

City of Melbourne, Florida
Minutes – Special Workshop Meeting before City Council
May 4, 2021, 5:30 p.m.

A special workshop meeting of the City Council was held in the City Council Chamber, 900 East Strawbridge Avenue, and was called to order at 5:30 p.m. by Mayor Paul Alfrey.

1. Pledge of Allegiance.
2. Roll Call

Present:

Paul Alfrey	Mayor
Tim Thomas	Vice Mayor, District 1
Mark LaRusso	Council Member, District 2
Yvonne Minus	Council Member, District 3
Debbie Thomas	Council Member, District 4
Mimi Hanley	Council Member, District 5
Julie Sanders	Council Member, District 6
Shannon Lewis	City Manager
Jenni Lamb	Deputy City Manager
Alison Dawley	City Attorney
Kevin McKeown	City Clerk
Meighan Alexander	Assistant City Clerk
David Gillespie	Police Chief
Cindy Dittmer	Community Development Director

3. City Council Discussion regarding Homelessness and Panhandling

Mayor Paul Alfrey provided opening remarks and stated that the purpose of the meeting is to seek solutions to the topics of homelessness and panhandling in the city. He said that the city wants to make sure that individuals who are down on their luck can get back on their feet and participate in a strong, caring, and charitable city like Melbourne. Mayor Alfrey thanked the City Manager, City Attorney, and city staff for their ongoing work to address these issues, the City Council members for being willing to discuss these difficult topics, and the members of the public who are in the audience and watching at home.

Mayor Alfrey stated that the goals of meeting include: to reduce and mitigate the negative impacts of homelessness on citizens, businesses, and city operations; to support and build capacity within the city and community to address homelessness; to support regulations and increase the safety of roadways and

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medians for pedestrians and motorists; to encourage collaboration among city departments, non-profit organizations, businesses, and residents to address homelessness; and to retain and increase affordable housing supply.

Staff Presentation

Overview of Homelessness Statistics and City Efforts

City Manager Shannon Lewis stated that the city, like many other cities throughout the state and country, has experienced an increase in the homeless population comprised of both the chronically homeless and those in a transitory state. Both groups have different needs and present different challenges for local governments, social service agencies and the community. Ms. Lewis stated that over the past several years, the city has taken a stronger role in addressing the problem of homelessness within the community and has collaborated with multiple non-profit agencies to build capacity and make the best use of limited resources and funding.

Ms. Lewis indicated that every year, the Department of Housing and Urban Development provides a report on homelessness to Congress, the most recent was published in 2020. According to the report, for the fourth consecutive year, homelessness has increased nationwide. While the number of sheltered individuals remained largely the same, the number of unsheltered individuals increased by about 7%. The report indicated that more than half of the people experiencing homelessness in the country were located in four states: California, New York, Florida and Texas. These are also the country's four most populous states. Florida, which ranked third and is the third most populous state, was reported to have 27,487 homeless individuals (5% of the total population). Overall, from 2019-2020, Florida saw a decrease of 3% in homelessness; a decrease of 10% in overall chronic homelessness; and an increase of 1.5% in unsheltered homeless.

During this same time period, the overall homeless population in Brevard County increased by 15% (815 to 940 individuals). Although the total sheltered homeless population decreased by about 12.5%, the unsheltered population increased by 45% (397 to 574 individuals), and the chronically homeless population increased by 19% (206 to 245 individuals). It is likely that some of this increase can be attributed to low counts in 2019 due to inclement weather and fewer volunteers. In 2020, four out of ten homeless families with children in Brevard County were staying in a designated homeless shelter, leaving six out of ten unsheltered. Of the homeless population in Brevard County in 2020, nine out of ten were individual adults and nine out of ten were unsheltered.

Ms. Lewis said that in Melbourne, a Street to Home partner-led homeless census count (a subset of the 2020 countywide count) revealed that there was a 13% increase in the unsheltered homeless population (234 to 264 individuals). The average age of a homeless individual in Melbourne is 50, 75% are male, and

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55% are disabled. Of the total, approximately one-third were also counted as homeless the previous year.

Continuing, Ms. Lewis stated that based upon these statistics, the increase in unsheltered homeless in Melbourne is greater than the increase statewide, but less than the overall increase in unsheltered homeless in Brevard County. Regardless, the homeless population has continued to rise despite the fact that the City, along with a multitude of community partners, has put forth significant effort and resources to help alleviate the problem. The number of citizen and business complaints regarding the homeless, homeless camps, and panhandling has increased over the past year, particularly after the COVID-19 pandemic began. Specific complaints include an increase in inappropriate verbal interactions; unsanitary conditions left by the homeless; drug paraphernalia left by the homeless; homeless camps; trespassing, panhandling, and increased crimes associated with homeless individuals and camps.

City departments have also been greatly impacted by the homeless population. The Parks and Recreation Department has had to make structural changes to facilities to reduce the locations where individuals can hide at night. They have also had to increase cleaning efforts at the parks, park facilities and restrooms. The Police Department has had to take on additional responsibilities for organizing the City's efforts and outreach. Their calls for service have been greatly impacted by complaints due to negative interactions with the homeless, homeless camps, panhandling and more, which has limited their ability to address other quality of life issues in the city. Ms. Lewis stated that she, the City Attorney, Community Development and Code Compliance staff have also been highly involved with addressing questions and concerns, as there is not a current single point of contact for issues surrounding homelessness.

Ms. Lewis noted that there is an opportunity within her office to reclassify a vacant position to a Community Outreach Liaison. This position would be responsible for coordinating efforts among city departments, non-profits, the business community and residents in an effort to reduce homelessness, as well as assist with other community and neighborhood issues.

In order to identify and address the root causes of homelessness and respond to citizen and business needs, Ms. Lewis stated that the city has implemented a number of initiatives this past year, including fostering a continued partnership with Steadytown by annually funding \$50,000 for case management services to help the chronically homeless in Melbourne move into permanent housing. The city has hosted homelessness stakeholder partnership meetings with Steadytown, Daily Bread, South Brevard Sharing Center, Volunteers of America, the Brevard Homeless Coalition, and many more in order to leverage resources and expertise. The Melbourne Police Department has created the B.E.T.T.E.R program, to focus subcommittees on areas such as benevolence, education, housing, enforcement and technology. Additionally, the city has expanded its housing program through the use of CARES Act funding to develop a bridge

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housing program to move homeless individuals into temporary housing as our partner agencies assist in securing permanent housing.

Ms. Lewis added that the agenda package includes information relating to affordable housing and housing assistance programs; an update on police activities and the B.E.T.T.E.R. program; legal considerations relating to homelessness and panhandling; and recent correspondence received by the city. In addition to a staff presentation to City Council, several of the city's community partners will also discuss their involvement and be available for questions. City Council members will have an opportunity to express and discuss their ideas. City staff will document these suggestions and will add any other ideas from members of the public for analysis and implementation, as appropriate.

In conclusion, Ms. Lewis reiterated the goals for City Council's consideration and stated that at the end of tonight's meeting, staff expects to achieve a consensus on the overall goals relating to homelessness and panhandling as well as specific strategies to meet those goals. Ms. Lewis stated that solving homelessness will not occur after one meeting and that the city will need to have continuing conversations regarding the sustainability, cost, and effectiveness of its actions and be willing to try multiple approaches to determine the right combination for the community.

Affordable Housing Update

Community Development Director Cindy Dittmer reiterated the city's partnership with SteadyTown/Street to Home, which has resulted in housing 452 homeless persons. She discussed the city's Bridge Housing Program, the renovation of two transitional units for the South Brevard Women's Center, and the city's Rental, Mortgage and Utilities Assistance Program that has been in effect since September 2020.

Mrs. Dittmer emphasized the positive affect of the Bridge Housing Program, including the housing of 51 households in temporary housing, 20 households in permanent housing, the expenditure of over \$180,000 in Coronavirus Relief Funds, the initiative to continue the program until mid-2021 utilizing CARES-CV3 funding, and the strengthened partnership with Street to Home, Daily Bread, and the Brevard Homeless Coalition.

With regard to affordable housing, Mrs. Dittmer noted that the lack of such housing is constraining the ability to assist the homeless and hurting the overall affordability for low-income households. Exacerbating this issue is the fact that there has been a reduction in SHIP funding from the State of Florida. However, Mrs. Dittmer cited several new affordable housing projects underway in the city, including Heritage Park, the Melbourne Housing Authority's Palms at University, and St. Stephen's Way.

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In addition, Mrs. Dittmer noted that the city has implemented several ideas over the years to incentivize affordable housing, including the deferral of impact fees, lessened affordable housing development standards, the allowance of accessory dwelling units, and an expedited review process.

In closing, Mrs. Dittmer noted that the Affordable Housing Advisory Committee conducts an annual review of affordable housing incentives and has come up with several new ideas for incentives, such as a density bonus, additional setback reductions for multi-family affordable projects exceeding one-story in height, allowance for reduced minimum square footage for single-family homes on infill lots, and a review of parking/garage requirements for single-family affordable housing projects.

