

**MINUTES  
FREMONT CITY COUNCIL SPECIAL MEETING  
DECEMBER 12, 2017  
FREMONT CITY HALL  
6:15 P.M.**

**Call to Order:** Mayor Mei called the meeting to order at 6:25 p.m.

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

**Public Comment:** None.

**CONVENE TO A CLOSED SESSION**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** The City Council will meet to discuss the performance evaluations of the City Manager and City Attorney as authorized by Government Code Section 54957.

The Special Meeting of the Fremont City Council adjourned at 6:55 p.m.

Attest:

Approved:

\_\_\_\_\_  
Merry Monlux for  
Susan Gauthier, City Clerk

\_\_\_\_\_  
LILY MEI, Mayor

**MINUTES  
FREMONT CITY COUNCIL MEETING  
DECEMBER 12, 2017  
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. Mayor held a moment of silence for the passing of San Francisco Mayor Ed Lee, the victims of the Southern California fires, and the victims of the tragedy in New York.

**2. CONSENT CALENDAR**

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

On a motion by Councilmember Bonaccorsi, 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. Mayor Mei opened consideration of Approval of Minutes.**

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Salwan, the City Council approved the minutes for the Special Meeting-Work Session of November 7, 2017, the Regular Meeting of November 7, 2017, and the Special and Regular Meetings of November 21, 2017.

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

\*Consent Items

\* **C. Mayor Mei opened consideration of a Second Reading And Adoption Of An Ordinance Of The City Of Fremont Amending Section 2.20.490 Of Fremont Municipal Code Regarding The Composition Of The Environmental Sustainability Commission And Also Incorporating An Uncodified Amendment To Authorize An Interim Increase In The Commission Membership**

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Salwan, the City Council adopted Ordinance No. 22-2017.

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

\* **D. Mayor Mei opened consideration of a Second Reading and Adoption of an Ordinance of the City of Fremont, Amending Fremont Municipal Code Chapter 9.60, Rent Review**

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Salwan, the City Council adopted Ordinance No. 23-2017.

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

\* **E. Mayor Mei opened consideration of Solid Waste Collection Rates, Transfer Station Service Fees and Landfill Disposal Fees for 2018 And 2019, Adopt Resolutions Setting the Integrated Waste Management Collection Rates, Transfer Station Service Fees and Landfill Disposal Fees for January 2018 through December 2019**

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

1. Adopted Resolution No. 2017-98 setting disposal fees at the Altamont Landfill effective January 1, 2018, as shown in Enclosure "B" to the staff report.
2. Adopted Resolution No. 2017-99 setting service fees at the Fremont Recycling and Transfer Station effective January 1, 2018, as shown in Enclosure "C" to the staff report.
3. Adopted Resolution No. 2017-100 setting Curbside Recycling Processing payment and Yardwaste Transfer fees at the Fremont Recycling and Transfer Station effective January 1, 2018, as shown in Enclosure "D" to the staff report.
4. Adopted Resolution No. 2017-101 setting Solid Waste Collection rates effective January 1, 2018, as shown in Enclosure "E" to the staff report.

**\* F. Mayor Mei opened consideration to Approve the Plans and Specifications and Award a Construction Contract in the Amount of \$620,051 to Arktos, Incorporated, for the Ballfield Backstop and Fencing Project, City Project No. PWC 8878**

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

1. Found that the project is exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15301 (Existing Facilities) as it involves repair, replacement and minor alterations to existing ballfield facilities.
2. Approved the plans and specifications for the Ballfield Backstop and Fencing, accept the bid and award the construction contract to Arktos, Incorporated, for the base bid amount of \$592,422, plus Add Alternate #1 for \$10,117 at Northgate Community Park and Add Alternate #2 for \$17,512 at Central Park, for a total contract amount of \$620,051.

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

**\* G. Mayor Mei opened consideration of approval and authorize City Manager to submit an application and execute an agreement with the California Department of Health Care Services to become a Certified Substance Use Disorder Clinic and Drug Medi-Cal Provider to enhance existing outpatient substance use disorder treatment for adolescents. (California Department of Health Care Services Drug Medi-Cal Provider Application and Agreement)**

On a motion by Councilmember Bonaccorsi, seconded by Councilmember Salwan, the City Council authorized the City Manager, or his designee, to execute documents necessary for the City to become a state-certified Substance Use Disorder Clinic and Drug Medi-Cal Provider, including: 1) a Drug Medi-Cal Substance Use Disorder application; and 2) a Drug Medi-Cal provider agreement with the State of California Health and Human Services Agency, Department of Health Care Services.

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

**3. CEREMONIAL ITEMS – None.**

#### 4. PUBLIC COMMUNICATIONS

##### A. Oral and Written Communications

Al Minard encouraged Council to follow up on a historical analysis of buildings within the City. Girish Sherikar, Shashank Bapat, Sidharth Thodupunoori, Hari Bacasubramanian, and Chandrakala Ganesh spoke about the recent traffic fatality on Warren Ave and the need for better pedestrian crossings in Warm Springs.

#### 5. SCHEDULED ITEMS

\* **A. Mayor Mei opened consideration of Public Hearing (Published Notice) to Consider the Development Impact Fee Annual Report for Fiscal Year 2016/17 and Annual Adjustment of Development Impact Fees**

*\* This item was added to the consent calendar.*

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

1. Accepted the Development Impact Fee Annual Report for Fiscal Year 2016/17.
2. Held a public hearing to hear any public comments regarding the proposed impact fee adjustment
3. Found that the proposed impact fee adjustment is an implementation measure of the adopted General Plan for which a Final Environmental Impact Report (EIR; SCH#2010082060) was previously certified, the Downtown Community Plan for which a Final Supplemental EIR for the (SCH#2010072001 and SCH#2010082060) was previously certified, and the Warm Springs/South Fremont Community Plan for which a Final EIR (SCH#2013032062) was previously certified and find that no further environmental review is required as there have been no subsequent changes or no new information that would warrant additional environmental review.
4. Adopted Resolution No. 2017-102 approving a 1.47% increase to the capital facilities, fire facilities, park facilities, parkland, and traffic impact development impact fees to reflect construction cost changes in 2017, effective July 1, 2018.

