



CITY OF SACRAMENTO
CALIFORNIA

OFFICE OF THE
CITY MANAGER

January 29, 1980

CITY HALL
915 I STREET - 95814
(916) 449-5704

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Clunie Hotel

SUMMARY

This report briefly reviews the history and status of the Clunie Hotel and examines alternatives which might be used to encourage its rehabilitation by the current owners and lessees. None of them appear promising.

BACKGROUND

The City Council, in response to demands from tenants, formed the Task Force on Downtown Hotels. The charge to the Task Force and the approach taken by the Task Force are set forth in the attached documents. The key elements of the Task Force's work were:

1. Respond to the tenant's complaints of danger to life and health in the hotels.
2. Maintain as many of the living units as possible as a part of the housing stock.

The course of action taken was an inspection of each of the 27 older hotels in the downtown area. The inspections were jointly conducted by the City Building Inspector, City Fire Marshal, and County Health Department.

Reports of these inspections were issued to the owners, the operators, the tenants, the press, and the public. In an effort to retain the hotels as a housing resource, owners and operators were urged to upgrade the properties sufficiently to bring the hotels out of the dangerous building category.

The program was successful. Of the twenty-seven hotels involved, twenty-three are no longer dangerous buildings and have been retained as housing stock. The remaining four hotels and their respective dispositions are:

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By the City Council
Office of the City Clerk

CONT. TO

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- Senator Hotel: closed for reasons unrelated to code violations.
- Ramona Hotel: sold by the owner to a developer who has informally indicated intent to rehabilitate the property as an office building.
- Camellia Hotel: closed by owner.
- Clunie Hotel: still a dangerous building.

The recent history of the Clunie Hotel involves almost continuous discussions with the owners (the heirs of Clunie), the lessees (Carter Hawley Hale Corporation) and the sub-lessee (Mr. Nelson) in order to make the building safe for habitation and retain it as a housing resource. All of the three parties have refused to make the necessary repairs and have indicated no intent to make the repairs.

The building is dangerous to the life and health of its inhabitants.

Therefore, the City must order the building vacated.

Although the City is under no legal obligation of any kind to the tenants, lessees, or owners, the City Council has directed that City and Housing and Redevelopment staff act to mitigate the impact of the closure on the tenants. Relocation assistance and its legal implications will be transmitted to Council by the City Attorney in Executive Session.

We will, of course, do our best on behalf of the tenants.

Several alternatives have been explored in hopes that a means could be found to help retain the Clunie as an open residential hotel. All require the consent of the Estate of Clunie as owner, Carter Hawley Hale as lessee, and Mr. Nelson as lessee-operator. None have evidenced any interest in such cooperation.

The alternatives are:

1. Rehabilitation loan for a portion of the repair costs. This would require that the Housing and Redevelopment Agency make a loan with appropriate collateral and that the loan be repaid over a term of years or at any time the property might be sold. This device faces some serious difficulties.
 - a. All the owners and lessees would have to consent and become liable for repayment of the loan.
 - b. Tax increments in the Central City Redevelopment Area are committed for the new Weinstocks parking garage, the Liberty House parking structure, and the write down on the Cathedral block.
 - c. The loan payments would have to be spread back to the rental rates for the rooms which could push the monthly payments beyond the reach of the present tenants.

2. Grant from Community Development Block Grant funds for rehabilitation. Chief Counsel for the Redevelopment Agency has serious concerns as to whether this could be done under current law and regulations from HUD concerning gifts of public funds and owner eligibility.
3. Loan from Community Development Block Grant Funds. This technique would also require complete cooperation of the owners and lessees and would require adequate collateral.
4. HUD innovative grant funds could be used providing private capital and local public funds were committed. However, this grant pool is highly competitive and the likelihood of success very low.

All alternatives share some serious disabilities.

All require the consent and vigorous cooperation of all three of the other interested parties.

The time periods involved in the review and approval process at the local, State, and Federal levels would prohibit actual expenditure of money for one to two years.

The responsibility clearly rests with the owners and operators to keep the premises in a manner that does not constitute a hazard to the life and health of the tenants. In the face of a refusal or inability to make the building safe, the City's only recourse is to order the hotel vacated.

RECOMMENDATION

It is recommended that the City Council urge the owners and lessees to remedy the defects in the Clunie Hotel and note that an order to vacate the premises will be posted and executed by the Chief Building Inspector on February 11, 1980.

Respectfully submitted,



Mac Mailes
Assistant City Manager
for Community Development

Recommendation Approved:


Walter J. Slife, City Manager

January 29, 1980

Office of the Sacramento City Council

36A

MEMORANDUM

February 5, 1979

TO Members of the Council

FROM Tom Hoerber, John Roberts, and Patrick Donovan

SUBJECT Downtown Hotels

In recent days serious charges of unsafe and unsanitary conditions in many of the City's downtown residential hotels have been brought to the attention of the Council. The charges are made by the Legal Aid Society, the Westminster Church and by at least one resident on behalf of some 4,000 residents of the hotels.

In view of the seriousness of the charges, it is appropriate that the City take steps at the highest levels to assess conditions in the hotels and plan corrective actions that may be needed.

Accordingly, we seek Council concurrence in establishment of a task force to investigate the situation. The task force members include:

City Manager	Walter Slipe
Fire Chief	William Powell
Fire Marshall	Ray Charles
Building Inspector	Tim Sullivan
Planning Director	Ethan Browning
Housing & Redevelopment Director	William Seline
County Health Governor's Office of Voluntarism	Department Representative
Councilmembers	Chuck Baldwin
	Hoerber, Roberts & Donovan.

The task force should be convened within ten days. The agenda should include:

- Description of the problem from the point of view of the residents - Legal Aid Society and their clients
- Reports on current conditions and efforts to secure compliance
 - a. Fire Department
 - b. Building Inspections
 - c. Health Department

APPROVED

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OFFICE OF THE
CITY CLERK

- Report on ownership of the 15 hotels alleged by the Legal Aid Society as being problems (Planning Department)
- Report on possible State assistance (Baldwin)
- Report on housing and redevelopment programs which might be available to help improve conditions immediately and in the future (Seline)
- Report on status of Housing Element and downtown Master Plan as they may relate to housing needs served by these hotels.
- Discussion and evaluation of the problems and possible responses to them including:
 - a. Immediate action to assure that minimum health and safety standards are observed
 - b. Involvement of the residents of these hotels in planning for the future of these hotels, the Mall and the Capital Area
 - c. Rehabilitation of the interior of the buildings
 - d. Seeking Federal and State support for programs to improve these buildings
 - e. Long-range planning for the residential needs currently served by the hotels
 - f. A report back to the City Council including a plan for regular monitoring of this problem
 - g. Continuation of the task force and broadening of their participation

We, therefore, recommend that the Council:

Authorize the creation of a task force to investigate problems alleged to exist in the downtown residential hotels and direct the City Manager to convene the group within ten days.

Direct the task force to report back to the Council on an interim basis in two weeks.

OFFICE OF THE CITY MANAGER

MEMORANDUM

February 15, 1979

TO: File

FROM: Mac Mailes, Assistant City Manager
for Community Development

SUBJECT: First Meeting of Task Force on Older Hotels

The first meeting of the task force on older hotels was convened by Councilman Tom Hoeber on February 14, 1979. The task force was composed of offices listed on page one of the attached memorandum dated February 13, 1979.

Mr. Hoeber and Mr. Roberts opened the meeting by making the following points:

- The task force must be result oriented.
- Deficient hotels must be shut down only in the face of the operators' refusal or inability to rectify conditions which constitute a threat to life, health, or safety.
- The living quarters provided by the hotels should be retained if possible.
- Residents should not be displaced.
- Owners and operators should be included with others who have access to and participation in the deliberations of the task force.

The task force heard testimony from the persons listed below.

Dan Griesman, Legal Aid Society - The Society has brought this matter to the City Council because of serious allegations of health and safety deficiencies in 21 hotels. The society is particularly concerned about the possibility that:

- The County Welfare Department caseworkers may not be paying sufficient attention to the quarters in which their clients live.
- The Housing Element of the General Plan should provide for the population currently living in the hotels.
- The hotels are "home" to many of the people who live in them.
- Non-profit organizations apply for Federal and State funds to help with the problem.



- Priorities be set so that life threatening conditions are corrected first and less serious deficiencies be handled later.
- An investigation be made into the possibility of putting "street workers" into the subculture of the hotels for referral services to medical, social, and housing aid and as live-in communicators with those agencies having jurisdiction in the area.

Vic McKelvey, resident of the Marshall Hotel suggested that a tenants committee be formed to ensure input from the resident community.

Alchanles Johnston stated that he had been assaulted under circumstances that suggested retaliation for having spoken out on undesirable conditions in the hotels.

