

**MINUTES
FREMONT CITY COUNCIL MEETING
DECEMBER 15, 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 Mei 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 Chan, seconded by Vice Mayor Mei, 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 Second Reading and Adoption of an Ordinance of the City of Fremont Amending the Fremont Municipal Code Zoning Title 8 (Health and Safety), Chapter 8.55 (Smoking) and Title 18 (Planning and Zoning) Chapters 18.25 (Definitions), 18.43 (City Center Districts), 18.45 (Commercial Districts), 18.47 (Downtown District), and 18.49 (Warm Springs Innovation District), to Regulate the Retail Sales of Tobacco, including Electronic Cigarettes, and the Establishment and Operation of Retail Tobacco Stores including Electronic Cigarette Lounges and Vapor Bars**

On a motion by Councilmember Chan, seconded by Vice Mayor Mei, the City Council adopted Ordinance No. 24-2015.

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

*** D. Mayor Harrison opened consideration of Approval of Plans and Specifications, Award of Contract to Water Rock Construction Corporation in the Amount of \$450,011.80, and Approval of an Amendment to the Professional Services Agreement with TRC Solutions for Additional Environmental Services in the Amount of \$431,800.00 for the Soil Vapor Recovery and Treatment System Improvements, (City Project PWC 8812F), located at 37070 Fremont Boulevard (Centerville Unified Site Remediation)**

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

1. Approved the plans and specifications for the Soil Vapor Recovery and Treatment System Centerville Site – 37070 Fremont Boulevard Improvement Project, City Project PWC 8812F.
2. Awarded the construction contract for the Soil Vapor Recovery and Treatment System Centerville Site – 37070 Fremont Boulevard Improvement Project, City Project PWC 8812F to Water Rock Construction Corporation in the amount of \$450,011.80; and authorized the City Manager, or designee, to execute the contract.
3. Approved an Amendment to the Service Agreement between the City of Fremont and TRC Solutions, Inc., in the amount of \$431,800.00 for construction management, operations and maintenance services and authorized the City Manager or designee to execute the Amendment.

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 Final Map, Agreements with the Developer, VD Fremont 36, LLC, for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 8193, located at 34653 Fremont Boulevard**

On a motion by Councilmember Chan, seconded by Vice Mayor Mei, the City Council adopted Resolution No. 2015-85. to:

1. Approving the Final Map and the Improvement Plans for Tract 8193.
2. Approving the Agreement for Public Improvements entitled “Public Improvement Agreement, Tract 8193”, with the developer, VD Fremont 36, LLC, and authorize the City Manager to execute the agreement on behalf of the City.
3. Approving the Agreement for Private Improvements entitled “Private Improvement Agreement, Tract 8193”, with the developer, VD Fremont 36, LLC, and authorized the City Manager to execute the agreement on behalf of the City.

4. Accepting the developer's offer of dedication of real property interests, as identified on the Final Map, provided that the acceptance of any interests in real property on which the developer is required to construct public improvements shall be conditioned upon the developer's completion of improvements to the satisfaction of the City Engineer.

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

* **F. Mayor Harrison opened consideration of Approval for Authorization to Contract with the Alameda County Public Health Department for the Health Promoter Project**

On a motion by Councilmember Chan, seconded by Vice Mayor Mei, the City Council authorized the City Manager, or designee, to execute a contract with the Alameda County Public Health Department in the amount of \$181,371 for the period of July 1, 2015 through June 30, 2016 for the Health Promoter Project, and appropriate an additional \$5,284 in the State and County Grant Fund (Fund 192) to reflect the actual agreement amount.

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

* **G. Mayor Harrison opened consideration of Approval to Authorize the City Manager to Execute a \$180,000 Agreement for FY 2015/16 with Alameda County Health Care Services Agency to Support Human Services Programs, Including the Fremont Family Resource Center, Youth Empowerment Academy and Healthy Choices Counseling and Family Support Program (Youth and Family Opportunity Programs)**

On a motion by Councilmember Chan, seconded by Vice Mayor Mei, the City Council authorized the City Manager or his designee to execute an agreement with Alameda County Health Care Services Agency in the amount of \$180,000 to support the Fremont Family Resource Center, the Youth Empowerment Academy, and the school-based Healthy Choices Counseling and Family Support program.

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

3. CEREMONIAL ITEMS

A. Resolution: Honoring Linda Olla for Twenty Years of Service

4. PUBLIC COMMUNICATIONS

A. Oral and Written Communications – None.

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS

A. Mayor Harrison opened consideration of Introduction of an Ordinance to Repeal and Replace Title 10, Chapter 10.05, Article XI Of The Fremont Municipal Code to Create a Procedure for the Mission Peak neighborhood to Submit an Application for a Permit Parking Program and Find that the Proposed Ordinance Is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3) in that the Proposed Amendments are not a Project which has the Potential for Causing a Significant Effect on the Environment. (Parking Permit Program Process for Mission Peak Area-Stanford Avenue)

Director of Community Services Annabell Holland, Deputy Director of Community Services Kim Beranek, Deputy City Attorney Bronwen Lacey, and Police Captain Kim Peterson provided a PowerPoint presentation. Staff and Elisia Gonzales with EBRPD responded to questions from Councilmembers. Mayor Harrison opened the public comment period. Jannet Benz, Tony Pang, Vijay Pitchumani, and William Hsu spoke in favor of permit parking. Kelly Abreau shared a variety of concerns and provided a hand-out to the City Clerk. Andrew Wong spoke in favor of a long-term parking solution. There were no additional speakers. Mayor Harrison closed the public comment period. Councilmembers provided comment.

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

1. Found that this project is exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines in that it is not a project which has the potential to cause a significant effect on the environment.
2. Waived full reading and introduced the proposed ordinance, repealing and replacing Fremont Municipal Code Title 10, Chapter 10.05, Article XI Permit Parking, with the amendment that the petition shall be signed by residents within the proposed permit parking area representing not less than 60 percent of all addresses within the permit parking area.

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

Noes: None

Absent: None

Abstain: 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 8:10 p.m.

Attest:

Approved:

Susan Gauthier, City Clerk

BILL HARRISON, Mayor