



## Fremont City Council

3300 Capitol Avenue  
Fremont, CA 94538

**SCHEDULED**

Meeting: 07/09/19 05:30 PM  
Div/Dept: City Manager's Office  
Category: Plans, Policies and Studies

### STAFF REPORT (ID # 3829)

Sponsors:  
DOC ID: 3829

## EVALUATION OF POTENTIAL SITES TO LOCATE A HOUSING NAVIGATION CENTER - Request for City Council to Provide Direction on Sites to Further Evaluate and Consider Based on Established Criteria for a Housing Navigation Center in Fremont.

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**Executive Summary:** On June 18, 2019, City Council held a special work session and meeting to discuss the strategies and priorities for addressing homelessness in Fremont. A presentation by staff highlighted the ongoing efforts to reduce homelessness since 2017, provided an update on homeless count data for Alameda County and Fremont, reviewed state funding opportunities to support homeless mitigation efforts, and proposed a site selection process and criteria for a housing navigation center in Fremont.

The City Council provided staff with feedback on an objective criteria-driven process to apply when evaluating property for site selection, and staff was directed to move forward with analyzing both City-owned and privately-owned sites (Niles Discovery Church and Irvington Presbyterian Church sites) based on the recommended criteria.

This report presents the results from the analysis and provides 11 potential locations for Council consideration, as shown in Exhibit "A" Navigation Center Property Analysis, to implement a housing navigation center. Staff is recommending that the City Council direct staff to further analyze and conduct community outreach for two properties based on the information provided in this report. Alternatively, City Council may direct staff to further evaluate and conduct outreach for a third property, with the understanding that additional time could be required to complete the work, delaying staff's ability to report back immediately after the August recess.

**Background:** At a Council Work Session on [June 18, 2019](#), staff presented an update on the strategies and priorities which have been implemented since 2017 to address homelessness in Fremont, including the following:

- City staff formed an internal homeless policy committee
- Fremont Police created the Mobile Evaluation Team (MET)
- City Council adopted a resolution to declare a shelter crisis
- The State of California allocated \$500 million in one-time funding for Homeless Emergency Aid Program (HEAP) of which Fremont was awarded \$2,078,880
- The warming center transitioned into a seasonal winter shelter, operating for 117 days.
- The City partnered with Bay Area Community Services (BACS) to expand their current drop-in day wellness center for homeless

- The City leased 25 rooms from Resources for Community Development (RCD) at the Islander Motel to use as temporary shelter for 31 homeless individuals during the interim prior to construction of a permanent affordable housing development
- The City purchased a mobile hygiene unit, Clean Start, to provide showers and laundry facilities at rotating locations in Fremont and Newark
- BACS has been selected as the operator for the future housing navigation center.

Despite ongoing efforts to mitigate homelessness, January 2019’s Point-in-Time Count for Fremont revealed a 21% increase in homeless persons from 479 homeless individuals in 2017, to 608 homeless individuals in 2019. Of the 608 individuals, 79.8% are unsheltered – this means 485 individuals are living on Fremont’s streets unsheltered on any given night. Overall, the homeless population in Alameda County has increased 43% from 5,629 in 2017 to 8,022 in 2019. Fremont has the third largest homeless population in the county, behind Oakland and Berkeley.

At the June 18 Work Session staff proposed two sets of criteria to be used when evaluating potential sites for a navigation center. Staff recommended an “Initial Screening” criteria, followed by a “Goals and Development” criteria.

The Initial Screening criteria provided minimum qualifications required to develop a navigation center, including:

- At least 16,000 square feet
- A slope less than 5% for the buildable footprint
- Not developed parkland
- Not property that has approved and funded projects by City Council
- Immediate availability
- Availability for at least five years

If a property met the minimum qualifications provided in the Initial Screening, then a second “Goals and Development Criteria” would be applied to the site, as highlighted below.

