

SkyHouse

Memo

To: Jim Mazzaco, City of Tucson, Zoning Examiner

From: Janice Waukon, Meeting Facilitator

Date: 4/18/2016

Re: Meeting to discuss concerns about proposed Sister Jose Women's Center – April 14, 2016 at Trinity Presbyterian Church

On Thursday, April 14, 2016 I facilitated a meeting in which 5 individuals representing the Sister Jose Women's Center responded to questions posed and comments made by representatives and individuals from the affected West University Neighborhood surrounding the proposed new site for the center. 26 Neighbors were in attendance. The stated objectives of the process were:

- To endeavor to generate understanding of both respective viewpoints in the conflicting interests
- To find, if possible, areas of compatibility

The format of the evening was designed to allow conflicting parties (Neighbors and Sister Jose representatives) to listen to each other and respectfully ask and answer questions. At the end of the evening, a quick and casual poll was taken to see if there had been any change in opinion and also to ascertain if there was anything that Sister Jose's could do that would make the proposed location of the center more acceptable to those in opposition.

What follows is an accounting of the process utilized, the questions and comments posed by the neighborhood and the answers provided by the center.

Process Agenda

1. Welcome/Introduction
2. Review of Process Objectives
3. Review the ground rules and process
4. Define the Neighbor's Objections (Questions to be answered, comments)
5. Sister Jose Women's Center representatives answer questions and respond to comments
6. Wrap-up/Resolution Possibilities

The meeting was intended to occur over one and half hours but with agreement of everyone present it was extended and completed after 2 hours and 15 minutes.

When the meeting was opened a Neighbor, Brad Castalia requested that he had objection to the development of this meeting process in that "no opposition people were present to assist in determining process". I explained that there was just one meeting and the people at that meeting were Jean Fattigan, Rory Juneman and Chris Gans. I understand that these individuals were those charged by the Zoning Examiner to make this meeting happen. I further explained that the process organized was my own. Also Richard Mayer was included in email re: format and logistics substituting for Chris Gans after objection to Mr. Gans representation was lodged. I assured Mr Castilia that his comments would be included in the record.

Questions/Comments and Corresponding Responses

Each question (or group of questions) outlined below was posed during the portion of the agenda dedicated to defining the Neighbor's Objections. Once all Neighbors had the opportunity to pose their question or make their comment, Sister Jose was given an opportunity to respond to the questions and comments, each in turn. During their response to a particular question, neighbors were allowed to ask clarification questions.

Please note:

- Jeff Sklar, an attorney retained by some residents, posed Questions 01-06.
- Rory Juneman, Legal Council for Sister Jose Women's Center opened the response section of the process by saying Sister Jose has operated west of Five Points for 3.5 years, and their responses will be based on this experience. Sister Jose is a facility for women only that will not change.
- When the outline below utilizes "Q" or "A"
 - Q + a number indicates a question posed by a Neighbor and the number signifies the order in which the question was put forward. Ex: Q15 = the 15th question posed.
 - Q without a number signifies a clarification question taken during the responses from Sister Jose staff and attorney
 - A= Signifies that this is the answer to a question of clarification
 - Neighbor Comment=A comment made by a Neighbor rather than a question.
- For the purposes of this report, where similar questions were submitted, they are grouped together.

Meeting Notes

Q01: Use of the facility, application stated up to 65 people per day.

- Where did this number come from?
- How will this be enforced?
- How many people on-site at a time?
- How many staff will be present at a time?
- How many staff will be employed?
- What are staff credentials?
- How many volunteers?
- Broadly, what are the comings and goings?

Response to Question Q01-: Use of facility. Currently see 45-50 total clients a day, not all at any one time. Current property is ~750 square feet, women come after services then leave. The new property is larger (~5300 square feet total including offices, so ~4000 square feet of client services space) but Sister Jose has agreed to no more than thirty (30) clients at a time, no issues with this limit. All buildings have occupancy limits -- possibly 42, need to verify -- and in any event Sister Jose cannot exceed the occupancy limit.

-Q: Brochure said 35 at Five Points?

-A: Brochure is older, numbers have increased since.

-Q: At informational meeting, we asked for a maximum number and were told 75 with no limit.

-A: 65 is the limit, that is what is in the Special Exception, and we will abide by that. 65 total per day is a condition of the Special Exception.

Enforcement will be via sign-in sheets with time in and time out.

-Q: If more people want to enter than are allowed, what happens?

-A: Someone would have to leave for more to come in. Most clients do not stay more than an hour. Our security lead would enforce this and escort people off the premises if need be.

-Q: If 65 people show up at noon, do you shut down?

-A: We stick to the limit.

Sister Jose Staff Comment: Jean is the full-time director, is also a full-time volunteer and is trained as a nurse. Penny is the part-time site coordinator and is credentialed as a teacher. There is a part-time compliance officer, and there are sixty (60) volunteers who are trained and work in shifts. Roughly there is one volunteer for every ten clients, and four volunteers per session (sessions being 9:00AM - 1:00PM and 1:00PM - 5:00PM). No full-time employees. Three staff plus four volunteers per shift, three to seven on premises, with one staff change-over. Penny the site coordinator works 30 hours a week at Five Points, three volunteers morning and afternoon at Five Points, would be four and four here, and some might not stay the whole day.

Q02: Proposed overnight use

- How many days per year?
- How many people per night?
- How is "overflow" addressed when demand cannot be met?

Response to Q02

From November to March, we have up to 25 clients a night, which requires three volunteers. Winter night program is every night from November to March, not just on Operation Deep Freeze nights. We were approached to be part of Operation Deep Freeze but did not want to turn people away at 35 degrees. We never approached our limit at Five Points.

-Q: Operation Deep Freeze is mentioned on the Sister Jose website, we thought this was your "overnight" program.

-A: We use the Operation Deep Freeze start date to define the start of "winter".

Q03: Parking & Q30: [COT Unified Development Code] has parking requirements for shelters, how will this be addressed?

- How many spaces off Ferro Avenue?
- How many spaces will be used by employees and volunteers?
- Is the number of spaces used by employees and volunteers sufficient?

Response to Q03 and Q30: Parking. Four spaces are in back, these are legal non-conforming structures that require four spaces and we meet code for parking. Guests are homeless, do not drive cars, not sure if [COT Unified Development Code] has a calculation for this. Parking will be staff only, possibly will use one more space than we have available during shift changes.

-Q: What about homeless who live in their cars?

-A: Clients at Five Points do not drive. People living in cars typically do not use our services. 99% of the clients, in our experience (3.5 years at Five Points plus three years prior), do not drive.

Q04: Client access & Q29: Site entry/egress, where will people come and go?

- How will they come and go? e.g., bus, rides, &c
- Will people giving rides to clients to/from be waiting?
- Where and how will people be walking to the facility?
- Data in the number of additional vehicles circulating through the neighborhood? [Pima Association of Governments] data is not clear.

Response to Q04 and Q29: Access. Most women will walk, we will direct them from bus routes. The code of conduct has prescribed routes to and from bus stops. There is a specific gate with security they will use. We provide a volunteer to monitor kids at the school.

-Q: Security?

-A: Not a guard, is a volunteer who has been trained and will focus on site security.

-Q: There is no sidewalk on the north side of the street.

-A: (agreement)

-Q: Can we get copies of the code of conduct?

-A: Yes. It is the same as for Five Points, is signed by all first-time clients.

Consequences for non-compliance with code of conduct can be loss of access to Sister Jose for 30 days, can be permanent ban. We want to enforce good behavior.

Gate on the south side (4th Street) has a ramp and is unlocked. Clients enter into back yard, then into the building. There is no entry from Ferro Ave. Women queuing up will be inside the

wall, not on the street or sidewalk.

-Q: When security and volunteers are not on-site, how will you ensure there is no loitering?

-A: Volunteers do not leave until all clients are gone. We have no problems at Five Points, clients do not want any trouble. Homeless women are typically middle-aged, not teenagers; they are looking to be safe, not to cause trouble. When they leave Sister Jose they are looking for a place to sleep and do not want to jeopardize access to our services. We can add "no sleeping overnight in the neighborhood" to our code of conduct.

-Q: A homeless guy sleeps in Ferro Avenue, homeless people are wandering around, can not trust that Sister Jose clients will not also be sleeping and wandering in the neighborhood.

-A: We do not serve men, we can not solve that.

Q05: Security

- What is security at current Sister Jose site (near Five Points)?
- Are there restrictions on clients being present outside operating hours?
- How is this enforced?
- Are there restrictions on who can accompany clients (e.g., family, friends)?
- How is this enforced?
- Security plan?
- Studies and/or data on facility security?

Response to Q05: Security plan. Cameras and motion lights will be installed all around, we are soliciting bids. Zero tolerance policy on weapons.

-Neighbor Comment: I live adjacent to the site, security lights will be "wonderful" (sarcasm).

-Q: People who are armed, violent, and angry will be turned away from your facility and will then be roaming the neighborhood. What happens?

-A: We will personally escort them out of the neighborhood. We have no problems at Five Points.

-Neighbor Comment: "We don't know they're there" is what Tucson Police Department says about the Five Points operation.

Q06: Other

- Of all potential sites, why did Sister Jose pick this one?
- What kind of insurance, how much, and who is covered?

