

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

**REGULAR MEETING OF SEPTEMBER 15, 2008**

**MINUTES**

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

The Regular Meeting of September 15, 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 Kiesel, and carried unanimously, 5-0-0, to adopt the Minutes of Regular Meeting of September 2, 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 September 15, 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; Kevin Miller, Director of Parks and Recreation; Joan Schoening, IT Manager; Laura Galli, Assistant Engineer; Jennifer Tons, Recreation Superintendent; Dorte Drastrup, Parks Lead Worker; Tiffany Hall, Teen Recreation Coordinator; John Castanha, Human Resources Analyst; Casey O’Friel, Facility Maintenance Worker; Mike Sly, Video Operator; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

## **SPECIAL PRESENTATIONS**

**UPDATE ON THE STATE BUDGET BY STATE SENATOR LELAND Y. YEE.**

Due to the Senate being in session regarding the State Budget, Senator Yee cancelled his presentation tonight.

**PROCLAMATION FOR CONSTITUTION WEEK.**

On behalf of the City Council, Mayor Frisella declared September 17-23, 2008 as “Constitution Week” and presented a proclamation to Irene Alpen of the San Andreas Lake Chapter of the Daughters of the American Revolution.

**EMPLOYEE OF THE 2<sup>ND</sup> QUARTER 2008.**

On behalf of the City Council, Mayor Frisella presented a plaque to Facility Maintenance Worker I Casey O’Friel for being selected Employee of the 2<sup>nd</sup> Quarter 2008.

Without objection from the City Council, Mayor Frisella took **NEW BUSINESS** out of agenda order.

## **NEW BUSINESS**

**YOUTH ADVISORY COMMITTEE APPOINTMENTS. CITY RESOLUTION NO. 2008-87.**

City Clerk Calic reported that the following 25 students are seeking appointment to the Youth Advisory Committee for the 2008-2009 school year: Daniel Beckstead, San Mateo; Brittany Brady, Notre Dame; Karen Chee, Bowditch; Charley Chen, Crystal Springs;

Danielle Coyle, San Mateo; Lindsay Custodio, Bowditch; Allyssa Fong, Notre Dame; Samantha Fong, Aragon; Briana Fox, San Mateo; Kellie Freshour, San Mateo; Jeremy Hardy, Aragon; Jessica Hardy, Aragon; Danielle Kenny, Notre Dame; Kristi Kenny, Notre Dame; Haley Kilroy- Aragon; Brittany McOmer, Bowditch; Christina Matian, Notre Dame; Kumar Nadhan, San Mateo; Jeffrey Ratti, San Mateo; Alex Rosenberg, Bowditch; Nick Runco, Serra; Dayna Sakata, San Mateo; Amrit Saxena, Aragon; Betty Shen, San Mateo; and Neha Singh, Crystal Springs.

Many of the students introduced themselves to the City Council.

Motion by Councilmember Wykoff, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to adopt City Resolution No. 2008-87, "A Resolution of the City Council of the City of Foster City Approving the Appointment of Twenty-Five Members to the Youth Advisory Committee."

RECESS. The Chair recessed the meeting from 7:42 p.m. to 7:48 p.m.

## **PUBLIC**

William Kunz, representing No Triton Towers, 970 Swan Street, presented a handout to the City Council regarding "Multi Project Traffic Study Key Take-Aways."

## **CONSENT CALENDAR**

Motion by Councilmember/Director Koelling, 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 September 2, 2008;
2. City Resolution No. 2008-88, "A Resolution of the City Council of the City of Foster City Authorizing the Issuance of a Purchase Order to Ricoh USA for the Purchase of Four (4) Copiers in an Amount Not to Exceed \$39,800;"
3. City Resolution No. 2008-89, "A Resolution of the City Council of the City of Foster City Granting the City Manager Authority to Transfer Up To \$100,000 per Fiscal Year from Self-Insurance Fund Reserves to the Annual Self-Insurance Fund Budget as Needed to Comply With the Government Accounting Standards Board (GASB) No. 10 Guideline for Reporting Claim Reserves;"

### EMID Consent Calendar

4. Minutes of the Regular Meeting of September 2, 2008;

5. EMID Resolution No. 3052, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Granting the District Manager Authority to Transfer Up To \$100,000 per Fiscal Year from Self-Insurance Fund Reserves to the Annual Self-Insurance Fund Budget as Needed to Comply With the Government Accounting Standards Board (GASB) No. 10 Guideline for Reporting Claim Reserves;" and
6. EMID Resolution No. 3053, "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 757) Sanitary Sewer Manhole Rehabilitation Project."

## **RESOLUTIONS FOR ADOPTION.**

CITY RESOLUTION APPROVING THE RECOMMENDATION TO SELECT NORCAL WASTE SYSTEMS OF SAN MATEO COUNTY AND AUTHORIZING SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY [SBWMA] AND FOSTER CITY STAFF TO NEGOTIATE A FRANCHISE AGREEMENT FOR SOLID WASTE, RECYCLABLE MATERIAL AND ORGANIC MATERIAL COLLECTION SERVICES. TABLED.

CITY RESOLUTION APPROVING, AUTHORIZING AND DIRECTING THE ISSUANCE OF REVENUE OBLIGATIONS BY THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY [SBWMA], AND DIRECTING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE PROJECT FINANCING OF THE SHOREWAY RECYCLING AND DISPOSAL CENTER (SRDC). TABLED.

CITY RESOLUTION PROVIDING CONCURRENCE WITH THE APPROVAL OF AN AGREEMENT BETWEEN SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY [SBWMA] AND THE CITY OF SAN CARLOS PERTAINING TO THE SHOREWAY RECYCLING AND DISPOSAL CENTER. TABLED.

