

**MINUTES
FREMONT CITY COUNCIL MEETING
FEBRUARY 5, 2019
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order at 7:00 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**

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

2. CONSENT CALENDAR

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

On a motion by Councilmember Bacon, seconded by Councilmember Jones, 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. Mayor Mei opened consideration of Approval of Minutes**

On a motion by Councilmember Bacon, seconded by Councilmember Jones, the City Council approved minutes for the Regular Meeting of December 11, 2018, the Special and Regular Meetings of December 18, 2018, and the Regular Meeting of January 15, 2019, as amended.

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

*Consent Items

- * **C. Mayor Mei opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Rezoning a 1.19-Acre Site, located at 39392 Blacow Road, from R-1-6 (Single Family Residential) to Preliminary and Precise Planned District P-2018-292, to Allow the Development of Eight Small-Lot Single Family Homes and Related Improvements**

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

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 Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Title 5, Business Licenses and Regulations, Chapter 5.30 Minimum Wage**

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. Jay Gamez, representing Mission Hope Day Program, spoke in opposition to the minimum wage increase and provided a hand-out. There were no additional speakers. Mayor Mei closed the public comment period. Councilmembers provided comment.

On a motion by Councilmember Bacon, seconded by Vice Mayor Salwan, the City Council adopted Ordinance No. 02-2019. Council also provided direction to staff to look at the non-profits, including the federally and state funded agencies, and bring the item back to the Council prior to the implementation in the June/July time frame for additional review.

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 An Ordinance of the City of Fremont Amending Section 3.20.130 of the Fremont Municipal Code, Public Project Construction, by Adjusting the Monetary Limits Prescribed for Public Construction Contract Formal and Informal Bidding Procedures, Consistent with Chapter 169 of the Statutes of 2018 (A.B. 2249), Effective January 1, 2019; and a Finding that the Ordinance is Exempt from Review under the California Environmental Quality Act (CEQA) Because It Is Not a Project within the Meaning of CEQA Guidelines Section 15378 (Ordinance Amending City's Purchasing Code Consistent with A.B. 2249 to Reflect Increased Monetary Limits for Informal Public Construction Project Bidding Procedures)**

On a motion by Councilmember Bacon, seconded by Councilmember Jones, the City Council:

1. Introduced the proposed ordinance and waived the first reading.
2. Directed staff to prepare, and the City Clerk to publish, a summary of the ordinance.
3. Found that the adoption of the ordinance is exempt from review under the California Environmental Quality Act (CEQA) because adoption of the ordinance is not a project within the meaning of CEQA Guidelines Section 15378.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones,
Kassan, and Shao

Noes: None

Absent: None

Abstain: None

3. CEREMONIAL ITEMS

A. Congenital Heart Defect Awareness Week, February 7-14, 2019

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Michael Boman shared concerns with cars not having headlights on after dusk.

5. SCHEDULED ITEMS

A. Mayor Mei opened consideration of a Public Hearing (Published Notice) in Accordance with the Tax Equity and Fiscal Responsibility Act (TEFRA) to Consider the Issuance of Tax-Exempt Bonds by California Statewide Communities Development Authority (CSCDA) for KDF Communities (Bond Issuance for KDF Communities)

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

1. Held a public hearing in accordance with TEFRA;
2. Adopted Resolution No. 2019-02 approving the Issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority for the purpose of financing an affordable housing project in the City of Fremont to be developed by KDF Communities.

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 Acceptance of the Annual Report on the Implementation and Operation of the Rent Review Ordinance and Recommended Ordinance Changes

Human Services Director Suzanne Shenfil provided an overview. Rent Review Ordinance Administrator Lucia Hughes and Rent Review Program Manager Nancy Sa gave a presentation. Staff responded to questions from Councilmembers. Mayor Mei opened the public comment period. Annie Koruga requested a binding agreement with landlords. Chunchi Ma & Adelle Fan (w/BAHN), Bill Mulgrew (Rental Housing Association), and Robert Daulton expressed a number of concerns. There were no additional speakers. This was followed by another question and answer period. Councilmembers provided comment.

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

1. Accepted the Rent Review Ordinance Annual Report.
2. Provided feedback and direction to staff on each of the eight potential solutions to the RRO limitations presented, and provide any additional solutions the Council would like to explore.