Response to Q06: Site, insurance. This site meets our needs, there are not many this size that meet our needs. Sister Jose currently has renter's insurance, would have liability -- will check, would hold a policy that is customary for the use and location.

Q07: Is it necessary to use this specific location to be successful?

Response to Q07: Site, success. Sister Jose will be successful anywhere, duplicating our past successes.

-Q: So you could be elsewhere?

-A: We could be successful at any location. There are no other suitable locations.

Q08: Realtors (Sotheby's, "Hollison"(sp?), and two others) predict a 25% loss in property values.

- How does Sister Jose respond?

- If Sister Jose says there will be no loss, where does that data come from?

Q24: Why doesn't Sister Jose go where the zoning allows their operation? Negative impact to property values, reduced demand for properties near homeless shelters.

Q25: [National Association of Realtors] study claims that the impact of homeless shelters to property values is comparable to the impact of strip clubs. How does Sister Jose respond?

Response to Q08, Q24, and Q25: Property values. A realtor ran comps of properties within a quarter-mile of Sister Jose's Five Points location, property values had risen a little more than 25% over the past 3.5 years.

-Q: Compare with a large area?

-A: Could do a half-mile, but that would include Armory Park.

-Q: Need narrower than a quarter-mile.

-A: No comps for less than a quarter-mile at Five Points.

-Q: Disingenuous because Barrio Viejo is gentrifying while ours has already gentrified, we've come out of a recession so property values everywhere are up.

-A: If Sister Jose were having a negative impact, property values would have increased at a lower rate.

Q09: How will Sister Jose address the objections of the 90% of people who live and work in the immediate area?

Q10: How will Sister Jose heal the wound inflicted by forcing their way into our back yard?

Response to Q9 & Q10: After-effects. We are committed to it, been good neighbors at Five Points.

-Q: If 90% objections continue, do you care?

-A: Of course we do, but we will continue with the application. We need to find people to work with.

-Neighbor Comment: There is a database on objections to women's shelters, in general the literature shows the impact is generally positive and there are very few problems.

-A (from another Neighbor): Academic literature does not differentiate between transitional housing and programs like this, typically are located in depressed areas. Literature shows transient homeless shelters have negative impacts to neighborhoods.

Q11: Sister Jose's website says that location siting requires neighborhood buy-in, yet there are objections here. How does Sister Jose reconcile or justify this?

Response Q11: Buy-in. We try to work with neighbors, hand out our contact information and have rarely received calls from neighbors.

-Neighbor Comment: Buy-in is "pre-", working with neighbors is after-the-fact. You don't have the "pre-".

Q12: There was reference to a "homeless corridor" and boundaries, explain?

Response to Q12: Homeless corridor. Roughly Speedway to 29th and I-10 to (??), this is where the agencies are situated and the homeless are there to access services.

Q13: One document (letter dated 26-JAN-2016) said that "no license is required", than another (memo in City staff report to Zoning Examiner) referred to a license, "facility is licensed". What is licensing status? Q18: Will Sister Jose serve food to clients?

Response to Q13 and Q18: Licensure, food. We have a Pima County Health Department for food service, but are not required to have State or Federal licenses. Staff might have misspoken about State license.

-Q: No license for the overnight program?

-A: No.

Q14: Operation management plan?

Response to Q14: Operation management plan. There is a draft operation plan in the works, was provided to Zoning Examiner Jim Mazzocco.

-Q: Can we see the plan?

-A: It is in the public record, will be part of the zoning examiner hearing record. We can provide a draft, but it is still a draft.

Q15: This is said to be a change of use from a rehabilitation treatment center, but it is not. Who made that error?

Response to Q15: Change of use. City materials show CODAC had a C-of-O for a residential treatment facility; current owner did not change this and has to deal with it.

-Neighbor Comment: Public records say single-family residence.

-A: Current owner needs to solve this, will be fixed before we buy.

-Neighbor Comment: There should be a sign on the property saying "this is a single family residence, we want to change it".

-A: People have not been prevented from sharing their concerns without a sign. Current owner has to address the C-of-O not reconciling with the Assessor's classification of the property as single-family residence, current owner is in violation.

-Neighbor Comment: You knew it was not a residential treatment facility, that it was a single family residence, it is misleading to say the change of use is treatment center to treatment center when the building is a single family residence.

Q16: "No adverse impacts" has been claimed and is the basis for the Special Exception. Does Sister Jose still hold that position?

Q20: If there will be "no adverse impacts" now will this be enforced? How will adverse behavior after-hours and off-site be addressed?

