

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

REGULAR MEETING OF JUNE 4, 2007

MINUTES

CALL TO ORDER OF FOSTER CITY COMMUNITY DEVELOPMENT AGENCY BOARD

The Regular Meeting of June 4, 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; Leslie Carmichael, Planning Manager; and Therese L. Calic, CDA Secretary.

CONSENT CALENDAR

Motion by Member Kiramis, seconded by Member Wykoff, and carried unanimously, 5-0-0, to adopt the Minutes of the Special Meeting of May 14, 2007 and Regular Meeting of May 21, 2007 on the CDA Consent Calendar.

RECESS

Chair Cox recessed the meeting of the Community Development Agency to consider Resolutions For Adoption, and the Preliminary Fiscal Year 2007-2008 Budget Public Hearing with the City/EMID Preliminary Fiscal Year 2007-2008 Budget Public Hearing.

The CDA meeting recessed at 7:31 p.m. and reconvened at 8:47 p.m.

RESOLUTIONS FOR ADOPTION

CDA RESOLUTION NO. 265 AMENDING THE FY 2006-2007 BUDGET WITH RESPECT TO TRANSFERS TO THE MARLIN COVE HOUSING FUND.

Planning Manager Carmichael presented the staff report.

Motion by Member Wykoff, seconded by Vice Chair Frisella, and carried unanimously, 5-0-0, to adopt CDA Resolution No. 265, "A Resolution of the Community Development Agency of the City of Foster City Amending the FY 2006-2007 Budget with Respect to Transfers to the Marlin Cove Housing Fund."

PUBLIC HEARINGS

PUBLIC HEARING TO HEAR AND CONSIDER PUBLIC INPUT REGARDING THE COMMUNITY DEVELOPMENT AGENCY PRELIMINARY FISCAL YEAR 2007-2008 BUDGET.

Chair Cox opened a public hearing to hear and consider public input regarding the Community Development Agency Preliminary Fiscal Year 2007-2008 Budget.

Executive Director Hardy presented the budget hearing staff report.

Assistant City Manager Chappelle presented the staff report regarding funding for Peninsula Conflict Resolution Center services in Fiscal Year 2007-2008.

Jennifer Bullock, Associate Director, Peninsula Conflict Resolution Center, addressed the City Council regarding their funding request.

Parks and Recreation Director Miller presented the staff report regarding amending the Teen Center Project (CIP 794) budget.

No other public testimony was received.

Hearing no objection from the CDA Board, Chair Cox closed the public hearing.

Discussion ensued.

See the City/District Minutes for action taken.

ADJOURNMENT

Hearing no objection from the CDA Board, Chair Cox adjourned the meeting. Meeting adjourned at 9:35 p.m.

CALL TO ORDER OF CITY COUNCIL/EMID BOARD OF DIRECTORS

The Regular Meeting of June 4, 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; Steve Toler, Administrative Services Director; Ricardo Santiago, Finance Director; Ramon Towne, Director of Public Works; Kevin Miller, Director of Parks and Recreation; Tom Reaves, Fire Chief; Audrey Daniels, Human Resources Director; Jon Froomin, Police Captain; Matt Martell, Police Captain; Norm Dorais, Public Works Maintenance Manager; Joan Schoening, IT Manager; Leslie Carmichael, Planning Manager; Barbara Hanna, Human Resources Technician; Rogerio Lima, Video Operator; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

SPECIAL PRESENTATIONS

SPECIAL PRESENTATION FROM THE FOSTER CITY TENNIS CLUB.

Barby Picket, President, and Richard Olson, Past President, Foster City Tennis Club, presented Appreciation Award plaques to the City Council and to Parks and Recreation Director Miller in recognition and appreciation of the many years of support extended to the Foster City Tennis Club.

LAW ENFORCEMENT TORCH RUN DAY PROCLAMATION.

On behalf of the City Council, Mayor Cox declared June 6, 2007 as "Law Enforcement Torch Run Day," and presented a proclamation to Police Captain Froomin and Special Olympian Andrea Scofield.

PUBLIC

Jocelyn Won, AFSCME Business Agent, 144 Brentwood Drive, South San Francisco, presented a letter to the City Council requesting that "The City Council must send the City's negotiating team back to the bargaining table to resume negotiations with the intention of bargaining in 'good faith' to reach a mutually acceptable agreement."

Shelley Kessler, Executive Secretary Treasurer, San Mateo County Central Labor Council, AFL-CIO, 1153 Chess Drive, #200, stated that it is common practice for unions to approach city councilmembers during labor negotiations and handed out an email referencing a PERB decision to the City Council.

