

RESOLUTION NO. RES-2020-175

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RATIFYING A PURCHASE ORDER AND ASSOCIATED AGREEMENTS APPROVED UNDER THE CITY MANAGER'S EMERGENCY AUTHORITY WITH 3421 CLEVELAND OWNER LLC (SANDMAN HOTEL) TO PROCURE 91 HOTEL ROOMS FOR THE PROVISION OF NON-CONGREGATE SHELTER FOR "AT RISK" SHELTERED AND UNSHELTERED PERSONS DURING THE COVID-19 PANDEMIC; AUTHORIZING THE CITY MANAGER TO EXTEND THE TERM AND/OR ADD HOTEL ROOMS THROUGH DECEMBER 31, 2020 SUBJECT TO A NOT-TO-EXCEED AMOUNT OF \$2,011,232; AND APPROPRIATING A TOTAL AMOUNT NOT -TO- EXCEED \$2,011,232 FOR THE PURCHASE ORDER FROM GENERAL FUND UNASSIGNED RESERVES FOR THE PERIOD JUNE 26, 2020 TO DECEMBER 31, 2020

WHEREAS, on March 3, 2020, Council, by Resolution No. RES-2020-035, ratified the proclamation of existence of local emergency by the City Manager in his capacity as Director of Emergency Services relating to the threat to community health posed by COVID-19; and

WHEREAS, following said ratification, on March 20, 2020, the City entered into a Purchase Order and Rider (collectively, the "Purchase Order") with 3421 Cleveland Owner LLC (Sandman Hotel) to procure 45 hotel rooms for the relocation of "at risk" individuals from the City-owned Samuel L. Jones Hall Homeless Shelter to achieve social distancing requirements under the City Manager's authority as the Director of Emergency Services; and

WHEREAS, the Purchase Order was subsequently amended by four related Letter Agreements to reserve a total of 91 hotel rooms and to extend the time for the hotel rooms, which included procurement of an additional 26 rooms in April 2020 for "at risk" unsheltered individuals identified through the Homeless Encampment Assistance Program (HEAP), and the reservation of 20 additional rooms in October 2020 to address the closure of the Finley Safe Social Distancing Program (SSDP) site; and

WHEREAS, with the ongoing COVID-19 outbreak and the City's need to address COVID-19 related health and safety risks in the community and to maintain social distancing at shelter facilities, the City has continued its use of all 91 hotel rooms and Sandman Hotel has not asked the City to vacate the rooms; and

WHEREAS, on July 21, 2020, Council, by Resolution No. RES-2020-122, appropriated funding from the General Fund reserves for costs related to emergency events during Fiscal Year 2019/2020, including costs related to the Purchase Order for the period March 20, 2020 to June 26, 2020, totaling approximately \$887,680; and

WHEREAS, the City desires to continue procurement of the hotel rooms at the Sandman Hotel, providing NCS for those individuals at greatest risk of susceptibility to COVID-19 for such a time as the City deems necessary, and no longer than December 31, 2020; and

WHEREAS, the estimated cost for the 91 rooms based on a daily rate of \$129.00 per room which amounts to weekly (seven-day) rates of approximately \$82,173 (91 rooms); and

WHEREAS, the City will also need to provide the Sandman Hotel with a damage fee waiver of \$91,000 (\$1,000 per room), which the Sandman Hotel will hold pursuant to contract terms to address potential damage; and

WHEREAS, the City will also need to provide the Sandman Hotel with a non-refundable cleaning fee of \$10,000 for 20 rooms (\$500 per room), bringing the total paid for this purpose to \$45,500 for 91 rooms; and

WHEREAS, the proposed services under the NCS are exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa ratifies the Purchase Order and Rider, and the First, Second, Third and Fourth Amendments to the Purchase Order (collectively attached hereto as Exhibit A) with 3421 Cleveland Owner LLC (Sandman Hotel) to procure hotel rooms from March 2020 to present for the provision of Non-Congregate Shelter (NCS) for “at risk” sheltered and unsheltered persons during the COVID-19 pandemic, which Purchase Order was issued under the City Manager’s authority as the Director of Emergency Services.

BE IT FURTHER RESOLVED that the Council authorizes the City Manager to negotiate and execute agreement(s) to further extend the term of existing hotel rooms and/or to expand the number of hotel rooms at the Sandman Hotel through December 31, 2020 where such extension and/or expansion is made under terms and conditions in a form approved by the City Attorney’s Office and subject to an aggregate not-to-exceed amount of \$2,011,232.

BE IT FURTHER RESOLVED that the Council authorizes the Chief Financial Officer to appropriate \$2,011,232 to COVID-19 Charge Key 02209, with the source of funds being unassigned General Fund Reserves; and if the full amount of appropriations are not used, the funds will be returned to the General Fund Reserves.

IN COUNCIL DULY PASSED this 27th day of October, 2020.

AYES: (7) Mayor Schwedhelm, Vice Mayor Fleming, Council Members Dowd, Olivares, Rogers, Sawyer  
NOES: (0)  
ABSENT: (0)  
ABSTAIN: (1) Council Member Tibbetts

ATTEST: \_\_\_\_\_  
City Clerk

APPROVED: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney