

**MINUTES
FREMONT CITY COUNCIL MEETING
DECEMBER 12, 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 Campbell led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Councilmembers: Keng, Campbell, Kassan, Salwan, and Cox
Absent: Vice Mayor 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 – 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, Councilmembers: Keng, Campbell, Kassan, Salwan, and Cox
Noes: None
Absent: Vice Mayor Shao
Abstain: None

- * **B. Approval of Minutes – None.**
- * **C. Mayor Mei opened consideration of Approval to Authorize the City Manager or their Designee to Enter into an Amendment with the County of Alameda, for the City to Provide Access Point and Housing Resource Center Services; and Appropriate additional funds.**

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

1. Authorized the City Manager or her designee to execute a Standard Service Agreement Amendment of \$177,082 with the County of Alameda to provide Access Point and Housing Resource Center services and make findings of CEQA exemption discussed in this report.
2. Increased revenue estimates and appropriated an additional \$36,611 for these services in the Alameda County Health Care Services Agency Fund (Fund 179).

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

*** D. Mayor Mei opened consideration of Approval to Authorize the City Manager, or Designee, to Issue a Purchase Order and to Execute Implementing Documents with DocuSign, Inc., for the Annual Electronic Signatures Solution Renewal; Associated Appropriation Action**

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

1. Authorized the City Manager, or designee, to issue a purchase order and to execute implementing documents with DocuSign, Inc., for the Annual Electronic Signatures Solution Renewal in an amount not to exceed \$127,512.
2. Appropriated \$95,634 in the Development Cost Center Building Fund (Fund 392) to PWC8746, Land Use Permitting System.

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

*** E. Mayor Mei opened consideration to Adopt Resolutions Setting the Integrated Waste Management Collection Rates, Transfer Station Service Fees, and Landfill Disposal Fees for January 2024 through December 2025 (Solid Waste Collection Rates)**

See Green Sheet on file.

This item was removed from the Consent Calendar. Mayor Mei opened the public comment period. The following person commented: Kelly Abreu. There being no additional speakers, Mayor Mei closed the public comment period. Staff responded to questions from Councilmembers. Councilmembers provided comments.

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

1. Adopted Resolution No. 2023-55 setting disposal fees at the Altamont Landfill effective January 1, 2024.
2. Adopted Resolution No. 2023-54 setting service fees at the Fremont Recycling and Transfer Station effective January 1, 2024.
3. Adopted Resolution No. 2023-57 setting Curbside Recycling Processing payment and Yardwaste Transfer fees at the Fremont Recycling and Transfer Station effective January 1, 2024.
4. Adopted Resolution No. 2023-56 setting Solid Waste Collection rates effective January 1, 2024.

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

- * **F. Mayor Mei opened consideration of Approval to Authorize the City Manager or her Designee to Execute a Five-Year License Agreement with Two Five-Year Renewal Options with Friends of Heirloom Flowers Garden Club for Use of Shinn Historical Park and Arboretum and Find this Action is Exempt from CEQA Review**

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

1. Authorized the City Manager or designee to execute a license agreement with the Friends of Heirloom Flowers Garden Club for use of Shinn Historical Park and Arboretum for a five-year period through 2028, with the option to renew for two additional five-year periods through 2038.
2. Found the license agreement is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061 and 15378.

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

- * **G. Mayor Mei opened consideration of Approval to Authorize the City Manager or their Designee to accept \$250,000 in Enhancing Vision 2026 funds recommended by the Offices of Supervisors Haubert and Marquez and to Enter into an Agreement with Alameda County to provide the SparkPoint Fremont program; and Appropriate Anticipated Program Expenses. (Enhancing Vision 2026 Fund Service Agreement)**

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

1. Authorized the City Manager or her designee to accept and enter into an agreement, in the amount not to exceed \$250,000, with the County of Alameda, upon approval by the Board of Supervisors, to provide support for the SparkPoint Fremont program.
2. Recognized the revenue and appropriate \$125,000 in the Family Resource Center Fund (Fund 108).

