

**MINUTES
FREMONT CITY COUNCIL MEETING
JULY 18, 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 7:02p.m.
- B. Flag Salute:** Vice Mayor Cox led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Cox, Councilmembers: Keng, Campbell, Kassan, Shao and Salwan

D. Announcements by Mayor/City Manager/City Attorney

Mayor Mei announced the Boards and Commissions vacancies.

City Manager Karena Shackelford introduced City Staff.

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 Vice Mayor Cox, the City Council waived further readings of proposed ordinances.

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

- * **B. Approval of Minutes – None.**
- * **C. Mayor Mei opened consideration to Adopt a Resolution Delegating Authority to City Manager during City Council Recess, July 19, 2023 through September 4, 2023**

See Green Sheet.

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council adopted Resolution No.2023-40 authorizing the City Manager or designee to take the following actions, as necessary, during the City Council recess period:

1. Authorize the City Manager or designee to approve the plans and specifications for the Central Park Pathways Renovation Project; and accept the bid, award a construction contract with the lowest responsive and responsible bidder. Lowest responsive and responsible bidder is to be determined.
2. Authorize the City Manager or designee to approve Plans and Specifications, accept, award and execute the construction contract with the lowest responsible bidder for the Pickleball Conversion at Central Park Knoll Project in the amount of \$520,000.
3. Authorize the City Manager or designee to approve Plans and Specifications, accept, award and execute the construction contract with the lowest responsible bidder for the Pickleball Conversion at Central Park Knoll Project in the amount of \$520,000.
4. Authorize the City Manager or designee to approve Plans and Specifications, accept, award and execute the construction contract with the lowest responsible bidder for the Senior Center Trash Enclosure Project in the amount of \$205,000.
5. Authorize the City Manager or designee to accept the grant from the BSCC in the amount not to exceed \$117,949.89.
6. Authorize the City Manager or designee to enter an agreement with All City Management Services, LLC in the amount not to exceed \$1,381,309 Effective August 1, 2023, through July 31, 2026.
7. Authorize the City Manager or designee to enter into a Memo of Understanding with the Fremont Unified School District for the cost-sharing of the Crossing Guard Program for FY 2023/24 through FY 2026/27.
8. Authorize the City Manager or designee to enter into an agreement with Tri-City Volunteers, in an amount not to exceed \$139,000, effective July 1, 2023, through June 30, 2024.
9. Authorize the City Manager or designee to enter into an agreement with Abode Services, in an amount not to exceed \$157,000, effective July 1, 2023, through June 30, 2024.
10. Authorize the City Manager or designee to enter into an agreement with Alameda County Health Care Services Agency, in an amount not to exceed \$206,219, effective July 1, 2023, through June 30, 2024.
11. Authorize the City Manager or designee to enter into a Task Order with Fremont Unified School District in an amount not to exceed \$40,000 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-Promise (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 2023-2024 school year (August 16, 2023 through May 31, 2024).
12.
 - a. Authorize the City Manager or designee to execute a task order to the existing Joint Powers Agreement with the City of Newark for the provision of FY 2023/24 case management services, in the amount of \$5,000.
 - b. Authorize the City Manager or designee to execute a task order to the existing Joint Powers Agreement with the City of Newark for the provision of FY 2023/24 paratransit services, in the amount not to exceed \$293,052.

13. Authorize the City Manager or designee to amend the Service Agreement with GoGo Technologies, Inc. to increase the annual not to exceed amount to \$75,000 for FY 2023/24 and \$75,000 for FY 2024/25.
14. a. Authorize the City Manager or designee to issue a purchase order to Tyler Technologies, Inc., in the amount of \$215,183.36, to execute implementing documents for the annual software support for the Tyler Munis financial management system and include the Tyler Cashiering system for one-year effective August 26, 2023, through August 25, 2024.
b. Authorize the City Manager or designee to renew the annual software support and services for the Tyler Munis financial management system and Tyler Cashiering system for two additional one-year periods in an amount not to exceed a seven percent increase over the prior year's costs.
15. Authorize the City Manager or designee to increase an existing agreement with Oracle America, Inc. by the amount of \$164,628.59 for the annual software support and maintenance for Oracle Databases, for a total amount of \$354,584.66.
16. Authorize the City Manager or designee to approve the Plans and Specifications and accept, award and execute the construction contract to the lowest responsive and responsible bidder for the Old Canyon Road Bridge Slope Repair Project (PWC8120-H) in an amount not to exceed \$150,000.
17. Authorize the City Manager or designee to execute an amendment to extend the existing agreement with American Portables for rental and maintenance servicing of portable restrooms and handwashing stations at various homeless encampment and vehicle habitation sites for three months through September 30, 2023 and increasing the contract amount from \$94,480 to \$108,480.

