

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

**REGULAR MEETING OF NOVEMBER 15, 2010**

**MINUTES**

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

The Regular Meeting of November 15, 2010 of the Community Development Agency (CDA) of the City of Foster City was called to order at 6:31 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 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. Regular Meeting of November 1, 2010 and
2. Special Meeting of November 8, 2010.

**RECESS**

Chair Wkyoff recessed the meeting of the Community Development Agency to consider the 1<sup>st</sup> Quarter FY 2010-2011 Financial Update with the City/District 1<sup>st</sup> Quarter FY 2010-2011 Financial Update.

The CDA meeting recessed at 6:32 p.m. and reconvened at 7:24 p.m.

**ADJOURNMENT**

Hearing no objection from the CDA Board, Chair Wykoff adjourned the meeting. Meeting adjourned at 7:52 p.m.

**CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS**

The Regular Meeting of November 15, 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 6:32 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; Robert Lanzone, Assistant City Attorney/District Legal Counsel; Kristi A. Chappelle, Assistant City/District Manager; Craig Courtin, Police Chief; Steve Toler, Finance Director; Ramon Towne, Public Works Director; Laura Galli, Assistant Engineer; Matt Martell, Police Captain; Jon Froomin, Police Captain; John Mapes, Fire Marshal; Chuck Haney, Chief Building Official; Bridget Carberry, Video Technician; and Doris L. Palmer, City Clerk/District Secretary/Recording Secretary.

## **SPECIAL PRESENTATION**

Peninsula Traffic Congestion Relief Alliance's Executive Director Christine Maley-Grubl addressed the City Council and provided an update on the Shuttle Businesses Practices Study being conducted by the Alliance and SamTrans.

## **PUBLIC**

Yilmaz Sahinkaya, 993 Laguna Circle, Foster City addressed the City Council expressing concerns with the new tiered water rates.

## **CONSENT CALENDAR**

Motion by Vice Mayor/Vice President 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 the Special Meeting of November 1, 2010;
2. Minutes of the Regular Meeting of November 1, 2010;
3. Minutes of the Special Meeting of November 8, 2010;
4. City Resolution No. 2010-86, "A Resolution of the City Council of the City of Foster City Authorizing the City Manager to Execute Lease Agreement W26403 Prepared By California State Lands Commission Conveying to Foster City Certain Right-of-Way Located North of East Third Avenue Near the End of Foster City Boulevard;"

5. City Resolution No. 2010-87, "A Resolution of the City Council of the City of Foster City Authorizing the Police Department to Accept Grant Funds From the State of California Supplemental Law Enforcement Services Fund (SLESF);"
6. City Resolution No. 2010-88, "A Resolution of the City Council of the City of Foster City Approving the Appendix Dated November 2010 of Certain Designated Employees in the Conflict of Interest Code;"

#### EMID Consent Calendar

7. Minutes of the Special Meeting of November 1, 2010;
8. Minutes of the Regular Meeting of November 1, 2010;
9. Minutes of the Special Meeting of November 8, 2010;
10. EMID Resolution No. 3119, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Appendix Dated November 2010 of Certain Designated Employees in the Conflict of Interest Code;" and
11. EMID Resolution No. 3120, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Accepting the Work by Fermin Sierra Construction, Inc. for (CIP 757) Sanitary Sewer Spot Repair Project - 2010 and Directing the District Secretary to File the Notice of Completion."

#### **PUBLIC HEARINGS**

RECOLOGY SAN MATEO COUNTY COLLECTION RATES FOR SOLID WASTE, RECYCLABLES, AND ORGANICS FOR THE YEAR 2011. MINUTE ORDER 1213.

Mayor Wykoff opened a public hearing to review Recology San Mateo County Collection Rates for Solid Waste, Recyclables, and Organics for the Year 2011.

City Manager Hardy presented the staff report.

Public testimony was received from Yilmaz Sahinkaya, 993 Laguna Circle.

Mayor Wykoff closed the public hearing.

Motion by Councilmember Bronitsky, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to adopt Minute Order No. 1213 directing staff to proceed with the Proposition 218 notice for a public hearing to be held on January 18, 2011 prior to adoption of the collection rates for 2011.

