



CITY OF FORT LAUDERDALE

**DRAFT**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**HOMELESS ADVISORY COMMITTEE (HAC)**  
**UNITED WAY OF BROWARD COUNTY**  
**COLKER CONFERENCE ROOM**  
**1300 SOUTH ANDREWS AVENUE**  
**FORT LAUDERDALE, FLORIDA 33316**  
**THURSDAY, APRIL 11, 2024 – 1:00 P.M.**

**July 2023 – June 2024**

**Attendance**

Paula Yukna, Chair	P	5	0
Lilli De Lucca, Vice Chair	A	4	1
Tony Baday	A	0	1
Ray Dettman	P	2	0
Robin Martin (1:12-2:26)	P	5	0
Amy Schimelfenyg	P	5	0
Barry Somerstein (arr. 1:25)	P	5	0

**Staff**

Luisa Agathon, Neighbor Support Manager  
Marie Joseph, Homeless Initiatives Coordinator  
Jorg Hruschka, Chief, Volunteer Services  
D’Wayne Spence, Deputy City Attorney  
Karen Cruitt, Recording Secretary, Prototype, Inc.

**Communication to the City Commission**

None.

**I. Call to Order / Pledge of Allegiance**

Chair Yukna called the meeting to order at 1:10 p.m. and the Pledge of Allegiance was recited.

**II. Determination of Quorum**

Roll was called and it was noted a quorum was not present.

Deputy City Attorney D’Wayne Spence advised that the Committee may proceed with discussion, as the meeting has been properly noticed under the Sunshine Law and minutes are being taken.

**III. Public Sign-In**

Members of the public in attendance were asked to sign in at this time.

#### **IV. Approval of March Minutes**

In the absence of a quorum, minutes could not be approved at this time.

Mr. Martin arrived at 1:12 p.m. and it was noted a quorum was present.

**Motion** made by Mr. Martin, seconded by Mr. Dettman, to approve. In a voice vote, the **motion** passed unanimously.

#### **V. Agenda Items:**

##### **a. Voice of the Street Overview**

Luisa Agathon, Neighbor Support Manager, recalled that the Committee had requested more information about the homeless community and their needs at the March 2024 meeting. The Voices of the Street report was shared with the Committee by the Task Force for Ending Homelessness.

Jacob Torner, representing the Task Force for Ending Homelessness, explained that the Voices of the Street survey took place during the last week of January in Fort Lauderdale. The purpose of the survey was to better understand the needs of the homeless population. The information is intended to be used to inform the actions taken by the City's Neighbor Support Division and by Broward County.

820 surveys were collected in Fort Lauderdale during the survey period, resulting in 797 unduplicated responses. Information gathered included race, ethnicity, gender, how long an individual has been experiencing homelessness, and whether or not an individual has been homeless outside of Fort Lauderdale. Roughly 36% of respondents experienced homelessness outside of Broward County.

Mr. Torner continued that two of the greatest challenges to accessing services are children and pets. While shelter capacity is adequate for individuals, there is less space available for families. Nearly 20% of unsheltered individuals in Fort Lauderdale report that they care for one or more children. Similarly, 8% of individuals have one or more pets whose welfare is extremely important to them.

The survey also asked how interested an individual may be in sleeping in housing or a shelter and accessing mental health services. Over 60% of respondents expressed a desire to speak with someone about mental health.

Just under 30% of survey respondents reported that they use illicit substances, and 10% of respondents were veterans. The current federal definition of the term "veteran" applies to any person who has served one or more active days in military service with any discharge other than a court-martial or dishonorable discharge.

Most respondents indicated they received news or information about services through word of mouth. Another important factor was how individuals felt their homelessness could be ended. In descending order of importance, wants included permanent housing, food, shelter, and showers.

Mr. Somerstein arrived at 1:25 p.m.

Future plans include working with other municipalities. The Continuum of Care (CoC) Consumer Advocacy Committee, which advocates on behalf of individuals living on the streets, will be involved in future planning. Mr. Torner concluded that he hoped the Homeless Advisory Committee (HAC) would be able to use the data collected toward continuous improvement of the quality of what is being done in the community as well as toward securing additional resources.

Mr. Somerstein asked if the City is gaining on or falling behind in the determination of a solution, as calculated by the number of homeless persons. Mr. Torner replied that homelessness will continue to be a crisis until the approach moves “upstream,” addressing the concerns which cause more people to enter the homelessness response system than to exit it.

