

**Local Planning Agency**  
**2<sup>nd</sup> SHELTER WORKSHOP**  
**Tuesday, August 21, 2012**  
**6:00 P.M.**  
**Bonita Springs City Hall**  
**9101 Bonita Beach Road**  
**Bonita Springs, Florida 34135**  
**MINUTES**

I. CALL TO ORDER.

Vice Chairman Sam Vincent called the meeting to order at 6:00 P.M.

II. ROLL CALL.

Chairman Vincent and all Board Members were in attendance, except for Board Members Don Colapietro and Rex Sims. Also in attendance were Council Members Bill Lonkart, Steve McIntosh and Janet Martin.

III. LOCAL PLANNING AGENCY REVIEW OF INFORMATION COLLECTED FROM THE LOCAL PLANNING AGENCY SHELTER WORKSHOP HELD ON AUGUST 16, 2012 AS TO OPERATIONAL ISSUES WITH SHELTERS.

Chairman Vincent began by explaining that last week the Board discussed the operational issues associated with social services. Tonight Staff will present an overview of the comments made as a result of that meeting. The Board will either accept or not accept those suggestions for purposes of further discussions. After Staff furnishes their overview, those in attendance will break out into round table groups to discuss shelter services and treatment, the operational permit process, and the shelter operational permit. They will also take public comments.

John Dulmer, Community Development, furnished an outline of the meeting, which is to review the proposed changes to Chapter 4 of the Land Development Code (LDC). Last week they reviewed the proposed changes to the Code of Ordinances, which will determine how a facility would operate. Amendments being reviewed relate to the location, and other zoning regulations that would go into effect. He next addressed the memorandum to the LPA dated August 21, 2012 to the LPA (copy in Clerk's file) reflecting the list of items the Board may or may not want to include.

6:52:13 City Attorney Audrey Vance addressed the process, and previous direction to the LPA from City Council to go through and figure out what would be needed via ordinances, which include both an operational Ordinance and Land Development Code changes. She asked that those in

attendance voice their suggestions and opinions to address the issue. She explained that after today's meeting, Mr. Dulmer will take all the information gathered and synthesize it into a document that will be furnished to the LPA, who will review and address items to include into an Ordinance. She will then conduct further research on those items to proceed.

#### IV. WORKSHOP 2: PUBLIC ROUNDTABLE ON PROPOSED CHANGES TO LAND DEVELOPMENT CODE, CHAPTER 4 RELATED TO SOCIAL SERVICE USE GROUPS AND SUPPLEMENTAL REGULATIONS.

7:08:21 Mr. Dulmer next explained that what they have done was to break the language relating to the LDC into four sections - Use Groups; Definitions; Procedures for approval of a facility and non-conforming uses and exceptions; and lastly, Development Standards. The intent is for the gathering of suggestions; comments are then compiled, and are placed upon the report he just addressed. It's then up to the LPA to determine which changes or modifications they would like to make. That final document would then be voted upon by City Council.

Board Member Fred Forbes referred to the Operational Ordinance and explained that most of the changes Mr. Dulmer summarized today were brought about by public comments and comments he made, which were based on if there was to be a shelter in the City, to ensure that it's regulated to where if the residents do anything in this community that causes any of the taxpayers or non-taxpayers, any damage or any physical harm, that there is a pocket to pay for it, and that it be well regulated. He clarified that it's not an enabling Ordinance, and didn't mean there was a shelter coming to the City. If, however, there is a shelter, they want a line of defense that regulates what they can and can't do. Overall, everything within is to protect the public's interests.

#### PUBLIC COMMENTS:

7:12:03 William Lewis questioned whether it was mandatory that there be a social service use in the City. City Attorney Vance responded that was something she did not know, explaining that there have been cities that have been successful in outlawing shelters completely, but that was where there was a shelter within a mile to two miles of the city boundary. If the facts present themselves that you can support not having a shelter in your jurisdiction because there are adequate shelters, that you would not be criminalizing a social condition, then she feels that would be fine. However, it's very fact intensive, and so it's not a black and white yes or no answer. Mr. Lewis stated that there are many people in the city that don't want a social service use at all. He further asked if it was the LPA and City Council who will determine the number of beds. Overall, he feels the question regards whether the residents want it, as there are already 35 social services in the City.

7:15:45 John Calabria questioned why other communities haven't been asked to share their operational standards, etc., so that they can be presented to the residents to allow them to be fully informed as to what regulations or suggestions they should go with. He feels that if there were a vote today that the Board would find that most of the people here today are not here to help the Board write these standards because they don't feel equipped to be able to do it.