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

*** D. Mayor Mei opened Consideration of Approval of a Professional Services Agreement with Group 4 Architecture, Research + Planning, Inc. in an Amount Not to Exceed \$5,040,000 (including 20% Contingency) for Architectural and Design Consultant Services for the Central Park Community Center Project (PWC9087); Adopt Resolution Authorizing the City Manager to Execute a State Grant Funding Agreement; and Find Actions are Exempt from CEQA Review.**

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council approve the following actions related to the Central Park Community Center Project (PWC9087):

1. Find the action is exempt from environmental review, as a separate and independent basis for CEQA compliance, under CEQA Guidelines, Section 15378 (administrative and funding activity not a "project" under CEQA) and Section 15061 (no possibility the

activity may have significant effect on the environment). Environmental review will be conducted as part of the project environmental clearance process.

2. Authorize the City Manager or designee to execute a Professional Services Agreement with Group 4 Architecture, Research + Planning, Inc. in an amount not to exceed \$5,040,000 for architectural and design consultant services.
3. Adopt a Resolution No. 2023-41 authorizing City Manager to execute a funding agreement with the California Natural Resources Agency in the amount of \$8,000,000.

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

*** E. Mayor Mei opened Consideration to Adopt a Resolution Authorizing the City Attorney to Execute a Certification and Indemnification Agreement with the County of Alameda for the Collection of Taxes and Assessments for Fiscal Year 2023/24**

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council adopt Resolution No. 2023-42 authorizing the City Attorney to execute a Certification and Indemnification Agreement with the County of Alameda for the Collection of Taxes and Assessments for Fiscal Year 2023/24.

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

*** F. Mayor Mei opened Consideration to Approve a Lease with the California Department of Rehabilitation for Space at the Family Resource Center, and Find the Action is Exempt from CEQA Review.**

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council authorize the City Manager or designee to execute a new lease with the State Department of Rehabilitation for 5,916 square feet of office and common area space located at the Fremont Family Resource Center for eight years as described in the staff report.

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

*** G. Mayor Mei opened Consideration to Receive Report on Proposed Projects to Repair and Mitigate City Infrastructure Damage from 2023 Storm Events, and Efforts to Obtain Federal and State Emergency Relief Funding; Appropriate Funds from City’s General Fund Contingency Reserve for Project Implementation in the Amount of \$3,440,000; Find Action Exempt from CEQA. (2023 Storm Drain Projects)**

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council approve the following actions to facilitate the 2023 Storm Damage Repair and Mitigation projects as follows:

1. Find that the recommended funding actions are exempt from CEQA.
2. Transfer \$3,440,000 from the General Fund Contingency Reserve to the Capital Improvements Fund (Fund 501).
3. Appropriate \$1,000,000 to the Morrison Canyon Trail/Road Storm Repair and Mitigation Project (PWC9105-501).
4. Appropriate \$820,000 to the Agua Fria Creek Storm Repair and Mitigation Project (PWC9103-501).
5. Appropriate \$800,000 to the Mill Creek Road Storm Mitigation Project (PWC9104-501).
6. Appropriate \$600,000 to the Stanley Bridge Storm Repair and Mitigation Project (PWC9102-501).
7. Appropriate \$220,000 to the Sullivan Underpass Storm Mitigation Project (PWC9106 501).

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

*** H. Mayor Mei opened Consideration to Authorize the City Manager or her Designee to Execute a Five-Year License Agreement, with Two Five-Year Renewal Options, with Math Science Nucleus for the Use of the California Nursery Historical Park 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).**

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

1. Authorize the City Manager or designee to execute a license agreement with Math Science Nucleus providing for use of portions of the California Nursery Historical Park for a five-year period through 2028, with the option to renew for two additional five-year periods that could extend the agreement through 2038.
2. Find that the license agreement is exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15061, 15183, and 15378.

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

* **I. Mayor Mei opened Consideration of Approval of a Service Agreement with Environmental Logistics Inc. for Emergency Hazardous Materials Response and Scheduled Disposals in the Amount Not-to-Exceed \$300,000 per Fiscal Year, for a Five-Year Period Ending June 30, 2028.**

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council authorize the City Manager or designee to execute a Service Agreement with Environmental Logistics Inc. to provide Emergency Hazardous Materials Response Services effective July 1, 2023, through June 30, 2028, with a total contract amount for a five-year period not-to-exceed \$1,500,000.

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

* **J. Mayor Mei opened Consideration to Adopt a Resolution Setting the Annual Tax Rate for Voter-Approved General Obligation Bonds Debt Service for Fiscal Year 2023/24 and Authorizing the County of Alameda to Collect and Enforce the Levy on Behalf of the City**

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council adopt Resolution No.2023-43 to (1) establish the Fire Safety Project General Obligation Bonds tax rate of \$0.0037 per \$100 of assessed valuation (0.0037%) for Fiscal Year 2023/24, and (2) request and authorize 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 Cox, Councilmembers: Keng, Campbell, Kassan, Shao, and Salwan
Noes: None
Absent: None
Abstain: None

* **K. Mayor Mei opened Consideration to Authorize the City Manager or her Designee to Enter into a Memorandum of Understanding with the Fremont Unified School District to Continue the School Resource Officer (SRO) Program**

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. The following person(s) commented: Linda Dewlaney. There being no additional

speakers, Mayor Mei closed the public comment period. Staff responded to questions from Councilmembers.

On a motion by Councilmember Campbell, seconded by Councilmember Salwan, the City Council authorize the City Manager or designee to execute the Memorandum of Understanding (MOU) with the Fremont Unified School District for the School Resource Officer Program.

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

*** L. Mayor Mei opened Consideration to Review and Accept the Flood Insurance Assessment of Fremont’s Current Level of Coverage for the Purpose of Receiving “Community Rating System” Credit for Flood Insurance Promotion.**

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council accept staff’s report on the Flood Insurance Assessment project and support the following actions:

1. Acknowledge that the Fremont community has approximately a 49% flood insurance coverage rate.
2. Continue to provide ongoing educational outreach as presented in the staff report that includes targeted mailings to residents within or near a special flood hazard area; articles on flood prevention in City newsletters; and distributing informational brochures at City facilities and at events.

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

*** M. Mayor Mei opened Consideration of a Resolution Adopting the City of Fremont's Salary Schedule**

On a motion by Councilmember Salwan, seconded by Vice Mayor Cox, the City Council adopt Resolution No.2023-44 approving the City of Fremont’s Salary Schedule as established by the City Manager.

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

- * N. **Mayor Mei opened Consideration to Adopt the Site Development Plan for Vallejo Mills Historical Park; and find that, the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), Section 15304 (Minor Alterations of Land), Section 15311(b) (Accessory Structures), and Section 15183 (Project Consistent with a Community Plan, General Plan, or Zoning).**

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. The following person(s) commented: Naren Immadi, John Hinds, Kelly Abreu, Keith Parker, Sharon Ventura, and William Yragui. There being no additional speakers, Mayor Mei closed the public comment period. Staff responded to questions from Councilmembers.

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

1. Find that the project is exempt from review under the California Environmental Quality Act (CEQA) as the replacement or reconstruction of an existing facility, pursuant to CEQA Guidelines Section 15301 (Existing Facilities), Section 15304 (Minor Alterations of Land), Section 15311(b) (Accessory Structures), and Section 15183 (Project Consistent with a Community Plan, General Plan, or Zoning), and approve a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines.
2. Adopt the Site Development Plan for Vallejo Mills Historical Park as shown in Exhibit A and Exhibit B.

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

3. CEREMONIAL ITEMS – None.

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: Albert Tsui, Priya Chouhan, Indravaradhan Singh Shaktawat, Yanxia Lin, Hui Li, John Ng, Salim Mastan, Kelly Abreu, and Lisa Danz

5. SCHEDULED ITEMS – None.

6. OTHER BUSINESS – 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: Designation of League of California Cities Annual Conference Voting Delegate

On a motion by Councilmember Shao, seconded by Councilmember Campbell, the City Council appoint Mayor Mei as the City’s voting delegate for the League of California Cities Annual Conference and Councilmember Salwan as the voting alternate.

Ayes:	Mayor Mei, Vice Mayor Cox, Councilmembers: Keng, Campbell, Kassan, Shao, and Salwan
Noes:	None
Absent:	None
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 8:33 p.m.

Attest:

Approved:

Alberto Quintanilla, Assistant City Clerk

LILY MEI, Mayor