



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

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

November 21, 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
November 21, 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 OF THE CITY OF FREMONT REAUTHORIZING CHAPTER 5.95, VIDEO SERVICE PROVIDERS AND THE PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (PEG) ACCESS FEE**
RECOMMENDATION: *Adopt ordinance.*
- D. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF FREMONT REZONING A 4.4-ACRE SITE FROM PRELIMINARY PLANNED DISTRICT P-2014-45 TO PRECISE PLANNED DISTRICT P-2017-297 TO ALLOW CONSTRUCTION OF A NEW FOUR-STORY 171-UNIT MARKET-RATE APARTMENT PROJECT FOR SENIORS**
RECOMMENDATIONS: *Adopt ordinance.*
- E. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF FREMONT REZONING PROPERTY LOCATED AT 1507 OLIVE AVENUE FROM R-1-8 (SINGLE-FAMILY RESIDENTIAL) TO PLANNED DISTRICT P-2008-14, AND AMENDING PLANNED DISTRICT P-2008-14 TO ALLOW THE DEVELOPMENT OF A SINGLE-FAMILY RESIDENCE ON THE LOT**
RECOMMENDATION: *Adopt ordinance.*
- F. SELECTION OF THE VICE MAYOR - Select Vice Mayor for 2017-18**

Contact Persons:

Name:	Susan Gauthier	Karena Shackelford
Title:	City Clerk	Deputy City Manager
Dept:	City Clerk's Office	City Manager's Office
Phone:	510-284-4076	510-284-4063
E-Mail:	sgauthier@fremont.gov	kshackelford@fremont.gov

RECOMMENDATION: *Appoint Councilmember Vinnie Bacon as the Vice Mayor for the 2017-18 term.*

G. TRAFFIC SIGNAL MAINTENANCE - Award of Multi-year Contract to Bear Electrical Solutions, Inc., in an amount not to exceed \$600,000 per Fiscal Year for Traffic Signal Maintenance, Repair, and Support Services; Exempt from CEQA Review Per CEQA Guidelines Section 15301 (Existing Facilities)

Contact Persons:

Name:	Sheila Marquises	Hans Larsen
Title:	Senior Transportation Engineer	Public Works Director
Dept:	Public Works	Public Works
Phone:	510-494-4747	510-494-4722
E-Mail:	smarquises@fremont.gov	hlarsen@fremont.gov

RECOMMENDATIONS:

1. Find that award of the Service Agreement to Bear Electrical Solutions, Inc., is not subject to review under the California Environmental Quality Act pursuant to CEQA Guidelines section 15301 as it provides for the maintenance, repair and minor alteration of existing facilities.
2. Approve and authorize the City Manager or designee to execute a Service Agreement with Bear Electrical Solutions, Inc. to provide traffic signal maintenance, repair and support effective January 1, 2018 through June 30, 2021, for a not to exceed compensation amount of \$600,000 per fiscal year and a total not to exceed compensation amount of \$2,100,000 for the initial three and a half year term.
3. Authorize the City Manager or designee to renew the contract with Bear Electrical Solutions for up to two consecutive one year terms beyond the initial three and a half year term with a not to exceed compensation amount of \$600,000 per year.

H. SOLID WASTE CONTRACT AMENDMENT - Approve Amendment to Solid Waste Agreement with Republic Services to Incorporate Contract Extension Option as Previously Authorized by the City Council

Contact Persons:

Name:	Kathleen Cote-Guarnieri	Suzanne Wolf
Title:	Environmental Services Manager	Community Services Director
Dept:	Environmental Services	Community Services
Phone:	510-494-4583	510-494-4329
E-Mail:	kcote@fremont.gov	swolf@fremont.gov

RECOMMENDATION: *Authorize the City Manager, or his designee, to execute the First Amendment to the Amended and Restated Agreement for the Collection, Processing, and Disposal of Municipal Solid Waste, Recyclables, and Organic Waste.*

I. ADDITION TO THE FREMONT REGISTER AND MILLS ACT CONTRACT REGARDING THE DIAS HOUSE- 42232 MISSION BOULEVARD - PLN2018-00066 - Consider Adoption of a Resolution to Accept the Historical Architectural Review Board's Recommendation to Add the Dias House to the Fremont Register of Historic Resources and Approve a Mills Act Historic Preservation Contract for the Dias House, located within the Mission San Jose Community Plan Area. The application is not a project subject to the California Environmental Quality Act (CEQA), as defined in Section 15378 of the CEQA Guidelines, as the application involves no physical change to the environment.

Contact Persons:

Name:	Bill Roth	Kristie Wheeler
Title:	Associate Planner	Planning Manager
Dept:	Planning	Planning
Phone:	510-494-4450	510-494-4454
E-Mail:	broth@fremont.gov	kwheeler@fremont.gov

RECOMMENDATIONS:

1. Hold a public hearing.
2. Find that adding the Dias House to the Fremont Register and the Mills Act contract is not a project subject to the California Environmental Quality Act (CEQA), as defined in Section 15378 of the CEQA Guidelines, as the application involves no physical change to the environment.
3. Adopt a resolution adding the Dias House to the Fremont Register of Historic Resources as shown in Exhibit C.
4. Approve the Mills Act Contract as shown in Exhibit D, pursuant to the findings and subject to the conditions in Exhibit B and authorize the Mayor to execute the final contract.

3. Ceremonial Items

- A. Resolution: Honoring Terence Wong for Thirty Years of Service**
- B. Proclamation: Sikh Awareness and Appreciation Month**
- C. Proclamation: World Pancreatic Cancer Day**
- D. Proclamation: Honoring the Transgender Day of Remembrance**

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

- A. ACCEPTANCE OF COPS GRANT - Public Hearing (Published Notice) for the Acceptance and Spending Plan of the 2017/18 State of California Citizens Option for Public Safety (COPS) Grant**

Contact Persons:

Name:	Deirdre Rockefeller-Ramsey	Richard Lucero
Title:	Business Manager	Police Chief
Dept:	Police Department	Police Department
Phone:	510-790-6991	510-790-6818
E-Mail:	dramsey@fremont.gov	rlucero@fremont.gov

RECOMMENDATION: Adopt a resolution accepting the 2017/18 California Citizens Option for Public Safety (COPS) grant in the amount of \$493,654 as allocated in the Supplemental Law Enforcement Services Account (SLESA) for the Fremont Police Department and adopting the spending plan to purchase items supporting frontline law enforcement services.

B. WARM SPRINGS PUBLIC FACILITIES CFD NO. 2 - Public Hearings on Formation of City of Fremont Community Facilities District No. 2 (Warm Springs Public Facilities) and the Issuance of Bonded Indebtedness; Resolutions Forming CFD No. 2, Declaring the Necessity to Incur Bonded Indebtedness, Calling a Special Election; Declaring Election Results and Directing Recordation of a Special Tax Lien; Authorizing Issuance of Special Tax Bonds; and Introducing an Ordinance Levying Special Taxes in CFD No. 2

Contact Persons:

Name: David Persselin
Title: Finance Director
Dept: Finance Department
Phone: 510-494-4631
E-Mail: dpersselin@fremont.gov

RECOMMENDATIONS:

1. Conduct concurrent public hearings:
 - a. to consider the proposed establishment of CFD No. 2; and
 - b. to consider bonded indebtedness for CFD No. 2.
2. Adopt a Resolution Forming CFD No. 2.
3. Adopt a Resolution Declaring the Necessity to Incur Bonded Indebtedness.
4. Adopt a Resolution Calling a Special Election.
5. Hold the landowner election.
6. Adopt a Resolution Declaring Election Results and Directing a Special Tax Lien be Recorded.
7. Adopt a Resolution Authorizing Issuance of Bonds for CFD No. 2.
8. Introduce Ordinance Levying Special Taxes in CFD No. 2.
9. Direct staff to prepare and the City Clerk to publish a summary of the ordinance.

6. Report from City Attorney

7. Other Business

A. PENSION LIABILITY FUNDING POLICY - Adopt a Resolution Approving a Pension Liability Funding Policy

Contact Persons:

Name: David Persselin
Title: Finance Director
Dept: Finance Department
Phone: 510-494-4631
E-Mail: dpersselin@fremont.gov

RECOMMENDATION: Adopt a resolution approving the pension liability funding policy as described in this staff report.

8. Council Communications

A. Council Referrals

1. MAYOR MEI REFERRAL: Appointment to Advisory Body

Contact Persons:

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

Appointment:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
George W. Patterson House Advisory Board (Citizen At-Large representative)	Christopher Thomas	12/31/2017

RECOMMENDATION: Approve appointment.

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	RWQCB	Regional Water Quality Control Board
DU/AC	Dwelling Units per Acre	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EBRPD	East Bay Regional Park District		
EDAC	Economic Development Advisory Commission (City)	STIP	State Transportation Improvement Program
EIR	Environmental Impact Report (CEQA)	TCRDF	Tri-Cities Recycling and Disposal Facility
EIS	Environmental Impact Statement (NEPA)	TOD	Transit Oriented Development
ERAF	Education Revenue Augmentation Fund	TS/MRF	Transfer Station/Materials Recovery Facility
EVAW	Emergency Vehicle Accessway	UBC	See CBC
FAR	Floor Area Ratio	VTA	Santa Clara Valley Transportation Authority
FEMA	Federal Emergency Management Agency	WMA	Waste Management Authority
FFD	Fremont Fire Department		
FMC	Fremont Municipal Code	ZA	Zoning Administrator
FPD	Fremont Police Department	ZTA	Zoning Text Amendment
FRC	Family Resource Center		
FUSD	Fremont Unified School District		

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

Date	Time	Meeting Type	Location	Cable Channel 27
November 28, 2017		No Council Meeting		
November 28, 2017	5:30 p.m.	<i>CC/FUSD Liaison Committee Meeting</i>	<i>FUSD</i>	<i>Live</i>
December 5, 2017	5:30 p.m.	Special Meeting – Work Session	Council Chambers	Live
December 5, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 12, 2017	5:30 p.m.	Special Meeting – Work Session	Council Chambers	Live
December 12, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 19, 2017	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 26, 2017		No Council Meeting		
December 26, 2017		<i>CC/FUSD Liaison Committee Meeting – Cancelled: Observed Holiday</i>		
January 2, 2018		Cancelled: Observed Holiday		
January 9, 2018	7:00 p.m.	City Council Meeting	Council Chambers	Live
January 16, 2018	7:00 p.m.	City Council Meeting	Council Chambers	Live
January 23, 2018		No Council Meeting		
January 23, 2018		<i>CC/FUSD Liaison Committee Meeting</i>	Council Chambers	Live
January 30, 2018		No Council Meeting		