

**CITY OF FOSTER CITY/
ESTERO MUNICIPAL IMPROVEMENT DISTRICT/
FOSTER CITY COMMUNITY DEVELOPMENT AGENCY**

REGULAR MEETING OF JANUARY 3, 2011

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of January 3, 2011 of the Community Development Agency (CDA) of the City of Foster City was called to order at 6:32 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Chair Koelling.

ROLL CALL

The Secretary called the roll:

PRESENT: Members Charlie Bronitsky, Pam Frisella, Art Kiesel, Rick Wykoff, and Chair Linda Koelling.

ABSENT: None.

STAFF PRESENT: James C. Hardy, Executive Director/Treasurer and Doris L. Palmer, CDA Secretary.

CONSENT CALENDAR

Motion by Vice Chair Kiesel, seconded by Member Bronitsky, and carried unanimously, 5-0-0, to adopt on the CDA Consent Calendar the Minutes of the Regular Meeting of December 20, 2010.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Koelling adjourned the meeting. Meeting adjourned at 6:32 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of January 3, 2011 of the City Council of the City of Foster City, sitting as said Council and as ex officio the Board of Directors of the Estero Municipal Improvement District (EMID), was called to order at 6:32 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Mayor/President Linda Koelling.

Mayor/President Koelling called for a moment of silence in honor of former Councilmember and Mayor Eileen Larsen who passed away on December 18, 2010.

ROLL CALL

The City Clerk/District Secretary called the roll:

PRESENT: Councilmembers/ex officio Directors Charlie Bronitsky, Pam Frisella, Art Kiesel, Rick Wykoff, and Mayor/President Linda Koelling.

ABSENT: None.

STAFF PRESENT: James C. Hardy, City/District Manager; Jean Savaree, City Attorney/District Legal Counsel; Kristi A. Chappelle, Assistant City/District Manager; Richard B. Marks, Community Development Director; Kevin Miller, Parks and Recreation Director; Steve Toler, Finance Director; Ramon Towne, Public Works Director; Jon Froomin, Police Captain; Matt Martell, Police Captain; Laura Galli, Assistant Engineer; Bridget Carberry, Video Technician; and Doris L. Palmer, City Clerk/District Secretary/Recording Secretary.

CONSENT CALENDAR

Motion by Councilmember/Director Frisella, seconded by Councilmember/Director Bronitsky, and carried unanimously, 5-0-0, approving the following items on the City/District Consent Calendar:

City Consent Calendar

1. Minutes of the Regular Meeting of December 20, 2010; and

EMID Consent Calendar

2. Minutes of the Regular Meeting of December 20, 2010.

ORDINANCES FOR INTRODUCTION

ADDING CHAPTER 8.07 - STORAGE AND DISPOSAL OF SOLID WASTES AND RECYCLABLE MATERIALS, OF TITLE 8, HEALTH AND SAFETY, TO THE FOSTER CITY MUNICIPAL CODE.

Public Works Director Towne presented the staff report.

Discussion ensued.

Motion by Councilmember Bronitsky, seconded by Vice Mayor Kiesel, and carried, 4-1-0, Councilmember Frisella voted "no," to introduce ordinance by title and waive further reading of "An Ordinance of the City of Foster City Adding Chapter 8.07 - Storage and Disposal of Solid Wastes and Recyclable Materials, of Title 8, Health and Safety, to the Foster City Municipal Code, with the following amendments: (1) deleting Section 8.07.050, Refuse Service; (2) repeating the phrase "owner, occupant or other person responsible" in Sections 8.07.080 and 8.07.140; and (3) amending Section 1 to read "A new Chapter 8.07 shall be added to Title 8 of the Foster City Municipal Code, which chapter shall replace, in

its entirety, Chapter 6.04, Storage and Disposal of Solid Wastes, of Title 6 of the Estero Municipal Improvement District Code.”

Motion by Councilmember Bronitsky, seconded by Vice Mayor Kiesel, and carried, 4-1-0, Councilmember Frisella voted “no,” to pass ordinance to second reading.

RESOLUTIONS FOR ADOPTION

DIRECTING THE FOSTER CITY PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND PROVIDE RECOMMENDATIONS ON A DRAFT ORDINANCE REQUIRING THAT CERTAIN TYPES OF RECREATIONAL OR INSTRUCTIONAL SCHOOLS AND BUSINESSES KEEP THE DOORS AND WINDOWS OF THE BUSINESS CLOSED DURING THE HOURS OF BUSINESS OPERATIONS. CITY RESOLUTION NO. 2011-1.

Community Development Director Marks presented the staff report.

Herb Perez, 1044 Pensacola Street, addressed the City Council in opposition to the adoption of this resolution.

Discussion ensued.

Motion by Councilmember Frisella, seconded by Mayor Koelling, and carried, 4-1-0, Councilmember Wykoff voted “no,” to adopt City Resolution No. 2011-1, “A Resolution of the City Council of the City of Foster City Directing the Foster City Planning Commission to hold a Public Hearing and Provide Recommendations on a Draft Ordinance Amending Section 17.24.010, Regulations Generally, of Chapter 17.24, C-1, Neighborhood Business District; Section 17.26.010, Regulations Generally, of Chapter 17.26, C-2 General Business District; and, Section 17.28.010, Regulations Generally, of Chapter 17.28, C-M Commercial Mix District, of the Foster City Municipal Code, Requiring that Certain Types of Recreational or Instructional Schools and Businesses Keep the Doors and Windows of the Business Closed During the Hours of Business Operations – City of Foster City.”

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued on December 15, 2010 were listed on the agenda for information purposes only. No action was required.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember/Director Frisella wished everyone a happy new year. She advised that January 4 will be the first day of the new garbage collection in her neighborhood. She noticed the garbage bins were placed in different directions. She asked everyone to put the wheels of the garbage bins against the curb so the lids can open and the garbage trucks can pick up the bins to dump the garbage into the trucks. She is very excited about the new garbage service provided by Recology.

Councilmember/Director Bronitsky wished everyone a happy new year.

Vice Mayor/Vice President Kiesel said that on December 31 he put his garbage cans out at the curb without the “take me” stickers and when he went to collect them, they were nowhere to be found. He is working with Allied Waste to get them back or be replaced.

Vice Mayor/Vice President Kiesel announced the 6th annual spaghetti feed and bingo night benefiting the Foster City Police and Fire Departments will take place January 28. This event is sponsored by the Lions and Rotary Clubs. He advised tickets are on sale now.

Mayor/President Koelling wished everyone a happy new year as well. She announced this is the 1st meeting of 2011. There is a lot of hard work ahead. We will all need to roll up our sleeves and work together to address the state’s budget crisis.

Mayor/President Koelling asked permission from the City Council to present a proclamation to Regional Public Affairs Manager Rebecca Elliot on behalf of the City Council who is retiring from service with the League of California Cities.

CLOSED SESSION

Mayor/President Koelling recessed the meeting into Closed Session for the following:

1. Conference with Real Property Negotiators [Government Code 54956.8]: To instruct City/District negotiators James C. Hardy, Jean Savaree, Kristi Chappelle, Richard Marks, Steve Toler and Kevin Miller regarding negotiations with representatives of the North Peninsula Jewish Campus (NPJC) with respect to terms of an existing lease of the 12-acre parcel of land owned by the City of Foster City located along Shell Boulevard [APN: 094-471-050] and
2. Conference with Real Property Negotiators [Government Code 54956.8]: To instruct City/EMID/CDA negotiators James C. Hardy, Jean Savaree, Kristi Chappelle, Richard Marks, and Steve Toler regarding discussions with representatives of 1) Student Center Associates; 2) RLB Commercial Real Estate; and, 3) Githler Development, Inc. with respect to leasing and/or selling the 15-acre site adjacent to the Government Center owned by the City of Foster City [APN 094-471-100].

Meeting recessed into Closed Session at 7:11 p.m. and reconvened at 8:25 p.m.

Mayor/President Koelling reported that no action was taken in Closed Session.

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Koelling adjourned the meeting. The meeting was adjourned in memory of former Councilmember and Mayor Eileen Larsen. Meeting adjourned at 8:25 p.m.