Mr. Somerstein asked what percentage of the homeless population remains the same. Mr. Torner estimated that since 2021, the Task Force has measured the amount of recidivism, determining that 95% of people housed over the last month are still in their housing. 5% have returned to living on the streets.

Mr. Dettman asked what can be done to prevent a family from falling into homelessness. Mr. Torner replied that there are limited supportive services, such as Broward County’s Family Success Administration and other homelessness prevention programs; however, challenges include accessing these programs, as well as the limited amount of funds available. There are not many funds which can be used to prevent homelessness in comparison to the funds that can be used to help individuals who are already homeless.

Mr. Martin advised that the intent of the presentation is for the Committee to determine what they can say to the City Commission regarding proven needs for homeless persons, such as gaps in services. The Commission has requested feedback on what can be done by the City to bridge these gaps and address homelessness. Mr. Somerstein added that the Committee should start with a recommendation that they feel will create an improvement in the existing system. If the first recommendation is successful, the Committee can then move on to another recommendation.

Mr. Martin recommended that the Committee members take a month to consider one or more strategies that can assist the homeless, such as a specific position that they can recommend to City Staff and the City Commission.

It was asked whether or not the Task Force has programs for individuals who do not have strong family support in the area, as poor social networks can be a cause of homelessness. Mr. Torner replied that the Fort Lauderdale Police Department has a discretionary fund used by Homeless Outreach Officers to assist with reunification of families. The Task Force has a similar program. He confirmed that a large number of permanent housing placements are made through reunification. Another option is Miracle Messages, which assists by searching online to locate an individual's family.

Mr. Dettman pointed out that average incomes and average rents in Fort Lauderdale are also factors in homelessness, and expressed concern that there may not be a way to overcome those factors. He suggested that one solution could be to identify efficiency housing at a reasonable rent. Mr. Torner replied that the studio units into which some Task Force clients move are approximately \$1200/month, which has increased significantly in recent years.

Mr. Dettman noted that the City's building Code could be adjusted to allow for smaller efficiency units. Mr. Torner added that a variety of housing stock could be used to combat homelessness, as not all individuals need their own full apartment or single-family home. Mr. Martin pointed out, however, that there is little land available in Broward County for this use.

Leann Barber, member of the public, noted that zoning can also be a challenge, as it greatly restricts low-cost housing. She asserted that zoning changes could facilitate neighbors and families seeking to assist others, such as allowing an accessory dwelling unit (ADU) on a single-family property.

Mr. Somerstein commented that he was not certain changes in zoning would be solutions, as the "not in my back yard" mindset is often a factor. He suggested that the HAC and the City's Affordable Housing Advisory Committee (AHAC) schedule a joint meeting to discuss key issues such as this. He also noted that the current housing stock and funding sources in use do not indicate significant capacity to address the needs of homeless persons unless more housing stock becomes available.

Chair Yukna asked when the City's budget cycle is expected to begin. Ms. Agathon replied that the 2024-2025 budget cycle is underway, and Departments are making recommendations. The budget is typically finalized between June and July.

Mr. Torner encouraged the Committee to look at what has succeeded in other communities before making a recommendation to the City Commission. This would mean looking at how much money those communities have budgeted toward job training and services. He pointed out that it is important to ensure individuals have a safe place to sleep before they can be expected to seek work.

Ms. Schimelfenyg asked which communities are considered successful in these approaches. Mr. Torner replied that he would provide the Committee with a list of high-

performing CoCs and communities. Chair Yukna cautioned, however, that her own research has shown what may succeed in other cities may not be possible in Fort Lauderdale due to Code requirements.

### **b. State of Florida Legislation Related to Public Camping and Sleeping**

Deputy City Attorney D'Wayne Spence stated that in the recent legislative session, the Florida Legislature adopted House Bill 1365, the Unauthorized Public Camping and Public Sleeping Bill. There are two main mandates within this bill:

- A county or municipality may not authorize or otherwise allow any person to engage in public camping or sleeping on any public property
- Public sleeping or camping may be allowed on properties designated by a county and certified by the Florida Department of Children and Families for that purpose

The terms “public camping” and “public sleeping” include references to overnight lodging or residing, although the term “overnight” is not defined, in a temporary outdoor habitation used as a dwelling or living space, as evidenced by the erection of a tent or temporary shelter. The bill also addresses lodging or residing overnight in an outdoor space without a tent or other temporary structure.

