

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

REGULAR MEETING OF FEBRUARY 22, 2011

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of February 22, 2011 of the Community Development Agency (CDA) of the City of Foster City was called to order at 6:30 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Chair Linda 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 Kimberly Gock, CDA Deputy Secretary.

CONSENT CALENDAR

Motion by Chair Koelling, seconded by Vice Chair Kiesel, and carried unanimously, 5-0-0, approving the Minutes of the Regular Meeting of February 7, 2011 on the CDA Consent Calendar.

RECESS

Chair Koelling recessed the meeting of the Community Development Agency to consider a Resolution of the Community Development Agency of the City of Foster City Approving and Authorizing Execution of an Affordable Housing Reimbursement Agreement with the City of Foster City for the Production of Affordable Housing in an Amount Not to Exceed \$30,000,000 with the companion City item during the City Council meeting.

The CDA meeting recessed at 6:31 p.m. and reconvened at 7:42 p.m.

RESOLUTIONS FOR ADOPTION

APPROVING AND AUTHORIZING EXECUTION OF AN AFFORDABLE HOUSING REIMBURSEMENT AGREEMENT WITH THE CITY OF FOSTER CITY FOR THE PRODUCTION OF AFFORDABLE HOUSING IN AN AMOUNT NOT TO EXCEED \$30,000,000. CDA RESOLUTION NO. 295.

Finance Director Toler presented the staff report.

Discussion ensued.

Motion by Member Frisella, seconded by Vice Chair Kiesel, and carried unanimously 5-0-0, to adopt CDA Resolution No. 295, "A Resolution of the Community Development Agency of the City of Foster City Approving and Authorizing Execution of an Affordable Housing Reimbursement Agreement with the City of Foster City for the Production of Affordable Housing in an Amount Not to Exceed \$30,000,000."

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Koelling adjourned the meeting. Meeting adjourned at 7:48 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of February 22, 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 6:31 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Mayor/President Linda Koelling.

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; Craig Courtin, Police Chief; Richard B. Marks, Community Development Director; Kevin Miller, Parks and Recreation Director; Steve Toler, Finance Director; Ramon Towne, Public Works Director; Curtis Banks, Planning Manager; Matt Martell, Police Captain; 'Andra Lorenz, Management Analyst; Joan Schoening, IT Manager; Alfre Vaille, Sustainability Intern; Bridget Carberry, Video Technician; and Kimberly Gock, Deputy City Clerk/District Secretary/Recording Secretary.

PUBLIC

Jordan Tolchin, 1018 Condor Lane, Foster City addressed the City Council regarding City Policy and City Program Management of Affordable Housing.

CONSENT CALENDAR

Motion by Mayor/President Koelling, seconded by Vice Mayor/Vice President Kiesel, 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 February 7, 2011;
2. City Resolution No. 2011-12, "A Resolution of the City Council of the City of Foster City Awarding a Construction Contract for (CIP 607) Levee Pedway Maintenance Phase II Project to Galedrige Construction Inc.;"
3. City Resolution No. 2011-13, "A Resolution of the City Council of the City of Foster City Accepting the Work by Truesdell Corporation of California, Inc. for (CIP 762) Bridge Repair Project and Directing the City Clerk to File the Notice of Completion;"
4. City Resolution No. 2011-14, "A Resolution of the City Council of the City of Foster City Authorizing the Dissolution of the Arts and Culture Committee, Noise Abatement Committee and Senior Citizen Advisory Committee;"
5. City Resolution No. 2011-15, "A Resolution of the City Council of the City of Foster City Authorizing the City of Foster City to Become a Member of a Countywide Sub-Region, an Entity that Would Locally Administer ABAG's Regional Housing Needs Allocation Process (RHNA) as Part of the Regional Sustainable Communities Strategy;"
6. City Resolution No. 2011-16, "A Resolution of the City Council of the City of Foster City Authorizing Purchase of Replacement Desktop Computers from PC MALL GOV, Inc. in an Amount Not to Exceed \$ 28,000;"
7. City Resolution No. 2011-17, "A Resolution of the City Council of the City of Foster City Authorizing Staff to Issue a Request for Proposal for Architectural Concept and Site Planning for Synthetic Surface Soccer and Baseball Fields at Sea Cloud Park, and Synthetic Surface Soccer Field and Running Track at Port Royal Park;"
8. Minute Order No. 1221, "Approve Foster City Council Liaisons List Dated February 22, 2011;" and

EMID Consent Calendar

9. Minutes of the Regular Meeting of February 7, 2011.

REPORTS

AD HOC ENVIRONMENTAL SUSTAINABILITY TASK FORCE 2010-11 YEAR-END REPORT, REVIEW OF MISSION STATEMENT, AND GOALS FOR 2011-2012. MINUTE ORDER NO. 1222.

