

**MINUTES  
FREMONT CITY COUNCIL MEETING  
JANUARY 9, 2024  
FREMONT CITY HALL AND  
VIRTUAL MEETING VIA ZOOM  
7:00 P.M.**

**1. PRELIMINARY**

- A. Call to Order:** Councilmember Salwan called the meeting to order at 7:06 p.m.
- B. Flag Salute:** Councilmember Keng led the salute to the flag.
- C. Roll Call:** Present: Councilmembers: Keng, Campbell, Kassan, Salwan, and Cox  
Absent: Mayor Mei and Vice Mayor Shao

**D. Announcements by Councilmember Salwan/City Manager/City Attorney**

Councilmember Salwan 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 Conference with Legal Counsel, Anticipated Litigation, One Case, Pursuant to Government Code Section 54956.9(D)(4). Council discussed the item 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 Cox, seconded by Councilmember Keng, the City Council waived further readings of proposed ordinances.

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

\* **B. Councilmember Salwan opened consideration of Approval of Minutes**

On a motion by Councilmember Cox, seconded by Councilmember Keng, the City Council approved minutes for the Regular Meeting of November 21, 2023, the Regular Meeting of December 5, 2023, and the Regular Meeting of December 12, 2023.

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

\* **C. Councilmember Salwan opened consideration of the Second Reading and Adoption of an Ordinance of the City of Fremont Adding Chapter 5.100 Short-Term Rentals (STR) to the Fremont Municipal Code**

On a motion by Councilmember Cox, seconded by Councilmember Keng, the City Council adopted Ordinance No. 01-2024 adding Chapter 5.100 (Short Term Rentals) to the Fremont Municipal Code.

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

\* **D. Councilmember Salwan opened consideration of Approval of the Plans and Specifications for the Aqua Adventure Water Park Slide Refurbishment Project; Appropriate \$500,000 in the Recreation Cost Center Fund 189 Operating Improvement Reserve, and Award a Contract to Safe Slide Restoration for the Base Bid amount of \$596,247.43, plus Alternate #1 for \$14,152.20, and Alternate #2 for \$37,199.48; plus a 10% Construction Contingency (PWC8501)**

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

1. Approved the Plans and Specifications for the Aqua Adventure Water Park Slide Refurbishment Project (PWC8501).
2. Appropriated \$500,000 from the Recreation Cost Center (Fund 189) Operating Improvement Reserve for the Aqua Adventure Water Park Slide Refurbishment Project.
3. Accepted the Base Bid and Alternates 1 and 2; 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, Safe Slide Restoration, in the amount of \$647,599.11, plus a 10% construction contingency amount of \$64,759.91, for a total construction contract amount of \$712,359.02.

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

\*Consent Items

\* **E. Councilmember Salwan opened consideration of Authorization to Execute a Third Amendment to a Master Service Contract with Alameda County Probation Department for Programs Supporting At-Risk Youth and Families, through June 30, 2024; Appropriate Additional Funds, and Make Findings of CEQA Exemption**

On a motion by Councilmember Cox, seconded by Councilmember Keng, the City Council authorized the City Manager or her designee to execute a Third Amendment with Alameda County Probation Department extending the term of the Agreement through June 30, 2024, for an additional amount of \$266,244; and appropriate an additional \$38,830 to Fund 133.

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

\* **F. Councilmember Salwan opened consideration of Approval to Adopt a Resolution Acceptance and Spending Plan of the 2023/24 State of California Citizens Option for Public Safety (COPS) Grant**

On a motion by Councilmember Cox, seconded by Councilmember Keng, the City Council adopted Resolution No. 2024-01 accepting the 2023/24 California Citizens Option for Public Safety (COPS) grant in the amount of \$662,145 as allocated in the Supplemental Law Enforcement Services Account (SLESA) for the Fremont Police Department and approving the spending plan set forth in the resolution to purchase items supporting front line law enforcement services.

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

\* **G. Councilmember Salwan opened consideration of Approval to Authorize the City Manager or her Designee to Execute the Facilities Maintenance Agreement with New Image Landscape Company (Facilities Maintenance Agreement for Lighting, Landscape and Maintenance Services for District 88)**

On a motion by Councilmember Cox, seconded by Councilmember Keng, the City Council awarded a facilities maintenance agreement for a term ending June 30, 2029, and authorized the City Manager or her designee to execute the agreement with New Image Landscape Company, with a total not to exceed amount of \$906,300.11.

Ayes: Councilmembers: Keng, Campbell, Kassan, and Cox  
Noes: None  
Absent: Mayor Mei and Vice Mayor Shao  
Recused: Salwan (business/property interest)

- \* **H. Councilmember Salwan opened consideration of Approval of the Plans and Specifications and Award of Contract to Spencon Construction, Inc. for the 2024 Citywide Concrete Repairs and Intersection Ramps Project (PWC8483-H), for the Base Bid, two Add Alternates, plus a 14% Construction Contingency, for a Total Construction Contract Amount of \$2,978,579; Make Findings of CEQA Exemption.**

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

1. Approved the plans and specifications for the project.
2. Accepted the Base Bid and Alternate Bids 1 and 2; awarded the contract to the lowest responsive and responsible bidder, Spencon Construction, Inc. in the amount of \$2,618,579 and allocated a 14% construction contingency in the amount of \$360,000 for a total construction contract amount of \$2,978,579, and authorized the City Manager or designee to execute the contract.

