

MINUTES
FREMONT CITY COUNCIL SPECIAL MEETING
JUNE 19, 2018
FREMONT CITY HALL
5:30 P.M.

Call to Order: Mayor Mei called the meeting to order.

Roll Call: Present: Mayor Mei, Vice Mayor Bacon, Councilmembers: Jones, Salwan and Bonaccorsi.

Public Comment: None.

CONVENE TO A CLOSED SESSION

PUBLIC EMPLOYMENT: This Closed Session is authorized by Government Code Section 54957(b).

Title: City Manager

The Special Meeting of the Fremont City Council adjourned at 6:30 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor

**MINUTES
FREMONT CITY COUNCIL MEETING
JUNE 19, 2018
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order.
- B. Flag Salute:** Councilmember Jones led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Bacon, Councilmembers: Jones, Salwan and Bonaccorsi
- D. Announcements by Mayor/City Manager**

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

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

- * **B. Approval of Minutes – None.**
- * **C. Mayor Mei opened consideration of Approval to Review the Conflict of Interest Code and Authorize the Execution of the Biennial Review Notice**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council directed staff to review the conflict of interest code and authorize execution of the Biennial Review Notice regarding whether amendments are required, not later than October 1, 2018.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

*Consent Items

- * **D. Mayor Mei opened consideration of Approval to Authorize Funding Actions to Support Six Capital Projects: Appropriate Funds in the Amount of \$100,000 to the Fremont Boulevard Safe and Smart Corridor Project (PWC8922); Appropriate Funds in the Amount of \$100,000 to the G Street Surplus Property Project (PWC 8918); Appropriate Funds in the Amount of \$100,000 to the Fremont Boulevard Widening (PWC8661); Appropriate Funds in the Amount of \$50,000 to the ADA Transition Plan Project (PWC8846); Appropriate Funds in the Amount of \$658,637 to the Niles Bridge Replacement Project (PWC8460); and Appropriate Funds in the Amount of \$10,000 to the Morrison Canyon Slide Cleanup Project (PWC8928)**

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

1. Reallocated \$100,000 from SB1 Fund 134 PWC 8444 Citywide Intersection Ramps to PWC 8922 Fremont Boulevard Safe and Smart Corridor in FY 18/19.
2. Reallocated \$100,000 from Capital Improvement Fund 501 PWC 8101 CIP Contingency to PWC 8918 G Street Excess Property.
3. Reallocated \$100,000 from Traffic Impact Fee Fund 531 PWC 8101 CIP Contingency to PWC 8661 Fremont Boulevard Widening.
4. Reallocated \$25,000 from Capital Improvement Fund 501 PWC 8877 ADA Upgrades to PWC 8846 ADA Transition Plan.
5. Reallocated \$25,000 from Capital Improvement Fund 501 PWC 8101 Contingency to PWC 8846 ADA Transition Plan.
6. Approved transfer of project funds in the amount of \$658,637.22 from Fund 528 Prop 1B to Fund 522 Federal Grant for PWC 8460 Niles Bridge Replacement Project.
7. Appropriated Federal funds in the amount of \$30,988.78 to Fund 522 Federal Grant for PWC 8460 Niles Bridge Replacement Project,
8. Reallocated \$10,000 from Capital Improvement Fund 501 PWC 8101 CIP Contingency to PWC 8928 Morrison Canyon Slide Cleanup.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

- * **E. Mayor Mei opened consideration of Approval to Authorize the City Manager, or Designee, to Execute a Joint Powers Agreement (JPA) with Alameda County to Accept \$125,000, and Authorize its Expenditure, for the Purchase and Operation of a Mobile Hygiene Unit to Serve the Unsheltered Homeless in Fremont and Newark**

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. Yang Shao had a number of questions regarding the expenditure and staffing. There were no additional speakers. Mayor Mei closed the public comment period. There was no discussion or comment by Councilmembers.

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Salwan, the City Council authorized the City Manager, or designee, to execute a JPA with Alameda County

for the purchase and operation of a Mobile Hygiene Unit to serve the unsheltered homeless in Fremont and Newark, and appropriate \$125,000 in County funding.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

*** F. Mayor Mei opened consideration of Approval to Authorize the City Manager or Designee to Execute a Service Agreement for Recreation Division Printing Services with Wesco Graphics, Inc.**

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

1. Authorized the City Manager or designee to execute a service agreement with Wesco Graphics, Inc. to provide Recreation Division Printing Services for an initial three year term with a not to exceed compensation of \$394,062.
2. Authorized the City Manager or designee to renew the service agreement with Wesco Graphics, Inc. to provide Recreation Division printing services for up to two additional one year terms with a not to exceed compensation of \$ 144,703 in renewal year one and \$151,938 in renewal year two.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

*** G. Mayor Mei opened consideration of Approval to Amend the 2017A Lease Revenue Bond Documents to Reduce the City's Interest Payments and Extend the Direct Purchase Term**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council adopted Resolution No. 2018-36 approving and authorizing the execution and delivery of an amendment to the Continuing Covenant Agreement related to the Fremont Public Financing Authority Lease Revenue Bonds, Series 2017A (2017 Variable Rate Refinancing Project), and other related actions.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS

- A. Proclamation: ASK Day, June 21, 2018**
- B. California Parks and Recreation Society (CPRS) Recognitions**
- C. Recognizing Fremont Neighborhoods and Parks Foundation**
- D. Proclamation: Designation of July as Parks and Recreation Month**

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Linda Susoev expressed a variety of concerns. Lydia Choy-Fong and Steve Taylor (provided hand-out) spoke about protecting neighborhood character and are opposed to “mega-homes.”

PUBLIC FINANCING AUTHORITY AGENDA ITEMS HEARD AT THIS TIME - See Separate Public Financing Authority (PFA) Minutes.

5. SCHEDULED ITEMS

- A. Mayor Mei opened consideration of a Public Hearing (Published and Posted Notice) on the Levy of Annual Assessments for Landscaping Assessment District 88, Adopt a Resolution Confirming Diagrams and Assessments for District 88 for Fiscal Year 2018/2019, and Find that the Action is Exempt from Review under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15061(b)(3) and 15301**

*This item was added to the Consent Calendar.

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

1. Opened public hearing.
2. Considered all oral statements and written protests.
3. Closed public hearing.
4. Levied the proposed assessment by adopting Resolution No. 2018-37 confirming Diagrams and Assessments for Fiscal Year 2018/19 for Fremont Landscaping Assessment District 88.
5. Found the project exempt under CEQA Guidelines Sections 15061(b)(3) and 15301.

Ayes: Mayor Mei, Vice Mayor Bacon,
 Councilmembers: Jones, Salwan and Bonaccorsi

Noes: None

Absent: None

Abstain: None

B. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider Adopting a Resolution Amending the City of Fremont Master Fee Schedule to Update Certain Public Works Engineering and Maintenance Fees

*This item was added to the Consent Calendar.

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

1. Held public hearing.
2. Adopted Resolution No. 2018-38 amending the Master Fee Schedule to reflect the changes in the proposed updated Master Fee Schedule (Exhibit A) for the Public Works Department.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

C. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider the Adoption of Standards and Criteria for Evaluating Post-1945 Buildings, Structures, Objects, Sites and Districts for Historic Significance, and to Consider a Finding that the Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for the Protection of the Environment). (Standards/Criteria for Evaluating Historic Significance of Postwar Development (1945-1970) - PLN2018-00236 – Citywide)

Senior Planner Wayland Li and Planning Manager Kristie Wheeler gave a presentation. Staff responded to questions from Councilmembers. Mayor Mei opened public hearing. Chris Cavette was supportive of the guidelines. There were no additional speakers. Mayor Mei closed the public hearing. Another question and answer period followed. Councilmember provided comment.

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

1. Held public hearing.
2. Found that the adoption of historic significance criteria for postwar (1945-1970) development is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for the Protection of the Environment), in that the proposal would establish processes and registration requirements for the protection of historic resources. In addition, the adoption of historic evaluation criteria and integrity thresholds for postwar era development is not a project under CEQA pursuant to CEQA Guidelines Sections 15378(b)(2) and 15378(b)(5) in that the adoption of criteria is an administrative activity for general policy and procedure making, and will not result in any changes in the environment. Council also included an alternate motion for staff to take another look at Orchard Homes Tract.

3. Adopted Resolution No. 2018-39 establishing standards and criteria for evaluating postwar (1945-1970) buildings, structures, objects, sites and districts for historic significance.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

D. Mayor Mei opened consideration of a Public Hearing on Formation of City of Fremont Community Facilities District No. 3 (Warm Springs Public Services); Resolutions Forming CFD No. 3, Calling a Special Election, Declaring Election Results and Directing Recordation of a Special Tax Lien; Introducing an Ordinance Levying Special Taxes in CFD No. 3; and Finding that the Action is Exempt from Review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15320(a). (Warm Springs Public Services CFD NO. 3)

The City Council conducted a public hearings to consider the proposed establishment of CFD No. 3; and

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

- Adopted Resolution No. 2018-40 Forming CFD No. 3.
- Adopted Resolution No. 2018-41 Calling a Special Election.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones and Bonaccorsi
Noes: None
Absent: None
Abstain: Councilmember Salwan (business/property)

Held the landowner election.

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

- Adopted Resolution No. 2018-42 Declaring Election Results and Directing a Special Tax Lien be Recorded.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones and Bonaccorsi
Noes: None
Absent: None
Abstain: Councilmember Salwan (business/property)

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

- Introduced Ordinance Levying Special Taxes in CFD No. 3
- Directed staff to prepare and the City Clerk to publish a summary of the ordinance.
- Found that the formation of CFD No. 3 is exempt from review under CEQA pursuant to Sections 15061(b)(3) and 15320(a) of the CEQA Guidelines.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones and Bonaccorsi
Noes: None
Absent: None
Abstain: Councilmember Salwan (business/property)

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS

- A. Mayor Mei opened consideration of a presentation, consider community input, and provide direction to staff to further evaluate the project alternative that closes the “middle” section of Morrison Canyon Road to vehicle traffic and retains the road for emergency access and non-motorized recreational uses. (Morrison Canyon Road Traffic Safety Project)**

Principal Transportation Engineer Noe Veloso and Public Works Director Hans Larsen provided a presentation. Staff responded to question from Councilmembers. Mayor Mei opened the public hearing. Larry Edelson, Moina Shaiq, Paul Perkins, Sonali Vagholikar, Kelly Abreu, and William Yragui (representing Mission Peak Conservancy) were supportive of road closure or suggested alternatives. Tony Vargas (representing Morrison and Vargas Road Resident Safety Commission) opposes road closure. Neoma LaValle (representing EBRPD), Tony Betchart, Sunil Dhar, Suzanne Vargas, and Ken Drachnik opposes closure and is supportive of limiting access and/or safety/traffic calming/rumble strips. Jack Balch, Bruce Johnson, Joe Sidhu, Kirt Doshi, and Daisy Laurel shared a variety of concerns. There were no additional speakers. Mayor Mei closed public hearing. There was an additional question and answer period. Councilmember provided comment.

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council received presentation, considered community input, and provided direction to staff to further evaluate the project alternative that closes the “middle” section of Morrison Canyon Road to vehicle traffic and retains the road for emergency access and non-motorized recreational uses.

Ayes: Mayor Mei, Vice Mayor Bacon,
Councilmembers: Jones, Salwan and Bonaccorsi
Noes: None
Absent: None
Abstain: None

8. COUNCIL COMMUNICATIONS

A. Council Referrals

- 1. Mayor Mei opened consideration of Vice Mayor Bacon Referral: To have the City Council Consider a Minimum Wage Ordinance Similar to the One Enacted in Milpitas in 2017**

On a motion by Vice Mayor Bacon, seconded by Councilmember Salwan, the City Council is provided direction to staff to proceed with a survey of the region.

Ayes: Mayor Mei, Vice Mayor Bacon,
 Councilmembers: Jones, Salwan and Bonaccorsi
 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 9:55 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor