

**FREMONT CITY COUNCIL SPECIAL MEETING  
JUNE 9, 2020**

**TELECONFERENCING VIA ZOOM**

**Immediately following Adjournment of the 7 PM City Council Meeting**

**IMPORTANT NOTICE REGARDING THE CITY COUNCIL SPECIAL MEETING**

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on the City of Fremont's website at [www.Fremont.gov/Channel27](http://www.Fremont.gov/Channel27), which also provides a link to the live stream; or, on Comcast Channel 27. Please note at this time, Channel 27 is only available to Comcast cable subscribers. In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online and not in the Council Chamber.

**Submission of Public Comments:** For those wishing to make public comments at the June 9, 2020 Council Special meeting, you may either: (1) submit your comments by email prior to the meeting, or (2) by Spoken Public Comment during the meeting.

**How to submit Public Communications/Public Comment by email prior to the meeting:**

Send an email to [citycouncil@fremont.gov](mailto:citycouncil@fremont.gov) by 4:00 p.m. the day of the meeting. Please identify the agenda item number and meeting date in the subject line of your email, or specify that it is not related to an agenda item. Emails will be compiled into files by agenda item number, distributed to the City Council and staff, and published in the City's Agenda Center on [www.fremont.gov](http://www.fremont.gov). Electronic comments on agenda items for the City Council meeting may only be submitted by email. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted.

**How to provide Spoken Public Comment during the meeting:**

- 1) By phone 833-430-0037 (toll free). Webinar ID: 973 8395 6408. Click \*9 to raise a hand to speak.
- 2) By online <https://bit.ly/June-9-2020-City-Council-Meeting>.
  - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
  - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
  - c. When the Mayor calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.
  - d. When called, please limit your remarks to the time limit allotted.

*If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act, or if you do not have access to email or the internet, please contact The City Clerk's Office at (510) 284-4060 or [CClerk@fremont.gov](mailto:CClerk@fremont.gov) prior to the meeting for assistance.*

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JUNE 9, 2020**

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**Immediately following Adjournment of the 7 PM City Council Meeting**

**1. Preliminary**

- A. Call to Order
- B. Roll Call

**2. Staff Report**

- A. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT TERMINATING THE CIVIL UNREST EMERGENCY**

Contact Person:

Name: Mark Danaj

Title: City Manager

Div/Dept: City Manager's Office

Phone: 510-284-4000

E-Mail: mdanaj@fremont.gov

**RECOMMENDATION:** Adopt a resolution terminating the civil unrest emergency.

**3. Adjournment**

# **ADOPT A RESOLUTION TERMINATING THE LOCAL STATE OF EMERGENCY PROCLAIMED ON JUNE 1, 2020 DUE TO CIVIL UNREST**

## **Contact Persons:**

Name: Mark Danaj  
Title: City Manager  
Div/Dept: City Manager's Office  
Phone: 510-284-4000  
E-Mail: mdanaj@fremont.gov

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**Executive Summary:** On June 1, 2020, the City Manager / Director of Emergency Services proclaimed a local state of emergency in the City of Fremont due to large scale and recurring incidents of civil unrest occurring in the City and surrounding cities, many of which resulted shootings, injuries, fires, looting, rioting and firearm offenses. These perilous conditions no longer exist, and therefore it is recommended that the City Council terminate the local emergency.

**BACKGROUND:** Fremont Municipal Code section 2.20.110 empowers the City Manager, serving as the Director of Emergency Services, to proclaim the existence of a local emergency when the Council is not in session. Under the California Emergency Services Act, the Council must act to ratify the proclamation of a local emergency within seven days after its announcement. On June 2, 2020, the Council ratified the local emergency proclamation and further approved the temporary overnight curfew and street closure emergency orders issued by the Director of Emergency Services.

The City Manager exercised these emergency powers and thereafter vacated the emergency orders when the orders were no longer needed to respond to the emergency. Current circumstances no longer warrant the continuation of a local emergency, and therefore the Council is being asked to terminate the local emergency.

**DISCUSSION/ANALYSIS:** A disaster declaration allows public officials to exercise emergency powers to preserve life, property and public health in response to perilous, threatening and fast-changing conditions. Such emergency conditions require immediate responses and greater latitude and authority for the City Manager to make important and timely public safety decisions.

The City Manager exercised emergency powers and called upon the City's law enforcement and public safety organization to respond to the civil unrest emergency and attendant conditions that created extreme peril and threat of peril to the safety of persons and property in the City. These conditions no longer exist, and current circumstances are now within the control of the City's normal protective services, personnel, equipment and facilities. Accordingly, the City Council is authorized under the Emergency Services Act to terminate the local emergency.

**FISCAL IMPACT:** N/A

## **ATTACHMENTS:**

- Draft Resolution Terminating the Proclamation of a Civil Unrest Local Emergency.

**RECOMMENDATION:** Adopt the resolution.

DRAFT

**RESOLUTION NO. 2020-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
FREMONT TERMINATING THE CIVIL UNREST EMERGENCY**

WHEREAS, on June 2, 2020 the City Council ratified the emergency proclamation of the Director of Emergency Services due to large scale and recurring incidents of civil unrest occurring in the City and surrounding cities, many of which resulted in shootings, injuries, fires, looting, rioting and firearm offenses; and

WHEREAS, emergency orders authorizing the temporary closure of streets and an overnight curfew were issued and have now been vacated; and

WHEREAS, conditions of extreme peril no longer exist, and current circumstances are now within the control of the City's normal protective services, personnel, equipment and facilities. Therefore, the emergency powers of the City are no longer needed to protect life and property in the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fremont terminates the local emergency declared due to civil unrest.

ADOPTED, \_\_\_\_\_, 2020, by the City Council of the City of Fremont by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

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