

**MINUTES
FREMONT CITY COUNCIL MEETING
DECEMBER 11, 2018
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order at 7:03 p.m.
- B. Flag Salute:** Councilmember Bonaccorsi led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Salwan, Councilmembers: Bacon, Jones, and Bonaccorsi
- D. Announcements by Mayor/City Manager**

Mayor announced the Boards and Commissions vacancies.

2. CONSENT CALENDAR

- * **A. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Jones, the City Council waived further readings of proposed ordinances.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Jones and Bonaccorsi
Noes: None
Absent: None
Abstain: None

- * **B. Mayor Mei opened consideration of Approval of Minutes**

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Jones, the City Council approved minutes for the Regular Meeting of October 16, 2018, the Regular Meeting of November 13, 2018, the Regular Meeting of November 20, 2018, and the Regular Meeting of December 4, 2018.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Jones and Bonaccorsi
Noes: None
Absent: None
Abstain: None

* **C. Mayor Mei opened consideration of Adoption of a Resolution that Certifies the November 6, 2018 Election Results**

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Jones, the City Council adopted Resolution No. 2018-72, hereby:

1. Receiving the Official Canvass of the General Municipal Election held on November 6, 2018 from the Alameda County Registrar of Voters.
2. Declaring the results of the election.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Jones and Bonaccorsi
Noes: None
Absent: None
Abstain: None

* **D. Mayor Mei opened consideration of Authorization of the First Amendment to the Facilities Maintenance Agreement with SpectraTurf for Playground Maintenance Surfacing at City Park sites**

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Jones, the City Council authorized the City Manager or designee to execute the First Amendment to the facilities maintenance agreement with SpectraTurf.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Jones and Bonaccorsi
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS

- A. Recognition of and Comments by Outgoing Councilmember**
- B. Oath of Office and Installation of Newly Elected Councilmembers**
- C. Comments by Newly Elected Councilmembers**
- D. Reception in Training Room for Outgoing and Incoming Elected Officials**

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Al Minard shared copies of 'The First Thirty Years,' a book about Fremont, with the Councilmembers. Larry Edelson shared a variety of concerns regarding Morrison Canyon Road.

Chris Moylan shared information regarding an upcoming town hall meeting with Congressman Ro Khanna.

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS – None.

8. COUNCIL COMMUNICATIONS

A. Council Referrals – None.

B. Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 8:00 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor

**MINUTES
FREMONT CITY COUNCIL SPECIAL MEETING
DECEMBER 18, 2018
FREMONT CITY HALL
6:15 P.M.**

Call to Order: Vice Mayor Salwan called the meeting to order at 6:17 p.m.

Roll Call: Present: Mayor Mei (arrived at 6:19 p.m.), Vice Mayor Salwan, Councilmembers: Bacon, Keng, Jones, Kassan, and Shao.

Public Comment: Jannet Benz and Sarah Aminoff expressed concerns regarding safety.

CONVENED TO A CLOSED SESSION at 6:24 p.m.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

This Closed Session is authorized by subdivision (d)(4) of Section 54956.9 of the Government Code and will pertain to possible initiation of litigation by the City in one matter.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS: This Closed Session is authorized by Government Code Section 54956.8 at the time and place stated above to confer with and grant authority to the City's real property negotiators regarding the price and terms of payment related to Master License Agreements for small cell wireless infrastructure providers for use of city light poles.

City Negotiators: (who will be attending or represented at the closed session) –Mark Danaj, City Manager; Hans Larsen, Public Works Director and Harvey Levine, City Attorney

Negotiating Parties: City of Fremont and Verizon Wireless, Mobilitie, Extenet and Crown Castle

The Special Meeting of the Fremont City Council adjourned at 6:55 p.m.

Attest:

Approved:

Merry Monlux, Deputy City Clerk

LILY MEI, Mayor

**MINUTES
FREMONT CITY COUNCIL MEETING
DECEMBER 18, 2018
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order at 7:05 p.m.
- B. Flag Salute:** Vice Mayor Salwan led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Salwan, Councilmembers: Bacon, Keng, Jones, Kassan, and Shao.
- D. Announcements by Mayor/City Manager** – None.

2. CONSENT CALENDAR

- * **A. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Jones, seconded by Vice Mayor Salwan, the City Council waived further readings of proposed ordinances.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

- * **B. Approval of Minutes** – None.

