

**MINUTES
FREMONT CITY COUNCIL MEETING
FEBRUARY 18, 2020
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order at 7:03 p.m.
- B. Flag Salute:** Councilmember Salwan led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Jones, Councilmembers: Bacon, Salwan, Keng, Kassan, and Shao
- D. Announcements by Mayor/City Manager**

Mayor Mei announced the Boards and Commissions vacancies. City Manager Danaj shared information regarding items of Council/community interest.

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 Keng, the City Council waived further readings of proposed ordinances.

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

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

On a motion by Councilmember Salwan, seconded by Councilmember Keng, the City Council approved minutes for the Special and Regular Meetings of December 17, 2019 and the Special and Regular Meetings of January 14, 2020

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

*** C. Mayor Mei opened consideration of Approval of Plans and Specifications and Award of Contract with San Francisco Elevator, LLC. in the Amount of \$1,026,341 for the Elevator Modernization Project (PWC 8989)**

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

1. Approved the Plans and Specifications for this project.
2. Accepted the Bid and awarded the construction contract to the only responsive and responsible bidder, San Francisco Elevator Services, LLC in the amount of \$1,026,341 and allocate a 10% contingency in the amount of \$100,000.00 for a total construction contract amount of 1,126,341 and authorize the City Manager or designee to execute the contract.

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

*** D. Mayor Mei opened consideration of Approval of a Contract with GSP Construction Inc. in the Amount of \$96,000 for Maintenance Repairs to the Senior Center Building and Allocate a 20% Contingency in the Amount of \$19,200 for a Total Contract Amount of \$115,200 (Senior Center Repair Project)**

On a motion by Councilmember Salwan, seconded by Councilmember Keng, the City Council authorized the City Manager or designee to execute a contract with GSP Construction Inc. in the amount of \$96,000 for maintenance repairs to the Senior Center building at Central Park and allocate a 20% contingency in the amount of \$19,200 for a total not-to-exceed contract amount of \$115,200.

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

3. CEREMONIAL ITEMS

A. Proclamation: Teen Dating Violence Awareness Month

B. Certificates of Recognition: 2019 Synopsys Championship Science Fair Winners

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Theresa DeAnda, John Hinds, Sharon Scharff, and Dave Jacobs shared concerns regarding the accidents that have occurred in the Niles Area. Andrew Sass shared information regarding the upcoming Primavera Ride event.

5. SCHEDULED ITEMS

A. Mayor Mei opened consideration of a Public Hearing (Published Notice) to consider a General Plan Amendment Screening Request to authorize formal processing of a General Plan Amendment application to convert the General Plan Land Use Designation of a 0.89 acre parcel located at 36400 Niles Boulevard from Private Open Space to Low Density Residential (2.3 to 8.7 units per net acre) to facilitate the development of five single family homes, and to consider a finding that the request is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 in that it does not meet CEQA's definition of a project (Rex Homes General Plan Amendment Screening Request - PLN2020 00147)

This item was heard after Items 7.B, 8.A.1 & 8.A.2.

Planner II Hang Zhou and Principal Planner Wayland Li gave a presentation and responded to questions from Councilmembers. The applicants' representatives, Erik Lundquist and Hannah Chiu with Land Services, gave a presentation and responded to questions from Councilmembers. Mayor Mei opened the public hearing. Michelle Powell, Theresa DeAnda, Judy Zlatnik, Keith Parker, Marie Hughes, David King, Chris Cavette, Alice Cavette, Cindy Sakihara, John Hinds, and Dorothy Williams (provided a hand-out) spoke in opposition to the General Plan Amendment (GPA). Robert Smith shared a number of concerns. The property co-owner, Salma Attari, provided a rebuttal. There being no additional speakers, Mayor Mei closed the public hearing. Staff responded to questions from Councilmembers. Councilmembers provided comment.

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

1. Held public hearing.
2. Found that no environmental review is required pursuant to the California Environmental Quality Act (CEQA) as the requests do not constitute a project as defined by CEQA Guidelines Section 15378; and
3. The City Council upheld the Planning Commission decision and denied authorization of formal processing of a General Plan Amendment application for Rex Homes (PLN2020-00147).

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

- B. Mayor Mei opened consideration of a Public Hearing (Published Notice) to consider a General Plan Amendment Screening Request to authorize formal processing of a General Plan Amendment application to convert the General Plan Land Use Designation of an approximately 1.1 acre site located at 43401 and 43431 Ellsworth Street from Town Center Commercial to Low-Medium Density Residential (8.8 to 14.5 units per net acre) to facilitate the development of 16 single family houses, and to consider a finding that the request is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 in that they do not meet CEQA’s definition of a project (Ellsworth Residential General Plan Amendment Screening Request – PLN2020-00150)**

This item was heard after Items 7.B, 8.A.1 & 8.A.2.

