

**MINUTES  
FREMONT CITY COUNCIL MEETING  
JULY 20, 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 Cox 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 Councilmember Jones, seconded by Vice Mayor Shao, the City Council waived further readings of proposed ordinances.

Ayes: Mayor Mei, Vice Mayor Kassan, Councilmembers: Keng, Jones, Shao, Salwan, and Cox  
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 Title 18 (Planning and Zoning), Chapter 18.47 (Downtown District) to Amend the Use Table for the Downtown District (PLN2021-00133)**

On a motion by Councilmember Jones, seconded by Vice Mayor Shao, the City Council adopted Ordinance No. 09-2021.

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

**\* D. Mayor Mei opened consideration to Adopt a Resolution Delegating Authority to City Manager during City Council Recess, July 21, 2021 through September 3, 2021**

On a motion by Councilmember Jones, seconded by Vice Mayor Shao, the City Council adopted Resolution No. 2021-52 authorizing the City Manager or designee to approve and execute as necessary, on behalf of the City, the items set forth in this report and to take the following actions during the City Council recess period:

1. Authorized the City Manager or designee to issue purchase orders in an amount not to exceed \$758,960 for computer equipment and related peripherals and services to participate in the Minnesota WSCA- NASPO Master Price Agreements with Dell Marketing L.P. (MNWNC-108), EMC Corporation (MNWNC-109) and Microsoft (MNWNC-119) and execute any implementing documents and take any necessary implementing actions, including the option to extend up to 36 months, upon agreement by both parties.
2. Authorized the City Manager or designee to issue a purchase order in an amount not to exceed \$126,000 for Amazon Web Services (AWS) GovCloud storage and execute any implementing documents and take any necessary implementing actions.
3. Authorized the City Manager or designee to issue an amendment to the current Technology Service Agreement for Citywide Fiber Optics Master Plan to conduct a community survey in the amount of \$16,800 and issue a change order to the existing purchase order not to exceed \$116,730.
4. Authorized the City Manager or designee to execute an agreement with Oracle America, Inc., for the annual software support and maintenance of the databases, PeopleSoft HR/Payroll system, and User Productivity Kit for two additional one-year terms in an amount not to exceed a three percent (3%) increase per year for a total not to exceed amount of \$323,545.91 and execute any implementing documents and take any necessary implementing actions.
5. Authorized the City Manager or designee to execute an agreement with CentralSquare Technologies, LLC., for the annual software support and maintenance of the Tiburon CAD/RMS software system for two additional one-year terms in an amount not to exceed a three percent (3%) increase per year for a total not to exceed amount of \$258,034.63 and execute any implementing documents and take any necessary implementing actions.
6. Authorized the City Manager or designee to accept, award and execute the construction contract with the winning bidder for the Basketball Court Resurfacing Project in an amount not to exceed \$360,000.
7. Authorized the City Manager or designee to execute an agreement between the City of Fremont and Fremont Unified School District for a five-year grant funding (subject to annual City Council appropriation) for \$400,000 for FYs 2021/22 through 2025/26 to the Fremont Unified School District for continuation of district-wide recycling and waste

management coordination. Authorize City staff, upon execution of the agreement to release funds (\$80,000) for FY 2021/22 for district-wide recycling and waste management coordination. Authorize City staff, subject to annual City Council appropriation to release grant funds for FYs 2022/23, 2023/24, 2024/25, and 2025/26 upon successful completion of grant goals, tasks, and performance measures as outlined in the agreement.

8. Authorized the City Manager or his designee to enter into an agreement with Tri-City Volunteers, in an amount not to exceed \$101,474, effective July 1, 2021 through June 30, 2022,
9. Authorized the City Manager or his designee to enter into an agreement with Abode Services, in an amount not to exceed \$150,000, effective July 1, 2021 through June 30, 2022,
10. Authorized the City Manager or his designee to enter into a task order with Fremont Unified School District in an amount not to exceed \$128,476 for Youth and Family Services Division to provide school-based mental health counseling; Why Try Cognitive Behavioral Groups as an alternative to suspension program for at-risk youth; substance use disorder treatment services for adolescents at Robertson and Kennedy High Schools; and the Family Resource Center Division to provide family support services (case management) for the 2021-2022 school year (August 16, 2021 through June 15, 2022).
11. Authorized the City Manager or his designee to execute an agreement with Alameda County Behavioral Health Care Services to provide outpatient substance use disorder treatment services to adolescents and transitional age youth/young adults.
12. Authorized the City Manager or his designee to enter into a first amendment to the original three-year contract with Alameda County Probation (entered by Alameda County and City of Fremont on August 29, 2018) in an additional amount not to exceed \$884,000. As a result of the amendment, the not to exceed amount of the original contract has increased from \$1,326,000 to \$2,210,000. The contract is to provide diversion, youth service center and life skills services, and as a result of the amendment the term is extended for the period of July 1, 2021 through June 30, 2023.
13. Authorized the City Manager or his designee to enter into a second amendment to the original contract with Alameda County Probation Department (entered by Alameda County and City of Fremont on July 3, 2019, and first amendment to contract on June 22, 2020). As a result of the amendment, only the term of the agreement is extended for the period of July 1, 2021 to June 30, 2023. The term extension is the result of the contract being underutilized due to the COVID-19 pandemic. The not to exceed amount of \$278,616 remains the same. Any funds remaining from the original and first amendment of the contract roll over to the second amendment.