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

- \* **I. Councilmember Salwan opened consideration to Approve the Plans and Specifications for the California Nursery Historical Park Interpretive Signage Installation Project, PWC8837; and Award a Contract to Square Signs LLC dba Front Signs for the Base Bid amount of \$240,430, plus a 15% Construction Contingency Amount of \$36,065, for a Total Construction Contract Amount of \$276,495; Find the project is consistent with the adopted California Nursery Historical Park Master Plan, for which an Environmental Impact Report (EIR) was previously prepared and certified in accordance with the requirements of the California Environmental Quality Act (CEQA). (PWC8837)**

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

1. Approved the Plans and Specifications for the California Nursery Historical Park Interpretive Signage Installation (PWC8837).
2. Found the project is consistent with the adopted California Nursery Historical Park Master Plan Environmental Impact Report (EIR), which was previously prepared and certified in accordance with the requirements of the California Environmental Quality Act (CEQA).
3. Awarded a construction contract and authorized the City Manager or designee to execute all construction related agreements with the lowest responsive and responsible bidder, Square Signs LLC dba Front Signs, for \$240,430, plus a 15% construction contingency in the amount of \$36,065, for a total construction contract amount of \$276,495.

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

\* **J. Councilmember Salwan opened consideration of Approval of Cooperative Agreement with Caltrans to Support the Project Approval, Environmental Clearance and Design Phases for the I-680/North Mission Boulevard Interchange Modernization Project (PWC 9021).**

This item was removed from the Consent Calendar. Councilmember Salwan opened the public comment period. The following person commented: Kelly Abreu. There being no additional speakers, Councilmember Salwan closed the public comment period.

On a motion by Councilmember Cox, seconded by Councilmember Campbell, the City Council authorized the City Manager or designee to execute a cooperative agreement with Caltrans to support the project approval, environmental clearance and final design phases for the I-680/North Mission Boulevard Interchange Modernization project.

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

\* **K. Councilmember Salwan opened consideration of Approval of Plans and Specifications; Award Contract to GradeTech, Inc. in the Amount of \$1,755,135.72 (includes 10% Contingency) for the Fremont Boulevard and Country Drive Protected Intersection Project (PWC9050); Appropriation Actions; and Make Findings of CEQA Exemption**

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

1. Found that this project is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 21080.25 of the California Public Resources Code as a sustainable transportation project that implements pedestrian and bicycle facilities and improves multimodal safety and access for current and potential transit riders and is further exempt pursuant to CEQA Guidelines Section 15301 as the repair, maintenance or minor alteration of existing facilities involving no or negligible expansion of use beyond that presently existing.
2. Approved the plans and specifications for the project.
3. Accepted the bid and awarded the construction contract to the lowest responsive and responsible bidder, GradeTech Inc., in the amount of \$1,595,577.72 and allocate a 10% construction contingency in the amount of \$159,558 for a total construction contract amount of \$1,755,135.72, and authorized the City Manager or designee to execute the contract.
4. Reallocate \$605,826.72 from PWC9092-134 to PWC9050-134.
5. Reallocate \$225,000 from PWC9092-515 to PWC9050-515.
6. Reallocate \$300,000 from PWC9092-520 to PWC9050-520.

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

- \* **L. Councilmember Salwan opened consideration of Approval to Authorize the City Manager or Her Designee to Execute a Service Agreement with WestGate Ventures for Project Management Services to Prepare a Land Development Plan for the City-Owned Parcel at the Corner of Fremont Boulevard and Decoto Road; Reallocate Funding (Fremont-Decoto Land Development Plan Project Management Service Agreement)**

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

1. Authorized the City Manager or her designee to enter into a service agreement with WestGate Ventures in a not-to-exceed amount of \$320,000; and
2. Reallocated \$570,000 from PWC8520-501 to PWC9112-501 to fund the WestGate Ventures service agreement and \$250,000 in estimated staff costs.

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

### **3. CEREMONIAL ITEMS**

- A. Proclamation: Afro American Cultural & Historical Society, Forty-Seventh Commemoration of Dr. Martin Luther King, Jr. Day**
- B. Resolution: Honoring Jean Morgan of Abode Services**
- C. Resolution: Honoring Case Manager Dagmar Stonas, RN for Twenty-five Years of Service**
- D. Resolution: Honoring Captain Matthew Snelson for Twenty Years of Service**

### **4. PUBLIC COMMUNICATIONS**

- A. Oral and Written Communications**

The following person(s) commented: Thomas Cabral (provided hand-out) and Kelly Abreu.

**5. SCHEDULED ITEMS – None.**

**6. OTHER BUSINESS – None.**

### **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**

Councilmembers reported on their various meetings.

**8. ADJOURNMENT:** There being no further business, Councilmember Salwan adjourned the meeting at 7:45 p.m.

Attest:

Approved:

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Susan Gauthier, City Clerk

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RAJ SALWAN, Councilmember