



ROSEMEAD CITY COUNCIL STAFF REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

FROM: GLORIA MOLLEDA, CITY MANAGER *G.M.*

DATE: MAY 12, 2020

SUBJECT: CONSIDERATION OF RESOLUTION NO. 2020-19 TAKING EMERGENCY ACTION RELATING TO THE HOUSING OF INDIVIDUALS CURRENTLY EXPERIENCING HOMELESSNESS AT MOTEL 6 AND PROCLAIMING THE EXISTENCE OF AN EMERGENCY SITUATION AND LOCAL EMERGENCY DUE TO THE WORLDWIDE SPREAD OF THE CORONAVIRUS (COVID-19)

SUMMARY

Consideration of a resolution of the City Council of the City of Rosemead taking emergency action relating to the housing of 127 individuals currently experiencing homelessness at Motel 6 located at 1001 San Gabriel Boulevard directing Motel 6 to take additional health and safety measures to protect against the spread of COVID-19 to the City of Rosemead and protect the public health and safety pursuant to the city's emergency powers and permitted in the City's emergency proclamation of March 13, 2020 proclaiming the existence of an emergency situation and local emergency due to the worldwide spread of the coronavirus (COVID-19)

STAFF RECOMMENDATION

That the City Council deliberate and consider whether to adopt the Emergency declaration Resolution No. 2020-19.

STRATEGIC PLAN IMPACT - None

FISCAL IMPACT - None

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process.

Prepared and Submitted by:


Rachel Richman, City Attorney

Attachment: Resolution No. 2020-19

AGENDA ITEM 1.C

RESOLUTION 2020-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD TAKING EMERGENCY ACTION RELATING TO THE HOUSING OF 127 INDIVIDUALS CURRENTLY EXPERIENCING HOMELESSNESS AT THE MOTEL 6 LOCATED AT 1001 SAN GABRIEL BOULEVARD, DIRECTING IMPLEMENTATION OF ADDITIONAL HEALTH AND SAFETY MEASURES TO PROTECT AGAINST THE SPREAD OF COVID-19 TO THE CITY OF ROSEMEAD AND TO PROTECT THE PUBLIC HEALTH AND SAFETY PURSUANT TO THE CITY'S EMERGENCY POWERS AND AUTHORIZED IN THE CITY'S EMERGENCY PROCLAMATION OF MARCH 13, 2020, PROCLAIMING THE EXISTENCE OF AN EMERGENCY SITUATION AND LOCAL EMERGENCY DUE TO THE WORLDWIDE SPREAD OF THE CORONAVIRUS (COVID-19)

WHEREAS, the California Emergency Services Act (California Government Code sections 8630, 8550, et. seq.) defines a local emergency as to the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a city, caused by conditions such as an epidemic, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of a city, and require the combined forces of other political subdivisions to combat; and

WHEREAS, Title 2, Chapter 2.40, of the Rosemead Municipal Code authorizes the City to act to respond to emergency conditions; and

WHEREAS, on March 13, 2020, the City Council of the City of Rosemead declared a local emergency pursuant to Resolution 2020-08 prevent the further spread of COVID-19 and protect its residents and businesses; and

WHEREAS, the City was informed on May 4, 2020, that the County was planning to locate 127 homeless individuals at the Motel 6 located at 1001 San Gabriel Blvd; and

WHEREAS, the City has not seen the terms of the agreement with the Motel 6 location; and

WHEREAS, the County of Los Angeles has provided some general program goals but none related to the specific location; and

WHEREAS, on May 6, 2020 the City and a County Sheriff Lieutenant attended a walk-through with County representatives and others of the Motel 6 with the County. At that time it was clear that the County and Motel 6 had not fully considered the public health and safety issues that will be created by transferring 127 homeless individuals to the location.

WHEREAS, on May 9, 2020, the City Attorney for Rosemead sent a letter to Motel 6 explaining the concerns that City had with the Project at its hotel. That letter is attached hereto and made a part of the recitals for this proclamation.

