

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

REGULAR MEETING OF JUNE 16, 2008

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of June 16, 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; Kristi A. Chappelle, Assistant City/District Manager; Jean B. Savaree, City Attorney/District Legal Counsel; Richard B. Marks, Community Development Director; and Therese L. Calic, Secretary.

CONSENT CALENDAR

Motion by Vice Chair Kiramis, seconded by Member Koelling, and carried unanimously, 5-0-0, to approve the following items on the CDA Consent Calendar:

1. Minutes of the Special Meeting of June 2, 2008 – 5:00 p.m.;
2. Minutes of the Special Meeting of June 2, 2008 – 6:30 p.m.; and
3. Minutes of the Regular Meeting of June 2, 2008.

RESOLUTIONS FOR ADOPTION

CDA RESOLUTION NO. 269 APPROVING THE FY 2008-2009 CDA BUDGET.

Executive Director Hardy presented the staff report.

Motion by Member Kiesel, seconded by Member Koelling, and carried unanimously, 5-0-0, to adopt CDA Resolution No. 269, "A Resolution of the Foster City Community Development Agency Approving the Fiscal Year 2008-2009 Community Development Agency Budget."

RECESS

Chair Frisella recessed the meeting of the Community Development Agency to consider the Closed Session with the City/District.

The CDA meeting recessed at 7:32 p.m. and reconvened at 8:05 p.m.

CLOSED SESSION

The CDA/City/District recessed into Closed Session at 8:05 p.m.

Due to a potential conflict of interest, Member Kiesel left the meeting at 8:51 p.m. and recused himself from a Conference with Real Property Negotiators held pursuant to Government Code 54956.8 to instruct City/EMID/CDA negotiators regarding business terms with respect to leasing and/or selling an 11-acre portion of the 15-acre site adjacent to the Government Center owned by the City of Foster City [APN 094-471-100] to Pacific Retirement Services/Sares Regis Group of Northern California, L.P., et. al.

The CDA meeting reconvened at 9:17 p.m.

Chair Frisella reported that no action was taken in Closed Session.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Frisella adjourned the meeting. Meeting adjourned at 9:17 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of June 16, 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/District Manager; Steve Toler, Administrative Services Director; Ramon Towne, Director of Public Works; Richard B. Marks, Community Development Director; Audrey Daniels, Human Resources Director; Craig Courtin, Chief of Police; Kevin Miller, Director of Parks and Recreation; Jon Froomin, Police Captain; Matt Martell, Police Captain; Richard Heffern, Parks Maintenance Superintendent; Bob Murphy, Parks Lead

Maintenance Worker; Dorte Dastrup, Parks Lead Maintenance Worker; Richard Harmison, Parks Lead Maintenance Worker; Robin Harmison, Parks Maintenance Worker II; Bill Gomba; Parks Maintenance Worker II; Andrew Torgerson, Community Service Officer; Mike Sly, Video Operator; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

EMPLOYEE 5-YEAR SERVICE PIN.

On behalf of the City Council, Mayor Frisella presented an Employee 5-Year Service Pin to Andrew Torgerson, Community Service Officer.

EMPLOYEE 20-YEAR SERVICE PIN.

On behalf of the City Council, Mayor Frisella presented an Employee 20-Year Service Pin to Bob Murphy, Parks Maintenance Lead Worker .

PROCLAMATION RE 2008 HILLBARN BRAVO! AWARD.

On behalf of the City Council, Mayor Frisella presented a proclamation to Lee Foster for being the recipient of the 2008 Hillbarn BRAVO! Award.

PUBLIC

Linda Haskin for Foster City Friends, a group of City residents, 1116 Halsey Boulevard, summarized a letter which she submitted to the City Council regarding “the unprecedented level of growth now planned for our small town, with many buildings reaching 8 to 14 stories tall.”

CONSENT CALENDAR

Motion by Vice Mayor/Vice President Kiramis, seconded by Councilmember/Director Kiesel, 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 June 2, 2008 – 5:00 p.m.;
2. Minutes of the Special Meeting of June 2, 2008 – 6:30 p.m.;
3. Minutes of the Regular Meeting of June 2, 2008;
4. City Resolution No. 2008-63, “A Resolution of the City Council of the City of Foster City Authorizing the Award of an Agreement to Losee’s Goose Control in the Amount of \$42,080 for the Implementation of Dog Service to Assist in Controlling the Goose Population in Foster City;”

5. City Resolution No. 2008-64, "A Resolution of the City Council of the City of Foster City to Award the Vendor Agreement for the Interior Painting of the Community Center to Dave Dennis Painting in the Total Amount of \$24,975;"
6. City Resolution No. 2008-65, "A Resolution of the City Council of the City of Foster City To Award the Vendor Agreement for the Community Center Carpet Replacement to Master Mart Flooring in the Total Amount of \$18,525;"
7. City Resolution No. 2008-66, "A Resolution of the City Council of the City of Foster City Authorizing the Mayor to Execute an Agreement with LSA Associates, Inc. for the Preparation of an Environmental Impact Report to Meet the Requirements of the California Environmental Quality Act for the Chess-Hatch Master Plan Project – Environmental Assessment; General Development Plan/Rezoning; and Development Agreement; (EA-07-001; GP-07-001; RZ-07-002; DA-08-004);"
8. City Resolution No. 2008-67, "A Resolution of the City Council of the City of Foster City Authorizing the Temporary Closing of Traffic Flow on Burrows, Blythe, Bainbridge and Decatur Streets, as Well as Farragut Boulevard, From Bridgeport Lane North to Beach Park Boulevard, Between the Hours of 5:00 p.m. to 10:00 p.m. on October 31, 2008 [Halloween Safe Streets];"
9. City Resolution No. 2008-68, "A Resolution of the City Council of the City of Foster City Amending Section No. 24 of Resolution No. 59-73, Regarding 'No Parking' Areas on Pitcairn Drive;"
10. City Resolution No. 2008-69, "A Resolution of the City Council of the City of Foster City Authorizing the Execution of an Agreement with Republic ITS for Traffic Signal & Lighting Maintenance (2008-2011);"

EMID Consent Calendar

11. Minutes of the Special Meeting of June 2, 2008 – 5:00 p.m.;
12. Minutes of the Special Meeting of June 2, 2008 – 6:30 p.m.; and
13. Minutes of the Regular Meeting of June 2, 2008.

RESOLUTIONS FOR ADOPTION

CITY RESOLUTION NO. 2008-70 AND EMID RESOLUTION NO. 3036 APPROVING THE FISCAL YEAR 2008-2009 CITY/DISTRICT BUDGET.

City/District Manager Hardy presented the staff report.

Motion by Councilmember/Director Kiesel, seconded by Councilmember/Director Koelling, and carried unanimously, 5-0-0, to adopt:

1. City Resolution No. 2008-70, "A Resolution of the City Council of the City of Foster City Approving the Fiscal Year 2008-2009 City Budget;" and

2. EMID Resolution No. 3036, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Fiscal Year 2008-2009 District Budget."

CITY RESOLUTION NO. 2008-71 AND EMID RESOLUTION NO. 3037 APPROVING 3-YEAR AGREEMENT WITH INDUSTRIAL EMERGENCY COUNCIL.

Councilmember/Director Wykoff recused himself from consideration of these items due to a financial conflict of interest because he is the Chief Financial Officer and on the Board of Directors of the Industrial Emergency Council. Councilmember/Director Wykoff left the room at 7:56 p.m.

Assistant City/District Manager Chappelle presented the staff report.

Motion by Councilmember/Director Kiesel, seconded by Councilmember/Director Koelling, and carried unanimously, 4-0-0, to adopt:

1. City Resolution No. 2008-71, "A Resolution of the City Council of the City of Foster City Approving a Three-Year Agreement with the Industrial Emergency Council (IEC) in the Amount of \$3,000 per Fiscal Year for FY 2008-2009, FY 2009-2010 and FY 2010-2011 and Authorizing the Mayor to Sign the Agreement on Behalf of the City;" and
2. EMID Resolution No. 3037, "A Resolution of the District Board of the Estero Municipal Improvement District Approving a Three-Year Agreement with the Industrial Emergency Council (IEC) in the Amount of \$3,000 per Fiscal Year for FY 2008-2009, FY 2009-2010 and FY 2010-2011 and Authorizing the President to Sign the Agreement on Behalf of the District."

Councilmember/Director Wykoff returned to the meeting at 7:59 p.m.

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

The City/District Warrant of Demands processed and issued May 28, 2008, June 4, 2008 and June 9, 2008 were listed on the agenda for information purposes only. No action was taken

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember Wykoff apologized for failing to thank all of the volunteers not associated with any of the service clubs who helped at the Art and Wine Festival. He thanked all volunteers who assisted at the Art and Wine Festival and Marge Felser of the Foster City Islander because without their support the Festival would not be possible.

Councilmember Koelling reported that at a recent C/CAG (City/County Association of Governments) legislative committee meeting, the impact of the State's \$24 billion budget deficit on cities and San Mateo County was discussed. Our County may lose approximately \$29.3 million mainly to social services and the gas tax revenue may not be paid back to cities

in September. She is thankful that we live in a city that is well managed and at this time is in good financial shape.

Councilmember Koelling reported that at the regular C/CAG meeting, the subject of public transit throughout the County was discussed. Every community in our county is addressing the issue of getting people out of their cars especially since gasoline is so costly and the environmental issues.

Councilmember Koelling reported that the Ad Hoc Transportation Committee had a good meeting last week and thanked staff for all of their assistance. She stated that the committee has almost completed its first task and will be moving forward with future plans. Ken Feldstein is the chair of the committee and it looks like the committee is a great group.

Councilmember Kiesel stated that he hopes that everyone comes out and enjoys the festivities at Ryan Park and the fireworks on the Fourth of July.

Vice Mayor Kiramis suggested that the City Manager take particular care in keeping our surplus from the State since we balanced our budget and have a \$17 million reserve.

Mayor Frisella asked that a resolution supporting SB 1420, Food facilities: nutritional information, authored by Senator Alex Padilla be placed on the agenda for the next City Council meeting. Councilmember Wykoff requested that copies of the latest bill amendments be distributed to the City Council before the meeting.

Mayor Frisella sadly reported that on June 6th, Foster City lost one of the most colorful and wonderful men that she knows in Willard "Bill" Folsom. Our thoughts and prayers go out to Roxie Folsom and family during this saddest of times.

The Community Development Agency reconvened at 8:05 p.m.

CLOSED SESSION

Mayor/President/Chair Frisella recessed the meeting into Closed Session for:

1. A Conference with Real Property Negotiators [Government Code 54956.8] to instruct City/EMID negotiators James C. Hardy, Jean Savaree, Kristi Chappelle, Richard Marks, and Kevin Miller regarding a San Mateo County proposal to the City/EMID regarding acquisition of San Mateo County property including Werder Pier and/or 2.75 acres of land including bathroom/picnic area and parking lot – APN 094-131-020; and
2. A Conference with Legal Counsel regarding one potential case of anticipated litigation [Government Code §54956.9(b)].

The meetings recessed into Closed Session at 8:05 p.m.

Due to a potential conflict of interest, Member Kiesel left the meetings at 8:51 p.m. to recuse himself from a Closed Session for a Conference with Real Property Negotiators held pursuant to Government Code 54956.8 to instruct City/EMID/CDA negotiators regarding business terms with respect to leasing and/or selling an 11-acre portion of the 15-acre site adjacent to the

Government Center owned by the City of Foster City [APN 094-471-100] to Pacific Retirement Services/Sares Regis Group of Northern California, L.P., et. al.

The City/District/CDA meetings reconvened at 9:17 p.m.

Mayor/President Frisella reported that no action was taken in the Closed Sessions.

ADJOURNMENT

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

Meeting adjourned at 9:17 p.m.