

## Alberto Quintanilla

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**From:** Lily <lily12903-sd@yahoo.com>  
**Sent:** Monday, August 8, 2022 11:16 PM  
**To:** cbs@acgov.org; Anika.Campbell-Belton@acgov.org;  
saguthier@fremont.gov  
**Cc:** donna.ziegler@acgov.org; Rafael E. Alvarado, Jr.  
**Subject:** Please reconsider eviction moratorium (Public Comment for BOS and City Council)

Dear Board of Supervisors and City Council,

My name is Lily C. and a resident of Alameda County and City of Fremont. I wish for this email to be included as public comment for the Board of Supervisors and Council to review, and also be posted with the agendas at the next Board of Supervisors and City Council meetings.

The email below describes my situation and I hope it will encourage you to reconsider the eviction moratorium to make some exceptions for owner move in and owner in desperate financial need. If I get any Supervisor or Council member's email address wrong please forward to them.

I am a 76 year woman living at a long-term care facility on Walnut Avenue in Fremont. I have been diagnosed with Multiple System Atrophy, which is similar to Parkinson's disease but is a much worse and more destructive neurological disorder. I cannot physically care for myself and rely significantly on caregivers for my everyday needs.

I've lived at the long-term care facility since 2021 when I could no longer live by myself. Before that, I lived in my own single family home in the 94538 area in Fremont. When I had to move to the facility, my plan had been to rent the home out and rely on the rental income and my social security payments to pay for my facility costs, which are exceptionally expensive as you can imagine. I have three living siblings, but only one of them has been helping me out and the other two have essentially abandoned me.

However, the tenants I found in late August 2021 stopped paying rent only after a month moving in. I have tried to work with them along the way and we applied and received rental assistance from the City of Fremont in early 2022 for just four months' worth of unpaid rent. We were not able to get any state assistance.

After that, the tenants continued to sporadically pay rent. They would skip one month and pay very late the next and they would only pay one month's worth of rent at a time. Every month I look at the calendar worried sick that they would not pay. They continued to owe rent during this time. Now, things have come to a point where my tenants have refused to pay rent. I have tried to apply for aid everywhere but neither the state, County nor the City is accepting applications. I was also told by my church friend who works at the court that it could take months for me to even try to recover unpaid rent and even if the court finds in my favor, it would be difficult to actually receive money.

Day and night I worry in my room about soon being unable to pay my care facility costs. I am also constantly anxious about having no home to live if I can't afford to stay at the facility. I also don't have any other cheaper facility to move to as everywhere is filled to capacity and takes months to wait for a bed. I don't know what options I have if my tenant won't pay rent and I cannot ask them to leave or hold them accountable. My sibling who is caring for me is doing their best to help pay for part of the cost at the moment, but they are a single parent and cannot afford to do so for long.

What am I supposed to do in this situation? I have tried every source of assistance but no one can help me. I wanted to move back into my home as the facility costs keep getting higher so I have some breathing room to figure things out, but I can't do so because the County eviction moratorium does not allow me to ask my tenants to leave. I also thought about selling my house, but now I can't do that because the tenants are living there. The other reason I wanted to move back home- and it's very difficult for me to write this- is because I know in my heart I don't have much longer. But the eviction moratorium also does not allow me to do so. And here I am, no rental income and can't sell the house or move back home, both due to the eviction moratorium.

There is no one to blame for this situation, but I wanted to ask you to step into my shoes for a minute- what options do I have? I feel helpless and depressed every day. Sometimes I wish my life had already ended before this terrible pain and burden caught onto me.

My only hope is that you would modify the eviction moratorium to allow an exception for people like me. Please reconsider the eviction moratorium to allow some exceptions for owner move in or the ability to evict when owner needs money for senior facility costs. Thank you for taking the time to read this email.

Sincerely,

Lily C.

## Alberto Quintanilla

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**From:** Bruce Kaphan <bruce@brucekaphan.com>  
**Sent:** Tuesday, August 9, 2022 3:50 PM  
**To:** citycouncil  
**Cc:** Bruce Kaphan  
**Subject:** Public Comment for the Upcoming 5:30PM City Council Meeting  
08/09/2022

To the City Council of Fremont,

My name is Bruce Kaphan. I've been a tax-paying homeowner/resident of the Niles District since 1987. My wife and I have been at our current address on the 300 block of G St. since 1998. In addition to submitting this email, I hope to be able to raise my hand (virtually—Zoom) and speak at this evening's meeting. Just a few hours ago I broadcast an email invitation to my neighbors on G St. and Third St. to "sign on" to this document. Not all of them have replied as yet, but those who already have, have approved listing their names below, standing in support of the following document. They're bcc'd on this email. They are:

