




MONICA CEPERO, County Administrator

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MEMORANDUM

DATE: May 13, 2024

TO: Broward County Board of County Commissioners

FROM: Monica Cepero, Broward County Administrator 

SUBJECT: **Broward County Programs for the Unhoused & Next Steps**

This Memorandum is being sent to update the Board regarding new legislation impacting the County and Municipal response to unhoused people in our community and to provide information on current and planned efforts to address the concerns and needs. Attachment A provides an overview of all the programs offered or funded by the County and Attachment B is a screenshot of an example of pallet shelters.

As you are aware, Broward County is a leader in the provision of services to address the needs of the most vulnerable in our community. Our partners work together in a multi-disciplinary collaborative effort to address homelessness, led by the Broward Homeless Continuum of Care (HCoC), which is the County's advisory board, and the Housing Options, Supports and Solutions staff (HOSS-D), which is a division of our Human Services Department. The County is mindful that the issues raised herein are best addressed by an approach facilitated by the Broward HCoC with the valuable input of the municipalities, as we are partners in addressing these issues and no single entity can address the concerns alone nor in a vacuum.

FLORIDA HB 1365 - UNAUTHORIZED PUBLIC CAMPING AND PUBLIC SLEEPING

During the 2024 State legislative session, HB 1365 was adopted and signed into law by the Governor. This new law prohibits counties and municipalities from authorizing or allowing individuals to regularly sleep or camp on public property, at public buildings, or on public rights-of-way within their jurisdictions. This law is scheduled to take effect October 1, 2024.

Effective January 1, 2025, the bill authorizes a resident, local business owner, or the Attorney General to bring a civil action against a county or municipality to enjoin practices of allowing unlawful sleeping or camping on public property. When filing an application for an injunction, the plaintiff must also file an affidavit demonstrating that the governmental entity has been notified in writing of the issue, and that the problem has

not been cured within five days. A prevailing plaintiff may recover reasonable expenses incurred in bringing the action. Counties and municipalities are permitted to create encampments under the legislation.

As you know, the County has taken a national best practice approach called "housing first" to address the needs of unhoused people, which does not support encampments as a viable option. Instead, the County will work with municipalities and providers in our continuum of care to strategize best practices for implementation of a comprehensive response given that all jurisdictions and communities are impacted.

To that end, the County is exploring options which adequately respond to the legislation, such as:

- A public awareness campaign to educate the public about the legislation and the intent to help individuals who are on public property and appear to need immediate assistance. This campaign will also emphasize how the community and municipalities can be a partner in the initiative.
- The introduction of a dedicated portal for reporting apparent unlawful sleeping or camping on public property, perhaps in concert with the Homeless Management Information System (HMIS) of which many entities already have access.
- Additional outreach efforts, including implementation of a rapid turnaround time to assure compliance with the legislation's five (5) day response requirement after the local government receives a report.
- Review of available shelter bed capacity to meet our community's needs. An individual's right to self-determination notwithstanding, the most significant challenge to the system and the collective response to the legislation remains the lack of affordable housing.

Persons who are identified in this initiative will be screened by our outreach teams and will have access to all services in the HCoC system. Using best practices already existing in the continuum of care, the County will enhance its approach to serving unhoused individuals and families through the existing network of services. (See attached Appendix A for more information on the County Programs for the Homeless and Special Efforts by the CoC to address the homelessness issue in Broward County).

Grants Pass v. Johnson

On April 22, 2024, the United States Supreme Court heard arguments in the case of *Grants Pass v. Johnson*. The issue before the Court is whether the criminalization of homelessness violates the 8th Amendment's prohibition against cruel and unusual punishment where the municipality has made it unlawful for an unhoused person to sleep in public with a blanket or other material to protect him or herself from the elements. An amicus brief in opposition to the ordinance was submitted by Southern Poverty Law Center and was joined by several other Florida nonprofit organizations

(Southern Legal Counsel, Florida Justice Institute, Florida Legal Services, Community Justice Project Legal Aid Society of Palm Beach County, and the Florida Housing Umbrella Group). HOSS-D and the County Attorney's Office will be monitoring the case, potential legal action by these groups in response to the Court's decision, and the collateral impact of the new Florida law and upon Broward's response to it.

Stockade is Unavailable for Use

As you are aware, there has been interest expressed by certain municipalities regarding the potential use of the Stockade for the purposes of having a place to put people who are unhoused when complaints are received pursuant to the new state legislation. This idea has come up repeatedly over time, and the County's response has been consistent. The Stockade is not an option for use as a homeless assistance center nor shelter. It is the County's overflow jail facility, and it is essential that it be maintained as such for several reasons. First, the County is statutorily required to provide for the availability of jails as part of its public safety responsibility. Additionally, in 2016 we were successful in resolving the federal consent decree that the County was under for jail overcrowding, and taking the Stockade offline from its intended purpose would once again expose the County to the risk of overcrowding conditions in the future. Having it available in the event of a mass arrest event that requires sufficient jail space is a necessity, as is space to move inmates in the event of natural disasters (hurricanes, flooding, fires, etc.). In its current condition, the facility would not be eligible for state licensure for the purposes of providing overnight, inpatient, nor residential behavioral health services. Additionally, simply having a "facility" does not solve the issue, as the entire compliment of services and supports would be necessary, and between retrofitting the building and subsequent operational expenses it would cost millions of dollars.

Because it is a jail, it is equipped with razor wire and related infrastructure that necessarily need to be in place for use as its intended purpose. People who are unhoused have a right to sheltering and service provision that is provided in a dignified manner in facilities designed for social services and not placed into a jail facility. Importantly, unhoused people have the right to self-determination and the ability to make their own decisions about their willingness to engage in services. Humane approaches to outreach and service provision, including housing is what is needed as a community response, not a jail. Even during a recent tour of the Stockade, which was led by Broward Sheriff's Office (BSO), their representatives stated that the facility is no place for people to live. It should be noted that BSO currently uses the Stockade for several components of their operations.

NEXT STEPS

Municipal Taskforce

On April 24, 2024, the HCoC came to consensus to create a taskforce with participation of our municipal partners to collectively strategize a comprehensive response to HB 1365. Given that the legislation impacts both municipal levels of government, it will require a collective response and shared ownership of the solutions that will be needed beyond those that the HCoC and HOSS-D are currently leading. Information regarding the taskforce and updates as the work unfolds will be shared through formal channels such as Broward City County Managers Association (BCCMA) and the Broward League of Cities.

Pallet Shelters

The Board of County Commissioners approved funding in the FY24 budget to pursue a Pallet Shelter project to further address the needs of unhoused individuals and families. HOSS-D has engaged the services of a consulting team to review the feasibility of a pallet home project in Broward County. A report is anticipated within the next two months. Pallet shelters combine temporary transitional housing solutions with wrap-around case management services to help move people from homelessness to permanent housing and self-sufficiency.

Pallet shelters can be designed and constructed with areas for food services, security, utilities, and plumbing/sewer service. They are designed and intended to provide rapid and durable shelter for unhoused people.

The County will be exploring additional partnerships to innovative solutions to the housing affordability problem. For example, Crisis Housing Solutions, a Broward County nonprofit organization, focuses its efforts on the development of innovative and affordable housing. To that end, they have embarked on feasibility studies in Florida regarding repurposed shipping containers for disaster and attainable housing. They are active in trying to acquire scattered sites for single family homes and other parcels suitable for their residential container community concept. They recently secured a lease in Jacksonville for a modular housing factory and a cutting-edge research center, to continue their work in innovation, affordability, and green technology. Partnering with the University of Florida, the Housing Solutions Center of Jacksonville will work on addressing the pressing need for accessible and sustainable housing solutions.
<https://crisishousingsolutions.org/repurposed-shipping-container-housing/>.

(See Attachment B)

Review of RFP Programs

In an effort to be proactive, the County's Human Services Department released a Request for Proposals (RFP) entitled "Emergency Shelter for Families". Due to the lack of responses to that RFP, staff will review the feasibility of re-purposing of those funds. Because the County is keenly aware of the need for affordable housing, we will explore options such as a partnership with The Salvation Army, which is considering the purchase of a building to provide new affordable units. In addition, we will be looking to best practices in other jurisdictions. One example we have seen is using funds to purchase and rehabilitate old motels and shopping centers to provide additional sheltering options. Another innovation to explore is the City of Miramar's use of their Fire Station as a safe haven for victims of domestic violence. The Station will provide temporary shelter, food, and clothing for victims. This is a model to explore as a potential emergency transitional measure while the individual and family work through the judicial system.

The County is particularly aware that meeting the needs of families in crisis is a critical piece of the housing crisis response, and therefore this will be a top priority in the assessment of how to best utilize the funds. The estimated amount of funding budgeted for this initiative and RFP is approximately \$447,000.

Events Planned

An Eviction Clinic is scheduled for June 2024 to provide information and advice regarding lease violations that will cause an eviction, how to respond to an eviction, and services available in the event of eviction proceedings.

The Annual Homeless Symposium is scheduled to occur in November 2024 to provide unhoused individuals and families with information on community resources. Slated to occur at Hope South Florida, all the providers in the continuum of care will be present to offer services and information. The HCoC Consumer Advocacy subcommittee is taking the lead on this Symposium. The subcommittee is considering smaller, community-based events in partnership with municipalities to occur throughout the year to ensure accessibility and increased frequency of events.

Attachments

cc: Kimm Campbell, Deputy County Administrator
Michael Ruiz, Assistant County Administrator
Laurette Jean, Assistant to the County Administrator
Andrew J. Meyers, County Attorney
Bob Melton, County Auditor
Tara Williams, Director, Human Services Department
Patrice Paldino, Director, Housing Options Solution Support Division
Rebecca McGuire, Administrative Manager, Community Partnerships Division

ATTACHMENT A

BROWARD COUNTY PROGRAMS FOR UNHOUSED PEOPLE

The Housing First Approach guides our programs, which do not require sobriety, commitment to participation, or other “predictive” criteria; the first and primary need of individuals and families experiencing homelessness is to obtain stable housing, and other challenges can be addressed after obtaining stable housing. HOSS-D’s providers are required to participate in the Homeless Management Information System (“HMIS”) and the County’s Coordinated Entry and Assessment (“CEA”) System.

Additionally, our programs are expected to develop strategies that address cultural and socio-economic barriers that may prevent families from accessing services. The experience of homelessness disproportionately impacts people of color, people with disabilities, and lesbian, gay, bisexual, transgender, and questioning (“LGBTQ”) populations. Recognizing this disproportionality requires that all parts of the homelessness service system, including the crisis response system, directly address disparities in access to program staffing, and structure.

Shelter Coordination

Shelter Coordination Services (“SCS”) plays an essential role within an effective, housing-focused crisis response system by coordinating the placement of individuals and families in faith-based and community-based locations. These locations offer temporary shelter that does not require occupants to sign leases or occupancy agreements when mainstream emergency and transitional shelters, rapid rehousing, or permanent supportive housing is not immediately available. Providers are required to work with each Participant to develop an individualized housing plan. The Provider must refer Participants to appropriate resources to assist in resolving other Participant needs, including case management, housing navigation, and job/life skills training.

Permanent Supportive Housing (PSH)

Providers are expected to help a person experiencing homelessness who is in PSH obtain mainstream benefits or employment/increase earned income and become as self-sufficient as possible. Households are required to pay a minimum rent of (\$50.00) when receiving rental assistance from PSH programs. The PSH subsidy should be based on the household’s income and rent, meaning the household’s rent that they pay should be a percentage of their income.

Individuals and families are eligible if they meet the definition of literally homeless or are fleeing/attempting to flee domestic violence. The Provider shall work with each Participant to develop a detailed individualized housing plan based on Participant needs identified in the Housing Barrier Assessment and the Intake Assessment. Providers will ensure that individualized Housing Navigation and Case Management Services are provided to those Participants of PSH

Services. The Provider must refer Participants to appropriate resources to resolve other Participant needs.

