



**COUNTY OF SAN LUIS OBISPO
BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Administrative Office	(2) MEETING DATE 7/18/2023	(3) CONTACT/PHONE Administrative Office / Lisa Howe / 805-781-5011	
(4) SUBJECT Request to 1) approve responses to the FY 2022-23 Grand Jury report titled "SAFE PARKING? OKLAHOMA is not OK!" and 2) forward the responses to the Presiding Judge of the Superior Court by August 4, 2023.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Adopt the recommended responses from the Department of Social Services, the Administrative Office, the Health Agency, and County Fire (Attachment 2) to the FY 2023-24 Grand Jury report titled "SAFE PARKING? OKLAHOMA is not OK!" and 2. Direct the Clerk of the Board to forward the responses to the Presiding Judge and the Grand Jury by August 4, 2023.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT ☒ Consent ☐ Presentation ☐ Hearing (Time Est. _____) ☐ Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS ☐ Resolutions ☐ Contracts ☐ Ordinances ☒ N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: ☐ 4/5th's Vote Required ☒ N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY ☒ N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW The Administrative Office prepared this item.			
(18) SUPERVISOR DISTRICT(S)			



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Administrative Office / Lisa Howe / 805-781-5011

DATE: 7/18/2023

SUBJECT: Request to 1) approve responses to the FY 2022-23 Grand Jury report titled "SAFE PARKING? OKLAHOMA is not OK!" and 2) forward the responses to the Presiding Judge of the Superior Court by August 4, 2023.

RECOMMENDATION

It is recommended that the Board:

1. Adopt the recommended responses from the Department of Social Services, the Administrative Office, the Health Agency, and County Fire (Attachment 2) to the FY 2023-24 Grand Jury report titled "SAFE PARKING? OKLAHOMA is not OK!" and
2. Direct the Clerk of the Board to forward the responses to the Presiding Judge and the Grand Jury by August 4, 2023.

DISCUSSION

On June 8, 2023, the San Luis Obispo County Grand Jury (Grand Jury) issued a report titled "SAFE PARKING? OKLAHOMA is not OK!" (Attachment 1). The report investigated the establishment, operation, site conditions, and outcomes of the Oklahoma Avenue Parking Village safe parking site (previously known as Kansas Avenue Safe Parking) set up by San Luis Obispo County. The Grand Jury report included twelve findings and eleven recommendations. Responses were required as follows:

Department	Recommendations
Department of Social Services (Child Welfare Services and the Homeless Services Division)	R1, R3, R5, R7, R10, and R11
Administrative Office	R2, R4, and R9
Health Agency (Public Health Department)	R6
County Fire (Emergency Services) *	R8

*Note: The Grand Jury required the County Office of Emergency Services to respond to R8; however, County Fire has responded as R8 falls under County Fire jurisdiction.

All responses must conform to the response language and timelines required under Penal Code section 933. Under this section, Board adopted responses from County departments must be submitted to the presiding judge of the superior court within 90 days of the date the report is released.

The responses from the Department of Social Services, the Administrative Office, the Health Agency, and County Fire are scheduled to be transmitted to the Presiding Judge and the Grand Jury by August 4, 2023.

The recommended responses from each department are provided below and departmental memos are attached.

Recommended Responses from the Board of Supervisors:

Grand Jury R1: Child Welfare Services shall immediately remove all minor children from the Oklahoma Avenue Parking Village pursuant to Penal Code Section 273 a(a).

Department of Social Services Response:

This recommendation cannot be legally implemented due to governing laws and regulations. Child Welfare Services (CWS) is governed by the laws and regulations set forth in Welfare and Institutions Code (WIC) section 300, directions issued from the California Department of Social Services (CDSS) via All County Letters, and Child Welfare Services Manual of Policies and Procedures Division 31 handbook which summarizes applicable regulations, statutes, court decisions and operational standards and is jointly issued by the State of California Department of Social Services and Health and Human Services Agency. The Penal Code guides law enforcement work to determine when criminal charges may apply and does not give CWS authority to remove children from their family. CWS may only remove a child after an investigation has been completed in which a determination is made that the adult with whom the child resides has abused the child and that risk of further abuse cannot be mitigated through lower levels of intervention such as creating a safety plan and all other statutory requirements have been met. Additionally, if a social worker is recommending a child be removed from their family, the court system must be involved so that the court can consider the evidence presented by CWS and issue a warrant for removal. The only exception to this process is if exigent circumstances exist at the time of the social worker's investigation. Exigent circumstances are narrowly defined as situations where there is an immediate need for medical care, or the child is in immediate danger of physical or sexual abuse or the physical environment of the child poses an immediate threat to the child's health or safety that cannot be mitigated by lower means of intervention. The recommendation to remove children from the Parking Village based on children being exposed to an environment where there is substance abuse, potential violence and potentially unknown sex offenders on site does not meet exigent circumstances. In order for CWS to take any action, CWS must receive a report that alleges specific abuse or neglect against a specific child that rises to the level that would require an in-person response. In absence of a report that contains allegations that meet in-person response criteria, CWS cannot open an investigation or contact families.

