

**MINUTES  
FREMONT CITY COUNCIL SPECIAL MEETING  
SEPTEMBER 4, 2018  
FREMONT CITY HALL  
6:15 P.M.**

**Call to Order:** Mayor Mei called the meeting to order.

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

**Public Comment:** None.

**CONVENE TO A CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

This Closed Session is authorized by Government Code Section 54956.9(d)(1) regarding the following matter:

GTE Mobilnet of California Limited Partnership, a California limited partnership d/b/a Verizon Wireless vs. City of Fremont, Northern District of California, Court Case No. 4:18-CV-04063

The Special Meeting of the Fremont City Council adjourned at 6:45 p.m.

Attest:

Approved:

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

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

**MINUTES  
FREMONT CITY COUNCIL MEETING  
SEPTEMBER 4, 2018  
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 Bacon led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Bacon, Councilmembers: Jones, Salwan and Bonaccorsi
- D. Announcements by Mayor/Interim 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 Salwan, seconded by Councilmember Jones, 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 Salwan, seconded by Councilmember Jones, the City Council approved minutes for the Regular Meeting of June 12, 2018, the Special and Regular Meetings of June 19, 2018, the Special Meeting of June 29, 2018, and the Regular Meeting of July 3, 2018

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

\* **C. Mayor Mei opened consideration of Approval of a Report of Actions Taken by the City Manager during Council Recess, July 18, 2018 through September 3, 2018**

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council received report acknowledging actions taken by the City Manager or designee, or the Interim City Manager, during the recess.

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

\* **D. Mayor Mei opened consideration of Approval to Adopt a Resolution Updating the Conflict of Interest Code for the City of Fremont**

On a motion by Councilmember Salwan, seconded by Councilmember Jones, City Council adopted Resolution No. 2018-52 amending Fremont's Conflict Of Interest Code as it relates to the Form 700 designated positions and the disclosure categories.

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

\* **E. Mayor Mei opened consideration of Approval to Authorize the City Manager to execute a Service Agreement with FUSE Corps to host a FUSE Executive Advisor who will work jointly with Alameda County Library to further develop a long term plan to implement maker education in Fremont**

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council approved and authorized the City Manager, or his designee, to execute a service agreement with FUSE Corps to provide a FUSE Executive Advisor for one year to develop a long term plan to implement maker education in Fremont in an amount not to exceed \$150,000, provided \$75,000 is contributed by the Fremont Unified School District.

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

\* **F. Mayor Mei opened consideration of Approval to Execute Task Order No. 7 to the Joint Powers Agreement with the Newark Unified School District for the provision of Substance Use Disorder Treatment Services and WHY TRY Groups for At-Risk Youth and Youth on Probation by HSD - YFS Division**

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council approved and authorized the City Manager, or his designee, to execute Task Order No. 7 to the existing Joint Powers Agreement with the Newark Unified School District for FY 2018/19 for the provision of: (1) Substance Use Disorder Treatment Services at Bridgepoint/MacGregor High School, (2) WHY TRY groups for at risk youth and youth on probation enrolled in Newark Unified School District, and 3) Family Support Services, Family Service Team, and SparkPoint Fremont by referral to the FRC.

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

\* **G. Mayor Mei opened consideration of Approval to Execute a Task Order to the Joint Powers Agreement (JPA) with Fremont Unified School District (FUSD). Task Order HSD-14 for the Provision of Mental Health, Family Support, Parenting Support, Adolescent Substance Use Disorder Treatment Services, Youth Development Services, and outreach, education and development of a baseline survey related to self-harm and mental health stigma reduction grant funded by Kaiser Permanente**

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council approved and authorized the City Manager, or his designee, to execute Task Order No. HSD-14 to the existing joint powers agreement with FUSD for the Youth and Family Services and Fremont Family Resource Center divisions of the Human Services Department to provide mental health services, family support services, parenting support services, substance use disorder treatment services, youth development programming, and outreach, education and a baseline survey addressing self-harm behaviors and mental health related stigma, in an amount not to exceed \$139,577.

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

**\* H. Mayor Mei opened consideration of Approval of Final Map, Agreements for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 8399, located at 47320 Mission Falls Court (Mission Falls)**

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council adopted Resolution No. 2018-53 to:

1. Approve the Final Map and the Improvement Plans for Tract 8399.
2. Approve the Agreement for Public Improvements entitled “Public Improvement Agreement, Tract 8399”, with the developer, BMCH California, LLC, and authorize the City Manager to execute the agreement on behalf of the City.
3. Approve the Agreement for Private Improvements entitled “Private Improvement Agreement, Tract 8399”, with the developer, BMCH California, LLC, and authorize the City Manager to execute the agreement on behalf of the City.
4. Accept the developer’s offer of dedication of real property interests, as identified on the Final Map, provided that the acceptance of any property on which the developer is required to construct public improvements shall be conditioned upon the developer’s completion of the improvements to the satisfaction of the City Engineer.

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

**\* I. Mayor Mei opened consideration of Introduction of an Ordinance Amending Sections 6.20.050, 6.20.060, and 6.50.130 and Adding Section 6.50.190 and Adopting a Resolution to Amend the Civil Penalties Schedule to Reflect the Revised Animal Ordinance**

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

1. Found that the ordinance and resolution are exempt from the California Environmental Quality Act (CEQA), pursuant to Guideline 15061(b)(3) in that neither action has the potential for causing a significant effect on the environment.
2. Waived full reading and introduced the proposed ordinance amending the Fremont Municipal Code Title 6, Chapter 6.20 Sections 6.20.050 and 6.20.060, and Chapter 6.50, Section 6.50.130 and adding Chapter 6.50 Section 6.50.190.
3. Adopted Resolution No. 2018-54 amending the Civil Penalties Schedule.

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

**\* J. Mayor Mei opened consideration of Approval to Authorize the City Manager or Designee to Issue Purchase Orders for Mobile and Portable Radio Equipment**

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council authorized the City Manager, or designee, to issue purchase orders to Motorola Solutions, Inc., in an amount not to exceed \$4,500,000 for portable and mobile radio equipment and software upgrades, and to execute any related documents.

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

**\* K. Mayor Mei opened consideration of Approval of Amendment No. 4 with TRC Engineers, Inc. in an Amount Up to \$700,000 for Additional Environmental Remediation Services at the Centerville Unified Site Located at 37070 Fremont Boulevard (PWC 8812) (Centerville Unified Site Remediation)**

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council approved and authorized the City Manager, or designee, to execute Amendment No. 4 to the Service Agreement between the City of Fremont and TRC Engineers, Inc. in an amount up to \$700,000 for additional environmental remediation services.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones and Bonaccorsi  
Noes: None  
Absent: None  
Recused: Councilmember Salwan (business/property)

**3. CEREMONIAL ITEMS – None.**

**4. PUBLIC COMMUNICATIONS**

**A. Oral and Written Communications**

Paul McGovern thanked the City on behalf of Crossroads Church and shared information about their programs. Annika McClure from Silicon Valley Leadership Group invited Council to participate in the 14<sup>th</sup> Annual Thanksgiving Turkey Trot. Kelly Abreu, Dave Jacobs, and Robert Daulton expressed concern about the demolition of the ‘secret sidewalk’/ Spring Valley Aqueduct.

**5. SCHEDULED ITEMS**

- \* A. Mayor Mei opened consideration of a Public Hearing (Published Notice) On the Allocation of Federal Community Development Block Grant FY 2017/18 and FY 2018/19 Funds, Amending the FY 2017/18 and FY 2018/19 Action Plans; and Authorizing the City Manager to Enter Into Agreement with Resources for Community Development (FY 2017/18 and FY 2018/19 Action Plan Amendments and CDBG Funding Recommendations)**

\*This item was added to the Consent Calendar.

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

1. Held a public hearing on the proposed amendments to the FY 2017/18 and FY 2018/19 Action Plans.
2. Adopted Resolution No. 2018-55 approving the following actions:
  - a. Approve and authorize the City Manager or designee to amend the FY 2017/18 and FY 2018/19 CDBG Action Plans as described in this staff report.
  - b. Allocate and appropriate \$100,000 from Fund 105 (CDBG Funds) for the BACS Wellness Center project serving the homeless and those with Mental Health concerns.
  - c. Allocate and appropriate \$250,000 from Fund 105 (CDBG Funds) for the Warm Springs Senior Center project
  - d. Allocate and appropriate \$140,000 from Fund 105 (CDBG Funds) for the FRC Security Camera project
  - e. Reallocate \$750,000 in FY 2017/18 CDBG funds from the Senior Center Project (105 CCC 1810) to the Islander Motel Affordable Housing project (105 HHP 1803)
  - f. Authorize the City Manager or his designee to execute loan documents and take such other actions as required to provide a CDBG loan in the total of \$1,825,000 to Resource for Community Development (or a Limited Partnership created by Resource for Community Development expressing for purposes of this project) for the Islander Motel Affordable Housing project.
  - g. Authorize the City Manager or his designee to execute a CDBG agreement with Bay Area Community Services in an amount not-to-exceed \$100,000.
3. Reallocate \$750,000 in Fund 112 (City Funded Affordable Housing Funds) from the Islander Motel Affordable Housing Project to the Warm Springs Senior Center project.

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

- \* B. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider the Planning Commission's Recommendation to Approve an Amendment to Planned District P-2000-214 to Modify the Pacific Commons Planned District Development Standards and Guidelines, Supplement B, that Includes Updating the Uses Allowed, Incorporating an**

**Existing Developed 5.65-Acre Area Located on Boscell Road Between Curie Street and Bunche Drive into Supplement B, and Allowing a Future Retail Building on the Same Property, and to Consider a Finding that the Project is Exempt from Review Under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3). (Pacific Commons Planned District Amendment - PLN2016-00352)**

\*This item was added to the Consent Calendar.

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

1. Held public hearing; and
2. Found that the project is exempt from review under CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
3. Introduced an ordinance approving an amendment to Planned District P-2000-214 as shown in and Exhibits “B1” and “B2” (2018 Revised Supplement B, Pacific Commons Master Plan), to update the uses allowed, incorporate an existing developed 5.65-acre area located on Boscell Road between Curie Street and Bunche Drive into Supplement B, and allow a future retail building on the same property, based on the findings and subject to conditions of approval as shown in Exhibit “C.”

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 – None.**

**8. COUNCIL COMMUNICATIONS**

**A. Council Referrals**

**1. Mayor Mei opened consideration of Appointment of City Manager and Consideration of a City Manager Contract, Consistent with the City Council's Direction**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council adopted Resolution No. 2018-56 to appoint and approve an employment agreement with Mark Danaj as City Manager of the City of Fremont.

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



**B. Oral Reports on Meetings and Events – None.**

**9. ADJOURNMENT:** There being no further business, Mayor Mei adjourned the meeting at 7:15 p.m.

Attest:

Approved:

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

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LILY MEI, Mayor