

**MINUTES
FREMONT CITY COUNCIL MEETING
APRIL 18, 2017
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order.
- B. Flag Salute:** Vice Mayor Jones led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Jones, Councilmembers: Bacon, Salwan and Bonaccorsi
- D. Announcements by Mayor/City Manager**

Mayor 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 Bacon, seconded by Vice Mayor Jones, the City Council waived further readings of proposed ordinances.

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

- * **B. Approval of Minutes – None.**
- * **C. Mayor Mei opened consideration of Extension of Contract with Macias, Gini & O'Connell LLP (MGO LLP) for Financial Audit Services Including the City's Comprehensive Annual Financial Report and Other Related Audits and Reports; Authorization to Enter Agreement**

On a motion by Councilmember Bacon, seconded by Vice Mayor Jones, the City Council authorized the City Manager or his designee to amend the contract with Macias Gini & O'Connell LLP and extending it out two years to cover the annual audits for Fiscal Year 2016/17 and Fiscal Year 2017/18.

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

*** D. Mayor Mei opened consideration of Approval to Adopt a Resolution Ordering the Preparation and Filing of the Annual Engineer's Report for Landscaping Assessment District 88 and Adopt a Resolution Stating the City Council's Intention to Levy Assessments for Landscape Assessment District 88 for Fiscal Year 2017/2018 (Fremont Landscape Maintenance District 88)**

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

1. Adopted Resolution No. 2017-18 ordering the preparation and filing of the annual Engineer's Report for Landscaping Assessment District 88 for Fiscal Year 2017/18.
2. Adopted Resolution No. 2017-19 stating the intent of the City Council of the City of Fremont to levy and collect assessments for Fremont Landscaping Assessment District 88 for Fiscal Year 2017/18.

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

*** E. Mayor Mei opened consideration of Approval to Authorize the City Manager to Issue a Purchase Order for Fire Protective Equipment to LN Curtis in an Amount Not to Exceed \$350,000**

On a motion by Councilmember Bacon, seconded by Vice Mayor Jones, the City Council authorized City Manager to issue a purchase order to LN Curtis in an amount not to exceed \$350,000.

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

3. CEREMONIAL ITEMS

A. Proclamation: National Donate Life Month, April 2017

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Ernie Machado and Janice Lopez, Lake Superior Drive residents, shared a variety of concerns in their neighborhood (provided hand-outs). Suresh Bazaj shared concerns regarding timing of traffic signals and refunding of fines (provided hand-out). Steve Cho shared information regarding Citizens for a Better Community 25th Anniversary.

5. SCHEDULED ITEMS

A. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Introduce Ordinances Amending FMC Chapter 15.35 (Fire Code) to Require the Installation of Fire Sprinklers in Non-Residential Properties Undergoing Substantial Alterations and Amending FMC Chapter 15.44 (Energy Code) to Require the Installation of Photovoltaic Solar Energy Systems in New Residential Construction (2016 Energy & Fire Code Amendments)

*This item was added to the Consent Calendar.

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

1. Held public hearing.
2. Found that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to Guideline 15061(b)(3).
3. Waived full reading and introduced ordinances amending FMC section 15.35.150 of the Fremont Fire Code to include requirements for the installation of fire sprinklers in non-residential properties undergoing significant alterations and adding FMC sections 15.44.040 and 15.44.050 to the Fremont Energy Code to include requirements for the installation of photovoltaic solar energy systems in new residential construction.

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

B. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider Adoption of a Resolution to Establish a Process to Annually Adjust the Development Impact Fees and to authorize a 6% Increase in Development Fees to Reflect Cost Increases over the Past Two Years. The Affected Development Impact Fees Include: Capital Facilities, Fire Facilities, Park Facilities, Parkland, and Traffic (Development Impact Fee Annual Adjustment)

No presentation. Mayor Mei opened the public hearing. There were no speakers. Mayor Mei closed the public hearing.

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

1. Held a public hearing to hear any public comments regarding the proposed impact fee adjustment.
2. Found that the proposed project 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.
3. Adopted Resolution No. 2017-20 establishing the Engineering News Record-Construction Cost Index as the index to rely on for annual increases to the development impact fees and authorizing a 6 percent adjustment of development impact fees to reflect cost changes over the past two years, effective July 1, 2017.

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

C. Mayor Mei opened consideration of a Public Hearing (Published Notice) in Accordance with the Tax Equity and Fiscal Responsibility Act (TEFRA) to consider the Issuance of Tax-Exempt Bonds by California Municipal Finance Authority (CMFA) for Eden Housing, Inc. (Mission Court) (Bond Issuance)

No presentation. Mayor Mei opened the public hearing. There were no speakers. No written comments were received. Mayor Mei closed the public hearing.

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

1. Held a public hearing in accordance with TEFRA;
2. Adopted Resolution No. 2017-21 approving the Issuance of Multifamily Housing Revenue Bonds by the California Municipal Finance Authority for the purpose of financing an affordable housing project in the City of Fremont to be developed by Eden Housing, Inc.

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

D. Mayor Mei opened consideration of a Public Hearing (Published Notice) to receive input from the community regarding boundaries and composition of districts to be established for district based elections pursuant to Elections Code Section 10010 (District-Based Elections/Composition of Districts)

Assistant City Manager Jessica von Borck gave a presentation, along with consultants, Marguerite Leoni with Nielsen Merksamer and Dr. Jeanne Gobalet with Lapkoff & Gobalet Demographic Research. This was followed by a question and answer period. Mayor Mei opened the public hearing. Robert (Bob) Czerwinski spoke in favor of six districts. Elias Kamal expressed his concerns. Jonathan Stein and Mohsin Mirza (representing Asian Law Caucus) shared suggestions. Pedro Hernandez (representing Fair Vote California and provided hand-out) shared options. Liz Fischer is not in favor of six districts. Gus Morrison shared his suggestions for boundaries. Cordelia Shieh shared a variety of information. Andreas Kadavanich is not in favor of increasing the size of the council. There were no additional speakers. Mayor Mei closed the public hearing. There was another question and answer period. Councilmembers provided comment.

By Consensus, the City Council:

1. Received a report from staff concerning the process for obtaining public input on the composition of voting districts for a district-based election process pursuant to Elections Code Section 10010;
2. Opened a public hearing and invited members of the public to speak on the issue of how the voting districts should be composed; and
3. Closed the public hearing when there is no more input from the public, and directed staff to forward all public comments to (demographic firm), the City's demographics consultant.

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS – None.

8. COUNCIL COMMUNICATIONS

A. Council Referrals – 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:

Susan Gauthier, City Clerk

LILY MEI, Mayor

*Consent Items