

**MINUTES
FREMONT CITY COUNCIL MEETING
MARCH 7, 2023
FREMONT CITY HALL AND
VIRTUAL MEETING VIA ZOOM
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order at 7:00 p.m.
- B. Flag Salute:** Councilmember Shao led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Keng, Councilmembers: Campbell, Kassan, Shao, Salwan, and Cox
- D. Announcements by Mayor/City Manager/City Attorney**

Mayor Mei announced the Boards and Commissions vacancies.

On a motion by Councilmember Cox, seconded by Councilmember Shao, the City Council moved agenda Items 7.A.1 and 7.A.2 before Scheduled Item 5.A.

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

City Manager Shackelford did not have announcements.

- E. Report Out of Closed Session – None.**

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

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

* **B.1 Mayor Mei opened consideration of Approval of Minutes**

On a motion by Councilmember Salwan, seconded by Councilmember Cox, the City Council approved minutes for the Special and Regular Meetings of February 14, 2023, and the Regular Meeting of February 21, 2023.

* **C. Mayor Mei opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Title 6, Section 6.05.010, Adding Section 6.10.140 and Repealing Section 6.40.040 (Animals Ordinance)**

On a motion by Councilmember Salwan, seconded by Councilmember Cox, the City Council waive second reading and adopt Ordinance 02-2023 amending Fremont Municipal Code Title 6, Section 6.05.010, Adding Section 6.10.140 and Repealing Section 6.40.040

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

* **D. Mayor Mei opened consideration to Approve Five-month Extension of Agreement between the City and the Alameda County Fire Department for Regional Emergency Communications Center and Fire Dispatch Services**

On a motion by Councilmember Salwan, seconded by Councilmember Cox, the City Council authorized the City Manager to execute an agreement to extend the term of the Agreement between the City of Fremont and the Alameda County Fire Department for Emergency and Fire Dispatch Services through June 30, 2023

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

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Email submitted to the City Clerk were compiled, distributed to the City Council and staff, and published in the City's Agenda Center on fremont.gov, and were placed on file.

The following person(s) commented: Katherine Rubie, Jan Leimert, Annie Koruga, George Wang, Jarvis Leung, Kelly Abreu, and Lynn Miller.

5. SCHEDULED ITEMS

- A. Mayor Mei opened Consideration To consider an ordinance to amend Fremont Municipal Code Title 18 (Planning and Zoning) Chapter 18.200 (Flood Damage Prevention) to remove text that is non-compliant with the National Flood Insurance Program (NFIP) and Community Rating System (CRS) and to enhance and clarify definitions, procedures and standards related to flood damage prevention in accordance with recommendations from the Federal Emergency Management Agency (FEMA), and to consider a finding that no further environmental review is required pursuant to the California Environmental Quality Act (CEQA), per, without limitation, each as a separate and independent basis, (1) CEQA Guidelines Section 15378(b), as an administrative and/or fiscal activity that does not involve commitment to a specific project that will result in any significant physical impact on the environment); (2) CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the amendments will have the potential for causing a significant effect on the environment, and (3) CEQA Guidelines Section 15305, as a minor alteration in land use limitations which does not result in a change to land use or density.**

Staff responded to questions from Councilmembers. Mayor Mei opened the public hearing. There being no speakers, Mayor Mei closed the public hearing. This was followed by additional questions. Councilmembers provided comment.

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

1. Held public hearing.
2. Found that the amendments are exempt from the requirements of the California Environmental Quality Act (CEQA), per, without limitation, each on a separate and independent basis, (1) CEQA Guidelines Section 15378(b), as an administrative and/or fiscal activity that does not involve commitment to a specific project that will result in any significant physical impact on the environment; (2) CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the amendments will have the potential for causing a significant effect on the environment, and (3) CEQA Guidelines Section 15305, as a minor alteration in land use limitations which does not result in a change to land use or density;
3. Found that the proposed Zoning Text Amendment is consistent with the General Plan;
4. Found the proposed Zoning Text Amendment furthers the public interest, convenience, and general welfare of the city; and
5. Introduced an ordinance approving the proposed Zoning Text Amendment as set forth in the Draft Ordinance attached to the staff report.

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

6. OTHER BUSINESS

A. Mayor Mei opened consideration of Update on the Status of the FY 2022/23 General Fund Operating Budget and Preliminary Three-Year Forecast; Approve Budget Adjustments; Make Findings of CEQA Exemption (Mid-Year Budget Report)

Finance Director, Dave Persselin provided a presentation. Staff responded to questions from Councilmembers. Mayor Mei opened the public comment period. The following person(s) commented: Henry Liang. There being no additional speakers, Mayor Mei closed the public comment period. This was followed by additional questions. Councilmembers provided comment.

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

1. Increased the General Fund revenue estimates for property tax by \$2.8 million, sales tax by \$37.6 million, and hotel tax by \$1.2 million.
2. Increased the General Fund citywide savings estimate by \$13 million.
3. Approved the transfer of \$3.5 million to the Risk Management Fund (Fund 609).
4. Approved the transfer of \$15 million to the Employee Benefits Fund (Fund 630).
5. Approved the transfer of \$25 million to the Capital Improvements Fund (Fund 501).

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

7. ITEMS REFERRED BY COUNCILMEMBERS

A. Council Referrals

1. VICE MAYOR KENG REFERRAL: City Council consideration of a Lunar New Year City of Fremont paid holiday commencing in 2024.

Vice Mayor Keng provided an overview of her referral and responded to questions from Councilmembers. Mayor Mei opened the public comment period. The following person(s) commented: John Hinds and Henry Liang. There being no additional speakers, Mayor Mei closed the public comment period. This was followed by additional questions. Councilmembers provided comment.

No action was taken by City Council.

2. COUNCILMEMBER KASSAN REFERRAL: Rental Protections

Councilmember Kassan provided an overview of her referral and responded to questions from Councilmembers. The following person(s) commented: Mac, Stephanie Szto, Chung, Chunchi

Ma, Jingmi Yang, Sai N, George, Adeles, Fay Yassini (California Apartment Association), John Hinds, Tuan N, Annie He, Chris Hu, Lynn Zeng, David Stark, Lisa Danz (Fremont for Everyone), Jennifer L (Business and Housing Network), Sandra M (Fremont for Everyone), Dan (Business and Housing Network), Chris Moore, Katherine Rubie, Sherman, Nagesh Nenchurla, Simon, Meina Young (Business and Housing Network) and Derek Barnes. There being no additional speakers, Mayor Mei closed the public comment period. This was followed by additional questions. Councilmembers provided comment.

No action was taken by City Council.

B. Appointments to Boards, Commissions, Committees – None.

C. Legislative Actions – None.

D. Report on Committee Assignments – None.

8. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 11:16 p.m.

Attest:

Approved:

Alberto Quintanilla, Assistant City Clerk

LILY MEI, Mayor