Charlene Shores, President of AFSCME Local 829, 144 Brentwood Drive, South San Francisco, also asked the City Council to direct staff to go back to the table and bargain in good faith.

Shaída Sabin, Police Dispatcher, also addressed the City Council regarding the AFSCME negotiations.

CONSENT CALENDAR

Motion by Councilmember/Director Koelling, seconded by Councilmember/Director Kiramis, 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 May 14, 2007;
2. Minutes of Special Meeting of May 21, 2007;
3. Minutes of Regular Meeting of May 21, 2007;
4. Warrant of Demands dated June 4, 2007;
5. City Resolution No. 2007-42, "A Resolution of the City Council of the City of Foster City Authorizing the Purchase of Parks Maintenance Equipment Scheduled and Budgeted for Replacement in the City Equipment Replacement Fund for Fiscal Year 2006-2007 in the Amount of \$74,745.00 from the Low Responsible Bidders which Include: Vermeer Pacific for a Chipper, RBM Supply & Mfg., Inc. for a Spray Rig Trailer, Ditch Witch Central/CA for a Trencher, Gardenland Power Equipment for a Back Pack Blower, San Mateo Lawn Mower for a Sod Cutter, Milpitas Mower, Inc. for a Riding Mower, Turf & Industrial for a Riding Mower, and Milpitas Mower, Inc. for an Auger;"
6. City Resolution No. 2007-43, "A Resolution of the City Council of the City of Foster City Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 6, 2007 for the Election of Certain Officers (Three Members of the City Council) as Required by the Provisions of the Laws of the State of California Relating to General Law Cities;"
7. City Resolution No. 2007-44, "A Resolution of the City Council of the City of Foster City Authorizing the Mayor to Sign a School Crossing Guard Agreement with the San Mateo – Foster City School District for the 2007-2008 School Year;"

8. City Resolution No. 2007-45, "A Resolution of the City Council of the City of Foster City Approving an Agreement with the Law Firm of Aaronson, Dickerson, Cohn and Lanzone with Jean B. Savaree Serving as City Attorney for Fiscal Year 2007-2008, Fiscal Year 2008-2009 and Fiscal Year 2009-2010;"

EMID Consent Calendar

9. Minutes of Special Meeting of May 14, 2007;
10. Minutes of Special Meeting of May 21, 2007;
11. Minutes of Regular Meeting of May 21, 2007;
12. Warrant of Demands dated June 4, 2007;
13. EMID Resolution No. 2997, "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 790) Water Valve Replacement Project;" and
14. EMID Resolution No. 2998, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving an Agreement with the Law Firm of Aaronson, Dickerson, Cohn and Lanzone with Jean B. Savaree Serving as District Legal Counsel for Fiscal Year 2007-2008, Fiscal Year 2008-2009 and Fiscal Year 2009-2010."

Hearing no objection from the Council/Board, Mayor/President Cox took RESOLUTIONS FOR ADOPTION out of agenda order.

RESOLUTIONS FOR ADOPTION

CITY RESOLUTION NO. 2007-46 AUTHORIZING A TRANSFER OF UNRESTRICTED UNAPPROPRIATED FUND BALANCE FROM THE EQUIPMENT REPLACEMENT FUND (#502) TO THE VEHICLE REPLACEMENT FUND (#501) IN THE AMOUNT OF \$216,000.

Administrative Services Director Toler presented the staff report.

Discussion ensued.

Motion by Councilmember Koelling, seconded by Vice Chair Frisella, and carried 4-1-0, Councilmember Wykoff voted "No," to adopt City Resolution No. 2007-46, "A Resolution of the City Council of the City of Foster City Authorizing a Transfer of Unrestricted Unappropriated Fund Balance from the Equipment Replacement Fund (#502) to the Vehicle Replacement Fund (#501) in the Amount of \$216,000."

CITY RESOLUTION NO. 2007-47 AND EMID RESOLUTION NO. 3000 APPROVING THE COMPENSATION AND BENEFITS PLAN FOR THE CITY OF FOSTER CITY MANAGEMENT EMPLOYEES FOR FISCAL YEARS 2007-2008, 2008-2009, AND 2009-2010.

Human Resources Director Daniels presented the staff report.

