



City Council Chambers
3300 Capitol Avenue
Fremont, CA

Fremont City Council

Lily Mei, Mayor
Vinnie Bacon, Vice Mayor
Rick Jones
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
Curtis Jacobson, Fire Chief
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
Suzanne Wolf, Community Services Director

Fremont City Council Agenda and Report

January 16, 2018

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.

**NOTICE AND AGENDA OF SPECIAL MEETING
CLOSED SESSION
CITY OF FREMONT**

DATE: Tuesday, January 16, 2018
TIME: 6:15 p.m.
LOCATION: Fremont Room, 3300 Capitol Avenue, Fremont

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT:

Any person desiring to speak on an item listed on this Notice, may do so now. The Mayor will limit the length of your presentation and each speaker may only speak once on each item.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

This Closed Session is authorized by Government Code Section 54956.9(d)(1) regarding the following matter:

Garcia v. City of Fremont, Alameda County Superior Court Case No. HG1680305

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

This Closed Session is authorized by Government Code Section 54956.9 (e)(3) and will pertain to possible initiation of litigation against the City in one matter.

This Special Meeting is being called by Mayor Mei.

**Agenda
Fremont City Council Regular Meeting
January 16, 2018
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 – for the Special Meeting-Work Session of December 5, 2017, the Special and Regular Meetings of December 5, 2017, the Special Meeting-Work Session of December 12, 2017, the Special and Regular Meetings of December 12, 2017, and the Special and Regular Meetings of January 9, 2018**

Contact Persons:

*Name: Susan Gauthier
Title: City Clerk
Dept: City Clerk's Office
Phone: 510-284-4076
E-Mail: sgauthier@fremont.gov*

RECOMMENDATION: *Approve minutes.*

- C. PURCHASE OF FLEET VEHICLES - Approval of Purchase Order Contracts with The Ford Store San Leandro for 16 Fleet Vehicles in an Amount Not to Exceed \$481,008.27; with Nixon-Egli Equipment Co. for One Petersen TL3 Box Loader Truck in an amount not to Exceed \$197,094.16 and, with Tymco, Inc., for Two Street Sweepers in an Amount Not to Exceed \$566,286.46. Exempt from CEQA Review per Guideline 15061**

Contact Persons:

<i>Name:</i>	<i>Mark Collins</i>	<i>Hans Larsen</i>
<i>Title:</i>	<i>Fleet Maintenance Manager</i>	<i>Public Works Director</i>
<i>Dept:</i>	<i>Maintenance</i>	<i>Public Works</i>
<i>Phone:</i>	<i>510-979-5739</i>	<i>510-494-4722</i>
<i>E-Mail:</i>	<i>mcollins@fremont.gov</i>	<i>hlarsen@fremont.gov</i>

RECOMMENDATION:

1. Authorize the City Manager or designee to execute a purchase order contract with The Ford Store San Leandro for the purchase of 16 fleet vehicles, in an amount not to exceed \$481,008.27.
2. Authorize the City Manager or designee to execute a purchase order contract with Nixon-Egli Equipment Co. for the purchase of one Petersen TL3 box loader truck, in an amount not to exceed \$197,094.16.
3. Authorize the City Manager or designee to execute a purchase order contract with Tymco, Inc. for the purchase of two regenerative air street sweepers, in an amount not to exceed \$566,286.46.

D. AUTHORIZE AND APPROPRIATE SHSGP FOR TYPE III INCIDENT MANAGEMENT RESPONSE - Authorize City Manager or his Designee to Accept and Agree to the Terms to Receive the State Homeland Security Grant for Type III Incident Management Response Training

Contact Persons:

Name:	Corina Campbell	Amiel Thurston
Title:	Business Manager	Interim Fire Chief
Dept:	Fire Department	Prevention Bureau
Phone:	510-494-4622	510-494-4213
E-Mail:	ccampbell@fremont.gov	athurston@fremont.gov

RECOMMENDATION:

1. Authorize the City Manager or designee to accept a grant from and execute any required agreements or other documentation for the State Homeland Security Grant Program in the amount of \$27,900 for Type 3 Incident Management Training for the Fire Department
2. Appropriate the \$27,900 to Fund 199 (Miscellaneous Federal Grants) for Fiscal Year 2017/18.

E. SULLIVAN UNDERPASS IMPROVEMENT PROJECT - Approval of Plans and Specifications; Award of Contract to Guerra Construction Company in the Amount of \$818,588.00; and Fund Transfers for the Sullivan Underpass Improvement Project (PWC 8374). Exempt from Environmental Review per CEQA Guideline Section 15301 (Existing Facilities)

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

RECOMMENDATION: Approval of the following actions related to the Sullivan Underpass Improvement Project (PWC 8374):

1. Find that this project is categorically exempt from review under California Environmental Quality Act (CEQA) review 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 presenting existing.
2. Approve the plans and specifications for this project.
3. Accept the bid and award the construction contract to the lowest responsive and responsible bidder, Guerra Construction Company in the amount of \$818,588.00 and authorize the City Manager or designee to execute the contract.
4. Transfer \$200,000 from PWC8883-520 and appropriate it to PWC8374-520.
5. Transfer \$150,000 from PWC8944-519 and appropriate it to PWC8374-519.
6. Transfer \$200,000 from PWC8944-520 and appropriate it to PWC8374-520.

F. AWARD A CONSTRUCTION CONTRACT FOR THE CENTRAL PARK NORTH (ALWAYS DREAM) RESTROOM REPLACEMENT PROJECT, RE-BID (PWC8718) Approve the Plans and Specifications, Reject the low bid from ICC General Contractors, transfer \$197,223 from PWC8878-533 to PWC8718-533, and Award a Construction Contract in the Amount of \$979,215.93 to JCP Industries, LLC, and for the Central Park North (Always Dream) Restroom Replacement, City Project No. PWC 8718

Contact Persons:

Name:	Mark Mennucci	Roger Ravenstad
Title:	Senior Landscape Architect	Parks Planning and Design Manager
Dept:	Landscape Architecture	Landscape Architecture
Phone:	510-494-4530	510-494-4723
E-Mail:	mmennucci@fremont.gov	rravenstad@fremont.gov

RECOMMENDATION:

1. Find the project to be categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15302 as the replacement or reconstruction of existing structures and facilities involving negligible or no expansion of capacity.
2. Transfer \$197,223 from PWC8878-533 to PWC8718-533 for the Central Park North (Always Dream) Restroom Replacement;
3. Deem ICC General Contractors, Inc.'s bid nonresponsive and reject the bid.
4. Approve the plans and specifications for the Central Park North (Always Dream) Restroom Replacement, accept the bid and award the construction contract to JCP Industries, LLC., for the total construction contract amount of \$979,215.93

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

7. Other Business – None

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	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
January 23, 2018		No Council Meeting		
January 23, 2018	<i>5:30 p.m.</i>	<i>CC/FUSD Liaison Committee Meeting</i>	<i>FUSD</i>	<i>Live</i>
January 30, 2018		No Council Meeting		
Monday, February 5, 2018	5:30 p.m.	Joint Council/FUSD Meeting	Council Chambers	Live
February 6, 2018	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 13, 2018	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 20, 2018	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 27, 2018		No Council Meeting		
February 27, 2018	<i>5:30 p.m.</i>	<i>CC/FUSD Liaison Committee Meeting</i>	<i>Council Chambers</i>	<i>Live</i>
March 6, 2018	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 13, 2018	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 20, 2018	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 27, 2018		No Council Meeting		
March 27, 2018	<i>5:30 p.m.</i>	<i>CC/FUSD Liaison Committee Meeting</i>	<i>FUSD</i>	<i>Live</i>