WHEREAS, the placement of 127 homeless individuals at this Motel 6 in the City will exacerbate the spread of COVID-19 due to the failure to properly monitor and test those being brought to the Motel 6 for COVID-19; and

WHEREAS, the ability of those individuals to come and go unmonitored from the hours of 7:00 am to 7:00 pm for numerous reasons including “taking time to be in nature for exercise” creates serious health and safety issues including the spread of COVID-19, to the surrounding residential neighborhoods only 250 feet away as well as to the commercial businesses adjacent to the site and the greater community.

NOW THEREFORE, BE IT RESOLVED AND PROCLAIMED THAT:

A. That the above recitals are true and correct and based thereon, hereby finds that the establishment of a Project Roomkey use at the Motel 6 located at 1001 San Gabriel Boulevard will result in the further spread of COVID-19 in the City of Rosemead and create significant public safety issues and as such will produce a situation that severely impairs the public health and safety within the City of Rosemead and constitutes conditions of extreme peril to the safety of persons and property within the City of Rosemead.

B. The City Council of the City of Rosemead hereby orders that the following conditions be satisfied and/or plans implemented at the Motel 6 located at 1001 San Gabriel Boulevard prior to the housing of individuals currently experiencing homelessness:

1. COVID-19 testing be conducted on any participant and notice of a negative result prior to acceptance at the Motel 6 and thereafter weekly COVID-19 testing.

2. Background checks on residents to ensure no occupancy by those individuals with a criminal history relating to sex crimes, violent crimes or property related crimes.

3. Submittal of a security plan that can be reviewed and approved by the City.

4. Supervision of residents when they leave the Motel 6 to ensure the COVID-19 safety protocols are followed including to ensure only Safer at Home permitted activities are occurring. (For example if going to go on a walk, they are

monitored to ensure that is the only activity they are engaging in and keeping 6 feet from other individuals at all times as is being required at the Motel 6.)

5. Provision of monitored transportation to any location that the resident may need to attend. For example: going to the grocery store or a medical appointment.

6. Compliance with the Americans with Disabilities Act.

7. Submittal and approval of a traffic mitigation plan.

8. Agreement that the Project will not continue beyond 90 days from its start date.

9. Submittal of any plans received from the County of Los Angeles relating to the transition of residents out of the Motel 6 once the COVID-19 emergency is terminated including addressing issues of residency rights of Participants after 30 days.

C. City staff is authorized to take steps necessary to ensure compliance with the above conditions and failure to comply will render the Project Roomkey use in violation of this Emergency Order and Municipal Code of the City.

PASSED, APPROVED, AND RESOLVED this 12th day of May, 2020.

Sandra Armenta, Mayor

ATTEST:

Ericka Hernandez, City Clerk

APPROVED AS TO FORM:

Rachel H. Richman, City Attorney

May 9, 2020

VIA EMAIL

Rob Palleschi, CEO
Motel 6
G6 Hospitality LLC
4001 International Parkway
Carrollton TX 75007
rpallesch@g6hospitality.com
officeofceo@g6hospitality.com

**Re: Local Health and Safety Related Conditions for Motel 6 Project at
1001 San Gabriel Boulevard, Rosemead California**

Dear Mr. Palleschi:

I am the City Attorney for the City of Rosemead and I am contacting you as the CEO for the operator and owner of the Motel 6 located at 1001 San Gabriel Boulevard in the City of Rosemead (Motel) regarding the project with the County of Los Angeles (County) called Project Roomkey. The City has grave concerns about public health and safety at the location related to the possible implementation of the Project at your Motel.