Housing Case Management

Housing Case Management ("HCM") is centered around obtaining and maintaining permanent housing for families and individuals experiencing homelessness. HCM services develop plans for the evaluation, treatment, and/or care of Participants who, because of age, illness, disability, or other difficulties, need assistance in planning and arranging for services, which assess the Participant's needs; coordinate the delivery of required services; ensure that services are obtained in accordance with the case plan follow up and monitor progress to ensure that services are having a beneficial impact for the Participant; and ensure that the housing intervention is appropriate and sustainable. HCM is a collaborative process characterized by communication, advocacy, and resource management to promote high-quality, cost-effective interventions and outcomes. The Provider must work with each Participant to develop a detailed individualized plan based on the assessment's identified Participant needs. The Provider must refer Participants to appropriate resources to assist in the resolution of other Participant needs. Case managers must assess Participant's needs by completing a needs assessment. The needs assessment analysis must assist the case manager in determining the referrals needed.

Legal Assistance

The Legal Assistance ("LA") program is provided by Legal Aid of Broward County and includes legal representation, advice, counsel, and referrals to ancillary services for Participants to gain access to public benefits such as food stamps, Social Security, public housing assistance, child support, and other assistance with various civil matters. In addition, services shall include immigration, family law (simple divorce and name change), driver's license (restoring driving privileges), and civil rights violation complaints to ensure individuals and families experiencing homelessness are treated with dignity and their legal rights are protected. Legal assistance pertaining to Social Security benefits may include representation in appeal hearings at the Social Security Administration Appeals Council for review of an administrative law judge's hearing decision about cash and/or medical benefits through Social Security Income ("SSI") and Social Security Disability Income ("SSDI"). This includes representing Participants whose benefits are denied even though the application was submitted in accordance with the SSI/SSDI, Outreach, Access, and Recovery ("SOAR Method"). Priority shall be given to Participants that are referred by Broward County HOSS-D and Participants either served by or that reside at one of the other Providers in the system of care. Individuals and families are eligible if they meet the definition of literally homeless or are fleeing/attempting to flee domestic violence. The Provider shall work with each Participant to develop a detailed legal plan ("Plan") based on the Participant's needs identified in the initial assessment. The Provider must refer Participants to appropriate resources to assist in the resolution of other Participant needs.

Medical Respite

The Assisted Living Facility (“ALF”) that provides medical respite care provides individualized care for Participants that includes nursing and recuperative care for individuals experiencing homelessness who are too ill or frail to recover from a physical illness or injury and cannot return to the streets. The facility must be licensed by the State of Florida Agency for Health Care Administration (“ACHA”) as an ALF (with nursing services). The facility must be staffed to provide functional skills training and on-site supportive services that include assistance with activities of daily living. Staff must be available twenty-four (24) hours a day. Length of stay is generally determined on a case-by-case basis, and a referral from a physician or other health care Providers is required. All referrals must go through the Broward County Coordinated Entry and Assessment (“CEA”) for approval. No Participant is to be discharged to the street. The Provider must make all referrals to shelter or housing when the Participant is ready for discharge through the CEA in the Homeless Management Information System (“HMIS”). Supportive Services include referrals, counseling, nursing services, and basic living needs. The Provider must work with each Participant to develop a detailed service plan/individualized housing plan based on Participant needs identified in the housing barrier and intake assessments.

Mobile Sanitation

Mobile Sanitation Equipment and Services (“MSES”) involves the engagement of individuals and families experiencing homelessness who may be disconnected and alienated from services and supports. The Provider must offer and staff mobile sanitation services that consist of two (2) mobile showers units/trailers and one (1) portable restroom unit/trailer. The equipment must be accessible a minimum of forty-four (44) hours per week to individuals and families experiencing homelessness, except during a week when rainy days or other inclement weather limit the provision of these services. The Provider must clean mobile restrooms at least twice daily. The Provider must schedule the delivery and use of infectious disease control equipment and cleaning supplies required to maintain the two (2) mobile showers and one (1) portable mobile restroom. The Provider must refer Participants to outreach Providers to assess needs and for additional services.