The bill does not address lodging or residing overnight in a motor vehicle that is registered, insured, and located in a place where it is lawfully allowed. Camping for recreational purposes on property designated for that use is also not addressed. “Public property” includes any public buildings, its grounds, and public rights-of-way within the jurisdiction of the county or municipality, as applicable.

Mr. Somerstein requested clarification of the term “right-of-way.” Attorney Spence advised that sidewalks, for example, are within rights-of-way. The City often provides swale areas within its rights-of-way. He added that the bill does not make it unlawful for individuals to publicly sleep or camp: it places an unfunded burden on the municipality to prevent public sleeping or camping.

Ms. Schimelfenyg asked for additional information regarding individuals sleeping in cars. Attorney Spence replied that this is not unlawful as long as the car is in a lawful location; however, the City has an Ordinance which makes it unlawful for individuals to sleep in cars, and the City is responsible for enforcing the law prohibiting individuals from sleeping on the street. The activity itself by individuals is not illegal, but it is unlawful for the City to allow it.

Attorney Spence continued that the County is responsible for designating a public space for public sleeping and camping. Municipalities cannot resolve this issue on their own and may not authorize, on their own authority, any place for public camping or sleeping under the bill. The County can do so, but any site they choose must be certified by the Department of Children and Families. It must be a County-owned or municipality-owned site; if it is within a municipality, a majority vote of both the Broward

County Board of County Commissioners and the municipality's elected governing body is required.

Mr. Somerstein asked what precludes a municipality from designating a public campground for this use. Attorney Spence replied that there is nothing in the bill which precludes this. He also noted that the term "recreational camping" is not defined.

Attorney Spence continued that the County may designate a site for this purpose for no more than one year. The site is required to go through a certification process by the Department of Children and Families and must meet a number of criteria, with specific amenities. It is not yet clear what would happen after the year has ended.

Residents and business owners, as well as the Attorney General, may bring civil action to enjoin violations of the Ordinance, and may force a municipality or county to enforce the bill. If a resident or business owner is successful in such a suit, they may receive reasonable costs, such as attorneys' fees.

The Statute will take effect on October 1, 2024, with the portion addressing civil action to take effect on January 1, 2025. Attorney Spence advised that the City Attorney's Office will meet with the County Attorney's Office to discuss the legislation further.

Mr. Martin observed that individuals who are told they may not sleep in public areas could sue as of January 1, 2025. He pointed out that in a dense county such as Broward, it is difficult to designate any type of encampment due to lack of space.

Mr. Somerstein requested clarification of what is included in the certification of a designated camping area. Attorney Spence explained that the County can submit a request to the Department of Children and Families, accompanied by documentation showing that there are not sufficient beds in County homeless shelters, and that the designated property is not contiguous with parcels designated for residential use under the Comprehensive Plan or Future Land Use Map. The designated property must not materially or adversely affect the property value or safety and security of other existing residential or commercial properties, and must not negatively affect the safety of children.

Attorney Spence continued that the County must also develop a plan for the following:

- Safety and security of the designated property
- Maintenance of sanitation, including access to clean and operable restrooms and running water
- Coordination with regional managing entities to provide access to behavioral health services, including mental health services and resources to prohibit illegal substance and alcohol use on the designated property

Mr. Somerstein asked if the City Attorney's Office could work with the County to establish a set of bullet points that could be addressed in a "glitch bill" at a subsequent

legislative session. He felt the law would be adjusted in the future due to the effect it could have on political support.

Attorney Spence reiterated that the City is responsible for preventing overnight sleeping or camping on City property, and the County must provide a place for individuals who are camping or sleeping on City property to go. The Statute also provides for a period to “cure” alleged violations within five business days.

Mr. Martin advised that the law could also serve as a lightning rod for the business community. There was business support for the closing of a tent city in Fort Lauderdale, roughly 25 years ago, which was followed by the construction of the Central Homeless Assistance Center and North Homeless Assistance Center. The second wave of business support was for the Home for the Holidays initiative, which raised awareness of the issue of homelessness. He felt the Statute provided a similar moment in which the community may be willing to figure out better solutions for assisting homeless persons.

