

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

REGULAR MEETING OF DECEMBER 21, 2009

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of December 21, 2009 of the Community Development Agency (CDA) of the City of Foster City was called to order at 7:38 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Chair Wykoff.

Member Charlie Bronitsky teleconferenced from 104 Ka'anapali Shores, Maui, Hawaii 96761; Room #909; Telephone Number: (808) 661-2000.

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 Kiesel, seconded by Vice Chair Koelling, and carried unanimously by roll call vote, 5-0-0, approving the following items on the CDA Consent Calendar:

1. Minutes of the Regular Meeting of December 7, 2009;
2. Minutes of the Special Meeting of December 9, 2009;
3. CDA Resolution No. 278, "A Resolution of the Community Development Agency of the City of Foster City Authorizing Investment of Monies in the Local Agency Investment Fund;" and
4. CDA Resolution No. 279, "A Resolution of the Community Development Agency of the City of Foster City Authorizing James C. Hardy, Steve Toler, and Lin-Lin Cheng as Authorized Signatories for Purposes of Opening, Administering and Closing Any and All Cash and Investment Accounts."

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Wykoff adjourned the meeting. Meeting adjourned at 7:39 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of December 21, 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 7:39 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Mayor/ President Rick Wykoff.

City Councilmember/EMID Director Charlie Bronitsky teleconferenced from 104 Ka'anapali Shores, Maui, Hawaii 96761; Room #909; Telephone Number: (808) 661-2000.

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; Jean Savaree, City Attorney/District Legal Counsel; Richard B. Marks, Community Development Director; Leslie Carmichael, Planning Manager; Curtis Banks, Senior Planner; Sue Lee; Senior Civil Engineer; Brian Chan; Senior Civil Engineer; Jennifer Clark, Recreation Superintendent; Mike Sly, Video Technician; and Doris L. Palmer, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

PROCLAMATION SUPPORTING THE 2010 CENSUS.

Margot Grant, Census Coordinator, County of San Mateo addressed the City Council. On behalf of the City Council, Mayor Wykoff presented a proclamation to Ms. Grant supporting the 2010 Census.

PUBLIC

Deborah Smith, Housing Investment Project (HIP) Representative and Joshua Chan of Brewer Island Elementary School, one of the winners of the 2010 calendar drawing, presented the 2010 HIP calendar to the City Council.

CONSENT CALENDAR

Motion by Vice Mayor/Vice President Koelling, seconded by Councilmember/Director Kiesel, and carried unanimously by roll call vote, 5-0-0, approving the following items on the City/District Consent Calendar:

City Consent Calendar

1. Minutes of the Regular Meeting of December 7, 2009;
2. Minutes of the Special Meeting of December 9, 2009;
3. City Resolution No. 2009-95, "A Resolution of the City Council of the City of Foster City Authorizing the Purchase of Central Irrigation System Equipment from John Deere Landscapes Green Tech in the Amount of \$124,585;"
4. City Resolution No. 2009-96, "A Resolution of the City Council of the City of Foster City Approving an Agreement for Cul-De-Sac Maintenance with Loral Landscaping, Inc. in the Amount of \$31,632 and Authorizing the Use of Contractual Services for Multiple Vendors as Needed in the Amount of Approximately \$35,000 for a Six-month Period from January 1, 2010 through June 30, 2010;"
5. City Resolution No. 2009-97, "A Resolution of the City Council of the City of Foster City Approving an Agreement for Median Maintenance with Valley Crest Landscape Maintenance in the Amount of \$93,384 for a One-year Period from January 1, 2010 through December 31, 2010;"
6. City Resolution No. 2009-98, "A Resolution of the City Council of the City of Foster City Approving the East Third Avenue Windsurf and Kiteboard Agreements for Services with Helm of Sun Valley; Wind Over Water/Norcal Surf Shop; and Boardsports School, LLC for a Two-year Period Beginning January 1, 2010 and Ending December 31, 2011;"
7. City Resolution No. 2009-99, "A Resolution of the City Council of the City of Foster City Authorizing an Exclusive Concession Agreement with Elegant Lagoon Cruises for the Transporting of People on the Lagoon;"
8. City Resolution No. 2009-100, "A Resolution of the City Council of the City of Foster City Amending Section 24 of Resolution No. 59-73, to Include No Parking Areas on Crane Avenue;"
9. City Resolution No. 2009-101, "A Resolution of the City Council of the City of Foster City Amending Section 24 and Section 26 of Resolution No. 59-73, to Include No Parking Areas and Modify Passenger Loading and Unloading Zones on Polaris Avenue;"
10. City Resolution No. 2009-102, "A Resolution of the City Council of the City of Foster City Approving the Plans and Specifications and Authorizing the Call for Bids for (CIP 607) Levee Pedway Maintenance Project – Phase I;"
11. City Resolution No. 2009-103, "A Resolution of the City Council of the City of Foster City Accepting the Work by D.L. Falk Construction, Inc. for the Construction of (CIP 794) Teen Center and Directing the City Clerk to File the Notice of Completion;"
12. City Resolution No. 2009-104, "A Resolution of the City Council of the City of Foster City Accepting the Work by Joseph J. Albanese, Inc. for the Construction of (CIP 604) Residential Street Resurfacing and Repair Project and Directing the City Clerk to File the Notice of Completion;"
13. City Resolution No. 2009-105, "A Resolution of the City Council of the City of Foster City Accepting the Work by Power Engineering Contractors for the Construction of (CIP 792) Lagoon Pump Station Improvements Project and Directing the City Clerk to File the Notice of Completion;"
14. City Resolution No. 2009-106, "A Resolution of the City Council of the City of Foster City Approving the Initiation of Proceedings for the Vacation of a Portion of Lakeside Drive and an Adjoining 19-Foot Public Utility and Landscape Reserve

