Association approved funds to the Pleasant Hill and Martinez police departments to assist in the homeless issues in their areas, and those police agencies have committed to assisting the City of Clayton when needed in this regard.

- 2. The City should consider providing incentives for developers to construct housing for the extremely low income, very low income, and homeless populations.*

City Response

The recommendation has been implemented.

Policy II.2 of the City's HCD-certified 2015-2023 Housing Element is to encourage affordable housing by granting regulatory incentives to projects that provide affordable units. Following Policy II.1, Implementation Measure II.2.1 provides continued authorization for regulatory incentives and concessions for development projects that include residential units affordable to extremely low-, very low-, and low-income households and special needs groups including disabled and developmental disabled persons. Incentives may include: flexibility in development standards, reduction or deferral of certain development fees, priority application processing to decrease review and approval time, and density bonuses in accordance with State law. Implementation Measure II.2.2 requires the City to monitor the impact of development fees and consider waiving or deferring fees for affordable housing projects, if and when funding is available.

- 3. The City should consider using Successor Agency funds, CDBG and other federal housing funds, impact fees, and city general funds to assist in funding housing for the extremely low income, very low income and homeless populations.*

City Response

The recommendation has been implemented.

The City of Clayton has considered its ability to utilize Successor Housing Agency funds for extremely low, very low, and homeless populations. The City wishes to note the total balance in its Successor Housing Agency fund is \$728,759 (June 2017), which amount is miniscule compared to land prices in Clayton, low land inventories, and development costs. Further, the City has adopted an inclusionary housing ordinance with an in-lieu fee option rather than providing the affordable housing units onsite, which will make funds available for extremely low income, very low income, and homeless populations as housing opportunities in Clayton present themselves through private developers.

Policy III.1 of the City's HCD-certified 2015-2023 Housing Element requires the City to promote programs available through Contra Costa County and the Contra Costa County Housing Authority. Implementation Measure III.1.3 states the City shall review potential opportunities through the County HOME program and apply for funding for applicable projects when private development opportunities arise.

4. *The City should consider adopting a five-year comprehensive homeless plan, as soon as possible with a target date of January 1, 2019, to reduce the homeless population in the City.*

City Response

The recommendation will not be implemented because it is neither warranted nor reasonable to the City of Clayton.

As noted in the table on Page 3 of the Civil Grand Jury's Report No. 1701, the City of Clayton does not have a large homeless population ("2" listed). Further, as the smallest municipality in Contra Costa County, this City does not have the available staff and resources to dedicate to drafting a five-year comprehensive homeless plan to address the needs of such homeless persons when other area public resources already exist for assistance.

The City finds the homeless population and associated issues are a Countywide matter that would be better served to be addressed from a regional perspective and not by each individual jurisdiction. Further, Contra Costa County has the Continuum of Care and the Council on Homelessness dedicated to addressing the needs and promulgating strategies to prevent and end homelessness.

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