



City Council Chambers
3300 Capitol Avenue
Fremont, CA

Fremont City Council

Lily Mei, Mayor
Rick Jones, Vice Mayor
Vinnie Bacon
Raj Salwan
David Bonaccorsi

City Staff

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Jessica von Borck, Assistant City Manager
Marilyn Crane, Information Tech. Services Dir.
Susan Gauthier, City Clerk
Kelly Kline, Economic Development Director
Hans Larsen, Public Works Director
Geoff LaTendresse, Fire Chief
Richard Lucero, Chief of Police
David Persselin, Finance Director
Jeff Schwob, Community Dev. Director
Karena Shackelford, Deputy City Manager
Suzanne Shenfil, Human Services Director
Brian Stott, Deputy City Manager
Suzanne Wolf, Community Services Director

Fremont City Council Agenda and Report

May 09, 2017

General Order of Business

1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
2. Consent Agenda
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may they speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address, and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

The City Council Agendas may be accessed by computer at the following World Wide Web

Address: www.fremont.gov

Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. City Council meetings are *open captioned* for the deaf in Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk
City of Fremont
3300 Capitol Avenue, Bldg. A
Fremont, California 94538
Telephone: (510) 284-4060

Your interest in the conduct of our City's business is appreciated.

Agenda
Fremont City Council Regular Meeting
May 09, 2017
City Council Chambers, 3300 Capitol Avenue, Building A
7:00 PM

1. Preliminary

- A. Call to Order**
- B. Salute the Flag**
- C. Roll Call**
- D. Announcements by Mayor / City Manager**

2. Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

A. Motion To: Waive Further Reading of Proposed Ordinances

(This permits reading the title only in lieu of reciting the entire text.)

B. Approval of Minutes - None.

C. SECOND READING AND ADOPTION OF AN ORDINANCE FORMING THE FREMONT INDUSTRIAL DEVELOPMENT AUTHORITY - Second Reading and Adoption of an Ordinance Forming the Fremont Industrial Development Authority

RECOMMENDATION: *Adopt ordinance.*

D. APPROVAL OF WEED AND WASTE ABATEMENT CONTRACT- Authorize the City Manager to Execute a Weed and Waste Abatement Contract with Imhof Tractor Services, Inc.

Contact Persons:

<i>Name:</i>	<i>Thomas Doyle</i>	<i>Suzanne Wolf</i>
<i>Title:</i>	<i>Urban Landscape Manager</i>	<i>Community Services Director</i>
<i>Dept:</i>	<i>Parks</i>	<i>Community Services</i>
<i>Phone:</i>	<i>510-979-5781</i>	<i>510-494-4329</i>
<i>E-Mail:</i>	<i>tdoyle@fremont.gov</i>	<i>swolf@fremont.gov</i>

RECOMMENDATIONS:

- 1. Authorize the City Manager or his designee to enter an agreement with Imhof Tractor Services, Inc., for weed and waste abatement services in an amount not to exceed \$175,000 for basic services in any calendar year through June 30, 2019, with a total contract value not-to-exceed \$350,000 for basic services, and not to exceed \$50,000 for unanticipated additional services during the initial contract term; and*
- 2. Authorize the City Manager or his designee, at the City Manager's discretion, to approve and execute up to three one-year extensions of the contract with*

Imhof Tractor Services, Inc., for weed and waste abatement services in an amount not to exceed \$183,750 for the first one-year extension, and an amount not to exceed \$192,938 for the second year extension, and an amount not to exceed \$202,585 for the third year of the extension plus any remaining additional services funds not expended in the initial contract term.

E. TRACT 8324 - Approval of Final Map, Agreements for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 8324, located at 39501 Stevenson Place (Stevenson Place)

Contact Persons:

Name:	Kelly Reynolds	Hans Larsen
Title:	Associate Civil Engineer	Public Works Director
Dept:	Engineering	Public Works
Phone:	510-494-4737	510-494-4722
E-Mail:	kreynolds@fremont.gov	hlarsen@fremont.gov

RECOMMENDATION: Adopt a resolution to:

1. Approve the Final Map and the Improvement Plans for Tract 8324.
2. Approve the Agreement for Public Improvements entitled "Public Improvement Agreement, Tract 8324", with the developer, Robson Homes, 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 8324", with the developer, Robson Homes, 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.