Police Activities and B.E.T.T.E.R. Program Update

Police Chief David Gillespie noted that there are a variety of reasons for homelessness in America, including job loss (being the primary reason), drugs and alcohol, eviction, and mental health. He noted that homelessness is a public health issue as individuals who experience it lack basic needs such as food and water, do not receive treatment for mental and substance abuse disorders, and are subject to external factors like trauma, violence, and illness.

Chief Gillespie stated that homelessness shows itself in the community in various encampments, some of which house long-term, chronically homeless individuals, and through the use of community locations, such as parks, libraries, shopping centers, and schools. Additionally, he reviewed the various negative impacts of homelessness, including criminal offenses as well as community impacts, such as long-term use of benches, sidewalks, and storefronts, aggressive behavior, and increased complaints from the community.

Regarding homeless camps, Chief Gillespie displayed a map showing the estimated number and location of homeless camps in the city. He stated that it is currently estimated that there are upwards of 250+ homeless individual in Melbourne, many of whom are concentrated in the Downtown Melbourne area. A focused effort with private property owners has resulted in the clearing out of many homeless camps throughout Melbourne. Chief Gillespie noted that approximately 20% of daily calls for service are directly related to address homelessness and associated quality of life issues.

In coordination with the community, the Police Department created the B.E.T.T.E.R. program (Benevolence, Education, Technology, Transient, Enforcement and Residence), the purpose of which is to assist the city with handling transient homeless issues. The program includes representatives from Daily Bread, Street to Home, South Brevard Sharing Center, the Brevard Homeless Coalition, and others.

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Chief Gillespie discussed various examples of education that other cities have implemented to discourage panhandling, such as signage and flyers that encourage giving to charity or social service organizations.

In response to the issue of homelessness, Chief Gillespie reviewed the department's enforcement efforts, outreach services, location checks, and response to private property owners' concerns. He noted that out of approximately 1,600 location checks, only seven arrests have been made. He asserted that the Police Department is not trying to arrest this problem away.

Chief Gillespie stated that panhandling has become an increasing safety concern for panhandlers and those stopping in traffic to give a hand out. He explained that this is an unsafe practice due to narrow medians and the lack of protective barriers. Additionally, he noted that panhandling often takes place during high volume traffic times and that handing out money can often disrupt the flow of traffic and that this practice can be dangerous. Chief Gillespie closed by listing the top ten intersections for panhandling in the city, with most occurrences at the intersection of Eau Gallie Boulevard and U.S. 1. He added that over 1,700 calls for service for panhandling have been recorded over the past three years.

Introduction of Community Partners

Amber Carroll, Executive Director, Brevard Homeless Coalition

Ms. Carroll stated that the Brevard Homeless Coalition is the lead agency for the continuum of care in Brevard County and said that these issues are county-wide issues. The organization has 70+ agencies who work in collaboration to address, prevent, and end homelessness. Ms. Carroll stated that her organization is called upon to lead, collaborate, and engage, using funds to leverage partnerships. She added that an additional \$4 million of CARES Act money will be coming into the county and that her organization is committed to working together on this issue by creating a strategic alignment of services throughout the county.

Keith Donald, SteadyTown/Street to Home

Mr. Donald stated that his organization's mission is to advance progress on pressing community issues and to be a catalyst for positive change in the areas of homelessness, affordable housing and neighborhood economic development. He opined that the community's mission should be to come together to make homelessness rare, brief, and non-reoccurring. Regarding partnerships, he noted that his organization came together with Melbourne Main Street and local non-profits to develop capacity for more directed approach at addressing homelessness in the city through housing and wrap-around support. He explained that additional organizations and governments are struggling to change the trajectory on these topics, but that there has never been a better time for action. With the availability of CARES Act funding, nearly \$8 million could be locally invested in these issues to make a direct impact when normally, no more

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than \$900,000 is spent each year. He stated that the trajectory can be changed by wise investing and will take strong regional coordination.

Jeff Njus, Executive Director, Daily Bread

Mr. Njus stated that Daily Bread has transformed from just serving meals to helping get people off the street and into housing. This has been made possible by shifting priorities, restructuring the budget, personnel and hiring staff to focus on housing issues. Since then, those services has been expanded to seven staff members. Mr. Njus said that Daily Bread is a business in the community that also feels the negative impacts that have been discussed. He stated that clients and staff of Daily Brevard want to develop teams to clean up the surrounding neighborhood and is committed to a good neighbor policy. Mr. Njus said that he is always open to hearing the concerns and ideas of the community and that Daily Bread is prepared to make a real impact to address these issues.

Tara Pariso, South Brevard Sharing Center

Ms. Pariso stated that the center is celebrating 50 years in the city and that the center has grown from a small food pantry to a community service organization with rental and utility assistance, diversion specialists, housing assistance and case managers. She discussed additional resources available at the center and stated that they receive 200-300 calls a month for services.

