

**MINUTES  
FREMONT CITY COUNCIL MEETING  
NOVEMBER 14, 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 7:10 p.m.
- B. Flag Salute:** Councilmember Salwan led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Councilmembers: Keng, Campbell, Kassan, and Salwan  
Absent: Vice Mayor Cox and Councilmember Shao

**D. Announcements by Mayor/City Manager/City Attorney**

Mayor Mei announced the Boards and Commissions vacancies.

City Manager Shackelford shared information regarding items of Council/community interest.

**E. Report Out of Closed Session (if applicable)**

City Attorney Alvarado reported that the Council conducted a conference in Closed Session. The Council discussed one item, Initiation of Litigation in one case pursuant to Government Code Section 54956.9 (d)(4). The Council discussed the matter but took no reportable action.

**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, Councilmembers: Keng, Campbell, Kassan,  
and Salwan  
Noes: None  
Absent: Vice Mayor Cox and Councilmember Shao  
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 Meeting of September 25, 2023, and the Special and Regular Meetings of October 10, 2023.

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

\* **C. Mayor Mei opened consideration to Authorize the City Manager or their Designee to Execute FY 2023/24 Standard Service Agreements with Motels for Temporary Use of Hotel Rooms as Winter Relief Shelter, and Abode Services for Support Services; Appropriate Additional Funding; and Making Findings of CEQA Exemption. (Winter Relief Program Agreements)**

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

1. Authorized the City Manager to execute FY 2023/24 Standard Service Agreements with hotel partners, including K B & Son, Inc. (Days Inn) in the amount of \$384,000, C & L, LLC (Mission Peak Lodge) in the amount of \$162,000, and Fremont North, LLC, Motel 6 Fremont North in the amount of \$263,000, and for temporary use of hotel rooms as non-congregate winter relief shelter.
2. Authorized the City Manager to execute a Standard Service Agreement with Abode Services in an amount not to exceed \$602,968 to provide supportive services for the Winter Relief and Safe Parking programs.
3. Appropriated an additional \$439,250 in the Housing and Homeless Fund (Fund 112) for the expansion of the Winter Relief program; and
4. Found that the actions are exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines sections 15183 and/or 15061(b)(3).

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

\* **D. Mayor Mei opened consideration to Authorize the City Manager or her Designee to execute a five-year license agreement, with two five-year renewal options, with Washington Township Museum of Local History, for use of Rancho Higuera Historical Park & Adobe, and find this action is exempt from CEQA review.**

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

1. Authorized the City Manager or her designee to execute a license agreement with the Washington Township Museum of Local History for use of Rancho Higuera Historical Park & Adobe for a 5-year period through 2028, with the option to renew for 2 additional 5-year periods that could extend the agreement through 2038.
2. Found the license agreement is exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15061, 15183, and 15378.

Ayes: Mayor Mei, Councilmembers: Keng, Campbell, Kassan, and Salwan

Noes: None

Absent: Vice Mayor Cox and Councilmember Shao

Abstain: None

- \* E. **Mayor Mei opened consideration of Approval of Plans and Specifications; Award of Contract to Calstate Construction, Inc. in the amount of \$2,841,055.00 (including 10% Contingency) for the Police Department Vehicle Storage Warehouse Project (PWC8935); Funding Reallocation/Appropriation Action; and Make Findings of CEQA Exemption**

On a motion by Councilmember Salwan, seconded by Councilmember Keng, the City Council approved of the following actions related to the Police Department Vehicle Storage Warehouse Project (PWC 8935-501):

1. Find the project exempt from environmental review per CEQA Guideline Section 15303 (New Construction or Conversion of Small Structures), Section 15311 (Accessory Structures), Section 15332 (In-Fill Development Projects), and Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).
2. Approve Plans and Specifications for this Project.
3. Accept bid and award the construction contract to Calstate Construction, Inc. in the amount of \$2,582,777 and allocate a 10% contingency in the amount of \$258,278 for a total construction contract amount of \$2,841,055 and authorize the City Manager or designee to execute the contract.
4. Reallocate \$525,000 from the EV Charging for City Fleet Electrification Project (PWC 9094-501) to the Police Department Vehicle Storage Warehouse Project.

Ayes: Mayor Mei, Councilmembers: Keng, Campbell, Kassan, and Salwan

Noes: None

Absent: Vice Mayor Cox and Councilmember Shao

Abstain: None

**\* F. Mayor Mei opened consideration to Authorize the City Manager or her Designee to Execute the First Amendment to Facilities Maintenance Agreement for Playground Maintenance and Safety Resurfacing with SpectraTurf, Inc.**

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

1. Authorized the City Manager or her designee to execute the first amendment to the Facilities Service Agreement with SpectraTurf, Inc., increasing the not to exceed amount of the contract by \$279,885.75 to \$1,171,229.80.
2. Found that the agreement for repairs and maintenance to existing park facilities is exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301.

