

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

REGULAR MEETING OF APRIL 6, 2009

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of April 6, 2009 of the Community Development Agency (CDA) of the City of Foster City was called to order at 7:30 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 Frisella, seconded by Member Kiesel, and carried unanimously, 5-0-0, to adopt the Minutes of the Regular Meeting of March 16, 2009 and Special Meeting of March 30, 2009 listed on the CDA Consent Calendar.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Kiramis adjourned the meeting. Meeting adjourned at 7:31 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of April 6, 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 7:31 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/District Manager; Ramon Towne, Director of Public Works; Matt Martell, Police Captain; Jon Froomin, Police Captain; Public Works Maintenance Manager; Laura Galli, Assistant Engineer; Sharon Egan, Lead Dispatcher; Shaida Sabin, Police/Fire Dispatcher; Andrew Torgerson, Police/Fire Dispatcher; 'Andra Lorenz, Management Analyst; Teresa Whinery, City Manager Intern; Mike Sly, Video Technician; and Therese L. Calic, City Clerk/ District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION FOR DMV/DONATE LIFE CALIFORNIA MONTH.

On behalf of the City Council, Mayor Kiramis declared April 2009 as "DMV/Donate Life California Month" and presented a proclamation to Sandy Andrada.

PROCLAMATION FOR NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK.

On behalf of the City Council, Mayor Kiramis declared April 12-18, 2009 as "National Public Safety Telecommunications Week" and presented a proclamation to Sharon Egan, Lead Dispatcher, representing the Dispatchers.

CONSENT CALENDAR

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

City Consent Calendar

1. Minutes of the Regular Meeting of March 16, 2009;
2. Minutes of the Special Meeting of March 30, 2009;
3. City Resolution No. 2009-18, "A Resolution of the City Council of the City of Foster City Authorizing the Award of an Agreement to Joseph J. Albanese, Inc. for the Construction of (CIP 604) Residential Streets Resurfacing and Repairs Project;"
4. Minute Order No. 1139, Accepting the General Plan Annual Report for 2008;

EMID Consent Calendar

5. Minutes of the Regular Meeting of March 16, 2009; and
6. Minutes of the Special Meeting of March 30, 2009.

NEW BUSINESS

APPOINTMENTS TO EDUCATION COMMITTEE AND SENIOR CITIZEN ADVISORY COMMITTEE. MINUTE ORDER NO. 1140.

Senior Citizen Advisory Committee applicant June Oliver Knox introduced herself to the City Council.

Motion by Councilmember Frisella, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, to adopt Minute Order No. 1140, appointing June Oliver Knox to an unexpired partial term from January 1, 2007 to December 31, 2009 on the Senior Citizen Advisory Committee.

Education Committee applicant Toufan Parman was not in attendance so consideration of her appointment to the Education Committee was tabled to the next meeting to enable her to be interviewed in person.

CITY RESOLUTION NO. 2009-19 ADOPTING THE PENINSULA PARTNERSHIP LEADERSHIP COUNCIL'S BILL OF RIGHTS FOR CHILDREN AND YOUTH OF SAN MATEO COUNTY.

This item was placed on the agenda at the request of Mayor Kiramis.

Rod Hsiao, a Foster City resident and Trustee of the San Mateo County Board of Education, addressed the City Council in support of the resolution.

Motion by Vice Mayor Wykoff, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to adopt City Resolution No. 2009-19, "A Resolution of the City Council of the City of Foster City Adopting the Peninsula Partnership Leadership Council's Bill of Rights for Children and Youth of San Mateo County."

NEED FOR CHLORAMINE DISINFECTANT HEALTH RESEARCH. MINUTE ORDER NO. 1141 AND EMID RESOLUTION NO. 3067.

This item was placed on the agenda at the request of Vice President Wykoff.

The following members of the public addressed the District Board in support of the need for more chloramine disinfectant health research:

1. Claudette Main, 702 Nina Lane, representing Citizens Concerned About Chloramine; and
2. Linda Corwin, 477 Moana Way, Pacifica, Vice President of Citizens Concerned About Chloramine.

Motion by Vice President Wykoff, seconded by Director Kiesel, and carried unanimously, 5-0-0, to adopt Minute Order No. 1141, approving a letter from President Kiramis to the US Environmental Protection Agency regarding the need for Chloramine Disinfectant Health Research.

Motion by Vice President Wykoff, seconded by Director Kiesel, and carried unanimously, 5-0-0, to adopt EMID Resolution No. 3067, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Requesting the US Environmental Protection Agency Conduct Scientific Testing of the Health Effects of Chloramine and Other Practical Alternatives when used as a Secondary Water Disinfectant."

REPORTS

FOSTER CITY CHAMBER OF COMMERCE FISCAL YEAR 2008-2009 REPORT AND CONSIDERATION OF AN AGREEMENT FOR PROFESSIONAL SERVICES WITH THE FOSTER CITY CHAMBER OF COMMERCE FOR FISCAL YEAR 2009-2010. MINUTE ORDER NO. 1142 AND CITY RESOLUTION NO. 2009-20.

