

**MINUTES  
FREMONT CITY COUNCIL MEETING  
OCTOBER 6, 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 7:00 p.m.
- B. Flag Salute:** Councilmember Shao led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Councilmembers: Bacon, Salwan, Keng, Jones and Shao  
Absent: Vice Mayor Kassan
- D. Announcements by Mayor/City Manager**

Mayor read the joint resolution, adopted Mon., October 5, 2020 at the Joint City Council / Fremont Unified School District meeting, honoring Feda Amaliti.

**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, Councilmembers: Bacon, Salwan, Keng,  
Jones and Shao  
Noes: None  
Absent: Vice Mayor Kassan  
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) to Conform with State Law Pertaining to Accessory Dwelling Units (PLN2020-00176)**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council adopted Ordinance No. 09-2020.

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

**\* D. Mayor Mei opened consideration to Approve the First Choice Artist, Joe Thurston, and Second Choice Artist, Adrian Susnea Litman, for Public Art Work at Dusterberry Neighborhood Park, as Recommended by the City of Fremont’s Art Review Board (ARB) and Parks and Recreation Committee (PRC); and Award Art Contract for the Not to Exceed Amount of \$55,000**

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

1. Approved the first-choice artist, Joe Thurston, and the second-choice artist, Adrian Susnea Litman, for the public art piece at Dusterberry Neighborhood Park.
2. Authorize the City Manager or his designee to execute an art contract to the first-choice artist, Joe Thurston, for a contract amount not to exceed \$55,000.
3. Should the City be unsuccessful in negotiating a contract with the first-choice artist, authorize the City Manager or his designee to execute an art contract to the second-choice artist, Adrian Susnea Litman, for a contract amount not to exceed \$55,000.

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

**\* E. Mayor Mei opened consideration of Approval of Purchase Order with Tymco, Inc. for the Purchase of One Street Sweeper in an Amount Not to Exceed \$317,289.32. Exempt from CEQA Review per Guideline 15061.**

This item removed from the Consent Calendar. Mayor Mei opened the public comment period. B. Beekman commented on street sweeping in his area. There being no additional speakers, Mayor Mei closed the public comment period.

On a motion by Councilmember Jones, seconded by Councilmember Bacon, the City Council authorized the City Manager or designee to execute a purchase order with Tymco, Inc. for the purchase of one street sweeper in an amount not to exceed \$317,289.32.

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

- \* **F. Mayor Mei opened consideration of Approval to Authorize the City Manager to Execute a One-Year Lease Amendment with the County of Alameda for a Total of 4,867 Square Feet of Office and Common Area Space at the Family Resource Center; Exempt from CEQA Review as the Lease of Existing Facilities per CEQA Guidelines Section 15301. (Family Resource Center Lease Amendment No. 2 with County of Alameda)**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council authorized the City Manager or his designee to execute an amendment to extend the existing lease with County of Alameda for 4,867 square feet of office and common area space located at the Fremont Family Resource Center for three additional years as described in the staff report.

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

- \* **G. Mayor Mei opened consideration of Approval to Authorize the City Manager, or designee, to issue a purchase order to Saitech, Inc. in the amount of \$127,311.44 (including applicable sales tax and shipping charges) for the purchase of the Cisco Catalyst 9300 Switches and three years of Smartnet Solution support (including applicable sales tax and shipping charges) and to execute any implementing documents and take any implementing actions as necessary.**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council authorized the City Manager, or his designee, to issue a purchase order to Saitech, Inc. in the amount of \$27,311.44 (including applicable sales tax and shipping charges) for the purchase of the Cisco Catalyst 9300 Switches and three years of support (including applicable sales tax and shipping charges) and to execute any implementing documents and take any implementing actions as necessary.

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

- \* **H. Mayor Mei opened consideration of Approval to Authorize City Manager or designee to enter into an agreement with Brindlee Mountain Fire Apparatus, LLC to sell the Fremont Fire Water Tender Apparatus at an asking price of \$450,000**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council authorized the City Manager, or his designee, to enter into an agreement with Brindlee Mountain to sell the Fremont Fire Water Tender specialized vehicle at an asking price of \$450,000 and to recognize any sale proceeds in the Fire Capital Replacement Fund (Fund 615).

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

**\* I. Mayor Mei opened consideration of Authorization to Contract with Alameda County Health Care Services Agency (Health Promotion Contract)**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, 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, 2020 through June 30, 2021 for the Health Promoter Project.

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

**\* J. Mayor Mei opened consideration of a Resolution Ratifying Executive Order of the Director of Emergency Services Establishing an Emergency Park Business Operating Permit Program to Authorize Fitness Businesses to Provide Fitness Classes Outdoors in Fremont Community Parks and Central Park During the COVID-19 Pandemic**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council adopted Resolution No. 2020-46 ratifying the Emergency Park Business Operating Permit Program as authorized by Mark Danaj, City Manager and Director of Emergency Services on September 29, 2020 to authorize fitness businesses in Fremont to apply for permits to provide outdoor fitness classes in Fremont parks during the COVID-19 Pandemic.

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

The following persons shared concerns regarding a potentially unlawful Accessory Dwelling Unit (ADU) in their neighborhood: Bhimani, Veronica Pang, Stan, and Andrew Chao.

B. Beekman asked about the Police Department focus groups that occurred over the past few months. There being no additional speakers, Mayor Mei closed the public comment period.

## 5. SCHEDULED ITEMS

- A. Mayor Mei opened consideration of Approval to Adopt a Resolution to Accept the Historical Architectural Review Board’s Recommendation to Add the Silva House and Tankhouse to the Fremont Register of Historic Resources and Approve a Mills Act Historic Preservation Contract for the Silva House and Tankhouse, located within the Ursa Residential Planned District (P-2017-188) in the Warm Springs Community Plan Area. The application is exempt from the California Environmental Quality Act (CEQA), pursuant to, without limitation, Section 15183 (projects consistent with community plan, general plan, zoning), Section 15378 (actions not a "project"), and/or Section 15061(b)(3) (no possibility of significant effect on the environment) of the CEQA Guidelines, as the application involves no physical change to the environment. (PLN2018-00036)**

\*This item was added to the Consent Calendar.

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

1. Held a public meeting.
2. Found that adding the Silva House and Tankhouse to the Fremont Register and the Mills Act contract involves no physical change to the environment and is exempt from the California Environmental Quality Act (CEQA), pursuant to, without limitation, Section 15183 (projects consistent with community plan, general plan or zoning); Section 15378 (actions not a project) and/or 15061(b)(3) (no possibility of significant effect on the environment), each as a separate and independent basis.
3. Adopted Resolution No. No. 2020-47 adding the Silva House and Tankhouse to the Fremont Register of Historic Resources as shown in Exhibit C.
4. Approved the Mills Act Contract as shown in Exhibit D, pursuant to the findings and subject to the conditions in Exhibit B and authorize the Mayor to execute the final contract.

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

## 6. REPORT FROM CITY ATTORNEY – None.

**7. OTHER BUSINESS**

**A. Mayor Mei opened consideration of Response to Joint Referral from Mayor Mei and Councilmember Shao Requesting Information Regarding the South Bay Connect Project**

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.

Public Works Director, Hans Larsen provided a brief introduction. Shirley Qian, representing Capitol Corridor Joint Powers Authority, gave the presentation. This was followed by a question and answer period. Mayor Mei opened the public comment period. The following spoke shared a variety of concerns with the South Bay Connect project: B. Beekman, James Zeng, Robert Daulton, Chris, x266, BART Director Liz Ames, Sharon Scharff, John Hinds, x419, Himey, Dave, x661, x436, and Ming Chan. There being no additional speakers, Mayor Mei closed the public comment period. Another question and answer period followed. Councilmembers commented and provided direction to staff.

On a motion by Councilmember Shao, seconded by Councilmember Salwan, the City Council requested staff prepare a letter, raising community concerns, regarding South Bay Connect project.

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

**8. COUNCIL COMMUNICATIONS**

**A. Council Referrals – None.**

**B. Oral Reports on Meetings and Events**

Mayor Mei shared that the State of the City video will be posted online soon.

**9. ADJOURNMENT:** There being no further business, Mayor Mei adjourned the meeting at 9:05 p.m. in memory of Feda Almaliti and her son Muhammed.

Attest:

Approved:

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

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LILY MEI, Mayor

\*Consent Items