

**MINUTES
FREMONT CITY COUNCIL MEETING
JANUARY 5, 2016
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

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

2. CONSENT CALENDAR

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

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

Ayes:	Mayor Harrison, Vice Mayor Mei, Councilmembers: Chan, Bacon, and Jones.
Noes:	None
Absent:	None
Abstain:	None

- * **B. Approval of Minutes – None.**
- * **C. Mayor Harrison opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Repealing and Replacing Title 10, Chapter 10.05, Article XI of the Fremont Municipal Code to Create a Procedure for the Mission Peak Neighborhood to Submit a Petition for a Permit Parking Program**

Mayor Harrison opened the item for public comment. William Yragui and Kelly Abreu spoke in opposition of the permit parking program. Veronica Pang spoke in favor of the permit parking program. There were no additional speakers. Mayor Harrison closed the public comment period.

On a motion by Councilmember Chan, seconded by Councilmember Jones, the City Council adopted Ordinance No. 01-2016.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications – None.

5. SCHEDULED ITEMS

- A. Mayor Harrison opened consideration of a Public Hearing (Published Notice; Display Ad) to Consider a Planning Commission Recommendation Regarding a City-Initiated Zoning Text Amendment to Title 18, Planning and Zoning, of the Fremont Municipal Code Prohibiting all Cultivation and Delivery of Medical Marijuana in all Zoning Districts, and to Consider an Exemption from the Requirements of the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines, in that it is not an Activity which would have the Potential to Cause a Significant Effect on the Environment. (Medical Marijuana Cultivation and Delivery - Citywide - PLN2016-00176)**

Senior Deputy City Attorney Prasanna Rasiah and Chief of Police Richard Lucero gave a presentation. Staff responded to questions from Councilmembers. Mayor Harrison opened the public hearing. Denise Martellacci, Rich Trulligen, Keith McCarty, Noah Tutak, Donald Stalter, Sheena Shiravi, Kyle Merwin, Valinda Galvin, Christian Michel, Shareed El-Sissi, Andrew Meadows, Lorna Jaynes, and Deni Caster, spoke in opposition to proposed ban. Doug Keebaugh, Emily Keebaugh, and Larry Winer spoke in favor of the ban. There were no additional speakers. Mayor Harrison closed the public hearing. Staff responded to questions from Councilmembers.

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

1. Held public hearing.
2. Found that this project is exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines in that it is not a project which has the potential to cause a significant effect on the environment.
3. Found that the proposed Zoning Text Amendment is consistent with the general plan in that General Plan Land Use Policy 2-2.5 encourages using zoning regulations to improve Fremont's quality of life, reduce nuisances, achieve compatibility between adjacent uses, and protect the health and safety of residents, visitors, and workers.
4. Found that the proposed amendment furthers the public interest, convenience, and general welfare of the City because it would reduce negative impacts resulting from medical marijuana cultivation and delivery, thereby improving neighborhood quality of life and reducing health and safety concerns.

5. Introduced an ordinance approving the proposed Zoning Text Amendment as shown on Exhibit "A."

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS – None.

8. COUNCIL COMMUNICATIONS

A. Council Referrals

1. **Mayor Harrison opened consideration of a Report on Mayor’s Referral Regarding Development Activity: To Receive a Report and Presentation on Development Activity and Recommendations for Next Steps.**

Community Development Director Jeff Schwob gave a presentation. Mayor Harrison opened the public comment period. Chris Cavette, Alice Cavette, Jeff Wald, Deni Caster, Robert Dalton, Theresa DeAnda, Amanda Anguelouch, Lorna Jaynes, John Weed, Steven Turner, Kelly Abreu, Cary Smith, and Dave Jacobs expressed concerns about the development activity. There were no additional speakers. Mayor Harrison closed the public comment period. Staff responded to questions from Councilmembers.

On a motion by Vice Mayor Mei, seconded by Councilmember Jones, the City Council approved a number of recommended implementation items to further the vision identified in the General Plan and also to address matters related to development activity. The following Work Plan summarizing recommendations and direction for the plan, with consensus of the City Council to move Traffic Calming to the Priority 1 section:

	Project	General Plan Implementation	Priority
1	Community Survey (new)	No	1
2	Commercial Linkage Study	Yes	1
3	Design Guideline Update-Improving Privacy (new)	No	1
4	EV Parking & Car Share Requirements (update)	Yes	1
5	Topical Forums on Open City Hall (new)	No	1
6	Zoning Cleanup/Simple clarification matters	Yes	1
7	GPA Prioritization Policy (new)	Yes	2
8	Industrial zoning and mapping	Yes	2
9	Irvington BART Study	Yes	2
10	Residential to Residential Interface Zoning Standards and/or Design Guidelines (new)	Yes	2
11	Solar Shading Protections (new)	No	2
12	Transportation Demand Management	Yes	2
13	Wireless Ordinance update	Yes	2
14	Zoning Refinements, Special Provisions, Other	Yes	2
15	Sustainability Standards, Additional	Yes	3
16	Shuttle and other Transit Planning	Yes	3
^P 17	Traffic Calming	Yes	3

Priority Legend:

1 = Initiated in 2015 and anticipated to be finished early to mid 2016.

2 = Preliminary analysis and work underway, planned to be completed by mid to late 2016.

3 = Planned to commence upon completion of Priority 2 projects or as time permits. Some preliminary analysis may be undertaken.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.

Noes: None

Absent: None

Abstain: None

B. Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Harrison adjourned the meeting at 10:20 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

BILL HARRISON, Mayor

*Consent Items