

**MINUTES  
FREMONT CITY COUNCIL MEETING  
JUNE 9, 2020  
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 7:02 p.m.
- B. Flag Salute:** Councilmember Shao led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Jones, Councilmembers: Bacon, Salwan, Keng, 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 Jones, seconded by Councilmember Salwan, the City Council waived further readings of proposed ordinances.

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

- \* **B. Approval of Minutes – None.**
- \* **C. Mayor Mei opened consideration of Approval to Authorize Amendment to Continue Short-Term Compensation for Extraordinary Recycling Market Conditions through December 31, 2021 (Curbside Recycling Processing Agreement Amendment)**

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

1. Authorized the City Manager, or his designee, to execute a Fifth Amendment to the Agreement between the City of Fremont and BLT Enterprises of Fremont, LLC for Curbside Recyclable Materials and Curbside Organic Waste Services consistent with the terms outlined in this staff report.

2. Appropriated \$414,152 from the Integrated Waste Management Disposal Differential Reserve for the lump sum payment for additional processing costs associated with curbside material processed from December 1, 2019 through March 27, 2020.
3. Increased appropriations for the Disposal Differential in the Integrated Waste Management Fund (Fund 115) to account for the new processing fee. The 2019/20 budget adjustment needed is \$110,000 (1 month). The 2020/21 budget adjustment needed is \$1,320,000 (12 months).

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

Noes: None

Absent: None

Abstain: None

- \* **D. Mayor Mei opened consideration of Approval of Purchase Order with Golden Gate Truck Center for the Purchase of Two Dump Trucks in an Amount Not to Exceed \$232,290 and with National Auto Fleet Group for the Purchase of One Flatbed Truck and Two Utility Trucks in an Amount Not to Exceed \$212,461. Approve Appropriation of \$115,270.93 from the Integrated Waste Management Fund Reserve for Vehicle Replacement. Exempt from CEQA Review per Guideline 15061. (Purchase of Fleet Vehicles)**

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

1. Authorized the City Manager or Designee to execute a purchase order with Golden Gate Truck Center for the purchase of two dump trucks in an amount not to exceed \$232,290.
2. Authorized the City Manager or designee to execute purchase orders with National Auto Fleet Group for the purchase of one flatbed truck and two utility trucks in an amount not to exceed \$212,461.
3. Appropriated \$115,270.93 from the Integrated Waste Management Fund (Fund 115) Reserve for Vehicle Replacement for vehicle purchase expenditures.

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

Noes: None

Absent: None

Abstain: None

- \* **E. Mayor Mei opened consideration of Approval of a Resolution Authorizing Fiscal Year 2020/2021 Application for Transportation Development Act Article 3 (TDA3) Grant Funds and Acceptance of \$264,575 in TDA3 Funds for the Pedestrian Crossing Enhancement Project Phase 3 (PWC8975); Exempt from CEQA Review per Guidelines Section 15301 (Existing Facilities)**

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

1. Found the proposed project is exempt from CEQA review pursuant to CEQA Guidelines Section 15301 as the minor alteration of an existing facility involving negligible or no expansion of use beyond that presently existing.
2. Adopted Resolution No. Res. 2020-22 authorizing the City Manager, or his designee, (a) to apply for Transportation Development Act Article 3 Bicycle and Pedestrian Program Funds in the amount of \$264,575 for the 2020 Pedestrian Crossing Enhancement Project Phase 3 for FY 2020/2021; and (b) to accept any awarded grant funds for the Project and to execute any necessary implementing documents.
3. Appropriated any grant funds received to PWC8975 (2020 Pedestrian Crossing Enhancement Project Phase 3.)

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

**\* F. Mayor Mei opened consideration of Approval of Annual Investment Policy; Annual Delegation of Authority to City Treasurer to Manage Investments**

On a motion by Vice Mayor Jones, seconded by Councilmember Salwan, the City Council adopted Resolution No. Res. 2020-23 approving the City's Investment Policy for FY 2020/21 and delegating the City Council's authority to invest and reinvest public funds, and to sell or exchange securities so purchased, to the Finance Director/Treasurer for one year or until earlier revoked by the City Council.

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

**\* G. Mayor Mei opened consideration for Authorization to Execute an Agreement with Lyft and GoGo Technologies, Inc. for Ride-Hailing Services and to Amend the Agreement with MV Public Transportation, Inc. for Wheelchair Accessible Van Services (Transportation Services for Older Adults and People with Disabilities (Ride-On Tri-City!))**

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

1. Authorized the City Manager or his designee to execute an amendment to the agreement with MV Public Transportation, Inc., for wheelchair accessible van services in an amount not to exceed \$400,000, for the period from July 1, 2020 to December 31, 2020.
2. Authorized the City Manager or his designee to execute an agreement with GoGo Technologies, Inc. for the FY 2020/21 Ride-Hailing Pilot Project in an amount not to exceed \$100,000.

3. Authorized the City Manager or his designee to execute an agreement with Lyft for the FY 2020/21 Ride-Hailing Pilot Project in an amount not to exceed \$75,000.

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

**\* H. Mayor Mei opened consideration for Authorization to Execute Task Orders to the Joint Powers Agreement (JPA) with the City of Newark for FY 2020/21 Paratransit Services, Case Management Services and Homeless Mobile Hygiene Services to Newark Residents (Newark Joint Powers Agreement (JPA))**

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

1. Approved and authorized the City Manager or his designee to execute Task Order No. 21 to the existing Joint Powers Agreement with the City of Newark for the provision of FY 2020/21 case management services, in the amount of \$5,000.
2. Approved and authorized the City Manager or his designee to execute Task Order No. 22 to the existing Joint Powers Agreement with the City of Newark for the provision of FY 2020/21 paratransit services, in the amount not to exceed \$290,007.
3. Approved and authorized the City Manager or his designee to execute Task Order No. 23 with the City of Newark for the provision of FY 2020/21 homeless mobile hygiene services should Newark wish to continue these services. Costs will be negotiated to cover the full operational cost of providing these services based on one 3-4 hour shift per week.

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

**\* I. Mayor Mei opened consideration of Approval of Plans and Specifications, Award Contract to O’Grady Paving, Inc. in the Amount of \$2,265,284, and Reallocate Appropriations for the Fremont Boulevard Intersection Safety Improvements Project (PWC 8927), to implement Complete Street Improvements in Central Fremont along Fremont Boulevard at Mowry Avenue and Stevenson Boulevard; Exempt from Environmental Review per CEQA Guidelines Section 15301 (Existing Facilities) (Central Fremont Complete Streets)**

On a motion by Vice Mayor Jones, seconded by Councilmember Salwan, the City Council approved the following actions related to the Fremont Boulevard Intersection Safety Improvements Project (PWC8927):

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 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, O’Grady Paving, Inc. in the amount of \$2,265,284 and allocate a 10% construction contingency in the amount of \$226,530 for a total construction contract amount of \$2,491,814, and authorize the City Manager or designee to execute the contract.
4. Reallocated \$450,000 from PWC8931-531 to PWC8927-531.
5. Reallocated \$300,000 from PWC8931-142 to PWC8927-142.

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

**\* J. Mayor Mei opened consideration of Approval for Introduction of an Ordinance Requiring Electronic (Paperless) Filing of the Fair Political Practices Commission (FPPC) Campaign Disclosure Statements and Statements of Economic Interest**

On a motion by Vice Mayor Jones, seconded by Councilmember Salwan, the City Council introduced an ordinance requiring electronic filing of campaign statements and statements of economic interest.