Easement and Setting a Public Hearing Date of January 19, 2010 to Consider and Act on Said Vacations;”

15. City Resolution No. 2009-107, “A Resolution of the City Council of the City of Foster City Authorizing Investment of Monies in Local Agency Investment Fund;”
16. City Resolution No. 2009-108, “A Resolution of the City Council of the City of Foster City Authorizing James C. Hardy, Steve Toler, and Lin-Lin Cheng as Authorized Signatories for Purposes of Opening, Administering and Closing Any and All Cash and Investment Accounts;”
17. Minute Order No. 1174, Approving the Foster City Council Liaisons List Dated December 21, 2009;

EMID Consent Calendar

18. Minutes of the Regular Meeting of December 7, 2009;
19. Minutes of the Special Meeting of December 9, 2009;
20. EMID Resolution No. 3087, “A Resolution of the Board of Directors of the Estero Municipal Improvement District Authorizing Investment of Monies in Local Agency Investment Fund;” and
21. EMID Resolution No. 3088, “A Resolution of the Board of Directors of the Estero Municipal Improvement District Authorizing James C. Hardy, Steve Toler, and Lin-Lin Cheng as Authorized Signatories for Purposes of Opening, Administering and Closing any and All Cash and Investment Accounts.”

NEW BUSINESS

SAN MATEO COUNTY MOSQUITO ABATEMENT DISTRICT TRUSTEE APPOINTMENT. CITY RESOLUTION NO. 2009-109.

City Clerk Palmer presented the staff report.

Ronald Anderson addressed the City Council seeking reappointment as Foster City’s Trustee to the San Mateo County Mosquito Abatement District.

Motion by Vice Mayor Koelling, seconded by Councilmember Kiesel, and carried unanimously by roll call vote, 5-0-0, to adopt City Resolution No. 2009-109, “A Resolution of the City Council of the City of Foster City Reappointing Ronald J. Anderson as Representative on the Board of Trustees of the San Mateo County Mosquito Abatement District to a Four-year Term from January 1, 2010 through December 31, 2013.”

CITIZEN ADVISORY COMMITTEE APPOINTMENTS. MINUTE ORDER NO. 1175.

The following applicants were interviewed by the City Council/District Board:

1. Ayesha Sikandar seeking appointment to the Ad Hoc Environmental Sustainability Task Force;
2. Helyn Dahle seeking reappointment to the Arts and Culture Committee; Benjamin Nagel withdrew his application for appointment and did not attend the meeting;

3. John Cline seeking reappointment and Hans-Christian Metz seeking appointment to the Audit Committee; Bob Buyers previous member of the Audit Committee seeking appointment and Crystal Lee Milton current Chair seeking reappointment could not attend the meeting due to prior commitments;
4. Caryn A. Goldman, Toufan Parman, and Amy Sobel seeking reappointment to the Education Committee could not attend due to prior commitments;
5. Dulce Franke, Gregory Koss, and Timothy Zielinski seeking reappointment and Alexei Vilenski seeking appointment to the Information Technology Advisory Committee; Adriana Livianu seeking appointment did not attend the meeting;
6. Bernard F. Mulvaney and Edward Poor seeking appointment to the Noise Abatement Committee;
7. Krishna Bakshi and Gary Pollard seeking reappointment and Don Carlson, Ronald Seligman, and Charles Tomberg seeking appointment to the Parks and Recreation Committee; and
8. June O. Knox seeking reappointment and Bette B. Garcia seeking appointment to the Senior Citizen Advisory Committee.

