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August 23, 2017

Fort Bragg Planning Commission
C/O Marie Jones
Director of Community Development
416 North Franklin St.
Fort Bragg, California 95437

By Email: mjones@fortbragg.com

Re: Mendocino Coast Hospitality Center's Response to Revised Staff Report for August 23, 2017 Hearing

Dear Planning Commission Members:

We are writing on behalf of the Mendocino Coast Hospitality Center (MCHC) in response to the City's revised staff report regarding Hospitality House's special use permit. This matter is scheduled for hearing at the Fort Bragg Planning Commission meeting on August 23, 2017.

MCHC appreciates the opportunity that the Planning Commission process has provided to review and improve Hospitality House management policies and practices. We also appreciate the City's meeting with MCHC to discuss ways of revising the conditions that were proposed in the original staff report to address neighbor concerns, the needs of MCHC's clients, and the interests of the community as a whole.

As discussed below, MCHC has demonstrated its good faith participation in this process by agreeing to most of the City's proposed conditions, either as originally presented or as revised. The only issues that remain in dispute are whether the use permit should limit the number of overnight guests or

the number of beds (Special Conditions 1 and 2), the specifics of the City's proposals for a ban list and security cameras at Hospitality House (Special Condition 8), and the language of a proposal to ensure that Hospitality House is properly managed (Special Condition 12).

As discussed below, MCHC urges the Planning Commission to:

- a. Adopt the proposed use permit conditions to which the parties have agreed, as summarized below and reflected in the revised staff report;
- b. Amend Special Conditions 1, 2, 8, and 12 as proposed below;
- c. Refrain from adopting the City's proposed Findings because they lack adequate support; and
- d. Adopt MCHC's recommended Proposed Resolution No. PC____-2017, attached hereto as Attachment 1 (with comparisons to the City's Proposed Resolution, Revised Staff Report Attachment 24).

Summary of Undisputed Conditions

As reflected in the revised staff report, the City and MCHC are now in full agreement that Hospitality House will:

- a. Serve all food on premises (Special Condition 3);
- b. Provide and empty at least two 50-gallon trash receptacles (Special Condition 4);
- c. Provide a restroom facility for non-guest clients starting one hour before breakfast (Special Condition 5);
- d. Provide and monitor a waiting area beginning one hour before food service begins (Special Condition 6);
- e. Monitor client behavior on and adjacent to Hospitality House property, report illegal behavior to the Police Department and cooperate with the Police Department to address client behavior that disturbs the peace (Special Condition 7);
- f. Maintain and enforce rules of conduct prohibiting drug use and drinking (Special Condition 9);
- g. Post signs on the front and back property entrances of Hospitality House prohibiting drug use, drinking and loitering on Hospitality House property and providing a phone number to reach a member of

the Hospitality House staff during operating hours from 4:00pm through 9:00am¹ (Special Condition 10);

h. Discontinue operation of the Extreme Weather Shelter from Hospitality House (Special Condition 11);

i. Ensure that the Hospitality House manager is responsible for oversight of all activities on the premises and works to minimize the negative impacts of the facility and its clients on the surrounding neighborhood (Special Condition 13);

j. Maintain a trained person at Hospitality House at all times when clients are present (Special Condition 14);

k. Cooperate with the Police Department and Police Officers when they respond to complaints and calls for service or undertake investigations at Hospitality House (Special Condition 15);

l. Limit meal service to 20,000 meals per year (Special Condition 16); and

m. Refrain from intensifying or expanding services currently offered, or otherwise intensify the utilization of the facility (Special Conditions 17 and 18).

Remaining Disputed Conditions

The only issues that remain in dispute are:

- a. Whether the Hospitality House use permit should limit the number of overnight guests or the number of beds (Special Conditions 1 and 2);
- b. The specifics of the City's proposals for a ban list and security cameras at Hospitality House (Special Condition 8); and
- c. The language of a proposal to ensure that Hospitality House is properly managed (Special Condition 12).

In order to modify Hospitality House's use permit over MCHC's objection, the City must establish either that MCHC violated the reasonable terms and

¹ This statement on page 20 of the revised staff report is inaccurate: "MCHC noted that management is not available 24 hours a day as the house is generally closed between 9:00am and 4:00pm." MCHC did not make that representation. In fact, Hospitality House is generally open, and staff are available, between 9:00am and 4:00pm.

conditions of the permit, or that there is a compelling public necessity to make changes that are reasonably necessary to achieve that purpose and not unduly burdensome. *Bauer v. San Diego*, 75 Cal.App.4th 1281 (1999). In addition, the modifications cannot discriminate against people with disabilities or people of color in violation of the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution or state or federal non-discrimination laws. These laws include: The Fair Housing Act (42 U.S.C. §§ 3601-3631); Title II of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C § 12132); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C § 794); The California Fair Employment and Housing Act (Gov't Code §§ 12955-12956.2); The California Disabled Persons Act (Civil Code §§ 54.1 and 54.2); and California Government Code §11135. See also, e.g., *Bay Area Addiction Research & Treatment, Inc. v. City of Antioch*, 179 F.3d 725, 730 (9th Cir. 1999) (ADA Title II and Section 504 apply to discriminatory zoning practices because zoning is a normal function of a government entity); *Cleburne, Texas v. Cleburne Living Center*, 473 U.S. 432, 439-440 (1985) (14th Amendment prohibits discrimination on the basis of protected class including race, national origin and disability). The City is unable to make this showing for the proposed use permit conditions that remain in dispute.

The City has not established a violation of the reasonable terms and conditions of Hospitality House's use permit, a compelling necessity for its proposed modifications, or non-discriminatory treatment.

Nuisance Allegations

The City maintains that Hospitality House has violated Standard Condition 6c of its use permit by creating nuisance conditions in the neighborhood. However, it has not established any connection between Hospitality House's services and conduct in the vicinity that might be considered a nuisance. To the contrary, Hospitality House provides essential services for vulnerable members of the Fort Bragg community.

Hospitality House meets a documented and continuing need for homeless services in Fort Bragg. The City's Staff Report for Hospitality House's 2003 use permit refers to the need for homeless services as reflected in the Fort Bragg General Plan's Housing Element (Revised Staff Report, Attachment

4 p.4). The most recent 2014 Housing Element continues to reflect that need:

Policy H-3.9 Emergency and Transitional Housing: Continue to support emergency shelters, transitional housing and supportive housing within the City....

Program H-3.9.2 Inter-Agency Cooperation: Continue to work with private, non-profit, County, and State agencies to provide transitional housing, supportive services and emergency housing for the homeless.

(Attachment 2, Excerpt from 2014 Fort Bragg Inland General Plan Housing Element.) As recently as in June of this year, City staff demonstrated a commitment to work with community members to address the needs of homeless individuals in Fort Bragg by forming a Homeless Action Planning Group, in which MCHC will be participating. (Attachment 3, Letter from Lynelle Johnson dated August 21, 2017.)

Despite the City's expressed need for homeless services, Hospitality House is the only year-round overnight shelter in Mendocino County. (Revised Staff Report, Attachment 4, p.2, Staff Report for 2003 Hospitality House Use Permit). While other shelters have come and gone, Hospitality House has been providing food, shelter and work opportunities to men, women and children for 31 years. The vast majority of Hospitality House guests have physical and/or mental health disabilities. Guests must be sober, drug tested, and engaged in day programs, working or caring for children.² As of July, 2017, 16.3% of the outside guests receiving meals at

² Page 8 of the revised staff report mischaracterizes Hospitality House's length of stay requirements: "According to MCHC, in 1987 clients of the shelter were limited to a maximum stay of three days unless they entered a drug/alcohol treatment program, in which case their stay was extended to a maximum of 30 days." In fact, Hospitality House has always been a drug and alcohol free facility. After three days at the shelter, an individual must remain drug and alcohol free and commit to programs to address his or her needs in areas including mental health, addiction, personal finances, job training, etc. If an individual remains on that "path to self-sufficiency", he or she may remain at Hospitality House for up to six months.

In July of 2017, MCHC determined that 16.3% of Hospitality House's outside guests receiving meals were born and raised in Fort Bragg, and over 81% had been in Fort Bragg for 6 months or longer. Many guests find work at local businesses during or after their stay at Hospitality House. (Attachment 4, Letter from Anna Shaw dated August 7, 2017; Attachment 3, Letter from Letter from Lynelle Johnson.) In other words, Hospitality House is a stabilizing influence on the lives of the homeless individuals and families who seek services there, and by extension improves the stability and quality of life of the community at large.

In response to the community's concerns, MCHC has taken the following steps to ensure that Hospitality House is managed effectively, safely, and with full accountability:

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1. MCHC has recently established and filled a new position, Hospitality House Administrator, whose responsibilities include full management of the house. This includes recruitment, staff training and supervision, control of substance abuse, application of all internal rules and policies and acting as a liaison with neighbors. (Attachment 3, Letter from Lynelle Johnson.)
 2. MCHC recently established a Management Action Plan addressing staff training and supervision, implementation of rules and policies, medication audits, house inspections, maintenance of files, control of substance abuse and communication with community members and the Police Department. (Attachment 5, Management Action Plan). Some of the actions that Hospitality House is taking under this plan include:
 - a. Maintaining and enforcing a "ban list" of individuals who will be prohibiting from using Hospitality House services, and sharing that list with the Police Department:
 - b. Educating guests and the public about its use permit limit of 24 overnight guests per night, including by posting a sign to that effect on its front door;
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- c. Ensuring that drug testing is conducted promptly and effectively when necessary;
 - d. Installing security cameras and sharing footage as necessary with the Police Department, as described below; and
 - e. Otherwise communicating and cooperating with the Police Department, as described below.
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3. MCHC has stepped up its cooperation with the Fort Bragg Police Department to ensure that Hospitality House takes all necessary steps to be a good neighbor. On August 16, 2017, representatives of MCHC met with Officer Thomas O'Neal of the Fort Bragg Police Department to develop strategies to communicate and work closely together to prevent and resolve any issues that may arise.

As a result of this meeting, the Police Department will:

- a. Provide input regarding any concerns, information or suggestion for additions to Hospitality House's ban list;
 - b. Work with Hospitality House staff to ensure that drug testing is conducted promptly and effectively when necessary;
 - c. Work with staff to educate Hospitality House clients about loitering restrictions in and around the property; and
 - d. Work with MCHC in hiring new Hospitality House staff.
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(Attachment 6, Letter from Gary Johnson dated August 20, 2017.)

4. MCHC recently initiated an inspection by the Fire Department, and made some changes to bed configurations, fire alarms and sprinklers. The Fire Department has certified that Hospitality House, with bed configurations as reflected in the attached floor plan, is currently in compliance with all applicable safety requirements. (Attachment 7, Fire Inspection Report; Attachment 8, Hospitality House Floor Plan).³
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³ The statement in Footnote 5 of page 10 of the revised staff report that "the Fire Marshall has noted" that there may be fire safety issues at Hospitality House is entirely unsupported.

5. MCHC will no longer make emergency exceptions to its limit of 24 overnight guests each night.⁴ As the revised staff report indicates, MCHC records the number of overnight guests that it serves each night, (Revised Staff Report, Attachment 8.) Tracking of guests through the Homeless Management Information System is a condition of MCHC's federal grants. The guest logs attached to the Revised Staff Report indicate that MCHC accurately records the number of guests each night, even on the rare occasions when it has exceeded its 24-guest limit. MCHC has arranged with the Police Department to review its guest logs on a weekly basis, and to conduct spot checks to count the number of overnight guests. (Attachment 6, Letter from Gary Johnson.)
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Hospitality House has strong support from the Fort Bragg community. The revised staff report contains many emails and letters describing the importance of Hospitality House and its services. (Revised Staff Report, Attachments 15, 20). The majority of the 40 individuals who provided comment during Open Time at the July 26, 2017 Planning Commission meeting were unequivocally supportive of Hospitality House. Going forward, Hospitality House will be taking the following measures to maintain and improve its relationship with its neighbors:

- a. Opening its board meetings to the public (with the exception of confidential matters involving staff or guests);
 - b. Arranging quarterly gatherings so that neighbors can ask questions and share their thoughts and suggestions; and
 - c. Continuing to work with our local business owners through the "Downtown Watch" meetings.
-

Neighbor complaints to the City and the Police Department about Hospitality House do not establish that Hospitality House is a nuisance.

⁴ On fewer than 5% of the nights from January 2016 through June 2017, Hospitality House has allowed one, two or three additional overnight guests over its 24-person limit. These were all emergency situations, many of which involved mothers with young children. (Revised Staff Report, Attachment 8.) Hospitality House will discontinue this practice due to community concerns.

Complaints from sources who are anonymous or whose names have been redacted have very little evidentiary value and may well be unfounded. For example, a neighbor recently complained that Hospitality House had left a sofa in the alley behind its facility, attracting nuisance behavior. In fact, Hospitality House had nothing to do with the sofa, or its appearance in the alley. However, in order to be a good neighbor, Hospitality House is paying to have the sofa removed. (Attachment 9, Letter from Lara Anderson dated August 22, 2017.)

Police calls also do not establish that Hospitality House is a nuisance. As discussed in the attached letter from Gary Johnson, when security checks are excluded, the number of police calls for service to Hospitality House from June 1, 2016 through June 30, 2017 is 134 rather than 196 as indicated in the revised staff report. Only approximately one-half of one percent of the total calls for service in 2016 were attributable to Hospitality House. Most of those calls took place in January and February of 2016, when the Emergency Weather Shelter was operating. The fact that more police calls were associated with a homeless shelter compared to restaurants, bars and single room occupancy hotels is a meaningless comparison. (Attachment 6, Letter from Gary Johnson.)

It is human nature to seek a scapegoat for poverty and homelessness, and Hospitality House is an easy local target. Nevertheless, nothing that the City has presented to the Planning Commission establishes that Hospitality House itself is the source of any nuisance behavior in the neighborhood, rather than being an important part of the solution. As discussed above, Hospitality House is primarily serving people who are already in Fort Bragg and have no place else to go. It has taken significant steps to enhance its management practices and community relations, and will continue to do so. Taking government action against Hospitality House based on the neighbors' concerns about its clientele would be an illegal use of the City's land use authority and potentially discriminatory.

Special Condition 1:

The City has not established that Hospitality House violated Special Condition 1 by keeping more than 24 beds at the facility, or that there is a compelling necessity to limit the number of beds at the facility as opposed

to the number of overnight guests. To the contrary, the high rates of homelessness in Fort Bragg and Mendocino County reflect a compelling necessity for Hospitality House to serve the full allotment of 24 guests.

Logic dictates that the use permit's limitation of 24 "beds" refers to the number of overnight guests or "bed nights," not the number of pieces of furniture in the house. There were more than 24 actual beds at Hospitality House when its use permit was issued in 2003, and the number of beds has not changed since that time. The Background section of the City's staff report for Hospitality House's 2003 use permit refers to the number of "bed nights" provided from February 2002 – February 2003. (Revised Staff Report, Attachment 4, p.2.) Consistent with this, MCHC itself has always understood the City to have been regulating the number of overnight guests, and not the number of pieces of furniture. MCHC's reports have always referred to "bed nights" provided at Hospitality House.

It is clear from the original use permit record that the City intended to allow up to 24 guests to stay in Hospitality House each night. In order to accommodate up to 24 guests per night (including women, people with disabilities and families with children, who have unique needs), Hospitality House must keep extra beds in each room. This is because Hospitality House provides overnight shelter to men, women and families in separate rooms. It uses sturdy, heavy bunk beds that are difficult to move. Staff do not know until check-in time at 4:00 p.m. how many men, women and children will be staying that night. Limiting the number of beds to 24 would effectively limit Hospitality House's overnight capacity to fewer than 24 individuals. Restricting Hospitality House's operations on the fiction that Special Condition 1 was meant to limit the number of pieces of furniture rather than the number of overnight guests in the house flies in the face of the original intent of the use permit. (Attachment 9, Letter from Lara Anderson.)

The City has proposed to add a provision imposing a code violation fee for violations of Special Condition 1. As discussed above, this provision is unnecessary, given the steps that MCHC has already agreed to take to ensure that no more than 24 guests stay per night. However, in the spirit of cooperation, MCHC is willing to accept the proposed fine provision

provided that Special Condition 1 is revised to clarify that the limit is the number of overnight guests rather than the number of beds.

Below is the City's proposed revision to Special Condition 1, with MCHC's proposed changes:

The total number of ~~beds~~ overnight guests at the emergency shelter shall not exceed 24 each night. An increase in the number of ~~beds~~ overnight guests is not permitted unless a Minor Use Permit or 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.

Special Condition 2:

MCHC is willing to accept the periodic inspections that the City proposes under Special Condition 2. However, MCHC proposes that the language in that condition be revised to reflect that Hospitality House is limited to 24 guests rather than 24 beds.

Below is the City's proposed revision to Special Condition 2, with MCHC's proposed changes:

The emergency shelter operator shall permit periodic inspections by City staff, which may be conducted without prior notification, to ensure that the limitation on the number of ~~beds~~ overnight guests is not exceeded.

Special Condition 8:

Proposed Special Condition 8 is aimed at ensuring that Hospitality House establishes, maintains and enforces rules and policies aimed at curtailing behaviors that are unlawful and/or disturb the peace. As reflected in Special Condition 8a of the revised staff report, Hospitality House agreed to this condition with the following changes:

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 MCHC Board of Directors.

At their meeting with MCHC on July 27, 2017, City staff indicated that the revised staff report would propose that MCHC keep a “ban list” of individuals who would be denied service at Hospitality House, and install security cameras on the outside and public areas inside of the Hospitality House property. City staff described these proposals, but did not provide specific language.

City staff described that MCHC would give the Police Department the opportunity to *recommend* that certain individuals be included on the proposed Hospitality House ban list. MCHC agreed to this proposal in principle, subject to specific language to be provided in the revised staff report. MCHC did not agree that the Police Department would have the authority to unilaterally ban people from receiving services at Hospitality House, and does not agree to that now. The City has failed to show a compelling necessity for this extraordinary extension of the police power, or any assurance that such an extension could be implemented without an adverse discriminatory impact on people with disabilities or other protected groups.

At the meeting, MCHC agreed to consider posting security cameras on the outside of its building, and in public areas inside the building (excluding sleeping areas, bathrooms and showers). MCHC indicated that it would explore any privacy concerns to sharing the video footage with the police.

City staff declined MCHC’s request to review the proposed language for a ban list and security cameras prior to the issuance of the revised staff report. Consequently, the language in proposed Special Condition 8b does not accurately reflect the agreement of the parties. Below is the City’s proposed revision to Special Condition 8, with MCHC’s proposed changes:

8c. 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 MCHC Board of Directors. The Hospitality House shall establish a “ban list” that identifies individuals who are temporarily and/or permanently banned from the Hospitality House property. The names of the individuals on the “ban list” shall be shared with the Police Department and the Police Department may add the names recommend the addition of individuals who have been cited and/or arrested for illegal actions (including actions occurring in locations other than the Hospitality House premises). ~~The Police Department shall use its judgment as to whether an individual should be temporarily banned or permanently banned from the Hospitality House depending upon the severity and frequency of repetition of the crime(s) committed.~~ 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 (excluding sleeping areas, bathrooms and showers) and ~~footage shall be shared with the Police Department upon request.~~ 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.

Special Condition 12:

As reflected on page 21 of the revised staff report, MCHC and City staff discussed revising Special Condition 12 “to ensure that Hospitality House staff is competent to successfully manage the facility.” MCHC did not agree to guarantee, and cannot reasonably be expected to agree to guarantee, that Hospitality House will always be “successfully managed.” What they can do is take steps to ensure that managers have the training and experience needed to successfully manage the shelter. Below is the City’s proposed revision to Special Condition 12, with MCHC’s proposed changes:

12c. The Hospitality House shall be ~~successfully~~ managed by a competent person who has both the requisite training and experience to successfully manage an emergency shelter.

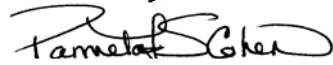
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The Planning Commission does not have sufficient evidence to adopt the City's recommended Findings.

Finally, MCHC urges the Planning Commission not to adopt the City's recommended Findings because they are inappropriate for this type of proceeding and lack adequate support in the record. The Findings, which attribute problematic behavior to Hospitality House guests, are supported only by correspondence from neighbors, police logs and "police officer testimony" to which MCHC has not had an adequate opportunity to respond. The identities of the sources of some of the complaints have been redacted, affecting their evidentiary value and the ability of MCHC to respond. The "police officer testimony" allegedly supporting some of the Findings is not even provided. Because the Planning Commission lacks sufficient information on which to base the recommended Findings, MCHC requests that they not be adopted. Instead, MCHC requests that the Planning Commission adopt MCHC's recommended Proposed Resolution No. PC____-2017, attached hereto as Attachment 1.

Thank you for your consideration. We look forward to discussing these issues at the Planning Commission meeting on August 23.

Sincerely,



Pamela Cohen

Staff Attorney

Cc:

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RESOLUTION NO. PC____-2017

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION MAKING FINDINGS BASED ON THE EVIDENCE PRESENTED TO MODIFY EXISTING USE PERMIT 9-03 (USP 9-03) TO INCLUDE ADDITIONAL AND REVISED CONDITIONS TO ADDRESS NUISANCE CONDITIONS AND ONGOING VIOLATIONS OF SPECIAL AND STANDARD CONDITIONS OF THE USE PERMIT.

WHEREAS, in 2003, the Planning Commission approved Use Permit 9-03 for the Hospitality House to operate an emergency shelter at 237 North McPherson Street and APN 008-155-11; and

WHEREAS, Use Permit 9-03 included two special conditions limiting the Hospitality House to 24 beds as follows:

1. The total number of emergency shelter beds shall not exceed 24. A Use Permit amendment shall be required prior to any increase in the number of beds at the site.
2. Prior to occupancy of the new/renovated alley "family" structure, Community Development Department staff shall conduct an inspection of the entire facility to ensure that no more than 24 beds are at the site.

WHEREAS, the City of Fort Bragg received numerous written and verbal complaints about the operation of the Hospitality House from the fall of 2016 through the present, and these complaints resulted in the City opening a code violation case regarding the Hospitality House (HH); and

WHEREAS, during the course of the code violation investigation, staff visited the Hospitality House on two occasions, with the permission of the Executive Director of MCHC, to observe and understand how Hospitality House operates. During the visits, staff discovered [what staff believed to be](#) a violation of the Hospitality House Use Permit (USP 9-03), namely an increase in the number of beds from 24 to 35; and

WHEREAS, On July 20, 2017, the Hospitality House requested that the July 26th public hearing be continued, to allow Hospitality House representatives more time to prepare for the hearing; and

WHEREAS, On July 26th, the Planning Commission voted unanimously to continue the public hearing on the Hospitality House Use Permit modification to 6:00 on August 23rd; and

WHEREAS, [On July 27, 2017, representatives of Hospitality House met with City staff and negotiated an agreement on a number of new conditions in the use permit. The only issues that remained in dispute were whether the use permit should limit the number of overnight guests or the number of beds \(Special Conditions 1 and 2\), the specifics of the City's proposals for a ban list and security cameras at Hospitality House \(Special Condition 8\), and the language of a proposal to ensure that Hospitality House is properly managed \(Special Condition 12\).](#)

~~WHEREAS, during the Public Hearing on August 23, 2017, the City presented written evidence and testimony of the following nuisance conditions that relate to operation of the Hospitality House emergency shelter, in violation of various Fort Bragg Municipal Code Sections and Standard Condition 6 of the Use Permit:~~

~~a. Between June 2016 and June 2017, the Fort Bragg Police Department received 196 confirmed calls for service to respond to the Hospitality House to address a variety of issues, including: disturbance, assault, battery, fighting, verbal threats, suspicious people/vehicle, trespass, drunk in public, etc.;~~

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~~b. During this time period, the City has received numerous complaints from residents and business owners regarding the following issues:~~

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- ~~I. Urination, feces, vomit, pet waste on public and private property;~~
- ~~II. Aggressive panhandling, loitering, shouting, arguing, cursing in the public right of way;~~
- ~~III. Littering;~~
- ~~IV. Public drinking and drug use in the public right of way and on private property;~~
- ~~V. Trespassing, shoplifting, vandalism and fighting on private property;~~
- ~~VI. Sleeping on sidewalks, in vehicles, and on private property; and~~
- ~~VII. Obstruction of sidewalks and alleys with personal property.~~

~~WHEREAS, During the August 23, 2017 Public Hearing, the Planning Commission heard the evidence presented in the Use Permit and Code Violation case and took testimony from the public and carefully weighed the case; and~~

~~NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Fort Bragg does hereby make the following additional findings for USP 9-03, based on the evidence presented at the hearing, in the staff report and in all attachments:~~

~~7. One or more of the conditions of the original permit or approval have not been substantially fulfilled or have been violated. Specifically, two conditions have been violated: (a) The Hospitality House violated USP 9-03 Special Condition 1, which permits a maximum of 24 beds in the emergency shelter. There are currently 35 beds in the emergency shelter. (b) The Hospitality House is in violation of Standard Condition 6c which states that "the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety or as to be a nuisance."~~

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~~8. The improvement/use allowed by the permit has become detrimental to the public health, safety, or welfare, and the manner of operation constitutes or is creating a nuisance.~~

~~9. Ongoing complaints alleging violations of local, State or federal laws require the Police Department to respond to the property and have resulted in the issuance of citations or the making of arrests.~~

~~10. The Hospitality House operates in such a way as to cause nuisance conditions:~~

~~a. Some Hospitality House clients leave a variety of personal trash and belongings around the neighborhood. Some Hospitality House clients leave the facility with food on paper plates and leave the paper plates and food supplies littered around the neighborhood.~~

~~b. Some Hospitality House clients defecate and urinate on Hospitality House property and immediately adjacent properties.~~

~~c. Some Hospitality House clients loiter and block the public right of way while waiting for Hospitality House to open to serve meals.~~