Rapid Rehousing

Rapid Rehousing (“RRH”) is a housing intervention designed to help individuals and families exit homelessness or divert them from experiencing homelessness through the provision of housing throughout the community. The Homeless Continuum of Care (“HCoC”) CEA System expects participating programs to serve all households referred. The primary focus of assessments and assistance should be to resolve the Participant’s current housing crisis emphasizing the household’s barriers to obtaining and maintaining housing. Our Providers must tailor RRH resources and services to the household’s unique needs. Funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance to help a homeless individual or family move as quickly as possible into permanent housing and achieve

stability in that housing. Individuals and families are eligible if they are over 18 years of age and meet the definition of literally homeless or are fleeing/attempting to flee domestic violence. The Provider shall work with each Participant to develop a detailed individualized housing plan based on Participant needs identified in the Housing Barrier Assessment and the Intake Assessment. Providers will ensure that both Housing Navigation and Case Management Services are provided to those Participants of RRH. The RRH program must include case management to help individuals and families select among various permanent housing options based on their unique needs, preferences, and financial resources, address issues that may impede access to housing (such as credit history, arrears, and legal issues), negotiate manageable and appropriate lease agreements with landlords, and make appropriate and time limited services and supports available to families and individuals—and to the landlords who are partnering with the RRH program. Case management services must also monitor Participants' housing stability after securing housing and during program participation, ideally through home visits and communication with the landlord, and be available to resolve housing related crises, should they occur.

Street Outreach for Individuals

Street Outreach for Individuals (“STO”) involves the engagement of individuals and families experiencing homelessness who may be disconnected and alienated from services and supports. This service is designed to establish supportive relationships, give advice, and support to enhance access to the system of care and assist in individual’s and families’ transition to secure placements. Individuals and families are eligible if they meet the definition of literally homeless or are fleeing/attempting to flee domestic violence. The Provider shall assist the Participant in defining goals for housing needs and other identified needs addressed in the housing barrier assessment and the service plan. The Provider must refer Participants to appropriate resources to assist in the resolution of other Participant needs.

Transitional Housing

Transitional Housing (“TH”) provides low-barrier transitional affordable housing placement and supportive services so that families and individuals experiencing homelessness may secure the extra support needed to transition to permanent housing. TH always offers case management, which could involve life skills training, educational programs, healthcare referrals, and other ancillary services. The primary focus of assessments and assistance should be on resolving the Participant’s current housing crisis. This means a focus on the circumstances of the crisis, the household’s barriers to obtaining and maintaining housing, and the reasons they are unable to solve their housing crisis without TH assistance. Individuals and families are eligible if they meet the definition of literally homeless or are fleeing/attempting to flee domestic violence. The Provider shall work with each Participant to develop a detailed individualized housing plan based on Participant needs identified in the housing barrier assessment and the intake assessment. Providers will ensure that both Housing Navigation and Case Management Services are provided to those Participants of transitional housing. Transitional housing programs must include case management. Case management services must help individuals and families select among various

housing options based on their unique needs, preferences, and financial resources, address issues that may impede access to housing (such as credit history, arrears, and legal issues), negotiate manageable and appropriate lease agreements with landlords, and make appropriate and time-limited services and supports available to families and individuals—and to the landlords who are partnering with the rapid re-housing program. Case management services must also monitor Participants’ housing stability after securing housing and during program participation, ideally through home visits and communication with the landlord, and be available to resolve housing-related crises, should they occur. Upon the completion of the transitional housing program, the housing case manager must help the individual/family transition to a permanent housing living situation.

Homeless Family Street Outreach – NEW program available in the 2024 RFP

Four community partners have submitted responses for this Service in the 2024 RFP process. Evaluation and scoring are currently underway.

Homeless Family Street Outreach (“HFSO”) services involve moving outside the walls of the agency to engage families experiencing homelessness who may be disconnected and alienated from services and supports. This program is designed to establish supportive relationships, provide assessments for the most appropriate housing intervention, prioritize families for family shelter beds, complete housing packets to expedite permanent housing interventions for families, and support and enhance access to services and supports to help families transition to secure placements. Outreach strategies require an understanding of the family’s circumstances and needs. Individuals and families are eligible if they meet the definition of literally homeless or are fleeing/attempting to flee domestic violence. The Provider shall work with each Participant to develop a detailed individualized plan based on Participant needs identified in the assessment. The Provider must refer Participants to appropriate resources to assist in the resolution of other Participant needs. HFSO services must be provided through the CEA system to triage, assess, and place families into County-designated Low-Barrier shelters and referral to the County’s Homeless Management Information Systems (“HMIS”). Services to be provided must include: • Street-based education and outreach. • Referral and access to emergency shelter. • Survival aid. • Family assessments to establish housing and service needs. • Trauma-informed treatment and counseling. • Prevention and education activities including but not limited to alcohol and drug abuse; sexual exploitation; sexually transmitted infections, including HIV; and physical and sexual assault. • Information and referrals, specifically for case management to help manage their housing crisis. • Crisis intervention; and • Follow-up support.

Emergency Shelter Services for Families – NEW program available in the 2024 RFP

Broward County received no response for this service in the 2024 RFP process therefore this service will not be available.

The concept of Emergency Shelter Services for Families involves coordinating the placement of individuals and families in faith-based and community-based locations. These locations offer

temporary shelter that does not require occupants to sign leases or occupancy agreements when mainstream emergency and transitional shelters, rapid rehousing, permanent supportive housing, or other stable housing intervention is not immediately available.

Individuals and families are eligible if they meet the definition of literally homeless or are fleeing/attempting to flee domestic violence. Providers must work with each Participant to develop an individualized housing plan and provide housing case management. In addition, emergency shelters must provide a housing navigator whose goals are to find available housing and to work toward recruiting landlords to reserve housing units for Participants. Other services include employment assistance, mental health referrals, linkage to medical and substance abuse services, transportation assistance, basic job and life skills training, financial management, crisis intervention services, and safety planning.

Homeless shelters

Emergency Shelter Services play an essential role within an effective, housing-focused crisis response system by coordinating the placement of individuals and families in faith-based and community-based locations offering temporary shelter that does not require occupants to sign leases or occupancy agreements when mainstream emergency and transitional shelters, rapid rehousing, permanent supportive housing, or other stable housing intervention is not immediately available. Individuals and families are eligible if they meet the definition of literally homeless or are fleeing/attempting to flee domestic violence. Victims of domestic violence must be referred to Women in Distress of Broward County. The Provider must ensure that each Participant completes or has an up-to-date HCoC approved assessment and a Housing Barrier Assessment in HMIS. The Provider works with each Participant to develop a detailed, individualized housing plan based on needs identified in the Housing Barrier Assessment and the Intake Assessment. The Provider must assist the Participant to define goals for needs that are identified in the Service/Individualized Housing Plan. The Provider must document the Participant's strategies to achieve the goals, and the progress and assistance provided to the Participant in the Participant File and HMIS. The provider must also offer case management, housing navigation, and basic job and life skills, as well as refer Participants to appropriate resources to assist in the resolution of other identified needs.

HOMELESS CONTINUUM OF CARE (HCOC) EFFORTS

Project HomeAgain

Broward County's HOSS-D, in collaboration with the Broward Partnership for the Homeless and Starmark, launched Project HomeAgain, a Landlord Recruitment Program to assist in locating housing for individuals experiencing homelessness. Project HomeAgain empowers landlords with open minds and hearts to create change through practical, business-friendly solutions. Project HomeAgain aims to house Broward County residents who need semi-permanent housing; these groups include veterans, young families, and individuals in recovery. Landlords who sign up for Project HomeAgain will receive the following benefits: • Fair and reasonable rent, guaranteed by

local state and federal funds. • Timely rent payments are guaranteed with security deposits, and last month's rent is paid upfront. • Pre-screened tenants who have demonstrated a commitment to achieving self-sufficiency. • Tenants who have an assigned case manager. • Quick tenant replacement when a vacancy occurs. • Free access to the RentalNet Multi-Listing website. In addition, landlords may receive a bonus for the first lease execution, another for additional tenants housed, and for registering on RentalNet.

Hospital Liaison

In collaboration with the HCoC, HOSS-D has a staff person dedicated to working with the hospitals when they discharge patients to avoid their release to the streets. The Hospital Liaison collaborates with providers across systems to assist medically needy homeless individuals access medical respite and services in the HCoC system.

Airport/Transit

HOSS-D supports two pilot projects in collaboration with the Airport and Transit Departments to identify individuals experiencing homelessness at multiple locations. In partnership with community agencies, outreach teams are dispatched to the airport and bus terminals to meet with unhoused people where they are. Individuals at these locations are referred to the multiple agencies and range of services offered by the County through the HCoC continuum of care.

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Maxima

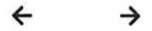
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It's sometimes easy to forget that doing nice things for others. That reminder.

Mary

New Port Richey



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