

**MINUTES  
FREMONT CITY COUNCIL MEETING  
APRIL 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:** Councilmember Chan 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 Vice Mayor Mei, 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**

On a motion by Vice Mayor Mei, seconded by Councilmember Jones, the City Council for the Regular Meeting of January 5, 2016, the Regular Meeting of January 12, 2016, the Regular Meeting of February 2, 2016, and the Work Session of February 9, 2016

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

- \* **C. Mayor Harrison opened consideration of Approval for a Summary Vacation of a Portion of Bryant Street and Reservation of a Six-Foot Public Service Easement along the Frontage of 43342 Bryant Street in the Mission San Jose Community Plan Area, and to Consider a Categorical Exemption from the Requirements of the California**

\*Consent Items

**Environmental Quality Act (CEQA) per CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations (PLN2015-00116)**

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

1. Found the Summary Vacation (PLN2015-00116) is exempt from the requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations.
2. Found the Summary Vacation (PLN2015-00116) as depicted and described in Exhibit “A” fulfills the applicable criterion for summary vacation in that the area to be vacated is excess street right-of-way not required for future public street purposes nor useful as a non-motorized transportation facility for the reasons stated in the staff report.
3. Adopted Resolution No. 2016-10 vacating approximately 900 square feet of excess right-of-way adjacent to 43342 Bryant Street, subject to a reservation of a public service easement for future utilities, as depicted and described in Exhibit “A.”
4. Directed the City Clerk to record a certified copy of the resolution, including Exhibit A, in the office of the County Recorder of Alameda County and return one copy to the Planning Division of the Community Development Department and the Engineering Division of the Public Works Department for their respective files.

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

Noes: None

Absent: None

Abstain: None

**\* D. Mayor Harrison opened consideration of Approval for a Summary Vacation of a 10-Foot Public Utility Easement along the Former Shoreline Court located at 48200 Fremont Boulevard in the Bayside Industrial Community Plan Area, and to Consider a Categorical Exemption from the Requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations (PLN2016-00168)**

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

1. Found that Summary Vacation (PLN2016-00168) is exempt from the requirements of the California Environmental Quality Act Guidelines (CEQA) pursuant to CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations.
2. Found that Summary Vacation (PLN2016-00168), as depicted and described in Exhibit “A,” is in conformance with the General Plan for the reasons stated in the body of this report.
3. Found that Summary Vacation (PLN2016-00168), as depicted and described in Exhibit “A,” fulfills the applicable criteria for summary vacations in that the areas to be vacated are excess, are not planned to accommodate utilities or public improvements in the future, nor would they be useful as a non-motorized transportation facility as stated in the body of this report.
4. Adopted Resolution No. 2016-11 summarily vacating an existing 10-foot PUE that followed the alignment of the former Shoreline Court alignment, subject to the reservation of a new six-foot PSE and 15-foot landscape easement along the southerly

portion of the property frontage of 48200 Fremont Boulevard, as depicted and described in Exhibit "A."

5. Directed the City Clerk to record a certified copy of the Resolution, including Exhibit "A," in the office of the Alameda County Recorder and return one copy of the recorded Resolution to the Planning Division of the Community Development Department and the Engineering Division of the Public Works Department for their respective files.

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

**\* E. Mayor Harrison opened consideration of Authorization to Approve Sale of City Property at 3579 Shadowbrook Terrace to Vikram Subramanya and Manali Dwarakanath, in the amount of \$730,000, Exempt from CEQA review per CEQA Guidelines Section 15312 (Surplus Government Property Sales)**

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

1. Found the sale of the surplus property at 3579 Shadowbrook Terrace is exempt from CEQA review pursuant to CEQA Guidelines Section 15312 as the sale of surplus government property.
2. Accepted and approved the bid for the City surplus property at 3579 Shadowbrook Terrace in the amount of \$730,000.
3. Authorized the City Manager, or his designee, to execute the Real Property Purchase and Sale Agreement, deed and all related documents necessary to complete the sale and conveyance of the property at 3579 Shadowbrook Terrace to Vikram Subramanya and Manali Dwarakanath.
4. Appropriated the proceeds of \$730,000 from the sale of Shadowbrook Terrace to the General Fund.

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

### **3. CEREMONIAL ITEMS**

**A. Presentation: Certificates of Appreciation for \$5000 donations to the Senior Center's Crab Feed**

#### 4. PUBLIC COMMUNICATIONS

##### A. Oral and Written Communications

Alice Cavette requested a short-term extension of the Regan’s Nursery lease. William Yragui expressed his concerns about parking violations/citations near the EBRPD entrance to Mission Peak Regional Preserve. Kelly Abreau shared concerns regarding temporary designated parking near the Mission Peak trail.