~~d. Some Hospitality House clients engage in behaviors which cause nuisance conditions, such as: 1) fighting, aggressive pan handling, loitering, shouting, arguing, cursing, littering, public drinking & drug use in the public right of way; 2) obstruction of sidewalks and alleys; 3) trespassing, shoplifting and vandalism of private property; and 4) sleeping on sidewalks, in vehicles, and on private property. Some Hospitality House clients engage in behaviors which cause nuisance conditions that prompt excess calls for service to the Police Department and disturb the peace of the neighbors surrounding the Hospitality House.~~

~~e. On occasion, intoxicated and/or inebriated people are accommodated at Hospitality House in violation of its stated rules. The Hospitality House is, on occasion, left unmanaged in the evenings/nights and clients contribute to nuisance conditions at such times.~~

~~f. At times, the manager of the Hospitality House has refused to cooperate with Police Department investigations of individuals housed at the shelter.~~

~~g. The expansion of the meals program, in both number and hours, has resulted in an increase in the number of code violation complaints, calls for service and has resulted in an overall increase in nuisance conditions in the neighborhood.~~

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Fort Bragg does hereby modify Use Permit 9-03, to include the following Special and Standard Conditions based on the above findings, as follows:

The Special Conditions of USP 9-03 shall be deleted and replaced with the following Special Conditions:

1. The total number of beds overnight guests at the emergency shelter shall not exceed 24. An increase in the number of overnight guests beds is not permitted unless a Minor use Permit or 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.

2. The emergency shelter operator 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 beds is not exceeded.
3. Hospitality House shall serve all food on premises. Food shall not be prepared or served "to go" for clients to carry off-site.
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.
5. Hospitality House shall provide a restroom facility for non-guest clients starting one hour before the breakfast meal program each day. (5b)
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.
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. (7b)
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 MCHC 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 add the names of individuals who have been cited and/or arrested for illegal acts occurring in locations other than the Hospitality House premises. The Police Department shall use its judgment as to whether an individual should be temporarily banned or permanently banned from the Hospitality House depending upon the severity and frequency of repetition of the crime(s) committed. 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. and footage shall be shared with the Police Department upon request. (8b)
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. (9b)
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. (10b)

11. The Extreme Weather Shelter shall not be operated from the Hospitality House.
12. The Hospitality House shall be ~~successfully~~ managed by a competent person who has both the requisite training and experience to successfully manage an emergency shelter. (12b)
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.
14. The Hospitality House shall have a trained person on-site at all times when clients are present. (14a)
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.
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).
17. Other homeless services currently offered at the facility shall not be intensified or expanded. (17a)
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.

STANDARD CONDITIONS

The Standard Conditions of USP 9-03 shall be deleted and replaced with the following Standard Conditions:

1. This action shall become final on the 11th day following the decision unless an appeal to the City Council is filed pursuant to Inland Land Use and Development Code (ILUDC) Chapter 18.92 - Appeals.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the ILUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - (a) That such permit was obtained or extended by fraud.

- (b) That one or more of the conditions upon which such permit was granted have been violated.
- (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
- (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.

The above and foregoing Resolution was introduced by Planning Commissioner _____, seconded by Planning Commissioner _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the ____ day of ____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Teresa Rodriguez
CHAIR

ATTEST:

Sarah McCormick
Planning Technician

Fort Bragg Inland General Plan Housing Element 2014



City of Fort Bragg

Prepared by: Marie R Jones
Community Development Director

those with developmental disabilities. Encourage developers of supportive housing, on an annual basis, to develop projects targeted for persons with disabilities, including those with developmental disabilities. Work with the Redwood Regional Center to implement an outreach program to families with disabilities regarding the City's services for this population. Place info about this program on the City's website.

Responsibility: Community Development Department
Financing: City
Scheduling: Ongoing
Quantification: Ten units of housing for persons with disabilities for the Housing Element period. Five of these units will be for people with Developmental Disabilities.

Policy H-3.9 Emergency and Transitional Housing: Continue to support emergency shelters, transitional housing and supportive housing within the City.

Program H-3.9.1 Ongoing Estimates of the Demand for Emergency Housing: Continue to work with the Fort Bragg Police Department and homeless service providers in the community to maintain ongoing estimates of the demand for emergency housing in Fort Bragg and to develop strategies to meet that demand

Responsibility: Community Development Department
Financing: City
Scheduling: Annual update

Program H-3.9.2 Inter-Agency Cooperation: Continue to work with private, non-profit, County, and State agencies to provide transitional housing, supportive services and emergency housing for the homeless.

Responsibility: Community Development Department
Financing: City, CDBG
Scheduling: Ongoing
Quantification: 20 transitional units for the Housing Element period.

Program H-3.9.3 Transitional and Supportive Housing: Continue to regulate transitional and supportive housing as a residential use subject to the same restrictions that apply to other residential use types and dwellings of the same type in the same zone.

Responsibility: Community Development Department
Financing: City
Scheduling: Changes to the zoning code have been completed. Implementation is ongoing.

Program H-3.9.4 Emergency Shelters: Continue to allow emergency shelters as a permitted use in the General Commercial (CG) zoning district.

Responsibility: Community Development Department
Financing: City
Scheduling: Changes to the zoning code have been completed. Implementation is ongoing.

Policy H-3.10 First Time Home Buyers: Encourage affordable housing for first time home buyers.

Program H-3.10.1 First Time Home Buyers: Continue to require through the inclusionary housing ordinance, the provision of housing units affordable to first time home buyers who qualify for affordable housing.

August 21, 2017

To: Fort Bragg Planning Commission Members
C/O Marie Jones
Community Development Director

From: Lynelle Johnson

Re: **Hearing on potential Hospitality House Use Permit Modifications**

Planning Commission Members and Members of the Community,

For over 30 years, the Hospitality House has been guided by the same mission, **"To feed the hungry, shelter the homeless and to provide our clients with a personal path to self-sufficiency"**. In all those years, Mendocino Coast Hospitality Center (MCHC) has not deviated from that mission. MCHC has grown and evolved, but we have been steadfast in holding strong to that mission. Hospitality House is currently the only homeless shelter in Mendocino County that remains open 365 days a year serving the most disadvantaged and needy in our community.

Hospitality House (HH) is the foundation for all MCHC's programs. For 31 years, Hospitality House has provided beds for the 24 people who are allowed to live at Hospitality House. The fundamental requirement for those guests has always been that they remain clean and sober...that rule has never changed. While a new guest may stay for three days based on behavior, all HH guests who wish to remain longer than three days are required to commit to programs to address their needs...be it drug or alcohol addictions, mental or emotional health issues or financial. If they remain in programs and abide by the HH rules and policies, they are allowed to reside at Hospitality House for up to 6 months. In 2016, we determined that 42% of our Hospitality House guests were Mendocino County residents.

Not long ago, a 70+ year old gentleman came to Hospitality House. He was born and raised in Fort Bragg. He had been living in the same house he was born in until he came upon hard times a few months ago. His wife passed away; he became depressed and began drinking; his relative took liens against his home and unfortunately it led to the loss of his home. He had nowhere to go. When I met him he was sitting at our dining room table, his head in his hands, too distraught and depressed to lift his head. Hospitality House took him in; encouraged him to join our counseling programs. He did...and now is back in town living on his own and is a productive member of our community.

Besides shelter, Hospitality House's mission has always been to provide food to those members of our community who are struggling to make ends meet and in need of a hot evening meal. HH is the only organization on the coast that provides an evening meal every day of the year. Last year our meals averaged about \$1.05/meal for our guests due to the incredible generosity of our community who donates thousands of pounds of food each year and cooked by our HH staff, saving many thousands of dollars.

For quite some time, we had a mother who ate regularly at Hospitality House because she and her two teenage boys lived close by, but she could not afford to provide food for all of them. Her two boys were shy about eating at HH. Consequently, she was able to scrape together enough money to buy

food for her boys and she ate at Hospitality House. This past month, we determined that 16.3% of our outside guests receiving meals were born and raised in Fort Bragg; and over 81% had been in Fort Bragg for 6 months or longer.

We are working with the most challenging and the neediest members in our community. Many have physical and mental health disabilities. The vast majority of MCHC's clients struggle with disabilities. They are also the least understood and the most maligned. Most do not wish to be homeless; they too would like a safe and warm bed each night. A multitude of circumstances leads to homelessness.

MCHC is the only organization on the coast providing homelessness services and wellness programs to those in need. As other nonprofits on the coast closed their facilities, the County and community urged us to do more...and we did. Unfortunately, during this difficult economic time, there is an ever increasing need for services in Mendocino County...with an ever decreasing funding source.

Hospitality House provides that first step to getting someone off the street; providing them with food and shelter, and most importantly, the opportunity to address their needs so that they too can become productive members of our community.

