

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

REGULAR MEETING OF OCTOBER 20, 2008

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of October 20, 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.

PUBLIC

William Kunz, 970 Swan Court, presented nine Public Records Request Forms to the City Attorney requesting information about developer fees, disclosure of planning commission and/or city council discussions and correspondence regarding developments, the purchase of two properties on Comet Drive, and several requests relating to the Multi-Project Traffic Study.

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 October 6, 2008 on the CDA Consent Calendar.

REPORTS

RECESS. The Chair recessed the CDA meeting at 7:42 p.m. and reconvened at 8:49 p.m. to consider the State Budget Adoption and Impacts on the CDA and City/District Fiscal Year 2008-2009 Budgets.

STATE BUDGET ADOPTION AND IMPACTS ON CDA FISCAL YEAR 2008-2009 BUDGET. CDA MINUTE ORDER NO. 33.

Executive Director Hardy presented the staff report.

Discussion ensued.

Motion by Member Koelling, seconded by Member Kiesel, and carried unanimously, 5-0-0, to adopt CDA Minute Order No. 33, directing staff to prepare a detailed staff report and resolution that amends the CDA FY 2008-2009 budget for a "one-time" payment of \$1,166,000 to the State to fund the Educational Revenue Augmentation Fund [ERAF] by borrowing funds from the CDA Housing funds with a repayment from the CDA General Fund prior to hitting the tax increment cap in approximately FY 2010-2011. This payment from the CDA will maintain City General Fund reserves and a balanced City budget for FY 2008-2009.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Frisella adjourned the meeting. Meeting adjourned at 8:50 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of October 20, 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 7:42 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; Ricardo Santiago, Finance Director; Steve Toler, Administrative Services Director; Ramon Towne, Director of Public Works; Kevin Miller, Director of Parks and Recreation; Jon Froomin, Police Captain; Norm Dorais, Public Works Maintenance Manager; Jennifer Tons, Recreation Superintendent, Manuel Hernandez, Recreation Superintendent; Sergio Ramirez, Public Works Sewer Maintenance Superintendent; Tiffany Hall, Youth Recreation Coordinator; Mike Sly, Video Technician; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION FOR RED RIBBON WEEK.

On behalf of the City Council, Mayor Frisella declared the week of October 20-27, 2008 as "Red Ribbon Week" and presented a proclamation to Police Captain Froomin.

SPECIAL PRESENTATION BY AT&T TO CITY COUNCIL RECOGNIZING THE CITY'S EFFORTS IN AT&T'S PROJECT LIGHTSPEED UPGRADE.

Randy Okamura, External Affairs Manager, AT&T, presented a plaque and medallion to the City Council in recognition of the City's efforts in AT&T's Project Lightspeed upgrade.

PRESENTATION OF CERTIFICATES OF APPRECIATION TO CITIZEN ADVISORY COMMITTEE MEMBERS AND PLANNING COMMISSIONERS.

On behalf of the Council/Board, Mayor/President Frisella congratulated citizen advisory committee members and planning commissioners for their volunteer service to the community and presented certificates of appreciation to members in attendance of the:

1. Ad Hoc Environmental Sustainability Task Force
2. Ad Hoc Transportation Committee
3. Arts and Culture Committee;
4. Audit Committee;
5. Education Committee;
6. Information Technology Advisory Committee;
7. Noise Abatement Committee;
8. Parks and Recreation Committee;
9. Planning Commission;
10. Senior Citizen Advisory Committee;
11. Traffic Review Committee; and
12. Youth Advisory Committee.

For those not present, Certificates of Appreciation will be presented to them at their next Committee meeting.

CONSENT CALENDAR

Motion by Councilmember/Director Kiesel, seconded by Councilmember/Director Koelling, 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 October 6, 2008;
2. City Resolution No. 2008-96, "A Resolution of the City Council of the City of Foster City Approving an Updated Citywide Records Retention Schedule;"

3. City Resolution No. 2008-97, "A Resolution of the City Council of the City of Foster City Accepting the Work by G. Bortolotto & Company, Inc. for (CIP 799) Foster City and Shell Boulevard Overlay Project and Directing the City Clerk to File the Notice of Completion;"

EMID Consent Calendar

4. Minutes of the Regular Meeting of October 6, 2008; and
5. EMID Resolution No. 3055, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving an Updated Citywide Records Retention Schedule;"

REPORTS

PROPOSED CALIFORNIA HIGH-SPEED RAIL PROJECT. MINUTE ORDER NO. 1111.

