



**CITY OF FORT BRAGG**

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**COUNCIL COMMITTEE ITEM SUMMARY REPORT**

**MEETING DATE:** November 20, 2019  
**TO:** Public Safety Committee  
**FROM:** Scott Perkins, Senior Planner  
**AGENDA ITEM TITLE:** Receive Report from Staff on Hospitality House Inspection

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**BACKGROUND:**

The City of Fort Bragg received a code complaint on October 1, 2019 regarding operation of the Hospitality House at 237 N. McPherson Street. Specifically, the complaint alleges the Hospitality House is in violation of the terms of its Use Permit that was issued on October 3, 2017 (USP 9-03/17). On November 6, 2019 at 11:00 a.m., I performed an unannounced inspection of the Hospitality House with Sergeant O'Neal. I returned to the Hospitality House on November 7, 2019 at 2:45 p.m. to observe meal service. The Hospitality House either is or appears to be in compliance with the approval conditions of the Use Permit.

**REPORT:**

The following summarizes the inspection with regards to the terms of Use Permit USP 9-03/17.

**USP 9-03/17 Special Condition 1.** *The total number of overnight guests at the emergency shelter shall not exceed 24. An increase in the number of overnight guests is not permitted unless a Minor Use Permit of Use Permit Amendment is applied for and obtained. If this provision is violated, operator shall pay a code violation fee, as determined by the City's Fee Schedule for each occurrence of violation.*

During the inspection, the on-site manager showed staff the beds and rooms for overnight guests. The overnight guest count did not appear to exceed 24, and when asked, the on-site manager was aware of the limit and stated that the amount is not exceeded. The on-site manager provided staff with statistics of the previous two months showing quantities of persons denied shelter, largely due to full occupancy. Sergeant O'Neal stated that the Police Department does not have any reason to believe that the Hospitality House is

exceeding their maximum number of overnight guests. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 1.

**USP 9-03/17 Special Condition 2.** *The emergency shelter operation shall permit periodic inspections by City staff, which may be conducted without prior notification, to ensure that the limitation on the number of overnight guests is not exceeded.*

Staff performed the November 7, 2019 and November 8, 2019 inspections without incident. On-site management provided a tour and answered questions. The Hospitality House is in compliance with USP 9-03/17 Special Condition 2.

**USP 9-03/17 Special Condition 3.** *Hospitality House shall serve all food on premises. Food shall not be prepared or served “to go” for clients to carry off-site.*

When interviewed, the on-site manager stated that all food is served on premises. No “to-go” containers or materials were observed in the kitchen. During the November 8, 2019 return visit, it appeared that all meals were served on premises and no meals were seen leaving the site. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 3.

**USP 9-03/17 Special Condition 4.** *Hospitality House shall provide at least two 50-gallon trash receptacles on site for clients to dispose of personal trash. Trash cans shall be emptied on a regular basis to ensure sufficient trash capacity.*

Staff observed two 50-gallon trash containers on the back porch. They were in good repair and had capacity for additional trash. The Hospitality House is in compliance with USP 9-03/17 Special Condition 4.

**USP 9-03/17 Special Condition 5.** *Hospitality House shall provide a restroom facility for non-guest clients starting one hour before the breakfast meal program each day.*

When interviewed, on-site management was aware that restrooms were to be made available before the breakfast meal program each day. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 5.

**USP 9-03/17 Special Condition 6.** *Hospitality House shall provide a location on Hospitality House premises for clients to gather and wait for the meal program to open. The gathering area shall be available to clients starting one hour before food service each day. The gathering area shall be monitored by Hospitality House staff.*

The courtyard in the center of the property is available for gathering before food service. The area is monitored by on-site staff, and security cameras are present to view and record activities in the courtyard. During November 7, 2019 meal service, clients were gathering in the courtyard for meals, and clients were not observed loitering or staging elsewhere. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 6.