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

**\* G. Mayor Mei opened consideration to Approve the Plans and Specifications for the Central Park Pickleball Court Project (PWC9067); Reallocate \$150,000 from PWC 8501 to the project, and Award a Contract to Silicon Valley Paving, Inc. for the Base Bid amount of \$378,184, plus Alternate #1 - Four Additional Pickleball Courts at Lower Courts for \$96,047; Alternate #2 – Install Court Furnishings for \$54,175; and, Alternate #3 – Electrical Conduit and Pullboxes for \$24,900; plus a 15% Construction Contingency Amount of \$82,995.90, for a Total Construction Contract Amount of \$636,301.90; reallocate funds; and find that, pursuant to CEQA Guidelines Section 15301 (Existing Facilities), Section 15304 (Minor Alterations of Land), and Section 15183 (Project Consistent with a Community Plan, General Plan, or Zoning), the project is exempt from review under the California Environmental Quality Act (CEQA).**

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

1. Approved the Plans and Specifications for the Central Park Pickleball Project (PWC 9067).
2. Accepted the Base Bid and Alternates 1, 2 and 3; Awarded a construction contract; and authorized the City Manager or her designee to execute all construction related agreements with the lowest responsive and responsible bidder, Silicon Valley Paving, Inc. in the amount of \$553,306, plus a 15% construction contingency amount of \$82,995.90 for a total construction contract amount of \$636,301.90.
3. Authorized the reallocation of \$150,000 from Capital Replacement for Parks (PWC 8501-501) to Pickleball Court Conversion Throughout Parks (PWC 9067-501).
4. Found the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), Section 15304 (Minor Alterations of Land), and Section 15183 (Project Consistent with a Community Plan, General Plan, or Zoning).

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

- \* H. **Mayor Mei opened consideration of to Approve the Plans and Specifications for the Vallejo Mill Historical Park Pickleball Courts and Dog Park Project (PWC9090); Award a Contract to Guerra Construction Group for the Base Bid amount of \$1,918,288, plus Alternate #1 - Pedestrian Concrete Paving (Sidewalk Connection to Mission Blvd.) for \$116,005; plus a 15% Construction Contingency Amount of \$305,143.95, for a Total Construction Contract Amount of \$2,339,436.95; Reallocate \$693,233 from PWC 8101-540, \$500,000 from PWC 8501-501, \$214,000 from PWC 8671-540, and \$200,000 from PWC 8671-541 to the project; and find that, the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), Section 15304 (Minor Alterations of Land), Section 15311(b) (Accessory Structures), and Section 15183 (Project Consistent with a Community Plan, General Plan, or Zoning).**

Communications 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.

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. The following person commented: Marie Hughes. There being no additional speakers, Mayor Mei closed the public comment period.

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

1. Found that the project is exempt from review under the California Environmental Quality Act (CEQA) as the replacement or reconstruction of an existing facility, pursuant to CEQA Guidelines Section 15301 (Existing Facilities), Section 15304 (Minor Alterations of Land), Section 15311(b) (Accessory Structures), and Section 15183 (Project Consistent with a Community Plan, General Plan, or Zoning), and approve a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines.
2. Approved the Plans and Specifications for the Vallejo Mill Historical Park Conversion Pickleball and Dog Park Project (PWC 9090).
3. Accepted the Base Bid and Alternate 1; awarded a construction contract; and authorized the City Manager or her designee to execute all construction related agreements with the lowest responsive and responsible bidder, Guerra Construction Group, in the amount of \$2,034,293, plus a 15% construction contingency amount of \$305,143.95, for a total construction contract amount of \$2,339,436.95.
4. Reallocated \$693,233 from the CIP Cost and Scope Contingency (PWC 8101-540), \$500,000 from the Capital Replacement for Parks project (PWC 8501-501), \$214,000

from the Security for Parks project (PWC 8671-540) and \$200,000 from the Security for Parks project (PWC 8671-541) to the Vallejo Mill Historical Park Conversion Pickleball and Dog Park Project (PWC 9090).

