

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

REGULAR MEETING OF AUGUST 3, 2009

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of August 3, 2009 of the Community Development Agency (CDA) of the City of Foster City was called to order at 7:31 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; Jean B. Savaree, City Attorney; and Doris L. Palmer, CDA Secretary.

CONSENT CALENDAR

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

1. Minutes of the Regular Meeting of July 20, 2009;
2. Minutes of the Special Meeting of July 27, 2009; and
3. Cancellation of the August 17, 2009 Regular Meeting of the Community Development Agency Board.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Kiramis adjourned the meeting. Meeting adjourned at 7:32 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of August 3, 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 7:32 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; Kevin Miller, Director of Parks and Recreation; Ramon Towne, Director of Public Works; Craig Courtin, Police Chief; Matt Martel, Police Captain; Rebecca Burnside, Director of Human Resources; Jennifer Clark, Recreation Superintendent, Tiffany Hall, Teen Recreation Coordinator; and Lisa Yee, Youth Recreation Coordinator; Mike Sly, Video Technician; and Doris L. Palmer, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

SPECIAL PRESENTATION BY CITY OF BELMONT TO RECOGNIZE THE CITY COUNCIL OF FOSTER CITY FOR ITS AUTHORIZATION OF THE REALLOCATION PG&E RULE 20A CREDITS FROM FOSTER CITY TO BELMONT.

Mayor David Braunstein, Councilmember Coralin Feierbach, Councilmember Warren Lieberman, and City Manager Jack Crist, on behalf of the City of Belmont, presented a Key to the City to the City Council of Foster City in appreciation to the City Council of Foster City for its authorization of the reallocation of \$1,853,626 of PG&E Rule 20A Credits from Foster City to Belmont.

PUBLIC

Phyllis Moore, 1019 Monterey Avenue, addressed the Council regarding the 4th of July Special Events Program and submitted a check, on behalf of the Lyons Club, for \$1,500 to the City of Foster City to defray some of the cost of hosting the 4th of July Program.

CONSENT CALENDAR

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

City Consent Calendar

1. Minutes of Regular Meeting of July 20, 2009;
2. Minutes of Special Meeting of July 27, 2009;

3. City Resolution No. 2009-68, "A Resolution of the City Council of the City of Foster City Awarding a Construction Contract for (CIP 606) Foster City Boulevard Resurfacing Project to G. Bortolotto & Co.;"
4. City Resolution No. 2009-69, "A Resolution of the City Council of the City of Foster City Authorizing the Sea Cloud Snack Shack Agreement with Peninsula Youth Soccer Club and Foster City Youth Softball Association for a Three-year Period Beginning September 1, 2009 and Ending December 31, 2012;"
5. City Resolution No. 2009-70, "A Resolution of the City Council of the City of Foster City to Award Vendor Agreements to Roeder Painting in the Amount of \$32,290 for the Interior Painting of the Library, Camino Carpets in the Amount of \$106,286 for the Purchase and Installation of Library Flooring, and Shell Door Service in the Amount of \$11,785 for the Purchase and Installation of an Automatic Front Door;"
6. City Resolution No. 2009-71, "A Resolution of the City Council of the City of Foster City Authorizing an Agreement for Services with MV Transportation for a One Year Period Beginning October 1, 2009, and Ending September 30, 2010, in the Amount of \$42,230;"

EMID Consent Calendar

7. Minutes of Regular Meeting of July 20, 2009;
8. Minutes of Special Meeting of July 27, 2009; and
9. Cancel the August 17, 2009 Regular Meeting of the Board of Directors of the Estero Municipal Improvement District."

Without objection from the City Council, Mayor Kiramis took OLD BUSINESS out of agenda order.

OLD BUSINESS

AWARDING AN AGREEMENT TO JJR CONSTRUCTION INC. FOR THE CONSTRUCTION OF (CIP 794) SKATE PARK COMPONENT OF THE TEEN CENTER AND RECREATIONAL FACILITIES. CITY RESOLUTION NO. 2009-72.

Parks and Recreation Director Kevin Miller presented the staff report.

Discussion ensued.

Karen Tunnell, 667 Sandy Hook Court, Foster City, addressed the Council in opposition to the construction of (CIP 794) Skate Park Component of the Teen Center and Recreational Facilities.