<b>Goals and Development</b>	<b>Criteria</b>
Accessibility	<ul style="list-style-type: none"> <li>• Within 0.50 miles of food services</li> <li>• Within 0.50 miles of bus stop</li> <li>• Bus service with access to BART</li> </ul>
Physical suitability	<ul style="list-style-type: none"> <li>• Utility connection points abut property</li> </ul>
Environmental suitability	<ul style="list-style-type: none"> <li>• Located outside of a fault trace zone</li> <li>• No known significant environmental issues exist</li> </ul>

The significance and definition of each criterion are explained in Exhibit “B,” Navigation Center Site Goals and Development Criteria. These criteria are intended to be used as a tool by staff and City Council in the evaluation process and as an aid in highlighting sites immediately available that warrant further evaluation and consideration.

At the June 18 Work Session, City Council asked staff for additional details regarding each site including exact proximity to FUSD schools, transit, and services, as well as the amount of time each potential site would be available to house a navigation center. These additional

details are provided in Exhibit "C", Property Information Narratives. Aerial maps for the 11 potential sites are provided in Exhibit "D" Aerial Map of Sites.

City Council also requested a cost analysis for each site. However, while preliminary cost factors are being presented briefly, staff is recommending a more detailed cost analysis be provided once staff returns in September on those sites City Council most wishes to pursue for further consideration.

### **Applied Methodology and Initial Screening Results of Properties**

Staff evaluated approximately 480 City-owned properties to determine which sites met the Initial Screening criteria. Many of these sites consisted of excess street right-of-way with dimensions and total site area that would not accommodate development of the housing navigation center.

In accordance with the input received from City Council, and the Initial Screening criteria, described above, staff has developed a list of 11 sites. The Irvington Presbyterian site was eliminated from consideration because it was too small and did not meet the 16,000-square-foot size threshold.

The 11 sites (10 City-owned sites and the Niles Discovery Church site) are shown in Exhibit "A", describing their suitability for use as a housing navigation center. Additional evaluation criteria requested by Council, including information about the exact distance from a bus stop, grocery store, or FUSD school, and duration of availability of a site have also been added as part of Exhibit "C", which includes an informational table, as well as a site narrative and photos for each proposed site location.

Applying the Initial Screening Criteria 11 sites qualified for the development of the navigation center, as follows:

- A. Decoto Surplus Property (adjacent to Regan Nursery)
- B. Former RDA Parcel (adjacent to Niles Town Plaza)
- C. Future Pacific Commons Sports Park on Automall Pkwy (formerly Municipal Parcel)
- D. Future Palm Park Site
- E. Isherwood Surplus Property
- F. Open Space at Mission Blvd./Sullivan Underpass
- G. Parking Lot at City Hall (rear area)
- H. Parking Lot at Maintenance Center
- I. Washington Grade Separation Remnants (adjacent to future Irvington BART)
- J. Weibel Open Space
- K. Niles Discovery Church (privately owned)

### **Property Evaluation Results**

Staff further evaluated the 11 sites that met the Initial Screening criteria against the Goals and Development criteria. The following list of sites is now accompanied with a staff description of the physical features of each site along with potential opportunities and challenges; additional site context and surrounding conditions information for each site can be found in Exhibit "C."

Based on the Goals and Development Criteria, three sites have emerged as more ideal sites for location of a navigation center. Four sites have rated lower, as there are more development constraints with the sites, and four sites are not being recommended for further consideration.

### ***Ideal Sites for Locating Housing Navigation Center***

Of the eleven 11 that were analyzed, three sites appear to stand out as more ideal (with a total "yes" of 5 or 6) in terms of accessibility, physical suitability, and environmental suitability. These three sites are the Decoto Surplus Property (Regan Nursery), the former RDA Property adjacent to Niles Town Plaza, and the Parking Lot at City Hall (rear area). A summary discussion of those sites (in no order of preference) follows:

#### ***Site A - Decoto Surplus Property (unleased property next to Regan Nursery)***

*Location and Availability:* In October 2013, to assist with the funding of a new civic center, the City Council adopted the Surplus City Property Disposition Plan which included the 9.59-acre property located at 4178 Decoto Road, at the intersection of Fremont Blvd. as one of 10 properties declared as surplus, or property unneeded for future City use. The site also has limited frontage on Fremont Boulevard. For a short period of time, this property was in escrow but the developer chose not to close on the sale. The disposition and sale of the property has since been placed on hold and the site could be made available for a navigation center site for five years or more, depending on Council's direction.

*Accessibility:* In terms of accessibility, the site has sufficient access to food services. The nearest store providing a limited line of goods is a 7-Eleven on the corner of Decoto Road and Fremont Boulevard, approximately 0.05 miles (264 feet) from the site. Two full-service groceries, Lucky and 99 Ranch Market, are located approximately 0.70 miles (about 3,700 feet) from the site, which is about a 14-minute walk.

The site also has good bus service, with six unique bus routes serviced by stops within a half-mile of the site. The closest bus stop is 0.06 miles (317 feet) away on Decoto Road, and another bus stop is 0.20 miles (1,050 feet) from the site at the intersection of Fremont Boulevard and Decoto Road. Evening, weekend, and holiday bus service with 30-minute headway is available to the Union City and Downtown Fremont BART Stations, as well as to Fremont's downtown/city center. There are no bike lanes on Decoto Road in the vicinity of the site, although there is a sidewalk for pedestrians beginning in front of the 7-Eleven.

*Site Conditions and Characteristics:* Currently, the majority of the 9.59-acre site is being leased to Regan Nursery on a month-to-month basis; however, the City retains an approximately 1.3-acre (55,400 SF) portion of the property that is not part of the nursery's lease. This area would be the potential location for the navigation center and is shown as Site A (see Exhibit "D," Aerial Map of Sites). The site is adjacent to a vacant, uninhabitable home and a commercial strip mall to the north. Regan Nursery abuts to the east and south. The location is separated from adjacent residential development to the west by a 125-foot wide, five-lane major arterial, Decoto Road.

Beyond the eight acres of nursery at the property, the site is further separated from residential development by a 100-foot wide flood channel owned by the Alameda County Flood Control. Finally, the closest FUSD school, Warwick Elementary, is located 0.70 miles (3,700 feet) away in walking distance.

This site is generally flat and has relatively few physical or environmental conditions, except that it is located within an earthquake-induced liquefaction zone<sup>1</sup>. There are existing water and sewer connection points adjacent to the site and electricity is likely available through connection to existing overhead wires. Additionally, existing heavy vegetation including shrubs and trees line the perimeter of the site providing both a natural barrier and calming environment for tenants. The property's size and shape would allow for sleeping quarters to be set back from Decoto Road.

***Site B - Former RDA Parcel (adjacent to Niles Town Plaza)***

*Location and Availability:* This 3.14-acre (136,778 square feet) site located behind 37682-37822 Niles Boulevard, generally easterly of I Street, was previously owned by the former Fremont Redevelopment Agency (RDA). It was acquired by RDA from Union Pacific as a blighted site. The City completed environmental remediation work overseen by the Department of Toxic Substances Control (DTSC), to remove hazardous materials which resulted in the site's approved and suitable reuse with commercial and/or residential uses.

Upon dissolution of RDA, this property was transferred to City ownership for its disposition and development. Its disposition and development is governed by the Long-Range Property Management Plan (LRPMP). The City is authorized to take certain steps to effectuate the property's eventual disposition and development for a commercial and/or mixed-use project in accordance with the conditions and requirements of the LRPMP.

Since the disposition and development process has not commenced, the site would be available for a period of up to five years or more. LRPMP calls out a process which the City must use to dispose of the property, including entering into a negotiated disposition and development agreement with a developer. The City, however, has the discretion to determine the time frame to dispose of the property to yield a financially feasible and marketable development. Staff believes these conditions presently do not exist, and is not recommending sale of the land at this time, making the site available for a navigation center.

*Accessibility:* The site has access to food services and transportation. It is located 0.30 miles (about 1,600 feet) from Mr. Mikey's Country Store & Deli on Niles Boulevard, and 0.40 miles (2,100 feet) from a 7-Eleven store on Mission Boulevard. There are also inexpensive sandwich shops and eateries in the area. The closest full-service grocery store is 2.3 miles (12,100 feet) away on Mission Boulevard. There is a bus stop immediately adjacent to the site, as well as another bus stop located 0.40 miles (2,100 feet) away on Mission Boulevard. These bus stops offer weekday,

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<sup>1</sup> Earthquake-induced liquefaction zone is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking or other rapid loading. Large areas of Fremont are located in such a zone.

weekend, and holiday service with access to Union City BART, Fremont Downtown BART, and the Newpark Mall. Buses at both stops run once every hour. There are no bike lanes on Niles Boulevard immediately adjacent to the site, although there are bike lanes on nearby Mission Boulevard that would provide connectivity to the rest of the City.

*Site Conditions and Characteristics:* The site consists of a partially paved parking lot and graveled, vacant land enclosed by a cyclone fence. During the site's environmental remediation, it served as temporary parking while portions of the existing front parking lot closer to Niles Boulevard also had to be environmentally remediated. The paved area on the site is already striped with accessible parking spaces and could be potentially reused as a parking area for a housing navigation center. The site abuts the City-owned parking lot along Niles Boulevard and Niles Town Plaza to the east, railroad tracks to the north, and neighborhood commercial uses are located beyond to the south and west. An aerial view of the site and surrounding uses is shown as Site B in Exhibit "D." The closest FUSD school, Niles Elementary, is located 0.40 miles (2,100 feet) away in walking distance.

Certain site conditions would need to be addressed during the design and building process. The site is located in the earthquake-induced liquefaction zone and a high fire hazard zone. Portable units used by the navigation center would be sprinklered. The site is immediately adjacent to the railroad tracks, so tenants would be subject to intermittent train noise and vibration. Based on a cursory review, onsite existing utilities are available and appear to be favorable to serve a navigation center.

### ***Site G - Parking Lot at City Hall (rear area)***

*Location and Availability:* The approximately 6.5-acre Fremont City Hall property located at 3300 Capitol Avenue in the heart of Downtown is surrounded by a mix of City administration buildings, commercial office and retail uses. An approximately 1.27-acre rear portion of the property where current surface parking exists could afford space to accommodate a housing navigation center. However, the area available for development would likely be smaller because some surface parking would need to be maintained for staff and the public. It is anticipated that staff, including the Fire Department (and their apparatus), and the public would also use available on-street parking during peak business times. Meals on Wheels, which has used the parking lot, is relocating to a new location.

The navigation center could be strategically placed at a location within the rear parking lot that allows for the greatest separation from neighboring office and commercial development.

The site would be available for a period of more than five years. If a new city hall is built in the future at the designated new civic center site owned by the City on Capitol Avenue, between Liberty Street and State Street, then the City may decide to sell the land for redevelopment. However, the plan to construct a new city hall is on hold until funding can be identified.

*Accessibility:* The site's most attractive features are its location adjacent to other social services, its proximity to transportation, and the existing infrastructure around

the site. The site is adjacent to the Fremont Family Resource Center and Alameda County Veterans Services and in walking proximity to Social Security, Tri-City Health Center and Washington Hospital

The site is approximately 0.50 miles (2,650 feet) from Fremont Downtown BART and within close proximity of three bus stops: the Mowry/Hastings bus stop (0.2 miles; or 1,050 feet), the Walnut/Liberty bus stop (0.3 miles; or 1,600 feet), and the Paseo Padre Parkway/Mowry Avenue bus stop (0.3 miles; or 1,600 feet). These bus stops are served by the AC Transit bus routes 251, 200, 99, 801, and U. These bus lines provide access to, Fremont Downtown BART, Union City BART, 12th Street BART in Oakland, and the Palo Alto Transit Center, with consistent bus service available between the hours of 7:00am and 12:00am. Adjacent streets including Capitol Avenue, Liberty Street, Walnut Avenue, and Paseo Padre Parkway have an established pedestrian and bike network, which would allow navigation center residents to walk or bike to the bus stops and Fremont Downtown BART.

The site is also within a quarter mile of a number of food services, including Raley's and Smart & Final grocery (0.2 miles or 1,050 feet away) and a variety of restaurants. There are striped bike lanes and sidewalks between the site, the grocery, and other downtown restaurants.

*Site Conditions and Characteristics:*

The area of the site identified for a potential housing navigation center is developed as surface parking and is currently being used as the rear parking lot at City Hall. It is not located within a flood zone, fault trace zone, earthquake induced hazard zone, or fire hazard zone. It is already paved with existing electrical power and utility connections to water and sewer are available on the property. The closest FUSD school, Washington High, is located 0.60 miles (3,150 feet) away. As the site is developed, additional costs associated with trenching and patch work to connect utilities could add cost to developing a navigation center at this site. Further cost analysis is needed.

***Other Suitable Sites for Locating a Housing Navigation Center***

Staff believes the following sites are suitable (with a total "yes" of 4) for locating a housing navigation center. Below highlights the most important site conditions and characteristics for each suitable site (in no order of preference); a detailed site analysis for each of these sites is provided in Exhibit "C."

***Site F - Open Space at Mission Blvd./Sullivan Underpass***

This site is open space adjacent to the Sullivan underpass. The site is currently available and the City has no plans for its development or improvement. The site is approximately 0.10 miles (528 feet) from a bus stop and 0.20 miles (1,050 feet) from a country grocery store and other inexpensive eateries.

There are some physical constraints at the site. It may be difficult to establish safe vehicle access at the site due to the orientation of the intersection of Sullivan Underpass and Mission Boulevard (also known as State Route 238) and the speed of the traffic. Development would require the extension of an existing sewer main across Mission Boulevard, which could be time and cost intensive. The site is located

in an earthquake-induced liquefaction zone, and in a high fire hazard severity zone, and is adjacent to the Union Pacific railroad corridor, and is subject to train noise and vibration. The closest FUSD school, Niles Elementary, is located 0.29 miles (1,550 feet) away in walking distance.

***Site H - Parking Lot at Maintenance Center***

This site is within the parking lot for the City's Maintenance Center corporation yard at 42539 Osgood Road. The site is available currently as an existing parking lot and there are no plans at this time to alter the parking lot. However, the City plans to commence construction of a storage facility near the southern edge of the parking lot before the end of this year.

There is a bus stop immediately adjacent to the site, which is served once every hour by a weekday-only line between Fremont BART and industrial facilities along Landing Parkway. The nearest commercial and retail services are located in downtown Irvington, approximately 0.80 miles (4,200 feet) away. However, there are striped bike lanes on Osgood Road and Washington Boulevard to reach downtown Irvington from the site. The City corporation yard is located adjacent to the BART tracks, but the location for a housing navigation center could be situated on the other side of the property within the existing parking lot, which should reduce any train noise and vibration. A housing navigation center at this site would displace some staff parking and on-street parking on Blacow Road would need to be provided in order to provide sufficient parking when meetings are held at this location. The closest FUSD school, Mission Valley Elementary, is located over a mile (5,800 feet) away in walking distance. As the site is developed, additional costs associated with trenching and patch work to connect utilities could add cost to developing a navigation center at this site. Further cost analysis is needed.

***Site I - Washington Grade Sep Remnants (Irvington BART)***

This site consists of excess right-of-way on Washington Boulevard near the future Irvington BART station. Access to the site is from Main Street. The site is 0.20 miles (1,060 feet) from a bus stop with service to Fremont BART, and 0.30 miles (1,600 feet) from Safeway. There are some design challenges with this site. The Irvington BART Station Area Plan shows a road across the site from Main Street underneath the grade separation to the future surface parking that will be built with the station, likely limiting the site's use to a five-year duration. A proposed navigation center would be confined to an area to the east of this road (a space 70 feet wide), adjacent to the Washington Boulevard embankment. A Kinder Morgan gas underground pipeline (aviation fuel) runs through the site on its western side and would require further study. Locating the housing navigation center away from the pipeline could be challenging. While there is not an identified fault trace on this property, the property is considered to be within the fault trace zone. Its location adjacent to the Union Pacific and BART tracks would subject tenants to intermittent train noise and vibration. The closest FUSD school, Horner Jr. High, is located 0.60 miles (3,150 feet) away in walking distance.