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

**\* I. Mayor Mei opened consideration of Approval to Award the Contract to Life Scan Wellness Centers and Authorize the City Manager to Issue a Service Agreement for Firefighter Medical Examinations in an Amount Not to Exceed \$750,000.**

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

1. Found the action is exempt from CEQA review,
2. Awarded the Contract to Life Scan Wellness Centers, and
3. Authorized the City Manager, or designee, to execute a five-year Service Agreement for Firefighter Medical Examinations in an amount not to exceed \$150,000 annually for a total contract amount not to exceed \$750,000.

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

**3. CEREMONIAL ITEMS**

**A. Proclamation: United Against Hate Week**

**B. Proclamation: Transgender Day of Remembrance**

**4. PUBLIC COMMUNICATIONS**

**A. Oral and Written Communications**

Communications 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 persons commented: Kathy Kimberlin, John Hinds, Ben Yee, Arya Prince, Yash Chanchani, Krish Patel, Shivaji Ganesh, Acarya Lall, Madhu Vijaya Kumar, Shakil Musthufe, Basir Ahmad, and Leda Mares.

## 5. SCHEDULED ITEMS

- A. Mayor Mei opened consideration of a Public Hearing (Published Notice; Display Ad) to consider text amendments to various chapters of Fremont Municipal Code Title 17 (Subdivisions) and Title 18 (Planning and Zoning), as well as a resolution amending the City's various design guidelines to include, confirm, and/or clarify objective standards for design review permit approvals pertaining to housing developments, to comply with State law and implement various programs of the City's 2023-2031 Housing Element; and to consider exemptions for the proposed amendments from the requirements of the California Environmental Quality Act (CEQA), each on a separate and independent basis, pursuant to CEQA Guidelines §15061 (Review for Exemption), §15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), §15262 (Feasibility and Planning Studies), §15268 (Ministerial Projects), §15305 (Minor Alterations in Land Use Limitations), §15311 (Accessory Structures), and §15378 (Project). (2023 Code Updates – Housing Element Program Implementation - Citywide (PLN2023-00213))**

Communications 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.

Associate Planner Mayank Patel gave a presentation, along with Planning Manager Joel Pullen. Staff responded to questions from Councilmembers. Mayor Mei opened the public hearing. There being no speakers, Mayor Mei closed the public hearing. Councilmembers provided comment.

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

1. Held public hearing.
2. Found that the proposed text amendments to the Fremont Municipal Code (FMC) are exempt from the requirements of the California Environmental Quality Act (CEQA), each on a separate and independent basis, pursuant to CEQA Guidelines §15061 (Review for Exemption), §15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), §15262 (Feasibility and Planning Studies), §15268 (Ministerial Projects), §15305 (Minor Alterations in Land Use Limitations), §15311 (Accessory Structures), and §15378 (Project).
3. Found that the proposed amendments are consistent with the General Plan.
4. Found that the proposed amendments further the public interest, convenience, and general welfare of the city by ensuring consistency between the FMC and the City's General Plan with State law and provide for zoning district uses and development standards that are relevant to current development trends, easy to use, flexible and equitable, and ensure the health and safety of Fremont residents.
5. Introduced an ordinance approving amendments to FMC Title 17 (Subdivisions) and Title 18 (Planning and Zoning).
6. Adopted Resolution No. 2023-52 implementing Program 17 of the City's 2023-2031 Housing Element to revise the City's adopted design guidelines and to identify Objective Design Standards for housing developments.

7. Directed Staff to document the above written findings and recommendation of the Planning Commission to the City Council and to prepare, and the City Clerk to publish, a summary of the ordinance.

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

## 6. OTHER BUSINESS

### A. Mayor Mei opened consideration of a Staff Report Outlining the City of Fremont's Current Regulatory Environment and Procedural Approach to Vehicles Being Used as Dwellings (Vehicular Homelessness Response Update)

Communications 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.

Deputy City Manager Allen DeMers provided a presentation, along with Homeless Services Manager Laurie Flores and City Attorney Alvarado. Staff responded to questions from Councilmembers. Mayor Mei opened the public comment period. The following persons commented: Bharath Srinivasan, Marie Hughes, Rupal Asodoria, Manjat, Sandhya Sastay, Ash, Mahesh, Swagat, Salim Mastan, Sudip Pandya, Rose, Venus, and Naser Irfan. There being no additional speakers, Mayor Mei closed the public comment period. This was followed by another question and answer period.

The City Council accepted the informational staff report and provided direction to staff.

## 7. ITEMS REFERRED BY COUNCILMEMBERS

- A. Council Referrals – None.
- 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 9:50 p.m.

Attest:

Approved:

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Susan Gauthier, City Clerk

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LILY MEI, Mayor