Human Relations Commission Agenda

The Human Relations Commission is a citizen commission appointed by the Fremont City Council. Human Relations Commission business is conducted in a public forum and operates within the provisions of the Brown Act. Information on the Brown Act may be obtained from the City Clerk's office at 3300 Capitol Avenue (phone 284-4060).

General Order of Business

1. Secretary Check for Quorum	6. Written Communications	11. Commission Referrals
2. Call to order – 7:00 p.m.	7. Announcements	12. Commission Reports
3. Roll call	8. Consent Items	13. Staff Reports
4. Approval of Minutes	9. Old Business	14. Referral to Staff
5. Oral Communications	10. New Business	15. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Chair will include comments and information by staff followed by Human Relations Commissions questions, inquiries or discussion. The applicant, authorized representative, or interested citizens may then speak on the item. At the close of public discussion, the item will be considered by the Commission and action taken.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under Oral Communications. The Human Relations Commission will take no action on an item which does not appear on the agenda. The item will be agendized for the next regular meeting or at a special meeting called in accordance with the terms of the Brown Act. The Human Relations Commission may establish time limits of presentations.

Information

Regular scheduled meetings of the Human Relations Commission are conducted at 3300 Capitol Avenue in the Large HR Training Room. Meetings are held at 7:00 on the third Monday of the month. Meetings may be tape recorded at the discretion of the Chair.

Copies of the Agenda are available at the Human Services Department at 3300 Capitol Avenue and online, three days preceding the regularly scheduled meeting.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the American Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting Human Services Department at (510) 574-2050.



Information about the City or items scheduled on the Agenda may be referred to:

Suzanne Shenfil, Director Human Services Department 3300 Capitol Ave Fremont, CA 94538 (510) 574-2051 Arquimides Caldera, Deputy Director Human Services Department 3300 Capitol Ave. Fremont, CA 94538 (510) 574-2056

Your interest in the conduct of your City's business is appreciated.

Human Relations Commission

Dharminder Dewan
Tejinder Dhami
Paddy Iyer
Dr. Sonia Khan
Lance Kwan
Patricia Montejano
Julie Moore – Vice Chair
John R. Smith - Chair

City Staff

Suzanne Shenfil, Human Services Director Arquimides Caldera, Deputy Human Services Director Laurie Flores, Recording Secretary

Mission Statement

The City of Fremont's Human Relations Commission promotes and helps create a community environment in which all men, women and children, regardless of race, religion, national origin, gender, disability or sexual orientation, may live, learn, work and play in harmony.

AGENDA

HUMAN RELATIONS COMMISSION REGULAR MEETING MONDAY, JULY 17, 2017 TRAINING ROOM 3300 CAPITOL AVE., BUILDING B FREMONT, CALIFORNIA 7:00 P.M.

- 1. <u>SECRETARY CALL FOR QUORUM</u>
- 2. CALL TO ORDER
- 3. ROLL CALL
- **4. APPROVAL OF MINUTES** of June 19, 2017
- 5. ORAL COMMUNICATIONS
- 6. WRITTEN COMMUNICATIONS

Enclosure: 6.1.1 - Email – Subject: Two hate incidents in Niles this week

7. <u>ANNOUNCEMENTS</u>

7.1 Commissioner Vacancy

BACKGROUND: As of June 30, 2017 there is a vacancy for a Commissioner. The City has received three applications.

8. <u>CONSENT ITEMS</u>

9. OLD BUSINESS

9.1 Make a Difference Day 2017 and Parade Updates

BACKGROUND: As in years past, the HRC will be sponsoring Make A Difference Day (MADD). The Financial Resources committee has written solicitation letters for public officials to support MADD. To date, the City has approximately \$5,951 available to support MADD, including \$2,208 in carryover from previous years and \$3,743 in new donations. Staff has begun the process of submitting solicitation letters to local businesses. On July 12, 2017 Staff met internally to discuss possible City projects. Staff suggested that HRC Commissioners outreach and communicate with fellow City Commissions about the MADD effort.

Outreach Flyers will be ready and disseminated starting Tuesday, July 18, 2017.

The Pride and 4th of July parades had a beginning balance of \$1,679 and received \$2,377 in donations, creating a total of \$4,056. The remaining balance is \$2,328, after deducting expenses.

Enclosure: None

RECOMMENDATION: Receive commissioner updates and taken actions as appropriate.

9.2 HRC Mission Statement

Background: On April 17, 2017, Vice-Chair Moore proposed changes to the Human Relations Commission's mission statement, in the interest of updating and making statement more inclusive. The mission statement reflects the language in the City's Municipal Code governing the purpose, functions and powers of the commission, which is consistent with state and federal policies and laws when it was last updated in 2007.

At the June 2017 HRC meeting, Nellie Ancel, Senior Deputy City Attorney II, discussed the use of protected class categories as defined by state and federal law, and also discussed options for aligning the HRC's mission statement and relevant Municipal code language, in manner that both meets city, state and federal guidelines, and expresses a welcoming message for the public. Staff distributed the City Ordinance creating the HRC.

An Ad-hoc committee has revised edits to both the mission statement and municipal code language. Mission statement edits have been vetted by the City Attorney's office. Municipal code edits are currently being reviewed.

Enclosure: 9.2.1 – Draft Mission Statement

RECOMMENDATIONS: Approve the revised mission statement.

9.3 Finding Common Ground Speakers Series

BACKGROUND: On May 16, 2016, the HRC voted to endorse and cosponsor the <u>Finding Common Ground</u> speaker series which has been planned and hosted by Compassionate Fremont and the Fremont Library. Chair Smith has been working on the series.

The July 24, 2017 program, "Breaking the Cycle of Hunger," is dedicated to food insecurity. City staff is collaborating with Tri-City Volunteers, Daily Bowl and LIFE ElderCare Meals on Wheels to prepare a presentation.

Enclosure: 9.3.1 – Food Insecurity Flyer

RECOMMENDATION: Receive commissioner update, commit to outreach and marketing for the event, and take other actions as appropriate.

9.4 Debrief of LGBTQ Advocacy Efforts

Background: On June 20, 2017, the City Council proclaimed June 2017 Pride Month in the City of Fremont. On June 24th, and July 4th, the HRC sponsored entries into the San Francisco Pride and Fremont 4th of July parades, respectively.

Enclosure: 9.4.1 Pride Month Proclamation

RECOMMENDATION: Debrief the Commission's LGBTQ advocacy efforts, and provide recommendations for future efforts.

NEW BUSINESS (Items on which the Commission has not yet had an agendized discussion or taken action)

10.1 National Night Out

Background: National Night Out (NNO) is observed annually on the first Tuesday in August. For the City of Fremont, NNO provides an opportunity to increase awareness about t City programs. The City of Fremont encourages neighborhoods to organize a block party, barbecue, ice cream social, or similar gathering. Staff typically visits three gatherings.

This year, the city-wide celebrations will be observed on August 1, 2017 from 7:00pm – 9:00pm, and will include Neighborhood Crime Watch groups, CERT members, homeowners associations, and other neighborhood groups interested in celebrating and strengthening their neighborhood connections.

RECOMMENDATIONS: Sign up to participate in National Night Out.

10.2 Racial Tolerance for Youth

Background: On June 19, 2017, Commissioner Khan reported a racially-charged senior prank on the Irvington High School campus, involving spray painted swastikas. Commissioners suggested racial tolerance would make a good topic for a Finding Common Ground series event.

Staff was unable to confirm information about the incident, at Irvington, reported by Commissioner Khan. However staff found an article in the East Bay Times reporting an incident at Horner Junior High (see enclosure).

Enclosure: 10.2.1 – East Bay Times article, "Two minors admit to spray-painting swastika on Horner portable"

RECOMMENDATIONS: Review article and discuss an appropriate response, if any.

10.3 HRC August Recess

BACKGROUND: In alignment with the City Council's schedule, the HRC typically goes on recess for the month of August. Staff is requesting the Commission confirm the cancellation of its August meeting.

Enclosure: None.

RECOMMENDATION: Adopt a motion for the HRC to recess for the month of August 2017.

11. <u>COMMISSION REFERRALS</u> (Referrals from the City Council to the Commission)

None

12. <u>COMMITTEE REPORTS</u>

12.1 Financial Resources Committee

COMMITTEE BACKGROUND: Chair Smith, Vice-Chair Moore, and Commissioners Iyer and Dewan work to create and implement a sustainable fundraising strategy.

The Finance committee plans to recommend guidelines for the type of activities/organizations the HRC will support in the future. The HRC has received a growing number of requests to add the Commission's name to show support. The requests are not necessarily for funds, but the HRC doesn't really have clear guidelines for what they should be supporting. This could become an issue should the HRC decline a future request without solid reasoning behind the decision.