CDA MEETING RECONVENED. The Community Development Agency meeting reconvened at 7:24 p.m.

#### **REPORTS**

REVIEW 1ST QUARTER FY 2010-2011 FINANCIAL UPDATE

Finance Director Toler presented the Staff Report.

Discussion ensued.

Motion by Mayor/President Wykoff, seconded by Councilmember/Director Bronitsky, and carried unanimously, 5-0-0, to adopt Minute Order No. 1214 to receive and accept the 1<sup>st</sup> Quarter FY 2010-2011 Financial Update staff report.

CDA MEETING ADJOURNED. The Community Development Agency adjourned at 7:52 p.m.

RECESS. The Chair recessed the meeting from 7:52 p.m. to 7:59 p.m.

## **ORDINANCES FOR INTRODUCTION**

AN ORDINANCE OF THE CITY OF FOSTER CITY AMENDING CHAPTERS 15.04, BUILDING CODE; 15.08, MECHANICAL CODE; 15.16, PLUMBING CODE; 15.20, ELECTRICAL CODE; AND 15.24, CALIFORNIA FIRE CODE, OF TITLE 15, BUILDING AND CONSTRUCTION OF THE FOSTER CITY MUNICIPAL CODE

Fire Marshal Mapes presented the staff report.

Discussion ensued.

Motion by Councilmember Bronitsky, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, to introduce ordinance by title and waive further reading of "An Ordinance of the City of Foster City Amending Chapters 15.04, Building Code; 15.08, Mechanical Code; 15.16, Plumbing Code; 15.20, Electrical Code; and 15.24, California Fire Code, of Title 15, Building and Construction of the Foster City Municipal Code."

Motion by Vice Mayor Koelling, seconded by Councilmember Kiesel, and carried unanimously, 5-0-0, to pass ordinance to second reading on December 20, 2010.

AN ORDINANCE OF THE CITY OF FOSTER CITY AMENDING SECTION 1.01.010, SECONDARY CODES ADOPTION, OF CHAPTER 1.01, CODE ADOPTION, OF TITLE 1, GENERAL PROVISIONS, OF THE FOSTER CITY MUNICIPAL CODE

Fire Marshal Mapes presented the staff report.

Discussion ensued.

Motion by Councilmember Bronitsky, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to introduce ordinance by title and waive further reading of "An Ordinance of the City of Foster City Amending Section 1.01.010, Secondary Codes Adoption, of Chapter 1.01, Code Adoption, of Title 1, General Provisions, of the Foster City Municipal Code."

Motion by Councilmember Bronitsky, seconded by Councilmember Frisella, and carried unanimously, 5-0-0, to pass ordinance to second reading on December 20, 2010.

## **COMMUNICATIONS**

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued on October 27, 2010, November 3, 2010 and November 8, 2010 were listed on the agenda for information purposes only. No action was required.

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

Councilmember/Director Kiesel announced that he attended the Lagoon Regatta this past Sunday. The event is gaining in popularity. The race begins at Sea Cloud Park and continues to Miramar. He believes parking may be a concern in the future.

Vice Mayor/Vice President Koelling indicated that tonight's meeting drew a lot of comments about the various challenges and decisions the Council will have to make regarding our City budget. She asked the Council to reconsider the time of the upcoming public study session meetings as it is important that the public be available to partake in this process. With Council consensus it was decided that the public study session meetings will begin at 5:30 p.m. to give members of the public more opportunity to attend.

Vice Mayor/Vice President Koelling thanked members of the public for supporting Proposition 22. This will stop the state from taking local funds but she asked everyone to stay on top of this issue and that if we work all together we can make things happen. Proposition 22 is only the first step towards reform. There is more so stay tuned.

## **ADJOURNMENT**

Hearing no objection from the Council/Board, Mayor/President Wykoff adjourned the meeting. Mayor/President Wykoff asked those present to observe a moment of silence and then adjourned the meeting in honor of Patricia Foster. Meeting adjourned at 8:11 p.m.