

**MINUTES
FREMONT CITY COUNCIL MEETING
OCTOBER 1, 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. 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 Jones, seconded by Councilmember Shao, 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 Authorize the City Manager, or his designee, to Execute a Cooperative Purchase Agreement with NPPGov and Authorize the Purchase of Fire Apparatus**

On a motion by Councilmember Jones, seconded by Councilmember Shao, the City Council authorized the City Manager or designee to purchase two (2) Pierce Manufacturing Type I Fire Engines in an amount not to exceed \$1,854,510 using the NPPGOV FireRescue GPO contracts with Pierce Manufacturing.

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 Adopt a Resolution Authorizing the Submittal of a Grant Application to the California State Natural Resources Agency to Receive a \$5.7 Million Grant for the Sabercat Bridge Bike and Pedestrian Trail Over I-680 (PWC 8977)

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. Alice Cavette and Chris Cavette spoke in opposition of staff’s recommendation. Kelly Abreu and Andreas Kadavanich spoke in support of staff’s recommendation. There being no further speakers, Mayor Mei closed the public comment period. Public Works Director Hans Larsen gave a brief overview and provided clarification about the recommendation. Councilmembers asked questions and provided comments.

On a motion by Councilmember Jones, seconded by Councilmember Shao, the City Council approved the following actions related to the Sabercat Bridge Bike and Pedestrian Trail over I-680 Project (PWC 8977):

1. Adopted Resolution No. 2019-58 authorizing the City Manager or his designee to apply for state grant funds in the amount of \$5.7 million, if grant is approved Council approves the appropriation of the funds to PWC8977-525
2. Authorized the City Manager or his designee to conduct all negotiations and execution of all related documents.

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

Noes: None

Absent: None

Abstain: None

*** E. Mayor Mei opened consideration to Approve and Authorize the City Manager to Appropriate Funds and Execute a \$182,191 Agreement for FY 2019/20 with Alameda County Health Care Services Agency to Support Human Services Programs, Including the Fremont Family Resource Center Family Support Services program and Youth and Family Services Division's Why Try Cognitive Behavioral Groups program (Alameda County Contract to Support Youth and Family Opportunity Programs)**

On a motion by Councilmember Jones, seconded by Councilmember Shao, the City Council approved and authorized the City Manager or his designee to execute an agreement with Alameda County Health Care Services Agency in the amount of \$182,191 to support the Fremont Family Resource Center and Youth and Family Services Division’s Why Try

Behavioral Groups; and appropriate \$20,370 for this purpose in the City's Alameda County Youth and Family Opportunity Fund (Fund 179).

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 to Adopt the 2018 Strategic Update to the EveryOne Home Plan to End Homelessness (EveryOne Home's Strategic Update)**

On a motion by Councilmember Jones, seconded by Councilmember Shao, the City Council adopted the 2018 Strategic Update to the EveryOne Home Plan to End Homelessness, and use it as a guide for allocating resources for programs preventing homelessness and in assisting persons experiencing homelessness.

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 Approval of Plans and Specifications and Award of Contract to Zovich & Sons Inc. in the amount of \$17,650,000 for the Construction of the Downtown Event Center and Downtown Plaza Project (PWC8520 & PWC8836) (Phase I of the Civic Center); Establish a Downtown Event Center Project (PWC9032); and Appropriate the Funds Required to Construct the Project**

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

1. Rejected DL Falk Construction Inc.'s bid protest;
2. Accepted the bid and awarded the construction contract to Zovich & Sons Inc. as the lowest responsible bidder in the amount not-to-exceed \$17,650,000;
3. Approved the Plans and Specifications for the project;
4. Authorized the City Manager or his designee to execute the contract with Zovich & Sons Inc. and to take any other actions necessary to complete the contracting process, consistent with Council's approvals;
5. Established a separate Downtown Event Center Project (PWC9032);
6. Reallocated \$22,278,432 from the Downtown Project in PWC 8520-501 to the new Downtown Event Center Project in the Capital Improvement Fund (Fund 501).
7. Transferred the balance of approximately \$408,000 from the Town Fair Maintenance and Operations Fund (Fund 120) to Fund 501 and appropriate it to the new Downtown Event Center Project, and close Fund 120.