Many try and fail; MCHC staff picks them up and encourages them to try again.

MCHC also struggles, and at times stumbles and falls. As President of the Board, I take full responsibility for our errors and missteps. As hard as we strive to be good neighbors, we haven't always been successful. We are doing a difficult job, and we learn from our mistakes.

We learned that when our finances are tight; staffing is spread too thinly. We learned that we can't manage Hospitality House from afar. We have remedied that. MCHC has established a new position, Hospitality House Administrator, whose responsibilities include full management of the House, including recruitment, training and supervision of all staff.

We have already filled that position with a local resident Lara Anderson who has all the skills necessary to run a successful program. And every day I hear her say, "I love my job." How very fortunate we are!

Lara Anderson, our new Hospitality House Administrator, retired police officer Gary Johnson who serves on MCHC's Advisory Committee and I had the pleasure to meet with Officer Thomas O'Neal to discuss Hospitality House issues. Strategies were developed to communicate and work more closely together to prevent and resolve any issues that may arise at Hospitality House. It was agreed that Hospitality House will develop and keep an updated ban list that we will send to the Police Department so that they can provide input regarding any concerns, information or suggestions for additions to the ban list.

This has been a particularly difficult time for staff, the Board and our clients with the strife and division in our community. Our clients hear the rumors; they are concerned that the Hospitality House will close; that our programs to feed the hungry will be gone. We have an incredible, compassionate staff with a difficult and challenging job. We are proud of each one of them. Our staff is struggling to keep a positive attitude and to calm the clients when they hear the rumors and misinformation surrounding MCHC.

MCHC will continue to work towards improving communication within our community. Hospitality House rules and policies are available to the public. We are excited to announce that our MCHC Board has approved "Open Board" meetings. We are also arranging quarterly gatherings with our neighbors so they can ask questions and share their thoughts and suggestions as well as working with our local business owners through the "Downtown Watch" meetings.

MCHC's mission has remained our guiding light. Our staff works with the most misunderstood and misjudged population in our community. Over the years, MCHC has quietly worked miracles with our clients. Our clients and guests work hard to overcome their difficulties and to become productive community members. They have jobs, own businesses, rent and buy homes and are raising families here on the coast.

MCHC needs your support and the support of this community. We cannot shoulder the full burden of the homeless issues on the coast without your help. We welcome you at our Board meetings. We encourage you to stop by any of our facilities at any time to see what we do...and if you wish, give an hour or two of your time as a volunteer. There are many opportunities and we are looking forward to building our volunteer team. It is urgent to our survival.

I am grateful that in June, City staff recognized the need to work towards solving some of the homeless issue we are facing and formed a "Homeless Action Planning Group". Homelessness is not just in our backyard...all communities are grappling with these complex issues. MCHC is doing our best to help this community, but the community and the County must help as well.

For too many years, these issues have festered, become acrimonious and have divided our community. It is time for this community to begin to heal....

Help Mendocino Coast Hospitality Center succeed. Our staff and the clients we serve need you. Working together we can accomplish miracles.

Thank you for listening...

Respectfully,



Lynelle Johnson
MCHC Board President

August 7, 2017

Fort Bragg City Planning Commission
c/o Marie Jones
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

Ref: Potential Violations of Use Permit at the Hospitality House

Members of the Fort Bragg Planning Commission,

I am employed as the Executive Director of Mendocino Coast Hospitality Center (MCHC).

I will not be at the Hearing on 8/23/17 reference the Hospitality House, as I have a pre-scheduled vacation.

MCHC is the nonprofit which operated the Hospitality House emergency shelter for the homeless. Operating a homeless shelter is a challenging role and indeed no other agency in our county has managed to do so for as long as we have: thirty-one years.

The Hospitality House has a community-living atmosphere, quite unlike other homeless shelters, and is clean and welcoming in its environment. Visitors are always impressed by the clean orderly environment.

Hospitality House homeless shelter has been providing services in the coastal community is a treasure. Hospitality House has kept its doors open through all those years while other shelters in our county have come and gone. It's a tribute to the support of the coastal community and the commitment of the Board, that the Hospitality House, which relies on fundraising, has continued to shelter and feed people despite all the vagaries of the economy and all the political shifts over those thirty-one years.

The real story here is that Mendocino County has the highest per capital rate of homelessness in the U.S. The rate of homelessness in Mendocino County is almost twice that of San Francisco. And homelessness is growing. In California, homelessness grew by around 20% last year.

The Hospitality House is not the cause of the homeless people on the streets of Fort Bragg. The growing extent of homelessness is the cause of the extent of homeless people on the streets of Fort Bragg. The solution to homelessness is housing, and poverty reduction to afford that housing, and support services.

The Hospitality House is not the cause of public defecation and urination. Where are all these people, without homes with bathrooms, going to defecate and urinate outside the hours of 7am-4pm (which is when MCHC currently provides public bathroom access? I believe that the one City bathroom closes at 7pm. The solution to public defecation and urination is, put simply, public bathrooms.

The Hospitality House is not the cause of nuisance behavior. The guests who live at the Hospitality House are sober, drug tested and engaged in programs, working or caring for children.

Inland shelter in Mendocino county.

In the summer of 2014, in Ukiah, the Ford Street Project shelter “The Buddy Eller Center” closed, for lack of funding, after multiple attempts by its management staff to achieve the necessary cash flow. The Buddy Eller Center had been open every night year-round. In the summer of 2014, as a result, there was a notable growth in people held on 5150-holds for mental illness crises, which is both astronomically expensive, and not a way to tackle mental health, responding with a locked ward to someone whose symptoms worsen because they have no shelter. There was a public outcry inland and eventually some short-term funding was found so that a winter shelter could open during the winter of 2014-2015 at the Buddy Eller site.

Hospital and Emergency Room costs went up in Ukiah and as a result Ukiah Valley Medical Center (UVMC) provided some of the funding, along with the county, for another temporary shelter, at a new temporary and inadequate location for the winter of 2015-2016. That winter the shelter was operated by an inland nonprofit Mendocino County Aids and Viral Hepatitis Network (MCAVHN). After that winter, MCAVHN had lost money, and its staff were so burned out by one winter of running a shelter that they simply could not do it again.

In the summer of 2016 there was another huge spasm of effort by many inland agencies, and again funded by UVMC and the county and others, at the very end of November 2016 a location was finally found despite all the zoning and permitting challenges and a winter shelter opened inland for four months in the winter of 2016-2017, run by a coalition called the Homeless Shelter Action Group (HSAG). Again, HSAG was so burned out by the experience that they could not take it on for another winter.

As we all convene at Fort Bragg Planning Commission on 7/26/17, at the same time inland the Ukiah Planning Commission will be having a hearing for a Use Permit for an inland day shelter, and yes, another temporary winter shelter, operated this time by Redwood Community Services (RCS) for the winter of 2017-2018. Many of our supporters from other agencies are at this Ukiah meeting on 7/26/17.

The Buddy Eller Center was a purpose-built site and housed 66 people each night year-round. Now, there are efforts inland each winter to put temporary shelter over 45 people. Let’s keep and cherish our coast shelter, the Hospitality House.

Lack of homeless shelter results in inflated costs to law enforcement and to our medical providers and social services. Let us not fall into the trap of attacking or underfunding our shelter the Hospitality House. Good staff and training costs money. Good food costs money. Our coastal community has been more than fortunate that the Hospitality House has stayed open night after

night, year after year. The Hospitality House has stayed open through the fundraising and frugality of its Board and staff.

The Hospitality House has sheltered men, women and children, people fleeing domestic violence, seniors including people in their 80s, nurses who have had family breakdowns, people with disabilities including those in wheelchairs and those who are blind or deaf, people with developmental disabilities, people who are incontinent, people with multiple sclerosis and heart disease, people who have had major surgeries while homeless. The Hospitality House has sheltered people at and up to the very end of their lives, who have had terminal illnesses, and have been supported by Hospice and Cancer Resource Center while living at the shelter. There is nowhere else for all these people to go. Senator Mike McGuire commended MCHC's Hospitality House and support services as a model for the rest of the state.

It's too easy to conflate the problem with the solution and blame the location that visibly helps the homeless, for all the visible problems of homelessness. In this community, we are better than that.

It's time for a round of applause for MCHC's Hospitality House, and a long heartfelt sigh of gratitude that we have year-round shelter on the coast.