The City was only recently told about this location as potentially being used to house individuals experiencing homelessness that are over 65 or have an underlying health condition to stay inside in order to prevent the spread of COVID-19. The City attended a site tour of the Motel on May 6, 2020. The lack of conditions to address the impacts of the Project at this location was very alarming to the City representatives in attendance which included the Mayor, a Councilwoman, the City Manager and a Lieutenant from the Los Angeles County Sheriff's Department. For example, the County will not conduct background checks on the individuals that will be living at the Motel for potentially up to 90 days or more. This means that neighbors that are only a few hundred feet away could be living next to individuals with mental health challenges, drug addiction or even a criminal backgrounds history related to burglary, or more violent crimes including sex crimes. There were concerns noted by a representative of the Los Angeles County Fire Department that since there are no elevators at the Motel it may negatively impact those with disabilities. The Lieutenant also raised his own

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concerns on the multiple access points to the site which will create additional safety issues. In addition, the individuals being admitted are not tested for COVID-19. The County states they plan to screen for fevers, but as we all know it is the asymptomatic spread of the virus that is creating the real challenge to controlling the virus.

Having neither background checks nor regular COVID-19 testing is a serious health and safety risk to the surrounding community because although the County plans to take significant actions to closely monitor that Participants follow safety protocols when at the Motel and there is planned security at the Motel, individuals are able to come and go from the site into the surrounding areas at any time from 7 am to 7 pm for a myriad of reasons. This is illustrated in Project Roomkey Participant Agreement. Participants are permitted to leave to Motel to go to the grocery store, pick up medication or other healthcare items, go to medical appointments, care or provide support to a friend or family member, take time to be in nature for exercise such as walking, hiking bike riding jogging etc. This list gives residents broad authority to come and go throughout the day with no supervision to ensure that either the social distancing rules are followed or to monitor for illegal activities.

Based on the above and as it is the City that is most familiar with the community in which Project is located, the City is asking that if the Project does go forward at your Motel, the below conditions be implemented:

1. COVID-19 testing be conducted on any Participant and notice of a negative result prior to acceptance at the Motel and thereafter weekly COVID-19 testing.
2. Background checks on residents to ensure no occupation of those individuals with a criminal history relating to sex crimes, violent crimes or property related crimes.
3. Submittal of a security plan that can be reviewed and approved by the City.
4. Supervision of residents when they leave the Motel to ensure the COVID-19 safety protocols are followed including to ensure only Safer at Home permitted activities are occurring. (For example if going to go on a walk they are monitored to ensure that is the only activity they are engaging in and keeping 6 feet from other individuals at all times as is being required at the Motel.)

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5. Provision of monitored transportation to any location that the resident may need to attend. For example: going to the grocery store or a medical appointment.
6. Compliance with the Americans with Disabilities Act.
7. Submittal and approval of a traffic mitigation plan.
8. Agreement that the Project will not continue beyond 90 days.
9. Submittal of any plans received from the County relating to the transition of residents out of the Motel once the COVID-19 emergency is terminated including addressing issues of residency of Participants once emergency terminated.

The City needs the above conditions to be implemented to ensure that the health and safety of all residents are considered.

If the City does not hear back by Tuesday, May 12, 2020 at 5 p.m. that the Motel will agree to comply with the above conditions before operations begin, additional actions will have to be considered. You may contact either the City Manager, Gloria Molleda at gmolleda@cityofrosemead.org or 626-569-2106 or me at richman@bwslaw.com or 818-219-2716 to discuss.

Thank you for your anticipated cooperation.

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Very truly yours,

BURKE, WILLIAMS & SORENSEN, LLP

/s/ Rachel Richman

RACHEL H. RICHMAN

cc: Denis Gilbert and Janicka Gold Motel 6 Site Managers via email
(m60196bo@motel6.com)
Los Angeles County Board of Supervisors c/o email to Edith Gonzalez
(egonzalez@bos.lacounty.gov)
Mayor Armenta and City Council City of Rosemead (via email)
Gloria Molleda, Rosemead City Manager (via email)
Tony Duong, City of Rosemead Police Chief/ Lieutenant LASD (via email)