Grand Jury R2: By September 1, 2023, the County Administration shall establish a policy to require a fully executable plan for opening or closing of any future safe parking sites.

County Administrative Office Response:

The recommendation has not yet been implemented, but will be implemented in the future, prior to opening or closing any future safe parking sites.

Grand Jury R3: By September 1, 2023, the Homeless Services Division of the Department of Social Services shall update the participant contract for any safe parking sites. The contract must be appropriate, enforceable, and approved by the County Counsel.

Department of Social Services Response:

Recommendation 3 has not yet been implemented but will be implemented by 1 August 2023.

Grand Jury R4: County Administration shall conduct operational reviews at least quarterly to assess the safe parking program needs and determine changes that might be required.

County Administrative Office Response:

The recommendation will not be implemented because it is not warranted or is not reasonable as it duplicates existing efforts.

Grand Jury R5: The County shall maintain 24/7 security provided by a licensed security contractor at Oklahoma Avenue Parking Village. HSD shall conduct monthly reviews to assess the adequacy of site security and address any deficiencies. Empower the on-site security to enforce contract rules and policies.

Department of Social Services Response:

The portion of Recommendation 5 that states "*The County shall maintain 24/7 security provided by a licensed security contractor at Oklahoma Parking Village*" has been implemented. Regarding the portion of Recommendation 5 that states "*HSD shall conduct monthly reviews to assess the adequacy of site security and address any deficiencies. Empower the on-site security to enforce contract rules and policies*" we have always maintained daily contact with the owners of the guard company and/or the assigned guard. We address concerns as soon as we hear about them, and we do regular check-ins to determine how the service is going. On 1 August 2023 we will begin a more formal monthly review process.

Grand Jury R6: SLO County Public Health Department shall conduct monthly inspections of safe parking sites to identify potential health and safety violations.

Health Agency Response:

On June 9, 2023, the Public Health Department, received the Grand Jury report on the Safe Parking Program on County property at Oklahoma Ave, overseen by the Homeless Services Division within the Department of Social Services. Environmental Health Services (EHS), a Division within Public Health, provides the following response:

The recommendation has not yet been implemented but will be implemented beginning July or August 2023.

The mission of EHS is protection of public health by, among other tasks, inspection of *regulated* facilities for compliance with state law. EHS personnel routinely inspect food facilities, public swimming pools, studios of registered body art practitioners, and businesses that handle hazardous materials above reportable thresholds or generate hazardous wastes. EHS is granted authority for these routine inspections by the California Health and Safety Code (HSC); and Titles 17 and 22 of the California Code of Regulations. The Board of Supervisors and state

law requires EHS to collect permit fees for these services. EHS personnel have also performed emergency inspections of small water systems and properties impacted by floods and fires due to an *emergency declaration* (HSC 101040).

EHS has no regulatory authority based on current state law or local code to inspect facilities such as the Oklahoma Avenue Parking Village safe parking site (Site). The Site is not a facility regulated or permitted by EHS. The Site does not meet the definition of an “Organized Camp” (HSC § 18897) or “Special Occupancy Park” (HSC § 18862.43). The Grand Jury investigation identified several areas of poor sanitation at the Site. Despite lack of regulatory authority, EHS staff have professional and technical abilities in assessing sites for sanitation. Therefore, EHS is willing to assist by performing inspections of the Site and providing guidance to the agency in charge of the Site. EHS will require the identification of the Responsible Party and would request that Party ideally be in attendance during any visit by EHS personnel to the Site.

EHS will request Security personnel to accompany EHS staff during visits to the Site. EHS personnel will not enter private dwellings (RVs and cars) but will assess the conditions of the Site as a whole.

Lastly, given the mandate by the Board of Supervisors to have EHS operations be “revenue-neutral”, this special service needs to be noted as a unique one-off situation. If this service were to go on at length and beyond resource capacity, the County will need to identify additional funding for such service. EHS anticipates two inspectors would participate in any Site visit.

Grand Jury R7: Future safe parking sites should be provided with potable water, sewer, electrical, internet access, and proper drainage.

Department of Social Services Response:

The recommendation requires further analysis. *If* the County establishes another 24-hour safe parking operation, it is expected that the site will be provided with potable water, sewer, electrical, internet access, and proper drainage at that time. However, it is expected that any “overnight” safe parking sites (those that are operational only for 12-hour overnight periods where clients are required to leave at the twelfth hour) established in the future by the County will only be provided with portable latrines, handwashing stations, and proper drainage.

Grand Jury R8: By September 1, 2023, the Office of Emergency Services shall develop and implement a fire safety plan and a hazardous material storage plan for safe parking sites.

County Fire Response:

The recommendation requires further analysis. The analysis will include at a minimum, responsibility of enforcement of pertinent regulations. County Fire’s analysis will be completed by November 30, 2023.

Grand Jury R9: By September 1, 2023, County Administration shall establish a date to close the Oklahoma Avenue Parking Village.

County Administrative Office Response:

The recommendation requires further analysis. As stated during the May 2, 2023, update to the Board of Supervisors, the plan for moving forward consists of a method known as “case conferencing” where multiple service providers in the County will look at the participant cases at the site and determine which agency may be best suited to manage the participant. Although no new participants will be allowed on the site, no household or person on site as of March 1, 2023, will be asked to leave until all efforts have been expended to place them in a housing solution. While efforts are in place to expeditiously close the site, setting an arbitrary date may jeopardize the efforts mentioned above. Furthermore, a full-time security presence and all services currently on site will remain (i.e., food pantry, showers, toilets) until closure occurs.

The “drawdown for closure” plan is currently being executed. The plan does address all residents including those with “running and registered RVs.” As appropriate, relocation will occur. The remainder of this recommendation is outside the scope of the Homeless Services Division authority to implement.

Grand Jury R10: To facilitate the closure of the Site, the County HSD shall immediately provide all necessary casework services to assist residents with mental health, substance abuse, housing, employment, benefits eligibility, etc.

Department of Social Services Response:

Recommendation 10 has been implemented. During the month of June 2023, service providers from Community Action Partnership of San Luis Obispo (CAPSLO) were supplemented with outreach workers from 5 Cities Homeless Coalition to improve housing, employment, benefits and eligibility services and general case management; mental health workers are now on site from LAGS Recovery Centers, Inc; and a substance abuse specialist from Transitions-Mental Health is also now assigned exclusively to the safe parking site.

Grand Jury R11: To facilitate the closure of the Site, relocate running and registered RVs currently at the Oklahoma Avenue Parking Village to Coastal Dunes RV Park.

Department of Social Services Response:

The recommendation requires further analysis. The Department of Social Services and the Homeless Services Division do not have the authority to “relocate running and registered RVs currently at the Oklahoma Parking Village to Coastal Dunes RV Park.” This would have to be directed by the Administrative Office to the Department of Parks and Recreation and would likely require approval by the Board of Supervisors for that directive to be given. The owner of the vehicle would also need to agree with the decision to have their vehicle moved to the site. However, conducting an analysis of which RVs are “running and registered” could be conducted by the Homeless Services Division by 1 August 2023. The remainder of this recommendation is outside the scope of the Homeless Services Division authority to implement.

OTHER AGENCY INVOLVEMENT/IMPACT

The Department of Social Services, the Administrative Office, the Health Agency, and County Fire drafted the recommended responses to the Grand Jury report.

FINANCIAL CONSIDERATIONS

Costs for preparing this response are included in current department budgets. There are no significant anticipated financial impacts to the County budget that will result either directly or indirectly from the recommended action. Any future financial impacts associated with the recommended action will be considered as they arise.