Michelle Auclair, Volunteers of America

Ms. Auclair said that her organization is the largest provider of services in Brevard County for homeless veterans and since January has served 35 persons in the Melbourne area. She indicated that her organization meets with veterans at Daily Bread and has partnered with the Melbourne Police Department on veteran outreach. The organization has expanded and taken on additional projects such as housing projects with Medicare providers through case management.

City Council Discussion and Ideas

Mayor Alfrey stated that many of the city's non-profit partners are struggling for funding even when they are able turn \$1 into \$10. He stated that the community has to come together to tackle this issue and while the City Council can lead the way, the city needs input from the community.

Council Member Mark LaRusso said that there are 16 municipalities in Brevard County and that these issues affect all of them. He expressed that he would welcome all mayors and city councils to join in to tackle these problems. He said that his main questions on the topic relate to the programs available in the city and what funding is available. Mr. LaRusso commented on his discussions with the City Manager and City Attorney about aggressive panhandling and expressed his main concern with seeing children being used by panhandlers.

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While the city cannot tell people how to raise their children, the city can help them to not abuse their children.

Vice Mayor Tim Thomas stated that the City Manager needs the latitude to move ahead with the liaison position that was mentioned. He added that a meeting like this should take place once per year because the homeless situation is constantly changing. Because of the wealth of information between the various service agencies, it is important that it be focused and strategic. He referenced the successful job that Sarasota has done on the homeless issue and described their community court process. While Brevard County has a veterans court and mental health court, he expressed support for implementing a community court in Brevard County.

Council Member Mimi Hanely questioned the idea of bringing the homeless to court and asked who would be responsible for paying for that service. She said that the idea is ridiculous and is simply sending more dollars out the door instead of helping the problem. Ms. Hanley said that the city needs to get to these individuals before they get to court.

Vice Mayor Thomas clarified the role of the liaison in that process and the steps that would be involved before a homeless individual ever gets taken to court.

City Attorney Alison Dawley added that the homeless court that is being referenced is part of the judicial circuit and not the responsibility of the municipality. If cited, a homeless individual would be taken into a court that specializes in their unique needs and assigns a judge with a level of familiarity with homeless issues. She clarified that the court addresses an actual crime that had been committed and that homelessness itself is not a crime.

Council Member Julie Sanders expressed her awe with the number of resources available in the city and county. She added her support of the idea of hiring a liaison to coordinate these services.

Council Member Yvonne Minus thanked the City Council for addressing this issue and noted that there are 22 providers under the umbrella of the Brevard Homeless Coalition. She expressed her support for the community liaison position and described a recent encounter she had with a homeless individual.

Mayor Alfrey stated that according to the Space Coast Transportation Planning Organization (TPO), the Melbourne-Palm Bay-Titusville metro area is at the very top of having dangerous roads for pedestrians. He discussed his work, with assistance from the City Attorney, to draft a safe use of roads and medians ordinance that Council should consider this evening.

Mr. LaRusso stated that Council won't be moving forward with anything that cannot be adjusted or improved in the coming weeks and reiterated his concern for children that are used by panhandlers on the median.

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Ms. Hanley stated that as a certified public accountant, she gets frustrated when individuals give money to panhandlers instead of community organizations.

Mayor Alfrey suggested that the city could put information on its website regarding the steps being done to address homelessness and panhandling and the organizations that are assisting in those endeavors.

Ms. Hanley suggested that Alcoholics Anonymous and Narcotics Anonymous should be involved in combating these issues.

Ms. Minus expressed her support for signage that was referenced by Chief Gillespie and suggested that service organizations' information be placed on the city's website.

Council Member Debbie Thomas stated that it is extremely important to have a community outreach staff member and to allow the police the opportunity to enforce the law. She recounted her experiences working at an office building downtown and encountering and witnessing homeless individuals in the area.

Mayor Alfrey asked if the liaison position already exists in the City Manager's Office. Ms. Lewis replied that there is an unfilled administrative assistant position in her office that is unfunded in the current budget. She described the potential for that position and the reliance on community partners to address these issues.

Vice Mayor Thomas expressed his support for the ordinance offered by Mayor Alfrey and said that while the city has empathy and compassion, it must also have a responsibility to provide a safe environment for businesses and shoppers.

Mayor Alfrey asked what percentage of calls relate to quality of life issues related to homelessness. Chief Gillespie said roughly 20%; however, addressing the calls takes a significant amount of resources from officers. In response to Mr. LaRusso, Chief Gillespie stated that type of calls include disorderly conduct, sleeping in front of doorways, aggressive behavior, etc.

Mr. LaRusso said that police officers need to be working on other tasks rather than babysitting the homeless. He asked if there is a way to provide another phone number to call when these issues arise. Chief Gillespie responded that the calls are prioritized and then dispatch can give the officers a heads up. The officers working these issues are not just responding, they are trying to solve problems for the long haul.

Discussion continued regarding a police officer's response to a call for service regarding homeless individuals.

Mr. LaRusso stated that the city funds an officer to patrol Downtown Melbourne but does not fund one in Downtown Eau Gallie. He asked the officer's hours patrolling Downtown Melbourne. Chief Gillespie responded that the officer works 10:00 a.m. until 6:00 p.m.

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Mrs. Thomas stated that she witnesses issues in the morning hours (7:00 a.m. and 8:00 a.m.) and around dusk. She stated the hours the Chief mentioned do not necessarily help the business owners and employees. Mr. LaRusso recommended adjusting those hours. Chief Gillespie stated that staff would have to review the contract with the CRA and noted that those hours are supplemented regularly and the additional time spent is not paid for by the CRA.

Vice Mayor Thomas asked if a reserve police force could assist in this area. Chief Gillespie responded that he would be reluctant to put volunteer officers in that position and noted that there is a cost analysis to be done if that is the direction the city wants to go; however, it is not an immediate fix.

Ms. Sanders said a big piece of this puzzle is law enforcement and suggested that the city find ways to get other officers (even unsworn personnel) to be present in the area.

Ms. Hanley stated that in her opinion, Council is losing its focus on what the purpose of this meeting is about. She stated that the conversation has shifted to policing when it should be about homelessness and panhandling. Mayor Alfrey replied that it is his intention to allow everyone an opportunity to speak on these issues.

Continuing, the Mayor asked if there is consensus from the City Council on the draft ordinance that was referenced and whether the City Attorney is directed to prepare an ordinance to return to City Council.

Mrs. Thomas stated that she would like additional information from the City Attorney on the draft ordinance.

Attorney Dawley explained that the draft ordinance is based on a national study that confirmed the city's metro area is the fourth most dangerous area for pedestrians in the country. That being said, the city has taken great efforts to make its streets safer, such as the Safe Routes to School program. The draft ordinance follows the same idea by prohibiting someone in a vehicle from exchanging any item with a pedestrian. If the pedestrian reaches towards the vehicle and/or steps into the roadway to receive any item from the vehicle, that would be a violation of the ordinance for both the giver and receiver. She clarified that this meeting is not the first reading of the ordinance; the draft that has been provided to Council needs to be fleshed out before returning to City Council; however, conceptually, that is the idea of the ordinance.

Mrs. Thomas asked how this draft ordinance is different that the previous ordinance that was passed and is no longer enforceable. Attorney Dawley stated that case law in the federal court interprets the First Amendment as protecting people asking for money or contributing money. Anytime the city wants to regulate speech, the city must meet a higher standard of review. When an ordinance calls out panhandling by name, that is a content-based regulation and

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the city cannot meet the necessary standard. She equated panhandling to essentially asking for help and said that the city cannot regulate that type of speech. However, the ordinance being discussed tonight is centered on keeping streets safe, which is content-neutral.

Mrs. Thomas asked if other municipalities have taken this route. The City Attorney replied that the City of Tallahassee adopted something similar in 2018 but the city has not enforced it for political reasons. There is no case law that says the city cannot do this. Attorney Dawley said the city can attempt this in good faith and if for some reason it is not allowed down the road, the city will address it. She explained that the other portion of the draft ordinance relates to medians and that it is very difficult to say that people cannot be in the median because federal case law views a median like a sidewalk. Therefore, the ordinance relates to holding signage in the median.

Mrs. Thomas and the City Attorney discussed the legality of the proposed ordinance, if it has been used by other municipalities, if those cities have been challenged, and enforcement of the ordinance. Attorney Dawley stated that she would not recommend an ordinance she thought too risky and noted that other similar ordinances are being challenged; however, it is defensible and content-neutral. Regarding enforcement, she noted that a violation of the ordinance would subject someone to a fine of up to \$500 or 60 days in jail. Until recently, the fine was the only enforcement ever pursued. However, there is new case law that indicates that an arrest is possible. Both these actions could be applied to the giver and receiver, as previously stated.

Mrs. Minus asked if this ordinance would be drafted in house or by outside counsel. Attorney Dawley replied in house.

Ms. Hanley stated that an individual can already receive a ticket for stepping into the roadway. Attorney Dawley replied that the memo within the package talks about prohibiting panhandling and that this would be an additional tool within the toolbox.