- * **C. Mayor Mei opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Title 1, General Provisions, Chapter 1.15 Penalty Provisions, Section 1.15.020 Penalty and Chapter 1.20 Administrative Remedies, Section 1.20.040 Procedures for Administrative Citations and Section 1.20.080 Penalties Assessed**

On a motion by Councilmember Jones, seconded by Vice Mayor Salwan, the City Council adopted Ordinance No. 28-2018.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

*Consent Items

- * **D. Mayor Mei opened consideration of Approval for Authorization to Execute a Project Funding Agreement with Alameda County Transportation Commission, in the amount of \$5,454,000, for the I-880 Bicycle/Pedestrian Bridge and Trail Project and Including Reach 6 of the East Bay Greenway Trail (PWC 8907) (I-880 Bridge and Trail Project)**

On a motion by Councilmember Jones, seconded by Vice Mayor Salwan, the City Council authorized the City Manager, or his designee, to execute a Project Funding Agreement with ACTC in the amount of \$5,454,000 for the I-880 Bicycle/Pedestrian Bridge and Trail Project (East Bay Greenway Trail Reach 6) - PWC 8907.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

- * **E. Mayor Mei opened consideration of Approval of Agreements for On-Call Environmental Site Assessment and Soil Testing Consulting Services to B2 Environmental, Inc. Millennium Consulting Associates, and TRC Solutions, Inc.**

On a motion by Councilmember Jones, seconded by Vice Mayor Salwan, the City Council:

1. Approved and authorized the City Manager, or his designee, to execute a Master Service Agreement with B2 Environmental, Inc. for On-Call Environmental Site Assessment and Soil Testing Consultant Services in an amount not to exceed \$250,000 per year for three years and authorize the City Manager, or his designee, to renew the agreement for up to two additional one-year terms, with a not-to-exceed amount of \$250,000 per year, provided that the City Manager, or his designee, determines that the consultant has been responsive to the City's needs and the quality of work has been satisfactory.
2. Approved and authorized the City Manager, or his designee, to execute a Master Service Agreement with Millennium Consulting Associates for On-Call Environmental Site Assessment and Soil Testing Consultant Services in an amount not to exceed \$250,000 per year for three years and authorize the City Manager, or his designee, to renew the agreement for up to two additional one-year terms, with a not-to-exceed amount of \$250,000 per year, provided that the City Manager, or his designee, determines that the consultant has been responsive to the City's needs and the quality of work has been satisfactory.
3. Approved and authorized the City Manager, or his designee, to execute a Master Service Agreement with TRC Solutions, Inc. for On-Call Environmental Site Assessment and Soil Testing Consultant Services in an amount not to exceed \$250,000 per year for three years and authorize the City Manager, or his designee, to renew the agreement for up to two additional one-year terms, with a not-to-exceed amount of \$250,000 per year, provided that the City Manager, or his designee, determines that the consultant has been responsive to the City's needs and the quality of work has been satisfactory.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

* **F. Mayor Mei opened consideration of Approval of a Ten-Year License Agreement with San Joaquin Regional Rail Commission, for the Installation and Management of Security Equipment at the Centerville Train Depot (Centerville Train Depot Security Improvements)**

On a motion by Councilmember Jones, seconded by Vice Mayor Salwan, the City Council authorized the City Manager, or his designee, to execute a ten-year License Agreement between the San Joaquin Regional Rail Commission and the City of Fremont for the installation, maintenance, and operations of security improvements with the option for the City Manager or his designee to renew the Agreement for an additional ten-year term.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS

A. Resolution: Honoring Sheree Wright-Cox

B. Oath of Office and Installation of Newly Elected Councilmember Jenny Kassan

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Khal Zhublawar expressed concerns about competition for taxi companies from ridesharing services.

