



City Council Chambers  
3300 Capitol Avenue  
Fremont, CA

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## Fremont City Council

Lily Mei, Mayor  
Yang Shao, Vice Mayor  
Teresa Keng, District 1  
Rick Jones, District 2  
Jenny Kassan, District 3  
Raj Salwan, District 5  
Teresa Cox, District 6

## City Staff

Mark Danaj, City Manager  
Debra Margolis, Interim City Attorney  
Karena Shackelford, Assistant City Manager  
Brian Stott, Assistant City Manager  
Christina Briggs, Deputy City Manager  
  
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  
Sanford Taylor, Information Technology Director  
Suzanne Wolf, Community Services Director

# Fremont City Council Agenda and Report

July 13, 2021

## 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

## IMPORTANT NOTICE REGARDING THE CITY COUNCIL MEETING

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on the City of Fremont's website at [www.Fremont.gov/Channel27](http://www.Fremont.gov/Channel27), which also provides a link to the live stream; or, on Comcast Channel 27. Please note at this time, Channel 27 is only available to Comcast cable subscribers. In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online and not in the Council Chamber.

**Submission of Public Comments:** For those wishing to make public comments at the July 13, 2021 Council meeting, you may either: (1) submit your comments by email prior to the meeting, or (2) by Spoken Public Comment during the meeting.

***See instructions on next page.***



## **How to submit Public Communications/Public Comment by email prior to the meeting:**

Send an email to [citycouncil@fremont.gov](mailto:citycouncil@fremont.gov) by 4:00 p.m. the day of the meeting. Please identify the agenda item number and meeting date in the subject line of your email, or specify that it is not related to an agenda item. Emails will be compiled into files by agenda item number, distributed to the City Council and staff, and published in the City's Agenda Center on [www.fremont.gov](http://www.fremont.gov).

*Electronic comments on agenda items for the City Council meeting may only be submitted by email. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted.*

## **How to provide Spoken Public Comment during the meeting:**

- 1) By phone 833-430-0037 (toll free). Webinar ID: 949 3338 3101. Click \*9 to raise a hand to speak.
- 2) By online <https://zoom.us/j/94933383101>
  - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
  - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
  - c. When the Mayor calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.
  - d. When called, please limit your remarks to the time limit allotted.

*If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act, or if you do not have access to email or the internet, please contact The City Clerk's Office at (510)284-4060 or [CClerk@fremont.gov](mailto:CClerk@fremont.gov) prior to the meeting for assistance.*

## **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.

**The City Council Agendas may be accessed by computer at the following World Wide Web Address:**  
[www.fremont.gov](http://www.fremont.gov)

## **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**  
**July 13, 2021**  
**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. *BIKEWAY IMPROVEMENTS PROJECT - Approval of Plans and Specifications and Award of Contract to Chrisp Company in the Amount of \$498,770.75 (plus 10% Contingency) for the Year 3 Bikeway Improvements Project; and Make Findings of CEQA Exemption (PWC 8874-C)***

*Contact Persons:*

<i>Name:</i>	<i>Anthony Villanueva</i>	<i>Hans Larsen</i>
<i>Title:</i>	<i>Transportation Engineer I</i>	<i>Public Works Director</i>
<i>Dept:</i>	<i>Public Works</i>	<i>Public Works</i>
<i>Phone:</i>	<i>510-494-4778</i>	<i>510-494-4722</i>
<i>E-Mail:</i>	<i>AVillanueva@fremont.gov</i>	<i>hlarsen@fremont.gov</i>

**RECOMMENDATION:** Approval of the following actions related to the Year 3 Bikeway Improvements Project (PWC 8874-C):

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, Chrisp Company, in the amount of \$498,770.75 and allocate a 10% contingency in the amount of \$49,877 for a total contract amount of \$548,647.75 and authorize the City Manager or designee to execute the contract.

**D. PURCHASE OF FIRE APPARATUS - Approve and Authorize City Manager to Execute a Cooperative Purchase Agreement with H-GACBuy and Authorize Purchase of Fire Apparatus**

Contact Persons:

Name:	Corina Campbell	Curtis Jacobson
Title:	Business Manager	Fire Chief
Dept:	Fire Department	Fire Department
Phone:	510-494-4200	510-494-4200
E-Mail:	ccampbell@fremont.gov	cjacobson@fremont.gov

**RECOMMENDATION:** Authorize the City Manager or designee to issue a purchase order for two Pierce Manufacturing Type I Fire Engines in an amount not to exceed \$1,772,551.89 using the H-GACBuy contract with Pierce Manufacturing.

**E. WASHINGTON/OSGOOD INTERSECTION SAFETY PROJECT - Approve Plans and Specifications for the Washington Boulevard/Osgood Road Intersection Safety Improvements Project; Award Contract to Golden Bay Construction, Inc. in the Amount of \$848,907 (plus 10% Contingency); Appropriate Funds, and Make Findings of CEQA Exemptions (PWC 8156B).**

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:** Approval of the following actions related to the Washington Boulevard/Osgood Road Intersection Safety Improvements Project (PWC8156B):

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 existing.
2. Approve the plans and specifications for the project.
3. Accept the bid and award the construction contract to the lowest responsive and responsible bidder, Golden Bay Construction, Inc. in the amount of \$848,907 and allocate a 10% construction contingency in the amount of \$84,891 for a total construction contract amount of \$933,798, and authorize the City Manager or designee to execute the contract.
4. Reallocate \$80,000 from PWC 7953-531 to PWC 8156-531.

**F. AGE WELL CENTER AT SOUTH FREMONT – Update on the Completion of the Age Well Center located at 47111 Mission Falls Court in Warm Spring/South Fremont; Related FY 2021/22 and FY 2020/21 Appropriation Actions in the Capital Facilities Impact Fee Fund and the Capital Improvement Fund; Adopt a Finding that No Further Environmental Review Is Required Pursuant to the Requirements of the California Environmental Quality Act (CEQA) as a Mitigated Negative Declaration was Previously Prepared and Adopted, which Adequately Addressed the Potential Impacts of the Proposed Project.**

Contact Persons:

Name:	Cliff Nguyen	Dan Schoenholz
Title:	Land Use Initiatives Manager	Community Development Director
Dept:	City Manager's Office	Community Development
Phone:	510-284-4017	510-494-4438
E-Mail:	cnguyen@fremont.gov	dschoenholz@fremont.gov

**RECOMMENDATIONS:**

1. Find that no further environmental review is required pursuant to the requirements of the California Environmental Quality Act (CEQA) as a Mitigated Negative Declaration was previously prepared and adopted, which adequately addressed the potential impacts of the proposed project; and
2. Appropriate \$1,301,929 in the Capital Facilities Impact Fee Fund to pay a portion of the final project costs due to the developer at acceptance by the City of the Age Well Center.
3. Appropriate \$9,100,000 in the Capital Facilities Impact Fee Fund as of June 30, 2021 to the Downtown Event Center project.
4. Reallocate \$9,100,000 in the Capital Improvement Fund from the Downtown Event Center Project to the Age Well Center Acquisition Reserve as of June 30, 2021.

**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. FREMONT LANDSCAPING ASSESSMENT DISTRICT 88 - Adopt a Resolution Declaring the Abandonment of the Proceedings for the Restructure and Reassessment of the Fremont Landscaping District 88 and Adopt a Resolution Confirming the Diagrams and Assessments for Fremont Landscaping Assessment District 88 Included in the Annual Assessment Reports and Levy the Assessments for Fiscal Year 2021/22.**

Contact Persons:

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

**RECOMMENDATIONS:**

1. Adopt a resolution declaring the abandonment of the proceedings for restructure and reassessment of the Fremont Landscaping Assessment District 88; and
2. Adopt a resolution confirming the diagrams and assessments for Fremont Landscaping Assessment District 88 as included in the annual assessment report and levy the assessments for Fiscal Year 2021/22.

**B. AMENDMENTS TO CITY OF FREMONT MASTER FEE SCHEDULE AND THE RECREATION FACILITY USE POLICY - Amendment to the City of Fremont Master Fee Schedule Resolution to Update Certain Recreation Services Facility Use and Service Fees and Amendment to the Recreation Facility Use Policy.**

Contact Persons:

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

**RECOMMENDATIONS:**

1. Adopt a resolution to amend the City of Fremont Master Fee Schedule to establish rental fees for the newly constructed Downtown Event Center and Plaza; and
2. Adopt a resolution to amend the City of Fremont Recreation Facility Use Policy.

**6. Report from City Attorney - None.**

**7. Other Business**

**A. CITY OF FREMONT UPCOMING REDISTRICTING PROCESS INFORMATION – Information and Presentation Overview of upcoming City of Fremont Redistricting Process**

Contact Persons:

Name:	Amanda Gallo	Christina Briggs
Title:	Management Analyst II	Deputy City Manager
Dept:	City Manager's Office	<i>City Manager's Office</i>
Phone:	510-284-4016	510-284-4022
E-Mail:	agallo@fremont.gov	cbriggs@fremont.gov

**RECOMMENDATION:** Accept information and presentation overview of the upcoming City of Fremont Redistricting process.

**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	UBC	See CBC
FEMA	Federal Emergency Management Agency	VTA	Santa Clara Valley Transportation Authority
FFD	Fremont Fire Department	WMA	Waste Management Authority
FMC	Fremont Municipal Code		
FPD	Fremont Police Department	ZA	Zoning Administrator
FRC	Family Resource Center	ZTA	Zoning Text Amendment
FUSD	Fremont Unified School District		

**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>July 13, 2021</b>	5:30 p.m.	City Council Special Meeting Work-Session	Council Chambers	Live
<b>July 13, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>July 20, 2021</b>	6:00 p.m.	City Council Special Meeting Closed-Session	Council Chambers	Live
<b>July 20, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>July 27, 2021</b>		CC/FUSD Liaison Committee Meeting <b>*CANCELLED*</b>		
<b>July 27, 2021</b>		No 7 PM City Council Meeting (4 <sup>th</sup> Tuesday)		
<b>August Recess</b>		Council in Recess until September		
<b>August 24, 2021</b>		CC/FUSD Liaison Committee Meeting <b>*CANCELLED*</b>		
<b>September 7, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>September 14, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>September 21, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>September 28, 2021</b>	5:30 p.m.	CC/FUSD Liaison Committee Meeting	TBD	Live
<b>September 28, 2021</b>		No 7 PM City Council Meeting (4 <sup>th</sup> Tuesday)		
<b>Monday, October 4, 2021</b>	5:30 p.m.	Joint City Council/FUSD Meeting	Council Chambers	Live
<b>October 5, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>October 12, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>October 19, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>October 26, 2021</b>	5:30 p.m.	CC/FUSD Liaison Committee Meeting	Council Chambers	Live
<b>October 26, 2021</b>		No 7 PM City Council Meeting (4 <sup>th</sup> Tuesday)		
<b>November 2, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live
<b>November 9, 2021</b>	7:00 p.m.	City Council Meeting	Council Chambers	Live