

**MINUTES  
FREMONT CITY COUNCIL MEETING  
OCTOBER 11, 2016  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

- A. Call to Order:** Mayor Harrison called the meeting to order.
- B. Flag Salute:** Councilmember Jones 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**

**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 Approval of Ten-Year Underground Utility Program for 2016-2025**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council approved the Ten-Year Underground Utility Program as shown in Table 1 of the staff report.

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

**\* D. Mayor Harrison opened consideration of Approval to Adopt a Resolution Requesting Activation of Caltrans Ramp Meters on Northbound I-680 for the Interchanges at Auto Mall Parkway/Durham Road, Washington Boulevard, and North Mission Boulevard; Exempt from CEQA Review per CEQA Guidelines Section 15301 (Minor Alteration of Existing Facilities) (I-680 FREEWAY RAMP METERS)**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council adopted Resolution No. 2016-63 requesting CalTrans to activate ramp meters on northbound I-680 for the interchanges at Auto Mall Parkway/Durham Road, Washington Boulevard, and North Mission Boulevard.

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; Award of Contract to Guerra Construction Company in the Amount of \$354,654.00; and Fund Transfers for the Ellsworth Street Sidewalk Improvement Project (PWC 8855); Exempt from CEQA Review per CEQA Guideline Section 15301 (Minor Alteration of Existing Facilities)**

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

1. Found 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 presenting existing.
2. Approved the plans and specifications for the Ellsworth Street Sidewalk Improvement Project, City Project PWC 8855.
3. Accepted the bid and awarded the construction contract for the Ellsworth Street Sidewalk Improvement Project to the lowest responsive and responsible bidder, Guerra Construction Company, for the total bid amount of \$354,654.00 and authorize the City Manager or designee to execute the contract.
4. Approved transfer \$163,150 from PWC8883-519 and appropriate it to PWC8855-519, Ellsworth Street Sidewalk Improvement Project.
5. Approved transfer \$136,850 from PWC8883-520 and appropriate it to PWC8855-520, Ellsworth Street Sidewalk Improvement Project.

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

**\* F. Mayor Harrison opened consideration of Approval of Final Map, Agreements for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 7927, located at 3068 Decoto Road (Decoto Crossing)**

On a motion by Councilmember Jones, seconded by Councilmember Chan, the City Council adopted Resolution No. 2016-64 to:

1. Approve the Final Map and the Improvement Plans for Tract 7927.
2. Approve the Agreement for Public Improvements entitled “Public Improvement Agreement, Tract 7927”, with the developer, Grupe Decoto Crossing, LLC, a Delaware Limited Liability Company, 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 7927”, with the developer, Grupe Decoto Crossing, LLC, a Delaware Limited Liability Company, and authorize the City Manager to execute the agreement on behalf of the City.

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

**3. CEREMONIAL ITEMS**

- A. **Proclamation: Domestic Violence Awareness Month, October 2016**
- B. **Proclamation: SAVE Celebrates Forty Years of Service**

**4. PUBLIC COMMUNICATIONS**

- A. **Oral and Written Communications -None**

**5. SCHEDULED ITEMS**

- A. **Mayor Harrison opened consideration of Approval to Introduce and Consider Ordinances and Findings Adopting and Amending the 2016 California Building Standards Code, Adopting by Reference Certain Appendix Chapters of the 2016 California Building Standards Code, Adopting by Reference and Amending the 2015 International Property Management Code and the 2015 International Swimming Pool and Spa Code, Repealing Fremont Municipal Code Chapter 9.20 (Fireworks), Amending Fremont Municipal Code Chapter 8.40 (Solid Waste, Recyclables and Organics Management), and Making Conforming Changes to the Fremont Municipal Code with Findings, Including Finding that the Project is Exempt from the California Environmental Quality Act (CEQA) per Guideline 15061(b)(3) in that it does not have the Potential for Causing a Significant Effect on the Environment**

Building Official David Chung provided a PowerPoint presentation. Fire Marshal Jay Swardenski and Sustainability Coordinator Rachel DiFranco provided additional comments. Mayor Harrison opened the public hearing. There were no speakers. Mayor Harrison closed the public hearing. Staff responded to questions from Councilmembers. Councilmembers provided comment.

On a motion by Councilmember Bacon, seconded by Vice Mayor Mei, the City Council:

1. Held public hearing.
2. Found that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to Guideline 15061(b)(3).
3. Waived full reading and introduced ordinances, adopting and amending the 2016 California Building, Electrical, Plumbing, Mechanical, Residential Building, Green Building Standards, Energy, Historical Building, Existing Building, Fire Codes, and the 2015 International Property Maintenance Code and 2015 International Swimming Pool and Spa Code, repealing Chapter 9.20 Fireworks which is superseded by the CFC, and amending Chapter 8.40 to be consistent with the Green Building Standards Code.
4. Directed staff to prepare and the City Clerk to publish a summary of the proposed ordinances.
5. Scheduled a public hearing for November 1, 2016.
6. Directed the City Clerk to publish a notice of public hearing to consider adoption of the ordinances in accordance with Government Code Section 6066 and 50022.3.

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

**6. REPORT FROM CITY ATTORNEY – None.**

**7. OTHER BUSINESS – None.**

**8. COUNCIL COMMUNICATIONS**

**A. Council Referrals – None.**

**B. Oral Reports on Meetings and Events – None.**

**9. ADJOURNMENT:** There being no further business, Mayor Harrison adjourned the meeting at 7:55 p.m.

Attest:

Approved:

---

Susan Gauthier, City Clerk

---

BILL HARRISON, Mayor

\*Consent Items

**MINUTES  
FREMONT CITY COUNCIL SPECIAL MEETING  
OCTOBER 11, 2016  
FREMONT CITY HALL  
Immediately Following the Council Meeting**

**Call to Order:** Mayor Harrison called the meeting to order.

**Roll Call:** Present: Mayor Harrison, Vice Mayor Mei, Councilmembers: Chan, Bacon, and Jones.

**Public Comment:** None.

**CONVENE TO A CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

This Closed Session is authorized by subdivision (a) of Section 54956.9 of the Government Code and will pertain to existing litigation in the following matter:

1. City of Fremont v. Jeffrey, Worker's Compensation Appeals Board (WCAB), San Francisco

Case No: ADJ9886548

The Special Meeting of the Fremont City Council adjourned at 8:05 p.m.

Attest:

Approved:

\_\_\_\_\_  
Susan Gauthier, City Clerk

\_\_\_\_\_  
BILL HARRISON, Mayor