Response to Q16 and Q20: Zoning Examiner requires five findings, the fourth of which is "no adverse impacts, or impacts substantially mitigated". Our position is that Sister Jose will cause no adverse impacts and we are taking steps to ensure this. We cannot guarantee that nothing bad will ever happen. We can show that we are going above and beyond the required conditions, and, with our operation plan, that when something does happen we will act quickly.

-Q: Example?

-A: Negative impacts could be someone wandering the neighborhood instead of directly to Sixth Avenue, we have a code of conduct to enforce against this.

Q17: Is Sister Jose making contributions to the neighborhood association? Have they promised to do so?

Response to Q17: Sister Jose has never donated to WUNA, never promised to donate.

Q19: [COT Unified Development Code] requires three things to be considered a shelter service (meals + lodging + counseling). How can Sister Jose claim to be a shelter if they do not provide counseling services?

Response to Q19: Shelter without counseling. Social services will come by -- housing, job services, medical -- we provide a place for counselors to provide their services, we meet the clients' physiological needs.

-Q: How long/ often will counseling happen?

-A: It varies, is up to the agencies, no regular schedule yet.

Q21: Why is Sister Jose buying and not leasing the property?

Q22: Sister Jose claims its parameters for debt service are \$500 - \$1500 per month. The debt service on this property will exceed that. How does Sister Jose justify this?

Q26: There is a lot of money involved here -- buying property, operating costs, debt service, &c -- why not put that money into a "housing first" program instead?

Q35: Why is Sister Jose losing their lease?

Response to Q21, Q22, Q26, and Q35: Buying property, finances. Sister Jose is leasing space now because it is too small to buy. Current landlord wants a one-year lease but we do not want to make that kind of commitment to a space that is too small. Sister Jose has the current facility rent, there is a page on the website where people can donate toward the outright purchase of a space with no debt service.

-Neighbor Comment: There are places that will meet your needs, you should put the money into services instead.

-A: Donors are enabling the purchase.

Q23: How will Sister Jose ensure that the kids at the charter school will not be impacted by Sister Jose's clients and their significant others?

Response to Q23: Jean met with school officials, proposed security volunteer.

Q27: Why give people a fish every day instead of teaching them to fish?

Q33: Do Sister Jose's people know the difference between "sheltered" homeless and "unsheltered"/transient homeless?

Q34: More information about Sister Jose's current population?

Response to Q27, Q33, and Q34: Yes, we know the difference between sheltered and unsheltered.

-Q: Clients with kids and/or serious mental illness (SMI)?

-A: Rarely see women with kids at Five Points. Some have SMI, some do not. Some have substance abuse, some do not. People come to us because they are poor -- divorced, abandoned, all different races and backgrounds.

-Q: Difference between day service and night service users?

-A: Often the same women use both. We open at 9:00AM and maybe eight women are waiting for showers, then at 3:00PM they leave, we clean from 3:30 - 5:00PM, then clients come in for the night program and leave at 7:30AM.

-Neighbor Comment: Offensive that the neighborhood is being characterized as uncaring, we donate huge amounts of cash and goods to help people.

Q28: Can we address our questions to the moderator?

Response to Q28 (from another Neighbor): The people running this need to hear it directly.

Q31: Would you put this next to your daughter's house?

Response to Q31: "Knowing Jean, yes." -Rory.

Q32: Are there other neighborhood, City, or government solutions to homelessness besides Sister Jose?

Response to Q32: Homeless programs. (from a Neighbor) Tucson Homeless Connect happens twice(?) a year at this church -- has job people, rabies shots for dogs, food, toilets, medical, services. We have had to escort women off the premises as well as men, so we are not against the homeless. "Housing first" projects downtown and near DMAFB are the first step toward solving the problem.

Wrap Up/Resolution

Wrap-up questions posed by the facilitator:

How many people learned something tonight? 3 raised their hands

How many remain opposed to the project? 19 raised their hands

If the model were residential/ transitional and there were higher security, how many would support?

A: None would object, comment that "CODAC was great"

Additional comments:

Neighbor Comment: None of us are opposed to a residential/ transitional program, the objection is more to the coming and going, would you change your model to that from a drop-in program?

-A: We have done this for seven years, it is late in the game to change the model, would be a huge shift.

-Q: If large numbers of guests are returning, isn't this a de facto residential program?

-Q: If people have nowhere to go, won't they hang around until they can come back?

-Q: Can you have professional security after-hours for enforcement of "no loitering"?

-A: There will be outdoor cameras.

-Q: Can you guarantee that if there are any problems you will pack up and leave?

-A: No answer given

Promises Made

- Copy of Sister Jose's client code of conduct to residents (see A04)
- Check type and amount of insurance planned for Sister Jose facility (see A06)
- Copy of Sister Jose's draft operation management plan to residents (see A14)

This concludes the account of the April 14th meeting.