

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

REGULAR MEETING OF FEBRUARY 20, 2007

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of February 20, 2007 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 Ron Cox.

ROLL CALL

The Secretary called the roll:

PRESENT: Members Pam Frisella, John Kiramis, Linda Koelling, Rick Wykoff, and Chair Ron Cox.

ABSENT: None.

STAFF PRESENT: James C. Hardy, Executive Director/Treasurer; and Therese L. Calic, CDA Secretary.

CONSENT CALENDAR

Motion by Member Koelling, seconded by Vice Chair Frisella, and carried unanimously, 5-0-0, adopt the Minutes of the Special Meeting of January 29, 2007 and Regular Meeting of February 5, 2007 on the CDA Consent Calendar.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Cox adjourned the meeting. Meeting adjourned at 7:31 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of February 20, 2007 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 Ron Cox.

ROLL CALL

The City Clerk/District Secretary called the roll:

PRESENT: Councilmembers/ex officio Directors Pam Frisella, John Kiramis, Linda Koelling, Rick Wykoff, and Mayor/President Ron Cox.

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; Richard B. Marks, Community Development Director; Kevin Miller, Director of Parks and Recreation; Steve Toler, Administrative Services Director; Audrey Daniels, Human Resources Manager; Ramon Towne, Director of Public Works; Craig Courtin, Chief of Police; Tom Reaves, Fire Chief; Matt Martell, Police Captain; Jim Comisky, Fire Battalion Chief; Scott Welch, Police Sergeant; Laura Galli, Assistant Engineer; Jennifer Tons, Recreation Superintendent; Loren Moore, Firefighter; Jessica Markillie Recreation Coordinator; 'Andra Lorenz, Management Analyst; Sandy Scagliola-Castro, Administrative Secretary; Rogerio Lima, Video Operator; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

EMPLOYEE 5-YEAR SERVICE PINS.

On behalf of the City Council, Mayor Cox presented Employee 5-Year Service Pins to Firefighter Loren Moore, Jr. and Parks and Recreation Administrative Secretary Sandy Scagliola-Castro.

EMPLOYEE 25-YEAR SERVICE PIN.

On behalf of the City Council, Mayor Cox presented an Employee 25-Year Service Pin to Police Sergeant Scott Welch.

EMPLOYEE OF THE 4TH QUARTER 2006.

On behalf of the City Council, Mayor Cox presented a plaque to Recreation Coordinator Jessica Markillie for Employee of the 4th Quarter 2006.

PUBLIC

Responding to John Wienckowski, 651 Altair Avenue, regarding his request for additional traffic calming measures on Altair Avenue, Mayor Cox directed the City Manager to follow-up.

Barbara Escoffier, Foster City Library Branch Manager, distributed the San Mateo County Library 2005-2006 Annual Report to the City Council.

Daly City Councilmember Michael Guingona and candidate for appointment as the SamTrans Northern County representative at the February San Mateo County City Selection Committee Meeting introduced himself to the City Council.

South San Francisco Councilmember Karyl Matsumoto and candidate for appointment as the SamTrans Northern County representative to be voted on at the February San Mateo County City Selection Committee Meeting introduced herself to the City Council.

Mayor Cox presented Certificates of Appreciation to Hillsdale High School student Catherine Zhu and San Mateo High School student Sindhuri Gollamudi after each gave a short speech regarding global warming.

CONSENT CALENDAR

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

City Consent Calendar

1. Minutes of Special Meeting of January 29, 2007;
2. Minutes of Regular Meeting of February 5, 2007;
3. Warrant of Demands dated February 20, 2007;
4. City Resolution No. 2007-14, "A Resolution of the City Council of the City of Foster City Amending the Investment Policy for the Longevity Recognition Plan," with the following sentence added to AUTHORIZED AND SUITABLE INVESTMENTS: "Direct investment in corporate equity securities is not permitted under this policy."

EMID Consent Calendar

5. Minutes of Special Meeting of January 29, 2007;
6. Minutes of Regular Meeting of February 5, 2007;
7. Warrant of Demands dated February 20, 2007;
8. EMID Resolution No. 2987, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Providing Concurrence to the City of San Mateo for Award of Amendment No. 3 to the Agreements with MWH (Montgomery Watson Harza Americas, Inc.) for Engineering Services during Construction and Construction Management Services for (CIP 730) Wastewater Treatment Plan Dewatering Facility Improvements and Anaerobic Digester Project;" and

9. EMID Resolution No. 2988, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Amending the Investment Policy for the Longevity Recognition Plan," with the following sentence added to AUTHORIZED AND SUITABLE INVESTMENTS: "Direct investment in corporate equity securities is not permitted under this policy."

ITEMS REMOVED FROM THE CONSENT CALENDAR

CITY RESOLUTION NO. 2007-15 AUTHORIZING THE PURCHASE OF A STORAGE AREA NETWORK DEVICE FROM SYNEGI IN AN AMOUNT NOT TO EXCEED \$80,210, AND APPROPRIATING \$69,630 FROM INFORMATION TECHNOLOGY INTERNAL SERVICES FUND (#504) UNDESIGNATED UNRESERVED FUND BALANCE FOR FY 2006-2007.

Mayor Cox removed this item from the City Consent Calendar at the request of Councilmember Wykoff.

Discussion ensued.

Motion by Councilmember Wykoff for the Information Technology Advisory Committee to review this item and make a recommendation for City Council consideration at 2007-08 budget time.

Motion died for lack of a second.

Motion by Councilmember Kiramis, seconded by Vice Mayor Frisella, and carried, 4-1-0, Councilmember Wykoff voted "No," to adopt City Resolution No. 2007-15, "A Resolution of the City Council of the City of Foster City Authorizing the Purchase of a Storage Area Network Device from Synegi in an Amount Not to Exceed \$80,210, and Appropriating \$69,630 from Information Technology Internal Services Fund (#504) Undesignated Unreserved Fund Balance for FY 2006-2007."

CITY RESOLUTION NO. 2007-16 AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH LSA ASSOCIATES, INC. FOR CONSULTING SERVICES TO PREPARE AN ENVIRONMENTAL IMPACT REPORT TO MEET THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE PILGRIM-TRITON COMMERCIAL/INDUSTRIAL/RESIDENTIAL MASTER PLAN, GENERAL PLAN AMENDMENT GP-06-001, REZONING RZ-06-002, AND ENVIRONMENTAL ASSESSMENT EA-06-003.

Mayor Cox removed this item from the City Council Calendar at the request of Councilmember Wykoff.

Mayor Cox recused himself from consideration of this item due to a source of income conflict. Mayor Cox left the room during discussion of this item and Vice Mayor Frisella presided over the meeting.

Ken Feldstein, 980 Edgewater Boulevard, addressed the City Council with traffic concerns.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Councilmember Kiramis, and carried 4-0-0, to adopt City Resolution No. 2007-16, "A Resolution of the City Council of the City of Foster City Authorizing the Mayor to Execute an Agreement with LSA Associates, Inc. for Consulting Services to Prepare an Environmental Impact Report to Meet the Requirements of the California Environmental Quality Act for the Pilgrim-Triton Commercial/Industrial/Residential Master Plan, General Plan Amendment GP-06-001, Rezoning RZ-06-002, and Environmental Assessment EA-06-003."

Vice Mayor Frisella recessed the meeting at 8:54 p.m.

At 9:02 p.m., Mayor Cox called the meeting to order.

PUBLIC HEARINGS

ALLIED WASTE, INC. (FORMERLY BROWNING-FERRIS INDUSTRIES – BFI) REFUSE, RECYCLABLE MATERIAL AND PLANT MATERIAL COLLECTION RATES FOR 2007. CITY RESOLUTION NO. 2007-17. MINUTE ORDER NOS. 1026 AND 1027.

Mayor Cox opened a public hearing to hear and consider comments regarding Allied Waste, Inc. (formerly Browning-Ferris Industries – BFI) Refuse, Recyclable Material and Plant Material Collection Rates for 2007.

Public Works Director Towne presented the staff report.

Ken Feldstein, 980 Edgewater Boulevard, addressed the City Council with concerns about the accountability of the refuse company.

Hearing no objection from the City Council, Mayor Cox closed the public hearing.

Discussion ensued.

Motion by Councilmember Kiramis, seconded by Councilmember Wykoff, and carried unanimously, 5-0-0, to adopt City Resolution No. 2007-17, "A Resolution of the City Council of the City of Foster City Maintaining 2006 Refuse Collection Fees for the Calendar Year 2007."

Discussion continued.

Motion by Councilmember Koelling and seconded by Vice Mayor Frisella to adopt Minute Order No. 1026, directing staff to proceed with public notification procedures as outlined by Proposition 218 to consider a mid-year rate adjustment of 4.7% that would be applied uniformly to all rate categories and would be effective June 1, 2007.

Discussion continued.

Motion carried 4-1-0, Councilmember Wykoff voted "No" and requested that the record reflect that he voted "No" because it is his opinion that this action contradicts City Resolution No. 2007-17 that maintains 2006 refuse collections fees for calendar year 2007.

Motion by Councilmember Koelling, seconded by Vice Mayor Frisella, and carried unanimously, 5-0-0, to adopt Minute Order No. 1027, directing staff to prepare an analysis of a progressive rate structure for consideration when the 2008 rates are reviewed.

NEW BUSINESS

REQUEST FROM FOSTER CITY HISTORICAL SOCIETY TO PLACE A FLYER ABOUT FOSTER CITY HISTORY DAY AND MEMBERSHIP OPPORTUNITIES IN THE ESTERO UTILITY BILLS. MINUTE ORDER NO. 1028.

Assistant City Manager Chappelle presented the staff report.

Larry Staley, President, Foster City Historical Society, addressed the City Council.

Motion by Vice Mayor Frisella, seconded by Councilmember Wykoff, and carried unanimously, 5-0-0, to adopt Minute Order No. 1028, granting a request from the Foster City Historical Society to place a flyer about Foster City History Day (April 14, 2007) and membership opportunities in the Estero Utility Billings of March 9, March 23, and April 11 billing cycles with the understanding that the Historical Society will pay the incremental cost of ~\$250 for folding and stuffing the flyers in the utility bills.

REPORTS

STATUS OF CANADA GEESE CONTROL PROGRAM. MINUTE ORDER NO. 1029.

Parks and Recreation Director Miller presented the staff report.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Vice Mayor Frisella, and carried unanimously, 5-0-0, to adopt Minute Order No. 1029, directing staff to continue to utilize the services of Losee's Goose Control at approximately \$32,000 per year at Catamaran, Erckenbrack, Gull, Marlin, Port Royal, Leo Ryan, and Sunfish Parks. Staff is further directed to meet again with the San Mateo-Foster City School District regarding management of a goose control program at the three Foster City public schools and the deployment of Losee's Goose Control with the estimated cost of \$1,000 per month being borne by the City with maintenance and personnel costs for implementation of the goose control program borne by the School District. Staff was also directed to bring back a recommendation to the City Council as part of the FY 2007-08 budget.

REVISING THE EDUCATIONAL REIMBURSEMENT POLICY. CITY RESOLUTION NO. 2007-18 AND EMID RESOLUTION NO. 2989.

Human Resources Director Daniels presented the staff report.

Discussion ensued.

Motion by Councilmember/Director Kiramis, seconded by Vice Mayor/Vice President Frisella, and carried 3-2-0, Councilmembers/Directors Koelling and Wykoff voted "No," to adopt the following resolutions:

1. City Resolution No. 2007-18, "A Resolution of the City Council of the City of Foster City Revising the Educational Reimbursement Policy;" and
2. EMID Resolution No. 2989, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Revising the Educational Reimbursement Policy."

COMMUNICATIONS

PROVIDE DIRECTION TO COUNCIL REPRESENTATIVE (PAM FRISELLA) REGARDING SELECTION OF THE SAMTRANS NORTHERN COUNTY REPRESENTATIVE AT THE FEBRUARY SAN MATEO COUNTY CITY SELECTION COMMITTEE MEETING. MINUTE ORDER NO. 1030.

Councilmember Koelling asked for direction from the City Council to Council Representative Frisella regarding if she should vote for Daly City Council Michael Guingona or South San Francisco Councilmember Karyl Matsumoto as the SamTrans Northern County Representative at the February San Mateo County City Selection Committee meeting.

Discussion ensued.

Motion by Councilmember Wykoff, seconded by Councilmember Kiramis, and carried 3-2-0, Councilmember Koelling and Vice Mayor Frisella voted "No," to adopt Minute Order No. 1030, directing Council representative Frisella to vote for Daly City Councilmember Michael Guingona as the SamTrans Northern County Representative at the February San Mateo County City Selection Committee Meeting.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Councilmember Kiramis stated that he will be available to meet with residents to discuss any issue this Sunday from 3 p.m. to 5 p.m. in the Council Chambers.

Vice Mayor Frisella and Councilmember Wykoff thanked the Arts and Culture Committee for a successful Chinese New Year Celebration 2007 event held at the Recreation Center on Sunday, February 18.

Councilmember Koelling thanked high school students Catherine Zhu and Sindhuri Gollamudi who addressed the City Council regarding global warming earlier in the evening. She stated that our youth are aware of global warming and reminded everyone that there are simple ways that we can make changes and reduce energy demands. Councilmember Koelling presented posters made by 3rd graders from Foster City School regarding global warming and other issues affecting youth.

Mayor Cox invited the public to purchase tickets for the Foster City Lions Club Crab Feed youth sports fundraiser on Saturday, February 24, by contacting him.

CLOSED SESSION

Hearing no objection from the Council/Board, Mayor/President Cox recessed the meeting into Closed Session pursuant to Government Code 54956.8 for a conference with real property negotiators James C. Hardy, Jean Savaree, Kristi Chappelle, and Richard Marks regarding negotiations with representatives of the Foster City High School Foundation, Inc. with respect to leasing a 4-acre portion of the 15-acre site adjacent to the Government Center owned by the City of Foster City [APN 094-471-100].

Motion recessed into Closed Session at 10:38 p.m. and reconvened at 12:06 a.m.

Mayor/President Cox reported that no action was taken in Closed Session.

ADJOURNMENT

Hearing no objection from Council/Board, Mayor/President Cox adjourned the meeting. Meeting adjourned at 12:06 a.m.