Mr. Somerstein advised that he hoped to reach out to the Greater Fort Lauderdale Alliance to explain what the Statute will do. He felt business support would be an important tool in discussing the law’s impact with legislators and identifying amendments that could make it more palatable, although he did not know what this would involve thus far.

### **c. Funding Presentation**

Ms. Agathon directed the Committee’s attention to a spreadsheet showing that there are two primary sources of funding that the City allocates to homelessness. One of these is the General Fund, which includes tax revenue and includes an allocation of approximately \$1.7 million, mostly through Neighbor Support and the Police Department. The second source is state and federal grant funds, which fund programs by Housing and Community Development and various state programs. These total nearly \$14 million allocated to homeless services in Fort Lauderdale.

Ms. Agathon continued that as part of the City’s budget preparations, there is consideration of designating an allocation for a bus service route which would better connect individuals to the resources they need. They are also looking at the possible funding of case management.

Mr. Somerstein asked which City Commissioner would be the most knowledgeable and involved with homelessness, suggesting that this individual could be invited to address the Committee. Ms. Agathon replied that all the City’s districts are heavily impacted by homelessness. She suggested reaching out to the Mayor’s Office, as he represents the City as a whole.

### **d. Communication to the City Commission**

Ms. Agathon recalled that at the previous Committee meeting, there had been a request to hear input from individuals experiencing homelessness, which had led to today's Voices from the Street presentation. She also noted that there had been discussion of expanding the Committee by one seat, as well as a proposal to meet more than once per month. She had requested that Attorney Spence be present at today's meeting to help address these requests, but pointed out that the Committee is currently having difficulty meeting its quorum requirements, and Staff would be additionally impacted as well.

Ms. Agathon continued that if the Committee wished to expand its membership or meet more often than once a month, they would have to communicate these issues to the City Commission.

Attorney Spence advised that advisory bodies act as extensions of the City Commission. They are charged with a specific task by the City Commission which is the purview of the Committee. A communication to the City Commission provides them with the opportunity to express their desires and needs over and above those items on which they regularly vote.

The request of additional resources and Staff time from the City, such as an additional meeting, would fall under the City Manager's purview. The Committee may request that the City Commission consider this type of change, which the Commission would then discuss with the City Manager.

Mr. Somerstein commented that he did not see why an additional meeting would be necessary. Chair Yukna stated that there is a great deal to discuss, and one to two hours per month does not provide sufficient time. She added that she would be more interested in having an additional meeting of the current membership rather than adding new members.

Mr. Dettman asserted that while he understood the Chair's point of view, he did not feel the Committee has enough information at this point, and should allow Staff and others to bring this information to them. Mr. Somerstein agreed, adding that there is a great deal of information the Committee must absorb. He recommended that the Committee select one to two issues and ask individuals with expertise to tell the members what they think could be done to improve the situation. The Committee would then focus on those suggestions and arrive at their recommendations.

Attorney Spence pointed out that the HAC is a relatively new advisory body, and recommended that they use their first year toward galvanizing the purpose and direction of the Committee before suggesting changes to their actual structure.

Mr. Somerstein also felt the Committee should take the time to identify a single issue and focus on the impact of any recommendations on that issue, such as its funding



source and the implications their recommendations could have on other activities. Mr. Dettman stated that he felt the Committee should hear more information directly from individuals who have experienced homelessness. He suggested that the City will need to address negative perceptions in the community regarding homeless persons if they wish to make progress.

Ms. Agathon recalled that at an earlier Committee meeting, they identified three main topics to address: shelter, housing, and funding. The Committee has now seen presentations on all three of these topics. She requested input from the Committee on what they would like to discuss at their next meeting.

Mr. Dettman noted that Miami-Dade County charges a “homeless tax” on its restaurants, and requested more information on how this was accomplished. He suggested that the Committee may be able to encourage the City Commission to support Broward County in a similar effort.

Ms. Agathon concluded that items to be addressed at subsequent meetings included:

- Recommendations from the Task Force for Ending Homelessness
- What other communities are doing successfully
- Information about Miami-Dade’s surtax

#### **e. Discussion**

None.

#### **VI. Adjourn**

There being no further business to come before the Committee at this time, the meeting was adjourned at 2:47 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

**Next Meeting: May 9, 2024**

[Minutes prepared by K. McGuire, Prototype, Inc.]