RECOMMENDATION: Receive committee report on any non-action items.

12.2 AdHoc Committee Reports

12.2.1 Municipal Equality Index Committee: Staff to provide updates.

13. <u>STAFF REPORTS</u>

13.1 Attendance Summary (Attachment 13.1.1)

13.2 Calendar (Attachment 13.2.1) of HRC regular/special meetings and events.

13.3 Follow-up on Everyone Home Homeless Count

As requested by the Commission, staff is working with the Tri-City Voice to publish infographics that debunk common myths surrounding homelessness. Additionally, after the full homeless count report completed in August 2017, staff will re-agendize this item for further discussion and Commission direction.

13.4 Racial Equity Emerging Leaders: Police / Community Dialogue

On May 16, 2017, staff and community members completed the second of two Police Community dialogues. A report is being drafted and will be provided in September 2017.

13.5 Follow-up on Commercial Linkage Item Fee

On June 6, 2017, the City Council reviewed staff recommendation, which included the Commission's May 15, 2017 recommendation.

On June 20, 2017 City Council approved to adopt the Commercial Linkage Free. Beginning next year, the city will collect \$1 per square foot from all new construction of light industrial, manufacturing and warehouse spaces. That amount will go up to \$3 in 2019 and \$4 in 2020. For retail, offices, hotels and research and development spaces, developers will be required to pay \$4 per square foot beginning in 2018, \$6 the following year and \$8 the year after that. The council also approved some exemptions and limits to the fees, which were recommended by the city's economic development staff.

13.6 City Council's Direction on Rent Control and Just-Cause Eviction Study

BACKGROUND: At the July 11, 2017 City Council meeting, the City Council received a presentation by Management Partners, a consulting firm retained by the City to conduct an in-depth study on Rent Control and Just-Cause Eviction Study Findings. The Study presented three options to mitigate the cost burden of rising rents on Fremont renters:

Option 1: Pursue modifications to the Residential Rent Increase Dispute Resolution RRIDRO ordinance. The modifications could include:

- Replacing the Fact-Finding panel under the current ordinance with a standing Rent Review Board
- Establishing a rent increase threshold for eligibility

- Strengthening mandatory participation provisions
- Continued peer-to-peer counseling by landlords
- Strengthening anti-retaliation measures
- o Additional mediation, conciliation and fact-finding requirements.

The consultant's cost estimate for this option is \$300,000 - \$500,000 annually, which the consultant believes could be passed on to landlords/ tenants.

Option 2: Pursue rent control similar to the Alameda/West Hollywood model. This model could include:

- Landlord requirements to notify tenants of annual increases;
- A threshold rent increase to access the program (i.e all rent increases below the threshold would be allowable and not subject to challenge);
- A clear set of criteria for evaluating whether a rent increase over the threshold can be justified;
- Mediation/fact finding processes similar to RRIDRO, except that the hearing officer's decision would be binding;
- Appeal process

The consultant's cost estimate for this option is \$1,900,000 to \$2,100,000 annually

Option 3: Pursue rent control similar to the Berkeley/Santa Monica model. This model could include:

- Landlord notification requirements
- Establishment of a rent board with the authority to set annual allowable rent adjustments based on an index or a flat maximum amount;
- Establishing a procedure and criteria for considering individual adjustments;
- Enrolling all regulated units;
- Requiring mediation and establishing a fact-finding/hearing process for instances where mediation is unsuccessful; the hearing officer's decision would be binding;
- Appeal process

The consultant's cost estimate for this option is \$3,500,000 to \$4,000,000 annually, which could be passed on to landlords/ tenants.

Four of the five City Council members support the enhancements to RRIDRO (Option 1), citing the relative cost effectiveness of the model, and that this model can benefit the highest number of renters. Unlike rent control, RRIDRO is not restricted by the Costa-Hawkins Act, which prohibits municipal rent increase limitations on certain kinds of exempted dwelling units, such as units built before 1995.