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

3. CEREMONIAL ITEMS

- A. Proclamation: Fremont Chamber of Commerce, Small Business Appreciation Day, December 12, 2023**

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 person(s) commented: Ben Yee, Rizwaw Ashraf (Unified Muslim Community), Joanne Schwab, and Salim Mastan.

5. SCHEDULED ITEMS

- A. Mayor Mei opened consideration of a Public Hearing (Published Notice) to Consider Adopting a Resolution Amending the Master Fee Schedule to Update Various Public Works – Engineering Fees to Reflect Current Cost of Services and to Ensure Accurate Cost Recovery (Update to Engineering Fee Schedule)**

Public Works Director Hans Larsen provided an overview. There were no public speakers.

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

1. Held a Public Hearing; and
2. Adopted Resolution No. 2023-58 amending the Master Fee Schedule to reflect the changes in the proposed updated Master Fee Schedule (Exhibit A to Resolution) for Public Works Engineering Fees, effective as of February 10, 2024.

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

B. Mayor Mei opened consideration to Receive the Development Impact Fee Annual Report for Fiscal Year 2022/23 and Hold a Public Hearing (Published Notice) to Consider a 1.73% Decrease in Development Impact Fees to Align with the Bay Area Construction Cost Index (Development Impact Fee Annual Report)

Public Works Director Hans Larsen provided an overview. Mayor Mei opened the public hearing. The following person(s) commented: Kelly Abreu. There being no additional speakers, Mayor Mei closed the public hearing. Staff responded to questions from Councilmembers. Councilmembers provided comment.

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

1. Approved the Development Impact Fee Annual Report for Period Ending June 30, 2023.
2. Held a public hearing to hear any public comments regarding the proposed development impact fee adjustment.
3. Adopted Resolution No. 2023-59 approving a 1.73% decrease to development impact fees for the capital facilities, fire facilities, park facilities, parkland, and traffic programs to reflect construction cost changes in 2023, effective July 1, 2024, and amending the master fee schedule to reflect the revised fees.

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

6. OTHER BUSINESS

A. Mayor Mei opened consideration of Approval to Introduce an Ordinance Adding Chapter 5.100 Short-Term Rentals to the Fremont Municipal Code and to Consider a Finding that the Ordinance is Exempt from the Requirements of the California Environmental Quality Act (CEQA) per, Each as a Separate and Independent Basis, (1) Title 14 of the California Code of Regulations, Section 15061(b)(3) and Section 15378. (Short Term Rental Ordinance)

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.

Code Enforcement Manager/Senior Planner David Wage gave a presentation. Staff responded to questions from Councilmembers. Mayor Mei opened the public comment period. The

following person(s) commented: Rom Stanley and Kelly Abreu. There being no additional speakers, Mayor Mei closed the public comment period. This was followed by comments from Councilmembers.

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

1. Found that the short-term rental ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) per, each as a separate and independent basis, (1) Title 14 of the California Code of Regulations, Section 15061(b)(3), that this is not a project which has the potential for causing a significant effect on the environment, and (2) CEQA Guidelines Section 15378 in that the proposed ordinance is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.
2. Waived the first reading and introduced an ordinance adding Chapter 5.100 to the Fremont Municipal Code.
3. Directed staff to prepare and the City Clerk to post and publish a summary of the ordinance accordance with Government Code Section 36933(c)(1).

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

7. ITEMS REFERRED BY COUNCILMEMBERS

A. Council Referrals – None.

B. Appointments to Boards, Commissions, Committees

1. Mayor Mei opened consideration of Mayor Mei Referral: Reappointments to Advisory Bodies

REAPPOINTMENTS:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Art Review Board	Marsha Squires	12/31/2027
Historical Architectural Review Board	Thomas McLauchlan	12/31/2027
Planning Commission	Craig Steckler	12/31/2027
Planning Commission	Jasmine Basrai	12/31/2027

On a motion by Councilmember Salwan, seconded by Councilmember Cox, the City Council approved reappointments.

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

C. Legislative Actions – None.

D. Report on Committee Assignments

Councilmembers reported on their various meetings.

8. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 8:40 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor