

Agenda

City of St. Petersburg

Youth and Family Services

Thursday, April 14, 2022 @ 1:45 p.m.

City Hall – Room 100

175 Fifth Street North

Members: Deborah Figgs-Sanders, Lisa Wheeler-Bowman, Copley Gerdes,
Richie Floyd

Alternate: Lisset Hanewicz

Support Staff: Linnie Randolph, City Council Legislative Aide

A. **Call to Order and Roll Call**

B. **Approval of April 14, 2022 Agenda**

C. **Approval of March 10, 2022 Minutes**

D. **New Business:**

1. Discussion regarding ways in which the City can increase the availability of legal representation for tenants, particularly during eviction hearings.

~ Bradley Tennant, Assistant City Attorney

E. **Adjournment**

Next Youth & Family Services Meeting – June 9, 2022

St. Petersburg City Council
Youth and Family Services Report
Meeting Minutes from March 10, 2022

Present: Committee Chair Deborah Figgs-Sanders, Committee Vice-Chair Richie Floyd, Council Member Copley Gerdes and Council Member Lisa Wheeler-Bowman

Also Present: Assistant City Attorney Christina M. Boussias, Assistant City Attorney Jeannine Williams, Leisure Services Administrator Michael J. Jefferis, Interim City Administrator Tom Greene

Absent: None

Support Staff: Linnie A. Randolph, City Council Legislative Aide

A. Call to Order & Roll Call

The meeting was called to order at 1:30 p.m.

B. Selection of Chair and Vice Chair

1. Council Member Lisa Wheeler-Bowman nominated Council Member Deborah Figgs-Sanders to serve as chair for the Youth and Family Services committee for 2022. All members voted in favor.
2. Committee Chair Deborah Figgs-Sanders nominated Council Member Richie Floyd to serve as Vice Chair of the Youth and Family Services committee for 2022. All members voted in favor.

C. Approval of Agenda

Committee Vice Chair made a motion to approve the March 10, 2022 agenda.
Approved by all.

D. Approval of Minutes

Council Member Copley Gerdes made a motion to approve the August 19, 2021 minutes.
Approved by all.

E. New Business

1. Discussion on the

Committee Chair Deborah Figgs-Sanders opened the meeting and explained the importance of today's agenda topic from her new business item regarding additional funding for the Martin Luther King event in downtown St. Petersburg. Committee Chair Figgs-Sanders gave a brief history of the parade and event explaining that it is one of the oldest and largest MLK event in the nation. Ms. Figgs-Sanders stated that the City currently provides \$50,000 in cash as well as several thousand in in-kind services from St. Petersburg Police Department, Parks and Recreation, Sanitation and other city departments. Her request to Administration is to provide additional funding not only for the parade but the event as a whole. At this time Committee Chair introduces Leisure Services Administrator Mike Jefferis.

Mr. Jefferies opened the discussion by providing current guidelines and support the city provides for parades. He stated that the only parade the city currently runs is the Santa parade and only because the Sun Coasters could no longer do it any longer. In order to keep the Santa parade, we had to take over operations, but we are looking for another organization to take this on. All other parades in the city including the Pride Parade are run by the community. The Pride Parade is very similar as far as structure and the way it's organized to MLK. They have a separate board that makes decisions on locations, the

way the parade is structured and how it rolls out. For these two parades the city provides logistics and in-kind support for safety (protection at intersections, portlets, ADA accommodations), to ensure that freedom of expression is allowed to happen and to make sure that the event collectively is something the city can be proud of. Mr. Jefferies further explained that the participation by college bands is a unique aspect of this parade and that these bands are expensive, difficult to schedule and secure. These expenditures include transportation, housing, meals and entertainment.

Interim City Administrator Tom Greene stated that they understood the new business item to be focused on the financial side therefore Mr. Greene provided a history of expenditures going back to 2019 to give the committee a perspective of what our investment is on an annual basis as a baseline for this discussion. Noting in the document provided that the 2022 parade and festival received over \$150,000 in financial and in-kind support. The physical parade and festivities were cancelled in 2021 due to Covid-19 but the city still provided \$50,000 to support the virtual celebration. Mr. Greene went on to say that this was a very timely discussion as admin is currently building next year's budget and it is a good time to bring this forward for consideration.

