



memorandum

City Clerk's Office
510/284-4000

June 20, 2023

To: Mayor and Councilmembers

From: Susan Gauthier, City Clerk

Subject: Corrections for City Council Agenda Item 2.B.1: APPROVAL OF MINUTES – for the Regular Meeting of June 6, 2023, and the Special and Regular Meetings of June 13, 2023

Corrections to the June 6, 2023, Regular City Council Meeting Draft Minute votes for Agenda Items 2.I. and 2.L. Corrected Item 2.I to reflect Councilmember Kassan voted No. Also, corrected Agenda Item 2.L to reflect Councilmember Kassan voted Aye. The corrected 6/06/2023 Draft Minutes are attached.

**MINUTES
FREMONT CITY COUNCIL MEETING
JUNE 6, 2023
FREMONT CITY HALL AND
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 Campbell led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Cox, Councilmembers: Campbell, Kassan, Shao and Salwan
Absent: Councilmember Keng
- D. Announcements by Mayor/City Manager/City Attorney**

Mayor Mei announced the Boards and Commissions vacancies.

City Manager Karena Shackelford introduced City Staff. There were no community announcements.
- E. Report Out of Closed Session – None.**

2. CONSENT CALENDAR

- * **A. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council waived further readings of proposed ordinances.

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

* **B. Approval of Minutes**

* **B.1. Mayor Mei opened consideration of Approval of Minutes**

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council approved minutes for the Regular Meeting of May 2, 2023, the Regular Meeting of May 9, 2023, and the Special and Regular Meetings of May 16, 2023.

Ayes: Mayor Mei, Vice Mayor Cox, Councilmembers: Campbell, Kassan, Shao, and Salwan
Noes: None
Absent: Councilmember Keng
Abstain: Vice Mayor Cox abstained for the Regular Meeting of May 9, 2023

* **C. Mayor Mei opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Amending Chapter 10.05 (Traffic Regulations) of the Fremont Municipal Code to Continue the Mission Peak Permit Parking Program**

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. The following person(s) commented: Kelly Abreu. There being no additional speakers, Mayor Mei closed the public comment period.

On a motion by Vice Mayor Cox seconded by Councilmember Salwan, the City Council waived second reading and adopted Ordinance No. 05-2023 amending Chapter 10.05 (Traffic Regulations) of the Fremont Municipal Code to continue the Mission Peak Permit Parking Program.

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

***D. Mayor Mei opened consideration to Adopt a Resolution Approving a List of Projects for Funding by Revenues Authorized by the Road Repair and Accountability Act of 2017 (SB1) to Align with State Guidelines for Use of Funds.**

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council adopted Resolution No. 2023-26 Approving a List of Projects Funded by SB1, the Road Repair and Accountability Act for FY 2023/24

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

* **E. Mayor Mei opened consideration to Authorize the City Manager to Execute Participation Forms and State Agreements Related to National Opioid Settlements; Ratify Documents; Accept and Appropriate Settlement Funds for the Provision of Prevention, Intervention, Treatment, and Harm Reduction Services to Address the Impact of Opioids on Youth and Adults in Fremont; Make Findings of CEQA Exemption**

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

1. Found the action is exempt from review under the California Environmental Quality Act (CEQA), each as a separate and independent basis, per CEQA Guidelines Sections 15378(b)(4) and 15061(b)(3).
2. Authorized the City Manager or designee to execute new participation forms and state agreements related to National Opioid Settlements and to ratify agreements and documents previously executed.
3. Accepted and appropriated \$202,302.61 and future funding that may become available from opioid settlements for the provision of prevention, intervention, treatment, and harm reduction services to address the impact of opioids on youth and adults in Fremont.

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

Noes: None

Absent: Councilmember Keng

Abstain: None

* **F. Mayor Mei opened consideration to Adopt a Resolution Acknowledging the Fremont Fire Department's Report Regarding Performance of Annual Fire Inspections Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code (SB1205 Annual Fire Inspection Performance Reporting)**

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council adopted Resolution No. 2023-27 recognizing the Fremont Fire Department's level of compliance with California Health and Safety Code Sections 13146.2 and 13146.3.

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

Noes: None

Absent: Councilmember Keng

Abstain: None

* **G. Mayor Mei opened consideration to Authorize the City Manager or her Designee to Execute the Master Services Agreement with JTS Tree Expert, Inc. for Tree Planting and Providing Young Tree Care Services**

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council authorized the City Manager or her designee to execute the agreement with JTS Tree Expert, Inc., with a total not to exceed amount of \$320,000.

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

* **H. Mayor Mei opened consideration to Authorize the City Manager, or Designee, to enter into Agreement and Issue Purchase Orders with Epic iO Technologies, Inc. in an amount not to exceed \$236,409, and Neology, Inc. in an amount not to exceed \$164,000 for the purchase and installation of replacement cameras in the Community Camera Program**

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

1. Authorized the City Manager, or designee, to execute an agreement and issue a purchase order with Epic iO Technologies, Inc. in an amount not to exceed \$236,409 for high-definition color cameras, associated parts, installation and maintenance.
2. Authorized the City Manager, or designee, to execute an agreement and issue a purchase order with Neology, Inc. in an amount not to exceed \$164,000 for replacement LRP cameras.

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

* **I. Mayor Mei opened consideration of Annual Approval of Investment Policy and Delegation of Authority to City Treasurer to Manage Investments**

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. There being no additional speakers, Mayor Mei closed the public comment period.

On a motion by Councilmember Campbell, seconded by Councilmember Shao, the City Council adopted Resolution No. 2023-28 approving the City's Investment Policy for FY 2023/24 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 Cox, Councilmembers: Campbell, Shao, and Salwan
Noes: Councilmember Kassan
Absent: Councilmember Keng
Abstain: None

*** J. Mayor Mei opened consideration to Authorize the City Manager or her Designee to Execute Agreements with GameTime and Ross Recreation Equipment for Playground Equipment at Kennedy and Sabercat Playground Sites Located at Central Park**

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

1. Authorized the City Manager or designee to execute an Agreement with Ross Recreation Equipment in an amount not to exceed \$132,000 for playground equipment at Kennedy playground site at Central Park.
2. Authorized the City Manager or designee to execute an Agreement with Gametime in an amount not to exceed \$127,000 for playground equipment at Sabercat playground at Central Park.

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

*** K. Mayor Mei opened consideration of Approval of Service Agreement with Pyro-Comm Systems for Fire Alarm and Intrusion Alarm Monitoring, Inspection, Testing, and Maintenance; and Fire Sprinkler Inspection, Testing and Maintenance for City-Owned Buildings, in the Amount Up to \$1,669,612.24 for a Five-Year Period; Make Findings of CEQA Exemption. (City Building Fire and Security Protection)**

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council authorized the City Manager or designee to execute a Service Agreement with Pyro-Comm Systems Inc. to provide Fire Alarm and Intrusion Alarm Monitoring, Inspection, and Maintenance; and Fire Sprinkler Inspection Testing and Maintenance services effective July 1, 2023, through June 30, 2024, with an option to extend services for four additional one-year terms, with a total contract amount for a five-year period not to exceed \$1,669,612.24.

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

* **L. Mayor Mei opened consideration of Initiation of a Proceeding to Consider Vacation of a Portion of Washington Boulevard Near Ellsworth Street and Set a Public Hearing on July 11, 2023 at 7:00 PM. (Washington Boulevard Street Vacation)**

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council initiated a general vacation proceeding pertaining to a portion of Washington Boulevard near Ellsworth Street, and directed the City Clerk to set a Public Hearing on July 11, 2023, at 7:00 PM.

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

* **M. Mayor Mei opened consideration of Acceptance of Bequest from Tasos Belias for the Tri-City Animal Shelter; Delegate Authority to City Manager or Designee to Execute Termination and Release Agreement**

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council adopt Resolution No.2023-29:

1. Accepting and acknowledging the gift from the Belias Trust.
2. Authorizing the City Manager or designee to execute the Termination and Release Agreement.
3. Recognizing donation revenue of \$337,279, and any subsequent trust distributions, in the Miscellaneous Special Revenue Fund (Fund 210) for the benefit of the Tri-City Animal Shelter (Organization Code 21021910 – Animal Shelter Donations).

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

* **N. Mayor Mei opened consideration to Request for Continued Participation in the Alameda County HOME Investment Partnership Act (HOME) Program Consortium**

On a motion by Councilmember Salwan, seconded by Councilmember Campbell, the City Council adopted Resolution No. 2023-30:

1. Approving the City's continued participation in the Alameda County HOME Program Consortium for the next three Federal Fiscal Years 2024/25, 2025/26 and 2026/27 for the purpose of securing federal HOME funds and making findings of CEQA exemption; and

2. Approving the City’s continued participation in the Alameda County HOME Program Consortium for the next three Federal Fiscal Years 2024/25, 2025/26 and 2026/27 for the purpose of securing federal HOME funds and making findings of CEQA exemption; and.

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

3. CEREMONIAL ITEMS

- A. **Proclamation: National Gun Violence Awareness Day**
- B. **Ceremonial Resolution: Pride Month – June 2023**

4. PUBLIC COMMUNICATIONS

- A. **Oral and Written Communications**

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 person(s) commented: Dr. Craig Grexitman, Kelly Abreu, and John Hinds.

