

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

REGULAR MEETING OF JUNE 21, 2010

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of June 21, 2010 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 Wykoff.

ROLL CALL

The Secretary called the roll:

PRESENT: Members Charlie Bronitsky, Pam Frisella, Art Kiesel, Linda Koelling, and Chair Rick Wykoff.

ABSENT: None.

STAFF PRESENT: James C. Hardy, Executive Director/Treasurer Executive Director/Treasurer and Doris L. Palmer, CDA Secretary.

CONSENT CALENDAR

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

1. Special Meeting of June 7, 2010 - 5:30 p.m.;
2. Regular Meeting of June 7, 2010; and
3. Cancellation of the July 6, 2010 Regular Meeting of the Community Development Agency Board.

RECESS. The chair recessed the meeting of the Community Development Agency to consider the following CDA resolution with the companion City/District item during the City Council meeting.

The CDA meeting recessed at 6:31 p.m. and reconvened at 7:01 p.m.

RESOLUTIONS FOR ADOPTION

APPROVING THE FISCAL YEAR 2010-2011 COMMUNITY DEVELOPMENT AGENCY BUDGET. CDA RESOLUTION NO. 284.

City Manager Hardy presented the staff report.

Motion by Vice Chair Koelling, seconded by Member Kiesel, and carried, 5-0-0, to adopt CDA Resolution No. 284 "A Resolution of the Foster City Community Development Agency Approving the Fiscal Year 2010-2011 Community Development Agency Budget."

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Wykoff adjourned the meeting. Meeting adjourned at 7:06 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of June 21, 2010 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 Rick Wykoff.

ROLL CALL

The City Clerk/District Secretary called the roll:

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

ABSENT: None.

STAFF PRESENT: James C. Hardy, City/District Manager/City Treasurer; Jean Savaree City Attorney/District Legal Counsel; Kristi Chappelle, Assistant City Manager; Craig Courtin, Police Chief; Ramon Towne, Public Works Director; Rebecca Burnside, Human Resources Director; Steve Toler, Finance Director; Richard B. Marks, Community Development Director; Jon Froomin, Police Captain; Matthew Martell, Police Captain, Bridget Carberry, Video Technician; and Doris L. Palmer, City Clerk/District Secretary/Recording Secretary.

CONSENT CALENDAR

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

City Consent Calendar

1. Minutes of the Special Meeting of June 7, 2010 – 5:00 pm;
2. Minutes of the Special Meeting of June 7, 2010 – 5:30 pm;
3. Minutes of the Regular Meeting of June 7, 2010;
4. City Resolution No. 2010-57, "A Resolution of the City Council of the City of Foster City Rejecting the Claim of Tom McMillin;"
5. City Resolution No. 2010-58, "A Resolution of the City Council of the City of Foster City Adopting the Pay Plan for Fiscal Year 2010-2011;"

6. City Resolution No. 2010-59, "A Resolution of the City Council of the City of Foster City Authorizing Individuals to Act on Behalf of the 401(a) Plan;"
7. City Resolution No. 2010-60, "A Resolution of the City Council of the City of Foster City Authorizing Individuals to Act on Behalf of the 457 Plan;"
8. City Resolution No. 2010-61, "A Resolution of the City Council of the City of Foster City Authorizing Adoption of Plan Restatement;"
9. Cancel the July 6, 2010 Regular Meeting of the City Council of the City of Foster City;

EMID Consent Calendar

10. Minutes of the Special Meeting of June 7, 2010 – 5:00 pm;
11. Minutes of the Special Meeting of June 7, 2010 – 5:30 pm;
12. Minutes of the Regular Meeting of June 7, 2010;
13. District Resolution No. 3105, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Rejecting the Claim of Tom McMillin;"
14. District Resolution No. 3106, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Plans and Specifications and Authorizing the Call for Bids for (CIP 603) Sewer Lift Station Improvements Project – Phase 4;"
15. District Resolution No. 3107, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Adopting the Pay Plan for Fiscal Year 2010-2011;"
16. District Resolution No. 3108, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Authorizing Individuals to Act on Behalf of the 401(a) Plan;"
17. District Resolution No. 3109, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Authorizing Individuals to Act on Behalf of the 457 Plan;"
18. District Resolution No. 3110, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Authorizing Adoption of Plan Restatement;" and
19. Cancellation of the July 6, 2010 Regular Meeting of the Estero Municipal Improvement District.

ITEM REMOVED FROM THE CONSENT CALENDAR

TEMPORARY CLOSING OF TRAFFIC FLOW [HALLOWEEN SAFE STREETS].

At the request of Cynthia Erickson, 1111 Blythe Street, Mayor Wykoff removed this item from the City Consent Calendar.

Cynthia Erickson, 1111 Blythe Street addressed the City Council in opposition to closing down the streets in her neighborhood to accommodate Rotary Club's Halloween Safe Streets event.

Discussion ensued.

Motion by Mayor Wykoff, seconded by Vice Mayor Koelling, and carried, 4-1-0, Councilmember Bronitsky voted "No," to table this item to the July 19 Regular Meeting.

PUBLIC HEARINGS

PROPOSED WATER AND WASTEWATER RATES AND RESOLUTIONS ESTABLISHING NEW WATER AND WASTEWATER RATES FOR FISCAL YEAR 2010-2011. CITY RESOLUTION NO. 2010-62 AND EMID RESOLUTION NO. 3111.

Mayor/President Wykoff opened the continued public hearing to review proposed water and wastewater rates and adopt resolutions establishing new water and wastewater rates for Fiscal Year 2010-2011.

The staff report was given at the June 7 Regular Meeting by Finance Director Toler.

No public testimony was received.

Mayor/President Wykoff closed the public hearing.

Motion by Vice Mayor/Vice President Koelling, seconded by Councilmember/Director Frisella, and carried, 4-1-0, Councilmember/Director Bronitsky voted "No" to adopt:

1. City Resolution No. 2010-62, "A Resolution of the City Council of the City of Foster City Establishing New Water Rates (Reference No. S-68) and New Wastewater Rates (Reference No. S-73) for Fiscal Year 2010-2011" and
2. EMID Resolution No. 3111, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Establishing New Water Rates (Reference No. S-68) and New Wastewater Rates (Reference No. S-73) for Fiscal Year 2010-2011".

NEW BUSINESS

APPOINTMENT ON THE NOISE ABATEMENT COMMITTEE. MINUTE ORDER NO. 1200.

City Clerk Palmer presented the staff report.

Noise Abatement applicant Elizabeth Quiros-Grundmann introduced herself to the City Council.

Motion by Councilmember Bronitsky, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to adopt Minute Order No. 1200 appointing Elizabeth Quiros-Grundmann to an unexpired partial term from January 1, 2009 through December 31, 2011 on the Noise Abatement Committee.

The Community Development Agency meeting reconvened at 7:01 p.m.

RESOLUTIONS FOR ADOPTION

APPROVING THE FISCAL YEAR 2010-2011 CITY/DISTRICT BUDGET. CITY RESOLUTION NO. 2010-63 AND EMID RESOLUTION NO. 3112.

City/District Manager Hardy presented the staff report.

Motion by Vice Mayor/Vice President Koelling, seconded by Councilmember/Director Frisella, and carried, 3-2-0, Councilmember/Director Bronitsky and Mayor/President Wykoff voted "No" to adopt:

1. City Resolution No. 2010-63, "A Resolution of the City Council of the City of Foster City Approving the Fiscal Year 2010-2011 City Budget;" and
2. EMID Resolution No. 3112, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Fiscal Year 2010-2011 District Budget."

The Community Development Agency adjourned at 7:06 p.m.

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued on June 2, 2010, June 9, 2010, and June 14, 2010 were listed on the agenda for information purposes only. No action was required.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Vice Mayor/Vice President Koelling reminded voters of the initiative on the November ballot to prevent the state from taking money away from local government.

Councilmember/Director Frisella announced her grandchild is due to arrive any day now.

Mayor/President Wykoff announced that tonight's meeting is the last meeting until July 19. He hopes everyone has an enjoyable 4th of July.

CLOSED SESSION

Mayor/President Wykoff recessed the meeting into Closed Session for a Conference with Legal Counsel regarding one potential case of anticipated litigation [Government Code §54956.9(b)].

Meeting recessed into Closed Session at 7:22 p.m. and reconvened at 8:02 p.m.

Mayor/President Wykoff reported that no action was taken in Closed Session.

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Wykoff adjourned the meeting. Meeting adjourned at 8:02 p.m.