Ad Hoc Environmental Sustainability Task Force Chair Joanne Bohigian presented the committee year-end report.

Motion by Councilmember Frisella, seconded by Councilmember Bronitsky, and carried unanimously, 5-0-0, to adopt Minute Order No. 1222, accepting Ad Hoc Environmental

Sustainability Task Force's 2010-11 Year-End Report, Mission Statement, and Goals for 2011.

PARKS AND RECREATION COMMITTEE'S 2010 YEAR-END REPORT, REVIEW OF MISSION STATEMENT, AND GOALS FOR 2011. MINUTE ORDER NO. 1223.

Parks and Recreation Chair Herb Perez presented the committee year-end report.

Motion by Director Wykoff, seconded by Director Frisella, and carried unanimously, 5-0-0, to adopt Minute Order No. 1223, accepting Park and Recreation Committee's 2010 Year-End Report, Mission Statement, and Goals for 2011.

ORDINANCES FOR INTRODUCTION

AMENDING SECTION 6.04.070, PROHIBITED CONDUCT, OF CHAPTER 6.04, ANIMAL CONTROL, OF TITLE 6, ANIMAL CONTROL, OF THE FOSTER CITY MUNICIPAL CODE ADDING A 3-DOG LIMIT FOR OFF LEASH DOGS AT OFF-LEASH AREAS.

Parks and Recreation Director Miller presented the staff report.

The following people addressed the City Council in favor of the ordinance:

1. Steve Morris, 340 Bramble Court and
2. Lillian Lee Port, 21 Beach Park Boulevard.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Councilmember Frisella, and carried, 4-0-1, Councilmember Bronitsky abstained, to introduce ordinance by title and waive further reading of "An Ordinance of the City of Foster City Amending Section 6.04.070, Prohibited Conduct, of Chapter 6.04, Animal Control, of Title 6, Animal Control, of the Foster City Municipal Code Adding a 3-Dog Limit for Off Leash Dogs at Off-leash Areas."

Motion by Councilmember Wykoff, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to pass ordinance to second reading.

AMENDING SECTION 2.28.050, MEMBERS--REAPPOINTMENT, OF CHAPTER 2.28, PLANNING, SECTION 2.36.060, MEMBERS--NUMBER OF TERMS, OF CHAPTER 2.36, CITIZENS ADVISORY COMMITTEES, OF TITLE 2, ADMINISTRATION AND PERSONNEL, AND SECTION 10.08.080, FCC TRAFFIC REVIEW COMMITTEE—ESTABLISHMENT—MEMBERSHIP, OF CHAPTER 10.08, TRAFFIC ADMINISTRATION, OF TITLE 10, TRAFFIC AND VEHICLE, OF THE FOSTER CITY MUNICIPAL CODE ADDING TERM LIMITS FOR THE PLANNING COMMISSION.

City Manager Hardy presented the staff report.

Discussion ensued.

Motion by Councilmember Frisella, seconded by Councilmember Bronitsky, and carried, 3-2-0, Councilmember Wykoff and Vice Mayor Kiesel voted "no" to introduce ordinance by title and waive further reading of "An Ordinance of the City of Foster City Amending

Section 2.28.050, Members--Reappointment, of Chapter 2.28, Planning, Section 2.36.060, Members--Number of Terms, of Chapter 2.36, Citizens Advisory Committees, of Title 2, Administration and Personnel, and Section 10.08.080, FCC Traffic Review Committee—Establishment—Membership, of Chapter 10.08, Traffic Administration, of Title 10, Traffic and Vehicle, of the Foster City Municipal Code Adding Term Limits for the Planning Commission,” with the following amendments: deleting the sentence “However, a member can not be reappointed to a new term that commences within 12 months of the two successive terms served.”

Motion by Councilmember Bronitsky, seconded by Councilmember Frisella, and carried, 3-2-0, Councilmember Wykoff and Vice Mayor Kiesel voted “no” to pass ordinance to second reading.

AMENDING SECTION 2.28.060, MEMBERS--NUMBER OF TERMS, OF CHAPTER 2.28, CITIZENS ADVISORY COMMITTEES, OF TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE ESTERO MUNICIPAL IMPROVEMENT DISTRICT CODE. EMID ORDINANCE NO. 129.

City Manager Hardy presented the staff report.

Discussion ensued.

Motion by President Koelling, seconded by Director Bronitsky, and carried, 3-2-0, Director Wykoff and Vice President Kiesel voted “no” to introduce ordinance by title and waive further reading of “An Ordinance of the Estero Municipal Improvement District Amending Section 2.28.060, Members--Number of Terms, of Chapter 2.28, Citizens Advisory Committees, of Title 2, Administration and Personnel, of the Estero Municipal Improvement District Code,” with the following amendments: deleting the sentence “However, a member can not be reappointed to a new term that commences within 12 months of the two successive terms served.”

