



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 19, 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 19, 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 - None

C. SECOND READING AND ADOPTION 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), WHICH TOOK EFFECT JANUARY 1, 2019

RECOMMENDATION: Adopt ordinance.

D. CAPITAL PROJECT CLOSEOUTS - Approve the Closeout of Completed Capital Projects and Partial Defunding of Selected Projects; and Approval of Fund Transfers, and Appropriations

Contact Persons:

Name:	Michelle Silva-Salinas	Hans Larsen
Title:	Business Manager	Public Works Director
Dept:	Public Works	Public Works
Phone:	510-979-5705	510-494-4722
E-Mail:	msilva-salinas@fremont.gov	hlarsen@fremont.gov

RECOMMENDATIONS:

1. Approve the closeout of the capital projects identified on Exhibit A - Project Closeout List and return the remaining project appropriations to available fund balance in their respective funds.
2. Approve the defunding of the capital projects identified on Exhibit B - Project Defund List and return the remaining project appropriations to available fund balance in their respective funds.

3. Approve appropriation of closed and defunded funds to eligible projects identified on Exhibit C - Project Appropriation List.
4. Approve transfer of the remaining appropriations and unallocated fund balance of approximately \$116,000 from fund 530 Park Benefit Fees to fund 543 Park Dedication Fees. This action closes out fund 530.
5. Appropriate \$500 of additional grant funds to PWC8234-522 Pavement Rehabilitation.
6. Accept and appropriate \$25,000 from Audi of Fremont for public art to PWC8686-502 Public Art 2008 project.
7. Upon receipt of funds and completion and recording of the Final Map for the Ursa Drive Project (17PLN0188), accept and appropriate \$100,000 from Robson Homes, LLC, to PWC8777-545 for the Warm Springs Meeting Room and Restroom Replacement Project.

E. WASHINGTON BOULEVARD SAFETY IMPROVEMENTS PROJECT - Reject all Bids Received on January 22, 2019 for the Washington Boulevard Safety Improvements Project (PWC8919)

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: Reject all bids submitted on January 22, 2019 for the Washington Boulevard Safety Improvements Project (PWC8919) and direct staff to re-bid the project.

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. GENERAL PLAN AMENDMENT SCREENING REQUESTS – (Oakmont of Fremont – 4546 and 4588 Peralta Boulevard – PLN2019-00175) and (The Golden Pines – 43450 Sabercat Road – PLN2019-00176) – Public Hearing (Published Notice) to Consider General Plan Amendment Screening Requests to Authorize Formal Processing of General Plan Amendment Applications to Change the Land Use Designation of Property Located at 4546 and 4588 Peralta Boulevard, and 43450 Sabercat Road to Facilitate Additional Market Rate Residential Development, and to Consider a Finding that the Requests are not Subject to the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15378 in that They do not Meet CEQA’s Definition of a Project.**

Contact Persons:

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

RECOMMENDATIONS:

1. Hold public hearing.
2. Find that no environmental review is required pursuant to the California Environmental Quality Act (CEQA) as the requests do not constitute a project as defined by CEQA Guidelines Section 15378;
3. Determine whether to grant authorization of formal processing of a General Plan Amendment application for Request #2 (Oakmont of Fremont – PLN2019-00175); and
4. Determine whether to grant authorization of formal processing of a General Plan Amendment application for Request #3 (The Golden Pines – PLN2019-00176).

B. CARBON NEUTRALITY RESOLUTION - Referral from the Environmental Sustainability Commission: Resolution to Adopt a Goal to Achieve Carbon Neutrality by 2045, Set an Interim Greenhouse Gas Emissions Reduction Target of 55% by 2030, and Establish a Framework for a Post-Carbon Community

Contact Persons:

Name:	Rachel DiFranco	Dan Schoenholz
Title:	Sustainability Manager	Community Development Director
Dept:	Community Development	<i>Community Development</i>
Phone:	510-494-4451	510-494-4438
E-Mail:	rdifranco@fremont.gov	dschoenholz@fremont.gov

RECOMMENDATION: Receive and consider the referral from the Environmental Sustainability Commission for the City Council to adopt a Resolution to achieve carbon neutrality by 2045, set an interim greenhouse gas emissions reduction target of 55% by 2030, and establish a framework for a post-carbon community.

6. Report from City Attorney

7. Other Business

A. JANUARY 2019 CITY COUNCIL RETREAT - Acceptance of the January 2019 New City Council Retreat Report and Identified Council Priorities

Contact Persons:

Name:	Karena Shackelford
Title:	Assistant City Manager
Dept:	City Manager's Office
Phone:	510-284-4063
E-Mail:	kshackelford@fremont.gov

RECOMMENDATION: Accept the January 2019 City Council Retreat Report.

8. Council Communications

A. Council Referrals

1. MAYOR MEI REFERRAL: Requesting Adoption of a Resolution to Update Council Assignments to Outside Committees, Commissions, and Boards

Contact Persons:

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

RECOMMENDATION: Adopt a resolution designating Council assignments to outside committees, commissions and boards.

2. MAYOR MEI REFERRAL: Appointments and Reappointments to Advisory Bodies

Contact Persons:

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

Appointments:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Art Review Board	Christina Valdez	12/31/2022
Youth Advisory Commission	Annie Koruga	12/31/2020
Planning Commission	Jose Oropeza	12/31/2022

Reappointments:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Economic Development Advisory Commission (At Large Representative)	Jim Tietz	12/31/2022
Economic Development Advisory Commission (Commercial / Industrial Representative)	Matt Ebner	12/31/2022
Environmental Sustainability Commission (Commercial / Industrial Representative)	John Rennels, Jr.	12/31/2022
Environmental Sustainability Commission (At Large Representative)	Shiva Swaminathan	12/31/2022
Environmental Sustainability Commission (At Large Representative)	Daniel O'Donnell	12/31/2022

Library Advisory Commission	Erika Albury	12/31/2022
	David Sheen	12/31/2022
	Chitraleka Vivek	12/31/2022
Library Advisory Commission (<i>Friends of the Library Representative</i>)	Patricia Finch	12/31/2022
Youth Advisory Commission	Sriansh Pasumarthi	12/31/2020
	Vishrant Prabhu	12/31/2020
	Riya Chopra	12/31/2020
	Tavish Mohanti	12/31/2020
	Kaijing Yan	12/31/2020

RECOMMENDATION: Approve appointments and reappointments.

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	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
CALPERS	California Public Employees' Retirement System	MTC	Metropolitan Transportation Commission
CBC	California Building Code	NEPA	National Environmental Policy Act
CDD	Community Development Department	NLC	National League of Cities
CC & R's	Covenants, Conditions & Restrictions	NPDES	National Pollutant Discharge Elimination System
CDBG	Community Development Block Grant	NPO	Neighborhood Preservation Ordinance
CEQA	California Environmental Quality Act	PC	Planning Commission
CERT	Community Emergency Response Team	PD	Planned District
CIP	Capital Improvement Program	PDA	Priority Development Area
CNG	Compressed Natural Gas	PUC	Public Utilities Commission
COF	City of Fremont	PVAW	Private Vehicle Accessway
COPPS	Community Oriented Policing and Public Safety	PWC	Public Works Contract
CSAC	California State Association of Counties	RFP	Request for Proposals
CTC	California Transportation Commission	RFQ	Request for Qualifications
dB	Decibel	RHNA	Regional Housing Needs Allocation
DEIR	Draft Environmental Impact Report	ROP	Regional Occupational Program
DU/AC	Dwelling Units per Acre	RWQCB	Regional Water Quality Control Board
EBCE	East Bay Community Energy	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EBRPD	East Bay Regional Park District	STIP	State Transportation Improvement Program
EDAC	Economic Development Advisory Commission (City)	TCRDF	Tri-Cities Recycling and Disposal Facility
EIR	Environmental Impact Report (CEQA)	TOD	Transit Oriented Development
EIS	Environmental Impact Statement (NEPA)	TS/MRF	Transfer Station/Materials Recovery Facility
EVAW	Emergency Vehicle Accessway	UBC	See CBC
FAR	Floor Area Ratio	VMT	Vehicle Miles Travelled
FEMA	Federal Emergency Management Agency	VTA	Santa Clara Valley Transportation Authority
FFD	Fremont Fire Department	WMA	Waste Management Authority
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**

<i>Date</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>	<i>Cable Channel 27</i>
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 **CANCELLED**</i>		
March 5, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 12, 2019		7 PM City Council Meeting **CANCELLED**		
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	5:30 p.m.	Special Meeting / Work Session	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 **CANCELLED**</i>		
April 30, 2019		No 7 PM City Council Meeting		