RESULTS

Adoption of the responses will make it possible for the County to meet the legal requirements and time frames for responding to a Grand Jury report with findings and recommendations. The responses from Department of Social Services, the Administrative Office, the Health Agency, and County Fire to the FY 2022-23 Grand Jury report titled "SAFE PARKING? OKLAHOMA is not OK!" will be adopted and transmitted to the Presiding Judge and the Grand Jury as required. This action is consistent with the County's goal to promote a well-governed community.

ATTACHMENTS

- 1 Attachment 1 - FY 2022-23 Grand Jury report titled "SAFE PARKING? OKLAHOMA is not OK!"
- 2 Attachment 2 - Responses to FY 2022-23 Grand Jury Report - "SAFE PARKING? OKLAHOMA is not OK!"



COUNTY OF SAN LUIS OBISPO
ADMINISTRATIVE OFFICE

John Nilon *County Administrative Officer*

July 18, 2023

To Whom It May Concern:

Per the Grand Jury Report titled "SAFE PARKING? OKLAHOMA is not OK!", the County of San Luis Obispo Administrative Office is required to respond to R2, R4, and R9. This memo provides the responses from the County Administrative Office.

R2 By September 1, 2023, the County Administration shall establish a policy to require a fully executable plan for opening or closing of any future safe parking sites.

County Administrative Office Response:

The recommendation has not yet been implemented, but will be implemented in the future, prior to opening or closing any future safe parking sites.

R4 County Administration shall conduct operational reviews at least quarterly to assess the safe parking program needs and determine changes that might be required.

County Administrative Office Response:

The recommendation will not be implemented because it is not warranted or is not reasonable as it duplicates existing efforts.

R9 By September 1, 2023, County Administration shall establish a date to close the Oklahoma Avenue Parking Village.

County Administrative Office Response:

The recommendation requires further analysis. As stated during the May 2, 2023 update to the Board of Supervisors, the plan for moving forward consists of a method known as "case conferencing" where multiple service providers in the County will look at the participant cases at the site and determine which agency may be best suited to manage the participant. Although no new participants will be allowed on the site, no household or person on site as of March 1, 2023, will be asked to leave until all efforts have been expended to place them in a housing solution. While efforts are in place to expeditiously close the site, setting an arbitrary date may jeopardize the efforts mentioned above. Furthermore, a full-time security presence and all services currently on site will remain (i.e., food pantry, showers, toilets) until closure occurs.

The "drawdown for closure" plan is currently being executed. The plan does address all residents including those with "running and registered RVs." As appropriate, relocation will occur. The

County of San Luis Obispo Government Center

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remainder of this recommendation is outside the scope of the Homeless Services Division authority to implement.



Homeless Services Division

Response to Recommendations 1, 3, 5, 7, 10 and 11 in the Grand Jury "Oklahoma Safe Parking Report"

Recommendation 1: Child Welfare Services shall immediately remove all minor children from the Oklahoma Avenue Parking Village pursuant to Penal Code Section 273 (a)a

Response: This recommendation cannot be legally implemented due to governing laws and regulations. Child Welfare Services (CWS) is governed by the laws and regulations set forth in Welfare and Institutions Code (WIC) section 300, directions issued from the California Department of Social Services (CDSS) via All County Letters, and Child Welfare Services Manual of Policies and Procedures Division 31 handbook which summarizes applicable regulations, statutes, court decisions and operational standards and is jointly issued by the State of California Department of Social Services and Health and Human Services Agency. The Penal Code guides law enforcement work to determine when criminal charges may apply and does not give CWS authority to remove children from their family. CWS may only remove a child after an investigation has been completed in which a determination is made that the adult with whom the child resides has abused the child and that risk of further abuse cannot be mitigated through lower levels of intervention such as creating a safety plan and all other statutory requirements have been met. Additionally, if a social worker is recommending a child be removed from their family, the court system must be involved so that the court can consider the evidence presented by CWS and issue a warrant for removal. The only exception to this process is if exigent circumstances exist at the time of the social worker's investigation. Exigent circumstances are narrowly defined as situations where there is an immediate need for medical care, or the child is in immediate danger of physical or sexual abuse or the physical environment of the child poses an immediate threat to the child's health or safety that cannot be mitigated by lower means of intervention. The recommendation to remove children from the Parking Village based on children being exposed to an environment where there is substance abuse, potential violence and potentially unknown sex offenders on site does not meet exigent circumstances. In order for CWS to take any action, CWS must receive a report that alleges specific abuse or neglect against a specific child that rises to the level that would require an in-person response. In absence of a report that contains allegations that meet in-person response criteria, CWS cannot open an investigation or contact families.

Recommendation 3: *By September 1, 2023, the Homeless Services Division of the Department of Social Services shall update the participant contract for any safe parking sites. The contract must be appropriate, enforceable, and approved by the County Counsel.*

Response: Recommendation 3 has not yet been implemented but will be implemented by 1 August 2023.



Recommendation 5: *The County shall maintain 24/7 security provided by a licensed security contractor at Oklahoma Avenue Parking Village. HSD shall conduct monthly reviews to assess the adequacy of site security and address any deficiencies. Empower the on-site security to enforce contract rules and policies.*

Response: The portion of Recommendation 5 that states “*The County shall maintain 24/7 security provided by a licensed security contractor at Oklahoma Parking Village*” has been implemented. Regarding the portion of Recommendation 5 that states “*HSD shall conduct monthly reviews to assess the adequacy of site security and address any deficiencies. Empower the on-site security to enforce contract rules and policies*” we have always maintained daily contact with the owners of the guard company and/or the assigned guard. We address concerns as soon as we hear about them, and we do regular check-ins to determine how the service is going. On 1 August 2023 we will begin a more formal monthly review process.

R7: Future safe parking sites should be provided with potable water, sewer, electrical, internet access, and proper drainage.

Response: The recommendation requires further analysis. If the County establishes another 24-hour safe parking operation, it is expected that the site will be provided with potable water, sewer, electrical, internet access, and proper drainage at that time. However, it is expected that any “overnight” safe parking sites (those that are operational only for 12-hour overnight periods where clients are required to leave at the twelfth hour) established in the future by the County will only be provided with portable latrines, handwashing stations, and proper drainage.

R10 To facilitate the closure of the Site, the County HSD shall immediately provide a necessary casework services to assist residents with mental health, substance abuse, housing, employment, benefits eligibility, etc.

Response: Recommendation 10 has been implemented. During the month of June 2023, service providers from Community Action Partnership of San Luis Obispo (CAPSLO) were supplemented with outreach workers from 5 Cities Homeless Coalition to improve housing, employment, benefits and eligibility services and general case management; mental health workers are now on site from LAGS Recovery Centers, Inc; and a substance abuse specialist from Transitions-Mental Health is also now assigned exclusively to the safe parking site.



R11 To facilitate the closure of the Site, relocate running and registered RVs currently at the Oklahoma Avenue Parking Village to Coastal Dunes RV Park.

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COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT

Nicholas Drews Health Agency Director

Penny Borenstein, MD, MPH Health Officer/Public Health Director

To: Tessa Cornejo, Administrative Services Manager
From: Penny E. Borenstein, Health Officer/Public Health Director
Date: June 28, 2023
Subject: RESPONSE TO SECTION OF THE GRAND JURY REPORT ON: SAFE PARKING? OKLAHOMA IS NOT OK!

Recommendation R6: SLO County Public Health Department shall conduct monthly inspections of safe parking sites to identify potential health and safety violations.

On June 9, 2023, the Public Health Department, received the Grand Jury report on the Safe Parking Program on County property at Oklahoma Ave, overseen by the Homeless Services Division within the Department of Social Services. Environmental Health Services (EHS), a Division within Public Health, provides the following response:

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CAL FIRE
San Luis Obispo
County Fire Department

1150 Laurel Lane, Suite 175 • San Luis Obispo, CA 93401
Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

John Owens, Unit Chief

To: San Luis Obispo County Board of Supervisors
From: John Owens, Fire Chief 
Date: June 26, 2023

Subject: Department response to the 2023 Grand Jury report on the Oklahoma Safe Parking

On June 13, 2023, County Fire received a report from the San Luis Obispo Grand Jury assessing the Oklahoma Safe Parking site.

The Grand Jury required County OES to respond to Recommendation 8. However, County OES believes this topic falls into County Fire's jurisdiction and I agree. Below you will find my required response.

Recommendations

Recommendation 8: By September 1, 2023, the Office of Emergency Services shall develop and implement a fire safety plan and a hazardous material storage plan for safe parking sites.

Response: The recommendation requires further analysis. The analysis will include at a minimum, responsibility of enforcement of pertinent regulations. County Fire's analysis we will completed by November 30, 2023.