Motion by President Koelling, seconded by Director Bronitsky, and carried, 3-2-0, Director Wykoff and Vice President Kiesel voted “no” to adopt EMID Ordinance No. 129 as amended.

CDA MEETING RECONVENED. The Community Development Agency meeting reconvened at 7:42 p.m.

RESOLUTIONS FOR ADOPTION

APPROVING AND AUTHORIZING EXECUTION OF AN AFFORDABLE HOUSING REIMBURSEMENT AGREEMENT WITH THE FOSTER CITY COMMUNITY DEVELOPMENT AGENCY FOR THE PRODUCTION OF AFFORDABLE HOUSING IN AN AMOUNT NOT TO EXCEED \$30,000,000. CITY RESOLUTION NO. 2011-18.

Finance Director Toler presented the staff report.

Discussion ensued.

Motion by Councilmember Frisella, seconded by Vice Mayor Kiesel, and carried, 5-0-0, to adopt City Resolution No. 2011-18, "A Resolution of the City Council of the City of Foster City Approving and Authorizing Execution of an Affordable Housing Reimbursement Agreement with the Foster City Community Development Agency for the Production of Affordable Housing in an Amount Not to Exceed \$30,000,000."

CDA MEETING ADJOURNED. The Community Development Agency meeting adjourned at 7:48 p.m.

APPROVING A REQUEST FOR QUALIFICATIONS (RFQ) SOLICITING INTEREST FROM LAND DEVELOPMENT FIRMS AND NON-PROFIT HOUSING ORGANIZATIONS REGARDING DEVELOPMENT ON THE 15 ACRES OF PROPERTY OWNED BY THE CITY OF FOSTER CITY ADJACENT TO THE FOSTER CITY GOVERNMENT CENTER (APN 094-471-100), APPROVING A TWO STEP PROCESS FOR IDENTIFYING A LAND DEVELOPMENT FIRM AND/OR NON-PROFIT HOUSING ORGANIZATION TO WORK WITH THE CITY IN DEVELOPING THE SUBJECT PROPERTY AND AUTHORIZING THE CITY MANAGER TO CIRCULATE THE REQUEST FOR QUALIFICATION (RFQ) TO INTERESTED LAND DEVELOPMENT FIRMS AND NON-PROFIT HOUSING ORGANIZATIONS. CITY RESOLUTION NO. 2011-19.

Community Development Director Marks presented the staff report.

Discussion ensued.

Motion by Councilmember Frisella, seconded by Councilmember Bronitsky, and carried unanimously, 5-0-0, to adopt City Resolution No. 2011-19, "A Resolution of the City Council of the City of Foster City Approving a Request for Qualifications (RFQ) Soliciting Interest from Land Development Firms and Non-Profit Housing Organizations Regarding Development on the 15 Acres of Property Owned by the City of Foster City Adjacent to the Foster City Government Center (APN 094-471-100), Approving a Two Step Process for Identifying a Land Development Firm and/or Non-Profit Housing Organization to Work with the City in Developing the Subject Property and Authorizing the City Manager to Circulate the Request for Qualification (RFQ) to Interested Land Development Firms and Non-Profit Housing Organizations."

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued on February 2, 2011, February 9, 2011, and February 14, 2011 were listed on the agenda for information purposes only. No action was required.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Vice Mayor/Vice President Kiesel stated that seating is still available for the Annual Lions Crab Feed. The event will take place this Saturday, February 26. For more information, contact the Foster City Chamber of Commerce or read the Foster City Islander.

Councilmember/Director Frisella mentioned that she will attend the Annual Lions Crab Feed. She encouraged everyone to come out and support the Lions Club.

Councilmember/Director Bronitsky thanked Kimberly Gock for doing a great job substituting as City Clerk tonight.

Mayor/President Koelling congratulated Kimberly as well. She thanked everyone who participated in tonight's meeting. She also issued a public apology to John Cline who did not get a chance to address the Council because she overlooked his request to speak form.

Mayor/President Koelling asked that each Councilmember give updates on the Citizen Advisory Committees to which they are liaisons starting in March during Statements and Requests. She would like the public to stay informed on all City matters.

CLOSED SESSION

Mayor/President Koelling recessed the meeting into Closed Session pursuant to Government Code 54956.8 Conference with Real Property Negotiators [Government Code]: To instruct City/EMID negotiators Kristi Chappelle, Jean Savaree, Richard Marks and Steve Toler regarding the lease of +23 Acre Parcel owned by the Estero Municipal Improvement District leased to VB Golf, LLC. located at the terminus of Lakeside Drive on the north side of East Third Avenue known as Mariner's Point Golf and Practice Center [APN 094-130-010].

Meeting recessed into Closed Session at 7:56 p.m. and reconvened at 8:10 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. Meeting adjourned at 8:10 p.m.