7:17:59 Letitia Cunningham was present to say that she's definitely opposed to the shelter in any form. Her main concern regards home values.

7:18:25 Dick Draffone stated his main concern regarded people who are released from correctional institutions throughout the State of Florida that end up in these shelters. The information being looked at tonight, states that "All homeless shelters shall operate in strict compliance with the Operational Ordinance for homeless shelters, and no residents that had been released into the custody of the operator..." It would make them an arm of the Department of Corrections. Therefore, this wording would allow someone to be released, using the shelter's address as their address. He referred to a report which indicated that 24 of 47 people released in the State have listed St. Matthews House as their address of residence.

7:21:29 Deborah Maclean spoke opposed to a shelter. The City of Pembroke Pines is currently in court refusing an immigration/detention center, as they do not want it in their community. City Hall must fight this shelter.

7:22:24 Carolyn Gallagher stated she believes that the Ordinances are a bad alternative to just a flat no. She addressed concerns with respect to an ordinance and whether or not they are being followed. She is also concerned with property values which result in lower taxes. Courts may not uphold the shelter's liability to residents, particularly those who commit crimes off the premises. No shelter will accept liability for the "hangers on." The City will be assuming a lot of problems if they allow a homeless shelter.

7:23:45 Patricia Zimmerman referred to an article written in the local paper where a homeless man was interviewed. He said he could get out of the woods if he was willing to be controlled by other people. It was something he said he didn't really want or need. There are currently five homeless camps in Bonita Springs, which she believes most of the people there want to be there, as they don't want to be in a shelter. She visited St. Matthews House in East Naples and found things to be pretty quiet. She then drove on Airport Pulling Road and saw many homeless people milling around, and carrying all their worldly goods in a suitcase or in a backpack. They were obviously not living in the shelter. If there is a shelter for 30 people along with the Café of Life, she feels there are going to be people coming to take advantage of any kind of services they can. If there has to be a shelter it should be kept to 17 residents, as Punta Gorda.

7:27:18 Ron Pure stated that it's the Board's responsibility to keep the City unblemished. His understanding is that the Board was furnished a map to assemble some regulations by which anyone coming in wanting to open a homeless shelter would have to abide by. There may be time to get an advisory question on the November Presidential Election ballot and resolve this once and for all. He suggested contacting other places that have successfully prevented these kinds of entities from moving into their area.

7:31:15 Donna Stone stated that the majority of the people in no way want this in the City limits. They don't want the criminal and drug elements. She questions where people who are barred from the shelter, or people visiting them will go when they close in the evening. She feels they will be going into the neighborhoods. The people's considerations should be most important.

7:33:24 Christina Adams stated she agrees with everyone who spoke in that they do not even want to entertain the idea of having a homeless shelter in the community. They are not only talking about property values, but the safety of the residents. She suggested that everyone talk to people in their neighborhoods so that the City can hear more voices that they don't even want this considered.

7:34:46 April Hoover stated that with an already down market, it didn't make sense to put in a homeless shelter that will further lower property values. No matter how well people think this was thought out, there's going to be problems. She is vehemently opposed to a shelter in the City.

7:38:48 Alberto Bailleres stated he was neither for nor against this.

After a short recess, the Local Planning Agency Members, Staff and members of the public formed a group to further discuss.

V. PUBLIC COMMENT. Reflected above.

VI. NEXT MEETING.

LPA Regular Meeting, Tuesday, September 11<sup>th</sup>, 2012, 1:30 P.M.

VII. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 9:05 P.M.

Respectfully submitted,

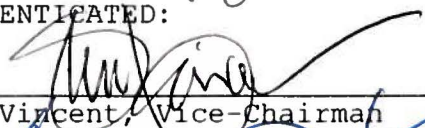
  
Debra Filipek, Recording Secretary

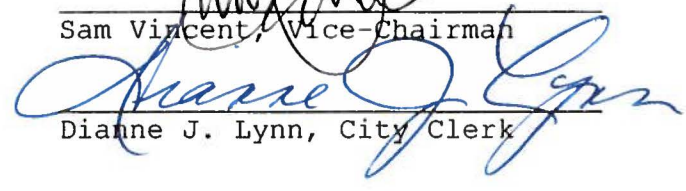
APPROVED:

LOCAL PLANNING AGENCY:

Date: 10.18.12

AUTHENTICATED:

  
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Sam Vincent, Vice-Chairman

  
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Dianne J. Lynn, City Clerk