



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

June 04, 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.

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

DATE: Tuesday, June 4, 2019

TIME: 5:30 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 prior to the commencement of the closed session. The Mayor will limit the length of your presentation and each speaker may only speak once on each item.

CONFERENCE WITH LABOR NEGOTIATOR: The City Council will hold a special meeting which will commence as an open meeting and then adjourn to a closed session as authorized by Government Code Section 54957.6 for the purpose of reviewing its position for upcoming employee negotiations and for instructing Mark Danaj, City Manager; Brian Stott, Assistant City Manager; Karena Shackelford, Assistant City Manager; Allen DeMers, Human Resources Director; Kim Petersen, Chief of Police; Dave Persselin, Finance Director; Harvey Levine, City Attorney, as the City's negotiators regarding salaries, salary schedules, compensation paid in the form of fringe benefits of its represented and unrepresented employees, and for any other matters within the statutorily provided scope of representation.

The names of the organizations representing employees in question are:

Fremont Association of Management Employees
City of Fremont Employee Association
Operating Engineers, Local Union No. 3
Fremont Police Association
Fremont Police Managers' Association
Professional Engineers and Technicians Association
Teamsters, Local 856
Fremont Professional Fire Fighters, International Association of
Fire Fighters, Local 1689
Battalion Chiefs, International Association of Fire Fighters, Local 1689

This Special Meeting is being called by Mayor Mei.

Agenda
Fremont City Council Regular Meeting
June 04, 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. AMEND MASTER FEE SCHEDULE TO CONFORM TO AB1379 - Adopt a Resolution Amending the Master Fee Schedule to Implement Changes to Conform to Assembly Bill 1379 Requiring Collection of a \$4.00 Annual Fee with the City's Business Tax for the Purpose of Increasing Disability Access and Compliance with ADA Guidelines

Contact Persons:

Name:	John Kachmanian	David Persselin
Title:	Finance Operations Manager	Finance Director
Dept:	Revenue	Finance Department
Phone:	510-494-4693	510-494-4631
E-Mail:	jkachmanian@fremont.gov	dpersselin@fremont.gov

RECOMMENDATION: *Adopt a resolution to amend the Master Fee Schedule to increase the State-mandated fee from \$1.00 to \$4.00 pursuant to Assembly Bill 1379, effective January 1, 2018.*

D. FY 2019/20 MEMORANDA OF UNDERSTANDING WITH ALAMEDA COUNTY REGARDING MEDI-CAL - Authorize the City Manager to Execute Two Memoranda of Understanding with the Alameda County Health Care Services Agency for Fremont Human Services FY 2019/20 Medi-Cal Administrative Activities and Targeted Case Management Services

Contact Persons:

Name:	Leticia Leyva	Suzanne Shenfil
Title:	Management Analyst II	Director
Dept:	Human Services Department	Human Services Department
Phone:	510-574-2072	510-574-2051
E-Mail:	lleyva@fremont.gov	sshensif@fremont.gov

RECOMMENDATION: Authorize the City Manager or designee to execute Memoranda of Understanding with the Alameda County Health Care Services Agency to enable the City's Human Services Department to receive reimbursement for eligible FY 2019/20 expenses through Alameda County's Targeted Case Management (TCM) Program and for Medi-Cal Administration Activities (MAA), as described in this staff report. Adopt a resolution delegating to the City Manager or designee the authority to sign, certify or execute documents on behalf of the City with respect to the MAA and TCM programs.

E. ANNUAL APPROVAL OF INVESTMENT POLICY - Annual Approval of Investment Policy; Revision to Authorized Investments; Annual Delegation of Authority to City Treasurer to Manage Investments

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 City's Investment Policy for FY 2019/20 and delegating the City Council's authority to invest and reinvest public funds, and to sell or exchange securities so purchased, to the Finance Director/Treasurer for one year or until earlier revoked by the City Council.

F. TRACT 8390 - Approval of Final Map, Agreements for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 8390, located at 39009 Cindy Street

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 8390.
2. Approve the Agreement for Public Improvements entitled "Public Improvement Agreement, Tract 8390", with the developer, Golden Estate Development, 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 8390", with the developer, Golden Estate Development, 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.

G. VACATION OF A PORTION OF LIBERTY STREET - Initiation of a Proceeding to Vacate a Portion of Liberty Street near Walnut Avenue and Set a Public Hearing on July 2, 2019 at 7:00 p.m.

Contact Persons:

Name:	Kelly Reynolds	Hans Larsen
Title:	Associate Civil Engineer	Public Works Director
Dept:	Engineering	Public Works
Phone:	510-494-4737	510-494-4722
E-Mail:	kreynolds@fremont.gov	hlarsen@fremont.gov

RECOMMENDATION: Adopt a motion to initiate proceedings to vacate a portion of Liberty Street, set a public hearing on July 2, 2019 at 7:00 p.m., direct the City Clerk to publish the public hearing, and direct the Director of Public Works to post the site with a Notice of Public Hearing.

H. WATERPARK FACILITIES MAINTENANCE AND REPAIRS - Authorize the City Manager or Designee to Execute First Amendment for Aqua Adventure Waterpark Maintenance and Repairs with National Aquatic Services

Contact Persons:

Name:	Kim Beranek	Suzanne Wolf
Title:	Deputy Director	Community Services Director
Dept:	Community Services	Community Services
Phone:	510-494-4330	510-494-4329
E-Mail:	kberanek@fremont.gov	swolf@fremont.gov

RECOMMENDATION: Authorize the City Manager or designee to execute the first amendment for the Pool Preventative Maintenance and Replacement agreement with National Aquatic Services.

3. Ceremonial Items

- A. Proclamation: Recognizing Diffuse Intrinsic Pontine Gliomas (DIPG) Awareness Day, May 17, 2019**
- B. Proclamation: Pride Month, June 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

A. **FIRST PUBLIC HEARING ON FY 2019/20 PROPOSED OPERATING BUDGET - First Public Hearing (Published Notice) on FY 2019/20 Proposed Operating Budget**

Contact Persons:

Name:	Mike Sung	David Persselin
Title:	Deputy Finance Director	Finance Director
Dept:	Finance Department	Finance Department
Phone:	510-494-4608	510-494-4631
E-Mail:	msung@fremont.gov	dpersselin@fremont.gov

RECOMMENDATIONS:

1. Hold a public hearing.
2. Provide direction to staff on issues pertaining to the FY 2019/20 Proposed Operating Budget.

B. **CAPITAL IMPROVEMENT PROGRAM - First Public Hearing (Published Notice) and Council Direction to Staff on the Proposed FY 2019/20 - 2023/24 Capital Improvement Program**

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. Hold a public hearing.
2. Receive information about and consider all capital improvement projects proposed for the Five-Year FY 2019/20 – 2023/24 CIP.
3. Provide direction as needed on the FY 2019/20 – 2023/24 proposed CIP, for consideration on June 11, 2019.

6. Report from City Attorney

7. Other Business

A. **MOBILITY COMMISSION- Receive Presentation and Provide Direction on the Formation of a Mobility Commission**

Contact Persons:

Name:	Hans Larsen
Title:	Public Works Director
Dept:	Public Works
Phone:	510-494-4722
E-Mail:	hlarsen@fremont.gov

RECOMMENDATION: Receive presentation and provide direction on the formation of a Mobility Commission.

B. RESPONSE TO COUNCILMEMBER BACON REFERRAL REGARDING 4TH OF JULY STAFFING

Contact Persons:

Name:	Geneva Bosques	Karena Shackelford
Title:	Public Affairs Manager	Assistant City Manager
Dept:	Police Department	City Manager's Office
Phone:	510-790-6957	510-284-4063
E-Mail:	gbosques@fremont.gov	kshackelford@fremont.gov

RECOMMENDATION:

1. Staff recommends Council consider the options staff has provided above and/or further direct staff to consider studying other specific options.
2. Staff recommends that Council limit any further special event cost subsidies to the 4th of July Parade only.

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		
DU/AC	Dwelling Units per Acre	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)		
EIR	Environmental Impact Report (CEQA)	STIP	State Transportation Improvement Program
EIS	Environmental Impact Statement (NEPA)	TCRDF	Tri-Cities Recycling and Disposal Facility
ERAF	Education Revenue Augmentation Fund	TOD	Transit Oriented Development
EVAW	Emergency Vehicle Accessway	TS/MRF	Transfer Station/Materials Recovery Facility
FAR	Floor Area Ratio		
FEMA	Federal Emergency Management Agency	UBC	See CBC
FFD	Fremont Fire Department	VTA	Santa Clara Valley Transportation Authority
		WMA	Waste Management Authority
FMC	Fremont Municipal Code		
FPD	Fremont Police Department		
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
June 11, 2019	5:00 p.m.	Special Meeting-Work Session	Council Chambers	Live
June 11, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 18, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 25, 2019		No 7 PM City Council Meeting		
June 25, 2019	5:30 p.m.	<i>CC/FUSD Liaison Committee Meeting</i>	<i>Council Chambers</i>	<i>Live</i>
July 2, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 9, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 16, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 23, 2019		No 7 PM City Council Meeting		
July 23, 2019		<i>CC/FUSD Liaison Committee Meeting</i> *CANCELLED: FUSD Recess*		
August Recess		No City Council Meetings		
August 27, 2019		<i>CC/FUSD Liaison Committee Meeting</i> *CANCELLED: City Council Recess*		
September 3, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
September 10, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
September 17, 2019	7:00 p.m.	City Council Meeting	Council Chambers	Live
September 24, 2019		No 7 PM City Council Meeting		
September 24, 2019	5:30 p.m.	<i>CC/FUSD Liaison Committee Meeting</i>	<i>FUSD</i>	<i>Live</i>