5. SCHEDULED ITEMS

- * **A. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider an Appeal of the Planning Commission's Denial of an Amendment to Planned District P-2017-297 and a Tentative Parcel Map for Condominium Purposes (Map No. 10810) to Allow a Previously-Approved 171-Unit Rental Apartment Project (Palmia at Mission Falls) for Seniors to be Changed to a For-Sale Condominium Project for Seniors at 47201 Mission Falls Court in the Warm Springs Community Plan Area, and to Consider a Finding that the Proposed Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(4),**

which Exempts Projects that Will Be Rejected or Disapproved. (Palma at Mission Falls Condominium Map Appeal – 47201 Mission Falls Court – PLN2018-00222) REQUEST TO BE CONTINUED TO THE JANUARY 15, 2019 CITY COUNCIL MEETING

**This item was added to the Consent Calendar.*

On a motion by Councilmember Jones, seconded by Vice Mayor Salwan, the City Council continued the project to the January 15, 2019 City Council Meeting.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

*** B. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider the Development Impact Fee Annual Report for Fiscal Year 2017/18 and Annual Adjustment of Development Impact Fees to Reflect Inflation**

**This item was added to the Consent Calendar.*

On a motion by Councilmember Jones, seconded by Vice Mayor Salwan, the City Council:

1. Accepted the Development Impact Fee Annual Report for Fiscal Year 2017/18.
2. Held a public hearing to hear any public comments regarding the proposed impact fee adjustment.
3. Found that the proposed impact fee adjustment is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Find that the proposed impact fee adjustment is also exempt from review pursuant to CEQA Guidelines Section 15183 because it is an implementation measure of the adopted General Plan for which a Final Environmental Impact Report (EIR; SCH#2010082060) was previously certified, the Downtown Community Plan for which a Final Supplemental EIR for the (SCH#2010072001 and SCH#2010082060) was previously certified, and the Warm Springs/South Fremont Community Plan for which a Final EIR (SCH#2013032062) was previously certified, and no further environmental review is required as there have been no subsequent changes or no new information that would warrant additional environmental review.
4. Adopted Resolution No. 2018-73 approving a 2.78% increase to development impact fees for the capital facilities, fire facilities, park facilities, parkland, and traffic programs to reflect construction cost changes in 2018, effective July 1, 2019.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

C. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider a Proposal to Add the Cloverleaf Family Bowl Building to the Fremont Register of Historic Resources, and to Consider an Exemption from the Requirements of the California Environmental Quality (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3), Which is the General Rule that CEQA Only Applies to Projects that Have the Potential for Causing a Significant Effect on the Environment. (Cloverleaf Family Bowl Building - 40645 Fremont Boulevard - PLN2019-00127)

Planning Manager Kristie Wheeler, Senior Planner Wayland Li, and Allison Lyons from GPA Consulting gave a presentation. Councilmembers asked questions. Mayor Mei opened the public hearing. Mike Hillman, Jim Chambers, Robert Daulton, Alice Cavette, Chris Cavette, and Linda Ross spoke in support of staff recommendation and keeping Cloverleaf Bowl in that location. Michael Denitto and Ben Vick spoke in opposition on behalf of the property owner. There were no additional speakers. Mayor Mei closed the public hearing. Councilmembers asked questions and provided comment.

On a motion by Councilmember Bacon, seconded by Vice Mayor Salwan, the City Council:

1. Held public hearing; and
2. Found that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), which is the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, because the potential addition of the building to the Fremont Register would not result in any physical changes to the environment or alterations or damage to the potential register resource.
3. Considered the property owner statement of objection and comments.
4. Adopted Resolution No. 2018-74, a) based on information presented in the Historic Evaluation and DPR form prepared by GPA Consulting, that the Cloverleaf Family Bowl building is eligible for listing on the Fremont Register of Historic Resources under Criteria A and E; and b) designating the Cloverleaf Family Bowl building as a potential register resource that is eligible for listing on the Fremont Register, but cannot be added until the property owner's objection is withdrawn.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS

A. Mayor Mei opened consideration of a Presentation by Staff of Draft Legislation that Would Authorize the City to Control Access to Morrison Canyon Road in Response to October 16, 2018 Council Direction; Discussion and Possible Council Direction

Public Works Director Hans Larsen and Deputy City Attorney Erik Ramakrishnan gave a presentation. Staff responded to questions from Council. Mayor Mei opened the public comment period. Larry Edelson, Kelly Abreu, and Suresh Bazaj expressed concerns about enforcement. Monica Melville shared thoughts on access. William Yragui spoke about liability. There were no more speakers. Mayor Mei closed the public comment period. Councilmembers asked questions and provided comment.

On a motion by Vice Mayor Salwan, seconded by Councilmember Jones, the City Council reviewed the proposed draft statutory language and provided feedback and direction to staff.

Ayes: Mayor Mei, Vice Mayor Salwan,
 Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
 Noes: Councilmember Kassan
 Absent: None
 Abstain: None

8. COUNCIL COMMUNICATIONS

A. Council Referrals

1. MAYOR MEI REFERRAL: Appointments and Reappointments to Advisory Bodies

Mayor Mei opened the public comment period. Justin Sha (provided hand-outs), John Smith, Brannin Dorsey, B. Lee Jones, and Kelly Abreu shared a variety of concerns. There were no additional speakers. Mayor Mei closed the public comment period. This was followed by a question and answer period amongst the City Council.

Mayor Mei called for a vote on the appointments and reappointments, with the exception of the Human Relations Commission (HRC) position and the two Planning Commission positions.

Appointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Recreation Commission	Elissa Winters	12/31/2021
	Robby Gill	12/31/2022
	Jannet Benz	12/31/2022
Senior Citizens Commission	Michiko Yee	12/31/2021

Reappointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Alameda County Mosquito Abatement District	George Young	12/31/2021
George W. Patterson House Advisory Commission (<i>Mission Peak Heritage Foundation Representative</i>)	Al Minard	12/31/2022
George W. Patterson House Advisory Commission (<i>Washington Township Historical Society Representative</i>)	Bill Reynolds, Jr.	12/31/2022

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Senior Citizens Commission	Judith Schneider	12/31/2022
	Linette Young	12/31/2022
	Ashok Desai	12/31/2022
	Pat Helton	12/31/2022
	Kinji Yamasaki	12/31/2022
	JoAnne Rhodes-Jones	12/31/2022

By consensus, the City Council approved the appointments and reappointments listed above.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes: None
Absent: None
Abstain: None

Mayor Mei called for a vote on the Human Relations Commission (HRC) position:

Appointment:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Human Relations Commission	Shobana Ramamurthi	12/31/2021

The City Council approved the appointment of Ms. Ramamurthi, replacing Mr. John R. Smith.

Ayes: Mayor Mei, Councilmembers: Bacon, Kassan, and Shao
Noes: Vice Mayor Salwan, Councilmembers: Jones and Keng
Absent: None
Abstain: None

Another question and answer period followed, after the HRC vote. A brief recess was called for the City Attorney to review the hand-out from one of the speakers. City Council reconvened. Mayor Mei called for a vote on one of the two Planning Commission positions:

Appointment:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Planning Commission	Ben Yee	12/31/2021

The City Council approved the appointment of Mr. Yee, replacing Mr. Brannin Dorsey.

Ayes: Mayor Mei, Councilmembers: Bacon, Keng,
Kassan, and Shao
Noes: Councilmember Jones
Absent: None
Abstain: Vice Mayor Salwan

Mayor Mei called for a vote on the second Planning Commission position:

Appointment:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Planning Commission	Reena Rao	12/31/2021

The City Council approved the appointment of Ms. Rao, replacing Ms. Reshma Karipineni.

Ayes: Mayor Mei, Councilmembers: Bacon, Keng, Kassan, and Shao
Noes: None
Absent: None
Abstain: Vice Mayor Salwan and Councilmember Jones

B. Oral Reports on Meetings and Events

Councilmembers reported on their various meetings and activities.

9. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 9:20 p.m.

Attest:

Approved:

Merry Monlux, Deputy City Clerk

LILY MEI, Mayor

**MINUTES
FREMONT CITY COUNCIL MEETING
JANUARY 15, 2019
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order at 7:03 p.m.
- B. Flag Salute:** Councilmember Keng led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Salwan, Councilmembers: Bacon, Keng, Jones, Kassan, and Shao.
- D. Announcements by Mayor/City Manager**

City Manager Danaj shared information regarding items of Council/community interest. Mayor Mei announced the Boards and Commissions vacancies.