Assistant City Manager Chappelle presented the staff report.

Mae Heagerty-Matos, CEO, Chamber of Commerce, addressed the City Council.

Motion by Councilmember Frisella, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to adopt Minute Order No. 1142, accepting the Foster City Chamber of Commerce Fiscal Year 2008-2009 Report.

Motion by Vice Mayor Wykoff, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to adopt City Resolution No. 2009-20, "A Resolution of the City Council of the City of Foster City Approving an Agreement for Professional Services Between the City of Foster City and the Foster City Chamber of Commerce for Fiscal Year 2009-2010 and Authorizing the Mayor to Sign the Agreement on Behalf of the City."

AD HOC ENVIRONMENTAL SUSTAINABILITY TASK FORCE -- CONSIDERATION OF ON-GOING ROLE FOR THE TASK FORCE AND AUTHORIZATION TO CONTINUE PART-TIME STAFF SUPPORT. CITY RESOLUTION NO. 2009-21 AND MINUTE ORDER NO. 1143.

Assistant City Manager Chappelle presented the staff report.

Discussion ensued.

Motion by Councilmember Koelling, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to adopt City Resolution No. 2009-21, "A Resolution of the City Council of the City of Foster City Extending the Term of the Ad Hoc Environmental Sustainability Task Force Through June 30, 2012, Establishing a New Mission Statement, Goals, and Organizational Policies, and Approving Continued Staff Support for the Ad Hoc Environmental Sustainability Task Force for Fiscal Year 2009-2010."

Motion by Councilmember Koelling, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, to adopt Minute Order No. 1143, confirming Pam Frisella as the Council Liaison to the Ad Hoc Sustainability Task Force.

AD HOC TRANSPORTATION COMMITTEE – CONSIDERATION OF ON-GOING ROLE FOR THE COMMITTEE AND AUTHORIZATION TO CONTINUE PART-TIME STAFF SUPPORT. CITY RESOLUTION NO. 2009-22 AND MINUTE ORDER NO. 1144.

Assistant City Manager Chappelle presented the staff report.

Discussion ensued.

Motion by Councilmember Koelling, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, to adopt City Resolution No. 2009-22, "A Resolution of the City Council of the City of Foster City Extending the Term of the Ad Hoc Transportation Committee Through June 30, 2010, Establishing a New Mission Statement, Goals, and Organizational Policies, and Approving Continued Staff Support for the Ad Hoc Transportation Committee for Fiscal Year 2009-2010."

Motion by Councilmember Kiesel, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to adopt Minute Order No. 1144, confirming the appointment of Linda Koelling as the Council liaison to the Ad Hoc Transportation Committee.

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY (SBWMA) – STATUS OF SELECTION PROCESS FOR SHOREWAY FACILITY OPERATOR. TABLED FROM MARCH 16. MINUTE ORDER NO. 1145.

City Manager Hardy presented the staff report and reported that this item was tabled from the meeting of March 16, 2009.

The following members of the public addressed the City Council:

1. Will Herzog, Hudson Baylor Corporation, 237 Dupont Avenue, Newburgh, New York;
2. Bill Duplissea, Hudson Baylor Corporation;
3. Mike Mahoney, Hudson Baylor Corporation;
4. David Gayrich, Waste Solutions Group, 100 Carbo Way, San Francisco;
5. Dan Domonoske, South Bay Recycling, 9189 DeGarmo, Sun Valley;

A short recess was taken from 9:10 p.m. to 9:15 p.m. then discussion with Dan Domonoske continued.

6. Jon Kaufman, South Bay Recycling, 1 Daniel Burnham Court, #100-C, San Francisco; and
7. Hilary Gans, SBWMA Facilities Operations Manager.

Discussion ensued.

Motion by Vice Mayor Wykoff, seconded by Councilmember Koelling, and carried, 4-1-0, Mayor Kiramis voting "No," to adopt Minute Order No. 1145, directing the City's South Bayside Waste Management Authority (SBWMA) Board representative to vote in favor of the selection of South Bayside Recycling (SBR) to operate the Shoreway Transfer Station and Materials Recovery Facility. In the event a two-thirds majority vote of the SBWMA board in support of the selection of SBR is not achieved, or if negotiations with SBR cannot be successfully concluded and an agreement presented to the SBWMA Board for consideration at its July 23, 2009 meeting, the City's SBWMA Board representative is authorized to vote in favor of selecting Hudson Baylor Corporation (HBC) to operate the Shoreway Transfer Station and Materials Recovery Facility.

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued March 11, 2009, March 18, 2009, March 25, 2009, and March 30, 2009 are listed on the agenda for information purposes only. No action was required.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember Koelling stated that her grandchildren are visiting from Southern California and better be in bed. Nonni is on her way home.

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Kiramis adjourned the meeting. Meeting adjourned at 9:46 p.m.