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

**\* E. Mayor Mei opened consideration to Authorize the City Manager to Enter into an Operating Agreement with Bay Area Community Services (BACS) for their Wellness Center to provide Homeless persons with Housing Placement and Dignity Services**

On a motion by Councilmember Jones, seconded by Vice Mayor Shao, the City Council authorized the City Manager, or his designee, to enter into an agreement with Bay Area Community Services, in an amount not to exceed \$449,956, to operate a wellness center serving people experiencing homelessness, from July 1, 2021 to June 30, 2022, as described in this report; with the option to extend the agreement for two additional one year renewals, in an amount not to exceed \$449,956 per year, at the discretion of the City.

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

**\* F. Mayor Mei opened consideration of an Approval of Certification and Mutual Indemnification Agreement with the County of Alameda Regarding Collection of Taxes and Assessments on the Fiscal Year 2021/22 Secured Property Tax Bill**

On a motion by Councilmember Jones, seconded by Vice Mayor Shao, the City Council adopted Resolution No. 2021-53 approving the Certification and Mutual Indemnification Agreement with the County of Alameda, and authorize the Interim City Attorney to sign the agreement on behalf of the City.

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 Plans and Specifications and Award a Construction Contract in the Amount of \$191,620 to Diversified Power Corporation, Inc., for the Centerville Community Park Tennis Court Lighting Project (PWC8501 & PWC8853); and Approve the Reallocation of Appropriations to Centerville Community Park Tennis Court Lighting Project (PWC8501)**

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

1. Found that the proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), each as a separate and independent basis per Section 15301(d), Existing Facilities, as the project includes minor alteration of existing public facilities and would not expand the existing use, (2) 15304(f), Minor Alterations to

- Land, as the project involves minor trenching with backfilling and the surface restored, (3) 1511, Accessory Structures, as the project will place minor structures accessory to existing public recreational facilities, and (4) 15183, as a project consistent with the general plan and zoning and otherwise meeting the requirements of that exemption.
2. Reallocated \$62,087 from the Shoreline Stabilization at Lake Elizabeth Project (PWC8897-543) to the Centerville Community Park Tennis Court Lighting Project (PWC8501-543).
  3. Reallocate \$79,533 from Energy Services Contract (PWC8853-501) to PWC8501 Centerville Community Park Tennis Court Lighting Project, (PWC8501).
  4. Reallocated \$50,000 from Centerville Community Park (PWC8392-540) to PWC8501 Centerville Community Park Tennis Court Lighting Project, (PWC8501).
  5. Approved Plans and Specifications for the Centerville Community Park Tennis Court Lighting Project, PWC8501.
  6. Awarded a Construction Contract of \$174,200 to Diversified Power Corporation, Inc., including a 10% Construction Contingency in the amount of \$17,420, for a total construction contract amount of \$191,620

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 an Approval of Purchase Orders through Cooperative Agreements with The Ford Store San Leandro for the Purchase of Ford Fleet Vehicles in an Amount Not to Exceed \$975,000 and with Sourcewell for the Purchase of Various Make Vehicles in an Amount Not to Exceed \$775,000; and Make Findings of CEQA exemptions**

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

1. Authorized the City Manager or designee to execute a purchase order with The Ford Store San Leandro for the purchase of Ford vehicles in an amount not to exceed \$975,000.
2. Authorized the City Manager or designee to execute a purchase order with National Auto Fleet Group for the purchase of various make vehicles in an amount not to exceed \$775,000.
3. Find the proposed purchase is not a project as defined by Section 15378 (b) of the California Environmental Quality Act (CEQA), and, alternatively, the action is exempt from CEQA under Section 15061 (b) (3), as it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