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

8. COUNCIL COMMUNICATIONS

A. Council Referrals – None.

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 8:35 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor

**MINUTES
FREMONT CITY COUNCIL SPECIAL MEETING
FEBRUARY 12, 2019
FREMONT CITY HALL
5:30 P.M.**

Call to Order: Mayor Mei called the meeting to order at 5:35 p.m.

Roll Call: Present: Mayor Mei, Vice Mayor Salwan, Councilmembers: Bacon, Keng, Jones, Kassan, and Shao.

Public Comment: None.

CONVENE TO A CLOSED SESSION at 5:35 p.m.

CONFERENCE WITH LABOR NEGOTIATOR: The City Council will hold a special meeting which will commence as an open meeting and then adjourn to a closed session as authorized by Government Code Section 54957.6 for the purpose of reviewing its position for upcoming employee negotiations and for instructing Mark Danaj, City Manager; Brian Stott, Assistant City Manager; Karena Shackelford, Assistant City Manager; Allen DeMers, Human Resources Director; Harvey Levine, City Attorney, as the City's negotiators regarding salaries, salary schedules, compensation paid in the form of fringe benefits of its represented and unrepresented employees, and for any other matters within the statutorily provided scope of representation.

The names of the organizations representing employees in question are:

Fremont Association of Management Employees
City of Fremont Employee Association
Operating Engineers, Local Union No. 3
Fremont Police Association
Fremont Police Managers' Association
Professional Engineers and Technicians Association
Teamsters, Local 856
Fremont Professional Fire Fighters, International Association of
Fire Fighters, Local 1689
Battalion Chiefs, International Association of Fire Fighters, Local 1689

The Special Meeting of the Fremont City Council adjourned at 7:00 p.m.

Attest:

Approved:

Merry Monlux, Deputy City Clerk

LILY MEI, Mayor

**MINUTES
FREMONT CITY COUNCIL
SPECIAL MEETING-WORK SESSION
FEBRUARY 19, 2019
FREMONT CITY HALL
5:30 P.M.**

1. PRELIMINARY

- A. Call to Order:** Vice Mayor Salwan called the meeting to order at 5:35 p.m.
- B. Flag Salute:** Councilmember Bacon led the salute to the flag.
- C. Attendance:** Present: Mayor Mei (arrived at 5:38 p.m.), Vice Mayor Salwan, Councilmembers: Bacon, Keng, Jones, Kassan, and Shao.
- D. Announcements by Mayor/City Manager – None.**

2. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Kelly Abreu shared a number of concerns regarding Morrison Canyon Road closure and provided a hand-out.

3. SCHEDULED ITEMS

A. Mayor Mei opened consideration of Discussion of the Draft Mobility Action Plan

Public Works Director Hans Larsen provided a presentation along with John Rennels, Vice Chair of the Mobility Task Force, and David Fields a principal with Nelson Nygaard Consulting. Mayor Mei opened the public comment period. Laura Winter and Rob Sorensen shared a number of ideas and concerns. There were no additional speakers. Mayor Mei closed the public comment period. The City Council received presentation and provided comment.

4. ADJOURNMENT

There being no further business, Mayor Mei adjourned the meeting at 6:35 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor

**MINUTES
FREMONT CITY COUNCIL MEETING
FEBRUARY 19, 2019
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:** 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**

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

2. CONSENT CALENDAR

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

On a motion by Vice Mayor Salwan, seconded by Councilmember Jones, 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 Section 3.20.130 of the Fremont Municipal Code, Public Project Construction, By Adjusting The Monetary Limits Prescribed For Public Construction Contract Formal And Informal Bidding Procedures, Consistent With Chapter 169 Of The Statutes Of 2018 (A.B. 2249), Which Took Effect January 1, 2019**

On a motion by Vice Mayor Salwan, seconded by Councilmember Jones, the City Council adopted Ordinance No. 03-2019.