Mayor Alfrey stated that the draft ordinance will solve several issues, including focusing dollars to community partners. He suggested the City Manager place a reminder in water bills to donate to community partners. Additionally, he expressed support for Mrs. Minus' ideas for use of signage. In closing, Mayor Alfrey stated that this is a living document that would need to return to City Council in the form of an official ordinance for two readings.

Vice Mayor Tim Thomas stated that the Council needs to move on to public comments.

Mrs. Thomas expressed her desire to hear from the individuals who have signed up to speak before taking a vote on the draft ordinance.

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Ms. Sanders stated that she hopes that the enforcement piece will be included in the ordinance because the city should not be like Tallahassee and have an ordinance that is not enforced. Mayor Alfrey said he would expect the ordinance to be enforced.

Moved by LaRusso/T. Thomas to (approve the draft ordinance as written).
Motion carried. Council Member Debbie Thomas voted nay. (See discussion below. Later in the meeting, the City Attorney clarified that Council's vote was not related to the adoption of an ordinance and stated that her understanding of Council's intent related to whether she should spend more time on the draft ordinance and prepare an ordinance in a final format for Council's consideration.)

4. Public Comments

Kim Agee, Executive Director, Melbourne Main Street, stated that her organization represents over 300 businesses in Downtown Melbourne. She asserted that 97% of the businesses that replied to a poll said that the city should do more to address these issues and that these are the most influential reasons why individuals will not come downtown. Additionally, 82% of the businesses report that these issues have negatively impacted their businesses, leaving massive amounts of trash outside and stealing electricity and water. Ms. Agee noted that some investors in the area have withdrawn their interest because of interactions with the homeless downtown. She recommend City Council support the referenced ordinance.

Buddy Morrow and Lesli Smith, representing CITA Rescue Mission, said that they have a 50-bed unit and have been in the community for 50 years. Ms. Smith discussed the number of individuals that are served by CITA and noted the calls for service received from women have been troubling. She noted that CITA has been raising money for a new shelter and hopes to have the shelter operational in January 2021.

Scott Combs, 103 Lagoon Avenue, recommended that the City Council look at the City of Vero Beach as an example and noted that signage placed to discourage panhandling will only become a back rest for panhandlers. He discussed the concerns of his business' customers, his observations of the homeless in Downtown Melbourne, and the need for community service organizations to work together as a team to address these issues.

Mayor Alfrey stated that he spoke with the mayor of Vero Beach who indicated a desire to see what Melbourne plans to do about these issues.

Diana Webb, Melbourne, thanked Mr. LaRusso for bringing up the issue of children being used by panhandlers and stated that she has seen a woman and child at the intersection of Eau Gallie Boulevard and U.S. 1 for nearly two and a half years. She recounted her experiences with this woman and stated that the majority of panhandlers are a scam and have other means of getting assistance.

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Ms. Webb closed by expressing a desire for the city to look into lower rental prices, tiny houses, and the need for a drug jail.

Mayor Alfrey commented on his discussions with a developer about changes needed in the Building Code and he expects to receive some ideas from the Affordable Housing Advisory Committee that will eventually come back to the City Council for review.

Madeline Moran, unincorporated Brevard County, stated that homeless people do not have anywhere to go and are being pushed out of their hiding places. She stated that she was homeless two months ago while pregnant and that she was not offered any solutions and could not get a job. She recommended that programs have a higher focus on employment so that homeless individuals can work. In closing, she offered her opinion that not all homeless individuals are bad people and many have medical and/or mental health issues.

Mayor Alfrey stated that Ms. Moran should have been able to find and access resources during her homeless experience and thanked her for speaking. He urged all community partners to work together.

Stacey Patel, Satellite Beach, encouraged City Council to re-vote on the proposed ordinance after hearing public comments. She discussed her experience with the local coronavirus mutual aid network and her work with individuals and families struggling with homelessness. Ms. Patel discussed the difficulty of individuals qualifying for leases, paying rent, and the struggle of the homeless getting back on their feet. Ms. Patel proposed the following solutions to address homelessness: better jobs with higher incomes, hotel/motel vouchers, job training, affordable housing, eviction diversion and addiction treatment. In closing, Ms. Patel said Council's cornerstone for its plan to address homelessness is an ordinance that criminalizes kindness.

Matthew DuQuette, Melbourne, suggested that the city build overnight shelters to help house the homeless that are open regardless of the weather.

Frank Schrader, 607 E. Fee Avenue, stated that homeless individuals do not want much more than to be fed, clothed, and have a safe place to stay. He thanked Council for addressing these issues but stated that it is not appropriate as a private business owner to have to pick up trash and needles outside of his business.

Charlene Morris, Palm Bay, stated that she is a licensed mental health counselor and discussed an organization called the Source that is located in Vero Beach. She discussed her experience helping the homeless and suggested that the City Council consider working with individuals with experience in addition to local non-profit organizations.

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Anthony Zorbargh, Palm Bay, stated that he is the executive director of the Source and discussed a study his organization launched that found that panhandlers make about \$74 per day. To compete with that dollar amount, his organization partnered with a private airline company to offer work to these individuals who can then earn a paycheck every week. He further discussed a culinary training program and said his main interest is moving people out of homelessness. In closing, he referenced a mobile, overnight emergency shelter called “Dignity Bus” and that he has agreements with West Palm Beach, Detroit and Vancouver to utilize this bus. Mr. Zorbargh stated that he would love to see this vehicle used in Melbourne.

Conner McGowan, Rockledge, stated that the City Council has used aggressive panhandling as a means to define homeless individuals as criminal in their very existence. He stated that the majority of the meeting has been centered around discussing and increasing police power. He added that the Police Department’s budget is over \$18 million and if the city contributed 20% of that budget to building resources for the homeless, the city would not have such a problem.

Kim Smith, representing the Space Coast Transportation Planning Organization (TPO), stated that the TPO is ready to lend its support to the traffic safety discussion and noted that the area is troubled with the amount of injuries and deaths that occur on the roadways. She stated that the TPO has adopted a goal of zero fatalities and injuries and that every life is valuable.

Adam Bird, 2101 Waverly Place, advised that he purchased property in Downtown Melbourne and eventually renovated the building. He discussed the concept of return on investment and stated that protecting investments is very important. He encouraged Council to protect the stakeholders and investors of Downtown Melbourne in the context of safety. He remarked that tonight, he has heard some business owners say that they do not feel safe. Mr. Bird applauded the Police Department for its work downtown and the Melbourne Airport Police Department for addressing the homeless issue on airport property.

Lance Supernaw, Satellite Beach, stated that he is a veteran who struggles with post-traumatic stress disorder and discussed his work helping homeless veterans. He discussed a commitment from a private developer to build 500, 5,200±-square foot homes shared by two combat veterans. Mr. Supernaw requested that Council approve waivers from the Zoning Code, permitting fees, designate the project as tax-exempt for five years, and to provide a grant for low-income housing.

Vice Mayor Thomas asked how many homeless veterans are in Melbourne. Mr. Supernaw replied approximately 500.

Preston Boerner, Palm Bay, discussed his experience seeing children living out of cars and commented on his personal history of dealing with vehicle versus pedestrian accidents.

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Leah Iso, 1614 Oak Street, stated that her family just moved to the area and that she feels threatened when she is yelled at by homeless individuals near her home. She remarked that government invests in the homeless problem and asked what the homeless return on that investment. She discussed the impact of the homeless on tourism suggested that the homeless need jobs.

Jacqueline Noto, 795 Russo Drive, stated that this meeting was supposed to be a workshop and expressed her disappointment that the City Council voted on something without hearing public comments. She commented on her experience with the homeless through her association with “Food Not Bombs Melbourne,” her research into the vision and goals for the City of Melbourne (Australia), and opined that the city needs to put people before profit.

Mayor Alfrey made the comment that he does not support defunding the police and explained that such action has an impact on dispatchers, crossing guards, and other non-sworn positions.

Keri Allen, (no public speaking form submitted), expressed her concern with Council’s vote before public comments and reiterated that the Police Department’s budget is over \$18 million while the Housing Division’s budget is only \$700,000. She opined that these numbers are ridiculous and said that these issues cannot be solved with over-policing.

Mayor Alfrey asked if, in the future, Ms. Allen would be interested in riding along with a police officer based on her views to defund the police. Ms. Allen replied yes.

Mr. LaRusso remarked that he keeps hearing the comments that Council hasn’t listened to anyone and voted on an ordinance without public comment. He asked the City Attorney to clarify. Attorney Dawley clarified that Council’s earlier vote was not related to the adoption of an ordinance. She stated that her understanding of Council’s intent related to whether she should spend more time on the draft ordinance and prepare an ordinance in a final format for Council’s consideration.

Ms. Allen stated that Council’s earlier vote was not right and commented that it is cruel and disgusting for the city to fine someone \$500 for these actions during a pandemic.

Deena Pelosi, 420 S. Harbor City Boulevard, stated that she currently lives in a hotel for \$1,300 per month and discussed her obstacles in finding better housing. She reiterated the need for housing solutions for the homeless.

Tim Deratany, 1700 S. Harbor City Boulevard, read a letter that he sent to the City Council regarding a property he recently purchased that is being used, damaged and trashed by homeless individuals. He discussed his opinion that the downtown area is not safe, the poor conditions of the streets and properties in

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the downtown area because of the homeless, the criminal past of a particular homeless individual and suggested changes to Daily Bread's operations to help clean up the surrounding area.

Mayor Alfrey stated that he contacted staff at Daily Bread after receiving the letter and received word that Daily Bread is working on solutions.

Ramona Demay stated that she has been homeless since last June and has been living out of a hotel with her 13 year old daughter, husband and her animals. She stated that anyone could be in her situation and discussed her difficulties with finding enough funds simply to have a roof over her daughter's head. She suggested that the city and the local non-profit agencies do more to help the homeless.

Randy Bennett, Hurricane Creek, expressed his support for the liaison position in the city and commented on his experiences with the homeless as a downtown business owner. He commended the Police Department for its patrols downtown and recommended that the red tape towards some of the non-profit organizations present be lifted in order to get additional funding to those that need it.

Nicolas Sandberg, Melbourne, discussed his experience with a panhandler who was struck by a school bus and the safety concerns involved with panhandlers and motor vehicles. He also suggested that better lighting conditions could help curb panhandlers.

That concluded public comments. Mayor Alfrey thanked everyone in the audience for attending and participating.

Mrs. Thomas stated that some of the homeless population are responsible for the trash and debris that is left over downtown and are responsible for committing crimes. However, the city also needs to have kindness and compassion. She stated that the reason for her nay vote on the previous motion was because of her desire to hear the public first and expressed her support for seeing a final document come back for the City Council. She added her desire to see if other cities have used something similar and if their laws were ever been deemed unconstitutional.

Attorney Dawley replied that she can provide a history of the panhandling ordinances that are not acceptable and why this ordinance would be different.

Mayor Alfrey stated that the ordinance will have a broader impact beyond panhandlers since it relates to the safety of city streets.

Vice Mayor Thomas stated that the city needs to research the National Veterans Homeless Society for ideas on how to successfully combat these issues.

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Mayor Alfrey discussed opportunities for funding that may be able to be utilized for a jump start to address some of these issues, including CRF dollars and potential opioid lawsuit settlements.

Ms. Lewis concluded the meeting by reiterating the city's goals and strategies for the future. She discussed initial strategies to address the goals previously announced by the Mayor, such as seeking grant funding for case managers to work with the Police Department, expanding the homelessness stakeholder group, and establishing a Community Outreach Liaison position, among others. Ms. Lewis asked the City Attorney to wrap up the discussion on the proposed ordinance.

Attorney Dawley stated that she was looking for input on whether it would be beneficial to limit the ordinance to a specific period of time, such as during rush hour. Following discussion, there was consensus from the City Council not to impose a time limit on the ordinance.

Additionally, Attorney Dawley asked Council where it stands on the implementation of fines it wishes to assess for violations of the ordinance. Following discussion, Council expressed consensus for the City Attorney to prepare an ordinance that includes escalated fines based on the number of violations/occurrences. Mayor Alfrey opined there is no reason to put a law on the books that the Police Department will not enforce.

Mrs. Thomas asked the City Attorney to include any information discovered on other cities that have similar ordinances. Vice Mayor Thomas recommended speaking with the Brevard County Public Defender who has information on the mental health and veterans courts.

Mrs. Minus asked when a follow up will be given on these ideas. Ms. Lewis referenced the weekly update to City Council where information will be shared for Council's benefit.

Mrs. Minus asked the City Manager to follow up on the concerns that were shared by Mr. Deratany about the criminal past of a specific homeless individual. Ms. Lewis stated that she did not want to speculate on the situation but stated if something criminal has taken place, the Police Department will be involved.

Mrs. Thomas stated that criminal mischief in the downtown areas is discouraging people from feeling safe and suggested that the officers' patrol hours be expanded. Chief Gillespie responded with information on the patrols in the CRAs and the community response team that is assigned to Downtown Melbourne and the reasons behind the patrol hours. Regarding the concerns about a particular homeless individual, Chief Gillespie stated that the Police Department will continue to work with the complainant.

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Mr. LaRusso asked about the timeframe around the liaison position. Ms. Lewis replied that she has already asked the Human Resources Department to look into moving that forward but discussions still need to take place about where the funding for the position will come from.

Mrs. Minus suggested that this discussion be shared during the next Space Coast League of Cities meeting. Mayor Alfrey said that he would be happy to work something out.

5. Adjournment

The meeting adjourned at 10:06 p.m.



City Clerk – May 18, 2021

Approved by Council: May 25, 2021