COUNCIL'S DIRECTION: The City council has asked staff to further explore Option 1 and to report back to Council in September with recommendations to modify the existing RRIDRO ordinance. Based on council members' comments, modifications may include, but not limited to the following:

- Replacing the Fact-Finding panel under the current ordinance with a standing Rent Review Board
- Establishing a rent increase threshold for eligibility
- Strengthening mandatory participation provisions
- o Continued peer-to-peer counseling by landlords
- Strengthening anti-retaliation and harassment protection measures
- o Additional mediation, conciliation and fact-finding requirements
- Additional educational and marketing outreach
- Periodic performance reports to City Council
- Refined cost estimate for this option
- **REFERRALS TO STAFF** (a request to have items placed on a future Commission agenda as an item of new business. A vote against means it will be dropped without consideration).
- 15. ADJOURNMENT

MINUTES

HUMAN RELATIONS COMMISSION REGULAR MEETING MONDAY, JUNE 19, 2017 TRAINING ROOM 3300 CAPITOL AVE., BUILDING B FREMONT, CALIFORNIA 7:00 P.M.

1. <u>SECRETARY CALL FOR QUORUM</u>

2. <u>CALL TO ORDER</u>

3. ROLL CALL

Present: Chair Smith, Vice Chair Moore, Commissioners Dhami, Iyer, Khan, Kwan,

Montejano, Dewan

Absent: Commissioners Nguyen-Cleary

4. APPROVAL OF MINUTES of May 15, 2017

A motion was made by Chair Smith and seconded by Vice Chair Moore to accept the minutes of May 15, 2017 with corrections that include changing the language from Planning Commission and staff recommendations to "plan as presented"; and changing Commissioner Kwan's vote from Yes to No. The motion was approved and so ordered.

Yes		
Smith	Moore	
Dewan	Khan	
Kwan	Montejano	
Dhami	Khan	

5. ORAL COMMUNICATIONS

6. WRITTEN COMMUNICATIONS

7. <u>ANNOUNCEMENTS</u>

7.1 Change of Time for HRC Meeting

Beginning June 19, 2017 the HRC meeting will begin at 7:00 P.M. unless otherwise publicly noticed.

8. CONSENT ITEMS

9. OLD BUSINESS

9.1 SF Pride and Fremont Fourth of July Parades

Staff provided several updates, including that it was looking for alternative vehicles after the original vehicle broke down. Options include using a Community Services truck and renting from Cresco. Staff will continue outreach to non-profits to participate in both parades.

Chair Smith agreed to assist with truck set-up and break-down. Commissioner Kwan is available to decorate. Vice Chair Moore is available to decorate and dismantle post-parade. Commission Dewan will rent the generator. Commissioners Dewan and Khan volunteered to pick up T-shirts.

9.2 Make a Difference Day

Public Comment: Joe Rose, President of NAMI, Alameda County South, inquired as to whom was coordinating MADD this year. Staff confirmed that Christine Beitsch would coordinate. Mr. Rose intends to partner with Breathe CA, BART Police, Union City Police, and Fremont Police Departments to participate in MADD. Staff will set a date for an internal City meeting to discuss Make a Difference Day.

9.3 Finding Common Ground Speaker Series.

Staff will present on food insecurity on July 24, 2017. Tri-City Volunteers staff will discuss local impact. Commissioner Iyer will speak as a service provider and offered to bring clients. The goal of the presentation is to outreach to non-profits and connect with clients.

Commissioner Khan suggested racial tolerance amongst youth as future topic for the series, referencing a senior prank a local school that involved school property being defaced with swastikas. She also suggested partnering with the Youth Commission for a joint meeting. Staff will follow up with FUSD and Dr. Morris for an official update of the incident.

10. <u>NEW BUSINESS</u> (Items on which the Commission has not yet had an agendized discussion or taken action)

10.1 HRC Mission Statement Revision

Nellie Ancel, Senior Deputy City Attorney II, discussed the connection between the current list of protected classes and the City ordinance governing the HRC. She explained that the list is the result of a series of non-discrimination laws and regulations. To make changes to the classes in the HRC's mission statement would require changes to the ordinance as well. The mission statement cannot conflict with ordinance. However, the Mission Statement could be written more broadly to avoid outdated terms, or

unintended exclusions. Ms. Ancel offered to help Commissioners revise the mission statement within the above parameters. She recommended the phrase "does not discriminate under the law" for inclusivity.

Given Ms. Ancel's direction, Vice Chair Moore read a redrafted statement, which she will review with the subcommittee and re-submit to Ms. Ancel.

10.2 2017 Alameda County Point-in-Time Homeless Count

Staff provided Executive Summaries for the 2017 Alameda County and City of Fremont homeless counts. This is the first time Fremont has gathered and received this level of data, therefore, the report will serve as a benchmark. Warming Center is reflected in data.

