

**MINUTES  
FREMONT CITY COUNCIL MEETING  
APRIL 13, 2021  
FREMONT CITY HALL  
VIRTUAL MEETING VIA ZOOM  
7:00 P.M.**

**1. PRELIMINARY**

- A. Call to Order:** Mayor Mei called the meeting to order at 7:01 p.m.
- B. Flag Salute:** Councilmember Jones led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Shao, Councilmembers: Keng, Jones, Kassan, Salwan, and Cox
- D. Announcements by Mayor/City Manager**

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 Vice Mayor Shao, seconded by Councilmember Jones, the City Council waived further readings of proposed ordinances.

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

- \* **B. Approval of Minutes – None.**
- \* **C. Mayor Mei opened consideration of Approval of Plans and Specifications; Award of Contract to Pavement Coatings Co. in the Amount of \$3,967,998 (plus 5% Contingency) for the 2021 Cape and Slurry Seal Project (PWC 8195-T2); Fund Reallocation; and Find the Project is Exempt from Environmental Review per CEQA Guidelines Section 15301 (Existing Facilities).**

On a motion by Vice Mayor Shao, seconded by Councilmember Jones, the City Council approved the following actions related to the 2021 Cape and Slurry Seal Project (PWC 8195-T2):

1. Found this project was 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 the use beyond that presently existing.
2. Approved the plans and specifications for the project.
3. Accepted the bid and awarded the construction contract to the lowest responsive and responsible bidder, Pavement Coatings Co., in the amount of \$3,967,998, allocate a 5% construction contingency in the amount of \$200,000 for a total construction contract amount of \$4,167,998, and authorize the City Manager or designee to execute the contract.
4. Reallocated \$200,000 from PWC 9033-518 to PWC 8195-518.
5. Reallocated \$300,000 from PWC 8931-136 to PWC 8195-136.

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

Noes: None

Absent: None

Abstain: None

- \* **D. Mayor Mei opened consideration of Approval of Plans and Specifications and Award of Contract to Teichert Construction in the Amount of \$2,101,104.00 (plus 5% Contingency) for the 2021 Pavement Rehabilitation Project (PWC 8234-U); Find the Project is Exempt from Environmental Review per CEQA Guidelines Section 15301 (Existing Facilities).**

On a motion by Vice Mayor Shao, seconded by Councilmember Jones, the City Council approved the following actions related to the 2021 Pavement Rehabilitation Project (PWC 8234-U):

1. Found this project was 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 existing.
2. Approved the plans and specifications for the project.
3. Accepted the bid and awarded the construction contract to the lowest responsive and responsible bidder, Teichert Construction in the amount of \$2,101,104.00, allocate a 5% construction contingency in the amount of \$105,000.00 for a total construction contract amount of \$2,206,104.00, and authorize the City Manager or designee to execute the contract.

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

Noes: None

Absent: None

Abstain: None

\* **E. Mayor Mei opened consideration to Authorize the City Manager, or Designee, to Enter into Agreements and Issue Purchase Orders with Azteca Systems LLC. for the Software Licenses and Maintenance and Support of the Cityworks Software System and Woolpert, Inc. for the Implementation of the Cityworks Software System (Replacement Software for the City’s Maintenance and Asset Management System)**

On a motion by Vice Mayor Shao, seconded by Councilmember Jones, the City Council approved the following actions:

1. Authorized the City Manager or designee to execute an Agreement with Woolpert in the amount of \$375,200 to provide implementation and professional services for the Cityworks Maintenance and Asset Management System.
2. Authorized the City Manager or designee to execute a 5-year Maintenance and Support Agreement with Azteca Software Systems LLC (Cityworks), in an amount not to exceed \$390,681. This amount includes five years of subscription costs (in the amount of: \$45,000 for the first year; \$67,500 year two; years three through five \$90,000 annually, with a 3% escalator or CPI, whichever is lower).
3. Authorized City Manager or designee to execute any implementing documents and take any implementing actions as necessary.

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

\* **F. Mayor Mei opened consideration to Award to Approve an Amendment to the City’s Cafeteria Plan for Flexible Spending Accounts to Extend the Time for Employees to Use Unspent Funds as Allowed by the Consolidated Appropriations Act of 2021 (Medical and Dependent Care Flexible Spending Accounts)**

On a motion by Vice Mayor Shao, seconded by Councilmember Jones, the City Council approved and authorized the Human Resources Director to implement an amendment to the City’s Cafeteria Plan for medical and dependent care Flexible Spending Accounts, which will include the following temporary provisions as allowed by the Consolidated Appropriations Act of 2021:

1. Extension of the grace period to December 31, 2021 and run out period to January 31, 2022 for 2020 plan participants; and
2. Allowed participants with a dependent who turned age 13 in the 2020 plan year to carryover any dependent care FSA balances through December 31, 2021.