8. Transferred \$302,568 from the Integrated Waste Management Fund (Fund 115) to the Capital Projects - Other Sources Fund (Fund 502) and appropriate it to the new Downtown Event Center Project.
9. Appropriated \$290,000 of PEG Funds in Fund 502 to the new Downtown Event Center Project.
10. Reallocated any previously incurred encumbrances and expenditures, and the associated budget authority, from the Downtown Project to the new Downtown Event Center Project in Fund 501.

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

Noes: None

Absent: None

Abstain: None

- * **H. Mayor Mei opened consideration of Approval for an update of the Solid Waste Ordinance (Chapter 8.40) to eliminate the granting of future organics collection exemptions and include organics collection as a required service to comply with State and County ordinances (Solid Waste Ordinance Update)**

On a motion by Councilmember Jones, seconded by Councilmember Shao, the City Council introduced an ordinance amending Title VIII Chapter 8, Solid Waste, Recyclables and Organics Management, Article II, to incorporate the changes described in the staff report.

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 Tamah Vega Design for Being Re-Certified as a Green Business in the City of Fremont**
- B. **Proclamation: Manufacturing Day**
- C. **Resolution: Honoring Police Detective Amy Boyd for Twenty Years of Service**

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Linda Dewlaney thanked the Council for their support of the Tobacco Retail License. Wynn Grich spoke about cancer awareness and causes (provided handouts). David Alga spoke on behalf of Vapor Planes on the impact of the proposed ban on flavored tobacco products. Kristen Petersen from Silicon Valley Leadership Group shared details about this year's Turkey Trot (provided handouts). Andreas Kadavanich expressed a variety of concerns related to traffic safety. Sharon Scharff spoke about the street markings on Rancho Arroyo. Joanne Schwab requested recognition for her son as a local alumni and active service member.

5. SCHEDULED ITEMS

A. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider Introduction of an Ordinance to Establish a Mobility Commission

Mayor Mei opened the public hearing. Andreas Kadavanich spoke in support of the Commission and encouraged further analysis of traffic fatalities. Diann Castleberry from AC Transit encouraged Council to dedicate a position on the Commission for a bus transit rider. There being no further speakers, Mayor Mei closed the public hearing. Public Works Director Hans Larsen responded to questions from Councilmembers. Councilmembers provided comment.

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

1. Approved the first reading and introduction of the proposed ordinance and waive its full reading.
2. Approved the scheduling of the ordinance for second reading and adoption.
3. Directed staff to prepare a summary of the ordinance and the City Clerk to post and publish the summary in accordance with Government Code Section 36933(c)(1).

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 Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Sections 18.165.080, 18.290.050, 18.290.070, and 18.290.110 (Continued from the September 17, 2019 City Council Meeting)

Mayor Mei opened the public comment period. Dennis Martin from BIA Bay Area thanked the Council for the amendment to the proposed Ordinance and spoke in support of fee deferral. There being no additional speakers, Mayor Mei closed the public comment period. Councilmembers asked questions and provided comment.

On a motion by Councilmember Kassan, seconded by Councilmember Keng, the City Council conducted the second reading and adopted Ordinance 06-2019 originally introduced on July 9, 2019.

Ayes: Mayor Mei, Councilmembers: Bacon, Keng, Jones,
Kassan, and Shao
Noes: None
Absent: None
Abstain: Vice Mayor Salwan (recused-property interest)

8. COUNCIL COMMUNICATIONS

A. Council Referrals

1. Mayor Mei opened consideration of Councilmember Kassan Referral: Request that we direct staff to pursue an investment strategy based on environmental, social, governance, and gender lens criteria in partnership with our existing asset manager

Councilmember Kassan provided an explanation of the referral. Mayor Mei opened the public comment period. John Hinds spoke about the impact of shifting priorities. There were no additional speakers. Finance Director Dave Persselin gave a brief overview of the City's current investment status. Councilmembers asked questions and provided comment.

On a motion by Councilmember Kassan, seconded by Vice Mayor Salwan, the City Council directed staff to return to council with a presentation, in partnership with PFM (the City's existing asset manager), with options for different investment strategies.

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

Councilmembers reported on their various meetings and activities.

9. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 8:55 p.m.

Attest:

Approved:

Merry Monlux, Deputy City Clerk

LILY MEI, Mayor