Rod Diridon, Sr., Executive Director, Mineta Transportation Institute, San Jose, gave a presentation regarding the California High-Speed Rail Project.

Discussion ensued.

Motion by Councilmember Koelling, seconded by Councilmember Kiesel, and carried 3-0-2, Vice Mayor Kiramis and Councilmember Wykoff voting to "abstain," to adopt Minute Order No. 1111, supporting Proposition 1A, Safe, Reliable High-Speed Passenger Train Bond Act, on the November 4, 2008 General Presidential Election.

GENERAL WASTE DISCHARGE REQUIREMENT – SEWER SYSTEM MANAGEMENT PLAN DEVELOPMENT SCHEDULE UPDATE. MINUTE ORDER NO. 1112.

Public Works Director Towne introduced John Larson, Larson Consulting, who gave a presentation.

Public Works Sewer Maintenance Superintendent Ramirez addressed the City Council.

Motion by Director Kiesel, seconded by Director Koelling, and carried unanimously, 5-0-0, to adopt Minute Order No. 1112 accepting the staff report.

CDA MEETING RECONVENED. The CDA Meeting reconvened at 8:49 p.m. to consider the State Budget Adoption and Impacts on the CDA and City/District Fiscal Year 2008-2009 Budgets.

STATE BUDGET ADOPTION AND IMPACTS ON CITY/DISTRICT FISCAL YEAR 2008-2009 BUDGET. MINUTE ORDER NO. 1113.

City/District Manager Hardy presented the staff report.

Motion by Councilmember Wykoff, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to adopt Minute Order No. 1113, directing staff to prepare a resolution amending the City FY 2008-2009 budget to reflect the requisite reduction in booking fees expenditures based upon the final figure when received by the County. Staff was also directed to adjust the budget to reflect the \$100,000 positive budgetary impact due to full funding under the State Law Enforcement Supplemental Fund for Citizens' Option for Public Safety (SLESF/COPS) program that we will receive, and adjusting the budget from \$20,000 to \$5,000 for local detention facility subventions (booking fees).

The CDA meeting adjourned at 8:50 p.m.

RESOLUTIONS FOR ADOPTION

CITY RESOLUTION NO. 2008-98 APPROVING A LAND DEVELOPMENT COMMUNICATION PLAN AND APPROPRIATING FUNDS.

City Manager Chappelle presented the staff report.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to adopt City Resolution No. 2008-98, "A Resolution of the City Council of the City of Foster City Approving a Land Development Communication Plan and Appropriating \$9,000 from General Fund Reserves to Implement the Land Development Communication Plan."

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION TAKEN.

The City/District Warrant of Demands processed and issued October 1, 2008, October 8, 2008, and October 13, 2008 were listed on the agenda for information purposes only. No action was taken.

COUNCIL/BOARD STATEMENTS AND REQUESTS [& MINUTE ORDER NO. 1114]

Councilmember Kiramis thanked City Manager Hardy for being conservative and not investing City funds with the Wall Street firm Lehman Bros. like the County, some cities, school districts and other public agencies did and who may have lost as much as \$150 million in funds they deposited with the Wall Street investment bank that just filed bankruptcy.

Councilmember Wykoff stated that he has asked the City Manager to provide an update at the next Council meeting regarding the upgrade of the San Mateo levee.

Due to the fact that Councilmembers Koelling and Kiesel reported that they are both very concerned with a recommendation that came out of a special meeting convened by three members of the Board of Supervisors regarding the establishment by the South Bayside

Waste Management Authority (SBWMA) Board of an oversight committee of elected officials from each member agency, by unanimous vote, 5-0-0, the City Council determined that there was a need to take immediate action to instruct the City's representative to the SBWMA and that the need for this action came to the attention of the City of Foster City subsequent to the agenda being posted and that the following action was taken.

Minute Order No. 1114 was adopted, 5-0-0, as follows: In response to the recommendation made on October 16, 2008 at a joint meeting of the County of San Mateo Environmental Quality and Finance and Operations Committees of the Board of Supervisors that the South Bayside Waste Management Authority (SBWMA) Board form an oversight committee of elected officials representing the member agencies, the City Council opposes this recommendation and directs its SBWMA Board Representative to vote against said recommendation that has been placed on the October 23, 2008 SBWMA Board agenda.

Mayor Frisella stated that she just came back from Michigan and it is very depressing to see so many people out of jobs. She said that she is thankful that she lives in Foster City.

ADJOURNMENT

Hearing no objection from Council/Board, Mayor/President Frisella adjourned the meeting. Meeting adjourned at 9:12 p.m.