Council Member Lisa Wheeler-Bowman asked Mr. Greene about the \$153,000 amount and wanted clarification as to what year that amount was in reference to. Mr. Greene responded that this amount was from the 2020 event when you total the \$45,000 in cash plus the \$99,000 in-kind for the parade and the \$9,600 in-kind for the MLK Arts and Music event. Ms. Wheeler-Bowman then shared her concern about the timing of the available funding stating that hotels and bus companies want a deposit now to reserve their services for next January and that waiting until October is not an option.

Mr. Greene responded about the timing of the available funds stating that this issue has been addressed. The monies for this most recent event in January of 2022 were appropriated in 2021 so the resources that are appropriated in 2022 will be available soon to address January 2023 event.

Council Member Copley Gerdes asked if we voted to increase the funding for the 2023 event then would we have to amend the 2022 budget for these additional funds? Mr. Greene explained that the additional money could be pulled from either the 2022 budget or included in the 2023 budget where these additional funds would be available later.

Assistant City Attorney Jeannine Williams stated for clarification that the \$50,000 is for the MLK family festival not for the parade. The agreement between the city and the MLK organizers is for the festival. If they don't have to spend that money on the festival they can use it for the parade. Assistant City Attorney Christina Boussias followed up with the MLK family festival as defined in the agreement as a festival that consists of family friendly activities, music events, and other activities produced by entities or persons which events an activity shall be organized, promoted and marketed under the umbrella of the MLK family.

Committee Vice Chair Richie Floyd asked what the change from past years was with now not being able to get the bands we use to get for the money provided. Council Member Wheeler-Bowman explained that the organizer has not been able to secure the monetary sponsorships used to secure the bands and pay for their expenses while they are here. Leisure Services Administrator Mike Jefferis continued by saying that this is a proactive look at this event so that we as a city are poised to make sure this parade continues, grows and is successful.

Council Member Gerdes asked if we have a dollar amount for what it will cost to get a specific band to come here and what it will cost to provide for their needs while they are here? There was a brief discussion with CM Wheeler-Bowman about different bands and the ranges of their cost. Mr. Jefferies joined the

conversation by mentioning parade inertia meaning that parades take on a life of their own and we may not be able to get high profile bands this year or even next but as our event continues to evolve then we become the parade to be in and the bands will start reaching out to the organizers to participate.

Committee Chair Figgs-Sanders stated that the intent behind her new business item was to ask for an additional \$50,000 contribution. The additional dollar amount would help to offset some things for AVA since their sponsorships are not guaranteed. Ms. Figgs-Sanders' ask is that the additional monetary donation come from an amendment to the 2022 budget and then go into 2023 with an increase for the same amount to be allocated in the 2023 budget.

After further discussion regarding in-kind services and a review of additional services the city could provide upon request from the organization Mr. Jefferies said he would look into some options to provide more services such as printing and reaching out to PSTA for possible transportation support. They also discussed ways of getting our community business and churches more involved as sponsors of the event. After this discussion CM Wheeler-Bowman made a motion for the additional funding.

Motion: *for administration to provide an additional \$50,000 in cash to be used for the 2023 MLK event with the monies available before October 1st.*

Mr. Green said, the way I understand CM Wheeler-Bowman's motion is she wanted to have a supplemental appropriation in FY22 which would make the resources available upon the Council appropriation. The resources would be available now.

This motion was approved by all committee members.

Committee Vice Chair Floyd made one additional comment before the end of the meeting asking that staff meet with the organizers to review their list of needs and see if there are any other services we can provide to help offset their costs.

With no additional questions or comments Committee Chair Figgs-Sanders called the meeting to a close.

The next Youth and Family Services is scheduled for April 14, 2022.

F. Adjournment: 2:38 p.m.

Youth and Family Services Referral List

Topic	Return Date	Referral Date	Prior Dates	Referred By	Staff	Notes
Childhood Homelessness Quarterly Report	Quarterly	1/5/2021	5/06/21 1/28/21		Theresa Jones	5/06/21 - 3rd Quarter Report provided by Theresa Jones attached to agenda packet 1/28/21 – Quarterly Report given to Committee by April Lott LCSW, President and CEO of Directions for Living 12/10/2021 - Quarterly Report received electronically - No presentation requested.
Review and Evaluation of the Remaining Science Center Property for Affordable Housing	TBD	8/5/2021	8/19/2021	Deborah Figgs-Sanders	Rob Gerdes	8/5/2021 - NBI to move this item from the HLUT committee to the Y&FS committee was approved at Council. 8/19/2021 - Item heard at Committee - Discussion only/No Action
Legal Representation for Tenants	4/14/2022	3/3/2022	—	Richie Floyd	Brad Tennant	3/3/2022 - NBI approved at Council Meeting for referral to Y&FS
						Updated: April 14, 2022

CITY COUNCIL AGENDA NEW BUSINESS ITEM

TO: **Members of City Council**

DATE: **February 25, 2022**

COUNCIL DATE: **March 3, 2022**

RE: ***Legal Representation for Tenants***

ACTION DESIRED:

Respectfully requesting a referral to Youth and Family Services or other relevant committee for a discussion regarding the ways in which the City can increase the availability of legal representation for tenants, particularly during eviction hearings.

Richie Floyd, Council Member
District 8



ST. PETERSBURG CITY COUNCIL

April 14, 2022

Youth and Family Services Committee Members,

Thank you for your consideration of expanded tenant legal services in our city. Multiple cities across the country have implemented programs guaranteeing legal representation to tenants during the eviction process. Studies have shown the results, which include drastic reductions in the number of tenants having to involuntarily leave their homes, reduced strain on city budgets, and more. Much of this can be seen in the additional backup material. Below I have highlighted what I believe are focal points of any potential program of this sort for St Petersburg, as we have unique local considerations, especially surrounding state law.

The original New Business Item requested a discussion *“regarding the ways in which the City can increase the availability of legal representation for tenants, particularly during eviction hearings.”*

The intent is to ensure that no tenant is unable to secure legal representation during a dispute with their landlord because of an inability to pay. Ideally for constructive evictions, landlord-initiated evictions, and other related legal matters. The focus is broader than just eviction hearings – although that is a focal point – because a key goal is to create a pathway for legal mediation before an eviction is filed and placed on someone’s record.



ST. PETERSBURG CITY COUNCIL

Points of consideration:

- Timing relative to the eviction process at which legal services become available for landlord-initiated evictions. Options include at the point a late notice is served, or when a tenant realizes they may have a financial issue with rent
- How to provide the service all manners of landlord-tenant disputes
- Provider of the legal services as well as contours of a potential an agreement between the city and the provider
- Program cost, savings, and funding sources
- Marketing of the program and requiring legal notice of counsel availability

This is by no means an exhaustive list. I look forward to our discussion.

Sincerely,

Richie Floyd

Council Member, District 8

Using Right to Counsel as an Eviction Diversion Strategy

The COVID-19 pandemic has damaged virtually all aspects of life, and housing stability is one major casualty. At its peak in [summer 2020](#), the pandemic put upward of 40 million tenants at risk of eviction, and while things have improved since then, even conservative estimates count [2 million tenants at risk](#) of being evicted over the next few months. In Alabama, [more than 40 percent of renters](#) fear eviction by year's end. And the brunt of both the virus itself and the resulting housing instability has fallen disproportionately on [communities of color](#). As a result, cities have been trying a variety of eviction diversion strategies to stymie this crisis and remain eager to explore new solutions.

While upstream solutions such as increased affordable, safe housing and comprehensive landlord-tenant law reforms are ultimately the best form of eviction prevention, there must be interventions for tenants already at high risk of being evicted.

A [right to counsel for tenants](#) facing eviction is effective, ensures the use and enforcement of other interventions such as rent assistance and eviction moratoria, and addresses starkly uneven power dynamics and longstanding racial disparities. Where a city or state has enacted a right to counsel, qualifying tenants (either all tenants or those meeting certain eligibility criteria) are provided or appointed a lawyer for their eviction case at government expense, as happens in criminal cases.

The eviction landscape reveals the urgent need for diversion, as well as why the right to counsel is an essential part of any diversion program: Prior to 2020, the Eviction Lab found that there were roughly [3.6 million eviction filings](#) in a typical year. Evictions put these millions of tenants in jeopardy of [homelessness, loss of child custody, unemployment, mental and physical health problems](#), loss of possessions and even incarceration (which is [common for people experiencing homelessness](#)).

Author: John Pollock – Staff Attorney for the Public Justice Center

Published here: <https://www.nlc.org/article/2021/10/26/using-right-to-counsel-as-an-eviction-diversion-strategy/>

Yet available [data](#) shows that only 3 percent of tenants have legal representation when facing eviction proceedings, compared to over 80 percent of landlords. This is unsurprising because where there is no right to counsel, the available assistance is limited primarily to heavily underfunded legal aid programs. The disempowerment and bewilderment felt by unrepresented tenants navigating a complex legal system helps explain the high percentage of tenants who do not respond to the eviction complaint or appear in court, which is around 50 percent in most places and [as high as 79 percent](#) in some.

Tenant Representation Changes the Game:

For one, lawyers identify legal defenses the tenant is likely not aware of: Failure of the landlord to follow the eviction procedures, improper notice of the eviction, illegal rent charges, failure to make repairs, sexual/racial harassment or retaliation, and failure to properly credit rent paid are just some examples. Beyond employing an appropriate defense, tenant lawyers are also extremely effective at negotiating fair terms with the landlords' attorneys that allow tenants to remain housed.

It is therefore no surprise that the results coming out of right to counsel jurisdictions are stunning: In [New York City](#), 86 percent of represented tenants remain in their homes. In [San Francisco](#), 67 percent do. And in [Cleveland](#), 93 percent of represented tenants are avoiding eviction or an involuntary move.

But even in situations where tenants cannot remain in their home, lawyers can effectively negotiate for more time, a smaller rent judgment and a graceful exit so that the eviction will not be on the tenant's record. It's a small wonder, then, that represented tenants who vacate their homes are [far more likely to obtain new housing](#) and [avoid the "Scarlet E" of eviction](#).

A right to counsel also helps effectuate other components of eviction diversion programs. The federal rental assistance program's effectiveness has been [hampered by delays](#) (some of which is due to assistance programs needing to be created from scratch), as well as [landlord refusal to participate](#). And while eviction moratoria have been effective, studies have shown that landlords have [found ways around them](#) or [ignored them entirely](#), and some housing court judges [refused](#)

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[to honor them](#). Other types of diversion efforts, such as post-filing mediation, have shown to be [ineffective without representation](#). **These problems reveal that reforms are only as good as the enforcement available to give them meaning.**

Right to counsel is that enforcement: It ensures landlords and courts follow new laws (whether moratoria, rent control, housing conditions or pre-filing requirements) and can improve the performance of programs like emergency rental assistance by helping tenants navigate the process, negotiating, and following up.

Understanding of all of this has reached the mainstream: In just the last four years, [11 cities and three states](#) have enacted such a right, and 10 states introduced legislation for a right to counsel this year alone. Moreover, players from across the spectrum have drawn attention to the issue, including the [Federal Reserve](#), the [United Way](#), the [Washington Post Editorial Board](#), [state high court justices](#), the [ACLU](#) and the [Legal Services Corporation](#). They have seen the evidence that right to counsel is an effective intervention and that now is the time to act.

Cities that are worried about the expense of providing a right to counsel for tenants should be reassured on several fronts. [Studies](#) have repeatedly shown that a right to counsel saves cities far more money than it costs by reducing government expenditures on services such as homeless shelters, foster care, and emergency health care. But additionally, several streams of federal emergency relief funds [can support a right to counsel](#) — and [dozens of cities and states](#) have already used them for this purpose.

First, the Emergency Rental Assistance Program (ERAP) provided jurisdictions with nearly \$48 billion to assist tenants behind on rent, and up to 10 percent of the funds can be spent toward “housing stability services,” which the Treasury Department noted [includes legal representation](#). An August [press release](#) from the Department of Housing, the U.S. Treasury and the Attorney General urged jurisdictions to use ERA funds to “support the right to counsel and eviction diversion strategies.” In fact, [starting this month](#), jurisdictions risk losing ERAP money they have not committed, and a contract with a legal services organization counts as a commitment of funds.

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Second, the American Rescue Plan Act provided states and local governments with \$350 billion in State and Local Fiscal Recovery Funds (SLFRF), and the U.S. Treasury has [specified](#) that tenant legal representation is an allowable use for those funds too.

Evictions are a scourge to cities, and a crisis that has been around for far too long. By embracing a right to counsel alongside other necessary diversion efforts and taking advantage of the federal funding available right now, cities can increase housing stability and ensure we do not return to the unjust eviction system that existed before the pandemic.

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