5. SCHEDULED ITEMS – None.

- A. **Mayor Mei opened consideration of a Public Hearing (Published Notice) to consider the Historical Architectural Review Board’s recommendation to approve a Mills Act Historical Property Contract for “The Mission Elementary School” (former Mission Elementary School and City Hall) located at 43551 Mission Boulevard in the Mission San Jose Community Plan Area; and to consider an exemption from the requirements of the California Environmental Quality Act (CEQA), each on a separate and independent basis, pursuant to CEQA Guidelines §15061 (Review for Exemption), §15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), and §15378 (Project). (The Old School Mills Act Contract (PLN2023-00129))**

Associate Planner, Mayank Patel and Terry Wang of Robson Homes provided separate presentations. Staff responded to questions from Councilmembers. Mayor Mei opened the public hearing. The following person(s) commented: Kelly Abreu. There being no additional speakers, Mayor Mei closed the public hearing. This was followed by a question and answer period.

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

1. Held public hearing.
2. Adopted Resolution No. 2023-31 that:
 - a. Finds that the project is categorically exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines §15061, §15183, and §15378.
 - b. Finds that the proposed Mills Act Contract (PLN2023-00129), as shown in Exhibit C, is consistent with and supportive of the City of Fremont’s General Plan goals and policies for historic preservation and the provisions of Fremont Municipal Code Chapter 18.175, the Historic Resources Ordinance.
 - c. Approves the Mills Act Contract, as shown in Exhibit C, based on the findings and subject to the conditions in Exhibit B, and authorize the Mayor or designee to execute the final contract.

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

B. Mayor Mei opened consideration of the First Public Hearing (Published Notice) on FY 2023/24 Proposed Operating Budget

No presentation provided by staff. Staff responded to questions from Councilmembers. Mayor Mei opened the public hearing. The following person(s) commented: Kelly Abreu. There being no additional speakers, Mayor Mei closed the public hearing.

The City Council held a public hearing and provided direction to staff on issues pertaining to the FY 2023/24 Proposed Operating Budget.

C. Mayor Mei opened consideration of the First Public Hearing (Published Notice) on the Proposed FY 2023/24 - 2027/28 Capital Improvement Program (CIP) and Two-Year Capital Budget

No presentation provided by staff. Staff responded to questions from Councilmembers. Mayor Mei opened the public hearing. The following person(s) commented: Kelly Abreu. There being no additional speakers, Mayor Mei closed the public hearing.

The City Council held a public hearing, received information and considered all capital improvement projects proposed for the Five-Year FY 2023/24-2027/28 CIP, and provided direction as needed on the FY 2023/24-2027/28 Proposed CIP, for consideration on June 13, 2023.

6. OTHER BUSINESS

A. Mayor Mei opened consideration of Consideration and Adoption of the Legislative Framework and Authorize Mayor Mei to Transmit a Letter in Support of AB 1657 (The Affordable Housing Bond Act of 2024) to Assembly Member Buffy Wicks

Director of Communications and Legislative Affairs, Geneva Bosques and Management Analyst, Amanda Gallo provided a presentation. Staff responded to questions from Councilmembers. Mayor Mei opened public comment. The following person(s) commented: Linda Dewlaney, Lisa Danz, and Katherine Rubie. There being no additional speakers, Mayor Mei closed the public comment period. This was followed by a question and answer period.

On a motion by Vice Mayor Cox, seconded by Councilmember Salwan, the City Council approved the following actions related to the Sabercat Trail Extension Project and the Irvingtonian Fossil Museum Project:

1. Adopt the Legislative Framework.
2. Authorize the City Manager to implement the City's legislative work plan.
3. Authorize the City Manager, Mayor, or designee to transmit documents that are consistent with these guiding principles and priorities.
4. Authorize Mayor Mei to transmit a letter of support on behalf of the City of Fremont in support of AB 1657 to Assemblymember Buffy Wicks (14th District), Chair of the Assembly Committee on Housing and Community Development.

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

7. ITEMS REFERRED BY COUNCILMEMBERS

A. Council Referrals – None.

B. Appointments to Boards, Commissions, Committees

1. Mayor Mei opened consideration of Mayor Mei Referral: Appointment to Advisory Body

Appointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Economic Development Advisory Commission (Chamber of Commerce Representative)	Matt Senekeremian	

On a motion by Vice Mayor Cox, seconded by Councilmember Salwan, the City Council approved appointment to the Economic Development Advisory Commission as noted in the staff report.

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

C. Legislative Actions – None.

D. Report on Committee Assignments

Councilmembers reported on their various meetings.

8. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 9:30 p.m.

Attest:

Approved:

Albert Quintanilla, Assistant City Clerk

LILY MEI, Mayor