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

**B. Mayor Mei opened consideration of Public Hearing (Published Notice) to Consider the Historic Architectural Review Board's and Recreation Commission's Recommendations to Adopt a Master Plan for the California Nursery Historical Park Located in the Niles Community Plan Area, and to Find that No Further Environmental Review is Needed due to Previously Certified Final Environmental Impact Report (SCH No. 2015062024)**

Community Services Director Suzanne Wolf and Parks Planning and Design Manager Roger Ravenstad gave a brief overview of the proposal. Mayor Mei opened the public hearing. Tim Gavin, Karen Anderson from Math Science Nucleus, Mia Mora from LEAF, Janet Barton with the garden volunteers, and Gerry Low-Sabado with Bunkmates spoke in favor of staff recommendation. Al Minard and Robert Daulton spoke in opposition of staff recommendation. Michelle Powell expressed concerns about the effects of programming on noise and park wildlife. Ann Ellsworth expressed concerns about the impact on the box trees in the area. Dean Hanson, Trees Garden HOA President, spoke in support of the project but encouraged council to recognize the impact on immediate neighboring properties. There were no additional speakers. Mayor Mei closed the public hearing. Council asked questions of staff and provided comments.

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

1. Held a public hearing.
2. Found that no further environmental review is required pursuant to the California Environmental Quality Act (CEQA) as a Final Environmental Impact Report (SCH # 2015062024) was previously certified for the Plan.
3. Found that the proposed alterations to the historic resource would be consistent with the Secretary of Interior Standards and other applicable standards and guidelines, would be compatible with the period of significance and character defining features and other resources, and would not affect an important architectural, historical, cultural or archaeological feature(s);
4. Approved demolition of the Garden Store, finding that the rehabilitation of the Garden Store would be infeasible from a technical, mechanical, or structural standpoint, and would be disproportionately great in relation to the historical significance and functional value;
5. Adopted the California Nursery Historical Park Master Plan as shown in Exhibit B and Exhibit C.
6. City Council requested that staff provide annual updates on the progress of the plan and impact on the area.

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

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

## 7. OTHER BUSINESS

### A. Mayor Mei opened consideration a Presentation of Year-end Results for FY 2016/17 and Recommended Fund Balance Allocations

Finance Director David Persselin and Deputy Finance Director Mike Sung gave a presentation. Councilmembers asked questions and provided comment. There were no public speakers. On a motion by Councilmember Jones, seconded by Councilmember Bonaccorsi, the City Council:

1. Appropriated \$894,000 in the Development Cost Center Fund to the Community Planning Fee Project (PWC 8934-391)
2. Retained \$1.9 million of the ending fund balance unallocated to make up for last year's misallocation by the State.
3. Appropriated \$2.2 million for an additional FY 2017/18 CalPERS contribution to pay down the City's unfunded pension liability.
4. Added two police officers in the current fiscal year (estimated FY 2017/18 cost of \$300,000, including equipment and vehicles)

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

### B. Mayor Mei opened consideration of an Update from City Staff on the First Year of Operation of the Mission Peak Neighborhood Permit Parking Program

Deputy Community Services Director Kim Beranek and Fremont Police Lieutenant Mark Dang gave a brief presentation. Public Works Director Hans Larsen, EBRPD Assistant General Manager Jim O'Connor, and EBRPD Police Captain Lance Breed were available for questions. City Council received the presentation and provided feedback, comments and questions. Mayor Mei opened the public comment period. Tony Pang, Veronica Pang, Jannet Benz, Mayur Shah, Salim Mastan, Henry Lau, Vijay Pitchumani, Randy Buswell, William Hsu, Melanie Wong, and Steve Seun spoke in favor of continuing the program. Kelly Abreu, William Yragui, and Suresh Bazaj spoke in opposition of continuing the program. There were no additional speakers. Mayor Mei closed the public comment period. Councilmembers provided comment.

## 8. COUNCIL COMMUNICATIONS

### A. Council Referrals

#### 1. Mayor Mei opened consideration of Mayor Mei Referral: Appointments and Re-Appointments to Advisory Bodies

##### Re-Appointments:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Art Review Board	Jacline Deridder	12/31/2021
Art Review Board	Barbara Meerjans	12/31/2021
Economic Development Advisory Commission (At Large representative)	Yogi Chugh	12/31/2021
Economic Development Advisory Commission (At Large representative)	Tim Tran	12/31/2021
Economic Development Advisory Commission (Commercial/Industrial representative)	Jennifer Duarte	12/31/2021
Human Relations Commission	Lance Kwan	12/31/2021
Library Advisory Commission	Felix Lechner	12/31/2021
Library Advisory Commission (Student Commissioner)	Ayush Patel	12/31/2021

##### Appointments:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Library Advisory Commission	Erika Albury	12/31/2018

By consensus, the City Council approved appointments. \*\*See Green sheet\*\*

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 9:50 p.m.

Attest:

Approved:

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Merry Monlux for  
Susan Gauthier, City Clerk

\_\_\_\_\_  
LILY MEI, Mayor