



AGENCY: City Council
MEETING DATE: November 26, 2018
DEPARTMENT: Community Development
PRESENTED BY: M Jones
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AGENDA ITEM SUMMARY

TITLE:

Receive Report of the Mendocino Coast Hospitality Center (MCHC) Ad Hoc Committee Regarding Oversight of and Improvements to the Operations of the MCHC and Consider Dissolving the MCHC Ad Hoc Committee and Replacing It with a Homeless Ad Hoc Committee

ISSUE:

The City received numerous written and verbal complaints about the operation of the Hospitality House from the fall of 2016 through the summer of 2017. These complaints resulted in the City opening a code violation case regarding the Hospitality House. During the course of the code violation investigation, staff discovered a violation of the Hospitality House Use Permit (USP 9-03). The City initiated proceedings to modify Use Permit 9-03 to address the nuisance conditions and the permit violation.

In July of 2017, pursuant to Fort Bragg Municipal Code (FBMC) Section 17.96, the City served a Notice of Violation and Hearing on the Hospitality House. The City and the MCHC met on numerous occasions over the summer and the City held two Planning Commission hearings to discuss modifications to the Use Permit. This was followed by an appeal of the Permit to the City Council, which was decided on October 3, 2017. As a result of the October 3 appeal and direction from City Council, the MCHC and the City entered into a negotiated modification to the Hospitality House (HH) Use Permit 9-03 (USP 9-03) for the Hospitality House to include 18 Special Conditions to address nuisance conditions and violations of special and standard conditions of the Use Permit.

ANALYSIS:

Staff has over the past year monitored the performance of HH with regard to compliance with the Use Permit Special Conditions as noted in the table below.

	Use Permit Special Conditions	Compliance
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 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.	Yes
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 is not exceeded.	Yes
3	Hospitality House shall serve all food on premises. Food shall not be prepared or served "to go" for clients to carry off-site.	Yes
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.	Yes

5	Hospitality House shall provide a restroom facility for non-guest clients starting one hour before the breakfast meal program each day.	Yes, HH stopped serving breakfast to non-guests
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.	Yes
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.	Yes
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 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.	Yes, with qualifications. Closed loop cameras were installed late. HH has not always agreed with the Ban requirements recommended by the Police Dept.
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.	Yes, with qualifications
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.	Yes although the sign needs to be replaced
11	The Extreme Weather Shelter shall not be operated from the Hospitality House.	Yes
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.	Yes, with qualifications
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.	Yes, with qualifications
14	The Hospitality House shall have a trained person on-site at all times when clients are present.	Yes
15	The Hospitality House Management shall cooperate with the Police Department and Police Officers when they respond to complaints and calls	Yes, with qualifications

	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).	Yes, HH stopped serving meals to outside guests to stay comply with this condition.
17	Other homeless services currently offered at the facility shall not be intensified or expanded, with the exception of showers and laundry.	Unknown
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.	Unknown

In the fall of 2017, the City Council directed that an MCHC Ad Hoc Committee be formed (composed of City Councilmembers Will Lee and Bernie Norvell) to monitor and assist the MCHC to conform with the new Use Permit requirements. The MCHC Ad Hoc Committee has met with City staff and representatives from the MCHC over the past year and together the committee has achieved a number of positive outcomes. Sergeant O'Neal has prepared a report that summarizes the improvements that have been made at the Hospitality House, from a law enforcement perspective. In addition to the status update provided by Officer O'Neal (see Attachment 1), the Ad Hoc Committee and staff has also worked with MCHC on the following activities and successes:

1. Toured both the Hospitality House & the MCHC and learned about various homeless services, programs and activities.
2. Worked with the MCHC to ensure that the requirement to have a functional restaurant open in the MCHC Oak Street facility be achieved within the required one-year timeframe.
3. Provided oversight and direction with regard to the operating requirements for the Extreme Weather Shelter through the Limited Term Permit process.
4. Worked on various homeless loitering issues relative to various benches around downtown Fort Bragg, including: removed two City benches (corner of Franklin and Redwood; and in front of the Barber shop on the 100 block of North Franklin which were "hang out" locations for homeless groups); replaced two MTA benches with loitering resistant benches at the corner of Harrison and Redwood Street; and worked with Hospitality House to continued patrolling areas around Hospitality House to address loitering issues.
5. Improved cooperation between the Police Department and HH regarding following Use Permit special conditions (installation of surveillance cameras, banning problematic clients with criminal histories, etc.) and recommendations to reduce calls for service and incident reports.
6. Addressed supervision and fighting incidents on HH premises.
7. Helped the HH center establish better prescription drug control protocols and equipment.
8. Worked with Hospitality House to ensure the guest vehicles obey parking and camping regulations within Fort Bragg.
9. Negotiated a set of rules for operation of the hospitality house in addition to the requirements in the Use Permit.

10. Interviewed for the Marbut report, recommended that City Council adopt the Marbut report, and developed mechanisms to implement the recommendations of the Marbut report (through the EWS Limited Term Permit for example).
11. Ensuring that the HH stays within its meal service maximum for the year, per the Use Permit.
12. Identified and removed four large encampments (A&W Haul Road, Skunk Train Tracks, Pudding Creek Bridge, Cypress Street) and over 450 cubic yards of trash and debris. Worked with property owners to install fencing on some of the parcels to deter future encampments.

At this time the MCHC Ad Hoc Committee feels that the needs of the community to address the issues around homelessness include the need to cooperate on and with a larger number of agencies on a larger list of issues. The Committee recommends that the MCHC Ad Hoc Committee be disbanded and that a new Homeless Ad Hoc Committee be formed after the new City Council is seated in January.

PROPOSED ACTION:

Disband the MCHC Ad Hoc Committee and form a Homeless Ad Hoc Committee.

ALTERNATIVE ACTION(S):

None.

ATTACHMENTS:

1. Sergeant Thomas O'Neal's June 2018 Report to the MCHC Ad Hoc Committee
2. Sergeant Thomas O'Neal's February 2018 Report to the MCHC Ad Hoc Committee
3. Police Department's Ban List Recommended Guidelines

NOTIFICATION:

1. Affordable Housing Notify Me
2. Homeless Notify Me