City Manager Hardy presented the staff report for the recommendation to select Norcal Waste Systems of San Mateo County and Authorize the South Bayside Waste Management Authority [SBWMA] and Foster City Staff to Negotiate a Franchise Agreement for Solid Waste, Recyclable Material and Organic Material Collection Services.

A short movie was shown to the audience by the SBWMA to illustrate the new services that would be provided and the proposed Shoreway Recycling and Disposal Center that would be built.

Ric Hutchinson, Principal, R3 Consulting, gave a presentation and answered questions regarding the Selection Committee Report: Evaluation and Scoring of Proposals.

Cliff Feldman, SBWMA Recycling Programs Manager, and Richard Tagore-Erwin, Principal, R3 Consulting, also answered questions regarding the Selection Committee Report.

RECESS. The Chair recessed the meeting from 9:29 p.m. to 9:36 p.m.

The following proposers addressed the City Council regarding their proposals and the selection process:

1. Evan Boyd, Allied Waste Services of San Mateo County, 225 Shoreway Road, San Carlos;
2. Louie Pellegrini and Steven Jones, Bayside Environmental Services & Transfer (BEST), 1160 Industrial Road, San Carlos; and
3. Dan Day, Norcal Waste Systems, Inc. of San Mateo County, 1356 Marsten, Burlingame.

RECESS. The Chair recessed the meeting from 11:00 p.m. to 11:06 p.m.

The following members of the public addressed the City Council supporting the selection of Norcal Waste Systems, Inc.:

1. Erin O'Boyle, Norcal employee;
2. Scott Parsons, local business owner;
3. Bill Britter, 151 Flying Cloud Isle;
4. Robert Pessagno, Norcal employee, 1181 Balclutha Drive; and
5. Les Neville, 1418 Dominica Lane.

Discussion ensued.

Motion by Councilmember Koelling to adopt the resolution approving the recommendation to select Norcal Waste Systems of San Mateo County and, due to the lateness of the hour, table the next two agenda items. Motion failed due to lack of a second.

Discussion continued.

Motion by Councilmember Kiesel and seconded by Vice Mayor Kiramis to table consideration of the following items to the regular meeting of October 6, 2008:

1. Motion carried 4-1-0, Councilmember Koelling voted "No," to table "A Resolution of the City Council of the City of Foster City Approving the Recommendation to Select Norcal Waste Systems of San Mateo County and Authorize South Bayside Waste Management Authority [SBWMA] and Foster City Staff to Negotiate a Franchise Agreement for Solid Waste, Recyclable Material and Organic Material Collection Services;"
2. Motion carried 5-0-0 to table "A Resolution of the City Council of the City of Foster City Approving, Authorizing and Directing the Issuance of Revenue Obligations by the South Bayside Waste Management Authority [SBWMA], and Directing Certain Related Actions in Connection with the Project Financing of the Shoreway Recycling and Disposal Center (SRDC);" and

3. Motion carried 5-0-0 to table "A Resolution of the City Council of the City of Foster City Providing Concurrence with the Approval of an Agreement between South Bayside Waste Management Authority (SBWMA) and the City of San Carlos Pertaining to the Shoreway Recycling and Disposal Center."

CITY RESOLUTION NO. 2008-90 AUTHORIZING THE AWARD OF A CONTRACT TO ANDERSON PACIFIC ENGINEERING CONSTRUCTION, INC. FOR CONSTRUCTION OF THE (CIP 736) CATAMARAN PARK BULKHEAD IMPROVEMENTS PROJECT AND A BUDGET APPROPRIATION IN THE AMOUNT OF \$115,000.

Public Works Director Towne presented the staff report.

Motion by Councilmember Koelling, seconded by Vice Mayor Kiramis, and carried unanimously, 5-0-0, to adopt City Resolution No. 2008-90, "A Resolution of the City Council of the City of Foster City Authorizing the Award of a Contract to Anderson Pacific Engineering Construction, Inc. for Construction of the (CIP 736) Catamaran Park Bulkhead Improvements Project and a Budget Appropriation in the Amount of \$115,000."

## **COMMUNICATIONS**

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

The City/District Warrant of Demands processed and issued August 27, 2008, September 3, 2008, and September 8, 2008 were listed on the agenda for information purposes only. No action was taken.

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

Councilmember Koelling stated that she hopes that the State legislature adopts the State budget by midnight tonight so that the Governor signs SB 348, Simitian, Local Government: Vehicle Fee for Congestion and Stormwater Management, that reauthorizes until January 1, 2013 a fee of up to \$4 on motor vehicles registered within San Mateo County for a program for the management of traffic congestion and stormwater pollution within said County.

Without objection from the City Council, Mayor Frisella stated that she will vote for the following 2008-2009 Officers of the Peninsula Division of the League of California Cities: Foster City Councilmember Linda Koelling for President; Sunnyvale Councilmember Ron Swegles for Vice President; Redwood City Councilmember Barbara Pierce for Secretary-Treasurer; Los Altos Mayor Val Carpenter for Santa Clara County Member At-Large; and South San Francisco Mayor Rich Garbarino for San Mateo County Member At-Large.

Mayor Frisella stated that the City Council sent a donation to the Matt Garcia Memorial Fund in memory of slain Fairfield City Councilman Matt Garcia.

Vice Mayor Kiramis reported that the offer of an award has brought forth the identity of suspects in the murder of Fairfield City Councilman Garcia.

## **ADJOURNMENT**

Hearing no objection from Council/Board, Mayor/President Frisella adjourned the meeting.  
Meeting adjourned at 11:40 p.m.