

**MINUTES  
FREMONT CITY COUNCIL MEETING  
APRIL 14, 2015  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

- A. Call to Order:** Mayor Harrison called the meeting to order.
- B. Flag Salute:** Vice Mayor Chan led the salute to the flag.
- C. Roll Call:** Present: Mayor Harrison, Vice Mayor Chan, Councilmembers: Bacon, Mei 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 Vice Mayor Chan, the City Council waived further readings of proposed ordinances.

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

- \* **B. Approval of Minutes – None.**
- \* **C. Mayor Harrison opened consideration of Fiscal Year 2013/14 Financial Audit and Transmittal of Fiscal Year 2013/14 Audit Reports**

On a motion by Councilmember Jones, seconded by Vice Mayor Chan, the City Council received audit reports and filed.

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

**\* D. Mayor Harrison opened consideration of Acceptance and Appropriation of Congestion Mitigation and Air Quality (CMAQ) Funds for the Fremont Boulevard Adaptive Signal Control Technology Project; Exempt from CEQA review per CEQA Guideline 15301 (Minor Alteration of Existing Facilities) (Congestion Mitigation and Air Quality Grant Funds)**

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

1. Found the Fremont Boulevard Adaptive Signal Control Technology Project is exempt from review under the California Environmental Quality Act pursuant to CEQA Guidelines 15301 as the minor alteration of existing facilities.
2. Authorized the City Manager, or his designee, to accept the awarded CMAQ grant funds in the amount of \$600,000 for the Fremont Boulevard Adaptive Signal Control Technology Project and to execute any related agreements or documents.
3. Appropriated the \$600,000 in CMAQ grant funds awarded to the City to fund 522 PWC 8870, Fremont Boulevard Adaptive Signal Control Technology Project.

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

**\* E. Mayor Harrison opened consideration of Approval to Adopt 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 2015/2016**

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

1. Adopted Resolution No. 2015-16 ordering the preparation and filing of the annual Engineer's Report for Landscaping Assessment District 88 for Fiscal Year 2015/16.
2. Adopted Resolution No. 2015-17 stating the intent of the City Council to levy and collect assessments for Fremont Landscaping Assessment District 88 for Fiscal Year 2015/16 and setting a public hearing for June 9, 2015.

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

**\* F. Mayor Harrison opened consideration of Approval to Adopt a Resolution Accepting FY 2015/16 Federal Continuum of Care Renewal Funding for the Homeless Outreach for People Empowerment (HOPE) Project and Authorizing the City Manager to Execute Agreements with HUD and Abode Services (Acceptance of Fiscal Year 2015/16 Federal Continuum of Care Funding for HOPE Project)**

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

1. Adopted Resolution No. 2015-18 accepting FY 2015/16 Federal CoC funding in the amount of \$274,929, and authorizing the City Manager or his designee to execute an agreement with the Department of Housing and Urban Development in the amount of \$274,929.
2. Authorized the City Manager or his designee to execute an agreement with Abode Services in the amount of \$282,717, effective July 1, 2015, as set forth in the staff report and contingent on the receipt and appropriation of funding.

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

- \* **G. Mayor Harrison opened consideration of Approval to Authorize the City Manager, or his designee, to accept the high bid for City owned vacant excess property located at 43327 Mission Boulevard and to execute the Real Property Purchase and Sale Agreement and all related documents necessary for the sale and conveyance of the property to Gene Au. Exempt from CEQA review per CEQA Guideline 15312, Surplus Government Property Sales (Old Mission Tiny Tots – Sale of City Owned Vacant Surplus Property)**

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

1. Found the sale of the City surplus property at 43327 Mission Boulevard is exempt from CEQA review in accordance with CEQA Guideline 15312 as the sale of surplus government property.
2. Approved the high bid for the City surplus property at 43327 Mission Boulevard in the amount of \$901,000.
3. Authorized the City Manager, or his designee, to execute the Real Property Purchase and Sale Agreement and all related documents necessary to close escrow with Gene Au.
4. Appropriated the proceeds of \$901,000 from the sale of 43327 Mission Boulevard to 501PWC8520, Downtown Plan.

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

- \* **H. Mayor Harrison opened consideration of Approval for Award of Contracts for On-Call ESA and Soil Testing Consultant Services to The Consulting Group and TRC Solutions, Inc. (On-Call Environmental Site Assessment (ESA) and Soil Testing Consultant Services Contracts)**

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

1. Authorized the City Manager or his designee to execute a Master Service Agreement with The Consulting Group for On-Call ESA and Soil Testing Consultant Services with a

not to exceed compensation amount of \$150,000 per year for three years for a total not to exceed compensation amount of \$450,000.

2. Authorized the City Manager or his designee to execute a Master Service Agreement with TRC Solutions, Inc. for On-Call ESA and Soil Testing Consultant Services with a not to exceed compensation amount of \$150,000 per year for three years for a total not to exceed compensation amount of \$450,000
3. Authorized the City Manager or his designee to exercise the option to renew each agreement, at an appropriate time, for two additional one-year terms with a not to exceed compensation amount of \$100,000 per year for each contract, provided the City Manager or his designee determines that the consultants have been responsive to the City's needs and the quality of work has been satisfactory.

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

**\* I. Mayor Harrison opened consideration of a Request for increase to the budget of the Mission Boulevard Improvement Project (Budget Authority Increase (PWC8663))**

On a motion by Councilmember Jones, seconded by Vice Mayor Chan, the City Council authorized the City Manager or his designee to increase the budget appropriation for PWC8663 by \$95,000 to reflect the VTA reimbursement agreement, and allocated the additional funding to the Mission Blvd Improvement Project (502PWC86636106).

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

**3. CEREMONIAL ITEMS**

- A. Proclamation: Supporting the Tri-Cities Ducks for Buck\$ Benefit Race Sponsored by the Kiwanis Club of Fremont**

**4. PUBLIC COMMUNICATIONS**

**A. Oral and Written Communications**

Randall Dukes, representing Lake Superior Drive neighbors, shared frustration with harassment from a particular neighbor (provided a petition to the City Clerk). Michael Sata and Pamela Gilmore also shared the same information regarding the Lake Superior neighbor. Linda Susoev expressed a variety of concerns. Grace Chin and Lydia Choy-Fong shared their concerns with construction being performed at a 42754 Palm Avenue residence.

**5. SCHEDULED ITEMS**

- A. Mayor Harrison opened consideration of a Public Hearing (Published Notice) on the Use of Federal Community Development Block Grant Fund for FY 2015/16, Adoption of a Resolution Approving the FY 2015/16 Action Plan and the FY 2015-2019 Strategic Plan; and Authorizing the City Manager to Execute Agreements with the U.S. Department of Housing and Urban Development and CDBG Grantees (CDBG Fiscal Year 2015/16 Funding Recommendation and Fiscal Year 15/16 Action Plan)**

\*This item added to the Consent Calendar.

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

1. Held a public hearing on the proposed FY 2015/16 CDBG Program Final Statement of Community Development Objectives and projected Use of Funds.
2. Allocated CDBG funds for FY 2015/16 in the amounts stated herein, contingent upon the adoption of the FY 2015/16 budget by the City Council.
3. Adopted Resolution No. 2015-19:
  - a. Approving, and authorizing the City Manager or his designee to submit the FY 2015/16 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds, the FY 2015-2019 Consolidated Plan, and the CDBG Action Plan as recommended by Citizens Advisory Committee and staff in the amounts stated herein.
  - b. Authorizing the City Manager or his designee to execute the FY 2015/16 CDBG funding agreement with HUD.
  - c. Authorizing the City Manager or his designee to execute agreements effective July 1, 2015, 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 2015/16.

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

Noes: None

Absent: None

Recuse: Councilmember Bacon

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

**7. OTHER BUSINESS**

- A. Mayor Harrison opened consideration of Niles Canyon Trail Project/Presentation – The East Bay Regional Park District gave a presentation on the Niles Canyon Trail Project.** The project will create a Class 1, multi-use trail through Niles Canyon; well as two other trail connections that will link to the Bay Area Ridge Trail to Vallejo Mills Park in Niles, and to the Vargus Plateau from Sunol. The presentation provided an update to Council on the

\*Consent Items

current status of project, the challenges, and the future vision for each of the three trail connections.

Supervisors Scott Haggerty and Richard Valle provided an overview of the project & PowerPoint presentation on the Niles Canyon Trail Project. With East Bay Regional Park District representatives, Jim Townsend and Suzanne Wilson, completing the presentation and responding to questions from Councilmembers.

The City Council received presentation and provided comment.

**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 8:07 p.m.

Attest:

Approved:

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Susan Gauthier, City Clerk

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BILL HARRISON, Mayor