



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

April 16, 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](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**  
**April 16, 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 FREMONT MUNICIPAL CODE CHAPTER 9.60 RENT REVIEW SECTIONS 0.60.020, 9.60.030, 9.60.040, 9.60.050 AND 9.60.070 AND CHAPTER 2.20 DEPARTMENTS, BOARDS AND COMMISSIONS, SECTION 2.20.650**  
**RECOMMENDATION:** Adopt ordinance.
- D. LIGHTING, LANDSCAPE & MAINTENANCE SERVICES FOR DISTRICT 88 - Award Maintenance Agreement and Authorize the City Manager or Designee to Execute Facilities Maintenance Service Agreement with New Image Landscape Company**

Contact Persons:

Name:	Andrew Freeman	Suzanne Wolf
Title:	Business Manager	Community Services Director
Dept:	Community Services	Community Services
Phone:	510-494-4757	510-494-4329
E-Mail:	afreeman@fremont.gov	swolf@fremont.gov

**RECOMMENDATION:** Award a five-year facilities maintenance services contract and authorize the City Manager or designee to execute agreement with New Image Landscape Company with a total not to exceed amount of \$586,286.

- E. FREMONT LANDSCAPE MAINTENANCE DISTRICT 88 - Adopt a Resolution Ordering the Preparation and Filing of the Annual Engineer's Report for Landscaping Assessment District 88 and Adopt a Resolution Stating the City Council's Intention to Levy Assessments for Landscape Assessment District 88 for Fiscal Year 2019/20**

Contact Persons:

Name:	Andrew Freeman	Kim Beranek
Title:	Business Manager	Deputy Director
Dept:	Community Services	Community Services
Phone:	510-494-4757	510-494-4330
E-Mail:	afreeman@fremont.gov	kberanek@fremont.gov

**RECOMMENDATIONS:**

1. Adopt a resolution ordering the preparation and filing of the annual Engineer's Report for Landscaping Assessment District 88 for Fiscal Year 2019/20.
2. Adopt a resolution stating the intent of the City Council of the City of Fremont to levy and collect assessments for Fremont Landscaping Assessment District 88 for Fiscal Year 2019/20.

**F. CALIFORNIA NURSERY HISTORICAL PARK RETAIL BUILDING DEMOLITION PROJECT (PWC8827) – Approval of Plans and Specifications for the California Nursery Historical Park Retail Building Demolition Project; Award a Contract to Resource Environmental, Inc. for the bid amount of \$95,000, allocate a 20% Construction Contingency Amount of \$19,000, for a Total Construction Contract Amount of \$114,000 for the California Nursery Historical Park Retail Building Demolition Project.**

Contact Persons:

Name:	Rico Lardizabal	Roger Ravenstad
Title:	Associate Landscape Architect	Parks Planning and Design Manager
Dept:	Landscape Architecture	Landscape Architecture
Phone:	510-494-4743	510-494-4723
E-Mail:	rlardizabal@fremont.gov	rravenstad@fremont.gov

**RECOMMENDATIONS:**

1. Approve the Plans and Specifications for the California Nursery Historical Park Retail Building Demolition (PWC8837). Plans and Specifications are available upon request.
2. Find the project is consistent with the adopted California Nursery Historical Park Master Plan, for which an Environmental Impact Report (EIR) was previously prepared and certified in accordance with the requirements of the California Environmental Quality Act (CEQA).
3. Accept the bid, including the Base Bid and Alternate 1, and award a construction contract and authorize the City Manager or his designee to execute all construction related documents with the lowest responsive and responsible bidder, Resource Environmental, Inc. in the amount of \$95,000. Allocate a 20% construction contingency in the amount of \$19,000 for a total construction contract amount of \$114,000.

**G. SHELTER CRISIS RESOLUTION - Resolution Authorizing the City Manager to Implement the City's Housing Navigation Center for the Homeless and Take Immediate and Emergency Actions Pursuant to the Council's Shelter Crisis Declaration**

Contact Persons:

Name:	Suzanne Shenfil
Title:	Director
Dept:	Human Services Department
Phone:	510-574-2051
E-Mail:	sshensif@fremont.gov

**RECOMMENDATION:** City staff is recommending that the City Council adopt this Resolution to authorize the City Manager to:

1. Take immediate and emergency actions to implement a Housing Navigation Center. These emergency actions would include authority to enter into contracts (for site preparation and building procurement) solely for the HNC above his existing signing authority, but within the overall budget for the center and, as allowed by law and pursuant to the City's police powers, approve the suspension of land use and zoning regulations (not health and safety regulations), as appropriate, and modify and/or waive bid and purchasing requirements for the HNC to expedite the implementation of the HNC;
2. Select a Service Provider to operate the HNC after responses to a Request for Information or a similar streamlined selection process have been reviewed; and
3. Bring back to Council for approval the final proposed project, site selection and budget for both capital and operating costs of the HNC.