Finally, to show the constructive & hard-working path of those of the guests who are able to work, I wish to provide the Planning Commission with a list of the businesses where current or previous guests of the Hospitality House have been employed (and these are just the few that I know from memory so there are more):

Safeway	The Company Store
Starbucks	In Home Supportive Services
Harvest Market	The Salmon Barbecue
Mendoza's	Super 8 Motel
Moody's	Beachcomber Motel
Headlands Coffee House	Surf Motel
Beckman's Printing	Mendocino Coast Clinics
Fort Bragg Food Bank	Adventist Health
Project Sanctuary	Parents and Friends
County Social Services	The Company Store
County Environmental Health Department	Stanford Inn
Queenies in Elk	Multiple construction companies
Albion River Inn	Multiple Logging and timer companies
Little River Inn	Multiple fishing boats
MacDonald's	Rossi's
CVS	Mendocino Coast Hospitality Center
Rite-Aid	O'Reilly Auto Parts
Dollar Tree	Mendocino Coast District Hospital
Taco Bell	Multiple gas stations

Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script, appearing to read 'A. Shaw'.

Anna Shaw

Anna Shaw

August 9, 2017

New Management Action Plan for Hospitality House

Mendocino Coast Hospitality Center (MCHC) approved and established a NEW senior position titled "Hospitality House Administrator" dedicated solely to oversee, manage and lead the Hospitality House (HH). This new position will be responsible for recruitment, staff training and supervision, fair and immediate application of all HH policies and sanctions, control of substance abuse, medication audits, and liaison with neighbors, community and law enforcement. Hospitality House has effective strong leadership present on site.

Hospitality House responded to local community concerns in relation to its management staff by negotiating with Mendocino County to re-assign funding to pay for a major improvement in staffing at the Hospitality House homeless shelter. The new funding took effect on 7/1/17, but MCHC had already gone out to recruit the Hospitality House Administrator and that person started work in late June. The Hospitality House Administrator hired has substantial experience in the management of group homes and worked for the county in Adult Protective Services.

These are the actions that have been put in place by the new Hospitality House Administrator:

- Staff Training and Supervision. The Hospitality House Administrator works very closely with staff in the House, meeting with them both every shift to identify priorities and address issues. As a result, accountability and consequences for staff and for clients are clear and immediate.
- Fair and immediate application of sanction policies on inside and outside guests. On arrival, the Hospitality House Administrator strategized enforcement of existing policies to immediately address health and safety issues. The Hospitality House Administrator immediately implemented a fair number of discharges for cause in order to address some serious behavioral issues occurring in the house. The Hospitality House Administrator addressed behavioral issues occurring during outside shower and laundry time and during meal times. The situations have improved now and the people served both inside and outside the house know what to expect from staff. This is ongoing and the Hospitality House Administrator is very vigilant and thorough in ensuring the efforts of all staff to enforce all policies, including tackling substance abuse, in a fair, consistent and compassionate manner.
- Medication audit. The Hospitality House Administrator disposed of medication from past guests and matched medication lists from guest files with medications in house safe. The Hospitality House Administrator checks medications weekly.
- Complete house inspection. The Hospitality House Administrator has been working systematically to address all issues. For example, the outside bathroom lighting is fixed and new locks have been added to the supplies store.
- Files. The Hospitality House Administrator is conducting a full file review, including checking medical documentation related to people's stated ADA requirements and limitations related to disability.
- Communication. The Hospitality House Administrator believes strongly that communication with outside agencies, Hospitality Center staff and community members, and the Police Department is a priority and has able to raise the standard in this area on behalf of the agency. The

Hospitality House Administrator has worked directly with a local store owner to hear concerns, and then take action about a homeless person (someone banned from Hospitality House).

- Control of substance abuse. The Hospitality House Administrator ensured that there was a restocking of the urinalysis and mouth swab test kits by a new order to Redwood Toxicology. Using those supplies, the Hospitality House Administrator instituted a coherent testing of all resident guests, with sanctions and discharges implemented as a result, per the Hospitality House Sanctions Policy.

August 20, 2017

To: Fort Bragg Planning Commission Members

From: Gary Johnson

Re: Hospitality House Police Department's "Calls for Service"

Fort Bragg Planning Commission Members:

My name is Gary Johnson. I am a retired police officer from the City of Walnut Creek, past MCHC Board President, and currently serve as an MCHC Advisory Committee member. I was asked by the MCHC Board to review and analyze the "Calls for Service" that took place at Hospitality House representing activity for a 13-month period of June 1, 2016 through June 30, 2017.

On August 16, I had the opportunity to sit down with Office O'Neal, the MCHC Board President and the new Hospitality House Administrator Lara Anderson to discuss issues regarding the Hospitality House and possible solutions as we move forward.

My report is based on the fort Bragg Police Department's "Call Log Report Type General" indicating the services provided to Hospitality House. I also reviewed the Hospitality House Incident Log for that same period.

The Police Log indicates 196 contacts with Hospitality House over that period of time. Included in the calls for service are 62 "security checks". According to Officer O'Neal, these are police patrol activities initiated by officers for locations throughout the City. It is a proactive activity based on available time and need. **Security checks are not a call for service and should be eliminated from the report as such; thereby reducing the calls for service at Hospitality House to 134 for the 13-month period.**

My analysis divides the data into two categories:

1. Reported Crimes
2. Calls for Service

Reported Crimes

The Police Log indicates any reported crimes by the assigned officer. These are normally violations of the California Penal Code.

During this 13 month period, there were 60 reported crimes documented, which is an average of about one per week. 75% of those criminal violations were for (415P.C.) disorderly conduct, which is a misdemeanor. (See attached breakdown for specifics)

Calls for Service

This category indicates other related police activities and comprises of follow-up reports and calls for suspicious persons or circumstances. (See attached Reported Crimes Data). This indicates an average "Call for Service" visit every three days.

Earlier this year, the Public Safety Committee requested "Calls for Service" at Hospitality House in calendar year 2016.

The Police Department provided the following:

<u>2016 HH Calls for Service</u>	<u>Total City Calls for Service</u>
75	14,819
.5%	100%

Hospitality House was responsible for one-half of a percent (1/2%) of the total "Calls for Service" in 2016. The Police Department projects that the results will be similar in 2017.

From the records I reviewed from June 1, 2016 – June 30, 2017, I am unable to accurately determine how many incidents resulted in arrests or citations. Some of the disorderly incidents did result in arrests, however it appears that the majority did not based on information from internal Hospitality House Incident Reports.

Comparison for "Calls for Service" (Refer to pg. 13 of the staff report to the Planning Commission)

The clients Hospitality House serves are without homes and include people who have significant individual issues. To have the staff report compare this population with single occupancy tenants and guests of a local inn is not a reasonable comparison.

As an example, how can compatible data be used between a location that hosts 24 people without homes with accommodations and meals to a fine restaurant which rents four rooms above the restaurant and provides three meals for paying customers. In addition, Hospitality House has provided meals for individuals in the Extreme Weather Shelter as well as respite locations. The environments, demands and challenges are worlds apart.

Additional information from our joint meeting with Officer O'Neal

Officer O'Neal indicated that a small number of offenders are creating most of the problems. They are known to the police department and Hospitality House staff. The most common practice is to ban the offender from the property; the length determined by the level of unacceptable/ illegal behavior. The problems created by these offenders extend beyond Hospitality House property.

In our joint meeting with Officer O'Neal and our Hospitality House Administrator Lara Anderson, we developed strategies to communicate and work closely together, within legal constraints, to prevent and resolve any issues that may arise. Hospitality House will develop and keep an updated ban list that we will send to the Police Department so that they can provide input regarding any concerns, information or suggestions for additions to the ban list.

The Police Department and HH agreed to work together to ensure that drug testing is done promptly and effectively when necessary. Hospitality House has already implemented routine neighborhood checks and closer monitoring of activity on the property. However, we will work jointly with the Police Department to educate Hospitality House clients regarding loitering restrictions in and around Hospitality House property.

We are most appreciative that the Police Department understands the reasons to support limiting guests rather than beds so that we can maximize our ability to house up to 24 guests each night; and are gratified that at our joint meeting, Officer O'Neal generously offered the services of the Police Department to conduct random "spot checks" to document the number of overnight guests at Hospitality House.

While many we serve are challenging, we are dedicated to reducing activity and criticism that is detrimental to our mission. We thank Officer O'Neal for taking the time to meet with our organization in an effort to improve Hospitality House operations.

Respectfully,



Gary R. Johnson

Summary of Police Log
"Calls for Service"

June 1, 2016 – June 30, 2017

<u>Month</u>	<u>Criminal Reports</u>	<u>Police Visits</u>	
		<u>Contacts</u>	<u>Security Checks</u>
June 2016	7	12	0
July	4	15	1
August	2	8	1
Sept	3	8	0
Oct	3	7	2
Nov	1	19	13
Dec	4	17	11
Jan 2017	8	22	8
Feb	10	28	6
March	4	17	12
April	5	14	2
May	8	14	2
June	1	12	4
60		196 minus	62 = 134

Total Calls for Service = 134

Reported Crimes
June 1, 2016 – June 30, 2017

<u>Types of crimes</u>		<u>Numbers</u>
415p.c.	Disturbing the peace/Disorderly conduct	45
484p.c.	Petty Theft	5
242p.c.	Assault	4
602p.c.	Trespassing	2
597p.c.	Cruelty to animals	2
148p.c.	Interfering with a Police Officer	1
422p.c.	Criminal threats	1
Total		60

Police Visits Include

Reported crimes	60
Follow-up Reports/Information only	31
Suspicious Person/Circumstance	17
Assist Outside Agency	4
Mental Health 5150 H. S.	3
Civil Matters	2
Other Misc. classifications	17
(Subpoena service, civil, found property, etc.	
<hr/>	
Total Calls for Service =	134

FORT BRAGG FIRE PROTECTION AUTHORITY

141 N. Main Street
Fort Bragg, California 95437
(707) 961-2831
Fax (707) 961-2821



STEVE ORSI
Fire Chief

Mendocino Coast Hospitality Center
237 N McPherson Street-Fort Bragg
Attn: Lynelle Johnson

Fire Safety Inspection (Re-Inspection/Non-Compliant Items) August 23, 2017

Items Inspected on August 07, 2017 Include:

1. Extinguishers: Placement/Current Service Tag
2. Exits/Egress: Number of exits/signage
3. Emergency Illumination: Battery backup lights
4. Occupancy Load: Number of persons per room
5. Fire Sprinkler System: Current certification
6. Alarm System/Smoke detection: Placement, testing
7. General Housekeeping:
8. Electrical: Cover plates/Access to panel, use of extension cords, etc.

Items found to be Non-Compliant on August 07, 2017:

1. Smoke detectors are missing or disabled in several rooms-All smoke detectors shall be interconnected.
08/23/2017: Some smoke detectors have been replaced with new/interconnected models as per required. Operations Manager had new alarms on site and assured they would be installed by Friday, August 25, 2017.
2. Egress windows are blocked by beds in 2 rooms.
08/23/2017: The beds that blocked windows in 2 rooms have been re-located to allow full egress if needed.
3. Fire Sprinkler System shall bear a current 5 year inspection tag.
08/23/2017: The FBFD was given a copy of the latest inspection report dated 07/03/2013 from Bryan Stankey.

It was also requested by Management, that the FBFD inspect the bed situation as far as fire safety concerns. The bed configurations pose no threat to egress

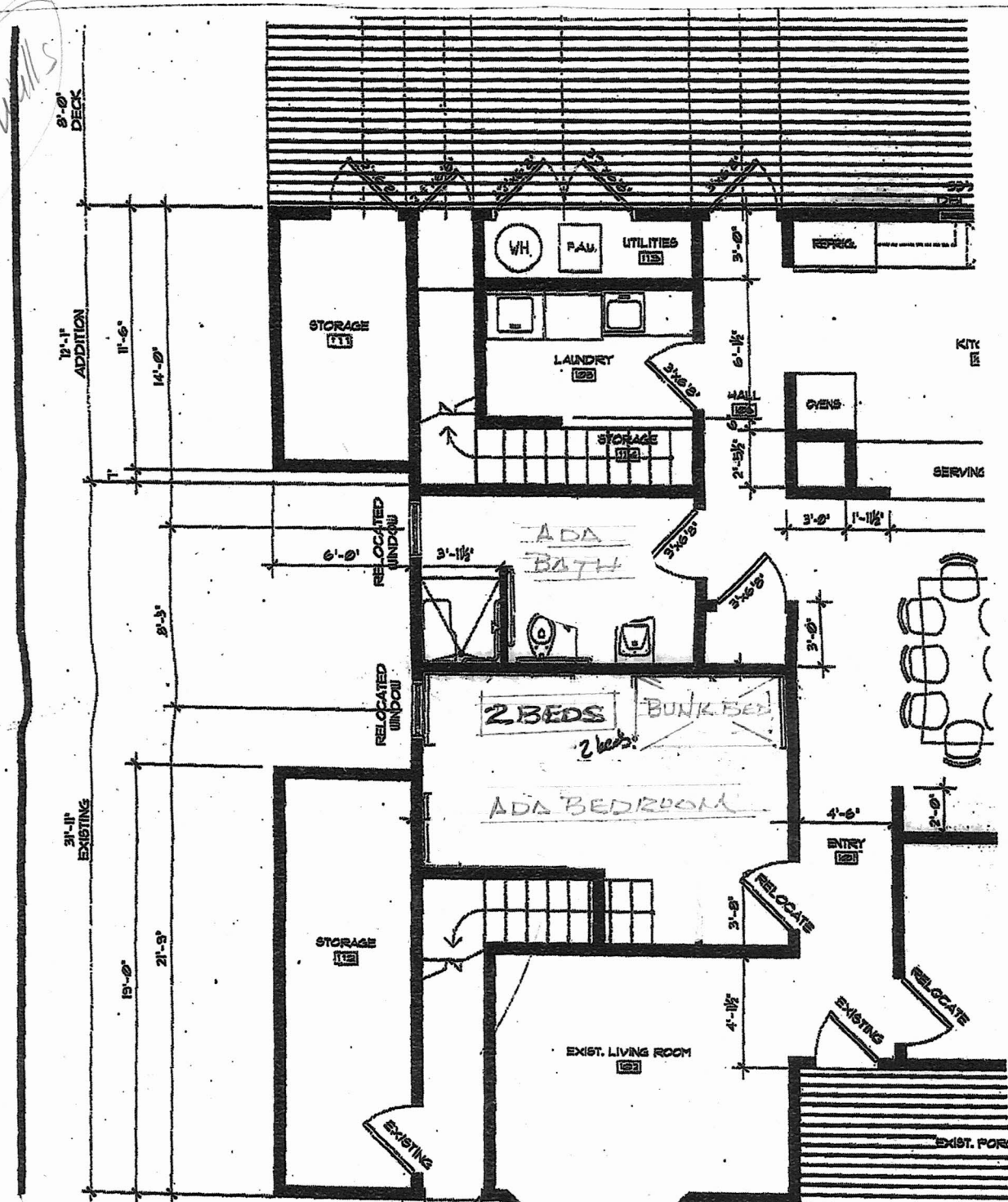
for the occupants. It was further noted that the permitted 24 (max) beds was over by 8 (32 total) it was explained that the intent of the permit was 24 guests, which they intend to follow. This issue was not part of the fire departments inspection, we were only concerned with emergency egress. We found no fire safety issues in this area.

A handwritten signature in dark ink, appearing to read 'Steve Wells', is written over a horizontal line.

Steve Wells
Prevention Division

Cc: Mike Oliphant, County of Mendocino
Marie Jones, City of Fort Bragg

For Stone walls



BED CONFIGURATION

MAIN HOUSE

1st Floor 2

2nd Floor 21 (1 STAFF-BED)