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

**\* I. Mayor Mei opened consideration of an Authorization to Contract with Alameda County Behavioral Health and La Familia to provide Mental Health Services; and Appropriate Additional Funds**

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

1. Approved and authorized the City Manager or designee to execute two FY 2021/22 agreements totaling \$2,197,559 including:
  - a. an agreement with Alameda County Behavioral Health (ACBH), in the amount of \$1,965,331, to provide mental health services
  - b. an agreement with LaFamilia, in the amount of \$232,228, to provide mental health counseling services to adults transitioning to work,
2. Appropriate an additional \$5,731 in the Alameda County Behavioral Health Youth and Family Services Fund (Fund 170) and \$44,644 in the Alameda County Behavioral Health Ageing and Family Services Fund (Fund 104) for the agreement with ACBH.

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

**\* J. Mayor Mei opened consideration of an Authorization to Contract with Alameda County Health Care Services Agency for Health Promotion Services**

On a motion by Councilmember Jones, seconded by Vice Mayor Shao, the City Council authorized the City Manager, or designee, to execute a contract with the Alameda County Health Care Services Agency in the amount of \$194,289 for the period of July 1, 2021 through June 30, 2022 for the Health Promoter Project.

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

\* **K. Mayor Mei opened consideration of an Approval of Services Agreements to Procure Equipment and Systems from Western Systems, Iteris, Inc., CT West, and Econolite, Totaling \$3,524,157.98 for the Fremont Boulevard Safe and Smart Corridor Project (PWC 8922), and Make Findings of CEQA Exemption (Fremont Boulevard Traffic Signal Modernization)**

This item was removed from the Consent Calendar. Mayor Mei opened the item for public comment. Blair Beekman spoke in support of the item. There being no additional speakers, Mayor Mei closed the public comment period.

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

- A. Found the recommended actions related to procuring equipment and systems are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), Section 15301, Section 15302 and Section 15303.
- B. Approved and authorized the City Manager or his designee to execute Service Agreements with the following vendors for the supply of specified equipment for the Fremont Boulevard Safe and Smart Corridor Project:
  - 1. Western Systems for the supply of traffic signal cabinets and smart streetlighting systems for a total not-to-exceed amount of \$382,686.80;
  - 2. Iteris, Inc. for the supply of vehicle video detection systems for a total not-to-exceed amount of \$942,396.34;
  - 3. CT West for the supply of traffic signal controllers, intersection safety video analytics systems, and ATMS/ATSC systems for a total not-to-exceed amount of \$1,683,586.64; and
  - 4. Econolite for the supply of Traffic Signal Performance Measure System and Connected Vehicle Communication System for a total not-to-exceed amount of \$515,488.20.

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

\* **L. Mayor Mei opened consideration of Approval of Final Map, Agreements for Construction of Public and Private Improvements for Tract 8512, located at 41354 Roberts Avenue**

On a motion by Councilmember Jones, seconded by Vice Mayor Shao, the City Council adopted Resolution No 2021-54 to:

- 1. Approved the Final Map and the Improvement Plans for Tract 8512.

2. Approved the Agreement for Public Improvements entitled “Improvement Agreement, Public Improvements, Tract 8512”, with the developer, Roberts Fremont, LP, and authorize the City Manager to execute the agreement on behalf of the City.
3. Approved the Agreement for Private Improvements entitled “Improvement Agreement, Private Improvements, Tract 8512”, with the developer, Roberts Fremont, LP, and authorize the City Manager to execute the agreement on behalf of the City.
4. Accepted 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

**\* M. Mayor Mei opened consideration to Approve and authorize the City Manager to Appropriate Funds and Execute a \$182,191 Agreement for FY 2021/22 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 (Youth and Family Opportunity Programs)**

On a motion by Councilmember Jones, seconded by Vice Mayor 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.

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

**\* N. Mayor Mei opened consideration to Accept and Appropriate FM Global Fire Prevention Grant Funds for \$2,700 to Purchase Digital Cameras**

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

1. Accepted FM Global Fire Prevention Grant Award of \$2,700.
2. Recognized and appropriated the \$2,700 grant in Fund 210 (Miscellaneous Special Revenue) for arson investigation.
3. Authorized the City Manager or designee to execute all necessary agreements or documents in connection with the grant award.

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

**\* O. Mayor Mei opened consideration to Adopt Resolution Terminating the Covid-19 Local Emergency and Resolution Ratifying the Executive Order of the Director of Emergency Services Repealing the City's Residential Eviction Executive Order Upon the Termination of the Alameda County Local Emergency**

This item was removed from the Consent Calendar. Mayor Mei opened the item for public comment. Annie, Blair Beekman and John Hinds shared a variety of comments and concerns. There being no additional speakers, Mayor Mei closed the public comment period.

On a motion by Vice Mayor Shao, seconded by Councilmember Salwan, the City Council adopted the following resolutions:

1. Resolution No. 2021-55 of the City Council of the City of Fremont Ratifying the Executive Order of the Director of Emergency Services Repealing the Executive Order, Dated March 25, 2020, Imposing Regulations Related to Evictions from all Residential Rental Units Due to the Novel Coronavirus (COVID-19) Declared Emergency.
2. Resolution No. 2021-56 of the City Council of the City of Fremont Terminating the Local Emergency Declared by the Director of Emergency Services in Response to the Coronavirus ("COVID-19") Pandemic.

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

**\* P. Mayor Mei opened consideration of Setting the Annual Tax Rate for Voter-Approved General Obligation Bonds Debt Service for Fiscal Year 2021/22**

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

1. Established the Fire Safety Project General Obligation Bonds tax rate of \$0.0041 per \$100 of assessed valuation (0.0041%) for Fiscal Year 2021/22.
2. Adopted Resolution No. 2021-57 requesting and authorizing the County of Alameda to levy a tax on all taxable properties in the City as a voter-approved levy with respect to the Fire Safety Project General Obligation Bonds.

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

\* **Q. Mayor Mei opened consideration of Initiation of a Proceeding to Vacate a Portion of Niles Boulevard and Set a Public Hearing on September 7, 2021 at 7:00 p.m. (Niles Boulevard Street Vacation)**

On a motion by Councilmember Jones, seconded by Vice Mayor Shao, the City Council adopted a motion initiating a general vacation proceeding pertaining to a portion of Niles Boulevard located near Alameda Creek and directing the City Clerk to set a Public Hearing on September 7, 2021 at 7:00 p.m.

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

**3. CEREMONIAL ITEMS – None.**

**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.

Carl Guardado, Andreas Kadavanich, Blair Beekman and Alvin Sojourner shared a variety of comments and concerns.

**5. SCHEDULED ITEMS**

**A. Mayor Mei opened consideration to Adopt a Resolution Approving the Summary Vacation of the Dedicated Emergency Vehicle Access Easements Within Parcels 1, 2, 3 and 4 of Parcel Map No. 7794 in the Ardenwood Business District (PLN2020-00030), and Make Findings of CEQA Exemption (Ardenwood Office Park Emergency Vehicle Access Easement Vacation)**

No presentation. Mayor Mei opened the public hearing. Blair Beekman shared concerns. There being no additional speakers, Mayor Mei closed the public hearing. Staff responded to questions from Councilmembers.

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

\*Consent Items

1. Found the action was exempt from the California Environmental Quality Act per CEQA Guidelines Section 15305, as the vacation of access easements is considered a minor alteration in land use limitations which does not result in any land use or density changes;
2. Adopted Resolution No. 2021-58 to vacate the emergency vehicle access easements.

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

**B. Mayor Mei opened consideration to Adopt a Resolution Amending the Civil Penalties Schedule**

*\*\*See Green Sheet on file\*\**

No presentation. Mayor Mei opened the public hearing. Tawny Warren and Ron Warren shared concerns. There being no additional speakers, Mayor Mei closed the public hearing. Staff responded to questions from Councilmembers.

On a motion by Councilmember Jones, seconded by Vice Mayor Shao, the City Council adopted Resolution No. 2021-59 amending the Civil Penalties Schedule to include the new penalty amounts as set forth on Exhibit A.

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

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

**7. OTHER BUSINESS**

**\* A. Mayor Mei opened consideration of Update on Safe Parking Program Design Elements: Criteria, Screening, Rules and Standards for Participation**

Human Services Director Suzanne Shenfil and Human Services Management Analyst Laurie Flores provided an overview. Mayor Mei opened the public hearing. Lisa Danz, Marie Hughes, Elaine Sanchez, Annie, Hayes Shair, Denise, Blair Beekman and Sharon Scharff shared a variety of comments and concerns. There being no additional speakers, Mayor Mei closed the public hearing. Staff responded to questions from Councilmembers.

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council approved Safe Parking Design Elements as presented in the staff report.

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

**8. COUNCIL COMMUNICATIONS**

**A. Council Referrals** – None.

**B. Oral Reports on Meetings and Events** – None.

**9. ADJOURNMENT:** There being no further business, Mayor Mei adjourned the meeting at 10:03 p.m.

Attest:

Approved:

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Alberto Quintanilla, Assistant City Clerk

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LILY MEI, Mayor