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

**3. CEREMONIAL ITEMS**

**A. Proclamation: Pride Month, June 2020**

**B. Resolution: Recognition of Ohlone College President, Dr. Gari Browning, upon her Retirement**

#### 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 expressed concerns regarding Public Works road restriping in the Rancho Arroyo PW area that occurred last year. The following persons voiced a variety of concerns in regard to the Police Department (e.g. PD budget concerns, School Resource Officers (SROs), defunding the police, & records destruction practices): Catherine Wang, Annie Koruga, Ryan, Kevin Liao, Lawrence, Zuha, Jae V., Fabiha Zaman, Sayed Murad, Hermon, Teresa, Abhay Aggrwal, Rithik Hemanth, Alan C., Aaush Bajpai, Nikhil Desai, Dan Wu, Juhi, Clare, Annette, Jennifer Uhling, and Garrett Wessel.

#### 5. SCHEDULED ITEMS

##### A. Mayor Mei opened consideration of a Second Public Hearing (Published Notice) and Adoption of the FY 2020/21 Operating Budget and Appropriations Limit; Approve FY 2019/20 Supplemental Transfer from the General Fund to the Development Cost Center

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.

Finance Director Dave Persselin provided a summary of the proposed budget. City Manager Danaj added a few points to Mr. Persselin's summary. Staff responded to questions from Councilmembers. Mayor Mei opened the public hearing. The following persons expressed a variety of concerns in regard to the Police Department (e.g. defunding the police, PD budget concerns, School Resource Officers (SROs) and supporting the police: Zuha, Annie, Fabiha Zaman, Aayush Bajpai, Ryan, Sayed Murad, Isabella H, Kylie Cheung, Chakshu Hurria, Marie H, Lisa, Ravneet, Grace Dong, Kat K, Lynn Jongsma, Teresa, Jessie H, Alice Cheng, Amaya Wooding, Josh Gelbard, Amy Brooks, Joyce, Andreas Kadavanich, Justine, John, Maggie T, Brenda Suresh, Megan Ren, Anusha Murshed, Mina R, Fengyan, Kelsey Ichikawa, Roberta Ryan, Alimirza, Celina Mendoza, Maggie, Ed Rees, Vanessa Sadsad, Dave, Cauveri Suresh, Steve Worley, Peter, Tiffany Ngo, Pallavi, Ayesha, Zoya, Mei, Helen Zhang, Wei Li, Henry L, Tony, Lauren Chen, Joyce, Priya T, Hannah Rouland, John Salcedo, Linda Leen, Lucy Liu, Lucy Len, Nithya Rajeev, Chris, Rubin, Sabah, Khushi Patel, Shane Zoo, Yan Ping, Austin, Mamehti Shah, Carter, Rachel Fu, Anmol Mathur, Eric Cheng, Parisa Yan, Jerri Naldu, Caryn Kam, Jaydeep Marathe, Kevin, Kendra Toy, Pallavi, Sue Kwong, Michael Dittmer, Brandon Henriquez, Claire Zhang, Amber, Isaiah Zachariah, Tara Vivek C, Susie, Lawrence, Daniel Ko, Melina and Roxanna Ganji. Kelly Abreu shared his concerns regarding the city's property tax forecast. Suresh Bazaj requested greater transparency in the budget's financial report. There were no additional speakers. Mayor Mei closed the public hearing. Staff responded to questions from Councilmembers. Councilmembers provided comment.

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

1. Held a public hearing on the operating budget and appropriations limit for FY 2020/21.
2. Adopted Resolution No. Res. 2020-24 approving the City of Fremont FY 2020/21 Operating Budget.
3. Adopt Resolution No. Res. 2020-25 creating an appropriations limit of \$766,045,734 for FY 2020/21.
4. Approved a \$225,000 increase in the FY 2019/20 transfer from the General Fund to the Development Cost Center for the Public Works Department.

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

Noes: None

Absent: None

Abstain: None

- B. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider the Planning Commission's Recommendation to Approve General Plan Text Amendments to replace Level of Service with Vehicle Miles Traveled as the criteria to be used for transportation analysis under the California Environmental Quality Act (CEQA), in compliance with Senate Bill 743 and CEQA Guidelines Section 15064.3, and to consider an exemption from the requirements of CEQA, each on a separate and independent basis, per CEQA Guidelines Section 15061(b)(3) in that the proposed amendments are not a project which has the potential to cause a significant effect on the environment, CEQA Guidelines Section 15268(a) in that the proposed amendments are ministerial actions exempt from the requirements of CEQA, and CEQA Guidelines Sections 15162 and 15163 as none of the circumstances requiring calling for the preparation of a subsequent or supplemental EIR have occurred. (CEQA Transportation Analysis Update – Citywide – PLN2020-00226)**

\*This item was added to the Consent Calendar.

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

1. Held public hearing.
2. Found that the proposed amendments are exempt from the requirements of the California Environmental Quality Act (CEQA), each on a separate and independent basis per CEQA Guidelines Section 15061(b)(3) in that the proposed amendments are not a project which has the potential to cause a significant effect on the environment and CEQA Guidelines Section 15268(a) in that the proposed amendments are ministerial actions exempt from the requirements of CEQA.
3. Adopted Resolution No. 2020-26 amending the General Plan Mobility Element to replace Level of Service (LOS) with Vehicle Miles Traveled (VMT) as the criteria to be used for transportation analysis under CEQA and finding that the proposed amendments are consistent with the policies and chapters of General Plan, including the Mobility, Community Character, Economic Development, and Land Use Elements as discussed in the staff report; and found that the proposed amendments further the public interest,

convenience, and general welfare of the city by ensuring consistency of the General Plan with state law and ensure the health and safety of Fremont residents.

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

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

**7. OTHER BUSINESS – None.**

**8. COUNCIL COMMUNICATIONS**

**A. Council Referrals**

- 1. Mayor Mei opened consideration of Councilmember Salwan Referral: In light of construction activity resuming post-COVID-19 reopening, I would like to make a referral to have Staff explore Project Labor Agreements on public projects. Staff should engage with all the affected constituent groups and come back with a staff report at a public meeting that addresses Community Workforce Agreements.**

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.

Andreas Cluver and Teresa Cox spoke in support of project labor agreements on public projects. Chris Smith asked that contractors be involved in any proposed project labor agreements. Chung requested that the PLA bidding process be competitive and open to all contractors.

There were no additional speakers. Mayor Mei closed the public hearing. Councilmembers provided comment.

On a motion by Councilmember Salwan, seconded by Vice Mayor Jones, the City Council provided direction to staff

Ayes: Mayor Mei, Vice Mayor Jones, Councilmembers: Bacon,  
Salwan, Keng, 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 11:25 p.m.

Attest:

Approved:

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Susan Gauthier, City Clerk

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LILY MEI, Mayor

**MINUTES  
FREMONT CITY COUNCIL  
SPECIAL MEETING  
JUNE 9, 2020  
VIRTUAL MEETING VIA ZOOM  
Immediately following Adjournment of the 7 PM City Council Meeting**

**1. PRELIMINARY**

- A. Call to Order:** Mayor Mei called the meeting to order at 11:26 p.m.
- B. Attendance:** Mayor Mei, Vice Mayor Jones,  
Councilmembers: Bacon, Salwan, Keng, Kassan, and Shao

**2. STAFF REPORT**

- A. Mayor Mei opened consideration of Approval of a Resolution of the City Council of the City of Fremont Terminating the Civil Unrest Emergency**

On a motion by Councilmember Salwan, seconded by Vice Mayor Jones, the City Council adopted Resolution No. Res. 2020-27 terminating the civil unrest emergency.

|          |   |
|----------|---|
| Ayes:    | Mayor Mei, Vice Mayor Jones, Councilmembers:<br>Bacon, Salwan, Keng, Kassan, and Shao |
| Noes:    | None  |
| Absent:  | None  |
| Abstain: | None  |

**3. ADJOURNMENT**

There being no further business, Mayor Mei adjourned the meeting at 11:27 p.m.

Attest:

Approved:

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

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LILY MEI, Mayor