

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

REGULAR MEETING OF JANUARY 5, 2009

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of January 5, 2009 of the Community Development Agency (CDA) of the City of Foster City was called to order at 7:32 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Chair Kiramis.

ROLL CALL

The Secretary called the roll:

PRESENT: Members Pam Frisella, Art Kiesel, Linda Koelling, Rick Wykoff, and Chair John Kiramis.

ABSENT: None.

STAFF PRESENT: James C. Hardy, Executive Director/Treasurer; and Therese L. Calic, CDA Secretary.

CONSENT CALENDAR

Motion by Member Koelling, seconded by Member Kiesel, and carried unanimously, 5-0-0, to adopt the Minutes of the Special and Regular Meetings of December 15, 2008 on the CDA Consent Calendar.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Kiramis adjourned the meeting. Meeting adjourned at 7:34 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of January 5, 2009 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 7:34 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Mayor/President John Kiramis.

ROLL CALL

The City Clerk/District Secretary called the roll:

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

ABSENT: None.

STAFF PRESENT: James C. Hardy, City/District Manager/City Treasurer; Jean B. Savaree, City Attorney/District Legal Counsel; Kristi A. Chappelle, Assistant City Manager; Ramon Towne, Director of Public Works; Craig Courtin, Chief of Police; Tom Reaves, Fire Chief; Steve Toler, Administrative Services Director; Nick Weber, Fire Battalion Chief; Norm Dorais, Public Works Maintenance Manager, Laura Galli, Assistant Engineer; Sergio Ramirez, Public Works Sewer Maintenance Superintendent; John Castanha, Human Resources Analyst; Dan Bull, Firefighter; Mike Sly, Video Technician; Bridget Carberry, Video Technician; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

EMPLOYEE OF THE 3RD QUARTER 2008.

On behalf of the City Council, Mayor Kiramis congratulated and presented a plaque to Firefighter Dan Bull for being selected as Employee of the 3rd Quarter 2008.

PUBLIC

Linda Haskin, 1116 Halsey Boulevard, was concerned about the height and density of buildings in the Draft Environmental Impact Report (Draft EIR) for the Mirabella San Francisco Bay/Parkview Plaza Development Project and wants to make sure that the public is aware of what is in the Draft EIR.

CONSENT CALENDAR

Motion by Vice Mayor/Vice President Wykoff, seconded by Councilmember/Director Kiesel, and carried unanimously, 5-0-0, to approve the following items on the City/District Consent Calendar:

City Consent Calendar

1. Minutes of the Special Meeting of December 15, 2008;
2. Minutes of the Regular Meeting of December 15, 2008;

3. City Resolution No. 2009-1, "A Resolution of the City Council of the City of Foster City Approving the Assignment and Assumption of Assignor's Rights and Obligations in and Under Development Agreement Between Electronics for Imaging, Inc. and Gilead Sciences, Inc. Regarding the Sale and Purchase of Real Property Located at 301 Velocity Way and on ±30 Acres of Adjacent Property in Vintage Park;"
4. Accepted Staff Report Setting the Date and Time to Develop the Policy Calendar for 2009 to be held on Monday, January 26 at 4:00 p.m.;

EMID Consent Calendar

5. Minutes of the Special Meeting of December 15, 2008;
6. Minutes of the Regular Meeting of December 15, 2008;
7. EMID Resolution No. 3060, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Assignment and Assumption of Assignor's Rights and Obligations in and Under Development Agreement Between Electronics for Imaging, Inc. and Gilead Sciences, Inc. Regarding the Sale and Purchase of Real Property Located at 301 Velocity Way and on ±30 Acres of Adjacent Property in Vintage Park;" and
8. EMID Resolution No. 3061, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Sewer System Management Plan as Required by the State Water Resources Control Board Order No. 2006-0003 – Statewide General Waste Discharge Requirements for Sanitary Sewer Systems."

PUBLIC HEARINGS

ALLIED WASTE SERVICES REFUSE COLLECTION RATES FOR 2009. CITY RESOLUTION NOS. 2009-2 AND 2009-3.

Mayor Kiramis opened a public hearing to hear and consider comments regarding Allied Waste Services Refuse Collection Rates for 2009.

Public Works Director Towne presented the staff report.

No public testimony was received.

Mayor Kiramis closed the public hearing.

Motion by Councilmember Koelling, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, to adopt City Resolution No. 2009-2, "A Resolution of the City Council of the City of Foster City Approving the Continuation of 2008 Refuse Collection Fees for the Year 2009 for Allied Waste Industries (AWI) Refuse, Recyclable Material and Plant Material Collection Services."

Motion by Councilmember Koelling, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to adopt City Resolution No. 2009-3, "A Resolution of the City Council of the City of Foster City Imposing a One-Time Assessment of \$650,000 (Fee) and Establishing a Restricted Rate Stabilization Reserve to Help Reduce the Impact of Future Rate Increases on the Ratepayers."

City Manager Hardy complimented Allied Waste Industries for their cooperative effort in negotiating the latest rates and for looking for ways to reduce costs given the decline in revenues from the sale of recycled materials. Evan Boyd, General Manager, Allied Waste Industries, positively responded.

RESOLUTIONS FOR ADOPTION

POLICY REGARDING THE RECEIPT OF DONATIONS AND THE USE OF DONATIONS TO THE FOSTER CITY FOUNDATION. CITY RESOLUTION NO. 2009-4.

City Manager Hardy presented the staff report.

Discussion ensued.

Motion by Councilmember Frisella, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to adopt City Resolution No. 2009-4, "A Resolution of the City Council of the City of Foster City Approving a Policy Regarding the Receipt of Donations and the Use of Donations to the Foster City Foundation."

Staff was directed to produce a monthly report listing the donor's names, the amount donated, and the purpose for the donation.

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

The City/District Warrant of Demands processed and issued December 10, 2008 and December 17, 2008 were listed on the agenda for information purposes only. No action was taken.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember Kiesel hoped that everyone had a great holiday season.

Councilmember Frisella invited the public to support the annual Spaghetti Feed/ Bingo Night hosted by the Lions Club and Rotary Club on January 30. Proceeds will go to the Police and Fire Departments. She wished everyone a healthy and prosperous New Year.

Councilmember Koelling suggested that Councilmembers attend the Peninsula Division of the League of California Cities Reception for New and Re-elected Officials on January 29 for information and networking purposes.

Vice Mayor Wykoff expressed gratitude to the present and past city councils and city staff for being fiscally conservative and managing well the City's finances, especially when there are so many cities struggling right now.

Mayor Kiramis cleared up misleading information that Visa is moving from Foster City. He stated that Visa is remaining in Foster City and that the Visa Corporate Headquarters are simply moving from one building in San Francisco to another building four blocks away in San Francisco.

Mayor Kiramis wished everyone a Happy New Year.

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Kiramis adjourned the meeting. Meeting adjourned at 8:07 p.m.