Motion by Councilmember/Director Kiramis, seconded by Councilmember/Director Koelling, and carried 4-1-0, Councilmember/Director Wykoff voted "No," to adopt the following resolutions:

1. City Resolution No. 2007-47, "A Resolution of the City Council of the City of Foster City Approving the Compensation and Benefits Plan for the City of Foster City Management Employees for Fiscal Years 2007-2008, 2008-2009, and 2009-2010;" and
2. EMID Resolution No. 3000, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving the Compensation and Benefits Plan for the Estero Municipal Improvement District Management Employees for Fiscal Years 2007-2008, 2008-2009, and 2009-2010."

CITY RESOLUTION NO. 2007-48 AND EMID RESOLUTION NO. 3001 APPROVING AND ADOPTING THE PAY PLAN FOR FY 2007-2008.

Human Resources Director Daniels presented the staff report.

Motion by Councilmember/Director Koelling, seconded by Councilmember/Director Kiramis, and carried unanimously, 5-0-0, to adopt the following resolutions:

1. City Resolution No. 2007-48, "A Resolution of the City Council of the City of Foster City Approving and Adopting the Pay Plan for Fiscal Year 2007-2008;" and
2. EMID Resolution No. 3001, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Approving and Adopting the Pay Plan for Fiscal Year 2007-2008."

PUBLIC HEARINGS

REVIEW PROPOSED WATER AND SEWER RATES AND ADOPT CITY RESOLUTION NO. 2007-49 AND EMID RESOLUTION NO. 3002 ESTABLISHING NEW WATER AND SEWER SERVICE RATES FOR FISCAL YEAR 2007-2008.

Mayor/President Cox opened a public hearing to review proposed Water and Sewer Rates and adopt resolutions establishing new Water and Sewer Service Rates for Fiscal Year 2007-2008.

Administrative Services Director Toler presented the staff report.

No public testimony was received.

Mayor/President Cox closed the public hearing.

Motion by Vice Mayor/Vice President Frisella, seconded by Councilmember/Director Wykoff, and carried unanimously, 5-0-0, to adopt the following resolutions:

1. City Resolution No. 2007-49, "A Resolution of the City Council of the City of Foster City Establishing New Water Rates (Reference No. S-68) and New Sewer Rates (Reference No. S-73) for Fiscal Year 2007-2008;" and
2. EMID Resolution No. 3002, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Establishing New Water Rates (Reference No. S-68) and New Sewer Rates (Reference No. S-73) for Fiscal Year 2007-2008."

PROPOSED REVISIONS TO THE MASTER CITY/DISTRICT FEES AND SERVICES SCHEDULE FOR FISCAL YEAR 2007-2008. CITY RESOLUTION NO. 2007-50 AND EMID RESOLUTION NO. 3003.

Mayor/President Cox opened a public hearing to hear and consider comments regarding proposed revisions to the Master City/District Fees and Services Schedule for Fiscal Year 2007-2008.

Administrative Services Director Toler presented the staff report.

No public testimony was received.

Mayor/President Cox closed the public hearing.

Motion by Councilmember/Director Koelling, seconded by Councilmember/Director Kiramis, and carried unanimously, 5-0-0, to adopt the following resolutions:

1. City Resolution No. 2007-52, "A Resolution of the City Council of the City of Foster City Amending the Master Fees and Service Charges Schedule for FY 2007-2008," as amended deleting the building permit fee for solar (photovoltaic) panels (Ref. No. S-2-A, Subsection I); and
2. EMID Resolution No. 3003, "A Resolution of the Board of Directors of the Estero Municipal Improvement District Amending the Master Fees and Service Charges Schedule for FY 2007-2008," as amended deleting the building permit fee for solar (photovoltaic) panels (Ref. No. S-2-A, Subsection I.)

The Community Development Agency meeting reconvened at 8:47 p.m.

CITY/DISTRICT PRELIMINARY FISCAL YEAR 2007-2008 BUDGET. MINUTE ORDER NO. 1050.

Mayor/President Cox opened a public hearing to hear and consider public input regarding the City/District Preliminary Fiscal Year 2007-2008 Budget.

City/District Manager Hardy presented the budget hearing staff report.

Assistant City Manager Chappelle presented the staff report regarding funding for Peninsula Conflict Resolution Center services in Fiscal Year 2007-2008.

Jennifer Bullock, Associate Director, Peninsula Conflict Resolution Center, addressed the City Council regarding their funding request.

Parks and Recreation Director Miller presented the staff report regarding amending the Teen Center Project (CIP 794) budget.

No other public testimony was received.

Hearing no objection from the Council/Board, Mayor/President Cox closed the public hearing.

Discussion ensued.

