

**MINUTES
FREMONT CITY COUNCIL MEETING
JUNE 5, 2018
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- A. Call to Order:** Mayor Mei called the meeting to order at 7:03 p.m.
- B. Flag Salute:** Councilmember Salwan 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**

Mayor announced the Boards and Commissions vacancies.

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 Salwan, 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 Approving a Planned District Amendment Rezoning 33650 Beard Court from Planned District P-78-3 to Preliminary and Precise Planned District P-2016-392 to Allow Development of Five Detached Single Family Residences on an Approximately 0.6-Acre Site**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council adopted Ordinance No. 15-2018.

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

*** D. Mayor Mei opened Second Reading and Adoption of an Ordinance of the City of Fremont Repealing and Replacing Fremont Municipal Code Title 6, Animals**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council adopted Ordinance No. 16-2018.

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

*** E. Mayor Mei opened consideration of Annual Approval of Investment Policy; Annual Delegation of Authority to City Treasurer to Manage Investments**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council adopted Resolution No. 2018-29 approving the City's Investment Policy for FY 2018/19 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.

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

*** F. Mayor Mei opened consideration of Approval of Allocation of HOME Funds to Fremont Family Resource Center and Abode Services**

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

1. Approved the allocation of HOME funds to the projects identified in this report in the respective amounts stated in this staff report.
2. Authorized the City Manager: to approve future allocations of HOME funding to the projects identified in this report with the following not-to-exceed annual amounts in each fiscal year from FY 2018/19 – FY 2020/2021, contingent on the availability of FY 18/19- FY 2020/21 HOME funds and appropriation of those funds by Council; and to execute amendments to the agreements with Abode Services for use of the HOME funds:
 - \$171,430 to Fremont Family Resource Center Stay Housed Program
 - \$75,000 to Abode Services Rapid Rehousing Program
 - \$35,000 to Abode Services Project Independence

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

*** G. Mayor Mei opened consideration of a Resolution Authorizing an Application for Fiscal Year 2018/2019 Transportation Development Act Article 3 (TDA3) Grant and Acceptance of the TDA3 Funds in the amount of \$228,397 for the 2018 Pedestrian Crossing Enhancement Project Phase 2 (PWC8970); Exempt from CEQA review per Guidelines Section 15301 (Existing Facilities)**

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

1. Found the proposed pedestrian crossings safety enhancement project is exempt from CEQA review pursuant to CEQA Guidelines Section 15301 as the minor alteration of an existing facility involving negligible or no expansion of use beyond that presently existing.
2. Adopted Resolution No. 30-2018 authorizing the City Manager, or his designee, (a) to apply for Transportation Development Act Article 3 Bicycle and Pedestrian Program Funds in the amount of \$228,397 for the 2018 Pedestrian Crossing Enhancement Project Phase 2 for FY 2018/19; and (b) to accept any awarded grant funds for the Project and execute any necessary implementing documents.
3. Appropriated any grant funds received to PWC8970-521, (2018 Pedestrian Crossing Enhancement Project Phase 2).

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

*** H. Mayor Mei opened consideration of Approval of Plans and Specifications and Award a Construction Contract in the Amount of \$839,078 to Green Valley Group, Inc. for the Water Conservation & Median Upgrades - Mowry Avenue Project, and find that the project is exempt from review under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities)**

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

1. Found that the project is exempt from review under and Approve a Categorical Exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities).
2. Approved Plans and Specifications and Award a Construction Contract in the Amount of \$839,078 to Green Valley Group, Inc. for the Water Conservation And Median Upgrades – Mowry Avenue Project.

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

*** I. Mayor Mei opened consideration of Authorization to execute a 3-year service contract, under a Joint Powers Agreement with Alameda County Probation Department for Programs Supporting At-Risk Youth and Families from FY 2018/19 to FY 2020/21**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council authorized the City Manager, or his designee, to execute a three-year joint powers agreement in the amount of \$1,326,000 with Alameda County to provide delinquency intervention and prevention services for at-risk youth and families in Fremont and Newark.

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

*** J. Mayor Mei opened consideration of a Resolution Authorizing the City Manager to Execute a FY 2018/19 Contract with the California Department on Aging to Provide Multipurpose Senior Services Program (MSSP) Services**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council adopted Resolution No. 2018-31 approving and authorizing the City Manager, or his designee, to execute contract MS-1819-37 with the California Department on Aging to provide MSSP services for FY 2018/19 in an amount not to exceed \$209,965.

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

*** K. Mayor Mei opened consideration of Approval of an Initiation of a Proceeding to Vacate Portions of Cushing Parkway, Bunche Drive and Christy Street, and Public Service and Landscape Easements and Set a Public Hearing on July 10, 2018 at 7:00 p.m.**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council initiated proceedings to vacate a portion of Cushing Parkway, Bunche Drive and Christy Street, including reservation of landscape and public service easements on Bunche Drive, and to vacate portions of public service and landscape easements on Bunche Drive at Boscell Road by directing the City Clerk to set a public hearing to consider the street and easement vacations on

July 10, 2018 at 7:00 p.m. and to publish notice of the public hearing, and by directing the Director of Public Works to post notice of the public hearing at the site.