**H. TRACT 8385 - Approval of Final Map, Agreements for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 8385, located at 34240 & 34254 Fremont Boulevard**

Contact Persons:

Name:	Jian Huang	Hans Larsen
Title:	Associate Civil Engineer	Public Works Director
Dept:	Public Works	Public Works
Phone:	510-494-4733	510-494-4722
E-Mail:	jhuang@fremont.gov	hlarsen@fremont.gov

**RECOMMENDATION:** Adopt a resolution to:

1. Approve the Final Map and the Improvement Plans for Tract 8385.
2. Approve the Agreement for Public Improvements entitled "Public Improvement Agreement, Tract 8385", with the developer, NFBTHs Ventures, LLC, and authorize the City Manager to execute the agreement on behalf of the City.
3. Approve the Agreement for Private Improvements entitled "Private Improvement Agreement, Tract 8385", with the developer, NFBTHs Ventures, LLC, and authorize the City Manager to execute the agreement on behalf of the City.
4. 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.

**I. WASHINGTON BOULEVARD SAFETY IMPROVEMENTS PROJECT - Approval of Plans and Specifications; Award Contract to Sposeto Engineering in the Amount of \$482,758.05; and Reallocate Funds for the Washington Boulevard Safety Improvements Project (PWC8919); Exempt from Environmental Review per CEQA Guidelines Section 15301 (Existing Facilities).**

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

**RECOMMENDATIONS:** Approval of the following actions related to the Washington Boulevard Safety Improvements Project (PWC8919):

1. Find that this project is exempt from 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 presently exist.

2. Approve the plans and specifications for the project.
3. Reject the bids as non-responsive from the lowest monetary bidder, Guerra Construction Group; the third lowest monetary bidder, Kerex Engineering; the fourth lowest monetary bidder, Gruendl Inc. DBA Ray's Electric; and the fifth lowest monetary bidder, Bay Construction Company.
4. Accept the bid and award the construction contract to the lowest responsive and responsible bidder, Sposeto Engineering, Inc. in the amount of \$482,758.05 and authorize the City Manager or designee to execute the contract.
5. Reallocate \$75,000 from PWC8966-502 to PWC8919-502.
6. Reallocate \$14,481.00 from PWC8944-509 to PWC8919-509.
7. Reallocate \$8,987.38 from PWC8944-519 to PWC8919-519.
8. Reallocate \$91,531.62 from PWC8875-518 to PWC8919-518.

**J. INVESTMENT ADVISORY SERVICES – Authorization to Execute Agreement for Investment Advisory Services with PFM Asset Management LLC**

Contact Persons:

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

**RECOMMENDATION:** Authorize the City Manager or his designee to execute an agreement with PFM Asset Management LLC to provide investment advisory services at an annual not-to-exceed amount of \$200,000 for a term beginning when the previous agreement expires and ending on June 30, 2025.

**3. Ceremonial Items**

- A. Proclamation: Autism Awareness Month, April 2019**

**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
		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
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
		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**

<b>Date</b>	<b>Time</b>	<b>Meeting Type</b>	<b>Location</b>	<b>Cable Channel 27</b>
<b>April 23, 2019</b>		No 7 PM City Council Meeting		
<b>April 23, 2019</b>		<i>CC/FUSD Liaison Committee Meeting **CANCELLED**</i>		
<b>April 30, 2019</b>		No 7 PM City Council Meeting		
<b>Monday, May 6, 2019</b>	5:30 p.m.	Joint Council/FUSD Meeting	Council Chambers	Live
<b>May 7, 2019</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>May 14, 2019</b>		<b>**CANCELLED**</b>		
<b>May 21, 2019</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>May 28, 2019</b>		No 7 PM City Council Meeting		
<b>May 28, 2019</b>	5:30 p.m.	<i>CC/FUSD Liaison Committee Meeting</i>	<i>FUSD</i>	<i>Live</i>
<b>June 4, 2019</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>June 11, 2019</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>June 18, 2019</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>June 25, 2019</b>		No 7 PM City Council Meeting		
<b>June 25, 2019</b>	5:30 p.m.	<i>CC/FUSD Liaison Committee Meeting</i>	<i>FUSD</i>	<i>Live</i>