

**MINUTES
FREMONT CITY COUNCIL MEETING
JULY 19, 2106
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Harrison called the meeting to order.
- B. Flag Salute:** Councilmember Bacon led the salute to the flag.
- C. Roll Call:** Present: Mayor Harrison, Vice Mayor Mei, Councilmembers: Chan, Bacon, and Jones.
- D. Announcements by Mayor/City Manager**

City Manager Fred Diaz gave an update on joint City/FUSD efforts to locate a City owned site for a future elementary school (hand-out provided).

2. CONSENT CALENDAR

- * **A. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council waived further readings of proposed ordinances.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

- * **B. Approval of Minutes - None**
- * **C. Mayor Harrison opened consideration of Delegation of Authority to City Manager During Council Recess, July 20, 2016 through September 12, 2016**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council adopted Resolution No. 2016-49 authorizing the City Manager or designee to approve and execute as necessary, on behalf of the City, the items set forth in this report, and to take the following actions:

1. Approve an amendment to the service agreement with Fidelity National Technology Imaging, LLC that has a \$99,000 not-to-exceed amount, to allow up to \$100,00 per fiscal year of document scanning and indexing services, for a not-to-exceed amount of

*Consent Items

\$500,000 over a five-year term of the agreement from July 1, 2016 for a total not-to-exceed amount of \$599,000.

2. Authorize transfer of \$500,000 from Fund 012 (Development Cost Center Technology and System Improvement Reserve) to 501, and appropriate monies to 501PWC8746 (Land Use Permitting System).
3. Authorize City Manager to execute agreement with BAAQMD for the Electric Vehicle Charging Station Demonstration Project along Capitol Avenue (Phase II).
4. Authorize the City Manager or designee to execute an agreement between the City of Fremont and the Fremont Unified School District for five-year grant funding (subject to annual City Council appropriation) of \$375,000 for FYs 2016/17 through 2020/21 to the Fremont Unified School District for continuation of district-wide recycling and waste management coordination.
Authorize City staff, upon execution of the agreement, to release the grant funds (\$75,000) for FY 2016/17 for FUSD district-wide recycling and waste management coordination.
Authorize City staff, subject to annual City Council appropriation, to release grant funds for FYs 2017/18, 2018/19, 2019/20, and 2020/21 upon successful completion of grant goals, tasks, and performance measures as outlined in the agreement
Note: This funding would come from Measure D funds designated for waste diversion activities from non-residential customers. This appropriation was included in the 2016/17 budget submittal and there is no General Fund impact.
5. Approve the plans and specifications for the Sabercat Historic Park Pathway Asphalt Concrete to Concrete Conversion project, and authorize the City Manager or his designee to execute a construction contract to the Lowest Bidder for the base bid items, plus Alternate #1 items.
6. Authorize the City Manager, or designee, to issue a purchase order to Lowest Responsible Bidder for the purchase of VMware Subscription Purchasing Program Credits in an amount not-to-exceed \$180,000 for VMware vCloud Air Disaster Recovery Services, including Professional Services to assist with implementation, and to execute any implementing documents and take any implementing actions as necessary.
7. Authorize the City Manager or designee to enter into a grant agreement with the Thomas Long's foundation to plan and implement the World Health Organization's Aging Friendly City framework for "livability;" improve the Senior Center's role in prevention and community wellness; and develop a neighborhood approach in promoting supportive aging, in the amount of \$356,620.
8. Authorize the City Manager or designee to execute an agreement with the Afghan Elderly Association for the Afghan Health Promoter project to provide assistance with health issues for seniors in the amount not-to-exceed \$110,000.

9. Authorize the City Manager, or his designee, to enter into an agreement with Abode Services, effective July 1, 2016 through June 30, 2017, for an amount not to exceed \$135,613 to provide emergency shelter and services for homeless individuals and families with children at Sunrise Village.
10. Authorize the City Manager, or designee, to enter into a HOME Rental Subsidy Grant Agreement with Abode Services to provide rental subsidies for youth (ages 18-24) who were formerly in foster care in an amount not-to-exceed \$120,000.
11. Authorize the City Manager, or designee, to enter into an Agreement with Alameda County Behavioral Health Care Services in an amount not-to-exceed \$153,058.
12. Authorize the City Manager, or designee, to enter into a contract with Alameda County Probation to provide Diversion, Youth Service Center and Life Skills services, for the period of July 1, 2016 through June 30, 2017.
13. Authorize the City Manager, or designee, to enter into a contract with Alameda County Health Care Services Agency to provide health and wellness services for the “Youth & Family Opportunity Initiatives” (YFO) in the Tri-Cities area covering Fremont, Union City and Newark. YFS will provide the Youth Empowerment Academy to students from FUSD, New Haven Unified School District (NHUSD) and the Newark Unified School District (NUSD). The FRC will provide family support services in the Tri-Cities.
14. Authorize the City Manager or his designee to execute an amendment to the Sabercat Historical Park Signage and Graphic Design Plan Agreement between the City of Fremont and the WRA, Inc. to increase the contract amount from \$98,000 to \$125,000 to add two additional interpretive panels to the scope of work, conduct the associated research and technical consultation, and provide for a \$15,000 contingency.
15. Authorize the City Manager, or designee, to execute an agreement with Oracle America, Inc., for the annual software support and maintenance of the databases, PeopleSoft HR/Payroll system, and User Productivity Kit for two additional one-year terms in an amount not-to-exceed a three percent (3%) increase per year for a total not to exceed amount of \$284,702.23.
16. Authorize the City Manager or his designee to approve an increase in the amount of \$75,000 above the budgeted amount for the Design Service Agreement with Biggs Cardosa Associates, Inc. (PWC 8804) for a total Design Service Agreement not-to-exceed amount of \$466,750.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.

Noes: None

Absent: None

Abstain: None

*** D. Mayor Harrison opened consideration of a Summary Vacation of Fazenda Street, and Six-Foot Wide Public Service Easement and Sidewalk Easements at 42232 Mission Boulevard in the Hill Area (Central) and Mission San Jose Community Plan Areas, and to Consider a Categorical Exemption from the Requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations.**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council:

1. Found that Summary Vacation PLN2014-00195 is exempt from CEQA pursuant to CEQA Guidelines Section 15305 because the vacation is a minor alteration in land use limitations that does not result in any land use or density changes.
2. Found that the project conforms to the City's General Plan, including the policy set forth in the Conservation Element of the General Plan as enumerated in the staff report.
3. Found that Summary Vacation PLN2014-00195, as depicted and described in Exhibit "A," fulfills the applicable criteria for summary vacations and would not be useful as a non-motorized transportation facility for the reasons stated in the body of this report.
4. Adopted Resolution No. 2016-50 summarily vacating Fazenda Street, and six-foot wide public service and sidewalk easements as depicted and described in Exhibit "A."
5. Directed the City Clerk to record a Resolution of Summary Vacation for PLN2014-00195 with the Alameda County Recorder, returning a copy of the recorded resolution to the Planning and Engineering Divisions of the Community Development and Public Works Departments for their respective files.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

*** E. Mayor Harrison opened consideration of Approval of Plans and Specifications, Appropriation of Funds, and Award of Contract to Calstate Construction, Inc. in the amount of \$914,850 for the Animal Shelter HVAC and Roof Replacement Project (PWC 8820 and 8393). Exempt CEQA Guidelines Section 15301 (Existing Facilities)**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council:

1. Found that the Animal Shelter HVAC and Roof Replacement project is exempt from California Environmental Quality Act review pursuant to CEQA Guidelines section 15301 as the maintenance, repair or minor alteration of existing facilities involving no or negligible expansion of use.
2. Approved Plans and Specifications for the Animal Shelter HVAC and Roof Replacement project.
3. In accordance with Public Contract Code section 5101 consented to relieve Southwest Construction and Property Management of their low bid due to mistake.
4. Appropriated \$383,650 from Fund 599PWC8819 to 599PWC8820 and an additional \$203,156 from Fund 501PWC8393 to fully fund the project.

5. Approved and authorized the City Manager, or his designee, to execute a contract for the Animal Shelter HVAC and Roof Replacement project with the second low bidder, Calstate Construction, Inc. in the amount of \$914,850.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

*** F. Mayor Harrison opened consideration of Washington Boulevard Safety Improvements Project - Accept the Highway Safety Improvement Program (HSIP) Grant and Appropriate the Grant Funds of \$465,840 to the Washington Boulevard Safety Improvements Project between Fremont Boulevard and Interstate 680 (PWC8919). Exempt from CEQA per CEQA Guidelines Section 15301 (Existing Facilities)**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council:

1. Found the project is exempt from review under the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301 as the minor alteration of existing facilities involving no or negligible expansion of use beyond that presently existing.
2. Authorized the City Manager or designee to accept the HSIP grant and to execute any associated grant documents and directed staff to begin design of the Washington Boulevard Safety Improvements project.
3. Appropriated funds in the grant amount of \$465,840 to 522PWC8919 (Washington Boulevard Safety Improvements – Fremont Blvd to I-680).
4. Transferred funds in the amount of \$51,760 from 519PWC8882 to 519PWC8919 (Washington Boulevard Safety Improvements – Fremont Blvd to I-680).

Ayes: Mayor Harrison, Vice Mayor Mei, Councilmembers: Chan,
Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

*** G. Mayor Harrison opened consideration of Approval of Certification and Mutual Indemnification Agreement with the County of Alameda Regarding Collection of Taxes and Assessments on the Fiscal Year 2016/17 Secured Property Tax Bill**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council adopted Resolution No. 2016-51 approving the Certification and Mutual Indemnification Agreement with the County of Alameda, and authorize the City Attorney to sign the agreement on behalf of the City.

Ayes: Mayor Harrison, Vice Mayor Mei, Councilmembers: Chan,
Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

* **H. Mayor Harrison opened consideration of Authorization to Execute a Loan Agreement for up to \$1 Million in On-Bill Financing with Pacific Gas & Electric Company for the Citywide Energy Efficiency Upgrade Project**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council authorized the City Manager or his designee to enter into the necessary agreements to access interest-free On-Bill-Financing of up to \$1 million from PG&E for energy efficiency upgrades.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

* **I. Mayor Harrison opened consideration of Authorization to Contract with Alameda County Behavioral Health Care Services for Mental Health Services**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council approved and authorized the City Manager or designee to execute a contract with Alameda County Behavioral Health Care Services to provide Mental Health services through the Human Services Department for the period of July 1, 2016 through June 30, 2017, in an amount not to exceed \$1,592,721

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

* **J. Mayor Harrison opened consideration of Authorization to Execute Task Order to the Joint Powers Agreement with New Haven Unified School District for SparkPoint Services as part of the Kids' Zone Collaborative**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council:

1. Approved and authorized the City Manager or designee to execute Task Order No.4 to the existing Joint Powers Agreement with New Haven Unified School District to allow the City of Fremont to continue to provide integrated financial education, VITA, and parent education, to individuals and families participating in the Kids' Zone program, as well as students enrolled in the Fremont summer Youth Empowerment Academy to youth on Probation.
2. Appropriated an additional \$58,000 in funding from New Haven Unified School District for FY 2016/17.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

* **K. Mayor Harrison opened consideration of Multipurpose Senior Services Program (Mssp) Program Contract - Adopt a Resolution Authorizing the City Manager to Execute a FY 2016/17 Contract with the California Department on Aging to Provide Multipurpose Senior Services Program (MSSP) Services**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council approved and adopted Resolution No.2016-52 authorizing the City Manager or designee to execute contract MS-1617-37 with the California Department on Aging to provide MSSP services for FY 2016/17 in an amount not to exceed \$209,965.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

L. Mayor Harrison opened consideration of Alameda County Affordable Housing Bond Measure--Adopt Resolution Supporting the 2016 Alameda County Affordable Housing Bond Measure

*This item was removed from the Consent Calendar.

Mayor Harrison opened the item for public comment. There were no speakers. Mayor Harrison closed the public comment period. Staff responded to questions from Councilmembers.

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council adopted Resolution No. 2016-53 in support of the 2016 Alameda County Affordable Housing Bond measure.

Ayes: Mayor Harrison, Councilmembers: Chan, Bacon,
and Jones.
Noes: Vice Mayor Mei
Absent: None
Abstain: None

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Kelly Abreu expressed concerns regarding the recent closure of the Vargas Plateau.

Mayor Harrison presented a Proclamation to Cindy Bonior from the Fremont Chamber of Commerce to commemorate the 2016 Fremont Festival of the Arts.

5. SCHEDULED ITEMS - None

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS - None

8. COUNCIL COMMUNICATIONS

A. Council Referrals

1. Mayor Harrison opened consideration of Mayor Harrison Referral: Designation of League of California Cities Annual Conference Voting Delegate

The City Council appointed Councilmember Chan as the City’s voting delegate for the League of California Cities Annual Conference and Vice Mayor Mei as the voting alternate.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

2. Mayor Harrison opened consideration of Mayor Harrison’s Referral: Appointment to Advisory Body

Appointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Youth Advisory Commission	Bhargav Malladi	12/31/2017
Youth Advisory Commission	Anjalee Patel	12/31/2017
Youth Advisory Commission	Vishrant Prabhu	12/31/2016
Youth Advisory Commission	Kaijing Yan	12/31/2016
Youth Advisory Commission	Vyoma Raman	12/31/2017
Youth Advisory Commission	Raghavan Kope	12/31/2017

The City Council approved appointment.

Ayes: Mayor Harrison, Vice Mayor Mei,
Councilmembers: Chan, Bacon, and Jones.
Noes: None
Absent: None
Abstain: None

B. Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Harrison adjourned the meeting at 7:30 p.m.

Attest:

Approved:

Merry Monlux for Susan Gauthier, City Clerk

BILL HARRISON, Mayor