



City Council Chambers  
3300 Capitol Avenue  
Fremont, CA

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## 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  
  
Susan Gauthier, City Clerk  
Kelly Kline, Economic Development Director  
Hans Larsen, Public Works Director  
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  
Amiel Thurston, Interim Fire Chief  
Suzanne Wolf, Community Services Director

# Fremont City Council Agenda and Report

September 12, 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](http://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](http://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**  
**September 12, 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. TRAFFIC SIGNAL COORDINATION PROJECTS - Appropriate funds and authorize agreements with Alameda County Transportation Commission to receive grant funds in the amount of \$1,071,000 from the Transportation Fund for Clean Air (TFCA) program for various traffic signal coordination projects (PWC 8960, 8961, 8961).**

Contact Persons:

Name:	Donya Amiri	Hans Larsen
Title:	Associate Transportation Engineer	Public Works Director
Dept:	Public Works	Public Works
Phone:	510-494-4757	510-494-4722
E-Mail:	damiri@fremont.gov	hlarsen@fremont.gov

**RECOMMENDATIONS:**

1. Approve and authorize the City Manager or designee to execute funding agreements with Alameda County Transportation Commission to receive grant funds in the amount of \$1,071,000 from the Transportation Fund for Clean Air (TFCA) program for the South Fremont Arterial Management Project (\$425,000), the Paseo Padre Parkway Arterial Management Project (\$312,000), and the Fremont Boulevard, Decoto Road, and Auto Mall Parkway Arterial Management Project (\$334,000).
2. Authorize appropriation of funds to PWC 8960, South Fremont Arterial Management Project, in the amount of \$425,000.
3. Authorize appropriation of funds to PWC 8961, Paseo Padre Parkway Arterial

- Management Project, in the amount of \$312,000.
4. Authorize appropriation of funds to PWC 8962, Fremont Boulevard, Decoto Road, and Auto Mall Parkway Arterial Management Project, in the amount of \$334,000.

**D. CITY OF FREMONT SALARY SCHEDULE ADOPTION - Consideration of a Resolution Adopting the City of Fremont's Salary Schedule**

Contact Persons:

Name:	Allen DeMers	Brian Stott
Title:	Human Resources Deputy Director	Deputy City Manager
Dept:	Human Resources	Human Resources
Phone:	510-494-4651	510-494-4660
E-Mail:	ademers@fremont.gov	bstott@fremont.gov

**RECOMMENDATION:** Adopt a resolution approving the City of Fremont's Salary Schedule as established by the City Manager.

**E. CENTERVILLE UNIFIED SITE REMEDIATION - Approval of Amendment No. 3 with TRC Engineers, Inc. in an Amount Up to \$400,000 for Additional Environmental Remediation Services and Site Closure Activities at the Centerville Unified Site Located at 37070 Fremont Boulevard (PWC 8812).**

Contact Persons:

Name:	Jeanne Suyeishi	Hans Larsen
Title:	Senior Civil Engineer	Public Works Director
Dept:	Public Works	Public Works
Phone:	510-494-4728	510-494-4722
E-Mail:	jsuyeishi@fremont.gov	hlarsen@fremont.gov

**RECOMMENDATIONS:**

1. Approve and authorize the City Manager or designee to execute Amendment No. 3 to the Service Agreement between the City of Fremont and TRC Engineers, Inc., in an amount up to \$400,000 for environmental remediation services and site closure activities.
2. Approve the appropriation of up to \$2,000,000 plus any interest earnings received from North American Title Company to PWC8812-551 Centerville Remediation project.

**F. TRACT 8374 - Approval of Final Map, Agreement for Construction of Private Street Improvements, and Dedication of Public Easements for Tract 8374, located at 44960 Warm Springs Boulevard (Metro Crossing)**

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 8374.
2. Approve the Agreement for Private Improvements entitled "Private Improvement Agreement, Tract 8374", with the developer, Toll CA XX, LP,

and authorize the City Manager to execute the agreement on behalf of the City.

3. 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.

