

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

REGULAR MEETING OF APRIL 20, 2009

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of April 20, 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 April 6, 2009 and Special Meeting of April 13, 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 20, 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; Craig Courtin, Chief of Police; Kevin Miller, Director of Parks and Recreation; Ramon Towne, Director of Public Works; Rebecca Burnside, Human Resources Director; Matt Martell, Police Captain; Jon Froomin, Police Captain; Frank Derris, Police Lieutenant; Will Hamilton-Frisz; Police Sergeant; Mark Lee, Police Corporal; Bill Sandri, Police Corporal; Norm Dorais; Public Works Maintenance Manager; Sergio Ramirez, Public Works Wastewater Superintendent; Mike Sly, Video Technician; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION RECOGNIZING HEROIC ACTIONS.

On behalf of the City Council, Mayor Kiramis presented a Proclamation Recognizing the Heroic Actions of Foster City Police Sergeant Will Hamilton-Frisz, Corporal Mark Lee, and Corporal Bill Sandri to each of them.

PROCLAMATION FOR BETTER HEARING & SPEECH MONTH.

On behalf of the City Council, Mayor Kiramis declared May 2009 as "Better Hearing & Speech Month" and presented a proclamation to John Ngo of Let Them Hear Foundation.
PROCLAMATION FOR WEST NILE VIRUS AND MOSQUITO AND VECTOR CONTROL AWARENESS WEEK.

On behalf of the City Council, Mayor Kiramis declared April 20-26, 2009 as "West Nile Virus and Mosquito and Vector Control Awareness Week" and presented a proclamation to Foster City Mosquito Abatement District Trustee Ron Anderson.

Theresa Shelton, Assistant Vector Entomologist, also addressed the Council.

CERTIFICATE OF RECOGNITION FOR SAN MATEO COUNTY SHERIFF'S WORK PROGRAM.

On behalf of the City Council, Mayor Kiramis presented a Certificate of Recognition for the San Mateo County Sheriff's Work Program to Captain John Quinlan, Lieutenant Lisa Williams, and Sergeant Steve Chaput of the San Mateo County Sheriff's Office, Corrections Division.

CONSENT CALENDAR

Motion by Councilmember/Director Kiesel, seconded by Councilmember/Director Frisella, and carried 4-0-1, Vice Mayor/Vice President Wykoff abstained, to approve the following items on the City/District Consent Calendar:

City Consent Calendar

1. Minutes of the Regular Meeting of April 6, 2009;
2. Minutes of the Special Meeting of April 13, 2009;
3. City Resolution No. 2009-23, "A Resolution of the City Council of the City of Foster City Approving the Memorandum of Understanding for the San Mateo County Firefighters, Local 2400, International Association of Firefighters Effective July 1, 2009 through June 30, 2011;"
4. City Resolution No. 2009-24, "A Resolution of the City Council of the City of Foster City Approving the Memorandum of Understanding for the Foster City Police Officers' Association Effective July 1, 2009 through June 30, 2011;"
5. City Resolution No. 2009-25, "A Resolution of the City Council of the City of Foster City Authorizing an Appropriation of \$17,500 for the Human Resources Department's FY 2008-2009 Budget for Legal Advice-Related Expenditures;"
6. City Resolution No. 2009-26, "A Resolution of the City Council of the City of Foster City Authorizing an Appropriation of \$24,500 for the Human Resources Department's FY 2008-2009 Budget for Benefits-Related Expenditures;"
7. Minute Order No. 1146, Approving Consent to Amendment of Sublease between VB Golf, LLC and Golf Mart;

EMID Consent Calendar

8. Minutes of the Regular Meeting of April 6, 2009;
9. Minutes of the Special Meeting of April 13, 2009;
10. EMID Resolution No. 3068, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Memorandum of Understanding for the San Mateo County Firefighters, Local 2400, International Association of Firefighters Effective July 1, 2009 through June 30, 2011;"
11. EMID Resolution No. 3069, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Memorandum of Understanding for the Foster City Police Officers' Association Effective July 1, 2009 through June 30, 2011;"

12. EMID Resolution No. 3070, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Authorizing the Purchase of a Small Hydro Flush Unit (Hydro-Unit) in the Amount of \$49,703.29 from 3T Equipment Co.;"
13. EMID Resolution No. 3071, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Authorizing the Purchase of Equipment and Software for the Retrofit of the CCTV [Closed Circuit Television] Van Unit in the Amount of \$95,921.50 from WECO Industries; and
14. Minute Order No. 1146, Approving Consent to Amendment of Sublease between VB Golf, LLC and Golf Mart.

NEW BUSINESS

EDUCATION COMMITTEE APPOINTMENT. MINUTE ORDER NO. 1147.

City Clerk Calic presented the staff report.

Education Committee applicant Toufan Parman introduced herself to the City Council.

Motion by Councilmember Koelling, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, to adopt Minute Order No. 1147, appointing Toufan Parman to an unexpired partial term from January 1, 2007 to December 31, 2009 on the Education Committee.

REPORTS

CITY COUNCIL SALARY. MINUTE ORDER NO. 1148.

City Clerk Calic presented the staff report.

Discussion ensued.

Motion by Councilmember Koelling, seconded by Councilmember Frisella, and carried 3-2-0, Mayor Kiramis and Vice Mayor Wykoff voted "No," to adopt Minute Order No. 1148, directing staff to prepare an ordinance increasing the Council's salary by 5% raising it from \$472 to \$496 per month.

TERM LIMIT ORDINANCE FOR COUNCILMEMBERS. MINUTE ORDER NO. 1149.

City Clerk Calic presented the staff report. This item was placed on the agenda at the request of Councilmember Koelling.

Discussion ensued.

Motion by Councilmember Koelling, seconded by Councilmember Frisella, and carried 4-0-1, Vice Mayor Wykoff abstained, to adopt Minute Order No. 1149, directing staff to:

1) prepare a resolution giving notice of placing a measure on the November 3, 2009 General Municipal Election ballot for the submission to the voters a question relating to approving an ordinance increasing term limits from two terms to three terms for city councilmembers by amending FCMC 2.08.380 Term Limits to read:

“A. No person may hold the office of councilmember for more than three terms in succession. This provision does not prohibit holding the office for more than three terms.

B. ‘Term of office’ as used in this section is defined as a four-year term.

C. For the purpose of determining the number of terms of office only those terms of office occurring after the effective date of the ordinance codified in this section shall be counted;”

2) prepare a resolution setting priorities for filing written arguments regarding the measure and directing the City Attorney to prepare an impartial analysis to be printed in the sample ballot; and

3) prepare a resolution providing for the filing of rebuttal arguments.

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued April 1, 2009, April 8, 2009, and April 18, 2009 are listed on the agenda for information purposes only. No action was required.

APPOINTMENT OF NEW COUNCILMEMBER TO COUNCIL SUBCOMMITTEE REGARDING THE SAN MATEO-FOSTER CITY SCHOOL DISTRICT'S PROJECTED INCREASES IN STUDENT ENROLLMENT IN FOSTER CITY. MINUTE ORDER NO. 1150.

This item was placed on the agenda at the request of Councilmember Frisella.

Motion by Councilmember Frisella, seconded by Mayor Kiramis, and carried unanimously, 5-0-0, to adopt Minute Order No. 1150, appointing Art Kiesel to replace Pam Frisella on the Council Subcommittee regarding the San Mateo-Foster City School District's Projected Increases in Student Enrollment in Foster City.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember Kiesel stated that he attended the Redwood City/San Mateo County Chamber of Commerce Progress Seminar in Monterey over the weekend and reported on

the State's high speed rail project that is planned to be built from San Francisco to San Diego with the entire project completed in 2018.

Councilmember Frisella stated that she also attended the Progress Seminar and reported that struggling non-profit agencies and organizations need to find new ways of funding.

Councilmember Koelling stated that she attended an excellent session at the Progress Seminar regarding ways to improve the State budget process including legislative oversight, ending term limits, insuring accountability, etc.

Councilmember Koelling stated that she attended the League of California Cities' Legislative Days in Sacramento and urged the public to read their election ballot and get out and vote at the special statewide election on May 19, 2009. She is fearful that if the revenue-raising ballot measures fail, the State will be dipping into local government's back pockets.

Vice Mayor Wykoff congratulated the San Mateo Interact Club for the great Senior Citizen Ball held over the weekend at the Recreation Center.

Vice Mayor Wykoff asked staff to research and inform legislators to oppose a senate bill that would limit the ability to build desalinization plants due to restrictions on water outflow and inflow.

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Kiramis adjourned the meeting. Meeting adjourned at 8:48 p.m.