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

\* **G. Mayor Mei opened consideration to Approve Final Map and Agreements for Construction of Public and Private Improvements for Tract 8404 - The Cottages, located at 37343 & 37359 Blacow Road; Find the Action Exempt from CEQA**

On a motion by Vice Mayor Shao, seconded by Councilmember Jones, the City Council adopted Resolution No. 2021-14:

1. Approving the Final Map and the Improvement Plans for Tract 8404.
2. Approving the Agreement for Public Improvements entitled “Improvement Agreement, Public Improvements, Tract 8404”, with the developer, MLC Holdings, Inc, and authorize the City Manager to execute the agreement on behalf of the City.
3. Approving the Agreement for Private Improvements entitled “Improvement Agreement, Private Improvements, Tract 8404”, with the developer, MLC Holdings, Inc, and authorize 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 Shao, Councilmembers: Keng, Jones, Kassan, Salwan, and Cox

Noes: None

Absent: None

Abstain: None

\* **H. Mayor Mei opened consideration of Approval of Professional Services Agreement Amendment No. 1 with Parsons Transportation Group and Amended Funding Agreement with Alameda County Transportation Commission for the Fremont Boulevard Safe and Smart Corridor Project (PWC 8922)**

This item was removed from the Consent Calendar. Mayor opened the public comment period. Blair Beekman shared a variety of concerns. There were no additional speakers. Mayor Mei closed the public comment period.

On a motion by Councilmember Cox, seconded by Councilmember Jones, the City Council approved the following actions related to the Fremont Boulevard Safe and Smart Corridor Project (PWC 8922):

1. Authorized the City Manager or designee to execute Professional Service Agreement Amendment No. 1 with Parsons Transportation Group to extend the term of the agreement to December 31, 2022 and to increase the agreement limit by \$187,837.70 for a total agreement amount not to exceed \$962,359.52.
2. Authorized the City Manager or designee to execute an amendment to the Project Funding Agreement with ACTC to extend the agreement expiration date to December 31, 2022.

Ayes: Mayor Mei, Vice Mayor Shao, Councilmembers: Keng, Jones, Kassan, and Cox  
Noes: None  
Absent: None  
Recused: Councilmember Salwan (business/property interest)

**\* I. Mayor Mei opened consideration to Adopt a Resolution in Support of Guiding Principles for a Seamless Bay Area Transit System and Related Fremont Transit Improvement Priorities as Recommended by the Fremont Mobility Commission**

This item was removed from the Consent Calendar. Mayor opened the public comment period. Blair Beekman and Liz Ames (representing BART) shared their views. There being no additional speakers, Mayor Mei closed the public comment period.

On a motion by Councilmember Cox, seconded by Councilmember Salwan, the City Council adopted Resolution No. 2021-15 in support of the guiding principles for a seamless Bay Area transit system.

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

**3. CEREMONIAL ITEMS**

**A. Proclamation: Wishing our Muslim Community a Very Happy Ramadan Mubarak**

**4. PUBLIC COMMUNICATIONS**

**A. Oral and Written Communications**

Email submitted to the City Clerk were compiled, distributed to the City Council and staff, and published in the City's Agenda Center on fremont.gov, and were placed on file.

Sharon Scharff, Marie Hughes, Blair Beekman, and Suresh shared a variety of comments and concerns.

**5. SCHEDULED ITEMS – None.**

**6. REPORT FROM CITY ATTORNEY – None.**

**7. OTHER BUSINESS**

**A. Mayor Mei opened consideration to Accept Fremont Vision Zero Status Report and 2025 Action Plan.**

Public Works Director Hans Larson gave a presentation. Police Chief Kim Petersen, Senior Transportation Matt Bomberg, Assistant City Engineer Noe Veloso, and Lieutenant Ariel Quimson were available to respond to questions from Councilmembers.

Mayor Mei opened the public comment period. Dave Campbell (Bike East Bay), Mark Spencer (Chair of the Mobility Commission), Sharon Scharff, Blair Beekman, John Hinds, Liz Ames (BART), Dr. Sonia Khan, Suresh, and Andreas Kadavich shared a variety of comments and concerns. There being no additional speakers, Mayor Mei closed the public comment period.

On a motion by Councilmember Cox, seconded by Councilmember Jones, the City Council accepted the Fremont Vision Zero Status Report and 2025 Action Plan and provided feedback.

Ayes:	Mayor Mei, Vice Mayor Shao, Councilmembers: Keng, Jones, Kassan, Salwan, and Cox
Noes:	None
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 8:45 p.m.

Attest:

Approved:

\_\_\_\_\_  
Susan Gauthier, City Clerk

\_\_\_\_\_  
LILY MEI, Mayor