Commissioners, including Ms. Montejano, suggested a coordinated effort to let people know how to help/donate in a variety of ways. Staff will request individual infographics from EveryOne Home to disseminate to local media for a homeless education series. Commissioners also suggested a future agenda item to better understand the benefits and difficulties of establishing a Day Center for the homeless.

10.3 2017 Municipal Equality Index Draft Scorecard

The Commission created an Ad hoc committee to review the 2017 MEI report and provide comments back to the Human Rights Council. The committee includes staff, and Commissioners Montejano and Khan.

11. <u>COMMISSION REFERRALS</u> (Referrals from the City Council to the Commission)

None

12. COMMITTEE REPORTS

Staff will provide the Finance committee with details on donations received by staff.

13. <u>STAFF REPORTS</u>

- **13.1** Attendance Summary (Attachment 13.1)
- 13.2 Calendar (Attachment 13.2) of HRC regular/special meetings and events.
- 13.3 Hiring of Human Services Development Officer

Staff reported that John Nguyen-Cleary had been hired as the Human Services Development officer, beginning July 2017. Vice Chair Moore agreed to review the current commissioner job description. Staff will receive applications and invite applicants to attend the next HRC meeting.

13.4 Racial Equality Emerging Leaders: Police/Community Dialogue

A report will be provided in July.

13.5 Commercial Linkage Item Fee follow-up

The City Council tabled this item to June 20, 2017.

REFERRALS TO STAFF (a request to have items placed on a future Commission agenda as an item of new business. A vote against means it will be dropped without consideration).

Referrals for next meeting include racial tolerance for youth, National Night Out (August 1st), and the LGBTQ proclamation by the City Council.

15. ADJOURNMENT

A motion was made by Chair Smith and seconded by Commissioner Kwan to adjourn the meeting. The motion was passed and so ordered.

Yes			
Smith	Moore		
Dhami	Khan		
Kwan	Montejano		
Dewan	Iyer		

From: Beth Hoffman [mailto:beth@alternativemortgagesources.com]

Sent: Friday, July 14, 2017 11:20 AM **To:** Suzanne Shenfil; John R. Smith; HRC

Cc: Harvey Levine; Fred Diaz

Subject: Two hate incidents in Niles this week

Hi Suzanne and John,

Please share this with the HRC.

Rae was threatened in her shop in Niles by homophobic misogynists. (see attachment below) Rae's FB post was shared 930 times letting me know people are really concerned and upset by this incident. These same fellows it seems intimidated another women at the Quilt shop. She no longer flies her rainbow flag.

The second incident, anti-semitic drawings in Niles Park, were reported by Laurie Manuel to our City Manger and our City Attorney. They immediately sent a crew out to remove the anti-semitic drawings.

XXOO

Beth Hoffman Broker/Owner Alternative Mortgage Sources 415-990-3536

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Jessica shared Rae Steckler Homorody's post —

1 hr

Nileseans!!! Please be on the lookout for these S.O.B.'s!! They threatened my friend inside her store on Niles Blvd for flying a rainbow flag outside her shop!! If you see these men, please report them to the police! This is a hate crime!! Please feel free to share this post to spread the word!!

Rae Steckler Homorody

3 hrs

ATTENTION NILES BE ON THE LOOKOUT

.

Today at work

These two men came into my shop with the sole intent to read me the riot act for hanging the rainbow flag out front. I asked them repeatedly to leave. They were yelling obscenities at me, called me a fat ugly cunt, completely belligerent in front of my customers. TWICE within the hour.

The one in dark blue shoved my hand when I pulled out my camera, was coming at me. The whole incident was scary.

I find out later that they did this same act of intimidation to the woman who runs the quilt shop a couple weeks back and then her flag was stolen.

It was suggested to me that I should expect for this to happen and that maybe I should not hang it anymore.

Enc. 6.1.1

THIS FLAG WILL CONTINUE TO HANG.

 $P.S.\ I\ adore\ the\ fact\ that\ their\ pictured\ here\ WITH\ the\ flag!!!$

Remove

Remov Manage



Rae Steckler Homorody I spoke with dispatch and it was not considered an emergency. Dispatch told me to call back if they returned and assured me that the call was recorded. I did not file a formal report

Enc. 9.2.1

The City of Fremont's Human Relations Commission (HRC) strives to prevent discrimination and ensure that the rights of all individuals and groups in Fremont are protected under the law. The HRC promotes, supports, and helps create a compassionate community environment where diversity is honored and respected, neighbors reach out and support each other, and the most vulnerable receive services; to allow all a high quality of life in a community where we live, learn, work, and play in peace and harmony.