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 the Closeout of Completed Capital Projects and Partial Defunding of Selected Projects; and Approval of Fund Transfers, and Appropriations (Capital Project Closeouts)**

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

1. Approved the closeout of the capital projects identified on Exhibit A - Project Closeout List and returned the remaining project appropriations to available fund balance in their respective funds.
2. Approved the defunding of the capital projects identified on Exhibit B - Project Defund List and returned the remaining project appropriations to available fund balance in their respective funds.
3. Approved appropriation of closed and defunded funds to eligible projects identified on Exhibit C - Project Appropriation List.
4. Approved transfer of the remaining appropriations and unallocated fund balance of approximately \$116,000 from fund 530 Park Benefit Fees to fund 543 Park Dedication Fees. This action closes out fund 530.
5. Appropriated \$500 of additional grant funds to PWC8234-522 Pavement Rehabilitation.
6. Accepted and appropriated \$25,000 from Audi of Fremont for public art to PWC8686-502 Public Art 2008 project.
7. Upon receipt of funds and completion and recording of the Final Map for the Ursa Drive Project (17PLN0188), accepted and appropriated \$100,000 from Robson Homes, LLC, to PWC8777-545 for the Warm Springs Meeting Room and Restroom Replacement Project.

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 to Reject all Bids Received on January 22, 2019 for the Washington Boulevard Safety Improvements Project (PWC8919)**

On a motion by Vice Mayor Salwan, seconded by Councilmember Jones, the City Council rejected all bids submitted on January 22, 2019 for the Washington Boulevard Safety Improvements Project (PWC8919) and directed staff to re-bid the project.

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

3. CEREMONIAL ITEMS - None

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Arun Ramani and Himny Shukla shared concerns regarding the height of a sound wall along Barn Dance Street (provided hand-out/petition).

5. SCHEDULED ITEMS

A. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider General Plan Amendment Screening Requests to Authorize Formal Processing of General Plan Amendment Applications to Change the Land Use Designation of Property Located at 4546 and 4588 Peralta Boulevard, and 43450 Sabercat Road to Facilitate Additional Market Rate Residential Development, and to Consider a Finding that the Requests are not Subject to the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15378 in that They do not Meet CEQA's Definition of a Project.

Associate Planner Bill Roth provided a presentation for both projects. Staff responded to questions from Councilmembers. The Oakmont of Fremont applicants, William Mabry (Partner at Oakmont Senior Living) and Hannah Daugherty (Project Development Lead at Oakmont Senior Living) also gave a presentation. Applicants responded to Councilmember questions. Mayor Mei opened the public hearing. Obdulla Losa, Peter Plank, Chris Cavette, Jorge Jovel, Dave Reali, Tony Park, and Tricia Rodriguez spoke in opposition to the proposed project. There were no additional speakers. Mayor Mei closed the public hearing. The applicants were provided an opportunity for rebuttal. Councilmembers provided comment.

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

1. Held a public hearing.
2. Denied the formal processing of a General Plan Amendment application for Request #2 (Oakmont of Fremont – PLN2019-00175).

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

After a brief recess, The Golden Pines agent, Roger Shanks, shared that they were withdrawing their application. The applicant wants to go back and look at her options in the future and they may be coming back in the future.

B. Mayor Mei opened consideration of a Referral from the Environmental Sustainability Commission: Resolution to Adopt a Goal to Achieve Carbon Neutrality by 2045, Set an Interim Greenhouse Gas Emissions Reduction Target of 55% by 2030, and Establish a Framework for a Post-Carbon Community (Carbon Neutrality Resolution)

Sustainability Manager Rachel DiFranco gave a presentation and responded to questions from Councilmembers. Mayor Mei opened the public comment period. Environmental Sustainability Commissioner Richard Godfrey, Tarrah Henrie representing Organizing for Action, and Eamon Jahani spoke in support of adopting a resolution and encouraged to do more. There were no additional speakers. Mayor Mei closed the public comment period. Councilmember provided comment.

On a motion by Councilmember Bacon, seconded by Councilmember Jones, the City Council adopted Resolution No. 2019-03 to achieve carbon neutrality by 2045, set an interim greenhouse gas emissions reduction target of 55% by 2030, and establish a framework for a post-carbon community.

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 Acceptance of the January 2019 New City Council Retreat Report and Identified Council Priorities

Assistant City Manager Karena Shackelford provided a brief presentation.

On a motion by Councilmember Jones, seconded by Vice Mayor Salwan, the City Council accepted the January 2019 City Council Retreat Report.

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

1. Mayor Mei opened consideration of Mayor Mei Referral: Requesting Adoption of a Resolution to Update Council Assignments to Outside Committees, Commissions, and Boards

On a motion by Councilmember Bacon, seconded by Councilmember Shao, the City Council adopted Resolution No. 2019-04 designating Council assignments to outside committees, commissions and boards.

