

**MINUTES  
FREMONT CITY COUNCIL MEETING  
APRIL 17, 2018  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

- A. Call to Order:** Mayor Mei called the meeting to order at 7:05 p.m.
- B. Flag Salute:** Councilmember Jones led the salute to the flag.
- C. Roll Call:** Present: Mayor Mei, Vice Mayor Bacon, Councilmembers: Jones, Salwan and Bonaccorsi
- D. Announcements by Mayor/City Manager – None.**

**2. CONSENT CALENDAR**

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

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

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

- \* **B. Approval of Minutes – None.**
- \* **C. Mayor Mei opened consideration of Second Reading And Adoption Of An Ordinance Of The City Of Fremont Amending Fremont Municipal Code Section 12.35.020, To Establish Utility Underground District 37- Peralta Boulevard From Fremont Boulevard To Sequoia Road, And Second Reading And Adoption Of An Ordinance Of The City Of Fremont Amending Fremont Municipal Code Section 12.35.020, To Establish Utility Underground District 38 – Fremont Boulevard Between Alder Avenue And Thornton Avenue**

On a motion by Vice Mayor Bacon seconded by Councilmember Jones, the City Council adopted Ordinance 11-2018 and Ordinance 12-2018.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

**\* D. Mayor Mei opened consideration of Adoption of 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 2018/2019**

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

1. Adopted Resolution 2018-18 ordering the preparation and filing of the annual Engineer's Report for Landscaping Assessment District 88 for Fiscal Year 2018/19.
2. Adopted Resolution 2018-19 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 2018/19.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

**\* E. Mayor Mei opened consideration of Authorization of the City Manager to Utilize the Oregon Public Purchase Authority Contract with Pierce Manufacturing to Purchase Two Type I Fire Engines through the National Purchasing Partners FireRescue Group Purchasing Organization; Approve the Advance and Appropriation of Funds**

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

1. Approved and authorized the City Manager or designee to execute the Intergovernmental Cooperative Purchasing Agreement with Oregon Public Purchasing Authority to make available for the City's use, through the NPPGOV FireRescue GPO, contracts with Pierce Manufacturing.
2. Authorized the City Manager or designee to purchase two Pierce Manufacturing Type I Fire Engines, in an amount not to exceed \$1,766,197, through the NPPGOV FireRescue GPO, using the Oregon Public Purchasing Authority's contract with Pierce Manufacturing.
3. Authorized the advance and transfer of \$1,766,197 from the General Fund Program Investment Reserve to the Fire Capital Replacement Fund (Fund 615), with the specification that the advance will be repaid at the beginning of FY 2018/19 from the General Fund allocation to the Fire Capital Replacement Fund.
4. Appropriated \$1,766,197 in the Fire Capital Replacement Fund to purchase two Type I Fire Engines.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

**\* F. Mayor Mei opened consideration of Adoption of A Resolution Requesting East Bay Community Energy Enroll all City of Fremont Municipal Accounts in Brilliant 100 (100% Greenhouse Gas Free) as the Default Electricity Product**

On a motion by Vice Mayor Bacon seconded by Councilmember Jones, the City Council adopted Resolution No. 2018-20 committing the City of Fremont to the Brilliant 100 power choice as the default power product for all Municipal electricity accounts.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

**\* G. Mayor Mei opened consideration of Approval of the Close Out of Completed Capital Projects and Partial Defunding of Selected Projects; and Approval of Fund Transfers, and Appropriations**

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

1. Approved the close out of the capital projects identified on Enclosure B Project Closeout and Defunding List and returned the remaining project appropriations to their respective funds.
2. Approved the defunding of the capital projects identified on Enclosure B Project Closeout and Defunding List and returned the remaining project appropriations to their respective funds.
3. Approved the transfer and appropriation of closed and defunded project balances as identified on Enclosure B Project Closeout and Defunding List.
4. Defunded \$50,000 (fund 520) from PWC 8882 Intersection Improvements and appropriated to establish a new project, PWC 8975 Pedestrian Crossing Enhancements.
5. Defunded \$29,043 (fund 519) and \$16,589 (fund 520) from PWC 8881 Bike & Ped Planning Study and defunded \$4,097 (fund 519) from PWC8874 Bikeway Imps and appropriated to establish a new project, PWC 8972- scoping study for Mission Creek Bike & Pedestrian Trail: Pine Street to Mission Blvd.
6. Defunded \$24,000 (fund 518) PWC8875 Bike & Ped Program and defunded \$75,000 (fund 518) PWC 8678 Congestion Management and appropriated to establish a new project PWC8977 - scoping study for Bike & Pedestrian Trail: Blacow to Sabercat Creek.
7. Defunded \$24,000 (fund 518) PWC8875 Bike & Ped Program and defunded \$75,000 (fund 518) PWC 8678 Congestion Management and appropriated to establish a new project PWC8978 - scoping study for Bike & Pedestrian Trail: Christy to Grimmer.

8. Approved a transfer of \$250,000 for fiscal year 2017/18 and \$250,000 for fiscal year 2018/19 from the Development Cost Center Technology Reserve (fund 392) to PWC8746 Land Use Permitting System.
9. Approved a transfer of \$348,354.80 deposited in fund 702 for future construction projects and/or cash in lieu for portions of Capital Projects paid for by the General Fund to the Capital Improvement fund 501 for reimbursement of expenses.
10. Appropriated monies received from Technology Business Center LLC and Pacific Commons LP for the Fremont Technology Business Center Project, pursuant to the Development Agreement approved by Council on October 17, 2017, in an amount of \$650,000 to PWC8971 fund 502 Warm Springs Transportation Demand Management.
11. Appropriated monies received from SRE company as a condition of approval for the Washington Place Residences (staff report #2953 presented to Council on 2/21/2017) in an amount of \$75,000 to PWC8966 fund 502 Washington Blvd Bike/Ped Improvements.
12. Appropriated monies received from Technology Business Center LLC for the Development Agreement for the West Parcel Pacific Commons (staff report #3262 presented to Council for second reading on 10/17/2017) in an amount of \$6,250 to establish new project PWC 8973 Christy Automall Timing Improvements.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

**\* H. Mayor Mei opened consideration of Authorization of Declare Portions of City-owned Property at G Street and Third Street as Surplus Properties and Authorize the Sale and Disposition of the Properties. Exempt from CEQA Review per CEQA Guidelines Section 15312 (Surplus Government Property Sales)**

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

1. Found that the action to declare the property as surplus is categorically exempt under California Environmental Quality Act (CEQA) Guidelines - Section 15312 (Surplus Government Property Sales)
2. Found that a 37,892 square feet of portion of the G Street parcel and a 6,050 square feet portion of the Third Street parcel on which residential structures are located are not needed for any public purpose and declare them surplus.
3. Approved the land use actions described in the staff report, authorized staff to take all actions necessary for the sale and disposition of the properties.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

**\* I. Mayor Mei opened consideration of Introduction of Ordinance to Amend Sections 2.30.020, 2.30.030 and 2.30.040 of the Campaign Finance Ordinance to Update Provisions Required by the change in council size, Invalidation of Independent Expenditure Committees provisions and Make Other Minor Amendments**

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

1. Found that the ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment.
2. Introduced the proposed ordinance amending Sections 2.30.020, 2.30.030 and 2.30.040 of the Campaign Finance Ordinance.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

**3. CEREMONIAL ITEMS – None.**

**4. PUBLIC COMMUNICATIONS**

**A. Oral and Written Communications**

Kevin Lee provided a handout and spoke on behalf of the Darrow Farm HOA to request completion of a trail adjacent to their community. Pamela and Charisse Gilmon requested support from the Police Department regarding alleged harassment from a neighbor.

- ❖ **Mayor Mei recessed the regular City Council meeting at 7:30 p.m. to the Special Meeting-Work Session.**
- ❖ **Mayor Mei adjourned the Special Meeting-Work Session and reconvened the regular City Council meeting at 7:55 p.m.**

**5. SCHEDULED ITEMS**

- \* A. Mayor Mei opened Public Hearing (Published Notice) on the Use of Federal Community Development Block Grant Funds for FY 2018/19 and FY 2019/20, Adoption of a Resolution Approving the FY 2018/19 CDBG Program Final Statement of Community Development Objectives and the FY 2018/19 Action Plan; Authorizing the City Manager to Execute Agreements with the U.S. Department of Housing and Urban Development and CDBG Grantees; and Appropriating an Additional \$370,000 in City Affordable Housing Funds for the Islander Motel Project**