GIBSON HOUSE

1st Floor 4

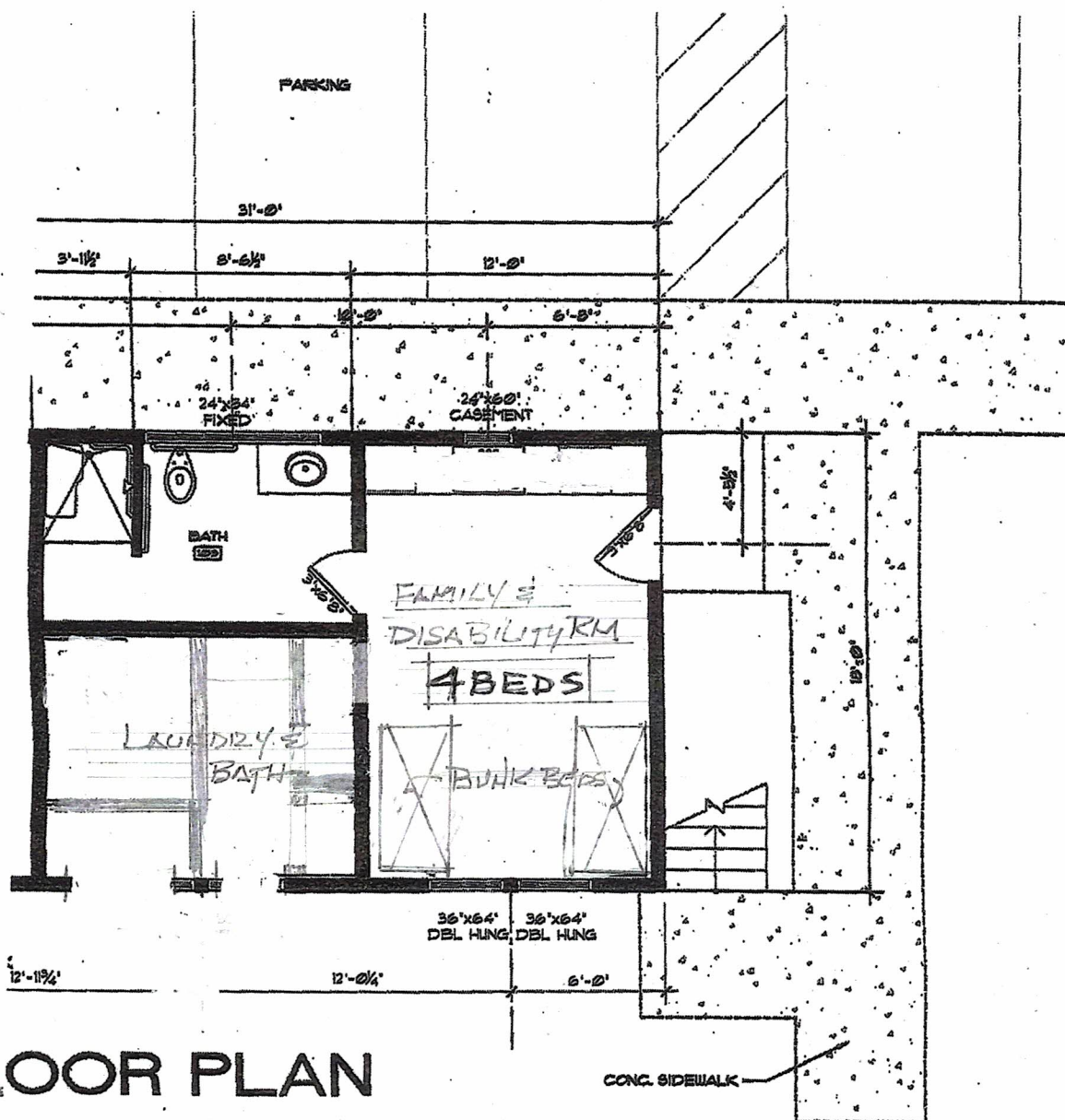
2nd Floor 5

TOTAL 32

FIRST FLOOR PLAN

2-bed (ADA) -
MAIN HOUSE

NOTE:
PROVIDE
SPRING
FORTH E
REQUIRE

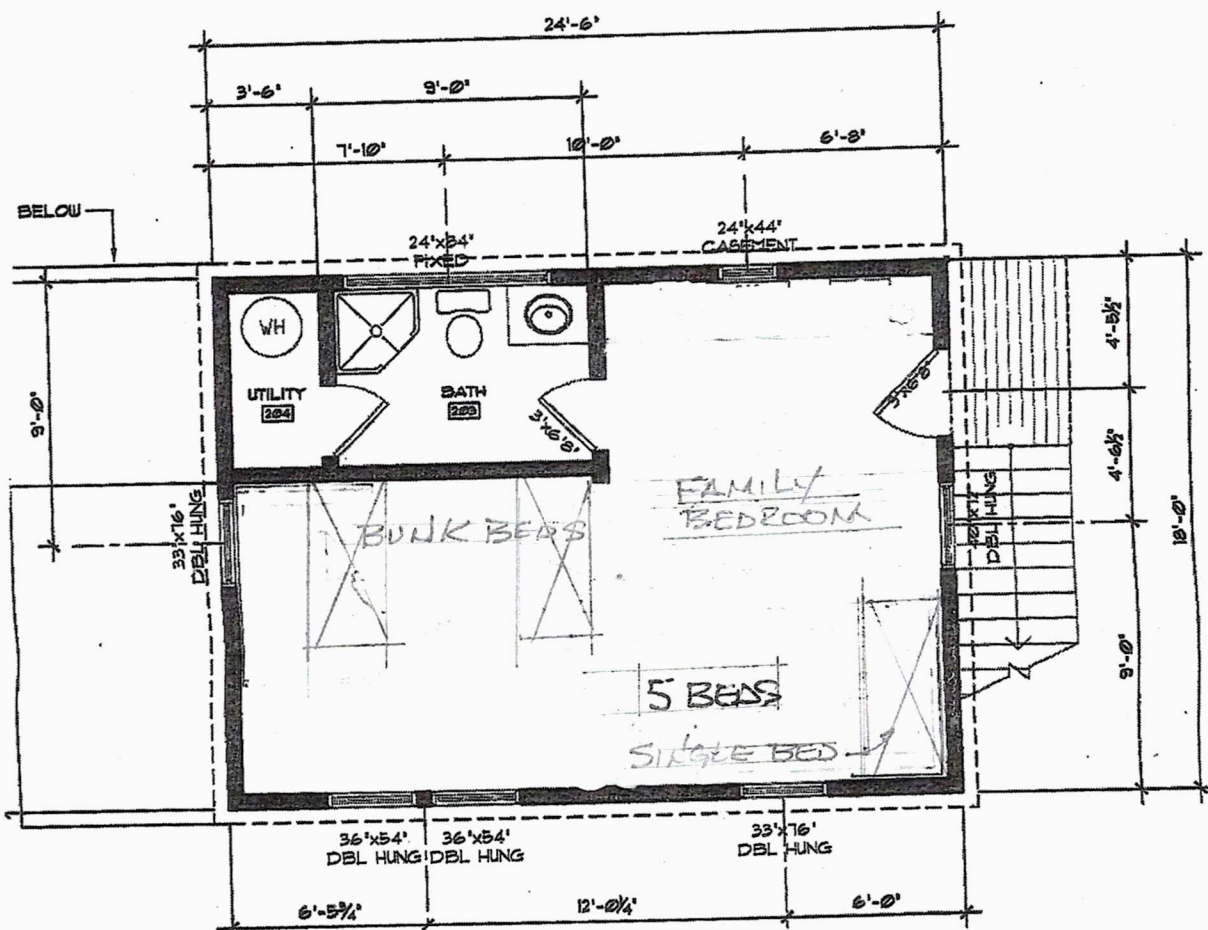


FIRST FLOOR PLAN

Gibson House

Aka Alley House

NOTE:
PROVIDE FIRE ALARM AND
SPRINKLER SYSTEM AS PER
FORT BRAGG FIRE DEPARTMENT
REQUIREMENTS



SECOND FLOOR PLAN

1/4" = 1'-0"

GIBSON HOUSE

Handwritten signature/initials

Fort Bragg City Planning Commission

c/o Marie Jones

City of Fort Bragg

416 N. Franklin Street

Fort Bragg, CA 95437

August 22, 2017

Ref: Potential Violations of Use Permit at the Hospitality House

Members of the Fort Bragg Planning Commission,

I am the current Administer of the Hospitality House. I come to this position from 7 years as a social worker for Mendocino County Adult Services. Prior to that position I worked with people with developmental disabilities as a supported living facilitator. I also managed group homes and a day program in Marin for the same population.

My family moved to the Mendocino Coast when I was 4 years old. I have been proud to call this place my home for most of my life. When we look at the quality of any community we must include an analysis of that community's treatment of it's most vulnerable and disadvantaged members. The work of the Hospitality House is crucial to the wellbeing of our community and should be supported by us all.

I am writing this letter to address the current potential violation of the use permit at Hospitality House. Specifically, I want to address the issue of 24 beds versus 24 people within the scope of our practices here at the House. There is no question that the Hospitality House cannot house more than 24 people on any given night. This is clearly the limit as stated in our use permit. However, we have 32 physical beds on the property.

These beds are all absolutely necessary to the running of this house. They enable me to put more vulnerable individuals in a quieter room with less people. They enable me to have flexibility to move people around to accommodate a disabled person who cannot climb stairs or get up on a top bunk. They enable this house to serve families of all shapes and sizes including disabled parents and children. It is not physically possible for us to reconfigure our beds to fit the makeup of the guests we are serving on any given night. The beds are very heavy and take about 1 hour to dismantle and reassemble.

Placing a limit on the number of beds we can have in the House will result in a limit in the makeup of who we can house within our 24 person use permit. We will have to serve less people with disabilities, less families and less of the most vulnerable of the homeless population on the Mendocino Coast. Allowing us to have more physical beds on the property than we do people allows flexibility with

the operation. This flexibility allows us to maximize our use permit to serve the most vulnerable individuals.

Need for safe shelter for the night far exceeds our 24 person use permit. Every day at 4pm I am in the position of deciding who will sleep safely inside for the night and who will be outside in the cold facing whatever dangers the night may bring. Most afternoons I turn away multiple people. Some afternoons I have to turn away mothers with children. The fear and pain on the faces of those men, women and children is something that I have to deal with every day. I deal with it and indeed I love this job because of those individuals who I don't turn away. In my position as Hospitality House Administrator I get to shelter people and feed them and provide a compassionate listening ear for them. I believe there is no greater honor.

Thank You for Your Support,

A handwritten signature in cursive script that reads "Lara Anderson". The signature is written in dark ink and is positioned below the typed name.

Lara Anderson
Hospitality House Administrator