Planner II Hang Zhou and Principal Planner Wayland Li gave a presentation and responded to questions from Councilmembers. The applicant, Mark Robson with Robson Homes, gave a presentation and responded to questions from Councilmembers. Mayor Mei opened the public hearing. George High (owner of Mission Shopping Center), Michele Young, Joanna Lung, Chris Cavette, Jackson Nichols, Dianna Fernandez-Nichols, Andrew Sass, Michelle Cheng, Lydia Choy-Fong, Juli Thomas (read a letter from neighborhood group and provided the letter to Clerk), and Geoff Svendsgaard (provided a book/hand-out) spoke in opposition to the General Plan Amendment (GPA). Theresa DeAnda expressed a variety of concerns. Surinder Gill, Doug Ferrari and Kelly Abreu spoke in favor of the GPA. There being no additional speakers, Mayor Mei closed the public hearing. The applicant provided a rebuttal. Staff responded to questions from Councilmembers. Councilmembers provided comment.

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

1. Held public hearing.
2. Found that no environmental review is required pursuant to the California Environmental Quality Act (CEQA) as the requests do not constitute a project as defined by CEQA Guidelines Section 15378; and
3. The City Council upheld the Planning Commission decision and denied authorization formal processing of a General Plan Amendment application for Ellsworth Residential.

Ayes: Mayor Mei, Vice Mayor Jones, Councilmembers: Bacon, Salwan, Keng, Kassan, and Shao

Noes: None

Absent: None

Abstain: None

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS

A. Mayor Mei opened consideration of the Annual Report on the Rent Review Ordinance, Recommended Ordinance Amendment, and Adopt the FY 2019/20 Annual Fee

*This item was added to the Consent Calendar.

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

1. Accepted the Rent Review Ordinance Annual Report.
2. Found that the ordinance is exempt from the California Environmental Quality Act (CEQA), pursuant to Guideline 15061 (b)(3) in that adoption of the ordinance does not have the potential for causing a significant effect on the environment.
3. Waived the first reading of Exhibit A, and introduce the proposed ordinance amending Chapter 9.60 Rent Review, Section 130, which exempts landlords who own four or less residential rental units from the Annual Rent Review Fee.
4. Authorized a \$13.00 fee per residential rental unit in FY 2019/20 to recover the costs of the Rent Review Program.
5. Held a public hearing and adopted Resolution No. 2020-06 to amend the Master Fee Schedule to modify the Rent Review Program Fee.

Ayes: Mayor Mei, Vice Mayor Jones, Councilmembers: Bacon, Salwan, Keng, Kassan, and Shao

Noes: None

Absent: None

Abstain: None

B. Mayor Mei opened consideration of City Attorney Follow Up to Mayor Mei's May 17, 2019 Referral regarding Overnight Parking of Recreational Vehicles

This item was heard before Items 5.A & 5.B. Items 7.B, 8.A.1 & 8.A.2 were heard together.

Management Analysts Anna Guiles and Candice Rankin, and Human Services Director Suzanne Shenfil gave a presentation. Staff responded to questions from Councilmembers. Mayor Mei opened the public comment period. Sr. Annette, Aaron Eckhouse, Vinita Verma, and Reshma Inamdar shared a variety of concerns and ideas. There were no additional speakers. Mayor Mei closed the public comment period.

The City Council received information and provided direction to staff. Staff will return in three months with additional information.

8. COUNCIL COMMUNICATIONS

A. Council Referrals

1. Mayor Mei opened consideration of Councilmember Keng Referral: City-sanctioned Safe RV Parking Areas

This item was heard before Items 5.A & 5.B. Items 7.B, 8.A.1 & 8.A.2 were heard together. See item 7.B for public comment period information.

The City Council received information and provided direction to staff. Staff will return in three months with additional information.

2. Mayor Mei opened consideration of Councilmember Kassan Referral: Referral directing staff to provide an update on identification of a safe parking location and program for homeless individuals

This item was heard before Items 5.A & 5.B. Items 7.B, 8.A.1 & 8.A.2 were heard together. See item 7.B for public comment period information.

The City Council received information and provided direction to staff. Staff will return in three months with additional information.

B. Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 11:25 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor