



City Council Chambers
3300 Capitol Avenue
Fremont, CA

Fremont City Council

Lily Mei, Mayor
Raj Salwan, Vice Mayor
Vinnie Bacon
Teresa Keng, District 1
Rick Jones, District 2
Jenny Kassan, District 3
Yang Shao, District 4

City Staff

Mark Danaj, City Manager
Harvey E. Levine, City Attorney
Karena Shackelford, Assistant City Manager
Brian Stott, Assistant City Manager
Christina Briggs, Economic Development Director
Marilyn Crane, Interim CTO/IT Director
Allen DeMers, Human Resources Director
Susan Gauthier, City Clerk
Curtis Jacobson, Fire Chief
Hans Larsen, Public Works Director
David Persselin, Finance Director
Kimberly Petersen, Chief of Police
Dan Schoenholz, Community Dev. Director
Suzanne Shenfil, Human Services Director
Suzanne Wolf, Community Services Director

Fremont City Council Agenda and Report

February 05, 2019

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
February 05, 2019
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 Regular Meeting of December 11, 2018, the Special and Regular Meetings of December 18, 2018, and the Regular Meeting of January 15, 2019**

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. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF FREMONT REZONING A 1.19- ACRE SITE, LOCATED AT 39392 BLACOW ROAD, FROM R-1-6 (SINGLE FAMILY RESIDENTIAL) TO PRELIMINARY AND PRECISE PLANNED DISTRICT P-2018-292, TO ALLOW THE DEVELOPMENT OF EIGHT SMALL-LOT SINGLE FAMILY HOMES AND RELATED IMPROVEMENTS**

RECOMMENDATION: Adopt ordinance.

- D. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF FREMONT AMENDING FREMONT MUNICIPAL CODE TITLE 5, BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.30 MINIMUM WAGE**

RECOMMENDATION: Adopt ordinance.

E. ORDINANCE AMENDING CITY'S PURCHASING CODE CONSISTENT WITH A.B. 2249 TO REFLECT INCREASED MONETARY LIMITS FOR INFORMAL PUBLIC CONSTRUCTION PROJECT BIDDING PROCEDURES - Consideration of An Ordinance of the City of Fremont Amending Section 3.20.130 of the Fremont Municipal Code, Public Project Construction, by Adjusting the Monetary Limits Prescribed for Public Construction Contract Formal and Informal Bidding Procedures, Consistent with Chapter 169 of the Statutes of 2018 (A.B. 2249), Effective January 1, 2019; and a Finding that the Ordinance is Exempt from Review under the California Environmental Quality Act (CEQA) Because It Is Not a Project within the Meaning of CEQA Guidelines Section 15378

Contact Persons:

Name:	Erik Ramakrishnan	David Persselin
Title:	Deputy City Attorney	Finance Director
Dept:	City Attorney's Office	Finance Department
Phone:	510-284-4033	510-494-4631
E-Mail:	eramakrishnan@fremont.gov	dpersselin@fremont.gov

RECOMMENDATIONS:

1. Introduce the proposed ordinance and waive the first reading.
2. Direct staff to prepare, and the City Clerk to publish, a summary of the ordinance.
3. Find that the adoption of the ordinance is exempt from review under the California Environmental Quality Act (CEQA) because adoption of the ordinance is not a project within the meaning of CEQA Guidelines Section 15378.

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

A. BOND ISSUANCE FOR KDF COMMUNITIES - Public Hearing (Published Notice) in Accordance with the Tax Equity and Fiscal Responsibility Act (TEFRA) to Consider the Issuance of Tax-Exempt Bonds by California Statewide Communities Development Authority (CSCDA) for KDF Communities

Contact Persons:

Name:	Mario Rosas	David Persselin
Title:	Budget and Treasury Analyst	Finance Director
Dept:	Finance Department	Finance Department
Phone:	510-494-4637	510-494-4631
E-Mail:	mrosas@fremont.gov	dpersselin@fremont.gov

RECOMMENDATIONS:

1. Hold a public hearing in accordance with TEFRA;
2. Adopt a Resolution Approving the Issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority for the purpose of financing an affordable housing project in the City of Fremont to be developed by KDF Communities.

6. Report from City Attorney

7. Other Business

A. RENT REVIEW ORDINANCE ANNUAL REPORT - Annual Report on the Implementation and Operation of the Rent Review Ordinance and Recommended Ordinance Changes

Contact Persons:

Name:	Nancy Sa	Suzanne Shenfil
Title:	Management Analyst I	Director
Dept:	Human Services Department	Human Services Department
Phone:	510-574-2082	510-574-2051
E-Mail:	nsa@fremont.gov	sshensif@fremont.gov

RECOMMENDATIONS:

1. Accept the Rent Review Ordinance Annual Report.
2. Provide feedback and direction to staff on each of the eight potential solutions to the RRO limitations presented, and provide any additional solutions the Council would like to explore.

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

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

Date	Time	Meeting Type	Location	Cable Channel 27
February 12, 2019		7 PM City Council Meeting **CANCELLED**		
February 19, 2019	5:30 p.m.	Special Meeting / Work Session	Council Chambers	Live
February 19, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 26, 2019		No 7 PM City Council Meeting		
February 26, 2019	5:30 p.m.	Joint Council/FUSD Meeting	FUSD	Live
February 26, 2019		<i>CC/FUSD Liaison Committee Meeting</i> **CANCELLED**		
March 5, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 12, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 19, 2019	5:30 p.m.	Special Meeting / Work Session	Council Chambers	Live
March 19, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 26, 2019		No 7 PM City Council Meeting		
March 26, 2019	5:30 p.m.	<i>CC/FUSD Liaison Committee Meeting</i>	<i>Council Chambers</i>	<i>Live</i>
April 2, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 9, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 16, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 23, 2019		No 7 PM City Council Meeting		
April 23, 2019		<i>CC/FUSD Liaison Committee Meeting</i> **CANCELLED**		
April 30, 2019		No 7 PM City Council Meeting		