Finding Common Ground Breaking the Cycle of Hunger



Monday July 24, 7 p.m. Fremont Main Library 2400 Stevenson Blvd. Fremont, CA 94538

30-40% Percent of the national food supply wasted; never eaten.

\$216 Average weekly cost to feed a family of four.

12 million Children struggle to have enough to eat.

1 in 7 American households face food insecurity.

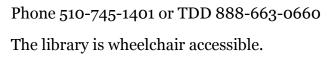
But there is hope and help

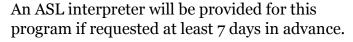
Please join Arquimides Caldera-Fremont Human Services
Department, Taylor Johnson-Tri-City Volunteers, Paddy
Iyer- Daily Bowl, Tammy Duran-Meals on Wheels,
members of our community with first-hand knowledge of
"Food Insecurity" along with Sister Elaine Sanchez to
Learn about the local agencies addressing this problem and
how YOU can help break the cycle of hunger

Finding Common Ground is a quarterly series focused on topics which impact the people of Fremont. Sponsored by Fremont Main Library, Compassionate Fremont, and the Fremont Human Relations Commission, the series aims to foster understanding through education. Principal Librarian Peggy Watson (1943-2016) laid the foundation for this series which we dedicate to her memory.

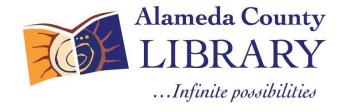


Please send your comments and ideas to Sister Annette of Compassionate Fremont: MarieAnnette.Burkart@SNDdeN.org









PRIDE MONTH JUNE 2017

WHEREAS, the City of Fremont recognizes that one of its greatest strengths is the diversity of its people; and

WHEREAS, the City of Fremont has a long standing tradition of upholding the dignity of the individual, supporting legal equality and fair treatment for all citizens, and ensuring that acts of discrimination and hatred will not be tolerated, and recently earned 92 out of a possible 100 points on the Human Rights Campaign's Municipal Equality Index; and

WHEREAS, members of the lesbian, gay, bisexual and transgender community contribute greatly to the prosperity and success of our City, and enrich its diversity; and

WHEREAS, the month of JUNE is traditionally recognized as PRIDE MONTH; and

WHEREAS, the Human Relations Commission is organizing and seeking sponsorships for an official City of Fremont float to participate in this year's San Francisco Pride Parade on June 25th with the theme "A Celebration of Diversity," and invites all interested Fremont residents to march or join in the festivities, sponsor the parade entry by going to Fremont.gov/hsdonate, or participate in other activities which celebrate the human spirit and foster a greater appreciation for the differences that enrich us all; and

WHEREAS, recently in other parts of the country, legislation has passed which abridges the rights of municipalities to pass LGBT equal protection ordinances, and which also in some cases specifically targets and discriminates against transgender individuals, the City of Fremont wishes to reaffirm its commitment to LGBT equal rights.

NOW, THEREFORE, the City Council of the City of Fremont, proclaims June 2017 as PRIDE MONTH in the City of Fremont and encourages everyone in our community to celebrate the spirit and dedication of this vibrant community and to participate in the many festivities of Pride Month that will take place in the Bay Area.

Community News

Fremont: Two minors admit to spray-painting swastika on Horner portable



By **JOSEPH GEHA** | jgeha@bayareanewsgroup.com | Bay Area News Group PUBLISHED: March 16, 2017 at 11:04 am | UPDATED: March 16, 2017 at 8:11 pm

A pair of 15-year-old boys have admitted to spray-painting graffiti, including a swastika, on a portable classroom at Horner Junior High School in Fremont, police said.

Geneva Bosques, a spokeswoman for the Fremont Police Department, said in an email police were alerted to the incident on March 1, though it appears the spray-painting took place the night of Feb. 23.

The case was investigated as an act of vandalism, not a hate crime, because the spray-painting "was not directed at a victim or a victim's property," Bosques said.

She added that in an interview with police, the boys "stated they did not intend for their painting to be taken as a racist or hateful symbol" and regretted vandalizing the school with dark green spray paint. She said the boys told police they were drunk at the time.

Brian Killgore, a spokesman for the Fremont Unified School District, said in an email that the school's principal reported the spray-painting was discovered the morning of Feb. 24. Although it was painted over before school started, some students had already arrived on campus by then.

Irvington High School's resource police officer was alerted the same day and an investigation began the next week, Killgore said. The principal also said an email regarding the incident was sent to parents and families of Horner students on Feb. 26.

Bosques said the graffiti, which included the swastika, was sprayed on both the side of a portable classroom and on the ground.

The damage was estimated at \$460, which Bosques said may qualify the crime as misdemeanor vandalism. The two boys were given notices to appear in court.

Killgore said two small swastikas were also found at Irvington High School around the same time. One was engraved in cement and one written in "Cheetos," though he said it wasn't determined who was responsible for those symbols.

Fremont Unified School District Superintendent Jim Morris said in an interview he considers this a serious incident.

"It's just wrong," he said.

Adding that the district intends to hold the teenagers and their parents accountable, Morris said "I think we need to have a real low threshold for what we'll tolerate and say no, this is not OK."

Deborah Reisman, a Fremont resident whose two children previously attended the city's schools, said she is "terrified by the lack of outrage" from the schools and police .

"A swastika? That hateful symbol of genocide gets relegated to being 'just' a juvenile prank of vandalism," she said. "Needless to say I'm angry, disappointed and frightened."

Tags: Crime



Joseph Geha Joseph Geha is a multimedia journalist covering Fremont, Newark, and Union City for the Bay Area News Group, and is based at The Argus. His prior work has been seen in multiple Bay Area news outlets, including SF Weekly, as well as on KQED and KLIV radio. He is a graduate of California State University, East Bay (Hayward), and is a Fremont native. He is a lifelong Oakland Athletics fan.

Follow Joseph Geha @josephgeha16

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CITY OF FREMONT

Boards, Commissions, and Committees Attendance Record

HUMAN RELATIONS COMMISSION

Suzanne Shenfil

Member	Meeting Dates							
	0.4 (0.0 (0.0 4.7	00/07/0047	00/00/0047	0.4.47.100.47	05/45/0047	00/40/0047		
MEETING TYPE	01/23/2017 R	02/27/2017 R	03/20/2017 R	04/17/2017 R	05/15/2017 R	06/19/2017 R	R	R
Paddy Iyer	Р	Α	Р	Р	Р	Р		
Dr. Sonia Khan	P	Р	Р	Р	Р	Р		
Dharminder Dewan	Α	Р	Р	E	Р	Р		
John Smith	P	Р	Р	Р	Р	Р		
Lance Kwan	Р	Р	Α	Р	Р	Р		
Patricia Montejano	Р	Р	Р	Р	Р	Р		
Tejinder "TJ" Dhami	Р	Р	Р	Р	Α	Р		
John Nguyen-Cleary	Р	E	Р	E	Р	E		
Julie Moore	Р	Р	Р	Р	Р	Р		

Attendance Codes

P - Present A - Absent E - Excused Absence

Meeting Codes

R - Regular Meeting S - Special Meeting L - Lack of Quorum C - Cancelled Meeting for lack of business

* Due to lack of Quorum, absence does not affect eligibility.

Commissioners can not have two unexcused meetings in a row in a one year time frame AND Commissioners can not have three unexcused meetings in a 6 month time period. Jan - June and July - December

Attachment 13.1

2017 HRC Scheduled Meetings

February 27, 2017	Regular Meeting	7:15 Training Room
February 22, 2017	Regular Meeting	7:15 Training Room
March 20, 2017	Regular Meeting	7:15 Training Room
April 17, 2017	Regular Meeting	7:15 Training Room
May 12, 2017	Health Fair	Senior Ctr 9:00 a.m. 1:00 p.m.
May 15, 2017	Regular Meeting	7:15 Training Room
June 19, 2017	Regular Meeting	7:00 Training Room
June 2017	Pride Parade	
July 17, 2017	Regular Meeting	7:00 Training Room
August 1, 2017	National Night Out	
September 18, 2017	Regular Meeting	7:00 Training Room
October 16, 2017	Regular Meeting	7:00 Training Room
October 28, 2017	Make A Difference Day	
November 20, 2017	Regular Meeting	7:00 Training Room
November 2017	Warming Center to Open	
December 18, 2017	Regular Meeting	7:00 Training Room