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

- * **L. Mayor Mei opened consideration of Approval and Authorization of the City Manager to Execute a \$176,529 Agreement for FY 2018/19 with Alameda County Health Care Services Agency to Support Human Services Programs, Including the Fremont Family Resource Center and Youth and Family Services Division's Life Launch Cognitive Behavioral Groups program**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council approved and authorized the City Manager, or his designee, to execute an agreement with Alameda County Health Care Services Agency in the amount of \$176,529 to support the Fremont Family Resource Center and Youth and Family Services Division's Life Launch Cognitive Behavioral Groups; and appropriate \$20,531 to fund 179.

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

- * **M. Mayor Mei opened consideration of Approval of Third Amendment to Emergency Medical Services First Responder Advanced Life Support Services (FRALS) Agreement between the City of Fremont and the County of Alameda**

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council authorized the City Manager, or his designee, to execute the Third Amendment to the Emergency Medical Services First Responder Advanced Life Support Services Agreement between the City of Fremont and County of Alameda.

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

3. CEREMONIAL ITEMS

A. Proclamation: Pride Month, June 2018

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications

Robert (Bob) Czerwinski, representing the Tri-Cities Society of Model Engineers, shared information regarding their upcoming 7th Annual Model Railroad Open House.

5. SCHEDULED ITEMS

A. Mayor Mei opened consideration of a Public Hearing (for which Notices were Published and Posted) and Adopt a Resolution to Vacate a Portion of Mission Falls Court – 47289 and 47320 Mission Falls Court – PLN2018-00175

*This item was added to the Consent Calendar.

On a motion by Councilmember Jones, seconded by Councilmember Salwan, the City Council held a public hearing and adopted Resolution No. 2018-32 to vacate a portion of Mission Falls Court.

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

B. Mayor Mei opened consideration of the First Public Hearing (Published Notice) on FY 2018/19 Proposed Operating Budget

The City Council held a public hearing. There were no questions from Councilmembers. Mayor Mei opened the public hearing. Steve Skala shared photos and voiced concern with several locked/gated right-of-ways in the city. Andreas Kadavanich expressed concerns. There were no additional speakers. Mayor Mei closed the public hearing. Councilmembers provided comment.

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS

A. Mayor Mei opened consideration of a Presentation and Discussion on the Status of the Niles/Nursery Railroad Quiet Zone Project and the Citywide Railroad Quiet Zone Program

This item was heard before Item 5.A.

Public Works Director Hans Larsen, City Engineer Khandan Bahmani, RailPros Vice President Karen Hankinson, and UPRR Public Affairs Director Francisco J. Castillo Jr. gave a presentation. Staff responded to questions from Councilmembers. The City Council accepted staff's presentation and provided comments.

8. COUNCIL COMMUNICATIONS

A. Council Referrals

1. Mayor Mei opened consideration of Councilmember Salwan Referral: Study of the Mission San Jose Town Center

Councilmember Salwan provided an overview of his request. City Manager Diaz responded to questions. Mayor Mei opened the public comment period. Gael Stewart, Hilda Furtado, Don Kaefer, Ben Yee, and Jannet Benz spoke in support of a study of the Mission San Jose Town Center area. There were no additional speakers. Mayor Mei closed the public comment period. Councilmembers provided comment.

On a motion by Councilmember Salwan, seconded by Councilmember Jones, the City Council approved moving forward with analysis by the Economic Development Department to begin consultant selection process and suggested partnering with the developer currently working with Ohlone.

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

2. Mayor Mei opened consideration of Vice Mayor Bacon Referral: Investigate an Ordinance Limiting the Use of Plastic Straws in Restaurants Similar to the Ordinances Recently Enacted in Oakland and Richmond

Vice Mayor Bacon asked Tri-City Ecology representative, Gus Morrison, to provide an overview. Mayor Mei opened the public comment period. Jannet Benz and Colin Ricketts, along with the Ohlone Sustainability Club members, spoke in support of the straw ban. There were no additional speakers. Mayor Mei closed the public comment period. This was followed by comments from Councilmembers.

On a motion by Vice Mayor Bacon, seconded by Councilmember Bonaccorsi, the City Council requests analysis concerning the issue of banning straws or only providing straws on demand, similar to what other cities have done.

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

B. Oral Reports on Meetings and Events

Councilmembers reported on their various meetings and activities.

9. ADJOURNMENT: There being no further business, Mayor Mei adjourned the meeting at 8:55 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

LILY MEI, Mayor