Michele White  
Krysten Laine  
Rene Aguirre  
Sara Kerns  
Timothy Fletcher  
Marta Cook  
Heather Scharno  
Chen Lei  
Kunmiao Yang  
Dirk Visser  
Pamela Bevans

I'm writing regarding three issues:

- 1) A collapsed storm drain line that causes flooding on my block and has gone unrepaired for years even though I have repeatedly reported it.
- 2) The apparent willingness of the city to allow a form of homesteading on our residential neighborhood streets, regardless of the disruption to the lives of the legal residents.
- 3) The issue that connects the two issues above: the indifference the government of Fremont has shown me and my neighbors when we've needed help from the city to deal with these problems.

**1) The storm drain issue:** For years, I've been complaining to whoever I could think of contacting about flooding on the 300 block of G St. during a substantial downpour. Finally, after more complaining this past winter, a COF vacuum truck showed up and when that didn't fix the problem, a crew came out with a camera and discovered that the storm drain line between the two storm drains at the dead end of G St. and the main line on Third St. is in their word, "collapsed." I happened to be home when a couple of Fremont City workers were on this job. I asked for their supervisor's name: Robert Wheeler. Robert seems like a truly good guy who really wants to get the problem fixed, but he said that it wasn't his department—he'd look into it. I made a note to call him back after six months if no apparent repair had been done. Predictably enough nothing was done in six months so I called him back on March 30, 2022. "Still trying..." I made another note to call him back as of August 1, knowing that if there is still such a thing in our future as a rainy season, it's now only a few months off. I called and left a message for him. He called back later that day and spoke with my wife. He said he was actually on vacation, but wanted to let me know that he hadn't forgotten us, but still hasn't figured out which department should be doing the work. I spoke again with him

yesterday, after leaving another message with the Department of Public Works, after contacting USD to see if they thought the problem might be in their jurisdiction: they sent me to the Department of Public Works, which forwarded the message to Robert Wheeler... He told me that the hangup is that no one can figure out who to blame for the collapsed line! So in other words, SNAFU. Do you expect neighbors to “adopt” their storm drain systems (like individuals or groups “adopt” highways for litter retrieval) and pay for their upkeep out of pocket? Isn’t that kind of the definition of a city’s responsibility???? **CAN ANYONE HERE GIVE ME THE NAME OF THE DEPARTMENT RESPONSIBLE FOR MAINTAINING THE STORM DRAIN SYSTEM AND THE NAME AND CONTACT INFORMATION FOR THE PERSON TO CONTACT THERE?** Or can I expect to be phoning every six months or so for the rest of my life, like I’ve been doing for the past number of years, until I either die of old age or drown the next time there’s a serious downpour?

**2) Homesteading on Fremont residential streets:** My neighbors and I learned this past week that apparently it’s okay with Fremont government when a flatbed tow truck drops a vehicle off onto a residential street where the owner of the vehicle has absolutely no ties. The vehicle was apparently not running, it was leaking some sort of fluid from the engine compartment, its registration tag was dated 2016, and since it’s windows were either completely blacked out with tinting or with mylar screening, we couldn’t tell if the owner was living in this vehicle or not, he had a steady stream of very short-term visitors who’d pull up alongside his vehicle at all hours of the day and night (some of us suspected drug dealing), and he and his visitors were often loud enough to wake various neighbors up after 10PM, myself included. He spent many hours of the day and night hanging inside and out around his vehicle, with various doors open, and his bicycle, a spare tire, and various belongings were often strewn on the street under or beside his vehicle. Young parents with children, and a grandmother who takes care of her grandchildren during the day, and others of us had a very anxious week, with some of us suffering sleepless nights while this homesteader went about living on his new homestead—the street in front of my neighbor’s houses. Our “new neighbor” was savvy enough to know at least part of the vehicle regulations, so before 72 hours had elapsed, he had (apparently—no one witnessed it) pushed the vehicle from in front of one neighbor’s house to in front of a different neighbor’s house. His behavior was so detached from “normal” behavior in this neighborhood that even as a 67 year old man, I was nervous about confronting him—since we couldn’t see into his vehicle, was he armed? What was his mental state? During the week, my neighbors and I contacted every Fremont department we could think of. Having compassion for my fellow human being, I felt the need to learn first what our new neighbor’s rights were, as well as trying to determine the rights of the property owners/residents/renters. What we learned is that the Fremont Police have been told “by the politicians” (quoting the police here) that they can’t “roust” a person living in their vehicle, but when we couldn’t see into the vehicle, we couldn’t even figure out if he was living in it or not. It seemed like he might be splitting time between crashing in the park and in his vehicle, but we really didn’t know one way or the other. What’s the definition of “living in” a vehicle anyway—how would we prove this one way or another to be able to have the clarity to either know we couldn’t have him rousted, or his vehicle would be towable after 72 hours? I also learned that when a vehicle isn’t running and/or doesn’t have current registration, it isn’t eligible for the Safe Parking sites that are available in various locations around the city. Doesn’t that seem illogical? Do we only collectively try to take care of people who’ve only partially fallen through the cracks, but if their vehicle doesn’t run, we just sweep them under the rug? Adding insult to injury, I learned that the city’s website isn’t even current when it comes to listing where those Safe Parking areas currently operate. On Sunday morning, a week after our new neighbor moved in, the police finally said something to him that apparently convinced him to move his vehicle off our street, a couple of blocks away, to the Niles Park parking lot. As he left our neighborhood he was shouting expletives at us and letting us know that he’d get our names, and then ??? We’re at least relieved that he now has a place to be which should be equally good if not better for him (there’s a public restroom close by) and that he isn’t disrupting our normal way of life anymore. Problem solved at least temporarily, but at the cost of frayed nerves, loads of wasted time, and a disturbing look into the unresponsiveness of our city government—see #3 below. Good until the next time this happens...

Unsheltered people deserve our compassion and help, but more importantly, as a society, both for the unsheltered’s sake, and for the sake of the rest of us, we are all obliged to figure out equitable systems for co-existence between those who haven’t fallen through the cracks and those who have. Allowing homesteading on residential streets isn’t an equitable proposition for the people who paid hundreds of thousands of dollars or more for their property, and who pay thousands in taxes annually, expecting that maintaining the character of the neighborhood they bought into is not only one of the assumed attributes, but indeed a legal responsibility of their

purchase. If you ask me, allowing homesteading on residential streets indicates that the City of Fremont (in fact I've only just recently learned that this is actually a State of California edict) is defaulting on the implied social contract associated with property ownership and tax-paying/legal resident status. Defaulting on this (implied?) contract makes those of us who foot the bill feel like chumps and at least in my case is making me deeply resentful for feeling, when the city is unresponsive to big problems faced by me and my neighbors, that I/we are being fleeced because we try to obey the law, pay our taxes, and be good citizens. Maybe it's a California edict, but shouldn't COF employees at least answer phone calls and emails informing us of this? It took me a week to learn about the intricacies of all of this through digging, and digging some more— a tiny bit of help from the city would have put my whole neighborhood at ease days ago! The city owns plenty of property, and I'm sure could leverage deals with landowners who have undeveloped property so that unsheltered people would have a sanitary, safe place to be. I'm a bicyclist myself: I'd much rather have seen all the money spent on bike lanes going toward homeless shelter...

**3) The indifference (cowardice?) of nearly all Fremont government workers:** I spent many hours last week making phone calls and writing emails to anyone I could think of in Fremont government. I know that many of my neighbors also did the same. The focus of my attempts to communicate were primarily as I stated above: from an informed point of view, I wanted to learn everyone's rights so as to be able to try to help formulate the best plan for all concerned. My neighbors and I contacted the police, the mayor's office, the city manager's office, code enforcement, the city attorney's office, our city council member (I might have been told the wrong name for our district—but did the wrong council member return my email to inform me of the right council member? Of course the answer to that question is NO), the homeless services manager, and when she was decidedly unhelpful, her boss, and I'm sure I'm forgetting other calls and emails that were made. In the dozens of emails and phone calls that were made, other than the police finally showing up toward the end of the week, the ONLY person in city government who actually tried to help me was Robin, the person at the front desk in the city manager's office. You can thank her for alerting me to this previously unscheduled council meeting. Mostly, people didn't answer their phones and then when messages were left, didn't return the calls, and emails were either ignored altogether or the email responses were boilerplate, and specific/finite questions went unanswered. This is not a rhetorical question: if you're there, Mayor Mei, why do you have a published email address, if you ignore every email I've ever sent to you? What are we taxpayers getting for our money if essentially no one in the city government government can be bothered to even appear to try to help solve problems?

Frustrated in Niles!

Bruce Kaphan