**USP 9-03/17 Special Condition 7.** *Hospitality House shall monitor client behavior on and adjacent to the Hospitality House premises and shall report illegal behavior to the Police Department and cooperate with the Police Department to address client behavior that disturbs the peace. "Adjacent to" means the sidewalk directly in front of the Hospitality House property and the alley directly behind the Hospitality House property.*

During the inspections, clients were not observed adjacent to the premises. Sergeant O'Neal stated that reports of illegal behavior from and adjacent to the Hospitality House property have been relatively modest in recent months, whether the reports be from Hospitality House itself or from neighboring property owners. Sergeant Lee informed staff that the Police Department has not recently responded to criminal activity or fighting matters at the Hospitality House, and stated that he was not aware of any incidents based directly on the negligence or below minimum standards on the part of Hospitality House staff. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 7.

**USP 9-03/17 Special Condition 8.** *Hospitality House shall establish rules of conduct for clients, aimed at curtailing behaviors that are unlawful and/or disturb the peace. Clients who violate the rules of conduct shall be denied service by Hospitality House in accordance with policies approved by the MHCH Board of Directors. The Hospitality House shall establish a "ban list" which identifies individuals who are temporarily and/or permanently banned from the Hospitality House property. The "ban list" shall be shared with the Police Department and the Police Department may recommend the addition of individuals who have been cited and/or arrested for illegal acts occurring in locations other than the Hospitality House premises. The Hospitality House shall abide by the "ban list." Closed loop surveillance cameras shall be installed in the interior and exterior public spaces of the Hospitality House. With regard to sharing video footage with the Police Department, MHCH and Hospitality House will comply with their obligations to their clients under state and federal privacy laws, including but not limited to HIPAA.*

Rules of conduct were observed posted on the walls within the Hospitality House. When asked, the on-site manager reported that it had been quite some time since an individual was "banned" from the Hospitality House, although some clients are asked to leave for a day or two at a time if issues arise. The Police Department has access to the "ban list" and Sergeant O'Neal reported that the Police Department has the authority to work with Hospitality House on banning individuals they believe need to be barred from receiving services. Operating surveillance cameras were observed for the exterior and interior of the facility, and is available to the Police Department upon request. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 8.

**USP 9-03/17 Special Condition 9.** *The Hospitality House rules of conduct shall prohibit drug use and drinking on Hospitality House property. Clients that violate these rules of conduct shall not be served meals and/or provided with a room for the evening.*

The posted rules of conduct states that drug and alcohol use on premises is prohibited. The on-site management reported that those violating these rules are denied services. Sergeant O'Neal stated that the Police Department is not aware of any verifiable

infractions of this policy. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 9.

**USP 9-03/17 Special Condition 10.** *The Hospitality House shall post signs on the front and back property entrances that prohibit drug use, drinking, intoxication and loitering. The signs shall also provide a phone number to reach a member of the Hospitality House staff during Hospitality House operating hours from 4:00 pm to 9:00 am.*

Staff observed signs at both entrances prohibiting drug and alcohol use on the premises. The listed telephone number goes to the Hospitality House employee on duty or on call. The Hospitality House is in compliance with USP 9-03/17 Special Condition 10.

**USP 9-03/17 Special Condition 11.** *The Extreme Weather Shelter shall not be operated from the Hospitality House.*

The Extreme Weather Shelter is not operating from the Hospitality House. The Hospitality House is in compliance with USP 9-03/17 Special Condition 11.

**USP 9-03/17 Special Condition 12.** *The Hospitality House shall be managed by a competent person who has both the requisite training (at least 20 hours) and experience to successfully manage an emergency shelter.*

The on-site manager interviewed by staff was aware of the policies governing the Hospitality House, and was knowledgeable about the conditions outlined in the approved Use Permit. Per Hospitality House management, on-site managers receive the required training to successfully manage the property. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 12.

**USP 9-03/17 Special Condition 13.** *The Hospitality House manager shall be responsible for oversight of all activities on the premises and shall work to minimize the negative impacts of the facility and its clients on the surrounding neighborhood.*

The on-site manager had a good working knowledge of the facility and the expectations for its operation. Sergeant Lee reports that the negative impacts of the facility and its clients on the surrounding neighborhood are unlikely the result of mismanagement or operational deficiencies, and are a circumstance of the clientele who visit the property for meals. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 13.

**USP 9-03/17 Special Condition 14.** *The Hospitality House shall have a trained person on-site at all times when clients are present.*

During staff's inspection, the on-site manager was aware of the policies governing the Hospitality House, and was knowledgeable about the conditions outlined in the approved Use Permit. Per Hospitality House management, staff receives the requisite training required by USP 9-03/17 Special Condition 12. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 14.

**USP 9-03/17 Special Condition 15.** *The Hospitality House Management shall cooperate with the Police Department and Police Officers when they respond to complaints and calls for service at the Hospitality House, or when undertaking investigations at the Hospitality House.*

Sergeant O'Neal stated that upper management of the Hospitality House (and Center) is cooperative with the Police Department and working to operate both facilities in compliance with the standards of their permit and expectations of the community. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 15.

**USP 9-03/17 Special Condition 16.** *The Hospitality House shall not expand the hours of meal service. Meal service shall be limited to 20,000 meals per year (2017 use rate).*

The on-site manager provided staff with reports of meal service activities for the previous two months. In September, the Hospitality House reports serving 1,130 meals, and reports serving 1,071 meals in October. At this rate, the Hospitality House would be providing approximately 13,200 meals per year, which is less than the maximum allowed by the Use Permit. The on-site manager reported that the last two months are representative of the meals provided over the course of the year, and do not represent a particularly high or low amount. When staff observed meal service on November 7, 2019, the amount of individuals gathering for the dinner service was consistent with the amounts listed on the monthly reports. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 16.

**USP 9-03/17 Special Condition 17.** *Other homeless services currently offered at the facility shall not be intensified or expanded, with the exception of showers and laundry.*

The Hospitality House was allowing laundry on-site during the inspection, and showers are available to both on-site and off-site clients. When asked where individuals could seek additional services, such as counseling, computer use, or mail services, the on-site manager stated that individuals are referred to the Hospitality Center for these services. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 17.

**USP 9-03/17 Special Condition 18.** *The Hospitality House shall not offer new services that attract additional clients to the facility at other times of day or otherwise intensify the utilization of the facility, including but not limited to: counseling, educational services, mental health services, mail service, computer access, food pantry, etc.*

As stated above, when asked where individuals could seek additional services, such as counseling, computer use, or mail services, the on-site manager stated that individuals are referred to the Hospitality Center for these services. The Hospitality House appears to be in compliance with USP 9-03/17 Special Condition 18.

Although the inspection of the Hospitality House on November 6 and November 7 show the Hospitality House to be in compliance with the conditions of the Use Permit, reports from neighbors indicate that drug use periodically occurs at the property. Additionally, neighbors have reported instances of homeless individuals camping overnight alongside

the facility or within the courtyard. Both of these examples would be violations of the permit allowing the operation of the Hospitality House. In order to ensure continued compliance, staff urges the Hospitality House to diligently inspect the property regularly for individuals not permitted on site (such as the overnight camping adjacent to the facility or within the courtyard late at night). Most importantly, staff urges Hospitality House staff to report instances of drug use or unpermitted overnight camping to the Police Department. Due to the nature of the clients the Hospitality House serves, it is expected that there will be occasional situations that violate the rules of the facility. What is most important is that these occurrences are dealt with swiftly, and with the guidance and knowledge of the Police Department. This will ensure the facility and its clients create the least impact possible on the surrounding neighborhood.

**RECOMMENDATION:**

This report is informational for Public Safety Committee review. The Committee may recommend further action to the full Council at their discretion.

**ATTACHMENTS:**

None