#### 5. SCHEDULED ITEMS

##### A. Mayor Harrison 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 Statewide Communities Development Authority (CSCDA) for St. Anton Communities (Bond Issuance for St. Anton Communities)

Mayor Harrison opened the public hearing. There were no speakers nor any written communications/comments regarding the proposed tax exempt bond or on the project received by the clerk, prior to this hearing. Mayor Harrison closed the public hearing.

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

1. Held a public hearing in accordance with TEFRA;
2. Adopted Resolution No. 2016-12 approving the Issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority for the purpose of financing an affordable housing project in the City of Fremont to be developed by St. Anton Communities, LLC.

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

##### B. Mayor Harrison opened consideration of a Public Hearing (Published Notice) to Consider the Planning Commission's Recommendation to Approve a Master Plan to Facilitate Development of 785 Residential Units and 325,000 Square Feet of Commercial Space Including Office Space, a Hotel and a Restaurant for a ±28.7-acre Property Bounded by Tavis Place, South Grimmer Boulevard, Fremont Boulevard and the Union Pacific Railroad, and Located within Planning Areas 1 and 3 of the Warm Springs/South Fremont Community Plan, a Tentative Parcel Map to Subdivide ±20.6 Acres into Four Lots, and a Finding that No Further Environmental Review is Required Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15183 as the Project is Consistent with the Density and Intensity Established by the Warm Springs/South Fremont Community Plan for which a Final Environmental Impact Report (SCH#2013032062) was Previously Prepared and Certified. (Old Warm Springs

**Boulevard South Master Plan – 44710 Fremont Boulevard, 44758 and 44788 Old Warm Springs Boulevard - PLN2016-00072)**

Associate Planner David Wage gave a PowerPoint presentation. The project applicant, Doug Rich from Valley Oak Partners, also provided a presentation. Mayor Harrison opened the public hearing. There were no speakers. Mayor Harrison closed the public hearing. No rebuttal by the applicant. Councilmembers provided comment.

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

1. Held a Public Hearing.
2. Found that no further environmental review is required pursuant to CEQA Guidelines Section 15183 as the project is consistent with the development density and intensity established by the WS/SF Community Plan for which an FEIR (SCH#2013032062) was previously prepared and certified, and that the project water demand is consistent with the planning assumptions included in the Alameda County Water District's Water Supply Assessment for Warm Springs/South Fremont Community Plan dated September 2013, as analyzed in the Environmental Compliance Checklist as provided in Exhibit "A," and find that this action reflects the independent judgment of the City.
3. Found that the Old Warm Springs Boulevard South Master Plan as depicted in Exhibit "B," (Master Plan), is consistent with the General Plan, WS/SF Community Plan and Fremont Municipal Code (FMC) Chapter 18.49 (Warm Springs Innovation ("WSI") District) as described in this report.
4. Adopted Resolution No. 2016-13 approving the Old Warm Springs Boulevard South Master Plan as depicted in Exhibit "B," (Master Plan), including an FAR reduction from 1.5 to 0.57 for the proposed hotel, based on findings and conditions of approval as shown in Exhibit "D."
5. Approved Vesting Tentative Parcel Map No. 10413, to allow a subdivision to create four new lots as shown in Exhibit "C," based on findings and subject to conditions of approval as provided in Exhibit "D."

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

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

**7. OTHER BUSINESS**

**A. Mayor Harrison opened consideration of Acceptance of the 2016 City of Fremont Community Survey Results conducted by Fairbank, Maslin, Maullin, Metz & Associates (FM3) between February 18-March 2, 2016**

Deputy City Manager Karena Shackelford provided an overview. the consultant, Curtis Below, Vice President & COO of Fairbank, Maslin, Maullin, Metz & Associates (FM3), gave a

PowerPoint presentation. Mayor Harrison opened the public comment period. Alice Cavette and Chris Cavette voiced concerns regarding the survey numbers. There were no additional speakers. Mayor Harrison closed the public comment period.

The City Council accepted the 2016 City of Fremont Community Survey findings.

## 8. COUNCIL COMMUNICATIONS

### A. Council Referrals

#### 1. Mayor Harrison opened consideration of Mayor Harrison Referral: Appointment to Advisory Body

Kelly Abreu shared concerns that this committee has not met since May or June of 2015.

Appointment:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
East Bay Regional Park District Liaison Committee (Recreation Commission Representative - Alternate)	Jeff Couthren	December 31, 2018

The City Council approved appointment.

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 8:45 p.m.

Attest:

Approved:

\_\_\_\_\_  
Susan Gauthier, City Clerk

\_\_\_\_\_  
BILL HARRISON, Mayor