***Site K - Niles Discovery Church (Private Property)***

The Niles Discovery Church site, of approximately 0.40 acres, is located on the western end of the church property between the church parking lot and Nursery Avenue. The site is currently vacant land and would be available for up to five years

through a partnership agreement with the Niles Discovery Church. The site would adequately accommodate the minimal siting size criterion for the housing navigation center, but does not afford space for an added office portable or parking.

The site is immediately adjacent to one bus stop, and 0.20 miles (1,050 feet) from another bus stop. Both bus stops provide direct service to a BART station, operating with a 60-minute headway. The site is 0.50 miles (2,650 feet) from Mr. Mikey's Country Store & Deli on Niles Boulevard and inexpensive eateries and 1.8 miles (9,500 feet) from a full-service grocery store. There are no bike lanes adjacent to the site on Niles Boulevard, although there are sidewalks to reach both bus stops and the grocery store.

An identified fault trace traverses the church parking lot, a site-specific geotechnical investigation would be required to determine whether any fault traces run through the development area. The site is located in a seismic-induced liquefaction zone and a high fire hazard severity zone. Portable units housing the homeless will be sprinklered. The site is adjacent to the Union Pacific railroad tracks close to the intersection of Nursery Avenue and Niles Boulevard, which would subject tenants to intermittent noise and vibration. The closest FUSD school is Niles Elementary, is located 0.5 miles (2,650 feet) away by walking distance.

Congregants of the church have a history of working with the homeless population and are pledged to support the success of the Navigation Center.

### ***Other Qualified Sites for Locating a Housing Navigation Center***

The remaining sites evaluated in the property search based on the applied Initial Screening criteria are listed below qualified. These sites (with a total "yes" of three or less) are not recommended by staff for further consideration to locate a housing navigation center. Highlighted are the most important site conditions and characteristics for each of these qualifying sites; a detailed site analysis for each of these sites is provided in Exhibit "C."

#### ***Site C - Future Pacific Commons Sports Park on Automall Parkway***

At 40.15 acres (1,748,847 square feet), this site is the largest that met the initial screening criteria. The site will be developed as a future City park but plans have not yet been completed. Timing for development of the park is, at earliest, 5-7 years out. The site is entirely undeveloped and located far from both food and transit; it is 0.90 miles (4,700 feet) from the nearest bus stop, and 1.0 miles (or 5,280 feet) from the nearest full-service grocery store, a membership-only Costco which would likely not be used by navigation center tenants. Due to the low point of connection to the sewer main at the terminus of Automall Parkway, a lift station would be required when extending sewer service to the site, which would increase the costs of development. Additionally, since the site is undeveloped, extensive grading could be required to prepare the site for development.

This site, in the future, might be considered as a location for a sanctioned safe parking area, allowing overnight stay for vehicles and RVs. Additional analysis would be required to determine appropriateness and the cost to develop it for that use.

**Site D - Future Palm Park Site**

The 12.12-acre site is relatively flat and is will be developed as a future City park. It is located within an established single-family neighborhood on Palm Avenue and new single-family tract development near Interstate 680. It is expected that funding to develop the site into a park will be achieved in a five year time frame, and that the park will be developed within six to seven years.

There is a bus stop 0.30 miles (1,600 feet) away that runs between Ohlone College and the Union Landing Transit Center, without direct access to a BART station. The closest food service is a 7-Eleven approximately a mile away. There are no immediate eateries or services. The site is located in a high fire hazard severity zone, however portable units will be sprinklered. The closest FUSD school, Mission San Jose High, is located 0.30 miles (1,584 feet) away in walking distance.

**Site E - Isherwood Surplus Property**

This approximately 9.3-acre developable site is located adjacent to the Mission Lakes (Isherwood) Neighborhood at the terminus of Bernard Drive off Isherwood Way. Like the Decoto Surplus Property (Site A), the City Council declared the site as surplus property.

The 9.3-acre developable site is part of a 41.2-acre vacant property that was dedicated to the City in 1978 as part of Tract Map 3908 in anticipation of the future construction of the East-West Connector (approximately 17.3 acres will be used by the County to construct the East-West Connector). The site is irregularly shaped and is bordered by the Isherwood Neighborhood to the south, Union City to the north, and old Alameda Creek to the east. It also abuts 14.6 acres of parkland east of the neighborhood.

The site directly abuts an established single-family neighborhood and is far from services. The nearest bus stop is 0.80 miles (4,200 feet) away, and the nearest grocery store is 1.4miles (6,900 feet) away. The site is located within an earthquake-induced liquefaction zone. Considerable grading, site preparation and utility work would be needed, as the site is entirely undeveloped in its current condition. This could result in substantial costs to establish a navigation center at this site.

**Site J - Weibel Open Space**

This undeveloped parcel of open space is located adjacent to Arroyo Agua Caliente Park and is within 100 feet of the Weibel Elementary School. The site is adjacent to two bus stops, which provide weekday, weekend, and holiday service to Fremont BART. There are no food services in the vicinity of the site, and tenants would need to walk or bike to the Walmart on Osgood Road, approximately 1.1 miles away, to buy groceries. The site is known to contain a fault trace. A site-specific geotechnical investigation would be required to determine whether any fault traces run through the development area. The site has uneven terrain, and potentially significant grading would be required that could add significant costs to develop.

## **Zoning and Development Compliance**

Under Resolution No. 2018-60, Fremont declared a local Emergency Shelter Crisis on September 18, 2018. Under the Shelter Crisis Act, the City is authorized to provide emergency housing, shelters, bridge housing communities and other services to the homeless. City Council adopted the second Resolution No. 2019-12 on April 17, 2019, authorizing the City Manager to implement the City's housing navigation center for the homeless and take immediate and emergency actions pursuant to the Council's shelter crisis declaration.

The law provides that, "... any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crises." Government Code Section 8698.1(b) Furthermore, the law states the governing body may take such action as is necessary to carry out the provisions of the Shelter Act. Government Code Section 8698.2. In addition, upon a declaration of a shelter crisis, the city would be immune from liability for ordinary negligence relative to the "conditions, acts, or omissions directly related to, and which would not occur but for, the provision of emergency housing." Government Code Section 8698.1(a).

The City will evaluate existing land use and zoning requirements for the Council-selected sites while taking into consideration the broader and more flexible land use compliance standards likely applicable during a declared shelter emergency as described above. Furthermore, development of the housing navigation center will comply with the Shelter Crisis Act and any applicable requirements or exemptions provided under the California Environmental Quality Act (CEQA).

### **ATTACHMENTS:**

- Exhibit A - Navigation Center Property Analysis
- Exhibit B - Navigation Center Site Criteria
- Exhibit C - Property Information Narratives
- Exhibit D - Aerial Map of Sites

**RECOMMENDATION:** Staff is seeking direction from City Council to proceed with further evaluation of sites for a housing navigation center given the results of the established criteria evaluation. Staff's recommendations are as follows:

1. Based on the information provided in this report and input received at the special meeting, select two sites (or not more than three sites) from those evaluated which the Council finds most favorable and feasible for a housing navigation center;
2. Direct staff to conduct neighborhood outreach to obtain community input and comments on the site(s) selected and to develop a more thorough analysis and cost estimate for the implementation of a housing navigation center on each potential site.
3. Request that staff report back, after the August recess, regarding the outcome of community outreach to seek City Council's approval of the final site for implementation of a housing navigation center in accordance with Resolution No. 2018-60.