F. FREMONT BOULEVARD PROTECTED INTERSECTION IMPROVEMENTS PROJECT - Accept the Highway Safety Improvement Program (HSIP) Grant, Appropriate the Grant Funds of \$1,296,450 to Protected Intersection Improvements Project at Fremont Boulevard / Mowry Avenue and Fremont Boulevard / Stevenson Boulevard (PWC 8927), and Appropriate an Additional \$505,000 to the Project for Local Match, Engineering Design and Construction Administration Costs, Exempt from CEQA Review Per CEQA Guidelines Section 15301 (Existing Facilities)

Contact Persons:

Name:	Rene Dalton	Hans Larsen
Title:	Associate Transportation Engineer	Public Works Director
Dept:	Public Works	Public Works
Phone:	510-494-4535	510-494-4722
E-Mail:	rdalton@fremont.gov	hlarsen@fremont.gov

RECOMMENDATIONS:

1. Find that the action to accept the HSIP grant for PWC8927-22, Protected Intersection Improvements Project at Fremont Boulevard/Mowry Avenue and Fremont Boulevard/Stevenson Boulevard is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15301, as the repair, maintenance or minor alteration of existing facilities involving negligible or no expansion of use beyond that presently existing.

2. Authorize the City Manager or designee to accept the HSIP grant and to execute any associated grant documents.
3. Appropriate funds in the grant amount of \$1,296,450 to PWC8927-22, Protected Intersection Improvements Project at Fremont Boulevard/Mowry Avenue and Fremont Boulevard/Stevenson Boulevard.
4. Appropriate unallocated Traffic Impact Fee funds, Fund 531, in the amount of \$505,000 to PWC8927-531 (Protected Intersection Improvements Project at Fremont Boulevard/Mowry Avenue and Fremont Boulevard/Stevenson Boulevard).

G. WALNUT AVENUE BIKEWAY PROJECT - Adoption of a Resolution Authorizing Application for Fiscal Year 2017/2018 Transportation Development Act Article 3 (TDA3) Grant and Acceptance of the TDA3 Funds in the amount of \$216,249 for the Walnut Avenue Bikeway Project between Civic Center Drive and Argonaut Way (PWC8874-A); Exempt from CEQA review per Guidelines Section 15301 (Existing Facilities)

Contact Persons:

Name:	Rene Dalton	Hans Larsen
Title:	Associate Transportation Engineer	Public Works Director
Dept:	Public Works	Public Works
Phone:	510-494-4535	510-494-4722
E-Mail:	rdalton@fremont.gov	hlarsen@fremont.gov

RECOMMENDATIONS:

1. Find the proposed project is exempt from CEQA review pursuant to CEQA Guidelines Section 15301 as the minor alteration of an existing facility involving negligible or no expansion of use beyond that presently existing.
2. Adopt a resolution authorizing the City Manager, or his designee, (a) to apply for Transportation Development Act Article 3 Bicycle and Pedestrian Program Funds in the amount of \$216,249 for the Walnut Avenue Bikeway Project between Civic Center Drive and Argonaut Way for FY 2017/18 with the project elements as originally proposed by staff; and (b) to accept any awarded grant funds for the Project and to execute any necessary implementing documents.
3. Appropriate any grant funds received to PWC8874-521, Walnut Avenue Bikeway Project.

H. TRACT 8229 - Approval of Final Map, Agreements for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 8229, located at 39439 Mission Boulevard (Mission Stevenson)

Contact Persons:

Name:	Anne Quasarano	Hans Larsen
Title:	Associate Civil Engineer	Public Works Director
Dept:	Engineering	Public Works
Phone:	510-494-4767	510-494-4722
E-Mail:	aquasarano@fremont.gov	hlarsen@fremont.gov

RECOMMENDATION: Adopt a resolution to:

1. Approve the Final Map and the Improvement Plans for Tract 8229.
2. Approve the Agreement for Public Improvements entitled "Public Improvement Agreement, Tract 8229", with the developer, TRI Pointe Homes, Inc., 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 8229", with the developer, TRI Pointe Homes,

Inc., 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.*

I. RIDGEWOOD DRIVE EMERGENCY STORM DRAIN REPAIR - Continuation of Emergency Repair of Damaged Storm Drain Line and Associated Street Failure on Ridgewood Drive between Deep Creek Road and Tacoma Common

Contact Persons:

Name:	Edelzar Garcia	Hans Larsen
Title:	Associate Civil Engineer	Public Works Director
Dept:	Public Works	Public Works
Phone:	510-494-4781	510-494-4722
E-Mail:	egarcia@fremont.gov	hlarsen@fremont.gov

RECOMMENDATION: *Determine by 4/5 vote to continue the emergency action for the Ridgewood Drive Emergency Storm Drain Repair Project.*

3. Ceremonial Items

- A. **Proclamation: Bike to Work and School Day, May 11, 2017**
- B. **Proclamation: Harvey Milk Day, May 22, 2017**

4. Public Communications

- A. **Oral and Written Communications**

PUBLIC FINANCING AUTHORITY - None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. Scheduled Items - None.

6. Report from City Attorney - None.

7. Other Business - None.

8. Council Communications

A. Council Referrals

1. MAYOR MEI REFERRAL: Appointments to Advisory Bodies

Appointments:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Environmental Sustainability Commission (Business Community Representative)	Paul Kelley	12/31/2020
Library Advisory Commission	David Sheen	12/31/2018

Contact Persons:

Name: Lily Mei
Title: Mayor
Dept: City Council
Phone: 510-284-4011
E-Mail: lmei@fremont.gov

RECOMMENDATION: Approve appointments.

B. Oral Reports on Meetings and Events

9. Adjournment

ACRONYMS

ABAG	Association of Bay Area Governments	GIS	Geographic Information System
ACE	Altamont Commuter Express	GPA	General Plan Amendment
ACFCD	Alameda County Flood Control District	HARB	Historical Architectural Review Board
ACTC	Alameda County Transportation Commission	HBA	Home Builders Association
ACWD	Alameda County Water District	HRC	Human Relations Commission
ARB	Art Review Board	ICMA	International City/County Management Association
BAAQMD	Bay Area Air Quality Management District	JPA	Joint Powers Authority
BART	Bay Area Rapid Transit District	LLMD	Lighting and Landscaping Maintenance District
BCDC	Bay Conservation & Development Commission	LOCC	League of California Cities
BMPs	Best Management Practices	LOS	Level of Service
BMR	Below Market Rate	MOU	Memorandum of Understanding
		MTC	Metropolitan Transportation Commission
CALPERS	California Public Employees' Retirement System	NEPA	National Environmental Policy Act
CBC	California Building Code	NLC	National League of Cities
CDD	Community Development Department	NPDES	National Pollutant Discharge Elimination System
CC & R's	Covenants, Conditions & Restrictions	NPO	Neighborhood Preservation Ordinance
CDBG	Community Development Block Grant	PC	Planning Commission
CEQA	California Environmental Quality Act	PD	Planned District
CERT	Community Emergency Response Team	PDA	Priority Development Area
CIP	Capital Improvement Program	PUC	Public Utilities Commission
CNG	Compressed Natural Gas	PVAW	Private Vehicle Accessway
COF	City of Fremont	PWC	Public Works Contract
COPPS	Community Oriented Policing and Public Safety	RFP	Request for Proposals
		RFQ	Request for Qualifications
CSAC	California State Association of Counties	RHNA	Regional Housing Needs Allocation
CTC	California Transportation Commission	ROP	Regional Occupational Program
dB	Decibel	RRIDRO	Residential Rent Increase Dispute Resolution Ordinance
DEIR	Draft Environmental Impact Report		
DU/AC	Dwelling Units per Acre	RWQCB	Regional Water Quality Control Board
EBRPD	East Bay Regional Park District	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EDAC	Economic Development Advisory Commission (City)		
EIR	Environmental Impact Report (CEQA)	STIP	State Transportation Improvement Program
EIS	Environmental Impact Statement (NEPA)	TCRDF	Tri-Cities Recycling and Disposal Facility
ERAF	Education Revenue Augmentation Fund	TOD	Transit Oriented Development
EVAW	Emergency Vehicle Accessway	TS/MRF	Transfer Station/Materials Recovery Facility
FAR	Floor Area Ratio	UBC	See CBC
FEMA	Federal Emergency Management Agency	VTA	Santa Clara Valley Transportation Authority
FFD	Fremont Fire Department	WMA	Waste Management Authority
FMC	Fremont Municipal Code		
FPD	Fremont Police Department	ZA	Zoning Administrator
FRC	Family Resource Center	ZTA	Zoning Text Amendment
FUSD	Fremont Unified School District		

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

Date	Time	Meeting Type	Location	Cable Channel 27
May 16, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 23, 2017		No Council Meeting		
May 30, 2017		No Council Meeting		
June 6, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 13, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 20, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 27, 2017		No Council Meeting		
July 4, 2017		<i>Holiday – No Council Meeting</i>		
July 11, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 18, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 25, 2017		No Council Meeting		
August Recess		<i>No Council Meetings</i>		