Minute Order No. 1175 was adopted, as follows:

1. Motion by Councilmember Frisella, seconded by Vice Mayor Koelling, and carried unanimously by roll call vote, 5-0-0, appointing Ayesha Sikandar to an unexpired partial term ending June 30, 2012 on the Ad Hoc Environmental Sustainability Task Force;
2. Motion by Councilmember Kiesel, seconded by Councilmember Frisella, and carried unanimously by roll call vote, 5-0-0, reappointing Helyn Dahle to a full term ending December 31, 2012 on the Arts and Culture Committee;
3. Motion by Mayor Wykoff, seconded by Vice Mayor Koelling, and carried unanimously by roll call vote, 5-0-0, reappointing John Cline and Crystal Lee Milton to full terms ending December 31, 2012 and motion by Mayor Wykoff, seconded by Vice Mayor Koelling, and carried by roll call vote, 4-1-0, Councilmember Frisella voting "no," appointing Bob Buyers to a partial term ending December 31, 2010 on the Audit Committee;
4. Motion by Vice Mayor Koelling, seconded by Councilmember Frisella, and carried unanimously by roll call vote, 5-0-0, reappointing Caryn A. Goldman, Toufan Parman, and Amy Sobel to full terms ending December 31, 2012 on the Education Committee;
5. Motion by Vice Mayor Koelling, seconded by Councilmember Frisella, and carried unanimously by roll call vote, 5-0-0, reappointing Dulce Franke, Gregory Koss, and Timothy Zielinski to full terms ending December 31, 2012 and appointing Alexei Vilenski to a partial term ending December 31, 2011 on the Information Technology Advisory Committee;

6. Motion by Councilmember Frisella, seconded by Mayor Wykoff, and carried unanimously by roll call vote, 5-0-0, appointing Bernard F. Mulvaney and Edward Poor to full terms ending December 31, 2012 on the Noise Abatement Committee;
7. Motion by Director Frisella, seconded by Vice President Koelling, and carried unanimously by roll call vote, 5-0-0, reappointing Krishna Bakshi and Gary Pollard and appointing Don Carlson to full terms ending December 31, 2012 on the Parks and Recreation Committee; and
8. Motion by Councilmember Frisella, seconded by Councilmember Kiesel, and carried unanimously by roll call vote, 5-0-0, reappointing June Knox and appointing Bette B. Garcia to full terms ending December 31, 2012 on the Senior Citizen Advisory Committee.

APPEAL OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE A 1,533 SQ. FT. ONE- AND TWO-STORY ROOM ADDITION TO A ONE-STORY HOUSE – 1875 BEACH PARK BOULEVARD IN NEIGHBORHOOD 2. CITY RESOLUTION NO. 2009-110.

At 8:30 p.m. Councilmember Bronitsky recused himself from this item as he participated as a Planning Commissioner when this item was considered by the Planning Commission.

RECESS: The Chair recessed the meeting from 8:31 p.m. to 8:38 p.m.

Planning Manager Carmichael presented the staff report.

The following individuals addressed the City Council:

1. Appellant Lauren Dixon, 217 Puffin Court;
2. Appellant Debbie Chew, 223 Puffin Court;
3. Owner Majid Shamim, 1875 Beach Park Boulevard; and
4. Architect Albert DeLima, Hank, Bruce Architects, 23 B Main Street, Tiburon.

Discussion ensued.

Motion by Councilmember Kiesel, seconded by Vice Mayor Koelling, and carried unanimously, 4-0-0, to adopt Resolution No. 2009-110, "A Resolution of the City Council of the City of Foster City Denying the Appeal of a Planning Commission Approval of a 1,533 Sq. Ft. One- and Two-story Room Addition to an Existing One-story House – 1875 Beach Park Boulevard in Neighborhood 2 – Shamim – AR-07-011."

COMMUNICATIONS

CITY/DISTRICT WARRANT OF DEMANDS. NO ACTION REQUIRED.

The City/District Warrant of Demands processed and issued on October 28, 2009, November 4, 2009, November 9, 2009, November 18, 2009, November 30, 2009, December 2, 2009, December 9, 2009 and December 14, 2009 were listed on the agenda for information purposes only. No action was required.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember/Director Bronitsky wished everyone happy holidays and happy new year.

Councilmember/Director Kiesel wished everyone a happy and safe holiday season.

Councilmember/Director Frisella wished everyone a happy and prosperous new year.

Vice Mayor/Vice President Koelling stated she is looking forward to 2010 and wished everyone a happy holiday season.

Mayor/President Wykoff echoed every one of his colleagues' well wishes and extended those wishes to each of the members of the City Council.

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Wykoff adjourned the meeting. Meeting adjourned at 9:41 p.m.