

**MINUTES  
FREMONT CITY COUNCIL MEETING  
APRIL 16, 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:** 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. Assistant City Manager Stott 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 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 Chapter 9.60 Rent Review Sections 0.60.020, 9.60.030, 9.60.040, 9.60.050 and 9.60.070 and Chapter 2.20 Departments, Boards and Commissions, Section 2.20.650**

On a motion by Councilmember Bacon, seconded by Vice Mayor Salwan, the City Council adopted Ordinance No. 05-2019.

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 to Award Maintenance Agreement and Authorizing the City Manager or Designee to Execute Facilities Maintenance Service Agreement with New Image Landscape Company (Lighting, Landscape & Maintenance Services for District 88)**

On a motion by Councilmember Bacon, seconded by Vice Mayor Salwan, the City Council awarded a five-year facilities maintenance services contract and authorized the City Manager or designee to execute agreement with New Image Landscape Company with a total not to exceed amount of \$586,286.

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 Adopt a Resolution Ordering the Preparation and Filing of the Annual Engineer's Report for Landscaping Assessment District 88 and Adopt a Resolution Stating the City Council's Intention to Levy Assessments for Landscape Assessment District 88 for Fiscal Year 2019/20**

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

1. Adopted Resolution No. 2019-10 ordering the preparation and filing of the annual Engineer's Report for Landscaping Assessment District 88 for Fiscal Year 2019/20.
2. Adopted Resolution No. 2019-11 stating the intent of the City Council of the City of Fremont to levy and collect assessments for Fremont Landscaping Assessment District 88 for Fiscal Year 2019/20.

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 Plans and Specifications for the California Nursery Historical Park Retail Building Demolition Project (PWC8827); Award a Contract to Resource Environmental, Inc. for the bid amount of \$95,000,**

**allocate a 20% Construction Contingency Amount of \$19,000, for a Total Construction Contract Amount of \$114,000 for the California Nursery Historical Park Retail Building Demolition Project.**

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

1. Approved the Plans and Specifications for the California Nursery Historical Park Retail Building Demolition (PWC8837). Plans and Specifications are available upon request.
2. Found the project is consistent with the adopted California Nursery Historical Park Master Plan, for which an Environmental Impact Report (EIR) was previously prepared and certified in accordance with the requirements of the California Environmental Quality Act (CEQA).
3. Accepted the bid, including the Base Bid and Alternate 1, and awarded a construction contract and authorized the City Manager or his designee to execute all construction related documents with the lowest responsive and responsible bidder, Resource Environmental, Inc. in the amount of \$95,000. Allocate a 20% construction contingency in the amount of \$19,000 for a total construction contract amount of \$114,000.

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

Noes: None

Absent: None

Abstain: None

**\* G. Mayor Mei opened consideration of Resolution 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**

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. Theresa DeAnda and Dave Jacobs expressed several concerns. There were no additional speakers. Mayor Mei closed the public comment period. Staff responded to questions from Councilmembers.

On a motion by Councilmember Jones, seconded by Councilmember Keng, the City Council adopted Resolution No. 2019-12 authorizing the City Manager to:

1. Take immediate and emergency actions to implement a Housing Navigation Center. These emergency actions would include authority to enter into contracts (for site preparation and building procurement) solely for the HNC above his existing signing authority, but within the overall budget for the center and, as allowed by law and pursuant to the City's police powers, approve the suspension of land use and zoning regulations (not health and safety regulations), as appropriate, and modify and/or waive bid and purchasing requirements for the HNC to expedite the implementation of the HNC;
2. Select a Service Provider to operate the HNC after responses to a Request for Information or a similar streamlined selection process have been reviewed; and

3. Bring back to Council for approval the final proposed project, site selection and budget for both capital and operating costs of the HNC.

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

**\* H. Mayor Mei opened consideration of Approval of Final Map, Agreements for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 8385, located at 34240 & 34254 Fremont Boulevard**

On a motion by Councilmember Bacon, seconded by Vice Mayor Salwan, the City Council adopted Resolution No. 2019-13, hereby:

1. Approving the Final Map and the Improvement Plans for Tract 8385.
2. Approving the Agreement for Public Improvements entitled “Public Improvement Agreement, Tract 8385”, with the developer, NFBTHs Ventures, LLC, and authorizing the City Manager to execute the agreement on behalf of the City.
3. Approving the Agreement for Private Improvements entitled “Private Improvement Agreement, Tract 8385”, with the developer, NFBTHs Ventures, LLC, and authorizing the City Manager to execute the agreement on behalf of the City.
4. 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

**\* I. Mayor Mei opened consideration of Approval of Plans and Specifications; Award Contract to Sposeto Engineering in the Amount of \$482,758.05; and Reallocate Funds for the Washington Boulevard Safety Improvements Project (PWC8919); Exempt from Environmental Review per CEQA Guidelines Section 15301 (Existing Facilities).**

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

1. Found that this project is exempt from 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 exist.
2. Approved the plans and specifications for the project.

3. Rejected the bids as non-responsive from the lowest monetary bidder, Guerra Construction Group; the third lowest monetary bidder, Kerex Engineering; the fourth lowest monetary bidder, Gruendl Inc. DBA Ray's Electric; and the fifth lowest monetary bidder, Bay Construction Company.
4. Accepted the bid and award the construction contract to the lowest responsive and responsible bidder, Sposeto Engineering, Inc. in the amount of \$482,758.05 and authorize the City Manager or designee to execute the contract.
5. Reallocated \$75,000 from PWC8966-502 to PWC8919-502.
6. Reallocated \$14,481.10 from PWC8944-509 to PWC8919-509.
7. Reallocated \$8,987.38 from PWC8944-519 to PWC8919-519.
8. Reallocated \$91,531.62 from PWC8875-518 to PWC8919-518.

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

Noes: None

Absent: None

Abstain: None

**\* J. Mayor Mei opened consideration of Authorization to Execute Agreement for Investment Advisory Services with PFM Asset Management LLC.**

On a motion by Councilmember Bacon, seconded by Vice Mayor Salwan, the City Council authorized the City Manager or his designee to execute an agreement with PFM Asset Management LLC to provide investment advisory services at an annual not-to-exceed amount of \$200,000 for a term beginning when the previous agreement expires and ending on June 30, 2025.

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

Noes: None

Absent: None

Abstain: None

**3. CEREMONIAL ITEMS**

**A. Proclamation: Autism Awareness Month, April 2019**

**4. PUBLIC COMMUNICATIONS**

**A. Oral and Written Communications**

Jannet Benz introduced Girl Scout Troop # 33723 who in the process of earning their Bronze Award. Each of the scouts shared information and requested the City consider limiting or banning all single-use plastic food ware. Wynn Grcich expressed a variety of concerns

(provided hand-out). Feda Almaliti shared concerns regarding use/rental of the Always Dream park area. Alice Cavette expressed concerns regarding building height in eight mixed—use designated areas. Theresa DeAnda shared a number of comments.

- 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**

Councilmembers reported on their various meetings and activities

- 9. **ADJOURNMENT:** There being no further business, Mayor Mei adjourned the meeting at 7:55 p.m.

Attest:

Approved:

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Susan Gauthier, City Clerk

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LILY MEI, Mayor