Gary Grice, County Mental Health Continuing Care Services, asked that no hasty action be taken that would result in the eviction of the residents.

Following various discussions and questions, the task force developed the following specifications to be taken.

1. City Building Inspections, Fire Marshal, and County Health will meet immediately to schedule joint inspections of all hotels. Appropriate follow-up will also be planned and undertaken.
2. Mailes will compile responses to other questions raised in the attached memo.
3. When Items 1 and 2 have been completed, the Task Force will be called together to proceed from that point.



Mac Mailes
Assistant City Manager
for Community Development

cc: Attendees at meeting

**ATTENDEES AT FIRST MEETING
OF TASK FORCE ON OLDER HOTELS**

<u>Name</u>	<u>Affiliation</u>	<u>Address</u>
Mac Mailes	City Manager's Office	City Hall, Rm. 109
Ray Charles	Fire Marshal	City Hall, Rm. 3
William R. Powell	Fire Chief	City Hall, Rm. 3
Tim Sullivan	Building Inspections	927 10th St.
Tom Hoeber	Councilman	City Hall, Rm. 202
Ethan Browning	City Planning	City Hall, Rm. 308
John Roberts	Councilman	City Hall, Rm. 202
Patrick Donovan	Councilman	City Hall, Rm. 202
Mary Sheehan	Governor's Office	State Capitol
Gary Grice	County Mental Health Continuing Care Services	1900 K St., Rm. 110
Loretta Noffsinger	Sacramento Union	301 Capitol Mall
Theodore Kobey	City Attorney's Office	812 10th St., #201
Alchanles Johnston	Citizen	1235 H Street
Vic McKelvey	Resident, Marshall Hotel	1122 7th Street
S. Picard	Citizen	2326 Del Paso Blvd.
Roberta Ranstoan	Legal Aid	1235 H Street
Jeff Thomas	Legal Aid	1235 H Street
Jimmy Stratton	Westminster Church	1300 N Street
Ginger Hammarley	Westminster Church	1300 N Street
Pamela Slater	Sacramento Bee	21st & Q Streets
Carol Thorpe	Channel 13	1216 Arden Way



CITY OF SACRAMENTO

DIVISION OF BUILDING INSPECTIONS
927 - 10TH STREET SACRAMENTO, CALIFORNIA 95814
ROOM 100

January 9, 1980

RE: Clunie Hotel

On February 6, 1979, you were sent a Notice and Order to Repair or Demolish Dangerous Building on the structure you own at 805 K Street (Clunie Hotel), Sacramento, California. No appeal was taken from this Notice and Order.

Our inspection on January 8, 1980, indicates that the required repairs or demolition were not commenced within the time limits of the Notice and Order. Our inspection also indicates the building continues to be dangerous to the life, health, property and safety of the public and its occupants.

Accordingly, on February 11, 1980, that portion of the building used for residential purposes will be ordered vacated pursuant to Chapter 50 of the Sacramento City Code. Occupation of the Clunie Hotel after the posting of the Notice to Vacate on February 11, 1980, is a misdemeanor.

Very truly yours,

D. T. SULLIVAN, Director
Building Inspections Division

M. Calloway
Building Inspector
Condemned Buildings

MC:gp



CITY OF SACRAMENTO

DEPARTMENT OF FIRE

915 "I" STREET SACRAMENTO, CALIF 95814
CITY HALL - ROOM 3 TEL. (916) 448-8267

WILLIAM R. POWELL
FIRE CHIEF

January 8, 1979

M E M O R A N D U M

TO : WALTER J. SLIPE, City Manager

FROM : WILLIAM R. POWELL, Fire Chief

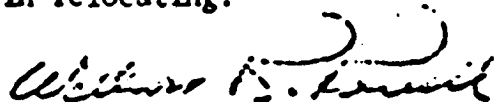
SUBJECT: CLUNIE HOTEL

The attached memorandum from the Fire Marshal lists chronological contacts we have had with the operators and owners of the Clunie Hotel beginning June 16, 1978, to the final contact November 15, 1979.

Mr. Tim Sullivan, myself, Marvin Calloway and Ray Charles are of the feeling that we have gone as far as we can with the operators, lessees and owners of this hotel to try and arrive at a solution to the Building Code violations which were identified in the dangerous building letter by Tim Sullivan to the owners on February 16, 1979.