2. CONSENT CALENDAR

- * **A. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Jones, seconded by Councilmember Bacon, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Mei, Vice Mayor Salwan, Councilmembers: Bacon, Keng, Jones, Kassan, and Shao
Noes:	None
Absent:	None
Abstain:	None

- * **B. Approval of Minutes – None.**
- * **C. Mayor Mei opened consideration of approval to reject all bids for the Warm Springs Community Park Arbor Project and direct staff to revise the project scope (PWC8833)**

On a motion by Councilmember Jones, seconded by Councilmember Bacon, the City Council rejected all bids received on December 12, 2018, for the Warm Springs Community Park Arbor Project, City Project No. 8833 (PWC), and directed staff to make necessary revisions to the scope of work and contract documents, and re-bid the project as a demolition and renovation project.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones,
Kassan, and Shao
Noes: None
Absent: None
Abstain: None

*** D. Mayor Mei opened consideration of Approval of Plans and Specifications and Award of Contract to Chrisp Company in the Amount of \$835,448.10 for the Bicycle Master Plan - Year 1 Bikeway Improvements Project (PWC 8874); Find Project Exempt from Environmental Review per CEQA Guideline Section 15301 (Existing Facilities)**

On a motion by Councilmember Jones, seconded by Councilmember Bacon, the City Council approved the following actions related to the Bicycle Master Plan Year 1 Bikeway Improvements Project (PWC 8874):

1. Found that this project is categorically exempt from review under California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15301 as the repair, maintenance or minor alteration of existing facilities involving no or negligible expansion of use beyond that presently existing.
2. Approved the plans and specifications for this project.
3. Accepted the bid and awarded the construction contract to the lowest responsive and responsible bidder, Chrisp Company, in the amount of \$835,448.10 and authorized the City Manager or designee to execute the contract.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones,
Kassan, and Shao
Noes: None
Absent: None
Abstain: None

*** E. Mayor Mei opened consideration of Approval of Final Map, Agreement for Construction of Private Street Improvements, and Dedication of Public Easements for Tract 8403, located at 44960 Warm Springs Boulevard (Metro Crossing)**

On a motion by Councilmember Jones, seconded by Councilmember Bacon, the City Council adopted Resolution No. 2019-01 to:

1. Approving the Final Map and the Improvement Plans for Tract 8403.
2. Approving the Agreement for Private Improvements entitled "Private Improvement Agreement, Tract 8403", with the developer, Toll CA XX, LP, and authorize the City Manager to execute the agreement on behalf of the City.
3. Accepting the developer's offer of dedication of real property interests, as identified on the Final Map, provided that the acceptance of any property on which the developer is required to construct public improvements shall be conditioned upon the developer's completion of the improvements to the satisfaction of the City Engineer.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones,
Kassan, and Shao
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS

A. Proclamation: “A National Day of Racial Healing,” January 22, 2019

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Theresa DeAnda shared a variety of concerns. Ken Steadman spoke regarding a homeless encampment on property he owns and shared information regarding his interaction with the Code Enforcement Division. Cullen Tiernan expressed his views regarding the culture of the local Democratic Party.

5. SCHEDULED ITEMS

A. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider the Planning Commission's Recommendation to Approve a Rezoning of a 1.19-acre site from R-1-6 (Single-Family Residential) to Preliminary and Precise Planned District P-2018-292, Vesting Tentative Tract Map No. 8477, and a Private Street to Allow Development of Eight Small-Lot Single-Family Homes and Related Improvements Including the Extension of the Blacow Road Frontage in the Irvington Community Plan Area, and Adopt a Mitigated Negative Declaration Prepared and Circulated for the Project in Accordance with the Requirements of the California Environmental Quality Act (CEQA). (Oliveira Farm Cottages – 39392 Blacow Road – PLN2018-00292)

Associate Planner James Willis gave a presentation. Staff responded to questions from Councilmembers. The applicants, Doyle Heaton and Ed Novak representing DRG Builders and Homayun Karim with Meridian Associates, gave a verbal presentation. The applicants responded to question from Councilmembers. Mayor Mei opened the public hearing. Chris Cavette expressed concerns with house and lot size. Andreas Kadavanich shared concerns with rezoning and the width of the sidewalks. There were no additional speakers. Mayor Mei closed the public hearing. The applicant provided a rebuttal & comment. This was followed by another question and answer period. Councilmembers provided comment.

On a motion by Vice Mayor Salwan, seconded by Councilmember Jones, the City Council:

1. Held public hearing; and
2. Found that the Mitigated Negative Declaration as shown in Exhibit “A” to the staff report, was prepared in accordance with the requirements of CEQA, that there is no

- substantial evidence that the project will have a significant effect on the environment, and that this action reflects the independent judgment of the City of Fremont;
3. Introduced an ordinance approving a Rezoning of the subject parcel from R-1-6 (Single-Family Residential) to Preliminary and Precise Planned District P-2018-292 as shown on Exhibit “B” to the staff report, based on the findings set forth in Exhibit “D” to the staff report;
 4. Approved Preliminary and Precise Planned District P-2018-292 as shown in Exhibits “B” and “C” to the staff report, and the accompanying land use and development provisions set forth in Exhibit “E” to the staff report, based on the findings and subject to the conditions of approval set forth in Exhibit “D” to the staff report; and
 5. Approved Vesting Tentative Tract Map No. 8477 and the accompanying Private Street entitlement as shown in Exhibit “C” to the staff report, based upon the findings and subject to the conditions of approval set forth in Exhibit “D” to the staff report, including an amendment to include sidewalks in front of the properties; and
 6. Approved the proposed removal and mitigation of fourteen protected trees, pursuant to the Tree Preservation Ordinance based on the findings and subject to the conditions of approval in Exhibit “D” to the staff report; and
 7. Directed staff to prepare and the City Clerk to publish a summary of the ordinance.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Keng, Jones, Kassan, and Shao
Noes: Councilmember Bacon
Absent: None
Abstain: None

B. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider an Appeal of the Planning Commission's Denial of an Amendment to Planned District P-2017-297 and a Tentative Parcel Map for Condominium Purposes (Map No. 10810) to Allow a Previously-Approved 171-Unit Rental Apartment Project (Palmia at Mission Falls) for Seniors to be Changed to a For-Sale Condominium Project for Seniors at 47201 Mission Falls Court in the Warm Springs Community Plan Area, and to Consider a Finding that the Proposed Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(4), which Exempts Projects that Will Be Rejected or Disapproved. (Continued from the December 18, 2018 City Council Meeting) (Palmia at Mission Falls Condominium Map Appeal – 47201 Mission Falls Court – PLN2018-00222)

Associate Planner James Willis provided a presentation. Staff responded to questions from Councilmembers. The appellants, represented by Cory Kusich, Steve Schott, and Jim Sullivan with SCS Development Company, also gave a presentation. The appellants responded to questions from Councilmembers. Mayor Mei opened the public hearing. Chris Cavette asked Council to deny the appeal. There were no additional speakers. Mayor Mei closed the public hearing. The appellants were given an opportunity for rebuttal. This was followed by another question and answer period. Councilmembers provided comment.

On a motion by Councilmember Bacon, seconded by Vice Mayor Salwan, the City Council:

1. Held public hearing.
2. Found that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(4), which exempts projects that will be rejected or disapproved.
3. Denied the appeal.
4. Upheld the Planning Commission's decision to deny the application to amend Precise Planned District P-2017-297, based on findings specified in FMC Sections 18.110.070 and 18.225.050.
5. Upheld the Planning Commission's decision to deny the application for a Tentative Parcel Map for Condominium Purposes based on findings specified in FMC Section 17.20.200.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones, and Kassan
Noes: Councilmember Shao
Absent: None
Abstain: None

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS

A. Mayor Mei opened consideration of an Ordinance to Establish a Local Minimum Wage.

Finance Director David Persselin gave a presentation. Mr. Persselin responded to questions from Councilmembers. Mayor Mei opened the public comment period. Matt Senekeremian, Theresa DeAnda, Kelsey Presnall, Cullen Tiernan, and Jose Oropeza spoke in favor of the increase. Annie Koruga opposed paying young people a lower wage than those twenty-five and older. Benjie Craig, Jesse Schaa, and Kathy Kimberlin shared a number of concerns. There were no additional speakers. Mayor Mei closed the public comment period. This was followed by another question and answer period with Councilmembers and staff.

On a motion by Councilmember Bacon, seconded by Vice Mayor Salwan, the City Council:

1. Found that the proposed ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guideline Section 15061(b)(3) because the proposed ordinance does not have the potential for causing a significant effect on the environment.
2. Waived full reading and introduced ordinance replacing Fremont Municipal Code Title 5, Chapter 5.30 "Minimum Wage" as shown in Exhibit B-1, with an employee exemption only for non-profits, and to change the age from twenty-five to twenty-one.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones,
Kassan, and Shao
Noes: None
Absent: None
Abstain: None

8. COUNCIL COMMUNICATIONS

A. Council Referrals – None.

B. Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 10:25 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor

DRAFT