**G. APPROPRIATE MONIES AS THEY ARE RECEIVED INTO DISTRICT ART FUNDS - Appropriate Monies as they are received into the following District Art Funds: PWC8862-502 Downtown Art Fee, PWC8912-502 City Center Art Fee, and PWC8863-502 Warm Springs District Art Fee to fund the district art programs in the Downtown, Warm Springs and City Center districts.**

Contact Persons:

Name:	Alina Kwak	Jessica von Borck
Title:	Management Analyst II	Assistant City Manager
Dept:	City Manager's Office	City Manager's Office
Phone:	284-4014	510-248-4008
E-Mail:	akwak@fremont.gov	jvborck@fremont.gov

**RECOMMENDATION:** Authorize the request to appropriate monies as they are received into the following district art funds: PWC8862-502 Downtown Art Fee, PWC8912-502 City Center Art Fee, and PWC8863-502 Warm Springs District Art Fee including \$656,167.47 of fund balance in the Capital Projects - Outside Sources Fund to PWC8863-502 Warm Springs District Art Fee.

**3. Ceremonial Items - None.**

**4. Public Communications**

**A. Oral and Written Communications**

**INDUSTRIAL DEVELOPMENT AUTHORITY - None.**

**PUBLIC FINANCING AUTHORITY - None.**

**CONSIDERATION OF ITEMS REMOVED FROM  
CONSENT CALENDAR**

**5. Scheduled Items - None.**

**6. Report from City Attorney - None.**

## 7. Other Business

### A. **CalPERS POLICE SAFETY RETIREMENT PLAN AMENDMENT - Consideration of a Resolution of Intent and Introduction of an Ordinance to Amend the City's CalPERS Contract for Police Safety Employees to include the Pre-Retirement Option 2W Death Benefit**

Contact Persons:

Name:	Allen DeMers	Brian Stott
Title:	Human Resources Deputy Director	Deputy City Manager
Dept:	Human Resources	<i>Human Resources</i>
Phone:	510-494-4651	510-494-4660
E-Mail:	ademers@fremont.gov	bstott@fremont.gov

#### **RECOMMENDATION:**

1. Approve a Resolution of Intention to change the existing CalPERS contract for the City of Fremont's Local Police Safety members to include the Pre-Retirement Option 2W Death Benefit.
2. Introduce an ordinance authorizing an amendment to the CalPERS contract between the City Council of the City of Fremont and the Board of Administration of the California Public Employees' Retirement System.
3. Authorize the City Clerk to sign Certification of Compliance with Government Code Section 7507 and Certification of Governing Body's action.

### B. **DISPOSITION OF CITY OWNED DECOTO SITE - Policy Discussion and Identification of Next Steps Regarding the Disposition of the City Owned Decoto Site**

Contact Persons:

Name:	Jessica von Borck
Title:	Assistant City Manager
Dept:	City Manager's Office
Phone:	510-248-4008
E-Mail:	jvborck@fremont.gov

**RECOMMENDATION:** Receive presentation and provide direction.

## 8. Council Communications

### A. **Council Referrals - None.**

### 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**

<b><i>Date</i></b>	<b><i>Time</i></b>	<b><i>Meeting Type</i></b>	<b><i>Location</i></b>	<b><i>Cable Channel 27</i></b>
<b>September 19, 2017</b>	5:30 p.m.	Special Meeting – Work Session	Council Chambers	Live
<b>September 19, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>September 26, 2017</b>		No Council Meeting		
<b>Monday, October 2, 2017</b>	5:30 p.m.	Joint Council/FUSD Meeting	<i>FUSD</i>	Live
<b>October 3, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>October 10, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>October 17, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>October 24, 2017</b>		No Council Meeting		
<b>October 31, 2017</b>		No Council Meeting		
<b>November 7, 2017</b>	5:30 p.m.	Special Meeting – Work Session	Council Chambers	Live
<b>November 7, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>November 14, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>November 21, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>November 28, 2017</b>				
<b>December 5, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>December 12, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>December 19, 2017</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>December 26, 2017</b>				