

**City of Coral Gables City Commission Meeting  
Agenda Item G-1  
October 22, 2019  
City Commission Chambers  
405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Raul Valdes-Fauli  
Vice Mayor Vince Lago  
Commissioner Pat Keon  
Commissioner Michael Mena  
Commissioner Jorge Fors**

**City Staff**

**City Manager, Peter Iglesias  
City Attorney, Miriam Ramos  
City Clerk, Billy Urquia  
Police Chief, Ed Hudak**

**Public Speaker(s)**

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Agenda Item G-1 [10:47 a.m.]

A discussion regarding homeless individuals in Coral Gables.  
(Sponsored by Vice Mayor Lago)

Mayor Valdes-Fauli: Okay, we'll take G-1, homeless individuals in Coral Gables.

Vice Mayor Lago: Thank you.

Mayor Valdes-Fauli: (INAUDIBLE) as I understand it, we already have a program and have...

Vice Mayor Lago: Yeah.

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Agenda Item G-1 - Discussion regarding homeless individuals in Coral Gables.

Mayor Valdes-Fauli: Assigned beds in Camillus House. Chief, you want to come up?

Vice Mayor Lago: Yeah. Thank you, Mayor, and you're a hundred percent correct. You know, this is something that we, as a Commission, passed, I can't remember, probably four or five years ago. I think it was when -- maybe even longer, maybe six years ago when we started on the Commission. But I know that my colleagues and I have been receiving some phone calls and we've been dealing with the Manager and the ACM and our Police Chief. And I wanted to hand these -- I wanted to hand this very simple package out to my colleagues, which includes not only emails from concerned residents and non-residents, people who come to our city to conduct business or to enjoy our restaurants, but also photos, photos of certain activities that are happening in our city that I wanted to be sensitive to the individuals. Because when you talk about homelessness, you're really talking about a lot of the times about mental illness in many cases. And I'm not a physician and I won't pretend to be one, but a lot of the individuals that are homeless suffer from some type of mental illness. My -- the reason why I put this on is, like the Mayor mentioned, is we have a program but you can't forcibly push these people to get help or to go to Camillus House. And I know that our lobbyist at the state level, Mr. Book, does an exceptional job with Camillus House and he raises all kinds of money and he's made that his life's mission. But we have another issue that I need to find out how we're going to advocate on behalf of these individuals. Because if you have an individual that is not being a nuisance but maybe having an outburst, it's the continued individual over and over and over again. So, I put together also from one of the condo units located on Miracle Mile that has probably, on a weekly basis, two or three times a week.

Mayor Valdes-Fauli: (INAUDIBLE).

Vice Mayor Lago: Yeah. Has made it a mention and taken photos of certain activities that are happening and where people are urinating and defecating on their property. And the police have, again, their hands tied to a certain extent, unless those individuals are caught in the act. That's

very difficult. So, what do we have at our disposal at a state -- what is the State doing? What is the County doing? Because I know that we're not the only ones having this discussion. I know that this is an issue that's happening and that these people who suffer from mental illness, we need to get them some sort of help within the confines of the law. Chief.

Police Chief Hudak: I guess first and foremost, on behalf of the department, I'd like to read an excerpt from our policy within the department, our SOP. It's the Department's policy "to provide appropriate law enforcement services to the entire community while ensuring that the department personnel are sensitive to the needs, rights and personal property of our homeless population." To that need -- to that end, that is our position within the department. Most of the people, other than as you've stated from 10 Aragon specifically, they are sitting in a public right-of-way. If they are not defecating, if there is no interaction with other individuals, there's not something legally that we can do as a police officer driving by to enforce or to get them to move along. However, based on our policy and what we have done in 2004...

Vice Mayor Lago: I want to be -- but I want to be clear -- and I'm sorry to interrupt you, Chief. My idea is not just move along because we're not going to take our issue and then push it onto another city.

Police Chief Hudak: Right.

Vice Mayor Lago: Because there are certain people -- and I've called you several times in the morning especially, where on the Mile or the side streets, you have two or three different individuals who, again, are screaming, are...

Police Chief Hudak: Right.

Vice Mayor Lago: Fighting with an invisible individual that doesn't exist. So, these are things that, again, deter people from doing business in our city or coming...

Police Chief Hudak: Right.

Vice Mayor Lago: To visit. As case in point by the letter that has been provided by a person who is not a resident, by a person who comes to our city to enjoy our great restaurants. And they clearly articulate here an experience that didn't happen just once, that happened twice. So, I -- when we say move along -- and I know that you didn't mean that in a bad way because that's never the intent of the police force. You deal with the issue. I'm trying to find a way -- and I know that's outside of your scope and your purview. But we're trying to find a way to address this issue and get these people real help.

Police Chief Hudak: And I think we have. I think the Commission, in 2014, allocated that the monies that we buy or we reserve three beds. As of the 21<sup>st</sup>, yesterday, two of those three beds were occupied, one since June; the latest went in on the 18th of this month for two individuals we've rendered assistance to. We also provide medical attention. We had one of the biggest cases in conjunction with the justice advocate, where we took a homeless individual that was in dire need of medical help to one of the local hospitals. Because the officer did not appreciate the way the person was treated, we reported it to DCF, who then in turn the hospital took care of that person for the better part of almost a year and a half to get them back healthy. The first -- the last thing that we have at our disposal before criminal is what we call the Baker Act, the Marchman Act, which is the officers can, because of that conduct that you say that you've displayed, we can get them some psychological help. The psychological help is a 72-hour evaluation, which could take 72 minutes -- I'm being very open -- and the people come back. As I've said before...

Vice Mayor Lago: That's the problem.

Police Chief Hudak: Well, and...

Vice Mayor Lago: That's the biggest issue.

Police Chief Hudak: Well, I think there's a two-fold problem. Because we are a safe community, a lot of the individuals -- and we do not not allow aggressive panhandling in our city. So, we do engage them on our street corners when we get -- when we -- when the officer's seeing it. I've challenged the department to engage everybody that seems to be residentially challenged, homeless, however you want to say it, to make sure that we can offer them those services. But they do come here every evening. There are some business owners that were okay with it as long as they didn't defecate or urinate in their areas because they thought it was another set of eyes. Our public parks is definitely something handled differently because at dusk they are technically closed. So, we do have regular watch orders right now on Ponce Park, working with the Parks Department to get people to, in that case, to move along. We're not arresting people for trespassing. You know, there's other cases where we have one person who I think we've arrested something like 27 times that is on the victim advocate -- or the justice advocate case because he gets out, he comes right back. He gets physically aggressive. He gets aggressive with the officers. He ends up going back to jail. And you're right, it is a mental health condition. The state of Florida has the bigger issue. Back in the late eighties, early nineties, with the closing of state hospitals and those provided, those people have nowhere to go. They're on the streets. Unfortunately, what we are ramping up for is the "snowbird effect," which a lot of the homeless individuals or residentially challenged individuals that are in the north end of the United States will now start to migrate by many different ways down here to South Florida for the colder months up there. So, we expect an influx. You know, there are laws on the books for other -- that affect other municipalities of exactly what they can do. We have found that there are some people that do not want to be in the shelters, although we offer them the shelter or the Mat Program , which is a wonderful program from the Camillus House. I'm not prepared to say, hey, we need more money for more beds because you -- and you see our bed space is pretty much on average about three people. They'll go in. They'll get cleaned up. They'll get a haircut and we'll see them back in a few days. And in the mornings, because of our enforcement of the panhandling, you will see everyone going back eastbound across Douglas Road, down to South Miami in that area to get away from our daily patrols during the day. But in speaking with some of the individuals as I have

on a few occasions, but also, the officers say it's just safe for me to sleep in Coral Gables. That's not an excuse. It's just the problem that, you know, we're expected as the Police Department to...

Mayor Valdes-Fauli: It's the mental health issue.

Police Chief Hudak: Run into that.

Vice Mayor Lago: Yeah.

Mayor Valdes-Fauli: Yeah.

Police Chief Hudak: So, my biggest call, I guess, for the residents -- and I've seen the pictures. I've gotten the emails after the fact. The one thing that strikes me in a positive way is that every time those security people call us, we have responded, with the exception of one time when something was more priority -- was more pressing, that we get out there and we engage the individuals. You know, they're not people with problems -- or they're not a problem. They're just people with problems that we're doing our best with social services that we have provided to take them in.

Mayor Valdes-Fauli: Thank you, Chief. Thank you very much.

Vice Mayor Lago: Listen, and I'll just make it real quick. First of all, I appreciate the Chief's response. I mean, the police force do what they can and they do an exceptional job. This is more geared towards Miriam, our City Attorney, to see what we have really at our disposal. And I don't know, do we do an urging of the state of Florida because this is like a revolving door. It's a revolving door.

Mayor Valdes-Fauli: We don't have the problem that downtown Miami does.

Vice Mayor Lago: No, I know.

Mayor Valdes-Fauli: So...

Vice Mayor Lago: I know, but I'll be honest with you. It's painful. It's painful when you see the same individuals over and over again. And...

City Attorney Ramos: Yeah, so this is a statewide...

Vice Mayor Lago: How do we deal with it?

City Attorney Ramos: Problem. I know that the court system has gotten very involved. Oftentimes, individuals who have mental health issues and are living on the street are also drug users because they're self-medicating. A long time ago, Judge Leifman established drug court and mental health court. I believe they have...

Police Chief Hudak: Yes.

City Attorney Ramos: Both. So, it's being targeted in many -- but there's no solution that's going to fix it like overnight.

Vice Mayor Lago: No.

City Attorney Ramos: And I don't know that we have the ability to put that in place.

Vice Mayor Lago: I just think the point is just put it on your radar. And if you hear things out there at the state level or at the County level -- because I know that all of you are very active, everybody on this Commission is -- if you hear something, just again...

City Attorney Ramos: That we can help with, absolutely.

Vice Mayor Lago: Just think about things and put it on your radar. That's all. I wanted to bring it up because it's happening, and we received -- I mean it just happened to me in these last three weeks. We received a few...

Mayor Valdes-Fauli: Yeah.

Vice Mayor Lago: More than the normal amount of -- I don't want to say complaints, but people who are concerned about what's going on.

Mayor Valdes-Fauli: There are -- if you live in an urban area, they're issues. I mean, yesterday there was an alligator on Coral Gables sidewalks. You know, hopefully, not a homeless alligator. And fine, but it happens.

Vice Mayor Lago: Yeah. That's a...

Mayor Valdes-Fauli: Okay.

Vice Mayor Lago: Good analogy or way of putting it.

Mayor Valdes-Fauli: G-2.

Vice Mayor Lago: Thank you, Chief.

Police Chief Hudak: Thank you.

Mayor Valdes-Fauli: Thank you, Chief.