

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

REGULAR MEETING OF MAY 5, 2008

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of May 5, 2008 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 Pam Frisella.

ROLL CALL

The Secretary called the roll:

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

ABSENT: None.

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

CONSENT CALENDAR

Motion by Member Kiesel, seconded by Member Koelling, and carried unanimously, 5-0-0, to approve the Minutes of the Special and Regular Meetings of April 21, 2008 on the CDA Consent Calendar.

ADJOURNMENT

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

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of May 5, 2008 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 Pam Frisella.

ROLL CALL

The City Clerk/District Secretary called the roll:

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

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; Jon Froomin, Police Captain; Kevin Miller, Director of Parks and Recreation; Audrey Daniels, Human Resources Director; John Castanha, Human Resources Technician; Mike Sly, Video Operator; and Therese L. Calic, City Clerk/District Secretary/ Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION RE POLICE WEEK AND PEACE OFFICERS MEMORIAL DAY.

On behalf of the City Council, Mayor Frisella declared May 11-17, 2008 as Police Week and May 15, 2008 as Peace Officers Memorial Day and presented a proclamation to Police Captain Froomin.

EMPLOYEE OF THE 1ST QUARTER 2008.

On behalf of the City Council, Mayor Frisella congratulated and presented a plaque to Recreation Coordinator Todd Badger for being awarded Employee of the 1st Quarter 2008.

CONSENT CALENDAR

Motion by Vice Mayor/Vice President Kiramis, seconded by Councilmember/Director Wykoff, 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 April 21, 2008;
2. Minutes of the Regular Meeting of April 21, 2008;
3. City Resolution No. 2008-40, "A Resolution of the City Council of the City of Foster City Approving a Revised Job Description for Equipment Maintenance Worker;"
4. City Resolution No. 2008-41, "A Resolution of the City Council of the City of Foster City Approving a Temporary Use Permit – Annual Birthday Party/Arts and Wine Festival for Foster City at Leo J. Ryan Memorial Park – Foster City Chamber of Commerce;"

5. City Resolution No. 2008-42, "A Resolution of the City Council of the City of Foster City Authorizing the Temporary Closing of Shell Boulevard Between E. Hillsdale Boulevard and Bounty Drive on May 30, 31 and June 1, 2008 from Noon on Friday, May 30, until 11:00 P.M. on Sunday, June 1, 2008, for the Chamber of Commerce Annual Birthday Party/Arts and Wine Festival;"
6. City Resolution No. 2008-43, "A Resolution of the City Council of the City of Foster City Authorizing the Temporary Closure of Vehicular Traffic Flow on Shell Boulevard from East Hillsdale Boulevard to Bounty Drive, Between the Hours of 6:00 A.M. and 11:00 P.M., the Closure of Vehicular Traffic Flow on Balclutha Drive West of the Turnaround Located in Front of the PJCC, Between the Hours of 6:00 A.M. and 11:00 P.M. and the Closure of Vehicular Traffic Flow on East Hillsdale Boulevard from Edgewater Boulevard to Foster City Boulevard Between the Hours of 6:00 P.M. and 11:00 P.M. on July 4, 2008;"
7. City Resolution No. 2008-44, "A Resolution of the City Council of the City of Foster City Authorizing a Transfer of \$40,000 from Unappropriated General Fund Reserves to the City Attorney's FY 2007-2008 Budget Account 001-0310-412-4251;"
8. City Resolution No. 2008-45, "A Resolution of the City Council of the City of Foster City Authorizing an Agreement with Paving Construction Services, Inc. for Asphalt Pathway Repairs to Boothbay, Gull, Killdeer, Marlin, Sea Cloud, Sunfish, and Turnstone Parks [Not to Exceed \$47,455];"
9. City Resolution No. 2008-46, "A Resolution of the City Council of the City of Foster City Authorizing the City Manager to Execute the FY 2008-2009 Mosquito Abatement Services Agreement with the San Mateo County Mosquito Abatement District [Not to Exceed \$40,000];"

EMID Consent Calendar

10. Minutes of the Special Meeting of April 21, 2008;
11. Minutes of the Regular Meeting of April 21, 2008;
12. EMID Resolution No. 3029, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving a Revised Job Description for Equipment Maintenance Worker;" and
13. EMID Resolution No. 3030, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Providing Concurrence to the City of San Mateo for Award of Amendment No. 5 to the Agreement with MWH (Montgomery Watson Harza Americas, Inc.) for Construction Management Services for (CIP 730) Wastewater Treatment Plant Dewatering Facility Improvements and Anaerobic Digester Project [Not to Exceed \$508,097.32]."

ITEM REMOVED FROM CONSENT CALENDAR

CITY RESOLUTION NO. 2008-47 APPROVING A BUDGET TRANSFER OF \$23,286 FROM THE UNAPPROPRIATED RESERVES OF THE CITY GENERAL FUND TO THE CITY CLERK MUNICIPAL ELECTIONS BUDGET TO COVER ADDITIONAL COSTS FROM THE COUNTY OF SAN MATEO FOR SERVICES PERFORMED FOR THE NOVEMBER 6, 2007 GENERAL MUNICIPAL SPECIAL ELECTION.

At the request of Councilmember Kiesel, Mayor Frisella removed this item from the City Consent Calendar.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, to adopt City Resolution No. 2008-47, "A Resolution of the City Council of the City of Foster City Approving a Budget Transfer of \$23,286 from the Unappropriated Reserves of the City General Fund to the City Clerk Municipal Elections Budget Account No. 001-0220-414-4251 to Cover Additional Costs from the County of San Mateo for Services Performed in Connection with the Foster City Municipal Election Consolidated with the November 6, 2007 Consolidated Municipal, School, and Special Election."

ORDINANCES FOR ADOPTION

CITY ORDINANCE NO. 546 APPROVING AN AMENDMENT TO THE FOSTER CITY ZONING MAP AND A GENERAL DEVELOPMENT PLAN FOR ±20.75 ACRES BOUNDED BY FOSTER CITY BOULEVARD, TRITON DRIVE, PILGRIM DRIVE, EAST HILLSDALE BOULEVARD AND STATE ROUTE 92 (APN: 094-101-520, -560, -570, - 680) – TO CHANGE THE ZONING DESIGNATION FROM CM/PD (COMMERCIAL MIX/PLANNED DEVELOPMENT) DISTRICT TO CM/PD (COMMERCIAL MIX/PLANNED DEVELOPMENT) DISTRICT WITH A GENERAL DEVELOPMENT PLAN TO ALLOW UP TO 296,000 SQ. FT. OF COMMERCIAL/INDUSTRIAL OFFICE AND UP TO 730 HOUSING UNITS, INCLUDING UP TO 64 LIVE-WORK UNITS – AMB PROPERTY CORPORATION, FOSTER CITY EXECUTIVE PARK AND NORTHWESTERN MUTUAL LIFE – RZ-06-002.

Motion by Councilmember Kiesel, seconded by Councilmember Koelling, and carried 3-2-0, Vice Mayor Kiramis and Councilmember Wykoff voted "No," to adopt City Ordinance No. 546, "An Ordinance of the City of Foster City Approving an Amendment to the Foster City Zoning Map and a General Development Plan for ±20.75 Acres Bounded by Foster City Boulevard, Triton Drive, Pilgrim Drive, East Hillsdale Boulevard and State Route 92 (APN: 094-101-520, - 560, -570, - 680) – to Change the Zoning Designation from CM/PD (Commercial Mix/Planned Development) District to CM/PD (Commercial Mix/Planned Development) District with a General Development Plan to Allow up to 296,000 Sq. Ft. of Commercial/Industrial Office and up to 730 Housing Units, Including up to 64 Live-work Units – AMB Property Corporation, Foster City Executive Park and Northwestern Mutual Life – RZ-06-002."

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

The City/District Warrant of Demands processed and issued April 16, 2008, April 23, 2008 and April 28, 2008 were listed on the agenda for information purposes only. No action was taken.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Vice Mayor Kiramis clarified his vote not to support the zoning change for the Pilgrim/Triton Master Plan Development. He thinks that the inclusion of additional housing units could create a negative impact on our schools.

Councilmember Wykoff gave a memorandum to City Manager Jim Hardy today that indicated a nearby city is experiencing very bad financial problems and the proposed reduction in services is hard for their community to face. Foster City has to be one of the luckiest cities in the area given its financial condition.

Councilmember Koelling advised that she and Councilmember Kiesel attended the League of California Cities' Legislative Day in Sacramento regarding the state budget deficit. Many cities are having trying times. To decrease the deficit, representatives from the State are looking at returning some state-run programs back to local government to fund and operate.

Councilmember Koelling encouraged all citizens to educate themselves on Propositions 98 and 99 that are on the June ballot regarding eminent domain. She urged everyone to support Proposition 99 but vote "No" on Proposition 98 as it is too broad and vague. This is also the recommendation of the League of California Cities.

Councilmember Koelling also encouraged voters to support Measure O – Parks for the Future as she felt that it was imperative to have a new revenue source for funding park improvements and recreation programs.

Councilmember Wykoff indicated that Measure O requires maintenance of effort for current parks and recreation funding in order to be eligible to receive the funds. Some cities, like the nearby city he just mentioned, may not be able to meet this maintenance of effort requirement due to their financial challenges.

Mayor Frisella stated that she supports Measure O.

Mayor Frisella extended the deadline to May 19 for submitting applications for appointment to the Environmental Sustainability Task Force. The City received 8 applications and there are 11 openings. Task Force appointments will be made at the June 2 City Council Meeting. She invited residents to apply by this new deadline.

ADJOURNMENT

Hearing no objection from Council/Board, Mayor/President Frisella adjourned the meeting.

Meeting adjourned at 8:00 p.m.