*\*This item was added to the consent calendar.*

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

1. Held a public hearing on the proposed FY 2018/19 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds.
2. Allocated CDBG funds for FY 2018/19 and FY 2019/20 in the amounts stated herein, subject to actual CDBG FY 2018/19 entitlement allocation, and contingent upon the respective adoption of the FY 2018/19 and FY 2019/20 budgets by the City Council.
3. Adopted Resolution 2018-21:
  - a. Approving, and authorizing the City Manager or his designee to submit, the FY 2018/19 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds, and the CDBG Action Plan as recommended by the Citizens Advisory Committee and staff in the amounts stated herein, including any adjustments made based on the actual CDBG entitlement received; and
  - b. Authorizing the City Manager or his designee to execute a FY 2018/19 CDBG funding agreement with HUD; and
  - c. Authorizing the City Manager or his designee to execute agreements effective July 1, 2018, with the grantees recommended for funding by staff and the Citizens Advisory Committee in the amounts set forth herein, contingent upon a finding of no significant impact in the corresponding environmental assessments and completion of the required public comment period as amended by HUD, and contingent upon adoption of the budget for FY 2018/19 and, if applicable, FY 2019/20; and
  - d. Authorizing the City Manager or designee to increase the CDBG funding for the approved public service projects to the extent that additional program income is received and increasing the cap amount for public service projects.
4. Appropriated \$370,000 from the Affordable Housing Development Fund (Fund 196 41012) for the Islander Motel affordable housing project.
5. Authorized the City Manager or designee to execute a revised predevelopment loan agreement in the amount of \$870,000 with Resources for Community Development for the Islander Motel affordable housing project.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

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

**7. OTHER BUSINESS**

**A. Mayor Mei opened Informational Report on the Recently-Completed "Citywide Energy and Water Efficiency Upgrades" Project**

Community Development Deputy Director Dan Schoenholz and Sustainability Manager Rachel DiFranco gave a presentation. Steve Ramirez with Engie Services gave a statement and

provided the City with a plaque in recognition of our participation in the project. Council received presentation and provided comment.

**B. Mayor Mei opened Consideration of Adopt a Resolution Approving a List of Projects for Funding by Revenues Authorized by SB1 to Align With State Guidelines for Use of SB1 Funds**

Public Works Director Hans Larsen gave a presentation. Councilmembers asked questions of staff. Mayor Mei opened the public hearing. Charles Liu spoke about the poor road conditions and using the revenue efficiently. Nitish Ghosh spoke about the damage done to vehicles from rough road conditions. There were no additional speakers. Mayor Mei closed the public hearing. Councilmembers provided comment.

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

1. Defunded \$100,000 from SB1 Fund 134 for PWC8947 State Route 262 Cross Connector and replaced with a transfer of \$100,000 from unallocated Traffic Impact Fee program fund balance
2. Defunded \$600,000 from SB1 Fund 134 for PWC8946 Complete Streets Upgrade of SR84 and identified replacement funding as part of the next CIP update process.
3. Defunded \$850,000 from SB1 Fund 134 for PWC8493 Kato Road Widening (Warren Ave to Milmont Dr) and identified replacement funding as part of the next CIP update process.
4. Appropriated \$335,000 from SB1 Fund 134 for PWC8969 Pedestrian Crossing Enhancement Phase 1.
5. Appropriated \$319,000 from SB1 Fund 134 for PWC8970 Pedestrian Crossing Enhancement Phase 2.
6. Appropriated \$300,000 from SB1 Fund 134 for PWC8915 Traffic Signal at Blacow Road and Gatewood Street.
7. Appropriated \$147,000 from SB1 Fund 134 for PWC8916 Traffic Signal at Grimmer Boulevard and Seneca Park Avenue.
8. Appropriated \$200,000 from SB1 Fund 134 for PWC8868 Multi-Modal Improvements – BART Way and Gateway Plaza Project.
9. Defunded \$100,000 from SB1 Fund 134 for PWC8444 (Citywide Intersection Ramps) from \$850,000 to \$750,000 and identified replacement funding as part of the next CIP update process.
10. Appropriated \$100,000 from SB1 Fund 134 for PWC8907 I-880 Bicycle/Pedestrian Bridge and Trail Project (East Bay Greenway Trail Reach 6).
11. Adopted Resolution No. 2018-22 Approving a List of Projects Funded by SB1: the Road Repair and Accountability Act for FY 2018-19.

Ayes: Mayor Mei, Vice Mayor Bacon,  
Councilmembers: Jones, Salwan and Bonaccorsi  
Noes: None  
Absent: None  
Abstain: None

**8. COUNCIL COMMUNICATIONS**

**A. Council Referrals**

- 1. MAYOR MEI REFERRAL: Appointment to the Environmental Sustainability Commission, Fremont Unified School District (FUSD) Representative position. FUSD recommends Nate Ivy for appointment.**

The City Council approved appointment.

Ayes: Mayor Mei, Vice Mayor Bacon,  
 Councilmembers: Jones, Salwan and Bonaccorsi  
 Noes: None  
 Absent: None  
 Abstain: None

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

City Manager Diaz acknowledged Community Development Director Jeff Schwob’s last meeting and thanked him for his service.

- 9. ADJOURNMENT:** There being no further business, Mayor Mei adjourned the meeting at 8:45 p.m.

Attest:

Approved:

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Merry Monlux, Deputy City Clerk

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LILY MEI, Mayor