The following members of the public addressed the Council in favor of the construction of (CIP 794) Skate Park Component of the Teen Center and Recreational Facilities.

1. Evelyn Long -- 888 Foster City Boulevard, K8, Foster City
2. Tim Curry – 330 Bramble Court, Foster City
3. Steve Okamoto – 630 Leo Drive, Foster City
4. Steve Morris – 340 Bramble Court, Foster City
5. Dick Keeley – 1009 Monterey Avenue, Foster City

Discussion ensued.

A motion by Councilmember Frisella, and seconded by Councilmember Koelling, and carried, 3-2-0, with Vice Mayor Wykoff and Mayor Kiramis voting “No” to adopt City Resolution No. 2009-72, “A Resolution of the City Council of the City of Foster City Awarding an Agreement to JJR Construction Inc. for the Construction of (CIP 794) Skate Park Component of the Teen Center and Recreational Facilities.”

RECESS. The Mayor/President recessed the meeting from 8:44 p.m. to 8:54 p.m.

NEW BUSINESS

RESPONSE TO 2008-2009 GRAND JURY REPORT – REVERSING THE UPWARD TRAJECTORY OF EMPLOYEE COSTS IN THE CITIES OF SAN MATEO COUNTY. MINUTE ORDER NO. 1163.

Human Resources Director Rebecca Burnside presented the staff report.

Motion by Vice Mayor Wykoff, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to adopt Minute Order No. 1163, approving a response letter to the Honorable George A. Miram, Judge of the Superior Court.

PRIMARY ARGUMENT IN FAVOR OF A BALLOT MEASURE TO INCREASE TERMS FOR MEMBERS OF THE CITY COUNCIL ON THE NOVEMBER 3, 2009 GENERAL MUNICIPAL ELECTION. MINUTE ORDER NO. 1164.

City Clerk Doris Palmer presented the staff report.

Motion by Mayor Kiramis, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to adopt Minute Order No. 1164, approving the primary argument authored, on behalf of the City Council, by Councilmembers Frisella and Koelling in favor of a measure to increase the number of terms a Member of the City Council may serve from two full four-year terms (8 years) in succession to three full four-year terms (12 years) in succession and authorizing Councilmembers Frisella and Koelling to author, on behalf of the City Council, a rebuttal argument should a primary argument in opposition to this ballot measure be filed with the City Clerk by the 5:00 p.m. August 14, 2009 deadline.

APPOINTMENT OF VOTING DELEGATE AND ALTERNATE(S) FOR THE LEAGUE OF CALIFORNIA CITIES 2009 ANNUAL CONFERENCE. MINUTE ORDER NO. 1165.

Motion by Councilmember Frisella, seconded by Vice Mayor Wykoff, and carried unanimously, 5-0-0, to adopt Minute Order No. 1165, appointing Councilmember Linda Koelling as voting delegate and Councilmember Art Kiesel as first alternate and Pam

Frisella as second alternate to be present at the League of California Cities 2009 Annual Conference Business Meeting to be held on Friday, September 18, at the San Jose Convention Center.

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued July 15, 2009, July 22, 2009, and July 27, 2009 were listed on the agenda for information purposes only. No action was required.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember Frisella stated she was satisfied with the decision the Council made tonight regarding the passage of the award of contract to JJR Construction for the construction of the Teen Center Skate Park project. She added the decision was not made lightly. She has watched this project from its infancy to adulthood. She emphasized that staff did a good job in their analysis and preparation of the staff report. She stated that it made it even clearer to her that we should build the skate park.

Councilmember Koelling attended the SamTran's public forum regarding the modification of some of their service lines. She said that riders are at risk of losing the FX line. She urged members of the public to write letters to SamTrans sooner rather than later as SamTrans will come to a decision August 12.

Councilmember Koelling mentioned that the crows or ravens are becoming a problem in Foster City. She asked staff to investigate and report back to Council regarding this issue.

Councilmember Koelling wished her husband Fred a very happy 61st birthday.

Mayor Kiramis adjourned the meeting with a quote from Edgar Allan Poe's poem, *The Raven*, "...Quoth the raven, 'Nevermore...'"

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Kiramis adjourned the meeting. Meeting adjourned at 9:04 p.m.