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

2. Mayor Mei opened consideration of Mayor Mei Referral: Appointments and Reappointments to Advisory Bodies

Appointments:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Art Review Board	Christina Valdez	12/31/2022
Planning Commission (appointing to the open seat, vacated by Ms. Cavette)	Jose Oropeza	12/31/2022
Youth Advisory Commission	Annie Koruga	12/31/2020

Reappointments:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Economic Development Advisory Commission (At Large Representative)	Jim Tietz	12/31/2022
Economic Development Advisory Commission (Commercial / Industrial Representative)	Matt Ebner	12/31/2022
Environmental Sustainability Commission (Commercial / Industrial Representative)	John Rennels, Jr.	12/31/2022
Environmental Sustainability Commission (At Large Representative)	Shiva Swaminathan	12/31/2022
Environmental Sustainability Commission (At Large Representative)	Daniel O'Donnell	12/31/2022

*Consent Items

Library Advisory Commission	Erika Albury	12/31/2022
	David Sheen	12/31/2022
	Chitraleka Vivek	12/31/2022
Library Advisory Commission (<i>Friends of the Library Representative</i>)	Patricia Finch	12/31/2022
Youth Advisory Commission	Sriansh Pasumarthi	12/31/2020
	Vishrant Prabhu	12/31/2020
	Riya Chopra	12/31/2020
	Tavish Mohanti	12/31/2020
	Kaijing Yan	12/31/2020

On a motion by Councilmember Bacon, seconded by Councilmember Shao, the City Council approved appointments and reappointments.

Ayes: Mayor Mei, Vice Mayor Salwan,
Councilmembers: Bacon, Keng, Jones,
Kassan, and Shao

Noes: None

Absent: None

Abstain: None

B. Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 9:45 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor

**SPECIAL MEETING MINUTES
CITY COUNCIL RETREAT
JANUARY 10 - 11, 2019
9:00 A.M.
DOMINICAN SISTERS, 43326 MISSION CIRCLE, FREMONT**

DAY 1

CALL TO ORDER & WELCOME BY THE MAYOR

The meeting was called to order by Mayor Mei at 9:00 a.m.

Present: Mayor Mei, Vice Mayor Salwan, Councilmembers: Bacon, Keng, Jones, Kassan, and Shao

Staff Present: City Manager Danaj, City Attorney Levine, Assistant City Managers, and City Leadership Team.

Facilitators: Dr. John Nalbandian, University of Kansas; Jan Perkins, Management Partners

Recorder: Mandy Brown, Management Partners

PUBLIC COMMENTS

Speakers: Peter Ascanio and Kelly Abreu shared a variety of concerns.

COMMENTS FROM THE CITY MANAGER

The City Manager offered opening comments about why the retreat was important. He emphasized that the executive team's aim is to serve the Council and entire Fremont community.

The Councilmembers participated in a visioning exercise that explored their desired visions for the City.

DISCUSSION OF PROTOCOLS AND NORMS

Councilmembers discussed and agreed upon eleven protocols and norms. The intent is these will be guiding practices to foster effective working relationships among members of Council.

HIGH PERFORMANCE GOVERNANCE

Dr. John Nalbandian led the group in a discussion.

The session was adjourned for the day at 4:00 p.m. The session resumed at 9:00 a.m. Friday, January 11, 2019.

DAY 2

KEY ACCOMPLISHMENTS AND FACTORS THAT CONTRIBUTED TO OUR ACHIEVEMENTS

The second day of the retreat started off with reviewing and celebrating some of Fremont's recent accomplishments.

CONTEXT SETTING FOR PRIORITIES, DISCUSSION OF COUNCIL PRIORITIES, AND DISCUSS HOW TO STAY ON COURSE WITH PRIORITIES

A number of slides were presented to set the context for discussing priorities. Finance Director David Persselin, Human Resources Director Allen DeMers, and Assistant City Manager Karena Shackelford each presented slides, along with Jan Perkins. The facilitators led the group through a discussion in order to achieve clarification and consensus on the council-identified goals comprised of previous priorities that have not been completed and new priorities.

WRAP UP AND NEXT STEPS

The group discussed specific items that will aid the Council and staff in achieving priorities.

ADJOURNMENT

The retreat concluded at 1:15 p.m.

LILY MEI, MAYOR

ATTEST:

SUSAN GAUTHIER, CITY CLERK

The full City Council Retreat Report is available online:

<https://www.fremont.gov/DocumentCenter/View/40574/2019-Council-Retreat-Report>