

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

**REGULAR MEETING OF JULY 21, 2008**

**MINUTES**

**CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD**

The Regular Meeting of July 21, 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 Vice Chair Kiramis, seconded by Member Koelling, and carried unanimously, 5-0-0, to approve the Minutes of the Regular Meeting of July 7, 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 July 21, 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; Steve Toler, Administrative Services Director; Craig Courtin, Chief of Police; Jon Froomin, Police Captain; Mike Sly, Video Operator; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

## **CONSENT CALENDAR**

Motion by Councilmember/Director Wykoff, 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 Regular Meeting of July 7, 2008;
2. City Resolution No. 2008-76, "A Resolution of the City Council of the City of Foster City Rejecting the Claim of Ghislaine Bach;"
3. City Resolution No. 2008-77, "A Resolution of the City Council of the City of Foster City Rejecting the Claim of Golfidine Barkouki;"
4. City Resolution No. 2008-78, "A Resolution of the City Council of the City of Foster City Approving an Encroachment Permit / Easement Agreement Between the Whaler's Island Homeowners Association and the City of Foster City/Estero Municipal Improvement District and Authorizing the City/District Manager to Execute the Agreement;"

### EMID Consent Calendar

5. Minutes of the Regular Meeting of July 7, 2008;
6. EMID Resolution No. 3043, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Rejecting the Claim of Ghislaine Bach;"
7. EMID Resolution No. 3044, "A Resolution of the City Council of the City of Foster City Rejecting the Claim of Golfidine Barkouki;"

8. EMID Resolution No. 3045, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving an Encroachment Permit / Easement Agreement Between the Whaler's Island Homeowners Association and the City of Foster City/Estero Municipal Improvement District and Authorizing the City/District Manager to Execute the Agreement;" and
9. EMID Resolution No. 3046, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving a Lease Agreement Between the Estero Municipal Improvement District and the United States of America for the Federal Aviation Administration Outer Marker Parking Area for a 10-Year Period from October 1, 2008 to September 30, 2018."

## **NEW BUSINESS**

REVIEW OF BUSINESS PLAN SUBMITTED ON JUNE 30, 2008 BY THE MAGNOLIA EDUCATIONAL & RESEARCH FOUNDATION; REVIEW OF LETTER SUBMITTED ON JUNE 23, 2008 BY THE FOSTER CITY HIGH SCHOOL FOUNDATION INC.; AND CONSIDERATION OF WHETHER OR NOT TO CONTINUE THE RESERVATION OF FOUR (4) ACRES ON THE 5-ACRE SITE ADJACENT TO THE GOVERNMENT CENTER FOR A PUBLIC CHARTER HIGH SCHOOL. CITY RESOLUTION NO. 2008-79.

Councilmember Kiesel recused himself from consideration of this item due to a potential conflict of interest.

City Manager Hardy presented the staff report.

Joseph Hurmati, CEO, Magnolia Educational & Research Foundation, 555 W. Redondo Beach Blvd., Suite 100, Gardena, CA, addressed the Council regarding their business plan submitted on June 30, 2008.

RECESS: Due to audio technical problems, the meeting was recessed from 8:06 p.m. to 8:11 p.m.

Joseph Hurmati continued his presentation.

Phyllis Moore, President, Foster City High School Foundation Inc., 1019 Monterey Avenue, addressed the Council regarding its letter submitted on June 23, 2008.

The following members of the public addressed the City Council regarding this issue:

1. Archana Bhuta, 316 Bowfin Street;
2. Linda Haskin, representing Foster City Friends, 1116 Halsey Boulevard;
3. Belle Shayer, 762 Gull Avenue;
4. William Kunz, 970 Swan Street;
5. Nicole Boncore, 219 Stilt Court;
6. Ken Feldstein, 980 Edgewater Boulevard;
7. Marc Chiang, 104 Goldhunter Court;
8. Janice Acton, 917 Laguna Circle;
9. Robert Nelson, 750 Lurline Drive; and

RECESS: The Chair recessed the meeting from 9:57 p.m. to 10:07 p.m.

10. Steve Morris, 340 Bramble Court.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Councilmember Koelling, and carried, 3-1-0, Vice Mayor Kiramis voting "No," to adopt City Resolution No. 2008-79, "A Resolution of the City Council of the City of Foster City Rescinding the Reservation of Four (4) Acres on the 15-Acre Site Adjacent to the Government Center for a Public Charter High School." Councilmember Kiesel recused himself from voting on this item due to a potential conflict of interest.

City Resolution No. 2008-79 rejects the Business Plan submitted by the Magnolia Educational & Research Foundation as being inadequate and rescinds the reservation of the four (4) acres on the 15-acre site adjacent to the government center for a public charter high school.

## **COMMUNICATIONS**

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

The City/District Warrant of Demands processed and issued July 2, 2008, July 9, 2008, and July 14, 2008 were listed on the agenda for information purposes only. No action was taken.

## **COUNCIL/BOARD STATEMENTS AND REQUESTS**

Councilmember Koelling requested a report defining the standard size of parking stalls.

Mayor Frisella thanked everyone for coming tonight.

## **CLOSED SESSION**

Mayor/President Frisella recessed the meeting into Closed Session pursuant to Government Code 54957 for a Public Employee Performance Evaluation for the City Attorney/District Legal Counsel and for the City/District Manager.

Meeting recessed into Closed Session at 10:26 p.m. and reconvened at 11:31 p.m.

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

## **ADJOURNMENT**

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

Meeting adjourned at 11:31 p.m.