Minute Order No. 1050 adopted, as follows:

1. Motion by Councilmember/Director Wykoff, seconded by Vice Mayor/Vice President Frisella, and carried unanimously, 5-0-0, directing staff to incorporate \$10,555 into the Fiscal Year 2007-2008 budget for the purpose of entering into a contract with the Peninsula Conflict Resolution Center for a one-year trial period;
2. Motion by Councilmember/Director Koelling, seconded by Vice Mayor/Vice President Frisella, and carried 4-1-0, Councilmember/Director Wykoff voted "No," authorizing additional funding from the Community Development Agency-Capital Improvement Projects (CIP) Fund in the amount of \$2,863,000 for the Teen Center CIP 794 budget and directing staff to proceed with the design and construction of the new Teen Center Facility; and
3. Motion by Councilmember/Director Wykoff, seconded by Councilmember/Director Koelling, and carried unanimously, 5-0-0, directing staff to prepare the Final FY 2007-2008 City/EMID/CDA budget for adoption on June 18, 2007.

The Community Development Agency adjourned at 9:35 p.m.

ORDINANCES FOR INTRODUCTION

CITY ORDINANCE CONTAINING A DESCRIPTION OF THE FOSTER CITY COMMUNITY DEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN IN THE FOSTER CITY PROJECT ONE, MARLIN COVE AND HILLSDALE/GULL COMMUNITY DEVELOPMENT PROJECTS.

Planning Manager Carmichael presented the staff report.

No public testimony received.

Motion by Councilmember Kiramis, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to introduce by title and waive further reading of "An Ordinance of the City of Foster City Containing a Description of the Foster City Community Development Agency's Program to Acquire Real Property by Eminent Domain in the Foster City Project One, Marlin Cove and Hillsdale/Gull Community Development Projects."

Motion by Councilmember Wykoff, seconded by Councilmember Koelling, and carried unanimously, 5-0-0, to pass the ordinance to second reading.

COUNCIL/BOARD STATEMENTS AND REQUESTS

Responding to Councilmember Wykoff regarding the possibility of San Mateo Union High School District (SMUHSD) eliminating bus service to Foster City students due to budget constraints, Councilmember Koelling reported that she attended a meeting on May 24 with Dr. Jacqueline McEvoy, Principal, San Mateo High School, held for the purpose of brainstorming ideas to help lessen SMUHSD's budget issues. She is currently looking for a place in Foster City to house the school buses during the week with them returning to Crestmoor on Fridays for housing over the weekend. At the May 24 meeting, a parent task force was created and is working with Samtrans to resolve the bus issue.

Councilmember Wykoff thanked Marge Felser, Editor of the Foster City Islander, for all of her assistance to the City that includes supporting the service clubs and printing the City's news releases free of charge.

Mayor Cox agreed that the Foster City Islander has been a great service to the City and also wanted to thank Marge Felser.

Councilmember Kiramis stated that the Foster City Islander is one of the last city home grown newspapers.

Councilmember Koelling indicated that she and other city officials met with Congressman Tom Lantos last Friday to discuss issues of local and national concern.

Councilmember Koelling reported that the entertainment at the Arts and Wine Festival held over the weekend was great, as well as the weather, and that Saturday evening ended with a great rock band.

Councilmember Kiramis publicly acknowledged and thanked the police reserves, police volunteers, and CERT members for all of their help and support at the Arts and Wine Festival.

Vice Mayor Frisella thanked all of the service clubs and Chamber of Commerce who worked at the Arts and Wine Festival.

Responding to Vice Mayor Frisella, regarding a 25 ways to conserve water information sheet, City Manager Hardy responded that it will soon be mailed in the utility bills.

Mayor Cox reported that the Arts and Wine Festival was a great success with good weather, a great crowd, and good food including the Fire Department's spicy hot chili.

Mayor Cox stated that the quality of entertainment in the Youth Talent Show sponsored by the Youth Advisory Committee was hard to judge this year because it was so great and that he would like to recognize the winners.

CLOSED SESSION

Mayor/President Cox recessed the meeting into Closed Session for a Conference with City/District Labor Negotiators James C. Hardy, Kristi Chappelle, Jean Savaree, Audrey Daniels, Steve Toler, Ray Towne, and Kevin Miller, regarding American Federation of State, County and Municipal Employees (AFSCME).

Meeting recessed into Closed Session at 9:49 p.m. and reconvened at 10:55 p.m.

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

ADJOURNMENT

Hearing no objection from the Council/Board, Mayor/President Cox adjourned the meeting.

Meeting adjourned at 10:55 p.m.