It is our intention to serve the owner and occupants with a notice to vacate the building on approximately the 14th of this month, which will allow for 30 days to relocate those people currently residing in the hotel.

Bill Seline of Housing and Redevelopment has been notified of our intentions and will establish a contact in the building to assist the residents in relocating.


WILLIAM R. POWELL
Chief

WRP:nm

Attachment



CITY OF SACRAMENTO

DEPARTMENT OF FIRE

915 11TH STREET SACRAMENTO, CALIF. 95814
CITY HALL - ROOM 3 TEL (916) 449-8287

WILLIAM R POWELL
FIRE CHIEF

January 7, 1980

MEMORANDUM

TO: Chief William R. Powell
FROM: Ray Charles, Fire Marshal
SUBJECT: Clunie Hotel

The attached is a chronological listing of action taken relative to the Clunie Hotel, 805 K Street beginning June 16, 1978 through the present date. The dates and comments contained in this report are taken from our files.

Several contacts between Tim Sullivan and representatives of the Clunie Hotel are not listed as I do not have them documented. However, in conversation with Sullivan over the past several months he has informed me of contact with Clunie people. Additionally, he had a couple conversations with representatives of Petersen Construction Company relative to cost of remodeling the hotel.

A review of the Clunie Hotel file indicates that a potentially severe life safety problem does exist. The management and owners representatives have been aware of this condition for many months.

Until now we have received absolutely nothing positive from them to rectify the problems. On several occasions we have been requested to grant additional time to allow them to formulate a plan of corrective action. This request has been granted each time with the same negative results from them.

Lack of action on their part over the last eighteen months makes it quite clear that they do not plan to eliminate the hazards. To grant additional time to correct the problems is unwarranted. I recommend that closure action be taken as soon as possible.

A handwritten signature in black ink, appearing to be 'Ray', written in a cursive style.

JUNE 16, 1978: F-68 from Captain Mora regarding fire and life safety hazards found while conducting a routine company inspection.

AUG. 9, 1978: F-68 from Captain Hanna regarding fire and life safety hazards. Old carpeting in lightwell and houselines in poor condition.

AUG. 15, 1978: Letter of violations to manager from Fire Prevention Bureau.

NOV. 1, 1978: F-68 from Battalion Chief Slaughter regarding mattress fire. Found board nailed across window of north west alley fire escape exit.

NOV. 14, 1978: Reinspection indicates that life safety violations not acted upon.

NOV. 15, 1978: Second notice sent.

DEC. 26, 1978: Memo to Tim Sullivan requesting assistance in inspecting hotel for Dangerous Building possibility.

JAN. 4, 1979: Inspection of hotel conducted by Calloway and Loheit.

JAN. 17, 1979: Memo sent to Sullivan from the Fire Marshal citing the hazards found. Possible Dangerous Building.

FEB. 6, 1979: Declared a Dangerous Building by Building Inspection Division Chief.

MARCH 8, 1979: Letter from John Healy (Carter Hawley Hale) to Sullivan requesting 60 days to comply or appeal.

MARCH 9, 1979: Letter to Jerry Lipp of Carter Hawley Hale from Steven Blake, attorney for Clunie Hotel owners, requesting that the hotel be remodeled to satisfy the requirements of the codes.

MAY 4, 1979: Reinspection with Calloway. No changes.

MAY 4, 1979: Letter from Sullivan to Steve Blake, attorney for Clunie. Lack of action will result in closure of hotel.

MAY 4, 1979: Request for an extension of 10 - 15 days in order to comply or appeal Dangerous Building notice from John Healy to Mac Mailes.

MAY 15, 1979: Reinspection with Calloway. Minor corrections.

MAY 16, 1979: Spoke by phone with Gilmartin and Wallach of C.H. Hale. Doors and furniture in rooms leading to fire escapes

- MAY 18, 1979: Met with three representatives from C.H. Hale to discuss the problems. Agreed to meet again on May 21, 1979.
- MAY 21, 1979: Loheit and Sullivan inspected Clunie to answer questions posed by C.H. Hale people on May 18.
- MAY 31, 1979: Letter from John Healy to Tim Sullivan stating that their construction department will, in a few days, evaluate and revise estimates so a final decision could be made regarding the disposition of the property.
- JULY 25, 1979: Mac Mailes advised us that C.H. Hale have informed the Clunie estate that they are not going to comply.
- JULY 26, 1979: Met with representatives of the Clunie Hotel in the office of Attorney Steve Meyers, representative of Clunie Hotel owners. He requested ten days to review their alternatives. He expressed that they plan to comply.
- JULY 27, 1979: Letter to Tim Sullivan from Steve Meyers formally requesting that no action be taken for ten days.
- AUG. 1, 1979: Letter to Meyers from Sullivan granting a delay of action until Aug. 10, 1979.
- AUG. 10, 1979: Letter to Sullivan from Meyers stating that the owners are not familiar with the building and are unable to decide what is to be done to comply. Cost estimates range from \$60,000.00 to \$360,000.00. They plan to meet on August 16 to decide on hiring an engineer to determine what is required.
- NOV. 6, 1979: Informed by Calloway that the doors to rooms leading to the fire escapes have all been reinstalled and locked.
- NOV. 7, 1979: Al Nelson instructed to remove doors from rooms leading to fire escapes.
- JAN. 3, 1980: Informed by Sullivan that he has not heard from attorney for Clunie Hotel in quite some time.
- * NOV. 15, 1979: Letter from Stephen Meyers to Tim Sullivan announcing plans to meet with the owners prior to meeting with City staff to discuss what action they will take. Plan to arrange a meeting with City staff the following week.

* Out of sequence

Clunie Hotel

Basement:

1. No separation between basement and lobby.
2. The boiler room is without one-hour fire protection, walls or ceiling.
3. Illegal wood construction in all areas.
4. The fire escape to the enclosed alley on the North side is non-usable.
5. The exit way from the non-usable fire escape is provided with several obstructions including gates, locks, latches and parked vehicles.
6. The enclosed alley is illegally used as a trash storage area by the shops on the ground floor.
7. The fire sprinkler system should be certified by a licensed sprinkler contractor. Miscellaneous building modifications and lack of maintenance have rendered the system inadequate in many areas.

Clunie Coffee Shop:

1. No fire separation between the hotel lobby and the coffee shop.
2. A second exit should be provided from the rear dining room to the exterior of the building.

The enclosed reports from the Plumbing and Electrical Division's do not include a room-to-room report at this time.

CLUNIE HOTEL
805 K STREET
SACRAMENTO, CA

Four Stories, Plus Basement

175 Rooms, 90% Occupied

Basement contains boiler room and maintenance shop.
Ground floor contains hotel lobby, 12 retail sales shops
and a restaurant

List of Code Violations:

1. Four open stairwells, second floor (first floor of hotel rooms) to the fourth floor.
2. Thirteen light wells throughout the building. All interior rooms have wood sash, plain glass windows that open into these light wells which are lined with metal imitation brick and extend from the roof of the first floor on through the main roof area. Twelve light wells have large windows that open into the exit corridors.
3. Access to fire escapes is through locked doors through occupied rooms.
4. Fire escapes do not meet the requirements of Chapter 13 Appendix, Uniform Building Code (1976 Edition).
5. Room doors into the corridors are non-fire rated and many are provided with openable transoms.
6. Trash rooms are not properly enclosed or fire sprinkled.
7. Trash chute is unprotected from the fourth floor to the basement. The terminal area is neither enclosed nor fire sprinkled.
8. Dead-end corridors exceeding twenty feet.
9. Attic access in Room #409 is open and unprotected.
10. There is no legal second exit from the hotel area of this building.
11. In-house fire hoses are poorly maintained.





CITY OF SACRAMENTO

DIVISION OF BUILDING INSPECTIONS
927 - 10TH STREET SACRAMENTO, CALIFORNIA 95814
ROOM 100

January 31, 1979

MEMORANDUM

TO: Marvin Calloway, Building Inspector
Condemned Buildings

FROM: Ronald D. Pecci, Chief Plumbing Inspector

SUBJECT: CLUNIE HOTEL, 805 - "K" STREET
Sacramento, CA 95814

An inspection of the basement area of the subject property, owned by Mr. Albert E. Johnson et al of 289 - San Antonio Way, Sacramento, California 95819, was made on January 4, 1979 and the following items should be noted:

1. Open drainage piping exists in the rear garage area as well as the enclosed alley between the two buildings.
2. Indirect waste piping terminates in the open drainage piping without benefit of approved indirect waste receptors.
3. The cast iron soil pipe in the garage area is tapped to receive the waste from a two inch copper drain line. This connection is made without the use of proper transition fittings.

These items represent serious code deficiencies which have never been considered an acceptable, safe, or sanitary method of plumbing.

Ronald D. Pecci

RDP:ml