

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

REGULAR MEETING OF MARCH 7, 2011

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of March 7, 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 Doris L. Palmer, CDA Secretary.

CONSENT CALENDAR

Motion by Vice Chair Kiesel, seconded by Member Frisella, and carried unanimously, 5-0-0, approving the Minutes of the Regular Meeting of February 22, 2011 on the CDA Consent Calendar.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Koelling adjourned the meeting. Meeting adjourned at 6:31 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of March 7, 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; Craig Courtin, Police Chief; Kevin Miller, Parks and Recreation Director; Steve Toler, Finance Director; Ramon Towne, Public Works Director; Jon Froomin, Police Captain; Joan Schoening, IT Manager; Bridget Carberry, Video Technician; and Doris L. Palmer, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION DECLARING THE MONTH OF MARCH 2011 AS "AMERICAN RED CROSS MONTH."

On behalf of the City Council, Mayor Koelling presented the proclamation to Mary Bates representing the American Red Cross.

PRESENTATION BY RICHARD NAPIER, EXECUTIVE DIRECTOR OF CITY/COUNTY ASSOCIATION OF GOVERNMENTS, ON THE PROPOSED POLICIES AND ACTIONS FOR THE COUNTYWIDE TRANSPORTATION PLAN.

Executive Director Richard Napier and Transportation Planning and Programs Manager Joseph Kott gave a presentation on the Proposed Policies and Actions for the Countywide Transportation Plan 2035.

PUBLIC

Kathy Lavezzo, Senior Account Executive at PG&E, presented an Energy Efficiency Rebate check of \$33,825 to the City Council.

CONSENT CALENDAR

Motion by Councilmember/Director Frisella, 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 22, 2011;
2. City Resolution No. 2011-20, "A Resolution of the City Council of the City of Foster City Amending the Policy Statement of the Youth Advisory Committee Limiting Membership Size to Fifteen;"
3. City Resolution No. 2011-21, "A Resolution of the City Council of the City of Foster City Amending the Frequency of Meetings of the Information Technology Advisory Committee by Amending Exhibit "A" of Resolution No. 2004-27;"

4. City Resolution No. 2011-22, "A Resolution of the City Council of the City of Foster City Approving a Seventh Amendment to the Lease Agreement Between the City of Foster City, Estero Municipal Improvement District and VB Golf LLC Consenting to a Sublease Between VB Golf LLC and Cool Clubs Golf, a Proposed Sublessor at the Mariners' Point Golf Links and Practice Center as Required by Section 10 of the Lease Agreement;"

EMID Consent Calendar

5. Minutes of the Regular Meeting of February 22, 2011; and
6. District Resolution No. 3125, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving a Seventh Amendment to the Lease Agreement Between the City of Foster City, Estero Municipal Improvement District and VB Golf LLC Consenting to a Sublease Between VB Golf LLC and Cool Clubs Golf, a Proposed Sublessor at the Mariners' Point Golf Links and Practice Center as Required by Section 10 of the Lease Agreement."

ITEMS REMOVED FROM CONSENT CALENDAR

AUTHORIZING PURCHASE OF REPLACEMENT STORAGE AREA NETWORK FROM HPM NETWORKS IN AN AMOUNT NOT TO EXCEED \$50,000. CITY RESOLUTION NO. 2011-23.

Councilmember Wykoff removed this item from the City Consent Calendar.

Discussion ensued.

Motion by Councilmember Bronitsky, seconded by Mayor Koelling, and carried unanimously, 5-0-0, to adopt City Resolution No. 2011-23, "A Resolution of the City Council of the City of Foster City Authorizing Purchase of Replacement Storage Area Network From HPM Networks in an Amount Not to Exceed \$50,000."

APPROVAL AND ADOPTION OF THE TIER 2 DROUGHT IMPLEMENTATION PLAN PURSUANT TO SECTION 3.11.C OF THE WATER SUPPLY AGREEMENT WITH SAN FRANCISCO. EMID RESOLUTION NO. 3126.

Director Wykoff removed this item from the City Consent Calendar.

Discussion ensued.

Motion by Director Wykoff, seconded by Vice President Kiesel, and carried unanimously, 5-0-0, to adopt EMID Resolution No. 3126, "A Resolution of the Board of Directors of the Estero Municipal Improvement District for Approval and Adoption of the Tier 2 Drought Implementation Plan Pursuant to Section 3.11.C of the Water Supply Agreement with San Francisco."

NEW BUSINESS

AD HOC ENVIRONMENTAL SUSTAINABILITY TASK FORCE APPOINTMENT. MINUTE ORDER NO. 1224.

City Clerk Palmer presented the staff report.

Ad Hoc Environmental Sustainability Task Force applicant Gregg Kasten introduced himself to the City Council.

Motion by Councilmember Frisella, seconded by Vice Mayor Kiesel, and carried unanimously, 5-0-0, appointing Gregg Kasten to an unexpired partial term from June 1, 2009 to June 30, 2012 on the Ad Hoc Environmental Sustainability Task Force.

REPORTS

INFORMATION TECHNOLOGY ADVISORY COMMITTEE 2010 YEAR-END REPORT, REVIEW OF MISSION STATEMENT, AND GOALS FOR 2011. MINUTE ORDER NO. 1225.

Information Technology Advisory Committee Members Larry Shaine and Larry Staley presented the committee's year-end report. Committee Chair Greg Koss was also present to answer questions regarding the report.

Motion by Councilmember Bronitsky, seconded by Councilmember Wykoff, and carried unanimously, 5-0-0, to adopt Minute Order No. 1225, accepting Information Technology Advisory Committee's 2010 Year-End Report, Mission Statement, and Goals for 2011.

ORDINANCES FOR ADOPTION

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. CITY ORDINANCE NO. 562.

Motion by Councilmember Frisella, seconded by Councilmember Wykoff, and carried, 4-0-1, Councilmember Bronitsky abstained, to adopt City Ordinance No. 562, "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."

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 ORDINANCE NO. 563.

Motion by Councilmember Frisella, seconded by Councilmember Bronitsky, and carried, 4-1-0, Vice Mayor Kiesel voted "no" to adopt City Ordinance No. 563, "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.”

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued on February 16, 2011, February 23, 2011, and February 28, 2011 were listed on the agenda for information purposes only. No action was required.

COUNCIL/BOARD STATEMENTS AND REQUESTS AND COUNCIL LIAISON REPORTS

Councilmember/Director Wykoff stated that it was very nice to see a Police Officer at the dog park when he drove by last week.

Vice Mayor/Vice President Kiesel stated that on Thursday, March 3 the Planning Commission approved a remodel in neighborhood 4. The Planning Commission also recommended that the City Council accept the General Plan Report on the status and implementation of the General Plan for 2010.

Vice Mayor/Vice President Kiesel mentioned that he attended the Council of Cities meeting on Friday, February 25. The speakers were City Managers who talked about shared services. The consensus was to keep exploring the possibilities of shared services. No dissention was heard from the City Managers or Councilmembers present at the meeting.

Mayor/President Koelling stated that she attended the Congestion Management and Environmental Quality (CMEQ) meeting last week. Measure M will be implemented over the next 25 years starting July 1. A check for \$99,000 will be given to Foster City each year.

Mayor/President Koelling requested that people who write to the City Councilmembers give a return address or e-mail address so the Council can respond. The Council likes responding to public comments and suggestions.

Mayor/President Koelling was unable to attend the last YAC Meeting.

Mayor/President Koelling mentioned that Foster City will be hosting the Council of Cities dinner on Friday, March 25 at the Crowne Plaza. The topic of the meeting will be Cross Jurisdiction Collaboration Models presented by a company called Accenture. Mayor/President Koelling had the opportunity to hear the guest speakers during a recent Silicon Valley Joint Ventures Seminar and said that the speakers were fantastic.

Mayor/President Koelling stated that on Saturday, March 5 she attended the special San Mateo-Foster City School Board meeting and more information will follow.

Mayor/President Koelling also thanked the Lions Club for inviting her to participate as a judge in the Speech Contest. Finance Director Toler was a judge as well. The talent was exceptional and it was very difficult to choose one person to advance to the next level.

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/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].

Meeting recessed into Closed Session at 7:29 p.m. and reconvened at 8:08 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 8:08 p.m.